

MINUTES

COMBINED SPECIAL COUNCIL MEETING / WORK SESSION
TUESDAY, SEPTEMBER 24, 2013
COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
6:00 P.M.

1. Call to Order.

Mayor Nabours called the Flagstaff Combined Special City Council Meeting/Work Session of September 24, 2013, to order at 6:04 p.m.

2. Pledge of Allegiance.

The City Council and audience recited the Pledge of Allegiance.

3. Roll Call

Councilmembers present:

MAYOR NABOURS
VICE MAYOR EVANS
COUNCILMEMBER BAROTZ
COUNCILMEMBER BREWSTER
COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON
COUNCILMEMBER WOODSON (telephonically)

Councilmembers absent:

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

4. Consideration to approve Stipulation: To resolve CV13-08151-PCT-NVW: Baldwin v. D'Andrea regarding enforcement of loitering to beg statute.

Mayor Nabours indicated that this is a state statute and there is question as to whether the statute is constitutional in how it is written and carried out. The City Council has received legal counsel about the issue.

Councilmember Overton moved to approve and execute the stipulation; seconded; passed unanimously.

5. Adjournment

The Flagstaff Special City Council meeting adjourned at 6:06 p.m.

WORK SESSION

1. Call to Order

Mayor Nabours called the Flagstaff Work Session of September 24, 2013, to order at 6:06 p.m.

2. Public Participation (Non-Agenda Items Only):

Public Participation enables the public to address the council about items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone to have an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

Kathryn Jim, President of Northern Arizona Pride Association, addressed Council to express her gratitude to them for passing the civil rights ordinance earlier this year. Ms. Jim also explained a new effort for an employment non-discrimination act.

John Victora, resident, addressed Council in support of allowing the Alcoholics Anonymous meetings to stay at the train station.

3. Preliminary Review of Draft Agenda for the October 1, 2013, City Council Meeting.*

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

Mayor Nabours requested additional information on item 9A with regards to how the City gets a better price with a cooperative agreement and if the City has attempted an RFP for this purchase.

Councilmember Overton requested information on item 9B regarding the City's use of the Mohave contract and if there have been others used in the past.

Mayor Nabours rearranged the agenda to address item 5 first.

5. Discussion of Resolution re Arizona's Immigration Issues.

Vice Mayor Evans requested that the City Council consider adopting a non-binding resolution regarding Arizona immigration. Immigration reform is being discussed at the state and national levels and by adopting a resolution the City offers another tool to the federal leaders.

Councilmember Woodson proposed changing bullet point three to say "Immigrants and their families in our community are productive, contributing members of society."

The following individuals addressed Council in support of the resolution.

- Marilyn Weissman
- Richard Clark
- Father Patrick Mowrer
- Leah Mundell
- Laura Longoria
- Anamaria Ortiz
- Kathryn Jim
- Scott Deasy
- Minesh Patel

Vice Mayor Evans, Councilmembers Brewster, Barotz, and Overton stated agreement with the change of Councilmember Woodson and moving the resolution forward.

Mayor Nabours stated that he does not support or believe in resolutions that take a political stance; this is not to say that he does not agree with any of the statements but feels that it is not the City's job to give direction to state or federal agencies about issues that are in their areas.

Councilmember Oravits stated that he does not have a problem with the way the resolution is written. It is the aspect of border security that is not addressed and he suggested putting language in the resolution about border security. Vice Mayor Evans responded that she would prefer the resolution to stay as presented with the one change proposed by Councilmember Woodson.

With a majority of Council in support, Mayor Nabours asked Mr. Burke to include this resolution on a future meeting.

Councilmember Woodson left the meeting at 6:40 p.m.

4. Snow and Street Sweeping operational plans for the winter/spring season.

Public Works Section Head Mike O'Connor presented a PowerPoint presentation on snow and street sweeping operational plans for the winter/spring season.

- ▶ DISCUSSION ITEMS
- ▶ SNOW PLOWING POLICY PLAN
- ▶ OPTION ONE
- ▶ OPTION TWO
- ▶ OPTION THREE
- ▶ THE CURRENT SNOW POLICY
- ▶ CINDERING PROCEDURES
- ▶ SWEEPING OPERATION PLAN
- ▶ RECAP

Mayor Nabours stated that there are so many variables to consider that Council direction may be difficult. It appears that there is a need for greater discretion on staff's behalf to make decisions based on the variables. Also noted was the budget and if there is enough funding to operate at a good level.

Mr. Burke offered that the policy question comes back to the service level Council wants to provide. If the service level is to plow every street at every storm then no, there is not enough money; if the service level is one of those proposed then yes, there is enough money. It comes down to what is provided within the resources available.

Council discussed an option that gives the Streets Section discretion to make decisions based on the many different variables that come with each storm. Mr. O'Connor offered that there would have to be a huge public outreach campaign because the operations would constantly be changing with the weather. Regardless, the operations try to keep the priority one routes open all the time during a storm; the idea is that if someone can get to the main road they can get around town.

