

MINUTES

1. **CALL TO ORDER**

Mayor Evans called the meeting of the Flagstaff City Council held May 5, 2020, to order at 3:00 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

2. **ROLL CALL**

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

PRESENT:

ABSENT:

MAYOR EVANS (virtually)
VICE MAYOR SHIMONI (virtually)
COUNCILMEMBER ASLAN (virtually)
COUNCILMEMBER MCCARTHY (virtually)
COUNCILMEMBER ODEGAARD (virtually)
COUNCILMEMBER SALAS (virtually)
COUNCILMEMBER WHELAN (virtually)

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

3. **PLEDGE OF ALLEGIANCE AND MISSION STATEMENT**

The Council and audience recited the pledge of allegiance and Councilmember McCarthy read the Mission Statement of the City of Flagstaff.

MISSION STATEMENT

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

4. PUBLIC PARTICIPATION

Public Participation enables the public to address the Council about an item that is not on the agenda. Comments relating to items that are on the agenda will be taken at the time that the item is discussed. If you wish to address the Council at tonight's meeting, please complete a comment card and submit it to the recording clerk as soon as possible. Your name will be called when it is your turn to speak. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

None

5. PROCLAMATIONS AND RECOGNITIONS

A. Proclamation: Economic Development Week

Councilmember Whelan read the Economic Development Week Proclamation.

B. Proclamation: National Tourism Week

Councilmember Odegaard read the National Tourism Week Proclamation.

C. Proclamation: National Police Week

Mayor Evans read the National Police Week Proclamation.

6. APPOINTMENTS

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that the City Council may vote to go into executive session, which will not be open to the public, for the purpose of discussing or considering employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body...., pursuant to A.R.S. §38-431.03(A)(1).

A. Consideration of Appointment: Sustainability Commission.

Moved by Vice Mayor Adam Shimoni, **seconded by** Mayor Coral Evans to appoint Kristen Konkel to a term expiring October 2021.

Vote: 7 - 0 - Unanimously

B. Consideration of Appointments: Industrial Development Authority

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Jim McCarthy to appoint Jean Richmand-Bowman to a term expiring April 2024.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Charlie Odegaard, **seconded by** Vice Mayor Adam Shimoni to appoint Allen Rumbold to a term expiring April 2025.

Vote: 7 - 0 - Unanimously

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Charlie Odegaard to appoint Mark Woodson to a term expiring April 2026.

Vote: 7 - 0 - Unanimously

7. **CONSENT ITEMS**

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

Moved by Councilmember Jamie Whelan, **seconded by** Vice Mayor Adam Shimoni to approve the Consent Agenda as presented.

Vote: 7 - 0 - Unanimously

A. **Consideration and Approval of Contract:** Waterline Reimbursement for Northern Arizona Healthcare

- (1) Approve the agreement with Northern Arizona Healthcare; and
- (2) Authorize the City Manager to execute the necessary documents

8. **PUBLIC HEARING ITEMS**

A. **Consideration and Action on Liquor License Application:** Steven Grubart "Lumberjax," 409 S. San Francisco Street, Series 12 (restaurant), New License.

Mayor Evans opened the public hearing.

Sgt. Ryan Turley introduced the item and was available for questions.

Councilmember McCarthy expressed concern about the DUI incident listed in the Police Department report. The applicant Stephen Grubart noted that the incident was to the slightest degree and was almost five years ago. It was a minor offense with no other offenses occurring after.

Councilmember Salas asked what the plans are for the restaurant part of the business. Mr. Grubart indicated that much of the food focuses on the various dietary needs of the community including vegan and gluten free. They will be trying to operate starting at 10:00 a.m. to capture breakfast and their hope is to get involved with the students at NAU and cater to their needs.

There being no public comment Mayor Evans closed the public hearing.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Regina Salas to forward the application to the State with a recommendation of approval.

