FINAL AGENDA

REGULAR COUNCIL MEETING
TUESDAY
APRIL 15, 2014

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 and Approval of Minutes: City Council Regular Meeting of March 18, 2014; the Special Meeting (Executive Session) of March 25, 2014; and the Regular Meeting of April 1, 2014.

RECOMMENDED ACTION:

Amend/approve the minutes of the City Council Regular Meeting of March 18, 2014; the Special Meeting (Executive Session) of March 25, 2014; and the Regular Meeting of April 1, 2014.

5. PUBLIC PARTICIPATION

Public Participation enables the public to address the Council about an item that is not on the agenda (or is listed under Possible Future Agenda Items). 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

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).

8. LIQUOR LICENSE PUBLIC HEARINGS

A. Consideration and Action on Liquor License Application: David Horne, “Milton Rd. Texaco", 1601 S. Milton Rd., Series 10 (beer and wine store), New License.

RECOMMENDED ACTION:

Hold public hearing.

The City Council has the option to:
1) Forward the application to the State with a recommendation for approval;
2) Forward the application to the State with no recommendation; or
3) Forward the application to the State with a recommendation for denial based on the testimony received at the public hearing and/or other factors.

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 Contract: Rose St. 2010 Bond Improvements Project. ***(Contract for improvements on Rose St.)***

RECOMMENDED ACTION:

1) Approve the construction contract with RTR Paving and Resurfacing, LLC in the amount of $1,403,358.00 including a $75,500 contract allowance and a contract time of 140 calendar days;
2) Approve Change Order Authority to the City Manager in the amount of $132,785.00 (10% of contract amount, less allowance);
3) Authorize the City Manager to execute the necessary documents.

B. **Consideration and Approval of Contract:** Consultant Agreement: Development and Analysis of Operational Alternatives for the Milton Road Corridor ***(Grant funded)***

RECOMMENDED ACTION:

1) Approve the agreement with Kimley Horn & Associates, Inc. in the amount of $99,972.12 with Federal Highway Administration and Federal Transit Administration funds passed-through from the Arizona Department of Transportation; and
2) Authorize the City Manager to execute the necessary documents.

C. **Consideration and Approval of Contract:** FUTS Arizona Trail, Route 66 to McMillan Mesa Project. ***(Approve construction contract with Tri-Com Corporation for construction of FUTS Arizona Trail, Route 66 to McMillan Mesa Project)***

RECOMMENDED ACTION:

Award the construction contract to Tri-Com Corporation of Tempe, Arizona in the total award amount of $230,503.80, which includes $25,000.00 in contract allowance. The contract period is 90 calendar days; and
2) Authorize Change Order Authority to the City Manager in the amount of $20,500.00 (10% of the bid contract amount, less contract allowance) for unanticipated additional costs; and
3) Authorize the City Manager to execute the necessary documents.

10. **ROUTINE ITEMS**

A. **Consideration of Ordinance No. 2014-09**: An ordinance prohibiting aggressive solicitation

RECOMMENDED ACTION:

1) Read Ordinance No. 2014-09 by title only for the final time
2) City Clerk reads Ordinance No. 2014-09 by title only (if approved above)
3) Adopt Ordinance No. 2014-09

B. **Consideration and Approval of Street Closure(s):** Tenth Annual Route 66 Days Charity Car Show

RECOMMENDED ACTION:

Approve the street closure at Aspen and Birch Avenues between Humphreys and San Francisco Streets on September 6, 2014 from 6:00 a.m. - 6:00 p.m.

C. **Consideration and Approval of Street Closure(s):** Hopi Native Arts and Cultural Festival

RECOMMENDED ACTION:

Approve the street closure at Aspen Ave between San Francisco Street and Leroux Street on September 27, 2014 at 6:00 a.m. through September 28, 2014 at 6:00 p.m.

RECESS

6:00 P.M. MEETING

RECONVENE

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.

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

12. PUBLIC PARTICIPATION

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

14. PUBLIC HEARING ITEMS

None

15. REGULAR AGENDA

A. **Consideration and Adoption of Resolution No. 2014-14**: A resolution approving the City of Flagstaff 2014/2015 Annual Action Plan and authorizing its submission to the U.S. Department of Housing and Urban Development (HUD).

RECOMMENDED ACTION:

1) Read Resolution No. 2014-14 by title only
2) City Clerk reads Resolution No. 2014-14 (if approved above)
3) Adopt Resolution No. 2014-14

B. **Consideration and Approval of Preliminary Plat**: Request from Mogollon Engineering and Surveying Inc., on behalf of True Life Communities PCAZ, for the subdivision of approximately 8.06 acres into 36 single-family residential townhome lots located at 3002 S. Clubhouse Circle, within the R1, Single-Family Residential Zone.

RECOMMENDED ACTION:

Approve the preliminary plat as recommended unanimously by the Planning and Zoning Commission.

C. **Consideration and Approval of Preliminary Plat:** for Fountain Head United, LLC for Camryn Pines subdivision, a one-hundred and twenty-three lot, single-family, detached residential subdivision. The site is 59.1 acres in size and is located at 4501 South Beulah Boulevard. The site is zoned R1, Single-Family Residential zone.

RECOMMENDED ACTION:

Approve the preliminary plat as recommended by the Planning and Zoning Commission.

16. DISCUSSION ITEMS

A. **Discussion:** Direction to Staff regarding the Fourth Street Corridor Master Plan

RECOMMENDED ACTION:

None - Discussion Only. Review, discuss, and clarify as needed the direction provided to staff at the January 23, 2014 City Council mini-budget retreat.

B. **Discussion**: Possible amendments to Division 10-20.50 (Sign Regulations) of the Flagstaff Zoning Code.

RECOMMENDED ACTION:

Staff will be seeking direction from the City Council on needed amendments to the City of Flagstaff's sign regulations.

C. **Discussion**: Proposed Development Fees for Public Safety ***(Impact fees for public safety)***

RECOMMENDED ACTION:

Direct staff to prepare ordinance to adopt proposed fees for May hearings.

17. POSSIBLE FUTURE AGENDA ITEMS

Verbal comments from the public on any item under this section must be given during Public Participation near the beginning of the meeting. Written comments may be submitted to the City Clerk. After discussion and upon agreement of three members of the Council, an item will be moved to a regularly-scheduled Council meeting.

None

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

19. 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 _____, 2014.

_____
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:	04/10/2014
Meeting Date:	04/15/2014

TITLE

Consideration and Approval of Minutes: City Council Regular Meeting of March 18, 2014; the Special Meeting (Executive Session) of March 25, 2014; and the Regular Meeting of April 1, 2014.

RECOMMENDED ACTION:

Amend/approve the minutes of the City Council Regular Meeting of March 18, 2014; the Special Meeting (Executive Session) of March 25, 2014; and the Regular Meeting of April 1, 2014.

INFORMATION

Attached are copies of the minutes of the City Council Regular Meeting of March 18, 2014; the Special Meeting (Executive Session) of March 25, 2014; and the Regular Meeting of April 1, 2014.

Attachments: 03.18.2014.CCRM.Minutes
03.25.2014.CCSMES.Minutes
04.01.2014.CCRM.Minutes

REGULAR COUNCIL MEETING
TUESDAY, MARCH 18, 2014
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 Regular Meeting of the Flagstaff City Council of March 18, 2014, 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**

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

Absent:

Others present: Josh Copley, Deputy City Manager; Michelle D'Andrea, City Attorney.

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

The City Council and audience recited the Pledge of Allegiance and Mayor Nabours read the City's 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 and Approval of Minutes**: City Council Budget Work Session of February 10, 2014; Special Meeting (Executive Session) of February 18, 2014; Special Meeting (Legislative Prep) of February 18, 2014; Special Meeting of February 25, 2014; Work Session of February 25, 2014; Regular Meeting of March 4, 2014; Special Meeting (Executive Session) of March 11, 2014; and the Work Session of March 11, 2014.

Councilmember Woodson moved to approve the minutes of the City Council Budget Work Session of February 10, 2014; Special Meeting (Executive Session) of February 18, 2014; Special Meeting (Legislative Prep) of February 18, 2014; Special Meeting of February 25, 2014; Work Session of February 25, 2014; Regular Meeting of March 4, 2014; Special Meeting (Executive Session) of March 11, 2014; and the Work Session of March 11, 2014; seconded; passed unanimously.

5. PUBLIC PARTICIPATION

Public Participation enables the public to address the Council about an item that is not on the agenda (or is listed under Possible Future Agenda Items). 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

6. PROCLAMATIONS AND RECOGNITIONS

None

7. APPOINTMENTS

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that the City Council may vote to go into executive session, which will not be open to the public, for the purpose of discussing or considering employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body...., pursuant to A.R.S. §38-431.03(A)(1).

None

8. LIQUOR LICENSE PUBLIC HEARINGS

None

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 Agreement Modification:** USDA Forest Service (USFS) IGA # 11-CO-11030402-007 for the purposes of adding the language "annual" in Section II, Paragraph C, "annually" in Section III, Paragraph A, and adding the USFS contact information for Brian Poturalski to the original Agreement that was approved by City Council on 2/22/2011. ***(US Forest Service request for addition of technical changes – word addition and contact information)***

MOTION: Approve the administrative modifications as requested by the USFS to Agreement # 11-CO-11030402-07.

B. **Consideration and Approval of Contract:** Cooperative Fire Rate Agreement (CFRA) with AZ State Forestry

MOTION: Approve the renewal of the CFRA with AZ State Forestry.

