

**City of Fayetteville Staff Review Form**

**2022-0090**

**Legistar File ID**

**2/15/2022**

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Matt Mihalevich

1/27/2022

ENGINEERING (621)

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

An ordinance to amend 33.350 Purpose and Establishment, 33.351 Composition, 33.352 Terms of Office and 33.354 Meetings of Article XXIII Active Transportation Advisory Committee of the Fayetteville Code to increase the number of voting members from five to seven and to establish one member as a representative for Americans with Disabilities.

**Budget Impact:**

N/A	N/A																								
Account Number	Fund																								
N/A	N/A																								
Project Number	Project Title																								
<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;"><b>Budgeted Item?</b></td> <td style="width: 20%; text-align: center;">No</td> <td style="width: 30%;"><b>Current Budget</b></td> <td style="width: 20%; text-align: right;">\$ -</td> </tr> <tr> <td></td> <td></td> <td><b>Funds Obligated</b></td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td></td> <td></td> <td><b>Current Balance</b></td> <td style="text-align: right; border: 1px solid black;">\$ -</td> </tr> <tr> <td><b>Does item have a cost?</b></td> <td style="text-align: center;">No</td> <td><b>Item Cost</b></td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td><b>Budget Adjustment Attached?</b></td> <td style="text-align: center;">No</td> <td><b>Budget Adjustment</b></td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td></td> <td></td> <td><b>Remaining Budget</b></td> <td style="text-align: right; border: 1px solid black;">\$ -</td> </tr> </table>	<b>Budgeted Item?</b>	No	<b>Current Budget</b>	\$ -			<b>Funds Obligated</b>	\$ -			<b>Current Balance</b>	\$ -	<b>Does item have a cost?</b>	No	<b>Item Cost</b>	\$ -	<b>Budget Adjustment Attached?</b>	No	<b>Budget Adjustment</b>	\$ -			<b>Remaining Budget</b>	\$ -	
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		<b>Remaining Budget</b>	\$ -																						

V20210527

**Purchase Order Number:** \_\_\_\_\_

**Previous Ordinance or Resolution #** \_\_\_\_\_

**Change Order Number:** \_\_\_\_\_

**Approval Date:** \_\_\_\_\_

**Original Contract Number:** \_\_\_\_\_

**Comments:**



**MEETING OF FEBRUARY 15<sup>TH</sup>, 2022**

**TO:** Mayor and City Council

**THRU:** Susan Norton, Chief of Staff  
Chris Brown, Public Works Director

**FROM:** Matt Mihalevich, Trails Coordinator

**DATE:** January 26th, 2022

**SUBJECT: 2022-0090 – Active Transportation Advisory Committee**

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**RECOMMENDATION:**

An ordinance to amend 33.350 Purpose and Establishment, 33.351 Composition, 33.352 Terms of Office and 33.354 Meetings of Article XXIII Active Transportation Advisory Committee of the Fayetteville Code to increase the number of voting members from five to seven and to establish one member as a representative for Americans with Disabilities.

**BACKGROUND:**

In late 2021, the selection committee interviewing candidates for the Active Transportation Advisory Committee had some very compelling applicants including one person with a physical disability and uses the trail system often to get around Fayetteville. In order to accommodate these applicants, the selection committee proposed increasing the number of voting members on the Active Transportation Advisory Committee from the current five to seven.

On January 12<sup>th</sup>, 2022 the Fayetteville Active Transportation Advisory Committee reviewed the proposed ordinance changes and unanimously supported adding two members with one member representing Americans with Disabilities. In addition, the committee took the opportunity to modify some of the language regarding tours and appointment of staff and other representatives as shown on the attached tracked changes version.

On January 25<sup>th</sup>, 2022 the Fayetteville Transportation Committee unanimously recommended forwarding the amended ordinance language to the City Council with a recommendation of approval.

**DISCUSSION:**

The Active Transportation Advisory Committee reviews street, sidewalk and trail plans and establishes priorities for construction of these infrastructure projects. The addition of two members will provide welcomed input, especially in the needs of people with limited mobility.

**BUDGET/STAFF IMPACT:**

No cost for this item.

