

MINUTES

1. CALL TO ORDER

Councilmember Aslan called the meeting of the Flagstaff City Council held October 1, 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 (arrived at 4:58 p.m.)
VICE MAYOR SHIMONI (telephonically)
COUNCILMEMBER ASLAN
COUNCILMEMBER MCCARTHY
COUNCILMEMBER ODEGAARD
COUNCILMEMBER SALAS (arrived at 4:58 p.m.)
COUNCILMEMBER WHELAN

Others present: Deputy City Manager Shane Dille; City Attorney Sterling Solomon.

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The Council and audience recited the pledge of allegiance and Councilmember McCarthy 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. **APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

- A. **Consideration and Approval of Minutes:** City Council Special Work Session of January 23, 2018; Work Session of June 12, 2018; Work Session of September 11, 2018; Work Session of November 13, 2018; Special Meeting (Executive Session) of June 25, 2019; Special Meeting (Executive Session) of July 2, 2019; Special Meeting (Executive Session) of August 27, 2019; Special Meeting (Executive Session) of September 10, 2019; Special Meeting (Executive Session) of September 17, 2019; and Special Meeting (Executive Session) of September 24, 2019

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to approve the minutes of the City Council Special Work Session of January 23, 2018; Work Session of June 12, 2018; Work Session of September 11, 2018; Work Session of November 13, 2018; Special Meeting (Executive Session) of June 25, 2019; Special Meeting (Executive Session) of July 2, 2019; Special Meeting (Executive Session) of August 27, 2019; Special Meeting (Executive Session) of September 10, 2019; Special Meeting (Executive Session) of September 17, 2019; and Special Meeting (Executive Session) of September 24, 2019.

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.

None

6. **PROCLAMATIONS AND RECOGNITIONS**

- A. **Proclamation:** Housing America Month

Council gathered at the podium to read and present the Housing America Month Proclamation.

- B. **Proclamation:** Domestic Violence Awareness Month

Council gathered at the podium to read and present the Housing America Month Proclamation

A break was held from 4:46 p.m. through 4:58 p.m.

7. 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).

This item was taken out of order and heard after Consent.

A. Consideration of Appointments: Beautification and Public Art Commission.

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Jamie Whelan to appoint Charles Cooper Montgomery for June 2022.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Regina Salas, **seconded by** Councilmember Charlie Odegaard to appoint Julie Sokol for a term expiring June 2022.

Vote: 7 - 0 - Unanimously

B. Consideration of Appointments: Commission on Diversity Awareness.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to appoint Robert "Dan" Duke to a term expiring September 2022.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Jim McCarthy to appoint DeAnn Wegwert to a term expiring September 2022.

Vote: 7 - 0 - Unanimously

Moved by Mayor Coral Evans, **seconded by** Councilmember Jim McCarthy to appoint Deborah Corey to a term expiring September 2022.

Vote: 7 - 0 - Unanimously

8. CONSENT ITEMS

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

Councilmember Whelan asked to pull Items 8A and 8E.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to approved Consent Agenda item 8B, 8C, and 8D as presented.

Vote: 7 - 0 - Unanimously

- A. Consideration and Approval of (Confirming) Payment:** Reimbursement payment to Vintage Partners (VP) & Woody Mountain LLC for the installation of new public sewer line. (Sewer line reimbursement as agreed to in the 2016 Council approved Development Agreement with Vintage Partners).

Councilmember Whelan asked what the reimbursement is for because she thought that Vintage was responsible for the installation. Water Services Engineering Manager Ryan Roberts stated that Vintage installed a sewer line on their property along Route 66 as part of their project but this reimbursement is for a different section. It was a bottleneck that needed to be replaced and it was scheduled for the City to repair at a future date. It was advantageous to have Vintage complete the work and then reimburse them for it because they were already in the ground.

Councilmember Whelan asked about how the funding would be provided to reimburse Vintage. Mr. Roberts explained that the funds were pulled from savings from other projects as well as funding from future projects and deferring that work slightly.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to approve reimbursement to VP & Woody Mountain LLC in the full amount of \$1,588,046.50.

Vote: 7 - 0 - Unanimously

- B. Consideration and Approval of Final Plat** Request by Wedge LLC., for final subdivision plat approval for The Wedge, consisting of 47 single-family residential lots located on 47.36 acres within the Rural Residential (RR) zone.

Staff recommends the City Council approve the final plat and authorize the Mayor to sign the plat and City Subdivider Agreement when notified by Staff that the documents are ready for recording.

