

## CHAPTER 12

### THE CITY HOSPITAL

---

#### **Sec. 12.1. ADMINISTRATIVE AGENCY CREATED; PURPOSE, TITLE.**

There is created an administrative agency, in the form of a board of trustees, for the purpose of providing for the management, control and government of the city hospital of the City of Ames known as the "Mary Greeley Medical Center" and such other hospitals and health care facilities as may be established, operated or maintained by the City of Ames, said board to be entitled the Ames City Hospital Board of Trustees. (Hospital Trustees)  
*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 2811, Sec. 1, 3-9-82; Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sec. 392.1, 392.6]*

#### **Sec. 12.2. ELECTION OF MEMBERS, TERM OF OFFICE.**

The Ames City Hospital Board of Trustees shall consist of five (5) or seven (7) persons, as determined by a majority vote of the Board of Trustees. Trustees shall be elected in regular City elections, and the term of office shall be four (4) years.  
*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 2525, Sec. 1, 8-5-75; Ord. No. 3273, Sec. 1, 5-10-94; Ord. No. 3320, Sec. 1, 3-7-95; Ord. No. 4484, Sec. 1, 1-10-23)*

#### **Sec. 12.3 QUALIFICATIONS.**

Any eligible elector from the City Hospital's service area, comprising Story, Greene, Boone, Hamilton, Hardin, and Marshall Counties, may be a candidate for the Ames City Hospital Board of Trustees. Any person appointed to fill a Trustee vacancy shall also be a resident of the City Hospital's service area. A candidate for Hospital Trustee must be nominated by petition of residents of the City in accordance with the election laws of Iowa."  
*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 3320, Sec. 1, 3-7-9; Ord. No. 3341, Sec. 1, 8-15-95; Ord. No. 4484, Sec. 1, 1-10-23) [State Law Ref. Sec. 45.1]*

#### **Sec. 12.4. COMPENSATION.**

Hospital Trustees shall not receive any compensation for services performed but shall receive reimbursement for actual and necessary expenses incurred in performance of the trustees' duties.  
*(Ord. No. 4069, 6-14-11) [State Law reference: House File 260, §16, 83<sup>rd</sup> General Assembly, 2009, to be codified at 2011 Iowa Code §392.6(4)]*

#### **Sec. 12.5. GENERAL POWERS AND DUTIES.**

The Hospital Trustees elected pursuant to this chapter shall, subject to the provisions of this chapter, be vested with the authority and duty to provide for the management, control and government of the City Hospital or health care facilities.  
*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sec. 392.6]*

#### **Sec. 12.6. INITIAL ORGANIZATION.**

Terms of office of Hospital Trustees elected pursuant to general or regular city elections shall begin at noon on the first day in January which is not a Sunday or legal holiday. Terms of office of trustees appointed to fill a vacancy or elected pursuant to special election shall begin at noon on the tenth day after appointment or the special election which is not a Sunday or legal holiday. The Hospital Trustees shall begin their terms of office by taking the oath of office and organize as a board by election of one trustee as chairperson, one trustee as treasurer, and one trustee as secretary. Terms of office of Hospital Trustees shall extend to noon on the first day in January which is not a Sunday or legal holiday or until their successors are elected and qualified.  
*(Ord. No. 4069, 6-14-11) [State Law reference: House File 260, §16, 83<sup>rd</sup> General Assembly, 2009, to be codified at 2011 Iowa Code §392.6(3)(a)] (Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sec. 392.6]*

**Sec. 12.7. DISCONTINUANCE.**

In the event of the discontinuance of the City Hospital or health care facilities, the City Council may discontinue the Hospital Trustees by adopting a resolution proposing such action and publishing a notice as required by law, of the resolution and of a date, time and place of public hearing on the proposal, and may discontinue the Hospital Trustees by ordinance or amendment not sooner than thirty (30) days following the hearing.

*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 2458, Sec. 1, 11-20-73; Ord. No. 2525, Sec. 1, 8-5-75; Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sec. 392.7]*

**Sec. 12.8. RULE MAKING.**

Except as otherwise specifically provided in this chapter, the Hospital Trustees shall have rule-making authority, and shall provide all needed rules and regulations for the use, economic conduct, management, control and government of city hospitals and health care facilities not contrary to law or inconsistent with the provisions of this chapter.

*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sections 392.1, 392.6]*

**Sec. 12.9. ACCEPTANCE AND USE OF GIFTS.**

The Hospital Trustees may accept property by gift, devise, bequest or otherwise; and, if the Hospital Trustees deem it advisable, may, at public sale, sell or exchange any property so accepted upon a concurring vote of a majority of all Hospital Trustees, and apply the proceeds thereof, or property received in exchange therefor, to any legitimate hospital or health care facility purpose.

