

MINUTES

1. CALL TO ORDER

Mayor Nabours called the meeting of July 5, 2016, to order at 4:02 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 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:

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

ABSENT:

NONE

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

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The audience and City Council recited the Pledge of Allegiance and Mayor Nabours 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 of its citizens.

4. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- A. Consideration and Approval of Minutes:** City Council Combined Special Meeting/Work Session of May 31, 2016; and Regular Meeting of June 21, 2016.

Moved by Vice Mayor Celia Barotz, **seconded by** Councilmember Karla Brewster to approve the minutes of the City Council Combined Special Meeting/Work Session of May 31, 2016; and Regular Meeting of June 21, 2016.

Vote: 7 - 0 - Unanimously

5. 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.

Mayor Nabours stated that they would take some Public Participation now and more at the end of the 4:00 p.m. session.

None

6. PROCLAMATIONS AND RECOGNITIONS

None

7. 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 Appointments:** Board of Adjustment.

The following individuals addressed the Council regarding this item:

- Maury Herman
- Charlie Silver

Comments received included:

- They are talking about a City process; the development will no doubt go to the judicial

system, but will pass through the Board of Adjustment.

- It is important to have independent, critically-minded individuals
- Encouraged Council to consider diversity, gender, experience, background when making their appointment

Moved by Councilmember Scott Overton, **seconded by** Mayor Jerry Nabours to appoint Ande Burke to the Board of Adjustment, with a term expiring May 2019.

Councilmember Putzova asked Ms. Burke to explain her interest in serving on this Board. Ms. Burke came forward, stating that she has been in Flagstaff for 14 years and involved in a variety of community service work. She wanted an opportunity to serve in this important appointment, and believed she had the skills necessary to make decisions related to everything that the Board covers.

Vote: 7 - 0 - Unanimously

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Scott Overton to appoint Will Calstrom to the Board of Adjustment with a term expiring May 2019.

Vote: 7 - 0 - Unanimously

Mayor Nabours thanked everyone that applied for this position and for their willingness to serve.

B. Consideration of Appointments: Airport Commission.

Moved by Vice Mayor Celia Barotz, **seconded by** Councilmember Scott Overton to appoint Chris Shields to the Airport Commission with a term expiring October 2017.

Vote: 7 - 0 - Unanimously

C. Consideration of Appointments: Beautification and Public Art Commission.

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Scott Overton to appoint Jill Christensen to the Beautification and Public Art Commission with a term expiring June 2019.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Scott Overton, **seconded by** Councilmember Jeff Oravits to appoint Erin Joyce to the Beautification and Public Art Commission with a term expiring June 2019.

Vote: 7 - 0 - Unanimously

D. Consideration of Appointments: Tourism Commission.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Jeff Oravits to appoint Caleb Schiff to the Tourism Commission with a term expiring January 2017.

Vote: 7 - 0 - Unanimously

8. LIQUOR LICENSE PUBLIC HEARINGS

Mayor Nabours opened the Public Hearing for all of the following liquor license applications. He noted that the Community Development, Police, and Sales Tax departments had reviewed the applications and had submitted no objections to their approval. There being no public input, the Public Hearing was closed.

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to forward all three liquor license applications to the State with recommendations for approval.

Vote: 7 - 0 - Unanimously

- A. **Consideration and Action on Liquor License Application:** William Peterson, "Arizona Historical Society - Pioneer Museum", 2340 N. Fort Valley Rd, Series 5 (Government), New License.
- B. **Consideration and Action on Liquor License Application:** Lynn Whiteford, "Galaxy Diner", 931 W. Highway 66., Series 12 (restaurant), New License.
- C. **Consideration and Action on Liquor License Application:** Jared Repinski, "My Pita Wrap", 1800 S. Milton Rd., Series 12 (restaurant), New License.

9. **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.

Mayor Nabours requested that item 9-E, City Attorney appointment and contract, be removed from the Consent Agenda.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Karla Brewster to approve Consent Items 9-A through 9-D.