Councilmember Barotz asked about the additional revenue that is mentioned in the contract and where it comes from. Wildland Fire Manager Paul Summerfelt stated that the engines and vehicles that are used have an hourly and daily charge that is collected by the City that is in addition to the personnel costs. The City makes around $100,000 per year and some of that goes to the General Fund to help with the purchase of new vehicles and equipment.

Councilmember Barotz moved to approve the Consent Items as presented; seconded; passed unanimously.

10. **ROUTINE ITEMS**

A. **Consideration and Adoption of Ordinance No. 2014-08:** An Ordinance of the City Council of the City of Flagstaff, Arizona, amending Flagstaff City Code, Title 4, Building Regulations, by adding a new Chapter 4-10, Uniform Housing Code, 1997 Edition and Amendments. ***(This change will streamline the process and simplify debt collection by the City when the cost of repairs or demolition is taken on by the City)***

Building Official Mike Scheu stated that the purpose of the ordinance is to update the language and requirements in the current code; the principle change is the method of cost recovery if the City has to intervene and remediate. The hearing would go through the Building and Fire Code Board of Appeals rather than the City Council.

Mayor Nabours noted that the revisions note the size of rooms, light ventilation and other similar items and asked how that applies to dilapidated buildings.

Mr. Scheu stated that sometimes there are calls and claims of homes being substandard and staff uses the Housing Code as the criteria to determining if a structure is substandard. Part of the ordinance is to update the Uniform Housing Code to bring the requirements up to standard. The technical aspects of the Housing Code are used if there is a complaint; there must be some kind of criteria to measure against. It gives a baseline for a livable standard.

Mayor Nabours asked if items will be grandfathered in with the existing code. Mr. Scheu stated that if the structure was built according to the code at the time of construction then it is okay so long as it does not present a life safety issue.

Councilmember Oravits stated that he feels there are some significant changes in the ordinance and is surprised that it is being discussed at the 4:00 p.m. meeting with little outreach. He has concerns with Section 503.3 in that there are many homes that do not fulfill the requirements and would have to be brought to standard. He feels that the item should be vetted further.

Councilmember Brewster asked if bringing homes up to code applies to all structures or just the new builds. Mr. Scheu stated that if staff is called to an old residence, the situation would be assessed and if the home is built to code at the time of construction a retrofit would not be required so long as no safety hazards are present. Staff is looking for substandard issues such as spongy floors, lack of ventilation and general health and safety issues. Old houses will not be required to come up to current code. Good judgment is used to determine if a place is substandard or not.

Councilmember Barotz suggested separating the issues of debt collection and substandard living conditions.

Councilmember Overton stated that he has no concern with the provided language. He would like to see what has been deleted from the code to compare to what is being added. Councilmember Woodson agreed with the suggestion and noted that it is likely a slight change. Councilmember Oravits stated that the comparison of what has been deleted would be helpful and requested that the item be added at a future 6:00 p.m. meeting.

Rob Wilson addressed Council and urged them to make laws that can be applied fairly across the board.

Mayor Nabours requested that when the item is brought back for discussion there is language added that states if buildings complied with the building code at the time of construction retrofits are not required.

Councilmember Oravits moved to postpone the item to the April 1, 2014, City Council meeting and if necessary split the two items; seconded; passed unanimously.

B. **Consideration and Approval of Contract:** Intergovernmental Agreement between City of Flagstaff and Coconino County for election services for the May 20, 2014, Special Election.

City Clerk Elizabeth Burke provided a PowerPoint presentation that covered the following:

- IGA WITH COUNTY FOR 2014 MAY ELECTION
- SECTION 2: COUNTY OBLIGATIONS
- SECTION 3: CITY OBLIGATIONS
- SECTION 11: DISPUTE RESOLUTION
- SECTION 12: COMPLIANCE WITH ALL LAWS

Mayor Nabours asked if the Election Manual rises to the level of an executive order. Ms. D'Andrea stated that the Election Manual is a regulation that is formally adopted and it is required to be formally adopted per statute and therefore rises to that level.

Mayor Nabours stated that he felt the last few lines of Section 11.1 about conflict resolution were not needed as there will be no dispute resolution process until after the time for a challenge or if a member of the public intends to bring legal action. It would be difficult to determine intent prior to a claim being made. Ms. D'Andrea stated that the language could be removed since an explanation would not be sought until after the five day waiting period.

Rob Wilson addressed Council with concerns about inconsistency and duplication in the agreement. He also urged Council to call out the State Election Procedures Manual in the agreement. He also requested that an official observer be appointed to make sure that the election procedures are adhered to.

Ms. Burke stated that the State Election Manual, while required to be adopted, focuses on state wide elections and there are many items that apply to cities that are not addressed in the manual; to require the City and County to follow the manual as written could be problematic in this regard. Mayor Nabours pointed out that there are provisions in the City Charter as well as State statute that apply to City elections as well. He suggested adding language to the agreement that states with regard to the applicable portions of the State Election Manual.

Mayor Nabours moved to approve the Intergovernmental Agreement with the amendments of Dispute Resolution in Section 11.1 and the addition of the applicable portions of the Arizona Election Manual; seconded; passed unanimously.

RECESS

The 4:00 p.m. portion of the March 18, 2014, Flagstaff City Council meeting recessed at 4:46 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Nabours reconvened the meeting of the Flagstaff City Council held March 18, 2014, 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**

Present: Absent:

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

Others present: Josh Copley, Deputy City Manager; Michelle D'Andrea, City Attorney.

12. **PUBLIC PARTICIPATION**

The following individuals addressed Council in opposition to the housing project proposed at the current Arrowhead Mobile Home Park.

- Robert Douglass
- Dani Lawrence

James Stevens addressed Council with concerns about his civil rights being violated while collecting petition signatures.

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

None

14. **PUBLIC HEARING ITEMS**

None

15. **REGULAR AGENDA**

A. **Consideration and Approval of Contract:** Landscape Maintenance Services for BBB-funded Beautification Areas

Community Design and Redevelopment Manager Karl Eberhard stated that the Request for Proposals (RFP) was done for landscaping service of the BBB-funded areas. The Parks Section is currently providing the service and also provided a breakdown of cost for doing so. One proposal was received and it was higher than the service the City crews are already providing. Staff recommends rejecting the bid and continuing with the service that the Parks Section is providing.

Mayor Nabours asked if the outsourcing of this work would enable the City employees to do other things and if the City could realize savings by outsourcing the service. Mr. Eberhard stated that if the service was outsourced the 4.5 Parks employees that are currently providing the service would likely be laid off as this is their only responsibility. Mayor Nabours asked if Workers Compensation and other benefits were considered in the cost proposal from Parks. Mr. Eberhard stated that Parks did include Worker's Compensation and other benefits in the cost estimate that was provided.

Vice Mayor Evans moved to reject all proposals from RFP No. 2014-33; seconded; passed 6-1 with Mayor Nabours casting the dissenting vote.

B. **Consideration and Adoption of Ordinance No. 2014-07 and Resolution No. 2014-10:** Resolution No. 2014-10 Declaring the proposed amendments as a public record; and adoption of Ordinance No. 2014-07, Adopting Amendments to that certain document entitled "Division 8-03-002, Sidewalk Cafes, Sidewalk Vending Carts and Other Permitted Encroachments" ***(An ordinance deleting* North Downtown Business District Encroachment Policy*, and replacing it in its entirety with* Sidewalk Cafes, Sidewalk Vending Carts, and Other Permitted Encroachments*)***

Zoning Code Administrator Roger Eastman provided a PowerPoint presentation that covered the following:

- AMENDMENTS TO CITY CODE DIVISION 8-03-002
- MEETING PURPOSE
- DIVISION 8-03-002 - WHY UPDATE NOW?
- SOME EXAMPLES OF CURRENT LOCATIONS
- DIFFERENCES
- SIDEWALK CAFES
- LOCATION RESTRICTIONS FOR SIDEWALK CAFES
- SIDEWALK VENDING CARTS
- OTHER PERMITTED ENCROACHMENTS
- TO OUR CHAGRIN – AMENDMENTS WE MISSED
- CONCLUSION

Councilmember Barotz requested clarification in the resolution with regard to the lease rate as it is not entirely clear; it could mean the square foot lease rate or the overall lease rate. She suggested using annual lease amount and lease rate.

It was asked why the Council is being asked to consider these amendments pertaining to the sidewalk cafes. Ms. D'Andrea stated that the current situation is that the City charges rent for sidewalk cafes to those in Heritage Square and is not charging in other areas. It is necessary to treat everyone the same regardless of area. Currently, the City does not charge cafes outside Heritage Square and this use can be considered a gift from the City which is not allowed so it is important that the City complies with the Arizona Constitution. The Council is not allowed to consider increased tax revenue as an offset to the gift clause. It will be important to consider the value of the space and charge for the fair use of the property.

Councilmember Barotz asked how this issue applies to the newly developed Downtown District. Ms. D'Andrea stated that the management of City property is a City function and it is not applied by the Downtown District.

Vice Mayor Evans stated that the average square foot rate is based on an average of twelve properties; she asked if one or more of those properties were to no longer have a sidewalk café if the lease rate would be impacted. Mr. Eastman stated that the amount would be affected if the number of properties averaged was increased or decreased. Vice Mayor Evans asked if it was considered that the $60 per square foot calculation came from an average of an improved piece of property versus the fact that the sidewalk is unimproved property. Assistant to the City Manager for Real Estate David McIntire stated that there are a number of ways to look at the situation and calculation; staff chose to look at the County Assessor's land value rather than the Full Cash value. With the idea that these restaurants are functioning based on an overall package, this is a more accurate reflection of the value that would be received from the use of the right of way. With Council direction staff can utilize a different methodology.

