

MINUTES

1. Call to Order

Mayor Nabours called the Work Session of the Flagstaff City Council held May 10, 2016, to order at 6:02 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

The Council and audience recited the Pledge of Allegiance.

3. Roll Call

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

PRESENT

ABSENT

MAYOR NABOURS
VICE MAYOR BAROTZ
COUNCILMEMBER BREWSTER
COUNCILMEMBER EVANS
COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON
COUNCILMEMBER PUTZOVA

Others present: City Manager Josh Copley and Interim City Attorney Sterling Solomon

4. Preliminary Review of Draft Agenda for the May 17, 2016, City Council Meeting.*

** Public comment on draft agenda items may be taken under "Review of Draft Agenda Items" later in the meeting, at the discretion of the Mayor. Citizens wishing to speak on agenda items not specifically called out by the City Council for discussion under the second Review section may submit a speaker card for their items of interest to the recording clerk.*

Mayor Nabours stated that Council will be briefed on item 14-B on next week's agenda regarding the Municipal Solid Waste Code.

5. 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.

Charlie Silver addressed Council regarding the Heritage Preservation Ordinance; he is glad that there was an explanation and a scope put around the item and hopes that it will go onto a future agenda.

Sherry Wood addressed Council requesting that they not allow the lot split to occur on Silver Spruce as it does not align with the Zoning Code.

6. 2016 Wildfire Preparedness Briefing

Wildland Fire Manager Paul Summerfelt introduced Corporal Brad Conway with the Flagstaff Police Department, Coconino County Emergency Management Director Robert Rowley, Duane Tewa and Laura Jo West with the United States Forest Service.

Mr. Summerfelt provided a PowerPoint presentation that covered the following:

WILDLAND PREPAREDNESS BRIEFING
U.S. DROUGHT MONITOR
JUNE AND JULY OUTLOOK
FLAGSTAFF AREA ERC VALUE
2016 FOCUS AREAS
 Prevention
 Preparedness
 Hazard
 Mitigation
 Response
 Recovery
COLLABORATION & PARTNERSHIPS
2015 AZ STATE RISK REPORT

Corporal Conway continued the presentation.

LAW ENFORCEMENT FIRE PREVENTION PATROLS
PATROL EFFORTS
WOODS WATCH VOLUNTEERS

Councilmember Brewster asked how many people are involved with the Woods Watch crews. Corporal Conway stated that he does not have that information currently but could provide it

later. Mr. Rowley stated that last year the Woods Watch training room was full with standing room only. There is a very active community that is focused on wildfire prevention so when the call goes out for volunteers there are many that come forward.

Mr. Rowley continued the presentation.

ANNUAL PONDEROSA FIRE ADVISORY COUNCIL (PFAC) EXERCISE
COUNTY WILDFIRE DEFENSE ORDINANCE
EMERGENCY MANAGEMENT WEBSITE
FIREWORKS EMERGENCY OPERATIONS PLAN
CODE RED

Mayor Nabours asked if there is a plan in place for evacuations within the City of Flagstaff. Mr. Rowley stated that the County plans for the process of evacuation but cannot plan for the specifics. He added that there are shelters already identified for use and the Red Cross is one of the first contacts the County makes when there is a fire.

Mr. Tewa continued the presentation.

COCONINO NATIONAL FOREST FIRE AND AVIATION MANAGEMENT PROGRAM
2016 CHIEF'S LETTER OF INTENT
COCONINO NATIONAL FOREST
WILDLAND FIRE DISPATCH
FIRE PREVENTION STRATEGIES
WILDFIRE DETECTION
ENGINES AND CREWS (USFS)
NATIONAL GROUND RESOURCES
NATIONAL AIR RESOURCES

Councilmember Oravits asked how many fire towers are manned. Mr. Tewa explained that there are 12 towers total; two are old and not in a condition to staff, they try to get staffing for the remaining 10 and this year received funding for eight.

Councilmember Oravits asked about fireworks and fire restrictions. Mr. Tewa explained that fireworks are not allowed in the National Forest. If additional restrictions are put into place then education also increases in an attempt to get the word out to the public.

Vice Mayor Barotz asked about the budget situation at the federal level and if anything has changed. Mr. Tewa explained that there have been many discussions but there has been nothing set at this point. From a regional and national level there is no commitment to reduce the current capacity levels so they will continue to maintain what they have.