Vote: 7 - 0 - Unanimously

9. ROUTINE ITEMS

- A. Consideration and Approval of a Construction Manager at Risk (CMAR) Construction Services Agreement:** to Eagle Mountain Construction in the amount of \$6,588,283.00 for the Coconino Estates Improvements Phase I South Project.

Capital Improvements Project Manager Eli Reisner provided an overview of the project and displayed a vicinity map for reference

Staff read submitted public comments from the following individuals:

- Julie Elliott
- Bonnie Feather
- Sallie Hayes Page
- Tom Martin

The following comments were received:

- Most of the residents on Navajo Road only want one sidewalk installed.
- Installation of sidewalks compromises off-street parking.
- One sidewalk is enough.
- It is not too late for Council to change the design since the work will not be done until next summer.
- There are a number of elderly people who live in the area and they will be unable to shovel their sidewalks.
- Whipple Road should be included in the project.
- McMillan Road needs to be resurfaced at some point during this project.

Written comments in opposition to sidewalks on both sides of the street were submitted by David and Teresa Wayne.

Councilmember McCarthy indicated that he has concerns about the sidewalk aspect of the project. There was not a strong consensus on the sidewalk within the neighborhood. A citizen's petition was filed asking for a compromise on the issue and Council did not support it. He will not be supporting the motion on the matter.

Councilmember Odegaard expressed support for the project. He noted that projects that were done in the past did not include sidewalks and people were very upset. The community wants multi-modal transportation options and sidewalks provide that. Vice Mayor Shimoni agreed.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Austin Aslan to approve the CMAR Construction Services Agreement with Eagle Mountain Construction Inc. for a Guaranteed Maximum Price of \$6,439,394.00 with a contract duration period of 900-calendar days; Approve an Owner's Contingency of \$148,889.00, which is approximately 2.3% of the Guaranteed Maximum Price; and Authorize the City Manager to execute the necessary documents.

Vote: 6 - 1

NAY: Councilmember Jim McCarthy

B. Consideration and Adoption of Resolution No. 2020-17 and Ordinance No. No.

2020-11: A Resolution of the City Council of the City of Flagstaff, Coconino County, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "Case No. PZ-19-00125 Updates to Zoning Code 2020 – Miscellaneous Part 1"; and, an Ordinance of the City Council of the City of Flagstaff, Coconino County, Arizona, amending the Flagstaff City Code, Title 10, Flagstaff Zoning Code, to resolve conflicts, incorporate technical corrections and clarity, and modify existing and add new requirements, provisions, and definitions.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Jamie Whelan to adopt Resolution No. 2020-17.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "CASE NO. PZ-19-00125 UPDATES TO ZONING CODE 2020 – MISCELLANEOUS PART 1"; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2020-11 by title only for the final time.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Jamie Whelan to adopt Ordinance No. 2020-11.

Vote: 7 - 0 - Unanimously

C. Consideration and Adoption of Ordinance No. 2020-07: An ordinance extending and increasing the corporate limits of the City of Flagstaff by annexing certain land totaling approximately .32 acres located at 4409 North Highway 89, and establishing city zoning for said land as Highway Commercial, HC. (***Annexation of property to facilitate the redevelopment of existing retail to a restaurant***)

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jamie Whelan to read Ordinance No. 2020-07 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARIZONA REVISED STATUTES, BY ANNEXING CERTAIN LAND TOTALING APPROXIMATELY .32 ACRES LOCATED AT 4409 NORTH HIGHWAY 89, WHICH LAND IS CONTIGUOUS TO THE EXISTING CORPORATE LIMITS OF THE CITY OF FLAGSTAFF, AND ESTABLISHING CITY ZONING FOR SAID LAND AS HIGHWAY COMMERCIAL, HC.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to adopt Ordinance No. 2020-07.

