

WORK SESSION AGENDA **A M E N D E D**

CITY COUNCIL WORK SESSION
TUESDAY
FEBRUARY 9, 2021

STAFF CONFERENCE ROOM
SECOND FLOOR - CITY HALL
211 WEST ASPEN AVENUE
3:00 P.M.

ATTENTION

IN-PERSON AUDIENCES AT CITY COUNCIL MEETINGS HAVE BEEN SUSPENDED UNTIL FURTHER NOTICE

The meetings will continue to be live streamed on the city's website
(<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

PUBLIC COMMENT PROTOCOL

The process for submitting a public comment has changed and public comments will no longer be read by staff during the Council Meetings.

All public comments will be taken either telephonically or accepted as a written comment.

Public comments may be submitted to publiccomment@flagstaffaz.gov

If you wish to address the City Council with a public comment by phone you must submit the following information:

First and Last Name
Phone Number
Agenda Item number you wish to speak on

If any of this information is missing, you will not be called. We will attempt to call you only one time. We are unable to provide a time when you may be called.

All comments submitted otherwise will be considered written comments and will be documented into the record as such.

If you wish to email Mayor and Council directly you may do so at council@flagstaffaz.gov.

AGENDA

1. Call to Order

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

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.

MAYOR DEASY

VICE MAYOR DAGGETT

COUNCILMEMBER ASLAN

COUNCILMEMBER MCCARTHY

COUNCILMEMBER SALAS

COUNCILMEMBER SHIMONI

COUNCILMEMBER SWEET

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.

5. Review of Draft Agenda for the February 16, 2021 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.

6. Discussion and Possible Direction Regarding City Council Rules of Procedure

7. Overview of your Police and Fire Divisions

8. Affordable Housing Overview and Project Update

9. Acquisition of real property in the general area of 703 Blackbird Roost for affordable housing

10. Case No. PZ-21-00019 Zoning Code Text Amendment - 2021: Affordable Housing Modified Development Standards

11. State/Federal Legislative Updates

i. **SB1431 (Flood control districts; Advisory board)**

12. Public Participation

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

14. Adjournment

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at _____ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this _____ day of _____, 2021.

Stacy Saltzburg, MMC, City Clerk

CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Stacy Saltzburg, City Clerk
Date: 02/05/2021
Meeting Date: 02/09/2021



TITLE

Discussion and Possible Direction Regarding City Council Rules of Procedure

STAFF RECOMMENDED ACTION:

Council Direction

EXECUTIVE SUMMARY:

Pursuant to City Charter Article II, Section 14, years ago the City Council adopted Rules of Procedure for the conduct of its Council meetings. The City Council generally reviews the Rules of Procedure after a new Council has been seated. This review gives Council the opportunity to propose any updates or changes that they would like.

Periodically, amendments are brought forward by staff for consideration and the City Council can request amendments to the Rules of Procedure at any time.

Following Council direction, amendments to the Rules of Procedure will be brought back to Council for adoption.

INFORMATION:

In addition to any amendments that the Council may like to discuss, staff has identified a few areas where Council discussion or direction may be beneficial. A brief description of the staff amendments are provided below and redlined amendments are provided as an attachment.

- Section 3.01 Regular Meetings
 - Change the regular meeting date in August to better accommodate the League of Arizona Cities and Towns Annual Conference
 - The Rules require a regular Council meeting be held on the third Thursday of August following the summer break. This often conflicts with the League Annual Conference and Council often has to take an official action to reschedule the meeting to the fourth Tuesday.
 - The proposed change would allow the Council to hold their regular meeting on the third or **fourth** Tuesday of August following the summer break.
 - Review options for meeting times.
- Section 5.01 - Regular Meeting Agenda
 - Add "Legislative Update" to the Regular Meeting Agenda Order of Business template during the legislative session.
 - Allows for a legislative update section of the agenda to be established during the legislative session

- Add Section 5.02 "Work Session Agenda"
 - An order of business has been established for regular meetings but not for work sessions. This addition would codify the agenda template for work sessions.
 - Remove 2nd paragraph of Section 7.03 and integrate into Sections 9.01 and 9.02 that address public participation directly.
 - Standardizes the public participation requirements for both public hearings and regular agenda items.
 - Section 9.02 (E)
 - Remove specified time limit for staff and applicant presentations to bring in line with current practice.
 - Add Section 11.07 "Meetings with State and Federal Delegation and Annual Lobbying Trips."
 - Council established protocols associated with lobbying trips and meetings in October 2019. These edits codify those protocols.
-

Attachments: Presentation
 Current Rules of Procedure
 Possible Amendments for Rules of Procedure

City Council Rules of Procedure

February 2, 2021





City Council Rules of Procedure

- The Flagstaff City Council has adopted its own Rules of Procedure that provide protocol for how meetings are conducted and agenda preparation.
- Council may review and make changes to the Rules of Procedure at any time.
- Council will typically do a review every other year following candidate elections.



Proposed Changes

- 3.01 Regular Meetings
- 5.01 Regular Meeting Agenda
- 5.02 Work Session Agenda
- 7.03 Decorum and Order among Citizen Participants
- 9.01 Non-Public Hearing Discussions
- 9.02 Public Hearings
- 11.07 Meetings with State & Federal Delegation

Other Considerations?



3.01 Regular Meetings

- Modification to Council Break
 - Add the option to hold the regular meeting of August on the fourth Tuesday of the month to allow better flexibility around the Arizona League of Cities and Towns Annual Conference
- *The City Council shall hold regular meetings on the first and third Tuesday of January, February, March, April, May, June, September, October, November, and December, and on the first Tuesday of July and third **or fourth** Tuesday of August*
- 2021 Council Break is July 7 through August 16



3.01 Regular Meetings

Modification to Meeting Times

Option 1: Leave As Is 4:30 PM (Routine) / 6:00 PM (Regular)
6:00 PM (Work Session)

Option 2: Standardize Continuous Meeting
(no break between Routine & Regular)
Same start time for Work Sessions

Option 3: Other?

** Council is currently operating under a suspension of the rules; all meetings are beginning at 3:00 p.m. until Council rescinds their suspension of the rules.



5.01 Regular Meeting Agenda

- Add “Legislative Update” to the Order of Business template during the legislative session.

4:30 P.M. MEETING

Liquor License Public Hearings

Consent Items

*Routine Items**

Legislative Updates (During Legislative Session)

Recess



5.02 Work Session Agenda

- New section to set Order of Business for Work Sessions
 1. *Call to Order*
 2. *Pledge of Allegiance and Reading of the Mission Statement*
 3. *Roll Call*
 4. *Public Participation*
 5. *Review of Draft Agenda for next Council Meeting*
 6. *Work Session Topics*
 7. *Public Participation*
 8. *Informational Items and Reports to/from Council and Staff, and Requests for Future Agenda Items*
 9. *Recess*



7.03 Decorum and Order

- Remove 2nd Paragraph and incorporate into Sections 9.01 and 9.02.
 - Fits more appropriately in Sections 9.01 & 9.02
- Provides better clarity and consistency in public participation protocol for regular meetings and public hearings.
 - Ceding time to other speakers
 - Additional time for groups of 10 or more
 - Additional time for accommodation



9.02 – Public Hearings

Subsection E

- Remove the time limit associated with the staff and applicant presentations.
 1. Staff presentation (*a time limit may be assigned*).
 2. Applicant presentation, only upon applicant's specific request (*if a time limit is assigned, the same time allotted to staff will be allotted to the applicant*).



11.07 Lobbying Meetings & Trips



New Section

- Add the Council established protocols associated with lobbying trips and meetings.
 - *Two councilmembers must be in attendance at any meetings with State and Federal representatives. The City Council participates in annual state and federal lobbying trips wherein the Mayor, or designee, will accompany two councilmembers and staff on each trip. The councilmembers chosen to attend will be determined by an established rotation to ensure equal opportunity to participate and represent the City in this capacity.*



Other Considerations?



FLAGSTAFF CITY COUNCIL RULES OF PROCEDURE

FEBRUARY 19, 2019

RULES OF PROCEDURE
for the
FLAGSTAFF CITY COUNCIL

Rule 1
GENERAL RULES

[Flagstaff City Charter Art. II, §14]

1.01 Rules of Procedure; Journal

The Council shall determine its own rules and orders of business and shall provide for keeping a record of its proceedings. The record of proceedings shall be open to public inspection.

1.02 Written Rules, Order of Business, and Procedure

These Rules of Procedure of the Council shall be available to all interested citizens.

Rule 2
CODE OF CONDUCT & CONFLICTS OF INTEREST

2.01 Code of Conduct

City Councilmembers occupy positions of public trust. All actions and business transactions of such officials dealing in any manner with public funds shall be in compliance with all laws or ordinances establishing a code of conduct for public officials or pertaining to conflicts of interest of public officials or employees.

2.02 Participation and Voting Bar [A.R.S. §38-503]

Any Councilmember prohibited from participating or voting on any matter before the City by the state conflict of interest laws shall make known such conflict on the record of any meeting where the item is discussed, and shall not enter into discussion, debate, or vote on such matter.

Rule 3
COUNCIL MEETINGS

[Flagstaff City Charter Art. II, §12 and 13]

3.01 Regular Meetings

The City Council shall hold regular meetings on the first and third Tuesday of January, February, March, April, May, June, September, October, November, and December, and on the first Tuesday of July and third Tuesday of August unless a majority of the Council decides to postpone or cancel such meeting. No change shall be made in regular meeting times or place without a published seven day notice.

Regular meetings shall consist of a 4:30 p.m. and 6:00 p.m. meeting. The 4:30 p.m. portion of the meeting will include Approval of Minutes, Appointments, Liquor License Hearings, Consent Items, and Routine Items. At the agenda review work session one week prior to the regular Council Meeting, the City Council may direct that any of the agenda items be moved to the 4:30 p.m. or 6:00 p.m. portion of the meeting. At the 4:30 p.m. meeting, the Council may vote to defer any item on that portion of the agenda to the 6:00 p.m. meeting

The 6:00 p.m. meeting is intended for items of specific interest to the community or items that may require extended discussions, as well as advertised public hearings. The agenda shall include carryover items from the 4:30 p.m. meeting, public hearings, regular agenda items, and discussion items.

If the day fixed for any regular meeting of the Council falls upon a day which the City observes as a legal holiday, the meeting may be cancelled or held at a time and date designated by the Council. All regular meetings of the Council shall be held in the City Hall Council Chambers. No change shall be made in regular meeting times without a published seven-day notice. However, the Mayor or City Manager may change the Council meeting location to adjust to a specific need for additional space required to accommodate a large citizen turnout, upon giving the public notice of such change pursuant to notice requirements. All regular meetings of the Council shall be open to the public.

3.02 Special Meetings

Special meetings may be called by the City Manager, three or more members of the Council, or by the Mayor. The Council may hold any other meetings it deems necessary at such times and locations as it determines appropriate under the circumstances for the purposes of addressing specific issues, specific neighborhood's concerns, strategic planning, budgeting, or for any other purpose allowed by law, so long as notice of such meeting has been given in accordance with the Arizona Open Meeting Law. The City Clerk shall prepare written notice of special sessions, stating time, place, and agenda; this notice shall be given personally, or by telephone, to each member of the Council, the City Manager, and the City Attorney, and shall be posted no later than twenty-four hours in advance of the special meeting. If an emergency requires an earlier meeting of the Council than allowed by this rule, Rule 3.05 pertaining to emergency meetings shall be followed.

3.03 Work Sessions and Agenda Review

Work sessions are public meetings held for the following purposes: (1) briefing Councilmembers on items included on the Council's regular meeting agenda, (2) discussion of long range plans and programs for which no immediate action is required, (3) detailed discussion of matters which may soon be placed on a regular meeting agenda, and (4) exchange of information between the staff and Council. No formal vote shall be taken on any matter under discussion, nor shall any Councilmember enter into a commitment with another respecting a vote to be taken subsequently in a public meeting of the Council, providing that nothing herein shall prevent the Council from giving staff direction on any matter under discussion. Any formal action, however, must be scheduled for Council action at a regular or special Council meeting.

The City Council may hold work sessions every second and fourth Tuesday of each month at 6:00 p.m. When there are five Tuesdays in a month, work sessions will be held on the second and fifth Tuesdays, and the fourth Tuesday will be available for holding a work

session, either at City Hall or throughout the community. No meetings will be held on the last Tuesday of December, unless otherwise agreed to by a majority of the Council.

The work session held the Tuesday prior to a regular Council meeting shall include a review of the action items on the next week's regular Council agenda. In the agenda review, the Council may discuss items on the next week's agenda and give direction to the City Manager as to additional information needed. Public comment need not be taken, but may be accepted, at the discretion of the Chair.

No work sessions will be held during the summer break unless called as a special meeting as provided in Section 3.02 of these Rules.

3.04 Executive Sessions [A.R.S. §38-431.03]

The Council may meet in, or recess into, executive session for all purposes allowed by law. The City Manager shall schedule any such meetings on the second and fourth Tuesdays at 4:00 p.m., or earlier as the need arises, prior to work sessions, but an executive session may be scheduled at any other time where circumstances require more immediate action. When there are five Tuesdays in a month, executive sessions shall be held on the second and fifth Tuesday at 4:00 p.m., or earlier, as needed. An executive session may be convened at a special meeting called for that purpose on a majority vote of the members of the Council, or during a regular meeting, special session, or work session of the Council for legal advice on matters on a meeting's properly noticed agenda. Attendance at the executive session shall be limited to members of the City Council, the City Manager and City Attorney or their designees, and appropriate City staff or consultants to the City as the Council may invite or as may be required for advice or information. No formal vote involving final action shall be taken on any matter under discussion while in an executive session, except the Council may instruct its attorneys and representatives as allowed by law.

3.05 Emergency Meetings [A.R.S. §38-431.02]

In case of an actual emergency, the Council may hold a meeting, including an executive session, upon such notice as is appropriate to the circumstances, but shall post a public notice within twenty-four hours declaring that an emergency session has been held, and setting forth the agenda of specific items discussed, considered, or decided.

3.06 Minutes of Meetings [A.R.S. §38-431.01]

Except as otherwise provided by state law, there shall be minutes of all Council meetings. Such minutes shall include, but need not be limited to: (1) the date, time, and place of the meeting; (2) the members of the City Council recorded as either present or absent; (3) a general description of the matters considered; (4) an accurate description of all legal actions proposed, discussed, or taken, and the names of members who propose each motion; and (5) the name of persons, as given, making statements or presenting material to the Council and a reference to the legal action about which they made statements or presented material. Minutes of all meetings, except executive sessions, shall be open to public inspection.

Rule 4
THE COUNCIL AGENDA

4.01 Procedures for Preparation of Council Agendas

All reports, communications, ordinances and resolutions, contracts or other documents, or other matters to be submitted to the Council as part of the Council meeting agenda packet shall be available to the Council, along with a staff summary by the Friday preceding the agenda review work session for the draft agenda and by the Friday preceding the regular meeting for the regular agenda. The City Manager shall review items submitted for timeliness and completeness of information.

Those items which are approved for the Council agenda by the City Manager shall be placed on the agenda in accordance with the order prescribed in Rule 5. Copies of the agenda and any background material shall be disseminated to the Mayor and the City Council in the manner prescribed by the Council; to the City Manager, the Deputy City Managers, the City Attorney, and the City Clerk; and shall be made available to the public on the Friday preceding the Council meeting at which the agenda will be reviewed.

Should a Councilmember wish to share information regarding an item on an agenda other than under the F.A.I.R. process, copies may be distributed on the dais.

The agenda shall be made public in advance of the meeting by posting on the regular public posting board at City Hall and on the City's website. Such action shall be taken concurrently with the furnishing of the agenda to the City Council.

4.02 Future Agenda Item Requests (F.A.I.R.)

The City Manager shall consider any request by a Councilmember to include an item on the Future Agenda Item Request (FAIR) portion of the agenda. A Councilmember may submit an item for consideration in a public meeting during To/From and the City Manager may place it in a queue with other Council requests to be placed on an agenda.

The requesting Councilmember must be present through each step of the F.A.I.R. process to provide information and solicit the support for their item. Should scheduling conflicts arise the requesting Councilmember must contact the City Manager and ask that the item be rescheduled.

In the event that there are remaining F.A.I.R. items from an outgoing Councilmember the items will be placed on a separate list to seek a current Councilmember sponsor. If after 30 days from the last day of their term no Councilmember comes forward to sponsor the item, it will be removed from the queue.

Once the item is placed on an agenda under F.A.I.R.:

- a) If three or more Councilmembers agree, it is placed in the Discussion Queue for future meetings in chronological order. (Shown on working calendar as a discussion item)
- b) Should a Councilmember wish to move the item to the front of the Discussion Queue, a separate and secondary request must be made. Should a minimum of four Councilmembers agree to such request, the item will be placed at the front of

the Discussion Queue and Items previously placed on future agendas for discussion will be shifted accordingly.

- c) Should a Councilmember wish to change the order of the items in the Discussion Queue, a request must be made by a Councilmember as to the preferred priority order. Should a minimum of four Councilmembers agree to such a request, the order shall be revised accordingly.

Once an item has been considered under the F.A.I.R. process and placed on a future agenda for discussion, staff time in preparing for such item is limited to eight hours or less. Once direction is given by a majority of the Council, further staff time may be expended. (Show on the Working Calendar as a Regular Item.)

4.03 Removal of a F.A.I.R. Item

A Councilmember who has previously requested a F.A.I.R. item may have it removed up until the time it appears on the agenda as a F.A.I.R. item. No other Councilmember is permitted to remove an item. If an item is removed prior to it appearing on an agenda, the City Manager will notify the Council of its removal at the next Council Meeting. If another Councilmember wants to retain the item, it shall retain its then-current place in the queue. Once on the agenda, the request to remove must be made during a public meeting.

Once it has been placed on the agenda as a F.A.I.R. item, and there are three or more Councilmembers who support moving it to a future agenda for discussion, an item may not be removed until it has been placed back on the agenda as a F.A.I.R. item to be Removed. Should there be no objection from Councilmembers, the item will be removed as a F.A.I.R. item. If at least three other Councilmembers wish to keep it on the F.A.I.R. list, it will be placed on a future agenda as outlined in Section 4.02(a) above.

Rule 5 ORDER OF BUSINESS

5.01 Regular Meeting Agenda

The agenda for regular meetings of the City Council shall follow the following order:

4:30 P.M. MEETING

- Call to Order
- Roll Call
- Pledge of Allegiance and Reading of the Mission Statement
- Approval of Minutes of Previous Meetings
- Public Participation
- Proclamations and Recognitions
- Appointments
- Liquor License Public Hearings
- Consent Items
- Routine Items*
- Recess

6:00 P.M. MEETING

Reconvene Regular Meeting
Roll Call
Pledge of Allegiance
Public Participation
Carryover Items from 4:30 p.m. portion of Meeting
Public Hearing Items
Regular Agenda
Discussion Items
Council Liaison Reports
Future Agenda Item Request (FAIR)
Informational Items and Reports to/from Council and Staff, and Requests for Future Agenda Items
Adjournment

**Routine Items include those agenda items that are common, reoccurring, have been discussed at length in prior Council meetings, or are expected to have little to no public participation. They may include resolutions or ordinances.*

Consent Agenda items may be considered and acted upon by one motion, unless a Councilmember specifically requests that a consent item be considered and voted on separately. If related to a public hearing item on the agenda, ordinances or resolutions shall be placed under Public Hearings. Items requested for consideration and discussion by a Councilmember and placed in the Future Agenda Item Request Section need not have a staff summary or staff review, but the requesting Councilmember may specify in a memorandum what discussion, action, or options are proposed. There will be no discussion of issues raised during public participation, information items and reports, or requests for future agenda items. The City Clerk shall enter into the minutes all consent items approved with one motion, and shall record separately action taken on those items considered separately.

Rule 6 **PRESIDING OFFICER**

[Flagstaff City Charter Art. II, §7 and §8]

6.01 Mayor as Chair

The Mayor, or in his or her absence, the Vice Mayor, shall be the Chair for all meetings of the Council.

6.02 Temporary Chair

In case of the absence of the Mayor and the Vice Mayor, the City Clerk shall call the Council to order. If a quorum is found to be present, the Council shall proceed to elect, by a majority of those present, a Chair for the meeting.

6.03 Selection of Vice Mayor

The candidate with the highest number of votes in the most recent general candidate election shall be appointed Vice Mayor until the next general candidate election. If for whatever reason the Vice Mayor cannot fulfill their term the position will be transferred to the candidate with the next highest number of votes in the most recent general candidate election.

