

ORDINANCE NO.: 2052

**AN ORDINANCE RESPECTING NOMINATIONS TO
BOARDS AND COMMISSIONS APPOINTED BY THE CITY
COUNCIL OF THE CITY OF PRICHARD, ALABAMA**

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF PRICHARD, ALABAMA, AS FOLLOWS:**

Section 1. Notwithstanding any provision to the contrary in any City ordinance, except where the pre-emptive state or federal law requires otherwise, whenever an Ordinance of the City of Prichard establishing a board, commission or similar body provides for individuals to be nominated and appointed to said board or commission by the City Council of the City of Prichard, any member of the City Council may make a nomination for the appointment of a person to a vacancy in any place or seat on said board or commission, regardless of the council district in which the nominee may reside.

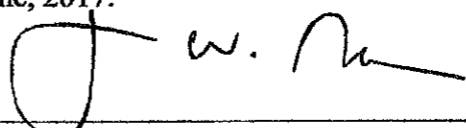
Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed.

Section 3. This Ordinance shall become effective immediately upon its adoption as required by law.

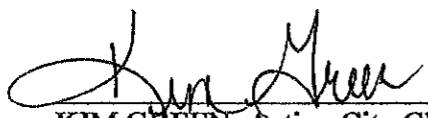
ADOPTED this the ___ 1st ___ day of June, 2017.


DERRICK I. GRIFFIN, Council President

APPROVED this the ___ 1st ___ day of June, 2017.


JIMMIE GARDNER, Mayor

ATTEST:


KIM GREEN, Acting City Clerk

ORDINANCE NO.: _____

**AN ORDINANCE PROVIDING GUIDELINES, A NOMINATING PROCESS
AND AN ORDER OF NOMINATION FOR THE APPOINTMENT OF MEMBERS
TO WATER WORKS AND SEWER BOARD AND REPEALING ORDINANCE
NO. 2052 OF THE CITY OF PRICHARD, ALABAMA, AS IT APPLIES OR
RELATES TO THE NOMINATION AND APPOINTMENT OF MEMBERS TO
THE WATER WORKS & SEWER BOARD OF THE CITY OF PRICHARD**

WHEREAS, the governing body of the City of Prichard, Alabama appoints the members of the Board of Directors of the Water Works and Sewer Board of the City of Prichard;

WHEREAS, the governing body finds and determines that providing guidelines for the appointment of individuals to the Water Works and Sewer Board of the City of Prichard would help to towards ensuring that said board is filled with qualified individuals who will serve the best interest of the community;

WHEREAS, the governing body of the City of Prichard, Alabama finds and determines that the guidelines herein provided will serve the best interest of the city; and

WHEREAS, the governing body of the City of Prichard finds and determines that expanding the establishing a nomination process and nominating order, by district, best serves all residents of the city, eliminates the uncertainty of which member of the council may nominate a member to serve and provides an equal opportunity for all members of the council to nominate, on a rotating basis, a member to serve on the Water Works and Sewer Board of the City of Prichard;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF PRICHARD, ALABAMA, as follows:**

1. Appointments Generally. The appointment of members to the Water Works and Sewer Board of the City of Prichard, Alabama shall be guided by the following
 - (a) Appointments made to the Water Works and Sewer Board shall fairly and equitably reflect the make-up of the total community with due consideration given to all demographic characteristics of the population.
 - (b) Appointments made Water Works and Sewer Board shall not have obvious conflicts of interest that would impair their ability to make decisions in the best interest of the Board.
 - (c) Prospective appointees who have financial, business, legal or other special knowledge or ability can be an asset.

- (d) Prospective appointees should not be selected who are immediate family members of employees or have other relationships with employees of the Water Works and Sewer Board that could result in conflicts of interest.
- (e) All appointees to the Water Works and Sewer Board shall be qualified electors of the city and shall have attained the age of 21 years.
- (f) No appointee shall hold any other public office except that of notary public or member of the national guard or naval or military reserve;
- (g) No person shall be qualified for appointment to the Water Works and Sewer Board who has been convicted of crime involving moral turpitude, and upon such conviction, his office shall immediately become vacant.

2. Nominations for Appointment. Nominations for appointment to the Board of Directors of the Water Works and Sewer Board shall proceed, as follows:

- (a) The nominating member of the City Council of the City of Prichard shall submit, in writing, to all members of the Council, the following:
 - (1) The name, address and voting district of the nominee; and
 - (2) A resume of the nominee containing the work history, education experience and/or public/private service experience demonstrating a willingness and capability of serving on the Water Works and Sewer Board; and such other information that would aid the Council in considering the nominee.

3. Nominations Review. Nominations and resumes shall be submitted in such time as to allow the Council at least three (3) weeks to consider the nominee prior to the time of vote by the Council. During the time between the submission of the nominee and information and the vote of the Council, council members shall ensure that all concerns over the nominee are raised with the nominating member or, if necessary, the full Council.

4. Appointments, Order. It is the understanding and agreement of the Council that the following appointment schedule shall apply henceforth to all appointments to the Water Works and Sewer Board of the City of Prichard, Alabama:

(a)	<u>Place</u>	<u>Now Held By</u>	<u>Nominating District</u>	<u>Present Term</u>
	1		1	04/24/2017 – 04/23/2023
	2		2	04/24/2014 – 04/24/2019*
	3		4	04/24/2015 – 04/24/2021
	4		5	12/21/2018 – 12/21/2024
	5		3	12/21/2014 – 12/21/2020

- (b) From and after the adoption of this Ordinance, upon the expiration of a term or a vacancy in the office of a seat on the Water Works and Sewer Board, nominations for appointment shall be made by the nominating district as set forth in subsection 4(a) above.
5. Legislative Action. The City Clerk shall forward a certified copy of this Ordinance to the Representative for Alabama House District 98 for introduction of legislation, in the next or subsequent session of the Legislature, to amend the Local Act to reflect the intent of this Ordinance.
6. Repealer. Ordinance No. 2052, insofar as the same relates or applies to the nomination and appointment of members the Water Works and Sewer Board of the City of Prichard, Alabama is hereby expressly repealed.
7. This Ordinance shall become effective immediately upon its adoption as required by law.

ADOPTED this the _____ day of _____, 2019.

DERRICK GRIFFIN, Council President

APPROVED this the _____ day of _____, 2019.

JIMMIE GARDNER, Mayor

ATTEST:

KIM GREEN, Acting City Clerk