

MINUTES

1. Call to Order

Mayor Evans called the Work Session of the Flagstaff City Council held March 10, 2020, to order 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 led by the Girl Scouts' Silver Award recipients 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.

3. Roll Call

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

PRESENT:

ABSENT:

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

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

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.

Jamie Blazquez addressed Mayor and Council regarding the Decriminalize Nature Resolution she is preparing.

Claire Wilkinson addressed Mayor and Council about Tract 22. She stated that she owns a townhouse in the Pinnacle Pines area and that she is against the development of a high-density, student housing complex in the area. She asked if the City needs any more student housing and asked Council to consider the zoning of the tract.

5. **Review of Draft Agenda for the March 17, 2020 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.

None.

6. **Recognition: Girl Scout Silver Award Recipients**

The award recipients for the Bronze and Silver Awards were:

- Payton Van Hemert
- Samatha Swan
- Haily Bird
- Dominique Dillard-Brown
- Madisyn Van Hemert
- Nikkole Morgan
- Tyanna Chase
- Felicia Avila
- Emma Hirning

Mayor stated that she was a girl scout, explained the projects that earned the awards, and read the recognition.

7. **Recognition: Dr. George Hershey**

The Mayor and Council recognized Dr. George Hershey for his 50 years of practice in the Flagstaff area and congratulated him on his retirement.

Councilmember Odegaard recognized his granddaughter who is a girl scout.

8. **Case No. PZ-19-00125 Updates to Zoning Code 2020 -- Miscellaneous Part 1**

Zoning Code Manager Dan Symer presented to Mayor and Council on proposed amendments to the Zoning Code.

Slides Included:

- Objectives
- Proposed Zoning Code Text Amendment
 - Purpose
 - Chapter 10-20: Administration, Procedures, and Enforcement
 - Concept Plan Review
 - Site Plans
 - Minor Improvement Permits
 - Initiation of Amendments
 - Chapter 10-40: Specific to Zones
 - Residential Non-Transect Zones
 - Commercial Non-Transect Zones

- Kennel, Animal Boarding
 - Transect Zones
- Chapter 10-50: Supplemental to Zones
 - Clarified which façade changes are subject to Architectural Design Standards
 - Relocated and clarified the design requirements for exterior walls
 - Clarified the building height measurement provision
 - Diagrams
- Section 10-50.60.040 Landscape Location Requirements
 - Clarified requirements adjacent to street in multi-family and commercial zones
 - Industrial Zones
- 10-40.60.150 Day Care Home and Center
- 10-40.60.250 Mini-Storage Warehousing
- Chapter 10-50: Supplemental to Zone -- Signs
- Division 10-50.110: Specific to Building Types
 - Modified the Stack Triplex lot size requirement
 - Clarified the building location requirements for non-transect developments

Councilmember Whelan asked if the purpose of changing the lot size for triplexes is to allow for more land around the building. Mr. Symer stated that it was. She also asked if that would create more parking. Mr. Symer stated that it could.

Councilmember McCarthy stated that he did not understand why the City would require a larger lot for triplexes if there is a goal to create more housing. Mr. Symer stated that the decision was from public comment and that triplexes were causing crowding in neighborhoods. Councilmember McCarthy clarified that this was happening in the Southside neighborhood and that developers were tearing down homes and replacing them with triplexes. Mr. Symer stated that this was the case.

- Revisions to Address the Public Comments
 - Clarify the density allowance
 - Modify and clarify building height exceptions
 - Modify the maximum height of an exposed basement
 - Consider a list of material for stem walls
 - Basement and Basement Garages.
 - Consider allowing stem wall and crawl spaces greater than five feet
 - Modify the provisions to allow additional stem wall and crawl spaces for FEMA floodplain requirements
 - Director may approve a taller stem wall or crawl space
 - Do change the triplex lot sizes
- Technical Additions and Modifications

Councilmember McCarthy proposed text edits and sought clarification on measuring building height, using Chick-Fil-A on Milton as an example. He learned that basements are not considered in height measurements and inquired about sign measurement, which Mr. Symer agreed to clarify in the text.

Vice Mayor Shimoni supported the updates but was confused about the triplex standards, which he learned were initially modeled after duplex standards but were found unsuitable for certain lot sizes.

Councilmember Odegaard sought clarification on the triplex definition and its fit on corner lots, noting the need for more housing in Flagstaff. Mr. Symer confirmed that triplexes are defined as three-unit structures with a 2500 sq. ft. per unit requirement for land area, not housing size.

