

## ORDINANCE NO. 371

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, FIXING AND ESTABLISHING GUIDELINES FOR THE ELECTION OF TRUSTEES TO THE BOARD OF TRUSTEES OF THE LONG BEACH MUNICIPAL SEPARATE SCHOOL DISTRICT, PROVIDING FOR NOTICE OF SUCH ELECTION, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen (the "Governing Authority") of the City of Long Beach, Mississippi (the Municipality"), having made due investigation therefor, do now find, determine, adjudicate and declare as follows:

(a) Under the provisions of the "Mississippi Uniform School Law of 1986, and particularly Section 37-7-203 of the Mississippi Code of 1972, thereof, the Governing Authority of the Municipality is required to elect trustees of the Long Beach Municipal Separate School District, with added territory (the "District"), as therein set forth.

(b) It is desirable and in the best interests of the Municipality and of the District timely to provide notice and guidelines for such election and/or appointment of Trustees to the Board of Trustees of the District, in order to obtain candidates qualified for the office of such Trustee as set forth in said Section 37-7-203 of the Mississippi Code of 1972, and to avoid appointments or election of trustees in conflict with the provisions of Article 4, Section 109 of the Mississippi Constitution of 1890, and the provisions of Section 25-4-105 of the Mississippi Code of 1972, as amended, relating to Ethics in Government.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION 1. Notice and Guidelines for the Election or appointment of School Trustees by the Mayor and Board of Aldermen.

(a) The following criteria are hereby fixed and established as guidelines for the election and/or appointment of trustees to the Board of Trustees of the Long Beach Municipal Separate School District required by Section 37-7-203 of the Mississippi Code of 1972, to be elected by the Mayor and Board of Aldermen of the City of Long Beach, Mississippi.

(1) Not less than ninety (90) days prior to the first meeting of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, in each year, the City Clerk of said City shall give notice to the general public that said Mayor and Board of Aldermen at the first meeting thereof in February, or at such meeting to which the same may be recessed or adjourned, will consider and act upon the appointment or election of a Trustee to the Board of Trustees of the Long Beach Municipal Separate School District in accordance with the provisions hereof.

(2) The aforesaid notice may be given by publication once each week for two (2) successive weeks in a newspaper having a general circulation in the City of Long Beach, Mississippi and in the Long Beach Municipal Separate School District, and by posting a copy thereof at the administration office at each school attendance center of said school district, and at the Long Beach Public Library in said City; and the said Notice so published and posted may be in substantially the following form.

LEGAL NOTICE  
ELECTION OF SCHOOL TRUSTEE  
THE CITY OF LONG BEACH, MISSISSIPPI

NOTICE IS HEREBY GIVEN, that the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, at its first meeting in February, to be ehld at 7:00 o'clock p.m., on Tuesday, the \_\_\_\_ day of February, 19\_\_\_\_, at the City Hall in said City, or at such meeting to which the same may be recessed or adjourned, will consider and act upon the election or appointment of a Trustee to the Board of Trustees of the Long Beach Municipal Separate School District, required by law to be elected by said Mayor and Board of Aldermen.

Any person desiring to be considered an applicant for such office of trustee, or any person or civic organization to submit the name of any person as an applicant, may so do by filing an application, together with a curriculum vitae or resume, with the City Clerk of said City at the City Hall in Long Beach, Mississippi, not more than thirty (30) days from the date of this notice. The resume shall include, but is not limited to, the name, birthday, address and social security number of the applicant, his or her work hisory and qualifications, and the name, address, birthday, social security number and present employment of the applicant's spouse, with such other information as may be required by the Mayor and Board of Aldermen.

This, the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_).

(SEAL)

\_\_\_\_\_  
City Clerk

(3)The curriculum vitae or resume of the applicant shall include, but is not limited to, the name, address telephone number, birthdate, social security number of the applicant, his or her work history and qualifications, and the name, address, telephone number, social security number, and present emploument of the spouse of the applicant, and such other information as may be required by the Governing Authority.

