

The Alabama Municipal JOURNAL

November/December 2015

Volume 73, Number 3



**2016
Municipal
Elections Manual
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What Every Potential Candidate Should
Know About Municipal Government
See Page 9

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Table of Contents

<i>A Message from the Editor</i>	4
Broadband, Bicentennial and more	
<i>The President's Report</i>	5
Leadership: Where There is Unity There is Strength	
<i>Municipal Overview</i>	7
League Policy Committees	
<i>The Legal Viewpoint</i>	9
What Every Potential Candidate Should Know About Municipal Government	
Downtown: THE Next Development Opportunity.....	17
<i>Legal Clearinghouse</i>	18
Fiber Connectivity is a Necessity, Especially in Rural Alabama	25
Mark Your Calendars! 2016 Municipal Legislative Advocacy CMO Session	26
Office of Broadband Development Created to Increase Statewide Access and Use of Broadband..	27
MIS Early Adopter Training Set for November and December	29
Community Celebration Committees	31
2016 Convention Information	32-36

On the Cover:

Municipal elections will be held next August. See page 9 for an article by General Counsel Lori Lein on what every potential candidate should know about municipal government. In addition, the League's **2016 Municipal Elections Manual** is available for free download via www.alalm.org. Click on the Elections Manual icon on the homepage

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A Message from the

Editor

As we wrap up 2015, the League is busy planning for the 2016 municipal elections which will be held next August. See page 9 for an article by the League's General Counsel, Lori Lein, on what every potential candidate should know about municipal government. In addition, the League's **2016 Municipal Elections Manual** is available for free download via our website. Simply click on the elections icon on our homepage at www.alalm.org.

The League will also be hosting our inaugural **CMO Leadership Institute** in downtown Montgomery at Embassy Suites on December 9 and 10 with our CMO graduation ceremony taking place at 4:30 p.m. on December 9th for our Basic, Advanced and Emeritus (first group!) graduates. Topics for the Institute include: Bicentennial Events/Endeavors, The New Law Regarding the Municipal Police Jurisdiction, The Role of Local Police in Terrorism, Recent Bid Law Changes, The Open Meetings Act, Municipal Intercept Services (MIS) Program, Alabama's Office of Broadband Development, The Effects of GASB 68, Local Government Services and Legislation Impacting Municipalities. In addition, a number of exhibitors will be available to discuss products and services as well as innovative ideas for future planning. The registration fee is \$225 and you can register online at alalm.org.

Broadband in Alabama

Clearly, internet access is fast becoming a critical quality of life factor throughout the country. Many businesses rely on connectivity to be able to run credit card transactions; schools and medical providers require telecommunications; and law enforcement agencies now need internet access for nearly every facet of service. Broadband access affects both tourism and economic development and is also a critical component in a local government's ability to provide citizens and interested parties with quick access to key information via a website. Currently, *nearly half* of Alabama's 462 incorporated municipalities are without an official website and 10 of the 67 counties are not online rendering these areas invisible to the outside world. Recruiting industry, improving schools, providing adequate healthcare, encouraging tourism, expanding job opportunities and enhancing quality of life becomes challenging, if not impossible, without high-speed internet access.

This past July, Governor Bentley signed an Executive Order creating the **Office of Broadband Development** to serve as a resource to state agencies, counties and municipalities, broadband service providers and other stakeholders to increase access to and use of broadband. Kathy Johnson was appointed by Governor Bentley to serve as the Director of the Office of Broadband Development. In addition, he appointed an extensive Advisory Board comprised of cabinet members, legislators, Internet service providers and representatives from a variety of organizations and corporations. The inaugural meeting of the Advisory Board was held on September 30th in Montgomery and was attended by more than 70 people representing service providers, state agencies and membership associations, including the Alabama League of Municipalities. Discussion focused on the difficulties for providers in securing abatements, permitting and franchising as well as the state's lack of incentives for the telecommunications industry. Counties with a population of less than 25,000 and municipalities of less than 5,000 have no dark fiber. These are the areas that desperately need broadband; however, they are the mostly costly to serve. There is almost zero return on investment so incentives are needed to bring providers to these areas. Current incentives offered through the Alabama Department of Commerce don't apply as telecommunications has generally been recognized as a utility and the state does not incentivize utilities in Alabama. Future Advisory Board meetings will continue the discussion of how to add fiber throughout the state. For more on the Office of Broadband Development, be sure to read the article on page 27.

Celebrating Alabama's Bicentennial

You've already read quite a bit in previous issues of the *Journal* about Alabama's Bicentennial Commission and how the State is planning a three-year celebration (2017-2019) to honor its 200th anniversary. Both the League and the Bicentennial Commission encourage our municipalities to become involved by forming a **Community Celebration Committee** and letting the Commission know what's going on in your area. For more information on this process, see page 31 and visit the Bicentennial Commission's website at alabama200.org.

We at the League wish you all a safe and blessed holiday season and look forward to a prosperous New Year!

Carrie

The President's Report

By Councilwoman Sadie Britt, Lincoln



Leadership: Where There is Unity There is Strength

As part of my Presidential acceptance speech in May, I emphasized the need for unity in our relationships with our cities, towns and communities. I am again urging us all to take a serious look and think of ways unity may benefit those we were elected to serve.

One of the most important ways to generate and enhance unity is to expand our leadership role as elected officials. Leadership is critical for community growth, implementing progressive quality of life endeavors and maintaining the relevance necessary to engage our millennials. After all, if our cities and towns aren't relevant, if they're not prosperous, if they aren't growing, why should the younger generation stay? Elected officials *must* take an active leadership role in order to promote growth, prosperity and relevance. Fortunately, our Alabama League of Municipalities has specific programs designed to help us do just that.

The League's Certified Municipal Official (CMO) program is an excellent source for leadership training. In fact, the League is offering a CMO Leadership Institute and Expo in Montgomery on December 9 and 10 specifically designed to help elected officials better serve their communities. Topics include: Bicentennial Events/Endeavors, The New Law Regarding the Municipal Police Jurisdiction, The Role of Local Police in Terrorism, Recent Bid Law Changes, The Open Meetings Act, Municipal Intercept Services (MIS) Program, Alabama's Office of Broadband Development, The Effects of GASB 68, Local Government Services and Legislation Impacting Municipalities. In addition, a number of exhibitors will be available to discuss products and services as well as innovative ideas for future planning. The CMO graduation ceremony for those who have earned their Basic, Advanced and Emeritus CMO designations will also be held during the Leadership Institute. As a graduate of both the Basic and Advanced levels who is working steadily towards Emeritus status, I can say without hesitation that becoming a Certified Municipal Official has made me a more effective leader. The training offered through this

program is absolutely outstanding. Space is limited for the Leadership Institute so I encourage you to register online (alalm.org) immediately.

Another source of leadership guidance and education is through service on one of the League's five policy committees: Committee on Finance, Administration and Intergovernmental Relations (FAIR), Committee on Community and Economic Development (CED), Committee on Human Development (HD), Committee on Energy, Environment and Natural Resources (EENR) and Committee on Transportation, Public Safety and Communication (TSPC). Each year, policy committee members hear from multiple state and federal employees and representatives who make decisions affecting each of these five areas. Committee members then have an opportunity to exchange ideas with these representatives and obtain critical contact information. It's not uncommon for committee members to develop long-standing, on-going relationships with these resource advisors – enabling us as elected officials to seek input on specific issues before they impact our municipalities. In addition, what takes place at these policy committee meetings directly impacts the direction of our League and can also influence decisions made by the Alabama Legislature, Congress and state and federal regulatory agencies. That being said, if you agree to serve on a committee, you must attend the meetings. Unforeseen circumstances preventing attendance are understandable; however, it is our responsibility as leaders to make every effort to be present and engaged. Our League's policy committees are only effective if a quorum is present to conduct the business of the committee. Otherwise, necessary recommendations to move the committee and the League forward are impossible.

Leadership isn't easy. It's not supposed to be. It requires dedication, commitment, integrity, humility and the ability to unite others for the good of the whole. As elected officials, we were *chosen* by our constituents to unify our communities through leadership. Where there is unity, there is strength, and where there is strength, there is growth. ■



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Municipal Overview

By Ken Smith, Executive Director



League Policy Committees

Newly elected and appointment officials often ask me how they can become more active in the League. I'm always glad to hear those requests. As a membership organization, the League depends on member input and involvement to function.

Today, I'd like to talk about one way to become involved that has a tremendous impact on the League, your fellow officials and our legislative process. It's yet another way for you to learn about programs and changes in regulations that may directly impact your local government – and to add your voice toward influencing those decisions.

The Alabama League of Municipalities is governed by a set of committees, each with its own defined role. Overall management of the League itself is assigned to our Executive Committee, which is elected by the full membership attending the League Convention each year. Our Committee on State and Federal Legislation is responsible for reviewing League policy positions and recommended legislation and determining what bills will be included in the League's legislative agenda for each legislative session.

Five Standing Policy Committees

In addition, five standing policy committees are charged with the important duty of meeting each year with officials from the state and federal government and receive updates about developments that impact municipal operations. Committee members review the information they receive from these officials, determine what is important for all our members to know, then develop policy statements and legislative recommendations for adoption by the full membership. These recommendations are compiled into the League's Policies and Goals. The five Policy Committees and their areas of interest are:

Committee on Finance, Administration and Intergovernmental Relations (FAIR) reviews and develops policy on fiscal matters affecting municipalities, including municipal administration, intergovernmental mandates, personnel policies, liability, public records retention/destruction, workers and unemployment compensation and revenues and finance. The Committee also reviews trends

relating to consolidation of jurisdictions and potential threats to the integrity of local government.

Committee on Energy, Environment and Natural Resources (EENR) reviews and develops policy on environmental issues, energy initiatives and quality of life considerations, including water and air quality, solid waste, hazardous/toxic wastes and pollution control. The Committee also reviews Alabama trends relating to hazardous and solid waste disposal and air and water pollution as well as garbage disposal methods, regional disposal areas, incineration, land fill and rodent and vector control.

Committee on Transportation, Public Safety and Communication (TPSC) reviews and develops policy on transportation programs and their revenue sources and allocations; public works programs, particularly those related to infrastructure development; public and private utilities, including telecommunications; and public safety issues, including crime prevention, law enforcement, fire prevention and protection, emergency medical services, emergency management and response, motor vehicle safety and animal control.

Committee on Human Development (HD) reviews and develops policy on social service and educational issues affecting municipalities. The Committee also reviews ways municipalities may improve the local environment for health care, mental health programs, juvenile and senior citizen programs, developing training and employment opportunities, welfare reform, Medicare and Medicaid programs and education and library services.

Committee on Community and Economic Development (CED) reviews and develops policy on factors affecting the physical development of cities and towns, including community, industrial and economic development; tourism and recreation; housing; planning and zoning; code enforcement; enterprise zone development and regulation; and downtown redevelopment.

Policy committee members hear from the state and federal officials and staff members who make decisions affecting each of these five areas. Committee members have a chance to exchange ideas with these officials, obtain contact information and, in many cases, build long-standing, on-going relationships

that enable them to provide input on issues before they impact their municipality. What happens at these policy committee meetings directly impacts the direction your League takes in the future and can influence decisions that are made by the state legislature, Congress and state and federal regulatory agencies.