9. August 2020 Election - Permanent Base Adjustment to Expenditure Limitation

Finance Director Brandi Suda addressed Mayor and Council regarding a permanent base adjustment to the expenditure limitation. The presentation included the following slides:

- What is a Base Expenditure Limitation?
- Why Now?
- Actuals vs. Expenditure Limitation
- What has changed since 2006?

- City Budget Growth
- Budget vs. Expenditure Limitation
- Recommendation
- Why August instead of November?
- 2020 August Election Timeline
- Council Options

Councilmember Whelan inquired if the proposed \$4 million increase would be sufficient given Flagstaff's growth. Ms. Suda confirmed the increase is an appropriate amount. Without this adjustment, capital projects would need to be reviewed to avoid exceeding expenditure limits.

Councilmember McCarthy questioned if more funds were needed for the 19-20 budget and supported the \$4 million increase, noting that the previous budget was unusual and a 5% growth was included in the operating budget.

Vice Mayor Shimoni expressed his support for the first option.

Councilmember Odegaard supported an August election and asked about charter questions, which City Clerk Stacy Saltzburg confirmed would not be on this year's ballot but could be on future ones.

Councilmember Salas inquired about the cost of the August election, which would be \$100,000, with shared costs due to a franchise renewal election also scheduled. Ms. Saltzburg mentioned minimal outreach costs and a potential City primary could share costs.

Councilmember Aslan opposed the recommendation, preferring to complete existing capital projects and expressing concerns about potential economic downturns and increased spending sending a negative message.

Councilmember Whelan acknowledged Aslan's concerns but did not believe postponing would address the issue and was open to revisiting it later.

Mayor Evans disagreed with Councilmember Aslan, arguing that slowing down capital projects has been problematic in the past and that the adjustment is necessary to accommodate future growth.

A majority of Council supported moving forward with an August election.

10. **Unisource Energy Services (Natural Gas) Franchise - Preview to August 4, 2020 Special Election**

Senior Assistant City Attorney Anja Wendel addressed Council about the Unisource Energy Services (UES) Franchise Special Election. Development Engineer Gary Miller and District Manager Jason Garrett from UES attended the meeting as well. The presentation included the following slides:

- Unisource Energy Services
- What is a Franchise?
- Current Franchise
- Why do we need an Election?
- What happens if the Voters don't approve a Franchise?
- Engineering Information

Ms. Wendel turned the presentation over to Mr. Miller to discuss the engineering information. He asked UniSource to address upgrades or expansion plans in Flagstaff.

Councilmember Whelan asked if there is any competition for UniSource. Mr. Garrett stated that they have the region through the Arizona Corporation Commission. Councilmember Whelan asked if this is a formality and that this must be on the ballot. Ms. Wendel stated that Council does have an option, but that the franchise is in the best interest of the community. She stated that there will be a resolution coming at the April 7, 2020, meeting that will ask Council to state that. City Attorney Solomon added that UniSource is the only option for providing natural gas in the area.

Mayor Evans added that if there was another entity that could provide gas, they would have to either provide gas on UniSource's line or with new infrastructure and that there are other ways for constituents to heat their homes.

- New Franchise -- Proposed

Councilmember Aslan asked if UniSource supported legislation to preempt local municipalities to adjust climate change issues. Ms. Wendel stated that the City was sent the bill this morning and that it is different than the one presented previously with less restrictions. UniSource stated that they were supportive of the bill. Councilmember Aslan stated that he would like to review the bill again before he discusses it in further detail and that he finds UniSource's stance disappointing.

Councilmember McCarthy asked about the 2% franchise fee and if it is standard across the state. Ms. Wendel stated that it is.

Councilmember Whelan asked if the 2% is set. Ms. Wendel stated that it is not set but that UniSource also pays transaction tax and right-of-way for a total of about 5%. Councilmember Whelan asked about the length of term and if it is always 25 years. Ms. Wendel stated that it can be a shorter term, but that a longer term is preferable.

11. Discuss consideration of additional funding for High Country Humane for animal shelter services.

Deputy Police Chief Walt Miller and Board Chairman Ken Lahm from High Country Humane (HCH) addressed Mayor and Council regarding consideration of additional funding for High Country Humane. Mr. Lahm introduced the supporters of High Country Humane who were in attendance. He asked Acting Executive Director Elizabeth Bohlkee to give a presentation to Mayor and Council. The presentation included the following slides:

- Why We Are Here
- Successes
- Community Contributions
- Additional Community Partnerships
- Community Services
- Health & Safety
- Veterinarian Support
- What We Have Learned
- Year-End Actuals
- Contributing Factors
- What We Are Asking
- Our Commitment to Fiscal Responsibility
- Our Commitment to You
- We are here for the long term

Councilmember McCarthy clarified that the current meeting is for discussion only, with decisions to be made at a future budget meeting. He expressed concerns about the City's spending priorities, specifically questioning why funding is allocated for animal treatment but not for human health.