Vote: 7 - 0 - Unanimously

- A. **Consideration and Approval of Grant Agreement:** U.S. Department of Justice, Edward Byrne Justice Assistance, through the Arizona Criminal Justice Commission, Drug, Gang, and Violent Crime Control Grant in the amount of \$280,507.00 for the Northern Arizona Street Crimes Task Force (METRO unit).
Approve the acceptance of the grant from the U.S. Department of Justice, Edward Byrne Justice Assistance through the Arizona Criminal Justice Commission Grant in the amount of \$280,507.00 for FY2017.
- B. **Consideration and Approval of Purchase:** Purchase of a Highway Striper Paint Truck from Vogel Traffic Services, Inc. dba EZ-Liner Industries Truck utilizing the Maricopa County Contract Number 13118-C in the amount of \$408,209 plus applicable taxes and fees.
Approve the purchase of one (1) EZ-Liner Model AL500-EZ highway paint striper truck from EZ-Liner in Orange City, Iowa. The Maricopa County contract price of the EZ-Liner paint striper is \$400,279. The upgrades, modifications and spare parts for operation in Flagstaff is an additional \$19,930. The trade in value (credit) of the 1999 paint striper truck is \$12,000. The total purchase price for the EZ-Liner striper truck after the trade in value is applied is \$408,209 plus any applicable taxes and fees.

- C. Consideration and Approval of Purchase:** Purchase of two (2) Commercial Front Load Refuse Trucks and one (1) Residential Side Load Refuse Truck from Rush Truck Center Arizona through the Cooperative Purchase Agreement with the City of Tempe, Contract # T15-097-01.

Approve the purchase of two (2) Commercial Front Load Refuse Trucks in the amount of \$261,268.22 each and one (1) Residential Side Load Refuse Truck in the amount of \$266,767.51 for a total purchase amount of \$ 789,303.95 from Rush Truck Center Arizona through the Cooperative Purchase agreement with the City of Tempe, Contract #T15-097-01.

- D. Consideration and Approval of Contract:** Temporary Personnel Services.

1) Approve the proposals for the following temporary personnel agencies at the hourly rates outlined in the attached cost summary and authorize the City Manager to execute the Agreement on behalf of the City:

- a) Performance Staffing
- b) 22nd Century Technologies
- c) Abacus Service Corp
- d) Hotfoot Recruiters

- E. Consideration of Appointment:** City Attorney.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Jeff Oravits to appoint Sterling Solomon as the City Attorney on the terms and conditions of the agreement set forth in the agenda packet.

Councilmember Putzova asked in what way the contract was different than that of Michelle D'Andrea's. Ms. Anderson replied that it included the same salary, but did not include the \$5,000 for compensation contribution and does include a \$350 per month auto allowance.

Mayor Nabours noted that it was a one-year contract, subject to renewal. Vice Mayor Barotz noted that it has an evergreen clause so it would roll over. She asked Ms. Anderson and Mr. Solomon to meet at least three months before this time next year so they may revisit the issue.

Vote: 7 - 0 - Unanimously

10. ROUTINE ITEMS

- A. Consideration of Appointments:** On-Call Judges for the Flagstaff Municipal Court

Moved by Vice Mayor Celia Barotz, **seconded by** Councilmember Coral Evans to reappoint the following individuals: Hon. Christin Brown; Hon. Paul Christian; Hon. John Lamb; Hon. Gerald McCafferty; Hon. Susan Slasor; and appoint the following individuals: Charles Adornetto, Charles Davies, Michael Goimarac and James Speed, all as Magistrate Pro Tems for a two-year term beginning August 1, 2016, to serve in an on-call capacity.

Vote: 7 - 0 - Unanimously

- B. Consideration and Approval of Final Plat** for MMV Devco, LLC. for a Final Plat of McMillan Mesa Village Tracts E and F, a four-lot subdivision. The subdivision is located within the R & D, Research and Development zoning district and is 29.16 acres in size, located 1851 North Gemini Drive.

Planning Development Manager Neil Gullickson briefly reviewed this application for final plat approval, noting that it was a four lot industrial subdivision in the Research and Development Zone, consisting of 29.19 acres. As there was some confusion on exactly what property was included, staff was asked to obtain a better map and bring this back to the 6:00 p.m. portion of the meeting for further consideration.

- C. **Consideration and Approval of Street Closure(s)**: Orpheum Theater's 99th birthday block party.

Moved by Vice Mayor Celia Barotz, **seconded by** Councilmember Coral Evans to approve the street closure at Aspen Avenue between Beaver Street and Leroux Street on August 20, 2016, from 8:00 a.m. to 6:00 p.m. to celebrate the Orpheum's 99th birthday.