(4) No person who is a member of the **Governing Body** of the City of Long Beach, or who is a member of the county board of education, or who is a trustee of any public, private or sectarian school or college located in Harrison County, inclusive of the municipal separate school district, or who is a teacher in or a trustee of said school district, shall be eligible for appointment to said board of trustees, nor shall any person be eligible to appointment who may be in conflict with Article 4, Section 190 of the Mississippi Constitution of 1890, or with the Ethics in Government Law of the State of Mississippi. Age or handicap of the applicant shall not disqualify such applicant unless such age or handicap shall prevent the applicant from carrying out the duties of a trustee.

(5) During the next thirty (30) days following the deadline for the filing of applications for the office of trustee, the Mayor and Board of Aldermen, or its designee, may review applications filed timely, and select not more than ten (10) applicants, for further review and/or personal interviews, as to qualifications, and ability to carry out the duties of the office of trustee of the school district

(d) The Mayor and Board of Aldermen shall make the final selection, election or appointment of the Trustee to the Board of Trustees of the Long Beach Municipal Separate School District at its first meeting in February, or at such meeting to which the same may be recessed or adjourned as provided by law.

#### SECTION 2. Construction.

This Ordinance shall not be construed to conflict with Section 37-7-203 of the Mississippi Code of 1972, of the Mississippi Uniform School Law of 1986.

#### SECTION 3. Headings, Catch Phrases, Captions.

The captions to each section of this ordinance are for easy reference and reading, and such captions shall not be construed to change the meaning of any such section herein.

#### SECTION 4. Effective Date.

This ordinance shall take effect and be in force thirty (30) days after its adoption, publication and enrollment in the Ordinance book of the City as provided by law. However, for the reason that the election of a trustee at its first meeting in February, 1987, was postponed awaiting the decision and opinion of the Supreme Court of the State of Mississippi, involving the construction of Section 109 of the Mississippi Constitution of 1890, and the Ethics in Government Law of the State of Mississippi, this

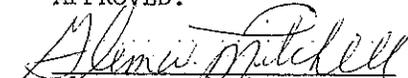
ordinance and the provisions thereof may be used as a guideline for the appointment of a trustee as soon as practicable to appoint such trustee.

The above and foregoing Ordinance having been introduced in writing, was read and considered first section by section and then as a whole, Alderman Logan offered and moved the adoption, and Alderman O'Neal seconded the motion to adopt the ordinance; and after a discussion and consideration and the question being put to a roll call vote, the result as to each section separate separately, and as to the whole of the ordinance was as follows:

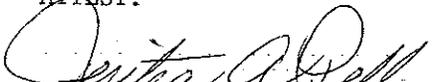
Alderman Sal Giuffria	voted <u>Yea</u>
Alderman Miriam Graves	voted <u>Yea</u>
Alderman Mike Lawless	voted <u>Yea</u>
Alderman Donald Logan	voted <u>Yea</u>
Alderman Wayne O'Neal	voted <u>Yea</u>
Alderman Michael Rutledge	voted <u>Yea</u>
Alderman Fred Walker	voted <u>Yea</u>

The Ordinance having received the affirmative vote of a majority of the aldermen present, the Mayor declared the motion carried and the Ordinance No. \_\_\_\_\_ adopted and approved, this 7 day of April, 1987.

APPROVED:

  
Glenn W. Mitchell, Mayor

ATTEST:

  
Jeritza A. Pell, City Clerk

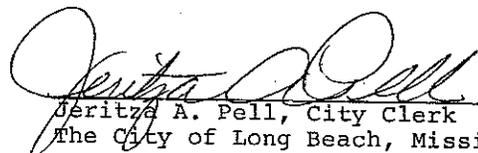
(SEAL)

## CERTIFICATE

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
CITY OF LONG BEACH

I, the undersigned, Jeritza A. Pell, City Clerk within and for the City of Long Beach, Mississippi do hereby certify that the above and foregoing is a true and correct copy of Ordinance #371, adopted by the Mayor and Board of Aldermen of the City of Long Beach at a regular meeting held on Tuesday, April 7, 1987, as the same appears of record in my office at the City Hall in said City.

Given ynder my hand and the official seal of my office this the 8th day of April, 1987.

  
Jeritza A. Pell, City Clerk  
The City of Long Beach, Mississippi

(SEAL)