

AGENDA

REGULAR COUNCIL MEETING
TUESDAY
DECEMBER 4, 2012

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M. AND 6:00 P.M.

4:00 P.M. MEETING

Individual Items on the 4:00 p.m. meeting agenda may be postponed to the 6:00 p.m. meeting.

1. **CALL TO ORDER**

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.

MAYOR NABOURS

VICE MAYOR EVANS

COUNCILMEMBER BAROTZ

COUNCILMEMBER BREWSTER

COUNCILMEMBER ORAVITS

COUNCILMEMBER OVERTON

COUNCILMEMBER WOODSON

3. **PLEDGE OF ALLEGIANCE AND MISSION STATEMENT**

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 of Minutes:** Flagstaff City Council Regular Meeting of November 6, 2012; Flagstaff City Council Budget Retreat of November 14-15, 2012; Flagstaff City Council Special Meeting (Executive Session) of November 15, 2012; Flagstaff City Council Regular Meeting of November 20, 2012; and Flagstaff City Council Special Meeting (Executive Session) of November 27, 2012.

RECOMMENDED ACTION:

Approve the minutes of the Flagstaff City Council Regular Meeting of November 6, 2012; Flagstaff City Council Budget Retreat of November 14-15, 2012; Flagstaff City Council Special Meeting (Executive Session) of November 15, 2012; Flagstaff City Council Regular Meeting of November 20, 2012; and Flagstaff City Council Special Meeting (Executive Session) of November 27, 2012.

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.

6. PROCLAMATIONS AND RECOGNITIONS

None submitted

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:** Beautification & Public Art Commission.

RECOMMENDED ACTION:

Make one Hospitality appointment to a term expiring June 2015.
Make one Design Professional appointment to a term expiring June 2015.
Make one At-Large appointment to a term expiring June 2015.
Make one At-Large appointment to a term expiring June 2013.

- B. Consideration of Appointments:** Airport Commission.

RECOMMENDED ACTION:

Make two appointments to terms expiring October 2015.

- C. Consideration of Appointments:** Water Commission.

RECOMMENDED ACTION:

Make three appointments to terms expiring December 2015.
Make one appointment to a term expiring December 2014.

- D. **Consideration of Appointments:** Building & Fire Code Board of Appeals.

RECOMMENDED ACTION:

Make one appointment to a term expiring October 2016.
Make three appointments to a term expiring October 2017.

8. **LIQUOR LICENSE PUBLIC HEARINGS**

None submitted

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.

- A. **Consideration and Approval of Funding Request:** Consideration and approval of an adjustment of the Section 8 Housing Choice Voucher Program payment standard to exceed 110% of the Section 8 Fair Market Rents for zero and one bedroom units.

RECOMMENDED ACTION:

Approve the increase of the zero and one bedroom Section 8 Housing Choice Voucher Program payment standards to exceed 110% of the Section 8 Fair Market Rents for the purpose of preventing financial hardship for families, to increase the number of voucher holders who become participants upon lease-up and to authorize the submission to HUD for final approval.

- B. Approval of the 2013 City of Flagstaff Legislative Priorities Agenda.

RECOMMENDED ACTION:

Approve the 2013 City of Flagstaff Legislative Priorities Agenda

10. **ROUTINE ITEMS**

None submitted

RECESS

6:00 P.M. MEETING

RECONVENE

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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11. ROLL CALL

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

MAYOR NABOURS

VICE MAYOR EVANS

COUNCILMEMBER BAROTZ

COUNCILMEMBER BREWSTER

COUNCILMEMBER ORAVITS

COUNCILMEMBER OVERTON

COUNCILMEMBER WOODSON

12. CARRY OVER ITEMS FROM THE 4:00 P.M. AGENDA**13. PUBLIC HEARING ITEMS**

None submitted

14. REGULAR AGENDA

- A. Consideration and Approval of Grant Agreement:** Design Drainage Improvements - Westplex Taxilane Reconstruction.

RECOMMENDED ACTION:

Approve or deny the grant agreement with the Arizona Department of Transportation Multimodal Planning Division Aeronautics Group and authorize, or not authorize, the acceptance of grant funding in the amount of \$498,886.

- B. Consideration and Approval of Service Agreement:** Supplemental Agreement No.1, Pulliam Airport Master Plan Improvements, Design Services for the Westplex Taxilanes Reconstruction Project.

RECOMMENDED ACTION:

1. Approve Supplemental Agreement Number 1 with Kimley-Horn and Associates, Inc. in the amount of \$ 203,176.00 subject to acceptance of a grant from the Arizona Department of Transportation, Multimodal Planning Division, Aeronautics.
2. Authorize a Change Order Authority in the amount of \$20,317 to cover the potential costs associated with unanticipated or additional items of work.
3. Authorize the City Manager to execute the necessary documents.

15. DISCUSSION ITEMS

- A. Discussion Item:** Sidewalk Ordinance

RECOMMENDED ACTION:

Council direction

16. PUBLIC PARTICIPATION**17. INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF, REQUESTS FOR FUTURE AGENDA ITEMS**

18. **ADJOURNMENT**

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at _____ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this ____ day of _____, 2012

Elizabeth A. Burke, MMC, City Clerk

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Elizabeth A. Burke, City Clerk
Date: 11/29/2012
Meeting Date: 12/04/2012



TITLE

Consideration of Minutes: Flagstaff City Council Regular Meeting of November 6, 2012; Flagstaff City Council Budget Retreat of November 14-15, 2012; Flagstaff City Council Special Meeting (Executive Session) of November 15, 2012; Flagstaff City Council Regular Meeting of November 20, 2012; and Flagstaff City Council Special Meeting (Executive Session) of November 27, 2012.

RECOMMENDED ACTION:

Approve the minutes of the Flagstaff City Council Regular Meeting of November 6, 2012; Flagstaff City Council Budget Retreat of November 14-15, 2012; Flagstaff City Council Special Meeting (Executive Session) of November 15, 2012; Flagstaff City Council Regular Meeting of November 20, 2012; and Flagstaff City Council Special Meeting (Executive Session) of November 27, 2012.

INFORMATION

Copies of the above-referenced minutes are attached for review/approval.

Attachments: [Minutes.11062012.CCRM](#)
[Minutes.11142012.CCBR](#)
[Minutes.11152012.CCSM](#)
[Minutes.11202012.CCRM](#)
[Minutes.11272012.CCSM](#)

Form Review

Inbox	Reviewed By	Date
DCM - Jerene Watson	Jerene Watson	11/29/2012 05:26 PM
Form Started By: Elizabeth A. Burke		Started On: 11/29/2012 11:23 AM
	Final Approval Date: 11/29/2012	

MINUTES

REGULAR COUNCIL MEETING
TUESDAY, NOVEMBER 6, 2012
COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M. AND 6:00 P.M.

4:00 P.M. MEETING

1. CALL TO ORDER

Mayor Nabours called the meeting of November 6, 2012, to order at 4:00 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

Councilmembers present

Councilmembers absent:

Mayor Nabours
Vice Mayor Evans
Councilmember Barotz
Councilmember Brewster
Councilmember Oravits
Councilmember Overton
Councilmember Woodson

None

Others present: City Manager Kevin Burke; Deputy City Attorney Michelle D'Andrea.

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

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. Approval of Minutes: The October 11-12, 2012, Council Retreat; the October 16, 2012, Regular Council Meeting; the October 22, 2012, Special Council Meeting (Executive Session); the October 22, 2012, Joint Work Session of the City Council/County Board of Supervisors; the October 26, 2012, Special Council Meeting (Executive Session); the October 30, 2012, Special Council

Meeting (Executive Session); and the October 30, 2012, Joint Special Council Meeting/Work Session.

Mayor Nabours noted that the Special Meeting of October 30, 2012, (Executive Session) included two items on the agenda; however, one of the items, regarding the Auto Mall, had not been discussed, and he had discussed this with the City Clerk to be clarified. Councilmember Overton also noted that there was a header on one of the sets that was incorrect.

Councilmember Overton moved to approve as amended [The October 11-12, 2012, Council Retreat; the October 16, 2012, Regular Council Meeting; the October 22, 2012, Special Council Meeting (Executive Session); the October 22, 2012, Joint Work Session of the City Council/County Board of Supervisors; the October 26, 2012, Special Council Meeting (Executive Session); the October 30, 2012, Special Council Meeting (Executive Session) (as amended); and the October 30, 2012, Joint Special Council Meeting/Work Session]; seconded by Councilmember Brewster; passed unanimously.

5. **PROCLAMATIONS AND RECOGNITIONS**

No items submitted

6. **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.

None.

7. **APPOINTMENTS**

A. **Consideration of Appointments:** Tourism Commission.

Councilmember Brewster moved to appoint Minesh Patel to a Hospitality seat on the Tourism Commission with a term expiring January 2014; seconded by Councilmember Oravits; passed unanimously.

8. **LIQUOR LICENSE PUBLIC HEARINGS**

Mayor Nabours moved to open the Public Hearing for all four liquor license applications; seconded by Councilmember Overton; passed unanimously.

- A. **Consideration and Action on Liquor License Application:** Lauren Merrett, "Maverik", 4190 E. Butler Ave., Series 10, New License.

The following individuals spoke in opposition to the Liquor License application, noting they were residents near the location and did not believe it was an appropriate location with the number of students and adjacent park:

- ◆ Brian Schuck, nearby resident
- ◆ Larry Whelan, nearby resident

Bob Kuhn, Flagstaff Unified School District, read a letter of opposition from the principal of Knowles Elementary, Ms. Hatch, who was not able to attend and also concerned with increased traffic and safety of children in area with the close proximity to the schools and park.

Karen Schram, representing Maverik, spoke in favor of the location, noting that she understood the concerns of the neighborhood, but their store does extensive training with alcohol and they had a new position with the company to provide more community outreach.

Councilmembers noted that they had received concerns from a number of residents in that area about the impact of the store, some of which were not related to the liquor license itself and would be addressed separately through the development process. It was recommended that the store do some outreach in the area.

Councilmembers also noted that there are convenience stores located near other schools that have not been a problem, and there is balance between these concerns and the rights of property owners.

Mayor Nabours moved to close the Public Hearing; seconded by Councilmember Woodson; passed unanimously.

Councilmember Overton moved to forward the application to the State with a recommendation for denial based on testimony received at the Public Hearing and other factors. He would rather have had Maverik go out and have a thorough process to educate the property owners and have the issue aired. **Motion seconded by Vice Mayor Evans; passed 5-2 with Mayor Nabours and Councilmember Oravits casting the dissenting votes.**

- B. **Consideration and Action on Liquor License Application:** Javier Melendez, "Tacos Los Altos West Side", 2500 S. Woodlands Village Blvd., Suite 1, Series 12, New License.

Vice Mayor Evans moved to forward the application to the State with a recommendation for approval; seconded by Councilmember Oravits; passed unanimously.

- C. **Consideration and Action on Liquor License Application:** Jared Repinski (Agent), "Alpha Omega Greek Cuisine", 1580 E. Route 66, Series 12, New License.

Councilmember Oravits moved to forward the application to the State with a recommendation for approval; seconded by Vice Mayor Evans; passed unanimously.

- D. **Consideration and Action on Liquor License Application:** Randy Nations, "Monsoon Asian Bistro and Sushi", 6 E. Aspen, #100, Series 12 (restaurant), New License.

Brief discussion was held on the fact that Monsoons had expanded their outside area. Mr. Burke noted that this issue would be addressed separately through a Council Communication, but was not part of the liquor license application.

Councilmember Brewster moved to forward the application to the State with a recommendation for approval; seconded by Councilmember Oravits; passed unanimously.

9. **CONSENT ITEMS**

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Mayor Nabours requested that both items be removed from the Consent Agenda and discussed separately.

- A. **Consideration and Approval of Guaranteed Maximum Price Construction Contract:** South Beaver and South Leroux 2010 Bond Improvement Project.

Councilmember Woodson declared a conflict of interest and left the dais.

Councilmember Brewster moved to approve the contract [with Hunter Contracting Co. for a guaranteed maximum price of \$2,198,026.07 with a 180 day contract time and authorize the City Manager to execute the necessary documents]; seconded by Vice Mayor Evans; passed 6-0 with Councilmember Woodson abstaining (absent).

Councilmember Woodson returned to the dais at this time.

- B. **Consideration and Approval of Technical Editor / Graphic Design / Web Design Contract:** For purposes of the Flagstaff Regional Plan: Vision 2030 document.

Ms. Bousquet and Paul Babbitt, representing the Regional Plan Citizens Advisory Committee, expressed support and gratitude for consideration of this contract,

noting that staff had done a great job with limited resources. This contract will provide for all of the comments received to be put together in one document that is coherent and easily understood by the public.

Councilmembers voiced concern with the amount of the contract and the fact that it was not being awarded to a local business. Staff noted that there were five submittals with only one from a local firm.

Staff was asked if they had considered using existing City staff for the project. Planning Manager Jim Cronk said that they did look at that; however, they used to have three staff members doing the Regional Plan and two of the three have left the City.

Staff noted that they asked the membership of the Citizens Advisory Committee to take the RFP to any firm in the area that they knew. The firm selected is a local Arizona firm; not a national firm. They have done ten projects in Flagstaff over the last ten years and they are under ADOT contract for the regional plan already and are familiar with Flagstaff.

It was noted that this contract was not just graphic design, but also included technical editing which was not easy and very time consuming. Staff said that the City spent \$460,000 for the consultant on the Zoning Code amendments, and the City has spent around \$20,000 over the last four years for the regional plan.

Staff said that the County did not kick in to the project (financially), although they did contribute toward the facilitator.

Councilmember Barotz moved to approve the contract [Editor / Graphic Design / Web Design contract with Central Creative for a guaranteed maximum price of \$57,900 with a (360) day contract time, and authorize the City Manager to execute the necessary documents]; seconded by Councilmember Brewster; passed 6-1 with Councilmember Oravits casting the dissenting vote.

10. **ROUTINE ITEMS**

A. **Consideration and Adoption of Resolution No. 2012-39:** A resolution of the Flagstaff City Council approving a public participation policy.

Discussion was held on concerns with the chart not being clear enough for all to understand.

Mayor Nabours moved to postpone action for two weeks to be brought back with additional narrative to further explain that it does not override a process already in place; seconded by Councilmember Woodson; passed unanimously.

- B. **Consideration of the Intergovernmental Agreement:** City of Flagstaff and the United States Forest Service, Department of Agriculture for Law Enforcement Dispatch Services.

Councilmember Overton moved to approve [the FY13 financial and operating plan Intergovernmental Agreement between the City of Flagstaff and the US Forest Service for dispatching services in the amount of \$5,000.00]; seconded by Councilmember Woodson; passed unanimously.

- C. **Consideration and Approval of Intergovernmental Agreement:** Coconino County Fort Tuthill County Park Fire Protection Service.

Councilmember Woodson moved to approve [the Intergovernmental Agreement for services between the City of Flagstaff, on behalf of the Flagstaff Fire Department, and Coconino County for the Fort Tuthill County Park property, based on an annual fee schedule over the next five years for a total amount of \$45,000; (Year 1-\$6,000; Year 2-\$7,500; Year 3-\$9,000; Year 4-\$10,500; Year 5-\$12,000)]; seconded by Vice Mayor Evans; passed unanimously.

- D. **Consideration and Approval of Intergovernmental Agreement:** Acceptance of hazardous wastes from residences and small businesses located within Coconino County at the City's Hazardous Products Center.

Councilmember Woodson moved to approve the Intergovernmental Agreement with Coconino County; seconded by Councilmember Brewster; passed unanimously.

RECESS

The Flagstaff City Council meeting of November 6, 2012, recessed at 5:11 p.m.

6:00 P.M. MEETING

RECONVENE REGULAR MEETING

The Flagstaff City Council reconvened the Regular Meeting of November 6, 2012, at 6:07 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).

11. **ROLL CALL**

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

Present:

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

Others present: City Manager Kevin Burke; City Attorney Rosemary Rosales.

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

None

13. **PUBLIC HEARING ITEMS**

No items submitted

14. **REGULAR AGENDA**

Mayor Nabours said that he would like to move forward Discussion Item 15-A regarding citizens petitions and asked if Ann Marie Zeller, C.K. Ireland and Don Fanning were present.

Ms. Zeller came forward and said the others would be present later in the meeting. She then provided additional petitions requesting the same topic—for the City Council to discuss water and its quality in the City. Mayor Nabours said that they would bring it up again later in the meeting so the others could be present.

A. **Consideration of Grant Agreement and Acceptance of Grant Funding:** Innovation Mesa - Phase 2 Project

Economic Vitality Director Stacey Button gave a PowerPoint presentation on the Innovation Mesa project which addressed:

BACKGROUND
BUSINESS ACCELERATOR – PROJECT SCOPE
MAP
SCOPE (Continued)
FINANCIAL PRO FORMA

Discussion was held on the Pro Forma. Ms. Goodrich said that they have reserved monies from the General Fund for an operating loss for the first two years, if needed because the occupancy rates were low, but they were ending the year better than anticipated.

Ms. Goodrich said that the operations were supported from the BBB, around \$50,000 a year, and in addition to that the General Fund supports the debt for the business incubator at around \$200,000 per year. Mr. Burke said that the operations contract is around \$220,000 with NACET. Mr. Burke said that it was a policy choice of past Council to fund NACET.

Staff was asked what would happen if the numbers weren't right and occupancy in Phase 2 was lower. Mr. Burke noted that in that case the maintenance and utility rates would be less as well.

Vice Mayor Evans said that there was more to the equation than what was being said. The City spends \$280,000 in BBB to contract with NACET. They, in turn, pay the City back for rent. They have also created jobs, about 90 at approximately \$65,000 to \$75,000 per job. Those individuals live in the area and spend some of that money.

Councilmember Brewster said that the whole purpose of it was to keep these companies in Flagstaff. Some of the successful ones are leaving town because they don't have space available.

Russ Yelton said that they have documented 202 new jobs over the last three years with an average salary of \$60,000, accumulating \$7 million in the community. He then introduced Wayne Fox, Director of Rural Policies and Assistant Dean at the Franke School of Business at NAU, who had done the study.

Mr. Fox reviewed some highlights from the study, for which he said they used the Implant Model. He said that their study was an analysis of expenditures.

After some questions by Council, Ms. Goodrich noted that the facility cost was \$5.5 million. Of that, \$2.5 million was received in grants and the City financed the remaining \$3 million which is what the annual debt service pays.

Brief discussion was held on why the last contractor pulled out of the project. Staff noted that the second private developer was Leven, but they pulled out in large part because they were not able to obtain creditworthy tenants. The demand for space did not change, but they were unable to secure independent financing.

Discussion was held on Tier Two companies, those at the readiness stage, still in the Years 3-5, and most have secured private investments and are profitable but do not have established credit.

Mr. Burke said that they need to be conscientious of not competing with the private sector, but they found a gap that was not being served in the market that was critical for the Tier Two companies. He said that they know that lab space does not exist in the market and companies ready to leave the incubator are not able to find it. They do not want to lose those companies because that type of space is not available.

Councilmember Brewster said that a lot of cities in Arizona have incubators. It is an investment in the community, but the return is in the City's favor. If they do not keep them in Flagstaff they will go somewhere else. She said that it also ties in with the continuation of the STEM program and keeping the young people in the area.

Councilmember Overton said that there is some risk, but he did not find it overwhelming. He would not be interested in it without the partnerships with EDA, ACA and NAU. He said that there was minimal risk to the General Fund in the event that numbers do not pan out, but he was comfortable with it. The leverage with the EDA grant puts it over the top. Without the grants they would not be having the discussion.

The following individuals spoke in favor of Innovation Mesa:

Robert Kellar
David Engelthaler
Mark Chopin
Robert Millis
John Stigmon
Rich Bowen
Chris Bavasi
Stephanie McKinney

The following individuals spoke against Innovation Mesa:

Rudy Preston
Ann Marie Zeller

Councilmember Woodson said that they have heard a lot of good things with Innovation Mesa and he did not believe they were at a place where they should stop, but he did hear the need to be cautious.

Councilmember Oravits said that he was not a fan of doing it this way. He said that most businesses start out on their own, with no help, and he was concerned with the pretense under which they were receiving the money—disaster relief and homeland security.

Mayor Nabours said that it was not as popular of a project as everyone in the room thinks. There is a lot of resentment that the City is subsidizing businesses, and now they are going to do more. He said that he was keeping their names and if they need more money he would be calling on them.

Vice Mayor Evans moved to approve [the grant agreement with U.S. Department of Commerce Economic Development Administration and acceptance of grant funding in the amount of \$4,000,000]; seconded by Councilmember Brewster; passed 6-1 with Councilmember Oravits casting the dissenting vote.

- B. **Consideration of Acceptance of Grant Funding:** Arizona Route 66 Coalition Communities U.S. Environmental Protection Agency 2012 Brownfields Community-wide Assessment Grant.

Mayor Nabours suggested that they discuss Items 14-B and 14-C together.

Karl Eberhard, Community Design and Redevelopment Manager, reviewed the items, noting that they had found a minor typo in one of the agreements and asked that if they approved the agreements that they authorize staff to make any minor corrections that may be found.

Vice Mayor Evans moved to authorize acceptance of the grant funding and approve four Intergovernmental Agreements between the City of Flagstaff and the City of Winslow, City of Holbrook, Coconino County and Navajo County (and authorize staff to make minor corrections); seconded by Councilmember Oravits; passed unanimously.

- C. **Consideration of Intergovernmental Agreement(s):** Arizona Route 66 Coalition Communities U.S. Environmental Protection Agency 2012 Brownfields Community-wide Assessment Grant.

See motion under Item 14-B above.

The Flagstaff City Council took a break from 7:38 p.m. to 7:48 p.m.

- D. **Consideration of Amendments:** Standards for the Housing Rehabilitation Program (SHRP).

David McIntire, Permanent Affordability Coordinator, reviewed the difference between what the \$35,000 and \$55,000 would allow. He said that there are seven houses on the wait list. At \$35,000 they would receive \$269,500; if they applied at the \$55,000 level, they would receive \$423,500.

Vice Mayor Evans moved to approve the amendments to the SHRP standards at the \$55,000 limit; seconded by Councilmember Brewster; passed 6-1 with Councilmember Oravits casting the dissenting vote.

- E. **Consideration of Resolution No. 2012-38:** A resolution authorizing the submission of an Owner Occupied Housing Rehabilitation grant application to the Arizona Department of Housing for \$423,500 in State Housing Funds and, if awarded, delegating the acceptance.

Councilmember Brewster moved to read Resolution No. 2012-38 by title only; seconded by Vice Mayor Evans; passed unanimously.

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN OWNER OCCUPIED HOUSING REHABILITATION GRANT APPLICATION TO THE ARIZONA DEPARTMENT OF HOUSING FOR \$423,500 IN STATE HOUSING FUNDS AND IF AWARDED, DELEGATING THE ACCEPTANCE.

Councilmember Brewster moved to adopt Resolution No. 2012-38; seconded by Vice Mayor Evans; passed unanimously.

- F. **Consideration of Grant Agreement and Acceptance of Grant Funding:** State of Arizona, Office of the Attorney General FY 2013 Victims' Rights Program.

David Womochil, Senior City Attorney, briefly reviewed the grant agreement and related program.

Councilmember Oravits moved to approve the Grant Agreement with the Office of the Arizona Attorney General, FY 2013 Victims' Rights Program (VRP) and authorize the acceptance of grant funding in the amount of \$9,920.00 to offset costs incurred by the Flagstaff City Attorney's Office to implement victims' rights; seconded by Councilmember Overton; passed unanimously.

- G. **Consideration of Grant Agreement and Acceptance of Grant Funding** from the Arizona Department of Homeland Security 2012 grant program.

Fire Chief Mike Iacona answered a few questions, noting that there was no match required for this grant.

Mayor Nabours moved to approve the grant agreement with the Arizona Department of Homeland Security and authorize the acceptance of grant funding in the amount of \$41,504.00 for two grant projects; seconded by Councilmember Overton; passed unanimously.

15. **DISCUSSION ITEMS**

- A. **Discussion Item:** Citizen petition regarding City water

Mayor Nabours said that this was Council's pleasure, to see if there was a majority of Council interested in placing this item on a future agenda.

He said that they had begun to take comments earlier in the meeting, but had received cards on this item and would open it up for public comment at this time.

The following individuals had requested to speak, opposed to the use of reclaimed water in Flagstaff, and addressed the Council as indicated:

Ann Marie Zeller
CK Ireland (not present)
Don Fanning
Haley Sherwood (not present)

Mayor Nabours explained to the petitioners that they were treated the same as other citizens or Councilmembers wanting to get something on a future agenda.

It was noted that the draft Water Policy would be coming before the Council for review, beginning on November 27, and these issues would be addressed within that document.

There being no motion to place this item on a future agenda, the petition was denied; however, it was noted that petitioners were welcome to attend the meetings at which the draft Water Policy would be reviewed.

- B. **Discussion Item**: "Open for Business Media Tour." Request Council's approval to represent the City in this manner with approved talking points.

Mayor Nabours explained that he and Councilmember Oravits had been approached to travel to Phoenix to promote Flagstaff for business. After brief discussion it was agreed that in the future other Councilmembers may join in these efforts and staff would facilitate with talking points and assisting with logistics.

16. **PUBLIC PARTICIPATION**

The following individuals spoke in opposition to the use of reclaimed water:

Berta Bernali
Clayson Bernali
Rudy Preston
Katie Nelson
Lauren Demong

Andres Letty addressed the Council regarding controlled burns in the area and their impact on students.

17. **INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF, REQUESTS FOR FUTURE AGENDA ITEMS**

Councilmember Oravits requested they place under Item 15 – Discussion, graffiti.

Vice Mayor Evans agreed with that request, and also asked that they place under the same agenda item 1) condemnation of the Tourist Home and 2) presentation on the Sister City Program and consideration of possible new city in Mexico.

Mayor Nabours suggested that an Executive Session may be the appropriate place to first discuss the property on South San Francisco (Tourist Home).

Mr. Burke reminded everyone of the Budget Retreat scheduled for next Wednesday and Thursday.

18. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held on November 6, 2012, adjourned at 8:47 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

ARIZONA)
) ss.
Coconino)

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 November 6, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of December, 2012.

CITY CLERK

MINUTES

BUDGET RETREAT
WEDNESDAY-THURSDAY, NOVEMBER 14-15, 2012
FLAGSTAFF AQUAPLEX
1702 NORTH FOURTH STREET
8:00 A.M.

PLEASE NOTE: *Agenda items may be addressed at any time over the Retreat period. Lunch breaks and regular breaks will be taken over the course of the Retreat.*

Wednesday, November 14, 2012 – 8:00 AM

Mayor Nabours opened the Retreat at 8:15 a.m. and welcomed everyone.

Council present:

Council absent:

Mayor Nabours
Vice Mayor Evans
Councilmember Barotz
Councilmember Brewster
Councilmember Oravits
Councilmember Overton
Councilmember Woodson

None

I. Overview of Retreat and purpose

Mr. Burke gave a brief overview of the budget process.

II. Quality Infrastructure

The following staff members reviewed their respective infrastructure assessments/needs:

- Sergio Enriquez, Facilities
- Barney Helmick, Airport
- Malcolm Alter, Stormwater
- Patrick Bourque, Fleet
- Mike O'Connor, Parks

A break was held from 9:22 a.m. to 9:36 a.m.

- Dan Holmes, Streets
- Mike O'Connor, Maintenance
- Ryan Roberts, Water/Sewer Utilities

Rick Tadder, Finance Director, reviewed the numbers needed overall to reach the desired targets, separated by fund.

A break was held from 10:45 a.m. to 10:59 a.m.

After further discussion and Councilmembers gave their preferences, Mr. Burke summarized that the goal overall was to “stop the bleeding” and if more funding was available to address facilities, fleet and streets.

As the Council was ahead of schedule, they then moved on to Item IV.

IV. BBB Presentation

Management Services Director Barbara Goodrich gave a presentation on the history of the BBB tax, noting that the resolutions for the ballot language usually do not address allocation, just the overall tax.

The following staff member gave a presentation on their respective areas:

- Heather Ainardi, CVB Director (Tourism)
- Shaun Ahern, Economic Development
- Karl Eberhard, Arts & Sciences & Beautification
- Mike O'Connor, Parks
- Martin Ince, FUTS Program
- Barbara Goodrich re Parks & Recreation Maintenance Dilemma

III. Lunch

A lunch break was held from 12:39 p.m. to 1:11 p.m.

Discussion returned to the BBB. Council agreed that in the future maintenance should be considered on all BBB capital, including the FUTS Program.

V. Contributions to Partner Organizations

Mr. Tadder reviewed the spreadsheet on Contributions to Partner Organizations. Staff was asked to provide an itemization of dues/memberships.

After a lengthy discussion, it was agreed that a Special Budget Work Session would be held just on contributions to partner organizations, in order to hear from the various organizations and to answer the questions: 1) *Is it our function?* 2) *If yes, are these the right levels?* and 3) *If no, then how do we phase it out?*

A break was held from 2:59 p.m. to 3:13 p.m.

VI. Revenue Projections

Andy Wagemaker gave a presentation on revenue projections.

VII. Sales Tax Code

Mr. Wagemaker then gave a presentation on Sales Tax and the Sales Tax Code.

The Retreat adjourned at 4:30 p.m. for the day.

Thursday, November 15, 2012 – 8:00 AM

The Budget Retreat of November 15, 2012, began at 8:03 a.m. with a brief overview of yesterday's discussions given by Mr. Burke.

VIII. Property Taxes

Mr. Tadder gave a lengthy presentation on property taxes.

Mr. Burke said that he would like to get some direction from Council today, because it would shape their budget instructions to staff. Councilmembers gave their preference on how to address property tax based on: 1) matching the debt service; 2) a flat revenue; 3) a flat rate; 4) staff proposal.

It was the consensus of Council to go with a hybrid of #2 and #4.

A break was held from 9:35 a.m. to 9:55 a.m.

IX. Service Priorities

Mr. Burke reviewed the responses received from Councilmembers who had completed their surveys. Lengthy discussion was held on the various service priorities and staff agreed to hold a few mini-retreats to address specific questions of Council.

Lunch was held between 12:06 p.m. and 12:44 p.m.

X. Budget Process

Brandi Suda, Budget Manager, gave a presentation on the budget process overall and received input from Councilmembers on what documents they find most helpful.

Councilmembers discussed future opportunities for the public to learn about the budget process, such as through Budget University and open houses.

XI. Adjournment

The Budget Retreat of November 14-15, 2012, adjourned at 1:56 p.m.

MAYOR

ATTEST:

CITY CLERK

MINUTES OF THE SPECIAL MEETING (EXECUTIVE SESSION) OF THE FLAGSTAFF CITY COUNCIL HELD ON THURSDAY, NOVEMBER 15, 2012, IN THE FLAGSTAFF AQUAPLEX CONFERENCE ROOM, LOCATED AT 1702 NORTH FOURTH STREET, FLAGSTAFF, ARIZONA

I. Call to Order

Mayor Nabours called the meeting to order at 3:03 p.m.

II. Roll Call

Present:

MAYOR NABOURS

VICE MAYOR EVANS

COUNCILMEMBER BAROTZ

COUNCILMEMBER BREWSTER

COUNCILMEMBER ORAVITS

COUNCILMEMBER OVERTON

COUNCILMEMBER WOODSON

Others present: City Manager Kevin Burke; City Attorney Rosemary Rosales.

III. Recess into Executive Session

Vice Mayor Evans moved to recess into Executive Session; seconded by Councilmember Barotz; passed unanimously. The Flagstaff City Council recessed into Executive Session at 3:03 p.m.

A. Discussion or Consultation with the City's Attorney for legal advice; and discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property; pursuant to ARS §§38-431.03(A)(3) and (7), respectively.

1. Proposed Core Services Maintenance Facility

The Flagstaff City Council reconvened into Open Session at 4:58 p.m. at which time the Special Meeting of November 15, 2012, adjourned.

MAYOR

ATTEST:

CITY CLERK

MINUTES

REGULAR COUNCIL MEETING
TUESDAY, NOVEMBER 20, 2012
COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M. and 6:00 P.M.

4:00 P.M. MEETING

1. CALL TO ORDER

Mayor Nabours called the meeting of the Flagstaff City Council held on November 20, 2012, to order at 4:03 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 EVANS	COUNCILMEMBER ORAVITS
COUNCILMEMBER BAROTZ	COUNCILMEMBER OVERTON
COUNCILMEMBER BREWSTER	COUNCILMEMBER WOODSON

Others present: City Manager Kevin Burke; City Attorney Rosemary Rosales.

3. **PLEDGE OF ALLEGIANCE AND MISSION STATEMENT**

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 of Minutes**: Minutes of the November 13, 2012, Special Meeting (Executive Session), and the November 13, 2012, Work Session.

Mayor Nabours noted that he has discussed two minor changes with the City Clerk's Office.

Councilmember Brewster moved to approve as amended [the minutes of the November 13, 2012, Special Meeting (Executive Session), and the November 13, 2012, Work Session]; seconded by Councilmember Woodson; passed 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.

Rudy Preston, Flagstaff, addressed the Council regarding the conditions in the jail holding facility and the use of reclaimed water at the Snow Bowl.

6. **PROCLAMATIONS AND RECOGNITIONS**

None submitted

7. **APPOINTMENTS**

None submitted

8. **LIQUOR LICENSE PUBLIC HEARINGS**

None submitted

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 said that they would discuss each item separately.

- A. **Consideration and Approval of Agreement:** Amendment Two to the Master Facility Use Agreement between Arizona Board of Regents and City of Flagstaff.

No discussion was held on this item.

- B. **Consideration and Approval of Street Closure(s):** 2012 New Year's Eve event.

Brief discussion was held on handicapped parking spaces for this event. Mr. Grube noted that they could have an additional handicapped-only parking area, accessible at the Leroux/66 intersection. He said that Traffic Engineering was comfortable with that set up and the barricades would be signed properly.

Staff was questioned on the funding. Mr. Burke said that his understanding was that the \$3,700 was for the fireworks display on New Years. The \$5,000 associated with the Police Department work for this has usually been funded through a grant. Mr. Grube confirmed that they were being funded through a grant again this year.

- C. **Consideration and Approval of:** Consent to Transfer of Control of Cable License Agreement; Amendment No. 1 to the Broadband Network Agreement.

Ms. Ott explained that this was required due to a change in ownership of the franchise. She said that the City has a very limited opportunity to weigh in on rates, etc. of the franchise. This will not change the service quality and if prices do change, there are other avenues in which to address that issue.

- D. **Consideration and Approval of Claims Expenses/Litigation Costs:** Settlement Offer to close case between the City of Flagstaff, Roy Taylor and Jane Taylor, Ruth Mitchell, and Kenneth Christopher Mitchell, surviving wife and son of deceased Kenneth Mitchell, Sr.

Mayor Nabours said that this settlement was driven by the City's insurance company and the City had no say in the settlement because it was their money. By entering into the settlement the City is in no way agreeing that the City, Police Department, or any officer was at fault in any way or liable in any way. He said that the Council was solidly behind the Police Department and this settlement was no reflection on the Police Department.

Councilmember Brewster moved that Consent Items 9-A through 9-D be approved [A) approve Amendment Two to the Master Facility Use Agreement between Arizona Board of Regents and City of Flagstaff and authorize the City Manager or designee to execute the necessary documents; B) approve the street closure of Aspen Avenue between San Francisco and Beaver Street on Monday, December 31, 2012, from 8:00 p.m. through Tuesday, January 1, 2013, at 2:30 a.m.; C) approve Consent to Transfer of Control of Cable License Agreement from Cequel Communications, LLC to Nespresso Acquisition Corporation, Amendment No. 1 to Broadband Network Agreement, and authorize the Mayor to execute the necessary documents; and D) Authorize settlement between

the City of Flagstaff, Roy Taylor and Jane Taylor, Ruth Mitchell, and Kenneth Christopher Mitchell, surviving wife and son of deceased Kenneth Mitchell, Sr]; seconded by Vice Mayor Evans; passed unanimously.

10. ROUTINE ITEMS

- A. **Consideration and Adoption of Resolution No. 2012-39:** A resolution of the Flagstaff City Council approving a public participation (P2) policy that shapes when and how citizen involvement occurs.

Mayor Nabours said that he and Councilmember Barotz had done some editing on the narrative statement, which was presented. Councilmember Brewster said that she could not decide between the two so she asked two people which were not involved in the process which ones they liked best and they picked Ms. Ott's.

Councilmember Oravits moved to approve the revised wording; seconded by Vice Mayor Evans; passed 6-1 with Councilmember Brewster casting the dissenting vote.

Vice Mayor Evans moved to read Resolution No. 2012-39 by title only; seconded by Councilmember Oravits; passed unanimously.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA APPROVING A PUBLIC PARTICIPATION POLICY

Individuals addressing the Council regarding the Public Participation Policy with comments and requests for clarification were:

- Rudy Preston
- Katie Nelson

Mayor Nabours said that they first saw the chart in the Council Chambers about six months ago, and have been working on it recently over the past few weeks. Staff explained that all agendas and packets are posted on the City's website and also any proposed resolutions and/or ordinances, along with the agendas, are posted on the bulletin board outside of the Council Chambers. Councilmember Barotz also noted that members of the public may sign up for an automatic e-mail notice when the agendas are posted on the website.

