Item No._____

CITY OF FLAGSTAFF
STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: Stu Seubert, Capital Improvements, 226-4845
Community Development Division

Date: April 25, 2010

Meeting Date: June 1, 2010

TITLE: Consideration of Ordinance 2010-14: An Ordinance Repealing Resolution No. 2001-76, Establishing a Citizens Advisory Committee, and Ordinance No. 2007-17, Changing the Membership of the Citizens Advisory Committee; and Amending Flagstaff City Code, Title 2, Boards and Commissions, Chapter 2-12, "Flagstaff Traffic Commission" and Adding Oversight Provisions Regarding the Progress and Expenditures of the City's Transportation Capital Improvement Program as Related to the Election of May 2000..

RECOMMENDED ACTION: Read Ordinance 2010-14 for the first time by title only
Read Ordinance 2010-14 for the final time by title only
Adopt Ordinance 2010-14

ACTION SUMMARY:

Adoption of Ordinance 2010-14 would repeal Resolution No. 2001-76 and Ordinance No. 2007-17, which established the Citizens Transportation Advisory Committee and amended it by changing its membership. Ordinance No. 2010-14 would also amend Title 2, Boards and Commissions, by assigning the oversight responsibilities of the Citizens Transportation Advisory Committee to the Traffic Commission and would re-name the commission as the Transportation Commission.

DISCUSSION:

Background/History:

Following the approval of the local sales tax designated for a variety of transportation system improvements, the Citizen's Transportation Advisory Committee was established to provide oversight and a public forum for the administration of the Transportation Program. Resolution 2001-76 established the Committee and provides for its continuation until the year following the final expenditures of the taxes approved in May 2000. The transportation

sales tax was originally approved for a period of twenty years and will expire in 2020 unless re-authorized by the electorate.

The City Council has more recently reviewed the status and purpose of all Council appointed Boards, Commissions and Committees to determine whether any efficiencies could be realized by identifying any redundant functions and/or opportunities to assign similar or related functions currently provided by multiple appointed groups to a single Board, Commission or Committee.

Key Considerations:

The function of the Citizens Transportation Advisory Committee is to ensure that the Transportation Program is managed and administered in a manner consistent with the requirements of the sales tax authorization, to provide a forum for public comment and input and to annually advise the City Council of the progress and expenditures of the City's Transportation Program. The Committee typically meets only two or three times each year but has on occasion been unable to meet because of a lack of applicants for vacant positions on the Committee.

Community Benefits and Considerations:

The Traffic Commission is able to meet on a regular basis, provides an appropriate public forum and has a similar advisory role to Council regarding traffic and transportation related issues. Staff recommends that the Traffic Commission could successfully assume the responsibilities of the Citizens Transportation Advisory Committee without adversely affecting the routine business of the Commission while providing more frequent opportunities for public input and Transportation Program oversight.

Community Involvement:

Citizens Transportation Advisory Committee meetings and Traffic Commission meetings are posted and noticed as public meetings and each agenda provides an opportunity for public participation. The status and disposition of all Council appointed Boards, Commissions and Committees, as well as specific discussions regarding the potential assignment of Citizens Transportation Advisory Committee responsibilities to the Traffic Commission have been discussed by Council at their public Work Session meetings.

Financial Implications:

Assignment of the Committee's responsibilities to the Traffic Commission would allow the discontinuation of the Citizens Transportation Advisory Committee, reduce the number of Council appointments and would represent a savings in staff resource required for the support and maintenance of the Committee and its membership.

Options and Alternatives:

1. Adopt the Ordinance as presented.
2. Provide direction for revisions to the Ordinance and further Council consideration.
3. Take no action and effectively continue the Citizens Transportation Advisory Committee as originally authorized.

Attachments/Exhibits:

1. Ordinance 2010-14
2. Ordinance 2007-17 Amending Resolution 2001-76
3. Resolution 2001-76

Mark O Jordan

Department Head ***(Acknowledgment that all reviews have been completed and required approvals initialed below.)***

INITIALS	RESPONSIBILITY	DATE	INITIALS	RESPONSIBILITY	DATE
	BIDS/PURCHASES			FINANCE/BUDGET	
	GRANTS			CONTRACTS	
DW	LEGAL	5/17/10		IGAS	
			RAB	City Engineer	5/18/10