Vote: 7 - 0 - Unanimously

- D. **Consideration and Adoption of Ordinance No. 2016-30**: An ordinance of the City Council of the City of Flagstaff amending the Flagstaff City Code, Title 2, Boards and Commissions, by amending Chapter 2-02, Building and Fire Code Board of Appeals; Chapter 2-04, Water Commission; Chapter 2-08, Commission on Diversity Awareness; Chapter 2-10, Board of Adjustment; Chapter 2-11, Flagstaff Airport Commission; Chapter 2-12, Transportation Commission; Chapter 2-14, Beautification and Public Art Commission; Chapter 2-19, Heritage Preservation Commission; and Chapter 2-20, Open Spaces Commission, thereof; providing for severability, authority for clerical corrections, and establishing an effective date. ***(Updating language to clarify quorum requirements of Boards/Commissions)***

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to read Ordinance No. 2016-30 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 2, BOARDS AND COMMISSIONS, BY AMENDING CHAPTER 2-02, BUILDING AND FIRE CODE BOARD OF APPEALS; CHAPTER 2-04, WATER COMMISSION; CHAPTER 2-08, COMMISSION ON DIVERSITY AWARENESS; CHAPTER 2-10, BOARD OF ADJUSTMENT; CHAPTER 2-11, FLAGSTAFF AIRPORT COMMISSION; CHAPTER 2-12, TRANSPORTATION COMMISSION; CHAPTER 2-14, BEAUTIFICATION AND PUBLIC ART COMMISSION; CHAPTER 2-19, HERITAGE PRESERVATION COMMISSION; AND CHAPTER 2-20, OPEN SPACES COMMISSION, THEREOF; PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to adopt Ordinance No. 2016-30.

Vote: 7 - 0 - Unanimously

RECESS**PUBLIC PARTICIPATION (Continuation)**

Mayor Nabours asked the Council to come forward as he read a Recognition and presented it to Communications Manager Kim Ott, who has been with the City for 25 years, and was leaving to take a position with Northern Arizona University.

Councilmembers thanked Ms. Ott for her service and congratulated her in her new position.

The 4:00 p.m. portion of the Regular Meeting of July 5, 2016, recessed at 4:31 p.m.

6:00 P.M. MEETING**RECONVENE**

The July 5, 2016, Regular Meeting of the Flagstaff City Council reconvened at 6:01 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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11. ROLL CALL

PRESENT:

ABSENT:

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

NONE

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

12. PUBLIC PARTICIPATION

Kathryn Jim, President of the Northern Arizona Pride Association, came forward to thank the Council for their support of the 20th Annual Pride in the Pines held a week ago, and presented the Council with their Rainbow Flag which had been flown at City Hall. She also thanked Mr. Copley for his due diligence in working with them to allow for the flag to be raised in front of 300 people. She said that it made a statement, especially after the recent events in Orlando.

Caleb McClure, Northland Family Health Center, spoke regarding the Arizona Safe House

Alliance to help prevent sexual aggression.

13. CARRY OVER ITEMS FROM THE 4:00 P.M. AGENDA

Mr. Gullickson provided a clearer map for the Council and reviewed the location of this development. He said that it went before the IDS on May 31, 2016, and the zoning was still Research and Development.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Karla Brewster to approve the final plat, and to authorize the Mayor to sign both the plat and the City/Subdivider Agreement when notified by the Development Review Board that all conditions have been met and documents are ready for recording.

Vote: 7 - 0 - Unanimously

14. PUBLIC HEARING ITEMS

- A. Consideration and Adoption of Ordinance No. 2016-27:** An ordinance levying upon the assessed valuation of the property within the City of Flagstaff, Arizona, subject to taxation a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amount estimated to be required in the Annual Budget, less the amount estimated to be received from other sources of revenue; providing funds for various bond redemptions, for the purpose of paying interest upon bonded indebtedness and providing funds for general municipal expenses, all for the Fiscal Year ending the 30th day of June, 2017. **(Property Tax Levy for FY 16-17)**

Finance Director Brandi Suda briefly reviewed the property tax ordinance, noting this was the second read and adoption.

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to read Ordinance No. 2016-27 by title only for the final time.

Vote: 4 - 3

NAY: Vice Mayor Celia Barotz
Councilmember Coral Evans
Councilmember Eva Putzova

AN ORDINANCE LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF FLAGSTAFF, ARIZONA, SUBJECT TO TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENSES, ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2017

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to adopt Ordinance No. 2016-27.

