

MINUTES

1. CALL TO ORDER

Mayor Evans called the meeting of the Flagstaff City Council held September 15, 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 Salas 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.

The Mayor asked for a moment of silence in honor of Officer Shughart.

Police Chief Dan Musselman offered words about Officer Shughart. Mayor reminded the public of the public resources available for anyone who might be considering suicide.

Housing Director Sarah Darr addressed Council stating that the foster youth to independence housing voucher program has launched. HUD will be issuing housing vouchers for youth between 18 and 24 who are exiting the foster care system.

A written comment card was submitted by Megan Hosterman who expressed concerns about music and construction noise from NAU.

5. LIQUOR LICENSE PUBLIC HEARINGS

Mayor Evans opened the public hearing on all applications.

Sergeant Ryan Turley briefly introduced the applications.

There was discussion about the total number of restaurant licenses in Flagstaff and concerns that it may be too many. There was also discussion about concerns with prior liquor violations for Collins. Sergeant Turley explained that all violations had been rectified and there had been no violations since 2016. Council also asked the applicants about their safety measures in place due to COVID.

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

Moved by Councilmember Regina Salas, **seconded by** Councilmember Austin Aslan to forward all the applications to the State with a recommendation of approval.

Vote: 7 - 0 - Unanimously

- A. Consideration and Action on Liquor License Application:** Jeffrey Craig Miller, "Mayor," 101 S. San Francisco, Series 12, New Application.
- B. Consideration and Action on Liquor License Application:** John Alexander Phillips, Flagstaff Liquor, 1700 E. Route 66, Series 9S (liquor store), Sampling Privileges and Series 07(beer and wine bar).
- C. Consideration and Action on Liquor License Application:** Jeffrey Craig Miller, "Collins Irish Pub & Eatery," 2 N. Leroux Street, Series 12 (restaurant), New License.

- D. **Consideration and Action on Liquor License Application:** Rodney Peter Hu, "Yucca North," 15 N. Agassiz Street, Series 06, Owner Transfer.

6. **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 Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to approve the Consent Agenda as presented.

Vote: 7 - 0 - Unanimously

- A. **Consideration and Approval of Grant Agreement:** Assistance to Firefighters 2019 Grant program for Self Contained Breathing Apparatus (SCBA)
Approve the Grant Agreement with the Assistance to Firefighters Grant Program for grant funds in the amount of \$469,090.91 with a city match of \$46,909.09
- B. **Consideration and Approval of Grant Agreement:** Assistance to Firefighters Grant Program for Regional Fire Officer Training
Approve the grant award with Assistance to Firefighters for grant funds in the amount of \$438,136.27 with a city match of \$43,813.63. The total is \$481,949.90.

7. **ROUTINE ITEMS**

- A. **Consideration and Approval of Contract:** Central Square software proprietary purchase contract for continued service and maintenance for a three (3) year term, with automatic 1-year renewals unless sooner terminated.

IT Director CJ Perry addressed Council stating that the item was before them a couple of weeks ago where Council asked staff to go back to the vendor and attempt to renegotiate a lessor rate. Staff was successful in those negotiations and are now seeking approval of the contract.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to approve the purchase agreement with Superior/CentralSquare to renew and extend services and maintenance and authorize the City Manager to execute all necessary documents.

Vote: 7 - 0 - Unanimously

- B. **Consideration and Approval of Contract:** LodgingRev short-term rental software contracts to monitor and collect data related to short term rentals operating in Flagstaff.

Management Analyst Jack Fitchett provided a PowerPoint presentation that covered the following:

SHORT TERM RENTAL SOFTWARE CONTRACT
BACKGROUND/HISTORY
SELECTION PROCESS
CONTRACT – LODGING REV
ARIZONA PROVEN PROCESS
ADVERTISEMENT MAP

PROPERTY DATA
INITIAL DATA
NEXT STEPS...

Councilmember Whelan asked if the revenue generated by the program will outpace the cost. Mr. Clifton stated that it is likely and that it has been his experience with similar programs in other jurisdictions.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to approve LodgingRev contract to obtain short-term rental software two year contract totaling \$73,960 and authorize the City Manager to execute all necessary documents.

