

MINUTES

1. **Call to Order**

Mayor Evans called the Work Session of the Flagstaff City Council held June 11, 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 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.

3. **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: 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.

Dennis Lavin addressed Council asking for them to consider electing City Councilmembers by district. He expressed concern about the parking situation at the airport. He also indicated that it is time to consider a pay raise for members of the City Council.

Christina Caldwell with the Arizona At Work Business Services Team addressed Council providing information about the organization and their work with public safety agencies.

Rick Lopez addressed Council about concerns with the building code adjustments and their impact on the cost of entry level and workforce housing.

5. Review of Draft Agenda for the June 18, 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.

Vice Mayor Shimoni noted that the e-bike conversation is the last item on the agenda and he is concerned that it will be too late and many people in the public may not be able to stay that late. Mayor Evans stated that she requested the item be moved from the 4:30 p.m. agenda to the 6:00 p.m. agenda and apologizes that it is the last item.

6. Discussion of proposed Ordinance No. 2019-24 prohibiting the sale of tobacco to persons under the age of 21.

Mr. Solomon addressed Council stating that the proposed ordinance will limit the sale of tobacco products to those over 21. He indicated that there are a number of enforcement elements within the ordinance and he is looking to Council for any direction on the proposed ordinance in advance of presenting it at a voting meeting.

Vice Mayor Shimoni asked about the incentives to enforce the measure to local businesses. Mr. Solomon stated that there would be fines for violations or infractions. Those fines would be civil in nature and would increase incrementally. Each time an infraction occurs in a period of time there will be higher fines and licensing repercussions. The ability to sell tobacco products will be dependent upon compliance and non-compliance could lead to a suspension of their license for up to 36 months.

Councilmember Aslan asked about recent bills at the state level that may supersede what the City is trying to do. Mr. Solomon stated that legislation was proposed and what passed did not preempt cities and towns from raising the age.

The following individuals addressed Council in favor of limiting sales of tobacco products to people over 21.

- Emily Blink
- Anastacia Dougi
- Karime Arce-Romero
- Hunter Owens

The following comments were received:

- 84% of tobacco users began before the age of 18.
- Most high school students aged 13-17 know an 18 year old who can purchase tobacco products for them; it is less likely that they would have friends over the age of 21.
- T21 can prevent the initiation and lifelong addiction to nicotine.
- The ordinance could have a significant impact on tobacco use among students.
- Not a single store has gone out of business as a result of a T21 ordinance.
- T21 can help tobacco retailers distinguish proper identification because vertical identification cards would not be permitted to purchase alcohol or tobacco.
- The minimum age of military service does not equate to the readiness to enter into a lifetime of addiction.
- We have raised the age of drinking to 21 and that contributed to a reduction in drunk driving accidents.
- 14 states and 475 counties in 25 states have some sort of T21 legislation.
- T21 has been established in Douglas and Cottonwood.
- Many young people believe tobacco use is a significant issue in Flagstaff.
- CATS and ASAP (youth organizations) both want to help provide training and services to any retailer.

The Council thanked the individuals who spoke and provided direction to bring forward the ordinance at a regular meeting for a vote.

7. Rio de Flag Flood Control Project - Update

Project Manager Trevor Henry provided a PowerPoint presentation that covered the following:

CITY OF FLAGSTAFF RIO DE FLAG FLOOD CONTROL PROJECT
PRESENTATION
HISTORY
PURPOSE AND BENEFITS
RIO DE FLAG FOOD CONTROL PROJECT AREA
PROJECT COST
PROJECT SCHEDULE
CURRENT TOPICS
QUESTIONS

Councilmember Whelan asked how much longer until the project is completed. City Engineer Rick Barret stated that the City has yet to receive the funding needed to deliver the \$106 million project. The City has the 35% match, the wait is for the other 65% from the federal government.

Councilmember Whelan expressed frustration with the timeline. There were benchmarks set and they have consistently been delayed, she asked if it is time to have the conversation about taking on the project without the federal government.

