

MINUTES

1. CALL TO ORDER

Mayor Evans called the meeting of the Flagstaff City Council held March 5, 2019, 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 SHIMONI (arrived at 4:32 p.m.)
COUNCILMEMBER ASLAN
COUNCILMEMBER MCCARTHY
COUNCILMEMBER ODEGAARD
COUNCILMEMBER SALAS
COUNCILMEMBER WHELAN

Others present: Interim Deputy City Manager Kevin Treadway; Deputy City Attorney Kevin Fincel.

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The Council and audience recited the pledge of allegiance and Councilmember Whelan 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. APPOINTMENTS

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 the City Council may vote to go into executive session, which will not be open to the public, for the purpose of discussing or considering employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body...., pursuant to A.R.S. §38-431.03(A)(1).

A. Consideration of Appointments: Library Board.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to appoint Holly Auler to a term expiring November 2021.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Regina Salas, **seconded by** Councilmember Charlie Odegaard to appoint Christine Dykman to a term expiring November 2020.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to appoint Dorothy Renstrom to a term expiring November 2020.

Vote: 7 - 0 - Unanimously

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Jim McCarthy to appoint Kim Owens to a term expiring November 2019.

Vote: 7 - 0 - Unanimously

B. Consideration of Appointments: Airport Commission.

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Regina Salas to appoint Amanda Shankland to a term expiring October 2021.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Vice Mayor Adam Shimoni to appoint Miranda Sweet to a term expiring October 2021.

Vote: 7 - 0 - Unanimously

Moved by Mayor Coral Evans, **seconded by** Councilmember Charlie Odegaard to appoint Cal McLoy to a term expiring October 2019.

Vote: 7 - 0 - Unanimously

6. ROUTINE ITEMS

A. Consideration and Approval: Flagstaff Airport Air Carrier Incentive Policy

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to approve the Flagstaff Airport Air Carrier Incentive Policy.

Vote: 7 - 0 - Unanimously

B. Consideration and Approval of Contract: Approve the Minimum Revenue Guarantee Agreement for air services between the City of Flagstaff and United Airlines.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to approve the Minimum Revenue Guarantee Agreement for air services between the City of Flagstaff and United Airlines.

Vote: 7 - 0 - Unanimously

RECESS

The 4:30 p.m. portion of the March 5, 2019, Regular Council Meeting recessed at 4:49 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Evans reconvened the Regular Meeting of March 5, 2019, at 6:00 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).

7. ROLL CALL

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

PRESENT:

ABSENT:

MAYOR EVANS
 VICE MAYOR SHIMONI
 COUNCILMEMBER ASLAN
 COUNCILMEMBER MCCARTHY
 COUNCILMEMBER ODEGAARD
 COUNCILMEMBER SALAS
 COUNCILMEMBER WHELAN

Others present: Interim City Manager Kevin Treadway; Deputy City Attorney Kevin Fincel.

8. PLEDGE OF ALLEGIANCE

The Council and audience recited the pledge of allegiance.

9. PUBLIC PARTICIPATION

Richard Becher addressed Council expressing his interest in serving on the Flagstaff Planning and Zoning Commission.

Dr. Kevin Gibson addressed Council with concerns about fracking in Arizona and the recent DME agreement.

Brianda Torres-Traylor addressed Council in support of the Keep Families Free and Together ordinance.

Corrie Warman addressed Council with concerns regarding the appeal of a Planning and Zoning Commission decision regarding a telecommunication tower in a residential zone.

Brooks Hart addressed Council with concerns regarding the appeal of a Planning and Zoning Commission decision regarding a telecommunication tower in a residential zone.

Frankie Beesley addressed Council in support of the Keep Families Free and Together ordinance.

Gabriel Bluestar Sunrising addressed Council regarding the high costs of housing and rent in Flagstaff.

JR Murray addressed Council with information about Snowbowl operations over the season and their intent to remain open through March. He also indicated that they joined with the city minimum wage and are paying their employees \$12 per hour.

Two individuals addressed Council and expressed their concerns about environmental impact of snowmaking.

Mayor Evans recognized boy scouts in the audience who were in attendance to work on a merit badge.