Rule 7 **MEETING DECORUM AND ORDER**

7.01 Decorum and Order among Councilmembers

The Chair shall preserve decorum and decide all questions of order, subject to appeal to the Council. During Council meetings, Councilmembers shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the order of the Chair or the Rules of the Council. Every Councilmember desiring to speak shall address the Chair, and upon recognition by the Chair, shall confine himself or herself to the question under debate and shall avoid all personal attacks and indecorous language. A Councilmember once recognized shall not be interrupted while speaking unless called to order by the Chair or unless a point of order is raised by another Councilmember. If a Councilmember is called to order while he or she is speaking, he or she shall cease speaking immediately until the question of order is determined. If ruled to be out of order, he or she shall remain silent or shall alter his or her remarks so as to comply with the Rules of the Council. Councilmembers shall confine their questions to the particular issues before the Council. If the Chair fails to act, any member may move to require him or her to enforce the Rules and the affirmative vote of the majority of the Council shall require the Chair to act.

If Council discussion of a matter exceeds one hour, each Councilmember shall limit their subsequent remarks to three minutes.

7.02 Decorum and Order among City Staff

The Chair shall have the authority to preserve decorum in meetings as far as the audience, staff members, and city employees are concerned. The City Manager shall also be responsible for the orderly conduct and decorum of all City employees under the City Manager's direction and control. Any remarks shall be addressed to the Chair and to any or all members of the Council. No staff member, other than the staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the Chair.

7.03 Decorum and Order among Citizen Participants

Citizens attending Council meetings should observe the same rules of propriety, decorum, and good conduct applicable to members of the Council. Any person causing a disturbance of the peace and good order during a Council meeting, may be removed from the room if so directed by the Chair, and such person may be barred from further audience before the Council. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the Chair, if such actions cause a disturbance of the peace and good order the Chair may direct the Sergeant-at-Arms to

remove such offenders from the room. Should the Chair fail to act, any member of the Council may move to require the Chair to enforce the Rules, and the affirmative vote of the majority of the Council shall require the Chair to act. Political campaigning is prohibited. Any member of the public desiring to address the Council on any agenda item shall be recognized by the Chair shall state his or her name and city of residence in an audible tone for the record, and shall limit his or her remarks to the questions under discussion. Any remarks shall be addressed to the Chair and to any or all members of the Council.

Citizens are allowed to address the Council a maximum of three times throughout the meeting, including comments made during Public Participation. Other than Public Participation, comments shall be limited to the business at hand. Once the Chair recognizes a speaker, the Chair shall limit the period of speaking to a reasonable period of time of no more than three minutes per person, at the discretion of the Chair and a speaker may address the Council with the speaker's own statements and the statements of other persons within the set time period.

Rule 8
RIGHT OF APPEAL FROM THE CHAIR

8.01 Process for Appeal

Any Councilmember may appeal to the Council from a ruling of the Chair. If the appeal is seconded, the member making the appeal may briefly state his or her reason for the same, and the Chair may briefly explain the Chair's ruling. There shall be no debate on the appeal, and no other member shall participate in the discussion. The Chair shall then put the question, "Shall the decision of the Chair be sustained?" If a majority of the members present vote "aye", the ruling of the Chair is sustained; otherwise, it is overruled.

Rule 9
PUBLIC PARTICIPATION IN COUNCIL DISCUSSIONS

9.01 Non-Public Hearing Discussions

Any person wishing to speak on any matter on the agenda before the Council, or during Public Participation, shall fill out a comment card and submit that card to the recording clerk, who will deliver the card to the Chair. The Chair shall limit the period of speaking to a reasonable period of time of no more than three minutes per person (exceptions listed below); a speaker may address the Council with the speaker's own statements and the statements of other persons within the set time limit. The person desiring to speak shall limit his or her remarks to the matter under discussion and shall address his or her remarks to the Chair.

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 ten persons will be requested to identify themselves by standing and those included in the group are precluded from making comments on the same topic but may participate in any other agenda items up to the limit addressed in Section 7.03.

Any person wishing to speak with the assistance of a translator shall designate such on the speaker card and be permitted to speak up to five minutes.

9.02 Public Hearings

- A. In the case of a public hearing, the Chair shall announce prior to such hearing the total time limit, if any, to be allowed for public debate, depending upon the circumstances and public attendance. The Chair shall also announce the time limits for each individual speaker (normally no more than three minutes), and that no speaker may be heard more than once.
- B. Any person wishing to speak with the assistance of a translator shall designate such on the speaker card and be permitted to speak up to five minutes.
- C. 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.
- D. Speakers may not cede any portion of their allotted time to another speaker.
- E. The order of presentation and time limits shall be as follows:
 - 1. Staff presentation (ten-minute time limit, except with specific Council permission to exceed this limit).
 - 2. Applicant presentation, only upon applicant's specific request (up to ten minutes, except with specific Council permission to exceed this limit).
 - 3. Council's questions to staff and applicant.
 - 4. Public comment (three minutes for individual speakers, up to fifteen minutes for a representative of ten or more persons present at the meeting who have contributed their time to the representative), The ten persons will be requested to identify themselves by standing and those included in the group are precluded from making comments on the same topic, but may participate in any other agendized topics up to the limit addressed in Section 7
 - 5. Applicant's response, only upon applicant's specific request (5 minutes),
 - 6. Staff's response (5 minutes),
 - 7. Council deliberation and questions to staff and applicant.
- F. This rule will not preclude questions from members of the Council to the speaker where it is deemed necessary for purposes of clarification or understanding, but not for purposes of debate or argument.

Rule 10

RULES GOVERNING MOTIONS BY THE COUNCIL

10.01 Motion to be Stated by the Chair - Withdrawal

When a motion is made and seconded, it shall be so stated by the Chair before debate commences. A motion may not be withdrawn by the mover without the consent of the member seconding it.

10.02 Motion to Suspend Rules

Suspension of these Rules requires a majority consent of the Councilmembers present. A motion to suspend may not be made while another motion is pending unless it directly applies to the pending motion. Suspension of the Rules may not be appropriate in the context of a Public Hearing.

10.03 Motion to Change Order of Agenda

The Chair may, at his or her discretion, or shall, upon the majority vote of Councilmembers present, change the order of the agenda. However, caution should be given to not changing the order to circumvent the Open Meeting Law.

10.04 Motion to Table

A motion to table is used to delay discussion on an item until later in the meeting or until the next meeting. Neither the motion to table nor other business can be discussed, until a vote has been taken on the motion. If the motion is successful, no further discussion can be had without a motion to take off the table. To take a motion off the table at the same or immediately succeeding meeting, a motion and second must be made to take the item off the table, and it must pass by majority vote.

If not revived by the adjournment of the immediately succeeding meeting, the matter is considered to be dead.

10.05 Motion to Postpone

A motion to postpone is in order when an item is rescheduled to a time certain, when it is delayed with conditions, or when the matter is intended to be disposed of without action. If the motion prevails, the item shall return for Council action at the meeting specified or in accordance with the conditions established in the postponement. A motion to postpone may be debated prior to vote, but no other motion, including a motion to amend, may be offered until the vote is taken and only if the motion to postpone fails.

A motion to postpone indefinitely, if it receives a majority vote, effectively extinguishes an item.

10.06 Motion to Divide the Question

If the question contains two or more divisionable propositions, the Chair may, and upon request of a member shall, divide the same.

10.07 Motion to Amend

On a motion to amend or “strike out and insert”, the motion shall be made so that the intent of the amendment is clear to the Council and public, and for the record.

The Council may materially amend an ordinance after the first read of that ordinance and proceed immediately to the second read and adoption. In other words, it is not necessary to proceed as though it is a new ordinance after a material change.

10.08 Motion to Amend an Amendment

A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be introduced. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.

10.09 Motion to Reconsider

After the decision on any question, any member who voted with the majority may move for a reconsideration of any action at the same meeting or at the next regular meeting that occurs at least one week after the date the action was taken. In the event of a tie vote on a motion, any Councilmember may move for reconsideration at the next regular meeting of the City Council that occurs at least one week after the date the action was taken, but not thereafter. To ensure that the matter will be included on the posted agenda in conformance with the Open Meeting Law, any Councilmember who wishes to have a decision reconsidered must alert the city clerk in writing at least five (5) days, exclusive of Saturdays, Sundays, and intermediate holidays, prior to the meeting at which the motion to reconsider will be made, unless the motion to reconsider was made and seconded at a Council meeting. A motion to reconsider shall require the affirmative vote of the majority of the members present at the time of reconsideration. After a motion for reconsideration has once been acted on, no other motion for reconsideration of the same subject shall be made without unanimous consent of all Councilmembers.

After the reconsideration time period has expired, the same matter may be placed on a later Council meeting agenda under Future Agenda Item Request at the request of any Councilmember. It shall require agreement by Councilmembers during Future Agenda Item Request to be placed on a future agenda as an action item. If the matter is considered for formal action on a future meeting, the motion for or against taking an action need not be made by a member of the prevailing vote.

10.10 Motion for Roll Call Vote

Any Councilmember may request a roll call vote, or the Chair may ask for a roll call vote for purposes of clarifying a vote for the record. The roll may be called for yeas and nays upon any questions before the Council. Unless allowed by the Chair, it shall be out of order for members to explain their vote during the roll call, or to engage in additional debate or discussion on the subject after the vote is taken.

Rule 11 **MISCELLANEOUS PROVISIONS**

11.01 Prior Approval by Administrative Staff

Except as to matters requested by individual Councilmembers under the Future Agenda Item Request Section of the agenda, all ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his or her authorized representative, and shall have been examined for practicality by the City Manager or his or her authorized representative.

11.02 Placement of Items on Agendas for Council Action

Pursuant to Council direction received during any Council meeting, the City Manager may present ordinances, resolutions, and other matters or subjects to the Council, and any Councilmember may assume sponsorship thereof by moving that such ordinances, resolutions, matters or subjects be adopted. In addition, ordinances, resolutions and other matters or subjects requiring action by the Council may be introduced and sponsored by a member of the Council through the Future Agenda Item Request process described in Rule 4.01.

11.03 No New Agenda Items after 9:30 p.m. except by Majority Vote

No new agenda items shall begin after 9:30 p.m. unless approved by majority vote of the City Council. If, however, discussion on an item commences prior to 9:30 p.m., the Council may continue its deliberation or move to postpone that item. Agenda items on a Council agenda not considered will be placed on the immediately succeeding Regular or Special Council meeting.

11.04 Robert's Rules

Robert's Rules of Order, latest edition, shall serve as a guideline for interpretation of and supplementation for these Rules in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Charter of the City of Flagstaff or the laws of the State of Arizona. The interpretation of these Rules and Robert's Rules shall be guided by the principles underlying Parliamentary law, that is, a careful balance of the rights of individuals and minority subgroups of the council with the will of the majority. In no case shall the strict application of a rule or procedure be interpreted to deny any individual or minority the right to participate in a debate, discussion, or vote, nor shall these rules be interpreted in such a way so as to defeat the will of the majority of the whole of the Council.

11.05 Citizen Petitions [Flagstaff City Charter Art. II, §17]

A citizen or a group of citizens may present a written petition to the City Manager, signed by a minimum of 25 citizens from the City of Flagstaff in a form prescribed by ordinance, who shall present it to the Council at its next regular meeting. The Council must act on the petition within 31 days of the City Manager's presentation. Citizen petitions will first be placed on the agenda under Future Agenda Item Request to determine if there is Council interest in placing the item on a future agenda for consideration. Failure to give such direction shall constitute "action" for purposes of this section.

11.06 Video Streaming, Recording, and Photography

For City Council safety and other security purposes, audio/video streaming, audio/video recording, photography, or similar activities are not permitted on the City Council side of the lectern counter. Such activities are permitted *only* on the public side of the lectern counter so long as they do not obstruct the view of the public in City Council Chambers and the view of the City's official internet live streaming viewers. In the event the City Council meets anywhere outside of City Council Chambers, this same rule shall apply, and no such activities will be permitted on the City Council side of the lectern. This rule

does not apply to the City's official internet streaming and any audio/visual equipment for the same, and also does not apply to body cameras used by law enforcement officers.



FLAGSTAFF
CITY COUNCIL
RULES OF PROCEDURE

FEBRUARY 19, 2019

RULES OF PROCEDURE
for the
FLAGSTAFF CITY COUNCIL

Rule 1
GENERAL RULES

[Flagstaff City Charter Art. II, §14]

1.01 Rules of Procedure; Journal

The Council shall determine its own rules and orders of business and shall provide for keeping a record of its proceedings. The record of proceedings shall be open to public inspection.

1.02 Written Rules, Order of Business, and Procedure

These Rules of Procedure of the Council shall be available to all interested citizens.

Rule 2
CODE OF CONDUCT & CONFLICTS OF INTEREST

2.01 Code of Conduct

City Councilmembers occupy positions of public trust. All actions and business transactions of such officials dealing in any manner with public funds shall be in compliance with all laws or ordinances establishing a code of conduct for public officials or pertaining to conflicts of interest of public officials or employees.

2.02 Participation and Voting Bar [A.R.S. §38-503]

Any Councilmember prohibited from participating or voting on any matter before the City by the state conflict of interest laws shall make known such conflict on the record of any meeting where the item is discussed, and shall not enter into discussion, debate, or vote on such matter.

Rule 3
COUNCIL MEETINGS

[Flagstaff City Charter Art. II, §12 and 13]

3.01 Regular Meetings

The City Council shall hold regular meetings on the first and third Tuesday of January, February, March, April, May, June, September, October, November, and December, and on the first Tuesday of July and third or fourth Tuesday of August unless a majority of the Council decides to postpone or cancel such meeting. No change shall be made in regular meeting times or place without a published seven day notice.

Regular meetings shall consist of a 4:30 p.m. and 6:00 p.m. meeting. The 4:30 p.m. portion of the meeting will include Approval of Minutes, Appointments, Liquor License Hearings, Consent Items, and Routine Items. At the agenda review work session one week prior to the regular Council Meeting, the City Council may direct that any of the agenda items be moved to the 4:30 p.m. or 6:00 p.m. portion of the meeting. At the 4:30 p.m. meeting, the Council may vote to defer any item on that portion of the agenda to the 6:00 p.m. meeting.

The 6:00 p.m. meeting is intended for items of specific interest to the community or items that may require extended discussions, as well as advertised public hearings. The agenda shall include carryover items from the 4:30 p.m. meeting, public hearings, regular agenda items, and discussion items.

If the day fixed for any regular meeting of the Council falls upon a day which the City observes as a legal holiday, the meeting may be cancelled or held at a time and date designated by the Council. All regular meetings of the Council shall be held in the City Hall Council Chambers. No change shall be made in regular meeting times without a published seven-day notice. However, the Mayor or City Manager may change the Council meeting location to adjust to a specific need for additional space required to accommodate a large citizen turnout, upon giving the public notice of such change pursuant to notice requirements. All regular meetings of the Council shall be open to the public.

3.02 Special Meetings

Special meetings may be called by the City Manager, three or more members of the Council, or by the Mayor. The Council may hold any other meetings it deems necessary at such times and locations as it determines appropriate under the circumstances for the purposes of addressing specific issues, specific neighborhood's concerns, strategic planning, budgeting, or for any other purpose allowed by law, so long as notice of such meeting has been given in accordance with the Arizona Open Meeting Law. The City Clerk shall prepare written notice of special sessions, stating time, place, and agenda; this notice shall be given personally, or by telephone, to each member of the Council, the City Manager, and the City Attorney, and shall be posted no later than twenty-four hours in advance of the special meeting. If an emergency requires an earlier meeting of the Council than allowed by this rule, Rule 3.05 pertaining to emergency meetings shall be followed.

3.03 Work Sessions and Agenda Review

Work sessions are public meetings held for the following purposes: (1) briefing Councilmembers on items included on the Council's regular meeting agenda, (2) discussion of long range plans and programs for which no immediate action is required, (3) detailed discussion of matters which may soon be placed on a regular meeting agenda, and (4) exchange of information between the staff and Council. No formal vote shall be taken on any matter under discussion, nor shall any Councilmember enter into a commitment with another respecting a vote to be taken subsequently in a public meeting of the Council, providing that nothing herein shall prevent the Council from giving staff direction on any matter under discussion. Any formal action, however, must be scheduled for Council action at a regular or special Council meeting.

The City Council may hold work sessions every second and fourth Tuesday of each month at 6:00 p.m. When there are five Tuesdays in a month, work sessions will be held on the second and fifth Tuesdays, and the fourth Tuesday will be available for holding a work

session, either at City Hall or throughout the community. No meetings will be held on the last Tuesday of December, unless otherwise agreed to by a majority of the Council.

The work session held the Tuesday prior to a regular Council meeting shall include a review of the action items on the next week's regular Council agenda. In the agenda review, the Council may discuss items on the next week's agenda and give direction to the City Manager as to additional information needed. Public comment need not be taken, but may be accepted, at the discretion of the Chair.

No work sessions will be held during the summer break unless called as a special meeting as provided in Section 3.02 of these Rules.

3.04 Executive Sessions [A.R.S. §38-431.03]

The Council may meet in, or recess into, executive session for all purposes allowed by law. The City Manager shall schedule any such meetings on the second and fourth Tuesdays at 4:00 p.m., or earlier as the need arises, prior to work sessions, but an executive session may be scheduled at any other time where circumstances require more immediate action. When there are five Tuesdays in a month, executive sessions shall be held on the second and fifth Tuesday at 4:00 p.m., or earlier, as needed. An executive session may be convened at a special meeting called for that purpose on a majority vote of the members of the Council, or during a regular meeting, special session, or work session of the Council for legal advice on matters on a meeting's properly noticed agenda. Attendance at the executive session shall be limited to members of the City Council, the City Manager and City Attorney or their designees, and appropriate City staff or consultants to the City as the Council may invite or as may be required for advice or information. No formal vote involving final action shall be taken on any matter under discussion while in an executive session, except the Council may instruct its attorneys and representatives as allowed by law.

3.05 Emergency Meetings [A.R.S. §38-431.02]

In case of an actual emergency, the Council may hold a meeting, including an executive session, upon such notice as is appropriate to the circumstances, but shall post a public notice within twenty-four hours declaring that an emergency session has been held, and setting forth the agenda of specific items discussed, considered, or decided.

3.06 Minutes of Meetings [A.R.S. §38-431.01]

Except as otherwise provided by state law, there shall be minutes of all Council meetings. Such minutes shall include, but need not be limited to: (1) the date, time, and place of the meeting; (2) the members of the City Council recorded as either present or absent; (3) a general description of the matters considered; (4) an accurate description of all legal actions proposed, discussed, or taken, and the names of members who propose each motion; and (5) the name of persons, as given, making statements or presenting material to the Council and a reference to the legal action about which they made statements or presented material. Minutes of all meetings, except executive sessions, shall be open to public inspection.

Rule 4
THE COUNCIL AGENDA

4.01 Procedures for Preparation of Council Agendas

All reports, communications, ordinances and resolutions, contracts or other documents, or other matters to be submitted to the Council as part of the Council meeting agenda packet shall be available to the Council, along with a staff summary by the Friday preceding the agenda review work session for the draft agenda and by the Friday preceding the regular meeting for the regular agenda. The City Manager shall review items submitted for timeliness and completeness of information.

Those items which are approved for the Council agenda by the City Manager shall be placed on the agenda in accordance with the order prescribed in Rule 5. Copies of the agenda and any background material shall be disseminated to the Mayor and the City Council in the manner prescribed by the Council; to the City Manager, the Deputy City Managers, the City Attorney, and the City Clerk; and shall be made available to the public on the Friday preceding the Council meeting at which the agenda will be reviewed.

Should a Councilmember wish to share information regarding an item on an agenda other than under the F.A.I.R. process, copies may be distributed on the dais.

The agenda shall be made public in advance of the meeting by posting on the regular public posting board at City Hall and on the City's website. Such action shall be taken concurrently with the furnishing of the agenda to the City Council.

4.02 Future Agenda Item Requests (F.A.I.R.)

The City Manager shall consider any request by a Councilmember to include an item on the Future Agenda Item Request (FAIR) portion of the agenda. A Councilmember may submit an item for consideration in a public meeting during To/From and the City Manager may place it in a queue with other Council requests to be placed on an agenda.

The requesting Councilmember must be present through each step of the F.A.I.R. process to provide information and solicit the support for their item. Should scheduling conflicts arise the requesting Councilmember must contact the City Manager and ask that the item be rescheduled.

In the event that there are remaining F.A.I.R. items from an outgoing Councilmember the items will be placed on a separate list to seek a current Councilmember sponsor. If after 30 days from the last day of their term no Councilmember comes forward to sponsor the item, it will be removed from the queue.