DATE OF COUNCIL APPROVAL: _____

ORDINANCE NO. 2010-14

AN ORDINANCE REPEALING RESOLUTION NO. 2001-76, ESTABLISHING A CITIZENS TRANSPORTATION ADVISORY COMMITTEE, AND ORDINANCE NO. 2007-17, CHANGING THE MEMBERSHIP OF THE CITIZENS TRANSPORTATION ADVISORY COMMITTEE; AND AMENDING FLAGSTAFF CITY CODE, TITLE 2, BOARDS AND COMMISSIONS, CHAPTER 2-12, "FLAGSTAFF TRAFFIC COMMISSION" BY AMENDING ITS NAME TO "TRANSPORTATION COMMISSION" AND ADDING OVERSIGHT PROVISIONS REGARDING THE PROGRESS AND EXPENDITURES OF THE CITY'S TRANSPORTATION CAPITAL IMPROVEMENTS PROGRAM AS RELATED TO THE ELECTION OF MAY 2000.

WHEREAS, Resolution No. 2001-76 established the Citizens Transportation Advisory Committee, which provides oversight and annually advises the City Council concerning the progress and expenditures of the City's Transportation Capital Improvements Program as related to the Election of May, 2000; and

WHEREAS, Ordinance No. 2007-17 amended Resolution No. 2001-76 for the purpose of changing the membership of the Citizens Transportation Advisory Committee; and

WHEREAS, the City Council has reviewed the status and purpose of all Council appointed boards, commissions and committees to determine whether any efficiencies could be realized by identifying redundant functions and/or opportunities to assign similar or related functions currently provided by multiple appointed groups to a single board, commission or committee; and

WHEREAS, the City Council has determined that it would be beneficial to decommission the Citizens Transportation Advisory Committee and transfer its duties and responsibilities to the Traffic Commission (hereinbelow renamed to "Transportation Commissions");

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1: That Resolution No. 2001-76 establishing the Citizens Transportation Advisory Committee, and Ordinance No. 2007-17 amending Resolution No. 2001-76 are hereby repealed.

SECTION 2: That Title 2, Flagstaff City Code, Chapter 2-12, "Flagstaff Traffic Commission" is hereby amended as follows:

CHAPTER 2-12
TRANSPORTATION COMMISSION

SECTIONS:

2-12-001-0001	CITY POLICY:
2-12-001-0002	CREATION OF THE FLAGSTAFF TRAFFIC COMMISSION:
2-12-001-0003	TERMS OF OFFICE:
2-12-001-0004	MEETINGS:
2-12-001-0005	FUNCTIONS OF THE COMMISSION:
2-12-001-0006	OTHER POWERS:
2-12-001-0007	APPEAL PROCEDURE:

SECTION 2-12-001-0002 CREATION OF THE TRANSPORTATION COMMISSION

A. There is hereby created a commission to be known as the Transportation Commission. The Commission shall consist of seven (7) voting members and three (3) non-voting members.

1. Voting members:

   a. The Superintendent of the Flagstaff Unified School District or his/her designated representative.

   b. Six (6) citizen members appointed by the City Council.

2. Ex-officio, non-voting members:

   a. One City of Flagstaff police officer appointed by the Chief of Police.

   b. The Traffic Engineer.

In addition, the City Council may designate a Councilmember representative as a non-voting, ex-officio member of the Commission.

B. Officers of the Commission shall be elected by the voting members of the Commission from the citizen membership.

(Ord. No. 2007-21, Amended 02/06/2007; Ord. 2010-14, Amended _____)

SECTION 2-12-001-0003 TERMS OF OFFICE:

Citizen members of the Commission shall serve staggered three (3) year terms.

A member's term of office shall commence with the first regular Commission meeting following his appointment and terminate with the regular Commission meeting at which his successor takes office.

A Commission member who is absent from three consecutive regular meetings may have their remaining term terminated by a vote of the City Council upon recommendation of the Commission.

(Ord. No. 1942, Amended, 05/06/97); Ord. 2010-14, Amended _____)

SECTION 2-12-001-0004 MEETINGS

The Commission shall meet at least once each month at a regularly scheduled time and place to be designated by the Commission, and shall hold such special meetings as the membership shall decide and at such times and places as the Commission shall specify.
Meetings shall be conducted in accordance with the Board and Commission Members' Handbook adopted by resolution of the Flagstaff City council, and in compliance with all other local, state, and federal laws.

A quorum shall be one more than half the voting membership of the Commission.

Ord. 2010-14, Amended _____)

SECTION 2-12-001-0005 FUNCTIONS OF THE COMMISSION:

The functions of the Commission shall be:

A. To adopt traffic regulations or deny requests for changes in traffic regulations as follows:

   1. To investigate and make determinations on traffic regulation items forwarded to it by the Transportation Engineering Program.