We all owe the members of these committees, their chairs and vice chairs a deep debt of gratitude. Without their hard work, we would not be able to stay current on the many, many significant changes that take place every year. Their commitment helps us know what issues are truly important to our members.

Over the past few years, the staff here at the League has begun to overhaul our existing policy process and the Policies and Goals itself. We have further refined the duties of each committee, assigned a staff member, Krystle Bell, to work with our legislative department to administer the policy committee process, and assigned other staff members to serve as the liaisons to each of our committees. We have modified the Policies and Goals to make it easier to review. We intend to make further improvements in this area going forward. One of the primary changes relates to the future dates for these policy committee meetings. This year, we will experiment with moving these meetings from the late summer meeting dates to the spring.

This change accomplishes several goals. First, in the past policy committees met in the late spring or late summer following each convention. The policies and goals adopted by

each committee had to be considered *proposed* changes until the full membership could meet to adopt them at the convention. This meant that a policy adopted in August would not be approved by the membership until May. In effect, the League staff was governed by *proposed* policies that might later be removed from the document by the members at the Convention.

Having the committees meet before the convention to make changes to the Policies and Goals will eliminate this lag time. Statements adopted by the policy committees will be reported to the Resolutions Committee at the Convention and then finalized by the full membership within a few months of adoption by the policy committees. Another reason for the move is that in the spring, policy committees will hopefully coincide with the legislative session. This will allow members of each committee to visit with their legislators while they are in Montgomery while these issues are still fresh on their minds.

As we go forward, we will continue to improve our policy process, working to make the Policies and Goals more user-friendly and to improve the connections between our local municipal officials and those whose actions affect them.

Participation in League Programs

When you decided to run for municipal office, I'm sure you had your own set of reasons. Desire to improve your community. Desire to stay active. Heck, maybe just the desire to beat the person that was currently in office. Whatever your

continued on page 16



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The Legal Viewpoint

By Lori Lein, General Counsel



What Every Potential Candidate Should Know About Municipal Government

On August 23, 2016, the vast majority of Alabama’s municipalities will hold elections for the mayor and council. While candidates cannot officially qualify to be on the ballot until July 5, 2016, many candidates have already announced their intention to run for municipal office and have started their campaigns. The Alabama League of Municipalities prepares a manual titled *Procedures for Holding Elections in Mayor-Council Municipalities* which covers issues related to campaigning and holding a municipal election. Included in the manual is an elections calendar outlining all of the important dates relating to the election process. This manual is available for download on the League’s website at alalm.org. Over the next few months, the Legal Viewpoint will explore various issues relating to municipal elections and the election process.

The goal of this article is to inform potential candidates as to the structure of municipal governments in Alabama as well as to the limitations and restrictions on municipal power. It is not intended as a guide for qualifying and running for municipal office. Candidates must understand the extent of the authority a municipality may exercise before making the decision to run for office. Also, an understanding of these laws and functions can help candidates avoid future embarrassment upon discovering that a campaign promise can’t legally be fulfilled.

The provisions discussed in this article apply generally to any municipality with a mayor/council form of government. Many state laws, however, apply to only certain municipalities. It is up to the candidate to be sure that the rules and regulations set out in this article govern their municipality.¹

What is a Municipality?

In Alabama, a municipality is a form of local government created by the citizens within a defined area. First, the local government must meet the requirements of state law to incorporate. The laws governing incorporation are found in Article 1 of Chapter 41 of Title 11, Code of Alabama 1975. Following these procedures and an affirmative vote of the majority of citizens in the area proposed for incorporation, a municipality is created.

Historians disagree regarding the reasons municipalities first came into existence. Some reasons include the promotion

of commerce, protection from invading armies, convenience, or even just the desire of humans to share time with each other. Regardless of the historical reasons, municipalities today provide many services to their citizens, such as fire and police, utility services, parks and recreation, and historical preservation among others. They also help protect their citizens through these services. Municipalities provide an element of convenience by performing many services which individuals themselves may not be willing to perform, such as construction and maintenance of roads, disposal of garbage and promotion of the arts.

Municipal government provides a means for citizens to have a direct say in which services are needed and how those services should be provided through the process of electing representatives. Representatives, who are chosen from the pool of willing citizens, meet and discuss how the municipality can best meet the needs and desires of their citizens.

When these elected officials meet, however, it is important for all parties to understand that in Alabama, all municipal powers flow directly from the state legislature. That is to say, Alabama’s municipalities do not have “Home Rule” and therefore do not have inherent power to operate as a government independent of the Alabama Legislature. Alabama operates under what is known as the “Dillon rule”. This rule provides that municipalities have no powers beyond those that are given to them by the state legislature. The authorization must be either explicit or clearly implied from the language of a state statute or constitutional provision. See generally *Mobile v. Moog*, 53 Ala. 561 (Ala. 1875); *Best v. Birmingham*, 79 So. 113 (Ala. 1918).

Briefly, Alabama is governed by Alabama Constitution of 1901, and any amendments thereto. Laws in the Constitution are passed by the legislature, but only become effective following a vote of the public. The Constitution provides a framework for the adoption of laws by the legislature. Legislative acts cannot conflict with constitutional provisions. If there is a conflict, a new constitutional amendment must be adopted and approved by a vote of the people.

In addition to the Constitution, the legislature meets at least annually – more often if special sessions are needed – to pass general and local laws. Many of these laws apply directly to the operation of municipal governments. Actions taken by a municipal government cannot conflict with state legislation.

Beyond that rule, however, is a further limitation on municipal powers. Not only do municipal actions have to comply with these statutes and the Alabama Constitution; under the Dillon rule, there must be legislative authority for the municipality to take the specific action in question.

When potential candidates decide that when they get elected some action needs to be taken, they examine the laws to ensure that the municipality has the power to act in the way desired. If not, authority must be obtained through the Alabama Legislature. Depending on what the official wants to do, this may require either a local act, a general act or possibly even the adoption of a constitutional amendment.

The Extent of Municipal Power

Municipalities are established by incorporation through the procedures set out in the Code. Art.1 of Chap. 41 of Title 11, Code of Ala. 1975. Municipalities grow through annexations. The methods of annexing property are also provided for in the Code. See Chapter 42 of Title 11, Code of Ala. 1975.

Municipalities are divided into cities and towns on the basis of population. Section 11-40-6, Code of Ala. 1975. If the municipality has less than 2,000 citizens, it is a town. Once the population reaches 2,000, however, the municipality is defined as a city.

Municipalities may exercise two types of power: legislative and corporate. Legislative powers affect the public generally. In exercising these powers, the municipality acts very much as

an arm of the state. Corporate powers are more comparable to those of a private corporation and are exercised to benefit the municipality in its proprietary capacity.

Municipalities also have authority to exercise certain powers within their police jurisdictions. The police jurisdiction is a legislatively created area outside the corporate limits of a municipality. Section 11-40-10, Code of Ala. 1975. The size of the police jurisdiction is either a mile-and-a-half, or three miles, depending on the population of the municipality. It ensures orderly development beyond the municipal limits and allows the municipality to protect persons who live within these areas.

Municipalities can levy certain types of taxes in the police jurisdiction in order to pay for services which are provided in the area. See Section 11-51-91, Code of Ala. 1975. Additionally, municipalities can enforce criminal ordinances in the police jurisdiction. Construction and development can be regulated through the application of municipal building codes and subdivision regulations. Municipalities can also provide a wide range of services to citizens within the police jurisdiction, and if the municipality licenses businesses within the police jurisdiction, it must spend those funds to provide services within the police jurisdiction.

Appropriations

Frequently, potential candidates for municipal office make promises to voters that will require some type of appropriation from the municipal treasury. The use of public funds is, of

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course, of central concern to the voters. Many taxpayers, understandably, want to have a direct say in how their tax money is spent. However, citizens must understand that municipal expenditures are limited by state law.

Perhaps the most common barrier to municipal spending is Section 94 of the Alabama Constitution of 1901. This Section is commonly referred to simply as Section 94. It prohibits municipalities from giving anything of value to any private individual or group of individuals. The prohibition also bars donations to private, nonprofit corporations, even if these organizations benefit the public. Section 94 is the reason municipalities cannot pave driveways or parking lots on private property. The rule is also why government property cannot be given away, unless the use of those funds serves a recognized public purpose.

Section 94 is a frequent source of friction for elected officials, especially for those who are new to the operations of public entities. This is because often the groups requesting financial help from the municipality do provide a valid community service, and there is an inherent desire to assist them. Many are charitable organizations. For the purposes of Section 94, though, it is crucial to distinguish between the public and private nature of the group, and many traditional entities are considered private, not public. Under Section 94, it doesn't matter that the group is non-profit. If it is private (which generally means that it was not directly created by a public organization), the municipality may not donate funds to it without finding a public purpose behind the donation.

In *Slawson v. Alabama Forestry Commission*, 631 So. 2d 953 (Ala. 1994), the Alabama Supreme Court stated that, "[t]he paramount test should be whether the expenditure confers a direct public benefit of a reasonably general character, that is to say, to a significant part of the public, as distinguished from a remote and theoretical benefit ..."

Section 94, though, does not prohibit municipalities from contracting with private companies and individuals for services. For example, although a municipality cannot give money to the Girl Scouts of America, the municipality may compensate the Girl Scouts for legitimate services they can perform for the municipality. Bear in mind that the service being performed generally must be a service that the municipality could perform itself.

Similarly, Section 94 does not ban appropriations to public organizations which serve the municipality. For instance, municipalities may contribute funds to public schools their citizens attend. Municipalities may not, however, make donations to band booster clubs or other private clubs organized by students or parents because these are private groups.

Section 94.01 of the Alabama Constitution of 1901, creates a limited exception to Section 94 for economic development projects. The procedures in Section 94.01 must be followed exactly in order to spend public funds under to this provision.

Municipalities must also comply with State bid laws. Generally speaking, the bid law prohibits expenditures (with

certain exceptions which are listed in the Code) of more than \$15,000.00 (\$50,000 for public works contracts) without first soliciting competitive bids. See Article 3 of Chapter 16 of Title 50, Code of Ala. 1975 (Competitive Bid Law) and Chapter 2 of Title 39, Code of Ala. 1975 (Public Works Bid Law). Municipalities may, however, contract with other public agencies or purchase items through a state contract without first obtaining bids. AGO 2008-093. In addition, they may make purchases through a purchasing cooperative under certain conditions or off an existing Government Services Administration (GSA) contract. Section 41-16-51(a) (17).

There are other provisions governing municipal expenditures that are too numerous to discuss here. What is important is for potential candidates to understand that they must examine expenditures carefully to ensure that the expenditures are legal.

Citizen Petitions

Citizens often draft and circulate petitions to be presented to the municipal governing body. What is the legal effect of these petitions?

In some limited cases the Code requires the council to act on petitions which contain a certain percentage of citizen signatures. Some examples include petitioning for certain methods of annexation and petitioning for a wet/dry alcohol referendum. In these cases, the council must follow through on all statutory requirements. These situations, though, are rare. Usually, the council is not required to act on, or even debate, requests submitted by petition. At best, a petition serves as a means of bringing the issue before the council.

Citizens have the right to make requests of the governing body. And, just as clearly, the number of signatures on a petition has a practical political effect. In most cases, however, a council may deny a petitioner's request, or refuse to even consider it.