Vice Mayor Evans moved to adopt Resolution No. 2012-39; seconded by Councilmember Brewster; passed unanimously.

- B. **Consideration and Adoption of Resolution No. 2012-40:** A resolution of the Mayor and Council of the City of Flagstaff, Coconino County, Arizona, declaring official and adopting the results of the Special Election held on November 6, 2012.

Rob Wilson presented a PowerPoint presentation that addressed concerns he had with the election process from both the May 2012 and November 2012 elections, and ended with a question to the Council as to whether they felt

comfortable canvassing the returns. He added that he would be attending the Board of Supervisors meeting this evening to give the same presentation to them.

Discussion was held on what procedure needed to be followed to address these concerns. It was noted that in order to have any type of challenge of the election the canvass must first be completed.

After further discussion the Council agreed that the issues needed to be addressed and staff was directed to meet with the new County Recorder to see if changes could be made to address the concerns.

Mr. Burke recapped that staff would 1) investigate the past allegations / responses; 2) provide options to Council for future elections; and 3) have dialogue with the new County Recorder.

Mayor Nabours said that the City has between 6-20 days after the election to canvass the vote. With this in front of them they have to make a presumption that the results are legitimate. Ms. Rosales added that it was a required procedural process. Councilmember Oravits said that he still had some questions and was not comfortable voting for it.

Councilmember Brewster moved to recess into Executive Session; seconded by Councilmember Oravits; motion failed 2-5.

Vice Mayor Evans moved to read Resolution No. 2012-40 by title only; seconded by Councilmember Barotz; passed 6-1 with Councilmember Oravits casting the dissenting vote.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, ARIZONA, DECLARING OFFICIAL AND ADOPTING THE RESULTS OF THE SPECIAL ELECTION HELD ON NOVEMBER 6, 2012

Councilmember Woodson moved to adopt Resolution No. 2012-40; seconded by Vice Mayor Evans; passed 6-1 with Councilmember Oravits casting the dissenting vote.

Mayor Nabours said that he did not believe it was the end of this issue and it put them in a very awkward situation.

R E C E S S

The Flagstaff City Council Meeting of November 20, 2012, recessed at 5:04 p.m.

6:00 P.M. MEETING

R E C O N V E N E

Mayor Nabours called the Flagstaff City Council Meeting of November 20, 2012, back 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 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).

11. **ROLL CALL**

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

Members Present:

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

Others present: City Manager Kevin Burke; City Attorney Rosemary Rosales.

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

None.

13. **PUBLIC HEARING ITEMS**

None submitted

14. **REGULAR AGENDA**

A. Draft 2013 City of Flagstaff Legislative Priorities Agenda.

Deputy City Manager Jerene Watson reviewed the State-related Draft Proposed Legislative Agenda items and Mr. Burke reviewed the Federal-related items.

Vice Mayor Evans said that she would like to see them also 1) support the establishment of a Veterans Home in Bellemont, and 2) support an Economic Impact Study of the I-11 Corridor on cities to the east. Other Councilmembers agreed, with some having hesitation on taking a stand on the Veterans Home, believing it should be spearheaded by the County, with the City supporting their efforts.

Further discussion was held on the I-11 Corridor and it was suggested that a Work Session be held in the future to further discuss it. Councilmember Woodson asked staff to review records from six to eight years ago. He said that at that time the consensus of the City was that they did not want a new freeway extension through Flagstaff.

Mayor Nabours asked if the Council was interested in supporting efforts to reverse recent legislation to require all candidate elections to be held in the fall of even-numbered years. After some discussion the consensus was to leave the issue alone.

Mr. Burke recapped issues not currently on the list. He said that he would ask Mr. Travis to report back on the Property Reclassification issue and he would then prepare a CCR regarding the Rio de Flag.

Further discussion was held on the Veterans home. Mr. Burke said that they could put it on the list, but be respectful to the County and let them take the lead. Councilmember Woodson said that he liked the idea, but he would not want to support it if the Feds did not support it. Councilmember Oravits said that he, the Mayor and Vice Mayor Evans all met with them and the Feds were saying this was their top site, and they have funds available, but they are waiting for the \$10 million match from the State.

Mr. Travis, Nexus Consulting, said that one of the issues that circles back each year is the State budget. He said that it has been balanced based on the extension of the temporary sales tax passing, which did not happen. That will mean the State will be close to balancing this year and with the anticipated growth they are seeing, it should be enough to backfill. That does not, however, address student growth, health care, lawsuits with the State, etc. so it will be another interesting budget year. The year after this one will be better. He said that shared revenues continue to come back and they have a number of new legislators that will need to be educated about them.

Ms. Watson said that staff was working on a schedule for the Council to meet with the State legislators.

Vice Mayor Evans said that they need to monitor the CDBG funding and HUD funding as it relates to FHA and the new Section 8 voucher monies. With a three-year waiting list they need to know of opportunities to get additional funding, or know if they are looking to take funding away.

Councilmember Barotz reported that she, Mayor Nabours and Councilmember Woodson met with Ann Kirkpatrick earlier in the morning, as she was back as their Representative. She said that she was very receptive and has knowledge/history of the area. She was in their corner for whatever she can do.

Mayor Nabours added that although Paul Gosar is no longer in Flagstaff's District he is always willing to help as well.

15. **DISCUSSION ITEMS**

E. **Discussion/presentation regarding SB1598, Regulatory Bill of Rights, and the implications of its implementation to City permit and approval processes.***

Roger Eastman, Zoning Administrator, gave a PowerPoint presentation on SB1598, components of which take effect at the end of the year.

- WHY SB1598
- WHAT DOES SB1598 INCLUDE?
Regulatory Bill of Rights (12/31/2012)
- SB1598 – SOME ASPECTS ARE SENSIBLE
- SB1598 – IMPORTANT DEFINITIONS:
- HOW DOES SB1598 APPLY IN FLAGSTAFF?
- SB1598 DOES NOT APPLY TO:
- SB1598 DOES NOT APPLY TO ... SPECIFIC EXEMPTIONS
- LICENSING TIME FRAMES
- ADMINISTRATIVE REVIEW
- SUBSTANTIVE REVIEW
- LICENSE APPLICATION PROCESS
- DIRECTORY OF DOCUMENTS
- COMPLAINTS/ GOVERNING BODY REVIEW / CLARIFICATION OF INTER.
- SUMMARY OF IMPLICATIONS
- A CLOSER LOOK AT THE CD DIVISION
- TIMELINE
- HANDOUT
- BUILDING FLOW CHARTS
- IMPACTS TO CUSTOMER SERVICE - Negative
- IMPACTS TO CUSTOMER SERVICE - Positive
- CONCLUSION

Mr. Eastman said that there is some good with this bill and the Central Arizona Homebuilders Association and the League are working hard to get the Legislature to approve amendments to those portions of the bill that are not so good.

Mr. Eastman explained that an important part of the process is that the City can only give formal direction once during the process so it is imperative that all departments work together and there be one contact person for each project. He said that they have discussed the need to be more precise in their requests of the applicants.

Mr. Eastman said that there is also consideration being given to the use of a waiver, which would be agreed to by both the City and the applicant, that would allow more flexibility with the schedule, but that would be available only if the applicant agreed.

He said that the Community Development Department has worked hard over the last few years to work closely with applicants and accommodate the projects. He

said that this bill forces staff to no longer be so accommodating and at some point if a developer brings someone in that misses the mark, staff will have to say *"I'm sorry, you're denied and you're going to have to start over."* If they have used up their time frame and the applicant has not submitted what is necessary, they will have to deny.

Staff noted that they would be allowed to approve with conditions, but the culture they have had has been approving with very few conditions. Years ago they used to approve with a long laundry list.

- A. **Discussion Item:** Resolution of support for quick and efficient delivery of Veterans benefits.

Vice Mayor Evans said that when she met with Col. Strickland at the State's Veterans Affairs Office he had mentioned that one of the major issues he had is the delivery of services to the 600,000 veterans they have in Arizona.

Once the paperwork is completed they have to send it to the Federal Veterans Affairs, and that is taking on an average 286 days to be certified. If it is not filled out correctly, then it is a three-year process.

She had recently attended this year's Disability Banquet and the speaker was a highly-decorated disabled veteran. He went through a three-year process. She would like to propose that they put together the appropriate language to prepare a resolution to give to their representatives, to carry to Washington DC. They need to let them know that it is not okay to take so long.

Councilmember Barotz noted that she and the Mayor had discussed this same issue this morning with Ann Kirkpatrick and she suggested that they also discuss this issue with the rest of the Arizona delegation. She felt that a resolution was fine but the sense was that if they did one of the two, they should put their energy into contacting the other representatives. Mayor Nabours added that in speaking to Ms. Kirkpatrick the issue was money, and perhaps they should also contact neighboring states once the Arizona delegation has been contacted.

Vice Mayor Evans added that it had also been mentioned that next year a lot of those individuals doing the certification will be retiring and it takes up to two years to be trained in the process, so that could impact the process even more.

Discussion was held on the process to follow and it was determined that they would discuss the issue further with Mr. Rodgers when he came up on December 11 to give his presentation. Also during this time they will schedule a meeting with the member of the Governor's staff and through this process develop some appropriate wording for a resolution or letter that would be circulated through the Greater Arizona Mayors Association, the League of Arizona Cities and Towns and the Association of Counties, to the Arizona delegation and eventually surrounding states. Mr. Burke suggested that something could be developed by sometime in January.

- B. **Discussion Item:** Resolution of support for Veterans Cemetery and Home in Bellemont, Arizona.

Discussion was held on the Veterans Cemetery and Home in Bellemont. It was noted that the entire Council would receive a full briefing on this issue by Mr. Rodgers at his December 11 presentation.

Mr. Travis stated that one thing different with this issue versus many of the others is that this proposed project would provide jobs to the entire region.

It was suggested that the City partner with the County to lobby for the \$10 million match needed to see this project move forward. Because this included 160 new jobs to the region it may also be eligible for other types of funding.

It was agreed that a discussion needed to be held with the County and this issue should also be brought up during the upcoming breakfast with the Council and State delegation.

- C. **Discussion Item:** Dark Skies Presentation

Councilmember Barotz said that she was asking the Council to support a Work Session presentation by members of the Dark Skies community in Flagstaff to talk about what it means to be a Dark Sky community and the economic impact. They were not asking for any action.

Councilmember Overton said that it would be interesting to get data back from them and he would like to ask them the role the community partners play and also the impact of various areas such as NAU and the County islands that do not participate.

Councilmember Barotz said that their intent was not to talk specifics of the ordinance. She said that there would be a representative from the Naval Observatory as well as a diverse coalition of other members from the community who are interested and believe it is a value.

Council agreed to place this item on a Work Session agenda.

- D. **Discussion Item:** City presence at Arizona Department of Liquor Licenses and Control Public Hearing on Maverik to be located on East Butler.

Brief discussion was held on what action the City wanted to take in the public hearing that will be held by the Arizona Liquor Board since the City recommended disapproval of this license.

It was agreed that Councilmember Overton and a member of the Legal Department would attend the hearing to convey the City's position. Staff was directed to prepare some talking points. Additionally, staff was asked to notify those who spoke at the City's public hearing of the date and time of the public hearing at the state level once they receive that information. Mayor Nabours also requested that a copy of the video from the City's public hearing be provided.

MINUTES OF THE SPECIAL MEETING (EXECUTIVE SESSION) OF THE FLAGSTAFF CITY COUNCIL HELD ON TUESDAY, NOVEMBER 27, 2012, IN THE STAFF CONFERENCE ROOM, SECOND FLOOR OF THE FLAGSTAFF CITY HALL, 211 WEST ASPEN, FLAGSTAFF, ARIZONA

I. Call to Order

Mayor Nabours called the meeting to order at 4:02 p.m.

II. Roll Call

Present:

MAYOR NABOURS

VICE MAYOR EVANS

COUNCILMEMBER BAROTZ

COUNCILMEMBER BREWSTER

COUNCILMEMBER ORAVITS

COUNCILMEMBER OVERTON

COUNCILMEMBER WOODSON

Others present: City Manager Kevin Burke; City Attorney Rosemary Rosales.

III. Recess into Executive Session

Councilmember Overton moved to recess into Executive Session; seconded by Councilmember Brewster; passed unanimously. The Flagstaff City Council recessed into Executive Session at 4:02 p.m.

A. Discussion or Consultation with the City's Attorney for legal advice, pursuant to ARS §38-431.03(A)(3).

1. City employee pension systems.

The Flagstaff City Council reconvened into Open Session at 4:35 p.m. at which time the Special Meeting of November 27, 2012, adjourned.

MAYOR

ATTEST:

CITY CLERK

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, Deputy City Clerk
Date: 11/19/2012
Meeting Date: 12/04/2012



TITLE:

Consideration of Appointments: Beautification & Public Art Commission.

RECOMMENDED ACTION:

- Make one Hospitality appointment to a term expiring June 2015.
- Make one Design Professional appointment to a term expiring June 2015.
- Make one At-Large appointment to a term expiring June 2015.
- Make one At-Large appointment to a term expiring June 2013.

Policy Decision or Reason for Action:

By making the above appointments, the Beautification & Public Art Commission will be at full membership and will be able to continue meeting on a regular basis. There are five applications on file; please review attached matrix for applicants and their qualifications.

Financial Impact:

These are voluntary positions and there is no budgetary impact to the City of Flagstaff.

Connection to Council Goal:

Diversity of arts, culture and educational opportunities.

Has There Been Previous Council Decision on This:

None.

Options and Alternatives

- 1) Appoint three Commissioners: By appointing members at this time, the Beautification & Public Arts Commission will be at full membership, allowing the group to meet and provide recommendations to the City Council.
- 2) Table the action to allow for further discussion or expand the list of candidates.

Background/History:

The Beautification & Public Art Commission consists of nine citizens serving three-year terms. One of the positions represents the hospitality industry, two positions represent members of the arts community, one position represents the design professional industry, and five are at-large seats. There is currently one hospitality seat, one design professional seat, and two at-large seats available.

The Beautification and Public Art Commission recommends expenditures from the BBB beautification fund and public art portion of the BBB arts and science fund. It studies and recommends community beautification projects ranging from landscaping and irrigation, signs and billboards, buildings, facilities, streetscapes, gateways, the purchase and installation of public art projects within beautification projects, property acquisition for beautification and/or public art projects, and neighborhood-initiated projects, to mention a few.

Key Considerations:

It is important to fill the vacancies so as to allow the Commission to continue meeting on a regular basis.

Community Benefits and Considerations:

The City's boards, commissions, and committees were created to foster public participation and input and to encourage Flagstaff citizens to take an active role in city government.

Community Involvement:

INFORM: The vacancies are also posted on the City's website and individual recruitment and mention of the opening by Board members and City staff has occurred, informing others of this vacancy through word of mouth.

Expanded Options and Alternatives:

COUNCIL INTERVIEW TEAM: Councilmember Barotz and Councilmember Oravits

Date of Council Approval:

- Attachments:**
- [Beautification & Public Art Roster](#)
 - [Beautification & Public Art Authority](#)
 - [Beautification & Public Art Applicant Roster](#)
 - [Beautification & Public Art Applicant Matrix](#)
 - [Beautification & Public Art Applications](#)
-

Form Review

Inbox	Reviewed By	Date
Comm Design & Redevelopment Mgr	Karl Eberhard	11/21/2012 07:20 AM
DCM - Jerene Watson	Jerene Watson	11/21/2012 11:12 AM
Form Started By: Stacy Saltzburg		Started On: 11/19/2012 04:16 PM
Final Approval Date: 11/21/2012		



City of Flagstaff, AZ

BEAUTIFICATION AND PUBLIC ART COMMISSION MEMBERS

<u>NAME</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>	<u>TRAINING COMPLETED</u>
<u>Aiken, Bruce</u> ARTS COMMUNITY Self-Employed 1401 N. 4th Street, #159 Flagstaff, AZ 86004 Work Phone: 226-2882 Term: (1st 4/07 - 6/08; 2nd 6/8 - 6/11; 3rd 6/11 - 6/14)	08/01/2011	06/14	02/16/2012
<u>Doyle, Anne</u> AT LARGE Heritage Program Manager/Museum of Northern Arizona 113 N. San Francisco St. Apt. 201 Flagstaff, AZ 86001 Cell Phone: 928-607-2066 Term: (1st 6/11 - 6/14)	05/17/2011	06/14	10/20/2011
<u>Foster, Vicky</u> AT LARGE Instructor/Coconino Community College 2415 N. Kramer Street Flagstaff, AZ 86001 Cell Phone: 607-5298 Term: (1st 6/09 - 6/12)	06/16/2009	06/12	10/20/2011
<u>Giesecke, Linda</u> AT-LARGE Staff Nurse/Lake Powell Medical Center 420 W. Havasupai Rd. Flagstaff, AZ 86001 Home Phone: 779-5419 Term: (1st 6/06-6/07; 2nd 6/07-6/10; 3rd 6/10-6/13)	08/18/2010	06/13	No



City of Flagstaff, AZ

<u>Hunt, Dan</u>	08/23/2011	06/12	No
HOSPITALITY Sales Manager/Southwest Hospitality-Fairfield Inn 1450 W. Kaibab Ln. #180 Flagstaff, AZ 86001 Cell Phone: 928-607-8967 Term: (1st 8/11 - 6/12)			
<u>Kelly, Laura</u>	05/17/2011	06/14	No
AT LARGE Executive Director/Flagstaff Symphony Orchestra 517 N. Agassiz St. Flagstaff, AZ 86001 Cell Phone: 928-853-9226 Term: (1st 6/11 - 6/14)			
<u>Malloy, Heather</u>	03/06/2012	06/13	No
ARTS COMMUNITY 780 East Cherry Ave. Flagstaff, AZ 86001 Cell Phone: 928-254-1635 Term: (1st 3/12 - 6/13)			
<u>Z-VACANT,</u>		06/13	No
<u>Z-VACANT,</u>		06/15	No

Staff Representative: Karl Eberhard

As Of: November 29, 2012

CHAPTER 2-14
BEAUTIFICATION AND PUBLIC ART COMMISSION

SECTIONS:

2-14-001-0001	CREATION OF COMMISSION:
2-14-001-0002	COMPOSITION AND TERM OF OFFICE:
2-14-001-0003	COMPENSATION OF COMMISSION MEMBERS:
2-14-001-0004	ORGANIZATION:
2-14-001-0005	MEETINGS:
2-14-001-0006	DUTIES:

SECTION 2-14-001-0001 CREATION OF COMMISSION:

There is hereby established a City Beautification and Public Art Commission. There shall be nine (9) voting members of said Commission who shall meet as hereinafter provided to consider and recommend programs for the expenditure of the portions of the Bed, Board and Booze Tax as designated by City Code, Title 3, Chapter 6, Section 3-06-001-0004.

(Ord. No. 1580, Enacted, 08/02/88; Ord. No. 2006-15, Amended, 05/16/2006; Ord. No. 2007-07, Amended, 02/06/2007))

SECTION 2-14-001-0002 COMPOSITION AND TERM OF OFFICE:

The composition of the membership shall consist of:

A. A Councilmember designated by the City Council to serve, as a non-voting, ex officio Council liaison, during the Councilmember's term of office. (Ord. 1674, 9-18-90); (Ord. 2006-15, 05/16/2006)

B. One (1) member to be from the hospitality industry, appointed by the City Council. Said member shall serve a three (3) year term.

C. Two voting members from the arts community, including, but not limited to artists, craftsmen, gallery owners, arts educator, art historian, art curator, art administrator.

D. One voting member who is a design professional, including, but not limited to, architects, landscape architect, urban planner, or graphic designer.

E. Five (5) additional members appointed by the City Council. (Ord. No. 2006-15, (05/16/2006); (Ord. No. 2007-04, Amended 02/06/07)

Each member shall serve three-year terms, on a staggered basis. A member's term in office shall commence with the first regular Commission meeting following the appointment and terminate with the regular Commission meeting at which the successor takes office. No voting

member of the Commission may be appointed to more than two (2) full consecutive terms.

(Ord. No. 1580, Enacted, 08/02/88; Ord. No. 1674, Amended, 09/18/90; Ord. No. 2006-15, Amended 05/16/2006); (Ord. No. 2007-04, Amended 02/06/07)

SECTION 2-14-001-0003 COMPENSATION OF COMMISSION MEMBERS:

Members of the Commission shall serve without compensation.

(Ord. No. 1580, Enacted, 08/02/88)

SECTION 2-14-001-0004 ORGANIZATION:

The Commission shall elect a Chairperson from among its members. The term of the Chairperson shall be one year with eligibility for reelection. Commission members may not serve more than two (2) consecutive terms as Chairperson. The Council representative shall not be eligible for the Chair.

(Ord. No. 1580, Enacted, 08/02/88)

SECTION 2-14-001-0005 MEETINGS:

A. The Commission shall hold at least one regular meeting per month, which shall at all times be open to the public, the time and place of said meeting shall be posted in accordance with the applicable Arizona State Statutes.

B. A quorum consisting of a minimum of five (5) voting members shall be required to conduct business.

(Ord. No. 1580, Enacted, 08/02/88; Ord. No. 2006-15, Amended 05/16/2006)

SECTION 2-14-001-0006 DUTIES:

The duties of the Commission shall be to:

A. The Commission shall be responsible for preparing a Five (5) Year Plan. The Five Year Plan shall be used as a guideline for future programs. Said Plan shall be presented to the Council prior to April 1 of each year.

B. Develop and present to City Council an Annual Plan outlining the Commission's program recommendations for the upcoming fiscal year. Said plan shall be presented to the Council prior to April 1 of each year.

C. Make recommendations to the City Council concerning the annual budgetary allocation of the beautification and public art portions of the Bed, Board and Booze Tax and other monies as deemed appropriate by

the City Council, as outlined in City Code, Section 3-06-001-0004, to include, but not be limited to:

1. Purchase, installation or modification of landscaping and irrigation systems;
2. Purchase, removal or modification of billboards and nonconforming signs;
3. Beautification of buildings and facilities, streetscapes and gateways;
4. Purchase and installation of public art projects;
5. Purchase or lease of easements or property necessary for beautification projects.

D. Make recommendations to the City Council for public art projects by:

1. Reviewing and defining potential public art projects and writing project descriptions.
2. Determining the artist selection method and writing the call to artists for public art projects.
3. Evaluating public art proposals for recommendation to the City Council.
4. Facilitating display of local art in public facilities.

Oed. No. 2006-15, Amended, 05/16/2006)

E. Perform any additional duties as determined by the City Council, related to beautification and public art activities. (Ord.1580, 8-2-88)

(Ord. No. 1580, Enacted, 08/02/88; Ordinance No. 2006-15, Amended, 05/16/2006)



City of Flagstaff, AZ

BEAUTIFICATION AND PUBLIC ART COMMISSION APPLICANTS

<u>NAME</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>	<u>TRAINING COMPLETED</u>
<u>Alexander, Christopher</u> Owner/Residential Architect/Alexander Studio llc 1523 N. Aztec St. Flagstaff, AZ 86001 Home Phone: 928-774-3065 Term: 1st			No
<u>Chambers, Robert</u> Illustrator/Designer/Self 103 N. Bonito #1 Flagstaff, AZ 86001 Term: 1st			No
<u>Foster, Vicky</u> AT LARGE Instructor/Central AZ College 2415 N. Kramer Street Flagstaff, AZ 86001 Cell Phone: 928-607-5298			10/20/2011
<u>Gardner, Emma</u> Artist/Self 216 S. Beaver St. Flagstaff, AZ 86001 Home Phone: 928-607-5039 Term: 1st			No
<u>Hunt, Dan</u> Hospitality Sales Manager/Southwest Hospitality 1450 W. Kaibab Lane, #180 Flagstaff, AZ 86001 Cell Phone: 928-607-8967 Term: 1st			No



City of Flagstaff, AZ

Staff Representative: Karl Eberhard

As Of: November 26, 2012

Positions and Terms to be Filled

Applications
Received
From:

	Incumbent	Hospitality Jun-15	Design Professional Jun-15	At-Large Jun-15
Christopher Alexander				
Robert Chambers				
Dan Hunt	X			
Emma Gardner				
Victoria Foster	X			



Indicates positions that the City Council can appoint the Applicant.
Indicates that Applicant is not eligible for this position.

IMPORTANT NOTICE: The City Council may consider appointments to boards and commissions in executive sessions which are closed to the public, and then make the appointments in a public meeting. You have the right, however, to have your application considered in a public meeting by providing a written request to the City Clerk.

**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

PLEASE TYPE OR PRINT IN BLACK INK
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!

DATE: 12/20/11

BOARD/COMMISSION YOU WISH TO SERVE ON: Flagstaff Beautification & Public Arts Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Commission Member

YOUR NAME: Christopher Alexander HOME PHONE: (928) 774-3065

HOME ADDRESS: 1523 N. Aztec St. Flagstaff, Arizona ZIP: 86001

MAILING ADDRESS (if Different from Above): _____

EMPLOYER: Alexander Studio llc JOB TITLE: Owner / Residential Architect

BUS. PHONE: (928) 774-3065 CELL: (928) 774-3065 E-MAIL: Christopher@AlexanderStudio.net

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I have been designing custom homes in and around Flagstaff since 1988. My emphasis has been placed upon high quality design solutions with styles that reflect and correspond to the natural environment of Northern Arizona. The sensitive handling of the integration between home and site is an important design consideration in all of my projects. The skills and design aesthetics exhibited in these projects would be an asset to the Beautification and Public Arts Commission. My work has also given me substantial experience interacting and working with Clients, Builders, Engineers, Sub-Contractors, Design Review Committees and Building Department Officials. I also bring over 28 years of computer experience working on Macintosh Computers with proficiency in multiple software packages.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I have always had an interest in the arts with a belief that a beautiful environment and a thriving arts community play an important role in the health and strength of the whole community. At this point in my career, I would like to increase my work with community organizations. The Beautification and Public Arts Commission is an organization that should be a good fit for my design skills and work experience. I am convinced that the beautification of one's environment can have a strong and positive effect on everyone within that environment. I have witnessed many successful projects, (and a few that were not as successful), funded with BBB funds since the inception of the BPAC. I would like to be part of bringing successful beautification projects and engaging public art works to the City of Flagstaff.

I certify that I meet the City Charter requirement of living within the Flagstaff City limits and that I have read and understand the right to have my application considered in a public meeting.

Christopher Alexander
Applicant Signature

The City of Flagstaff is an Equal Opportunity/Affirmative Action Employer.

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**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

PLEASE TYPE OR PRINT IN BLACK INK
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!

DATE: 12/1/11

BOARD/COMMISSION YOU WISH TO SERVE ON: BEAUTIFICATION + PUBLIC ART COM.

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: _____

YOUR NAME: ROBERT E. CHAMBERS HOME PHONE: (928)225-9470

HOME ADDRESS: 103 N. BONITO #1 ZIP: 86001

MAILING ADDRESS (if Different from Above): _____

EMPLOYER: SELF JOB TITLE: ILLUSTRATOR/DESIGNER

BUS. PHONE: SAME AS HOME CELL: " E-MAIL: recillustrate@gmail.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I've been a landscape designer + illustrator in Flagstaff for the past 6 yrs. My work for commercial + residential clients focuses on providing sustainable + waterwise solutions to design problems. In addition to being active with the student gardening programs for FUSD, I also teach out + design at ^{the} Ponderosa HS greenhouse prgm.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I would like to do more to serve my community. I believe my skill set would fit well with this commission.

I certify that I meet the City Charter requirement of living within the Flagstaff City limits and that I have read and understand the right to have my application considered in a public meeting.



Applicant Signature

IMPORTANT NOTICE: The Council may consider appointments to boards and commissions in executive sessions which are closed to the public, and then make the appointments in a public meeting. You have the right, however, to have your application considered in a public meeting by providing a written request to the City Clerk.

**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

**PLEASE NOTE THAT THIS INFORMATION IS A PUBLIC RECORD.
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!**

DATE: 11/4/12

BOARD/COMMISSION YOU WISH TO SERVE ON: Beautification and Public Art

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: At large

YOUR NAME: Victoria Foster HOME PHONE: 928-607-5298

HOME ADDRESS: 2415 N. Kramer st. ZIP: 86001

MAILING ADDRESS (if Different from Above):

EMPLOYER: Central Az College JOB TITLE: Instructor

BUS. PHONE: 520-494-5077 CELL: E-MAIL: foster.victoria@gmail.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I have served as a member of the BPAC for the last 3 years. I am currently the co-chair of the FACTS advisory board. I am a supporter of many of the arts and beautification activities in Flagstaff including Flagstaff Cultural Partners, The Arboretum and Theatrikos.

I have a Master's Degree in Elementary Education from The University of Arizona. I want our community to be a welcoming, beautiful and safe environment for children and their families. I believe art and beautification helps provide that. I have an undergraduate minor degree in fine arts and I personally enjoy quilting, knitting, drawing and gardening.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

In my opinion the Beautification and Public Arts Commission strives to improve the lifestyles of the families and other citizens of Flagstaff. I bring a unique perspective to the BPAC because I grew up in Flagstaff and have deep ties to the community. I support the arts as a road to economic development for our community which ultimately does provide the citizens with more opportunities for jobs and improved lifestyles. Now that I have had several years experience as a commissioner I think I am able to see all sides of the issues and make informed and thoughtful decisions.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.

Victoria Foster

Applicant Signature

IMPORTANT NOTICE: The City Council may consider appointments to boards and commissions in executive sessions which are closed to the public, and then make the appointments in a public meeting. You have the right, however, to have your application considered in a public meeting by providing a written request to the City Clerk.

**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

**PLEASE TYPE OR PRINT IN BLACK INK
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!**

DATE: 11/30/2012

BOARD/COMMISSION YOU WISH TO SERVE ON: Beautification & Public Art Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Design Professional

YOUR NAME: EMMA GARDNER **HOME PHONE:** 928 607-5039

HOME ADDRESS: 216 S. Beaver St. **ZIP:** 86001

MAILING ADDRESS (If Different from Above): _____

EMPLOYER: Self **JOB TITLE:** Artist

BUS. PHONE: _____ **CELL:** _____ **E-MAIL:** _____

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

see attachment.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I certify that I meet the City Charter requirement of living within the Flagstaff City limits and that I have read and understand the right to have my application considered in a public meeting.

Emma Gardner 1/30/2012
Applicant Signature

BACKGROUND INFORMATION:

Please explain how your community activities and other relevant experience/interests are applicable to this commission.

I have studied Art Restoration and Conservation as well as the Fine Arts. I am a design professional that has had over 25 solo shows that were very well received.

I have worked on many group projects in our community creating works of public art with many different mediums, not excluding the performing arts.

I feel that my knowledge of creating public art combined with my understanding of the nuts and bolts of how it is created allows me to have a realistic view of how works will stand the test of time. I feel that I have the experience base to assess the projects from an aesthetic as well as a practical stand point.

Why do you want to serve on the commission?

I feel that volunteering my time to serve on the board would be the best and most affective way to use my talents and skills to serve our community.

Emma Gardner
www.emmagardner.com
928 607 5039

SOLO EXHIBITIONS

- 2011 *Earth Girls*, MartAnnes, Flagstaff, AZ
- 2011 *Bloody Babies*, Sideshow Emporium, Dolores, CO
- 2011 *I Heart Skulls*, Marris Gallery, Flagstaff, AZ
- 2011 *Velvet Underground*, Marris Gallery, Flagstaff, AZ
- 2011 *Cala Lilies*, MartAnnes, AZ
- 2010 *Cleavage*, MartAnnes, AZ
- 2010 *Movie Stars and Rock and Rollers*, Rendezvous, Flagstaff, AZ
- 2010 *Pin-Ups and Goddesses*, Mc Sweenies Salon, Flagstaff, AZ
- 2009 *Under the Skin of History*, Sideshow Emporium, Dolores, CO
- 2009 *The Fools Journey*, MartAnnes, Flagstaff, AZ
- 2009 *Mexican Calendar Girls*, MartAnnes, Flagstaff, AZ
- 2009 *Saints and Mural Unavailing*, Cafe Ole, Flagstaff AZ
- 2008 *Traditional Saints*, MartAnnes, Flagstaff, AZ
- 2008 *Birds and the Bees*, Rainbows End, Flagstaff, AZ
- 2008 *Calavera Renaissance*, MartAnnes, Flagstaff, AZ
- 2007 *Te Amore*, MartAnnes, Flagstaff, AZ
- 2006 *Nice Rack*, MartAnnes, Flagstaff, AZ
- 2006 *Skeleton Woman*, MartAnnes, Flagstaff, AZ
- 2006 *More Skeleton Woman*, MartAnnes, Flagstaff, AZ
- 2005 *Day of the Dead on the River*, MartAnnes, Flagstaff, AZ
- 2005 *Feminations*, MartAnnes, Flagstaff, AZ
- 2005 *Day of Dead Show*, MartAnnes, Flagstaff, AZ
- 2004 *Day of the Dead*, MartAnnes, Flagstaff, AZ
- 2003 *Emminations II*, MartAnnes, Flagstaff, AZ
- 2003 *Emminations*, MartAnnes, Flagstaff, AZ

GROUP SHOWS

- 2011 *Celebraciones de la Gente*, Museum of Northern Arizona, Flagstaff, AZ
- 2009 *Celebraciones de la Gente*, Museum of Northern Arizona, Flagstaff, AZ
- 2009 *Tanglewood Gallery*, Flagstaff, AZ
- 2008 *Celebraciones de la Gente*, Museum of Northern Arizona, Flagstaff, AZ
- 2007 *Celebraciones de la Gente*, Museum of Northern Arizona, Flagstaff, AZ
- 2007 *Liquid City*, Los Angeles, CA
- 2006 *Celebraciones de la Gente*, Museum of Northern Arizona, Flagstaff, AZ
- 2005 *Tropocolismo*, Tropico de Nopal Gallery, Los Angeles, CA
- 2005 *Celebraciones de la Gente*, Museum of Northern Arizona, Flagstaff, AZ
- 2003 *Saints*, Fire on the Mountain Gallery, Flagstaff AZ

PUBLICATIONS

- 2009 *"The Playful Dead"* by Penelope Bass, Flagstaff Live, Vol 15 Issue 42
- 2007 *"An Expanding Universe"* by Michael Wolcott, Northern Arizona's Mountain Living Magazine
- 2006 *"Waking the Dead"* by Kylie Walzak, Flagstaff Live, Vol. 12 Issue 17
- 2004 *In Search of Virgin Barbie* " by Elizabeth Hellstern, Flagstaff Live, Vol. 10 issue 3

Emma Gardner
www.emmagardner.com
928 607 5039

MURALS/COMMISSIONS

- 2010 Cafe Ole, Flagstaff, AZ
- 2010 CD cover for Nolan McKelvey, Flagstaff, AZ
- 2009 Airstream interior, Flagstaff, AZ
- 2008 CD Cover, for Chuck Cheesman, Flagstaff, AZ
- 2007 Coral Reef Room, private residence, Flagstaff, AZ
- 2006 Group Mural Project: mural in the Flagstaff Recreation Center Gym with FALA students as well as community youths participating. Flagstaff, AZ
- 2005 Coconino County Health Department Murals; King Street Clinic, Kids Corner, and W.I.C. office, Flagstaff AZ.
- 2005 Murals, Salsa Brava, Flagstaff, AZ
- 2005 East Flagstaff Community Library, Group Mural Project with Community youths, Flagstaff, AZ
- 2004 Jungle Bedroom Mural, private residence, San Leandro, CA

- 2004 Group Mural in collaboration with Shonto Begay and others artists for the Sunnyside Neighborhood Association of Flagstaff, Flagstaff AZ.
- 2002 *Shiva and Shakti*, The Yoga Experience, Flagstaff, AZ

AWARDS

- 2011 Viola Award Nomination: Visual Arts, Flagstaff Cultural Partners, Flagstaff, AZ
- 2011 Editors Choice "Most Awesome and Nice downtown Artist" Flagstaff, AZ
- 2010 1st Place: Holiday parade of Lights for *Tiki Christmas Float*, Flagstaff, AZ
- 2010 Viola Award Nomination for Visual Arts. Flagstaff Cultural Partners, Flagstaff, AZ
- 2009 Viola Award Nomination for Visual Arts. Flagstaff Cultural Partners Flagstaff, AZ
- 2009 Editors Choice "Best Bones" for *Mexican Calendar Girls*, Flagstaff Live, Vol. 15, issue 51. Flagstaff, AZ
- 2006 Editors Choice "Best Death Centered Art that Makes Death Look Pretty Cool", Flagstaff Live Vol. 12 Issue 50. Flagstaff, AZ

PRODUCTIONS

- 2007 *The Prince and the Princess*, MartAnnes Marionette Theater, Flagstaff AZ
- 2006 *Chantrelle Revisited*, MartAnnes Marionette Theater, Flagstaff AZ
- 2006 *Babies Got Back* MartAnnes Marionette Theater, Flagstaff AZ
- 2004 *Funky Fall Fashion Show*, Orpheum Theater, Flagstaff AZ

WORKSHOPS/ARTIST IN RESIDENCY

- 2011 Yellow Bellie Project Artist in Residency, Flagstaff Arts And Leadership Academy, Flagstaff AZ
- 2011 Marionette Workshop, Big Sisters, Flagstaff AZ
- 2009 Mixed Media Class, Flagstaff Arts and Leadership Academy, Flagstaff AZ

Kevd 10/12/12

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**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

**PLEASE NOTE THAT THIS INFORMATION IS A PUBLIC RECORD.
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!**

DATE: 10-11-12

BOARD/COMMISSION YOU WISH TO SERVE ON: BPAC

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Hospitality

YOUR NAME: Dan Hunt **HOME PHONE:** 928-607-8967

HOME ADDRESS: 1450 W. Kaibab Lane #180 **ZIP:** 86001

MAILING ADDRESS (If Different from Above):

EMPLOYER: Southwest Hospitality **JOB TITLE:** Sales Manager

BUS. PHONE: 928-773-1300 **CELL:** 928-607-8967 **E-MAIL:** danh@swhm.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME **WORK** **CELL**

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I have been in the hospitality industry for over 7 years in Flagstaff. I am also a Member of S.E.D.I.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I love this town, and would do anything I can, to make it a more beautiful place.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.