- C. Consideration and Approval of Cooperative Purchase Contract:** Two (2) new trailer mounted Caterpillar C13 350kW generator sets from Empire Power Systems in the amount of \$222,992.66.

1. Approve the purchase of two (2) new trailer mounted Caterpillar C13 350kW generator sets from Empire Power Systems, an authorized dealer of Caterpillar products, in the amount of \$222,992.66, plus any additional applicable sales tax or fees through a Local Government Purchasing Cooperative Contract #120617-CAT with National Joint Power Alliance (formerly Sourcewell); and
2. Authorize the City Manager to execute the necessary documents.

- D. Consideration and Approval of Contract:** Arizona Power Authority Hoover Municipal Power Exchange Program.

Participate in the Arizona Power Authority Hoover Municipal Power Exchange Program.

- E. Consideration and Approval of Cooperative Purchase Contract:** Contract for various professional level consulting with Interim Public Management, LLC utilizing a cooperative purchasing contract through the City of Maricopa.

Councilmember Whelan asked if there was still a need to have this type of program and if there is a more effective way to make employee transitions.

Purchasing Director Patrick Brown stated that it is a good tool to keep work in progress while the city is in the recruiting process for more specialized or higher level positions. Deputy City Manager Shane Dille stated that there are other ways to transition positions such as a “refresh” opportunity for an internal employee or to assign someone to an interim status, but it is also helpful to have this type of service available when needed. It has proven effective and staff recommends approval of the contract.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to approve the cooperative purchasing contract with Interim Public Management, LLC for various professional level consulting for an annual amount not to exceed \$300,000 in any fiscal year plus applicable taxes.

Vote: 7 - 0 - Unanimously

A break was held from 5:08 p.m. through 5:10 p.m.

9. ROUTINE ITEMS

- A. Consideration and Adoption of Ordinance No. 2019-29:** A Zoning Map Amendment, requested by San Francisco de Asis Parish and the Planning Director, of approximately 0.62 acres located at 244 S. Kendrick Street to add Landmarks Overlay (LO) Zone to the existing zoning classification of High Density Residential (HR) Zone.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 0.62 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 224 S KENDRICK STREET (PREVIOUSLY KNOWN AS NORMAL SCHOOL ADDITION BLOCK 119 TRACTS 1 THROUGH 8) BY ADDING A LANDMARKS OVERLAY DISTRICT DESIGNATION (“LO”) TO THE EXISTING HIGH DENSITY RESIDENTIAL NEIGHBORHOOD (“HR”) ZONING CLASSIFICATION; PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Regina Salas to read Ordinance No. 2019-29 by title only for the final time.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Jamie Whelan to adopt Ordinance No. 2019-29.

Vote: 7 - 0 - Unanimously

- B. Consideration and Approval of Grant Application and Acceptance Upon Award:** U.S. Department of Justice, 2019 Edward Byrne Memorial Justice Assistance Grant in the amount of \$20,458.00.

Police Department Support Services Manager Jen Brown addressed Council stating that the grant is used to help with community policing activities. The grant provides flexibility to prioritize and place funds where agencies need it most. The program has been used for over 18 years and the grant will provide overtime funding for community policing efforts.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to approve the U.S. Department of Justice, 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) application to the Flagstaff Police Department for grant funds in the amount of \$20,458.00.

Vote: 7 - 0 - Unanimously

- C. **Consideration and Adoption of Resolution No. 2019-46:** A resolution approving an Intergovernmental Agreement (IGA) Grant Application between the City of Flagstaff and Coconino County the U.S. Department of Justice, Fiscal Year 2019 Edward Byrne Memorial Justice Assistance (JAG) Grant.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to read Resolution No. 2019-46 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN COCONINO COUNTY AND THE CITY OF FLAGSTAFF FOR THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2017 LOCAL SOLICITATION / CFDA #16.738

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to adopt Resolution No. 2019-46.

Vote: 7 - 0 - Unanimously

- D. **Consideration and Approval of Contract:** Award of a Professional Services Contract with Brown and Caldwell, Inc. for the Lake Mary Water Treatment Plant Sedimentation Basin Design

Item was moved to the 6:00 p.m. agenda under Carry Over Items.

- E. **Consideration and Approval of a Cooperative Purchase Contract:** For a new Pierce Manufacturing, Inc. Velocity Fire Engine in the amount of \$693,148.75 from Hughes Fire Equipment, Inc.

