

MINUTES

1. CALL TO ORDER

Mayor Evans called the meeting of the Flagstaff City Council held November 6, 2018, to order at 4:30 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

2. ROLL CALL

NOTE: One or more Councilmembers may be in attendance telephonically or by other technological means.

PRESENT:

ABSENT:

MAYOR EVANS
VICE MAYOR WHELAN
COUNCILMEMBER BAROTZ
COUNCILMEMBER MCCARTHY
COUNCILMEMBER ODEGAARD
COUNCILMEMBER OVERTON
COUNCILMEMBER PUTZOVA

Others present: Interim City Manager Barbara Goodrich and City Attorney Sterling Solomon.

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The Council and audience recited the pledge of allegiance and Councilmember Overton read the Mission Statement of the City of Flagstaff.

MISSION STATEMENT

The mission of the City of Flagstaff is to protect and enhance the quality of life for all.

4. PUBLIC PARTICIPATION

Public Participation enables the public to address the Council about an item that is not on the agenda. Comments relating to items that are on the agenda will be taken at the time that the item is discussed. If you wish to address the Council at tonight's meeting, please complete a comment card and submit it to the recording clerk as soon as possible. Your name will be called when it is your turn to speak. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

None

5. PROCLAMATIONS AND RECOGNITIONS

6. CONSENT ITEMS

All matters under Consent Agenda are considered by the City Council to be routine and will be enacted by one motion approving the recommendations listed on the agenda. Unless otherwise indicated, expenditures approved by Council are budgeted items.

Laurie Stephens with Accurate Building Maintenance addressed Council regarding item 7A expressing thanks for allowing them to continue providing service to the City. She expressed disappointment about not being selected to provide service to all the facilities.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Charlie Odegaard to approve Consent Items 7A and 7B.

Vote: 7 - 0 - Unanimously

A. Consideration and Approval of Contract: Custodial Services

- 1) Approve two (2) Custodial Service Contracts to the following firms:
 - Accurate Building Maintenance, LLC [Nine (9) facilities]
 - Pinnacle Building Service [Nine (9) facilities]
- 2) Provide the Purchasing Director the authority to add or delete facilities and/or services as necessary during the term of the agreement.
- 3) Authorize the City Manager to execute the necessary documents

B. Consideration and Approval of Contract: Consideration and approval of the Professional Services Contract for the continuation for the City of Flagstaff Employer Assisted Housing (COF-EAH) program, the administration for the new Community Homebuyer Assistance Program (CHAP), and to provide Homebuyer Counseling and Education as well as Eligibility Determination for all first time Flagstaff homebuyers, Contract No. 2019-03 between City of Flagstaff and Housing Solutions of Northern Arizona, Inc. (HSNA).

Approve contract with HSNA to continue the administration of the City of Flagstaff Employer Assisted Housing (COF-EAH) program available to all eligible City of Flagstaff employees and to administer the new Community Homebuyer Assistance Program (CHAP) available to Flagstaff citizens.

7. ROUTINE ITEMS**A. Consideration and Approval of Airport Master Plan**

Moved by Councilmember Scott Overton, **seconded by** Councilmember Jim McCarthy to approve the Airport Master Plan final draft.

Vote: 7 - 0 - Unanimously

B. Consideration and Approval of Cooperative Contract: Airport Security Upgrades at the Flagstaff Airport.

Moved by Councilmember Charlie Odegaard, **seconded by** Vice Mayor Jamie Whelan to approve the cooperative purchase contract for the purchase and installation of security equipment at the Flagstaff Airport from Enterprise Security, Inc. through a Maricopa County Cooperative Purchase Agreement, contract number 120745-S for a total dollar amount of \$79,954; and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

C. Consideration and Adoption of Ordinance No. 2018-35: An ordinance amending the Flagstaff City Code, Chapter 1-14, *Personnel System*, by amending the Employee Handbook of Regulations related to *General Definitions* and *Residency Requirements* and by adding *Use of City Vehicles*; providing for repeal of conflicting ordinances; severability; and establishing an effective date (Addendum 14 to Employee Handbook**)**

Moved by Councilmember Eva Putzova, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2018-35 by title only for the final time.