Applicant Signature

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, Deputy City Clerk
Date: 11/19/2012
Meeting Date: 12/04/2012



TITLE:

Consideration of Appointments: Airport Commission.

RECOMMENDED ACTION:

Make two appointments to terms expiring October 2015.

Policy Decision or Reason for Action:

By making the above appointments, the Airport Commission will be at near full membership.

There are two applications on file and they are as follows:

April Gavin (currently serving)
James Wallace

Financial Impact:

These are voluntary positions and there is no budgetary impact to the City of Flagstaff.

Connection to Council Goal:

Effective governance.

Has There Been Previous Council Decision on This:

None.

Options and Alternatives

1) Appoint two Commissioners: by appointing members at this time, the Airport Commission be able to continue to meet quorum requirements and provide recommendations to the City Council.

2) Table the action to allow for further discussion or expand the list of candidates.

Background/History:

The Airport Commission consists of seven citizens serving three-year terms. There are currently three seats available, one of which the current commissioner would like to be reappointed.

The Airport Commission is responsible for reviewing and reporting to the Council on the development of the Airpark and on matters affecting the operation and efficiency of the airport, using the Airport Master Plan as a guide.

Key Considerations:

It is important to fill the vacancies so as to allow the Commission to continue meeting on a regular basis.

Community Benefits and Considerations:

The City's boards, commissions, and committees were created to foster public participation and input and to encourage Flagstaff citizens to take an active role in city government.

Community Involvement:

INFORM: Board members and City staff have informed the community of this vacancy through word of mouth in addition to the vacancies being posted on the City's website.

Expanded Options and Alternatives:

COUNCIL INTERVIEW TEAM:

Vice Mayor Evans
Councilmember Barotz

Date of Council Approval:

- Attachments:** [Airport Roster](#)
 [Airport Authority](#)
 [Airport Applicant Roster](#)
 [Airport Applications](#)
-

Form Review

Inbox	Reviewed By	Date
Airport Director	Elizabeth A. Burke	11/21/2012 10:34 AM
DCM - Jerene Watson	Jerene Watson	11/21/2012 11:17 AM
Form Started By: Stacy Saltzburg		Started On: 11/19/2012 04:19 PM
	Final Approval Date: 11/21/2012	



City of Flagstaff, AZ

AIRPORT COMMISSION MEMBERS

<u>NAME</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>	<u>TRAINING COMPLETED</u>
<u>Brace, Roger</u> Facility Electrical/W. L. Gore 603 W. Beal Rd. Flagstaff, AZ 86001 Home Phone: 556-9123 Term: 1st	06/07/2011	10/14	10/20/2011
<u>Evans, Matthew</u> Vice-President/Relationship Mgr./National Bank of America 2138 Tombaugh Way Flagstaff, AZ 86001 Cell Phone: 600-1387 Term: (1st 1/08 - 10/10; 2nd 10/10 - 10/13)	11/17/2010	10/13	No
<u>Gavin, April</u> Executive Assistant/Flagstaff Chamber of Commerce 2520 E. Linda Vista Flagstaff, AZ 86004 Work Phone: 928-774-4505 Term: (1st 2/12 - 10/12)	02/07/2012	10/12	02/16/2012
<u>Keegan, Jack</u> Retired 3295 S. Tehama Circle Flagstaff, AZ 86001 Home Phone: 928-266-0889 Term: (1st 10/08 - 10/11; 2nd 10/11 - 10/14)	02/07/2012	10/14	10/08/2008



City of Flagstaff, AZ

<u>Marxen, Terry</u>	10/06/2009	10/12	04/24/2008
Owner/Tyrrell-Marxen Chevrolet-Cadillac 1520 W. Tolchaco Rd. Flagstaff, AZ 86001 Work Phone: 774-2794 Term: (1st 06/07 - 10/09; 2nd 10/09 - 10/12)			
<u>Shankland, Paul</u>	02/07/2012	10/14	No
Director and Installation Commander/U.S. Navel Observatory 3217 West Lois Lane Flagstaff, AZ 86001 Home Phone: 336-508-6317 Term: (1st 2/12 - 10/14)			
<u>Z-VACANT,</u>		10/13	No

Staff Representative: Barney Helmick

As Of: November 28, 2012

CHAPTER 2-11
FLAGSTAFF AIRPORT COMMISSION

SECTIONS:

<u>2-11-001-0001</u>	COMMISSION CREATED:
<u>2-11-001-0002</u>	COMPOSITION; TERMS:
<u>2-11-001-0003</u>	ORGANIZATION:
<u>2-11-001-0004</u>	COMPENSATION:
<u>2-11-001-0005</u>	MEETINGS:
<u>2-11-001-0006</u>	ACTIONS OF THE COMMISSION:

SECTION 2-11-001-0001 COMMISSION CREATED:

There is hereby established the Flagstaff Airport Commission to be composed of seven¹ (7) members who shall meet as hereinafter provided to consider and deliberate upon matters of concern to the City Council and citizens that affect the operation and efficiency of the airport toward the end of providing an optimum level of services within available resources using the Airport Master Plan as a basic guide. (Ord. 1897, 11/21/95)

(Ord. No. 1897, Amended, 11/21/95)

SECTION 2-11-001-0002 COMPOSITION; TERMS:

The composition of the membership of the Commission shall be as follows:

A. A Councilmember, designated by the City Council, to serve as a non-voting, ex-officio member. (Res. 1045, 9-20-77)

B. Seven (7) members to be appointed by the City Council who shall serve for three (3) year terms, on a staggered basis. (Ord. 1897, 11/21/95)

C. Ex-Officio Members: The following persons shall be ex-officio members of the Commission, but shall have no vote:

The Mayor
The City Manager
The Airport Manager
The FAA Tower Operator

D. A quorum shall be one more than half the voting members.

(Ord. No. 1897, Amended, 11/21/95); (Ord. No. 2007-03, Amended 02/06/2007)

¹ Ordinance No. 1897, adopted 11/21/95, reduced the amount of membership from nine to seven; however, when the final ordinance was printed and signed, the numbers had inadvertently been reversed. The City Code reflects the intent of the action taken by the City Council.

SECTION 2-11-001-0003 ORGANIZATION:

At the first meeting after appointment and at the first meeting held in any calendar year thereafter, the members of the Commission shall elect a Chairperson and Vice-Chairperson. (Ord. No. 2007-03, Amended 02/06/2007)

SECTION 2-11-001-0004 COMPENSATION:

The members of the Commission may be reimbursed by the City for necessary travel and subsistence expenses, but shall not receive compensation for their services. Any such travel must be approved in advance by the City Council or the City Manager with all budgetary considerations taken into account.

SECTION 2-11-001-0005 MEETINGS:

The Commission shall hold regular monthly meetings, which shall at all times be open to the public, the time and place of said meetings shall be posted in accordance with any currently applicable Arizona State Statutes regulating public meetings and proceedings (open meeting laws). Special meetings may be called by the Chairperson on twenty-four (24) hours' notice.

SECTION 2-11-001-0006 ACTIONS OF THE COMMISSION:

A. The Commission, with the consent of the City Manager, may call on all City divisions for assistance in the performance of its duties, and it shall be the duty of such divisions to render such assistance to the Commission as may be reasonably required.

B. All discussions, deliberations, actions and recommendations of the Commission shall be advisory to the City Council, and such advisories as the Commission may from time to time make shall be forwarded to the City Council through the City Manager. (Res. 1045, 9-20-77)



City of Flagstaff, AZ

AIRPORT COMMISSION APPLICANTS

<u>NAME</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>	<u>TRAINING COMPLETED</u>
<u>Gavin, April</u> Executive Assistant/Flagstaff Chamber of Commerce 2520 E. Linda Vista Flagstaff, AZ 86004 Work Phone: 928-774-4505			02/16/2012
<u>Wallace, James</u> CEO/Greystoke Engineering 4443 E. Burning Tree Loop Flagstaff, AZ 86004 Cell Phone: 928-380-0976			No

Staff Representative: Barney Helmick

As Of: November 20, 2012

11/21/12
SS

IMPORTANT NOTICE: The City Council may consider appointments to boards and commissions in executive sessions which are closed to the public, and then make the appointments in a public meeting. You have the right, however, to have your application considered in a public meeting by providing a written request to the City Clerk.

**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

**PLEASE NOTE THAT THIS INFORMATION IS A PUBLIC RECORD.
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!**

DATE: November 8, 2012

BOARD/COMMISSION YOU WISH TO SERVE ON: Airport Commission (currently serving in appointed capacity)

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Commissioner

YOUR NAME: April Gavin HOME PHONE: 928-527-0848

HOME ADDRESS: 2520 E. Linda Vista Dr. ZIP: 86004

MAILING ADDRESS (If Different from Above): Same

EMPLOYER: Flagstaff Chamber of Commerce JOB TITLE: Executive Assistant to the President

BUS. PHONE: 928-774-4505 CELL: 714-580-2654 E-MAIL: agavin@flagstaffchamber.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experiences/interests are applicable to this board or commission.

I would be honored to continue to serve on this commission. As a staff member of the Flagstaff Chamber of Commerce, I am very aware of the crucial role Pulliam Airport plays in Flagstaff's economic development, both in terms of airport operations and also larger airpark and its commercial endeavors. My position allows me to hear from members of the business community on a variety of issues, including their views on the airport and airline service in Flagstaff. (In fact, one aspect of my job is to conduct business surveys which include questions about their satisfaction with air travel in the area).

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I have enjoyed my nine months serving on the commission and am very excited about a project that Commissioner Brace and I are working on to create an exhibit on the second floor of the airport to celebrate its history and role in Flagstaff's development. We anticipate this will be a multi-year undertaking, likely in partnership with Beautification and Public Arts Committee.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.


Applicant Signature

IMPORTANT NOTICE: The City Council may consider appointments to boards and commissions in executive sessions which are closed to the public, and then make the appointments in a public meeting. You have the right, however, to have your application considered in a public meeting by providing a written request to the City Clerk.

**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

**PLEASE NOTE THAT THIS INFORMATION IS A PUBLIC RECORD.
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!**

DATE: 28 SEP 12

BOARD/COMMISSION YOU WISH TO SERVE ON: Airport Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: _____

YOUR NAME: James Wallace HOME PHONE: 928-380-0976

HOME ADDRESS: 4443 E Burning Tree Loop ZIP: 86004

MAILING ADDRESS (If Different from Above): _____

EMPLOYER: Greystone Engineering JOB TITLE: CEO

BUS. PHONE: 928 526 7000 CELL: 928 380 0976 E-MAIL: greystone.eng@mac.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

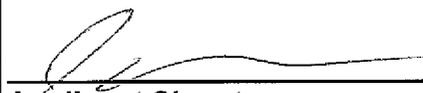
BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

Own aircraft company out of state. Owned FBO facilities at two different airports. Owned two different 121 & 135 air operations.
Involved in local scouting program

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I believe I can offer some industry experience to the board.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.



Applicant Signature

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, Deputy City Clerk
Date: 11/20/2012
Meeting Date: 12/04/2012



TITLE:

Consideration of Appointments: Water Commission.

RECOMMENDED ACTION:

Make three appointments to terms expiring December 2015.
Make one appointment to a term expiring December 2014.

Policy Decision or Reason for Action:

By making appointments to the vacancies, the Water Commission will be at full membership.

There are ten applications on file and they are as follows:

Bruce Aiken	Patrick Hurley
Hanna Cortner (currently serving)	Blake Nabours
Brian Ketter (currently serving)	J. Alexander Ham
Richard Kersey (currently serving)	John Malin
Kyle Klause	Paul Turner

Financial Impact:

These are voluntary positions and there is no budgetary impact to the City of Flagstaff.

Connection to Council Goal:

Effective governance.

Has There Been Previous Council Decision on This:

None.

Options and Alternatives

- 1) Appoint four Commissioners: by appointing members at this time, the Water Commission will be at full membership, allowing the group to continue meeting to provide recommendations to the City Council.
- 2) Table the action to allow for further discussion or expand the list of candidates.

Background/History:

The Water Commission consists of nine citizens serving three year terms. Additionally, the Chair of the Planning and Zoning Commission serves as a non-voting member during their term of office. There are currently four citizen seats available.

This Commission is charged to review matters such as extensions of the water and sewer collection systems, treatment and use of water furnished by the City, treatment and disposal of the City's sewage system effluent, and water/sewer rates.

Key Considerations:

It is important to fill the vacancies so as to allow the Commission to continue meeting on a regular basis.

Community Benefits and Considerations:

The City's boards, commissions, and committees were created to foster public participation and input and to encourage Flagstaff citizens to take an active role in city government.

Community Involvement:

INFORM: Board members and City staff have informed the community of this vacancy through word of mouth in addition to the vacancies posting on the City's website.

Expanded Options and Alternatives:

COUNCIL INTERVIEW TEAM:

Councilmember Overton
Councilmember Brewster

Date of Council Approval:

- Attachments:** [Water Commission Roster](#)
 [Water Commission Authority](#)
 [Water Commission Applicant Roster](#)
 [Water Commission Applications](#)
-

Form Review

Inbox	Reviewed By	Date
Utilites Director	Elizabeth A. Burke	11/21/2012 10:29 AM
DCM - Jerene Watson	Jerene Watson	11/21/2012 11:32 AM
Form Started By: Stacy Saltzburg		Started On: 11/20/2012 10:26 AM
Final Approval Date: 11/21/2012		



City of Flagstaff, AZ

WATER COMMISSION MEMBERS

<u>NAME</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>	<u>TRAINING COMPLETED</u>
<u>Cortner, Hanna</u> Cortner and Associates 6064 E. Mountain Oaks Dr. Flagstaff, AZ 86004 Home Phone: 526-1514 Term: (1st 2/10 - 12/12)	02/06/2010	12/12	10/20/2011
<u>Garner, Bradley</u> Hydrologist/US Geological Survey 3407 N. Patterson Blvd. Flagstaff, AZ 86004 Cell Phone: 443-841-6972 Term: (1st 4/12 - 12/14)	04/03/2012	12/14	No
<u>Kersey, Richard J.</u> President/CEO/Orenda Management, Inc. 2600 E. Hemberg Drive Flagstaff, AZ 86004-6853 Home Phone: 527-6855 Term: (1st - 03/07 - 12/09; 2nd 12/09 - 12/12)	02/16/2010	12/12	10/20/2011
<u>Ketter, Brian</u> Project Manager/North Country Healthcare 822 W. Birch Avenue Flagstaff, AZ 86001 Cell Phone: 853-5889 Term: (1st 11/10 - 12/12)	11/16/2010	12/12	No



City of Flagstaff, AZ

<u>McCarthy, Jim</u>	02/05/2008	Indefinite	No
PLANNING AND ZONING COMMISSION REPRESENTATIVE / NON-VOTING Sr. Project Engineer/Retired from Honeywell 2087 Fresh Aire Street Flagstaff, AZ 86001-2898 Home Phone: 779-3748 Term: 1st			
<u>Nowakowski, John</u>	11/16/2010	12/13	10/20/2011
Retired 3798 N. Zurich St. Flagstaff, AZ 86001 Cell Phone: 607-8371 Term: (1st 8/09 - 12/10; 2nd 12/10 - 12/13)			
<u>Shinham, C. Robert</u>	04/03/2009	12/14	04/18/2007
Civil Engineer/Retired 1544 West Daydream Drive Flagstaff, AZ 86001 Home Phone: 214-6129 Term: (1st 3/09 - 12/11; 2nd 12/11 - 12/14)			
<u>Wadsack, Karin</u>	10/18/2011	12/13	No
Renewable Energy Prog. Coord./NAU / EN3 Professionals LLC 525 S Oleary St. Flagstaff, AZ 86001 Cell Phone: 928-669-0112 Term: (1st 10/11 - 12/13)			
<u>Wagner, Lindsay</u>	11/16/2010	12/13	No
Interim Director of Utilities/Northern Arizona University 1705 N. San Francisco St. Flagstaff, AZ 86001 Cell Phone: 600-3030 Term: (1st - 03/09 - 12/10; 2nd 12/10 - 12/13)			
<u>Z-VACANT,</u>		12/14	No



City of Flagstaff, AZ

Staff Representative: Hill / Alter

As Of: November 28, 2012

CHAPTER 2-04
WATER COMMISSION

SECTIONS:

<u>2-04-001-0001</u>	PURPOSE AND EFFECT:
<u>2-04-001-0002</u>	DEFINITIONS
<u>2-04-001-0003</u>	DECLARATION OF POLICY
<u>2-04-001-0004</u>	WATER COMMISSION
<u>2-04-001-0005</u>	OFFICERS OF THE COMMISSION
<u>2-04-001-0006</u>	MEETINGS
<u>2-04-001-0007</u>	APPLICATION; PROCEDURE FOR
<u>2-04-001-0008</u>	ACTION ON APPLICATION
<u>2-04-001-0009</u>	EXTENSION OF URBAN SERVICE BOUNDARY
<u>2-04-001-0010</u>	CHANGES IN WATER, SEWER, RECLAMATION SYSTEM
<u>2-04-001-0011</u>	INVESTIGATIONS

SECTION 2-04-001-0001 PURPOSE AND EFFECT:

The provisions of this Chapter shall be deemed to be the minimum requirements for the promotion of public health, safety, convenience and public welfare. These provisions shall govern whenever they are more stringent than any other statute, provision of this Code, legal covenant, agreement or contract, but shall not abrogate any other requirement which is more stringent or restrictive than the provisions of this Chapter.

SECTION 2-04-001-0002 DEFINITIONS:

Whenever any of the following words are used in this Chapter, they shall have the meaning herein ascribed to them:

BUSINESS USE: The use of water which is primarily for business or commercial purposes, including the occasional furnishing of water to travelers or tourists by hotels, motels or other owners of places of public convenience.

COMMISSION: The Commission as designated and established by this Chapter.

COUNCIL: The Council of the City of Flagstaff.

RECLAIMED WASTEWATER: The treated effluent which is the product of the municipal wastewater system, which although not suitable for human consumption, may be used for certain industrial or commercial purposes. (Ord. 1789, 01/05/93)

RESIDENTIAL USE: The use of water which is primarily for the persons and property residing in a building or a portion thereof designed to be occupied as an abode. (Ord. 447, 8-26-58)

STORMWATER RUNOFF: The direct response of a watershed or drainage area to precipitation from a storm event and/or snowmelt and includes surface and subsurface runoff or drainage that enters a watercourse, street, storm drain or other concentrated flow during and following precipitation.

SEWER SYSTEM: All the facilities within and without the City required or convenient for the collection and treatment of sewage including the disposal, recycling or utilization of the resulting effluent by the City, within or without the corporate limits. (Ord. 980, 12-7-76)

STORMWATER MANAGEMENT DESIGN MANUAL: A manual of technical hydrologic and hydraulic calculations and computations by which all designs of stormwater facilities shall adhere.

STORMWATER MASTER PLAN: A comprehensive plan for all city watercourses that sets forth necessary plans and improvements to improve or mitigate the effects of flooding throughout the community.

STORMWATER QUALITY PROGRAM: A program that involves best management practices that result in an improvement to stormwater quality and that includes the National Pollutant Discharge Eliminations System (NPDES) as mandated United States Environmental Protection Agency (USEPA) and other improvements as may be necessary and approved by the Council.

STORMWATER MANAGEMENT ACTIVITIES: All activities associated with the Stormwater Management Design Manual, the Stormwater Master Plan, the City's Stormwater Quality Program, and the National Flood Insurance Program (NFIP).

URBAN SERVICE BOUNDARY: The boundary established by the City Council that surrounds vacant land areas bypassed by urban growth and immediately adjacent to urban growth that can be most efficiently and effectively provided facilities and services by the City. (Ord. 1789, 01/05/93)

WATER SYSTEM: All the facilities within and without the City required or convenient for the production and distribution of water by the City within or without the corporate limits. (Ord. 447, 8-26-58)

(Ord. No. 1789, Amended, 01/05/93)

SECTION 2-04-001-0003 DECLARATION OF POLICY:

The Mayor and Council of the City declare that one of the most important duties of the City is to furnish its citizens with water, to collect, treat and dispose of sewage, to reclaim and distribute wastewater, and to develop and implement an effective stormwater management program. It is further declared that production and distribution of water, and collection, treatment, reclamation and disposal of sewage, and management of stormwater within and without its corporate limits

requires special investigation and sound recommendations. In order to insure these objectives, both from the standpoint of economy and convenience, a Commission is required to investigate extensions, and priority of extensions, of the water, sewer, and reclaimed wastewater systems; the use and priority of use of water furnished by the City; the treatment, reclamation, and ultimate disposal of the resultant effluent of the sewage system of the City; the management of stormwater; and make appropriate recommendations. (Ord. 1789, 01/05/93)

(Ord. No. 1789, Amended, 01/05/93; Ord. No. 2009-08, Amended, 03/03/09)

SECTION 2-04-001-0004 WATER COMMISSION:

There is hereby established a Water Commission. There shall be seven voting members of said Commission, who shall consist of:

A. Nine (9) voting members to be appointed by the Council of the City, who shall serve for three (3) year terms on a staggered basis.

B. The Chair of the Planning and Zoning Commission, or a member of the Planning and Zoning Commission, to serve as a non-voting member during his or her term of office.

C. The City Council may designate a Councilmember representative as a non-voting, ex-officio member of the Commission.

D. Membership on the Commission shall terminate if any member has two (2) consecutive unexcused absences. The Chair shall determine, prior to any meeting, if a member's absence is excusable. (Ord. 1926, 12/17/96)

(Ord. No. 1789, Amended, 01/05/93; Ord. No. 1926, Amended, 12/17/96; (Ord. No. 2007-12, Amended 02/06/2007) (; Ord. No. 2009-08, Amended, 03/03/09)

SECTION 2-04-001-0005 OFFICERS OF THE COMMISSION:

A. Ex-Officio Members: The following persons shall be ex-officio members of the Commission, but shall have no vote:

The City Manager
The City Attorney
The City Engineer
The City Utilities Director, and
The Coconino County Manager or designated representative.

B. At the first meeting held in any calendar year, the members of the Commission shall elect a Chair and a Vice Chair from among its voting members. (Ord. 1789, 01/05/93)

(Ord. No. 1789, Amended, 01/05/93; Ord. No. 2009-08, Amended, 03/03/09)

SECTION 2-04-001-0006 MEETINGS:

The meetings of the Commission shall be held at the time and place adopted for the regular monthly meetings of the Commission. Meetings shall be conducted in accordance with the Board and Commission Members' Handbook adopted by resolution of the Flagstaff City council, and in compliance with all other local, state, and federal laws.

A quorum shall be one more than half the voting membership of the Commission.

Ord. 1789, 01/05/93; Ord. No. 2007-12, Amended 02/06/2007; Ord. No. 1789, Amended, 01/05/93; Ord. No. 2009-08, Amended, 03/03/09

SECTION 2-04-001-0007 APPLICATION; PROCEDURE FOR:

Any person, corporation or association desiring a water connection or tap, reclaimed wastewater connection, or sewer connection outside the limits of the City shall first apply to the Commission for such connection or tap. The application shall be in writing and shall be filed with the Clerk of the City, who shall forthwith submit it to the Commission or to a person designated by the Commission to receive the same. The Commission shall thereupon, at the next regular or special meeting called for the purpose, consider the application and may, in its sole discretion, require a public hearing before granting said application. In the event that a public hearing is thus required, notice thereof shall be given in writing to those persons designated by the Commission and notice containing the time, place and purpose of the meeting shall be published at least once in the official newspaper of the City, which publication shall be at least five (5) days prior to the time set for such hearing. At such hearing, the Commission may hear such testimony as it may deem advisable and may, at its discretion, permit cross-examination of the applicant and other witnesses by any party interested; however, the scope of the cross-examination shall at all times be discretionary with the Chairman of the Commission.

After any hearing provided by this Section, the Commission shall, within five (5) days thereafter, advise the Mayor and Council, in writing, of the nature of the application, whether a public hearing was held and the recommendations of the Commission on said application.

With the consent of the Mayor and Council, the Commission may give the City Manager or his or her designee authority within a prescribed area and within prescribed limits to allow water connections, sewer connections, and reclaimed wastewater connections for business and residential uses; provided, however, that such uses are in accordance with the regulations theretofore adopted by the Commission or Council. (Ord. 1789, 01/05/93)

(Ord. No. 1789, Amended, 01/05/93; Ord. No. 2009-08, Amended, 03/03/09)

(See Title 7, Chapter 3 of this City Code for additional water regulations.)

SECTION 2-04-001-0008 ACTION ON APPLICATION:

After receipt of the application and the action thereon as provided in the preceding Section, the Council shall consider recommendations of the Commission at its next regular meeting, or at such meeting as may be determined by the Mayor and Council, whether regular or special, but in any event the application shall be acted upon not later than thirty (30) days after receipt of the recommendations of the Commission by the Mayor and Council. The Council may thereupon grant or reject the application and may provide such hearing or hearings as the Mayor and Council may, in their sole discretion, determine and shall give such notice of such hearing as may be determined to be advisable or convenient. (Ord. 244, Amended 8-26-58; Ord. 1541, Amended 1-5-88)

SECTION 2-04-001-0009 EXTENSION OF URBAN SERVICE BOUNDARY:

Any application for a water or sewer connection to serve a business, residence, or development in an area which would require an extension of the Urban Service Boundary, whether within or without the corporate limits of the City, shall be considered by the Water Commission and the recommendation of the Commission shall be forwarded to the Planning and Zoning Commission and the City Council. Impact on adjacent areas shall also be considered when evaluating applications for extension of the Urban Service Boundary. (Ord. 1789, 01/05/93)

(Ord. No. 1789, Amended, 01/05/93; Ord. No. 2009-08, Amended, 03/03/09)

SECTION 2-04-001-0010 CHANGES IN WATER, SEWER, RECLAMATION SYSTEM:

No extension, replacement, maintenance or repair of the production or distribution water system or collection of sewage, treatment thereof, reclamation or disposal of resulting effluent of the City, whether within or without its corporate limits, which requires a bond levy, shall be undertaken until the same has been submitted to the Commission for its recommendation in accordance with Section 2-04-001-0007 of this Chapter, and the Mayor and Council shall have approved the same in accordance with the procedure established in Section 2-04-001-0009 of this Chapter. (Ord. 1789, 01/05/93)

(Ord. No. 1789, Amended, 01/05/93; Ord. No. 2009-08, Amended, 03/03/09)

SECTION 2-04-001-0011 INVESTIGATIONS:

In addition to those other duties, as provided by this Chapter, the Commission shall study and be responsible for the evaluation of the long range water needs of the City as well as the review and evaluation of the City water conservation program. It shall, on request after investigation and upon consideration of an orderly, normal increase of the population of the City, make recommendations to the Council

regarding exploration and development and new and additional water resources. The Commission shall recommend to the City Council measures it deems necessary to protect existing and potential water resources.

The Commission shall request or study, evaluate, and from time to time make recommendations to the Council on sewage disposal, the degree of purification treatment, and the ultimate disposition and utilization of the resultant effluent and reclaimed wastewater, within guidelines and mandates of Municipal, State and Federal regulations and laws governing such activities. (Ord, 1789, 01/05/93)

(Ord. No. 1789, Amended, 01/05/93)

The Commission shall provide input to City staff; provide a forum for public comment and input; and study, evaluate, and make recommendations to the City Council regarding new initiatives and revisions, additions, and variance requests to Stormwater Management Activities. (Ord. No. 2009-08, Amended, 03/03/09)



City of Flagstaff, AZ

WATER COMMISSION APPLICANTS

<u>NAME</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>	<u>TRAINING COMPLETED</u>
<u>Aiken, Bruce</u> Self 1401 N. 4th Street #159 Flagstaff, AZ 86004 Cell Phone: 928-606-9412			No
<u>Cortner, Hanna</u> Cortner and Associates 6064 E. Mountain Oaks Dr. Flagstaff, AZ 86004 Home Phone: 928-526-1514			10/20/2011
<u>Hurley, Patrick</u> Owner/Self 1701 Slippery Rock Road Flagstaff, AZ 86004 Home Phone: 853-9097			No
<u>J. Alexander, Ham</u> Owner/Operator/WineStyles - Flagstaff 3872 S. Oxbow Loop Flagstaff, AZ 86001 Cell Phone: 928-814-3236			No
<u>Kersey, Richard</u> President/CEO/Orenda Management, Inc. 2600 E. Hemberg Dr. Flagstaff, AZ 86004 Home Phone: 928-527-6855			No
<u>Ketter, Brian</u> Associate/WL Gore 822 W. Birch Avenue Flagstaff, AZ 86001 Cell Phone: 928-853-5889			No



City of Flagstaff, AZ

Klause, Kyle

No

Kitchen Lead/Front Desk Sup./Arizona
Snowbowl
1728 E. Mountain View Ave
Flagstaff, AZ 86004
Home Phone: 928-637-5718

Malin, John

No

Director of Golf Operations/In Celebration of
Golf Management
1040 N. Lakepoint Way
Flagstaff, AZ 86004
Cell Phone: 864-6158

Nabours, Blake

No

teacher/Flagstaff Unified School District
3221 W. Dannielle Drive
Flagstaff, AZ 86001
Cell Phone: 699-1307

Turner, Paul

No

Principal/President/Turner Engineering, Inc.
4825 E. Hightimber Lane
Flagstaff, AZ 86004
Work Phone: 928.779.1814

Staff Representative: Hill / Alter

As Of: November 28, 2012

IMPORTANT NOTICE: The City Council may consider appointments to boards and commissions in executive sessions which are closed to the public, and then make the appointments in a public meeting. You have the right, however, to have your application considered in a public meeting by providing a written request to the City Clerk.

Rec'd
11/28/12

**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

**PLEASE NOTE THAT THIS INFORMATION IS A PUBLIC RECORD
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!**

DATE: 11/27/12

BOARD/COMMISSION YOU WISH TO SERVE ON: WATER

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: _____

YOUR NAME: Bruce Aiken HOME PHONE: 928 606 9412 ^{Cell}

HOME ADDRESS: 1401 N 4th ST #159, FLAGSTAFF, AZ ZIP: 86004

MAILING ADDRESS (If Different from Above): _____

EMPLOYER: SELF JOB TITLE: _____

BUS. PHONE: 928 226 2882 CELL: _____ E-MAIL: sandstone98@yahoo.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experiences/interests are applicable to this board or commission. HAVE SERVED ON BOARDS & COMMISSIONS STEADILY SINCE MOVING TO FLAGSTAFF IN 2006. SERVED ON THE BOARD OF DIRECTORS FOR FLAGSTAFF CULTURAL PARTNERS FOR TWO YEARS. CURRENTLY SERVING MY 6TH YEAR ON BEAUTIFICATION & PUBLIC ART COMMISSION, 4 YEARS AS CHAIRMAN. - FROM 1973-2006 I SERVED THE NATIONAL PARK SERVICE AT GRAND CANYON NAT. PARK AS A CERTIFIED WATER PLANT OPERATOR AND A CERTIFIED DISTRIBUTION OPERATOR. I RUN THE WATER WORKS AT ROARING SPRINGS, PRODUCING 1,000,000 GALS OF WATER DAILY.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I CARE TREMENDOUSLY ABOUT OUR WATER SUPPLY, HAVE THE BACKGROUND IN PUBLIC WATER AND I UNDERSTAND PROCESS, EQUIPMENT, MAINTENANCE, DISINFECTION, DISTRIBUTION AND STORAGE. I CAN COMMENT ON ALL ISSUES RELATED TO THE PRODUCTION OF WATER AND HAVE A STRONG KNOWLEDGE OF PUMPING SYSTEMS, PIPELINE REPAIR AND TANK FARM MAINTENANCE. IT WOULD GIVE ME GREAT JOY TO LEAD ANY ASSISTANCE THAT I MAY TO THE CITY OF FLAGSTAFF.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.

Bruce Aiken
Applicant Signature

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DATE: 11/13/2012

BOARD/COMMISSION YOU WISH TO SERVE ON: Water Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED:

YOUR NAME: Hanna J. Cortner **HOME PHONE:** 928-526-1514

HOME ADDRESS: 6064 E. Mountain Oaks Dr. **ZIP:** 86004

MAILING ADDRESS (if Different from Above):

EMPLOYER: Cortner & Associates / Retired NAU **JOB TITLE:**

BUS. PHONE: 928-526-1514 **CELL:** 928-526-1514 **E-MAIL:** hannacortner@aol.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/ interests are applicable to this board or commission.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.

Applicant Signature

Rec'd.
11/13/12
SS

BACKGROUND INFORMATION

Hanna J. Cortner
6064 E. Mountain Oaks Dr
Flagstaff, AZ 86004-7222

928-526-1514 (home)
928-853-5646 (cell)
hannacortner@aol.com

I am applying to serve a second term on the Flagstaff Water Commission. In addition to the experience gained from my first term, I also have a long and, I believe, respected record of scholarly and civic work related to water issues that I bring to my participation on the Commission. My professional career has centered on natural resource and environmental policy issues. In my academic positions I taught natural resource policy and conducted scholarly research on water, forestry, fire, and other public lands issues. At the University of Arizona I also served for a number of years as the director of the Water Resources Research Center, administering its information transfer and research programs, and bringing the water education program, Arizona Project Wet, to the state. I served a six-year elected term as a Pima County representative on the board of directors of the CAWCD, the operation and repayment entity for the Central Arizona Project. I also served on many water committees in Pima County, and have thus dealt with community issues related to rate setting, bonding, wastewater treatment, effluent reuse, water rates, and water planning.

We moved to Flagstaff in 2001 so I could take a position as a research professor in NAU's Ecological Restoration Institute. Because we liked the Flagstaff community so well we decided to remain upon my retirement and make it our permanent home. Since retirement I have continued to do part-time professional work, and sit on the boards of two national conservation organizations. I am also the treasurer of the Flagstaff Symphony Association. The resume below details my professional credentials and documents my record of experience in water-related civic activities.

Education: B.A., Political Science, University of Washington 1967; M.A., Government, University of Arizona 1969; Ph.D., Government, University of Arizona 1973.

Prior Professional Experience

- Research Professor and Associate Director, Ecological Restoration Institute, Northern Arizona University (tenure rights in the Department of Political Science), January 2001-June 2004
- Professor, School of Renewable Natural Resources, University of Arizona (joint appointment, Department of Political Science), January 1997-January 2001
- Director, Water Resources Research Center and Professor, School of Renewable Natural Resources, August 1990-December 1996
- Research Scientist, Water Resources Research Center, and Professor, School of Renewable Natural Resources (tenure July 1, 1990), July 1989-August 1990
- Research Scientist, Water Resources Research Center, and Adjunct Associate Professor in Renewable Natural Resources, September 1988-June 1989
- Visiting Scholar, Institute for Water Resources, Corps of Engineers, Ft. Belvoir, VA; July 1986-December 1987
- Executive Assistant, Pima County Board of Supervisors, January 1985-July 1986

- Adjunct Associate Professor, School of Renewable Natural Resources, University of Arizona, September 1983-June 1989
- Program Analyst, Office of Policy Analysis, USDA Forest Service, Washington, D.C., August 1979-June 1980
- Research Associate, University of Arizona, 1974-1982.

Selected Scholarly Publications Related to Water

- *State and Nature* (co-author, Prentice Hall, 2002); *The Politics of Ecosystem Management* (co-author, Island Press 1999); "River Ecology and Flood Hazard Mitigation" (with others, 2003); "Making Science Relevant to Environmental Policy (2000); "Setting the Political Agenda: Paradigmatic Shifts in Land and Water Policy (co-author, 1994); "The Political Agenda" (book chapter with others in *Climate Change and U.S. Water Resources*, 1990); "Guidelines for Improved Institutional Analysis in Water Resources Planning"(with others, 1984)

Current Civic Activities in Addition to Water Commission:

- Pinchot Institute for Conservation Board of Directors (www.pinchot.org)
- Communities Committee Board of Directors (www.communitiescommittee.org)
- Flagstaff Symphony Orchestra, Treasurer (www.flagstaffsymphony.org)

Prior Civic Activities Related to Water:

- Central Arizona Water Conservation District, Board of Directors 1985-1990 (Publicly elected from Pima County), Finance Committee 1987-1988; Special Studies Committee, 1987-1988, Nominating Committee 1987
- Southern Arizona Water Resources Association, Board of Directors 1984-86, 1987-1996, Secretary 1987-1989, Executive Committee 1985-86, 1987-1991, 1992-1993, CAP Committee 1988-1992, Chair 1989-1990, Committee on Alignment and Terminal Storage (CATS II) 1990, Basinwide Management Committee, 1983-1986, Chair 1992-1993, CAP Subcommittee Chair 1988, Joint SAWARA-Tucson Tomorrow Water Management Committee 1983-1985
- Pima County Wastewater Management Advisory Committee, 1988-1992, Joint CWAC-WWAC Subcommittee on Effluent Reuse, 1989-1991
- City of Tucson Water Advisory Committee, 1984-; Tucson Long Range Master Water Plan Advisory Committee, Chair 1988-1989; City of Tucson Citizens Water Advisory Committee Water Resources Plan Update Subcommittee, 1990-1991
- Colorado River Salinity Control Forum and Colorado River Salinity Control Advisory Council member, 1989-1990
- Pima Association of Governments Environmental Planning Advisory Committee, 1983-84, Chair 1984, Water Quality Subcommittee 1983-1984

Honors and Awards: Council on Water Resources Professional/Governmental Fellowship 1986-87; SAWARA award for outstanding contributions to water issues in the Tucson Community.