Vice Mayor Evans asked if the six foot limit on vending carts is a standard size for carts or if it was something that would have to be special ordered. Mr. Eastman explained that carts come in various sizes including six feet.

Vice Mayor Evans then asked about dumpsters that are using parking spaces and if there will be a time limit on how long they are allowed to stay in the location. Mr. Eastman explained that dumpsters would fall under the other encroachments and they are issued on a case by case basis based on the life of the building permit. Additionally, staff has added a new summary abatement section with the intent of giving the City the ability to remove a dumpster or other item that is determined to be a public safety risk.

Councilmember Brewster stated that she feels that it is a good idea to expand the permitted area to include more vendors throughout the City and asked if there was any pushback on the proposed fee. Mr. Eastman stated that there was pushback on the fee amount with most feeling that it was too high. Councilmember Brewster offered that she felt the fee was too high and

suggested a lower amount to start with. Councilmember Barotz noted that many outdoor cafes do not operate for a full twelve months and that should be considered in the overall rate charged. She is inclined to lower the price as well.

Councilmember Oravits asked if staff considered charging different rates in different areas to compensate for differing property values. Mr. Eastman stated that the Council direction was to look at one flat rate across the City. Councilmember Oravits offered that the City does not want to price out other vendors in other parts of town and suggested that downtown not be the basis for the calculation. Councilmember Woodson suggested a flat rate for vending carts that would allow them a maximum space of 32 feet. It would keep the enforcement simple and consistent across the board.

Sam Green of the Weatherford Hotel addressed Council in opposition to the $60 per square foot rate and suggested a flat rate of $50 per year. Mayor Nabours asked Ms. Green if she felt that it was fair to charge the same price to another vendor with three times the space the Weatherford has. Ms. Green responded that so long as the vendor is monitored and the space is maintained that would be fine with her.

Councilmember Woodson pointed out that there are properties downtown that have already paid large amounts for the downtown improvements and are part owners of the sidewalk. That fact should be considered in setting the lease rate.

Councilmember Barotz indicated that it is important to remember that the amount must not be considered nominal. According to the Arizona Constitution the amount charged must be a fair market value. There is no black and white answer as to what constitutes nominal but it is something that needs to be seriously considered.

Councilmember Woodson asked about the application fee and if it was necessary to charge an application fee if the City will be getting a monthly or yearly fee for the use of the sidewalk. He also suggested looking at a possible two tier approach to charge more for the bigger areas. He also asked what the difference is between issuing a twelve month permit and establishing a permanent structure.

Councilmember Overton stated that he feels the square footage rate is fair because two tables are very different than twelve tables. He suggested that this will become an issue in areas such as Aspen Place, the Airport, and other parts of the community.

The City Council discussed various different rate structures. Mayor Nabours suggested that the Council move forward with the first read of the ordinance tonight and when the second read comes forward a rate can be determined at that time.

Councilmember Oravits moved to read Resolution No. 2014-10 by title only; seconded; passed unanimously.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "DIVISION 8-03-002, SIDEWALK CAFES, SIDEWALK VENDING CARTS AND OTHER PERMITTED ENCROACHMENTS"

Councilmember Brewster moved to read Ordinance No. 2014-07 for the first time by title only; seconded; passed unanimously.

AN ORDINANCE OF THE CITY COUNCIL OF FLAGSTAFF, ARIZONA, AMENDING TITLE 8 OF THE FLAGSTAFF MUNICIPAL CODE BY DELETING IN ITS ENTIRETY DIVISION 8-03-002, NORTH DOWNTOWN BUSINESS DISTRICT ENCROACHMENT POLICY; AND ADOPTING THAT CERTAIN DOCUMENT ENTITLED "DIVISION 8-03-002, SIDEWALK CAFES, SIDEWALK VENDING CARTS AND OTHER PERMITTED ENCROACHMENTS"

A break held from 7:27 p.m. through 7:39 p.m.

C. **Consideration and Approval of a Preliminary Plat**: Request from Vintage Partners, LLC, on behalf of Sinclair Oil Corp. / Sun Valley Company, for the subdivision of approximately 95.5 acres into 12 parcels located at 1201 N Country Club Drive, within the Highway Commercial (HC), High Density Residential (HR), and Rural Residential (RR) zones. ***(Subdivision of approximately 95.5 acres into 12 parcels located at 1201 N. Country Club Drive)***

Current Planning Manager Brian Kulina provided a PowerPoint presentation that covered the following:

- REQUEST
- PROPERTY MAP
- ARIAL OF PROPERTY
- REQUIRED FINDINGS
- INTRODUCTION AND DISCUSSION
- ZONING REQUIREMENTS
- CITY OF FLAGSTAFF ZONING MAP 11
- DENSITY/INTENSITY/DEVELOPMENT STANDARDS
- NATURAL RESOURCES
- NATURAL RESOURCE PROTECTION PLAN MAP
- LANDSCAPING
- LIGHTING
- TRAFFIC/ACCESS/PEDESTRIAN/BICYCLE
- SOLIERE AVENUE REALIGNMENT
- WATER SYSTEM
- WASTEWATER SYSTEM
- STORMWATER SYSTEM
- RECOMMENDATION
- QUESTIONS/COMMENTS

Councilmember Brewster asked if the intersection of Country Club and Soliere would be relocated or stay in the same location. Mr. Kulina explained that the intersection will remain in the same location but Soliere will be repositioned leading up to the intersection.

Mayor Nabours noted that the parcel is 95 acres, of which only half of it is being developed, and the Planning and Zoning Commission unanimously recommended approval.

Councilmember Overton asked for clarification of condition three. Mr. Kulina stated that the intent of the condition is to make sure that the first development can stand alone; meaning the infrastructure needs to be in place and not postponed to later development.

Councilmember Brewster asked how the Fanning wash would be affected with the realignment of Soliere. Stormwater Manager Malcolm Alter explained that it is currently proposed to have the wash put under the road; however, the improvements are adjacent to the ADOT right of way and there are issues that need to be resolved first.

Mayor Nabours asked David Shole with Vintage Partners if they were in agreement with the three conditions. Mr. Shole explained that the three conditions proposed address safety and welfare of people and infrastructure. He explained that they were great recommendations and it is their intent to make sure that infrastructure goes in responsibly and that all of the downstream properties are not affected adversely by anything that is done. The conditions are acceptable to them. Any language to clarify condition three would be welcomed.

A break was held from 8:07 p.m. through 8:14 p.m.

Mr. Kulina and Mr. Shole suggested the following revision to condition three:

> "Any subsequent to the final platting of any unit within the boundaries of the preliminary plat must include all necessary infrastructure (permanent/interim) to allow the development to be self sufficient with regard to transportation, sewer, water, stormwater, and franchise utilities."

Councilmember Overton moved to approve the Preliminary Plat subject to conditions* and revised condition #3; seconded; passed unanimously.

*Conditions:

1) Prior to Final Plat submittal for Unit 1, a Concept Master Plan shall be submitted, reviewed, and accepted. In addition to any submittal items identified on the established Concept Plan checklist, the Concept Master Plan shall identify solutions for building placement, water and sewer infrastructure, circulation and parking, and drainage.
2) Prior to Civil Plan Review submittal, the following shall be submitted for review and approval: a revised grading plan reflecting the most recent changes to the Soliere Avenue cross section; revised earthwork calculations indicating that the necessary compensatory volume is maintained; and, revised earthwork calculations modeling inputs/outputs.

3) Any subsequent to the final platting of any unit within the boundaries of the preliminary plat must include all necessary infrastructure (permanent/interim) to allow the development to be self sufficient with regard to transportation, sewer, water, stormwater, and franchise utilities.

D. **Consideration and Approval of a Preliminary Plat**: A request from Miramonte Homes for Preliminary Plat approval for the Switzer Canyon Village Townhomes, a 48-unit residential townhouse subdivision on an 18.56-acre site located at 587 North Switzer Canyon Drive, within the Single-Family Residential (R1) zone. ***(Preliminary Plat for Switzer Canyon Village Townhomes located at 587 North Switzer Canyon Drive)***

Councilmember Woodson declared a conflict on items 15D and 15E and left the dais at 8:18 p.m.

Planning Development Manager Elaine Averitt provided a PowerPoint presentation that covered the following for items 15D and 15E:

- SWITZER CANYON VILLAGE TOWNHOMES PRELIMINARY PLAT
- PRELIMINARY PLAT – NEW PARCELS
- SITE PLAN WITH BUILDING FOOTPRINTS
- ELEVATIONS
- NATURAL RESOURCE PROTECTION STANDARDS
- SYSTEMS ANALYSIS
- RECOMMENDATION
- SWITZER CANYON VILLAGE TOWNHOMES FINAL PLAT
- RECOMMENDATION
- CONDITIONS OF APPROVAL

Mayor Nabours asked about condition two regarding the final grading certificate indicating that he thought that had been done already. Ms. Averitt explained that the brow ditches were added later and staff is requiring a minor grading plan.

Chris Correlly with Miramonte Homes addressed Council stating that the project was really difficult and City staff has been wonderful to work with. He also explained that the total units were cut and made into a townhome development to make financing more feasible and attainable for those seeking to purchase a unit.

Councilmember Brewster moved to approve the Preliminary Plat; seconded; passed 6-0 with Councilmember Woodson abstaining.

