

MINUTES

1. Call to Order

Mayor Evans called the Work Session of the Flagstaff City Council held April 9, 2019, to order 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 work session, 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. Pledge of Allegiance and Mission Statement

The Council and audience recited the pledge of allegiance and Ms. Goodrich 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.

3. Roll Call

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

PRESENT:

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

ABSENT:

VICE MAYOR SHIMONI

Others present: City Manager Barbara Goodrich; City Attorney Sterling Solomon

4. Public Participation

Public Participation enables the public to address the council about items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. 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 to have 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.

The following individuals addressed Council urging them to place the Keeping Families Free and Together ordinance on a future agenda:

- Emily Davalos
- Rebecca Ellerbrock
- Josephina Montelago
- Allay
- Kai Simpson
- David Melendez
- Cedric
- Mary Kepher
- Athena Bolton
- Madilyn Sutton

Written comment cards in support of placing the Keep Families Free and Together ordinance on a future agenda were submitted by the following individuals:

- Mackenzie Myhra
- Kai Tayban Beattie

Charlie Silver addressed Council concerning affordable housing and the need to look for ways to incentivize builders through breaks in plan review and development fees.

5. Review of Draft Agenda for the April 16, 2019 City Council Meeting

Citizens wishing to speak on agenda items not specifically called out by the City Council may submit a speaker card for their items of interest to the recording clerk.

Councilmember Odegaard commented on item 9E asking staff to provide additional explanation of the exclusivity of the agreement and what binds the City to that agreement. Sustainability Manager Nicole Antonopoulos indicated that she will explain further in her presentation next week, but it is a non-binding agreement that allows the City to work with APS and the Arizona Corporation Commission and the exclusivity is directly tied to the Hopi parcel.

6. Route 66 Commemoration Project

Beautification & Arts & Science Administrator Mark DiLucido provided a PowerPoint presentation that covered the following:

ROUTE 66 INTERPRETIVE TRAIL AND LUNAR LEGACY UPDATE
ROUTE 66 INTERPRETIVE TRAIL
AERIAL TRAIL MAP
ROUTE 66 – MCALLISTER RANCH
ROUTE 66 – MCCALLISTER RANCH INTERPRETIVE SIGNS
ROUTE 66 – MOENKOPI OUTCROPPING
ROUTE 66 – INTERSECTION AT MILTON
ROUTE 66 – ROUTE 66 WAYSIDE
ROUTE 66 – INTERSECTION HIGHWAY 89
ROUTE 66 – FLAGSTAFF MALL
ROUTE 66 – EAST CITY LIMITS
ROUTE 66 – WALK THIS TALK

Economic Vitality Director Heidi Hansen continued the presentation.

LUNAR LEGACY – WALK THIS TALK
LETTER FROM NASA

Councilmember McCarthy offered that the sign for the mall is not consistent with the other Route 66 signs and suggested that it be eliminated from the plan.

Mayor Evans asked about the voices on the recordings and if there were historic Flagstaff members that could participate. Mr. DiLucido indicated that they have hire a writer and a researcher that has been talking to historic community members, staff can work with them on those possibilities.

7. **Discussion/Direction:** Proposed Amendments to the City of Flagstaff's Procurement Code Manual, Article 25, "Change Orders", Sections 25.1 "Change Order Process", 25.2 "Change Order Conditions", and 25.3 "Change Order Membership."

Purchasing Manager Patrick Brown provided a PowerPoint presentation that covered the following:

PROCUREMENT CODE MANUAL – PROPOSED AMENDMENTS TO ARTICLE 25,
“CHANGE ORDERS”
PROCUREMENT CODE MANUAL AMENDMENTS
OVERVIEW
BACKGROUND INFORMATION FOR NEW COUNCIL MEMBERS

City Engineer Rick Barrett continued the presentation.

PROJECT SPECIFIC EXAMPLE – TRADITIONAL DESIGN/BID/BUILD

A break was held from 6:56 p.m. through 7:07 p.m.

Mr. Barrett continued the presentation.

BID SCHEDULE
BRANNEN NEIGHBORHOOD IMPROVEMENTS – PHASE 1
16 FIELD ORDERS ISSUED AGAINST THE CONTRACT ALLOWANCE

Councilmember Whelan stated that it would be helpful to have a spreadsheet that shows all projects over the last two years, the contingencies that were authorized, and the total spent

from those contingencies.

