

CITY OF WARD

RESOLUTION 2024-28

A RESOLUTION REPEALING AND REPLACING R-2024-03; ESTABLISHING THE WARD WATER AND WASTEWATER ADVISORY COMMITTEE; DEFINING MEMBERSHIP, DUTIES AND RESPONSIBILITIES AND FOR OTHER PURPOSES

WHEREAS, A.C.A. § 14-234-804 (Act 605 of 2021) requires that if a municipal water provider services customers outside the municipal boundaries of the municipal provider and the number of those customers outside the municipal boundaries and in unincorporated areas equals or exceeds twenty percent (20%) of the total customer base of the municipal provider, a nonvoting advisory committee to the municipal water provider board shall be created by the governing body of the municipality in which the municipal provider is located; and

WHEREAS, the City of Ward, Arkansas is a municipal water provider with more than twenty percent (20%) of its customers located outside its municipal boundaries; and

WHEREAS, the makeup and duties of an advisory committee created under A.C.A § 14-234-804 shall be determined by the governing body of the municipality that creates the advisory committee.

WHEREAS, the City Council of the City of Ward desires to establish such an advisory committee as contemplated by A.C.A. § 14-234-804, whereby two (2) nonresident customers from the area served outside the municipal boundaries and in unincorporated areas shall serve and two (2) residents who live within the municipal boundaries on same; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WARD, ARKANSAS:

SECTION 1 – TITLE AND PURPOSE OF THE COMMITTEE

- a. The title of the advisory committee is The Ward Water and Wastewater Advisory Committee
- b. The purpose of the Committee is to provide a means for discussion concerning water and wastewater issues affecting the community and city and provides advice and recommendations to the City Council for consideration.

SECTION 2 – COMPENSATION: This is a voluntary advisory committee with no compensation unless otherwise approved and appropriated by City Council

SECTION 3 – MEMBERSHIP

- a. Council Member (Chairperson)
- b. City Clerk (Recorder)
- c. Water/Wastewater Superintendent or representative
- d. Water Office Manager or representative
- e. Three (3) Inside City Limits Residents of Good Standing¹
- f. Three (3) Outside City Limits Residents of Good Standing¹

SECTION 4 – TERMS OF OFFICE

- a. Council Member to be appointed or reappointed annually by 2/3 majority of the full council in April.
- b. Employees remain on the Committee until no longer in that position
- c. Residents appointed for staggered three-year terms and can succeed themselves if approved/appointed by the council.
 - I. Initially, one (1) member within the city and one member outside the city limits will be appointed to a one (1) year term; one (1) member within the city and one member outside the city limits will be appointed to a two (2) year term; and one (1) member within the city and one (1) member outside the city limits will be appointed to a three (3) year term. The City Council will determine which members start with a one, two and three-year terms.
 - II. Thereafter, committee members are appointed or reappointed every year in April.

SECTION 5 – MEETINGS

- a. The Advisory Committee will initially meet within 90-days of formation to establish the committee and discuss internal procedures, future meeting dates, etc.
- b. The Advisory Committee will meet, at minimum, annually during the month of July.
- c. The Advisory Committee will meet at other times as called for by the Chairperson.
- d. The date/time of the meetings will be determined by the Chairperson.
- e. A quorum of the membership is required to meet.
- f. All Advisory Committee meetings are open to the public and must be recorded per A.C.A. 12-19-106(d).

¹ A Ward Water customer for at least 3 years and no disconnects for non-payment during the previous 12-months

SECTION 6 – DUTIES AND RESPONSIBILITIES

- a. The Advisory Committee shall review matters pertaining to the City of Ward Water and Sewer System
 - I. As may be referred to it from time to time by the City Council
 - II. As may be referred to it from time to time by the Mayor
 - III. As requested by a Ward Water and Sewer System customer on a case-by-case basis.
- b. The Advisory Committee Chairperson shall provide recommendations to the City Council as deemed appropriate and timely.
- c. The Advisory Committee members shall not issue and direct orders to city staff members. All requests for assistance must go through the Chairperson to the Mayor.
- d. The Advisory Committee cannot effect change to policy and procedure directly.
- e. Chairperson
 - I. Will determine the date/time and place for meetings².
 - II. Will notify the city of the date/time and place for the meeting. The city, in turn, will ensure the proper notices are provided to the media.
 - III. Will create and distribute an Agenda for each meeting. The city will facilitate the distribution of the Agenda.
- f. Recorder
 - I. Will ensure meeting minutes are recorded and prepared.
 - II. Will ensure meetings are recorded via electronic means (audio and/or video). The city will file them appropriately.
- g. Advisory Committee Members
 - I. Will attend meetings when available.
 - II. Will bring issues/ideas to the Chairperson, as needed, to be included in future meetings.

SECTION 7 – CITY COUNCIL AND MAYOR RESPONSIBILITY:

- a. The City Council will hear the advice and recommendation of the Committee but is under no obligation to take any action thereto.
- b. The Mayor will hear the advice and recommendation of the Committee but is under no obligation to take any action thereto.

² Meetings shall be conducted in the Court/Council Room unless noted by the Chairperson.