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Doc#2005- 10148

**ORDINANCE NO. O-05-50**

**AN ORDINANCE ADOPTING VARIOUS RECOMMENDATIONS OF THE BLUE RIBBON COMMISSION ON THE OPERATIONS AND REGULATIONS OF THE SPECIFIC BOARDS AND COMMISSIONS OF THE CITY OF CONWAY:**

**WHEREAS;** The Blue Ribbon Commission was established by Resolution R-87-45 to review the operations and regulations of the city boards and commissions; and,

**WHEREAS;** The commission submitted their report to the Conway City Council on February 23, 1988 after extensive research and public hearings; and

**WHEREAS;** The city council accepted that report and its recommendations therein included with Resolution R-88-11; and,

**WHEREAS;** The city council has determined to formally adopt several of those regulations for application to several specific city boards and commissions;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:**

**Section 1:** The City of Conway adopts the following procedures for nomination and selection of new members for all city boards and commissions:

**1. NOMINATION & SELECTION PROCEDURES**

**STEP 1:**

**Not Less Than Ninety (90) Days Before the End of Calendar Year:**

The Mayor's Office will publish a legal notice in a newspaper circulated in the area served by the board or commission to include the following information for all city boards and commissions for whom new members must be selected in the upcoming year:

- Name of board or commission
- Purpose of board or commission
- Names of members of boards or commissions and the dates of their terms
- Invitations to submit nominations in writing, to include name, address, and completed nomination form of person nominated and the name and address of the person making the nomination
- Term of office
- Eligibility requirements
- General responsibilities of the position(s)
- Statement encouraging nominations from each of the diverse segments of the population served
- Closing date of nomination period which will be not less than thirty (30) days from the date of publication of first legal notice
- Name and mailing address of where to submit nomination

- Notification that nomination forms may be obtained in the office of the City Clerk

**STEP 2:**

**Not Less Than 60 Days Before the End of the Calendar Year,**

\*The nomination period will close.

\*The proper official body, be it the board or commission or Mayor's Office, will begin review of nominations.

**STEP 3:**

**Not Less Than 30 days Before the End of the Calendar Year,**

The proper official body will choose the nominee(s), submit name of nominee(s) in writing to the city council, and release the name(s) to the news media.

**STEP 4:**

**Not Less Than 10 Days Before the End of the Calendar Year,**

After taking the nominee(s) under advisement, the city council shall approve or reject the nominee(s) at a regularly scheduled meeting.

**STEP 5:**

**Not More Than 5 Days After City Council Action,**

The Mayor's Office shall notify the board or commission of the city council's action in writing.

In the event the nominee(s) is rejected by the city council, the board or commission or Mayor's Office shall immediately return to the original pool of nominees and within ten (10) days publicly announce and submit in writing to the council the name of another nominee(s). The city council shall then have a maximum of twenty (20) days in which to consider the new nominee(s) or it must consider the new nominee(s) at its next regularly scheduled meeting in the event that no regular meeting is scheduled within the twenty (20) day period, and complete its action and thereafter shall notify the board or commission in writing of its action. This procedure may be repeated until a member is duly qualified.

In the event that a vacancy occurs on a board or commission before the expiration of a term, the same nomination and selection procedure shall apply with the Mayor's Office implementing STEP 1 within ten (days) after the vacancy is declared. The Mayor's Office shall have thirty (30) days to accept nominations and the proper body shall thirty (30) days to review nominations. The new nominee shall be chosen, submitted to the city council, and publicly revealed no more than sixty days from the date STEP 1 began. The council shall complete its action on the nominee within twenty (20) days of written notice of the nominee(s) and the Mayor's Office shall notify the board or commission of its action in writing within five (5) days of the date of the

action. In the event the nominee(s) is rejected, the same procedure for rejected nominations as provided above shall apply.

If sufficient time to complete this procedure is not available prior to the expiration of a term of office after passage of this ordinance, the proper body may apply to fill any vacancy so occurring by adhering as closely to these procedures as possible.

The Conway Corporation Board of Directors, because of its "arm length" relationship with the city, will be exempt from the provisions of this section in regards to the date and time of the process and shall handle their own nomination process. They are encouraged to follow the same procedures for notice, nomination, and selection if not at the same date and time.

**Section 2:** The City of Conway recognizes the following Primary City Boards and Commissions: the Conway Planning Commission, the Board of Zoning Adjustment, Public Facilities Board, Hospital Facilities Board, Advertising & Promotion Commission, Conway Corporation Board of Directors, and the Historic District Commission. The City of Conway further recognizes the following Local Community Boards and Commissions: The Board of Education of the Conway Public Schools, the Board of Directors of the Conway Regional Medical Center, the Quorum Court of Faulkner County, or any board or commission created under the authority of the Faulkner County. The City of Conway further designates all other city boards, commissions, advisory committees, etc. as Non-primary City Boards and Commissions.

The City of Conway further formally adopts the following regulations for all Primary City Boards and Commissions:

1. Expiration dates of terms on all boards and commissions shall be staggered except as provided otherwise by law.
2. All boards and commissions shall have a minimum of seven (7) members except as otherwise provided by law or enacting ordinance.
3. The length of term in years shall be no longer than the number of members on the board with multiple terms expiring at the same time being allowable if the terms are staggered such that no more than half of the member's terms expire at the same time except as otherwise provided by law.
4. Service on all board and commissions shall be limited to one (1) term.
5. Members of Primary City Boards or Commissions can serve only on one (1) Primary City Board or Commission or Local Community Boards or Commissions at the time of their appointment except as otherwise provided by law. Primary City Board or Commission members can not be appointed to other Primary City Boards or Commissions during their service. Appointments to and/or service on a Non-primary City Board or Commission does not exclude

a person from concurrent service on a Primary City Board or Commission. Members of Primary City Boards or Commissions if subsequently appointed or elected to a Local Community Board or Commission are not required to resign their position on a Primary City Board or Commission.

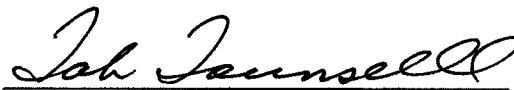
6. Each board and commission should have written bylaws or operating procedures which outline how that board or commission conducts its basic operations – a copy of which should be on file in the Office of the City Clerk and the Mayor's Office.
7. Each board and commission shall be responsible for filing an annual report with the City Clerk and the Mayor's Office which would include the following information:
  - (a) Summary of yearly activities and operations, goals and major decisions made by the board;
  - (b) Financial audits where applicable;
  - (c) Copy of current bylaws and procedures;
  - (d) Budget where applicable.
8. The City Clerk and/or the Office of the Mayor shall keep an up-to-date set of records on all boards and commissions to include such information as a current list of all members and membership dates of boards and commissions and specific locations appropriate for each board shall be deemed the repository of the board's minutes, audits, bylaws and procedures, and annual reports.

**Section 3:** That for purposes of these regulations, ordinances by which these boards or commissions are created and/or by which their operations are governed shall be deemed law.

**Section 4:** That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 10<sup>th</sup> day of May, 2005.

APPROVED:



Mayor Tab Townsell

ATTEST:



City Clerk Michael O. Garrett