Ms. Goodrich explained that a report has been generated that covers projects completed in 2016 and 2017 and she will provide that to Council. The data will be collected for ongoing projects.

Public Works Director Andy Bertelsen continued the presentation.

PROJECT SPECIFIC EXAMPLE – CONSTRUCTION MANAGER AT RISK (CMAR)
2015 STREET MAINTENANCE PROJECTS (PHASE 2) CHIP SEAL:

Councilmember Whelan asked why there is a contract contingency when there is also an owners contingency and change order allowance. Mr. Bertelsen explained that the contract contingency provides an opportunity to get additional work done in the community if the opportunity presents itself within the project. The contractor may not use those monies unless authorized by the City to do so.

Mr. Bertelsen continued the presentation:

REHABILITATION OF FUTS TRAIL (PONDEROSA TRAILS)
IMPROVEMENTS OF ARROYO PARK

Mr. Brown concluded the presentation.

PROPOSED AMENDMENTS: SECTION 25.1 “CHANGE ORDER PROCESS” LETTER (A)
PROPOSED AMENDMENTS: SECTION 25.1 “CHANGE ORDER PROCESS” LETTER (B)
PROPOSED AMENDMENTS: SECTION 25.1 “CHANGE ORDER PROCESS” LETTER (E)

Councilmember Odegaard asked if there are a lot of single change orders over \$50,000. Mr. Brown stated that every project is different but there are not many because the approved contract allowances and contingencies are able to cover most of the changes that come up.

Mayor Evans asked if when the total of the requested change orders reaches \$50,000 that it come to Council for approval along with any subsequent change orders for that project. She also asked for clarification on the current process. Mr. Brown explained that the current process is that any change order in excess of the awarded contract authority would come to Council for approval. Ms. Goodrich offered that staff can accommodate the request is that is the desire of Council however, if Council wants to see all change orders once they cumulatively exceed \$50,000 that it may create time delays which could have a significant impact on projects, especially the larger projects.

Council agreed that going forward the City Manager has authority to approve all change orders within the amount approved by Council but once that is expended any change orders that exceed \$50,000 will be brought to Council for approval.

Mr. Brown continued the presentation.

PROPOSED AMENDMENTS: SECTION 25.2 “CHANGE ORDER CONDITIONS”, LETTER (A)
PROPOSED AMENDMENTS: SECTION 25.2 “CHANGE ORDER CONDITIONS”, LETTER (B)
PROPOSED AMENDMENTS: SECTION 25.2 “CHANGE ORDER CONDITIONS”, NEW
LANGUAGE

Councilmember Odegaard stated that many of the proposed changes seem to clarify things which is good. He wants to make sure that the changes proposed are not in any way or

perceived to be, hindering current and future projects. Mr. Brown offered that he does not see any of the changes as hindering to the bid process or attracting bidders, nor would they be detrimental to projects.

8. Presentation regarding the 2019 Community Development Block Grant/ Annual Action Plan recommendations.

Housing Project Manager Leah Bloom provided a PowerPoint presentation that covered the following:

2019 ANNUAL ACTION PLAN - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
TONIGHT
CDBG OVERVIEW
HOW CAN THE CITY SPEND THE MONEY?
2018 ACCOMPLISHMENTS
COUNCIL DIRECTION & STAFF RESPONSIBILITIES
PUBLIC PARTICIPATION PROCESS
CONDUCTING RISK ASSESSMENT PER PROPOSAL
HOW MUCH MONEY ARE WE TALKING ABOUT?
HOW MUCH MONEY ARE WE TALKING ABOUT FOR EACH CATEGORY?
PUBLIC SERVICE PROPOSALS
HOUSING FUNDING
THIS YEAR'S GRANT PROPOSAL

Mayor Evans asked who was on the ranking committee. Ms. Bloom explained that they do not share the names but that there are three internal staff members, a representative from a non-profit, a professor or lecturer from NAU, and representation from one of the target neighborhoods.

Ms. Bloom continued the presentation.

FUNDING RECOMMENDATION PUBLIC SERVICE PROPOSALS
FUNDING RECOMMENDATION HOUSING PROPOSALS
NEXT STEPS

Councilmember Odegaard stated that there has been concern about the restrooms at the Flagstaff Family Food Center and asked why that project was not funded. Ms. Bloom explained that the Food Center is a new applicant for CDBG funding, and their scope of work included a lot of different projects. Often times giving a new applicant the opportunity to experience and understand the requirements and compliance that comes with CDBG, it is a less risky offer for them to do a smaller project first and build on that in future applications. With allowing the Food Center to have a smaller, yet meaningful, project they will still serve at least 3,000 low to moderate income users in the community and the category they are in has easy reporting and administration requirements which will provide a good introduction to the program.