Even where a municipal council will consider a citizen petition, it is important that candidates realize that duly elected municipal officials cannot delegate the authority to make legislative decisions to the citizens themselves. Frequently, elected officials want to allow citizens to vote on issues. While it may be admirable to seek approval of those who will become subject to a municipal action, the legislative power of a municipality, exercised by the municipal governing body, cannot be delegated to the citizens. For instance, in Opinion No. 91-00262, the Attorney General held that a city council may not make zoning in a particular district subject to a referendum of the residents.

The prohibition on delegation of municipal powers is particularly applicable to taxation. A municipality cannot hold a referendum for the voters to approve most tax increases. Ad valorem taxes are the notable exception. Most other taxes must be approved by the council by passage of a general and permanent ordinance. The city may hold a public hearing to obtain input, but it cannot delegate approval of the tax or tax increase to the citizens.

In fact, a city may not sponsor and hold a non-binding referendum using city employees and officials to work on the election, even if the cost of the referendum is paid for with private funds. AGO 94-00001. But, a private group may conduct a non-binding referendum for a municipality, although the municipality may not participate other than as private citizens and the council cannot agree to be bound by the referendum. AGO 97-00257. Keep in mind that under state law a municipality must submit some questions, as provided for by law, to the voters to make the final decision. When making campaign promises, a candidate for municipal office must be sure whether a referendum is required, or even allowed, prior to agreeing to allow the public to vote on specific issues should he or she get elected.

The Division of Duties Between Elected Officials

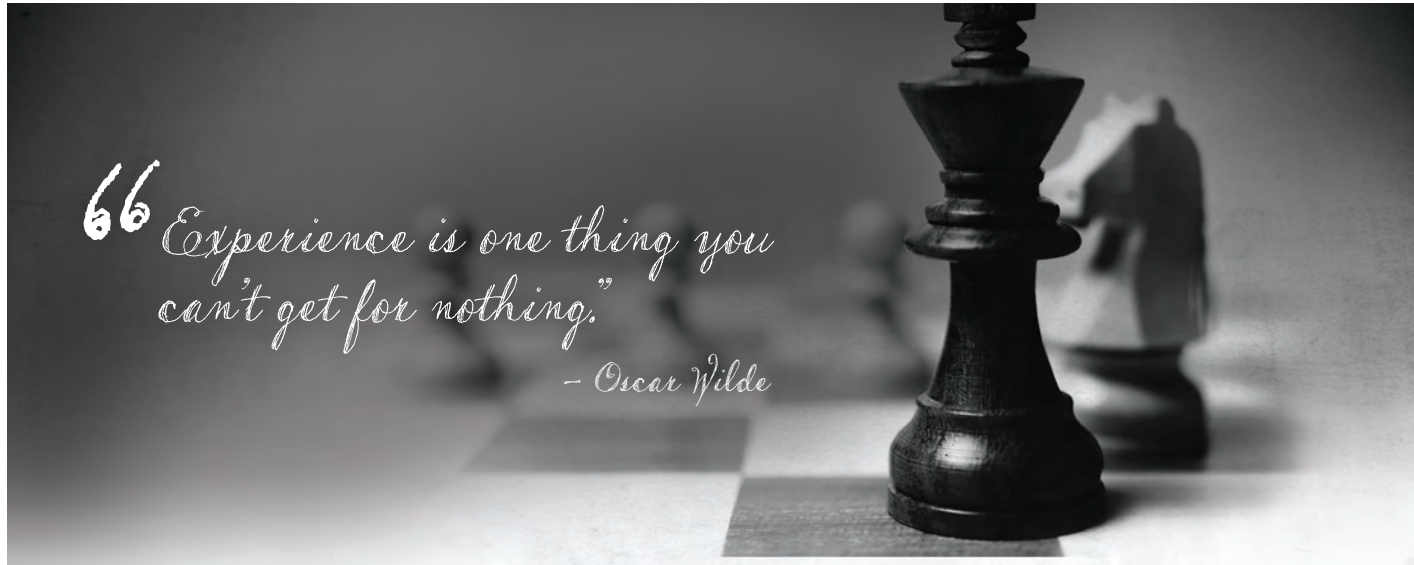
One of the most misunderstood aspects of municipal government is the separation of powers between the mayor and the council. Like government on the state and federal levels, municipal government is divided into three separate but equal branches: executive, legislative and judicial. Each of these branches has distinct duties, powers and restrictions on how far it can intrude into the affairs of the other branches.

At the municipal level, the mayor serves as the head of the executive branch. Section 11-43-81, Code of Alabama 1975. As such, the mayor is responsible for overseeing the day-to-day operations of the municipality. He or she oversees municipal employees, makes sure that bills are paid on time, executes municipal contracts and, in general, performs many of the same functions as a C.E.O. of a private corporation.

In municipalities of less than 12,000 inhabitants, the mayor also presides over council meetings and serves as a member of the council. Section 11-43-40, Code of Alabama 1975. In these cities and towns, the mayor may vote on any issue before the council, introduce measures and participate in debates to the same extent as members of the council.

In cities with populations of more than 12,000, the mayor is not a member of the council. However, he or she has a veto over any permanent action taken by the council. The council can override the veto by a two-thirds votes. Section 11-43-40, Code of Alabama 1975.

The council is the legislative branch. Candidates must understand that individual councilmembers, acting alone, have no greater power or authority than any other citizen of the municipality. The council can only act as a body at a legally convened meeting.



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- Oscar Wilde

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The council has authority over the finances and property of the municipality. The council establishes policies, passes ordinances, sets tax levels, determines what sorts of services the municipality will offer and has authority over all other legislative aspects of municipal government.

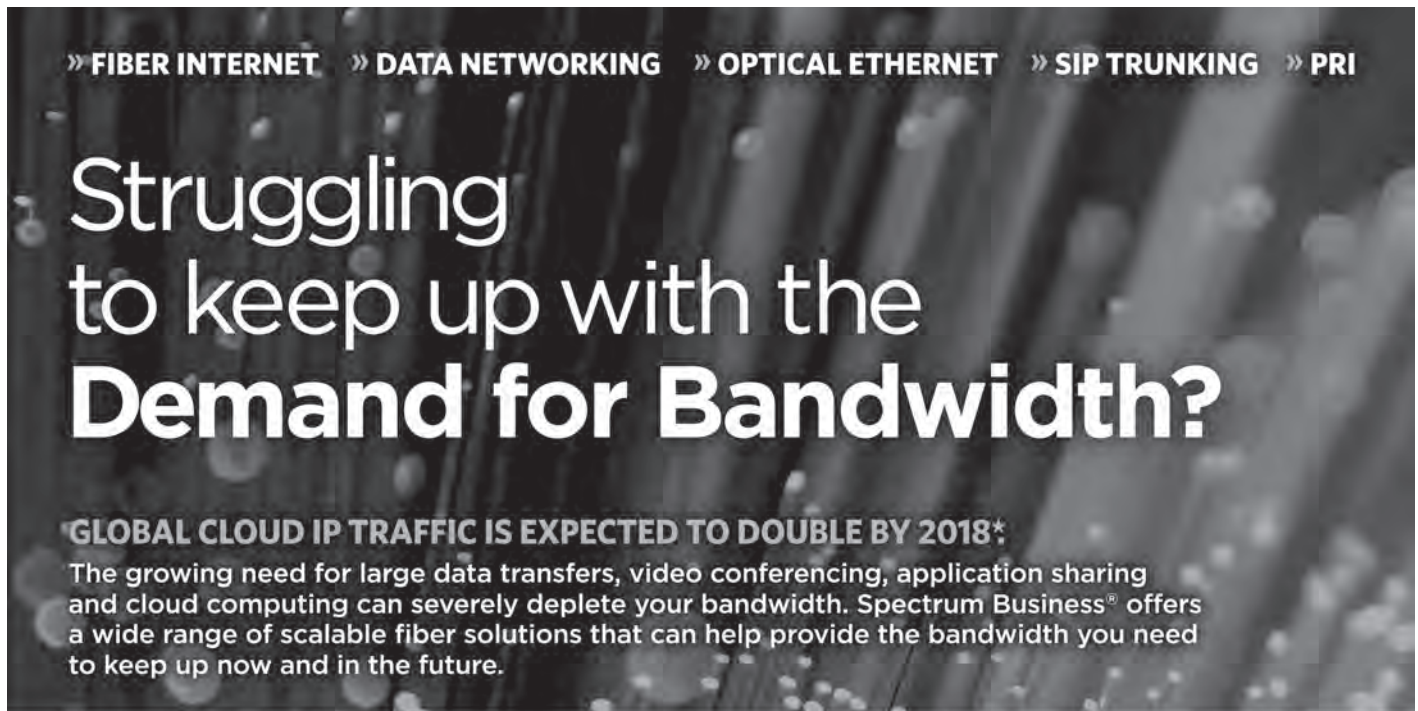
Council Meetings & Public Participation

Problems frequently arise over public participation in council meetings. This is probably due to the misconception of a council meeting as a public hearing. It is not. A council meeting is intended as a gathering of elected officials brought together to conduct the affairs of the municipality. It is a business meeting. The meeting is open to the public not so much to obtain citizen input, but to allow the public to observe the affairs of government to ensure appropriate and legal representation by their elected officials. Although most councils do set aside a time for public comment, Alabama law does not guarantee citizens the right to speak at a council meeting. The Open Meetings Act, found in Chapter 25A of Title 36, Code of Alabama 1975, grants citizens the right to be present at public meetings, but does not grant them an absolute right to express

their views at the meeting. And, the municipality may establish reasonable guidelines governing public participation in the meeting. AGO 98-00134.

Public Records

Potential candidates must also be aware that problems often arise over public records. Controversies over what is public and what is not public are common. It is probably best to assume as a starting point that all records a municipality keeps are public. Section 36-12-40 and 36-12-41, Code of Alabama 1975, guarantee every citizen the right to inspect and make copies of all public writings, unless otherwise expressly provided by statute. While most records maintained by a municipality are public, some are not available for public inspection even by elected officials. For example, sensitive tax information is protected by state law and employee withholding information cannot be released. Municipalities are encouraged to establish reasonable procedures governing access to public records. Citizens who wish to view public records must follow these procedures. The custodian of records may ask for a reason for viewing the records, and must be convinced that the reason is legitimate. Also, the municipality may charge for making copies. AGO 2008-073.



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Additionally, not all records are public. Some records, such as on-going police investigation files, some material in personnel records, confidential tax information and similar records containing information not for public consumption, are not open to the public.

For potential candidates, it is important to note that individual councilmembers and the mayor generally have no greater right to inspect municipal records than do any other members of the public. See AGO 2000-053.

Relationships with Boards

Not all municipal services are provided by the municipality itself. Many are provided by municipal boards. Some of these boards are separately incorporated, while others are not. Municipalities have the authority to create a broad range of boards to control particular functions. Perhaps the most common example is a utility board.

Boards are usually created when the governing body takes on the duty of performing so many functions that it needs to give the responsibility to another entity so that it can adequately provide for the other needs of the citizens. Once a board is created, its powers are specified by the statute under which it was organized. The council may not change the duties of the board from those set out in the statute. Nor can a council create boards that are not authorized by the legislature. Although a council may create an advisory board, it cannot delegate

power over any municipal function in its control unless the legislature has given them that authority. McQuillan, *Municipal Corporations*, 3rd ed., Section 12.38. An advisory board can only make recommendations to the council. The council must determine whether or not to act on those recommendations.