Vote: 4 - 3

NAY: Vice Mayor Celia Barotz
 Councilmember Coral Evans
 Councilmember Eva Putzova

15. REGULAR AGENDA

- A. Consideration and Adoption of Resolution No.2016-25:** A resolution authorizing referral of a ballot question to the qualified electors of the City at the General Election on November 8, 2016, related to possible continuation of a local transaction privilege tax (sales tax), (excluding the sales of food as exempt by state law), for a period of ten years commencing July 1, 2020, with proceeds from the tax to be designated for public transportation purposes. ***(Ballot Question - Transit Tax Renewal)***

Assistant to the City Manager Stephanie Smith began a PowerPoint presentation by answering questions that had been asked previously.

TRANSIT TAX

1. What is the estimated revenue to be collected from the transit tax? She said that they estimate that the transit tax will collect approximately \$5.5 million a year in 2020; the 2016 transit tax estimate is approximately \$5.25 million.

2. What is the total cost to provide transit services? Mountain Line's current annual operating budget is approximately \$7.5 million. Their capital budget varies, but averages about \$5 million. Transit is supported by the City's transit tax, grants, other agencies and rider fares.

3. May the City include estimated revenue collection in the ballot question? No. This would create ambiguity because voters would be asked to approve an estimate, which may or may not be right. Tax revenue varies and is dependent on the economy.

Mayor Nabours said that the obvious questions that a voter would ask if whether NAIPTA would give back money is they had great sales tax, more than anticipated. NAIPTA's Director Jeff Meilbeck said that they do an ongoing planning process and every five years they officially update and adopt a new plan. That plan reflects the changing reality of what is happening in Flagstaff. Even though they had the great recession and revenues dropped 30% in the first two years they were able to deliver on everything. They would do that same process. He did not know of a situation when they would say they have too much money and are going to send it back.

COURT BOND PROJECT

- 1. What is the impact of the \$12 million courthouse bond project to the taxpayer?**

The City's total secondary property tax rate is 0.8366.

Average of \$251 annually for a residential property valued at \$300,000

Average of \$1,506 annually for a commercial property valued at \$1 million

Impact: Estimate to be \$0.1204 per \$100 of assessed value - Average of \$36 annual for a residential property valued at \$300,000

Average of \$217 for commercial property valued at \$1 million

- 2. Due to the anticipated future unused bonding capacity available, approval of this ballot question should not result in an increase in the secondary property tax rate. It**

would stay at 0.8366.

3. If this didn't get placed on the ballot, when would that rate go down? Currently FY2022 and decline further as debt is retired. Current projections show all general obligation debt being paid off in FY2037 with a rate of \$0.0900 per \$100 of assessed value.

4. May the City Council include sales of the existing property in the ballot question? City Charter provides for Council to sell property after advertisement through a public, competitive bid process. A ballot question may only ask one question.

5. Given our recent history of refinancing our debt, what do you expect our total interest will be if we bond for \$12 million? They talked with finance advisors and debt service interest would be about \$5 million over a 20-year period.

6. What do we pay in fees to get the debt? It varies by the amount of the bond they are selling. A bond such as this, he would estimate between \$90,000 and \$100,000 for the financial advisor, same for the underwriter, and bond counsel a little less, about \$50,000.

Councilmember Putzova asked if it is less expensive for taxpayers to fund through a bond issue, or through a primary tax. Mr. Tadder said that looking at time, value and money, if they have to wait to build up funds to build a courthouse, the costs will increase. There are many things to look at, but it would cost less if they paid as they go.

TIMELINE FOR THE PUBLICITY PAMPHLET

Must be finalized by August 11

Translated, prepared, printed and mailed

Mailed October 4

Notice of Request for Arguments published in paper on 7/10, 7/17 and 7/24

Councilmember Oravits said that when they are describing the location, it is important to describe the old jailhouse. Vice Mayor Barotz said that it would be good to have a precise map for those that may not be familiar with that site.

Mayor Nabours asked Mr. Jacobson if they were under any type of order or potential order from the Arizona Supreme Court, or other agency, with some direction to do something about the courthouse. Mr. Jacobson said that they are currently under a Direct Order, dating back to 1994. During the operational review deficiencies were set forth by the Supreme Court regarding the physical facilities and they put forth a "Need to Resolve and Improve". He said that they have tried to meet some of those needs, but still fall short.

Vice Mayor Barotz asked if there has ever been an effort to create a fund where the City would set aside money every year. She asked if that has occurred, if it was swept or ever gone to the voters. Mr. Jacobson said that they have been working, trying to create alternative funding. The entire project is \$21.5 million, and they are looking at \$12 million for bond funding. The Court Facility Fund is funded through portions of funds collected and it has been growing over the last several years. They will use that fund balance to pay for a portion, as well as borrowing against it. He said that they have looked at other options as well and the sale of the property came before Council. They said that they are continuing to do everything possible, which is how they got to a joint project with the County that will be a significant cost savings.

