**388.3 Procedure upon approval — appointment and removal of board members.**

1. If a proposal to establish a utility board receives a favorable majority vote, the mayor shall appoint the board members, as provided in the proposal, subject to the approval of the council. The council shall by resolution provide for staggered six-year terms for, and shall set the compensation of, board members.

2. A board member appointed to fill a vacancy occurring by reason other than the expiration of a term is appointed for the balance of the unexpired term.

3. A public officer or a salaried employee of the city shall not serve on a utility board.

4. Any person appointed as a board member of a utility board pursuant to this section may be removed from office by the mayor with the unanimous approval of the city council for any of the following reasons:

*a.* For any reason enumerated in section 66.1A.

*b.* For habitual nonattendance of board meetings.

5. A removal pursuant to this section shall begin with a written notice, sent by certified mail to the board member stating the grounds for removal, with a copy of the notice filed with the city clerk. The board member shall be entitled to a public hearing within thirty days of the mailing of the notice, on all issues connected with the removal, unless the board member requests a later date. After the passage of thirty days or after the public hearing described provided by this subsection, the city council shall vote on whether to approve the removal of the board member.

6. The provisions of this section do not apply to a city with a population of more than two hundred thousand according to the 2020 federal decennial census.

[C97, §747; S13, §747-a, -b; C24, 27, §6147, 6148, 6157; C31, 35, §6147, 6148, 6157, 6943-c1, -c2, -c3; C39, **§6147, 6148, 6157, 6943.001 – 6943.003;** C46, 50, 54, 58, 62, 66, 71, 73, §397.32, 397.33, 398.8, 420.297 – 420.299; C75, 77, 79, 81, §388.3]

2019 Acts, ch 24, §104; 2020 Acts, ch 1063, §205; 2022 Acts, ch 1068, §1, 2
NEW subsections 4 – 6