E. **Consideration and Approval of Final Plat**: A request from Miramonte Homes for Final Plat approval for the Switzer Canyon Village Townhomes, a 48-unit residential townhome subdivision on an 18.56 acre site located at 587 North Switzer Canyon Drive in the Single-family Residential (R1) zone. The existing condominium plat is proposed to be abandoned and a new townhouse plat is proposed. ***(Final Plat for Switzer Canyon Village Townhomes at 587 North Switzer Canyon Drive)***

See above.

Councilmember Brewster moved to approve the Final Plat subject to conditions (Exhibit A attached hereto and made a part hereof), and authorizing the Mayor to sign the plat when notified by staff that all conditions have been met and the documents are ready for recording; passed 6-0 with Councilmember Woodson abstaining.

16. **DISCUSSION ITEMS**

None.

17. **POSSIBLE FUTURE AGENDA ITEMS**

Verbal comments from the public on any item under this section must be given during Public Participation near the beginning of the meeting. Written comments may be submitted to the City Clerk. After discussion and upon agreement of three members of the Council, an item will be moved to a regularly-scheduled Council meeting.

None

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

Vice Mayor Evans requested a memo regarding the Thorpe Park softball parks and the work that is going on there.

She also requested information on the Good Neighbor policy that was in place with Flagstaff Shelter Services. She would like for it to be reinstituted at the new location to address issues brought up by the surrounding neighborhood.

Councilmember Overton reported that the Army Corp of Engineers sent the lead point of contact, Colonel Collander to discuss the Rio de Flag project with City staff. Senator McCain also had staff from Phoenix and Washington D.C. sent to Flagstaff to further discuss the project. These visits are a direct correlation with the recent Washington D.C. trip and the Council's efforts to keep the project moving.

Councilmember Woodson requested an update on the Core Services Facility and the timeline.

Councilmember Brewster stated that she attended the Rio de Flag meetings and noted that the representatives were much more engaged and wanting to work towards solutions than has been in the past.

Councilmember Oravits attended the GAMA meeting. He reported that the International Energy Code is pretty much dead and the chicken ordinance seems to be moving forward. He also reported that the restoration of HURF sounds promising and the Forest Health bill looks positive.

19. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held March 18, 2014, adjourned at 8:35 p.m.

_____
MAYOR

ATTEST:

_____
CITY CLERK

CERTIFICATION

STATE OF ARIZONA)
SS)
County of 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 March 18, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of April, 2014.

_____
CITY CLERK

MINUTES OF THE SPECIAL MEETING (EXECUTIVE SESSION) OF THE FLAGSTAFF CITY COUNCIL HELD ON TUESDAY, MARCH 25, 2014, IN THE STAFF CONFERENCE ROOM, SECOND FLOOR OF THE FLAGSTAFF CITY HALL, 211 WEST ASPEN, FLAGSTAFF, ARIZONA

1. Call to Order

Mayor Nabours called the meeting to order at 5:02 p.m.

2. Roll Call

Present: Absent:

MAYOR NABOURS
VICE MAYOR EVANS
COUNCILMEMBER BAROTZ
COUNCILMEMBER BREWSTER
COUNCILMEMBER ORAVITS (ARRIVED AT 5:03)
COUNCILMEMBER OVERTON
COUNCILMEMBER WOODSON

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

3. Recess into Executive Session

Mayor Nabours moved to recess into Executive Session; seconded; passed unanimously. The Flagstaff City Council recessed into Executive Session at 5:02 p.m.

4. **EXECUTIVE SESSION:**

A. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representative regarding negotiations for the purchase, sale or lease of real property; and discussion or consultation for legal advice with the attorney or attorneys of the public body, pursuant to ARS 38-431.03(A)(7) and (3), respectively.

i. Property negotiations between City of Flagstaff and Evergreen TRAX for sale of property generally located at the corner of Route 66 and Fourth Street, and transportation infrastructure.

5. **<u>ADJOURNMENT</u>**

The Flagstaff City Council reconvened into Open Session at 5:52 p.m. at which time the Special Meeting of March 25, 2014, adjourned.

_____
MAYOR

ATTEST:

_____
CITY CLERK

REGULAR COUNCIL MEETING
TUESDAY, APRIL 1, 2014
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 Regular Meeting of the Flagstaff City Council of April 1, 2014, 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**

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

Absent:

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

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

The City Council and audience recited the Pledge of Allegiance and Mayor Nabours read the City's 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

None

5. PUBLIC PARTICIPATION

Public Participation enables the public to address the Council about an item that is not on the agenda (or is listed under Possible Future Agenda Items). 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.

Residents of The Meadows addressed Council about an ongoing flooding problem and requested a meeting with the City Manager to discuss potential solutions.

6. PROCLAMATIONS AND RECOGNITIONS

None

7. APPOINTMENTS

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that the City Council may vote to go into executive session, which will not be open to the public, for the purpose of discussing or considering employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body...., pursuant to A.R.S. §38-431.03(A)(1).

None

8. LIQUOR LICENSE PUBLIC HEARINGS

A. **Consideration and Action on Liquor License Application:** Danny Thomas, “Porky's Pub", 2285 E. Butler Ave., Series 06 (bar- all spirituous liquor), Person and Location Transfer.

Mayor Nabours opened the public hearing.

The public made no comments.

Mayor Nabours closed the public hearing.

Councilmember Oravits moved to forward the application for Porky’s Pub to the State with a recommendation for approval; seconded; passed unanimously.

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 Projects:** Lake Mary - Walnut Creek Technical Advisory Committee (LM-WC TAC) project recommendations.

MOTION: The LM-WC TAC asks for Council approval to fund two projects: 1) Not-to-exceed (NTE) $15,000.00 for purchase of up to 12 flowtography stations to be installed within the Upper Lake Mary watershed, 2) NTE $25,000.00 for the purchase and installation of flow & sediment monitoring equipment to be installed in Newman Canyon, followed by $2,200 annually for 5 years to cover a share of the operating costs.

Mayor Nabours noted that the funds are from a National Park Foundation and stated that the City had funded this to the extent of $100,000; he asked for clarification on where the funds came from and if it is part of the funding that the City gave to the National Park Foundation. Water Resources Manager Erin Young stated that the City set aside $100,000 to the foundation as part of a water rights settlement with the National Park Service and National Forest Service. The funds are to be used for projects that would provide information on how to promote flows back through Walnut Canyon.

B. **Consideration and Approval of Contract:** Professional Services for Materials Testing. ***(Approve contract to test materials during construction).***

MOTION: 1) Approve the contract with ATL, Inc. for a total estimated annual amount of $172,940, which includes a $10,000 contingency. The contract will be or an initial term of three (3) years with two (2), one-year renewal terms. 2) Authorize the City Manager to execute the necessary documents.

Raymond Kaminski addressed the Council against outsourcing the Materials Testing Services.

City Engineer Rick Barrett stated that staff does not anticipate any delays of service with the transfer over to ATL, Inc. Councilmember Oravits asked how much the service is in house compared to outsourcing the service. Mr. Barrett responded that the FY14 budget number for in house service is $143,000 and that did include a one-time payout for a staff retirement. Historically in the peak of construction there has been a 3.5 person staff. The $143,000 budget is for only two staff members. Consultants are better able to manage the ups and downs of the varying constructions season. Councilmember Oravits asked if pensions and other associated costs were included in the FY14 budget. Mr. Barrett stated that they were included. What was not included are any of the costs associated with upgrading equipment as well as the time spent by himself and Community Development Director Mark Landsiedel. Councilmember Barotz asked if those things were taken into account as well as the additional 1.5 employees if the total

cost would exceed $172,000. Mr. Barrett stated that the cost would exceed the $172,000.

Councilmember Oravits clarified that no City employees would be losing their job with the outsourcing of this service.

Councilmember Barotz asked if there is any likelihood that the quality of the work will be impacted in a negative way. Mr. Barrett stated that the vendor will be able to perform well but there is no doubt that there is much better control over City staff than there is over a consultant.

Mr. Burke stated that there were a number of components staff was trying to address. Work variability is an issue as material testing services is work that is dependent on the building market. The City is better able to absorb these variables with a private contractor. There have been recent discussions about personnel costs continuing to rise and the challenges associated with predicting these costs. These are the reasons staff believes that outsourcing the service would be beneficial. Mayor Nabours added that by outsourcing the City will have savings associated with equipment maintenance and upgrades as well.

C. **Consideration and Approval of Contract:** Western Bark Beetle Initiative (WBBI) grant from AZ State Forestry. ***(State grant to treat for Bark Beetles).***

MOTION: Approve the **WBBI** Grant Agreement with AZ State Forestry

Mayor Nabours stated that this contract will allow the City to clear out the trees with funding from the State and the Watershed Protection funds. Wildland Fire Manager Paul Summerfelt indicated that the contract is allowing the City to further stretch the bond dollars.

D. **Consideration and Approval of Contract**: Amendment Three to the Intergovernmental Agreement (IGA)/Joint Project Agreement (JPA) 11-097I between the City of Flagstaff (City) and the Arizona Department of Transportation (ADOT) for the FY2013 Highway Safety Improvement Program (HSIP), Beulah Bike Lanes.

MOTION: Approve Amendment Three to the IGA/JPA 11-097I between the City and ADOT in the amount of $175,000 of which the Grant Amount is $165,025 (94.3%) with a City match of $9,975 (5.7%) for a total construction cost in the amount of $175,000.

Mayor Nabours asked if this contract is an example of something that would be paid from the transportation tax fund. Project Manager Randy Whittaker stated that this was not included in any of the capital programs as it started out as a grant.

Councilmember Overton asked if there is any way to take a look at area between the FUTS trail and Big 5 as part of the project. Mr. Whittaker stated that Multi-Modal Transportation Manager Martin Ince is in current discussions about the area.

