

CHAPTER 23 UTILITY BOARD OF TRUSTEES

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2-23-1 PURPOSE. The purpose of this Chapter is to provide for the operation of the municipally owned electric utility by a Board of Trustees

2-23-2 ESTABLISHED. There shall be established a Board of Municipal Electric Utility Trustees to manage and control the municipal electric utility as authorized by the voters at the municipal election held November 5, 1985.

2-23-3 APPOINTMENT. The Mayor shall appoint five (5) members to the Board of Trustees. The City Council of the City of Maquoketa will confirm or deny said appointments. The Board shall serve in an advisory capacity for a period not to exceed one year commencing with the passage of this Ordinance. The City Council may by Resolution release the Board of its advisory duties and grant the Board supervisory control of the electric utility prior to the expiration of such one-year period.

2-23-4 TERMS OF OFFICE. The terms of office shall be as follows:

- One person – Two year term
- Two persons – Four year term
- Two persons – Six year term

All subsequent terms of office shall be for six (6) years. The terms shall be deemed to commence in January 1 of odd numbered years. Any vacancy shall be filled in the manner of original appointments, but only for the balance of the unexpired term where the vacancy occurs. All Members of the Board shall be residents of the City of Maquoketa.

2-23-5 MEETINGS. The Board of Trustees shall hold at least one regular meeting each month. The Board shall also call special meetings as necessary. The Secretary shall provide public notice of all regular and special meetings. The regular monthly meeting date shall be set by the Board at their first meeting in January for the following year. The regular monthly meeting date shall not conflict with the regular monthly meetings of the City Council.

2-23-6 BONDS. Each Trustee shall execute and furnish to the City an official bond in the sum of \$5,000 to be approved by the Council and filed with the Clerk. A blanket bond covering all officers and employees may be substituted in place of individual bonds.

2-23-7 COMPENSATION. Each Trustee shall receive compensation of \$35.00 per meeting attended. Said compensation shall commence January 1, 1986 and shall not exceed the sum of \$1,000 for one calendar year.

(Ord. 1001, Passed February 21, 2005.)

2-23-7A REIMBURSEMENT. Each Trustee shall receive reimbursement for monies spent on mileage lodging, meals and supplies while doing business for the Utility. The Trustee must present the Utility with a receipt for each expense and it will be approved by the Board at the following meeting.

(Ord. 938 06-19-2000)

2-23-8 POWERS AND DUTIES. The Board of Trustees shall have all the power and authority in the management and control of the City Electric Plant and Distribution System as is conferred upon such Trustees in Chapter 388, of the Code of Iowa, or any amendments thereto including the fixing of rates for electric service. Each Trustee shall transmit to his/her successor in office all books, papers, records and documents belonging to the City in his/her custody or pertaining to his/her office.

2-23-9 FINANCIAL REPORTS. Immediately following a regular or special meeting of the Board, the Secretary shall prepare a condensed statement of the proceedings of the Board and cause the statement to be published in the newspaper of general circulation in the City. The statement must include a list of all claims allowed, showing the name of the person or firm making the claim, the reason for the claim, and the amount of the claim. A copy of such statement shall also be filed with the City Clerk. It shall immediately after the close of each fiscal year, file with the City Clerk and City Council a financial report including all money received and disbursed for the fiscal year, and a comparative balance sheet showing assets and liabilities of the fund at the beginning and end of the fiscal year. All financial reports shall be subject to audit by a Certified Public Accountant. All audits will be paid from the Utility Fund.

2-23-10 BUDGET PREPARATION. The Board shall prepare its budget and present it to the Council not later than January 15th of each year prior to the deadline for Council action approving the annual budget in the form required for cities and by the Council. The Board may establish a Budget on a calendar year basis to coincide with electric reports mandated by Agencies and the State of Iowa.

2-23-11 USE OF STREETS AND ALLEYS. It shall be lawful for the municipal utility to cause to be set within the limits of the public streets and alleys of the City such poles as it may deem necessary, and to adjust conducting wires to and along said poles, for the purpose of lighting the City with electricity, and the person or persons putting up and adjusting said wires are hereby authorized and empowered to cut off and remove such limbs of trees or other obstructions in the City right-of-way and dedicated easements as may be necessary for the free and uninterrupted use of said wires for the purpose of lighting the City with electricity in accordance with standards established by the Council.

2-23-12 PERMIT PAYMENT. In consideration of permission to use the streets and public ways of the City for the construction, operation, maintenance, and reconstruction of a municipal electric distribution system within the City, the Board shall pay to the City an annual amount equal to two percent (2%) of the annual total gross revenues collected from the sale of electricity to all

customers, excluding sales made under rate schedules lgs-1500 and lgs-2000 through December 31, 2003. The payment shall be in addition to any other payment owed to the City by the Board. Such payment shall be made in January of each year. The Board shall pass an annual resolution that will accompany each permit payment which certifies and details the amount(s) of total gross revenue from electric sales, categories of revenues from electric sales, and timeframe of electric sales from which the payment is derived.

(Ord 950, Passed February 19, 2001)

2-23-13 SERVICES TO THE COMMUNITY. The Board shall continue to provide the following services to the City and Community without charge.

1. Service and maintenance for the traffic signals, street lights, electric services in City buildings, airport buildings and lights, pumping stations and water wells. The Board may charge the City for parts and materials at the Board's costs.

2. Mounting, storing and removing of the Downtown Christmas decorations, flags and banners.

2-23-14 CHAIRPERSON. The Board shall elect a Chairperson who shall preside over the Board meetings. The terms shall be established by the Board. The Board may also elect a Vice-Chairperson and Secretary-Treasurer. All such appointments shall be made at the first meeting in January.

2-23-15 MANAGEMENT PERSONNEL. The City Manager may serve in an advisory capacity for the Utility Board of Trustees until such time as the City Council by Resolution directs that such assistance from the City Manager is no longer required. The Board may employ a Manager or Secretary to administer the policies and directions of the Board.

(Ord. 657. 2-17-86)

2-23-16 EFFECTIVE DATE. This ordinance shall become effective upon its passage and publication according to law.