Vice Mayor Whelan asked if this opportunity should be extended to all City staff. Human Resources Director Shannon Anderson stated that the situation is different for firefighters due to their shift work and the various mutual aid contracts that are in place should large event occur. Those types of contracts are not available for other departments such as Water Services and Public Works because they are required to respond within one hour of call-out.

Vice Mayor Whelan asked how many people are asking for the ability to live outside of the greater Flagstaff area and how many Firefighters have taken advantage of the City's Employer Assisted Housing program. She would like more time to consider this action and find something equitable for all City staff.

Ms. Anderson explained that the existing policy for a one hour response time only applies to emergency service personnel which are in Water Services, Public Works, the Police Department, and the Fire Department. There are no restrictions for employees outside this designation. Human Resources was approached by the Fire Department with their request and it was presented to the Employee Advisory Committee and the Leadership Team. She is unsure of the number of firefighters who have used the City's housing assistance program.

Casey Gonzales with the United Flagstaff Fire Fighters addressed the Council in support of the ordinance. He stated that this is something that has no cost to the City and it is a tool to attract new firefighters to Flagstaff. Generally speaking, firefighters want to live where they work; this would just allow other options.

Councilmember McCarthy stated that he is supportive of the ordinance but would like to see if there is a way to extend it to other emergency personnel.

Mayor Evans agreed and stated that it is frustrating that employees cannot afford to live in the city. She would also like to look at the underlying policy that deals with all safety personnel. The City needs to look at all different ways to motivate people to work and live in Flagstaff and be a part of the community.

Fire Chief Mark Gaillard offered that they looked at practices in other communities and found that most did not have a residency requirement.

Councilmember Overton asked if Workman's Compensation covers an employee to and from work only when using a City vehicle. Mr. Solomon stated that it covers public safety employees to and from work regardless of the vehicle; it could be a City vehicle or a personal vehicle.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, CHAPTER 1-14, PERSONNEL SYSTEM, BY AMENDING THE EMPLOYEE HANDBOOK OF REGULATIONS RELATED TO GENERAL DEFINITIONS AND RESIDENCY REQUIREMENTS AND BY ADDING USE OF CITY VEHICLES; PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to adopt Ordinance No. 2018-35.

Vote: 7 - 0 - Unanimously

- D. Consideration and Adoption of Ordinance No. 2018-36:** An ordinance amending the Employee Handbook of Regulations *Employment Categories* and *Employee Advisory Committee*; providing for penalties; repeal of conflicting ordinances; severability; and establishing an effective date. **(Addendum 15, relating to FMPO Executive Director)**

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to read Ordinance No. 2018-36 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, CHAPTER 1-14, PERSONNEL SYSTEM, BY AMENDING THE EMPLOYEE HANDBOOK OF REGULATIONS EMPLOYMENT CATEGORIES AND EMPLOYEE ADVISORY COMMITTEE; PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jim McCarthy, **seconded by** Vice Mayor Jamie Whelan to adopt Ordinance No. 2018-36.

Vote: 7 - 0 - Unanimously

- E. Consideration and Adoption of Ordinance No. 2018-20:** A(n) ordinance amending Section 5-01-001-0001 of the Flagstaff City Code regarding fire protection services in County islands and other selected unincorporated property.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2018-20 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE AMENDING SECTION 5-01-001-0001 OF THE FLAGSTAFF CITY CODE REGARDING FIRE PROTECTION SERVICES IN COUNTY ISLANDS AND OTHER SELECTED UNINCORPORATED PROPERTY

Moved by Councilmember Charlie Odegaard, **seconded by** Vice Mayor Jamie Whelan to adopt Ordinance No. 2018-20.

Vote: 7 - 0 - Unanimously

- F. Consideration and Adoption of Ordinance No. 2018-38:** An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff City Code by amending Title 9 *Traffic Code* Section 9-01-001-0003 *Stopping or Standing and Parking Restrictions*, to modify parking violation fines, providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date.

