

**Resolution #1056-07-09-2024**

**RESOLUTION CREATING THE PORTS OF EASTERN IOWA AUTHORITY**

WHEREAS, Chapter 28J of Iowa Code allows two or more political subdivisions to create a port authority by resolution; and

WHEREAS, the Counties of Louisa, Muscatine, Scott, Clinton, Jackson, and Dubuque Iowa desire to create a port authority; and

WHEREAS, at a duly called meeting of the Jackson County board of Supervisors which occurred on Month, day 2024, the decision was made to adopt this Resolution.

NOW, THEREFORE, it is hereby resolved by the Jackson County Board of Supervisors that:

1. A port authority is hereby established with jurisdiction to encompass real or personal property within the territory of the undersigned political subdivision that is owned by the port authority or real or personal property within the territory of the undersigned otherwise owned, operated or controlled in a manner related to the furtherance of one or more of the authorized purposes as set forth in chapter 28J.1 (1) code of Iowa, and
2. The port authority shall be known as the Ports of Eastern Iowa Authority; and
3. The Ports of Eastern Iowa Authority shall have all powers contemplated by Chapter 28J of the Iowa Code except eminent domain or zoning powers. Nothing expressed or implied in this resolution shall represent any financial commitment to the port authority on behalf of the undersigned political subdivision.
4. Ports of Eastern Iowa Authority shall be governed by a board of directors comprised of one director from each political subdivision creating the authority. The director appointed by each political subdivision shall serve a two-year term, except any person appointed to fill a vacancy shall be appointed to only the unexpired term. In the event of a vacancy on the board, the political subdivision which appointed the director creating the vacancy shall be entitled to appoint a director to fill the vacancy.
5. Except in connection with the initial board, the Ports of Eastern Iowa Authority board of directors shall not include a member of a legislative body of any political subdivision which is a part of the authority. Any board member elected to any such legislative office during the board member's term of office on the board, shall immediately be removed from the board and a successor shall be appointed for the remaining term of the removed director in the same manner provided for the original appointment.
6. By enacting this Resolution, the undersigned political subdivision agrees that any surplus of funds as contemplated by section 28J.13 of the Iowa Code shall be paid, in equal shares, to the general funds of the following political subdivisions which adopt a like resolution and appoint members of the initial board of directors: the Counties of Louisa, Muscatine, Scott, Clinton, Jackson, and Dubuque. Liabilities of the port authority shall not become liabilities of the political subdivisions.
7. Except as provided in Chapter 28J of the Iowa Code, nothing in this Resolution shall be construed as altering, impairing, or diminishing the authority of the undersigned, or previously approved county resolutions.
8. This Resolutions shall only become effective when at least three (3) of the remaining six political subdivisions adopts a like resolution and appoints its members of the initial board of directors.

ADOPTED AND APPROVED BY THE JACKSON COUNTY BOARD OF SUPERVISORS this 9<sup>th</sup> day of

July, 2024

Mike Steines  
Mike Steines, Chairman

Don Schwenker  
Don Schwenker, Vice-Chair

Nin Flagel  
Nin Flagel, Member

Attest:

Alisa Smith  
Alisa Smith, Jackson County Auditor