Deputy City Manager Shane Dille stated that the submittal for the 100% design did happen on

schedule, however there is a lot of back and forth between the parties commenting on the plans and making adjustments. The critical benchmarks are moving forward as dictated in the project timeline and is the schedule that General Semonite is watching very carefully.

Councilmember Aslan asked what the alternative is. Councilmember Whelan stated that there is already a concept design of the construction to meet the FEMA 100 year flood requirements. It is time to stop waiting for the Army Corp. The City has done its due diligence but the final project is not here.

Councilmember McCarthy acknowledged that there may come a time that the City might have to cut ties with the Army Corp but now is not that time. He noted that there has been substantial progress of late and he is not concerned about a couple of weeks delay. In terms of a separate project, it only makes sense if the project carries more water through the city than what the Army Corp can provide.

Councilmember Aslan expressed his desire to incorporate some sort of amenity for the community with recreational opportunities. It is likely an issue of cost that has prevented that sort of addition to the project but he is interested in looking at an opportunity in some sections of the project. Mr. Dille offered that it is the Corp who is driving the project and it is their design standards that must be met. Staff has approached them with various ideas and they were not received well; there are restrictions on the input from the City in terms of amenities and design elements.

Councilmember Aslan asked about the elimination of the mandatory flood insurance once the project is complete. Mr. Barrett stated that in the conversations had with community members he has heard as high as \$5,000 per year per household depending on the type of financing in place. It will still be an option for homeowners to have flood insurance but it would no longer be a requirement.

Mayor Evans stated that more and more flooding is being seen in the community and it is important to stay the course and not shift as it could further delay things. There has been significant movement recently and there is support not only from the Army Corp General but from state representatives to get this done.

Councilmember Odegaard acknowledged Councilmember Whelan's frustration but stated that things are beginning to fall into place and more movement has happened recently than has happened throughout the project. It is important to keep going.

8. Board and Commission Interactions with City Council

City Clerk Stacy Saltzburg provided a PowerPoint presentation that covered the following:

BOARD AND COMMISSION INTERACTION WITH COUNCIL

STAFF RECOMMENDATIONS

BOARD AND COMMISSION INTERACTION OPTIONS

1. COUNCIL REPRESENTATIVE ASSIGNED TO EACH BOARD OR COMMISSION
2. NO COUNCIL REPRESENTATIVE ASSIGNMENTS
3. FORMAL UPDATES FROM COMMISSIONS

Anthony Garcia addressed Council stating that there often seems to be a disconnect between Council and their commissions. He encouraged the selection of Options 1 and 3.

After discussion the Council provided direction to move forward with Options 1 and 3.

A break was held from 7:56 p.m. through 8:10 p.m.

9. Discussion and Direction: Possible Ballot Measure Committees for the November 2020 General Election

Ms. Saltzburg provided a PowerPoint presentation that covered the following:

2020 ELECTION COMMITTEES
BALLOT QUESTION CONSIDERATIONS
OTHER CONSIDERATIONS
SALES TAX RENEWAL
FRANCHISE ELECTION
COMMITTEE VS. COMMISSION
CITIZEN COMMISSIONS/COMMITTEES

Council discussed the possible ballot questions for 2020 and expressed a desire to form a committee to review and provide recommendations on FWPP ongoing funding and Open Space and Parks and Recreation. The Council also wants the newly forming Housing Commission to review and provide recommendations on a possible affordable housing ballot measure.

10. Discussion: Affordable Housing ballot measure for 2020

As discussed in the prior item, the City Council agreed that the newly forming Housing Commission review and provide recommendations on a possible affordable housing ballot measure.