   2. To hear the appeals of traffic regulation decisions of the Transportation Engineering Program as set forth in 9-01-001-0007 C. of the City Code

   3. To forward to the City Council those traffic regulation items which it deems to be of sufficient interest to the general public as to require decision by the Council.

B. To formulate and recommend policies and ordinances to the City Council governing the general operations of the City streets, alleys, sidewalks and bikeways.

C. To review periodically traffic regulation actions of the Transportation Engineering Program.

D. To promote pedestrian, bicycle, transit and driver education programs in the school systems and to disseminate traffic and safety information to the public at large.

E. To annually advise the City Council of the progress and expenditures of the City's Transportation Capital Improvements Program as related to the Election of May 2000. To carry out this function, the Transportation Commission shall:

1. Meet biannually with the City's Capital Improvements and Financial Services Staff to review the progress of the Transportation Capital Improvement Program's ("CIP") planning and programming efforts;

2. Ensure there is a coordinated approach for budgeting and expending transportation sales tax revenues for all transportation modes;

3. Provide input on the Transportation CIP's prioritization scoring criteria;

4. Provide a forum for public comment and input regarding the Transportation CIP;

5. Publish an annual Transportation CIP Advisory Report; and

6. Present the findings of said report to the City Council during a public meeting in conjunction with the annual budget process. At a minimum, the report shall discuss the previous years' income/expenditures, construction projects and planning activities.

F. To perform other duties relating to public safety within the scope of this Commission.

(Ord. No. 2007-21, Amended 02/06/2007; Ord. No. 2010-14, Amended _____)

SECTION 2-12-001-0006 OTHER POWERS:

A. The Commission shall have the power to appoint subcommittees for the purpose of defining problems areas of traffic and traffic safety; proposing solutions to defined problems; or for any other undertaking which will reasonably lead to safer and more efficient traffic flow in the City.

B. The City Council hereby establishes the following advisory committees to the TransportationCommission to provide advice on special traffic and transportation topics, and delegates to the commission the power to appoint members to these committees. No member of the Transportation Commission shall be a member of an advisory committee. The City Council retains the power to remove a member of an advisory committee for the reasons specified in the City's Board and Commission Members' Handbook.

1. Bicycle Advisory Committee: Seven (7) citizen members appointed for a three-year term. No member may serve more than two three-year terms.

2. Pedestrian Advisory Committee: Seven (7) citizen members appointed for a three-year term. No member may serve more than two three-year terms.

C. The Transportation Commission shall define the operating procedures of the advisory committees, assuring compliance with the Arizona Open Meeting Law, and the City's Board and Commission Members' Handbook, including, but not limited to:

1. The advisory committees shall report on their activities to the Transportation Commission at each commission meeting.

2. The advisory committees shall investigate, consider, and make recommendations to the Transportation Commission on items assigned to them by the Commission regarding their respective areas of interest.

3. The advisory committees shall bring to the Transportation Commission items of a planning, design, or regulatory nature that come to their attention regarding the City's pedestrian and bikeway systems.

(Ord. No. 2007-21, Amended 03/06/2007); (Ord. No. 2007-21, Amended 02/06/2007); (Ordinance No. 2010-14, (_____)

SECTION 2-12-001-0007 APPEAL PROCEDURE:

Traffic regulation decisions of the Transportation Commission, as set forth in Section 2-12-001-0006 A., may be appealed by any aggrieved party to the City Council by presentation of a request for such an appeal in writing to the Traffic Engineering Section within ten (10) working days of the date of the Commission's action. The appeal shall be placed on the currently open agenda for the next regularly scheduled Council Meeting. The Council may hear arguments and shall make the final decision on the matter. (Ord. 1349, 2-19-85); (Ord. No. 2007-21, Amended 02/06/2007); Ordinance No. 2010-14, Amended, (_____)

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2010.

_____
MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM:

_____

CITY ATTORNEY

RESOLUTION NO. 2001-76

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL ESTABLISHING A CITIZENS TRANSPORTATION ADVISORY COMMITTEE.