Frequently, municipal officials are asked to remove board members or to order the board to take certain actions. Candidates must understand that once a board is created, it has the sole power to act and the council has no power to make demands on the members of the board. Members of these boards are appointed for terms and generally they cannot be removed until their terms expire. This is especially true for separately incorporated boards.

It is particularly important to understand the difference between an incorporated and an unincorporated board. Incorporated boards usually cannot be dissolved until some event defined in the Code occurs. Frequently this is the payment of the debts of the board. Therefore, members of incorporated boards are totally independent from council members. Unincorporated boards are different. They generally can be dissolved by a governing body. The council will then either establish a new board or assume control over the functions themselves. However, the council may not leave the board in existence and change the duties of the board from those set out in the Code.

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Conclusion

This article does not answer every conceivable question regarding municipal government, nor could it. Municipal government is multifaceted. It is difficult to even list all the functions performed by municipalities, and even harder to explain the laws which govern their operation. Multi-volume sets of books have been written which provide only a brief overview.

What is often overlooked, however, is the community nature of a municipality. Although municipal governments are legally recognized entities with a certain amount of control over the affairs of their citizens, municipalities are still communities. They are organized by citizens who feel a need for the services and protection the government provides. In order to make the government effective, elected officials, and the citizens they represent, must work together in a spirit of cooperation – cooperation based on an understanding of what the municipality is permitted to do under state law. The League hopes this article will help foster this spirit of cooperation. ■

Endnote

1. The League encourages municipal clerks to make copies of this article to make potential candidates aware of the regulations that will govern their actions as municipal officials. This article should also serve as a refresher for elected officials who are presently in office.



F.A.Q.

Your Frequently Asked (Legal) Questions Answered
by Assistant General Counsel Teneé Frazier

Elections: Candidates – Statement of Economic Interests

Do candidates for municipal office file statements of economic interests with the Clerk when they qualify?

No. A candidate for municipal office must file a statement of economic interests with the State Ethics Commission simultaneously with the date the candidate files his or her qualifying papers or his or her name shall not appear on the ballot. Even though the statement of economic interest form is **not** filed with the clerk, the clerk should inform the candidate of this requirement at the time the statement of candidacy is filed. Once the clerk receives a declaration of candidacy from a candidate, the clerk must, within five days of the receipt, notify the commission of the name of the candidate. The State Ethics Commission shall, within five business days of receipt of such notification, notify the election official whether the candidate has complied with the statement of economic interest requirement. Section 36-25-15, Code of Alabama 1975. ■

reason, once elected, your goals should become more focused. Primary among those goals should be the desire to find ways to make your city or town better.

City officials quickly realize that they don't operate in a vacuum. So much of what happens within the city limits is impacted by county governments, other cities and, most significantly, the state and federal government. Part of your job as an elected official is to learn as much as you can about these other levels of government, getting to know those in power and working to influence actions by these other levels of government that affect your city or town's interests.

The League works hard to provide opportunities for municipal officials to connect with those whose decisions impact local governments. Your participation in League programs not only helps the League, it provides tangible benefits to your municipality by enabling you to make those connections and build relationships for the future.

There are many ways municipal officials and personnel can participate in League programs and functions. A starting point is simply reviewing our publications and web site. We provide volumes of information local officials need to know to better serve their communities. The more you know, the better informed you will be about your options.

Another good way to learn about your options is to attend the annual League Convention. In my opinion, all municipal officials should attend the annual League Convention, whether you want to be active in the League or not. The League Convention provides hours of instructional opportunities for municipal officials. This multi-day event allows municipal officials from across Alabama to gather at a single location to share ideas, get to know each other better and learn from experts and from each other. You'll find many, many opportunities to become more active if you attend the Convention. You'll also grow as a municipal official.

One of the best ways to become active in the League is to participate in our Certified Municipal Officials (CMO) Program. This program is designed to educate municipal officials about the laws, regulations and best practices affecting the operation of municipal government. Officials earn credit hours toward achieving one of three certification levels – Certified Municipal Official, Advanced Certified Municipal Official, or a newly-developed level as an Emeritus Certified Municipal Official. The CMO program makes you a better informed municipal official.

The League also works closely with other groups that train various municipal employees – city managers, clerks, attorneys, judges, revenue officers, personnel administrators and many

others. Some of these programs are managed by the League, some are not. Regardless, these groups provide outstanding educational instruction to their members and we hope local employees will participate with their peers.

But, of course, there is no way to become active in the League without participating. Signing up for CMO training, registering for the Convention – none of those will help you accomplish anything unless you attend, listen, talk to your fellow officials and participate. You not only have to become a member of a policy committee – you have to attend and pay attention.

If you are interested in learning more about how to be an effective municipal leader, influence state and federal policy and the direction your League of Municipalities takes, I strongly encourage you to become part of our policy committee process. Visit the League's website at alm.org for additional information on each of the items discussed in this article. We look to our active officials – those who participate in the committee process, gain knowledge through the CMO program, attend the Convention and take part in other League activities and projects to fill leadership roles and keep our League strong. Thanks to each of you for all you do for your community, the League and our members. ■



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Alabama is fortunate, indeed. Corporate leaders such as Google, Remington, Airbus and countless more are choosing to locate in our state creating jobs and supporting communities. Together, these companies are creating over 1,500 jobs, with potential to create more. Alabama's community leaders are beginning to take a good look at what makes them unique and attractive to these companies. They have identified downtowns as their trademark and its vitality and quality of life as their ultimate measure of success.

Why Downtown?

Downtowns are not only the physical heart and cultural centers of our communities but the ultimate destinations for small and independent businesses. Small business owners are looking for a genuine synergy that comes from a developed business mix, innovation and inspirational spaces that exclusively radiate from historic commercial districts. *Independent We Stand* published the national statistics below that give great insight as to why these businesses and their choice locations matter:

- Small businesses accounted for 65% of all net new jobs over the past 17 years.
- Small businesses employ 77 million Americans.
- Residential neighborhoods served by a successful independent business district gained, on average, 50% more in home values than their citywide markets.
- Independent Small businesses accounted for 65% of all net new jobs over the past 17 years.
- Independent retailers return more than three times as much money per dollar of sales than chain competitors. Independent restaurants return more than two times as much money per dollar of sales than national restaurant chains.
- If just half the U.S. employed population spent \$50 each month in locally owned independent businesses, it would generate more than \$42.6 billion in revenue.

- For every square foot a local firm occupies, the local economy gains \$179 vs. \$105 for a chain store.

Sources: *Small Business Administration; Intuit Small Business Innovation Study; American Express OPEN Independent Retail Index; Civic Economics/American Booksellers Assoc., U.S. Dept. of Labor*

Once downtowns are identified as economic development engines, redevelopment is seen as a huge opportunity. Currently, Main Street Alabama is working in 32 Alabama communities as either Downtown Networks or Designated Communities. During its two and a half years of operation, Main Street Alabama has seen tremendous interest in revitalizing the state's downtown commercial districts. With 16 Designated Communities: Anniston, Athens, Alexander City, Birmingham, Decatur, Dothan, Elba, Eufaula, Florence, Fort Payne, Gadsden, Jasper, Monroeville, Opelika, Oxford and Selma; and 23 Downtown Networks, the organization is delivering services comparable to a more mature state coordinating program.



Creating Jobs. Keeping Character.

continued page 20

Legal Clearinghouse

Rob Johnston, Assistant General Counsel

NOTE: Legal summaries are provided within this column; however, additional background and/or pertinent information will be added to some of the decisions, thus calling your attention to the summaries we think are particularly significant. When trying to determine what Alabama law applies in a particular area or on a particular subject, it is often not enough to look at a single opinion or at a single provision of the Code of Alabama. A review of the Alabama Constitution, statutory law, local acts, administrative law, local ordinances and any relevant case-law may be necessary. We caution you *not* to rely solely on a summary, or any other legal information, found in this column. You should read each case in its entirety for a better understanding.

ALABAMA COURT DECISIONS

Employees: Mayor's termination of the fire chief's employment following the expiration of a limited-term employment agreement did not violate statutory removal mandates, even though the mayor's termination decision was not submitted to city council members for approval, and fire chief was permitted to continue in office for one year following the end of the contractual limited term. The city council's initial action approving the limited-term employment agreement impliedly satisfied statutory removal mandates, and fire chief continued serving as an at-will employee at the pleasure of mayor following expiration of employment agreement. *Trenier v. City of Pritchard*, 168 So.3d 22 (Ala.2014)

UNITED STATES COURT DECISIONS AFFECTING ALABAMA

Civil Rights: African-American paraprofessional employed by city board of education failed to establish causal connection between disciplinary action taken against her and her refusal to sign statement against co-worker, as would support paraprofessional's prima facie case of retaliation under Title VII and § 1981; paraprofessional was accused of improper restraint of student, which led to disciplinary action, well before engaging in any allegedly protected activity with respect to co-worker. *Jenkins v. Tuscaloosa City Bd. of Educ.*, 72 F.Supp.3d 1238 (N.D.Ala.)

Environmental Law: State road widening project through the city's historical district was not shown to be subject to the National Environmental Policy Act's (NEPA) procedural protections. *City of Eufaula, Ala. v. Alabama Dept. of Transportation*, 71 F.Supp.3d 1272 (M.D.Ala)

Searches and Seizures: Search warrant for defendant's apartment that described search location as a house approximately 15 miles away violated the Fourth Amendment's particularity requirement. *U.S. v. Crabtree*, 77 F.Supp.3d 1192 (S.D.Ala.)

DECISIONS FROM OTHER JURISDICTIONS

Wreckers: The permit requirements of a city's permit scheme for tow truck operators and tow truck firms, namely, that the operators and firms hold city-issued permits while operating in the city fell within the safety exception to the Federal Aviation Administration Authorization Act's express preemption clause. *California Tow Truck Ass'n v. City and County of San Francisco*, 797 F.3d 733 (C.A. 9 Cal. 2015)

ATTORNEY GENERAL'S OPINIONS

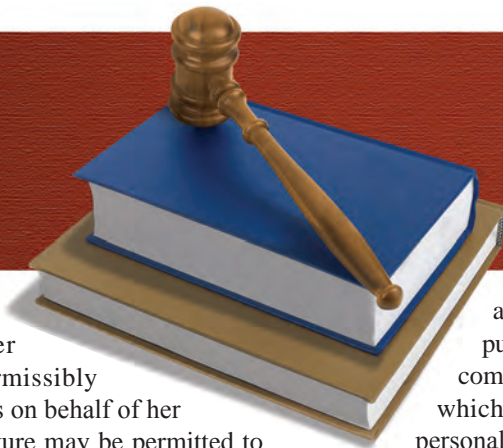
Public Records: The Alabama Uniform Arrest Report is subject to disclosure under the Open Records Law, except when specific records or portions thereof can be demonstrated by the city police department to fall within a recognized exception. The home address, telephone number, social security number, driver's license number, occupation, employer, and business address and telephone number of the arrestee on the front side of the report may be withheld from public inspection. The full address of the location of arrest, if the same as the home address, on the front side of the report may be withheld. The block number or street name is public record. The "SID" and "FBI" numbers on the front side of the report should not be released. The "Juvenile" section and the name of a juvenile arrestee on the front side of the report should be withheld. No portion of the back side of the report is public record. If the release of information from any other sections of the form would compromise a pending criminal investigation, that information may be withheld. AGO 2015-057

Appropriations: Because the town has the authority to make expenditures to provide a fire department, the town may expend municipal funds to raise money for the fire department if the town council determines the expenditure serves a public purpose. AGO 2015-058

Petitions: Electronic signatures obtained online and/or on electronic signature pads, if printed and submitted with a wet-dry petition, are not valid signatures as required by Section 28-2-1 of the Code of Alabama 1975. AGO 2015-059

Police Department: The town council may, by ordinance, permit or require the police department to escort funerals. Police vehicles may use flashing blue or red lights during the escort. Questions of liability are not generally answered by the Attorney General. AGO 2015-061

Public Works Bid Law: A county board may purchase real property upon which the successful bidder will construct or remodel a building by bidding in compliance with the Public Works Law. Upon completion of the transaction, the county board should comply with the Section 9-15-100, Code of Alabama 1975 disclosure requirements concerning the purchase of real property by the state, county, municipality, or any other governmental entity or quasi-governmental entity after the purchase. AGO 2015-064



ETHICS OPINIONS

AO NO. 2015-14: A member of the Legislature may not impermissibly lobby State officials or local officials on behalf of her employer. A member of the Legislature may be permitted to be involved in limited fundraising for her employer as long as in doing so she does not violate Sections 36-25-5, 5.1 or 23(c).