Deputy Fire Chief Mark Wilson addressed Council stating that they are seeking to replace a 22 year old engine at their busiest station. The addition of this truck would allow a front line engine to be pushed back into reserve.

Councilmember Whelan stated that she would like more information on the number of calls and statistics related to the types of calls and type of equipment that goes out into the field. They have been told that fire is responding primarily to medical response calls rather than fire calls and perhaps a full engine is not as necessary.

Deputy Chief Wilson stated that the Fire Department has a two tier response model so they are not taking the high cost equipment to all calls. The smaller vehicles are being utilized from the busier stations for medical response.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Austin Aslan to approve the cooperative purchase contract of a new Pierce Manufacturing, Inc. Velocity Fire Engine in the amount of \$693,148.75 from Hughes Fire Equipment, Inc. through a cooperative purchase contract with the City of Mesa and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

- F. Consideration and Approval of Cooperative Purchase Contract:** Purchase of new turnout/personal protective equipment for all operational fire personnel from L.N. Curtis and Sons in the amount of \$238,455.89 through a cooperative purchase contract with the General Service Administration.

Deputy Chief Wilson stated that the contract will provide for the purchase of a second set of turnouts for fire fighters. After a call, there is a two to three hour down time needed to decontaminate the equipment. Additional turnouts will allow the department to have another set on hand to use so there is no delayed response.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to approve the purchase of the eighty-four (84) new sets of turnout / personal protective equipment for \$238,455.89 from L.N. Curtis and Sons through a cooperative purchase Contract No. 47QSWA18D009Y with the General Service Administration (GSA) and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

- G. Consideration and Approval of Lease of City-Owned Property:** Amendment to extend the Flagstaff Railroad Passenger Station Facility Lease with National Railroad Passenger Corporation (Amtrak) for a term of five (5) years, with options for renewal.

Real Estate Manager Charity Lee addressed Council stating that the amendment extends the term for five years with two options to extend another five years each. Rent will be adjusted annually at 2%.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Austin Aslan to approve an Amendment extending the Facility Railroad Passenger Station Facility Lease for a term of five years, with options for renewal.

Vote: 7 - 0 - Unanimously

RECESS

The 4:30 p.m. portion of the October 1, 2019, Regular Council Meeting recessed at 6:03 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Evans reconvened the Regular Meeting of October 1, 2019, at 6:10 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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10. ROLL CALL

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

PRESENT:

ABSENT:

MAYOR EVANS
 VICE MAYOR SHIMONI (telephonically)
 COUNCILMEMBER ASLAN (arrived at 6:12 p.m.)
 COUNCILMEMBER MCCARTHY
 COUNCILMEMBER ODEGAARD
 COUNCILMEMBER SALAS
 COUNCILMEMBER WHELAN

Others present: City Manager Greg Clifton; City Attorney Sterling Solomon.

11. PLEDGE OF ALLEGIANCE

Cub Scout Pack 7033 led the Council and audience in reciting the pledge of allegiance.

12. PUBLIC PARTICIPATION

None

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

- D. Consideration and Approval of Contract:** Award of a Professional Services Contract with Brown and Caldwell, Inc. for the Lake Mary Water Treatment Plant Sedimentation Basin Design.

Mr. Roberts provided a PowerPoint presentation that covered the following:

LAKE MARY PLANT FLOCCULATION/SEDIMENTATION BASIN REHABILITATION
 LOCATION
 BACKGROUND
 PROCESS
 LMWTP FLOCCULATION/SEDIMENTATION BASIN REHABILITATION
 AGING WATER INFRASTRUCTURE

Councilmember Whelan stated that there had recently been a consultant that determined this project was a priority and she asked why a consultant is needed again. Mr. Roberts stated that the consultant is needed to define the set of specifications for the project so it

can be bid out appropriately by contractors. The City does not have a large engineering department that can handle these types of specification builds, projects are consulted out on a case by case basis when necessary.

Mr. Roberts continued the presentation.