Vice Mayor Barotz said that the truth is that it is a political issue. The voters do not get to see a more in-depth accounting of what Council has done that has led them here.

Moved by Councilmember Karla Brewster, **seconded by** Mayor Jerry Nabours to read Resolution No. 2016-25 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING REFERRAL OF A BALLOT QUESTION TO THE QUALIFIED ELECTORS OF THE CITY AT THE GENERAL ELECTION ON NOVEMBER 8, 2016, RELATED TO POSSIBLE CONTINUATION OF A LOCAL TRANSACTION PRIVILEGE TAX (SALES TAX), (EXCLUDING THE SALES OF FOOD AS EXEMPT BY STATE LAW), FOR A PERIOD OF TEN YEARS COMMENCING JULY 1, 2020, WITH PROCEEDS FROM THE TAX TO BE DESIGNATED FOR PUBLIC TRANSPORTATION PURPOSES

Moved by Councilmember Karla Brewster, **seconded by** Mayor Jerry Nabours to adopt Resolution No. 2016-25.

Vote: 7 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2016-27:** A resolution of the Flagstaff City Council adopting official ballot language question to be submitted to the qualified electors of the City with respect to a temporary increase to the City's secondary property tax and authorization for the sale and issuance of bonds of the City of Flagstaff, Arizona for purposes of municipal court facilities, said question to be submitted at the City's General Election to be held on November 8, 2016. ***(Ballot Language for Municipal Court Facilities Bond Project)***

Moved by Councilmember Scott Overton, **seconded by** Councilmember Karla Brewster to read Resolution No. 2016-27 by title only.

Councilmember Putzova said that she would like to support this, but she wanted the public to know that in her mind this is not an example of good governing. They are asking for \$12 million because they are unable to moderately increase property taxes to support the regular capital expenditures that a City of this size should expect to have.

She hoped that when they are doing the education part they are going to be clear that this has not been the only option of how to fund this project, but they chose over time to not fund their infrastructure properly.

Councilmember Oravits said that he would support this. He sees it different; they are giving the voters of Flagstaff a choice versus an automatic increase.

Councilmember Evans said that she thought it was great to ask the voters. In reality, the courthouse is something they need for everyday business. They just heard there are guidelines that will dictate whether they can continue to operate. If for some reason the voters do not accept this, they will still have the same issue of how to fund it. They need to work on that before they get sued and be forced to do something about it.

Vice Mayor Barotz said that she was alarmed that they were asking the voters to pay \$5 million in interest on a \$12 million bond. The need is not the issue. She looks back on all of

the budget sessions they have sat through and about how they might have addressed this. She was deeply troubled with the paradigm.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING REFERRAL OF A BALLOT QUESTION TO THE QUALIFIED ELECTORS OF THE CITY AT THE GENERAL ELECTION ON NOVEMBER 8, 2016, WITH RESPECT TO A TEMPORARY INCREASE TO THE CITY'S SECONDARY PROPERTY TAX AND AUTHORIZATION FOR THE SALE AND ISSUANCE OF BONDS OF THE CITY OF FLAGSTAF, ARIZONA IN A PRINCIPAL AMOUNT UP TO \$12,000,000 WITH THE PROCEEDS TO BE DESIGNATED FOR PURPOSES OF MUNICIPAL COURT FACILITIES

Moved by Councilmember Karla Brewster, **seconded by** Mayor Jerry Nabours to adopt Resolution No. 2016-27.

Vote: 7 - 0 - Unanimously

- C. **Consideration and Adoption of Resolution No. 2016-26:** A resolution of the Flagstaff City Council calling a Special Election to be held on November 8, 2016, in conjunction with the City's General Election, to submit potential questions to the registered voters of Flagstaff regarding continuation of the transit tax, a possible bond issue for the Courthouse Facility, as well as potential questions proposed by initiative adding a new Title 15, Minimum Wage Law, and preserving City-owned **real property (a 253-acre portion of McMillan Mesa near Buffalo Park, and a 47-acre area south of Buffalo and McPherson Parks)** as Open Space **(~~Buffalo Park~~)**.

City Clerk Elizabeth Burke briefly reviewed this resolution, noting that it was a formal Calling of the Election that outlines the generalities of the overall election process, and addresses the potential ballot language and information pamphlet process.

