

## MINUTES

### 1. Call to Order

Mayor Evans called the Work Session of May 14, 2019, to order at 6:00 p.m.

#### **NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION**

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

### 2. Pledge of Allegiance and Mission Statement

The Council and audience recited the pledge of allegiance and Councilmember 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.*

### 3. Roll Call

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

PRESENT:

MAYOR EVANS  
VICE MAYOR SHIMONI  
COUNCILMEMBER ASLAN  
COUNCILMEMBER MCCARTHY  
COUNCILMEMBER ODEGAARD  
COUNCILMEMBER SALAS  
COUNCILMEMBER WHELAN

ABSENT:

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

#### 4. Public Participation

Multimodal Planner Martin Ince addressed the Mayor and Council to discuss Bike to Work and School Week and distributed a flyer regarding the week's events. He mentioned that it is the 18th annual event organized by the Flagstaff Biking Association. He offered to arrange bikes for the Council if they needed them for the Kick-Off Ride, highlighted the week's events, and spoke about the commuter challenge.

The Thomas Elementary School Student Council presented to the Council. They explained that they are a group of third to fifth-grade students who meet during their lunch and recess periods with the goal of helping their peers grow. They mentioned that their most recent project was for Kindness Week, during which they worked to increase the level of kindness not just within their school but also in the greater Flagstaff community.

Mayor Evans requested a motion to suspend the rules of Public Participation so that Council would be able to greet the students.

**Moved by** Councilmember Salas moved to, **seconded by** Councilmember Odegaard to suspend the rules of Public Participation.

**Vote:** 7 - 0 - Unanimously

The Mayor and Council stepped down from the dais to greet the students and take photographs with them.

#### 5. Review of Draft Agenda for the May 21, 2019 City Council Meeting

*Citizens wishing to speak on agenda items not specifically called out by the City Council may submit a speaker card for their items of interest to the recording clerk.*

Councilmember Odegaard inquired about Item 12A: "Delivering land to affordable housing" and stated that he wanted a presentation on the different options available.

#### 6. 2018 Building Code Adoption Update

Building Official Amy Palmer introduced herself and Building Plans Examiner Victoria St. Clair. Ms. Palmer acknowledged their County partners in the audience. She also introduced Sustainability Specialist Jenny Niemann and noted the support they have received from the Sustainability Section. They provided a PowerPoint presentation that covered the following:

- What is a Model Code?
- Update and Adoption Frequency
- Proposed Model Codes
- Why adopt an updated code?
- Code updates vs. local amendments
- Adoption Timeline
- Public Outreach
  - Target audience and advertising
  - Training Sessions
- Boards & Commission Meetings
  - The Building and Fire Code Board of Appeals did not recommend the adoption of proposed amendments due to concerns about blower door testing and EV vehicle

- charging requirements.
- Code Updates and Amendments
- International Building Code
  - Electric Vehicle Charging
    - EV Ready
  - Play Areas
  - Building-integrated photovoltaic roof panels
  - Public toilet facilities
- International Existing Building Code
  - Snow Damage — 60 pounds per square foot
  - Emergency escape opening operation
- International Residential Code
  - Seismic Design Category Changed from D2 to a Seismic Design Category C
  - Garage receptacle outlet location
  - EV charging
    - The Boards and Commissions moved to approve this amendment excluding the Building and Fire Code Board of Appeals
  - IRC Appendices
    - Appendix Q Tiny Houses
    - Appendix R Light Straw-Clay Construction on non-load bearing walls
    - Appendix S Strawbale Construction
    - Appendix T Solar-ready provisions
- International Mechanical Code
  - Solar thermal systems
- International Plumbing Code
  - Separate facilities, exception 4 added.
  - Drinking fountains
- International Fuel Gas Code
- International Solar Energy Provisions
- International Swimming Pool & Spa Code – New addition
- ICC A117.1-2017
  - Standard for Accessible and Usable Buildings and Facilities
  - General Site and Building Elements
- National Electrical Code
- International Energy Efficiency Code
  - Residential Provisions
    - Compliance Paths
      - Prescriptive – most restrictive
      - Total UA Alternative
      - Simulated Performance
      - Energy Rating Index (ERI) – introduced in 2015
    - Rating Index Compliance Alternative
    - ERI Compliance Alternative Report Example
    - Prescriptive Table R402.1.1 with 2018 values
    - Air Leakage and Blower door testing
      - The City and the County do not mirror each other since the County is suggesting the test be optional.
    - Ducts and Testing
      - The City and the County do not mirror each other since the County is suggesting the test be optional.
    - Service hot water systems and lighting equipment
    - Commercial Costs for Energy Provisions
      - Net savings of \$9,900 due to the seismic recategorization

Mayor and Council thanked staff for the presentation and did not have any questions.