10. CARRY OVER ITEMS FROM THE 4:30 P.M. AGENDA

None

11. REGULAR AGENDA

- A. Consideration and Approval of Contract:** City Court Facility Project - Award of Amendment #1 to the Design-Build Services Agreement #2018-63. This amendment contains the Guaranteed Maximum Price (GMP) #1 agreement for preliminary construction work.

Capital Project Manager Christine Cameron provided a PowerPoint presentation that covered the following:

CITY COURT FACILITY PROJECT DESIGN-BUILD AMENDMENT GMP #1
OVERVIEW – TONIGHT'S DISCUSSION POINTS
PROJECT LOCATION
PROJECT ELEVATION DRAWING
PROJECT INFORMATION
CURRENT PLAN REVIEW STATUS
PUBLIC MEETING SUMMARY

Community Development Director Dan Folke indicated that there are concerns about parking and connections with the ballot language. When the court opens there will be 90 surface parking spaces at the old court location and there are 19 new spaces next to the new courthouse restricted for staff. An additional \$2 million has been allocated for identifying alternative parking.

Councilmember McCarthy expressed concerns about no accessible parking spaces at the court facility. He indicated that having accessible parking two blocks away is problematic.

Councilmember Whelan indicated that there was discussion at one point about parking beneath the building. Ms. Cameron explained that there were significant budget constraints and it was not able to be included in the design.

Mr. Folke stated that staff will look at other options regarding accessible parking onsite.

Councilmember Whelan stated that the citizens passed a ballot measure in 2016 that approved a new courthouse and 200 additional parking spaces. She stated that it is necessary to figure it out and tell the citizens how long the 200 spaces are going to take to deliver.

Vice Mayor Shimoni indicated that he would like to get the appropriate parking onsite. He expressed concerns that parking was supposed to be part of the plan and now it is not.

Ms. Cameron offered that there is opportunity for parking with the nearby mixed use development.

Ms. Cameron continued the presentation.

AMENDMENT #1, GMP #1

Councilmember Whelan asked how much parking could be acquired for \$2 million. Ms. Cameron explained that staff's rough calculations for a parking garage is about \$20,000 to \$30,000 per parking space.

Councilmember Aslan asked how the demolition aligns with the Climate Action and Adaptation Plan (CAAP).

Ms. Cameron explained that Public Works is taking out all the useable materials as they can, and Community Development is working with the Landfill and Sustainability to identify options and reuse opportunities.

Mayor Evans indicated that parking continues to be a concern and she is excited to see the project move forward and to have a safe and functional facility for the community.

Councilmember McCarthy stated that it is a good and immediate project and appreciates staff looking into a way to accommodate ADA parking on site.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to award the Design-Build Services Amendment GMP #1 to Kinney Construction Services, Inc. of Flagstaff Arizona in an amount not to exceed \$1,518,175.00 with a 148 calendar-day contract period and authorize the City Manager to execute the necessary documents.

Councilmember Salas thanked staff for all the hard work and that she looks forward to further discussions with downtown on the parking issue. Mr. Folke indicated that staff has been working with the Downtown Business Alliance on a visioning process for a downtown master plan.

Vote: 7 - 0 - Unanimously

- B. Consideration and Approval of Contract:** Approve the construction contract with PCL Construction, Inc. in the amount of \$1,067,535.00 for the Wildcat Hill Water Reclamation Plant Digester Gas Conveyance System Improvements Project.

Water Services Engineering Manager Ryan Roberts provided a PowerPoint presentation that covered the following:

WILDCAT HILL WRP DIGESTER GAS CONVEYANCE PROJECT
DIGESTER GAS SYSTEM
BACKGROUND
DIGESTER GAS SYSTEM
DESIGN BID-BUILD
ENERGY EFFICIENCY SAVINGS
NEXT STEPS
ANNUAL ENERGY SAVINGS
GREENHOUSE GAS EMISSIONS – ANNUAL

Councilmember McCarthy expressed concern about the life of the engine due to the corrosive compounds going into it. Mr. Roberts explained that it is a piston engine and the gas would be very corrosive if it was not treated and this project is to clean the gas. The technology has improved significantly and this will provide a good life expectancy of the equipment.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Jim McCarthy to approve the contract with PCL Construction, Inc. ("Contractor") in the amount of \$1,067,535.00, which includes a contract allowance of \$50,835.00 and a contract time of 365 calendar days and authorize the City Manager to execute the necessary documents.