Once the item is placed on an agenda under F.A.I.R.:

- a) If three or more Councilmembers agree, it is placed in the Discussion Queue for future meetings in chronological order. (Shown on working calendar as a discussion item)
- b) Should a Councilmember wish to move the item to the front of the Discussion Queue, a separate and secondary request must be made. Should a minimum of four Councilmembers agree to such request, the item will be placed at the front of

the Discussion Queue and Items previously placed on future agendas for discussion will be shifted accordingly.

- c) Should a Councilmember wish to change the order of the items in the Discussion Queue, a request must be made by a Councilmember as to the preferred priority order. Should a minimum of four Councilmembers agree to such a request, the order shall be revised accordingly.

Once an item has been considered under the F.A.I.R. process and placed on a future agenda for discussion, staff time in preparing for such item is limited to eight hours or less. Once direction is given by a majority of the Council, further staff time may be expended. (Show on the Working Calendar as a Regular Item.)

4.03 Removal of a F.A.I.R. Item

A Councilmember who has previously requested a F.A.I.R. item may have it removed up until the time it appears on the agenda as a F.A.I.R. item. No other Councilmember is permitted to remove an item. If an item is removed prior to it appearing on an agenda, the City Manager will notify the Council of its removal at the next Council Meeting. If another Councilmember wants to retain the item, it shall retain its then-current place in the queue. Once on the agenda, the request to remove must be made during a public meeting.

Once it has been placed on the agenda as a F.A.I.R. item, and there are three or more Councilmembers who support moving it to a future agenda for discussion, an item may not be removed until it has been placed back on the agenda as a F.A.I.R. item to be Removed. Should there be no objection from Councilmembers, the item will be removed as a F.A.I.R. item. If at least three other Councilmembers wish to keep it on the F.A.I.R. list, it will be placed on a future agenda as outlined in Section 4.02(a) above.

Rule 5 ORDER OF BUSINESS

5.01 Regular Meeting Agenda

The agenda for regular meetings of the City Council shall follow the following order:

4:30 P.M. MEETING

Call to Order
Roll Call
Pledge of Allegiance and Reading of the Mission Statement
Approval of Minutes of Previous Meetings
Public Participation
Proclamations and Recognitions
Appointments
Liquor License Public Hearings
Consent Items
Routine Items*
Legislative Updates (During Legislative Session)
Recess

6:00 P.M. MEETING

Reconvene Regular Meeting
Roll Call
Pledge of Allegiance
Public Participation
Carryover Items from 4:30 p.m. portion of Meeting
Public Hearing Items
Regular Agenda
Discussion Items
Council Liaison Reports
Future Agenda Item Request (FAIR)
Informational Items and Reports to/from Council and Staff, and Requests for Future Agenda Items
Adjournment

**Routine Items include those agenda items that are common, reoccurring, have been discussed at length in prior Council meetings, or are expected to have little to no public participation. They may include resolutions or ordinances.*

Consent Agenda items may be considered and acted upon by one motion, unless a Councilmember specifically requests that a consent item be considered and voted on separately. If related to a public hearing item on the agenda, ordinances or resolutions shall be placed under Public Hearings. Items requested for consideration and discussion by a Councilmember and placed in the Future Agenda Item Request Section need not have a staff summary or staff review, but the requesting Councilmember may specify in a memorandum what discussion, action, or options are proposed. There will be no discussion of issues raised during public participation, information items and reports, or requests for future agenda items. The City Clerk shall enter into the minutes all consent items approved with one motion, and shall record separately action taken on those items considered separately.

5.02 Work Session Agenda

The agenda for Work Sessions of the City Council shall follow the following order:

Call to Order

Pledge of Allegiance and Reading of the Mission Statement

Roll Call

Public Participation

Review of Draft Agenda for next Council Meeting

Work Session Topics

Public Participation

Informational Items and Reports to/from Council and Staff, and Requests for Future Agenda Items

Recess

Rule 6
PRESIDING OFFICER

6.01 Mayor as Chair

The Mayor, or in his or her absence, the Vice Mayor, shall be the Chair for all meetings of the Council.

6.02 Temporary Chair

In case of the absence of the Mayor and the Vice Mayor, the City Clerk shall call the Council to order. If a quorum is found to be present, the Council shall proceed to elect, by a majority of those present, a Chair for the meeting.

6.03 Selection of Vice Mayor

The candidate with the highest number of votes in the most recent general candidate election shall be appointed Vice Mayor until the next general candidate election. If for whatever reason the Vice Mayor cannot fulfill their term the position will be transferred to the candidate with the next highest number of votes in the most recent general candidate election.

Rule 7
MEETING DECORUM AND ORDER

7.01 Decorum and Order among Councilmembers

The Chair shall preserve decorum and decide all questions of order, subject to appeal to the Council. During Council meetings, Councilmembers shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the order of the Chair or the Rules of the Council. Every Councilmember desiring to speak shall address the Chair, and upon recognition by the Chair, shall confine himself or herself to the question under debate and shall avoid all personal attacks and indecorous language. A Councilmember once recognized shall not be interrupted while speaking unless called to order by the Chair or unless a point of order is raised by another Councilmember. If a Councilmember is called to order while he or she is speaking, he or she shall cease speaking immediately until the question of order is determined. If ruled to be out of order, he or she shall remain silent or shall alter his or her remarks so as to comply with the Rules of the Council. Councilmembers shall confine their questions to the particular issues before the Council. If the Chair fails to act, any member may move to require him or her to enforce the Rules and the affirmative vote of the majority of the Council shall require the Chair to act.

If Council discussion of a matter exceeds one hour, each Councilmember shall limit their subsequent remarks to three minutes.

7.02 Decorum and Order among City Staff

The Chair shall have the authority to preserve decorum in meetings as far as the audience, staff members, and city employees are concerned. The City Manager shall also be responsible for the orderly conduct and decorum of all City employees under the City Manager's direction and control. Any remarks shall be addressed to the Chair and to any or all members of the Council. No staff member, other than the staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the Chair.

7.03 Decorum and Order among Citizen Participants

Citizens attending Council meetings should observe the same rules of propriety, decorum, and good conduct applicable to members of the Council. Any person causing a disturbance of the peace and good order during a Council meeting, may be removed from the room if so directed by the Chair, and such person may be barred from further audience before the Council. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the Chair, if such actions cause a disturbance of the peace and good order the Chair may direct the Sergeant-at-Arms to remove such offenders from the room. Should the Chair fail to act, any member of the Council may move to require the Chair to enforce the Rules, and the affirmative vote of the majority of the Council shall require the Chair to act. Political campaigning is prohibited. Any member of the public desiring to address the Council on any agenda item shall be recognized by the Chair shall state his or her name and city of residence in an audible tone for the record, and shall limit his or her remarks to the questions under discussion. Any remarks shall be addressed to the Chair and to any or all members of the Council.

~~Citizens are allowed to address the Council a maximum of three times throughout the meeting, including comments made during Public Participation. Other than Public Participation, comments shall be limited to the business at hand. Once the Chair recognizes a speaker, the Chair shall limit the period of speaking to a reasonable period of time of no more than three minutes per person, at the discretion of the Chair and a speaker may address the Council with the speaker's own statements and the statements of other persons within the set time period.~~

Rule 8

RIGHT OF APPEAL FROM THE CHAIR

8.01 Process for Appeal

Any Councilmember may appeal to the Council from a ruling of the Chair. If the appeal is seconded, the member making the appeal may briefly state his or her reason for the same, and the Chair may briefly explain the Chair's ruling. There shall be no debate on the appeal, and no other member shall participate in the discussion. The Chair shall then put the question, "Shall the decision of the Chair be sustained?" If a majority of the members present vote "aye", the ruling of the Chair is sustained; otherwise, it is overruled.

Rule 9

PUBLIC PARTICIPATION IN COUNCIL DISCUSSIONS

9.01 Non-Public Hearing Discussions

Any person wishing to speak on any matter on the agenda before the Council, or during Public Participation, shall fill out a comment card and submit that card to the recording clerk, who will deliver the card to the Chair. The Chair shall limit the period of speaking to a reasonable period of time of no more than three minutes per person (exceptions listed below); a speaker may address the Council with the speaker's own statements and the statements of other persons within the set time limit. The person desiring to speak shall limit his or her remarks to the matter under discussion and shall address his or her remarks to the Chair. Speakers may not cede any portion of their allotted time to another speaker.

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 ten persons must be listed on the speaker card and be present at the time the comment is give. The persons will be requested to identify themselves by standing and those included in the group are precluded from making comments on the same topic but may participate in any other agendized topics up to the limit addressed in Section 7.03.

Any person wishing to speak with the assistance of a translator shall designate such on the speaker card and be permitted to speak up to five minutes.

9.02 Public Hearings

- A. In the case of a public hearing, the Chair shall announce prior to such hearing the total time limit, if any, to be allowed for public debate, depending upon the circumstances and public attendance. The Chair shall also announce the time limits for each individual speaker (normally no more than three minutes), and that no speaker may be heard more than once.
- B. Any person wishing to speak with the assistance of a translator shall designate such on the speaker card and be permitted to speak up to five minutes.
- C. 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 ten persons must be listed on the speaker card and be present at the time the comment is give. The persons will be requested to identify themselves by standing and those included in the group are precluded from making comments on the same topic but may participate in any other agendized topics up to the limit addressed in Section 7.03.
- D. Speakers may not cede any portion of their allotted time to another speaker.
- E. The order of presentation and time limits shall be as follows:
 - 1. Staff presentation (a time limit may be assigned ten-minute time limit, except with specific Council permission to exceed this limit).
 - 2. Applicant presentation, only upon applicant's specific request (if a time limit is assigned, the same time allotted to staff will be allotted to the applicant) up to ten minutes, except with specific Council permission to exceed this limit).
 - 3. Council's questions to staff and applicant.

4. Public comment (three minutes for individual speakers, up to fifteen minutes for a representative of ten or more persons present at the meeting who have contributed their time to the representative), The ten persons will be requested to identify themselves by standing and those included in the group are precluded from making comments on the same topic, but may participate in any other agendized topics up to the limit addressed in Section 7
 5. Applicant's response, only upon applicant's specific request (5 minutes),
 6. Staff's response (5 minutes),
 7. Council deliberation and questions to staff and applicant.
- F. This rule will not preclude questions from members of the Council to the speaker where it is deemed necessary for purposes of clarification or understanding, but not for purposes of debate or argument.

Rule 10

RULES GOVERNING MOTIONS BY THE COUNCIL

10.01 Motion to be Stated by the Chair - Withdrawal

When a motion is made and seconded, it shall be so stated by the Chair before debate commences. A motion may not be withdrawn by the mover without the consent of the member seconding it.

10.02 Motion to Suspend Rules

Suspension of these Rules requires a majority consent of the Councilmembers present. A motion to suspend may not be made while another motion is pending unless it directly applies to the pending motion. Suspension of the Rules may not be appropriate in the context of a Public Hearing.

10.03 Motion to Change Order of Agenda

The Chair may, at his or her discretion, or shall, upon the majority vote of Councilmembers present, change the order of the agenda. However, caution should be given to not changing the order to circumvent the Open Meeting Law.

10.04 Motion to Table

A motion to table is used to delay discussion on an item until later in the meeting or until the next meeting. Neither the motion to table nor other business can be discussed, until a vote has been taken on the motion. If the motion is successful, no further discussion can be had without a motion to take off the table. To take a motion off the table at the same or immediately succeeding meeting, a motion and second must be made to take the item off the table, and it must pass by majority vote.

If not revived by the adjournment of the immediately succeeding meeting, the matter is considered to be dead.

10.05 Motion to Postpone

A motion to postpone is in order when an item is rescheduled to a time certain, when it is delayed with conditions, or when the matter is intended to be disposed of without action. If the motion prevails, the item shall return for Council action at the meeting specified or in accordance with the conditions established in the postponement. A motion to postpone may be debated prior to vote, but no other motion, including a motion to amend, may be offered until the vote is taken and only if the motion to postpone fails.

A motion to postpone indefinitely, if it receives a majority vote, effectively extinguishes an item.

10.06 Motion to Divide the Question

If the question contains two or more divisionable propositions, the Chair may, and upon request of a member shall, divide the same.

10.07 Motion to Amend

On a motion to amend or “strike out and insert”, the motion shall be made so that the intent of the amendment is clear to the Council and public, and for the record.

The Council may materially amend an ordinance after the first read of that ordinance and proceed immediately to the second read and adoption. In other words, it is not necessary to proceed as though it is a new ordinance after a material change.

10.08 Motion to Amend an Amendment

A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be introduced. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.

10.09 Motion to Reconsider

After the decision on any question, any member who voted with the majority may move for a reconsideration of any action at the same meeting or at the next regular meeting that occurs at least one week after the date the action was taken. In the event of a tie vote on a motion, any Councilmember may move for reconsideration at the next regular meeting of the City Council that occurs at least one week after the date the action was taken, but not thereafter. To ensure that the matter will be included on the posted agenda in conformance with the Open Meeting Law, any Councilmember who wishes to have a decision reconsidered must alert the city clerk in writing at least five (5) days, exclusive of Saturdays, Sundays, and intermediate holidays, prior to the meeting at which the motion to reconsider will be made, unless the motion to reconsider was made and seconded at a Council meeting. A motion to reconsider shall require the affirmative vote of the majority of the members present at the time of reconsideration. After a motion for reconsideration has once been acted on, no other motion for reconsideration of the same subject shall be made without unanimous consent of all Councilmembers.

After the reconsideration time period has expired, the same matter may be placed on a later Council meeting agenda under Future Agenda Item Request at the request of any Councilmember. It shall require agreement by Councilmembers during Future Agenda Item Request to be placed on a future agenda as an action item. If the matter is considered

for formal action on a future meeting, the motion for or against taking an action need not be made by a member of the prevailing vote.

10.10 Motion for Roll Call Vote

Any Councilmember may request a roll call vote, or the Chair may ask for a roll call vote for purposes of clarifying a vote for the record. The roll may be called for yeas and nays upon any questions before the Council. Unless allowed by the Chair, it shall be out of order for members to explain their vote during the roll call, or to engage in additional debate or discussion on the subject after the vote is taken.

Rule 11 **MISCELLANEOUS PROVISIONS**

11.01 Prior Approval by Administrative Staff

Except as to matters requested by individual Councilmembers under the Future Agenda Item Request Section of the agenda, all ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his or her authorized representative, and shall have been examined for practicality by the City Manager or his or her authorized representative.

11.02 Placement of Items on Agendas for Council Action

Pursuant to Council direction received during any Council meeting, the City Manager may present ordinances, resolutions, and other matters or subjects to the Council, and any Councilmember may assume sponsorship thereof by moving that such ordinances, resolutions, matters or subjects be adopted. In addition, ordinances, resolutions and other matters or subjects requiring action by the Council may be introduced and sponsored by a member of the Council through the Future Agenda Item Request process described in Rule 4.01.

11.03 No New Agenda Items after 9:30 p.m. except by Majority Vote

No new agenda items shall begin after 9:30 p.m. unless approved by majority vote of the City Council. If, however, discussion on an item commences prior to 9:30 p.m., the Council may continue its deliberation or move to postpone that item. Agenda items on a Council agenda not considered will be placed on the immediately succeeding Regular or Special Council meeting.

11.04 Robert's Rules

Robert's Rules of Order, latest edition, shall serve as a guideline for interpretation of and supplementation for these Rules in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Charter of the City of Flagstaff or the laws of the State of Arizona. The interpretation of these Rules and Robert's Rules shall be guided by the principles underlying Parliamentary law, that is, a careful balance of the rights of individuals and minority subgroups of the council with the will of the majority. In no case shall the strict application of a rule or procedure be interpreted to deny any

individual or minority the right to participate in a debate, discussion, or vote, nor shall these rules be interpreted in such a way so as to defeat the will of the majority of the whole of the Council.

11.05 Citizen Petitions [Flagstaff City Charter Art. II, §17]

A citizen or a group of citizens may present a written petition to the City Manager, signed by a minimum of 25 citizens from the City of Flagstaff in a form prescribed by ordinance, who shall present it to the Council at its next regular meeting. The Council must act on the petition within 31 days of the City Manager's presentation. Citizen petitions will first be placed on the agenda under Future Agenda Item Request to determine if there is Council interest in placing the item on a future agenda for consideration. Failure to give such direction shall constitute "action" for purposes of this section.

11.06 Video Streaming, Recording, and Photography

For City Council safety and other security purposes, audio/video streaming, audio/video recording, photography, or similar activities are not permitted on the City Council side of the lectern counter. Such activities are permitted *only* on the public side of the lectern counter so long as they do not obstruct the view of the public in City Council Chambers and the view of the City's official internet live streaming viewers. In the event the City Council meets anywhere outside of City Council Chambers, this same rule shall apply, and no such activities will be permitted on the City Council side of the lectern. This rule does not apply to the City's official internet streaming and any audio/visual equipment for the same, and also does not apply to body cameras used by law enforcement officers.

11.07 Meetings with State and Federal Delegation and Annual Lobbying Trips

Two councilmembers must be in attendance at any meetings with State and Federal representatives. The City Council participates in annual state and federal lobbying trips wherein the Mayor, or designee, will accompany two councilmembers and staff on each trip. The councilmembers chosen to attend will be determined by an established rotation to ensure equal opportunity to participate and represent the City in this capacity.

CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Dan Musselman, Police Chief
Co-Submitter: Mark Gaillard, Fire Chief
Date: 02/01/2021
Meeting Date: 02/09/2021



TITLE

Overview of your Police and Fire Divisions

STAFF RECOMMENDED ACTION:

These presentations are for informational purposes only.

EXECUTIVE SUMMARY:

The Fire Department is made up of three main sections including: Operations, Support and Community Risk Reduction. Their major programs include: Fire Response, Emergency Medical Services, Special Operations and Wildfire Suppression. Their budget for fiscal year 2021 was \$16,191,014.

The Flagstaff Police Division is made up of two main sections, Operations and Support Services. Their largest programs include: Emergency and Non-Emergency Response to calls for service, Community Policing, Criminal Investigations and follow up, and Regional 911 Communications and Dispatch. The annual budget for the Flagstaff Police Department in fiscal year 2021 was \$23,279,589.

INFORMATION:

The leadership teams of both divisions will share their mission statements. They will present information on their staffing, programs, budget highlights, and accomplishments and initiatives.

The latest Annual report, and policy manual for the Flagstaff Police Department can be found here:

2019 Annual Report: https://issuu.com/flagstaffpolicedepartment/docs/annual_report_2019-final

Policy Manual: https://drive.google.com/file/d/1VCJ_Fg0tzyf-cHDvJw4qz7imELgne9M/view

Attachments: [Police Presentation PPT](#)
[Fire Presentation PPT](#)
[Fire Briefing Overview](#)



CITY COUNCIL - DIVISION INTRODUCTION

Flagstaff Police Department

FEBRUARY 9TH, 2021



- Overview of Division
- Organizational Chart
- Budget Information
- Look at FY21
- 2020 Accomplishments
- 2021 Initiatives





Mission Statement

- The mission of the Flagstaff Police Department is to protect and preserve life, property, public order and the rights of the individual, by providing exemplary service through the establishment of a partnership of shared responsibility, support and trust with law abiding members of the community.



