

**ORDINANCE NO. 93693-0117**

**AN ORDINANCE CORRECTING SCRIVENER'S ERROR IN  
ORDINANCE NO. 93109-0715 AND ORDINANCE NO. 93568-0816.**

WHEREAS, the City Council of the City of Muscatine previously adopted Ordinance No. 93109-0715 on July 2, 2015, an Ordinance establishing the Muscatine Convention and Visitors Board;

WHEREAS, the City Council of the City of Muscatine previously adopted Ordinance No. 93568-0816 on August 18, 2016, an Ordinance amending the appointment and removal powers of various boards and commissions in an effort to bring more transparency to its appointment process, to ensure the fairness of the process, and to ensure that the vacancies are being filled with qualified persons who are capable of contributing meaningfully to the organization which the person is ultimately appointed to;

WHEREAS, the City has learned that a minor scrivener's error has been made in the numbering of the sections in Ordinance No 93109-0715 and in the appointment powers amended pursuant to Ordinance No. 93568-0816.

WHEREAS, the City wishes to correct these scrivener's errors by renumbering Ordinance No. 93109-0715 and by amending the appointment powers of the Convention and Visitor's Board to comport with Ordinance No. 93568-0816.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA AS FOLLOWS:**

**SECTION 1.** The Convention and Visitors Board established by Ordinance No. 93109-0715 is renumbered for codification purposes to Title 2, Chapter 13, as set forth in the attached Exhibit A, attached hereto and by this reference made a part hereof.

**SECTION 2:** Section 3 of the Convention and Visitors Board established by Ordinance No. 93109-0715 is hereby amended as follows, which amendment has been incorporated into the attached Exhibit A:

**2-13-3 Appointment.**

- A. The Council shall appoint the board members.
- B. Members shall include the following: five (5) at-large members; one (1) member representing the Greater Muscatine Chamber of Commerce and Industry; and one (1) member representing travel and tourism in Muscatine County. The at-large members may include individuals representing attractions or events; lodging; businesses in the restaurant or retail sector; or those with an interest in promoting travel and tourism.

**SECTION 3:** Section 5 of the Convention and Visitors Board established by Ordinance No. 93109-0715 is hereby amended as follows, which amendment has been incorporated into the attached Exhibit A:

**2-13-5 Removal – Vacancies.** The Council may, at any time, remove any member of the Board after showing due cause, and shall fill the vacancies occurring on the Board by removal or otherwise.

**SECTION 4. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 5. SEVERABILITY CLAUSE.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

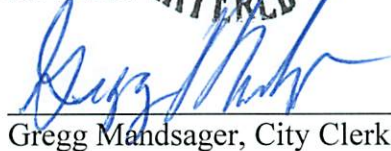
**SECTION 6. WHEN EFFECTIVE.** This ordinance shall be effective from and after its final passage, approval and publication as provided by law.

Passed and approved by the Muscatine City Council of this 5<sup>th</sup> day of January, 2017.



  
Diana Broderson, Mayor

ATTEST:

  
Gregg Mandsager, City Clerk

I certify that the foregoing was published as Ordinance No. 93693-0117 on the 13th day of January, 2017.

  
City Clerk

**1<sup>st</sup> Reading** – December 1, 2016

Motion by Council Member Spread, seconded by Council Member Fitzgerald, to adopt the first reading of Ordinance No. 93693-0117.

AYES: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread

NAYS: None

ABSENT: None

**2<sup>nd</sup> Reading** – December 15, 2016

Motion by Council Member Harvey, seconded Council Member by Natvig, to approve the second reading of Ordinance No. 93693-0117.

AYES: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread

NAYS: None

ABSENT: None

**3<sup>rd</sup> Reading** – January 5, 2017

Motion by Council Member Fitzgerald, seconded by Council Member Natvig, to approve the third reading of Ordinance No. 93693-0117.

AYES: Councilmembers Rehwaldt, Fitzgerald, Natvig, Saucedo, Bynum, Harvey, and Spread

NAYS: None

ABSENT: None

The Mayor declared Ordinance No. 93693-0117 adopted.