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DATE: 8/15/12

BOARD/COMMISSION YOU WISH TO SERVE ON: Water Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Board Member

YOUR NAME: Patrick Hurley HOME PHONE: 853 9097

HOME ADDRESS: 1701 Slippery Rock Rd ZIP: 86004

MAILING ADDRESS (If Different from Above): _____

EMPLOYER: CMA Inc JOB TITLE: Owner / President

BUS. PHONE: 527 1651 CELL: 853 9097 E-MAIL: constmgn@yahoo.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

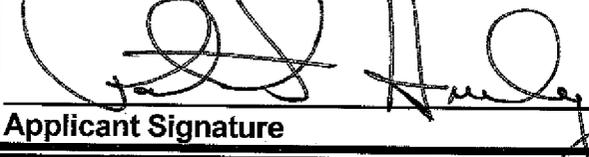
BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I have served the community on many boards and commissions. Included was a previous appointment to the water commission. I am interested in maintaining an adequate supply, reasonable price schedule and effective policy making to Flagstaff Citizens.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

My education and experience in engineering & construction lends itself to be an informed effective commission member. I enjoyed my previous appointment on the commission and believe, through the tough times, offer constructive direction to issues such as rate balancing, water use codes and water policy.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.


Applicant Signature

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PLEASE TYPE OR PRINT IN BLACK INK
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DATE: March 20, 2012

BOARD/COMMISSION YOU WISH TO SERVE ON: Water Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Member at Large

YOUR NAME: J. Alexander Ham HOME PHONE: N/A

HOME ADDRESS: 3872 S. Oxbow Loop, Flagstaff AZ ZIP: 86001

MAILING ADDRESS (If Different from Above):

EMPLOYER: WineStyles - Flagstaff JOB TITLE: Owner/Operator

BUS. PHONE: (928) 226-8565 CELL: (928) 814-3236 E-MAIL: ABSCPA@MSN.COM

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

With a goal of serving the community, my assessment of my qualifications for a board/commission membership leads me to reason that my 20+ years experience with a public utility company is most suited to membership on the Water Commission. While I worked for an electric utility, there are much the same issues with the acquisition, transmission and distribution of water as with electricity. Although my tenure with the electric utility was primarily at the corporate office, my various positions exposed me to a wide variety of disciplines within that industry. My Resume in that regard is attached for your review.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

My desire is to become active in the community, and in doing so, serve the community in a relevant and meaningful way. Water is a crucial and often-times scarce commodity in the American southwest, and as such must receive the stewardship necessary to preserve and protect this most precious asset. The treatment, disposal or re-use of water requires the same, if not more care, in order to avoid harm to the surrounding environment. I believe the stewardship over water, from acquisition to disposal, is an important one; one which affects every inhabitant of the community, and one which I believe I can contribute to in the best interest of the community.

I certify that I meet the City Charter requirement of living within the Flagstaff City limits and that I have read and understand the right to have my application considered in a public meeting.


Applicant Signature

March 20, 2012

Honorable Mayor and Council Members
City of Flagstaff, Arizona

Ladies and Gentlemen:

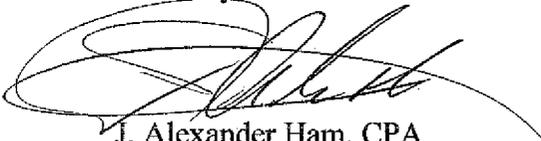
Attached for your evaluation are a City of Flagstaff Application to Serve on a Board/Commission and my Resume' of experience.

I respectfully request your consideration as an applicant to fill an upcoming vacancy on the Water Commission.

I am a five-year Flagstaff resident and business owner, with financial ties to the community preceding that by several years. I believe you will see from the attachments that I wish to volunteer time to the community in a meaningful way, and that among the current board/commission vacancies, my previous experience is best suited to the Water Commission.

I will be pleased to provide, at your request, either letters of reference or direct contact information for business and/or character references. Also, if you desire, I will make myself available for an interview with the Council or the Council's designee.

Sincerely,



J. Alexander Ham, CPA
3872 S. Oxbow Loop
Flagstaff, AZ 86001
abscpa@msn.com
(928) 814-3236

Alexander Ham, CPA
3872 S. Oxbow Loop
Flagstaff, AZ 86001
(928) 814-3236 / abscpa@msn.com

Senior Manager: offering talents to be utilized in resolving problems; training others, or initiating process improvements. Highly-experienced in all disciplines of accounting, finance, employee benefit plans, and control systems. Self starter; respectful and respected leader; hands-on technician. Proficient in MicroSoft Office applications. References provided upon request.

EDUCATION

The Claremont Graduate School

Degree: Master of Business Administration
Major: Finance

California State University, Los Angeles

Degree: Bachelor of Science in Business Administration
Major: Accounting

CERTIFICATIONS

Licensed to practice as a Certified Public Accountant in the states of Arizona and California

EMPLOYMENT AND EXPERIENCE

WineStyles-Flagstaff / J. Alexander Ham, CPA, PLLC

Period: March 2007 to present
Position: Co-proprietor, WineStyles, wine & gift retailing, Woodlands Village
Independent Consultant, accounting and business systems

Southern California Edison Company

2244 Walnut Grove Avenue
Rosemead, CA 91770

Period: June 1984 to March 2007
Position: 7/95 to 3/07 – Manager, Corporate Payroll & Benefits Accounting
Duties: Responsible to VP/Controller for payment of 16,000+ employees weekly/bi-weekly, and 10,000+ retirees monthly. Coordinate preparation of benefit plan financial reports and regulatory filings; enhance control structure with regard to benefit compliance practices. Staff of 30; departmental budget of \$2.5M; accountable for \$100M+ benefit plan budgets. Effectively directed staff, consultants, and Human Resources management in development of Sarbanes-Oxley compliance procedures and documentation.

3/88 to 7/95 – Manager, Internal Controls and Financial Compliance: direct-report to VP/Controller for preparation of Audit Committee reports and monthly executive earnings analysis; coordinate presentation of financial information in various regulatory filings (SEC; CPUC; FERC). Implemented company-wide program for enhancement of internal control structure, following COSO recommendations.

10/85 to 3/88 – Special assignment as Controller to The Mission Group. Successfully established accounting and financial reporting system for start-up non-utility affiliate company and its subsidiaries.

6/84 to 10/85 – Auditor: financial audits of subsidiaries and benefit plans. Introduced standardization of audit programs and work papers. Participated in establishment of San Gabriel Valley Chapter of Institute of Internal Auditors.

EMPLOYMENT AND EXPERIENCE (continued)

Maginnis, Knechtel & McIntyre, Certified Public Accountants

950 South Arroyo Parkway
Pasadena, CA 91109

Period: December 1983 to June 1984

Position: Audit Supervisor

Laventhol & Horwath, Certified Public Accountants

3699 Wilshire Boulevard
Los Angeles, CA 90010

Period: September 1981 to December 1983

Position: Audit Supervisor

Hessco Industries, Inc.

160 E. Foundation Avenue
La Habra, CA 90631

Period: September 1980 to September 1981

Position: Controller

Duties: Management of 5 accounting personnel in a \$10M manufacturing environment; cash flow analysis; budgeting and financial projections; preparation of financial statements; banking relationships; credit & collections.

Apodaca, Finocchiaro & Company, Certified Public Accountants

301 E. Colorado Boulevard
Pasadena, CA 91101

Period: May 1977 – September 1980

Position: Accounting/Audit Senior

PROFESSIONAL AND COMMUNITY AFFILIATIONS (past and present)

Member: American Institute of Certified Public Accountants
California Society of Certified Public Accountants
California State Board of Accountancy, Technical Review Panel
Institute of Internal Auditors, San Gabriel Valley Chapter (Charter Member)
Condominium Associations Institute

Adjunct Instructor of Accounting, Occidental College, Los Angeles, CA

Director/Treasurer, Embarcadero II Homeowners Association (96 units), Page, AZ
Director/Treasurer, Highland Meadows Homeowners Association (19 units), Flagstaff, AZ
Director/Treasurer, Cypress Place Homeowners Association (64 units), Covina, CA

Revd 10/16/12

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DATE: October 12, 2012

BOARD/COMMISSION YOU WISH TO SERVE ON: COF Water Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Commissioner

YOUR NAME: Richard J. Kersey **HOME PHONE:** 928-527-6855

HOME ADDRESS: 2600 East Hemberg Drive, Flagstaff, AZ **ZIP:** 86004-6853

MAILING ADDRESS (If Different from Above): (Same)

EMPLOYER: Orenda Management, Inc. **JOB TITLE:** President/CEO

BUS. PHONE: 92-527-6855 **CELL:** 928-310-9200 **E-MAIL:** omgt@earthlink.net

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

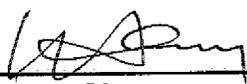
BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

Current sitting COF Water Commissioner. See attached Corporate/Management Biography.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

To continue my activities with and input to COF Water Commission, and the concerns for which it is responsible.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.



Applicant Signature

Orenda Management, Inc.

2600 East Hemberg Drive
Flagstaff, Arizona 86004-6853 USA

omgt@earthlink.net

Phone: 928-527-6855
Fax: 928-522-0256
Mobile: 928-310-9200

Corporate/Management Biography

- Structure:** Orenda Management, Inc. is incorporated in the State of Arizona, USA.
Federal EIN: 26-1962405, Arizona Reg.: 1426092-8
- Management:** Richard J. Kersey, President/CEO
- Business:** Orenda Management, Inc. designs and formulates specialty chemical water treatment products for the industrial water marketplace and other water-related industries, and provides consultation services to these industries.
- Markets:** Orenda Management, Inc. is predominately active throughout the United States and certain foreign markets with recreational/commercial/industrial water and wastewater systems.
- Management Biography:**
- Education:** Swarthmore College, Swarthmore, PA., 1954 – 1958: BA Chemistry.
- Military:** US Army Material Command, Technical Escort Unit, Edgewood Arsenal, MD; 1958 – 1964; Chemical, Biological & Radiological Weapons specialist, Explosive Ordnance Disposal (Conventional, Chemical, Biological & Nuclear weapons) specialist.
- Employment:**
- 1964 – 1965: American Cyanamid Co. – Developmental Laboratory Chemist.
Organic intermediates development and production.
- 1965 – 1968: Greene, Tweed Company – Project Engineer
Polyurethane hydraulic seal development.
- 1968 – 1975: Tretolite Division, Petrolite Corp. – National Accounts Sales Engineer.
Specialty chemical products to United States and Caribbean petroleum refineries.
- 1976 – 1982: The Rolfite Company – Technical Director, Marine & Industrial Divisions.
Heavy fuel oil specialty chemical treatment products.
- 1983 – 1986: Independent Consultant.
Land and marine fuel treatment systems.
- 1986 – 1989: The Rolfite Company – Vice President Marine Division, Vice President Manufacturing.
Marine fuel oil additives, enzyme formulations, alternative fuel treatment products.
- 1990 – 2010: Orenda Technologies, Inc. – President/CEO
Specialty chemical products for recreational and industrial water systems.
- 2006 – Present: Orenda Management, Inc. – President/CEO
Consultant, water chemistry and treatment systems.
- Professional Associations:** ASTM: Voting Member, D-19 (Water)
American Chemical Society: Member
Flagstaff, AZ Water Commission: Commissioner
National Rifle Association: Member
Northern Arizona Shooting Range: Member, Range Safety Officer

Richard J. Kersey
March 2012

11/13/12

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DATE: 11/13/2012

BOARD/COMMISSION YOU WISH TO SERVE ON: Water Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Reappointment

YOUR NAME: Brian Ketter **HOME PHONE:** 928.527.7527

HOME ADDRESS: 822 W Birch Ave, Flagstaff, AZ **ZIP:** 86001

MAILING ADDRESS (If Different from Above): _____

EMPLOYER: WL Gore **JOB TITLE:** Associate

BUS. PHONE: 928.864.2051 **CELL:** 928.853.5889 **E-MAIL:** brianketter@gmail.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/ interests are applicable to this board or commission.

I have served a variety of roles in the Flagstaff community including current chair of the City of Flagstaff Water Commission, past chair of the United States Green Building Council, owner of a general contracting company, and Housing Project Manager for the City of Flagstaff. I have also served in various construction-oversight roles for North Country HealthCare and WL Gore and Associates. These diverse roles have given me an appreciation of the importance of water as it relates to conservation and the intelligent growth of our community.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

To assist the commission and City Council as they implent intelligent water policies that ensure adequate, clean water for Flagstaff's residents and future generations.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.

 **Brian Ketter**
2012.11.13 15:20:33 -07'00'

Applicant Signature

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PLEASE TYPE OR PRINT IN BLACK INK
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DATE: 3/14/12

BOARD/COMMISSION YOU WISH TO SERVE ON: Water Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: _____

YOUR NAME: Kyle Klause HOME PHONE: (928) 637-5718

HOME ADDRESS: 1778 E Mountain View Ave ZIP: 86004

MAILING ADDRESS (if Different from Above): _____

EMPLOYER: Arizona Snowhaul JOB TITLE: W/chen lead/ Front Desk Sup.

BUS. PHONE: (928) 774-0729 CELL: (928) 637-5718 E-MAIL: powder_pilot@hotmail.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I was born and raised in Flagstaff. I embody principles of sustainability, environmental awareness and conservation. I am a critical thinker with quality observation skills. I am always willing to entertain debate and outside views/opinions but I keep my actions limited to the solutions debated by research and theory.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I want to be more active in the community I love. I believe I hold a rarely expressed but prominent opinion/stance within this community and I want to see that opinion proliferated. I want to supplement my experience in city government so that I may be better prepared to take up politics in the future.

I certify that I meet the City Charter requirement of living within the Flagstaff City limits and that I have read and understand the right to have my application considered in a public meeting.


Applicant Signature

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DATE: June 20, 2012

BOARD/COMMISSION YOU WISH TO SERVE ON: Water Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED:

YOUR NAME: John Malin HOME PHONE: 928-526-0036

HOME ADDRESS: 1040 N. Lakepoint Way ZIP: 86004

MAILING ADDRESS (If Different from Above): Same

EMPLOYER: In Celebration of Golf Management JOB TITLE: Director of Golf Operations

BUS. PHONE: 928-286-1110 CELL: 928-864-6158 E-MAIL: jwmalin@msn.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

During my term of General Manager at Continental Country Club, I became involved in the process of the water rate issues and the residential and commercial aspects the water commission, the City and the consultants. Dealing with the water department and the Council and resolving the issues in a way that the citizens and the reclaim users all benefited from the re-address of the rates and volumes, my understanding of the process was enlightened and strengthened - to the point I will be an effective member of the Water Commission.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

During the 9 month public process of the water rate increases in 2010, I was able to analyze the consultants reports, confer with other municipalities and reclaim users throughout the state and determine where the facts and inconsistencies were and was able to present the points to the Council in an orderly and respectful manner. My ability to hear all sides of an issue and determine the facts and objectives have always been a strength of mine. I am strong team member and am able to clearly identify the direction and objectives of the group and participate with thoughtful and clear ideas.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.


Applicant Signature

IMPORTANT NOTICE: The City Council may consider appointments to boards and commissions in executive sessions which are closed to the public, and then make the appointments in a public meeting. You have the right, however, to have your application considered in a public meeting by providing a written request to the City Clerk.

CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

PLEASE NOTE THAT THIS INFORMATION IS A PUBLIC RECORD.
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!

DATE: 5/16/2012

BOARD/COMMISSION YOU WISH TO SERVE ON: _____ Water

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: _____

YOUR NAME: _____ Blake Nabours _____ HOME PHONE: _____ 928-699-1307

HOME ADDRESS: _____ 3221 W. Dannielle Dr. _____ ZIP: _____ 86001

MAILING ADDRESS (If Different from Above): _____

EMPLOYER: _____ FUSD _____ JOB TITLE: _____ Teacher

BUS. PHONE: _____ CELL: _____ 928-699-1307 _____ E-MAIL _____ blake.nabours@gmail.com

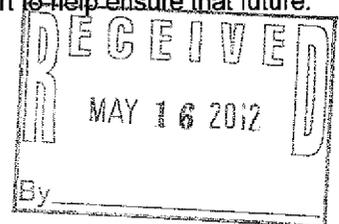
PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I have been active in the community for the past couple of years and would like to continue to volunteer my time to help guide the future of our city.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I think water is an important issue facing the future of our city. I would like to do my part to help ensure that future.



I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.


Applicant Signature

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**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

**PLEASE NOTE THAT THIS INFORMATION IS A PUBLIC RECORD.
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!**

DATE: August 28, 2012

BOARD/COMMISSION YOU WISH TO SERVE ON: Water Commission

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED:

YOUR NAME: Paul W. Turner, P.E. CFM HOME PHONE: 526-4868

HOME ADDRESS: 4825 E. Hightimber Lane ZIP: 86004

MAILING ADDRESS (If Different from Above):

EMPLOYER: Turner Engineering, Inc. JOB TITLE: Principal/President

BUS. PHONE: 779-1814 CELL: E-MAIL: pturner@teiaz.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

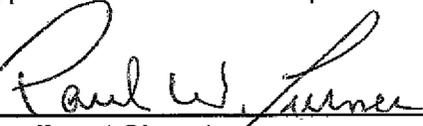
BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

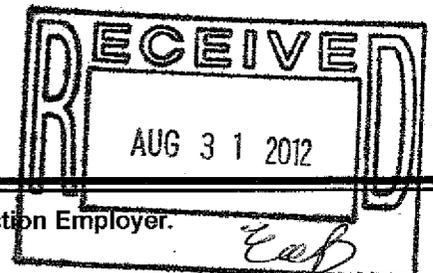
I was appointed to the Water Commission in 1999 and served six years. I was the original appointee to the Stormwater Advisory Committee that created the stormwater utility. When the utility was absorbed into the Water Commission I stayed on until I was not reappointed in December of 2011. I have been a registered civil engineer for 28 years and have lived in Flagstaff for 37 years.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I believe I can still contribute to the cause of reducing water use, expanding reclaimed water use, and utilizing stormwater in an efficient and effective manner. I would like to see large master planned stormwater facilities to reduce run-off that then could be harvested for irrigation and ground water recharge. In addition to being a Professional Engineer, I am also a Certified Floodplain Manager and LEED Green Associate. Please see my attached resume for additional information.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.


Applicant Signature



Paul W. Turner, P.E., CFM



Turner Engineering, Inc.
President/Principal

Education

Bachelor of Science - Civil Engineering

Northern Arizona University,
Flagstaff, Arizona 1979 cum Laude

Registration

Licensed Civil Engineer - Arizona

Licensed Civil Engineer - New Mexico

Memberships and Activities

Member of ASCE & the Transportation & Development Institute, Member of National Society of Professional Engineers, AFMA, ASFPM, Past Chair of the City of Flagstaff Water Commission. Governing Council Member of the Northern Arizona Branch of the U.S. Green Building Council.

Mr. Turner is registered civil engineer (AZ 16258 - 1984 and NM 10281 - 1988). Mr. Turner has been the Project Principal for all work performed by Turner Engineering, Inc. for the past twenty five years. This includes designing projects as small as site plans for convenience stores to arterial roadways and multi-modal transportation corridors with regional site infrastructure for water distribution, sanitary sewer collection and drainage projects. He has experience in applying for federal permits, such as Federal Emergency Management Agency floodplain map revision and 404 permits. Mr. Turner has been involved with community activities as he was the past Chair of the Building and Fire Code Board of Appeals (1991-1995). Past member of the City of Flagstaff Traffic Commission (1998-2000). Past Chair of the City of Flagstaff Water Commission (1999-2005). Past Chair of the Stormwater Advisory Committee (2000-2009). Past Chair of the City of Flagstaff Water Commission (2009-2012). Governing Council member of the Northern Arizona Branch of the USGBC. In October, 2000 he was appointed to the Coconino Plateau Water Advisory Council by the Chair of the Board of Supervisors of Coconino County.

Project Experience:

City of Flagstaff, Safe-to-Schools, multiple projects throughout the city to improve and enhance vehicular and pedestrian safety

City of Flagstaff, Urban Trail system projects (FUTS)

W.L. Gore & Associates: Site Plans for Science Center, addition to Woody Springs, Kendrick Peak, EO Sterilization, addition to Woody Mountain, Wastewater disposal systems, Elden View -- Medical West site reconfiguration. Numerous parking lot realignments and reconstruction, Flagstaff, Arizona

Northern Arizona Intergovernmental Transportation Authority— Site Plan for the Headquarters, Flagstaff, Arizona

City of Flagstaff, Site Plan for Aircraft Rescue and Firefighting Facility, Flagstaff, Airport

Site Plan for Guardian Medical Transport Hanger, Flagstaff, Airport

Railroad Springs 66 Subdivisions, Master Planning and Improvements for 435 lots, 132 Townhomes, Two commercial sites and a Park, Flagstaff, Arizona

Flood Studies and Floodplain/Floodway delineations (FEMA) in Northern Arizona

Army Corps of Engineers 404 permitting in Northern Arizona

Site Plan for La-Z-Boy, Flagstaff, Arizona

Site Plan for Guidance Center, Flagstaff, Arizona

Site Plan for Recovery Center, Flagstaff, Arizona

Pine Knoll Townhouse Development, Flagstaff, Arizona

Site Plan for Marriott Residence Inn, Flagstaff, Arizona

Site Plan for Woodlands Radisson Hotel, Flagstaff, Arizona

Site Plan for Arizona State Savings & Credit Union, Flagstaff, Arizona

Site Plan for Arizona Daily Sun, Flagstaff, Arizona

Currently qualified for On-Call status for the City of Flagstaff and Coconino County

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, Deputy City Clerk
Date: 11/19/2012
Meeting Date: 12/04/2012



TITLE:

Consideration of Appointments: Building & Fire Code Board of Appeals.

RECOMMENDED ACTION:

Make one appointment to a term expiring October 2016.
Make three appointments to a term expiring October 2017.

Policy Decision or Reason for Action:

By making the above appointments, the Building & Fire Code Board of Appeals will be near full membership.

There are four applications on file, they are as follows:

Kenneth Krenke (currently serving)
David Merrell
Mitchell Walzer
Gregory Hancock (currently serving)

Financial Impact:

These are voluntary positions and there is no budgetary impact to the City of Flagstaff.

Connection to Council Goal:

Effective governance.

Has There Been Previous Council Decision on This:

None.

Options and Alternatives

1) Appoint members to the Board of Appeals. By appointing members at this time, the Building and Fire Code Board of Appeals will be only one member short of full membership which would allow the group to meet and provide recommendations to the City Council.

2) Table the action to allow time for further discussion or expand the list of candidates.

Background/History:

The Building & Fire Code Board of Appeals consists of five citizens serving five-year terms. There are currently two vacancies on the Board. Additionally, the terms of the three current board members expired in October and two of these three would like to be reappointed.

The Building and Fire Code Board of Appeals holds hearings as needed on appeals related to the application and interpretation of City building and fire codes. The Board of Appeals has no authority to interpret the administrative provisions of the code, nor is the board empowered to waive requirements of the code.

Key Considerations:

It is important to fill the vacancies so as to allow this Board the ability to resume meeting.

Community Benefits and Considerations:

The City's boards, commissions, and committees were created to foster public participation and input and to encourage Flagstaff citizens to take an active role in city government.

Community Involvement:

INFORM: Board members and City staff have informed the community of this vacancy through word of mouth which is in addition to the posting of vacancies on the City's website.

Expanded Options and Alternatives:

COUNCIL INTERVIEW TEAM: Mayor Nabours and Councilmember Woodson

Date of Council Approval:

-
- Attachments:** [Bldg & Fire BOA Roster](#)
 [Bldg & Fire BOA Authority \(Res 2001-42\)](#)
 [Bldg & Fire BOA Authority \(Res 1565\)](#)
 [Bldg & Fire BOA Applicant Roster](#)
 [Bldg & Fire BOA Applications](#)
-

Form Review

Inbox	Reviewed By	Date
Building Official	Elizabeth A. Burke	11/21/2012 10:27 AM
DCM - Jerene Watson	Jerene Watson	11/21/2012 11:07 AM
Form Started By: Stacy Saltzburg		Started On: 11/19/2012 03:01 PM
	Final Approval Date: 11/21/2012	



City of Flagstaff, AZ

BUILDING AND FIRE CODE BOARD OF APPEALS MEMBERS

<u>NAME</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>	<u>TRAINING COMPLETED</u>
<u>Hancock, Greg</u> Manager/Green Hill LLC 4235 N. Saint Moritz Flagstaff, AZ 86004 Home Phone: 928-468-3244 Term: (1st Partial 07/05 - 03/07; 2nd 12/06 - 10/11)	12/19/2006	10/11	10/08/2008
<u>Krenke, Kenneth</u> Owner/Partner/Northland Exploration Surveys, Inc. 528 West Fir Avenue Flagstaff, AZ 86001 Work Phone: (928) 774-5058 Term: (1st 01/07 - 10/10)	01/16/2007	10/10	10/20/2011
<u>Laguna, Christine</u> Civil Engineer/Civil Design & Engineering P. O. Box 30836 Flagstaff, AZ 86003 Home Phone: (928) 527-8032 Term: (1st 6/98-6/99; 2nd 10/01-10/06; 3rd 12/06-10/11)	12/19/2006	10/11	10/08/2008
<u>Z-VACANT,</u>		10/16	No
<u>Z-VACANT,</u>		10/15	No

Staff Representative: Mike Scheu

As Of: November 28, 2012

RESOLUTION NO. 2001-42

A RESOLUTION AMENDING THE TERM LIMITS OF THE BUILDING AND FIRE CODE BOARD OF APPEALS.

WHEREAS, the City of Flagstaff created the Building and Fire Code Board of Appeals on August 2, 1988 by adopting Resolution 1565, which was provided for by both the Uniform Building Code and the Uniform Fire Code, previously adopted by the Council; and

WHEREAS, Section 2 of Resolution 1565 limits the terms of the Building and Fire Code Board of Appeals members to two (2) year appointments and one (1) year appointments; and

WHEREAS, the Building and Fire Code Board of Appeals does not routinely meet; and

WHEREAS, there is difficulty in recruiting sufficient qualified candidates from time to time; and

WHEREAS, the Fire Department and the Building Division desire a greater degree of continuity among board members;

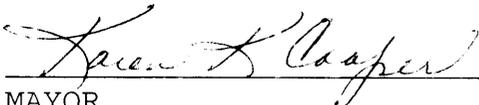
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. MEMBERSHIP: The Board of Building and Fire Codes Appeals shall be composed of five (5) members, citizens of the City of Flagstaff, each appointed by the City Council and Mayor. The Board shall consist of members who are qualified by experience and training to pass upon matters pertaining to building construction and pertinent matters of the Fire Code. Terms for all Board members shall be for five (5) years except for the first appointments to create staggered terms. Three (3) members shall be appointed for a term of five (5) years, and two (2) members shall be appointed for a term of three (3) years. After the initial appointment, all terms will be five (5) year terms. A quorum shall be three (3) Board members. Any member accumulating a total of three (3) consecutive unexcused absences

will be automatically removed from the Board and a replacement appointed by the City Council. An unexcused absence is defined as the failure of a member to notify the Building Division or Fire Department of his or her inability to attend at least forty-eight (48) hours prior to the scheduled meeting. Members will be limited to two (2) consecutive partial or full terms.

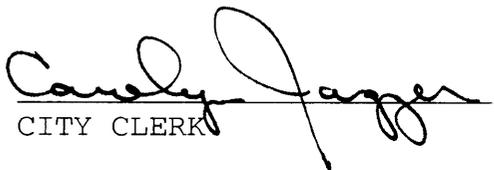
This section supersedes the first paragraph, Section 2, Membership, of Resolution 1565. The remainder of Resolution 1565 shall remain unchanged and unaffected.

PASSED AND ADOPTED by the Council and approved by the Mayor of the City of Flagstaff, this 19th day of June, 2001.



vice MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

RESOLUTION NO. 1565

A RESOLUTION CREATING A BOARD OF BUILDING AND FIRE
CODES APPEALS.

WHEREAS, the City of Flagstaff has adopted the Uniform Fire Code and the Uniform Building Code; and

WHEREAS, each code creates a Board of Appeals consisting of persons who are qualified by experience and training to pass upon pertinent matters that may arise in the interpretation and enforcement of those codes; and

WHEREAS, each of those codes requires that either the executive body of the City or the governing body of the City appoint the membership of the respective boards;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1: BOARD CREATED: There is hereby created within and for the City of Flagstaff, Arizona, a Board of Building and Fire Code Appeals with the powers and duties as hereinafter set forth.

SECTION 2: MEMBERSHIP: The Board of Building and Fire Codes Appeals shall be composed of five (5) members, citizens of the City of Flagstaff, each appointed by the City Council and Mayor. The Board shall consist of members who are qualified by experience and training to pass upon matters pertaining to building construction and pertinent matters of the Fire Code. Three (3) members shall be appointed for a term of two (2) years, and two (2) members shall be appointed for a term of one (1) year. A quorum shall be three (3) Board members. Any member accumulating a total of three (3) consecutive unexcused absences will be automatically removed from the Board and a replacement appointed by the City Council. An unexcused absence is defined as the failure of a member to notify the Building Division or Fire Department of his or her inability to attend at least forty-eight (48) hours prior to the scheduled meeting. Members will be limited to two (2) consecutive partial or full terms.

The Fire Chief and the Building Official shall be ex-officio members of the Board. The Fire Chief shall appear and serve as secretary to the Board when the Board is considering an appeal from the Fire Code. The Building Official shall be an ex-officio member and shall serve as secretary when the Board is considering an appeal from the Building Code.

SECTION 3: PROCEDURE: The Board shall adopt rules in accordance with the provisions of this Chapter. Meetings of the Board shall be held at the call of the Chairman, and at such other times as the Board may determine. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be a public record.

SECTION 4: APPLICATION AND FEE: Application for an appeal shall be made by the property owner or his authorized agent, to the Board of Building and Fire Codes Appeals on a form provided for that purpose by the City, and shall be accompanied by a filing fee of Two Hundred Fifty Dollars (\$250.00), no part of which is refundable.

SECTION 5: Appeals to the Board may be made by any person or by any officer, department, board or bureau of the municipality affected by a decision of an administrative official within seven (7) calendar days of the decision being appealed. The appeal will be filed with the officer from whom the appeal is taken and with the Board a notice of appeal specifying the ground thereof. All papers constituting the record upon which the action appealed from was taken shall be forthwith transmitted to the Board of Appeals.

The appeal shall stay all proceedings in the matter appealed, unless the officer from whom the appeal is taken certifies in writing to a Board that, by reason of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, except by a restraining order granted by the Board or by a Court of Record on application and notice to the officer from whom the appeal is taken. The Board shall fix a reasonable time for hearing the appeal and give notice thereof to the parties in interest, and the public.

SECTION 6: POWERS. The Board shall:

- (A) Hear and decide appeals or orders, decisions, or determinations made by an administrative official relative to the applications and interpretation of the Building Code or of the Fire Code.
- (B) Determine the suitability of alternate materials and methods of construction.
- (C) Reverse or affirm, wholly or partly, or modify the order or decision appealed and make such order or decision as ought to be made, and to that end shall have the powers of the officer from whom the appeal is taken.
- (D) The concurring vote of a majority of the board shall be necessary to reverse an order or decision of an administrative official. The Board may decide in favor of the applicant, or any matter upon which it is required to pass under different methods of achieving compliance with the code.
- (E) In exercising the above mentioned powers, the Board may, in conformance with the provisions of this title, reverse or affirm, wholly or partly, or may modify the order, requirement, decisions or determinations as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. In considering all appeals made under this chapter, the Board shall, in making its findings, determine the effect of the proposed change upon the public safety from Fire and Building requirements. Every ruling made upon any appeal to the Board shall be accompanied by a written finding of fact based upon the testimony received at the hearing

afforded by the board, and shall specify the reason for granting or denying the appeal.

- (F) Administrative Provisions of the Codes: The Board of Building and Fire Codes Appeals shall have no authority relative to interpretations of the administrative provisions of this Code nor shall the Board be empowered to waive requirements of this Code.

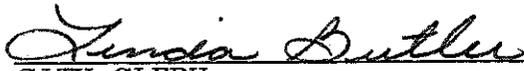
SECTION 7: APPEAL OF BOARD DECISION: A person aggrieved by a decision of the Board, or a taxpayer, or municipal officer may at any time within thirty (30) days after the filing of the decision in the office of the Board, petition a writ of certiorari for review of the Board's decision. Allowance of the writ shall not stay proceedings upon the decision appealed from but the court may, on application, on notice to the Board and for good cause shown, grant a restraining order, and on final hearing may reverse or affirm, wholly or partly, or may modify the decision reviewed.

PASSED AND ADOPTED by the Council and approved by the Mayor of the City of Flagstaff, this 2nd day of August, 1988.



 MAYOR

ATTEST:



 CITY CLERK

APPROVED AS TO FORM:

 CITY ATTORNEY



City of Flagstaff, AZ

BUILDING AND FIRE CODE BOARD OF APPEALS APPLICANTS

<u>NAME</u>	<u>APPOINTED</u>	<u>TERM EXPIRES</u>	<u>TRAINING COMPLETED</u>
<u>Hancock, Gregory Mark</u> Owner/Green Hill, LLC 4235 N. Saint Moritz Way Flagstaff, AZ 86004 Home Phone: 468-3244 Term: 1st			No
<u>Krenke, Kenneth</u> Owner/Partner/Northland Exploration Surveys, Inc. 528 West Fir Avenue Flagstaff, AZ 86001 Work Phone: (928) 774-5058			10/20/2011
<u>Merrell, David</u> Structural Engineering Manager/T.O.R. Engineering 4474 N. Mountain Meadow Dr. Flagstaff, AZ 86004 Cell Phone: 602-402-3046 Term: 1st			No
<u>Walzer, Mitchell</u> Architect/Johnson Walzer Associates 2115 N. Country Club Dr. Flagstaff, AZ 86004 Work Phone: 928-779-0470			No

Staff Representative: Mike Scheu

As Of: November 19, 2012

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CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

PLEASE NOTE THAT THIS INFORMATION IS A PUBLIC RECORD.
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!

DATE: 8-9-12

BOARD/COMMISSION YOU WISH TO SERVE ON: Building Fire Code Board of Appeals

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Any

YOUR NAME: Gregory Mark Hancock **HOME PHONE:** 928 468 3244

HOME ADDRESS: 4235 N Saint Moritz Way **ZIP:** 86004

MAILING ADDRESS (If Different from Above):

EMPLOYER: Green Hill LLC **JOB TITLE:** Owner

BUS. PHONE: 928 468 3244 **CELL:** 928 526 8680 **E-MAIL:** gregorymhancock@gmail.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

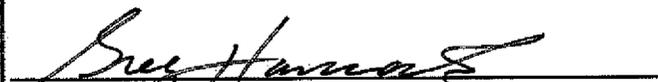
BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

My experience includes: Husband, Father and Grandfather. 33 year resident of Flagstaff, Business owner, Past President of Banker Insulation of Northern AZ. Past president and current Life Board Member of Northern Arizona Builders Association. Past District Chairman and current Finance Chairman of the Route 66 District of the Grand Canyon Council of the Boy Scouts of America. Various youth and adult leadership roles in The Church of Jesus Christ of Latter-day Saints.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

Every community needs volunteers who are willing to serve. If my service is desired, I am willing.

I understand that any information provided above is a public record and I certify that I meet the City Charter requirement of living within the Flagstaff City limits and have read and understand the right to have my application considered in a public meeting.


Applicant Signature

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**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

**PLEASE TYPE OR PRINT IN BLACK INK
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!**

DATE: 26 August, 2011

BOARD/COMMISSION YOU WISH TO SERVE ON: Building and Fire Code Board of Appeals

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: _____

YOUR NAME: Kenneth A. Krenke **HOME PHONE:** 774-1641

HOME ADDRESS: 508 West Fir Avenue, Flagstaff, Arizona **ZIP:** 86001

MAILING ADDRESS (if Different from Above): _____

EMPLOYER: Northland Exploration Surveys, Inc. **JOB TITLE:** Owner/Partner

BUS. PHONE: 774-5058 **CELL:** 606-4672 **E-MAIL:** kkrenke@aspens28.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

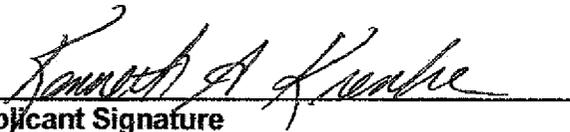
BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I have on this board since January, 2007. I believe that I have had a positive effect concerning matters that this board deals with. I have also been a member of the Northern Arizona Home Builders since 1990 and the Flagstaff Chamber of Commerce since 2007.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

I feel that I can continue to have a positive effect as a member of this board by being able to utilize the experience I have had within the construction industry since 1980, knowing the changes of the codes which have been enacted over the past 31 years.