AO NO. 2015-12: A former city employee may, upon her retirement, accept employment with a real estate developer who applies for and is awarded federal funds through the city's HOME program, or work as an independent contractor to them when her actions in the application process were ministerial and she did not have any decision-making authority. The employee may not, for a period of two years after leaving the city, represent clients, including her new employer, before the city.

AO NO. 2015-15: Public officials and public employees who serve on boards, committees or commissions established to assist governmental entities in performing their functions, may vote and participate in issues coming before the board, committee or commission that directly affect the public entity that employs them or on which they serve, when the benefit is a public benefit and

accrues to that public entity and, therefore, to the public which the entity serves. If, however, a matter comes before the board, committee or commission which presents an opportunity for the members to personally benefit or which affects them uniquely, and financially, or that of their family members or a business with which they are associated, they may not participate and vote on those items.

AO NO. 2015-16: The Ethics Commission presumes that an employee who is paid from a source other than public money but who performs all of the functions of a public sector employee cannot serve under that arrangement without violating the fundamental principles underlying the Ethics Act. Recognizing that many arrangements under the Ethics Act revolve around complex sets of facts which might create exceptions to prohibitions under the Code, the Commission will consider approving such arrangements but only on a case-by-case basis through formal requests for an Advisory Opinion, in light of the presumption that they are invalid, and not through the Commission's informal opinion process. This approval process will at least bring into the open such arrangements and allow for their public scrutiny. ■

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“The level of interest we have seen in our program thus far demonstrates the tremendous appetite to work from the ground up to make a positive change in communities,” said Mary Helmer, President and State Coordinator for Main Street Alabama. “Communities have identified our program as a tool custom-made for their downtowns, unique as each of their districts with the flexibility to work with the circumstances in each location. Main Street is a vehicle for success – how far and how fast communities go is up to them.”

Main Street Alabama follows the National Main Street Centers Four Point Approach® – an economic development program based in historic preservation that has been tracking its success since 1980. The following national reinvestment statistics have been reported: total reinvestment in physical improvements from public and private sources: \$61.7 billion; number of building rehabilitations: 251,838; net gain in jobs: 528,557; and net gain in businesses: 120,510. These numbers were reported by each state program and collated by the National Main Street Center.

Main Street Alabama has been tracking the reinvestment statistics in each of our Designated Communities – not only

to report to the National Main Street Center, but also to give the local programs a tool to collate the quantifiable results necessary to build sustainable organizations. During the two and a half year period that Main Street Alabama has been operational, we have tracked our successes in the 16 Designated Communities downtown districts:

- Dollars Reinvested in Districts: \$91,516,522
- Net Gain in jobs: 923
- Net Gain in businesses: 156

Every public dollar invested in these downtown districts was met with a \$2.43 private investment.

How the Program Works

Main Street Alabama follows the National Main Street Center’s Four Point Approach®, which develops different areas simultaneously: Organization, Design, Promotion and Economic Vitality. By concentrating in each of these areas at the same time, Main Street programs develop a well-rounded approach to their downtowns and avoid the pitfall of being too heavily vested in one area.



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The local programs in Alabama are all working in the four points, with work plans that are developed specific to their communities. Below, are descriptions of each point and a featured project in each of the Four Points from our Designated Communities that received Awards for Excellence earlier this summer.

Organization

Organization establishes consensus and cooperation by building partnerships among the various groups that have a stake in the commercial district. The most effective Main Street programs get everyone working toward the same goal. With this level of collaboration, your Main Street program can provide effective, ongoing management and advocacy for your downtown or neighborhood business district.



Profile: Gadsden's Connections: For over 5 years, Downtown Gadsden, Inc. (DGI) has been sponsoring a meeting to facilitate communications and information between downtown stakeholders. The Connections meetings are advertised monthly with an open invitation for any downtown merchant or business to attend. Speakers including the Mayor, Council Members, Chiefs of Police, Fire Department and others are part of the monthly program. The average attendance ranges from 28 to 35 businesses, and participants are encouraged to network and learn more about each other at the Connections meetings. Often times, business owners are so busy in their own operation, they don't have time to visit and learn about the other companies around them. The Connections meetings not only allow them to get to know one another but also the opportunity to learn about products and services each business has to offer so they can better serve their customers and be partners with each other promoting downtown Gadsden as a whole.

Mary Wood, Manager of Marketing and Development for DGI said: "Connections also allows DGI to welcome new businesses and give them an opportunity to meet other downtown merchants and be introduced to Downtown Gadsden, Inc. and Main Street Alabama. Discussion often yields ideas for

future events to benefit and promote our downtown businesses and serves as a conduit for feedback from events we have tried in the past. It is an amazing networking opportunity that fills a need in our downtown and is supported greatly by our merchants."

Promotion

Promotion takes many forms, but the goal is to create a positive image that will renew community pride and tell your Main Street story to the surrounding region. The techniques we teach, and the variety of tools at your disposal, will help to rekindle the vitality of your community. Promotions communicate your commercial district's unique characteristics, its cultural traditions, architecture, and history and activities to shoppers, investors, potential business and property owners, and visitors.

Profile: REV Birmingham's Woodlawn Street Market: The Woodlawn Street Market is an urban street market, in the heart of Historic Woodlawn's 55th Place, designed to increase exposure to a changing commercial district that many have never visited. The market, including many hobbyist or part-time ventures, also offers REV's BIZ 1.0 and CO.STARTERS clients a venue for testing pricing, production and markets. Marketing includes posters, social media updates, an e-mail campaign to REV Birmingham newsletter subscribers, media coverage from local television stations, Birmingham *Business Journal*, Al.com and promotion from Yelp Birmingham. For years, people believed that Woodlawn is dangerous, crime-ridden, and that nothing positive could ever happen there. Many of the business owners have given not only of their time, but their resources as well. Without this level of participation and contribution from valued business partners, the Woodlawn Street Market would not be successful.

Brian Gunn, District Manager for REV Birmingham said: "Although the Woodlawn Street Market has only been around for two years, the impact that it has made on the Woodlawn Community has been exponential. While bringing in thousands of individuals to experience 50+ trendy



and unique food startups, artists, and makers, the market has also entertained patrons with hip hop dance battles and live street art demonstrations. The market has reinvigorated Woodlawn’s downtown by allowing patrons (from Atlanta, Nashville, Jackson, Mississippi, Montgomery and Huntsville) to discover existing businesses and experience all of the excitement building around making Woodlawn a vibrant destination to live, work, and entertain.”

Design

Design means getting Main Street into top physical shape and creating a safe, inviting environment for shoppers, workers, and visitors while preserving historic character. Successful Main Streets take advantage of the visual opportunities inherent in a commercial district by directing attention to all of its physical elements: public and private buildings, storefronts, signs, public spaces, parking areas, street furniture, public art, landscaping, merchandising, window displays, and promotional materials.

Profile: Opelika’s Railroad Avenue Streetscape Project: The Railroad Avenue project was the third phase



in a Streetscape plan for downtown Opelika focused on the busiest and most widely seen street in the district. The avenue runs north and south and is split by railroad tracks. The City of Opelika and Goodwyn, Mills & Cawood developed the plan with input from Opelika Main Street. The plan was to make all of Railroad Avenue look cohesive and serve as a downtown ‘park’. The joint efforts resulted in additional electrical outlets in the streetscape “stage” area that made the project area attractive, welcoming and inviting to visitors. The plan called for a complete change in traffic, major landscaping additions, new sidewalks and lighting, which resulted in creating a beautiful, safe atmosphere. Opelika Main Street concentrated on merchant support and assistance during the construction process. Efforts were made to save the 100-year-old brick pavers to re-lay in the street. The project was a catalyst for several new businesses that are now open on North Railroad Avenue.



Economic Vitality

Economic vitality can show you how to strengthen your community’s existing economic assets while diversifying its economic base. Successful communities accomplish this by evaluating how to retain and expand businesses to provide a balanced commercial mix, sharpening the competitiveness and merchandising skills of business owners, and attracting new businesses that the market can support. Many Main Street programs also achieve success through creative reuse of historic properties. Converting unused or underused commercial space into economically productive property also helps boost the profitability of the district. The goal is to build a commercial district that responds to the needs of today’s consumers while maintaining the community’s historic character.

Profile: Alexander City’s Missing Piece Competition: With the goal to generate a business for Downtown Alexander City, the Missing Piece Competition provided on-the-fence entrepreneurs the impetus they needed to open a new business. A prize package featured \$100,000 in goods and services that a new business would need from legal and accounting to

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printing and advertising along with a business coach. “We want to encourage innovative business owners to launch, operate, and thrive in our downtown,” Richard Wagoner of the Main Street Alexander City said about the exciting new program. “We hope by giving incentives for one business we will be creating more jobs, a new passionate business owner, and one more reason for visitors and residents to experience downtown,” said Stephanie Smith, Chairperson of the committee and owner of two downtown businesses. “There were 5260 votes cast among the four voting venues which were The Outlook poll, newspaper ballots, Facebook likes and the Main Street website,” Smith said. “The Coffee Corner won, but all of the finalists were separated by only about 100 votes. That shows how much interest there was.” The Coffee Corner, which will roast its own coffee and sell freshly baked pastries, breads and lunch will open this winter and then Main Street Alexander City will announce the next year’s competition.

Participating in Main Street Alabama

Imagine the impact a program working in each of these points could have on your community! If you are looking for a way to change the perception as well as the reality of your downtown, consider working on a Main Street Program. Three new communities are accepted as Designated Programs each year after a competitive selection process. Each winter, Main Street Alabama conducts application workshops that offer an overview of The Four Point Approach® as well as detailed information on the selection process. Attendance is mandatory to receive the application packet. **The 2016 workshops are scheduled for January 12 in Monroeville, January 19 in Birmingham, and January 26 in Decatur.** The make-up day for possible bad weather will be February 2 in Birmingham. Completed applications are due in March, presentations in May and new communities are announced in early June.