Title 2 – Boards and Commissions  
Chapter 13 – Convention and Visitors Board

**SECTIONS:**

- 2-13-1 Creation
- 2-13-2 Number of Members
- 2-13-3 Appointment
- 2-13-4 Term Duration and Limits
- 2-13-5 Removal – Vacancies
- 2-13-6 Residency Requirements
- 2-13-7 Responsibilities and Duties of Board
- 2-13-8 Appropriation of Funds for the Convention and Visitors Division

**2-13-1 Creation.** The Convention and Visitors Board is hereby created.

**2-13-2 Number of Members.** The Convention and Visitors Board shall consist of seven (7) gender balanced members. Members shall not hold elected positions on the Muscatine City Council or the Muscatine County Board of Supervisors.

**2-13-3 Appointment.**

- A. The Council shall appoint the board members.
- B. Members shall include the following: five (5) at-large members; one (1) member representing the Greater Muscatine Chamber of Commerce and Industry; and one (1) member representing travel and tourism in Muscatine County. The at-large members may include individuals representing attractions or events; lodging; businesses in the restaurant or retail sector; or those with an interest in promoting travel and tourism.

**2-13-4 Term Duration and Limits.**

- A. **Duration.** The Convention and Visitors Board shall consist of seven (7) members. The term of office of such members shall commence with their appointment and shall be for three (3) years, except to fill vacancies provided, however, that appointments to the first Board shall be three (3) members for one (1) year, three (3) members for two (2) years and one (1) member for three (3) years. Each term shall commence on the first day of July. All members of the Convention and Visitors Board shall remain on the Board until their successors are appointed.
- B. **Limits.** No individual shall serve more than two (2) full consecutive terms on the Convention and Visitors Board.

**2-13-5 Removal - Vacancies.** The Council may, at any time, remove any member of the Board after showing due cause, and shall fill the vacancies occurring on the Board by removal or otherwise.

**2-13-6 Residency Requirements.** Each member of the Convention and Visitors Board shall be a resident of the City of Muscatine, except for the Board member representing travel and tourism in Muscatine County, who shall be a resident of Muscatine County

**2-13-7 Responsibilities and Duties of Board.** The Convention and Visitors Board shall have the following responsibilities and duties:

- A. To adopt rules governing the Board's organization and procedures as may be deemed necessary. All rules shall be consistent with federal, state, and City statutes and shall be subject to the approval of the City Council.
- B. To develop and provide visitor and tourism information and programs for visitors to the City of Muscatine and Muscatine County based on the level of financial support provided by the City Council and other entities.
- C. To enhance the economic development of the City of Muscatine and Muscatine County by promoting the City and County as visitor destinations and as a viable setting to hold meetings, conventions, special events, and community attractions.
- D. To interview with the City Administrator, candidates for the position of Convention and Visitors Director and participate in the evaluation and selection of the candidate to be appointed to this position.
- E. To provide input to the City Administrator to evaluate the performance of the Convention and Visitors Director.
- F. To provide input for and review the annual budget request for the Convention and Visitors division.
- G. To serve as the City's review agency and coordinator for all outside agency and special group requests for financial support for use of hotel/motel tax proceeds to support visitor and tourism services.
- H. To appoint committees as needed.
- I. At the conclusion of each fiscal year make a report to the City Council. This report shall include narrative information on the progress of visitor and tourism programs during the past year and also include measurements or metrics including but not limited to: hotel/motel tax receipts; website visitors; visitor guides distributed; requests for mailings; annual advertising expenditures; ratio of advertising dollars spent to documented leads; number of tour groups and associated statistics; the number of events, meetings, and associated statistics; and any other information related to the promotion of visitor and tourism events and programs.

**2-13-8 Appropriation of Funds for the Convention and Visitors Division.** The City Council may annually appropriate a sum of money from the City's share of the hotel/motel tax to fund the operating budget of the Convention and Tourism division of the City Administrator's office. At the time of adoption of this ordinance, the hotel/motel tax allocation was 25% of the hotel/motel taxes received for the prior fiscal year.

## PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk

Ordinance No. 93693-0117

Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

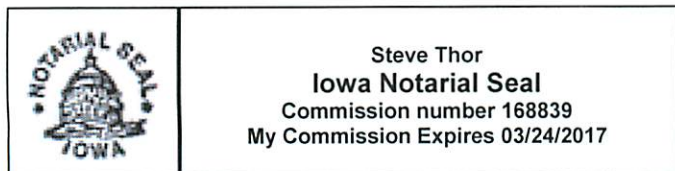
January 13, 2017

Jeff Lee

### STATE OF IOWA MUSCATINE COUNTY

13th day of January, 2017

Steve Thor, Notary Public



**ORDINANCE NO. 93693-0117  
AN ORDINANCE CORRECTING  
SCRIVENER'S ERROR IN  
ORDINANCE NO. 93109-0715 AND  
ORDINANCE NO. 93568-0816.**