Vote: 7 - 0 - Unanimously

- D. Consideration and Adoption of Ordinance No. 2020-09:** An ordinance of the City Council of the City of Flagstaff, Arizona, amending the Flagstaff City Code, Chapter 1-14, Personnel System, by amending the Employee Handbook of Regulations relating to General Definitions, Working Hours and Pay, Overtime Pay, Compensatory Time, and Vacation Leave; providing for penalties; repeal of conflicting ordinances; severability; and establishing an effective date

ITEM HAS BEEN PULLED INDEFINITELY

- E. Consideration and Adoption of Ordinance No. 2020-08:** An ordinance amending the Employee Handbook of Regulations, Chapter 1-50 *Leave, Military Training Leave 1-50-061*

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to read Ordinance No. 2020-08 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, CHAPTER 1-14, PERSONNEL SYSTEM BY AMENDING THE EMPLOYEE HANDBOOK OF REGULATIONS RELATING TO MILITARY TRAINING LEAVE; PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jamie Whelan to adopt Ordinance No. 2020-08.

Vote: 7 - 0 - Unanimously

10. REGULAR AGENDA

- A. Consideration and Adoption of Resolution No. 2020-07:** A resolution of the Flagstaff City Council adopting a Flagstaff Adaptive Reuse Program to support small businesses during the site plan review process and to encourage adaptive reuse of vacant commercial or office spaces.

Business Retention and Expansion Manager John Saltonstall provided a PowerPoint presentation that covered the following:

ADAPTIVE REUSE
WHY WE ARE HERE
ELIGIBILITY REQUIREMENTS
HOW DOES THIS HELP SMALL BUSINESS?
EXPECTATION MANAGEMENT
PROCESS

Councilmember Salas stated that the program looks good and suggested developing a mechanism for businesses to give back to the program after five years of opening so the program can have revolving funds to expand it to more businesses.

Vice Mayor Shimoni expressed excitement for the work and expressed an interest in getting more information about Councilmember Salas' proposal.

Mr. Saltonstall offered that as a pilot program there will be opportunity to modify the program along the way.

Councilmember Whelan offered her support and asked if there is any idea as to how many businesses might take advantage of the program. Mr. Saltonstall indicated that the program is currently funded at \$25,000 with a capacity for five businesses. Time will tell in terms of interest.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to read Resolution No. 2020-07 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL ADOPTING A FLAGSTAFF ADAPTIVE REUSE PROGRAM TO SUPPORT SMALL BUSINESSES DURING THE SITE PLAN REVIEW PROCESS AND TO ENCOURAGE ADAPTIVE REUSE OF VACANT COMMERCIAL OR OFFICE SPACES; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jamie Whelan to adopt Resolution No. 2020-07.

Vote: 7 - 0 - Unanimously

B. Consideration and Adoption of Resolution No. 2020-21: A resolution of the Flagstaff City Council stating its support for the Flagstaff Trails Initiative Regional Trails Strategy

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

FLAGSTAFF TRAILS INITIATIVE
SUMMARY
FTI CHRONOLOGY
FLAGSTAFF TRAILS INITIATIVE GOALS
CORE TEAM
COMMUNITY ENGAGEMENT
REGIONAL TRAILS STRATEGY
RECOMMENDATIONS
FTI ACTIVITY SINCE DECEMBER
TONIGHT'S MEETING
FTI LINKS

Councilmember Whelan asked how the Pledge for the Wild is going in terms of support for FTI. Grants and Contracts Manager Stacey Brechler-Knaggs stated that the fund is at about \$5,000.

Councilmember McCarthy indicated that he is excited about the initiative. He stated that attention needs to be given to wildlife corridors, areas of cultural significance, and limiting motorized travel around the San Francisco Peaks.

Vice Mayor Shimoni encouraged the use of signage and the integration of QR codes in the higher use areas. He would like to see video outreach and education as well.

Moved by Councilmember Regina Salas, **seconded by** Councilmember Charlie Odegaard to read Resolution No. 2020-21 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, STATING ITS SUPPORT FOR THE FLAGSTAFF TRAILS INITIATIVE REGIONAL TRAILS STRATEGY

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2020-21.

