

MINUTES

1. CALL TO ORDER

Mayor Evans called the meeting of the Flagstaff City Council held May 7, 2019, to order at 4:31 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 4:56 p.m.)
COUNCILMEMBER ASLAN
COUNCILMEMBER MCCARTHY
COUNCILMEMBER ODEGAARD
COUNCILMEMBER SALAS
COUNCILMEMBER WHELAN (arrived at 4:55 p.m.)

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

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

MISSION STATEMENT

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

4. **APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

- A. **Consideration and Approval of Minutes:** City Council Combined Special Meeting/Work Session of June 26, 2018; Regular Meeting of August 21, 2018; Combined Special Meeting/Work Session of August 28, 2018; and Regular Meeting of September 4, 2018.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to approve the minutes of the City Council Combined Special Meeting/Work Session of June 26, 2018; Regular Meeting of August 21, 2018; Combined Special Meeting/Work Session of August 28, 2018; and Regular Meeting of September 4, 2018.

Vote: 5 - 0 - Unanimously

5. **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.

Business Attraction Manager Gail Jackson addressed Council about activities associated Economic Development Week and encouraged participation.

6. **PROCLAMATIONS AND RECOGNITIONS**

- A. **Proclamation:** Building Safety Month

The City Council came to the podium and Councilmember McCarthy read the Building Safety Month proclamation and presented it to Building Official Amy Palmer and her staff.

- B. **Proclamation:** Economic Development Week

The City Council came to the podium and Councilmember Salas read the Economic Development Week proclamation and presented the proclamation to Lowell Observatory, Nackard Beverage Company, Odegaard Sewing, Flagstaff Athletic Club, Woodson Engineering, Quality Connections, and Tinderbox Kitchen.

- C. **Proclamation:** Mental Health and Wellbeing Month

The City Council came to the podium and Councilmember Aslan read the Mental Health and Wellbeing Month proclamation and presented the proclamation to NACA, United Way, Guidance Center, NARHBA Institute, FUSD, Health Department, Flagstaff Police Department and Sherriff, along with other community volunteers.

7. LIQUOR LICENSE PUBLIC HEARINGS

- A. **Consideration and Action on Liquor License Application:** Justin Evans, "Hops on Birch," 22 E. Birch Avenue, Series 07 (Beer and Wine Bar), Owner Transfer.

Mayor Evans opened the public hearing.

Police Sergeant Collin Seay briefly reviewed the application.

With no comments, Mayor Evans closed the Public Hearing.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Austin Aslan to forward the application to the State with a recommendation of approval.

Vote: 5 - 0 - Unanimously

8. ROUTINE ITEMS

- A. **Consideration and Adoption of Ordinance No. 2019-06:** An ordinance of the Council of the City of Flagstaff, Coconino County, Arizona (1) providing for the sale and execution and delivery pursuant to a Series 2019 Utility System Revenue Trust Agreement of utility system revenue obligations, in one or more series evidencing proportionate interests of the owners thereof in installment payments of the purchase price to be paid by the City of Flagstaff, Arizona, pursuant to a Series 2019 Utility System Revenue Purchase Agreement to finance costs of certain improvements to the water and sewer utility system of the City; (2) authorizing the completion, execution and delivery with respect thereto of agreements necessary or appropriate as part of financing the costs of such improvements and paying related financing costs; (3) delegating to the Mayor, the City Manager, and the Management Services Director certain authority with respect to the purposes hereof; (4) authorizing the Management Services Director to expend all necessary funds therefor and (5) authorizing the Management Services Director or his designees to take all other actions necessary to the consummation of the transaction contemplated by this ordinance and establishing an effective date.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to read Ordinance No. 2019-06 by title only for the final time.

Vote: 5 - 0 - Unanimously

AN ORDINANCE OF THE COUNCIL OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, ARIZONA (1) PROVIDING FOR THE SALE AND EXECUTION AND DELIVERY PURSUANT TO A SERIES 2019 UTILITY SYSTEM REVENUE TRUST AGREEMENT OF UTILITY SYSTEM REVENUE OBLIGATIONS, IN ONE OR MORE SERIES EVIDENCING PROPORTIONATE INTERESTS OF THE OWNERS THEREOF IN INSTALLMENT PAYMENTS OF THE PURCHASE PRICE TO BE PAID BY THE CITY OF FLAGSTAFF, ARIZONA, PURSUANT TO A SERIES 2019 UTILITY SYSTEM REVENUE PURCHASE AGREEMENT TO FINANCE COSTS OF CERTAIN IMPROVEMENTS TO THE WATER AND SEWER UTILITY SYSTEM OF THE CITY; (2) AUTHORIZING THE COMPLETION, EXECUTION AND DELIVERY WITH RESPECT THERETO OF AGREEMENTS NECESSARY OR APPROPRIATE AS PART OF FINANCING THE COSTS OF SUCH IMPROVEMENTS AND PAYING RELATED FINANCING COSTS; (3) DELEGATING TO THE MAYOR, THE CITY MANAGER AND THE MANAGEMENT SERVICES DIRECTOR