WHEREAS, the City Council of the City of Muscatine previously adopted Ordinance No. 93109-0715 on July 2, 2015, an Ordinance establishing the Muscatine Convention and Visitors Board;

WHEREAS, the City Council of the City of Muscatine previously adopted Ordinance No. 93568-0816 on August 18, 2016, an Ordinance amending the appointment and removal powers of various boards and commissions in an effort to bring more transparency to its appointment process, to ensure the fairness of the process, and to ensure that the vacancies are being filled with qualified persons who are capable of contributing meaningfully to the organization which the person is ultimately appointed to;

WHEREAS, the City has learned that a minor scrivener's error has been made in the numbering of the sections in Ordinance No. 93109-0715 and in the appointment powers amended pursuant to Ordinance No. 93568-0816.

WHEREAS, the City wishes to correct these scrivener's errors by renumbering Ordinance No. 93109-0715 and by amending the appointment powers of the Convention and Visitors Board to comport with Ordinance No. 93568-0816.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA AS FOLLOWS:**

**SECTION 1.** The Convention and Visitors Board established by Ordinance No. 93109-0715 is renumbered for codification purposes to Title 2, Chapter 13, as set forth in the attached Exhibit A, attached hereto and by this reference made a part hereof.

**SECTION 2:** Section 3 of the Convention and Visitors Board established by Ordinance No. 93109-0715 is hereby amended as follows, which amendment has been incorporated into the attached Exhibit A:

**2-13-3 Appointment.**

A. The Council shall appoint the board members.

B. Members shall include the following: five (5) at-large members; one (1) member representing the Greater Muscatine Chamber of Commerce and Industry; and one (1) member representing travel and tourism in Muscatine County. The at-large members may include individuals representing attractions or events; lodging; businesses in the restaurant or retail sector; or those with an interest in promoting travel and tourism.

**SECTION 3:** Section 5 of the Convention and Visitors Board established by Ordinance No. 93109-0715 is hereby amended as follows, which amendment has been incorporated into the attached Exhibit A:

**2-13-5 Removal - Vacancies.** The Council may, at any time, remove any member of the Board after showing due cause, and shall fill the vacancies occurring on the Board by removal or otherwise.

**SECTION 4. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 5. SEVERABILITY CLAUSE.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 6. WHEN EFFECTIVE.** This ordinance shall be effective from and after its final passage, approval and publi-



cation as provided by law.  
Passed and approved by the Muscatine  
City Council of this 5th day of January,  
2017.

Diana Broderson, Mayor

**ATTEST:**  
Gregg Mandsager, City Clerk

I certify that the foregoing was published  
as Ordinance No. 93693-0117 on the  
13th day of January, 2017.

City Clerk

**1st Reading** - December 1, 2016

Motion by Council Member Spread, se-  
conded by Council Member Fitzgerald, to  
adopt the first reading of Ordinance No.  
93693-0117.

AYES: Councilmembers Rehwaltd, Fitz-  
gerald, Natvig, Saucedo, Bynum, Harvey,  
and Spread

NAYS: None

ABSENT: None

**2nd Reading** - December 15, 2016

Motion by Council Member Harvey, se-  
conded Council Member by Natvig, to ap-  
prove the second reading of Ordinance  
No. 93693-0117.

AYES: Councilmembers Rehwaltd, Fitz-  
gerald, Natvig, Saucedo, Bynum, Harvey,  
and Spread

NAYS: None

ABSENT: None

**3rd Reading** - January 5, 2017

Motion by Council Member Fitzgerald, se-  
conded by Council Member Natvig, to ap-  
prove the third reading of Ordinance No.  
93693-0117.

AYES: Councilmembers Rehwaltd, Fitz-  
gerald, Natvig, Saucedo, Bynum, Harvey,  
and Spread

NAYS: None

ABSENT: None

The Mayor declared Ordinance No.  
93693-0117 adopted.