Overview of Division

- Operations (115 FTE's)
 - Patrol
 - Detectives
 - Street Crimes Unit
 - Emergency Response Teams
- Support Services (55 FTE's)
 - Communications Center
 - Records
 - Property and Evidence





Overview of Division

- Operations
 - Patrol
 - Collisions, Traffic, and Initial Response
 - 41,933 calls for service in 2020
 - 17,768 reports, 5,771 arrests
 - 2,199 Collision investigations
 - Detectives
 - Felonies, Missing Persons, Sex Crimes
 - Worked 3,455 cases in 2020
 - Investigated Five Homicides
 - Clearance rate 57%





Overview of Division

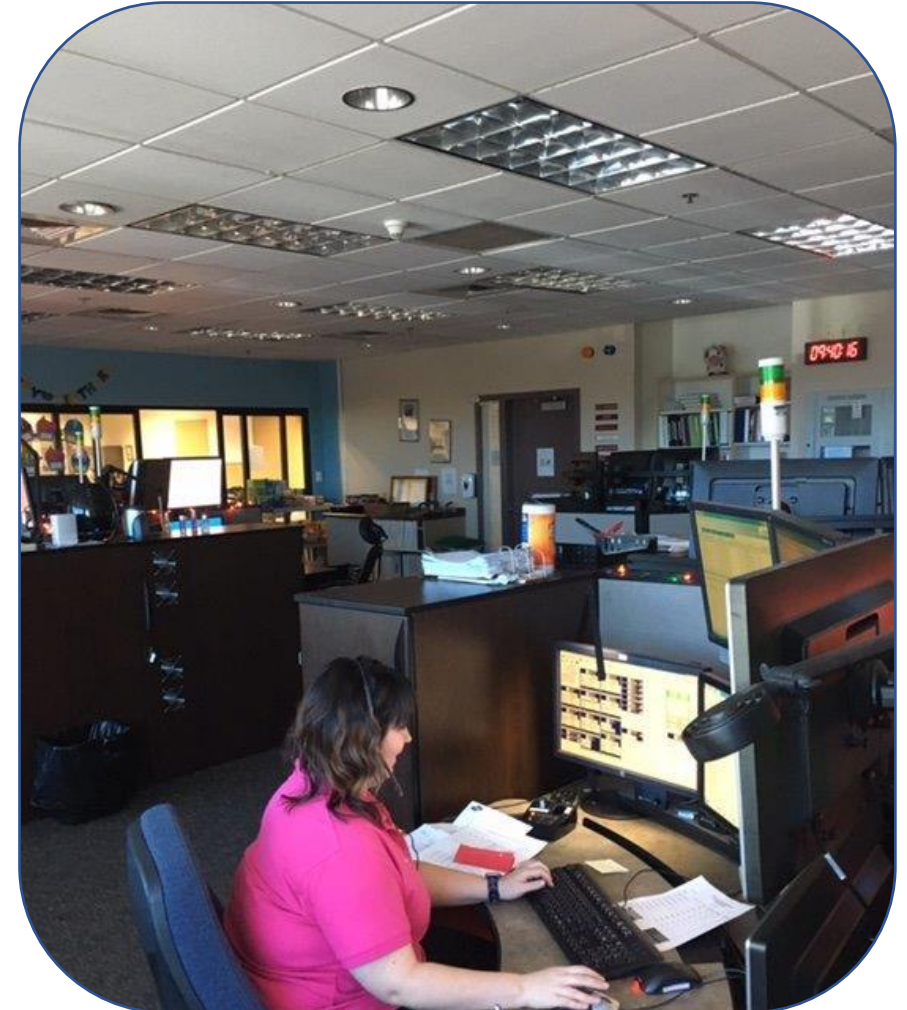
- Operations Continued
 - Street Crimes Unit
 - Multi-Agency /County Wide
 - Federal Partners (FBI, HSI, ATF, DEA)
 - Emergency Response Teams
 - SWAT
 - Bomb
 - Negotiations
 - Other Specialty Assignments
 - School Resource Officers, Phlebotomy, Collision Reconstruction,
 - Motors, Field Trainers, Honor Guard





Overview of Division

- Support Services (55 FTE's)
 - Communications Center
 - 30 Personnel
 - Answered 69,493 (911 calls)
 - Answered 282,267 total calls
 - Emergency Medical Dispatch Certified
 - Partner Agencies





Overview of Division

- Support Services Continued:

- Records

- One supervisor and 10 specialists
- Log Incidents, arrests, bookings etc.

- Property and Evidence

- Fleet management of cars, motorcycles, bicycles,
- Manages over 100,000 items of evidence
- Submitted 974 items to state lab for scientific examination







A look at FY 21

Budget Information

- Total Division Budget \$23,279,589
 - Grants: \$2,375,748
 - Personnel \$19,347,652 (83%)
- Largest Programs
 - Emergency and Non-Emergency Response: \$7,776,140
 - Community Policing: \$2,364,637
 - Criminal Investigations: \$2,295,836
 - Regional 911 Communications and Dispatch: \$2,073,736



Police Department



Division Accomplishments

- 15% Decrease in Overall Crime 2020
- Conferred 10 Lifesavings Awards
- Alternate Response(Mental Health Calls)
- In-custody bookings down by 22% (1,244)
- New Records Management System
- Provided Implicit Bias Training to staff
- Protective Equipment Grants (\$120,000)
- Worked Many Protest Events



Police Department



2021 Initiatives

- Alternate Response (Day Center/Detox Facility)
- Computer Aided Dispatch Upgrade
- Implement Text to 911
- Evidence Vault Expansion
- Electronic Citations (\$61,000 Grant)
- Wellness Grant Initiatives
- Incident Command Vehicle



Thank you





CITY COUNCIL - DIVISION INTRODUCTION

Fire Department

FEBRUARY 9, 2021



- Overview of Division
- Organizational Chart and Staffing Overview
- Budget Information
- Look at FY21
- Other



MISSION

Ensuring exceptional customer service to the community, visitors, and surrounding region.

VISION

Dedicated to life safety and fire protection services

VALUES

INTEGRITY

HONESTY

RESPECT

TRUST

Protecting values At Risk



Strategic Partnerships

Summit Fire & Medical District.

- Joint Management Agreement
- Functional Consolidation of Command Staff/Administration
- Staffing Efficiency
- Operational Capacity
- Cost Avoidance

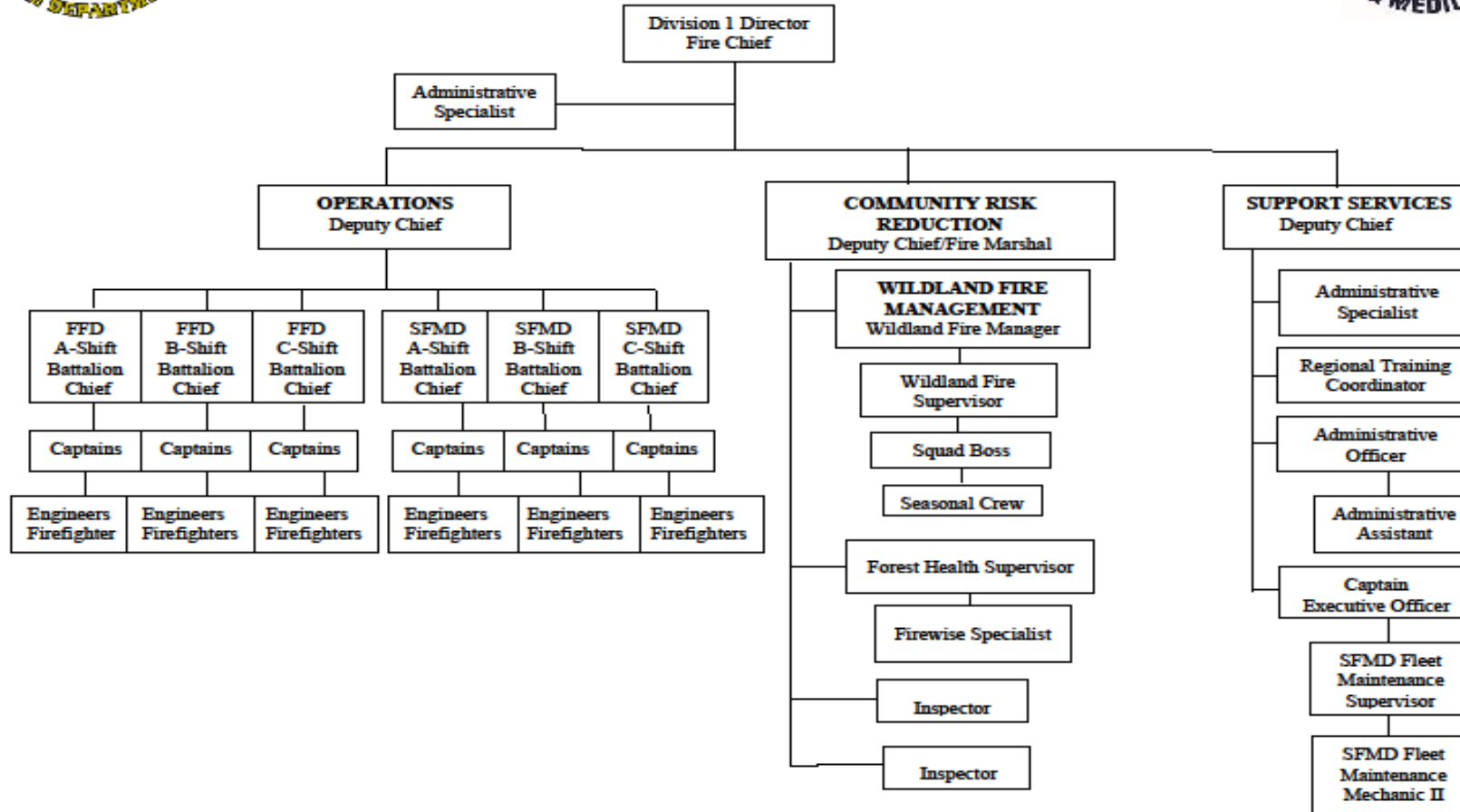


Response Area

- Population served: 77,590 (2020 US census city/town estimate)
- Approx. 64 Sq. Miles in the largest Ponderosa Pine forest in the world
- Six All-Risk stations (7 front line units + 1 Battalion Chief)
 - 6 All-Risk Engines with minimum staffing of 3 personnel
 - 1 All-Risk Rescue with minimum staffing of 2 personnel
- One Wildfire Management (WFM) station
 - 5- Fulltime staff & 10-15 season Crew members
- Total full-time personnel = 94
(Administrative staff, Line personnel, WFM & Prevention)



FLAGSTAFF FIRE DEPARTMENT / SUMMIT FIRE & MEDICAL DISTRICT ORGANIZATION CHART – 2021





Community Risk Reduction-CRR/ Deputy Chief Jerry Bills

The Flagstaff Fire Department Community Risk Reduction (CRR) section works to provide a safe community for the citizens and visitors of Flagstaff by applying the principles of engineering, enforcement, and education.

- Fire Prevention
- Wildfire Management
- Emergency Management

CRR/Wildland Fire

- Catastrophic wildfire is a significant threat to the City of Flagstaff's social, economic and environmental well-being.
- The Wildland Fire Management (WFM) program accounts for this threat by following 5 strategic pillars through a continuous year-round cycle: prevention, preparedness, hazard mitigation, response, and recovery.



- This cycle remains mission focused through guidance from City leadership, the Climate Adaptation and Action Plan, the Wildfire Urban Interface Code, national wildfire response qualification standards, and community and stakeholder input.
- WFM staff achieve our mission by collaborating with multiple departments within the City. WFM is working with Sustainability to develop equitable smoke mitigation strategies and with Water Services to continue wildfire risk reduction efforts in the Upper Lake Mary Watershed.



CRR/Wildland Fire

- The \$10M Flagstaff Watershed Protection Project is designed to prevent \$573 million to \$1.2 billion in costs (CWPP)
- Since 1996, WFM has supported over 120K acres of forest treatments implemented in the Greater Flagstaff Area including over 12K acres within the City of Flagstaff and 6K acres of Flagstaff Watershed Protection Project. WFM treats 400+ acres annually within Flagstaff: public and private land thinning, debris removal, and prescribed fire/controlled burns.





CRR/Fire Prevention

Development Services

The CRR/Prevention Section ensures that the requirements of the 2018 Edition of the IFC and National Fire Protection Association (NFPA) standards are engineered into new construction projects in our community.

Occupancy Inspections

Code enforcement activities focus on ensuring that existing buildings and facilities are operated and maintained to governing codes providing a safe environment for the employees, citizens, and visitors of Flagstaff and for emergency response personnel

More.....Special Events, Public Education, and Operational Permits



CRR/Fire Prevention

By the Numbers

- 934 Inspections By CRR staff
- 562 Inspections By Fire Crews
- 153 Public Education Contacts
- 83 Fire Cause and Origin Investigations

Above are 2019 numbers. 2020 numbers are well below our typical yearly stats due to Covid.



CRR/Emergency Management

Using the four pillars of Emergency Management, Planning, Response, Mitigation and Recovery we coordinate these functions to ensure we are prepared for man-made and natural disasters.

In cooperation with the Coconino County Emergency Management Office, we continually use the functions above to be prepared for the next event.



Operations-OPS/Deputy Chief Patrick Staskey

The Flagstaff Fire Department is responsible for providing immediate response to Fires, Emergency Medical Services, Special Operations, and Wildfire Suppression; ensuring a safe community for the citizens and visitors of Flagstaff and the surrounding region.

- Fires
- Emergency Medical Services
- Special Operations
- Wildfire Suppression



Operations/FIRE

- Six Fire Stations *distributed* across the City; housing seven emergency response units.
- Cross-trained All Risk Firefighters, Emergency Medical Technicians, and Paramedics.
- Additional cross trained staff include:
 - Hazardous Materials Response
 - Technical Rescue
 - Fire Investigation
- Three Shifts (A,B,C)
 - 24 hour shifts
 - 2 days on / 4 days off.



Operations/EMS

- Emergency Medical System
 - Emergency Medical Dispatch
 - Fire based EMS First Response (Flagstaff FD)
 - Private Medical Transport (Guardian Medical Transport)
- Fast Response to life threatening emergencies within the community.
- Highest level of patient care in the prehospital environment.



Admin-Support Services/Deputy Chief Mark Wilson

- 1 Deputy Chief and 1 Administrative Specialist
- Oversees the FFD budget
- Responsible for contractual and invoicing needs
- Responsible for policy and administrative needs
- Responsible for all logistical and support needs to run the following:
 - Six Fire Stations (seven front line units)
 - One wildfire management station
 - Fire Training Facility & modular classroom
 - Maintenance and replacement of 35+ vehicles/apparatus



FFD Budget

FY 21 Budget Information - \$500k estimated ongoing base deficit

- Division Final Budget: \$16,016,951
 - Personnel: \$14,375,124 (*PSPRS reductions not included in FY21)
 - Capital: \$595,000
 - Contractual/Commodities base: \$1,045,890
- Wildfire Management \$1.12M
 - Personnel \$903,480
 - Contractual/Commodities base: \$134,641
- Grants: \$4,072,618 (placeholders) - Awarded over \$1.5M
 - Greater Flagstaff Regional Officer/Leadership Academy - \$481,949
 - Self-Contained Breathing equipment replacement - \$516,000
 - Miscellaneous Safety equipment - \$75,000
 - Wildfire Management grants - \$400,000



2021 Initiatives

- Provide adequate numbers of paramedics
- Restore a full-time Regional Training Coordinator- (50% funded by regional partners) - ***Funded as 1x for 6th year and cut to 50% for recession***
- Add a 24/7 Rescue unit (promote six Captains to supervise unit)
- Alternative Response Unit – behavioral/social health response
- Upgrade our obsolete reporting software platform
- Replace a 22-year-old Fire Engine
- Replace a 21-year-old Wildfire Engine
- Funding for a 2022 Spring Regional Recruit Academy
- Station & Response Analysis (through Impact Fees)



Year to Year Trends

2010-2020

Calls for service: 60% increase (Avg of 6% per year)

2010 = (9,375)

2013 = (10,912)

2018 = (14,270)

2020 = (15,712)

Staffing: 7% decrease from all-time high = FY2009/10 (101.5)

FY2009/10 = (101.5 FTE's)

FY2013/14 = (85 FTE's) - Loss of 10 FF's, DC, BC, Inspector, 3.5 WFM

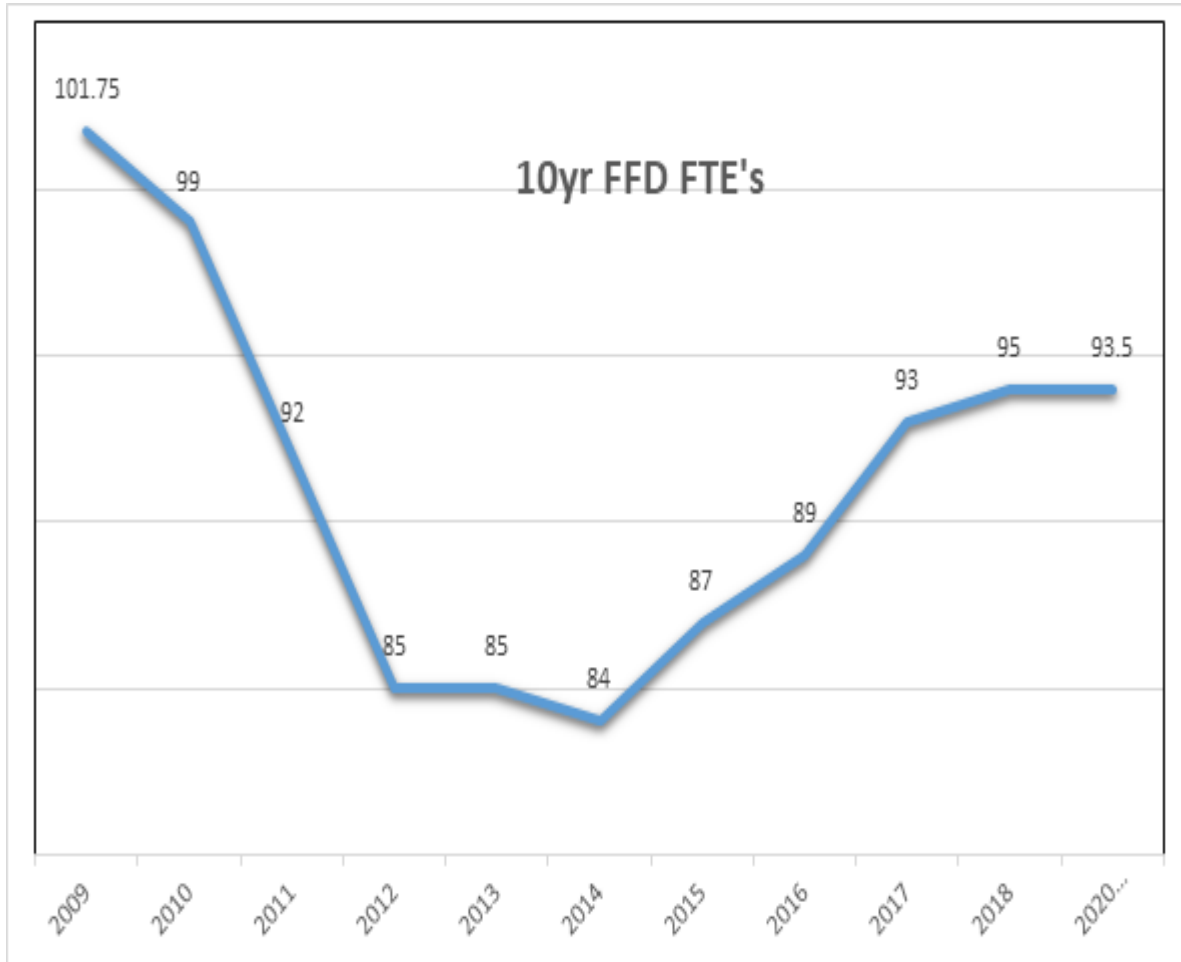
FY2018/19 = (95 FTE's) – 6 SAFER Grant FF's, 1 DC, RTO, 1-CART, Inspector