**Attachments:**

Ordinance to Amend 33.350, 33.351, 33.352, 33.354 with tracked changes

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## ARTICLE XXIII ACTIVE TRANSPORTATION ADVISORY COMMITTEE

### 33.350 Purpose And Establishment

There is hereby established the Active Transportation Advisory Committee. The ~~eight (8)~~ ten (10) voting committee members shall elect a chair at the first annual meeting each year. This committee may make recommendations to the Transportation Committee on active transportation projects and issues that have been referred to them by the Administration or Transportation Committee, including but not limited to:

- (A) Yearly trail, sidewalk, and paving overlay construction program plans. Review of overlay plans will be focused on incorporation of active transportation facilities.
- (B) Five (5) year trail construction prioritization plan.
- (C) Major sidewalk projects, trails and other projects where major changes to existing street cross sections are planned. The review will be at the preliminary stage and will include typical cross sections and preliminary horizontal and vertical alignments. Neither the Transportation Committee nor the Administration need to delay projects or wait for this advisory committee's recommendations.
- (D) Changes, additions, or deletions to the Active Transportation Plan and the Sidewalk Master Plans.
- (E) A member of the Active Transportation Advisory Committee ~~shall may~~ present reports and recommendations to the Transportation Committee ~~at least quarterly as needed. The Active Transportation Committee shall host bi-annual guided tours focused on opportunities for active transportation infrastructure improvements. The tours may serve as two (2) of the quarterly reports.~~

(Ord. No. 5343, 8-3-10; Ord. No. 5963 , §1, 4-4-17)

### 33.351 Composition

The Active Transportation Advisory Committee shall be comprised of ~~eight (8)~~ ten (10) voting members as shown below and ~~seven (7)~~ non-voting staff/support members, ~~as follows: as designated by the Mayor.~~

- (A) One (1) voting members of the committee shall be a member of the City Council designated by the Mayor;
- (B) One (1) voting member shall be a member of the Planning Commission designated by the Planning Commission;
- (C) One (1) voting member shall be a member of the Parks and Recreation Advisory Board designated by the Parks and Recreation Advisory Board;
- (D) ~~Five~~ Seven (7) voting members shall be residents of the City of Fayetteville, and appointed by the City Council, at least one (1) of whom shall represent a bicycle advocacy organization and at least one (1) shall represent Americans with Disabilities (ADA);
- ~~(E) Five (5) non-voting members shall represent the City of Fayetteville staff, with one (1) member each from the Transportation Division, Parks and Recreation Division, Fayetteville Police Department, Planning Division, and Information Technology Division;~~
- ~~(F) One (1) non-voting member shall represent the Washington County Planning Staff;~~
- ~~(G) One (1) non-voting member shall represent the Northwest Arkansas Regional Planning Commission.~~

(Ord. No. 5343, 8-3-10; Ord. No. 6196 , §3, 7-2-19)

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### **33.352 Terms Of Office**

Private citizen members shall serve two (2) year terms, with no limit to the number of terms they may serve. Any person who has served two (2) consecutive full terms on any city commission, board, or committee is not eligible for reappointment to the same committee until one term of office has expired, unless there is an insufficient number of applicants to fill all vacancies. City Council, Planning Commission, and Parks and Recreation Advisory Board representatives may serve as long as they retain membership on their sponsoring body.  
(Ord. No. 5446, 10-4-11; Ord. No. 6196 , §1, 7-2-19)

### **33.353 Officers**

At the first regularly scheduled committee meeting of each calendar year, the voting members of the committee shall, by a simple majority, elect from among themselves a chair and vice chair.  
(Ord. No. 5343, 8-3-10)

### **33.354 Meetings**

The Active Transportation Advisory Committee shall meet at least once per quarter to conduct regular business, at a time and place that is mutually convenient to the membership including virtual or hybrid formats. The Active Transportation Advisory Committee may meet more frequently if needed.  
(Ord. No. 5446, 10-4-11)

### **33.355 Selection Process**

The City Council shall appoint the private citizen members through the normal Nominating Committee process. All other members of the Active Transportation Advisory Committee shall be appointed by their respective organizations.  
(Ord. No. 5446, 10-4-11; Ord. No. 6196 , §1, 7-2-19)

### **33.356—33.359 Reserved**