Vote: 7 - 0 - Unanimously

C. Consideration and Approval of Lease Agreement: Approval of the Lease with United States General Services Administration (GSA) – United States Geological Survey (USGS) Campus Build to Suit

Senior Project Manager David Pederson provided a PowerPoint presentation that covered the following:

USGS CAMPUS BUILD TO SUIT
CONTEXT MAP
AERIAL MAP
CONCEPT MAP
PROJECT DETAILS
SPECIAL Thanks

Management Services Director Rick Tadder continued the presentation.

FINANCIAL DETAILS

Councilmember Whelan asked about breaking the project into smaller pieces to allow smaller, and perhaps local, contractors have an opportunity to bid. Mr. Pederson stated that staff will be meeting next week to discuss how to move forward with the design/build process and they would discuss the suggestion.

Moved by Councilmember Jim McCarthy, **seconded by** Vice Mayor Adam Shimoni to approve the lease agreement with United States General Services Administration and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

D. Consideration and Adoption of Resolution No. 2020-13 and Ordinance No. 2020-10: A resolution of the Flagstaff City Council declaring as a public record that certain document filed with the City Clerk and entitled "*Street Lighting and Traffic Signals, Signing, and Pavement Markings Code Amendments*"; and an ordinance of the City Council of the City of Flagstaff amending the Flagstaff City Code, Title 13, Engineering Design Standards and Specifications for new infrastructure, by adopting by reference that certain document entitled "*Street Lighting and Traffic Signals, Signing, and Pavement Markings Code Amendments*"; providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to adopt Resolution No. 2020-13.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2020-10 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF AMENDING THE FLAGSTAFF CITY CODE, TITLE 13, ENGINEERING DESIGN STANDARDS AND SPECIFICATIONS FOR NEW INFRASTRUCTURE, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "STREET LIGHTING AND TRAFFIC SIGNALS, SIGNING, AND PAVEMENT MARKINGS CODE AMENDMENTS"; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Austin Aslan to adopt Ordinance No. 2020-10.

Vote: 7 - 0 - Unanimously

E. Consideration and Approval of Contract: Cooperative Purchase Contract with Kronos Incorporated

Finance Director Brandi Suda explained that the contract is for an automated time entry system. The contract includes implementation and the first three years of the software. The current process is extremely time intensive and requires individual input and manager review. The software will increase efficiency and save staff time and automating the review process.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to approve Cooperative Purchase Contract with Kronos Incorporated (Kronos) and the City of Flagstaff as procured through a cooperative purchase contract with Cobb County through Omnia Partners – Public Sector for payroll time entry software and implementation for an amount not to exceed \$181,200.

Vote: 7 - 0 - Unanimously

F. Consideration and Adoption of Ordinance No. 2020-23: An ordinance amending the Flagstaff City Code, Chapter 1-14, *Personnel System*, and the Flagstaff Employee Handbook of Regulations, Chapter 1-10-070, *Employee Advisory Committee*.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to read Ordinance No. 2020-23 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, AND THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS, SECTION 1-10-070, EMPLOYEE ADVISORY COMMITTEE; PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Charlie Odegaard, **seconded by** Vice Mayor Adam Shimoni to adopt Ordinance No. 2020-23.

Vote: 7 - 0 - Unanimously

A break was held from 4:37 p.m. through 4:45 p.m.

8. PUBLIC HEARING ITEMS

A. Public Hearing: Proposed Public Safety development fees (impact fees).

Mayor Evans opened the public hearing.

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

ADOPTION OF PUBLIC SAFETY DEVELOPMENT FEES
DEVELOPMENT FEES
EVERY 5 YEARS
LAND USE ASSUMPTIONS
FIRE
POLICE
PROPOSED FIRE FEES
PROPOSED POLICE FEES
PROPOSED COMBINED FEES

David Hayward addressed the Council offering support of the idea of replacing the protracted exaction negotiations for a more standardized approach of development fees. He is concerned about the report showing the maximum fee allowable under state law but it not being representative of the actual amount needed to fund the needs.