FY2020/21 = (93.5 FTE's) - Loss of CART FTE, 50% of RTO

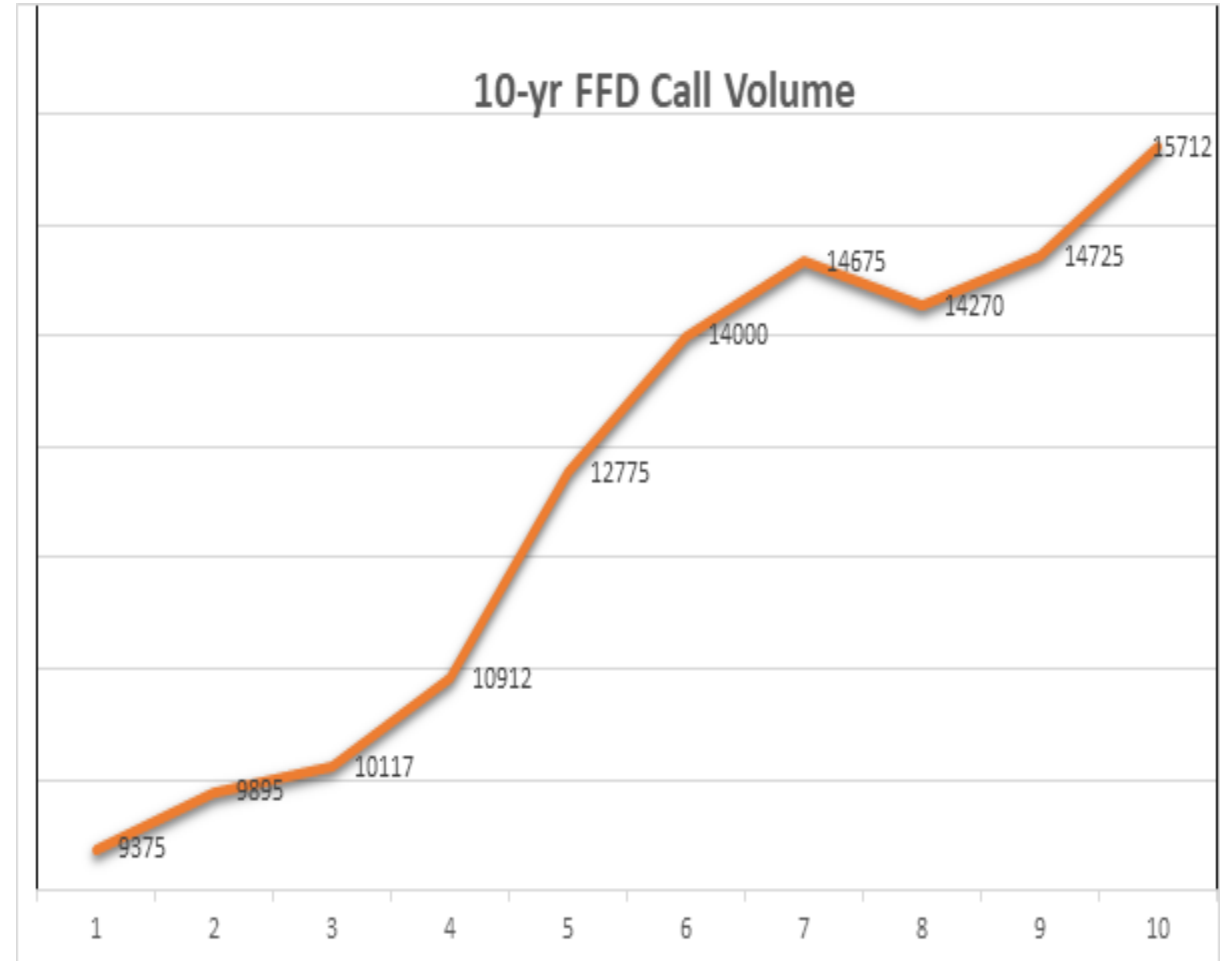


Firefighter FTE vs. Call Volume

Total FTE's (2010-2020)



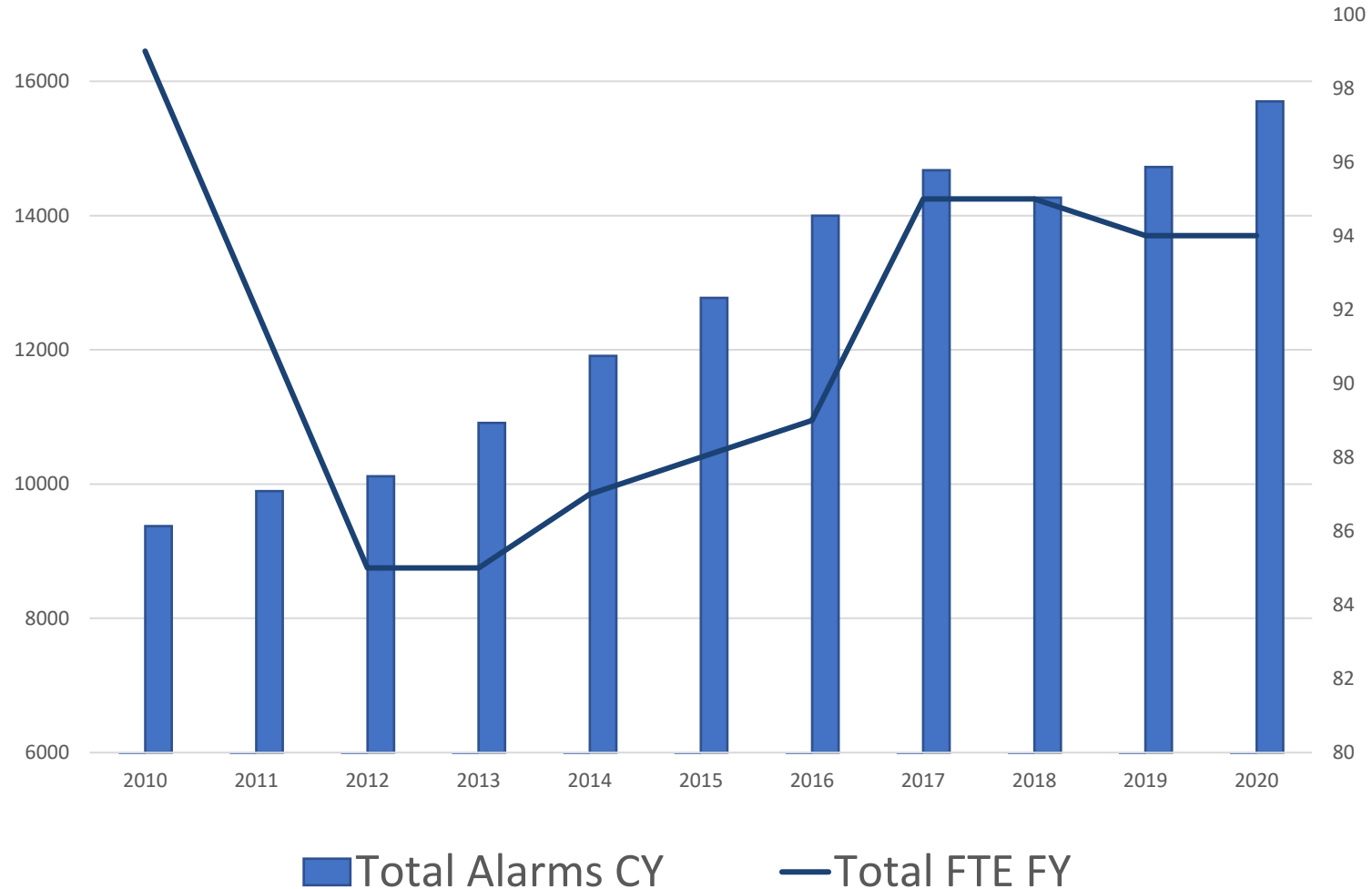
Call Volume (2010-2020)





Summary of Impacts to Flag Fire

Staffing remains 7% Below Pre-Great Recession
Levels-Call Volume Increased 60%





Capital Expenditures

FLEET Needs within FFD

- ***Fleet Inventory Summary: Recession pushed replacement back on average 5 years. Approved for one type 1 Engine this FY by FLEET.***
Needs: 16 units beyond recommend replacement in next five years:
 - *4 - Type 1 Pumper Engines - \$3.2M*
 - *2 – Quints (aerial device) – \$2.5M*
 - *2 - Water Tenders - \$800k*
 - *2 - Wildfire Type 3 Engines - \$800k*
 - *1 - Rescue - \$275k*
 - *5 - Staff Vehicles - \$275k*
- ***Total FLEET needs in next five years: \$7.8M***



Capital Expenditures

Other Capital Needs within FFD

- Self-Contained Breathing Equipment – Received \$515k in grants funds in 2020/21 - ***Needs: \$250k to get remaining equipment***
- New Heart Monitors - (5-year lease replacement cycle) - ***Needs: \$400k to replace current 5-year equipment***
- Radio Replacement - ***Needs: \$550k to replace older unit and station radios purchased with previous bond.***
- Stations - ***Study for new Station #7 on John Wesley Powell Blvd.***
 - FWP Corridor/Station 4 – ***Needs: \$4M to relocate***
 - Admin – If moved from City Hall – ***Needs: \$1.5M*** (on St #7/4 property)
 - Completion of Training Facility from 2006 Bond – ***Needs: \$1.5M***



Summary of FFD

- Mission Focused
- People Driven
- Always Adapting
- Increasing Service Demands
- Resource Scarce
- Aging infrastructure
- Compaction and related concerns.



Thank you



Flagstaff Fire Department was established in 1899. Over the years the organization has evolved; resources and personnel have been added in response to the changing demands of the community. Ninety-five (95) men and women make up the diverse work force of the Flagstaff Fire Department. There are seven (7) strategically located fire stations throughout the city limits of Flagstaff. Six are Fire/EMS stations and one is our Wildfire Management station.

MISSION

Ensuring exceptional customer service to the community, visitors, and surrounding region.

VISION

Dedicated to life safety and fire protection services

VALUES

*INTEGRITY
HONESTY
RESPECT
TRUST*

Our Strategic Initiatives

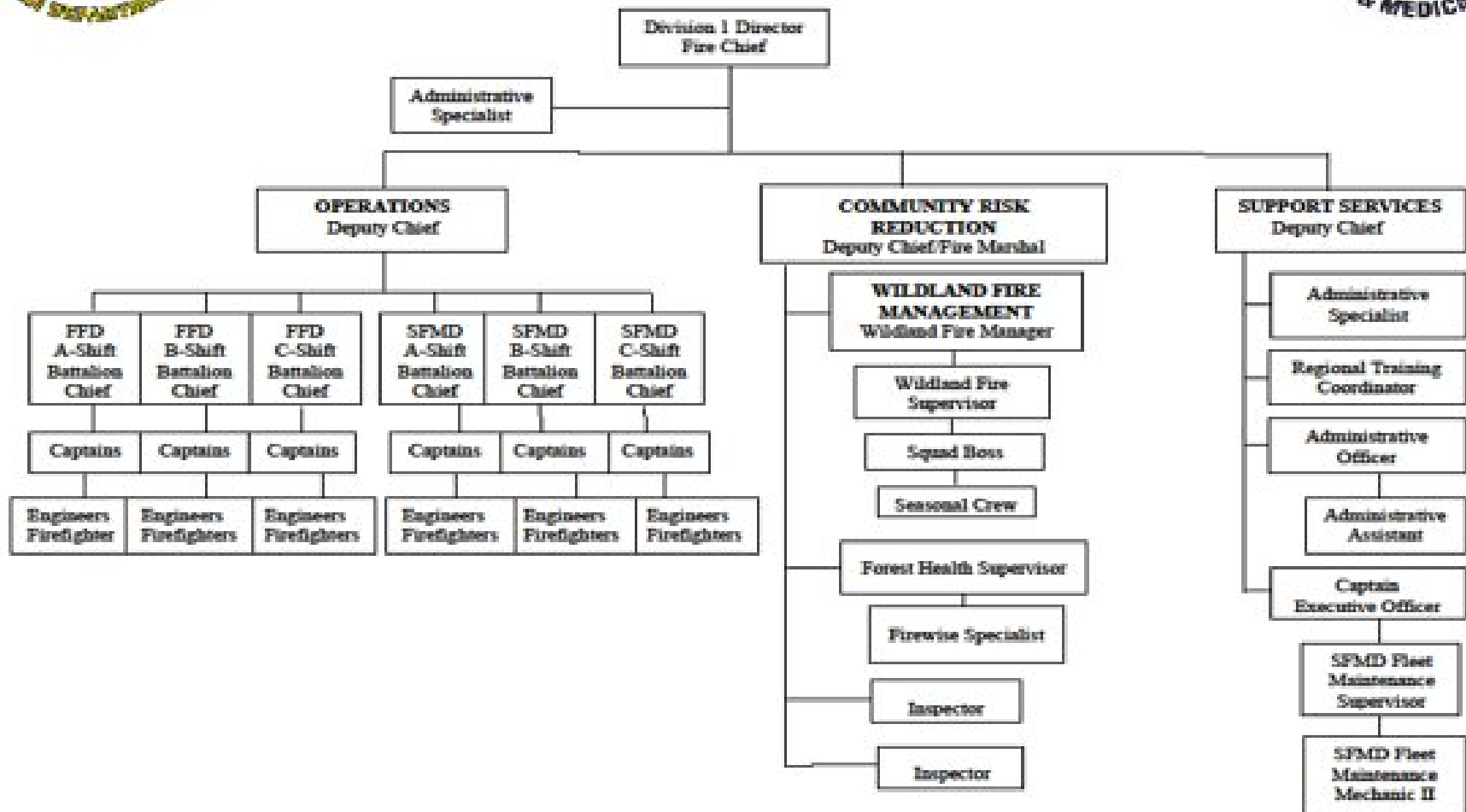
Standardization and Improved Partnership Goals

Sustainability and Funding

Service Levels



FLAGSTAFF FIRE DEPARTMENT / SUMMIT FIRE & MEDICAL DISTRICT ORGANIZATION CHART – 2021



OPERATIONS

Fire Operations is a core foundation of the Flagstaff Fire Department (FFD). The Operations Division is responsible for the rapid and timely delivery of emergency services to any incident that threatens or has the potential to threaten life or property. Six strategically located fire stations house personnel and specialized equipment that provide fire suppression, emergency medical, rescue, and special operations response. The companies are cross trained in a variety of operations and are equipped to respond to all types of emergencies.

The Operations Division performs all duties related to emergency response (fire, rescue, medical and hazard abatement), non-emergency service calls, fire prevention and public education programs, in-service training for all personnel, comprehensive fire pre-planning for high risk and special hazard properties, along with maintaining fire facilities, apparatus and equipment. Each station is manned in shifts. Personnel are assigned to a rotating shift designated as A Shift, B Shift, and C Shift. Each shift works 24-hour days according to the shift calendar. Their work rotation is 2 days on/4 days off, a 48/96 work schedule. Shift Battalion Chiefs are in charge of daily operations at all stations during each of their respective shifts.



Medical Services: Emergency Medical Services (EMS) is dedicated to providing pre-hospital medical care to patients suffering from illness or injuries. The EMS system includes 9-1-1 dispatch, first responders, emergency medical technicians (EMTs), paramedics and a third-party ambulance service that transports our patients to the hospital. In the City of Flagstaff, the fire department is responsible for providing EMS services to the community. FFD is equipped with the training, personnel and tools necessary to respond timely to any emergency.

Paramedics and EMT's are trained to recognize and treat life-threatening conditions, such as heart attack and stroke. Quick and accurate medical decision-making by our EMT's and Paramedics is vital to patient safety and definitive hospital treatment. EMS also strives to maintain the health and safety of the community through public safety services, such as community education, including CPR.

Wildfire Suppression Response: The number one threat to the City of Flagstaff's environmental, social and economic well-being is catastrophic wildfire. Fire is a natural component of a healthy ponderosa pine forest but also a force of nature that can be difficult to control. We work closely with state and federal agencies to protect the community from catastrophic wildfires by creating a fire adapted forest and community. In addition to full-time and seasonal firefighters in the Wildland Fire Division, all operations personnel are trained as wildland firefighters and many have advance training in wildfire suppression and management.

Special Operations: Flagstaff Fire Department Special Operations Division is a multi-faceted division of the fire department serving Northern Arizona. The special operations team represents a group of firefighter personnel that, in addition to their firefighting duties and training, elect to diversify and train to meet the challenges and dangers of specific rescue environments. Special Operations encompasses the following unique and high hazard response disciplines:

- Hazardous Materials Response
- Technical Rescue / Confined Space Rescue
- Trench Rescue
- High Angle Rescue
- Short Haul (Airborne) Rescue
- Heavy Rescue
- Cold Water/Ice Rescue



TRAINING:

The training function is internal to the Operations Division and generally increases the competency of our response personnel. These training activities include:

- Coordinate testing process for firefighter hiring.
- Over 30,000 hours of in-service training is provided to personnel (240 hours) annually to ensure skills meet identified performance standards for each employee.
- Assist local, area, and state agencies with training needs. This training is usually held at our regional training facility.
- Recruit training and probationary skills assessment.

CALLS FOR SERVICE

TYPE YEAR	Fires	EMS	False/Good Intent	Other	TOTAL
2011	346	7383	1615	563	9,907
2012	194	7693	1682	567	10,131
2013	177	8304	1772	659	10,912
2014	212	9212	1893	654	11,971
2015	168	10997	863	747	12,775
2016	190	10834	2237	779	14,040
2017	191	11174	2550	760	14,675
2018	179	12118	1148	825	14,270
2019	144	12620	1135	826	14,725
2020	162	11569	2621	1360	15,712

COMMUNITY RISK REDUCTION

OVERVIEW

The Flagstaff Fire Department Community Risk Reduction (CRR) section works to provide a safe community for the citizens and visitors of Flagstaff by applying the principles of engineering, enforcement, and education. The Department utilizes the 2018 International Fire Code (IFC) and the 2006 Wildland Urban Interface Code. These codes, along with local amendments, help to protect citizens and property from the hazards of fire, explosion or dangerous conditions in new and existing buildings and ensure firefighter safety during emergency operations. We also coordinate fire and life safety development review of potential incoming projects, periodic commercial occupancies inspections, education and outreach to at-risk populations in our community as well as public information and fire investigations.

DEVELOPMENT SERVICES REVIEW (ENGINEERING)

The CRR Section ensures that the requirements of the IFC and National Fire Protection Association (NFPA) standards are engineered into new construction projects in our community. Staff conduct plans review and approval as well as providing technical expertise to developers, architects, contractors, the internal community development team and our operational personnel. CRR saw a large increase in the number of submittals this past year and anticipates further increases in 2020.



OCCUPANCY FIRE INSPECTIONS (ENFORCEMENT)

Annual Operational Inspections

Code enforcement activities focus on ensuring that existing buildings and facilities are operated and maintained to governing codes providing a safe environment for the employees, citizens, and visitors of Flagstaff and for emergency response personnel. The primary tool for this initiative is annual fire inspections. Inspections are conducted in all medium and high-risk businesses through an annual inspection program. This program is performed by all personnel. Every inspection affords us an opportunity to educate and inform our customers by identifying fire hazards.

➤ **Community Risk Reduction Staff**

Our fire inspectors are responsible for all inspections related to new construction such as site inspections and the proper installation and final acceptance tests of fire protection systems. Our community risk reduction staff also conduct inspections in high-risk facilities which include large life safety hazards such as assemblies or institutional facilities, industrial facilities with large quantities of hazardous materials and buildings over 120,000 sq. feet in size. CRR staff also conduct inspections related to state licensing of certain occupancies, kitchen hoods, special events, and inspections requiring technical expertise.

➤ **Operations Personnel**

The Operations section of the department is also very engaged in fire prevention and code enforcement. Buildings and occupancies other than one and two family dwellings are inspected on a regular and systematic basis by the local fire companies.

Special Events

Flagstaff sees a large use of its outdoor municipal facilities for temporary special events during the summer and fall. Community Risk Reduction staff coordinate life safety reviews and inspections of these events to ensure public safety at large public gatherings including fairs, concerts, sporting events, and festivals. We also inspect and issue permits related to outdoor cooking, trade shows and other high-profile events where tents are in place.



PUBLIC EDUCATION- COMMUNITY OUTREACH (Education)

The goal of public education and community outreach is to keep all of Flagstaff's temporary and full-time residents fire safe. Public education programs strive to provide accessible fire safety information to all Flagstaff.

FFD conducts station tours, school presentations, fire extinguisher classes, fire safety talks, evacuation drills and participates in a wide variety of special events including parades, health fairs, summer camps, and ice cream socials all with the goal of spreading our safety messages.

➤ **Partnerships**

The Flagstaff Fire Department teams up with the American Red Cross and Northern Arizona University to provide our community with a Smoke Alarm Installation Program.

This partnership installs (at no charge) smoke alarms, and replaced batteries in alarms at homes of low-income, seniors, disabled and deaf/hard of hearing residents.

Media releases for the Flagstaff Fire Department includes not only major emergency incidents but public education projects that are pertinent to our community. Events such as our community smoke detector outreach and wildfire safety tips.

FIRE INVESTIGATIONS

The purpose of a fire investigation program is to discover the fire origin and cause, and to determine if a fire was caused by arson. Tasks include scene investigation, documentation, fire pattern interpretation, and scene safety. Investigation are conducted on most fires we respond to - structure fires, vehicle fires, wildland fires. This information is critical to discover trends and patterns in a community and to use the data to set up possible mitigation, and risk reduction efforts.

WILDLAND FIRE MANAGEMENT

Flagstaff, Arizona is known for its sacred peaks and beautiful pine forests. Our economy and quality of life are linked to an intact, healthy natural environment. Unfortunately, nearly 150 years of fire suppression-based forest management has left the landscape at risk of uncharacteristic, high severity wildfire.

Wildland fire is the #1 fire risk to our community and the Wildland Fire Management (WFM) division is also a core service effort. Flagstaff's Wildland Fire Management program is unique among municipal governments and is considered a regional and national model. We treat several hundred acres each year (within the City) and work cooperatively with our partners to treat additional acres on surrounding jurisdictions within our "threat zone".

Wildland Fire Management staff achieve their mission by collaborating with multiple departments within the City. WFM is working with Sustainability to develop equitable smoke mitigation strategies and with Water Services to continue wildfire risk reduction efforts in the Upper Lake Mary Watershed while supporting research to better understand the connections between healthy forests and water yield.