Vote: 7 - 0 - Unanimously

- C. Consideration and Adoption of Ordinance No. 2020-12:** An ordinance of the City Council of the City of Flagstaff, temporarily suspending Section 8-01-001-0002 of the City Code pertaining to sidewalks; providing for severability, authority for clerical corrections, and establishing an effective date.

Public Works Streets Director Scott Overton stated that the ordinance is a reflection of the direction Council provided at the last regular meeting to suspend the sidewalk program for 120 days in response to the pandemic.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Jamie Whelan to read Ordinance No. 2020-12 by title only for the first time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, TEMPORARILY SUSPENDING SECTION 8-01-001-0002 OF THE CITY CODE PERTAINING TO SIDEWALKS; PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

- D. Consideration and Possible Approval:** Letter from the Mayor and Flagstaff MetroPlan to the State of Arizona Transportation Board for the Rt.66/Rio de Flag Bridge Replacement project.

Mr. Clifton stated that the letter concerns the bridge project on Route 66 which was scheduled to take place during the 2020 construction season. It is a critical project for the Rio de Flag project and the Board deferred it to prioritize an I-40 project that presented itself in response to the COVID-19 pandemic. The City did not have an opportunity to provide comment during the meeting that decided the reprioritization, and the letter is a reflection of the City's desire to maintain funding for the project in 2021. The letter was drafted and circulated to a number of people at the staff level and to the Mayor. It was also circulated to MetroPlan because they have a similar interest. Staff is seeking Council approval to send the letter to ADOT.

Councilmember Odegaard added that the ADOT Board will be meeting on May 15, 2020 and urged Councilmembers to log into the meeting and offer public comment that speaks to the importance of the project and the need to maintain funding.

Councilmember Whelan requested talking points on the issue.

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jim McCarthy to approve the letter from the Mayor and Flagstaff MetroPlan to the State of Arizona Transportation Board for the Rt.66/Rio de Flag Bridge Replacement project.

Vote: 7 - 0 - Unanimously

A break was held from 4:40 p.m. through 4:50 p.m.

11. DISCUSSION ITEMS

A. 2020 Wildfire Preparedness and Seasonal Outlook

Wildland Fire Manager Paul Summerfelt introduced Paul Oltrogee who will be replacing him when he retires on May 13, 2020. Mr. Oltrogee provided a PowerPoint presentation that covered the following:

WILDFIRE PREPAREDNESS BRIEFING
FIRE YEAR FACTORS
NATIONAL SIGNIFICANT WILDLAND FIRE POTENTIAL OUTLOOK
OUR STATUS AND READINESS POSTURE
WILDLAND FIRE MANAGEMENT: THE CYCLE OF SUCCESS
2020 FOCUS AREAS
PREVENTION
PREPAREDNESS
HAZARD MITIGATION
COLLABORATION & PARTNERSHIPS
LAW ENFORCEMENT FIRE PREVENTION PATROLS
COCONINO COUNTY EMERGENCY MANAGEMENT
COCONINO NATIONAL FOREST FIRE AND AVIATION MANAGEMENT PROGRAM
CAMPING AND CAMPFIRE RESTRICTIONS
FIRE PREVENTION STRATEGIES
WILDFIRE DETECTION
AVAILABLE RESPONSE RESOURCES (USFS)
NATIONAL AIR RESOURCES

Staff read a public comment from Janet Dean at APS that covered the wildfire safety and fire mitigation strategies that APS employs.

Council expressed appreciation and well wishes to Mr. Summerfelt in his retirement and welcomed Mr. Oltrogee.

B. Flagstaff Water Services Strategic Plan 2025

Water Services Director Brad Hill provided a PowerPoint presentation that covered the following:

WATER SERVICES STRATEGIC PLAN 2025
INTRODUCTION

Mr. Hill introduced John Ruetten with Resource Trends, Inc. who continued the presentation.