CERTAIN AUTHORITY WITH RESPECT TO THE PURPOSES HEREOF; (4) AUTHORIZING THE MANAGEMENT SERVICES DIRECTOR TO EXPEND ALL NECESSARY FUNDS THEREFOR AND (5) AUTHORIZING THE MANAGEMENT SERVICE DIRECTOR OR HIS DESIGNEES TO TAKE ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS ORDINANCE AND ESTABLISHING AN EFFECTIVE DATE.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to adopt Ordinance No. 2019-06.

Vote: 5 - 0 - Unanimously

- B. Consideration and Possible Adoption of Ordinance No. 2019-07:** An ordinance of the City Council of the City of Flagstaff, amending the McMillan Mesa Village Specific Plan development options for designated Development Area E1 for the purposes of developing a congregate care facility. **(McMillan Mesa Specific Plan Amendment requests for property located at 1831 N Jasper Drive)**

Moved by Councilmember Regina Salas, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-07 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE MCMILLAN MESA VILLAGE SPECIFIC PLAN TO MODIFY DEVELOPMENT OPTIONS FOR DEVELOPMENT AREA E, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

Moved by Councilmember Regina Salas, **seconded by** Councilmember Charlie Odegaard to adopt Ordinance No. 2019-07.

Vote: 7 - 0 - Unanimously

- C. Public Hearing, Consideration and Possible Adoption of Ordinance No. 2019-09:** An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff Zoning Map to rezone approximately 3.34 acres of real property located at 1831 N Jasper Drive on parcel number 101-46-012A from Research and Development ("RD") to Community Commercial ("CC") for the purposes of developing a congregate care facility. **(Buron Inc. Zoning Map Amendment requests for property located at 1831 N Jasper Drive)**

Moved by Councilmember Regina Salas, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-09 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 3.34 ACRES OF REAL PROPERTY LOCATED AT 1831 N JASPER DRIVE ON PARCEL NUMBER 101-46-012A FROM RESEARCH AND DEVELOPMENT ("RD") TO COMMUNITY COMMERCIAL ("CC"), WITH CONDITIONS; PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

Moved by Councilmember Regina Salas, **seconded by** Councilmember Charlie Odegaard to adopt Ordinance No. 2019-09.

Vote: 7 - 0 - Unanimously

D. Consideration and Approval of Engineering Professional Services Contract: Coconino Estates Improvements Phase 1 Project.

Capital Improvements Project Manager Eli Reisner displayed a vicinity map of the project and provided a brief description.

Councilmember McCarthy asked if there will be project outreach to the affected community to which Mr. Reisner answered yes.

Councilmember Whelan asked about why there is a 10% contingency versus the 3% that is in the Procurement Manual. Management Services Director Rick Tadder stated that the procurement for this project happened before the changes had been made to the Manual and to change the contingency at this point would open up additional negotiations and slow down the project.

City Engineer Rick Barrett added that when the project gets to the construction contract there is not a contractor contingency because they were able to negotiate it to zero.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to approve the Engineering Professional Services Contract to Peak Engineering, Inc. of Flagstaff, Arizona in an amount not to exceed \$696,268.00, which includes a \$48,577.00 Owner's Contingency (7.5% of the contract amount). The contract period is 925 calendar days and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

E. Consideration and Approval of CMAR Design Phase Services Contract: Coconino Estates Improvements Phase 1 Project

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to approve the Construction Manager At Risk (CMAR) Design Phase Services Contract to Eagle Mountain Construction, Inc. of Flagstaff, Arizona in an amount not to exceed \$203,579.00, which includes an \$18,507.00 Owner's Contingency (10% of the contract amount excluding the Owner's Contingency). The contract period is 470 calendar days and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

F. Consideration and Approval of Contract: Annual Street Maintenance and Overlay Program 2019

Streets Section Director Scott Overton provided a PowerPoint presentation that covered the following:

STREETS OVERLAY 2019 PROGRAM
PROGRAM OVERVIEW

Councilmember Whelan asked why the Construction Manager at Risk (CMAR) option was

selected for an overlay project. Mr. Overton explained that the project is currently in the middle of a three-year CMAR program, this is the third and final year on the current contract. It has been a good relationship with the vendor and staff is pleased with the outcome of their work. The CMAR process may change for future programs.