In the meantime, to begin receiving services and preparing your downtown stakeholders for the application process or to just begin the conversation of starting a downtown revitalization program, join the Downtown Network. For a \$300 fee, Main Street Alabama will travel to your community, visit with your downtown stakeholders, conduct a “Power of Main Street” presentation and determine the capacity and need for a Designated Main Street program. Members are also given a discounted rate on quarterly trainings and webinars to keep leaders informed with the latest tools to



assist your community in reinvigorating a downtown district. In subsequent years as a Downtown Network, communities are eligible for additional presentations on one area of the Four Point Approach®.

Take a good strong look at your downtown – a huge investment has already been made there. It IS the strongest identifier of your community. It IS where your citizens want to live, work and play. Use Main Street Alabama as a tool to develop your downtown into a unique, vibrant district that celebrates heritage and future entrepreneurs. **For more information, visit our website: www.mainstreetalabama.org.** ■

Marylon Barkan is Marketing and Communications Coordinator for Main Street Alabama where she focuses on the Promotion Point of the Four Point Approach®. Marylon has been with Main Street Alabama since the program relaunched two and a half years ago and previously served as Program Coordinator for Main Street Mobile and as a private consultant for developers interested in promoting local business clusters.



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Fiber Connectivity is a Necessity, Especially in Rural Alabama

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Steve Meany
CEO, Information Transport Solutions (ITS)

Alabama is blessed with tremendous economic development opportunities. Most recently, Remington, Polaris, and Airbus announced major investments in our state, putting Alabama citizens to work. These facilities are located in areas with reasonable access to power, water, sewer and workforce. Do you think these companies would have picked these locations if no high-speed fiber Internet access was available?

According to the Associated Press, 1.7 million Alabamians do not have access to high-speed Internet access. That means 35 percent of the state's population does not have the opportunity to experience economic growth resulting from the presence of broadband Internet. Twenty percent of the state's urban population doesn't have access, and the stats in rural Alabama are much worse – 56 percent have no access to fiber or broadband Internet.

I applaud the state legislature and education interests in Alabama for working on legislation to put smart devices, tablets and computers into the hands of our students. However, there is one glaring problem: If a vast number of students do not have access to high-speed Internet access, then homework could become a thing of the past.

Fiber-provided high-speed Internet access is becoming a necessity. Benefits of expanding fiber service in Alabama include an improved, lower-cost healthcare system, improved educational opportunities, increased economic development, more jobs, greater access to information and much more. Of course, the question of funding is always on the forefront. How do we provide these services in the underserved areas?

The reality is that much of Alabama has access to fiber high-speed Internet access. The problem is the *access* to the service is very limited. Many of Alabama's 136 school systems are serviced by fiber-based high-speed Internet access. This fiber for the school systems is limited to the schools only and is delivered, in many cases, by local fiber service providers such as large companies like AT&T and Charter Communications and small companies like Camellia Communications and Troy Cable.

The same fiber high-speed Internet access serving schools can be extended out to other entities in Alabama. One of the natural

extensions of fiber service serving schools can be extended to municipal governments. Cities need these services to improve information security, increase services for constituents and provide a platform for economic development. Expanding fiber high-speed Internet access from schools to local governments increases the broadband footprint because more cabling will be laid throughout the community. This path will probably run past an industrial park, hospital, community center or senior center thus enabling economic development and industrial recruitment. In addition, students then have a location for afterschool connectivity and "homework". Healthcare powered by high-speed Internet access will increase the adoption of applications and new treatment options like telemedicine. Municipal governments will be able to better serve their citizens.

This expansion of the high-speed Internet access infrastructure to local governments will begin to lower the overall costs for the service providers, allowing for further expansion into other markets and even the individual homes. In order to procure these services, local governments will need money. Thankfully, some financial assistance is available from agencies like ADECA, USDA, and many other state and federal grants. In addition, the Governor has created an Office of Broadband Development and recently established an Advisory Board on Broadband consisting of key state agencies, service providers and membership associations to study issues such as tax incentives and abatements for broadband infrastructure projects, access to rights-of-ways, challenges for first responders and funding opportunities, particularly at the federal level. It's a slow start, but it's something.

Alabama must soon resolve this issue of high-speed fiber Internet access in order to better compete with other states, educate our children and improve the lives of all our citizens. ■

Steve Meany is Chief Executive Officer at Information Transport Solutions, Inc. (ITS), an Alabama-based full-service provider of technology solutions integrating voice, video, and data to make organizations more efficient and productive.

MARK YOUR CALENDARS!

2016 MUNICIPAL LEGISLATIVE ADVOCACY CMO SESSION

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Office of Broadband Development Created to Increase Statewide Access and Use of Broadband

On July 16, 2015, Governor Robert Bentley signed an Executive Order creating the Office of Broadband Development to serve as a resource to state agencies, counties and municipalities, broadband service providers and other stakeholders in efforts to increase access to and use of broadband. This includes:

1. Working with Internet service providers to identify barriers to broadband deployment, as well as potential solutions.
2. Through the national broadband map and other datasets, assessing broadband coverage and gaps in service across the state.
3. Staying abreast of state and federal legislative initiatives related to broadband access and adoption, and informing and affecting public policy, when appropriate.
4. Identifying and sharing information with state and local leaders on funding opportunities dedicated to broadband access and adoption programs.
5. Promoting the use of broadband as it relates to efforts that serve Alabama communities, including applications that enable and enhance economic and workforce development, public safety, healthcare, education, e - Government, agriculture, tourism and more.

Governor Bentley appointed Kathy Johnson to serve as the Director of the Office of Broadband Development. In addition, he appointed a 50-member Advisory Board on Broadband comprised of cabinet members, legislators, Internet service providers and representatives from a variety of organizations and corporations. The Alabama League of Municipalities is represented on the Advisory Board by Mayor Bill Gillespie, City of Prattville. The role of the Advisory Board is to:

1. Advise the Director on the operation of the office.
2. Assist with collection and sharing of data related to: broadband accessibility, adoption and applications; challenges and opportunities of broadband deployment local, state, federal and foundational funding for broadband projects; and public policies that enhance or hamper broadband deployment and usage.

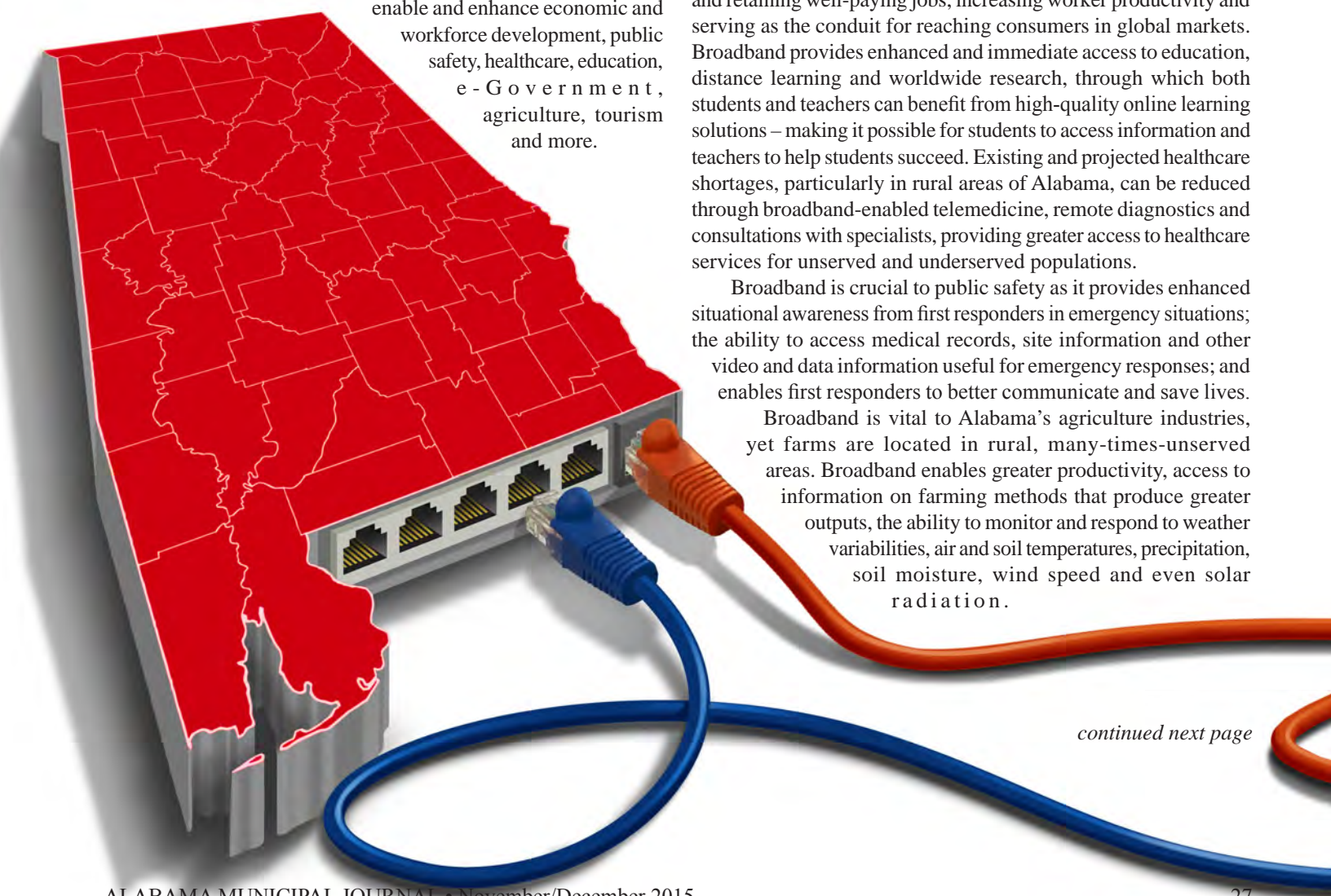
Broadband access is now essential.

Broadband access has become an essential element of economic vitality and sustainability for new and existing industries, attracting and retaining well-paying jobs, increasing worker productivity and serving as the conduit for reaching consumers in global markets. Broadband provides enhanced and immediate access to education, distance learning and worldwide research, through which both students and teachers can benefit from high-quality online learning solutions – making it possible for students to access information and teachers to help students succeed. Existing and projected healthcare shortages, particularly in rural areas of Alabama, can be reduced through broadband-enabled telemedicine, remote diagnostics and consultations with specialists, providing greater access to healthcare services for unserved and underserved populations.

Broadband is crucial to public safety as it provides enhanced situational awareness from first responders in emergency situations; the ability to access medical records, site information and other video and data information useful for emergency responses; and enables first responders to better communicate and save lives.

Broadband is vital to Alabama's agriculture industries, yet farms are located in rural, many-times-unserved areas. Broadband enables greater productivity, access to information on farming methods that produce greater outputs, the ability to monitor and respond to weather variabilities, air and soil temperatures, precipitation, soil moisture, wind speed and even solar radiation.

continued next page



Farmers and ranchers use Global Positioning Systems (GPS) for tractor guidance, targeting the distribution of insecticides, tracking livestock, soil sampling and much more. In addition, electronic or e-Government made possible through broadband can help streamline citizen interaction with government agencies and provide access to benefits and programs.