STRATEGIC PLAN PURPOSE AND BENEFITS
PROCESS
STRATEGIC PLAN ELEMENTS
BUSINESS VALUES
THE POWER OF STANDARDS
STRATEGIC OBJECTIVES
SUMMARY OF STRATEGIC OBJECTIVES
IMPLEMENTING THE PLAN

FINANCIAL IMPLICATIONS, CLOSING REMARKS

Staff read a public comment submitted by Joe Shannon requesting that a portion of Lake Mary be allocated into Walnut Creek to support the riparian habit as well as eliminate motorized recreation from Lake Mary to reduce water contamination.

12. **COUNCIL LIAISON REPORTS**

Councilmember Odegaard reported that the Beautification and Public Art Commission will be meeting virtually on May 11, 2020.

Councilmember Whelan reported that Mountain Line is having its joint TAC, staff, and Board meeting soon. She indicated that things are working well under the lead of Heather Damolin and Kate Morely. The staff are working hard together and have taken on more safety measures and job duties to keep themselves and the community safe.

13. **CITY MANAGER REPORT**

A. **City Manager Report**

Mr. Clifton provided a brief recap of his report.

Councilmember Whelan asked about the recent art installations in the Fourth Street Corridor and asked if there were plans to spread out other projects throughout the community. Economic Vitality Director Heidi Hansen stated that she believes there are other projects forthcoming and more information will be provided soon.

14. **COVID-19 UPDATES**

A. **COVID-19 Social Safety-Net Services Coalition**

Mr. Clifton noted that there is a lot of information provided in the staff report. The Police and Fire Departments continue to report a number of exposures but they have been able to keep responders free of the virus.

Councilmember Whelan noted that it has been a busy week with meetings and updates. She reported that the County is considering a contract with Hotel Aspen for housing assistance. The testing blitz went well and it is nice to know that a doctor's note is no longer needed to get tested. The County will be hosting a Town Hall on May 6, 2020 that can be viewed on NAU TV or Zoom to discuss operations and response.

Mayor Evans thanked everyone in the city, staff, residents, etc. for all that they have been doing during this trying time. It is unfortunate that the Governor has preempted all cities and towns from doing anything different than what he has directed. The Governor has stopped consulting with other mayors and it has been difficult to sit back unable to do what is right for our specific communities. She expressed frustration with the lack of federal and state infrastructure to help small businesses; the larger businesses have been able to get assistance whereas the small businesses are still waiting. She strongly encouraged Flagstaff residents to adhere to the CDC guidelines, wear a mask, continue social distancing, wash your hands, and check in on and help your neighbors. Continue being Flagstaff because that is who we are.

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

Councilmember Whelan thanked the Mayor for her leadership and support of the community. She requested a FAIR item to discuss the city's BBB allocations.

Councilmember McCarthy indicated that before the pandemic, the Council had discussed a climate emergency resolution. There was strong support from the Council and the community and the community is anxious to see movement forward. He requested that the City Manager consider placing the resolution on an upcoming agenda for Council action.

Councilmember Odegaard thanked Discover Flagstaff for their live streaming of the concert at the Orpheum last Saturday. It was a great concert and he encouraged everyone to go back and watch it online.

Councilmember Salas reported that Jeff Hall at Lowell Observatory hosted an adhoc group meeting that discussed local attractions and preparations to reopen for community events. Community partners will continue to meet and collaborate to develop the new normal and standards for event planning and management. Councilmember Salas also requested a one-page summary on what the city has done so far in response to the pandemic and plans moving forward.

Councilmember Aslan reported that he is working with the City Attorney's office to determine what authority the City Council has in terms of equitable access to voting during the pandemic.

16. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held May 5, 2020, adjourned at 6:07 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

I, STACY SALTZBURG, do hereby certify that I am the City Clerk of the City of Flagstaff, County of Coconino, State of Arizona, and that the above Minutes are a true and correct summary of the Meeting of the Council of the City of Flagstaff held on May 5, 2020. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 18th day of January, 2022.

CITY CLERK