In 2012, the **Flagstaff Watershed Protection Project**, a local bond initiative that raised \$10 million for forest treatments, was approved by Flagstaff's voters with 74% support. The event that triggered this initiative is the 2010 Shultz Fire. The Ecological Restoration Institute's 2013 report *A Full Cost Accounting of the 2010 Shultz Fire* estimates that the economic impacts of the Shultz Fire are between \$133-147 million. Northern Arizona University's 2014 report *Flagstaff Watershed Protection Project Cost Avoidance Study* estimated that the damages the Flagstaff Watershed Protection Project hopes to mitigate are between \$573 million and \$1.2 billion.

This summer, the City of Flagstaff developed an innovative way to further invest in the prevention of undesirable wildfire impacts. On August 1, 2020, the Water Resource and Infrastructure Protection fee will be included for City of Flagstaff water services customers. Flagstaff's water supply is 100% local coming from surface water and wells. Maintaining water quality and distribution infrastructure requires investing in the maintenance of a fire adapted forest. This fee will support the Flagstaff Fire Department's Wildland Fire Management Program's ability to protect Flagstaff and its priority watersheds from the effects of catastrophic wildfire. A fee of \$0.52 per 1000 gallons of water used will provide a reliable and stable source of funding for the Wildland Fire Management Program, the only fire management resource in Flagstaff that reports to locally elected leadership. This fee is part of a larger municipal services billing restructure based on consumption that will maintain monthly water costs for average water volume users while raising costs for large volume water users.

Key Annual Performance Standards and Benchmarks for the Wildland Fire Management Division include:

- Plan, implement, monitor and report on the Flagstaff Watershed Protection Project
- Treat 400+ acres within Flagstaff (thinning, debris disposal, controlled burns)
- Assist neighborhoods in attaining national “FireWise” designation and “Fire-Adapted Communities” status
- Provide individual property and home assessments, with corrective recommendations
- Lead and participate in local/regional/national collaborative initiatives. (e.g. Four Forest Restoration Initiative, Fire Adapted Communities Learning Network, National Cohesive Strategy Western Region Steering Committee, Prescribed Fire Training Exchange Network, Greater Flagstaff Forests Partnership)
- Provide critical management expertise and skills during wildfire events (e.g. Shultz and Museum Fires)
- Interpret and apply the Wildland Urban Interface Fire Code.
- In concert with our partners, coordinate smoke management efforts, mitigate smoke impacts to vulnerable communities, support and contribute to restrictions/closures actions
- Document, invoice, and track wildfire-related reimbursements (≈\$1,000,000/year).



Crew 1 assisting with a lightning caused fire on Observatory Mesa



Pile burn operations were conducted on Observatory Mesa



Ponderosa pine mechanical thinning in the FWPP footprint



Mechanical thinning efforts within the FWPP footprint

© South West Aerial Photography

Flagstaff Fire Department Contact Information

SOCIAL MEDIA

Fire Administration
211 W. Aspen Ave
Flagstaff, AZ 86001
(928) 213-2500
flagfire@flagstaffaz.gov

Facebook and *Twitter* accounts are advertised and managed in order to provide residents and visitors with important, real-time information related to prevention tips, preparedness material, on-going response activities, and mitigation recommendations.

Mark Gaillard, Fire Chief
(928) 213-2501
mgaillard@flagstaffaz.gov

Simply "LIKE" us on our Facebook page by visiting

www.facebook.com/flagstafffiredepartment

Jerry Bills, Deputy Chief
(928) 213-2507
jbills@flagstaffaz.gov

or scan the code below with your *Smart Phone* bar code scanner to link to our Facebook page.



Pat Staskey, Deputy Chief
(928) 213-2502
pstaskey@flagstaffaz.gov

You can also "FOLLOW" us on Twitter at **@FlagstaffFire** by visiting our page at www.twitter.com/flagstafffire or you can scan the code below with your *Smart Phone* bar code scanner to link to our Twitter page.



Mark Wilson, Deputy Chief
(928) 213-2506
mwilson@flagstaffaz.gov

Dave Wilson, Battalion Chief; A Shift
dwilson@flagstaffaz.gov

Erik Caputo, Battalion Chief; B Shift
ecaputo@flagstaffaz.gov

Kristin Smith, Battalion Chief; C Shift
ksmith@flagstaffaz.gov

Battalion Chief Office: (928) 213-2522
Battalion Chief Cell: (928) 607-4708

Paul Oltrogge, Wildland Fire Manager
(928) 213-2509
poltrolge@flagstaffaz.gov

Neil Chapman, Forest Health Supervisor
928-213-2512
Neil.chapman@flagstaffaz.gov



**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Sarah Darr, Housing Director
Date: 01/31/2021
Meeting Date: 02/09/2021



TITLE:

Affordable Housing Overview and Project Update

DESIRED OUTCOME:

Inform City Council of affordable housing basics and provide an update on projects.

EXECUTIVE SUMMARY:

The topic of affordable housing in complex. The goal of this presentation is to provide City Council with an overview of affordable housing basics in order to create an informational foundation.

INFORMATION:

Presentation Attached

Attachments: [Housing 101](#)

Housing Overview 2021

Sarah Darr - Housing Director

Justyna Costa – Housing Manager

Leah Bloom – Affordable Housing

Advancement Project Manager





Outline for Tonight

- Affordable Housing 101
- Updates on on-going projects
- Housing Bond 2022?



Housing Speak



- AMI – Area Median Income
- HUD - U.S. Department of Housing and Urban Development
- ADOH – AZ Department of Housing
- LIHTC – Low Income Housing Tax Credit



Affordable Housing 101

What is “affordable housing”?

What in the world is the housing continuum?

....but how?



What do you think of when
you hear the words
“affordable housing?”



What is “Affordable Housing”?

The generally accepted definition of affordability is for a household to pay **no more than 30 percent of annual income on housing and housing related expenses.**

(Source: U.S. Department of Housing and Urban Development)





Why is affordable housing important?

Communities benefit when citizens of all economic levels are able to secure housing





But isn't all housing affordable if you make enough money?



Housing that is affordable

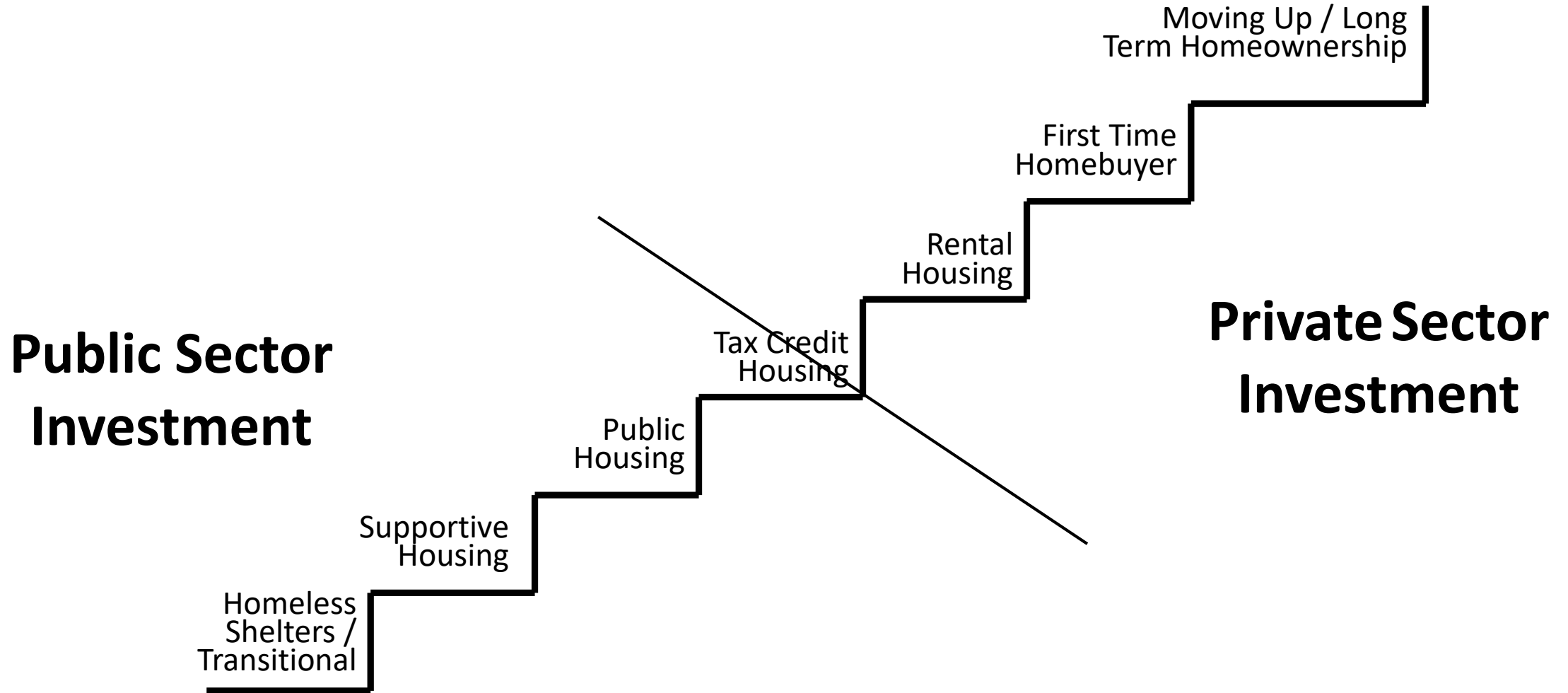
- Market based sale or rental price

Affordable Housing

- 2 Prong Test
 - *What are the housing costs?*
 - *Who is eligible to purchase or rent it?*
- Subsidy or investment of some type exists



Basic Housing Continuum





Program Income Limits

Who qualifies for affordable housing? A household's income largely determines what programs they qualify for. These income limits are determined annually by HUD using local income data.

2020 Area Median Income (AMI) Limits for Flagstaff

Household size	30%	50%	80%	100%	125%
1	\$15,800	\$26,350	\$42,150	\$52,700	\$65,875
2	\$18,050	\$30,100	\$48,150	\$60,200	\$75,250
3	\$21,720	\$33,850	\$54,150	\$67,700	\$84,625
4	\$26,200	\$37,600	\$60,150	\$75,200	\$94,000
5	\$30,680	\$40,650	\$65,000	\$81,300	\$101,625
6	\$35,160	\$43,650	\$69,800	\$87,300	\$109,125
7	\$39,640	\$46,650	\$74,600	\$93,300	\$116,625



Flagstaff Community

Affordable Housing Needs Assessment

City of Flagstaff Housing Data report created by City of Flagstaff and Housing Solutions of Northern Arizona



Revised October 2020

Homeownership | Increasingly Unaffordable

Since 2010, the median sales price of a home rose by **53%**, while Area Median Income rose by only **14%**.



Increase in Median Sales Price ¹

2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
\$252,000	\$230,000	\$230,988	\$267,000	\$291,900	\$298,000	\$316,000	\$348,293	\$368,000	\$385,000



Increase in Area Median Income ²

2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
\$57,600	\$59,600	\$56,700	\$55,900	\$53,600	\$54,200	\$56,900	\$56,600	\$63,000	\$68,800	\$67,700



Increase in Fair Market Rent (2-bedroom) ³

2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
\$1,102	\$1,136	\$887	\$1,066	\$1,021	\$1,033	\$1,135	\$1,037	\$1,129	\$1,237	\$1,266

Housing Cost Burden Analysis ⁴

22,373

Flagstaff Community Members are housing cost burdened.*



All Households

Total Households with Payments | 20,071
Households Cost Burdened | 8,949
45% Cost Burdened



Homeowners

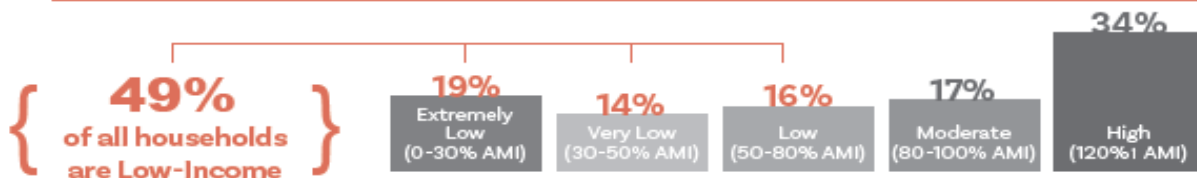
Total Households with mortgages | 7,511
Cost Burdened Homeowners | 2,055
27% Cost Burdened



Renters

Total Renter Households | 12,560
Cost Burdened Renters | 6,894
55% Cost Burdened

City of Flagstaff Income Levels ⁴



* Cost burdened households pay more than 30% of their monthly income towards housing.



Homeownership | Increasingly Unaffordable

Since 2010, the median sales price of a home rose by **53%**, while Area Median Income rose by only **14%**.

53%
INCREASE

Increase in Median Sales Price ¹

2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
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14%
INCREASE

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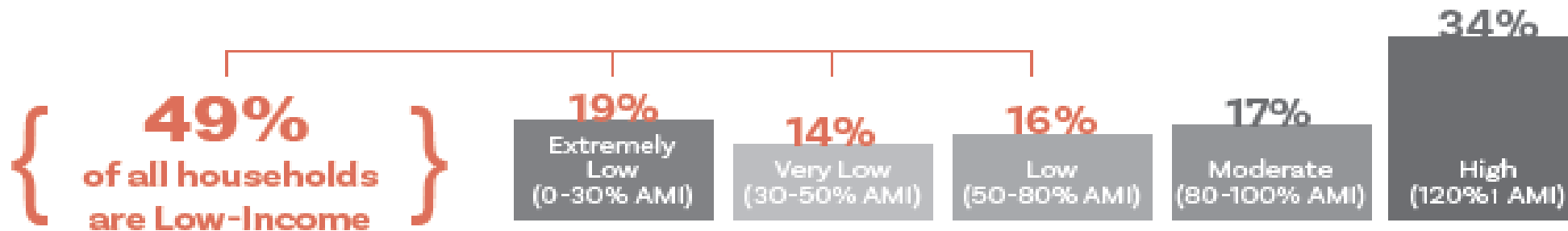
15%
INCREASE

Increase in Fair Market Rent (2-bedroom) ³

2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
\$1,102	\$1,136	\$887	\$1,066	\$1,021	\$1,033	\$1,135	\$1,037	\$1,129	\$1,237	\$1,266



City of Flagstaff Income Levels ⁴



HUD Area Median Income (AMI) Limits

Income Category	AMI %	AMI Income Ranges*
Extremely Low	0 - 30%	\$0 - \$21,270
Very Low	30 - 50%	\$21,270 - \$33,850
Low	50 - 80%	\$33,850 - \$54,150
Low to Moderate	80 - 120%	\$54,150 - \$81,250
Moderate to High	120% >	\$81,250 >

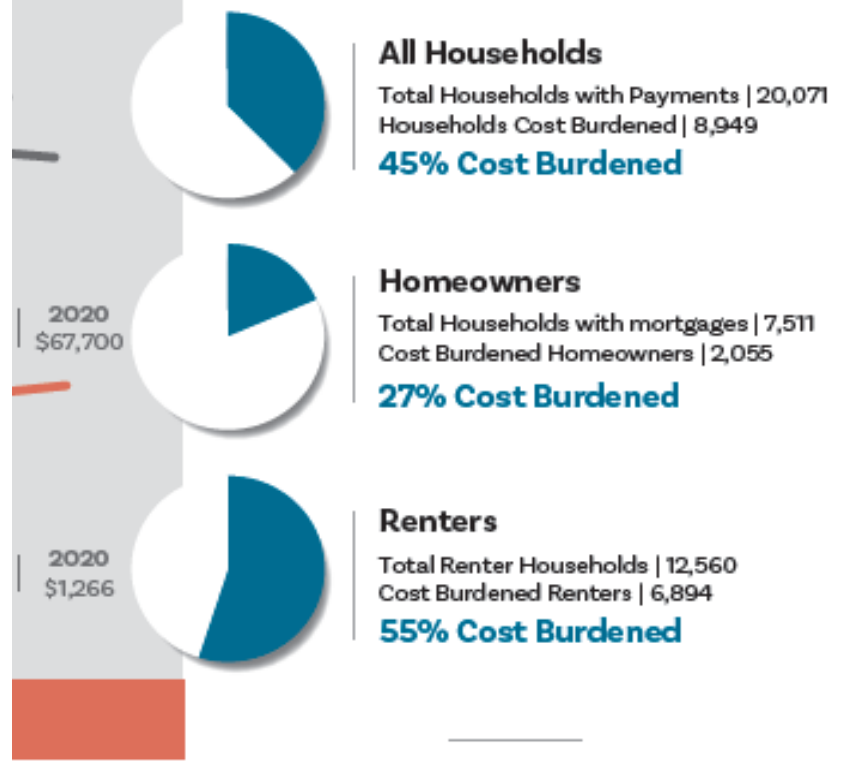
* Income ranges based on three person household



Housing Cost Burden Analysis ⁴






22,373

Flagstaff Community Members
are housing cost burdened. *



* Cost burdened households pay more than 30% of their monthly income towards housing.

What Can Flagstaff Families Afford?

Household Type	Retiree on Fixed Income	Service Industry Worker @ \$15/hr.	Single Parent with 2 children	Family of 4 people	Young married couple
					
Number in Household	1	1	3	4	2
Estimated Household Income	\$16,000	\$31,200	\$54,000	\$75,200	\$72,200
% of Area Median Income	30%	60%	80%	100%	120%
Max Rent They Can Afford	\$400	\$780	\$1,350	\$1,880	\$1,805
Max Home Purchase Price They Can Afford *	\$74,100	\$144,000	\$248,700	\$347,200	\$333,700
\$ Needed for Downpayment & Closing Costs *	\$4,825	\$9,320	\$16,161	\$22,616	\$21,711

* 4.0% interest rate; 30-year term with 3.5% down payment. Assumes 30% housing ratio and that household debt does not impact affordability.

A National Comparison ⁵

Flagstaff Cost of Living

13.4% HIGHER

13.4% higher than the national average

Flagstaff Cost of Housing

33.5% HIGHER

33.5% higher than the national average






HUD Area Median Income (AMI) Limits

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* Income ranges based on three person household



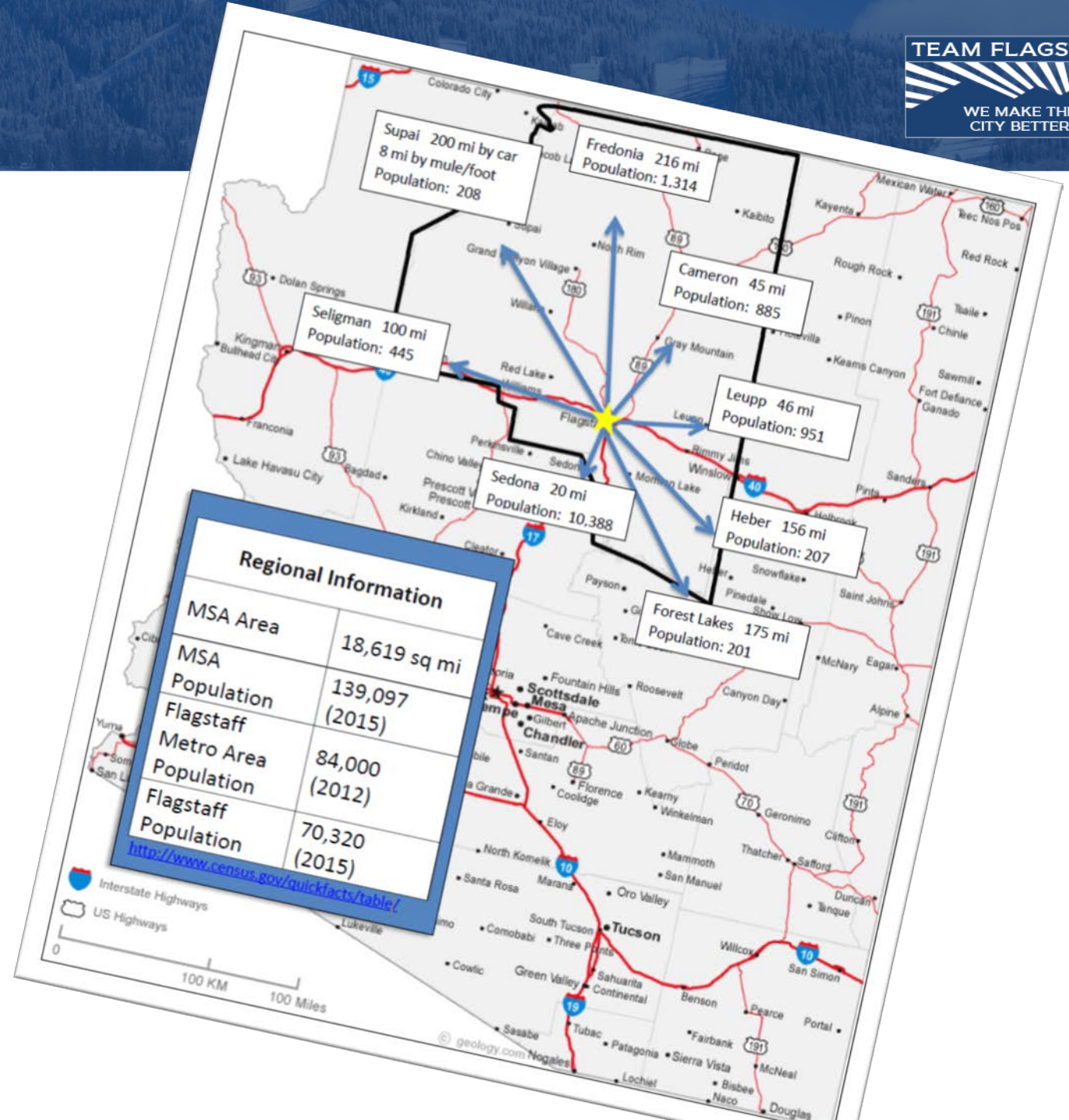
Tween Challenge

Flagstaff is too big to be small...

and too small to be big

Metropolitan – Federal

Rural – State of Arizona



Why are most efforts focused on low-income households?