## 7. 2018 International Fire Code Adoption Update

Building Official Amy Palmer introduced Deputy Fire Chief Jerry Bills, who gave a presentation on updating the fire code to include the latest NFPA standards. He mentioned that the 2012 Fire Code was adopted in 2016 and that this marked the first time in 14 years that the Fire Department had collaborated with the Building Department on updates, making the process much smoother. The presentation slides covered the following points:

- o 2012 IFC to 2018 Changes
- o Addition of Chapter 12
  - Supportive of the CAP Plan
- o Commercial Hood/Cleaning is now in the Fire Code
- o 2012 IFC to 2018 Not Changed

Councilmember Odegaard sought clarification on exemptions for existing bars and restaurants. Deputy Fire Chief Bills explained that two historic buildings were exempt, while all other buildings already had sprinklers, and new buildings would need to comply with the code.

Councilmember Whelan inquired about additional expenses for businesses or promoters. Deputy Chief Bills stated that there would be no additional expenses and that the new code might even be cost-effective for new builders.

During the public comment period, Joe Shannon from the Sierra Club of Northern Arizona, Rick Moore from the Grand Canyon Trust, Alan Francis, and Tom Scheel, who owns a green plumbing company, expressed their support for the proposal.

Councilmember Whelan asked Mr. Scheel to explain what he meant by "over-the-counter" permit applications. Mr. Scheel provided examples and clarified the process for obtaining permits for various projects.

Vice Mayor Shimoni asked Mr. Scheel to discuss roof pathways and their impact on supporting solar installations. Mr. Scheel explained the benefits of roof pathways for firefighter safety, green energy, and tension but mentioned that they might limit the number of solar panels that can be installed on a roof.

Councilmember Whelan inquired about expediting the process, and Ms. Palmer stated that the City could explore this option. Mayor Evans suggested that the conversation could be revisited in the future, and all Councilmembers expressed interest in exploring the idea at a later meeting.

Community Development Director Dan Folke mentioned that there is typically a published schedule for permits that is often exceeded.

Councilmember Whelan asked if there was a need for more staff to collect data, and Ms. Palmer clarified that the data had already been collected over the course of a year.

Councilmember Odegaard discussed snow load and damages in 2010, inquired about savings for consumers, and suggested that the City needs to prepare for a rapidly transitioning market.

Councilmember Salas asked about public outreach efforts and received a summary of the efforts and findings.

Councilmember McCarthy asked about the costs of electric vehicle ports and was told that the cost was similar to installing an electrical outlet for a dryer in the garage.

Councilmember Odegaard pointed out that housing is becoming very expensive, and the requirement for EV ports could drive costs up, especially considering that only about 25% of the community owns their own homes.

Councilmember Aslan expressed that the measure will ultimately save money and make homes more affordable.

Mayor Evans noted that a majority of Council supported moving the item forward while also expressing concerns about costs to the community.

## **8. Evaluation of ADA accessible parking options for the new City Court Facility location**

Project Manager Christine Cameron introduced herself and presented staff recommendations on ADA parking at the new City Court facility. She expressed that staff previously presented to Council on March 5, 2019, regarding the Courthouse, and a recommendation regarding parking was requested. The presentation covered the four options that staff had discovered. The City Council Report (CCR) outlining the items was sent to Council in April. Since then, the recommendations have been reprioritized and renumbered, with modifying the secure Court staff parking and procuring adjacent private property falling to the bottom of the recommendations. The secure parking is deemed necessary, and private property costs are too high. The presentation included:

- ADA Accessible Parking Options
  - Modify Secure Court Staff Parking – not suggested
  - Procure Adjacent Private Property – not cost affordable for long-term security
  - Modifying the Playhouse Parking – ADA patrons would have to cross Beaver Street
  - Modify On-Street Parking – Preferred recommendation.
- On-Street Curb Side Parking Exhibit – Wider spaces than normal.
- Staff's Recommend Option

Mayor Evans inquired about the ADA parking, and staff spoke about the potential ADA spots in town and the two spots that will be at the Courthouse.

Councilmember Whelan asked how many spots are at the building. Staff spoke about the 19 spots located in the secure area and how one spot is reserved for ADA Court staff.

Vice Mayor Shimoni also asked about the ADA accessible spots at the Courthouse, and Community Development Director Dan Folke added that the number of spaces required for ADA spaces is determined by the parking lot location. He added that for a 19-space parking lot, one ADA space would be required, and the recommendation is for three spots.

Councilmember McCarthy expressed his satisfaction with the plan.

Councilmember Aslan asked about curbside parking on Beaver Street, adding that the grades on Cherry are much gentler than on Beaver Street.

Councilmember Odegaard stated that he is not in favor of doing anything with the secure parking lot and that he would like to see one more ADA parking space added on Cherry.