Vice Mayor Shimoni supported the funding for the first year. He also inquired about future grant opportunities, with HCH expected to qualify for more grants with their historical data.

Councilmember Odegaard supported the current year's funding but was concerned about future years. He asked if HCH could reimburse the City if they raise additional funds, to which HCH responded they would return to the City and County for further discussions but emphasized the importance of a reserve fund.

City Manager Clifton highlighted that local government contributions enhance grant credibility and that the budget team would explore all options.

Councilmember Aslan supported this year's funding and was inclined to support future years, praising HCH based on positive personal experiences. He stressed the need for flexibility and expressed concerns about potential financial downturns but acknowledged the City's investment in HCH.

Councilmember McCarthy supported this year's additional funding and proposed discussing future years during the budget retreat.

Councilmember Whelan commended HCH for their transparency and integrity and expressed support for both this years and future funding.

Mayor Evans saw the funding as a response to a state mandate and appreciated HCH's planning. She supported this year's funding and was open to exploring future support, including grant writing assistance.

Councilmember Salas acknowledged the importance of the initial years for non-profits and supported the current funding while advocating for a broader budget view and potential one-time funds.

County Manager Jimmy Jayne indicated that the Coconino County Board of Supervisors had approved one-time funding for FY20 and would include FY21 and FY22 in their budget. He noted the positive work of HCH and agreed to consider the City Council's suggestion for grant support and writing letters.

12. Public Participation

None.

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

Councilmember Salas stated that the Airport Commission Meeting was cancelled and that there are vacancies on the Commission. She pointed out that there are a lot of vacancies on all commissions and encouraged the public to apply.

Councilmember Odegaard stated that there are two vacancies on the Beautification and Public Art Commission and encouraged the new Indigenous Coordinator to reach out for applicants so there can be diversity. He stated that he attended the NAU STEM event and he congratulated FUSD and STEM City on a terrific event.

Councilmember Aslan asked about the meeting of the Arizona Corporation Commission and is available for public comment. He stated that Sustainability is sending a letter to the commission.

Mr. Clifton stated that the submission was a comment card and in alignment with Council requirements. The contents were emailed to Council and was supportive of the use of renewable energy pursuits.

Councilmember McCarthy stated that the City Manager, Councilmember Odegaard, and himself are going to Phoenix to discuss the unfunded pension liability.

Councilmember Whelan thanked Mayor Evans for the Home Rule information that she provided. She stated that several Councilmembers participated in the Youth of the Year event by the Boys and Girls Club. She attended the NACOG Executive Committee meeting and is amazed by the money that the Economic Development Committee gives out, such as the monies given to the County to work with CCC and NAU for a training facility out at the biomass facility. She stated that it is an important push for Flagstaff to garner some of the money. She also spoke about Mental Health First Aid Training for the City and she stated that she wanted to know how the City was going to get all employees trained. She addressed the changing of the definition of Mental Health to include drug addiction. Mr. Clifton stated that the Mental Health Training is underway.

Vice Mayor Shimoni mentioned the Youth of the Year event and stated that he went to a rally at NAU regarding the house bill restricting college student voting. He spoke about the Diversity Awareness Commission and their survey. He also stated that his intern team is reviewing commission meetings and finding ways to advertise them. He stated that CJCC would meet, and they will be talking about

the trip to Safe Harbor. He also stated that he met with City Engineer staff regarding bicycle structures, and they will have a follow up meeting with Streets soon. He also stated that almost all of Council went to the NAU Women's basketball game.

Mayor Evans mentioned that in addition to going to the basketball game, Council went to the Viola Awards, and she hoped that the Lunar Legacy team could come to a meeting and show off the awards. She also mentioned in regard to the pension issue that there were false statements made on a radio program. She suggested to the City Manager that the original CCR be updated, and a fact sheet created for Council so they can speak on the issue. She stated that the issue is not unique to Flagstaff but is an issue for the whole state. The pension was managed by the State of Arizona and that the City needs to address the issue. The issue was not created by the City, but rather by the State. She stated that she was excited about the discussions with Mike Townsend and about a fact sheet.

14. Adjournment

The Work Session of the Flagstaff City Council held March 10, 2020, adjourned at 8:47 p.m.

MAYOR

ATTEST:

CITY CLERK