7. Presentation on Flooding and Low Impact Development In Flagstaff

Stormwater Manager Chris Kirkendall provided a PowerPoint presentation that covered the following:

STORMWATER PROGRAMS
STORMWATER RESPONSIBILITY
LID IMPLEMENTATION HISTORY
LID GOALS
VOLUMETRIC FLOODING

BATHTUB EFFECT

Mayor Nabours asked if the floods shown in the presentation were caused because Flagstaff did not have Low Impact Development (LID). Mr. Kirkendall explained that there are two types of volumetric flooding; one is caused by the inability of the downstream infrastructure to move water away from the areas and the second is like a bathtub, in that the drain is not capable of removing the water quickly enough. LID will reduce this type of flooding. Mayor Nabours stated that he understood that Lake Continental flooding was caused because a culvert was blocked downstream. Mr. Kirkendall explained that blocked or significantly undersized the infrastructure downstream will not move the amount of water that hits this area. Similarly, in this area the culverts underneath the freeway are box culverts, under the railroad is a small culvert and then there is another set of small culverts under Route 66; those culverts will not move the volume of water depicted in the photos.

Mayor Nabours asked if the detention basins play a role in volumetric flooding. Mr. Kirkendall explained that detention basins play a very small role in volumetric flooding. Essentially, it is a pipe that will pass a certain amount of cubic feet per second. Retention, on the other hand, is holding volume onsite so the volume of water never gets to Lake Continental to increase the flooding because it is held in the developments upstream.

Mr. Kirkendall continued the presentation.

BENEFIT OF LID WATER QUALITY BENEFIT OF LID FLOOD REDUCTION DEVELOPMENT REQUIREMENTS STORMWATER IMPACTS WITHOUT LID

Mayor Nabours asked about the change from half inch in 2010 to one inch in 2011 and why it doubled in that year. Mr. Kirkendall stated that it was phased in through the ordinance. Half inch is usually referred to as the first flush of a storm; during that first half inch of rainfall is where the water quality component comes in. The Arizona Department of Transportation and other communities require a half inch mainly to address water quality. When it goes to the next level of one inch of LID it really impacts the volumetric flooding component by doubling the volume retained onsite. Councilmember Oravits added that he was on the Stormwater Advisory Committee back in 2008 and the committee debated the issue for quite a while. There was a push to go from zero to one inch in one shot and ultimately it was decided to stage it in phases.

Councilmember Overton stated that the half inch and one inch requirements are the detention or retention quantities; LID is just a tool to mitigate that capture. Mr. Kirkendall agreed stating that LID is a retention tool, there are many options or tools to create those from open ponds to underground systems. Councilmember Oravits asked what tools are commonly used. Mr. Kirkendall stated that he is seeing a variety of options used. He has seen open retention basins and extended detention basins that are providing both retention and detention in the same pond. He has also seen a lot of underground chamber systems that are providing both retention and detention in the same system.

Councilmember Oravits asked how the detention process works. Mr. Kirkendall explained that detention is handled in a different way because it is releasing water at the same rate as the pre-development condition. If there is a piece of property that was forested and was releasing 10 cubic feet per second and after development it would have released 20 cubic feet per second there are systems designed to release at 10 cubic feet per second. However, they release all of the volume on the property when they do just detention. The problem is that the

release eventually reaches a location downstream and that increases the volumetric flooding component.

The following individuals addressed Council in support of the LID Ordinance:

- Malcolm Alter
- Hannah Griscom

The following comments were received:

- Keep the LID Ordinance in tact with the one inch requirement.
- LID is well documented and is commonplace throughout the United States.
- LID is cost effective and staff prepared several retrofit examples of development types that clearly showed costs were generally cheaper with LID.
- LID aids in the reduction of flooding.
- The one inch threshold was selected to reduce the need to replace undersized infrastructure.
- Friends of the Rio is in strong support of the current LID ordinance.
- The ordinance is important to preserve the integrity of the Rio.
- It is much more cost effective to have the water handled onsite rather than push it downstream where taxpayers have to foot the bill.
- It provides enhanced green space, less concrete and promotes groundwater recharge.
- The City cannot manage its current flooding issues, if there is not some type of stop gap measure there will continue to be increased flooding.

Mayor Nabours asked if every project since March, 2011, has included the one inch retention and if the standards are applied to all residential and commercial structures. Mr. Kirkendall stated that there is an exemption for single family homes, but all commercial and large developments have met the requirements.

Mayor Nabours asked if the City has seen a noticeable decrease in the rate of flooding since the standards were implemented in 2011. Mr. Kirkendall explained that the City is only requiring one inch of LID, in order to stop all flooding there would have to be a capture of the volume of much larger events. If the 100 year storm event was five inches of rain and the City is only retaining one inch, it would reduce the amount of flooding but not stop it. Mayor Nabours indicated that he would like to see indication that LID is making a difference. Mr. Kirkendall stated that LID most definitely reduces the amount of flooding.