Councilmember McCarthy asked how long the overlays typically last. Public Works Senior Project Manager Adam Miele explained that the time depends on the classification of the road. The average for traditional overlays is four years and the City has been able to typically get a few more year due to the type of asphalt mix that is used; in general it is not unusual to get up to ten years.

Councilmember McCarthy asked if the material that is removed from the road in preparation for overlay is reused in any way. Mr. Miele stated that the material is used to build up shoulders, rebuilding of dirt roads, and other similar operations.

Councilmember Odegaard asked how roads are determined for chip seal or overlay. Mr. Miele stated that there is no set equation as to when chip seals and overlays occur because it is so dependent on how much the road is used as well as the freeze thaw cycles that Flagstaff experiences. There is a yearly evaluation and ranking of road conditions to determine the best method necessary.

Mr. Overton stated that they try to put off overlays as long as possible since they are able to get such good results from the chip seals. Since Proposition 406 passed they have completed 108 miles of overlay and 317 miles of chip seal. Moving forward they have programed dedicated maintenance money all the way through the end of the Proposition 406 term with the intent of catching up in the first five years and then preserve with proper maintenance from year six through twenty.

Vice Mayor Shimoni asked if there was anything that could be done to create more space for bicycles. Mr. Overton stated that they work with traffic engineering to partner on projects for a complete street rebuild which could include bike lane components.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to approve the Street Maintenance Overlay Program 2019 and execute a Construction Manager at Risk (CMAR) Contract with C and E Paving & Grading, LLC for a Guaranteed Maximum Price (GMP) of \$4,638,224.43 and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

- G. Consideration and Approval of Preliminary Plat** Request by Capital Equity Investments, LLC, for Preliminary Plat approval for Flagstaff Lofts Condominiums, a condominium subdivision consisting of six (6) residential units and one (1) commercial unit, on a .37-acre site located at 602 W. Coconino Avenue in the HR, High Density Residential Zone.

Planning Development Manager Elaine Averitt provided a PowerPoint presentation that covered the following:

PRELIMINARY PLAT FOR FLAGSTAFF LOFTS CONDOMINIUMS
VICINITY MAP
BACKGROUND
SITE PLAN
SITE PHOTOS

DEVELOPMENT STANDARDS
PARKING
4-PLEX UNITS (PLAN VIEW)
DUPLEX UNITS
DUPLEX UNITS (ELEVATION)
WAREHOUSE/COMMERCIAL BUILDING "UNIT 7"
SYSTEMS ANALYSIS
REQUIRED FINDINGS
STAFF RECOMMENDATION

Councilmember Odegaard asked Ms. Averitt to explain why the five parking spaces to the east of the warehouse will be gravel and one concrete. Ms. Averitt explained that they are gravel currently but they are going to pave the five spaces and the ADA space on the south will be an impervious pavement.

Councilmember Whelan asked if there is any safety risk to accessible users on the impervious service. Ms. Averitt explained that it would be safe but would require maintenance. Councilmember Whelan stated that she would like to see them consider paving the ADA space. Community Development Director Dan Folke clarified that all the spaces are paved, the impervious surface just allows water to flow through.

Councilmember Whelan asked if the codes motivate people to use impervious surface. Ms. Averitt stated that in some projects there is motivation to try and avoid costly stormwater improvements.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to approve the preliminary plat.

Vote: 7 - 0 - Unanimously

RECESS

The 4:30 p.m. portion of the May 7, 2019, Regular Council Meeting recessed at 5:47 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Evans reconvened the Regular Meeting of May 7, 2019, at 6:00 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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9. 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 6:04 p.m.)
COUNCILMEMBER ASLAN
COUNCILMEMBER MCCARTHY
COUNCILMEMBER ODEGAARD
COUNCILMEMBER SALAS
COUNCILMEMBER WHELAN

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

10. PLEDGE OF ALLEGIANCE

The Council and audience recited the pledge of allegiance.

11. PUBLIC PARTICIPATION

Sustainability Volunteer and Event Coordinator Maggie Twomey addressed Council to announce the One Day in May Campaign that asks Flagstaff residents to pick up just one piece of litter each day in May.