WHEREAS, the citizens of the City of Flagstaff, in May 2000, voted to approve a 20-year taxing and bonding authority for transportation system improvements; and

WHEREAS, the Citizens and City Council desire accountability ensuring the approved transportation system funding is used to construct and purchase transportation system improvements as pledged throughout the election process; and

WHEREAS, an independent Citizen advisory role will ensure that expenditure of these funds is keeping within the requirements and spirit of the transportation system election;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. ESTABLISHMENT OF COMMITTEE. There is hereby established a Citizen Transportation Advisory Committee to consist of seven members, as follows:

One Council Member
One Planning and Zoning Commissioner
One Traffic Commissioner
One Audit Committee Member
Three Citizens-at-Large

SECTION 2. COMMITTEE PURPOSE. The purpose of the Committee is to annually advise the City Council of the progress and expenditures of the City's Transportation Capital Improvement Program as related to the Election of May 2000.

SECTION 3. COMMITTEE FUNCTIONS. The Committee shall:

1. Meet biannually with the City's Capital Improvements and Financial Services Staff to review the progress of the Transportation Capital Improvement Program's planning and programming efforts;

2. Ensure there is a coordinated approach for budgeting and expending transportation sales tax revenues for all transportation modes;
3. Provide input on the Transportation CIP prioritization scoring criteria;
4. Provide a forum for public comment and input regarding the Transportation Capital Improvement Program;
5. Publish an annual Transportation Capital Improvement Program Advisory Report; and
6. Present the findings of said report to the City Council during a public meeting in conjunction with the annual budget process. At a minimum, the report shall discuss the previous years' income/expenditures, construction projects and planning activities.

SECTION 4: TERM OF OFFICE.

1. The Member-at-large terms shall not exceed a period of three years. Terms will be staggered to ensure the Committee has experienced members. To start the staggering, the Members-at-large shall be appointed by the City Council to one, two and three year terms, respectively. Each Member-at-large may serve a maximum of two full terms.
2. The City Council member, the Planning Commissioner, the Traffic Commissioner and the Audit Committee member shall each serve 1-year terms and shall be appointed by the members of their respective bodies.
3. Term appointments shall always begin in January of the calendar year. The committee shall, by majority vote, elect a Chair and Vice-Chair. The term of the Chair shall be one-year with eligibility for re-election for one-year.

SECTION 5. MEETINGS AND COMPENSATION.

The Committee shall follow the provisions of the Arizona Open Meeting Act, including provisions for public notice and allowing the agendas, minutes, and meetings to be open to the public.

1. The Committee shall hold at least one meeting every six months.
2. A quorum consisting of at least four (4) members shall be required to conduct business.
3. Members of the CTAC shall serve without compensation.

SECTION 6. SUNSET. The Committee shall cease to exist upon presentation of its annual report to the City Council in the year following the final expenditures of the taxes approved in the May 2000 election.

PASSED AND ADOPTED by the Council and approved by the Mayor of the City of Flagstaff this 16th day of October, 2001.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

ORDINANCE NO. 2007-17

AN ORDINANCE AMENDING RESOLUTION NO. 2001-76 OF THE CITY OF FLAGSTAFF FOR THE PURPOSE OF CHANGING THE MEMBERSHIP OF THE CITIZENS TRANSPORTATION ADVISORY COMMITTEE.

WHEREAS, the City Council of the City of Flagstaff recognizes the significant and important role citizens play in advising the City Council on policy issues through the City's Boards and Commissions; and

WHEREAS, the City Council desires to clarify and standardize the role of City Councilmembers on City Boards and Commissions; and

WHEREAS, the City Council has determined that the appropriate role of City Councilmembers is to act as a liaison and resource for the citizen members of the City's Boards and Commissions;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. That Resolution No. 2001-76, Section 1, Establishment of Committee, and Section 5, Meetings and Compensation, are amended as follows:

SECTION 1. ESTABLISHMENT OF COMMITTEE.

There is hereby established a Citizen Transportation Advisory Committee to consist of seven members, as follows:
One non-voting, ex-officio Council Member
One Planning and Zoning Commissioner
One Traffic Commissioner
One Audit Committee Member
Four~~Three~~ Citizens-at-Large

SECTION 5. MEETINGS AND COMPENSATION.

The Committee shall follow the provisions of the Arizona Open Meeting Act, including provisions for public notice and allowing the agendas, minutes, and meetings to be open to the public.

1. The Committee shall hold at least one meeting every six months.

2. A quorum consisting of at least four (4) voting members shall be required to conduct business.

3. Members of the Citizens Transportation Advisory Committee without compensation.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 6th day of February, 2007.

Joseph C. Donaldson
MAYOR

ATTEST:

Margie Brown
CITY CLERK

APPROVED AS TO FORM:

Patricia J. Boomsma
CITY ATTORNEY