I certify that I meet the City Charter requirement of living within the Flagstaff City limits and that I have read and understand the right to have my application considered in a public meeting.


Applicant Signature

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CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

PLEASE TYPE OR PRINT IN BLACK INK
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DATE: Dec 28, 2011

BOARD/COMMISSION YOU WISH TO SERVE ON: BUILDING AND FIRE CODE BOARD OF APPEALS

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED: Citizen

YOUR NAME: David Merrell **HOME PHONE:** 928-214-0308

HOME ADDRESS: 4474 N Mountain Meadow Dr. **ZIP:** 86004

MAILING ADDRESS (If Different from Above):

EMPLOYER: T.O.R. Engineering **JOB TITLE:** Structural Engineering Manager

BUS. PHONE: 928-526-6174 **CELL:** 602-402-3046 **E-MAIL:** DaveMerrell@TOREngineering.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

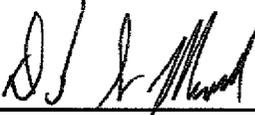
BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I am a registered Professional Engineer who studies the Building Code on a regular basis for work.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

Interested in the proceedings of this board with regards to the City and Community.

I certify that I meet the City Charter requirement of living within the Flagstaff City limits and that I have read and understand the right to have my application considered in a public meeting.



Applicant Signature

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**CITY OF FLAGSTAFF
APPLICATION TO SERVE ON A BOARD/COMMISSION**

RETURN TO: CITY CLERK'S OFFICE, 211 WEST ASPEN AVENUE, FLAGSTAFF, AZ 86001

PLEASE TYPE OR PRINT IN BLACK INK
APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR!

DATE: September 13, 2011

BOARD/COMMISSION YOU WISH TO SERVE ON: Building and Fire Code Board of Appeals

IF APPLICABLE, TYPE OF SEAT FOR WHICH YOU ARE QUALIFIED:

YOUR NAME: Mitchell Walzer HOME PHONE: 928.526-9367

HOME ADDRESS: 2116 North Country Club Drive, Flagstaff, Arizona ZIP: 86004

MAILING ADDRESS (if Different from Above): Same as above

EMPLOYER: Johnson Walzer Associates, LLC JOB TITLE: Architect

BUS. PHONE: 928.779-0470 CELL: 928.699-1595 E-MAIL mitch@jwaarchitects.com

PLEASE INDICATE PREFERRED TELEPHONE: HOME WORK CELL

BACKGROUND INFORMATION: Please explain how your community activities and other relevant experience/interests are applicable to this board or commission.

I've been on both the City of Flagstaff and Coconino County Building and Safety Advisory Boards for about 18 years. I've had an Architectural Practice in Flagstaff since 1985 and have been a practicing architect since 1979.

Why do you want to serve on the board or commission you listed? (Attach additional page if needed.)

It would be my pleasure and civic duty to serve on the Building and Fire Code Board of Appeal.

I certify that I meet the City Charter requirement of living within the Flagstaff City limits and that I have read and understand the right to have my application considered in a public meeting.

Applicant Signature

The City of Flagstaff is an Equal Opportunity/Affirmative Action Employer.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Mike Gouhin, FHA Director
Date: 11/07/2012
Meeting Date: 12/04/2012



TITLE:

Consideration and Approval of Funding Request: Consideration and approval of an adjustment of the Section 8 Housing Choice Voucher Program payment standard to exceed 110% of the Section 8 Fair Market Rents for zero and one bedroom units.

RECOMMENDED ACTION:

Approve the increase of the zero and one bedroom Section 8 Housing Choice Voucher Program payment standards to exceed 110% of the Section 8 Fair Market Rents for the purpose of preventing financial hardship for families, to increase the number of voucher holders who become participants upon lease-up and to authorize the submission to HUD for final approval.

Policy Decision or Reason for Action:

The U.S. Dept. of Housing and Urban Development (HUD) published the annual Section 8 Fair Market Rents (FMRs), including utilities, effective October 1, 2012. The zero and one bedroom FMRs are not representative of the actual rents in Flagstaff. Implementation of the payment standards equal to the FMRs will have an adverse affect on the number of families that can be assisted, and for those already being assisted, because their portion of the rent will increase and cause an undue financial hardship. Federal regulations allow housing authorities to establish a rental payment standard up to 120 of the FMRs with HUD approval. This allows housing assistance payments to be made that are more comparable to the actual rents in the community. To be representative of the FMRs, the zero bedroom needs to be increased by 115% and the one bedroom by 120% shown as follows:

Zero bedroom FMR \$733 X 115% = \$843 Payment Standard (including utilities).

One bedroom FMR \$852 X 120% = \$1,022 Payment Standard (including utilities).

Subsidiary Decisions Points: There are no subsidiary decisions that must be made prior to considering this matter.

Financial Impact:

None

Connection to Council Goal:

Livability through good neighborhoods, affordable housing and varied recreational activities.

Has There Been Previous Council Decision on This:

Yes, December 20, 2011

Options and Alternatives

- A) Approve the payment standard adjustment and authorize the submission to HUD for final approval.
- B) Not approve the adjustment, which would limit the number of families that the CFHA will be able to assist.

Background/History:

HUD provides Section 8 Housing Assistance Payments (HAP) funding to the CFHA to house 333 low income families in rental housing throughout Flagstaff. Section 8 Fair Market Rents (rent including utilities) are published annually by HUD and are used to determine the HAP to landlords. The FMRs are supposed to be somewhat comparable to the local market rents. Federal regulations allow housing authorities to exceed the FMRs up to 120% with HUD approval if it is determined that an increase is necessary for a family to find decent housing.

Ordinance 2010-19 requires the City of Flagstaff Housing Authority Board of Commissioners to recommend to the City Council action to approve Section 8 Housing Choice Voucher payment standards if such payment standards are between 110% and 120% of the Fair Market Rent. The CFHA Board of Commissioners voted at a regular meeting on October 15, 2012 to request the City Council to approve payment standards equal to 115% of the zero bedroom FMR and 120% of the one bedroom FMR and authorize submission of the request to the Phoenix HUD office for final approval.

Key Considerations:

There are no legal implications. There are no opportunities for larger benefits as a result of this action.

Community Benefits and Considerations:

By adjusting the payment standard to 115% of the zero and 120% of the one bedroom FMRs more families will be able to be housed in decent, safe and sanitary affordable rental units along with the fact that there will be less of a financial hardship on these same families.

Community Involvement:

The need for the payment standard adjustment has been discussed with staff from the Phoenix HUD office and at the regular meeting on October 15, 2012, of the CFHA Board. Commissioners voted to request an adjustment of the payment standard to 115% of the zero bedroom and 120% of the one bedroom Section 8 FMR.

Expanded Options and Alternatives:

- A. Approve the payment standard adjustments and authorize the submission to HUD for final approval.
- B. Not approve the payment standard adjustments which would limit the number of families that the CFHA will be able to assist.

Date of Council Approval:

Attachments:

Form Review

Inbox	Reviewed By	Date
Finance Director	Rick Tadder	11/19/2012 05:07 PM
Management Services Director	Barbara Goodrich	11/20/2012 11:05 AM

Community Development Director	Mark Landsiedel	11/20/2012 11:22 AM
Legal Assistant	Vicki Baker	11/20/2012 12:22 PM
Senior Assistant City Attorney DW	David Womochil	11/20/2012 02:14 PM
DCM - Jerene Watson	Elizabeth A. Burke	11/20/2012 02:17 PM
Deputy City Attorney	Michelle D'Andrea	11/20/2012 02:30 PM
DCM - Jerene Watson	Jerene Watson	11/20/2012 02:46 PM
Form Started By: Mike Gouhin		Started On: 11/07/2012 10:12 AM
Final Approval Date: 11/20/2012		

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Jerene Watson, Deputy City Manager
Co-Submittor: Kevin Burke, City Manager
Date: 11/21/2012
Meeting Date: 12/04/2012



TITLE

Approval of the 2013 City of Flagstaff Legislative Priorities Agenda.

RECOMMENDED ACTION:

Approve the 2013 City of Flagstaff Legislative Priorities Agenda

INFORMATION

On November 20, 2012, the Council discussed and recommended changes to the proposed 2013 City of Flagstaff Legislative Priorities agenda. The recommended changes have been incorporated into the attached legislative agenda.

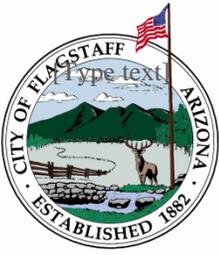
Legislative priorities are set in order to shape the discussions and relationships that support the mission and values of the Flagstaff community with individuals and entities that affect the City's interest. This agenda will guide the actions of our staff and contracted lobbyists on matters at the State and Federal levels within the guiding principles of maintaining open and positive communication with our governmental partners, protecting local authority and control, protecting state shared revenues, and opposing unfunded mandates.

Included in the packet are a high-level Annual Legislative Calendar and a guide to legislative protocols that are observed by elected officials, contracted lobbyists and staff when dealing in advocacy and lobbying of issues that impact or are of interest to the City and the Flagstaff community. Additionally, as a member of the League of Arizona Cities and Towns, the adopted resolutions of the League cities also guide our efforts legislatively and are part of the materials.

Attachments: [Legislative Agenda](#)
[Legislative Calendar](#)
[Legislative Protocols](#)
[AZ League of Cities Resolutions](#)

Form Review

Inbox	Reviewed By	Date
DCM - Jerene Watson	Jerene Watson	11/21/2012 12:44 PM
Form Started By: Jerene Watson		Started On: 11/21/2012 12:19 PM
	Final Approval Date: 11/21/2012	



City of Flagstaff Intergovernmental Affairs Program

2013 LEGISLATIVE AGENDA PRIORITIES

The City of Flagstaff Intergovernmental Affairs program addresses legislative initiatives at the county, state, and federal levels. The program mission is to develop and advocate for the Flagstaff community by fostering and maintaining relationships with individuals and entities that affect the City's interests. As a member of the League of Arizona Cities and Towns, the City of Flagstaff has signed onto the League resolutions in support of common legislative efforts of Arizona cities and authorizes staff or City representatives to take positions generally consistent with our legislative priorities.

The following objectives strengthen local government, promote City goals and defend the City against legislative actions by the County, State or Federal governments that would weaken our authority or take away traditional revenue sources and is presented as the 2013 Legislative Agenda for the City of Flagstaff.

Guiding Principles

- **Local Control:** Protect local revenues and local authority, which reflect core principles for local government. Flagstaff believes local government best represents local communities in the areas of regulatory, finance, and administrative decision-making. This representation requires opposing any unfunded mandates at the Federal and State levels
- **Regional Communication:** the County has a direct impact upon the quality of life in Flagstaff and it is essential that the City maintain positive relations and direct communications with our County partner to promote mutual legislative actions.
- **Council Goals:** Advancing or defending City Council adopted goals in effect during the 2013 legislative session does not require additional Council action.

State

- Protect state shared revenue to municipalities as a revenue percentage and a revenue source.
- Obtain ADOT permission to place a water pipeline in the I-40 right-of-way from Red Gap Ranch to Flagstaff (including USFS land)
- Obtain legislative authorities to hold serial inebriates in a detox facility for up to five (5) days to provide initial counseling and treatment opportunities.
- Work to protect forest health by seeking state partnership funding at a level of \$870,000, leveraging local and federal funding resources to treat forest and range lands (thinning, debris, disposal, prescribed fire) to reduce wildfire threat, enhance watersheds, improve ecological health and protect communities (see end of memo for details).

- Retain and enhance economic development tools that enable cities to compete on a national and international level for business retention and attraction that further the economic viability of Flagstaff and greater Northern Arizona.
- Support the Arizona Water Supply Revolving Fund, and the Legislators' Water Resources Development Commission. These entities legally and financially could support the acquisition of rural water supplies and the development of water infrastructure.
- Support Energy Districts through flexible financing district authority that can provide finance mechanisms for residents and commercial entities for upfront investment capital in energy efficiency and renewable energy improvements to their properties.
- Amend Arizona Revised Statutes to clarify the definition of electric bikes in terms of watts versus pistons so they aren't excluded for use on trails.
- Seek self administration of Transportation Enhancement and Safe to School grants, as well as Highway Safety Improvements Program funds, which is necessary due to Federal law eliminating local delivery of grants (self administration) so that now any grants received must be delivered by ADOT staff anywhere where the grant applies within the City.
- Support any state multimedia incentive bills introduced in an effort to increase the attraction possibilities of filming and the motion picture industry using Flagstaff and the greater Northern Arizona region to film motion pictures
- Support a Property Reclassification (High Wage Jobs for Rural Arizona) bill that provides certain tax benefits to companies in export or base industries in rural Arizona that make significant investments in these regions and provide high-paying jobs with adequate healthcare coverage which asks local jurisdictions to provide a consenting resolution agreeing to the property tax reclassification.
- Propose technical amendments to State Statute 32-144, allowing a non-registrant to design non-bearing walls in tenant improvement projects and decks or roof additions for townhomes without the seal of an engineer, for significant cost savings to the applicant, to include removing the word "attached."
- Seek assistance from ADOT and the state on getting an economic impact study of the proposed I-11 Corridor on northern Arizona cities east of the proposed route.
- Support efforts for the establishment of a VA Home in Bellemont and the financial support needed from the State as matching funds to the federal allocation for the home.

Federal

- Water Settlement –Secure easement rights for required water transmission lines located within Interstate 40 right-of-way.
- Rio de Flag Flood Control – Complete the Limited Re-evaluation Report and obtain approval by the Assistant Secretary of the Army. Secure additional funding while increasing the Water Resource Development Act (WRDA) authority to \$92 million. Pursue City of Flagstaff self-administration through the Army Corp of Engineers (ACOE)

- Forest Health – Leverage voter approved bond dollars for forest restoration with federal dollars to maximize acreage to be treated and minimize municipal costs.
- Transportation - Secure authorization and fiscal resources for the Lone Tree Interchange and the 4th Street Bridge.
- I-11 Corridor Study – Study, track and participate in options being considered in the I-11 Corridor Study between Nevada and Arizona, investigating possible impacts to the Northern Arizona region.

Further Collaboration

Support regional, state and federal partnerships that may advance applicable legislation in support of the City of Flagstaff.

Regional	State	National
Coconino County	Northern Arizona University	National League of Cities and Towns
Northern Arizona Municipal Water Users Association (NAMWUA)	Coconino Community College	Conference of Mayors
Northern Arizona Council of Governments (NACOG)	League of Arizona Cities and Towns	US Forest Service
Northern Arizona Intergovernmental Pubic Transportation Authority (NAIPTA)	State Forestry – State Forest Health Council	US Parks Service
Chamber of Commerce	Tribal Nations	Additional Federal Agencies
Flagstaff Unified School District	Greater Arizona Mayors' Association (GAMA)	Firewise
Coconino Plateau Water Advisory Council	AZ Game and Fish	
Greater Flagstaff Forest Partnership	Arizona State Land Department	
Four Forest Restoration Initiative	State Forest Health Council	
	AZ Fire Chiefs' Association	

Identified Forest Health / State Forest Wildfire Readiness State Partnership Needs

<u>PROGRAM</u>	<u>FUNCTIONAL AREA</u>	<u>ANNUAL COSTS</u>	<u>RATIONALE</u>
<i>Preparedness</i>	<i>Wildland Fire Qualifications System</i>	\$100,000	<u>Management & Administration:</u> Every Fire Department in the State is dependent upon ASF to maintain the Wildland Fire Incident Qualification System (IQS), to review and approve

			updates for every individual listed in a timely manner, and issue, on a recurring basis, current Fire Qualification Cards for those in the system.
	<i>Wildland Fire/Incident Management Training</i>	\$ 55,000	<u>Support:</u> Fire Departments, the State's response force, are challenged by funding shortages to provide necessary training. Funding will be used to support Dept training needs to support local and inter-agency response efforts. <i>Challenge approach with local fire districts and communities?</i>
<i>Prevention</i>	<i>Firewise</i>	\$ 80,000	<u>Outreach, Training and Certification:</u> Every dollar spent on this program saves upwards of \$10 on suppression. Fire Adapted neighborhoods and communities can successfully withstand wildfire, thus reducing public risk, damage, and both suppression and recovery costs.
	<i>State Forest Health Council</i>	\$ 20,000	<u>Administrative and Operational Support:</u> A coordinated, multi-agency, State-led effort provides a platform for discussion, resolution, and joint action to address the issues faced in AZ. Cost to include targeted projects or efforts that support the Council's goals.
<i>Hazard Mitigation</i>	<i>State Lands</i>	\$450,000	<u>Treatments:</u> State-owned range and forest lands require attention to reduce fire threat, protect watersheds, and ensure safe communities. Providing funds to accomplish this work puts the State in a leadership role, demonstrates a commitment to the environment, builds credibility with partners, and allows federally-provided funds to be leveraged to achieve greater impact. <i>Challenge approach with local fire districts, neighborhoods, communities?</i>
<i>Response</i>	<i>AZ Type II Incident Management Team (IMT)</i>	\$ 15,000	<u>Support:</u> The State sponsors an IMT. Funds will be to encourage and support annual meetings, training, equipment, and supply needs.

	<i>Dispatch Center</i>	\$150,000	<u>Support:</u> Staff and admin support to fully manage all aspects (Resource status, tracking, assignments, agreements, communication, etc) of the State's Interagency Incident Management Dispatch Center in Phoenix, responsible to provide dispatch services to all Fire Departments engaged in wildland fire throughout the State and beyond.
TOTAL ANNUAL COST		\$870,000	

ANNUAL LEGISLATIVE CALENDAR

City of Flagstaff, AZ

January

- **State Legislative Session begins**
It is always set to begin the Monday after the first Tuesday with a 100-day legislature target timeline, hopefully ending in April. In recent past, the Session has extended into June.
- **City's State/Federal Legislative Agendas presented to Council** (if not in November-December)

February

- **President's Budget goes to Congress**
- **Congressional Offices** review of requests from constituent cities and towns begins for inclusion in their requests during the federal budget cycle to be ready for the primary federal appropriations process which begins in March.

March

- **Federal Appropriations Processes officially begins in Congress** – committee hearings and legislation “mark-ups” occur from March into May. Then the legislation typically moves into the Appropriations Conference Committees of the two respective Chambers of Congress to move towards final bill language to be presented for congressional votes.
- **National League of Cities, Congress of Cities – Washington, D.C.**
This typically begins the second week of March and is designed for municipal officials to convene in Washington annually to learn about cities' legislative agendas, both collectively and individually by municipality. Elected officials have two days of General Sessions where they hear from national leaders from Congress or the Administration and well-known national media individuals. Small break-out sessions on issues of importance to local governments are offered with opportunities to informally network with other counterparts from around the country. The final “event” for Arizona, scheduled by the AZ League of Cities staff, is a continental breakfast meeting with our two US Senators and Arizona local officials held in a briefing room on Capitol Hill.

This trip can be ideal to schedule appointments with our congressional delegation to lobby for specific needs either before, during and/or after the conference. It is typically more effective to go just ahead of the conference and meet on a Thursday when the Members of Congress are still on the Hill – often they fly to their home districts on Friday and don't return until Tuesday.

May/July

- **Congressional Appropriations/Earmarks released in public documents**

May – August

- **AZ League of Cities resolutions process begins**
 - During the spring & summer, a call goes out to cities via their Mayors & Managers, and Intergovernmental Programs directors in those cities who have them, asking for potential resolutions that cities would like to see supported in the legislative process. Often these resolutions are precursors to actual legislation that gets drafted.
 - A process is used to facilitate the various interests, and it culminates at the annual League of Arizona Cities & Towns conference
 - Resolutions now require at least two cities to participate; currently the deadline for submission of resolutions falls between mid-June and mid-July, but this can change from year to year.

August/September

- **Congressional Appropriation Conference Committees meet to negotiate final dollar amounts of federal appropriations**
- **AZ League of Cities Annual Conference**
This occurs between the last week of August and early October. Resolutions are voted upon by the full membership, and these are what guide the lobbying by League staff for the next Legislative Session. If an issue is not included and approved by the League, it is not something which the League can actively lobby upon.
- Contract lobbyist for Federal issues may begin conferring with **City Manager** and **Departmental Staff** to brainstorm and strategize for next round of Appropriations
- RFP out for federal and/or state lobbying assistance when renewal periods have ended in current contract.

October/November

- **Federal Fiscal Year Begins** – this used to signal when Appropriations (funding) had to be completed but patterns in Congress have changed over the past decade and sometimes these bills do not get completed until close to the end of the year, or even into the following January/February.
- **AZ League of Cities – Executive Committee meets** - Final approval of issues to be lobbied is given by the League's Executive Committee (25 Mayors from around the state make up the Executive Committee)
- Move towards finalizing issues that need to be monitored or put forward at the **State Legislature or for Federal appropriations. Federal legislative agenda** – presentation to Council either through contracted firm or City staff.

December

- **Legislative Reception** – a communications tool held for newly elected state and/or federal officials to get acquainted ahead of the rush of January work in their respective legislative bodies and to spend time educating them on the needs of the City and where our focus lies.
- **Federal Lobbyist** - Use contracted Washington, DC-based federal relations firm to advocate and pursue legislation, earmarks for specific projects, typically infrastructure, or other federal assistance by a professional services contractor.
- **City's State/Federal Legislative Agendas presented to Council**

Legislative/Intergovernmental Protocols City of Flagstaff - 2012

1. A City legislative priorities agenda should be approved annually by the City Council so that staff has authority to weigh in on issues without going to Council every time a issue changes or arises which is not practical and at times not feasible due to swift moving actions of the legislature.
2. The Council establishes guidelines or rules of engagement as a formalized protocol on how the City's positions and messaging is to be conveyed, typically done in public discussion with agreement in principle on carrying the City's message. This should be revisited with each new Council so that missteps are avoided as best as possible. Items to be determined should include:
 - a. Understanding that notification is to be made when any elected officials are meeting with elected officials of other bodies at any level of government.
 - b. It is customary and expected that appropriate staff in the other entity is notified of meetings between elected officials (a duty of the city-designated Intergov).
 - c. Annual legislative priority agendas should be adopted so there is agreement of majority opinion on what messaging City officials are to lobby for, carry into meetings or formal settings. Activities should be coordinated through the City Manager's office and with contracted government affairs or City staff assigned intergovernmental responsibilities.
 - d. Personal opinions are to be stated as such and not representing the City if they are not in alignment with the City's adopted position.
3. Staff's role is always to provide the opportunity for the elected official to be out front but to ensure they have been briefed on key points to speak with knowledge to an issue.
4. The AZ League of Cities & Towns sends Intergovernmental (IG) communications to the City intergov staff, and at times to the Mayor, who may serve on the League Executive Committee, to City/Town Managers, and at times to the City Clerk, City Attorney and/or Finance Director. Staff monitors legislation of interest routinely.
5. Public lobbyists must be registered with the Secretary of State's Office and the City's Manager's Office makes sure the City Manager, Deputy City Managers and all Division (department) Directors are on the list. Elected officials do not have to be registered.
6. The laws governing gifts or favors to elected officials applies to municipalities, and any meals, gifts with monetary value, etc. should be reported (to Clerk or City Manager's staff) so that a report can be prepared as required by law.
7. Guidelines specifically for staff:
 - a. Information sent from a City computer on a legislative issue is considered representative of the City so it should not be done without blessing from the City Manager, or designee, or City Attorney.
 - b. If you are part of a professional association that lobbies, it is generally acceptable to work on their behalf on your own time, always ensuring that you are known to be representing them, not the City.



2013 FINAL RESOLUTIONS

**As adopted
By the Resolutions Committee
For the 2013 Municipal Policy Statement
On August 28, 2012**

Resolution #1

The cities and towns of Arizona request that the Arizona Legislature demonstrate its commitment for fiscal accountability and economic development by enacting a budget that does not interfere with existing statutory formulas for the distribution of funds to local governments as well as restores funding to programs that aid local government with infrastructure and job creation. The Legislature is especially urged to discontinue diversions of Highway User Revenue Fund monies to fund the operations of state agencies.

Submitted by: Bullhead City, City of Kingman, Lake Havasu City, Yuma, Apache Junction, Sierra Vista

A. Purpose and Effect of Resolution

The purpose of the resolution is to assert that the League and its members believe in fiscal accountability; money collected and designated for a specific purpose should be used for that purpose. The effect of the resolution will be to restore proper funding streams, resulting in increased funding for an array of projects. Specifically, the Highway User Revenue Fund (HURF), State Lake Improvement Fund (SLIF), Statewide Transportation Acceleration Needs (STAN) account, the Heritage Fund, and Local Transportation Assistance Fund (LTAF) are all areas where funds have been swept, diverted or eliminated. This resolution seeks to return those programs to a fully funded status.

With respect to HURF, funding sources include fuel taxes, motor carrier fees, vehicle license taxes and motor vehicle registration fees. Statutes provide a method of distributing these funds among the state, counties, and cities for the purpose of construction, improvements and maintenance of streets and roadways within their jurisdictions. The State has swept portions of these revenues for several years, mainly to support DPS. These sweeps affect every municipality and county in the state. Delayed maintenance on streets has caused many streets to now need total replacement, at a much greater cost. Arizona is no longer a place for new commerce and industry to locate because of the poor condition of transportation infrastructure.

In addition to the direct impact on cities' streets and roadways, this slowdown and halt of street construction and maintenance has cost jobs. The Arizona chapter of the Associated General Contractors estimated in 2011 that an estimated 42,000 jobs have been lost due to the lack of highway construction. This loss has had a negative impact on the economic viability of the State.

B. Relevance to Municipal Policy

Municipalities rely on items like HURF, LTAF, SLIF and Heritage funds to help bear the costs of local projects that provide both local and statewide benefits. Every municipality will benefit if funds like HURF, LTAF, SLIF and Heritage funds are allowed to distribute monies as specified in state law.

With regard to HURF, the longer the attention to street maintenance is neglected, the more costly it becomes to bring streets up to even average condition. Many Arizona counties, cities, and towns experience a significant rise in population during the winter months. The declining street infrastructure negatively affects the state's tourism industry and makes other warm states more attractive to these visitors.

C. Fiscal Impact to Cities and Towns

The current diversion of HURF annually costs cities and towns \$36.5 million. A restoration of LTAF would provide millions in funding to municipalities outside of "Area A."

D. Fiscal Impact to the State

Generally there will be a negative impact to the state only to the extent that funds are not currently being distributed according to statutory formulas and are instead being diverted to the state general fund.

E. Contact Information

<u>Name: Toby Cotter</u>	<u>Title: City Manager</u>
<u>Phone: 928-763-0122</u>	<u>Email: tcotter@bullheadcity.com</u>
<u>Name: Connie Scoggins</u>	<u>Title: Assistant City Attorney</u>
<u>Phone: 928-373-5055</u>	<u>Email: Connie.scoggins@yumaaz.gov</u>

Resolution #2

Urges the Legislature to support economic development of cities and counties, and to increase access to new tools, such as the formation of Revenue Allocation Districts, which allow cities and towns to invest future revenue in economic development projects.

Submitted by: City of Yuma, Lake Havasu City, City of Sierra Vista, City of Kingman, City of Bullhead City

A. Purpose and Effect of Resolution

The purpose of this resolution is to encourage greater economic development through collaborative partnerships between cities, counties and the state. By working together, a synergy can be formed that will increase the effectiveness beyond the sum of each working individually. It is important that economic development continue to be a goal for the League and partnerships will help achieve that goal.

Large-scale economic development projects are a tremendous catalyst for job creation and economic growth in Arizona cities and towns. However, in today’s financial environment, financing the upfront costs of large projects, which often include substantial public components, can often be difficult, if not daunting. Creating a Revenue Allocation District may help solve this dilemma by allowing anticipated revenues from a completed project to be used to finance key components of the project itself.

For example, if Lake Havasu City wanted to encourage redevelopment of the English Village area around the London Bridge, the city could form a Revenue Allocation District around the area. The dollar amount of TPT and property tax collected from within the English Village district would be established as the base on the date that district was formed. In future years, any increase in either of these revenue streams above the established base could be used by the district to fund public improvements within the district. Most importantly, the district would have the authority to issue bonds to help finance the project and those bonds would be repaid by new revenue generated within that district.

B. Relevance to Municipal Policy

Cities and towns drive the economy. Joint economic development efforts will strengthen the ability of all to accomplish the common goal of improving our economy. Revenue Allocation Districts would give cities another option for supporting economic development projects.

C. Fiscal Impact to Cities and Towns

By partnering, a greater economic effect is possible for all entities involved. Partnering for economic development will bring jobs, reduce unemployment, and provide new revenues for cities, counties and the state. Supporting local governments’ efforts to bring business to Arizona

would allow both the state and local governments to experience increased employment and tax revenues.

Revenue Allocation Districts capture only the city portion of new revenue that is generated as a result of a project being built. Other taxing jurisdictions such as schools and community colleges would not be affected. Municipal taxpayers located outside the district would also be held harmless.

D. Fiscal Impact to the State

State programs are critical in the effort to attract new business to Arizona and to assist local businesses considering expansion in Arizona versus another state. By creating and funding economic development programs to support local governmental efforts' to bring business to Arizona, both the state and local governments would experience increased employment and tax revenues. Encouraging and supporting economic development partnerships between cities and counties to bring business into the state can increase revenues to the State.

No state funds would be involved in the funding of Revenue Allocation Districts because the district pertains only to the city portion of the TPT and property tax. However, the state would receive increased income tax collections from the new employees that work within the district as well as increased corporate income tax receipts from the companies that move into the district.

E. Contact Information

<u>Name: Connie Scoggins</u>	<u>Title: Assistant City Attorney</u>
<u>Phone: 928-373-5055</u>	<u>Email: connie.scoggins@yumaaz.gov</u>
<u>Name: Charlie Cassens</u>	<u>Title: City Manager, Lake Havasu City</u>
<u>Phone: 928-453-4141</u>	<u>Email: cassensc@lhcaz.gov</u>

Resolution #3

Allow municipalities to receive credit for excess solar generation beyond that needed at publicly owned sites where the solar generation may occur, and apply that credit to power consumption at other city, town, or county sites/facilities.

Submitted by: City of Sedona, City of Flagstaff, Town of Clarkdale, City of Kingman

A. Purpose and Effect of Resolution

This will clearly provide a basis for use of solar generated power to generate power more nearly commensurate with an agency’s total power consumption where the area to do so exists. This is consistent with increasing the use of alternative energy sources within the State in a sustainable way.

B. Relevance to Municipal Policy

The reduction of municipal costs can often be secured through allowing development of alternative energy facilities on municipal properties. Currently the amount of energy that can be developed for municipal use at beneficial pricing is limited to that which can be used at the facility where the energy is being generated. This means that development of more energy is discouraged, even though the municipality has energy demands at locations where it may not be possible to place an energy generation facility. This resolution, by allowing the power generated at one location to be credited for other municipal locations, encourages efficient development of alternative energy sources on a municipal scale, which is likely to be more economic for the benefit received.

C. Fiscal Impact to Cities and Towns

Cities may be able to more economically develop alternative energy sources.

D. Fiscal Impact to the State

None is anticipated.

E. Contact Information

<u>Name: Charles Mosley</u>	<u>Title: Public Works Director/City Engineer</u>
<u>Phone: 928-204-7132</u>	<u>Email: cmosley@SedonaAZ.gov</u>

Resolution #4

Request that A.R.S. 34-603 C1e, concerning the use of the procurement or final list for qualification based selection processes; allow the use of such final list until a contract for construction is entered into. The Agent may pursue negotiations for pre-construction services with other persons on the list provided that the agent shall not in that procurement recommence negotiations or enter into a contract for the construction or professional services covered by the final list with any person or firm on the final list with whom the agent has terminated negotiations.

Submitted by: City of Sedona, Town of Camp Verde, Town of Clarkdale

A. Purpose and Effect of Resolution

In 2010 section 34-603 C1e was added to A.R.S regarding procurement of construction services using non-bid methods (alternative procurement). The impact of this addition was to require agents to restart the alternative procurement process or bid construction projects in the event that a construction price could not be negotiated. The impact of the proposed change is to allow the agent to utilize another person or firm on the list in the event that a construction price could not be negotiated with the initially selected party. The resolution prohibits reopening negotiations with a party if they have been terminated. Only one party may be negotiated with at a time.

The current law prohibits an option that had been previously allowed, due to silence of prior legislation. The restriction imposed by the current legislation places the agent at the mercy of a contractor late into the project development process when the construction price is being negotiated. The contractor may insist on unreasonably high negotiated price. In this case the agent is forced to bid the project, or restart the procurement process, or accept the high price. Bidding the project may not be desirable when project familiarity is important to an agent in pursuing construction of a project (for instance business area improvement projects), and may result in loss of the ability to contain construction claims. Restarting the procurement procedure may unreasonably delay the project. Accepting the high price is a disservice to the public.

The City of Sedona was able in 2009 to construct a project by using the second low proposer when it could not obtain a satisfactory price from the first ranked proposer. This allowed the project to successfully continue to construction, using the benefits of the Construction-Manager-at-Risk approach. The first ranked proposer's price was well above the engineer's estimated price, while the second was much more in line. The project was successfully completed, with return of some unneeded funds.

B. Relevance to Municipal Policy

Alternative Delivery Methods have benefits beyond costs, however, when the process allows a contractor to attempt to push an agent to reject excessive costs, at the risk of losing these benefits for the project, the public is placed at an unfair disadvantage. Modifying the process to give the

agent the option to continue with the Alternative Delivery Method without excessive loss of time due to starting the procurement over again, or other disadvantages seems to be in keeping with allowing the use of Alternative Delivery Methods in the first place. As a matter of public policy it does not seem that qualification based selection processes should reduce incentives for unfair pricing. The public policy concern regarding bid-shopping is dealt with by the allowing negotiations with only one proposer at a time, and prohibiting reopening closed negotiations.

C. Fiscal Impact to Cities and Towns

Cities would be more assured of being able to secure realistic pricing using Alternative Delivery Methods, from the initially selected proposer, while maintaining the benefits on appropriate projects of using these delivery methods.

D. Fiscal Impact to the State

None anticipated

E. Contact Information

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Resolution #5

Amend the Arizona State Statutes to require the Alternative Contribution Rate (ACR) paid by employers to the Arizona State Retirement System (ASRS) for employees who retire from an employer participating in ASRS and later return to work for an employer participating in ASRS to be applicable only to employees hired after July 1, 2011. This essentially holds employers harmless for hiring decisions made prior to the passage of pension reform legislation in 2011. For hires made after July 2011, employers knew that they would be responsible for paying the ACR for employees who met the criteria.

Submitted by: Town of Queen Creek, City of Apache Junction, City of Kingman

A. Purpose and Effect of Resolution

In 2011 the Arizona State Legislature passed a comprehensive pension reform package that included the establishment of an Alternative Contribution Rate (ACR). The ACR is to be paid by employees who retire from an employer participating in the Arizona State Retirement System (ASRS) and later return to work for an employer participating in ASRS. The employer is responsible for paying the ACR. As the law was passed the ACR is to be paid for employees hired both before and after the passage of the legislation. This resolution would amend Arizona State Statutes to require the ACR paid to ASRS be applicable only to employees hired after July 1, 2011. This essentially holds employers harmless for hiring decisions made prior to the passage of pension reform legislation in 2011. For hires made after July 2011, employers knew that they would be responsible for paying the ACR for employees who met the criteria.

B. Relevance to Municipal Policy

This is relevant to municipal policy because it impacts local hiring decisions as well as municipal budgets. Many smaller cities and towns have difficulty attracting experienced applicants to fill senior positions within their organizations. Often times budget limitations prevent small cities from being able to offer competitive salary packages. The solution for many cities and towns is to hire individuals who have retired from other communities. This allows the municipality to hire an experienced individual at a salary the municipality can afford. The pension reform package passed by the Arizona State Legislature in 2011 now requires municipalities to pay an ACR to ASRS for these types of employees. This is not an expense that municipalities anticipated for employees hired before 2011. The proposed resolution does not oppose the concept of the ACR, but does make it applicable only to employees hired after July 2011. This insures that municipalities have the opportunity to be informed about the costs associated with hiring individual before making that hiring decision and holding cities and towns harmless for hiring decisions made prior to 2011.

C. Fiscal Impact to Cities and Towns

The anticipated positive fiscal impact to cities and towns is \$250,000. The total amount of ACR paid by cities and towns statewide for employees hired before July 1, 2011 is unknown. For the Town of Queen Creek if this legislation is signed into law, it will translate to an annual savings of \$20,000.

D. Fiscal Impact to the State

The estimated positive impact to the State of Arizona budget is \$2 million dollars because the State and other ASRS employers will not have to pay the ACR for applicable employees. There is a potential negative actuarial impact to ASRS, but the impact is unknown without further fiscal analysis from the system. This legislation would not impact ASRS's ability to collect the ACR for all hires made after July 2011.