Mayor Nabours asked Guillermo Cortez with SWI Engineering to address Council with regards to the impacts of LID from an engineering perspective. Mr. Cortez stated that from the private development side there is an agreement for a form of LID. What they have seen from an engineering perspective is that it takes a lot of work and adds additional land if it is being done on the surface. In general, the engineering community would agree that LID is a good thing; but it does cost additional property and construction costs but that is something that the City Council, Stormwater and the community have decided they want to do.

Mayor Nabours asked the difference in land and cost from a half inch to one inch and if it is double. Mr. Cortez stated that if doing surface LID he has heard that the general rule of thumb is about 10% additional property is needed to do the one inch. The engineering community would like to set up a consortium to look at how things are done and maybe find better ways to handle LID. Even if LID is applied to all current projects or new developments there would still be flooding, unless five or six inches is held back. Councilmember Oravits asked what bumping up the retention to two, three or four inches would look like from a practical standpoint. Mr. Cortez stated that it is impractical as there would be a lot of additional cost.

Vice Mayor Barotz stated that in order to make any decisions there needs to be verifiable numbers with relation to LID. Mr. Cortez agreed stating that now that it has been in place for a little while it can be seen what it can fix and what it cannot.

Ken Hotsenpiller with Mogollon Engineering stated that he agrees with the LID objectives and he has not had a client or engineer that wants to see it go away. He feels that a group of people who design these every day should be put together to discuss the different ways of doing things. There are ways of looking at the system as a whole; it is difficult to put the one inch requirement on the whole city because the whole city is different. There are different ways of accomplishing the goals of LID and he feels that the system and process could be improved.

Mayor Nabours suggested that the different groups and staff work together to develop a plan that can be brought back to Council. Councilmember Oravits added that he would like to hear more about the ideas of better ways to accomplish the goals of LID.

Mr. Solomon asked if there is a majority of Council in favor of having staff move this forward. Mayor Nabours, Councilmember Oravits and Councilmember Overton indicated that they were in favor.

Vice Mayor Barotz stated that it is an issue of staff time; there are other issues that have been waiting and are not moving forward due to limited resources, she will not be in support of moving forward at this time.

Councilmember Evans asked what Council has staff time for; she has heard that staff does not have time to look at certain items and then later there are resources for other items. She asked who is in the current consortium and if others would have perspectives to offer. She asked if there is a sub-committee to a commission that the consortium can start with. She suggested having the consortium do the work and bring it back to a commission for input.

Mr. Copley explained that at this time there are more questions regarding LID. What he is looking for is direction from the City Council and based on that direction he would have staff look at the best way of addressing the direction. Staff would likely work with the Water Commission to determine the most appropriate strategy. If there is a majority in favor of having staff do this work then staff will accommodate that request. There are always finite resources and staff available, given direction from Council the executive team will determine how best to move forward. There are not unlimited resources; any time there is something else added, it take more time for other things.

Councilmember Evans asked if the Water Commission is the commission that would look at LID. Utilities Director Brad Hill stated that in 2009 the Stormwater Commission and Water Commission were combined so the Water Commission would be the most appropriate commission to have an LID discussion. He stated that a member of the public or the consortium could approach staff or the Water Commission directly and ask that the commission discuss LID. Councilmember Evans stated that she would suggest that the consortium work through Brad to have the Water Commission take the item up for discussion.

Councilmember Putzova stated that she is not supportive of having staff do work on this item at this time.

Councilmember Brewster stated that she feels the City Manager can find a way to work this into staff's time.

A majority of Council is in favor of having the item move forward and having staff work with the consortium.

Vice Mayor Barotz suggested that the Friends of the Rio should have a seat at the table and not just have the engineers.

Councilmember Putzova left the meeting at 7:57 p.m.

A break was held from 7:57 p.m. through 8:10 p.m.

8. Discussion: Revisions to Title 7-04, *Municipal Solid Waste Collection Service*, of the Flagstaff City Code. **(SEE ITEM 14-B ON THE MAY 17, 2016, DRAFT AGENDA FOR BACKGROUND INFORMATION)**

Public Works Director Andy Bertelsen addressed Council with a PowerPoint presentation that covered the following:

SOLID WASTE CODE PROPOSED REVISIONS
DISCUSSION
PROPOSED REVISIONS – MULTI-FAMILY RESIDENTIAL
BACKGROUND ON MULTI-FAMILY RESIDENTIAL
MULTIFAMILY RESIDENTIAL COLLECTIONS CONSIDERATIONS
MULTIFAMILY RESIDENTIAL LANDFILL CONSIDERATIONS
MULTIFAMILY RESIDENTIAL DEFINITION

Public Works Section Director Pat Bourque continued the presentation.