The Council gave direction to move forward with the addition of two ADA parking spaces with the understanding that staff will continue to look for additional ADA parking. There was no support to remove secure parking.

Mayor Evans called a ten-minute break at 8:13 p.m.

**9. Discussion:** Developing a policy to prioritize water uses in times of shortage, in the context of public investment, and for community planning

Councilmember Whelan stated that she brought this item up to determine if there was a plan for prioritizing actions during times of water shortages and policies regarding reclaimed water. She added that she believes it is time to initiate a discussion on the matter, and the discussion should encompass reclaimed water.

Vice Mayor Shimoni stated that there is a plan in place for prioritizing water usage, but not specifically for reclaimed water. Water Resources Manager Erin Young mentioned that there is a Water Wise Plan, and the City is currently at Strategy Level One. She explained that there are two other levels based on system capacity that further restrict water use.

Councilmember McCarthy raised concerns about the cost of using reclaimed water if there is a shortage to replenish the aquifer.

Vice Mayor Shimoni and Councilmember Salas expressed their support for discussing the item further.

The Council indicated their support for advancing the discussion within the FAIR process.

**10. Discussion:** Continue communicating with the Arizona Board of Regents and invite them to a meeting or send a letter with concerns about impacts on the City.

Mayor Evans stated that she and the City Manager had a meeting with the NAU President last week, and she shared details of the conversation.

Councilmember Whelan expressed her concerns and suggested inviting the Arizona Board of Regents (ABOR) to a Council Work Session.

Vice Mayor Shimoni added that he would like to see ABOR participate in an open meeting with the City.

Council proposed writing a letter to ABOR and having NAU President Rita Cheng sign the letter. Mayor Evans expressed her reluctance to have President Cheng sign the letter.

Council further discussed the idea of writing a letter and had some reservations about that approach.

Council deliberated the possibility of an in-person meeting and directed staff to work on an in-person meeting or a letter.

**11. Discussion/Direction: Current Issues Before Arizona Legislature and Federal Issues.**

Management Analyst Cliff Bryson gave an update on the State Legislature.

- General Legislative Overview
  - 177 Bills remain active
- State Budget Overview
  - Possible adoption of language to implement Wayfair
- Tobacco Bills
  - Limiting ability to impose a tax on reconstruction
  - Strike everything amendment
  - Allow any city or towns to adopt ordinances or resolutions to make more restrictive
  - SB1147 is opposite bill of HB2357. SB1147 is a bad bill and HB2357 a good bill.
- HB2672
  - Waiting for house vote.

Councilmember McCarthy inquired whether the lobbyist is effectively educating on the true purpose and intent of the bills. Mr. Bryson responded that lobbyist Todd Madeksza is actively working to educate the legislative body.

Vice Mayor Shimoni asked if the E-bike bill had been signed, and Mr. Bryson confirmed that the Governor had indeed signed it.

**12. Public Participation**

Steve Finch, representing Flagstaff Lodging, Tourism, & Restaurant Association (FLRTA), addressed the Council. He began by apologizing for missing last Monday's meeting with the Chamber of Commerce. He expressed agreement with Vice Mayor Shimoni's remarks regarding the use of bicycles to reduce reliance on cars and appreciated Councilmember Whelan's comments on the minimum wage. Mr. Finch pointed out that the unemployment rate in Flagstaff is currently at 7%, which is higher than the national average, and he suggested that this might be influenced by the minimum wage. He expressed his gratitude for the meeting and the valuable insights provided by the Council.

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

Councilmember McCarthy reported attending the Dark Skies event at Lowell Observatory, where he had the opportunity to visit the basement and view the photographic plate used to discover Pluto.

Councilmember Aslan attended Housing Solutions of Northern Arizona's Breakfast event, where Vice Mayor Whelan served as the Emcee.

Vice Mayor Whelan congratulated Flagstaff High School for winning the Vans Custom Shoe Competition, which awarded them a \$75,000 prize.

Councilmember Shimoni suggested inviting Flagstaff High School students to a meeting to congratulate them. He also had a FAIR request to review the process for applying for rezones and for builders in general to ensure successful construction projects. Mayor Evans suggested that Councilmember Shimoni have a discussion with city management to understand the current process and then bring the issue forward if necessary.

Deputy City Manager Dille mentioned that it is Police Memorial Week and that tomorrow Councilmember Odegaard would read a fallen officer proclamation.

Mayor Evans and Councilmember Odegaard attended the commissioning ceremony for Airforce/ROTC officers. Mayor Evans requested adding a FAIR item to the calendar to discuss fees for special events on private property.

**14. Adjournment**

The Flagstaff City Council Work Session of May 14, 2019 adjourned at 9:23 p.m.

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MAYOR

ATTEST:

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CITY CLERK