SEDIMENTATION REHABILITATION
DESIGN TO INCLUDE
CONSULTANT SELECTION
OUR VISION

Councilmember McCarthy stated that the amount of hours required to do this engineering work seems very high. Mr. Roberts stated that he cannot speak specifically to the estimation but there is significant research and design that needs to occur and the fees they are charging are not out of line with other similar projects. This is further evidenced with all five bids coming in relatively close in cost.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to approve the Professional Services Contract with Brown and Caldwell Engineering, Inc. in the amount of \$374,236 to prepare the plan and bid specifications for the Lake Mary Water Treatment Plant Sedimentation Basin design and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

14. REGULAR AGENDA

- A. ~~**Consideration and Adoption of Resolution No. 2019-45:** A resolution approving an Intergovernmental Agreement (IGA) between the Arizona Department of Economic Security and the City of Flagstaff to provide up to \$150,000 in voluntary city funding to qualified developmental disability service providers within the city limits of Flagstaff, Arizona; and establishing an effective date.~~

ITEM PULLED FROM THE AGENDA

15. DISCUSSION ITEMS

- A. **Electric bicycles on FUTS trails - follow-up discussion**

Multi-Modal Transportation Planner Martin Ince provided a PowerPoint presentation that covered the following:

CITY CODE REVISIONS – ELECTRIC BIKES ON FUTS TRAILS FOLLOW-UP
DISCUSSION
ELECTRIC BICYCLES – CONTEXT
PREVIOUS ACTIONS
CLASSES OF E-BIKES
REVISIONS TO CITY CODE
COUNCIL DIRECTION
1 FUTS TRAILS OPEN/CLOSED TO E-BIKES
TRAILS UNDER CONSIDERATION
MAP OF FUTS TRAIL SYSTEM
COMMISSION/COMMITTEE REVIEW

RESULTS
DISCUSSION
OTHER COMMISSIONS
DISCUSSION – TWO EXCEPTIONS
DISCUSSION – GENERAL
2 TRAIL ETIQUETTE
ETIQUETTE – APPROACH
ETIQUETTE – KEY MESSAGES
ETIQUETTE – RECOMMENDED STEPS

The following individuals addressed Council in support of allowing e-bikes on all trails:

- Jim Gibson
- Sarah Gibson

The following comments were received:

- It has been a positive experience to use an e-bike to commute.
- I prefer to use my e-bike over my vehicle.
- I am slower on the e-bike than I was on the traditional bike.
- The Nate Avery Trail should be included so both traditional and e-bikes can be used.
- E-bikes allow older people to ride bikes.
- The integrity and purpose of the FUTS should be preserved, do not break the connectivity for certain bikes.
- Riders, not bikes, are the problem.
- There is plenty of room for both walkers and bikers on trails.

Councilmember McCarthy stated that he would like to stay with the compromise from July where all bikes are permitted except on the four-mile section of the Arizona Trail as well as the Buffalo Park trail.

Councilmember Odegaard agreed saying he would like to see how things go and readjust later if needed.

Vice Mayor Shimoni stated that he would like to see social media better utilized to get information out there. He is supportive of allowing bikes on the Arizona Trail and the Nate Avery Loop. People who use e-bikes do so to commute and enjoy the outdoors like standard bike users.

Councilmember Aslan stated that he believes e-bikes should be allowed on the Arizona Trail because it is part of the connectivity of the FUTS trail. The Arizona Trail is a major vein for commuters and there is no other viable way to cross Route 66. He also believes that e-bikes should be allowed on the Nate Avery Trail but in the spirit of compromise, he would be willing to keep it non-motorized.

A majority of Council gave direction to keep things as they are.

16. COUNCIL LIAISON REPORTS

None

17. 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 a policy to allow all employees to live outside city limits except by those who are specified by City Charter

At least three Councilmembers were in favor of placing the item on a future agenda.

- B. Future Agenda Item Request (F.A.I.R.):** A request by Councilmember Odegaard to place on a future agenda a discussion about the Land Trust Model

Councilmember Odegaard stated that the Land Trust Model is something that Council should look at in light of current affordable housing that is not selling and future developments coming forward.

At least three Councilmembers were in favor of placing the item on a future agenda.

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

Councilmember Whelan requested information about parking plans at the airport.

Councilmember Salas reported that she attended the NACET Moonshot event over the weekend; it was a great event and she is continuously impressed by the entrepreneurship and leadership in Flagstaff.

Vice Mayor Shimoni requested a CCR on what chemicals are being used on city fields and parks.

Mr. Clifton reported that he made a return trip to Colorado to finish his move and is happy to say that he and his family are at home now in Flagstaff.

Mayor Evans reported that she attended the premier of True Future TV which is a mini docuseries about medical manufacturing in Flagstaff. She encouraged people to go online and take a look.

19. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held October 1, 2019, adjourned at 6:54 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 October 1, 2019. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 7th day of September, 2021.

CITY CLERK