## **Title 2 - Boards and Commissions** **Chapter 13 - Convention**

### **AND Visitors Board**

#### **SECTIONS:**

2-13-1 Creation

2-13-2 Number of Members

2-13-3 Appointment

2-13-4 Term Duration and Limits

2-13-5 Removal - Vacancies

2-13-6 Residency Requirements

2-13-7 Responsibilities and Duties of  
Board

2-13-8 Appropriation of Funds for the  
Convention and Visitors Division

**2-13-1 Creation.** The Convention and  
Visitors Board is hereby created.

**2-13-2 Number of Members.** The Con-  
vention and Visitors Board shall consist of  
seven (7) gender balanced members.  
Members shall not hold elected positions  
on the Muscatine City Council or the  
Muscatine County Board of Supervisors.

**2-13-3 Appointment.**

A. The Council shall appoint the board  
members.

B. Members shall include the following:  
five (5) at-large members; one (1) mem-  
ber representing the Greater Muscatine  
Chamber of Commerce and Industry; and  
one

(1) member representing travel and tour-  
ism in Muscatine County. The at-large  
members may include individuals repre-  
senting attractions or events; lodging;  
businesses in the restaurant or retail sec-  
tor; or those with an interest in promoting  
travel and tourism.

#### **2-13-4 Term Duration and Limits.**

A. **Duration.** The Convention and Visitors  
Board shall consist of seven (7) mem-  
bers. The term of office of such members  
shall commence with their appointment  
and shall be for three (3) years, except to  
fill vacancies provided, however, that ap-  
pointments to the first Board shall be  
three (3) members for one (1) year, three  
(3) members for two (2) years and one  
(1) member for three (3) years. Each term  
shall commence on the first day of July.  
All members of the Convention and Visi-  
tors Board shall remain on the Board until  
their successors are appointed.

B. **Limits.** No individual shall serve more  
than two (2) full consecutive terms on the  
Convention and Visitors Board.

**2-13-5 Removal - Vacancies.** The Coun-  
cil may, at any time, remove any member  
of the Board after showing due cause,  
and shall fill the vacancies occurring on  
the Board by removal or otherwise.

**2-13-6 Residency Requirements.** Each  
member of the Convention and Visitors  
Board shall be a resident of the City of  
Muscatine, except for the Board member  
representing travel and tourism in Musca-  
tine County, who shall be a resident of  
Muscatine County.

**2-13-7 Responsibilities and Duties of  
Board.** The Convention and Visitors  
Board shall have the following responsi-  
bilities and duties:

A. To adopt rules governing the Board's  
organization and procedures as may be  
deemed necessary. All rules shall be con-  
sistent with federal, state, and City stat-  
utes and shall be subject to the approval  
of the City Council.

B. To develop and provide visitor and  
tourism information and programs for vis-  
itors to the City of Muscatine and Musca-  
tine County based on the level of financial  
support provided by the City Council and  
other entities.

C. To enhance the economic develop-  
ment of the City of Muscatine and Mus-  
catine County by promoting the City and  
County as visitor destinations and as a vi-  
able setting to hold meetings, conven-  
tions, special events, and community at-  
tractions.

D. To interview with the City Administra-  
tor, candidates for the position of Con-  
vention and Visitors Director and partici-  
pate in the evaluation and selection of the  
candidate to be appointed to this position.

E. To provide input to the City Adminis-  
trator to evaluate the performance of the  
Convention and Visitors Director.

F. To provide input for and review the an-  
nual budget request for the Convention  
and Visitors division.

G. To serve as the City's review agency  
and coordinator for all outside agency  
and special group requests for financial  
support for use of hotel/motel tax pro-  
ceeds to support visitor and tourism ser-  
vices.

H. To appoint committees as needed.

I. At the conclusion of each fiscal year  
make a report to the City Council. This re-  
port shall include narrative information on  
the progress of visitor and tourism pro-  
grams during the past year and also in-  
clude measurements or metrics including  
but not limited to: hotel/motel tax receipts;  
website visitors; visitor guides distributed;  
requests for mailings; annual advertising  
expenditures; ratio of advertising dollars  
spent to documented leads; number of  
tour groups and associated statistics; the  
number of events, meetings, and associ-  
ated statistics; and any other information  
related to the promotion of visitor and  
tourism events and programs.

**2-13-8 Appropriation of Funds for the  
Convention and Visitors Division.** The  
City Council may annually appropriate a  
sum of money from the City's share of the  
hotel/motel tax to fund the operating  
budget of the Convention and Tourism di-  
vision of the City Administrator's office. At  
the time of adoption of this ordinance, the  
hotel/motel tax allocation was 25% of the  
hotel/motel taxes received for the prior  
fiscal year.