Councilmember Odegaard asked if there is a rough estimate for Phase 2. Mr. Roberts stated that it will run approximately \$600,000 for the engine and installation.

Councilmember Aslan asked about the life expectancy of the engine. Mr. Roberts stated that it is 20 to 25 years if properly maintained. The existing engine had a lot of problems operating in the room and one of the other things included in the project is to add better ventilation and airflow to prevent overheating.

Councilmember Aslan asked about the time it will take to recapture the cost of the investment. Mr. Roberts indicated that a co-gen system should be able to run 90% of the time which would equate to a five to six-year payback.

Vote: 7 - 0 - Unanimously

12. DISCUSSION ITEMS**A. Active Transportation/FUTS Master Plans**

Martin Ince provided Council with a PowerPoint presentation that covered the following:

ACTIVE TRANSPORTATION/FUTS MASTER PLANS
TONIGHT
MASTER PLANS
POLICY FRAMEWORK
GUIDING PRINCIPLES
BENEFITS OF WALKING AND BIKING
ORGANIZED AROUND SEVEN GOALS
COMPLETE NETWORKS FOR WALKING/BIKING
TAKE CARE OF WHAT WE HAVE
BUILD A SUPPORTIVE COMMUNITY
IMPROVE SAFETY
PROMOTE SUPPORTIVE LAND USE, STREETS
MODE SHARE BY GEOGRAPHY
TRAVEL DEMAND MANAGEMENT
ASSESS HOW WE'RE DOING
COMMUNITY ENGAGEMENT TO DATE
PROCESS OUTLINE
PLAN SCHEDULE

Vice Mayor Shimoni asked if the Master Plan is integrated into the work being done as a result of Prop. 419. Mr. Ince stated that the money from Prop. 419 will start flowing in 2020 and the proposal is to have an allocation of that money for pedestrian, bike, and FUTS. There will need to be a Capital Improvement Plan (CIP) done for walking and biking and trails to prioritize the projects over the next five to ten years. This is the first step.

Vice Mayor Shimoni indicated that he would like to see disconnected bike lanes as well as bigger bike lanes. With regard to maintenance, he would like the street sweepers to be active in the high bike and pedestrian areas.

Councilmember Aslan indicated that he would like to look at moving to a snow removal process that does not leave a berm in every pedestrian and bike lane. There is a shift occurring in how people get around and if the City can front load that process the better off it will be. He also asked about a tunnel over or under the I-40 bridge onto campus from Ponderosa Trails.

Mr. Ince stated that FUTS trails are becoming a big community network and they are looking at whether some should be paved and lighted to allow for more nighttime use. Some of the trails are adjacent to streets and there is spill over to the lights but there are other areas that are not lit. He indicated that there has been good representation from neighborhoods like Ponderosa Trails and University Heights during the public outreach and there has been good discussion about better access to campus from south of I-40.

Councilmember Whelan asked about electric scooters and bikes and expressed concern with those coming into the City and causing issues on the sidewalks. Mr. Ince stated that there is discussion concerning electric bikes and scooters and potential revisions to the City Code to define where these devices would be permitted. These devices are competing for the same limited space and it will be important to consider how transportation works to

accommodate people safely.

Mr. Folke added that the discussion about electric bikes and scooters is scheduled for April. Mr. Ince also added that the Bicycle Advisory Committee and Pedestrian Advisory Committee will be discussing electric bikes and scooters at their meetings later this week and the next week.

Councilmember Salas asked about any plans to develop a regional strategy for trail management. Mr. Ince stated that the City is working with the Flagstaff Trails Initiative evaluate trail connections for commuters, maintenance, and enhancements.

Mayor Evans stated that she gets numerous complaints about bicycle riders not following the rules of the road and doing things that put themselves and others in harms way. She would like to make sure that there is an educational component included with the discussions.

Tyler Lineer addressed Council with concerns about clearing bike lanes of snow and cinders. More needs to be done to address this issue in a more timely manner.

A break was held from 8:27 p.m. through 8:33 p.m.

B. Discussion/Direction: Current Issues Before Arizona Legislature and Federal Issues.

Interim Assistant to the City Manager Cliff Bryson introduced the City's Federal Lobbyist Bob Holmes who was present via phone. Mr. Holmes provided an update on federal issues.