Blake Dowden with Boy Scout Troop 7140 shared with Council that there was a group of Boy Scouts in the audience working on their Citizenship and Community badge.

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

None

13. REGULAR AGENDA

- A. Consideration and Adoption of Ordinance No. 2019-10:** An ordinance amending the Employee Handbook of regulations relating to General Definitions, Grievance Procedures, Employee Advisory Committee, Performance Evaluation System, Purchase Day Program, and Use of City Vehicles.

Human Resources Director Shannon Anderson stated that the amendments are updates the employee handbook regarding emergency service personnel, grievance procedures, the structure of the Employee Advisory Committee, and the reorganizations that have occurred recently. It will also add language about the online benefit system, clarification on benefit enrollment periods, and update the use of City vehicles section.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-10 by title only for the first 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 RELATING TO GENERAL DEFINITIONS; GRIEVANCE PROCEDURE; EMPLOYEE ADVISORY COMMITTEE; PERFORMANCE EVALUATION SYSTEM; PURCHASE DAY PROGRAM; AND USE OF CITY VEHICLES PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

- B. Consideration and Possible Adoption of Resolution No 2019-17:** A resolution authorizing the execution of an Amendment to the McMillan Mesa Village Development Agreement between MMV Devco, LLC, and the City of Flagstaff related to the development of the McMillan Mesa Village subdivision. ***(McMillan Mesa Village Amendment to Development Agreement)***

Current Planning Manager Tiffany Antol provided a PowerPoint presentation that covered the following:

MCMILLAN MESA VILLAGE DEVELOPMENT AGREEMENT AMENDMENT
 BACKGROUND
 WATER – ORIGINAL DA
 WASTEWATER – ORIGINAL DA
 WATER – PROPOSED AMENDMENT
 WASTEWATER – PROPOSED AMENDMENT

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Resolution No. 2019-17 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN CAVAN OPPORTUNITY FUND, LLC AND THE CITY OF FLAGSTAFF RELATED TO THE DEVELOPMENT OF MCMILLAN MESA VILLAGE AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2019-17.

Vote: 7 - 0 - Unanimously

- C. City Council Site Plan Approval:** Staff is requesting City Council's approval of the three Interdepartmental Staff (IDS) approved Site Plan submittals for the Scattered Site Affordable Housing parcels, as required in the Purchase Agreement and as conditioned as part of the two Concept Zoning Map Amendments.

Planning Development Manager Alexandra Pucciarelli provided a PowerPoint presentation that covered the following:

CITY COUNCIL SITE PLAN APPROVAL SCATTERED SITE AFFORDABLE HOUSING
 PROJECT
 SITE PLAN APPROVAL

SITE 1: 1700 E SIXTH AVE VICINITY MAP
IDS APPROVED SITE PLAN
LANDSCAPE PLAN
BUILDING 1 ELEVATIONS
BUILDING 2 ELEVATIONS
BUILDING 3 ELEVATIONS
SITE 2: 3050 N WEST STREET
IDS APPROVED SITE PLAN
LANDSCAPE PLAN
BUILDING ELEVATIONS
SITE 3: 303 S LONE TREE RD
IDS APPROVED SITE PLAN
LANDSCAPE PLAN
BUILDING ELEVATIONS
COUNCIL OPTIONS

Councilmember Whelan asked about the color of the buildings. Richard Sciortino, Principal with Brinshore Development, stated that they are struggling with the color palate for the three buildings. They will do a mock up with a variety of schemes to make a decision.

Vice Mayor Shimoni noted that some areas of the project had open space, but did not see that consistently throughout the project. Mr. Sciortino explained that the area on West Street has open space and dog parks. It was difficult to fit the building in the area by the BMX park due to the floodways and with that park and the community garden so close by they felt there were ample open space amenities close by.

Mayor Evans asked about the commercial space and community use. Mr. Sciortino stated that they are not charging rent for that space and they are hoping to partner with multiple partners to bring in community benefits and use. It is about 3,000 sq.ft. Some of the area will be used for a leasing office and storage but the public use will be about 1,500 sq.ft.

Councilmember Odegaard thanked them for the great example of a public/private partnership.

Councilmember McCarthy thanked the developer for coming to Flagstaff and working with the community.