Councilmember Oravits state that the design costs of $98,000 seems excessive with a total $175,000 project. Mr. Whittaker clarified that much of the cost is ADOT fees that are charged for grant projects, he estimates upward of 50%.

Councilmember Barotz requested that item 9B be taken separately from the other three items.

Mayor Nabours moved to approve Consent Items 9A, 9C, and 9D as presented; seconded; passed unanimously.

Councilmember Barotz thanked Mr. Kaminski for addressing Council with his concerns.

Mayor Nabours added thanks to Amy Hagin for the procurement memo on how ATL, Inc. was selected. He feels that the scoring is too dependent on each evaluator and suggests future discussion about the process of procurement.

Councilmember Woodson moved to approve Consent Item 9B as presented; seconded; passed unanimously.

10. **ROUTINE ITEMS**

A. **Consideration and Approval of Contract:** Intergovernmental Agreement between the City of Flagstaff and Coconino County concerning the administration of funds of the Free Library District

Library Director Heidi Holland presented a PowerPoint presentation that covered the following:

- CITY COUNTY IGA
- RECOMMENDATION – RENEW IGA
- COLLABORATION
- RESOLUTION
- BRANCHES
- OTHER LIBRARIES
- BASE BUDGET
- CITY COUNTY IGA

Councilmember Barotz moved to approve the Intergovernmental Agreement between the City of Flagstaff and Coconino County concerning the administration of funds of the Free Library District; seconded; passed unanimously.

B. **Consideration and Adoption of Resolution No. 2014-12 :** A resolution of the Mayor and Council of the City of Flagstaff, Arizona approving the City of Flagstaff Housing Authority's Annual Plan and authorizing its submission to the United States Department of Housing and Urban Development (HUD)

Flagstaff Housing Authority Manager Mike Gouhin stated that this is the fifth and final submission to HUD under the current five year plan. An additional goal was

added to combine the Flagstaff Housing Authority and the Housing Section. It is expected to have a project plan in place by June with implementation beginning in June 2015.

The other part of the plan is the annual capital fund. The two major items are to replace the water service lines in Brannen Homes as the piping is deteriorating and falling apart. The other part is the continuation of the roof replacement at Brannen Homes. This will require a tear off because it has been 25 years since the last replacement. One of the buildings has been tested for asbestos with no issues however all other structures will be tested as well.

Councilmember Overton stated that the new goal of combining FHA and the Housing Section is a significant shift and requested a work session to further discuss and understand the merger. Mr. Burke stated that it is scheduled to be discussed at the upcoming budget retreat but if more time is needed beyond that a work session can be scheduled.

Mayor Nabours moved to read Resolution No. 2014-12 by title only; seconded; passed unanimously.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA APPROVING THE CITY OF FLAGSTGAFF HOUSING AUTHORITY'S ANNUAL PLAN AND AUTHORIZING ITS SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mayor Nabours moved to adopt Resolution No. 2014-12; seconded; passed unanimously.

C. **Consideration of Ordinance No. 2014-08:** An Ordinance of the City Council of the City of Flagstaff, Arizona, amending Flagstaff City Code, Title 4, Building Regulations, by adding a new Chapter 4-10, Uniform Housing Code, 1997 Edition and Amendments ***(Request to postpone action to a date uncertain)***

Staff requested that this item be postponed to a later date.

Councilmember Overton moved to postpone item 10C to a later date; seconded; passed unanimously.

D. **Consideration and Approval of Grant Application:** Arizona Governor's Office of Highway Safety (GOHS) Federal Fiscal Year 2015 for Police Department Applications for DUI Task Force, and Youth Alcohol Prevention and Interdiction.

Police Sergeant Gregory Jay stated that the Police Department has requested these same funds in previous years. The funding helps pay for overtime costs associated with the DUI task force. The second request is the Youth Alcohol Prevention and Interdiction. The funding would cover directed patrol efforts for underage drinking and to combat liquor violations. The educational components will take place at the local high schools.

Councilmember Overton moved to approve the application to the Arizona Governor's Office of Highway Safety (GOHS) for grant funds for the Police Department in the amount of $45,240 for DUI Task Force activities with an additional $11,459 for speed detection devices, $44,160 for Youth Alcohol Prevention and Interdiction task force; seconded; passed unanimously.

E. **Consideration and Approval of an Intergovernmental Agreement:** Between the City of Flagstaff and Northern Arizona University (NAU) for financial contribution to the Innovation Mesa Business Accelerator Project.

Economic Vitality Director Stacey Button stated that the IGA is for a financial contribution to the business accelerator and the funds will go directly to the construction and design of the project facility. Grants Manager Stacey Brechler-Knaggs added that the City is looking to be advertising by the end of April with an award and groundbreaking in June. The final completion is expected around June, 2015.

Councilmember Brewster moved to approve the Intergovernmental Agreement with NAU for the Innovation Mesa Business Accelerator Project in the amount of $1,100,000 for the purpose of funding the Design and Construction of the project facility; seconded; passed unanimously.

RECESS

The 4:00 p.m. portion of the April 1, 2014, Flagstaff City Council meeting recessed at 4:58 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Nabours reconvened the meeting of the Flagstaff City Council held April 1, 2014, 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

Present: Absent:

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

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

12. PUBLIC PARTICIPATION

Jim McCarthy addressed Council and requested that they have a discussion about the rapid growth of off campus student housing to hear both sides of the issue.

Rudy Preston addressed Council with concern about police activity during a recent protest.

Mayor Nabours asked Police Chief Kevin Treadway to come to the stand to be recognized for a letter recently received from Governor Brewer offering thanks to the Flagstaff Police Department for their immediate assistance and response to the reports of neglected Child Protective Services cases. Flagstaff Police Department was very helpful in getting rid of the back log associated with the children of Flagstaff.

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

None

14. PUBLIC HEARING ITEMS

A. Public Hearing on proposed Public Safety development fees (impact fees).

Planning Director Dan Folke offered a PowerPoint presentation that covered the following:

- PUBLIC HEARING DEVELOPMENT FEE REPORT
- DEVELOPMENT IMPACT FEES
- WHY CONSIDER IMPACT FEES?
- AFFORDABLE HOUSING INCENTIVE
- CONSENSUS BUILDING – INFORM & CONSULT

Senior Analyst with Tischler Bise Merideth Hill continued the presentation.

- OVERVIEW OF ADOPTION PROCESS
- APPROVED 10-YEAR INVESTMENT PLAN TO MAINTAIN LEVELS OF SERVICE
- OVERVIEW OF ADOPTION PROCESS
- 10-YEAR PROJECTED REVENUE
- MAXIMUM SUPPORTABLE FEES AND COMPARISON
- CURRENT AND MAXIMUM SUPPORTABLE FEES FIRE FACILITIES – RESIDENTIAL
- CURRENT AND MAXIMUM SUPPORTABLE FEES FIRE FACILITIES – NON RESIDENTIAL
- CURRENT AND MAXIMUM SUPPORTABLE FEES POLICE FACILITIES – RESIDENTIAL
- CURRENT AND MAXIMUM SUPPORTABLE FEES POLICE FACILITIES – NON RESIDENTIAL
- ARIZONA COMPARISON OF PROPOSED FEES
- NEXT STEPS
- FLAGSTAFF ADOPTION PROCESS SCHEDULE

Councilmember Oravits asked the process to eliminate the fees. Ms. Hill explained that the fees existing today must be retired on July 31, 2014. If no other fees are adopted at that time no development fees can be collected until new fees are adopted. This is not without caution as the City is still responsible for the 3.1 million dollars that will be needed for growth. Additionally, the City is obligated to spend the monies already collected on CIP projects.

Councilmember Barotz asked about other possible revenue sources should the fees be eliminated. Mr. Burke stated that there currently is not an identified revenue source associated with that capital. The City will meet its debt obligations regardless, which is associated with the secondary property tax and one time monies could be used but they are typically taken on a year to year basis.

Mayor Nabours asked about the current fees adopted in 2012 which were based on Tischler Bise research and how they could change so much between now and then. Ms. Hill stated that the fees adopted in 2012 were an adjustment of the fees based on the 2008 study and a result of a change in legislation. The fees in 2008 needed to be adjusted to come into compliance while the legislation was saying that an updated study was needed for updated fees in 2014. Demand indicators have not changed and it is because the demand indicators are going back to the original 2008 fees that there is such a difference. Many components had to be removed for 2012.

Mayor Nabours asked if a component was eliminated if the City is precluded from using the fees already collected. Ms. Hill indicated that the City would be precluded from using those fees already collected. There are seven different line items of revenue and if one or some are no longer collected the City cannot direct development fees to it.

Mayor Nabours opened the public hearing.

The following individuals addressed Council:

- Mike Sistak
- Jeff Knorr
- Charlie Odegaard
- Rudy Preston

Comments included:

- Flagstaff is 52% above the national average for housing, is concerned about adding additional cost which would raise that even higher.
- The current fee structure lumps all the multi housing together.
- Existing neighborhoods should be exempt from impact fees.
- The $3.6 million total is cumulative over 10 years, with half going to debt service; the City can find $160,000 per year in the budget to pay for growth.
- The increase could help public safety keep their equipment up to date.

Mayor Nabours closed the public hearing.