Councilmember McCarthy asked if the funding allocation for the Owner-Occupied Housing Rehabilitation program is higher than last year. Ms. Bloom stated that the allocation is substantially higher because there was no funding allocated last year. There are eight households on the waiting list and the funding will be able to help those households with their needs.

Councilmember McCarthy also asked about the impact of the reduction to the Flagstaff Shelter Services request. Executive Director of Flagstaff Shelter Services Ross Altenbaugh stated that they will serve 40% of the people listed in their original proposal. She stated that one of the

biggest barriers to housing is access to income and employment. The CDBG funding will allow for the development of a new program that will help people reduce those barriers. They will be working closely with Goodwill, the Literacy Center, Quality Connections, NAIPTA and others to increase opportunities for employment.

9. Emergency Management Roles and Responsibilities for Elected Officials

Deputy Chief Jerry Bills introduced Grants and Contracts Manager Stacey Brechler-Knaggs and Coconino County Emergency Operations Manager Todd Whitney. Deputy Chief Bills provided a PowerPoint presentation that covered the following:

EMERGENCY MANAGEMENT TRAINING
EMERGENCY MANAGEMENT
CITY SERVICES CONTRIBUTING TO THE PHASES OF EMERGENCY MANAGEMENT
AUTHORITIES
ROLE OF FLAGSTAFF ELECTED OFFICIALS
POLICY GROUP
MAYOR
CITY COUNCIL
MANAGING PUBLIC INFORMATION
INFORMATION RELEASE
ROLES...WHEN?
EMERGENCY OPERATIONS CENTER (EOC)
EMERGENCY OPERATIONS CENTER FUNCTIONS
EMERGENCY OPERATIONS CENTER DECISION POINTS TO OPEN
LEVELS OF EOC ACTIVATION

10. Board and Commission interactions with City Council.

City Clerk Stacy Saltzburg addressed Council seeking direction on how the Council would like to interact with their boards and commissions. She reported that the Clerk's office has been working on creating a new manual specifically for staff liaisons as well as doing a complete overhaul of the member manual to better clarify and provide guidance on their respective roles. The manuals will also include information about the expectations for communication.

Ms. Saltzburg offered that a majority of communities in Arizona have a board and commission program similar to Flagstaff's. Many of their communication processes consisted of updates provided by the commissions on an as needed basis through written reports to Council. Another common practice was that a member of Council was assigned to each commission as a representative to provide information and communication between the commission and Council. They are not to be considered a voting member just a representative that would report regularly at Council meetings about the work being done by the commissions they represent and provide direction from the Council back to the commission. Flagstaff had a similar practice a number of years ago but was discontinued at the request of Council.

Ms. Saltzburg asked the Council to provide direction on if they wanted a Councilmember liaison assigned to each commission and how they wanted to receive updates and recommendations from the commissions.

The Council gave direction that a Council Liaison should be assigned to the following commissions:

- Airport Commission
- Beautification and Public Art Commission

- Commission on Diversity Awareness
- Commission on Inclusion and Adaptive Living
- Heritage Preservation Commission
- Housing Commission
- Open Spaces Commission
- Parks and Recreation Commission
- Sustainability Commission
- Tourism Commission
- Transportation Commission
- Water Commission

The assigned Council Liaison will report to Council on the work of their respective commissions and provide information back to the commissions.

The Council requested that each quarter there be updates from commissions to provide an overview of their current work plan and receive direction from Council on any additions to their work program. During these updates Council would like to have an opportunity to review the establishing ordinance for the commission to provide any direction on possible changes.

Council also requested that any recommendations from the commissions be submitted through the staff liaison to the City Manager who can then provide the information to Council or place the item on a future agenda.

11. Discussion: Establish/Create the Affordable Housing Commission Discussed in Prop 422.

Mayor Evans stated that there is interest in establishing an Affordable Housing Commission as described in Proposition 422.

Councilmember McCarthy offered that housing is a major issue in Flagstaff and it makes sense to have a commission but he would not want to limit the commissions work to just affordable housing. He would like to see a broader focus for the commission to include other housing related matters such as how to facilitate more affordable market rate housing. Mayor Evans agreed that the commission should have a very broad scope and not be limited to one type of housing.