Councilmember Salas stated that the Council has renewed its commitment to increase the supply of affordable housing as one of their primary goals and this project is a step toward meeting that goal. She commended staff and the developer for working together and making the project happen.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to approve the three Site Plan submittals for 1700 East Sixth Avenue, 3050 North West Street, and 303 South Lone Tree Road.

Vote: 7 - 0 - Unanimously

A break was held from 6:43 p.m. through 6:50 p.m.

14. DISCUSSION ITEMS**A. Northern Arizona Intergovernmental Public Transportation Authority's (NAIPTA) Update On Its Downtown Connection Center Project (DCC)**

NAIPTA CEO and General Manager Erika Mazza provided information about the work they have been doing to find a permanent home for the downtown transfer station. She introduced Kate Morley who provided a PowerPoint presentation that covered the following:

MOUNTAIN LINE DOWNTOWN CONNECTION CENTER (DCC)
OVERVIEW OF PRESENTATION
DCC HISTORY
DCC NEEDS
PROJECT DELIVERY
PROGRAMMING
ALTERNATIVE ANALYSIS
MAP OF PHOENIX PROPERTY
CONCEPT OF FEASIBILITY
DESIGN OPTIONS
SINGLE-USE TRANSIT FACILITY
TRANSIT FACILITY WITH RETAIL WRAP
TRANSIT FACILITY WITH OFFICE
NEXT STEPS
DISCUSSION

Councilmember McCarthy stated that it is a good site and it has a lot of potential for cooperation and partnership. He stated that having commercial space there is a good idea for revenue generation.

Mayor Evans stated that she is excited about the project and that it will be a great opportunity for Flagstaff. She encouraged looking at the bigger vision and take the opportunity to maximize the opportunity with partnerships and incorporating retail and office space. This could create a good synergy and hub for the downtown. She is interested in exploring a housing option as well.

Vice Mayor Shimoni asked about the plans for parking. Ms. Morley stated that it is a very preliminary concept design. They have talked about a goal of replacing parking one for one and they have considered the site with the possibility of a parking garage. There will be consideration about what might be able to be built over the top of Rio de Flag. Again, this is a concept and there is a lot of exploration that needs to be done before settling on a design.

Councilmember Salas expressed her excitement about seeing the project move forward and the potential to explore the project and integration with the Downtown Master Plan.

Councilmember McCarthy stated that the design should consider future expansion as needs increase over time.

Councilmember Whelan expressed excitement about the project. She requested that the people who are using the current building be notified as soon as possible so they can find alternative places to meet.

Councilmember Odegaard thanked NAIPTA for their presentation and encouraged them to be visionary with the project. There are a lot of partnership opportunities and he is excited about the possibilities that can open up.

Councilmember Aslan stated that he likes the idea of maximizing the space with a housing component. This is a great example of infill and sustainable economic development principles.

There was Council majority to continue with the site analysis.

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

Assistant to the City Manager Cliff Bryson provided a brief recap of the Wayfair bill. There is flexibility for cities and towns in deciding what operations they want to tax. There are 37 states that have implemented similar measures.

Mr. Bryson reported that there were a number of affordable housing and Low Income Housing Tax Credit bills that were introduced but unfortunately did not advance through the process.

Mr. Bryson discussed SB1225 which includes an offset for locations that have a higher minimum wage than the state. The intent of the bill is for there to be a two to one match by the state for service provider funding.

Councilmember Whelan asked how Flagstaff can be singled out specifically for the offset. The City's state lobbyist Todd Madeksza explained that the rationale is that in certain geographic areas the state has to pay providers a higher rate than in other areas. He stated that he is pushing for there to be specific information about where the funding provided by Flagstaff would be allocated. The commitment from the state is that they want to keep service providers operational and there is a significant desire to see the City contribute money to that effort. He stated that that this is a message to other municipalities not to raise their minimum wage above the state minimum wage because it affects the most vulnerable members of the community.

Mayor Evans pointed out that there are two issues at play. The first is the base rate for services that the state has not historically paid in full. The second is that in Flagstaff there is an issue of the cost of living which requires a higher cost to the state to fund those services. Ultimately, the state needs to pay for the services they are getting and then in other areas with higher costs of living there needs to be additional allocation.

Ms. Goodrich stated that the funding the City will be providing, should the bill pass, should be sent to the Department of Health for them to put into the AHCCCS coffer for service to Flagstaff agencies specifically.

Councilmember Whelan asked how it is guaranteed that the funding comes back to Flagstaff. Mr. Madeksza stated that Senator Allen has made assurances that the money provided by Flagstaff will come back to Flagstaff but there is a level of trust that has to be given to the state.