- Funding
- Funding
- Funding



Arizona
Department
of Housing



A Few Items to Remember

Affordable housing means **financial assistance from somewhere,**

partnerships are key,
and

often multiple funding sources are necessary even for a single project.





Yes, but how?



Demand Side

- Help make the existing housing stock affordable to the community
- Most often in the form of lowering the monthly cost to an assisted household

Supply Side

- Aid by developing or rehabilitating units



Rental Housing

- Rental programs are most often focused to lower-income households
 - 60% AMI and below (\$40,620 / 3 person household)
- College students are typically not eligible
- Largest local demand is for 1 and 2 bedroom units
 - Need is increasing with the aging population



Ownership Housing

Ownership programs are often focused on first-time homebuyers, but not always, depending on the funding source

Both demand and supply tools

- Demand tools are typically cheaper than supply

Federal funding limited to 80% AMI and below

(\$54,150 / 3 person household)

Local challenges

HOMEBUYER ASSISTANCE PROGRAMS



In 2020 the City of Flagstaff provided over \$260,500 in down payment & closing cost assistance

20

households assisted
in 2020



Homebuyer assistance programs have opened the door to homeownership for 20 low to moderate income families & City of Flagstaff employees



Downpayment and closing cost assistance loans match the homebuyers contribution and average \$13,025 per household

For a detailed map of homes purchased utilizing City of Flagstaff homebuyer assistance programs please visit:

<https://tinyurl.com/tydp8uc>



<https://tinyurl.com/tydp8uc>



Permanent Affordability Program Goals

- To provide opportunities for Flagstaff residents to secure housing that is decent, safe, and affordable;
- To preserve quality and affordable workforce housing for future residents of the community;
- To preserve and encourage economic diversity in Flagstaff.



Affordability Deed Restriction (shared equity)

- A provision in a deed that limits who the home can be sold to and the sale price.

Community Land Trust

- The separation of ownership of the land and the improvements (home)
- Ground lease governs relationship between the land owner and home owner
- A **resale formula** establishes the price of the home for future eligible buyers
- Typically also a shared equity model
- Some also include rental housing

AFFORDABLE HOMEOWNERSHIP PROGRAMS

The Community Land Trust Program takes the cost of purchasing land out of the total cost of buying a home. The City of Flagstaff reserves ownership of the land while providing the land to the homeowner through a 99-year renewable lease.



There are currently 48 homes in the Community Land Trust (including deed restricted units)



In 2020, 7 land trust homes were sold to first time homebuyers



There are 133 homes slated for development in the coming years





Tax Credit 101

Low Income Housing Tax Credits (LIHTC)

- Largest affordable rental housing funding source
- Built by private developers (can be non-profit)
- Nearly 800 units in Flagstaff serving 60% AMI and below
- Administered by *Arizona Department of Housing*
- Minimum affordability time period – 15 years
- CoF has partnered in multiple complexes

HOW THE LOW INCOME HOUSING TAX CREDIT WORKS

Tax credits are used by developers to raise funding for building costs because affordable housing costs the same as fair market rate homes but rents are lower



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Federal or state government allocates tax credits to state housing agencies.

Developers apply for tax credits. Projects are selected based on how the development meets the state's housing needs.



Developers sell credits to investors who can claim them on their federal or state income tax returns.

The money raised allows developers to build and maintain housing with lower and more affordable rents.



Source: Adapted from Homeword infographic How the Low Income Housing Tax Credit Works.

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developers to build and
maintain housing with
lower and more
affordable rents.



Source: Adapted from Homeward infographic How the Low Income Housing Tax Credit Works.





What about other funding sources?

Federal - Grant / Entitlement

- CDBG – approx. \$600,000 annually (limited to 80% & below)
- USDA, HOME, ESG, HOPWA, Housing Trust Fund (not eligible)

State – Competitive Processes

- Federal pass-through (HOME, ESG)
- Limited state-based funding
- Tax-credit program (development driven)

Local

- General Fund (limited capacity)
- Private Non- and Not-for-Profit
- Foundation or non-profit grants or financing

Employers

- Employer Assisted Housing (EAH) programs





Questions before we move on?





HOTEL MONTE VISIT

Project Updates





Housing Emergency Res. 2020-66



*Within nine months a **Housing Plan** focused on housing development and preservation within the City for the next 10 years will be presented to Council.*

Housing Commission in January:

- Approved Public Participation Plan and Project Timeline
- Created Working Groups
 - Policy Working Group
 - Affordable Housing Gap Analysis
 - Connection between health and affordable housing
 - Connection between housing and sustainability
 - Neighborhood Context – Redline, Historical data, Generational Wealth
 - Zoning and Land Use

Housing Plan Public Participation

January to April 2021



Commission
Visioning

*Timeline, Create
Stakeholder List &
Working Groups*



Needs &
Solutions

*Establish Goal,
Conduct Research.
Create Policies*

May to June
2021



Community
Outreach &
Partnerships

*Internal
Communication &
Stakeholder Group
Meetings (virtual)*

30-Day Public Comment Period (August)

September 2021



Prepare &
Present Plan to
Council

*Commission Public
Hearings & City
Council Public
Hearings & Work
Sessions*



Document Creation, City & Commission Collaboration, Community Inclusion





Public Housing Summary

Flagstaff Housing Authority – Public Housing

- Serves incomes up to 80% AMI
- 265 total public housing units
- 3 public housing sites:
 - Brannen Homes – 127 units
 - Siler Homes – 100 units
 - Scattered Sites – 38 units



For more info:

<https://www.flagstaff.az.gov/2350/Public-Housing-Program-Information>



Declaration of Trust



- All Public Housing in Flagstaff and associated property is owned by the City of Flagstaff
- Restricted by Declarations of Trust that limit its use to affordable housing

Declaration of Trust
(Public Housing Modernization Grant Projects)

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0270
exp. 09/30/2013

Whereas, (1, see instructions) City of Flagstaff Housing Authority (herein called the Public Housing Agency (PHA), a public body corporate and politic, duly created and organized pursuant to and in accordance with the provisions of the laws of the (2) City of Flagstaff, and the United States of America, Secretary of Housing and Urban Development (herein called HUD) pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437, et seq.) and the Department of Housing and Urban Development Act (5 U.S.C. 624) entered into a certain contract with the effective date as of (mm/dd/yyyy) (3) 03/15/1996, (herein called the Annual Contributions Contract) and a certain Modernization Project Grant Amendment to the Annual Contributions Contract with the effective date as of (mm/dd/yyyy) (4) 03/12/2012, (herein called the Modernization Grant Amendment) providing for a grant to be made by HUD to assist the PHA in modernizing lower income housing project(s); and

Whereas, as of the date of the execution of this Declaration of Trust, the Modernization Grant Amendment and the Annual Contributions Contract cover certain individual lower income housing projects located in: (5) City of Flagstaff, County of Coconino, State of Arizona which will provide approximately (6) 127 dwelling units; and which lower income housing projects are known as Modernization Project No. (7) AZ20P0650112 and individual projects as follows:
 Project No. (8) AZ20P006062 with approximately 47 dwelling units,
 Project No. (8) AZ20P006063 with approximately 40 dwelling units, and
 Project No. (8) AZ20P006064 with approximately 40 dwelling units; and

Whereas, the modernization of each Project will have been financed with grant assistance provided by HUD.
Now Therefore, to assure HUD of the performance by the PHA of the covenants contained in the Modernization Grant Amendment and the Annual Contributions Contract, the PHA does hereby acknowledge and declare that it is possessed of and holds in trust for the benefit of HUD, for the purposes herein stated, the following described real property situated in: (9)

City of Flagstaff, County of Coconino, State of Arizona

To Wit: (Insert legal description for each individual project.)(10)
See Exhibit A, attached, for Real Property Legal Description.

and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.
 The PHA hereby declares and acknowledges that during the existence of the trust hereby created, HUD has been granted and is possessed of an interest in the above described Project property, To Wit:

The right to require the PHA to remain seized of the title to said property and to refrain from transferring, conveying, assigning, leasing, mortgaging, pledging, or otherwise encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of said property or any part thereof, appurtenances thereto, or any rent, revenues, income, or receipts therefrom or in connection therewith, or any of the benefits or contributions granted to it by or pursuant to the Modernization Grant Amendment and the Annual Contributions Contract, or any interest in any of the same except that the PHA may (1) to the extent and in the manner provided in the Annual Contributions Contract, (a) lease dwellings and other spaces and facilities in any Project, or (b) convey or otherwise dispose of any real or personal property which is determined to be excess to the needs of any Project, or (c) convey or dedicate land for use as streets, alleys, or other public right-of-way, and grant easements for the establishment, operation, and maintenance of public utilities; or (d) enter into and perform contracts for the sale of dwelling units to members of tenant families, as authorized by the United States Housing Act of 1937, or (2) with the approval of HUD, release any Project from the trust hereby created; Provided, That nothing herein contained shall be construed as prohibiting the conveyance of title to or the delivery of possession of any Project to HUD pursuant to the Annual Contributions Contract.

The endorsement by a duly authorized officer of HUD (1) upon any conveyance or transfer made by the PHA of any real or personal property which is determined to be excess to the needs of any Project, or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as streets, alleys, or other public right-of-way, or for the establishment, operation and maintenance of public utilities, or (3) upon any instrument transferring or conveying a dwelling unit, or an interest therein, to a member of a tenant family, or (4) upon any instrument of release made by the PHA of any Project shall be effective to release such property from the trust hereby created.

The individual projects covered by the Modernization Grant Amendment shall be subject to this Declaration of Trust for a period of twenty years beginning on the date of the Modernization Grant Amendment. Each individual project shall also be subject to this Declaration of Trust for a period of twenty years after the date of the most recent Modernization Grant Amendment applicable to that project. Upon expiration of the period during which the PHA is obligated to operate the individual projects in accordance with the Annual Contributions Contract, the trust hereby created shall terminate and no longer be effective.

To Witness: The PHA hereby affirms that the data contained herein represents the information as stated in the same and its contents and is true.



Siler Homes

- Located off Fanning Drive
- Serves low-income families up to 80% AMI
- 100 units:
 - 10 two bedrooms
 - 50 three bedrooms
 - 30 four bedrooms
 - 10 five bedrooms
- Developed in 1970
- Main Housing Authority program office located onsite





Brannen Homes



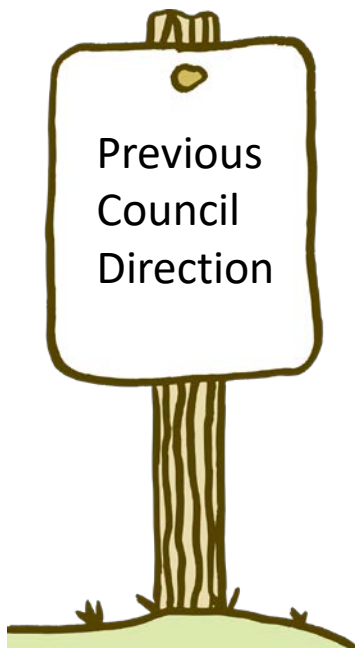
- Located off Lone Tree Road
- Serves low-income families up to 80% AMI
- 127 units:
 - 20 one bedrooms
 - 55 two bedrooms
 - 41 three bedrooms
 - 11 five bedrooms
- Developed in stages: 47 units built in 1952; 40 units in 1956; and 40 units in 1962





The Future of Public Housing

Capital needs of public housing inventory have outpaced Federal funding for more than the past decade



New term: *Repositioning Public Housing*

2010 conservative estimate of capital backlog of almost \$26 billion with annual growth of about \$3.5 billion nationwide



The Future of Public Housing

Public housing program is limited by congressional appropriations and statutory restrictions

- Faircloth Amendment – October 1, 1999
- City of Flagstaff can never have more than 265 units of Public Housing



Rental Assistance Demonstration

“RAD” was established by HUD in 2011 to:

- Give public housing authorities more flexibility to access private and public funding sources
- Reduce reliance on unpredictable and unreliable appropriations from Washington





More RAD Info

- RAD allows public housing agencies to **leverage public and private debt and equity in order to reinvest in the public housing stock.**
- In RAD, public housing units move to a different federal financial platform with a long-term contract with HUD that, by law, **must be renewed.**
- This ensures that the units remain **permanently affordable to low-income households.**



More RAD Info

- **Residents continue to pay 30% of their income towards the rent and they maintain the same basic rights as they possess in the public housing program.**
- **RAD maintains the public stewardship of the converted property through clear rules on ongoing ownership and use.**
- **The RAD program is cost-neutral and does not increase HUD's budget.**



Ok.....but HOW?

- Other rental assistance programs are more flexible
- Transition to an existing program financially designed to work **alongside** other public and private financing tools



...what does all this NOT mean?



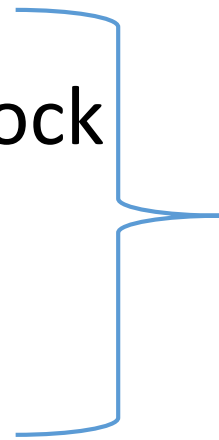
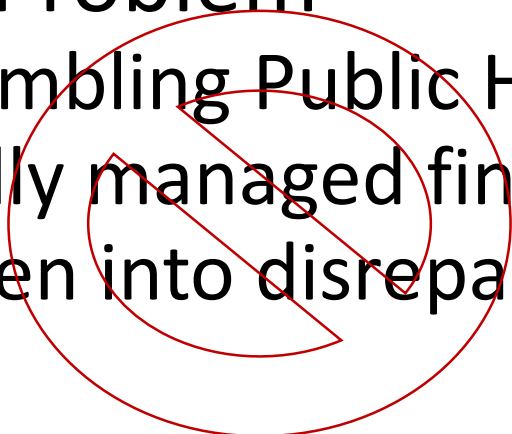
- Housing units are **NOT** going away
- Public Housing residents are **NOT** losing their homes
- This is a **FINANCIAL** conversion that can **also** result in redevelopment / rehab
- There is **NOT** more money from HUD



Why would anyone “go RAD” or “reposition”?

• “The Problem”

- Crumbling Public Housing stock
- Badly managed financially
- Fallen into disrepair



Do not apply to Public Housing in Flagstaff

Why would we do it?

Opportunity to stabilize under a different federal funding source, **increase the number of affordable rentals**, leverage private investment and tailor development to **meet local needs**



What's working in our favor?

- Financial and program stability
- All programs are rated as “High Performer” by HUD
- Professional and experienced staff
- Units are in decent condition
- We don't need to be “saved”
- Siler and Brannen Homes are in desirable locations
- Community need
- Advanced planning
 - Purchase of site appropriate for construction of relocation housing



How do we get from here to there?

Identify a “co-developer” partner

- Temporary expertise and capacity building
- Necessary expertise and capacity
- Competitive Request for Statement of Qualifications
- Anticipated to be paid through any developer fees associated with future development/redevelopment
 - Contract can provide an “out” for the CoF at any point

RSOQ to be published in coming weeks



HOTEL MONTE VISIT

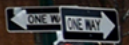
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FLAGSTAFF ARIZONA

Housing Bond 2022

Seeking Council Direction



24



Timeline 2020

- **February 27** – Next Housing Commission Meeting
- **March 3** – Recommendations to City Council

- **March – June** Preliminary Preparation for Public Outreach
- **July 7** – Deadline for Council to Sanction the Election
- **July – October** Preparation of Final Public Outreach and Presentation to Public
- **August** – Finalization of Publicity Pamphlet for Distribution
- **November 3** – Election Day

COVID



Attainable Housing Bond Recommendations



Overview

- Housing Commission
 - Process
 - Prioritization
 - Other Items Considered
- Attainable Housing Recommendations
 - Emergency
 - Rental
 - Homeownership





Emergency Housing Recommendations - \$10 Million



Project (<i>Prioritized</i>)	Amount	Estimated Community Benefit	Revolving Fund Capability (Yes/ No)
EH1: Support existing, and develop new, eviction/homelessness prevention and rapid rehousing/move-in assistance programs to advance community efforts in housing stabilization and permanency.	\$10 Million	5,333 Households Served	No



Rental Housing Recommendations - \$10 Million



Project (<i>Prioritized</i>)	Amount	Estimated Community Benefit	Revolving Fund Capability (Yes/ No)
RH1: Redevelopment of housing owned & managed by the City	\$5 million	250 units minimum (serving various AMIs)	No
RH2: Incentivize private sector affordable rental housing development through the creation of a revolving loan fund	\$1-3 million	140-420 units (assuming an approximate 70 unit / project estimate, \$1 mil funds 2 projects and \$3 mil funds 6 projects)	Yes, with repayment after expiration of affordability time period
RH3: Acquisition of property in partnership with private developers to adaptively reuse available property for the creation of affordable housing	\$2 million	Approximately 50 households	Yes



Workforce Housing – Homeownership - \$10 Million



Project (Prioritized)	Amount	Estimated Community Benefit	Revolving Fund Capability (Yes/ No)
OWN1: Purchase Assistance program	\$7 million	350 homeowners with initial purchase funding	Yes
OWN2: Acquisition of land/units for affordable homeownership	\$3 Million	Estimated 120 housing units created	Yes



Housing Commission Bond Recommendations



Projects	Rec. #1	Rec. #2	Rec. #3
EH1: Eviction Prevention & Rapid Rehousing	\$ 10,000,000	\$ 9,000,000	\$ 6,000,000
RH1: Redevelopment of housing owned by City	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000
RH2: Create and incentivize development partnerships for the creation of attainable rental housing.	\$ 3,000,000	\$ 2,000,000	\$ 1,000,000
RH3: Acquisition of property in partnership with non-profits and private developers for adaptive reuse	\$ 2,000,000	\$ 1,000,000	\$ 1,000,000
OWN1: Purchase Assistance program	\$ 7,000,000	\$ 6,000,000	\$ 5,000,000
OWN2: Acquisition of land/units for attainable homeownership	\$ 3,000,000	\$ 2,000,000	\$ 2,000,000
TOTALS	\$ 30,000,000	\$ 25,000,000	\$ 20,000,000



Seeking Direction

Possible options:

- Interested and...

- would like Housing Commission to dust off/update recommendations before further Council discussion (staff recommendation)

- desire further discussion at Council level

- Not interested and





More Coming Attractions!



- CDBG

- Funding Awards 2021/2022
- Annual Action Plan
- Consolidated Plan



- Consideration of Section 8 Deposit Assistance program
- Incentive Policy for Affordable Housing re-write
 - In partnership with Planning and Development Services



HOTEL MONTE VISIT

Questions?



CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Dan Symer, Zoning Code Manager
Date: 01/27/2021
Meeting Date: 02/09/2021



TITLE

Case No. PZ-21-00019 Zoning Code Text Amendment - 2021: Affordable Housing Modified Development Standards

STAFF RECOMMENDED ACTION:

Hold a work session to allow the City Council and the public to ask questions, seek clarification, have discussions, offer comments, and provide direction on the proposed amendment.

EXECUTIVE SUMMARY:

The proposed amendment (Attachment 1) is a request by the City to amend the Zoning Code to incorporate provisions into the Affordable Housing Incentives that would allow the City Council to approve modifications to the Property Development Standards and to allow modifications to the parking requirements to be less than one space per dwelling. The provisions would be applicable to a permanently affordable housing developments that provide 100% of the dwelling units to persons or families with a household income equal to 80% or less of the area median income for the City of Flagstaff.