Overall, broadband provides access to a wide range of resources, leveling the playing field between those living and working in rural Alabama communities and those located in urban areas of our state. Closing the digital divide between the Internet ‘haves’ and ‘have-nots’ may seem simple, but it requires ensuring the ‘have-nots’ have (a) access to reliable broadband services at affordable costs and at speeds adequate for current and future applications; (b) access to computers that are privately owned or leased, or provided at public locations as a public benefit; and (c) knowledge to effectively use computers and the Internet. By extending access to quality, affordable broadband – and increasing understanding of the myriad of benefits it affords to residents and businesses – we can improve the quality of life in every community in our state.

Kathy Johnson, Director of Broadband Development, Office of Governor Robert Bentley, can be reached at 334.353.2925 or via email at kathy.johnson@obd.alabama.gov. ■

State & Local Government

Technology and connectivity for your system, paired with the training and support to make it all work.

Information Transport Solutions, Inc. (ITS) is a technology company that specializes in serving the state and local governments. Powered by IT experts and world-class partners, ITS can provide end-to-end technology solutions from Internet and wireless connectivity to networks and cabling and everything in between.

<p>Hosted & Managed Services</p> <ul style="list-style-type: none"> •IP Telephony - VoIP, TDM, Unified Messaging, Call Centers, Hardware •Wi-Fi as a Service - Cabling, Switches, Security, Access Points, Monitoring •Hosted Exchange - Email, Archiving, Sharepoint •Infrastructure – Servers, Hosting, Applications, Remote Management <p>Network Solutions</p> <ul style="list-style-type: none"> •Network Switches & Routers •VoIP & Video •Wired & Wireless Networks. •Network Operations Center Remote Monitoring <p>Tech Support</p> <ul style="list-style-type: none"> •Maintenance Agreements •On-Site & Remote Techs •Diagnostics & Repair •24-Hour Network Monitoring •Help Desk & Troubleshooting <p style="font-size: x-x-small;">You can work directly with ITS through our pre-authorized contacts.</p>	<p>Structured Cabling</p> <ul style="list-style-type: none"> •Cabling & Connectivity •Low-Voltage Systems •Network Infrastructure Design <p>WAN & Fiber Services</p> <ul style="list-style-type: none"> •Internet Connectivity •Remote Site Links & VPNs •Installation & Provisioning <p>Disaster Recovery Services</p> <ul style="list-style-type: none"> •Business Continuity Services •Disaster Recovery
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CMO Session 51: Municipal Leadership Institute

ALM's Municipal Leadership Institute and Expo Scheduled for Dec. 9-10 in Montgomery!

The Alabama League of Municipalities is offering a CMO Leadership Institute and Expo in Montgomery on December 9 and 10 specifically designed to help elected officials better serve their communities. Topics include: Bicentennial Events/Endeavors, The New Law Regarding the Municipal Police Jurisdiction, The Role of Local Police in Terrorism, Recent Bid Law Changes, The Open Meetings Act, Municipal Intercept Services (MIS) Program, Alabama's Office of Broadband Development, The Effects of GASB 68, Local Government Services and Legislation Impacting Municipalities. In addition, a number of exhibitors will be available to discuss products and services as well as innovative ideas for future planning.

The League's CMO graduation ceremony for those who have earned their Basic, Advanced and Emeritus CMO designations will also be held during the Leadership Institute. **Visit www.alalm.org to register!**



Early Adopter Training Set for November and December

www.alintercept.org

Municipal Debt Recovery at Your Fingertips!

In 2014 the Alabama Legislature enacted an amendment allowing municipalities and counties to attempt to recover delinquent debts owed by individuals to local governments by collecting this debt from the individual's state tax refund. As part of the 2014 legislation, the Alabama Department of Revenue (ADOR) agreed to process these debts through only two clearinghouse entities: the Alabama League of Municipalities (ALM) for municipal entities and the Association of County Commissions of Alabama (ACCA) for county entities. In 2015, ALM formed Municipal Intercept Services, LLC (MIS) as its clearinghouse entity to act as a conduit between participating Alabama municipal entities and the Department of Revenue. The MIS system does *not* serve as a debt collection service or agency. It only exists as the conduit between participating entities and the Department of Revenue and is designed to complement any existing collection efforts. **Visit www.alintercept.org for more information.**

MIS will begin accepting applications November 2nd and the system will go live December 1st!

Participating entities will then be able to input their delinquent debt information into the MIS web-based system thereby certifying that the debt data is correct, the debts are, indeed, delinquent and the debts are final. The data submitted to the MIS system is then formatted to the ADOR's specifications and submitted to the department for processing. ADOR will then use this data to attempt finding a matching Alabama State tax refund for the debtor based on the debtor's Social Security Number. This process of matching and collecting a debt from a refund is what ADOR calls an "intercept". **NOTE:** if the debtor is not eligible for an Alabama State tax refund, no money can be collected.

Special two-hour Early Adopter training sessions on the MIS system will be held at League Headquarters in Montgomery November 12, 16 and December 16.

Register online at www.alintercept.org/training-seminars to reserve your space and to become an Early Adopter! Space is limited to 30 participants.





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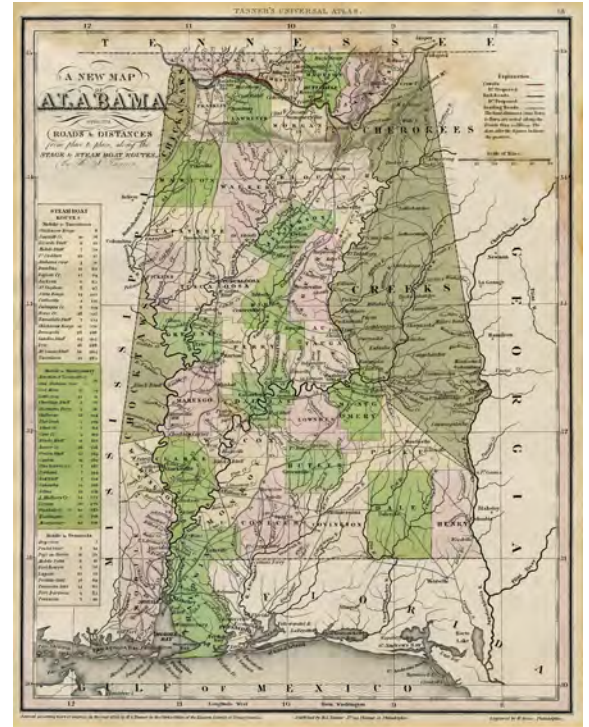
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Bicentennial Community Celebration Committees Form Yours Today!



Alabama's Bicentennial, which will be celebrated 2017-2019, is a unique opportunity for our municipalities to participate in a very specific historical milestone. For example, if your community has an annual festival, you could use the ALABAMA 200 branding to broaden your festival by incorporating the history of the festival, the history of your community and highlighting some of the elements that make your community unique and historically significant. Some communities may decide to take on a special project for the Bicentennial, such as a cemetery restoration, painting a mural on a downtown building or renovating a historic structure. The options and opportunities are endless, which is why the Alabama Bicentennial Commission wants an accurate database of what communities are doing throughout the state.



The Bicentennial Commission and the Alabama League of Municipalities encourages every city and town to be part of the Bicentennial process (2017-

2019) and consider immediately

forming a **Community Celebration Committee.**

In order to apply for grant funding or to receive ALABAMA 200 promotional and branding materials from the Bicentennial Commission, your municipality must designate an official Community Celebration Committee that is approved via special resolution by the Mayor and Council. Download the necessary resolution at alabama200.org under the 'Resources' link.



A copy of your resolution, as well as the contact information for the Chair of your Community Celebration Committee, must then be submitted to the Commission, which is forming a database to enable the Commission to send relevant information to the correct people. Community Celebration Committees can be composed of *anyone* from your community, especially people from historical, educational, cultural and/or civic and community organizations such as schools, libraries, history/heritage groups, tourism/economic development organizations, etc. We encourage you to engage your community leaders, activists and historians in this process.

Mail or email a copy of your resolution as well as your committee chair person's contact information to: Hannah J. Garmon, Alabama Bicentennial Commission, 401 Adams Street, Suite 126, Montgomery, AL 36104 or Hannah.Garmon@bicentennial.alabama.gov.

Alabama200.org



2016 Annual Convention Information

Huntsville, Alabama • May 14 - 17, 2016

NOTE: Use the form provided in this issue of the Journal or register online at www.alalm.org. **Online registration will be available February 1.** (Registration materials will not be mailed.)

Online Registration: To make the registration process more efficient, delegates are encouraged to pre-register. Pre-registration will assist the League staff in making arrangements for attendance at this year's convention. **The deadline for pre-registration is 5:00 p.m. on April 22, 2016.** After 5:00 p.m. April 22, delegates must register at the Convention Registration Desk.

In order to ensure that there are no duplicate registrations, each registrant must use a separate email address. In the event that you do not have a separate email address for each registrant, you can go to Gmail.com or Yahoo.com and create a free email account.

If you need assistance due to disability or other special services, please call Theresa Cook at (334) 262-2566 before April 22, 2016.

CONVENTION REGISTRATION FEES:

\$350 through April 8, 2016 by 5:00 p.m.	(\$50 non-refundable registration fee for one (1) Spouse/Guest*)
\$375 from April 9 - April 22, 2016 by 5:00 p.m.	(\$60 non-refundable registration fee for one (1) Spouse/Guest*)
\$425 after April 22, 2016 (on-site registration)	(\$80 non-refundable registration fee for one (1) Spouse/Guest*)
Additional Guest Registration	(\$125 per additional Guest, fee is non-refundable**)

Envelopes must be postmarked by the dates above. Registration forms and payment must be received by the deadline or they will be subject to a fee increase. There is no extra charge for children under 6; however, children must be pre-registered. The full convention fee covers the following events for each delegate and children under 6: Saturday Night Welcome Reception, Sunday Night Exhibitors Showcase and Reception, Expo Hall Breakfast and Boxed Luncheon on Monday and Monday Reception and Banquet. The registration fee for spouses/guests includes Saturday Night Welcome Reception, Sunday Night Exhibitors Showcase and Reception, Expo Hall Breakfast and Boxed Luncheon on Monday and Monday Reception and Banquet.

***Spouse/guest registration cannot be paid by the municipality; therefore, registration must be paid by the official at the time of registration.** The spouse/guest registration fee is restricted to persons who are not municipal or public officials, are not affiliated with any exhibitor, and would have no professional reason to attend the convention. Spouse/Guest registration is available only for a person who accompanies a full convention registrant, and only to those who do not have any other reason to attend the ALM Convention. Spouse/Guest registration does not include session attendance. The spouse/guest registration permits an individual to attend only the Spouse/Guest events and to accompany a full convention registrant to receptions, the President's Banquet, the Expo Hall and events specifically listed in the official convention program as open to a Spouse/Guest. Eligibility of guests may be subject to verification. Attendance at any other Convention event requires registration as a full-convention attendee.

****To register additional guest(s), there is an additional non-refundable fee of \$125 per guest. Spouses/Guests are not eligible to attend the convention training sessions or obtain credit hours in the Certified Municipal Officials Program.**

HOTEL ACCOMMODATIONS:

Hotel information was mailed in October to all municipal officials and clerks. Please note that registrants are responsible for making their own reservation at their choice of hotels. For hotel contact and room block information, go to www.alalm.org.

