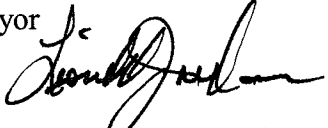




OFFICE OF THE MAYOR
LIONELD JORDAN

TO: Fayetteville City Council
CC: Sondra Smith, City Clerk/Treasurer
FROM: Lioneld Jordan, Mayor 
DATE: December 3, 2014
RE: Appointment to Fayetteville Public Facilities Board

On October 27, 2014, Mr. Tommy DeWeese was nominated by a majority of the Fayetteville Public Facilities Board to serve on that Board. Pursuant to A.C.A § 14-137-108 (a)(3)(B), I have appointed Tommy DeWeese to the Fayetteville Public Facilities Board “subject to confirmation by the governing body of the municipality...”

and controlling.

lley County Human Servs. Pub. es Bd., 330 Ark. 675, 956 S.W.2d (1997).

s board to issue bonds to finance that had a public purpose, educa- s a public purpose, and neither the the board acted with the purpose ceing or inhibiting religion. Gillam ing Univ., — F. Supp. 2d —, 2009 st. LEXIS 53609 (E.D. Ark. June).
: Sanders v. Bradley County Hu- rvs. Pub. Facilities Bd., 330 Ark. S.W.2d 187 (1997).

ority.

onsist of five (5) members provide services outside the which it obtains power. applicable only to: lulation of less than one g to the most recent federal

ties having a population of 0) according to the most s of where located. ointed by the mayor of the of the creating county for

(ii) Members are not required to be residents of the municipality or county that has created the public facilities board.

(B)(i)(a) Successor members shall be nominated by a majority of the board and appointed by the mayor or the county judge, subject to confirmation by the governing body of the municipality or county for staggered terms of five (5) years each, unless the ordinance pursuant to which the public facilities board was formed provides for electing successor members by the membership of the board's service area.

(b) The board shall submit a written list of three (3) successor nominees to the mayor or the county judge at least sixty (60) days before the expiration of the term.

(c) If the board fails to submit a written list of nominees at least sixty (60) days before the expiration of the term, the mayor or the county judge may appoint a successor member without a nomination from the board.

(ii) In a municipality located in a metropolitan statistical area designated by the United States Census Bureau having a population of one million (1,000,000) or more persons according to the most recent federal decennial census, successor members shall be appointed by a majority of the board.

(C) Each member shall serve until his or her successor is elected and qualified.

(D) A member is eligible to succeed himself or herself.

(4) Each member shall qualify by taking and filing with the clerk of the municipality or county creating the board the oath of office in which the member shall swear to support the Constitution of the United States and the Constitution of the State of Arkansas and to discharge faithfully his or her duties in the manner provided by law.

(5)(A)(i) In the event of a vacancy in the membership of the board, however caused, the mayor or the county judge shall appoint a successor member nominated by a majority of the board to serve the unexpired term, subject to confirmation by the governing body of the municipality or county.

(ii) The board shall submit a written list of three (3) nominees to fill the vacancy to the mayor or the county judge not later than sixty (60) days after the vacancy occurs.

(iii) If the board fails to submit a written list of nominees not later than sixty (60) days after the vacancy, the mayor or the county judge may appoint a successor member without a nomination from the board.

(B) In the event of a vacancy in the membership of the board, however caused, in a municipality located in a metropolitan statistical area designated by the United States Census Bureau having a population of one million (1,000,000) or more persons according to the most recent federal decennial census, the board shall appoint a successor member to serve the unexpired term.

(6) A member of the board shall not receive compensation for his or her services, but is entitled to reimbursement for reasonable and necessary expenses incurred in the performance of his or her duties.