The citizen's expectation of service is why this is a policy issue. There are some judgment calls and common sense calls but when Council starts hearing from citizens that it has been 36 hours and their cul-de-sac is not cleared yet it is good to have policy to refer to.

The following individuals addressed Council in favor of increased snow operations:

- Andy Fox
- Michael Duggan

Council inquired about the equipment needed to plow cul-de-sacs. Mr. O'Connor indicated that a motor grader is used in cul-de-sacs because it articulates; this is a different piece of equipment than what is used to plow most streets. Most graders have about 40 cul-de-sacs they are responsible for in addition to other routes; after the graders come through then the loaders have to come in behind to stack the snow.

Council asked about the financing of the snow operations and whether or not it is a limitation to the process. Mr. O'Connor explained that the biggest limitation right now is traffic and manpower; the Streets Section used to have 70 temporary snow workers and is now down to 40. The availability of commercial drivers has reduced significantly.

Council inquired about the snow service for citizens with disabilities. Mr. O'Connor stated that the program is still active and is handled out of the Parks Section. Citizens have to apply for the service that consists of removing the berm from in front of the driveway after the roads are plowed. Vice Mayor Evans indicated that she would like to see that program better advertised.

Vice Mayor Evans pointed out that a major issue with snow removal is the enforcement of the parking ordinance during the snow time. When snow season starts there should be no parking on the street; this is not being enforced and the plows cannot plow when there are cars parked on the street. By the time the plows can plow it is a huge mess. One way to make the plowing more effective is to enforce the parking ordinance.

Mayor Nabours offered that rather than Council give hard and fast rules they will leave it up to staff to decide the best courses of action. If it is a matter of money then Council needs to know that even if it is half way through the season.

Councilmember Barotz expressed frustration in not knowing how to explain what the policy is to citizens that call and complain about the service. It is important to have a unified message when dealing with the public.

Mr. O'Connor suggested option one as the preferred option because it does allow for some discretion. It will be important to re-evaluate midyear if needed.

Councilmember Barotz stated that she likes option one but still feels the need to have defined boundaries to give the public.

A break was called from 7:28 p.m. to 7:38 p.m.

6. Flagstaff Regional Plan Discussion #4 – Ch. VI. Water Resources.

Comprehensive Planning Manager Kimberly Sharp provided a PowerPoint presentation covering Chapter VI of the Regional Plan.

- ▶ REGIONAL PLAN VISION
- ▶ GUIDING PRINCIPLES
- ▶ PUBLIC PROCESS
- ▶ ARS REQUIREMENTS

Erin Young, Water Resources Manager, continued the presentation.

- ▶ RECLAIMED WATER DELIVERED
- ▶ 100 YEAR DESIGNATION OF ADEQUATE WATER SUPPLY

Mayor Nabours asked about water loss; the report shows a 12.9% loss of water.

Utilities Director Brad Hill stated that this number has been tracked for a number of years and the guess is that it is a meter inaccuracy. It is a difference between what is produced and what is used. This fiscal year Utilities is looking at 25% of the system with another 25% over each of the next three consecutive years to make sure it is not water leaks in the system.

Ms. Sharp continued the presentation.

- ▶ WATER CONSERVATION

Council inquired about the large water use per capita reduction from the mid 80s to now. Ms. Young offered that Continental Country Club was the only one on reclaimed water until 1994 when NAU and other golf courses came on to the system. The big drop in the 90's was due to the inverted rate structure and the conservation policy. There was a sharp increase in the late 90's, the population was increasing that time but there is not a clear explanation for the increase.

Ms. Sharp continued the presentation.

- ▶ WATER SOURCES GOALS AND POLICIES
- ▶ PLANNING TO MEET FUTURE DEMANDS
- ▶ WATER DEMAND PROJECTIONS

► WATER SOURCES GOALS AND POLICIES

Mayor Nabours inquired about the status of the aquifer well depths. Mr. Hill stated that of the three well fields Wood Mountain is relatively constant balancing the ground water pumping and recharge. The Lake Mary well field is dropping quite a bit; up to 10 feet per year at worst case. The local well field in town is staying static at roughly one to two feet per year. With all the rain received this year the inner basin is currently flowing at 300,000 gallons per day. If the City was to use Red Gap Ranch it is expected to decline a foot to a foot and a half per year.

Ms. Sharp continued the presentation.

- WATER SOURCES GOALS AND POLICIES
- STORMWATER AND WATERSHED MANAGEMENT
- STORMWATER AND WATERSHED MANAGEMENT GOALS AND POLICIES

There was a question about the adequate water supply graph and how the projected growth of 150,000 was calculated. Ms. Sharp offered that the 2001 Regional Plan was used looking at the existing land use and potential capacity.