E. Contact Information

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Resolution #6

Urges the Legislature to amend A.R.S. § 39-121.01 to place reasonable limitations on requests for public records that are overbroad or abusive. Such limitations may include the scope of requests, the time period covered in a request, and the number of requests from a single individual during a specified time period and allowing charges for requests that exceed statutorily established limitations.

Submitted by: City of Yuma, Town of Oro Valley, City of Apache Junction, City of Bullhead City

A. Purpose and Effect of Resolution

This Resolution seeks amendments to public records laws to discourage overbroad and abusive requests for public records.

Municipalities receive and process thousands of requests for public records each year. Most of these requests are reasonable, coming from persons who may or may not make other requests but whom seek specific and limited information or specific requests from the media. Other requests require preparation of voluminous amounts of documents or materials and substantial amounts of staff time in multiple departments to locate, review, and prepare the documents for review and/or copying.

But other requests are overbroad, such as requests for “All documents, e-mail, memoranda, etc. pertaining to the city action” These documents can cover many years, require production of hundreds or thousands of documents, and involve research and review by several City departments.

Municipalities also receive and process numerous requests for public records from only a few individuals. For example, in Yuma, one individual is responsible for the following statistics:

<u>Year</u>	<u>Number of requests</u>
2008	114
2009	120
2010	85
2011	155

These requests, some of which require locating massive amounts of documents from across city departments in different locations, have a significant impact on city resources. Such requests from one or two individuals require a disproportionate amount of city-wide staff time to locate, review, and prepare the records for examination. Oftentimes, a requestor may never review the documents after being notified they are ready for inspection. As an example, Yuma has received 46 requests in 44 business days from a single individual, including nine filed in one day, while 25 filled requests waited to be reviewed. These overbroad and abusive requests by a few individuals abuse the rights and privileges these laws were enacted to protect.

Amending Title 39 to give municipalities authorization in certain instances to restrict the number or frequency of requests made by a single individual and to limit certain requests such as those with a broad scope or that cover an extensive time period will allow cities to both comply with spirit and intent of public records laws while discouraging overbroad and abusive requests.

B. Relevance to Municipal Policy

Transparency is an essential component of a responsive representative government. Cities endeavor at all times to be open, accessible and responsive to their citizens. Making records available for inspection by the public and the media is important to maintaining transparency and trust in government. Most citizens and the media are conscientious and purposeful in their requests. However, requests by a few individuals which are overbroad or abusive and require disproportionate amounts of city-wide staff time do not further the goal of transparency.

C. Fiscal Impact to Cities and Towns

Cities will still respond to public records requests in the spirit of transparency and openness in government. Allowing cities some relief from abusive public records requests or to identify potentially abusive practices will free staff to perform other governmental functions.

D. Fiscal Impact to the State

There will be no fiscal impact to the State. However an amendment could include public records requests of the State, which will result in savings.

E. Contact Information

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Resolution #7

This resolution requests that ARS 9-441.01 be repealed, thereby exempting cities and towns of the requirement that the local governing body adopt a resolution declaring specific portions of the jurisdiction a “housing development area,” for the purpose of assisting with the acquisition, construction or rehabilitation of housing.

Submitted by: City of Sedona, Town of Clarkdale

A. Purpose and Effect of Resolution

Per ARS 9-441.01 it is a valid public purpose of municipalities to assist in providing for the acquisition, construction or rehabilitation of housing and other facilities necessary or incidental to the housing and primarily for the use of those residing in the housing, in areas that are declared by the municipality to be housing development areas.

ARS 9-441.01 also requires that before exercising any of the powers conferred on municipalities by this article, and before any public moneys can be spent, the local governing body must adopt a resolution finding that a shortage of housing, or a certain type of housing, exists in a certain area of the municipality. These areas must be declared to be “housing development areas,” thereby designating those areas as areas where assisting in the development of housing is in the interests of the public health, safety, morals or welfare of the residents. The resolution must also establish specific boundaries depicting what constitutes the housing development area.

This resolution requests a repeal of ARS 9-441.01 to exempt cities and towns from having to designate certain areas as housing development areas. In many cities and towns, such a designation of an entire area of the city for housing development is impractical. Often, municipalities merely want to develop or improve individual parcels or lots throughout the city in order to provide better overall housing.

B. Relevance to Municipal Policy

While it is critical to engage the citizens of the community in any planning around housing development or redevelopment, the requirement to adopt a map depicting an entire area as a “housing development area” could create an inaccurate impression that the city or town intends to undergo large-scale housing development projects throughout such an area. Given the concerns and stigmatization that arise as a result of following the public process to adopt such areas, this requirement may mislead residents and/or derail a process which is intended to assist the city or town with limited housing needs that are dispersed throughout the entirety of a small community. The locality should be allowed to determine what methods of citizen participation and engagement would be appropriate for that community and for those areas in which housing development was deemed necessary.

C. Fiscal Impact to Cities and Towns

N/A.

D. Fiscal Impact to the State

N/A

E. Contact Information

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Resolution #8

Urges the Governor and the State Legislature to develop and pass legislation that allows greater flexibility in annexing county islands.

Submitted by: Marana, Sierra Vista, Oro Valley, Tucson

A. Purpose and Effect of Resolution

Over the past 30 years, the State Legislature has made changes in annexation law in response to actions by local governments that have unintended, and often negative, consequences. In 1980, the Legislature disallowed “strip” annexation by communities wanting to annex only highly lucrative commercial properties. That same legislation also changed the law further to disallow the creation of county islands, recognizing that having such islands completely surrounded by an incorporated city or town is not good public policy. Other steps have been taken within state law to improve the process, but more are needed.

Although new county islands can no longer be created, unfortunately a number of cities and towns in Arizona still have such areas within their incorporated limits. The islands are governed by the laws of their respective county, which is a branch of local government largely designed to provide rural services and a one size fits all approach to planning and growth management. Depending on the individual county/city, disparities between county and city regulations may exist, and in many cases, these services and/or enforcement differences are taking place literally across the street from areas with the same density and neighborhood type.

It is time to allow a city or town more flexibility to extend urban services to these islands. This could include: allowing a city to shrink an island annexation area once the process has started if there is not enough interest to proceed with the entire area; removing the tie to assessed valuation in the process; allowing property owners with multiple properties within an annexation area to have a vote for each property; requiring property owners to sign a petition to opt out of a county island annexation rather than opt in, to address those areas with high out-of-town owners; or any combination of these methods. The ideas would be discussed with legislators to determine the most viable.

B. Relevance to Municipal Policy

Consistent service delivery to a community’s residents insures that all areas of a city or town are appropriately managed. Counties, by design, are funded to provide a rural level of service. But such a service level within the middle of an urban area can, and has, led to problems that bleed over into incorporated cities.

C. Fiscal Impact to Cities and Towns

If legislation moves forward that allows greater flexibility in annexing county islands, it would be up to cities and towns themselves to determine timing on annexing these areas if they choose. Those communities that choose to move forward will need to extend their services to newly annexed areas. Those costs would be different for each community. But nothing in the legislation should require a city or town to annex county islands if they feel they cannot provide services. It should be noted that counties currently providing services to these islands, if annexed, would save money not doing so in the future.

D. Fiscal Impact to the State

There is no fiscal impact to the state when it comes to which local government provides local services. Minor adjustments in state-shared revenues would be made based on population changes, but it would be a reshuffling of the total allocation, not an increase in state revenues to local government. Eliminating barriers to annexation would also encourage economic development that would ultimately result in increased revenue to the state.

E. Contact Information

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Resolution #9

Urges the Legislature to fully fund state parks and, where practical, to work in partnership with cities and towns for the operation and maintenance of Arizona State Parks (ASP) under long term leases, for a nominal amount, and to participate financially by providing for a dedicated funding mechanism to share a portion of the costs.

Submitted by: City of Yuma, Town of Oro Valley, Town of Camp Verde, City of Kingman, City of Bullhead City

A. Purpose and Effect of Resolution

When the State became unable to continue full support of its parks, local governments and non-profit groups in Arizona stepped up to the plate and entered into short term agreements to operate and maintain the parks in or near their jurisdictions (Alamo Lake, Boyce Thompson Arboretum, Fort Verde, Homolovi, Jerome, Lost Dutchman, Lyman Lake, McFarland, Picacho Peak, Red Rock, Riordan Mansion, Roper Lake, Tombstone Courthouse, Tonto Natural Bridge, Tubac Presidio, Yuma Prison, Yuma Quartermaster Depot) so Arizona residents and visitors alike could continue to enjoy the rich recreational experiences that state parks provide. This arrangement has proven to be successful. This resolution asks the State to continue and to expand this partnership with local jurisdictions on a long term basis.

Making the current partnerships sustainable in the long-term and increasing the number of partnerships will make the entire park system more viable over time. Further utilization of partnerships (non-profit, public and private) will necessitate financial support from local governments, non-profits, and the State.

This resolution will assure that State Parks remain open to the public as a recreational, environmental, and cultural benefit that supports and generates tourism, and provides important revenue to not only local, but also to the regional and statewide economies. In addition, the availability of the State Parks System will continue to provide a high quality of life for Arizona residents and serve as an attraction to new residents.

B. Relevance to Municipal Policy

State Parks are essential to the rural economies and people of Arizona, and the continued threat to their operation leaves a continued threat to the still weak local economies in rural Arizona. In addition, Arizona's natural environment, including access to the environment through availability of State Parks across the state draws millions of tourists to Arizona, benefiting every entity that relies on tourism as part of its economy.

Increasingly, ASP is reliant on partnerships with local governments to make its state parks viable. This comes at a time when local resources are shrinking.

C. Fiscal Impact to Cities and Towns

Visitors' expenditures combined with their direct and induced impacts resulted in \$21,171,627 in Federal Government taxes and \$22,762,326 in state and local government taxes. The total tax impact of Arizona State Park visitors in 2007 was \$43,933,953.

D. Fiscal Impact to the State

The economic benefit of the State Park System is statewide. Calculated at the state level for FY07, the total economic impact of Arizona State Parks (direct, indirect and induced) on the state was \$266,436,582. This total state income resulted in 2,397 direct jobs and 950 indirect jobs for a total of 3,347 jobs statewide. The jobs provided were generated directly, through State Parks employment, but also indirectly, for the tourism industry that is supported and enhanced by the existence of State Parks.

Visitors' expenditures combined with their direct and induced impacts resulted in \$21,171,627 in Federal Government taxes and \$22,762,326 in state and local government taxes. The total tax impact of Arizona State Park visitors in 2007 was \$43,933,953.

(Economic figures cited are from "The Economic Impact of Arizona State Parks 2007" study prepared by The Arizona Hospitality Research & Resource Center, Center for Business Outreach and The W. A. Franke College of Business, Northern Arizona University in February 2009.)

E. Contact Information

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Resolution #10

Requests that A.R.S. 36-1606, concerning consumer fireworks regulation; state preemption; further regulation of fireworks by local jurisdiction, be amended to allow an incorporated city or town and a county within the unincorporated areas of the county to regulate the sale and use of permissible consumer fireworks.

Submitted by: City of Prescott, Town of Prescott Valley, Town of Chino Valley, Town of Camp Verde, Town of Clarkdale, City of Sedona.

A. Purpose and Effect of Resolution

In 2010 the Arizona State Legislature lifted the statewide ban of the sale of consumer fireworks. The Legislature allowed municipalities to ban the use of consumer fireworks within incorporated limits but not the sale. This resolution seeks to enable the elected governing body of each municipality and county in Arizona to decide for their constituents whether or not to allow the sale in addition to use of consumer fireworks within their geographic boundaries (unincorporated areas in the case of counties).

On May 2, 2011, a fire was started in the backyard of a home in Prescott Valley, Arizona, as a result of an unattended 11 year old child playing with a consumer firework (sparkler). Central Yavapai Fire District personnel were called to respond to the scene. Upon their arrival the fire had been extinguished by the residents after burning about a tenth of an acre. This incident occurred even though the Prescott Valley Town Council enacted an ordinance that banned the use of all consumer fireworks within Town limits.

B. Relevance to Municipal Policy

In addition to the potential cost and damage of fires, HB2246 which allowed fireworks to be sold in Arizona, intruded into local control. The evaluation of risk and the decision to allow consumer fireworks to be sold and used in a community is best left to the governing body of that community. This resolution does not place any restrictions or mandates on any community, rather it allows each to decide what is best.

C. Fiscal Impact to Cities and Towns

There will a minimal loss in sales tax collection if a municipality chooses to ban the sale of consumer fireworks. The local control aspect of this resolution would allow each city and town to weigh the potential costs of damage to property and public safety response with the benefit of allowing the sale of consumer fireworks.

D. Fiscal Impact to the State

The State could experience a minimal negative reduction in revenue dependent upon the number of municipalities that choose not to allow the sale of consumer fireworks.

E. Contact Information

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Resolution #11

To seek legislative actions that assist local, collaborative groups with resources and funding for planning and proactive actions to improve forest health and reduce wildfire threats, promote the economic engine of tourism dollars coming to the state, driving down the costs and human toll wildfires take as well as the cost of watershed sustainability.

Submitted by: City of Flagstaff, City of Sedona, City of Scottsdale, City of Sierra Vista

A. Purpose and Effect of Resolution

Statewide awareness and attention to the value of collaborative planning, implementation, and monitoring of our forests to improve forest health, reduce the human and economic costs from catastrophic disasters resulting in the loss of property, life and recreational destinations for our residents and tourists who generate revenues. As we have learned from the many fires of the past decade, particularly the Rodeo-Chedeki Fire of 2002, the Schultz Fire of 2010 and the Wallow and Monument fires of 2011, there are things we must do to greatly reduce catastrophic losses from occurring wherever they strike. Proactive, coordinated efforts have been studied and proven to reduce impacts from and costs of such events.

B. Relevance to Municipal Policy

Communities across the state face increasing economic and life threats as the result of degrading, unsustainable, forest-and-range conditions. The threat is not only catastrophic wildfire that destroys the natural environment our residents enjoy for recreation, but also includes post-fire effects. Loss of property, sales tax and tourism, livelihood, displacement of residents, erosion, flooding, loss of wildlife habitat, etc. exists for all jurisdictions and ownerships because of the statewide impact on economic factors such as reduced State Shared Revenues. Joint-action by all parties (local, county, state, and federal) is required to adequately and satisfactorily address the issue which starts with planning at the local and regional levels.

Community-based stakeholder groups working on landscape scale areas and focused upon appropriately-scaled treatments, using a science-based model, are critical to our success. Adequate environmental analysis, transparent decision making, application of Firewise practices, and sufficiently sized and appropriate forest treatments must be planned for. Selective thinning, debris disposal, prescribed fire, and biomass utilization, are crucial to the future of our State's forests and rangelands, communities, and our corporate well-being.

C. Fiscal Impact to Cities and Towns

The negative economic impact of such events is beyond the capacity of any single community to bear. The costs of the past catastrophic fires to each area of the state rose to the millions of dollars levels.

D. Fiscal Impact to the State

The economic impact of such events that have already occurred is in the millions of dollars and it would be economically sound for the state to appropriate planning funds for forest health. The Federal government has identified four of northern Arizona's forests to be part of the 4FRI Initiative with federal funds appropriated to that effort as a pilot program for the nation.

E. Contact Information

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Resolution #12

Urges the Governor and the State Legislature to develop and pass legislation that supports efforts to reduce the shortage of physicians, physician assistants and nurse practitioners in the State of Arizona. The League encourages the Legislature to consider: expanding the level of Graduate Medical Education (GME) funding; expanding medical school capacity within the state universities; addressing issues affecting the attraction and retention of physicians, physician assistants and nurse practitioners from out-of-state; reducing obstacles to medical practice in Arizona; and addressing any other major issues that affect a health care-provider's decision to locate or remain in Arizona to practice.

Submitted by: City of Sierra Vista, City of Bisbee, City of Yuma, Town of Marana, City of Douglas, City of Flagstaff, Town of Clarkdale.

A. Purpose and Effect of Resolution

Part II of the 2005 Arizona Physician Workforce Study, conducted by specialists from the University of Arizona and Arizona State University, identified that since 1992 to 2004, Arizona's physician supply is not keeping up with its population growth. The situation has not gotten any better. Arizona has 219 physicians per 100,000 population, well below the national average of 293 per 100,000. Rural communities in the state are affected by the shortage even more, with one county at under 60 physicians per 100,000. Specialty physicians are particularly difficult to recruit and retain. By way of example, the City of Sierra Vista's regional hospital is now the only location in all of Cochise County in which a woman can deliver a baby outside of a setting in which emergency services are available. In addition, as the Baby Boomer population ages, more of the older doctors in rural communities will retire, potentially exacerbating the situation.

Since approximately 60% of physicians who complete their training in Arizona teaching hospitals remain to practice within the state, enhancing the Graduate Medical Education (GME) program is a critical component to addressing this shortfall, and has been identified by previous gubernatorial task forces. Also recommended were efforts to reduce obstacles to medical practice in Arizona. Recruitment and retention of health care providers is hampered throughout the state by higher professional liability premiums as compared to other states, and this is certainly an obstacle needing attention. Recent actions to reduce funding to the State's Medicaid program will only exacerbate the issue statewide. Now, more than ever, action is needed to retain existing health care providers, and insure Arizona is a desirable place to practice for others.

B. Relevance to Municipal Policy

Health care is a key component of the overall quality of life for any community. It is an attraction and retention component for both business and military activities, both of which are the backbone of the state's economy. An adequate supply of health care providers is the foundation of quality healthcare, and although most barriers to recruitment and retention are

beyond the direct control of local government, the health of our citizens should be a strong consideration for local legislative input and advocacy. The National League of Cities has incorporated citizen health in its overall federal legislative platform by developing and advocating for health programs for children and youth.

C. Fiscal Impact to Cities and Towns

There should be no negative fiscal impact on Cities and Towns. To the contrary, not only will there be an intrinsic gain to Cities and Towns in overall quality of life of their residents if accessibility to health care is improved, but all communities in the state can use improved health care as an economic development tool in the future.

D. Fiscal Impact to the State

There are some solutions, such as investing in the graduate medical program, which will require additional investment by the state in medical education. However, some recommendations can be implemented with little to no effect on state finances. But like the cities and towns, improvement in access to health care results in an improvement in the ability of the State to attract corporations who value health care access as a major factor in relocation to Arizona. In addition, more health care providers in the rural areas of the state will reduce the number of trips on already overcrowded roadways those residents from those areas make to the Phoenix or Tucson metropolitan areas to seek treatment.

E. Contact Information

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Resolution #13

Urges the Governor and the State Legislature to develop and pass legislation or engage in other activities that supports and advocates for resources to improve Arizona’s ports of entry with Mexico and related infrastructure, and will enhance international trade and improve the global competitiveness for Arizona with Mexico.

Submitted by: City of Sierra Vista, City of Douglas, City of Bisbee

A. Purpose and Effect of Resolution

Mexico is Arizona’s top trading partner. Our shared border is the gateway for \$26 billion worth of imports and exports and 44 million people (crossings) each year. Mexican visitors spend approximately \$7.3 million each day in Arizona, providing an annual impact of \$2.3 billion. Trade with Mexico supports six million jobs in the U.S. and tens of thousands jobs in Arizona. In addition, Mexico is now the third-ranked commercial partner of the U.S. and the second largest market for U.S. exports.

Despite this wealth of opportunity, recent studies show that competing border states such as Texas are far outpacing Arizona when it comes to developing trade relations with Mexico. While Arizona exports to Mexico totaled about \$5.7 billion in 2011, in Texas the total was \$87 billion. Mexico is the 13th largest economy in the world, and in 2010, Mexico invested an unprecedented five percent of its Gross Domestic Product (GDP) in infrastructure.

Arizona’s ports of entry face significant challenges, including aging infrastructure and an often inadequate number of customs and border protection agents needed to staff them. A heavy focus on security has impacted the tourism industry by diverting investments from needed improvements and leaving a multibillion dollar deficit in border infrastructure. For example, while investments of \$200 million into the expansion to the Nogales port of entry are progressing, no funding is allocated at this time (pending completion of appropriate studies and reviews) toward improving Arizona State Route 189, which connects the Mariposa Land Port of Entry to I-19. The U.S. General Services Administration (GSA) describes the Mariposa Land Port of Entry as “...one of the United States’ busiest land ports...serving as the main entry point for fresh produce entering from Mexico...”

With 23 million northbound visitor border crossings and 373,000 northbound truck crossings, long waits at the border and congestion north of our ports of entry suppress economic development. In addition, greater emphasis is needed to upgrading southbound passenger vehicle and pedestrian crossings. And with significant public safety concerns arising from the 602 train crossings annually, there is clearly a need to develop an alternative to Arizona’s sole rail port of entry in Nogales in order to respond to increasing manufacturing and sea port expansions in Mexico. According to the Arizona State University North American Center for Transborder Studies, needed enhancements include staffing, technology, infrastructure and communications.

Through the League of Arizona Cities and Towns, Arizona's cities and towns should unite in support of legislation or other policies that will enhance international trade and improve the global competitiveness for Arizona with Mexico, which is the 13th largest economy in the world and the State's number one trading partner.

B. Relevance to Municipal Policy

The vast majority of the economic benefit generated by trade passing through Arizona's ports of entry is realized within the State's cities and towns. For example, nearly half (43%) of all of the Winter produce consumed in the United States comes through the Nogales port of entry. Along with produce, which makes up 28 percent of Arizona imports from Mexico, other major commodities include electrical machinery and equipment (18%); machinery and mechanisms (12%); edible fruits and nuts (11%); vehicles (6%); and optical, photographic and cinemagraphic equipment (4%).

The logistics centers, warehousing and distribution facilities, and value-added manufacturing facilities for these commodities are located primarily within the State's cities and towns, along with the associated sustainable wage jobs that are created as a result of this economic activity. The economic multiplier effect that these jobs create adds to the prosperity in these communities and enhances tax revenue at a time when every dollar of local revenue is even more precious to cities and towns. Enhancing trade opportunities with Mexico will only further stimulate the economies in Arizona's cities and towns.

C. Fiscal Impact to Cities and Towns

As described above, enhancing international trade and improving the global competitiveness for Arizona with Mexico will have a positive fiscal impact to cities and towns.

D. Fiscal Impact to the State

Similarly, supporting the requested legislation and policies will have a positive fiscal impact to the State and will further diversify our economic base. Failure to do so will sustain the advantage that other border states currently enjoy over Arizona.

E. Contact Information

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Resolution #14

Urges the Governor and the State Legislature to develop and pass legislation that supports the long-term retention of Arizona's military installations, and provides opportunities to use the synergies connected to the military operations in the attraction of new or expanded governmental and non-governmental missions or businesses.

Submitted by: City of Sierra Vista, City of Bisbee, City of Peoria, City of Yuma, Town of Marana, City of Flagstaff, Town of Clarkdale.

A. Purpose and Effect of Resolution

Arizona's military sector is an essential component of the state economy, and most local economies within the state. There are five major military installations in Arizona, plus four principal National Guard operations. According to a 2008 report by The Maguire Group, commissioned by the Arizona Department of Commerce at the time, it is conservatively estimated that this sector produces over 96,000 direct, indirect and induced jobs in the state, with over \$9.1 billion in economic impact.

The Maguire report further quantified the amount of revenue Arizona's military installations contribute directly to state and local governments at just over \$400 million annually, split nearly evenly between the two. In general, jobs connected to the military are especially valuable to the Arizona economy because they are largely unaffected by routine economic cycles, which means revenues associated with their presence are more stable.

The Maguire report noted "Arizona would do well to guard this economic asset and preserve its viability." It further stated "Maintaining these operations and the jobs and economic output they support should be a priority of state and local government."

Support from Arizona's local governments, through the League of Arizona Cities and Towns, for legislation that could enhance military effectiveness or protect against efforts to erode military missions is critical in the state's long term success retaining Luke AFB, Davis-Monthan AFB, Fort Huachuca, Marine Corp Air Station Yuma and the Yuma Army Proving Ground.

Arizona's cities and towns must be unified in our support for the military, working together to identify opportunities to demonstrate that support through such things as: encouraging officials from state and local government to elevate needs identified by military installations for legislative action; supporting the continued activity and existence of the Governor's Military Affairs Commission; supporting funding for economic development efforts at the state level to attract new/expanded military and military-connected missions and businesses; encouraging the use and continued funding of the Military Installation Funds (MIF) to help mitigate encroachment; and supporting legislative proposals regarding state land transfers to reduce potential encroachment around military installations.

B. Relevance to Municipal Policy

At a time in which every dollar of local revenue is even more precious to cities and towns, we must guard against inadvertent or blatant measures that could jeopardize existing military installations and the over \$200 million it directly contributes to local government. Encroachment is a major issue across the state, and is not only associated with new subdivisions. Water use, electromagnetic interference, lighting, airspace and other issues can ultimately affect military missions, or could result in the state's five major bases not being considered for realigned missions in the future.

The Maguire study excluded military-related businesses such as Raytheon, Boeing and those associated with the redeveloped Williams Center in Gilbert, which take advantage of synergies with the state's military community but separately add hundreds of millions more in economic impact to the state and local economies. But if the military missions are not retained, then opportunities to grow or expand these types of businesses, and the resulting impact on the state and local economy, could be missed.

C. Fiscal Impact to Cities and Towns

Failure to protect such a valuable asset to the state will have a direct and potentially devastating effect on local government. The military industry directly contributes approximately \$200 million in tax revenues annually to local government alone.

D. Fiscal Impact to the State

Similarly, Arizona's military installations contribute about \$200 million in revenue annually to the state government. Any loss of missions could erode that revenue, as well as impact future expansion opportunities for both military and non-military missions.

E. Contact Information

Name: Mary Jacobs

Title: Assistant City Manager

Phone: 520-458-3315

Email: mary.jacobs@sierravistaaz.gov

Resolution #15

Urges the State Legislature to support implementing a pilot program to restrict trucks to the two right-most lanes when traveling on Arizona highways in urban areas with three or more lanes in each direction.

Submitted by: City of Apache Junction and City of Douglas

A. Purpose and Effect of Resolution

The purpose of this resolution is to improve traffic mobility, improve safety and facilitate the flow of goods on freeways in Arizona's busy urban areas. An initial step is to implement a pilot program to determine and compare the feasibility, impacts, and effectiveness of restricting trucks to operating only in certain lanes on highways in urban areas that have three or more lanes in each direction, which have a moderate or high level of truck traffic, and do not have left hand exits. The lane restrictions would apply to "trucks" as defined by Arizona State law. Trucks would be restricted to the two right-most lanes, leaving one lane for truck-free operation; assuring that trucks will always have access to at least two lanes.

Demand for trucking services continues to increase. According to statistics available from the Bureau of Transportation Statistics (BTS) trucking accounts for an estimated 70% of the total value, 60% of the weight, and 34% of the ton-miles of freight moved in the U.S (Bureau of Transportation Statistics, 2006). In addition, between 1980 and 2020, truck travel is predicted to increase by over 90% while lane-miles of public roads will increase by only 5% (FHWA, 2006). This increase will have significant negative influences on traffic congestion and safety. A truck lane restriction strategy is used in many states nationwide as a way to address some of these impacts.

With regard to improving safety and mobility, here are several safety benefits of truck lane restriction:

- Prevents "No-Zone" Wrap, Tractor trailer's on two (2) sides of passenger cars at same time
- Positions largest vehicles out of the highest speed lanes
- Reduces the frequency of passenger vehicles being "boxed-in" by large trucks
- Reduces evasive truck maneuvers to the right, or into the trucker's "blind" side
- Provides additional spacing from life-saving median barrier systems.
- Provides additional truck clearance from opposing direction traffic.
- Improves visibility and clearance for disabled vehicles in or along median shoulders.

By improving traffic mobility, the flow of transporting goods through the State positively impacts economic development. The Freight Industry has welcomed lane restrictions in other

states because passenger vehicles are able to stay in the fast lanes, which gives more mobility for the trucks in the slower lanes. Trucks then reach their destinations in a timelier manner.

B. Relevance to Municipal Policy

Arizona residents directly benefit from improved traffic operations and improved safety on freeways in Arizona’s busy urban areas. In addition, by improving the flow of transporting goods and services in Arizona, economic development of the State, cities and towns could also increase.

C. Fiscal Impact to Cities and Towns

As the State of Arizona is able to reap the positive economic effects of improved traffic flow which in turn improves the efficient movement of goods thru the State; this will positively impact cities and towns as well.

D. Fiscal Impact to the State

Positive fiscal impact to the State:

Whereas large metropolitan areas (e.g. North Texas) that are in direct competition with the Sun Corridor have successfully implemented ‘Goods Movement’ oriented traffic restrictions to facilitate enhanced traffic flow have experienced positive economic development effects, the City of Apache Junction and the City of Douglas urge implementation within Arizona so that we also experience positive economic effects.

Negative fiscal impact to the State include:

Costs associated with developing and implementing a pilot program, which would include conducting a study before and after restrictions are implemented. If the new restrictions were put in place permanently there are costs associated with selecting, designing, implementation administration, advertising, enforcing, and monitoring of the truck lane restrictions.

E. Contact Information

Name: George Hoffman

Title: City Manager

Phone: 480-474-5066

E-mail: ghoffman@ajcity.net

Resolution #16

Amend Arizona Revised Statutes Title 13 (Criminal Code) and amend Title 8 (Children) to include criminal damage by graffiti to ensure that crimes of graffiti are treated more seriously.

Submitted by: City of Yuma, City of Sierra Vista

* * * * *

A. Purpose and Effect of Resolution

Graffiti is a continuing and fast growing problem for cities and towns. The level of punishment for individuals committing illegal acts of graffiti is a difficult and complex issue. Abatement of graffiti and apprehension and prosecution of the perpetrator is costly to cities and these costs are seldom if ever recovered. Arizona statutes allow prosecution of graffiti under the criminal code as criminal damage. Because graffiti is such an immediate and growing problem on both public and private property, it needs to be addressed in statutes setting forth stricter penalties and full restitution of all economic loss to the victim. Economic loss includes all reasonable costs of repair by municipalities, including but not limited to, materials, labor and equipment. As it stands now, some courts have been reluctant to severely punish offenders, or order restitution for economic loss, especially where juveniles are involved. A community service component should also be added to the penalty where available.

B. Relevance to Municipal Policy

The physical appearance of communities is a source of pride for Arizona cities. It is one of the factors that attract people to visit or relocate into an area. While graffiti was once limited to older and deteriorating communities or facilities, it has become prevalent in all areas of cities, regardless of age, appearance, or use. Despite the penalties for selling instruments of graffiti to minors enacted in the last few years, the numbers of incidents and the extent of damages have continued to increase. Stiffer penalties are needed to deter the rising tide of this vandalism.

C. Fiscal Impact to Cities and Towns

Graffiti abatement in this fiscal year has so far cost the City of Yuma \$117,645.00, despite a policy to aggressively pursue restitution from the courts. The costs to Yuma are high; therefore, it would follow that statewide costs may be in the millions of dollars. Increasing the penalties for criminal damage may deter graffiti vandals, and reduce the number of incidents and the extent of damages, thereby reducing costs of abatement. Any additional revenue generated from the stronger penalties could be directed to reduce the costs to cities for abatement. Also, if violators are required to perform community service, they would be able to witness the consequences their actions have on the community.

D. Fiscal Impact to the State

Because graffiti may also occur on state owned properties, abatement costs to the state could be reduced.

E. Contact Information

Name: Connie Scoggins

Title: Assistant City Attorney

Phone: (928) 373-5055

Email: Connie.Scoggins@YumaAz.gov

Resolution #17

Urges the Legislature to amend A.R.S §42-5010, as enacted in SB1442 last session, so that state shared revenues to cities and towns are distributed prior to the recapture of construction sales tax to be used for funding infrastructure projects. Further, urges the Legislature to find additional mechanisms for funding infrastructure that is necessary for economic development projects that are beneficial to the entire state.

Submitted by: City of Chandler, City of Peoria

A. Purpose and Effect of Resolution

When manufacturing facilities locate in a municipality, there are often infrastructure improvements needed to support the project. If these are incremental improvements, the host municipality is able to fund them through its regular capital improvement program without over burdening their ratepayers.

However, large manufacturing projects, such as the construction of the \$5 billion Intel Fab 42, require significant industrial infrastructure. That project alone will require in excess of \$200 million in water and wastewater improvements. The magnitude of costs such as these makes it impossible for the host city to fund the infrastructure by itself and requiring the company to do so places this state at a competitive disadvantage.

Last session, SB1442 was introduced in an effort to provide a mechanism for the state to help fund these infrastructure needs. It was intended to allow the construction sales tax to be recaptured and used to pay for any water, wastewater or transportation projects needed to support a manufacturing facility that met certain capital investment requirements.

Unfortunately, the bill was amended on the last day of the session and the result was a negative impact on state shared revenues. The intent of this resolution is to change the statute so that the funds used to pay for infrastructure come from the state's portion of sales tax.

Additionally, SB1442, as originally drafted, would have been only a partial solution to the problem of infrastructure funding. Other mechanisms should also be explored in order to address this problem more comprehensively.

B. Relevance to Municipal Policy

Cities are already responsible for the majority of the costs of infrastructure related to economic development and should not have to also contribute through a loss of shared revenues. The intent of SB1442 was to create a mechanism for the State to participate in funding the infrastructure that is necessary to attract and retain these manufacturing facilities and the jobs they create.

C. Fiscal Impact to Cities and Towns

The total loss of cities' shared revenue attributed to SB1442 is approximately \$2.5 million. However, if an equitable solution cannot be developed, our inability to continue to attract these businesses will also have a long term negative impact on economic development and the increase in shared revenues attributable to these projects.

D. Fiscal Impact to the State

If the distribution formula of cities' state shared sales tax is restored, the state will lose the approximately \$2.5 million in construction sales tax monies that would be recaptured to fund the cost of infrastructure under the provisions of SB1442. Again, if a solution cannot be agreed upon and cities are not able to fund the infrastructure necessary for these businesses, the state risks losing the future economic activity created by new or expanded manufacturing facilities.

E. Contact Information

Name: Patrice Kraus

Title: Intergovernmental Affairs Coordinator

Phone: 480-782-2215

Email: patrice.kraus@chandleraz.gov

League Staff Resolution #1

The League of Arizona Cities and Towns urges the Legislature to repeal HB 2826, (consolidated election dates, political subdivisions).

Submitted by: League Staff

A. Purpose and Effect of Resolution

HB 2826 (Laws 2012, Chapter 353) requires that cities and towns hold all candidate elections in the fall election cycle of even-numbered years. In addition to the usurpation of local election authority, there are multiple technical issues associated with implementation of this law - the length of terms for incumbent councilmembers, alternative expenditure limitation renewal elections and municipal incorporation elections. Additionally, there is no universal empirical evidence that this change will reduce the cost of elections or increase voter turnout. Although this resolution would empower League staff to pursue needed changes to address significant shortcomings of the new statute, the most efficient route would be to simply repeal the statute.

B. Relevance to Municipal Policy

This issue is fundamentally relevant as elections are a foundational part of our system of government.

C. Fiscal Impact to Cities and Towns

Although many of the fiscal impacts of this bill cannot be calculated at this time, there could be significant problems for local budgets if election law related to the home rule option isn't changed.

D. Fiscal Impact to the State

Not applicable

E. Contact Information

Name: Tom Belshe

Title: Deputy Director

Phone: 602-258-5786

Email: tbelshe@azleague.org

League Staff Resolution #2

The League and its members support meaningful and effective regulatory reform efforts. The League will oppose any proposal that does not promote greater efficiency, effect significant cost savings, or improve existing regulatory frameworks for the mutual benefit of stakeholders. Furthermore, the League shall work to enact changes to SB 1598 (Laws 2011, Chapter 312) that enable the law to serve its intended function of improving the licensing and permitting process.

Submitted by: League Staff

A. Purpose and Effect of Resolution

The purpose of the resolution is to express the League’s commitment to working with the Legislature to: 1) enact legislation that respects municipal autonomy; and 2) partner with cities and towns to create an attractive business climate for new and existing businesses. The effect of the resolution would be to empower the legislative staff of the League to work with interested parties on mutually beneficial changes to existing laws while exploring new opportunities for improvement of regulatory frameworks. Specific goals include: preservation of local authority; opposition to state mandates; encouragement of municipal flexibility and timeliness; and avoidance of additional bureaucracy and paperwork.

B. Relevance to Municipal Policy

This issue is fundamentally relevant as licensing and permitting is the primary way in which municipalities interact with the businesses in their community. Regulatory design represents a core function of municipal governance, to the extent it operates to promote the safety and welfare of city residents.

C. Fiscal Impact to Cities and Towns

Enacting changes to SB 1598 will likely lead to a positive fiscal impact, resulting from the increased clarity and paperwork reduction those changes will bring. Additionally, there is the potential for a positive fiscal impact from increased business activity as a result of reforms.

D. Fiscal Impact to the State

Increased business activity would benefit the state because of increased sales and income tax collections.