Rick Lopez addressed Council in support of creating a Housing Commission. He stated that the commission should be made up of representatives from non-profits, industry experts, employers, and citizens. He also stated that it will be very important for the commission to be involved in the policy making process.

Councilmember Odegaard stated that the commission needs to have concrete steps and recommendations that will be brought forward for Council to consider and implement.

Council agreed that a Housing Commission should be created and that a discussion about its purpose and membership should be scheduled as quickly as possible.

Councilmember Whelan asked what the timeline might look like. Housing Manager Sarah Darr stated that Housing staff will come to Council with some options for the scope of the commission as well as recommendations on possible membership. She indicated that this can happen fairly quickly but she is hesitant to commit to a date.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to continue the meeting in accordance with the City Council Rules of Procedure.

Vote: 6 - 0 - Unanimously

12. Discussion: Natural habitats on City property be labeled & set aside when mowing occurs.

Parks and Recreation Director Rebecca Sayers addressed Council stating that staff is excited to begin work on a pilot project in the spring. There is some land at the cemetery they will be using and they are working with local partners on some different seed mixtures for use as pollinator gardens. They are happy to work with other local partners on other locations and opportunities within the City parks.

Tyler Lineer addressed Council with concerns about the City's use of weed removal chemicals. He would like the City to look at safer chemicals and more responsible weed removal. He also encouraged the use of native plants on City property.

Ms. Sayers offered that the Parks Section has been doing research on ways to move away from chemicals and different methods for dealing with weeds.

Councilmember Whelan stated that she is happy to hear about the efforts being made and she would like to see those efforts continue and expand.

Councilmember Aslan agreed and added that anything that the City can do to improve and enhance the natural environment is great.

The Council was supportive of the efforts and encouraged staff to continue to look for improvements.

13. Current Issues Before Arizona Legislature and Federal Issues.

Ms. Goodrich stated that the State Legislative trip is tomorrow morning. Council and staff will be meeting at 6:00 a.m. in the City Hall parking lot to travel to Phoenix. There is a robust agenda with a number of meetings scheduled. It should be a good and worthwhile trip.

14. Public Participation

Deputy Police Chief Dan Musselman addressed Council stating that community and cooperation are an essential part of effective policing. It is important for people to report crime and speak up. There was a meeting on April 4, 2019 and the advice that was given to attendees, who were advocates for the undocumented community, was to not commit crimes that would bring them to the attention of the Police Department such as domestic violence and drunk driving. He also reiterated that if someone is stopped and cited for a traffic violation that they take care of those issues so their license does not get suspended and warrants do not get issued for their arrest because if arrested immigration status has to be checked. He stated that there are victims of crime that may be hesitant to report because they are undocumented and that was addressed in the meeting as well. The Flagstaff Police Department wants people to contact them and it is their policy to not inquire about the immigration status of witnesses and victims of crime.

15. Informational Items To/From Mayor, Council, and City Manager; future agenda item requests

Councilmember Whelan provided some information regarding the timeline of the Keep Families Free and Together agenda item. There were some concerns with the language in

the proposed ordinance and the City Manager is committed to placing the item back on the agenda once those concerns can be worked out with the submitters. There are meetings scheduled for these concerns to be vetted and addressed. The item will be coming back for Council discussion in the future.

Councilmember Salas indicated that she was excited for the legislative trip tomorrow.

Councilmember Odegaard thanked Councilmember Whelan for providing an update on the Keep Families Free and Together item. He also requested a FAIR item to discuss the creation of a Veteran's Liaison Coordinator position.

Councilmember Aslan stated that the goal is for everyone in the community to feel safe and to have resources available to them to be safe. He looks forward to future conversations on the matter.

Councilmember McCarthy reported that he recently did a ride-a-long with Officer Williams; it was a great experience and he learned a lot. He recommended that others take the opportunity to do a ride-a-long. He also reported that he has met with representatives of the Repeal Coalition about the Keep Families Free and Together ordinance.

Councilmember Whelan reported that she participated in the Innovate Waste Challenge and Tyler Lineer with Praxis Plastics won the \$8,000 award for his business' efforts. She also reported that many of the Council attended the APS 101 and the Feast of Flagstaff events.

16. Adjournment

The Flagstaff City Council Work Session of April 9, 2019, adjourned at 10:24 p.m.

MAYOR

ATTEST:

CITY CLERK