The following individuals spoke on the Regional Plan:

- Moran Henn
- Sallie Kaldnik
- Jeff Knorr
- Angela Horvath
- Gaylord Staveley
- Joy Staveley

Comments received included:

- Concerns with citing Red Gap Ranch as an option for the City's water future; pursuing this would be an expensive and energy intensive endeavor.
- City's growth to be limited to the water capacity it can generate through efficiency, conservation, reuse, and rain water harvesting.
- If there is unlimited growth, at some point is the City going to have to spend the money to upgrade the water recycling filtration system so recycled water can be drunk.
- The conservation ordinance referenced at the bottom the table on page eight would be another tool to cap water use on new developments.
- Include a vision for the intelligent use of existing resources, water reuse and new water sources.
- Move back to xeriscape and encouraging the installation of dual flush toilets, waterless urinals, and new fixtures.
- Catching rainwater may be robbing the aquifers of recharge.
- Add a provision to reduce mosquito populations in heavy human use areas by monitoring and treating water that sits stagnant for over 48 hours."
- The Plan suggests the Colorado River and Western Navajo pipeline as potential future water sources; those are not realistic planning elements. The Colorado

- River is already over allocated and it goes through a drought cycle every 30 years. It has also become clear that a Western Navajo pipeline will not be built.
- Concerned about the 12% water loss that is occurring. The loss would amount to a water supply for 5600 families. The loss should be attempted to be reduced or eliminated.
 - Page 6-13 wr3.2 it says “favor low water consuming businesses and industries over water intrusive usage”; would like to add “unless the high water user uses reclaimed water or recycled water.”
 - In wr3.4 it says “use reclaimed water and rainwater harvesting whenever appropriate,” change it to say “and practical” at the end of the sentence.
 - Representative Thorpe brought up an issue of how much water the pine trees use and the figure is astronomical. Forest thinning should be an element because less trees would help the forest thrive but also save some water in the water table.
 - On page 6-16, 5.2 “incorporate pedestrian access trails and watchable wildlife opportunities into the natural water course”; not sure that it belongs in this section because of cost.
 - In 5.5 it says to “give preference to regional detention facilities rather than numerous smaller dispersed basins.” It is suggested that smaller basins may have less evaporation as larger water areas have high evaporation due to being in the high desert.
 - In 6.3 it says to “implement best management practices”, instead it should read “implement effective management practices.”
 - Various typographical/format changes:

Councilmember Oravits requested the following to be added to the parking lot list:

- An additional policy that addresses identifying new water supplies outside the city and the transportation of that water in policy VI8.
- On VI13 Water Demand Goals and Policies, policy wr.3 there should be something in this section that addresses new supplies.
- In policy wr3.2 there is concern with the word favor; if there is a way a company can come into town and provide a thousand jobs the City does not want to limit or discourage economic development in the future based on water use.
- Include forest thinning as a water issue.
- In policy wr3.4, possible change of the wording to “use reclaimed water and rainwater harvesting wherever practical and appropriate.”
- Page VI16 policy wr5.2 add “when practical” to the end of the sentence.

Mayor Nabours noted that the Flagstaff Watershed Protection Project benefit was to increase water supply and perhaps a sub goal would be to maintain the forest to benefit the water supply.

Mr. Cronk clarified with the Council that the following items should also be added to the parking lot list:

- Mosquito control.
- Reduction of water loss to less than 10%.

Mr. Cronk also distributed a draft preamble statement for Council to review. The preamble statement is to make sure that it is clear that the Regional Plan is a guideline

document and to make sure that it is clear that if citizens have private property development rights the document does not take away those rights.

If there are any comments, suggestions or redrafts please send them to Kimberly Sharp by the end of the week for review next Tuesday.

7. Review of Draft Agenda Items for the October 1, 2013, City Council Meeting.

None

8. Public Participation

None.

9. Informational Items To/From Mayor, Council, and City Manager.

Vice Mayor Evans stated that based on the public comment at the beginning of the meeting she would be interested in keeping the happy hour meetings at the train station.

Councilmember Brewster offered that the NAIPTA event in Wheeler Park was well attended and a great event. NAIPTA was awarded Best Small Transit of the Year in the United States.

Mayor Nabours noted that this award was for communities with four million riders per year or less, that encompasses a lot of communities.

Councilmember Barotz stated that the award was given by the American Public Transit Association. The application was rigorous and for the first time, NAIPTA had the resources to submit the application. It is impressive to note that NAIPTA has secured over \$30 million in grants.

Mr. Burke reminded Council that there are two meetings next week; Monday is the special work session on water and Tuesday is the regular meeting.

Mayor Nabours requested a possible future agenda item; the status of the Charter Review Committee. He requested the enacting ordinance and information on how the Council can begin appointing a committee. The concept was started a few years ago and has fallen by the wayside, it is time to look at the City Charter and bring it up to date.

10. Adjournment

The Flagstaff City Council Work Session of September 24, 2013, adjourned at 8:41 p.m.

MAYOR

ATTEST:

CITY CLERK