E. Contact Information

Name: René Guillen

Title: Legislative Associate

Phone: 602-258-5786

Email: rguillen@azleague.org

League Staff Resolution #3

A RESOLUTION OF THE LEAGUE OF ARIZONA CITIES AND TOWNS CALLING UPON THE ARIZONA LEGISLATURE TO RESPECT THE AUTHORITY OF CITIES AND TOWNS TO GOVERN THEIR COMMUNITIES FREE FROM LEGISLATIVE INTERFERENCE AND TO REJECT LEGISLATION THAT CONFLICTS WITH CHARTER PROVISIONS OF ARIZONA'S CHARTER CITIES

WHEREAS, the League of Arizona Cities and Towns is concerned about the extent to which Arizona's 50th Legislature considered legislation to micromanage local government, enact decisions best made at the local level and impose one-size-fits all mandates on municipalities; and

WHEREAS, the League further shares the conservative belief that the most effective, responsible and responsive government is government closest to the people; and

WHEREAS, the Arizona Constitution specifically provides that any city, "may frame a charter for its own government" [emphasis added]; and

WHEREAS, once a city has successfully completed the city charter process, the charter becomes the organic law of the city; and

WHEREAS, charter cities draw their power from their citizens, are governed by their charters, and do not require legislative authority from the State to exercise power; and

WHEREAS, the provisions of the charter, as the organic law of the city, supersede all laws of the State in conflict with the charter provisions, insofar as such laws relate to purely municipal affairs; and

WHEREAS, the Arizona Constitution thus establishes a home rule mechanism to render charter cities independent of the Legislature with respect to matters of local concern; and

WHEREAS, the Arizona Supreme Court recently affirmed, in Tucson v. Arizona, that provisions of a city's charter supersede conflicting statutes with respect to matters of local concern; and

WHEREAS, all municipalities are no less affected by the imposition of burdensome mandates by the State than is the State by the imposition of similar mandates by the Federal government;

NOW, THEREFORE, BE IT RESOLVED, that the League of Arizona Cities and Towns calls upon the Arizona's 51st Legislature to affirmatively reject, oppose and renounce legislative proposals that diminish local authority, address matters of purely local concern, and conflict with the organic law of Arizona's charter cities.

League of Arizona Cities & Towns

Revised Summary of Resolution Subcommittee Meeting Recommendations

No.	Summary	Sponsor	Co-Sponsor	Subcommittee Recommendation
1	Keep local funding formulas intact. (A merger of original Resolutions 1 and 11.)	Bullhead City	Kingman, Lake Havasu City	Recommend with Amendments
2	Support economic development tools. (A merger of original Resolutions 2 and 3.)	Yuma	Bullhead City, Sierra Vista	Recommend with Amendments
3	Credit for excess solar generation.	Sedona	Flagstaff, Clarkdale, Kingman	Significant Municipal Issue
4	Alternative Delivery Methods.	Sedona	Camp Verde, Clarkdale	Recommend for Adoption
5	Alternative Contribution Rate (ACR)/Arizona State Retirement System (ASRS).	Queen Creek	Apache Junction, Kingman	Recommend for Adoption
6	Public record requests.	Yuma	Oro Valley, Apache Junction, Bullhead City	Significant Municipal Issue
7	Repeal ARS 9-441.01	Sedona	Clarkdale	Recommend with Amendments
8	Greater flexibility in annexing county islands.	Marana	Sierra Vista, Oro Valley, Tucson	Recommend for Adoption
9	Urges the Legislature to fund state parks and work with cities and towns in partnership for the operation and maintenance of Arizona State Parks.	Yuma	Oro Valley, Camp Verde, Kingman, Bullhead City	Recommend with Amendments
10	Allow an incorporated city or town and a county within the unincorporated areas of the county to regulate the sale and use of permissible consumer fireworks.	Prescott	Prescott Valley, Chino Valley, Camp Verde, Clarkdale, Sedona.	Recommend for Adoption
11	Improve forest health and reduce wildfire threats.	Flagstaff	Sedona, Scottsdale, Sierra Vista	Recommend for Adoption
12	Reduce the shortage of physicians, physician assistants and nurse practitioners.	Sierra Vista	Bisbee, Yuma, Marana, Douglas, Flagstaff, Clarkdale	Significant Municipal Issue with Amendments

League of Arizona Cities & Towns

Revised Summary of Resolution Subcommittee Meeting Recommendations

13	Resources to improve Arizona's ports of entry with Mexico and related infrastructure.	Sierra Vista	Douglas, Bisbee	Recommend for Adoption
14	Support the long-term retention of Arizona's military installations.	Sierra Vista	Bisbee, Peoria, Yuma, Marana, Flagstaff, Clarkdale	Recommend for Adoption
15	Restrict trucks to the two right-most lanes.	Apache Junction	Douglas	Significant Municipal Issue
16	Criminal damage by graffiti/restitution.	Yuma	Sierra Vista	Recommend with Amendments
17	Amend §42-5010, as enacted in SB1442 last session, so that the recapture of construction sales tax to be used for funding infrastructure projects is made after the distribution of state shared revenues.	Chandler	Peoria	Recommend for Adoption

League Staff Recommendations

No.	Summary	Subcommittee Recommendation
1	Repeal HB2826, consolidated elections dates; political subdivisions.	Recommend with Amendments
2	Support regulatory reform.	Recommend for Adoption
3	Oppose unfunded mandates and preserve local authority.	Recommend for Adoption

Key to Subcommittee Recommendations

Recommend for Adoption – Becomes a part of the Municipal Policy Statement, and will help guide legislative activity in the coming session.

Recommend with Amendments - Becomes a part of the Municipal Policy Statement, and will help guide legislative activity in the coming session, but needed amending for either content or technical reasons.

Significant Municipal Issue – Although an important concept to cities and towns, does not quite rise to the level of legislative activity. League staff may address the issue with state agencies and/or other stakeholders.

Not Recommended for Passage – The resolution may be too confined to one community, be on its face contrary to core principles, or not in line with current agreements with other stakeholders.

Staff Recommendations – Resolutions submitted by League staff.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Barney Helmick, Airport Director
Date: 11/08/2012
Meeting Date: 12/04/2012



TITLE:

Consideration and Approval of Grant Agreement: Design Drainage Improvements - Westplex Taxilane Reconstruction.

RECOMMENDED ACTION:

Approve or deny the grant agreement with the Arizona Department of Transportation Multimodal Planning Division Aeronautics Group and authorize, or not authorize, the acceptance of grant funding in the amount of \$498,886.

Policy Decision or Reason for Action:

This grant will match the City's costs associated with the ADOT MPD Grant E3S3E to reconstruct the taxilane and ramp area in the Westplex of the Airport. It will replace failed asphalt in and around the general aviation storage units.

Subsidiary Decisions Points: Continue to provide safe access to the general aviation storage units at the Airport.

Financial Impact:

This grant agreement is to match the City's portion of E3S3E. The ADOT grant award amount is \$498,886 and requires \$55,432 as a match, for a total design cost of \$554,318.

This project is budgeted through Airport Capital Program: 270-3776-780-4103.

Connection to Council Goal:

Maintain and deliver quality, reliable infrastructure. This grant award is necessary to maintain the Airport taxilane pavement to the aircraft storage units, which provide revenue for the Airport fund.

Has There Been Previous Council Decision on This:

No

Options and Alternatives

- Approve the grant agreement and prolong the life of the taxilanes in the aircraft storage area, maintaining revenue for the Airport.
- Do not approve the grant agreement and pay for the entire cost of the project out of City's Capital Improvement Program.
- Do not perform the work and risk damage to aircraft, and a possible reduction in revenue from tenants no longer storing aircraft at the Airport.

**Arizona Department of Transportation
Multimodal Planning Division
Aeronautics Group**

Airport Development Reimbursable Grant Agreement

Part I

THIS AGREEMENT is entered into _____, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION, through its Multimodal Planning Division (the “State”) and the City of Flagstaff, a political subdivision of the State of Arizona (the “Sponsor”), for a grant of State funds for the purpose of aiding in financing a Project of *Design drainage improvements Ph.1 and 2. Design rehab of existing taxilanes between and around hangars and shades. Taxilane construction is approx. 46,463 sy per phase* (the “Project”), for the improvement of the Flagstaff Pulliam Airport (the “Airport”).

WITNESSETH

Recitals:

- 1) The Sponsor desires, in accordance with the authority granted by Arizona Revised Statutes (A.R.S.) Section 28-8413, funds from the State for the purpose of airport planning and/or development.
- 2) The Arizona State Transportation Board, as approved on June 15, 2012, and the Director of the Arizona Department of Transportation, in accordance with the authority granted by A.R.S. Sections 28-304, 28-363, and 28-401 and Title 28, Chapter 25, A.R.S., have authorized reimbursement to the Sponsor of funds expended for airport planning and/or development.

Now, therefore, in consideration of the foregoing recitals and of the covenants and agreements made by the parties herein to be kept and performed, the parties agree as follows:

Sponsor’s Responsibility

- 1) The Sponsor shall accept this Agreement within 4 months of the date of the grant offer cover letter: November 2, 2012. This Grant offer, if not accepted by the Sponsor, shall expire at the end of the 4-month period.
- 2) The Sponsor shall commence the Project within 6 months of the date the grant was executed by the State. This Project will consist of the airport improvements as described in Exhibit C. The Sponsor shall proceed with due diligence and complete the Project in accordance with the provisions of this Agreement. The Sponsor shall provide and maintain competent supervision to complete the Project in conformance with the plans, specifications and work completion schedule incorporated as part of this Agreement.

Grant Number E3S3E

City of Flagstaff
Flagstaff Pulliam Airport

- 3) The Sponsor shall submit completed Project Reimbursement and Milestone schedules, which shall be attached hereto, as Exhibit C, Schedules Two and Three respectively and shall complete the Project within that schedule. Any change to the schedule shall be submitted in writing and be approved by the State. A time extension beyond the State's obligation to provide funds herein must be reflected by formal Amendment to this Agreement.
- 4) The Sponsor shall comply with the Sponsor Assurances and abide by and enforce the General Provisions and Specific Provisions incorporated herein as Exhibits A, B and C respectively.

Obligations

- 1) The minimum funding participation from the Sponsor shall be ten percent (10%) as determined by the State.
- 2) The maximum reimbursement available from the State to the Sponsor for this Agreement shall be **four hundred ninety-eight thousand eight hundred eighty-six dollars (\$498,886)**.
- 3) Except as otherwise provided herein, the State's obligation to provide funds hereunder expires upon completion of the efforts required herein or **June 30, 2017**, whichever is earlier.
- 4) The State may, after agreeing to provide said funds to the Sponsor, withdraw/terminate the grant if the Project has not been initiated as evidenced by a Notice to Proceed within 6 months of the date the grant was executed by the State or has not progressed as scheduled over a period of 12 months. If it becomes necessary to terminate a grant at any time, the State will reimburse expenses of the Sponsor, approved by the State, up to the time of notification of cancellation.
- 5) Sponsor acknowledges that in the event of a late payment or reimbursement by the State, the State shall have no obligation to pay a late payment fee or interest and shall not otherwise be penalized.
- 6) In the case where funds are no longer available or have been withdrawn or not appropriated, or the Project is no longer in the State's best interest, the State shall have the right of termination at its sole option. The State shall not reimburse any costs incurred after receipt of the notice of termination. The Governor pursuant to A.R.S. Section 38-511 hereby puts all parties on notice that this Agreement is subject to cancellation.

Preliminary Work Provision

Any preliminary work, for which costs for this Project were incurred after January 1, 2012, shall be considered eligible for reimbursement provided that said costs are directly related to the Project on which this Agreement is written. The State shall review related records and determine eligibility at its sole discretion.

Part II

The Sponsor shall approve and attach to this agreement a resolution by its governing body that certifies as follows:

- 1) The Sponsor has the legal power and authority:
 - a) to do all things necessary, in order to undertake and carry out the Project;
 - b) to accept, receive and disburse grant funds from the State in aid of the Project.

- 2) The Sponsor now has on deposit, or is in a position to secure _____ Dollars (\$_____), or an equivalent amount represented by Sponsor’s proposed labor and equipment costs, for use in defraying Sponsor’s share of the costs of the Project. The present status of these funds is as follows:

(Enter local funding type and location)

- 3) The Sponsor hereby designates _____, _____

Name
Title

to receive payments representing the State’s share of project costs.

Signature of Sponsor’s Representative

Title of Representative

- 4) The Sponsor has on file with ADOT the following vendor identification and address for project payments:

Sponsor Vendor Id #: **866000244 01**

Sponsor Vendor Address: **City of Flagstaff**
211 W. Aspen Avenue
Flagstaff, Arizona 86001

Exhibits

The following Exhibits are incorporated herewith and form a part of this Agreement.

- Exhibit A - Sponsor Assurances
- Exhibit B - General Provisions
- Exhibit C - Specific Provisions and Project Schedules

Grant Number E3S3E

City of Flagstaff
Flagstaff Pulliam Airport

STATE:

State of Arizona
Department of Transportation
Multimodal Planning Division

SPONSOR:

City of Flagstaff
Flagstaff Pulliam Airport

By: _____

Title: Joseph S. Omer, Director

Date: _____

By: _____

Title: _____

Date: _____

WITNESSED BY:

Signature: _____

Print Name: _____

Date: _____

WITNESSED BY:

Signature: _____

Print Name: _____

Date: _____

EXHIBIT A

Sponsor Assurances

Upon acceptance of the grant offer by the Sponsor, these assurances will become a part of this Agreement. The Sponsor hereby covenants and agrees with the State as follows:

General

- 1) That the Project is consistent with plans (existing at the time of approval of the Project) of political jurisdictions authorized by the State to plan for the development of the area surrounding the Airport and has given fair consideration to the interest of communities in or near where the Project is to be located. In making a decision to undertake any airport development Project under this Agreement the Sponsor insures that it has undertaken reasonable consultation with affected parties using the Airport at which the Project is proposed. All appropriate development standards of Federal Aviation Administration (FAA) Advisory Circulars, Orders, or Federal Regulations shall be complied with. All related state and federal laws shall be complied with.
- 2) That these covenants shall become effective upon execution of this Agreement for the Project or any portion thereof, made by the State and shall remain in full force and effect throughout the useful life of the facilities or the planning project's duration developed under the grant, but in any event, not less than twenty (20) years from the date of acceptance of the grant offer by the Sponsor.
- 3) The Sponsor certifies in this Agreement that it is a political subdivision of the State and is the public agency with control over a public-use Airport and/or on behalf of the possible future development of an Airport and is eligible to receive grant funds for the development or possible development of an Airport under its jurisdiction.
- 4) The Sponsor further agrees it holds good title, satisfactory to the State, to the landing area of the Airport or site thereof, or will give assurance satisfactory to the State that good title will be acquired.
- 5) That the Sponsor is the owner or lessee of the property or properties on which the Airport is located and that the lease guarantees that the Sponsor has full control of the use of the property for a period of not less than twenty (20) years from the date of this Agreement. All changes in airport ownership or to an airport lease shall be approved by the State.
- 6) The Sponsor agrees that it has sufficient funds available for that portion of the project costs which are not to be paid by the State (or the United States).
- 7) The Sponsor agrees to provide and maintain competent supervision to complete the Project in conformance with this Agreement.
- 8) Preserving Rights and Powers: The Sponsor agrees it shall not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions and assurances in this Agreement without written permission from the State, and shall act promptly to acquire, extinguish or modify any outstanding rights or claims of right by others which would interfere with such performance by the Sponsor. This will be done in a manner acceptable to the State. The Sponsor shall not sell, lease, encumber or otherwise transfer or dispose of any part of its title or other interests in the property shown on the airport property map included in the most recent FAA-approved Airport Layout Plan, or to that portion of the property upon which State funds have been expended, for the duration of the terms, conditions and assurances in this Agreement without approval by the State. If the transferee is found by the State to be eligible under Title 49, United States Code, to assume the obligations of this Agreement and to have the power, authority and financial resources to carry out such obligations, the Sponsor shall

insert in the contract or document transferring or disposing of Sponsor's interest and make binding upon the transferee all the terms, conditions and assurances contained in this Agreement.

- 9) **Public Hearings:** In Projects involving the location of an Airport, an airport runway or a major runway extension, the Sponsor has afforded the opportunity for public hearings for the purpose of considering the economic, social and environmental impacts of the Airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the State, submit a copy of such hearings to the State.

Financial

Pursuant to A.R.S. 35-326, the Sponsor may elect to utilize the Local Government Investment Pool ("LGIP") maintained by the state treasurer. The Sponsor shall request written approval from the State to use the LGIP. Thereafter, the State may deposit the funds authorized by the grant into the Sponsor's account. After approval of the reimbursements by the state, the funds shall be disbursed through the LGIP account to the Sponsor. The disbursements shall be made pursuant to the applicable laws and regulations.

The Sponsor shall establish and maintain for each Project governed by this Agreement, an adequate accounting record to allow State personnel to determine all funds received (including funds of the Sponsor and funds received from the United States or other sources) and to determine the eligibility of all incurred costs of the Project. The Sponsor shall segregate and group project costs into cost classifications as listed in the Specific Provisions of Exhibit C.

Record Keeping

The Sponsor shall maintain accurate records of all labor, equipment and materials used in this Project and that upon reasonable notice, shall make available to the State, or any of their authorized representatives, for the purpose of audit and examination all records, books, papers or documents of the recipient relating to work performed under this Agreement. For airport development Projects, make the Airport and all airport records and documents affecting the Airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the State upon reasonable request.

Airport Based Aircraft Reporting

The Sponsor shall furnish to the State on a quarterly basis, a current detailed listing (including: Registration/N Number, Name, Address and Phone Number of Owner) of all based aircraft on the Airport in a form approved by the State.

Airport Layout Plan

- 1) The Sponsor shall maintain a current signed/approved Airport Layout Plan (ALP) of the Airport, which shows building areas and landing areas, indicating present and planned development and to furnish the State an updated ALP of the Airport as changes are made.
- 2) The Sponsor shall be required to prepare an ALP for update or revalidation in accordance with current FAA and State standard guidelines. The ALP will indicate any deviations from FAA design standards as outlined in current FAA Advisory Circulars, orders or regulations. A copy of the signed/approved ALP in electronic format shall be forwarded to the State after authentication by FAA or the State.
- 3) The Sponsor shall assure that there are no changes to the airport property boundaries, together with any off-site areas owned or controlled by the Sponsor which support the Airport or its operations as a part of this project.

- 4) If a change or alteration is made at the Airport which the State determines adversely affects the safety, utility or efficiency of the Airport, or any State funded property on or off Airport which is not in conformity with the ALP as approved by the State, the Sponsor will, if requested by the State, eliminate such adverse affect in a manner approved by the State.

Immediate Vicinity Land Use Restriction

The Sponsor shall restrict the use of land, adjacent to or in the immediate vicinity of the Airport, to activities and purposes compatible with normal airport operations and to take appropriate action including the adoption of appropriate zoning laws. In addition, if the Project is for noise compatibility or to protect the 14 CFR Part 77 imaginary surfaces of the Airport, the Sponsor will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the Airport, of the noise compatibility program measures or the imaginary surfaces of the Airport upon which State funds have been expended.

Airport Operation

- 1) The Sponsor shall promote safe airport operations by clearing and protecting the approaches to the Airport by removing, lowering, relocating, marking and/or lighting existing airport hazards and to prevent, to the extent possible, establishment or creation of future airport hazards. The Sponsor shall take appropriate action to assure such terminal airspace as is required to protect instrument and visual operations to the Airport (including established minimum flight altitudes) will be adequately cleared and protected by preventing the establishment or creation of future airport hazards. The Sponsor shall promptly notify airmen of any condition affecting aeronautical use of the Airport.
- 2) The Sponsor further agrees to operate the Airport for the use and benefit of the public and to keep the Airport open to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes; provided that the Sponsor shall establish such fair, equal and nondiscriminatory conditions to be met by all users of the Airport as may be necessary for the safe and efficient operation of the Airport; and provided further, that the Sponsor may prohibit any given type, kind or class of aeronautical use of the Airport if such use would create unsafe conditions, interfere with normal operation of aircraft, or cause damage or lead to the deterioration of the runway or other airport facilities.
- 3) In any agreement, contract, lease or other arrangement under which a right or privilege at the Airport is granted to any person, firm or corporation to conduct or engage in any aeronautical activity for furnishing services to the public at the Airport, the Sponsor shall insert and enforce provisions requiring said person, firm or corporation:
 - a) to furnish services on a reasonable and not unjustly discriminatory basis to all users thereof and charge reasonable and not unjustly discriminatory prices for each unit or service;
 - b) and be allowed to make reasonable and nondiscriminatory discounts, rebates or similar types of price reductions to volume purchasers;
 - c) each Fixed Based Operator (FBO) and Air Carrier at the Airport shall be subject to the same rates, fees, rentals and other charges as are uniformly applicable to all other FBOs and Air Carriers making the same or similar uses of the Airport and utilizing the same or similar facilities;
 - d) each Air Carrier using such Airport shall have the right to service itself or to use any FBO that is authorized or permitted by the Airport to serve any Air Carrier at the Airport.
- 4) The Sponsor shall not exercise or grant any right or privilege which operates to prevent any person, firm or corporation operating aircraft on the Airport from performing any services on its own aircraft with its own employees (including but not limited to maintenance, repair and fueling) that it may choose to perform. In the event the Sponsor

itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by a commercial aeronautical operator authorized by the Sponsor under these provisions.

- 5) The Sponsor shall suitably operate and maintain the Airport and all facilities thereon or connected therewith which are necessary for airport purposes and to prohibit any activity thereon which would interfere with its use for aeronautical purposes and to operate essential facilities, including night lighting systems, when installed, in such manner as to assure their availability to all users of the Airport; provided that nothing contained herein shall be construed to require that the Airport be operated and maintained for aeronautical uses during temporary periods when snow, flood or other climatic conditions interfere substantially with such operation and maintenance.
- 6) The Sponsor shall not permit an exclusive right for the use of the Airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, providing services at an Airport by a single FBO shall not be construed as an “exclusive right” if:
 - a) it would be unreasonably costly, burdensome or impractical for more than one FBO; and
 - b) if allowing more than one FBO to provide such services would require a reduction of space leased pursuant to an existing agreement between a single FBO and the Airport.

Note: Aeronautical activities that are covered by this paragraph include, but are not limited to: charter flights, pilot training, aircraft rental, sightseeing, air carrier operations, aircraft sales and services, aerial photography, agricultural spraying, aerial advertising and surveying, sale of aviation petroleum products whether or not conducted in conjunction with any other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity.

- 7) The Sponsor shall terminate any exclusive right to conduct an aeronautical activity now existing at the Airport before any grant of assistance from the State. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the Airport is used as an Airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with State funds.
- 8) Airport Pavement Preservation Program: The Sponsor certifies that they have implemented an effective pavement preservation management program at the Airport in accordance with Public Law 103-305 and with the most current associated FAA policies and guidance for the replacement, reconstruction or maintenance of pavement at the Airport. The Sponsor assures that it shall use and follow this program for the useful life of the pavement constructed, reconstructed or repaired with financial assistance from the State and that it will provide such reports on pavement condition and pavement management programs as may be required by the State.

Sponsor Transactions

The Sponsor shall refrain from entering into any transaction which would deprive the Sponsor of any of the rights and powers necessary to perform any or all of the covenants made herein, unless by such transaction the obligation to perform all such covenants is assumed by another public agency eligible to assume such obligations and having the power, authority and financial resources to carry out such obligations; and, if an arrangement is made for management or operation of the Airport by an agency or person other than the Sponsor, the Sponsor shall reserve sufficient powers and authority to insure that the Airport will be operated and maintained in accordance with these covenants or insure that such an arrangement also requires compliance therewith.

Airport Revenues

The Sponsor shall maintain a fee and rental structure for the facilities and services at the Airport which will make the Airport as self-sustaining as possible under the circumstances existing at the particular Airport, taking into account such factors as the volume of traffic and economy of collection. All revenues generated by the Airport (and any local taxes established after Dec 30, 1987), will be expended by it for the capital or operating costs of the Airport; the local airport system; or the local facilities which are owned or operated by the owner or operator of the Airport and which are directly or substantially related to the actual air transportation of passengers or property, on or off the Airport.

Disposal of Land

- 1) For land purchased under a grant for airport development purposes (it is needed for aeronautical purposes, including runway protection zones, or serve as noise buffer land; and revenue from the interim use of the land contributed to the financial self-sufficiency of the Airport), the Sponsor shall apply to the State and FAA for permission to dispose of such land. If agreed to by the State and/or FAA, the Sponsor shall dispose of such land at fair market value and make available to the State and FAA an amount that is proportionate to the State and FAA's share of the cost of the land acquisition. That portion of the proceeds of such disposition, which is proportionate to the share of the cost of acquisition of such land, shall be (a) reinvested in another eligible airport development Project or Projects approved by the State and FAA or (b) be deposited to the Aviation Trust Fund if no eligible Project exists.
 - 2) Disposition of such land shall be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the Airport.
-

EXHIBIT B

General Provisions

Employment of Consultants

The term consultant, as used herein, includes planners, architects and/or engineers. If a consultant is to be used for this Project, the Sponsor agrees to consider at least three (3) consultant firms. If the Sponsor has contracted with or will contract with a consultant on a retainer basis, the Sponsor assures to the State that prior to entering such a contract, at least three (3) consultants were or will be considered. The Sponsor shall submit to the State, for review and approval, a copy of the request for proposals and/or request for qualifications, and the proposed consultant contract prior to its execution and upon award of the contract, a fully executed copy. All requests for qualifications and requests for proposals shall be in accordance with A.R.S. 34, Chapters 1, 2 and 6, and shall include a list of projects and project locations to be awarded project contracts.

Contracts

- 1) The Sponsor as an independent entity and not as an agent of the State may obtain the services required in order to fulfill the work outlined in the Project Description as approved by the State for funding in the Airport Capital Improvement Program. All contracts awarded to accomplish the project work described in this Agreement shall state:
 - a) The name of the consultant authorized to perform the work and to communicate on behalf of the Sponsor;
 - b) The Sponsor must insure that contracts issued under this Agreement comply with the provisions of Arizona Executive Order 75-5 as amended by Arizona Executive Order 99-4, relating to equal opportunity;
 - c) The terms for termination of the contract either for failure to perform or in the best interest of the Sponsor;
 - d) The duly authorized representatives of the State shall have access to any books, documents, papers and records of the consultant and/or contractor which are in any way pertinent to the contract for a period of five years, in accordance with A.R.S. 35-214, for the purpose of making inspections, audits, examinations, excerpts and transcriptions.
- 2) All contracts shall stipulate and make clear:
 - a) The responsibilities of the consultant to gain authorization for changes on the Project which may have an affect on the contract price, scope, or schedule;
 - b) That all construction contractors and sub-contractors hired to perform services, shall be in compliance with A.R.S. 32, Chapter 10.
 - c) That any materials, including reports, computer programs or files and other deliverables created under this Agreement are the sole property of the Sponsor. That these items shall be made available to the public. The Contractor/Consultant is not entitled to a patent or copyright on these materials and may not transfer the patent or copyright to anyone else.
 - d) That any travel shall be reimbursable by the State only within the rules and costs in accordance with the State of Arizona Travel Policy.

Conflict of Interest

Each consultant submitting a proposal shall certify that it shall comply with, in all respects, the rules of professional conduct set forth in Arizona Administrative Code R4-30-301. In addition, a conflict of interest shall be cause for disqualifying a consultant from consideration; or terminating a contract if the conflict should occur after the contract is made. A potential conflict of interest includes, but is not limited to:

- 1) Accepting an assignment where duty to the client would conflict with the consultant's personal interest, or interest of another client.
- 2) Performing work for a client or having an interest which conflicts with this contract.

Reports

The Sponsor shall submit monthly status reports during planning, shall submit monthly status reports during design, and shall submit weekly reports during construction. All reports shall reflect, at a minimum, the progress accomplished in relation to the Grant and Project schedules and milestones, the reasons for any changes, and the recommended corrections of problems encountered. Upon completion of the Project, the Sponsor shall submit a letter to the State specifying that the Project has been completed to their satisfaction and that the consultant and the contractor have completed their contractual responsibilities.

Changes

Any changes to the consultant contract, authorized by the Sponsor, that include additional funds, time and/or scope, shall be by amendment and shall be approved by the State prior to being made in order to be eligible for reimbursement. Approval of a change by the State shall not obligate the State to provide reimbursement beyond the maximum funds obligated by this Agreement. Any increase to the amount of funds authorized hereunder, to the expiration date of this agreement, or to the scope of work included in this agreement must be by formal amendment, and signed by all parties.

Any changes to the contract documents, authorized by the Sponsor, must be approved by the State prior to any changes being made in order to be eligible for reimbursement.

Audit

Upon completion of the Project, the Sponsor agrees to have an audit performed. The audit examination may be a separate project audit or in accordance with the Single Audit Act of 1984 (Single Audit). If the Sponsor is required under law to have a Single Audit, this Project shall be considered for inclusion in the scope of examination.

The Sponsor shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of the grant, the total cost of the Project in connection with which the grant is given or used, and the amount or nature of that portion of the cost of the Project supplied by other sources, and such other financial records pertinent to the Project. The accounts and records will be kept in accordance with A.R.S. 35-214.

In any case in which an independent audit is made of the accounts of a Sponsor relating to the disposition of the proceeds of a grant relating to the Project in connection with which the grant was given or used, it shall file a certified copied of such audit with the State not later than six (6) months following the close of the fiscal year in which the audit was made.

Grant Number E3S3E

City of Flagstaff
Flagstaff Pulliam Airport

The Sponsor shall make available to the State or any of their other duly authorized representatives, for the purpose of audit and examination, any books, documents, papers and records of the recipient that are pertinent to the grant. The Sponsor further agrees to provide the State a certified copy of the audit report. The State is to determine the acceptability of this audit.

Suspension

If the Sponsor fails to comply with any conditions of this Agreement, the State, by written notice to the Sponsor, may suspend participation and withhold payments until appropriate corrective action has been taken by the Sponsor. Costs incurred during a period of suspension may not be eligible for reimbursement by the State.

Failure to Perform

If the Sponsor fails to comply with the conditions of this Agreement the State, may by written notice to the Sponsor, terminate this Agreement in whole or in part. The notice of termination will contain the reasons for termination, the effective date, and the eligibility of costs incurred prior to termination. The State shall not reimburse any costs incurred after the date of termination.

Termination for Convenience

When the continuation of the Project will not produce beneficial results commensurate with the further expenditure of funds or when funds are not appropriated or are withdrawn for use hereunder, the State may terminate this Agreement. In the case where continuation of the Project will not produce beneficial results, the State and the Sponsor shall mutually agree upon the termination either in whole or in part. In the case where funds are no longer available or have been withdrawn or not appropriated, or the Project is no longer in the State's best interest, the State shall have the right of termination as its sole option. The State shall not reimburse any costs incurred after receipt of the notice of termination. The Governor pursuant to A.R.S. Section 38-511 hereby puts all parties on notice that this Agreement is subject to cancellation.

Waiver by State

No waiver of any condition, requirement or right expressed in this Agreement shall be implied by any forbearance of the State to declare a default, failure to perform or to take any other action on account of any violation that continues or repeats.

Compliance with Laws

The Sponsor shall comply with all Federal, State and Local laws, rules, regulations, ordinances, policies, advisory circulars, and decrees that are applicable to the performance hereunder.

Arbitration

In the event of a dispute, the parties agree to use arbitration to the extent required by A.R.S. Section 12-1518.

Jurisdiction

Any litigation between the Sponsor and the State shall be commenced and prosecuted in an appropriate State court of competent jurisdiction within Maricopa County, State of Arizona.

Excess of Payments

If it is found that the total payments to the Sponsor exceed the State's share of allowable project costs, the Sponsor shall promptly return the excess to the State. Final determination of the State's share of allowable costs shall rest solely with the State. Any reimbursement to the Sponsor by the State not in accordance with this Agreement or unsubstantiated by project records will be considered ineligible for reimbursement and shall be returned promptly to the State.

State Inspectors

At any time and/or prior to final payment of funds for work performed under this Agreement, the State may perform an inspection of the work performed to assure compliance with the terms herein and to review the workmanship of the Sponsor's contractors and/or consultants. No inspector is authorized to change any provisions of this Agreement or any provisions of Agreements between the Sponsor and the Sponsor's contractor and/or consultant.

Indemnification

The State of Arizona, acting by and through the Arizona Department of Transportation, does not assume any liability to third persons nor will the Sponsor be reimbursed for the Sponsor's liability to third persons resulting from the performance of this Agreement or any subcontract hereunder.

The Sponsor shall indemnify and hold harmless the State, any of their departments, agencies, officers and employees from any and all liability, loss or damage the State may suffer as a result of claims, demands, costs or judgments of any character arising out of the performance or non-performance of the Sponsor or its independent contractors in carrying out any provisions of this Agreement. In the event of any action, this indemnification shall include, but not be limited to, court costs, expenses of litigation and reasonable attorney's fees.

Required Provisions Deemed Inserted

Each and every provision of law and clause required by law to be inserted in this Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party, this Agreement shall forthwith be physically amended to make such insertion or correction.

Property of the Sponsor and State

Any materials, including reports, computer programs or files and other deliverables created under this Agreement are the sole property of the Sponsor. The Contractor/Consultant is not entitled to a patent or copyright on these materials and may not transfer the patent or copyright to anyone else. The Sponsor shall give the State unrestricted authority to publish, disclose, distribute and otherwise use at no cost to the State any of the material prepared in connection with this grant. At the completion of the project, the Sponsor shall provide the State with an electronic copy, in a format useable by the State, and one hard copy in a format useable by the State, of final plans, specifications, reports, planning documents, and/or other published materials as produced as a result of this project.

EXHIBIT C

Specific Provisions and Project Schedules

Provisions for Design/Construction

Financial Cost Categories

The Sponsor shall segregate and group project costs in categories as follows:

- 1) “Design/Engineering Services” (as applicable), including topographic surveys/mapping, geometric design, plans preparation, geotechnical and pavement design, specifications, contract documents.
- 2) “Construction” (must be accounted for in accordance with approved work items as presented in the bid tabulation).
- 3) “Construction Engineering” (as applicable), including contract administration, inspection/field engineering, materials testing, construction staking/as-built plans and other.
- 4) “Sponsor Administration” directly associated with this Project (not to exceed 5% of project costs).
- 5) “Sponsor Force Account” contribution (if applicable).
- 6) “Contingencies” (not to exceed 5% of construction costs).
- 7) “Other” with prior approval of the State.

Design Review – Plans, Specifications and Estimates

Plans, specifications and estimates shall be accomplished by, or under the direct supervision of a qualified engineer registered by the State of Arizona. The Sponsor shall conduct a Concept Design Review meeting with the State and Sponsor’s consultant at approximately the thirty percent (30%) completion point in the design of the Project, and a Final Design Review at one hundred percent (100%) plan completion.

These mandatory reviews shall be completed before the Sponsor will be permitted to proceed with the Project. The State shall issue an approval to proceed with final design upon satisfactory completion of the 30% review. The State shall issue an approval of the 100% plans, specifications and estimates upon satisfactory completion of the 100% review. Upon State approval, the Sponsor may proceed to advertising if construction is included in the scope of the Project, or must close the Project and submit a final grant reimbursement request if the grant is for design only.

Any modification to the approved plans, specifications and estimates authorized by the Sponsor shall also be subject to approval of the State. **Changes made to approved plans, specifications, and estimates at any time must be authorized by the State prior to executing the changes in order to be eligible for reimbursement by the State.**

The National Environmental Policy Act (NEPA) documentation must be complete and approved by the State and/or FAA prior to construction. The Sponsor shall submit a copy of the documentation to the State.

FAA Notice of Proposed Construction

The Sponsor agrees to submit an FAA Form 7460-1, Notice of Proposed Construction or Alteration before construction, installation or alteration of any Project under this Agreement that falls under the requirements of Subpart B to Part 77, Objects Affecting Navigable Airspace.

Bidding - Alternate Bidding Methods

Design, Bid, Build is the standard and preferred method for project delivery for State airport development grant projects. Alternative contracting methods (Design Build, Construction Manager at Risk, Task Order Contract) may be used in accordance with A.R.S. Title 34, Chapters 1, 2 and 6. **Use of an alternative contracting method shall be reviewed and approved by the State prior to the Sponsor executing a contract for the work.** If a project is approved for an alternative contracting method, the Sponsor must comply with all Federal, State, and Local policies, regulations, rules, and laws, as well as all requirements of this grant agreement within that method.

Based on Bids

If a Sponsor has requested a match to a Federal construction grant that was based on bids (the project was already advertised by the Sponsor with no existing State airport development grant for the design work), then all design coordination with the State required by this agreement must have been met during the design process for any prior design work to be considered eligible for reimbursement by the State. The State shall review any documentation and work done prior to bidding and, at its sole discretion, determine the eligibility of the work. Only work items necessary to complete the Project as stated in Exhibit C, Schedule One, Project Description, may be considered eligible.

Contractor Allowance

This item may only be used to cover costs of unknown, unforeseen circumstances within the scope of the grant that are necessary for Project completion. (For example: if unknown underground utilities must be removed or relocated to accomplish the Project) **This item must have prior approval of the State for each use of the item during construction in order to be eligible for reimbursement by the State.** The bid item shall be clearly defined in the contract documents with concise language describing when it may be utilized. It shall also be specified that the item may not be used at all. The allowance may only be used for unforeseen items directly related to the Project.