Community Investment Director David McIntire and Finance Director Brandi Suda provided a PowerPoint presentation that covered the following:

ADJUSTMENT OF PARKING FINES
BACKGROUND
NEW STATE SURCHARGES AND ASSESSMENTS – EFFECTIVE 1/1/19
NEW FINE AMOUNTS

Councilmember McCarthy asked if it would be possible to add a surcharge that could be applied to the PSPRS unfunded pension liability. Ms. Goodrich stated that there are statutory guidelines on what cities can attach surcharges to and there is a process to go through to propose such a fee.

A majority of Council was not interested in evaluating that possibility.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Scott Overton to read Ordinance No. 2018-20 by title only for the first time.

Vote: 5 - 2

NAY: Councilmember Eva Putzova
Vice Mayor Jamie Whelan

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE BY AMENDING TITLE 9 TRAFFIC CODE SECTION 9-01-001-0003 STOPPING OR STANDING AND PARKING RESTRICTIONS, TO MODIFY PARKING VIOLATION FINES, PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

G. Consideration and Approval of Resolution No. 2018-51 and Intergovernmental

Agreement: A resolution approving an Intergovernmental Agreement between Pinewood Fire District and the City of Flagstaff on behalf of the Flagstaff Fire Department to fund a Regional Training Coordinator and participate in regional training of emergency services personnel.

Chief Gaillard stated this agreement is for the addition of a new partner in the Regional Training Program.

Moved by Councilmember Scott Overton, **seconded by** Vice Mayor Jamie Whelan to read Resolution No. 2018-51 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN PINEWOOD FIRE DISTRICT AND THE CITY OF FLAGSTAFF ON BEHALF OF THE FLAGSTAFF FIRE DEPARTMENT TO FUND A REGIONAL TRAINING COORDINATOR AND PARTICIPATE IN REGIONAL TRAINING OF EMERGENCY SERVICES PERSONNEL

Moved by Councilmember Scott Overton, **seconded by** Councilmember Charlie Odegaard to adopt Resolution No. 2018-51.

Vote: 7 - 0 - Unanimously

H. Consideration and Adoption of Resolution No. 2018-52: A resolution of the City Council of the City of Flagstaff, Arizona authorizing the settlement of the matter of *John Castaneda v. City of Flagstaff, et al.*, case No. CV2018-00006, currently pending in Coconino County Superior Court.

Mr. Solomon stated that a settlement has been reached in the matter of John Castaneda v. City of Flagstaff and the resolution would authorize the City to settle the case.

Moved by Councilmember Charlie Odegaard, **seconded by** Vice Mayor Jamie Whelan to read Resolution No. 2018-52 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING THE SETTLEMENT OF THE MATTER OF JOHN CASTANEDA V. CITY OF FLAGSTAFF, ET AL., CASE NO. CV2018-00006, CURRENTLY PENDING IN COCONINO COUNTY SUPERIOR COURT

Moved by Vice Mayor Jamie Whelan, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2018-52.

Vote: 7 - 0 - Unanimously

8. COUNCIL LIAISON REPORTS

None

9. INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF, FUTURE AGENDA ITEM REQUESTS

Councilmember Odegaard thanked staff for arranging the business listening tour; the information was very helpful.

Councilmember Odegaard reminded the Council about the upcoming Stuff the Bus event.

Vice Mayor Whelan requested the following F.A.I.R. items:

1. Discuss the prioritization of the Request for Qualifications to work on Transect Amendments.
2. Discussion of building types and heights allowed in the T4 Zone.
3. Discussion about Charter residency requirements for leadership and equity of residency for all City staff.

Councilmember McCarthy also reported on the business listening tour and thanked staff for arranging the tour.

Councilmember Overton reported that he did his last official school tour of City Hall with 70 students from Marshall Elementary School.

Mayor Evans echoed Councilmember Odegaard’s reminder about the upcoming Stuff the Bus event to gather turkeys for the Flagstaff Family Food Center. There will be a competition between the City and County as to who collects the most turkeys with the real winner being the community.

10. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held November 6, 2018, adjourned at 5:32 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

I, STACY SALTZBURG, do hereby certify that I am the City Clerk of the City of Flagstaff, County of Coconino, State of Arizona, and that the above Minutes are a true and correct summary of the Meeting of the Council of the City of Flagstaff held on November 6, 2018. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 27th day of August, 2019.

CITY CLERK