MULTIFAMILY RESIDENTIAL RATE CONSIDERATIONS

Mayor Nabours asked if the proposed rates are less than the competition rates. Mr. Bertelsen stated that the solid waste fund is an enterprise fund; it is self-supporting and the rates are set to maintain the self-supported fund. They may or may not be lower than the competition. The City has a level of service, a consistency of service and a consistency of rates.

Mr. Bertelsen continued the presentation.

PROPOSED REVISIONS - GENERAL GENERAL REVISIONS

Sustainability Manager Nicole Woodman continued the presentation.

EXAMPLES GENERAL REVISIONS

Mr. Bertelsen continued the presentation.

RESEARCH ON SOLID WASTE OPERATIONS
OPERATIONS RESEARCH LICENSE/TRUCK FEES

Councilmember Overton asked if staff is proposing no license fee. Mr. Bertelsen stated that staff is not proposing that at this time; the goal right now is to meet the demands of the legislation. Councilmember Overton indicated that a few dozen trucks may generate a couple thousand dollars and he wonders if it would be worth it to do so; the issue would warrant a lot

more discussion.

Mayor Nabours stated that part of the legislation was if a city landfill accepted county trash then the city would have to pay on the equivalent of property taxes that private landfills would have to pay. Mr. Bourque stated that there was legislation proposed that would essentially level the playing field so a municipality does not have an advantage by using tax dollars and not paying the same fees. That legislation did pass. The landfill keeps track of the county trash that is collected and the City will be paying a fee based on property taxes. Mayor Nabours asked if the City could charge more to those haulers to cover those costs. Mr. Bourque explained that the City could charge more and that is up to the Council to decide; the percentage of the county waste that is going into the landfill is roughly two percent. The property tax on the landfill is \$12,000 per year so the City will be paying roughly \$4,100 per year in lieu of taxes.

9. Review of Draft Agenda Items for the May 17, 2016, City Council Meeting.*

** Public comment on draft agenda items will be taken at this time, at the discretion of the Mayor.*

None

10. Public Participation

None

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

Councilmember Brewster stated that NAU is having their graduation this weekend so anticipate for higher traffic.

Councilmember Oravits stated that he was in Kingman driving around old Route 66 and came across an area where they have old train cars, engines and a caboose that could be walked around in. He wanted to throw that out for consideration of a possible future project with tourism or beautification monies.

Councilmember Evans requested legal clarification on a lot split for 401 Silver Spruce; she would like to better understand the administration review public participation policy. In this case she was told that the administrative notifications were put on the City website; she would like to know how that meets the intent of the law, what the legal standard is for notification that the City is required to meet. Additionally, she would like to know how it relates to the City public participation policy and what level of participation would have been required for that action.

Councilmember Evans also requested a F.A.I.R. item to discuss the lot split section of the Development Code that is within Zoning Code and anything related to the administrative review section.

Councilmember Evans stated that she had the opportunity to meet with representatives of the hotel and restaurant group and they had an idea of a project that would place old cars along traditional Route 66 in Flagstaff every quarter mile and perhaps the car could be sponsored by local businesses with opportunity for the public to learn about the history of Route 66. She is not sure if she should go to the Tourism Commission or request a F.A.I.R. item.

Councilmember Evans stated that she had received several call regarding two properties, 262 E. Franklin and 812 N. Kendrick, where people are throwing their trash on the street because there is not enough trash receptacles for the amount of trash they are producing. She would like to get some more information on the situation and how the issue might be resolved.

Mr. Copley reported that there is a community meeting May 17, 2016 from 5:30 p.m. to 7:30 p.m. at the Joe C. Montoya Senior Center to discuss the future of the Mogollon Public Works Yard. This is in advance of the City Council Work Session on June 14, 2016 where the yard will be discussed.

Mr. Copley also reported that on May 19, 2016 from 5:00 p.m. to 7:00 p.m. the Municipal Court will be hosting an open house for the public to come in and see some of the challenges that are being faced in the facility and provide information and receive comments.

12. Adjournment

The Flagstaff City Council Work Session of May 10, 2016, adjourned at 8:43 p.m.

MAYOR

ATTEST:

CITY CLERK