

AGENDA REQUEST FORM

FOR: Council Meeting of March 15, 2022

FROM: Council Member D'Andre Jones

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

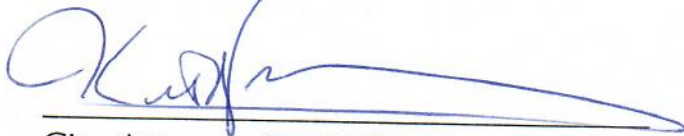
AN ORDINANCE TO AMEND ARTICLE XXXII OF THE FAYETTEVILLE CITY CODE TO CHANGE THE NAME FROM COMMISSION TO PRESERVE HISTORICAL BLACK STRUCTURES AND CEMETERIES AND TO CREATE BLACK HISTORICAL MARKERS TO BLACK HERITAGE PRESERVATION COMMISSION

APPROVED FOR AGENDA:

Approved by email

City Council Member
D'Andre Jones

2-23-22
Date



City Attorney Kit Williams
Approved as to form

February 18, 2022
Date

Williams, Kit

From: D'Andre Jones <dre91732000@gmail.com>
Sent: Wednesday, February 23, 2022 10:20 AM
To: Williams, Kit
Subject: Re: FW: name change

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Kit it looks good

Best Regards,

D'Andre L. Jones - MSW, MA
Fayetteville City Council
Ward 1 Position 2

"Everybody can be great ... because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve. You only need a heart full of grace. A soul generated by love. Dr. Martin Luther King Jr.

On Wed, Feb 23, 2022 at 8:45 AM Williams, Kit <kwilliams@fayetteville-ar.gov> wrote:

D'Andre,

I am again sending you this proposed ordinance to change the name of the commission to the Black Heritage Preservation Commission as voted for by the Commission. I know Council Members can get snowed under by emails, but I thought you might want to proceed with this one so we can get it on the agenda for March 15th. The agenda deadline is this Friday and with the weather, the City may not be able to be opened on Friday.

You can approve this by just responding to this email. If you would like any changes, please let me know.

Kit

From: City_Attorney
Sent: Wednesday, February 23, 2022 8:36 AM



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Jodi Batker
Paralegal

TO: Mayor Jordan
City Council

CC: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director

FROM: Kit Williams, City Attorney

DATE: February 18, 2022

RE: Name Change to Black Heritage Preservation Commission

What was originally named the Commission To Preserve Historical Black Structures and Cemeteries And To Create Black Historical Structures has met recently and unanimously requested that the Commission's name be shortened and simplified to Black Historical Preservation Commission.

Accordingly, Council Member D'Andre Jones is sponsoring this ordinance to accomplish this reasonable and desirable name change of the Commission to Black Heritage Preservation Commission.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND **ARTICLE XXXII** OF THE *FAYETTEVILLE CITY CODE* TO CHANGE THE NAME FROM **COMMISSION TO PRESERVE HISTORICAL BLACK STRUCTURES AND CEMETERIES AND TO CREATE BLACK HISTORICAL MARKERS TO BLACK HERITAGE PRESERVATION COMMISSION**

WHEREAS, the Commission recently met and unanimously decided to request that its name be shortened to the Black Heritage Preservation Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends **Article XXXII** of the *Fayetteville City Code* to change its title to **Black Heritage Preservation Commission**.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby repeals §33.440 **Establishment** of the *Fayetteville City Code* in its entirety and enacts a replacement §33.440 **Establishment** as follows:

“§33.440 **Establishment**

The Black Heritage Preservation Commission was established in 2021 for the purposes and with the duties specified within this Article.”

PASSED and **APPROVED** this 15th day of March, 2022.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
KARA PAXTON, City Clerk/Treasurer

- (B) The board shall review its meeting schedule and public comment rules at the first meeting each calendar year to minimize barriers for participation by low-income residents.
 - (C) Meetings shall be open to the public and records shall be kept in accordance with state and federal law.
 - (D) Inability or failure of the board to meet shall not prevent the Mayor or staff from taking action in response to emergency funding opportunities available from the U.S. Department of Housing and Urban Development or other sources.
- (Ord. No. 6391, §1, 12-1-20)

33.435—33.439 Reserved

ARTICLE XXXII COMMISSION TO PRESERVE HISTORICAL BLACK STRUCTURES AND CEMETERIES AND TO CREATE BLACK HISTORICAL MARKERS

33.440 Establishment

This Commission To Preserve Historical Black Structures And Cemeteries And To Create Black Historical Structures was established by Resolution No. 210-21 which was passed unanimously on August 17, 2021. Such establishment is confirmed by this article.

(Ord. No. 6472, § 1, 9-7-21)

33.441 Purposes

- (A) A purpose of this Commission is to recognize, acknowledge, protect and preserve historical Black structures and cemeteries in honor of the vision, accomplishment, and perseverance of Fayetteville's early Black families and individuals and the churches and other structures they built.
 - (B) Another purpose of this Commission is the creation of Black historical markers to recognize the struggles and achievements of our Black citizens to promote diversity and equality for all Fayetteville residents and to oppose discrimination against any person in Fayetteville.
- (Ord. No. 6472, § 1, 9-7-21)

33.442 Membership And Composition

- (A) Membership. This Commission shall have seven (7) members which includes a City Council Member appointed by the Mayor. The Commission shall include a member that is very familiar with an historical Black church in Fayetteville. The other five (5) Commissioners shall be selected at-large.
- (B) Terms.
 - (1) The Council Member appointed by the Mayor shall serve a term commensurate with the Mayor who appoints the Council Member. The Mayor may reappoint the Council Member to additional terms.

33.442

FAYETTEVILLE CODE OF ORDINANCES
TITLE III ADMINISTRATION

- (2) All other Commissioners will have three (3) year terms except two (2) at-large Commissioners will initially serve for two (2) years and two (2) at-large member will initially serve a one (1) year term.

(Ord. No. 6472, § 1, 9-7-21)

33.443 Duties

- (A) *Preservation and Protection.* The Commission may work with and coordinate its preservation goals with the Historic District Commission. The Commission may recommend protection or preservation measures for particular historical Black churches, structures, and cemeteries to the City Council and the Historic District Commission.
- (B) *Black Historical Markers.* The Commission should research and investigate sites of important struggles and achievements of our Black residents and their supporters to promote diversity and equality and to oppose discrimination in Fayetteville. The Commission may recommend to the City Council that a Black historical marker memorializing such important site be created and installed at such location.

(Ord. No. 6472, § 1, 9-7-21)

33.444 Meetings

The Commission shall meet at least quarterly to conduct its regular meeting and may meet more often if desired by the Commission. The Chair of the Commission may call a special meeting upon two (2) days' notice to the Commissioners.

(Ord. No. 6472, § 1, 9-7-21)

33.445—33.499 Reserved