Joe Galli addressed the Council on behalf of the Greater Flagstaff Chamber of Commerce. He indicated that the Chamber would be supportive if they knew that exactions were going away in development agreements. He stated that there is a lot of discussion about growth paying for growth and that is ultimately accomplished through property taxes, not fees. Property taxes should be used for police and fire needs.

Councilmember McCarthy asked about requiring fees prior to issuing the certificate of occupancy, this would help builders get through construction first. Management Services Director Rick Tadder indicated that there would need to be further review by legal on that question. Council voiced support for looking into this possibility.

Ms. Antol stated that the current incentive policy does allow for deferment of development fees and staff will look further into that and come back with some options.

Mayor Evans noted that further discussion is needed on using development fees versus exactions.

There being no further public comment, Mayor Evans closed the public hearing and provided notice that October 20, 2020, is scheduled for Council's potential first read of an Ordinance adopting the proposed Public Safety Development Fees.

9. REGULAR AGENDA

- A. Consideration and Adoption of Resolution No. 2020-54:** Between the State of Arizona, Department of Public Safety and the City regarding the Gang & Immigration Intelligence Team Enforcement Mission (GIITEM) State Gang Task Force

Police Lieutenant Colin Seay addressed Council stating that the agreement with the Department of Public Safety is a five year extension of the current agreement. This partnership has been in place for the last 20 years. The agreement will fund 75% of one officer's salary and Flagstaff would get an officer that is dedicated to the gang task force. The officers also work with youth outreach, school resource officers, and gang graffiti.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to read Resolution No. 2020-54 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE GANG & IMMIGRATION INTELLIGENCE TEAM ENFORCEMENT MISSION (GIITEM) STATE GANG TASK FORCE

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2020-54.

Vote: 7 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2020-53:** A resolution amending the IGA between NAU and the City covering the composting partnership to extend the IGA for one year.

Sustainability Specialist Dylan Lenzen provided a PowerPoint presentation that covered the following:

RENEWAL OF NAU COMPOSTING IGA
CITY/NAU COMPOSTING PARTNERSHIP
SUMMARY OF IMPACT
ONE-YEAR RENEWAL

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Austin Aslan to read Resolution No. 2020-53 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, AMENDING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE ARIZONA BOARD OF REGENTS, FOR AND ON BEHALF OF NORTHERN ARIZONA UNIVERSITY, AND THE CITY OF FLAGSTAFF FOR THE PROCESSING OF ORGANIC MATERIAL PRODUCED WITHIN CITY LIMITS AT THE UNIVERSITY'S PROCESSING FACILITY

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2020-53.

Vote: 7 - 0 - Unanimously

- C. Consideration and Adoption of Ordinance No. 2020-24:** An ordinance of the City Council of the City of Flagstaff Arizona, amending the Flagstaff City Code, Title 2, Boards and Commissions, by adding a new Chapter 2-26, creating an Indigenous Commission

Coordinator for Indigenous Initiatives Rose Toehe addressed Council providing a brief recap of Council's direction concerning the creation of an Indigenous Commission. The commission will serve as a communication bridge between the City Council and the community. She reviewed the eight recommendations from the Indigenous Community Forums. The commission will have seven voting members and three ex-officio members from the Indigenous Peoples Advisory Committee as coordinated through the MOU with Coconino County. The seven voting members will be members of a recognized indigenous tribe.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, TITLE 2, BOARDS AND COMMISSIONS, BY ADDING A NEW CHAPTER 2-26, CREATING AN INDIGENOUS COMMISSION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Jim McCarthy to read Ordinance No. 2020-24 by title only for the first time.

Vote: 7 - 0 - Unanimously

10. DISCUSSION ITEMS

A. **Rio de Flag Flood Control Project - Update**

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

RIO DE FLAG FLOOD CONTROL UPDATE
USACE
PROJECT DESIGN

Real Estate Manager Bryce Doty continued the presentation.

REAL ESTATE

Senior Project Manager Christine Cameron continued the presentation.

BNSF RAILWAY
PUBLIC INVOLVEMENT
CITY CONTACT INFORMATION

Council thanked staff for the update and the work being done. They look forward to further updates. They also encouraged continued outreach and communication with residents of

Coconino Estates.