*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sec. 392.6]*

**Sec. 12.10. FUND FOR DEPRECIATION.**

The Hospital trustees may in their discretion establish a fund for depreciation as a separate fund. Said funds may be invested in United States Government bonds and when so invested, the accumulation of interest on the bonds so purchased shall be used for the purposes of the depreciation fund. An investment when so made shall remain in United States Government bonds until such time as in the judgment of the Hospital Trustees it is deemed advisable to use the funds for hospital or health care facility purposes.

*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 3320, Sec 1, 3-7-95) [State Law Ref. Sec. 392.6]*

**Sec. 12.11. JOINT VENTURES AND AFFILIATIONS.**

The Hospital Trustees are hereby authorized to enter into any and all manner of contracts, with any and all kinds of parties, public or private, for profit or non-profit, for the purpose of joint ventures, affiliations, shared services, and cooperative activities of any and all kinds pertaining to health care, including contracts that entail the formation and capitalization of new legal entities, whether non-profit or for profit; and, such transactions, to the extent that they are in accordance with law, are hereby fully approved by the City Council. No further specific approval by the City Council of each such contract is required.

*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sec. 392.4]*

**Sec. 12.12. RATES AND CHARGES.**

(1) The Hospital Trustees may establish, impose, adjust, and provide for the collection of rates and charges to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of the City Hospital.

(2) When revenue bonds are issued and outstanding, the Hospital Trustees shall establish, impose, adjust, and provide for the collection of rates to produce gross revenues at least sufficient at all times to pay the principal of and interest on the revenue bonds as they become due and to maintain a reasonable reserve for the payment of principal and interest, and a sufficient portion of net revenues must be pledged for that purpose. Rates must be established by resolution of the Hospital Trustees, published in the same manner as a city ordinance.

(3) So long as there are revenue bonds or pledge orders outstanding, the rates established by the Hospital Trustees are subject to approval by the City Council.

*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Secs. 384.84, 392.1]*

**Sec. 12.13. BORROWING, LIMITATIONS AND PROHIBITED ACTS.**

(1) The Hospital Trustees shall not issue bonds or enter into a loan agreement or other transaction that creates or purports to create a general obligation of the City of Ames

(2) The Hospital Trustees shall not pledge the credit or taxing power of the City.

(3) There is not delegated to the Hospital Trustees, the powers, authorities, and duties provided in Division V of Chapter 384 Code of Iowa pertaining to issuance and sale of revenue bonds.

*(Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sec. 392.1, 392.2]*

**Sec. 12.14. POWER AND AUTHORITY TO MAKE VALID CONTRACTS.**

Except as otherwise provided in this chapter, the Hospital Trustees shall have the power and authority to enter into contracts, and such contracts shall not be subject to review and approval by the City Council if made and entered into pursuant to the procedures and provisions of Iowa law and this chapter; and, when so made and entered into, such contracts, to the extent otherwise valid by law, shall be valid, enforceable and not voidable by subsequent actions of the City Council even if the Hospital Trustees should be dissolved.

*(Ord. No. 2445, Sec. 1, 6-19-73; Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sec. 392.3]*

**Sec. 12.15. REAL ESTATE TRANSACTIONS.**

(1) The Hospital Trustees may accept property by gift, devise, bequest or otherwise; and, if the Hospital Trustees deem it advisable, may, at public sale, sell or exchange any property so accepted upon a concurring vote of a majority of all Hospital Trustees, and apply the proceeds thereof, or property received in exchange therefor, to any legitimate hospital or health care facility purpose.

(2) Transactions for the acquisition of real estate, or of an interest in real estate, including leases in which the City Hospital shall be the tenant, may be done on authority of the Hospital Trustees without specific approval by the City Council.

*(Ord. No. 4069, 6-14-11) [State Law reference: House File 260, §17, 83<sup>rd</sup> General Assembly, 2009, repealing Iowa Code §347.28 and §347.29]*

**Sec. 12.16. AUDIT AND BUDGET LAWS, COOPERATION.**

(1) The Hospital Trustees shall take such measures as are necessary and appropriate, at hospital expense, to meet requirements of law for an annual audit.

*[State Law Ref. Sec. 11.6]*

(2) The Hospital Trustees shall take such measures as are necessary and appropriate to fully cooperate and assist in meeting the law and regulations of Iowa with respect to certification of a city budget to the extent such laws and regulations pertain to the activities of the City Hospital.

*[State Law Ref. Secs. 384.16, 384.20]*

*(Ord. No. 3320, Sec. 1, 3-7-95)*

**Sec. 12.17. FILLING OF VACANCIES.**

A vacancy in a Hospital Trustee position shall be filled in the manner prescribed by the laws of the State of Iowa pertaining to vacancies in boards of hospital trustees.

*(Ord. No. 3320, Sec. 1, 3-7-95) [State Law Ref. Sec. 372.13] [State Law reference: House File 260, §16, 83<sup>rd</sup> General Assembly, 2009, amending Iowa Code §347.10 and §392.6(3)(b)] (Ord. No. 4069, 6-14-11)*