Contingencies

Contingencies are to be used as an estimating tool during the preliminary phases of Project development. They are intended to allow room in the grant funding level for reasonable price increases or approved added items during design. Contingencies are not eligible for reimbursement by the State as bid items in a construction contract.

Itemized Allowance

Use of an itemized allowance items may only be included in a contract with prior approval of the State. Any use of an itemized allowance bid item as part of a grant must be for a clearly defined portion of the project. (For example: cabinet allowance – cabinets in terminal storage room as shown on plans to be selected by Sponsor, or carpet allowance – industrial Berber carpet for 200 SF lobby to be selected by Sponsor) Each contract allowance item must be approved by the State in order to be included in the bid package. The State will not approve use of an item to cover expenses not directly related to the item. (For example: Left over funds from cabinet allowance cannot be used to purchase light fixtures)

Construction Inspection

Airport planning, design, project estimates, bidding, and construction inspection are the direct responsibility of the Sponsor and may be accomplished by the Sponsor's staff or by a qualified consultant. The Sponsor shall provide and maintain competent technical supervision throughout the Project to assure that the work conforms to the plans, specifications and schedules approved by the State and the Sponsor.

Construction inspection shall be accomplished by, or under the direct supervision of a qualified engineer registered by the State of Arizona.

The Sponsor shall subject the construction work and any related documentation on any Project contained in an approved Project application to inspection and approval by the State and the FAA. The State shall, if in accordance with regulations and procedures, prescribe such work as needed for the Project.

Change Orders

The Sponsor shall notify the State in advance of the need for a change. Such notification shall clearly define the changed or added bid items, the locations of changed work, the quantities and costs of changed work, and the time required for the change. Justification for the change must be provided to the State by the Sponsor. Change orders may be approved by the State only if they are clearly necessary to accomplish the original grant scope. If approval is granted by the State, the Sponsor shall follow up with the written change order for the State's review and approval in a timely manner. The Sponsor may not request reimbursement for the work done under a change order until the change order is approved by the State.

Construction Contract Documents

Any changes to the construction contract documents (including scope, time and amount), authorized by the Sponsor, must be approved by the State prior to being implemented by the Sponsor in order to be eligible for reimbursement under the grant. All changes, as well as any notifications and approvals related to the changes, shall be documented in the final contract documents, change orders, and as built plans provided to the State at the end of the contract. Verbal requests and approvals are not sufficient as documentation for reimbursement. Final reimbursements will not be made until all documentation is received by the State.

Design/Construction Project Schedules

The Schedule Forms are intended to identify and monitor project scope, costs, and basic milestones that will be encountered during various phases of the Project. The Sponsor shall complete these three schedules showing the project description and total costs, project reimbursements (cash flow) schedule and project milestones.

Schedule One shows the total Project estimated costs associated with each share - State and Federal and Local. Schedule Two shows a projected cash flow for State funds only. The Sponsor is to estimate requests to the State for Project reimbursement. Schedule Three shows anticipated dates of Project milestones. These schedules will be used to keep track of the Project's progress. Be sure to develop realistic schedules.

As the project progresses, and the original reimbursement schedule and or milestone dates change, the Sponsor must submit a revised Schedule to the State for approval.

**Schedule One
Design/Construction Project Description and Funding Allocation**

Detailed Project Description:

Design drainage improvements Ph.1 and 2. Design rehab of existing taxilanes between and around hangars and shades. Taxilane construction is approx. 46,463 sy per phase

Project Cost Category	Total Estimated Project Cost	Estimated Local Share	Estimated Federal Share	Estimated State Share*
Design/Engineering Services	\$	\$	\$	\$
Construction	\$	\$	\$	\$
Construction Engineering	\$	\$	\$	\$
Sponsor Administration**	\$	\$	\$	\$
Sponsor Force Account Work***	\$	\$	\$	\$
Contingencies	\$	\$	\$	\$
Total Project Costs	\$	\$	\$	\$

*Total of this column to be used in Schedule Two.

** Sponsor Administration is not eligible for reimbursement above 5% of the project costs.

*** All force account work is to be approved by the State prior to the grant agreement being signed.

NOTE: The Sponsor must attach a project plan based upon the ALP that clearly shows the scope and the limits of the work.

**Schedule Two
Design/Construction Project Reimbursement Schedule**

The Sponsor must complete this Project Reimbursement Schedule showing the projected cash flow of State grant funds only for this Project. Projections must include all consultant and contractor services. The reimbursement schedule should be a realistic schedule and will be used to keep track of a project’s progress. Reimbursement requests must be submitted regularly by the Sponsor while the grant is active. The cash flow should reflect when a request is submitted to the State, not when invoices are paid by the Sponsor.

Instructions:

- 1) For “Total State Funds” below, enter the Total Project Costs/Estimated State Share from Schedule One.
- 2) For each month/year, indicate the projected reimbursement request amount for **State Funds Only** (use whole dollars only, e.g. \$540 or \$1,300).
- 3) Continue the process by entering a Zero (Ø) in the month/year for which no reimbursement is anticipated and/or a dollar amount of the reimbursement, until the total State funds are accounted for in the cash flow.

Total State Funds: \$ 498,886

Projected Reimbursement Requests / State Cash Flow

<i>Calendar Year</i>	Jan	Feb	Mar	Apr	May	Jun
2012	\$	\$	\$	\$	\$	\$
2013	\$	\$	\$	\$	\$	\$
2014	\$	\$	\$	\$	\$	\$
2015	\$	\$	\$	\$	\$	\$
2016	\$	\$	\$	\$	\$	\$
<i>Calendar Year</i>	Jul	Aug	Sep	Oct	Nov	Dec
2012	\$	\$	\$	\$	\$	\$
2013	\$	\$	\$	\$	\$	\$
2014	\$	\$	\$	\$	\$	\$
2015	\$	\$	\$	\$	\$	\$
2016	\$	\$	\$	\$	\$	\$

Grants expire 4 years from the date of the grant offer. The Sponsor shall schedule the work to be completed within the 4 years.

**Schedule Three
Design/Construction Project Milestones**

Milestone Duration Guidelines

The below duration periods are intended to provide guidelines for you to consider. These are average time periods (in calendar days), but it is understood these periods may vary by Sponsor and Project, and are subject to modification. If an entry on the form is not applicable, write N/A.

- 1) The Consultant Selection Phase for all Projects, regardless of type, is approximately ninety (90) days but should not exceed one hundred eighty (180) days.
- 2) The Design/Engineering Phase is subject to the type and complexity of the Project, however, most designs can be accomplished within one hundred eighty (180) days to two hundred and seventy (270) days.
- 3) The Bidding Phase typically should be sixty (60) days or less.
- 4) The Construction Phase is dependent upon the type of Project, the airport traffic, and the available construction season, generally ninety (90) days to three hundred sixty (360) days.
- 5) The State review periods should be fifteen (15) days.

<u>Design/Construction Milestone Schedule</u>					
Milestones	Duration # of Days	Start Date		Completion Date	
		Proposed	Actual	Proposed	Actual
Consultant Selection Phase					
Submit Scope for State Review/Approval*					
Submit Contract for State Review/Approval					
Award Consultant Contract					
Design & Engineering Phase					
Sponsor Issue Notice to Proceed/Start Design					
Conduct 30% Design Review/Approval					
Conduct Final Design Review/Bid Set Submitted (100%) for Review/Approval					
Bidding Phase					
Bid Set Submitted (100%) for Review/Approval					
Issue Invitation for Bids					
Submit Bid Tab for State Review/Approval					
Award Construction Contract/Submit to the State					
Construction Phase					
Pre-Construction Meeting					
Issue NTP – Begin Construction					
Final Inspection					
Submit As-Built & Final Documentation					
Submit Final Reimbursement Request and Sponsor Closeout Letter					

* The solicitation for qualifications and the service agreements must contain a list of projects, including this grant project, per A.R.S. 34-Chapter.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Dan Holmes, PW Project Manager
Date: 11/06/2012
Meeting Date: 12/04/2012



TITLE:

Consideration and Approval of Service Agreement: Supplemental Agreement No.1, Pulliam Airport Master Plan Improvements, Design Services for the Westplex Taxilanes Reconstruction Project.

RECOMMENDED ACTION:

1. Approve Supplemental Agreement Number 1 with Kimley-Horn and Associates, Inc. in the amount of \$ 203,176.00 subject to acceptance of a grant from the Arizona Department of Transportation, Multimodal Planning Division, Aeronautics.
2. Authorize a Change Order Authority in the amount of \$20,317 to cover the potential costs associated with unanticipated or additional items of work.
3. Authorize the City Manager to execute the necessary documents.

Policy Decision or Reason for Action:

Award of the Supplemental Agreement will authorize design and preparation of bid documents to reconstruct all taxilanes in the Wesplex area in accordance with the Pulliam Airport Master Plan.

Subsidiary Decisions Points: Award of the agreement is subject to acceptance of a grant from ADOT Multi-modal Planning Division, Aeronautics, to be considered on this meeting agenda.

Financial Impact:

Funding for Supplemental Agreement No. 1 is to be provided by the Arizona Department of Transportation, Multi-modal Planning Division, Aeronautics in the grant amount of \$498,886. The project is budgeted in FY 12/13 as Rehab Taxiway Westplex (Account No. 270-3776-783) in the amount of \$3,433,050. (design and construction)

Connection to Council Goal:

Maintain and deliver quality, reliable infrastructure.

Has There Been Previous Council Decision on This:

Yes - Council approved the original five year term Professional Design Services Agreement with Kimley-Horn & Associates on April 17, 2012.

Options and Alternatives

Approve Supplemental Agreement No. 1. This will allow design work to proceed.
Do not approve Supplemental Agreement No.1. This will halt work on the project.

Background/History:

On April 17, 2012, City Council approved an Agreement for Consulting Services with Kimley-Horn and Associates to provide design services for the Concrete Ramp Joint Repair project. That staff report to Council indicated that Kimley-Horn had been selected and was to be retained for a five year period, and that future design elements would be presented for approval to Council, for FAA and ADOT Aeronautics grant awards as a Supplemental Agreement. The Concrete Ramp Joint Repair Project has already been completed under the original agreement.

A Scope of Work and fee estimate for the Westplex Taxilanes Reconstruction project has been formulated, negotiated and agreed upon in accordance with FAA guidelines for Supplemental Agreement No. 1. A copy of the Scope of Work and fee estimate is attached.

The project consists of removal and reconstruction of pavement on taxilanes for all hangars and tie-downs in the Westplex, and other related work. Design is to begin upon approval of the Supplemental Agreement. Construction is scheduled to begin in early April 2013 and be complete in November 2013.

Key Considerations:

The pavement in the taxilane areas to be removed and replaced is the final remaining pavement on the airport which was constructed prior to utilization of performance graded asphalts. The pavement is oxidized and has large transverse thermal cracks that require repeated patching and frequent maintenance. Replacement of these pavements will enhance pilot safety and provide significant improvements to tenants renting hangar space.

Community Benefits and Considerations:

Construction of these improvements will increase utility and safety of operations at the airport. New pavements will provide a higher level of service to tenants using these pavements to access their aircraft storage facilities.

Community Involvement:

Inform - Construction of these improvements is included as part of the current Pulliam Airport Master Plan Improvements as approved by City Council and the FAA and ADOT. Approval of the Master Plan included numerous public meetings and hearings where public input was actively solicited. Public hearings were sparsely attended with very little public input received. In addition, the Airport Commission has had involvement in review of the overall project as part of the airport project updates discussed at regularly scheduled monthly meetings with observations provided in their meetings. Pilots affected by the construction will be notified of closures and allowed the opportunity to relocate elsewhere on the airport during construction.

Expanded Options and Alternatives:

Approve Supplemental Agreement No. 1. This will allow the project to proceed in accordance with ADOT grant agreements.

Do not approve Supplemental Agreement No.1. This will halt progress on the project.

Date of Council Approval:

Attachments: Supplemental Agreement No. 1
 Fee Proposal

Form Review

Inbox
Grants Manager

Reviewed By
Stacey Brechler-Knaggs

Date
11/08/2012 02:13 PM

Purchasing Director	Rick Compau	11/13/2012 08:21 AM
Senior Procurement Specialist - PB	Patrick Brown	11/13/2012 10:27 AM
Legal Assistant	Vicki Baker	11/13/2012 10:39 AM
Senior Assistant City Attorney JS	James Speed	11/20/2012 06:36 AM
Finance Director	Rick Tadder	11/20/2012 06:56 AM
Public Works Director	Erik Solberg	11/20/2012 07:54 AM
Legal Assistant	Vicki Baker	11/20/2012 08:50 AM
Senior Assistant City Attorney JS	James Speed	11/20/2012 08:52 AM
DCM - Jerene Watson	Jerene Watson	11/20/2012 02:37 PM

Form Started By: Dan Holmes

Started On: 11/06/2012 09:00 AM

Final Approval Date: 11/20/2012

Scope of Services

City of Flagstaff, Arizona Flagstaff-Pulliam Airport

Taxilane Reconstruction (Design Only)

A. PROJECT DESCRIPTION: City of Flagstaff (COF), Flagstaff-Pulliam Airport requires engineering design services for the existing taxilanes between and around hangars and shades in the west-plex area (see attached exhibit). The existing taxilane and apron areas have become oxidized and damaged and have pavement grade irregularities. This project will provide design plans and specifications for the replacement of the pavement. Pavement geometrics of the area will be revised to allow for better aircraft movement and snow plow operations. Existing pavement under the shade hangars will be replaced with Portland Cement Concrete pavement. Anticipated construction cost for this project is approximately \$6.0 Million. Construction of this project may be funded in two seasons depending on FAA funding availability.

B. PROJECT SCOPE: The specific scope of service for this project is identified as follows:

1. Project Administration and Design Services: The following general administration tasks are anticipated for the project.

- a) Provide project administrative tasks for support throughout the project.
- b) Provide project planning, budgeting, and initial project schedule.
- c) Provide progress reports, meetings and minutes of project meetings.
- d) Attend coordination and plan review meetings.

2. Engineer's Design Report and Categorical Exclusion (CE)

Kimley-Horn and Associates (Engineer) shall produce an Engineer's Design Report for the design including design methodology and other design concepts, criteria and standards. Reference will be made to appropriate FAA design circulars, specifications and applicable federal and state regulations. Design standards shall be according to FAA Advisory Circular 150/5300-13, Airport Design and associated circulars and Maricopa Association of Governments (MAG) standards.

The Western Pacific Region of the FAA requires Categorical Exclusion (CE) documents to be prepared following the guidance and format discussed in the FAA document titled: Extraordinary Circumstances Evaluation Information Submittal for Categorical Exclusion of Airport Projects. This CE document is being prepared by the airport sponsor (City of Flagstaff) in support of the grant application and to assist the FAA in determining if the proposed project can be categorically excluded from the NEPA requirement or determine if a formal Environmental Assessment (EA) or Environmental Impact Statement (EIS) will be required.

3. Preliminary Plans (30%):

As part of this early task, topographic survey and geotechnical work will be accomplished. These efforts will be done so that preliminary plans (30%) can be prepared. A reduced number of preliminary plans sheets will be produced which will allow ADOT MPD Aeronautics to understand the project limits and features of the project. A facilitated review meeting with the airport and ADOT MPD Aeronautics will be held to review the proposed work.

4. Preliminary and Final Design Contract Documents (60% and 95%)

The Engineer shall provide preliminary and final design contract documents (60% and 95%) for construction of the project. The Engineer shall provide engineering drawings and specifications for the contract documents. Grades, profiles, geometric layout, and other details for use in developing the final

plan sheets shall be provided. Plan sheets will include: cover sheet, sheet index, summary of quantities, general notes and abbreviations, project layout plan, site work, removals, pavement geometrical layout plans, typical section and details, grading and drainage plans, and striping/markings plans.

Plans shall be prepared for a preliminary and final submittals as well as the final buildable set of contract documents (plans and specifications). Review comments by the Owner, Federal and State shall be incorporated after the 60% and 95% review prior to the next submittal.

Construction Costs: An Engineer's opinion of probable construction costs will be provided for the project and shall be based on cost history for past work within the vicinity of the airfield and for projects of a similar nature. The estimate shall reflect construction during regular construction schedule.

C. Contractor Coordination

Upon election of the City to construct or complete construction of the Project, Engineer agrees to perform the duties and services set forth in this Agreement, the duties and services set forth in this Exhibit, and all duties and services reasonably inferable there from.

1. Engineer shall coordinate with the City during the design of the Project. Coordinate within the context of this Contract means to fully cooperate with other relevant parties.
2. If a CMAR is not the selected way of completing the project, the Engineer will provide bid assistance for the project.
3. Engineer shall be responsible for responding to questions regarding the plans, specifications, shop drawing and material selections used in the preparation of the construction documents.

D. SCHEDULE:

A project design schedule will be developed together with the Airport as a part of Project Administration, but it is anticipated that design will begin during the fall of 2012 and construction will begin in the spring of 2013.

E. DELIVERABLES: Final documents will be submitted to the airport for distribution for bidding purposes and for recording of records drawings.

The following deliverables will be provided according to this contract:

- (1) Engineer's Design Report – four copies to City of Flagstaff,
- (2) Plans and Specifications (30%, 60%, and 95% plan submittals) two (2) copies to City of Flagstaff, one (1) copy will be made available to FAA and ADOT MPD Aeronautics.
- (3) Estimate of probable construction costs – one copy with each submittal.
- (4) Final Plans and Specifications (Final Submittal) one final mylar copy to City of Flagstaff. The Airport will provide copies of the plans to contractors for bidding purposes.
- (5) Electronic drawing files to City of Flagstaff.

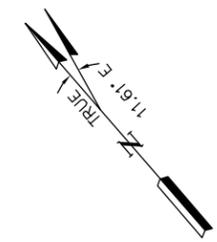
F. FEE AND BILLING:

KHA's team will perform the services described in this Scope of Services for the lump sum of:

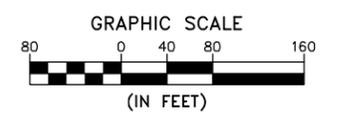
\$203,176 as an Engineering Design Fee

Fees and expenses will be invoiced monthly based, as applicable, upon the percentage of services completed or actual services performed and expenses incurred as of the invoice date. Payment will be due within 30 days of the date of the invoice. We will not perform any Additional Services without prior approval.

\\pvs0001\pvs0001\pvs0001\191133007_Flagstaff_Pulliam_Airport_Taxiway_A\Cloud\Exhibits\191133007EX_LB3.dwg Sep 17, 2012 fred.stauffler
 XREFS: X:\191133007\191133007\191133007.dwg X:\191133007\191133007.dwg X:\191133007\191133007.dwg X:\191133007\191133007.dwg
 THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REDUCE
 IT AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.



- LEGEND**
- APRON ASPHALT RECONSTRUCTION
TOTAL = 430,585 SF (47,843 SY)
 - APRON PCCP CONSTRUCTION
TOTAL = 36,800 SF (4,089 SY)
 - APRON MILL AND REPLACE
TOTAL = 106,107 SF (11,797 SY)



FLAGSTAFF PULLIAM AIRPORT
TAXILANE RECONSTRUCTION
EXHIBIT

CALL TWO WEEKS BEFORE YOU DIG
602-263-1100
1-800-STRAHE-IT
(OUTSIDE MARICOPA COUNTY)

NO.	DATE	REVISION	BY	APPD.

 Kimley-Horn and Associates, Inc. <small>© 2010 KIMLEY-HORN AND ASSOCIATES, INC. 7878 North 16th Street, Suite 300 Phoenix, Arizona 85020 (602) 944-5500</small>	DATE: AUGUST 2, 2012
	PROJ. NO. 191133007
FILE NO. 191133007EX_LB3	SHEET NO.
2	2 OF 2

TAXILANE RECONSTRUCTION
 FLAGSTAFF PULLIAM AIRPORT
 CITY OF FLAGSTAFF
 DATE: SEPTEMBER 24, 2012 (revised October 29, 2012)

KIMLEY-HORN ASSOCIATES
 Phoenix, Arizona

EXHIBIT I - DESIGN - ENGINEERING FEE
 TAXILANE RECONSTRUCTION

DERIVATION OF COST OF PROPOSAL FEE

1. DIRECT LABOR

<u>TASK</u>	<u>DESCRIPTION</u>	<u>MANHOURS</u>	<u>TOTAL</u>	<u>EXTENDED TOTAL</u>
001	Project Administration	152	6,649.92	
002	Engineer's Design Report and Categorical Exclusion	143	6,025.50	
003	Preliminary Plans and ADOT Review	150	5,959.58	
004	Construction Drawings (Draft Submittal)	368	14,745.48	
	Specifications, Quantities & Cost Estimate	76	3,308.08	
	Airport Construction Safety Plan	45	1,780.77	
005	Construction Drawings (95% Submittal)	173	6,747.74	
	Quantities & Cost Estimate	13	521.49	
	Project Specifications	29	1,362.33	
006	Final Plans & Specification Submittal and Contractor Coordination	148	6,165.08	
TOTAL DIRECT LABOR		1,297		\$53,265.97

2. EXPENSES:

EXPENSE ALLOCATION (4.6%)	6,931.71	
DESIGN EXPENSES	4,005.00	
TOTAL EXPENSES:		\$10,936.71

3. CONSULTANTS:

SURVEY - SWI	7,300.00	
GEOTECHNICAL TESTING - SPEEDIE	15,050.00	
SUBCONSULTANT ADMINISTRATION - 5%	1,117.50	
TOTAL CONSULTANTS		\$23,467.50

4. ENGINEERING FEE

TOTAL LABOR		53,265.97
OVERHEAD (%)	182.90%	97,423.46
FEE (% OF NET)	12%	18,082.73
DIRECT EXPENSES		10,936.71
CONSULTANTS		23,467.50
TOTAL ENGINEERING FEE		\$203,176.37

EXHIBIT II - DESIGN - ENGINEERING FEE
 TAXILANE RECONSTRUCTION

DERIVATION OF COST OF PROPOSAL FEE

1. Direct Salary Costs

<u>Title</u>	<u>HOURS</u>	<u>Rate</u>	<u>Total Labor</u>	<u>EXTENDED TOTAL</u>
Project Manager	307	53.10	16,301.70	
Principal Engineer	25	73.29	1,832.25	
Professional Engineer	475	41.10	19,522.50	
Engineer in Training	87	29.60	2,575.20	
CADD	351	32.92	11,554.92	
Lead Inspector		41.22		
Clerical/Accounting Admin	52	28.45	1,479.40	
Total Direct Salary Costs	1,297			\$53,265.97

2. Labor and General & Administrative Overhead

Percentage of Direct Salary Costs By 182.9% \$97,423.46

3. Subtotal of Items 1 and 2

\$150,689.43

4. Fixed Payment

12 % of Item No. 3: \$18,082.73

5. Direct Non-Salary Expenses

EXPENSE ALLOCATION (4.6%)	6,931.71
DESIGN EXPENSES	4,005.00
Total Direct Non-Salary Expenses	\$10,936.71

6. Subcontract Costs

SURVEY - SWI	7,300.00
GEOTECHNICAL TESTING - SPEEDIE	15,050.00
SUBCONSULTANT ADMINISTRATION - 5%	1,117.50
Subtotal of subcontract Costs	\$23,467.50

7. TOTAL ENGINEERING FEE

\$203,176.37

DESIGN EXPENSES

<u>1. POSTAGE:</u> on Site	\$0.00 / mo. X	5	mos. =		0.00	0.0
<u>2. COMMUNICATIONS:</u>						
Cell Phones	\$0.00 / mo. X	5	people =	1	0.00	0.0
<u>3. PER DIEM/MEALS:</u>						
Per Diem (office)	\$34.00 / day X	10	people =	1	340.00	
Per Diem (Field Insp)	\$0.00 / day X	0	people =	1	0.00	
Meals /other	/ day X		people =		600.00	940.0
<u>4. LODGING:</u>						
	\$60.00 /night X	3	nights =	1	180.00	
	\$1,400.00 / month X	0	months =		0.00	180.0
<u>5. TRANSPORTATION:</u>						
Vehicle Rental and Fuel (RE)	\$900.00 / mon X	0	months X	1	0.00	
Airfare	\$550.00 / ticket X	2	trips for	1	1,100.00	
Vehicle Mileage (Office)	10 trips X	300	miles X	0.445	1,335.00	2,435.0
					Lower than IRS approved rates	
<u>6. PRINTING:</u>						
Reports	xerox @ \$0.12		per copy	12	0.00	
Record Drawings, Black Lines	plan sheets \$2.00		per copy	1	0.00	
Final Bid Set Specifications	500 spec docume \$0.08		per copy	12	450.00	
Final Engineer's Report	0 docs \$1,500.00		per copy	3	0.00	
Construction Photographs	0 set \$1,000.00		per copy	2	0.00	450.0
<u>7. COMPUTER (Software/Hardware)</u>						
Drafter	- CADD Stations	0	hours X	\$15.00	0.00	
Admin	- Word Process	0	hours X	\$15.00	0.00	
Field Team, 1 Computers	- Field Computer	0	months X	\$300.00	0.00	0.0
<u>8. FIELD SUPPLIES</u>						
Field Office	0 L.S.	1	=	1	0.00	
Furniture Rental	0 / Mon	5	=	1	0.00	
Utilities	0 / Mon	5	=	1	0.00	0.0
<u>10. LICENSES & PERMITS:</u>						
	0 @		=		0.00	0.0
<u>11. ADVERTISING</u>						
	0 X	0	days =	1	0.00	0.0

TOTAL EXPENSES =

4,005.0



Shephard ▲ Wesnitzer, Inc.

110 West Dale Avenue
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.swiaz.com

Engineering an environment of excellence

PROPOSAL/ AGREEMENT FOR PROFESSIONAL SERVICES

Ref #12500

September 19, 2012

BETWEEN: Kimley-Horn and Associates, Inc.
Attn: Steve Reeder
7740 North 16th Street, Suite 300
Phoenix, Arizona 85020 ("CLIENT")

AND: Shephard - Wesnitzer, Inc.
110 West Dale Ave, Suite 1
Flagstaff, AZ 86001 ("SWI")

FOR THE PROJECT: Surveying Services – Topographic Survey
Flagstaff Pulliam Airport Hangar ("PROJECT")
Flagstaff, Arizona ("SITE")

The Client and SWI do hereby agree as follows:

1.0 DESCRIPTION OF PROJECT

Information provided by the Client indicates that the Project will consist of a topographic survey showing detailed site features and existing utilities within the Hangar area as shown on the exhibit provided.

2.0 PURPOSE

The purpose of our Surveying Services will be to provide a topographic survey that the client will use for improvements to the Hangar area aprons.

Client's Initials _____

3.0 SCOPE OF SERVICES

We propose to provide the following:

Item No.	Description	Fee
1.	<u>Survey Control:</u> Verify existing survey control and elevation benchmarks. Establish new permanent survey control for use through duration of the project.	
2.	<u>Topographic Survey:</u> Provide a detailed topographic survey of the airport Apron/Hangar area as shown on exhibit provided, including: edge of pavement, grade breaks, pavement markings, hangar support columns, roof drip lines, door openings, grading and drainage features, aircraft tie-downs, lighting and signage. Provide a signed and sealed topographic survey and associated CAD files.	
3.	<u>Utilities:</u> Coordination and location of utility bluestake markings and above-ground utility appurtenances to be incorporated within the Topographic Survey.	
4.	<u>Geotech Bore Locations:</u> Locate approximately 10-12 geotechnical bore and core locations and foundation checks to be incorporated within the Topographic Survey.	
	TOTAL	\$7,300.00

4.0 SCHEDULE

Work will commence upon receipt of a signed copy of this agreement, and is expected to require 2 weeks to complete.

5.0 ASSUMPTIONS

No boundary survey will be conducted or implied. Sufficient survey control exists in the immediate vicinity of the Site to facilitate the relation of the topography survey to known datum. Horizontal and vertical datum will be based on the SWI control network. If a different datum is requested, the client will provide the necessary control information.

6.0 MANNER OF PAYMENT

Billing for work in progress will be made on a monthly basis. Payment is due upon receipt of monthly billings. Late fees at the rate of 2% interest on balance owed will be assessed to client for delays in payments in excess of 60 days from the date of invoice. Services will be halted due to delays in payment. Final revisions to calculations and drawings will be released upon receipt of final payment.

7.0 FEES

The cost for services is a lump sum fee as indicated in Section 3.0 including reimbursable expenses. Reimbursable expenses include mileage, travel time, and equipment cost, a one time FedEx charge and plan reproduction costs. Any additional work which may be indicated by the discovery of unanticipated conditions in the field or revisions to the site plans instigated by others will be performed, only upon your authorization, in accordance with our current standard fee schedule. Current standard hourly rates are subject to change as current year expires. The lump sum fee noted in Section 3.0 is valid for 90 (ninety) calendar days after which time a review by SWI will be required.

8.0 STANDARD SWI TERMS AND CONDITIONS

Attached hereto and incorporated for reference are the **SWI Standard Terms and Conditions**, which shall govern this agreement.

9.0 SERVICES NOT INCLUDED

Boundary Survey, Geotechnical investigations, environmental studies, archeological studies, construction inspection, or any other work not specifically identified in Section 3.0, Scope of Services. All agency and/or permitting fees to be paid by the Client.

This Proposal/Agreement, and the attached **Terms and Conditions**, contains the entire agreement between the parties, and supersedes all other agreements, either oral or written. No representations or warranties shall be valid or binding unless contained herein.

The signature below constitutes Shephard - Wesnitzer Inc.'s intention to be bound under the terms of this Proposal/Agreement, including the attached **Terms and Conditions**. The Client may accept by signing and returning to Shephard - Wesnitzer, Inc.

Any change to the **Terms and Conditions** of this Proposal/Agreement, or the tender of any contract documents in place of this Proposal/Agreement shall not be valid unless made in writing, dated and signed by all the parties.

EXECUTED BY:



Shephard-Wesnitzer, Inc.

September 19, 2012
Date

The foregoing AGREEMENT with its attached **Terms and Conditions** has been proposed by Shephard - Wesnitzer, Inc. and has been read, is understood, and is hereby accepted.

Revised September 20, 2012

Steve Reeder
Kimley-Horn and Associates, Inc.
7878 N. 16th Street
Phoenix, AZ 85020

**RE: Proposal for Geotechnical Investigation
FLG Taxilane/Hanger Apron Rehab
Pulliam Drive
Flagstaff, AZ
Proposal No. 45713SFr**

Dear Mr. Reeder:

We are pleased to provide our cost estimate to conduct a soil investigation at the above referenced site that will satisfy site development and pavement design requirements. All work on this project will be carried out under the overall supervision of a registered Professional Engineer in the state of Arizona.

We understand that construction will consist of 430,585 sq. ft. of complete apron asphalt reconstruction, 106,107 sq. ft. of apron milling and replacement and 36,800 sq. ft. of apron PCCP construction. At this time, traffic volume is unknown and will be provided by Kimley-Horn prior to the investigation.

We will drill and sample sufficient test borings to adequately determine subsoil conditions and provide samples for laboratory testing. Sufficient laboratory tests will be conducted to properly classify the soils encountered and provide data for engineering design. We presently anticipate drilling 12 structural borings to depths of 5 to 10 feet below existing ground surface, or refusal, whichever comes first. Access to the site by conventional truck-mounted drilling equipment is assumed to be free and unencumbered.

We will also excavate one test pit, adjacent to a shade hanger foundation to verify existing width and depth of the foundation. It is assumed that this foundation is bearing at an elevation within 5 feet of existing grade. This will require saw cutting roughly a 5'x10' area of the existing asphalt, removal of the soil to the bottom of the foundation (maximum depth of 5 feet), recompaction of the excavated material and installation of a temporary patch. At this time, it is anticipated that the patch will consist of 2500 psi concrete.

We will analyze the data obtained from field and laboratory testing and prepare a report presenting all data obtained, together with our conclusions and recommendations regarding:

1. Groundwater conditions, if any, to the depths which will influence design and/or construction of the proposed development.
2. Swell potential of in-situ and compacted soils and recommendations for control if highly expansive.

3. Pavement design to provide economy and adequate service.
4. Suitability of site soils for use as compacted fill and preferred earthwork methods, including clearing, stripping, excavation and construction of engineered fill.
5. Local excavation and trenching conditions and stability considerations.
6. Discussion regarding the findings of the excavation adjacent to the shade hanger foundation.

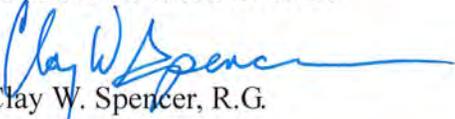
Charges for our services have been determined on the basis of our standard Fee and Rate Schedule, a copy of which is attached and made a part hereof. We propose to provide the services set forth herein for a lump sum amount of \$17,550.00 broken down as follows:

Apron Reconstruction Investigation/Report (Drill Rig Investigation)	\$11,094.00
Foundation Verification (Test Pit Investigation)	\$3,956.00
<u>Lump Sum Total</u>	<u>\$15,050.00</u>

This total includes all testing, engineering and reimbursable expenses, 2 hard copies and an electronic copy (pdf) of the report. Should we be informed that additional hard copies of the report are needed after it has been finalized, there will be an additional charge of \$15.00 per report. Time from authorization to proceed to final report submittal at this time is on the order of 3 to 5 weeks following our receipt of this signed proposal (authorization to proceed). This time frame does not include delays due to inclement weather or delays in the field not caused by Speedie & Associates and subcontractors.

We appreciate the opportunity to submit this proposal for your consideration. If the terms set forth are satisfactory, please sign the attached copy, or provide a subconsultant contract for our review and signature.

Respectfully submitted,
SPEEDIE & ASSOCIATES


Clay W. Spencer, R.G.

APPROVED AND ACCEPTED
For: Kimley-Horn and Associates, Inc.

By: _____

Print Name: _____

Date: _____



ENGINEERING SERVICES
2012 Fee and Rate Schedule

Fees for services will be based upon the time worked on the project at the following rates:

Title	Rate Per Hour
Principal	\$ 130.00
Project Manager	100.00
Sr. Geologist/Engineer	100.00
Project Engineer/Geologist	90.00
Environmental Specialist	85.00
Architectural Special Inspector	85.00
Structural Special Inspector	75.00
Staff Engineer/Geologist	70.00
Sr. Engineering Technician	55.00
Draftsman	50.00
Materials Testing Technician	45.00
Clerical/Administrative	40.00

REIMBURSABLE EXPENSES

Light Truck Mileage Rate: \$0.50 per mile

The following items are reimbursable to the extent of actual expenses plus 25%:

1. Transportation, lodging and subsistence for out of town travel
2. Special mailings and shipping charges
3. Special materials and equipment unique to the project
4. Duplication or reprinting/copying reports

TEST BORINGS AND FIELD INVESTIGATIONS

On projects requiring test borings, test pits, or other explorations, the services of reputable contractors to perform such work shall be obtained.

SUBCONTRACTORS/SUBCONSULTANTS CHARGES

Any charges for subcontractors/subconsultants are subject to a 25% handling fee if invoiced by Speedie & Associates or such charges can be directly paid by the CLIENT.

SPECIAL RATES

The following rates may be subject to a 35% increase:

- Overtime – time over 8 hours per weekday and on Saturday
- Sunday and Holidays
- Rush orders

EXPERT WITNESS

Deposition and testimony; 4-hour minimum, \$250.00 per hour.

The following Terms and Conditions are included and hereto made a part of this agreement.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Elizabeth A. Burke, City Clerk
Date: 11/20/2012
Meeting Date: 12/04/2012



TITLE

Discussion Item: Sidewalk Ordinance

RECOMMENDED ACTION:

Council direction

INFORMATION

Mayor Nabours previously requested that this item be placed on Section 15 - Discussion - to determine if a majority of the Council wished to place this item on a future agenda for discussion and/or action.

Attachments: Ordinance

Form Review

Inbox	Reviewed By	Date
DCM - Jerene Watson	Jerene Watson	11/21/2012 11:36 AM
Form Started By: Elizabeth A. Burke		Started On: 11/20/2012 03:25 PM
	Final Approval Date: 11/21/2012	

Section 8-01-001-0001 DUTY OF STREET SUPERINTENDENT:

- A. It shall be the duty of the Street Superintendent to receive and maintain a record of all complaints regarding sidewalks in bad condition or need of repair. Upon receipt of said complaint the Street Superintendent shall notify the owner or owners of the lot or lots or part of lot or lots adjoining such sidewalk or portion thereof, in writing, to repair or renew the same within thirty (30) days after the service of such notice or as weather permits as determined by the Street Superintendent.

Section 8-01-001-0001 DUTY OF STREET SUPERINTENDENT:

- A. It shall be the duty of the Street Superintendent to receive and maintain a record of all complaints regarding sidewalks in bad condition or need of repair. Upon receipt of said complaint the Street Superintendent shall inspect and determine whether such bad condition is a result of the adjoining property owner's action or inaction or the result of the adjoining property owner's vegetation. If the Street Superintendent determines that the bad condition has been caused by the adjoining property owner or the owner's vegetation, the Street Superintendent shall notify the owner or owners of the lot or lots or part of lot or lots adjoining such sidewalk or portion thereof, in writing, to repair or renew the same within thirty (30) days after the service of such notice or as weather permits as determined by the Street Superintendent.