B. Quarterly Update on F.A.I.R. Item and Discussion Queue

City Clerk Stacy Saltzburg addressed Council providing a brief update on the FAIR items in the discussion queue. Council expressed appreciation for the update and made no changes to the priority of discussions. They encouraged each other to be mindful of the requests that they bring forward due to the amount of staff time involved and the current backlog.

11. COUNCIL LIAISON REPORTS

Councilmember Odegaard reported that he attended the Beautification and Public Art Commission meeting where they discussed small grant opportunities for artists. They made suggestions about trying to get youth participation with the grants. They also discussed empty store frontage and the possibility of allowing public art displays in the windows while the buildings are in transition.

Vice Mayor Shimoni reported that the Commission on Diversity Awareness will be meeting to discuss their recent survey and preparing to bring the results to Council for discussion.

12. FUTURE AGENDA ITEM REQUESTS

After discussion and upon agreement by three members of the Council, an item will be moved to a regularly-scheduled Council meeting.

- A. Future Agenda Item Request (F.A.I.R.):** A request by Councilmember Whelan to place on a future agenda a discussion about changing the administrative decision to renew reclaimed water contracts outside of city limits.

Councilmember Whelan indicated that she would like to pull the item from consideration due what is coming up with stakeholder committee on reclaimed water.

- B. Future Agenda Item Request (F.A.I.R.):** A request by Councilmember Whelan to place on a future agenda a discussion about property maintenance requirements outside of Title 6 and Title 7.

Councilmember Whelan indicated that she feels that there may be an equity issue in how property maintenance is being negotiated within the code. Communities with homeowner associations have a mechanism in place to deal with the issues but other neighborhoods do not and have to rely on the city for enforcement.

Charlie Silver and Duffie Westheimer submitted a written comment in support of moving the item forward for a future discussion.

Council expressed their support to bring the matter forward to a future agenda for discussion.

13. CITY MANAGER REPORT**A. City Manager Report**

Mr. Clifton briefly reviewed his report.

14. COVID-19 UPDATES

Deputy City Manager Shannon Anderson provided a PowerPoint presentation that covered the following:

DATA UPDATE

CCHHS: COVID-19 WEEKLY CASES

CCHHS: COVID-19 DAILY CASES

CCHHS: HOSPITAL ADMISSIONS

CCHHS: COVID-19 RELATED DEATHS

CCHHS: COMMUNITY TRANSMISSION

ADHS DASHBOARD

NAH: HOSPITAL CENSUS

Council discussed the following points:

- The uptick in cases may be related to the increased testing of NAU students and staff now that they have returned to campus.
- Flagstaff is remaining in the moderate transmission category.
- Plans are in place to provide masks at city facilities to people who come to conduct business.
- Concerns about increasing cases and potentially moving up to the substantial transmission category.
- The continued need to be mindful in wearing masks, socially distancing, and washing hands.

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

Councilmember Odegaard requested information about the tree issue on Beal Road. Mr. Clifton noted that staff will be engaging the services of a professional arborist to look at the trees; there is a strong likelihood that one tree will need to be removed but there is some possibility that another tree could be saved with some design alterations. It is not a guarantee, but something that will continue to be explored.

The City Council expressed their respective condolences to the family of Officer Shughart and the Flagstaff Police Department.

Councilmember Whelan requested a FAIR item to discuss the new contracts and contract renewals coming before the Water Commission and Council for consideration and approval.

Vice Mayor Shimoni reported that he is engaging in conversations with the City Manager about the vulnerable and unsheltered population heading into the winter months. He requested a FAIR item to discuss Tequila Sunrise and how that event is handled from the city perspective.

Councilmember McCarthy stated that Saturday between 10:00 a.m. and 12:00 p.m. there will be Peace Day celebrations at Heritage Square.

Mayor Evans noted with the loss of Officer Shughart it is further evidenced that resources need to be available to members of the Police Department for mental health services, check-ins, and support. She asked that the Council be mindful of the loss of two officers in the last couple of years as they head into conversations about police funding and resources. She reported that the Lived Black Experience town halls start later that week and will be presented virtually.

16. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held September 15, 2020, adjourned at 6:55 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 September 15, 2020. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 17th day of May, 2022.

CITY CLERK