Councilmember Odegaard stated that if the intent is to maximize the dollars provided by the City to help individuals stay in the community than he is supportive.

Councilmember McCarthy asked about the bill aimed at changing the smoking age to 21. He stated that while it raises the age it undoes many of the protections related to where people can or cannot smoke.

Mr. Madeksza stated that it is a bill that is being supported by big tobacco and many of his clients have chosen not to support the bill. There is a provision in the bill that would preempt any local movement related to tobacco. He stated that there is support for the bill if the pre-emption is removed.

Mayor Evans stated that she would like to see the City take a hard stance against this bill because of its effect on local control. There is a group of students in Flagstaff that worked very hard to implement changes locally regarding smoking and vaping.

A majority of Council supported opposing the bill.

Vice Mayor Shimoni reported that HB2266 regarding electric bikes has been forwarded to the Governor but has not been signed yet. Mr. Bryson stated that he will keep the Council updated on its status.

15. COUNCIL LIAISON REPORTS

None.

16. 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 Mayor Evans to place on a future agenda a discussion about the correlation between sales tax dollars on a non-local purchase in Flagstaff and quantifying what those dollars specifically could fund.

Mayor Evans stated that she believes that the Economic Vitality Division is working on a project that is very similar to this. Economic Vitality Director Heidi Hansen stated that her staff is working on an outreach campaign that shows how local tax dollars are used in the city and why it is important to shop local. They are working with a lot of community partners to make sure that the program is marketed appropriately with the right information.

Mayor Evans stated that she would like to withdraw the F.A.I.R. item understanding that there are similar efforts currently underway.

- B. Future Agenda Item Request (F.A.I.R.):** A request by Councilmember Whelan to place on a future agenda a discussion about a plastic sled ordinance to stop the sale of plastic sleds or to attach a tariff to the sale of plastic sleds to pay for cleanup

Councilmember Whelan stated that when she brought the request forward Praxis Plastics was not up and running and her idea was to find out what could be done to address the broken sled problem. She will be meeting with Praxis Plastics to better understand their operations and how much plastic they need.

Mayor Evans stated that legal will need to weigh in on the legalities of a potential tariff on the sale of sleds.

Three members of Council were supportive of moving the item to a future agenda for discussion.

At this time, the Mayor called for Public Participation on items not on the agenda.

Chris Verrill, Director of Theatrikos, addressed Council thanking them for their assistance in the remediation efforts associated with a recent sewage backup at the theatre. He shared his efforts to create a show that caters to tourists that would encourage them to extend their stay in Flagstaff.

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

Vice Mayor Shimoni reported that he attended the Coconino County budget meeting and expressed displeasure at the lack of opportunity for public participation. There was no discussion about the Flood Control District's selection of projects for funding.

Councilmember Whelan added that every board member agreed to raise the flood control tax rate from .18 to .228 for year two.

Councilmember McCarthy expressed frustration that there has been no systematic way for the District to set priorities and them not accepting any public input.

Councilmember Aslan reported that he was able to attend the business listening tour and it was interesting to see the exciting things that Lowell Observatory has planned to attract more tourism. He also reported that he attended an event at NACET for the Space Shark competition; it was a great opportunity to meet with some of Flagstaff's exciting entrepreneurs.

Councilmember Odegaard requested that PowerPoint presentations be included with the agenda packet that goes out each week. This is helpful in preparing for the meeting. He stated that Bike to Work Week starts next week, and it is always a fun event.

Councilmember Odegaard requested an Executive Session for legal advice concerning the Coconino County Flood Control District. Mr. Solomon stated that staff will get the updated information and get something scheduled.

Lastly, Councilmember Odegaard thanked his wife Glenda for her continued support of his endeavors.

Councilmember McCarthy reported that he also attended the business tour and thanked Ms. Hansen and her staff for putting it together. Councilmember Salas also thanked Economic Vitality for organizing and guiding Council on the tour.

Mayor Evans reported that Councilmember Odegaard will be recognized by the Boy Scouts for all of his work and support for the organization at an upcoming Boy Scout event.

Mayor Evans also voiced her support for an Executive Session on the Flood Control District and also suggested a formal resolution expressing the Council's position on the

issue. She reported that staff is working on setting up meetings for her to meet with other Mayors in Coconino County to join efforts on a possible letter or resolution.

18. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held May 7, 2019, adjourned at 8:30 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 May 7, 2019. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 20th day of October, 2020.

CITY CLERK