The first issue is on the recent motion of disapproval of the emergency declaration at the border. The declaration passed the House last week and it will go to a Senate vote in a week or two. It will likely pass and they will send it back to the President and he will veto that bill and it will likely go to a court challenge to test the President's constitutional powers.

Senator Grijalva introduced his bill to ban uranium mining in and near the Grand Canyon. This would put into effect President Obama's 20-year moratorium that was rescinded by President Trump.

Mr. Holmes also reported that Congress passed the largest land package in forty years; 650 million acres are now federally protected and that included a permanent reauthorization of LWCF which as not happened since the fund was originally enacted in 1976.

The last item Mr. Holmes reported on was with regard to some of the inefficiencies in the modernization of the Forest Service. There are efforts to learn about the things that are working and not working in order to improve efficiencies and modernize services so projects such as FWPP and 4FRI are able to move forward more efficiently.

Mr. Bryson continued and reviewed a proposed letter to send to the City's State representatives regarding vacation rentals, digital goods, affordable housing, and Wayfair. He asked for Council suggestions to be provided to him by the end of the week.

Mr. Bryson reviewed a number of Bills that are currently moving through the legislature.

Councilmember Whelan stated that she attended the NACOG meeting where they discussed SB1225 and what they alluded to is that in the next five to ten years ADOT would be shifting to a maintenance only perspective. She requested additional information on that bill.

Councilmember Whelan also requested additional information on HB2526 with regard to the fuel tax that has been replaced by an inflation index as well as HB2109 regarding a transportation sales tax for rural and city roads.

Vice Mayor Shimoni expressed concern about HB2523 and suggested a letter to the City's representatives to voice its opposition to the bill. Council agreed and Mr. Bryson indicated that he will draft a letter for Council's review.

Vice Mayor Shimoni left the meeting 9:06 p.m.

13. **COUNCIL LIAISON REPORTS**

Councilmember Whelan reported that she attended the NACOG meeting and there was discussion about some available grant money for transportation for individuals with disabilities and it was focused on the non-profits. She also reported that NACOG approved a letter going to the Governor in support of taking away incentives for hybrid vehicles.

Councilmember Odegaard stated that the FMPO Executive Board will be meeting on Thursday and the Audit Committee will be meeting in two weeks.

Councilmember McCarthy stated that he attended the NAIPTA meeting where they discussed the downtown transfer station and where that could potentially be moved to.

14. **FUTURE AGENDA ITEM REQUESTS**

After discussion and upon agreement by three members of the Council, an item will be moved to a regularly-scheduled Council meeting.

- A. **Future Agenda Item Request (F.A.I.R.):** A request by Councilmember Whelan to place on a future agenda a discussion about continuing to communicate with the Arizona Board of Regents and invite them to a meeting or send a letter with our concerns about impact on our city.

At least three Councilmembers were supportive of moving the item forward to a future agenda.

- B. **Future Agenda Item Request (F.A.I.R.):** A request by former Councilmember Putzova to place on a future agenda a discussion on changing the City's organizational structure to create a Sustainability division and elevate the function of the section.

Brian Petersen addressed Council and spoke on behalf of the Sustainability Commission and their support for changing the organizational structure to create a Sustainability Division to further elevate their function within the City.

There was not enough Councilmember support to move the item forward to a future agenda.

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

Councilmember Salas offered congratulations to all the Viola award awardees.

Councilmember Aslan stated that he attended the Sustainability Commission meeting, he indicated that there are a lot of exciting things happening.

Mayor Evans stated that she, along with many other Councilmembers, attended the Viola Awards. She stated that it is fortunate that Flagstaff has such a robust arts presence. She also reported that she went to Phoenix to attend the M3 McDowell Festival along with Gail Jackson and Trace Ward from the Economic Vitality Division. It was great to see City staff in action talking to businesses and individuals about all things Flagstaff. It was great that half of the proceeds of the event went to Habitat for Humanity in Flagstaff.

Councilmember McCarthy stated that there has been a move to get rid of the Amtrak connection between Chicago and LA which comes through Flagstaff twice per day. There has been pushback in Congress so Amtrak is at least committed through next year to maintain that route.

16. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held March 5, 2019, adjourned at 9:33 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 March 5, 2019. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 2nd day of June, 2020.

CITY CLERK