INFORMATION:

I. City Council Questions:

For your reference, below is a general overview of the questions on which staff is seeking the City Council's comments and direction.

- Does the City Council desire to incorporate the proposed amendment in to the Zoning Code?
- Does the City Council have any recommended modifications or considerations on the proposed Zoning Code Text Amendment?

II. Overview of Proposed Amendment:

The proposed amendment (Attachment 1) incorporates provisions into the Affordable Housing Incentives that would allow the City Council to approve modifications to the Property Development Standards (e.g., area, width, lot size, setback open space, etc.), excluding building height, outdoor lighting, signs, and density related provisions. The provisions would be applicable to permanently affordable housing developments, as defined in the Code, that provide 100% of the dwelling units to persons or families with a household income equal to 80% or less of the area median income for the City of Flagstaff.

The intent of the proposed provisions is to allow property owners of permanently affordable housing developments to request modifications to the Property Development Standards and allow for alternative design solutions. The proposed provisions will also allow Council to modify the parking requirements for

multifamily residential to a rate that is less than one space per dwelling unit.

To approve a request to modify the Property Development Standards, the City Council will be required to find that the incorporated findings have been met. In summary, these findings are to ensure that the modifications to the Property Development Standards: maintain consistency with the Regional Plan (General Plan); will not cause health, safety, convenience, welfare, or other hazard; maintain consistency with other developments that exist in the area; and are similar in quality to other developments that are available to the public at market rate.

III. Findings:

At a future City Council meeting, the City Council will be requested to make the required findings specified in the Zoning Code and adopt the proposed amendment. For your reference and discussion purposes, the necessary findings are specified below.

1. The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;
2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

IV. Community Involvement

The proposed amendment was advertised in the Arizona Daily Sun on January 26, 2021, which is 14 days before the scheduled meeting date. As of the date of this memorandum, staff has not received any public comments on the proposed amendment.

VI. Conclusion:

As indicated above, the purpose of the work session is for staff to present an overview of the Zoning Code's proposed amendment and allow interested individuals, residents, and business owners to provide comments. Also, the work session allows for the City Council to ask questions, seek clarification, have discussions, and offer comments on the proposed amendment. No formal action is to occur at the work session. Additional opportunities for discussion, public comment, and action by the City Council will occur at a future public hearing.

The anticipated timeline for the amendments is as follows:

- February 9, 2021 – City Council Work Session
- February 10, 2021 – Planning and Zoning Commission Work Session
- February 24, 2021 – Potential Planning and Zoning Commission Public Hearing
- February 25, 2021 – Housing Commission
- March 2, 2021 – Potential City Council Public Hearing (1st Reading of Ordinance)
- March 16, 2021 – Potential City Council Public Hearing (2nd Reading of Ordinance/Adoption)

Attachments: Draft Zoning Code Amendment
 Staff Presentation

Case No. PZ-21-00019 Zoning Code Text Amendment - 2021: Affordable Housing Modified Development Standards

HOW TO READ THIS DOCUMENT

Unless otherwise stated, existing provisions that are being deleted are shown in bold red strikethrough text, like this: ~~Provisions that are being deleted are shown with a bold red strikethrough text.~~

Provisions that are being added are shown in bold blue text, like this: **Provisions that are being added are shown in bold blue text.**

Section 1. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.20 Affordable Housing Incentives, Section 10-30.20.020 Applicability, Subsection C. Minimum Percentage., as follows:

10-30.20.020 Applicability

- C. **Minimum Percentage.** A minimum of 10 percent of the total number of proposed units must be affordable housing, as defined in Section 10-30.20.050, Density Bonus, **unless a higher minimum is required by other provisions of this division.**

Section 2. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-40.20 Affordable Housing Incentives, 10-30.20.040 Affordable Housing Incentives, Subsection B. Incentives Defined., Paragraph 4. Adjustment of Building Form Standards., as follows:

10-30.20.040 Affordable Housing Incentives

- B. **Incentives Defined.** For the purposes of this division, developer incentives for affordable housing development are defined below.
4. **Adjustment of ~~Building Form~~ Property Development Standards.**
- a. Affordable housing can utilize Planned Residential Development (Section 10-40.60.280) in any zone to provide flexibility in the application of building form requirements and to increase the potential building types.
 - b. Minor modifications to ~~building form standards~~ **Property Development Standards** for affordable housing developments (~~e.g., setbacks, height, coverage, area, lot size, or other lot requirements~~) may be modified up to 15% ~~percent~~.
 - c. **Modifications to the Property Development Standards may be approved by the City Council for a Category 1 affordable housing development that provides 100% of the dwelling units to persons or families with a household income equal to 80% or less of the**

Area Median Income as published annually by the U.S. Department of Housing Development for the City of Flagstaff.

- (i) To approve a request to modify the Property Development Standards, the City Council shall find that the following criteria have been met:
 - (a) The modifications are consistent with and conform to the goals of the General Plan and any applicable specific plans;
 - (b) The modifications will not be detrimental to the public interest, health, safety, convenience, or welfare of the City and will add to the public good as described in the General Plan;
 - (c) The requested modifications will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property are located;
 - (d) The proposed development is consistent with the character of the area; and
 - (e) The type, quality, and amenities of the development is consistent with the character of similar developments that are available to the public at market rate.
- d. For the purposes of this section, the Property Development Standards means the Building Form, Building Placement, Building Types, Encroachments and Frontage Types, Fences and Screening, Landscape Standards, Lot Requirements, Open Space, Parking Standards and Required Parking, Private Frontage Types, and any other amount, area, dimensional, quantity, size, or design requirement of the Zoning Code as determined by the Zoning Administrator. Property Development Standards that may be modified pursuant to this section do not include Building Height, Density, the Number of Units per Building Type, Outdoor Lighting Standards, or Signs.

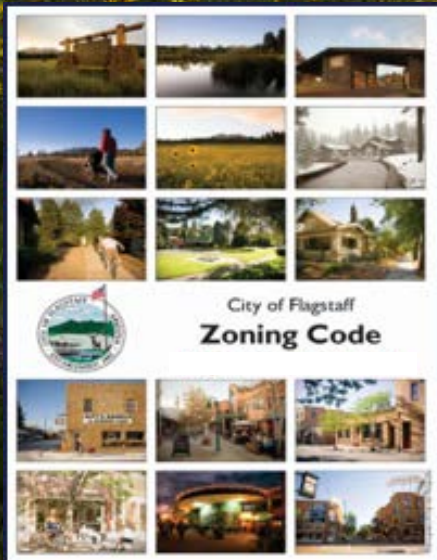
Section 3. Amend Title 10 FLAGSTAFF ZONING CODE, Division 10-50.80: Parking Standards, Section 10-50.80.060 Parking Adjustments, as follows:

10-50.80.060 Parking Adjustments

In the case that more than one parking adjustment may apply, for example as a result of allowed reductions for affordable housing (see Division 10-30.20, Affordable Housing Incentives), reductions for bike racks, or any other reduction authorized by this code, the cumulative parking adjustment shall not exceed 20 percent. However, in multifamily residential developments no less than one parking space per residential unit shall be required; **unless approved by City Council as part of an affordable housing development meeting the criteria set forth in Section 10-30.20.040(B)(4)(c).**

Case No. PZ-21-00019 Zoning Code Text Amendment - 2021: Affordable Housing Modified Development Standards

Zoning Code Text Amendment



Dan Symer, AICP
Zoning Code Manager

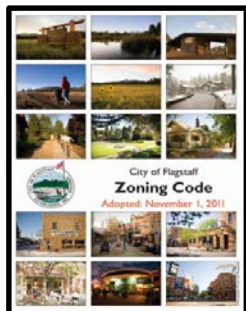


Affordable Housing Modified Development Standards



Purpose of the Work Session

- **To inform the public and allow for their suggestions and concerns to be heard**
- **To inform the City Council and allow for their suggestions, questions and discussion**
- **No action will be taken by the City Council at this work session**



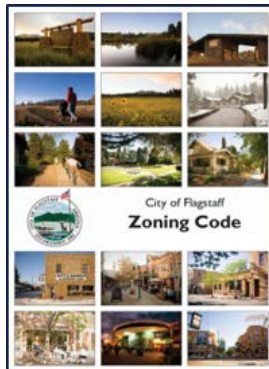


Affordable Housing Modified Development Standards

Reason for the Proposed Zoning Code Text Amendment

Purpose:

- **Amend the Zoning Code to allow:**
 - **The City Council to approve modifications to the Property Development Standards (except for building height and density provisions), and**
 - **Modifications to the parking requirements to be less than one space per dwelling.**
- **The provisions would be applicable to permanently affordable housing developments that provide 100% of the dwelling units to persons or families with a whole income equal to 80% or less of the area median income for the City of Flagstaff.**

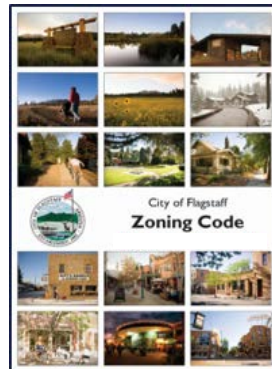




Affordable Housing Modified Development Standards

Proposed Zoning Code Amendment

- **Required Findings:**
 - **The modifications are consistent with and conform to the goals of the General Plan and any applicable specific plans;**
 - **The modifications will not be detrimental to the public interest, health, safety, convenience, or welfare of the City and will add to the public good as described in the General Plan;**
 - **The requested modifications will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property are located;**

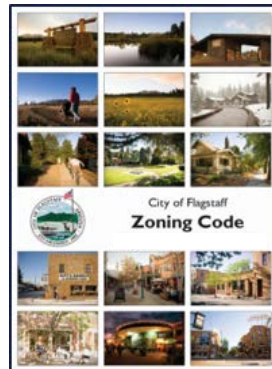




Affordable Housing Modified Development Standards

Proposed Zoning Code Amendment

- **Required Findings:**
 - **The proposed development is consistent with the character of the area; and**
 - **The type, quality, and amenities of the development is consistent with the character of similar developments that are available to the public at market rate.**

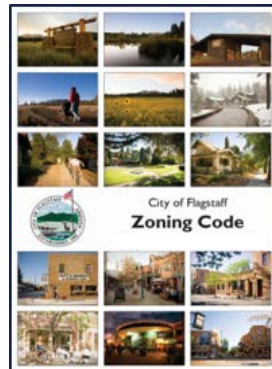




Affordable Housing Modified Development Standards

Proposed Zoning Code Amendment

- **Potential Timing:**
 - **City Council – Work Session, February 9, 2021**
 - **Planning and Zoning Commission – Work Session, February 10, 2021**
 - **Potential Planning and Zoning Commission – Public Hearing, February 25, 2021**
 - **Potential Housing Commission – Public Hearing, February 26, 2021**
 - **Potential City Council – Public Hearing, March 2, 2021**
 - **Potential City Council – Public Hearing, March 16, 2021**



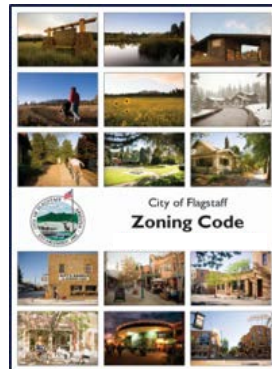


Affordable Housing Modified Development Standards



Questions to Consider

- **Does the City Council desire to incorporate the proposed amendment in to the Zoning Code?**
- **Does the City Council have any recommended modifications or considerations on the proposed Zoning Code Text Amendment?**

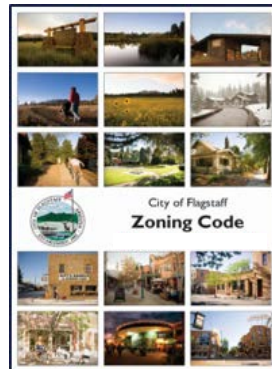




Affordable Housing Modified Development Standards



Questions and Comments!



CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Sarah Langley, Management Analyst
Date: 02/03/2021
Meeting Date: 02/09/2021



TITLE

SB1431 (Flood control districts; Advisory board)

STAFF RECOMMENDED ACTION:

Staff would like to receive direction from Council on advocacy efforts related to SB1431 (Flood control districts; Advisory board).

EXECUTIVE SUMMARY:

Senate Bill 1431 would require, instead of allow, county flood control district boards of directors to appoint a citizens' flood control advisory board. The advisory board would be required to have access to budget information and would be allowed to make recommendations regarding the flood control district budget. The Coconino County Flood Control District does not currently have a citizen's flood control advisory board.

INFORMATION:

Background Information and History

Statute directs each county to organize a district to include and govern its surrounding area. The county board of supervisors serves as the board of directors of the district. The Coconino County Flood Control District (CCFCD) is charged with reducing the risk of flood loss, minimizing the impact of floods on human safety, health and welfare and restoring and preserving the natural and beneficial values served by floodplains. In May 2018 the CCFCD Board of Directors affirmed the boundaries of the CCFCD to ensure that the District is established in accordance with Arizona Revised Statutes. Based on a review of CCFCD policies by independent legal counsel, this affirmation determined that the Flood Control District Tax must be levied on all taxable properties within the County including the municipalities of Flagstaff, Fredonia and Page that manage their own floodplain administration responsibilities and have been exempt from CCFCD taxation since the Flood Control District was formed in 1984. The Flood Control District tax accordingly appears on all tax bills within Flagstaff, Page and Fredonia. The annual FCD tax rate is 18.08 cents per \$100 of assessed property valuation.

The Flood Control District tax does not replace storm water fees collected by the City of Flagstaff. Cities and towns are authorized by the state to establish and collect stormwater fees through their utility bills. The stormwater fee revenues are used to manage stormwater within their jurisdictions. CCFCD revenues are used to address regional flood control risks and needs.

Senate Bill 1431: Flood Control Districts; Advisory Board

Senate Bill 1431 (Flood Control Districts; Advisory Board) requires, rather than allows, the board of directors of a district to appoint a citizens' flood control advisory board consisting of six, rather than

seven, members. The bill would also grant the citizens' flood control advisory board access to budget information and allows the advisory board to make recommendations regarding the district budget. The Coconino County Flood Control District does not currently have a citizen's flood control advisory board.

Regarding the makeup of the advisory board, SB1431 requires each member of the board of directors to appoint one person who is a resident taxpayer and qualified voter of the supervisorial district, at least three of whom must reside within cities. The bill also prohibits an appointed member of the advisory board from being a city or town employee.

Attachments: [SB1431 Full Text](#)

REFERENCE TITLE: flood control districts; advisory board

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SB 1431

Introduced by
Senator Ugenti-Rita

AN ACT

AMENDING SECTIONS 48-3611 AND 48-3616, ARIZONA REVISED STATUTES; RELATING
TO COUNTY FLOOD CONTROL DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 48-3611, Arizona Revised Statutes, is amended to
3 read:

4 48-3611. Citizens' flood control advisory board;
5 qualification; functions

6 A. The board of directors ~~may~~ SHALL appoint a citizens' flood
7 control advisory board consisting of ~~seven~~ SIX members. ~~five members~~
8 ~~shall be~~ EACH MEMBER OF THE BOARD OF DIRECTORS SHALL APPOINT ONE PERSON
9 WHO IS A resident ~~taxpayers~~ TAXPAYER and qualified ~~electors~~ ELECTOR of the
10 SUPERVISORIAL district, at least three of whom shall be residents of the
11 cities in the district OF THE APPOINTING MEMBER OF THE BOARD OF
12 DIRECTORS. At least one of the board members who are residents of cities
13 shall be a resident of the largest city in the district. ~~The city~~
14 ~~engineer of the largest city in the district and~~ AN APPOINTED MEMBER OF
15 THE ADVISORY BOARD MAY NOT BE A CITY OR TOWN EMPLOYEE. The chief engineer
16 or manager of a major irrigation or agricultural improvement district, or
17 ~~their representatives~~ THE REPRESENTATIVE OF THE CHIEF ENGINEER OR MANAGER,
18 shall be AN ex officio ~~members~~ MEMBER of the advisory board with all
19 rights and privileges granted to other board members.

20 B. In appointing members of the advisory board, the board of
21 directors shall designate which appointive member shall serve for one
22 year, which for two years, which for three years, which for four years and
23 which for five years. Thereafter the term of each appointive member is
24 five years except for a member appointed to an unexpired term.

25 C. The citizens' flood control advisory board may request
26 information from the chief engineer and general manager and district
27 staff, engineering personnel from cities in the district and any other
28 person with a knowledge of flood control practices. THEY SHALL HAVE
29 ACCESS TO BUDGET INFORMATION AND SHALL MAKE RECOMMENDATIONS REGARDING THE
30 FLOOD CONTROL DISTRICT BUDGET. They may recommend ~~the employment of~~
31 EMPLOYING consultants ~~for the purpose of obtaining~~ TO OBTAIN technical
32 information and recommendations regarding flood control and floodplain
33 management practices.

34 D. The advisory board shall study the flood control, floodplain
35 regulation, drainage and water conservation needs of the district, shall
36 meet with and advise the board as requested by the board and may submit to
37 the board reports and recommendations relating to such studies, but the
38 recommendations are advisory only.

39 Sec. 2. Section 48-3616, Arizona Revised Statutes, is amended to
40 read:

41 48-3616. Survey and report of flood control problems and
42 facilities; comprehensive program; adoption by
43 board; hearing

44 A. After a flood control district has been established in a county
45 having a population of over three hundred thousand persons ~~according to~~

1 ~~the latest federal decennial census~~, the board shall cause the chief
2 engineer to make or have made by the flood control engineer or by
3 qualified private engineers a survey of the flood control problems of the
4 district and to prepare a report describing existing flood control
5 facilities in the area, recommendations as to cooperation between the
6 district and the owner or owners of existing facilities, recommendations
7 and a preliminary plan for the construction or other acquisition of
8 facilities to carry out the purpose of the district, a description of the
9 property proposed to be acquired or damaged in performing the work, a
10 program for carrying out the regulatory functions, a map showing the
11 district boundaries and location of the work proposed to be done and
12 property taken or damaged, an estimate of the cost of the proposed work
13 and such other things as the board of directors may request. Before
14 submission to the board of directors, the report shall be submitted to the
15 citizens' advisory board ~~if one is established~~ for its review and
16 recommendations. The report shall be prepared at least every five years
17 beginning in 1985 and shall indicate the past efforts of the district in
18 eliminating or minimizing flood control problems and state the planned
19 future work of the district to eliminate or minimize flood control
20 problems.

21 B. The chief engineer and ~~his~~ THE CHIEF ENGINEER'S staff shall then
22 prepare a comprehensive program of flood hazard mitigation, taking into
23 consideration the recommendations submitted in the report. When a
24 comprehensive program satisfactory to the board is available, the board
25 shall tentatively adopt and schedule a public hearing on the program and
26 the performance of the proposed work. The comprehensive program shall be
27 reviewed and modified as necessary to reflect the past and future planned
28 flood control works of the district. Notice of the hearing shall be given
29 by publication once a week for two consecutive weeks in a newspaper of
30 general circulation in the area of jurisdiction, the first of which shall
31 be at least ten days before the date fixed for the hearing.

32 C. The chief engineer and ~~his~~ THE CHIEF ENGINEER'S staff shall
33 prepare and submit to the board a ~~five-year~~ FIVE-YEAR capital improvement
34 program in a form approved by the board. The program and annual
35 extensions shall be submitted to the board at least three months before
36 the final date for submission of the annual budget. The program shall
37 separately identify capital improvements for engineering, rights-of-way
38 and land acquisition and construction with such supporting explanations,
39 cost estimates and completion schedules as the board may require. The
40 program shall be annually reviewed for endorsement by the citizens'
41 advisory board ~~if one is established~~.

42 D. After a flood control district has been established in a county
43 with a population of fewer than three hundred thousand persons, the chief
44 engineer may conduct a survey of flood control problems, ~~AND~~ prepare a
45 comprehensive program for flood control and a ~~five-year~~ FIVE-YEAR capital

1 improvement program pursuant to this section. ~~He~~ THE CHIEF ENGINEER shall
2 at least make an assessment of flood control problems in the area of
3 jurisdiction and make an annual report of ~~his~~ THE CHIEF ENGINEER'S
4 findings and recommendations for dealing with them to the board.

5 Sec. 3. Retention of members

6 Notwithstanding section 48-3611, Arizona Revised Statutes, as
7 amended by this act, all persons serving as members of a citizens' flood
8 control advisory board on the effective date of this act may continue to
9 serve until the expiration of their normal terms. All subsequent
10 appointments shall be as prescribed by statute.