



**City of Conway, Arkansas
Ordinance No. O-23-63**

AN ORDINANCE REPEALING ORDINANCE NO. O-05-50, O-08-47, O-11-75, AND HEREBY READOPTING ADOPTING VARIOUS RECOMMENDATIONS FOR THE OPERATIONS AND REGULATIONS OF THE SPECIFIC BOARDS AND COMMISSIONS OF THE CITY OF CONWAY; AND FOR OTHER PURPOSES

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 Office of the Mayor would establish the same rules and regulations for all city boards and commissions; and

Whereas, the City of Conway City Council recognizes three different types of Boards, Committees, and Commissions; and

Whereas, the City of Conway City Council intends to ensure that all boards, committees, and commissions are aligned with best practices, state statutes, and federal laws.

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

Section 1: Nomination & Selection Procedures:

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

Step 1: *Opening of Nomination Period.* The nomination period will start on October 1 through October 31 every year. The Office of the Mayor will publish a legal notice in a newspaper in the local newspaper and on the city's website 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
- Statement encouraging nominations from each of the diverse segments of the population served
- Closing date of the nomination period
- Name and mailing address of where to submit the nomination
- Notification of how to obtain nomination forms

Step 2: *Closing of Nomination Period.*

- The nomination period will close.

- The Office of the Mayor will begin the review of nominations.
- November 1-30

Step 3: Nominations. The Office of the Mayor will choose the nominee(s), submit the name of the nominee(s) in writing to the city council, and include the name in the agenda.

Step 4: Membership Selection. After taking the nominee(s) under advisement, the city council shall approve or reject the submitted nominee(s) from the Office of the Mayor at the first regular scheduled meeting in the December meeting or as soon as possible after the nomination period.

If the nominee(s) is rejected by the city council, the Mayor's Office shall immediately return to the original pool of nominees or reopen the application process for 10 to 15 days.

After the period closes, the Office of the Mayor should resubmit in writing the name of another nominee(s). This procedure may be repeated until a member is duly qualified.

Step 5: Notifications. The Office of the Mayor shall notify the staff person and chairperson of each board or commission of the city council's action in writing by email once a selection has been approved.

MISC Steps: 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 (15) fifteen to thirty (30) days to accept nominations, and the Mayor's Office shall have fifteen (15) to thirty (30) days to review nominations.

The new nominee shall be chosen and submitted to the city council for approval. The Mayor's Office shall notify the staff person and chairperson for the board or commission of its action in writing. If 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 before the expiration of a term of office after the 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 regarding the date and time of the process and shall handle its 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: Boards, Committees, & Commissions:

1. The City of Conway recognizes the following Primary City Boards and Commissions, which shall adhere to Standard Commission Bylaws Article 1, or amendments thereof as approved by City Council, as adopted by reference herein:

- a. Planning Commission
 - b. Civil Service Commission
 - c. Advertising and Promotion Commission
 - d. Public Facilities Board
 - e. Hospital Facilities Board
 - f. Historic District Commission
- 2. The City of Conway recognizes the following Secondary City Boards and Commissions which shall adhere to Standard Committee Bylaws Article 1, or amendments thereof as approved by City Council, as adopted by reference herein:
 - a. Airport Advisory Committee
 - b. Bicycle and Pedestrian Advisory Board
 - c. Conway Tree Board
 - d. Diversity Advisory Council
 - e. Oak Gove Cemetery Board
 - f. Public Art Advisory Committee
 - g. Robinson Cemetery Board
- 3. The City of Conway recognizes the following Special Boards and Commissions, which may establish their own rules and bylaws and shall adhere to local, state, or federal laws:
 - a. Conway Corporation Board of Directors
 - b. Conway Housing Authority Board of Directors
 - c. Central Business Improvement District

Section 3: Regulations for Primary Board.

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

- 1. *Standard Commission Bylaws, Article 1* is hereby adopted by reference by the City Council. Three copies of referenced *Standard Commission Bylaws, Article 1* shall be maintained in the office of the City Clerk Treasurer and may be amended from time to time by the City Council by resolution as necessary. Amendment procedures shall be defined within Article 1. In any conflict with existing City of Conway ordinance, resolution, policy, or procedure, Article 1 and any amendments approved by the City Council thereof shall repeal and replace to the extent in which no conflict shall be present.
- 2. *Standard Commission Bylaws, Article 2*, shall be for the purpose of boards and commissions to establish their own rules and bylaws and shall be adopted and amended through procedures defined within *Standard Commission Bylaws, Article 1*.
- 3. Expiration dates of terms on all boards and commissions shall be staggered except as provided otherwise by law.

4. All boards and commissions shall have a minimum of five (5) to seven (7) members except as otherwise provided by law or enacting ordinance
5. 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.
6. Service on all boards and commissions shall be limited to one (1) term with two exceptions. 1.) Members who are appointed to serve the remainder of an unexpired term are eligible for appointment to a full term. 2.) Former members are eligible to serve another term on the same board or commission once they have been off that board or commission for a length of time equal to one standard term of service on that same body.
7. Members of Primary or Secondary City Boards or Commissions can serve only on one (1) Primary or Secondary City Board or Commission or Local Community Boards or Commissions at the time of their appointment except as otherwise provided by law. Primary or Secondary City Board or Commission members can not be appointed to other Primary or Secondary City Boards or Commissions during their service.
8. Each board and commission should have written bylaws or operating procedures that outline how that board or commission conducts its basic operations – a copy of which should be on file with the assigned staff person and the Office of the Mayor. The Staff person for each board and commission is responsible for providing the City Clerk/Treasurer with an updated copy of the bylaws.
9. Each board and commission shall be responsible for filing an annual report with the Office of the Mayor and City Clerk's Office, which may include the following information but is not limited to:
 - a. Summary of yearly activities and operations, goals, and major decisions made by the board.
 - b. Financial audits where applicable.
 - c. Budget where applicable.
10. 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: Regulations for Secondary Board:

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

1. *Standard Committee Bylaws, Article 1* is hereby adopted by reference by the City Council.

Three copies of referenced *Standard Committee Bylaws, Article 1* shall be maintained in the office of the City Clerk Treasurer and may be amended from time to time by the City Council by resolution as necessary. Amendment procedures shall be defined within Article 1. In any conflict with existing City of Conway ordinance, resolution, policy, or procedure, Article 1 and any amendments approved by the City Council thereof shall repeal and replace to the extent in which no conflict shall be present.

2. *Standard Committee Bylaws, Article 2*, shall be for the purpose of boards, committees, and commissions to establish their own rules and bylaws, and shall be adopted and amended through procedures defined within *Standard Committee Bylaws, Article 1*.

Section 4: 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 5. Severability. Any section, subsection, subdivision, paragraph, sentence, clause, or phrase that contradicts, challenges, alters, amends, changes, disputes, or conflicts with any established state or federal law shall be declared invalid herein. If any phrase, clause, sentence, paragraph, section, or subsection of this ordinance shall be declared invalid, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections, or subsections herein. The City Council declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase herein, irrespective of the fact that any one or more subsections, subdivision, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

PASSED this 12th day of September 2023.

Approved:

Mayor Bart Castleberry

Attest:

Michael O. Garrett
City Clerk/Treasurer