Mayor Nabours stated that he does not want to raise the fees but does not want to eliminate them. He does not feel that the data is compelling evidence that the City is not keeping up with what it should be keeping up with. He stated that the numbers presented are the maximum supportable fees and feel that they could be trimmed down a bit. Mr. Burke offered that the City is not able to readopt the current fees as they are no longer consistent with the IIP. Ms. Hill offered that the most likely scenario would be to remove the $100 debt service out of residential and non residential. Mayor Nabours asked if the amount of a component could be reduced. Ms. Hill explained that a component cannot be modified but it can be removed. Management Service Director Barbara Goodrich offered that if there is a consensus to stay within the current fees, staff could propose scenarios about what would need to be removed and present them back to Council.

Councilmember Oravits stated that the fees get passed along to the end user and it is important to pay attention to the addition of fees on property owners. He indicated that the fees should be eliminated as there is already an affordability issue in Flagstaff.

Councilmember Overton noted that he feels that the City is better off working and negotiating directly with the developer. It is difficult to define a response to the bedroom numbers. This has been an advantageous fund but he is leery with putting a debt service on the fee.

Councilmember Woodson asked if there was no development fee for public safety, what options are available to fund growth improvements. Mr. Burke stated that historically it has been suggested to entertain a special revenue source in

the form of a secondary property tax. The intent was to take the burden away from current property owners and pass the cost to the new development.

Vice Mayor Evans stated that it is important that the community understand that the developer does not pay the impact fees, they are passed on to the end user. If the end user does not pay the fees then the community as a whole pays them.

Vice Mayor Evans requested the following additional information from staff:

- Impact to the City and how it would be subsidizing the unfunded amount should the impact fees stay at the current level.
- A comprehensive list of all the impact fees
- Comparison data from before impact fees were enacted and now.
- The City's percentage of the actual cost of the house versus what is governed by the real estate market.
- Information on how sales tax revenue from the sale of land is used.

Mayor Nabours stated that after the break the Council will hear item 15C next.

A break was held from 7:33 p.m. through 7:45 p.m.

15. **REGULAR AGENDA**

C. **Consideration and Approval of Lease of City-Owned Property:** Ground Lease Agreement for the Development of Affordable Housing: Providing site control of City owned land located at 300 South Verde for Habitat for Humanity of Northern Arizona to support construction of a home for inclusion in the Community Land Trust Program. ***(Permission for Habitat for Humanity of Northern Arizona to build a permanently affordable home on City land)***

Housing Manager Sarah Darr provided a PowerPoint Presentation that covered the following:

- CITY OF FLAGSTAFF WEB MAP OF PARCELS ALONG BUTLER
- HABITAT AT VERDE

Councilmember Overton moved to approve the Ground Lease Agreement with Habitat for Humanity of Northern Arizona for the construction of one single-family home to be sold to a qualified low-income household and included in the Community Land Trust Program; seconded, passed unanimously.

A. **Consideration and Adoption of Resolution No. 2014-13:** A resolution on the Principles of Sound Water Management - Water Policies Chapter of the Utilities Integrated Master Plan. ***(Approval of Water Policy by Resolution)***

Utilities Director Brad Hill stated that all of the changes discussed at the last meeting were incorporated into the current draft policy.

Deputy City Attorney Sterling Solomon provided information on the code citations and some suggested legal clarifications of corporate and retail.

Councilmember Barotz stated that there are places in the document that reference the City service area but there is no definition of the area. Mr. Solomon stated that the service area is the Flagstaff corporate limits. He suggested the removal of the term “set aside” as well removing the specific uses of reclaimed water as they can be amended from time to time and are housed in the Administrative Code.

The following individuals addressed Council in regards to the Water Policy:

- Karen Goodwin
- George Kladnik
- Moran Henn
- Rudy Preston
- Dave Lang

Comments received:

- Concerned about the vagueness of statements in the policy.
- Unregulated contaminants are present in the water.
- Rather than invest in Red Gap Ranch move forward with improving water conservation and advanced filtration and oxidation.
- Using reclaimed water contaminates the pristine aquifers in Coconino County.
- Sludge treatment is a big issue that needs to be addressed.
- It is a big mistake to continue recycling reclaimed water in the way that is being done today.
- The policy needs stronger language about water conservation.
- Concerns with how City is defined in the document, is it staff, council, or something else.
- The document does not go far enough in looking for ways to not put contaminants into the water in the first place.
- Concerns about prioritizing reclaimed water to current users as there may be bigger needs in other communities than Flagstaff.
- Commercial rates for reclaimed water are too low especially outside the City.

Vice Mayor Evans stated that the timeline to review the complete document was too short. She made the following recommendations:

- Page 7 take last paragraph and move it to after the first sentence of the document.
- Page 7, second paragraph, the language about regional land use and transportation plan needs clarification on the plan being voted on.
- Page 9, policy A1.3, service area needs to be defined.

- Page 9, policy A1.4, remove “development” from the sentence that states the “City shall not enter into a development agreement”
- Page 11 makes reference to customers outside the City limits paying over and above those within City limits; she would like to include the language of 10% which is allowed by law.
- Page 13, policy B2.2 is contradictory and suggested removing the word physically.
- Page 14, strategy B2.2c should be eliminated completely.
- Page 16, strategy B2.2g does not reference the Water Commission’s role.
- Page 18, policy B3.6e, suggested referencing the State minimum to alleviate issues should A+ not be available.
- Page 19, suggested listing the minimum class that can be used in order to use for landscape and other uses.
- Page 20, policy C1.1, clarify who is doing the adjustments.
- Suggested that the rate not be subsidized by water rate customers but instead by a non-utility source that impacts the entire community.
- Page 21, policy C4.4a needs rewording.
- Page 22, needs to refer to case law on how much more the City can charge for water outside City limits.
- Page 25, policy D1 references a Water Conservation Section which was a program that was cut.
- Policy D2.1c appears to be a duplication of efforts.
- Policy D3 is a fiscally irresponsible policy; while it is important to use less water a monetary credit should not be offered because the system as a whole is underfunded.
- Page 28, policy E2.2 suggested clarification on how the update is done.
- Page 37, policy F4.1a is disingenuous as the locations are often not annexed because they do not meet the criteria. Suggested an in-lieu of fee to cover sales tax.

Councilmember Barotz stated that the document does not articulate who is responsible for making various administrative changes. It appears that some things come to City Council while others are handled at the staff level. Mr. Hill offered that often it depends on City Code as to what issues are handled by the City Council and what issues are handled by staff. Councilmember Barotz explained that she is concerned about the big decisions and if the policy is not clear on who handles those it may lead to bigger issues. She requested a five minute break to quickly review the language in question to make sure there are no other changes before moving forward.

A break was held from 8:54 p.m. through 9:07 p.m.

Councilmember Overton moved to read Resolution 2014-13 by title only; seconded; passed 6:1 with Vice Mayor Evans casting the dissenting vote.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF ADOPTING THE UTILITIES INTEGRATED MASTER PLAN: PRINCIPLES OF SOUND WATER MANAGEMENT, WATER POLICIES CHAPTER AS THE WATER POLICY FOR THE CITY OF FLAGSTAFF

Mayor Nabours moved to adopt Resolution 2014-13; seconded; passed 6:1 with Vice Mayor Evans casting the dissenting vote.

B. **Consideration and Adoption of Ordinance No. 2014-07 and Resolution No. 2014-10:** Resolution No. 2014-10 Declaring the proposed amendments as a public record; and adoption of Ordinance No. 2014-07, Adopting Amendments to that certain document entitled "Division 8-03-002, Sidewalk Cafes, Sidewalk Vending Carts and Other Permitted Encroachments" ***(An ordinance deleting* North Downtown Business District Encroachment Policy*, and replacing it in its entirety with* Sidewalk Cafes, Sidewalk Vending Carts, and Other Permitted Encroachments*)***

Comprehensive Planning and Code Administrator Roger Eastman provided a PowerPoint presentation that covered the following:

- SIDEWALK CAFES, SIDEWALK VENDING CARTS AND OTHER PERMITTED ENCROACHMENTS
- MEETING PURPOSE

Assistant to the City Manager for Real Estate David McIntire continued the presentation.

- DIVISION 8-03-002-REVISIONS
- OPTION A: SIDEWALK COST
- OPTION B: FCV FOR PROPERTIES FROM PREVIOUS YEAR
- OPTION C: LOCAL VALUE $1.00 PER SQUARE FOOT
- STAFF RECOMMENDATION IS OPTION A

Sam Green encouraged Council to adopt the least expensive option.

Jeff Knorr encouraged Council to better define the minimum standard for nominal.

Councilmember Woodson asked how this Ordinance would be applied to other vending on the sidewalks. There appears to be disparity on how vendors are defined. Mr. Eastman offered that the City Code specifically does not allow for outdoor displays and staff responds to complaints when they are received. Vice Mayor Evans stated that it is not fair that some vendors have to pay for a license while others can operate until a complaint is received. The City should better monitor violations. Mr. Eastman responded that with the limited staff resources available they respond only on complaints unless there is an egregious violation. Mr. Burke offered that the principle piece this item is resolving is the gift clause issue. It is not a fee for service it is a fee for a value of using a public asset for private purposes. The enforcement is still an obligation and staff will continue to enforce to the extent that they can with the resources available.

Councilmember Woodson moved to read Resolution 2014-10 by title only; seconded; passed unanimously.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "DIVISION 8-03-002, SIDEWALK CAFES, SIDEWALK VENDING CARTS AND OTHER PERMITTED ENCROACHMENTS"

Mayor Nabours moved to adopt Resolution 2014-10; seconded; passed unanimously.

Mayor Nabours moved to read Ordinance 2014-07 with option A by title only for the final time; seconded; passed unanimously.