11. Discussion/Direction: Establish/Create the Affordable Housing Commission discussed in Proposition 422

Housing Director Sarah Darr provided a PowerPoint presentation that covered the following:

BACKGROUND
DURING THE FAIR CONVERSATION
BACKGROUND – EXISTING COMMISSION
BACKGROUND – SCOPE OF CFHA BOARD
WHAT WE THINK WE HEARD ON MARCH 19
OPTIONS
OPTION A
OPTION B
OPTION B POSSIBLE MEMBERSHIP
SEEKING DIRECTION

Rick Lopez addressed Council in support of forming the Housing Commission. He encouraged the Council to appoint various housing experts including engineers, developers, builders, realtors, and the like who can provide relevant and accurate input of the matters brought before the commission.

A majority of Council agreed that the commission should be formed, and their first priority should be to develop possible ballot measure recommendations to the Council. Following that action, the commission should be developing recommendations on various items to figure out how to get more housing in Flagstaff.

12. **Discussion:** Ways that the City and a developer could leverage something to create a public art space.

Councilmember Odegaard stated that he would like for staff to look at ways to work with a private owner or developer to dedicate a space for public art. There have been developments around town with push back by the community and if there was a way to incorporate a public art element there might be a more positive reception.

Anthony Garcia addressed Council in support of the idea and mentioned a number of businesses in town that have already incorporated public art into their buildings.

A majority of Council was in favor of moving the item forward for future Council discussion and possible direction.

13. **Discussion:** Develop a plan with consideration of zoning changes and multi-modal development in advance of the work in the Fourth Street, Lone Tree, and I-40 corridors

A majority of Council was in favor of moving the item forward for future Council discussion and possible direction.

14. **Public Participation**

None

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

Councilmember Salas reported that she attended a meeting hosted by Senator Sylvia Allen on housing challenges. She noted that the comments provided by Clarkdale, Camp Verde, and other towns was impressive. She asked if staff could get information from Camp Verde on rental permits for short term rentals.

Councilmember Odegaard stated that he also attended the meeting with Senator Allen. He also reported that he met with local business owners and asked options for getting more housing into the zoning code. He attended the FMPO Executive Board Meeting where they discussed the renaming of the organization to the Greater Flagstaff Metro Plan.

Councilmember Aslan reported that he attended the Coconino Plateau Water Advisory Committee meeting where there was discussion about a resolution in support of the Grand Canyon Centennial Act. He requested a FAIR item to discuss reasonable restrictions on the use of potable water.

Councilmember McCarthy stated that he also attended the FMPO meeting and attended the meeting with Senator Allen. He reported that he attended a Forest Service meeting to discuss the ideas that Snowbowl has for the next few years. He indicated that there will be a public meeting on the matter in a few weeks.

Councilmember Whelan reported that she attended many of the same meetings already discussed. She indicated that there are some interesting perspectives on affordable housing and the need to incentivize builders to include more affordable units. She is looking forward to future discussions on how those incentives may be made more lucrative to developers. She also reported that she attended the Wear Orange event on the courthouse lawn, it was an event about gun safety put on by the Moms Demand Action group.

Vice Mayor Shimoni reported that he and Sustainability Manager Nicole Antonopoulos went to a sustainability conference in Los Angeles. It was a very interesting conference. He announced that Flagstaff Shelter Services is having a groundbreaking on Thursday and that Juneteenth is coming up.

Councilmember Whelan requested a FAIR item to discuss economic opportunities at Red Gap Ranch and the feasibility of bringing solar to Red Gap Ranch.

Ms. Goodrich reported that TerraBirds is utilizing a small section of the City Hall lawn for a xeriscape retrofit to show the planting and outdoor amenities that can be provided. They will be using it as a teaching tool for the community and visitors. She also announced that there will be the City Manager requirement process happening the following week and there is an opportunity for the public to stream and comment on the candidates.

Mayor Evans reported that she attended the Lowell Observatory 125th birthday party where the Secretary of State and Senator McSally also attended.

16. Adjournment

The Flagstaff City Council Work Session of June 11, 2019, adjourned at 9:25 p.m.

MAYOR

ATTEST:

CITY CLERK