Moved by Vice Mayor Celia Barotz, **seconded by** Councilmember Eva Putzova to read Resolution No. 2016-26 by title only.

Vote: 7 - 0 - Unanimously

RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 8, 2016, IN CONJUNCTION WITH THE CITY'S GENERAL ELECTION, TO SUBMIT POTENTIAL QUESTIONS TO THE REGISTERED VOTERS OF FLAGSTAFF REGARDING POSSIBLE CONTINUATION OF A LOCAL TRANSACTION PRIVILEGE TAX (SALES TAX), AND REGARDING THE POSSIBLE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT OF \$12,000,000 FOR A MUNICIPAL COURT FACILITIES PROJECT, A POTENTIAL QUESTION PROPOSED BY INITIATIVE ADDING A NEW TITLE 15, MINIMUM WAGE LAW, TO THE FLAGSTAFF CITY CODE AND A POTENTIAL QUESTION PROPOSED BY INITIATIVE TO PRESERVE CITY-OWNED REAL PROPERTY SOUTH OF BUFFALO AND MCPHERSON PARKS AS OPEN SPACE

Moved by Vice Mayor Celia Barotz, **seconded by** Councilmember Scott Overton to adopt Resolution No. 2016-26.

Vote: 7 - 0 - Unanimously

16. DISCUSSION ITEMS**A. Discussion: Arizona Power Authority Power Sales Contract**

Sustainability Manager Nicole Woodman briefly reviewed this contract, noting that she would be bringing it back for formal action after the Council break. She said that this contract allows them to buy 373 kw of electric power from Hoover Dam, which is about 2% of the City's annual consumption. The City could save from \$15,000 to \$20,000 a year through this. She said that it is a 50-year contract, which is typical for energy contracts with government, and Arizona Public Service is in full agreement.

Ms. Woodman said that the one variable is the amount of energy they can continue. If there were curtailments, then they would default to their APS contracts, which would be automatically done.

17. FUTURE AGENDA ITEM REQUESTS

After discussion and upon agreement by a majority of all 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 Vice Mayor Barotz to place on a future work session agenda a presentation by Community Development staff about recent developments related to medical marijuana dispensaries and discussion by Council about whether, in light of this new information, Council should re-examine the existing medical marijuana dispensary zoning code provisions.

Vice Mayor Barotz said that she was requesting a FAIR to receive a presentation by Community Development about whether they should re-examine their Zoning Code provisions related to the dispensaries for marijuana.

Dave Stilley, partner in High Mountain Health, said that they received an overview in the e-mail provided. They have 52 employees, all paid well above the Flagstaff average wage with full benefits. He said that the ADHS oversees the marijuana program and has indicated a willingness to allow facilities to move from one locality to another, which has occurred several times recently. With the looming possibility of recreational use being on the ballot, he is concerned. His job, as a guy involved in the industry and living in his town, is to enlighten them about the industry and related consequences, such as they have seen in Colorado.

After further discussion, consensus of Council was to move this forward to a Work Session agenda.

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

Councilmember Evans requested information from the Police Department on whether they would have the capability to allow people to text for assistance, particularly after the Orlando shooting. She would like to receive a CCR on that possibility, and if it is not possible, she would like a Work Session to discuss it further.

Mr. Copley reminded everyone that the next Council meeting would be held on August 16. The internal packet would go out on August 5, and published the following Friday.

Mayor Nabours requested three FAIR items as follows:

- 1) A Work Session on what zoning laws they have and what sign codes they have that affect donation bins in shopping centers, whether they are allowed or not, the restrictions, etc.
- 2) A Work Session to consider changing the policy re water meters required for duplex and triplex buildings.
- 3) Discussion on the parcel of land on the north edge of what they have referred to as Thorpe Park, which from the old plat map is currently north of the soccer fields, next to Clark Homes. They have talked about this property informally as an area for affordable housing, tax credit housing, senior affordable housing. At the FHA they have been talking about it for several years and in light of the recent issues that arose on the public works yard he would like to bring that to Council to see if Council favors the use of that parcel for affordable housing or if they would have the same issue. Vice Mayor Barotz asked that they include a map with the information.

Councilmember Putzova noted that she has not seen her last request come forward regarding solidifying the use of Thorpe Park on the Working Calendar.

19. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held July 5, 2016, adjourned at 7:23 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

I, ELIZABETH A. BURKE, 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 July 5, 2016. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 16th day of August, 2016.

CITY CLERK