AN ORDINANCE OF THE CITY COUNCIL OF FLAGSTAFF, ARIZONA, AMENDING TITLE 8 OF THE FLAGSTAFF MUNICIPAL CODE BY DELETING IN ITS ENTIRETY DIVISION 8-03-002, NORTH DOWNTOWN BUSINESS DISTRICT ENCROACHMENT POLICY; AND ADOPTING THAT CERTAIN DOCUMENT ENTITLED "DIVISION 8-03-002, SIDEWALK CAFES, SIDEWALK VENDING CARTS AND OTHER PERMITTED ENCROACHMENTS"

Mayor Nabours moved to adopt Ordinance 2014-07 with option A; seconded; passed unanimously.

Mayor Nabours stated that Council will hear item 15E next.

E. **Consideration of Ordinance No. 2014-09**: An ordinance prohibiting aggressive solicitation.

Councilmember Barotz left the dais at 10:00 p.m.

Police Chief Kevin Treadway provided information on the issue of panhandling. Public education on the Ordinance will be especially important and encouragement for citizens to contact the Police Department when issues arise. Staff is currently working on a voucher program where vouchers are sold to general public to be given in lieu of cash.

Assistant City Attorney Marianne Sullivan reviewed the proposed Ordinance. The suggested changes have been made and the 15 foot option was incorporated as requested by Council.

Mayor Nabours asked if a person could be cited under both City and State statutes. Ms. Sullivan stated that if the State law is passed it would be up to the discretion of the officer which statute to cite under.

George Averback addressed Council in favor of the Ordinance.

Ed Kaboti addressed Council saying he is a licensed street vendor in the City and is in cooperation with the Ordinance but wants to make sure that personal freedoms are taken into consideration and protected.

Councilmember Overton asked how the Police Department will contact a person to offer services. Chief Treadway stated that the Flagstaff Police Department will attempt to approach these individuals on a consensual basis; the individual is not required to identify themselves or talk to the officer. If consent is granted the officer can provide them with access to social services and attempt to identify them. It is a polarized situation that will involve the entire community and creative approaches. Public education is very important. People panhandle because it is lucrative and different options and solutions are being discussed to try and attempt to curb the behavior. CJCC is an excellent forum to reach out to the public as well as local media outlets and social media.

Vice Mayor Evans stated that the issue is a much broader societal issue and there needs to be focus on the social problems causing the issue. The voucher idea is fantastic and social service agencies need to work together on this issue. She also expressed concern with the consensual contact with a police officer; when someone approaches in a uniform most people do not exercise their right to walk away or refuse to contact.

Councilmember Oravits requested more information about the outreach efforts to the private properties as well as information about when panhandling becomes a commercial activity and if there is a way to address that.

Councilmember Oravits moved to read Ordinance 2014-09 by title only for the first time; seconded; passed 6:1 with Councilmember Barotz abstaining.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 6, POLICE REGULATIONS, CHAPTER, 1 GENERAL OFFENSES, DIVISION 1, BY ADDING A NEW SECTION 1 RELATING TO AGGRESSIVE SOLICITATION; PROVIDING FOR PENALTY, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

Mayor Nabours moved to hear item 15D; seconded; passed unanimously.

D. **Consideration and Approval of Contract:** Consultant Agreement; Utility Rate and Capacity Fee Study ***(Approval of the Agreement will allow Willdan Financial Services, Inc. to prepare a Utility Rate and Capacity Fee Study for the City of Flagstaff)***

Utilities Engineering Manager Ryan Roberts stated that this approval is for an agreement with Willdan Financial Services, Inc. to prepare a Utility Rate and Capacity Fee Study. Willdan was the highest rated responder. The fee is $35,000 less than what was budgeted. Staff plans on working with Willdan, the Water Commission and other outside agencies throughout the study.

Rudy Preston addressed Council in favor of the study and offered assistance with outreach.

Councilmember Brewster moved to approve the Agreement with Willdan Financial Services, Inc. for the amount of $114,380, authorize the City Manager to execute the necessary documents, and authorize change order authority for the City Manager for the amount of $11,438 (10%) to cover the expense of additional items or other unanticipated work; seconded, passed 6:1 with Councilmember Barotz abstaining.

Councilmember Oravits moved to continue with item 18; seconded; passed unanimously.

16. **DISCUSSION ITEMS**

A. **Road Repair and Street Safety Initiative Update**

Postponed to a later date.

17. **POSSIBLE FUTURE AGENDA ITEMS**

Verbal comments from the public on any item under this section must be given during Public Participation near the beginning of the meeting. Written comments may be submitted to the City Clerk. After discussion and upon agreement of three members of the Council, an item will be moved to a regularly-scheduled Council meeting.

None

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

Councilmember Oravits requested a study on lane reductions on Fourth Street. He feels that it is important to maintain two lanes of traffic minimum and would like the opportunity to discuss the item on an agenda to get further information and clarification.

Vice Mayor Evans requested a staff update on what is going on with Francis Short Pond. She also reported that she will not be at the Council meeting next Tuesday as she will be accepting an award.

Vice Mayor Evans requested a list from staff about proposed off campus student housing and who the developer is. She also encouraged the City Manager to speak with the residents of The Meadows with regard to the flooding issues they mentioned during public participation.

Councilmember Brewster noted that this weekend is NACET's startup for entrepreneurs at the ARD building at NAU.

19. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held April 1, 2014, adjourned at 10:41 p.m.

_____
MAYOR

ATTEST:

_____
CITY CLERK

CERTIFICATION

STATE OF ARIZONA)
SS)
County of 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 March 18, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of April, 2014.

_____
CITY CLERK

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To:	The Honorable Mayor and Council
From:	Stacy Saltzburg, Deputy City Clerk
Date:	04/09/2014
Meeting Date:	04/15/2014

TITLE:

Consideration and Action on Liquor License Application: David Horne, “Milton Rd. Texaco", 1601 S. Milton Rd., Series 10 (beer and wine store), New License.

RECOMMENDED ACTION:

Hold public hearing.

The City Council has the option to:
1) Forward the application to the State with a recommendation for approval;
2) Forward the application to the State with no recommendation; or
3) Forward the application to the State with a recommendation for denial based on the testimony received at the public hearing and/or other factors.

Policy Decision or Reason for Action:

David Horne with Milton Rd. Texaco has submitted a liquor license application for a new Series 10 (beer and wine store) license.

Financial Impact:

There is no budgetary impact to the City of Flagstaff as this is a recommendation to the State.

Connection to Council Goal:

Effective governance - regulatory action.

Has There Been Previous Council Decision on This:

Not applicable.

Options and Alternatives:

1) Table the item if additional information or time is needed.
2) Make no recommendation.
3) Forward the application to the State with a recommendation for approval.
4) Forward the application to the State with a recommendation for denial, stating the reasons for such recommendation.

Background/History:

An application for a new Series 10 (beer and wine store) liquor license was received from David Horne for Milton Rd. Texaco, 1601 S. Milton Rd. This is an existing business that wants to sell beer and wine.

A background investigation performed by Sgt. Matt Wright of the Flagstaff Police Department resulted in a recommendation for approval.

A background investigation performed by Tom Boughner, Code Compliance Manager, resulted in no active code violations being reported.

Sales tax and licensing information was reviewed by Ranbir Cheema, Tax, Licensing & Revenue Manager, who stated that the business is in compliance with the tax and licensing requirements of the City.

Key Considerations:

Because the application is for a new license, consideration may be given to both the applicant's personal qualifications and the location.

A Series 10 (beer and wine store) license allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises.

The deadline for issuing a recommendation on this application is April 21, 2014.

For a Series 10 (beer and wine store) license, the applicant is required to provide the distance between the applicant’s business and the nearest church or school for government; the State does not require a geological map or list of licenses in the vicinity for any license series.

Expanded Financial Considerations:

This business will contribute to the tax base of the community. We are not aware of any other relevant considerations.

Community Benefits and Considerations:

The application was properly posted on March 18, 2014. No written protests have been received to date.

Community Involvement:

Inform

Expanded Options and Alternatives:

1) Table the item if additional information or time is needed.
2) Make no recommendation.
3) Forward the application to the State with a recommendation for approval.
4) Forward the application to the State with a recommendation for denial, stating the reasons for such recommendation.

Attachments: Texaco - Letter to Applicant
Hearing Procedures
Series 10 Description

Texaco - Section 13
Texaco - PD Memo
Texaco - Code Memo
Texaco - Tax Memo

OFFICE OF THE CITY CLERK

April 9, 2014

Milton Road Texaco
Attn: David Horne
8215 E. Elise Way
Flagstaff, AZ 86004

Dear Mr. Horne:

Your application for a Series 6 person and location transfer liquor license for Porky's Pub at 2285 E. Butler Ave., was posted on March 18, 2014. The City Council will consider the application at a public hearing during their regularly scheduled City Council Meeting on **Tuesday, April 15, 2014 which begins at 4:00 p.m.**

It is important that you or your representative attend this Council Meeting and be prepared to answer any questions that the City Council may have. Failure to be available for questions could result in a recommendation for denial of your application. We suggest that you contact your legal counsel or the Department of Liquor Licenses and Control at 602-542-5141 to determine the criteria for your license. To help you understand how the public hearing process will be conducted, we are enclosing a copy of the City's liquor license application hearing procedures.

The twenty-day posting period for your liquor license application expired on April 7, 2014 and the application may be removed from the premises at this time.

If you have any questions, please feel free to call me at 928-213-2077.

Sincerely,

Stacy Saltzburg
Deputy City Clerk

Enclosure

City of Flagstaff

Liquor License Application
Hearing Procedures

1. When the matter is reached at the Council meeting, the presiding officer will accept a motion to open the public hearing on the item.