IF NOT REGISTERING ONLINE:

1. Complete the convention registration form in this issue of the *Journal* to register yourself and your Spouse/Guest (if applicable). Use one form for each delegate registered.
2. Enclose a payment for the appropriate convention registration fee. Payment in full must accompany registration form.
3. Return the form and payment or credit card number to Alabama League of Municipalities, Attention: Convention Registration, P.O. Box 1270, Montgomery, AL 36102. (You may fax your forms with credit card payment to 334-263-0200.) **Credit card numbers will NOT be accepted by email.**

NOTE: Although a separate convention registration must be completed for each delegate, the municipal clerk may send registration forms and a payment for all municipal officials and employees to the League in a single envelope.

NO CONVENTION REGISTRATIONS BY PHONE WILL BE ACCEPTED.

CONVENTION REFUND / CANCELLATION POLICY:

In order to receive a partial refund of your registration fee, your cancellation request must be received in writing by April 22, 2016. A **\$60 administrative fee will be charged for all cancellations regardless of the reason for cancellation, including medical emergencies.** No refunds will be given after this date. Registration fees for spouses/guest are nonrefundable. **ALM cannot make exceptions to this policy.**

The astronomical cost of putting on a convention makes it impossible to allow free admittance of guests of delegates at any function. Delegates who bring a guest may purchase additional tickets for the various events at the registration desk. For children ages 6 and over and guests, the full registration fee must be paid or single tickets to events may be purchased at the registration desk at the following discounted prices:

Monday Breakfast - \$30.00

Monday Luncheon - \$35.00

Monday Banquet - \$60.00

For additional guest information, please contact Melissa Chapman at (334) 262-2566.

2016 MUNICIPAL FLAG SHOWCASE:

The League will hold its Sixth Annual Municipal Flag Showcase at this year's ALM Annual Convention in Huntsville. More information and entry form for the Municipal Flag Showcase can be downloaded from www.alalm.org.

Distinguished Service Awards: The Alabama League of Municipalities presents municipal service awards during its annual convention to municipal officials and staff recognizing 20, 30 and 40 years of service earned during the previous calendar year. **Awards are only presented to individuals who notify the League of a service milestone by March 18, 2016.** Awards will not be given to those who fail to notify the League by the deadline. However, if a person reaches 20, 30 or 40 years of service but fails to notify the League, he or she may receive an award during the following convention, provided the League is notified by the deadline for that convention. Service awards will not be given beyond the second year for which they were earned. **You can download a form for this purpose at www.alalm.org.**



2016 Annual Convention Registration

Huntsville, Alabama • May 14 - 17, 2016

DELEGATE REGISTRATION FORM

(Mayors, Councilmembers, Clerks and Municipal Personnel) Please print or type all information

Fax or Mail completed application to:

Alabama League of Municipalities, Attn: 2016 ALM Convention, P O Box 1270, Montgomery, AL 36102 Fax: (334) 263 - 0200

Name _____ Municipality _____

Name _____ Title _____
(to appear on badge)

Daytime Phone # _____ E-mail _____

Address _____ City/Town _____ Zip _____

Spouse/Guest Name: First _____ Last _____
(see registration fees below)

Through April 8, 2016 by 5:00 p.m.

- \$350 Delegate Registration** (Cancellation request must be received in writing by April 22, 2016)
- \$50 Spouse/Guest Registration** (One (1) Spouse/Guest registration, non-refundable)

April 9 - April 22, 2016 by 5:00 p.m.

- \$375 Delegate Registration** (Cancellation request must be received in writing by April 22, 2016)
- \$60 Spouse/Guest Registration** (One (1) Spouse/Guest registration, non-refundable)

After April 22, 2016 (On-site registration only)

- \$425 Delegate Registration**
- \$80 Spouse/Guest Registration** (One (1) Spouse/Guest registration, non-refundable)

ADDITIONAL GUEST REGISTRATION

- \$125 Additional Guest Registration** (Per additional Guest, fee is non-refundable)

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Billing Address _____

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	Amount Paid
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Join us in Huntsville for our 39th EXPO!

EXPO



**Huntsville
May 15-16**

On May 15, the 2016 EXPO Hall doors will open to more than 50,000 square feet of city solutions! This unique showcase offers an excellent opportunity for the League's 1,000+ delegates and guests to network and make valuable connections with more than 300 vendor representatives. The EXPO will offer convention attendees several events and extended time for face-to-face interaction with exhibitors.

The League will kick off its 39th annual EXPO on Sunday evening at 5:30 p.m. with the Exhibitors Showcase – a casual reception with heavy finger foods and an open bar in the EXPO Hall. Monday the Hall will be open from 8:00 a.m. to 3:00 p.m. for a full day of exhibiting, Passport Prize Program, break service and meals. Breakfast will be served beginning at 8:00 a.m. for all attendees. The Monday Luncheon will be held in the EXPO Hall with plenty of seating.

ALM vendors are here for you! This one-stop shopping opportunity only happens once a year. Take the time to experience the entire EXPO Hall and visit ALM's vendors to get answers to questions, learn solutions for problems and return home with key information for your municipality. **A vendor listing for this year's EXPO can be previewed at www.alalm.org. To reserve a booth space in Huntsville, contact Cindy Price at (334) 262-2566, or via e-mail at cindyp@alalm.org.**



PASSPORT PRIZE PROGRAM at the 2016 Annual Convention EXPO

Our Passport Prize Program has been a huge success and the League will again offer this fun-filled opportunity for our members and vendors during the 2016 EXPO. It is uniquely designed to give convention delegates the opportunity to speak more directly with participating vendors during convention EXPO hours (May 15-16) as well as the chance to win a prize during the Tuesday morning Closing General Session.

How it works: Passport Prize cards listing the names and booth numbers of participating vendors will be distributed to convention delegates during registration. **NOTE: Only registered convention delegates – mayors, councilmembers, clerks, municipal personnel – are eligible to participate in this prize program. (Spouses and guests are not eligible).**

Participating vendors will receive a customized stamp for use on Passport Prize cards. Once the vendor has determined that the delegate has spent sufficient time speaking with him/her, the vendor will stamp the area on the delegate's card that correlates with the vendor's name and booth number.

Participating vendors will be listed in printed convention material and there will be a designated area in the EXPO Hall for delegates to submit their stamped tickets. League staff will verify the eligibility of each submission. If the information is not complete, the card will not be accepted or entered into the drawing.

Prizes will be drawn on Tuesday, May 17, 2016, during the closing general session.

Delegates MUST be present to win.

For more information on the 2016 EXPO, visit www.alalm.org.



2016 Convention Quick Guide

Huntsville, Alabama • May 14-17

www.alalm.org

All information subject to change.

CMO credits can be earned. See convention program for details.

Saturday, May 14

8:30 a.m. - 5:00 p.m.	Registration: Von Braun Center
10:00 a.m. - 11:00 a.m.	Resolutions Committee Meeting: Embassy Suites Hotel
1:00 p.m.	AMIC Annual Meeting, Embassy Suites Hotel
2:30 p.m. - 4:30 p.m.	OPENING SESSION: Von Braun Center Governor Bentley (invited), ALM President's Address, ACE Awards
4:45 p.m. - 5:45 p.m.	ABC LEO Reception
6:00 p.m.	City of Huntsville Reception

Sunday, May 15

10:00 a.m.	Prayer Service: Embassy Suites Hotel
12:30 p.m. - 5:00 p.m.	Registration: Von Braun Center
1:00 p.m. - 3:15 p.m.	Spouses/Guests Reception: Embassy Suites Hotel
1:00 p.m. - 4:45 p.m.	Roundtables by Population: Von Braun Center
5:30 p.m. - 7:00 p.m.	Exhibitors Showcase and Reception in the Expo Hall: Von Braun Center *

Monday, May 16

8:00 a.m. - 5:00 p.m.	Registration: Von Braun Center
8:00 a.m. - 9:30 a.m.	Breakfast in the Expo Hall (all convention registrants and spouses/guests): Von Braun Center *
8:30 a.m. - 4:30 p.m.	Municipal Clerks Breakfast/Business Meeting and Training Program: Embassy Suites Hotel
8:30 a.m. - 5:00 p.m.	Alabama Association of Public Personnel Administrators: Von Braun Center
9:30 a.m. - 10:30 a.m.	General Session: Von Braun Center
11:00 a.m. - 12:00 p.m.	Concurrent Sessions 1, 2 and 3: Von Braun Center
12:15 p.m. - 1:45 p.m.	Boxed lunches in the Expo Hall: Von Braun Center *
2:00 p.m. - 3:15 p.m.	Concurrent Sessions 1, 2 and 3: Von Braun Center
3:45 p.m. - 5:30 p.m.	ANNUAL BUSINESS SESSION: Von Braun Center
6:00 p.m. - 7:00 p.m.	Reception: Von Braun Center
7:15 p.m.	President's Banquet/Entertainment: Von Braun Center

Tuesday, May 17

8:00 a.m. - 12:00 p.m.	Registration: Von Braun Center
8:30 a.m. - 10:30 a.m.	Ask Your Attorney Panel: Von Braun Center
10:45 a.m. - 12:00 p.m.	CLOSING GENERAL SESSION: Von Braun Center
12:00 p.m.	Adjourn

CMO MINI BOOT CAMP: ELECTIONS TRAINING

(Separate registration and fee required.)

1:00 p.m. - 1:30 p.m.	Registration: Von Braun Center
1:30 p.m. - 4:30 p.m.	Elections Training: Von Braun Center
4:30 p.m.	Adjourn

* **PASSPORT PRIZE PROGRAM:** Our Passport Prize Program is uniquely designed to give convention delegates the opportunity to speak more directly with participating vendors during convention Expo hours (May 15 and 16) as well as the chance to win a prize during the Tuesday morning closing general session. **Delegates MUST be present to win!** See convention program for additional details.

2016 Municipal Elections Manual Available Online www.alalm.org



Download the *free* PDF by clicking on the
Elections Manual link on our homepage.

An elections calendar and sample ordinances
are also available online.

Third Level Designation in the CMO Program: CMO Emeritus



You asked, and we delivered! Elected officials now have the opportunity to earn a third level designation in the CMO Program known as the CMO Emeritus.

The CMO Emeritus designation recognizes mayors and councilmembers who have excelled beyond the requirements of the Basic and Advanced CMO Programs. CMO Emeritus is awarded to officials who have acquired a minimum of 120 credit hours of Continuing CMO Education plus 15 points. Points can be earned by the following:

- ALM Policy Committee Membership and Meeting Attendance
- Attendance at the ALM Convention
- Attendance at the NLC Congress of Cities
- Attendance at the NLC Congressional City Conference
- Attendance at the Municipal Legislative Advocacy Session and meeting with Legislators
- Attendance at the Municipal Leadership Institute

The above items are worth 1 point each. Questions: Contact Krystle Bell at 334-262-2566 or krystleb@alalm.org

Are you following the League on Facebook?

As our base grows, Facebook will be another outlet for the League to provide timely information about upcoming CMO sessions, conferences, annual convention and ALM's legislative endeavors.

“Like” us on Facebook to stay up to date with the latest news and information from the Alabama League of Municipalities!

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