2. The presiding officer will request that the Applicant come forward to address the Council regarding the application in a presentation not exceeding ten (10) minutes. Council may question the Applicant regarding the testimony or other evidence provided by the Applicant.

3. The presiding officer will then ask whether City staff have information to present to the Council regarding the application. Staff should come forward at this point and present information to the Council in a presentation not exceeding ten (10) minutes. Council may question City staff regarding the testimony or other evidence provided by City staff.

4. Other parties, if any, may then testify, limited to three (3) minutes per person. Council may question these parties regarding the testimony they present to the Council.

5. The Applicant may make a concise closing statement to the Council, limited to five (5) minutes. During this statement, Council may ask additional questions of the Applicant.

6. City staff may make a concise closing statement to the Council, limited to five (5) minutes. During this statement, Council may ask additional questions of City Staff.

7. By motion, Council will then close the public hearing.

8. By motion, the Council will then vote to forward the application to the State with a recommendation of approval, disapproval, or shall vote to forward with no recommendation.

R19-1-702. Determining Whether to Grant a License for a Certain Location

A. To determine whether public convenience requires and the best interest of the community will be substantially served by issuing or transferring a license at a particular unlicensed location, local governing authorities and the Board may consider the following criteria:

1. Petitions and testimony from individuals who favor or oppose issuance of a license and who reside in, own, or lease property within one mile of the proposed premises;

2. Number and types of licenses within one mile of the proposed premises;

3. Evidence that all necessary licenses and permits for which the applicant is eligible at the time of application have been obtained from the state and all other governing bodies;

4. Residential and commercial population of the community and its likelihood of increasing, decreasing, or remaining static;

5. Residential and commercial population density within one mile of the proposed premises;

6. Evidence concerning the nature of the proposed business, its potential market, and its likely customers;

7. Effect on vehicular traffic within one mile of the proposed premises;

8. Compatibility of the proposed business with other activity within one mile of the proposed premises;

9. Effect or impact on the activities of businesses or the residential neighborhood that might be affected by granting a license at the proposed premises;

10. History for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant received a detailed report of the violations and criminal activity at least 20 days before the hearing by the Board;

11. Comparison of the hours of operation at the proposed premises to the hours of operation of existing businesses within one mile of the proposed premises; and

12. Proximity of the proposed premises to licensed childcare facilities as defined by A.R.S. § 36-881.

B. This Section is authorized by A.R.S. § 4-201(I).

License Types: Series 10 Beer and Wine Store License (Beer and wine only)

Non-transferable
Off-sale retail privileges
Note: Terms in **BOLD CAPITALS** are defined in the glossary.

PURPOSE:
Allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises.

ADDITIONAL RIGHTS AND RESPONSIBILITIES:
A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of **DELIVERY**. The retailer must complete a Department approved "Record of Delivery" form for each spirituous liquor retail delivery.

On any original applications, new managers and/or the person responsible for the day-to-day operations must attend a basic and management training class.

A licensee acting as a **RETAIL AGENT**, authorized to purchase and accept delivery of spirituous liquor by other licensees, must receive a certificate of registration from the Department.

A **PREGNANCY WARNING SIGN** for pregnant women consuming spirituous liquor must be posted within twenty (20) feet of the cash register or behind the bar.

SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

1. Current Business: (Exactly as it appears on license) Name _____
   Address _____
2. New Business: (Physical Street Location) Name _____
   Address _____
3. License Type: _____ License Number: _____
4. If more than one license to be transferred: License Type: _____ License Number: _____
5. What date do you plan to move? _____ What date do you plan to open? _____

SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizonal feet of a fenced recreational area adjacent to such school building The above paragraph DOES NOT apply to:

a) Restaurant license (§ 4-205.02)
b) Hotel/motel license (§ 4-205.01)
c) Government license (§ 4-205.03)
d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 305 ft. Name of school MONTESSORI SCHOOLS OF FLAGSTAFF
   Address 575 W. UNIVERSITY AVE. FLAGSTAFF AZ 86001
   City, State, Zip
2. Distance to nearest church: 1100.' ft. Name of church NORTHLAND CHRISTIAN ASSEMBLY
   Address 1715 W. UNIVERSITY AVE. FLAGSTAFF AZ 86001
   City, State, Zip
3. I am the: ☒ Lessee ☐ Sublessee ☐ Owner ☐ Purchaser (of premises)
4. If the premises is leased give lessors: Name LNN. ENTERPRISES / JOE NACKARD
   Address 1490 S. RIORDAN RANCH ST. FLAGSTAFF AZ 86001
   City, State, Zip

4a. Monthly rental/lease rate $ 7,500.00 What is the remaining length of the lease 3 yrs. 0 mos. + OPTION TO 9 YEARS

4b. What is the penalty if the lease is not fulfilled? $_____ or other EVICTION
(give details - attach additional sheet if necessary)

5. What is the total **business** indebtedness for this license/location excluding the lease? $ 50,000.00 INVENTORY
   Please list ~~lenders you owe money~~ to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip
NACKARD	KHATTER	JOSEPH	$50,000.00	1490 S. RIORDAN RANCH RD	FLAGSTAFF AZ	86001
LNN. ENTERPRISES INC						

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? C-STORE / GAS STATION

14 FEB 5 Liq. Dept 08:04B
14 FEB 10 Liq. Dept 08:18

SECTION 13 - continued

7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year?

☐ YES ☒ NO If yes, attach explanation.

8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? ☐ YES ☒ NO

9. Is the premises currently licensed with a liquor license? ☒ YES ☐ NO If yes, give license number and licensee's name:

License # 10033074 (exactly as it appears on license) Name KHATTER MACHINE INC

SECTION 14 Restaurant or hotel/motel license applicants:

1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? ☐ YES ☐ NO
   If yes, give the name of licensee, Agent or a company name:

   _____ and license #: _____
   Last First Middle

2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.

3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.

4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this ☐ hotel/motel ☐ restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

   _____
   applicant's signature

As stated in A.R.S § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary and the new inspection date you are requesting. To schedule your site inspection visit www.azliquor.gov and click on the "Information" tab.

_____
applicants initials

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

1. Check **ALL** boxes that apply to your business:

   ☒ Entrances/Exits ☒ Liquor storage areas Patio: ☐ Contiguous
   ☐ Service windows ☐ Drive-in windows ☐ Non Contiguous

2. Is your licensed premises currently closed due to construction, renovation, or redesign? ☐ YES ☒ NO
   If yes, what is your estimated opening date? _____
   month/day/year

3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.

4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).

5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows,or increase or decrease to the square footage after submitting this initial drawing.

'14 FEB 5 Liq. Lic. AM 10:48

'14 FEB 18 Liq. Lic. AM 1:08

Memo #14-030-01

MEMORANDUM

TO **Chief Treadway**

FROM **Sgt. Matt Wright #704**

DATE **April 1, 2014**

REF **LIQUOR LICENSE APPLICATION – SERIES 10- FOR "Texaco"**

On April 1, 2014, I initiated an investigation into an application for a series 10 liquor license filed by David Michael Horne (Agent) and Alicia Ann Settles (Controlling Person) the new owners of the Milton Road Texaco. The Milton Road Texaco is located at 1601 S. Milton Road in Flagstaff. David and Alicia just purchased the business from the previous owner Joe Nackard. The liquor license application number being applied for is 10033190.

Joe Nackard has owned the business since 1996 when David Michael Horne started working there. The location has operated with a valid liquor license since that time. The current liquor license is a series 10 (Beer and Wine Store). The sale of the business to David Horne and Alicia Settles requires the current series 10 license to become inactive when the issuance of the new series 10 license is complete. I confirmed the business is just outside of 300 feet from the nearest elementary school measuring building edge to building edge. However, in recent years the school has constructed a fence around their property which now brings the school property line within 300 feet of the licensed premises. The state law requires that a licensed establishment be outside of 300 feet from the fenced recreational area of the nearest school. An exception to this law is found in Arizona Revised Statutes 4-207.C. This statute allows the transfer of a liquor license when a school or church moves within the 300 foot limit after the issuance of a valid liquor license. This rule also applies when the business maintains a valid liquor license through the transfer process. The applicants are currently operating under the old license until the new license is issued. I conferred with a State Liquor License and Control. It was confirmed that the issuance of the series 10 license would be allowable and "grandfathered" in due to state statute 4-207.C.

I spoke with David Horne who advised he and Alicia Settles have both attended the required liquor law training courses and provided proof. David said he and Alicia would be operating the day to day operations.

I conducted a local records and a public access check on David Michael Horne and Alicia Settles. No criminal record was found for Alicia Settles. David Michael Horne was arrested for criminal damage in 2004 by Coconino County Sheriff's Department. No official charges were filed by the County Attorney's Office. David said he was cited for furnishing tobacco to a minor

in April of 2013, after misreading the ID he was provided. He entered into and successfully completed a deferred prosecution program and the charge has been “set aside”.

As a result of this investigation, I do not oppose this application. Recommendation to Council would be approval.

Planning and Development Services Memorandum

April 8, 2014

TO: Stacy Saltzburg, Deputy City Clerk

THROUGH: Roger E. Eastman, AICP, Comprehensive Planning and Code Administrator

FROM: Tom Boughner, Code Compliance Mgr.

RE: Application for Liquor License #10033074, 1601 South Milton Road, Flagstaff, Arizona 86001.
Assessor's Parcel Number 103-21-022C
David Horne on behalf of Milton Road Texaco

This application is a request for a Series #10 Beer and Wine Store. This is a new license, with an interim permit, from David Michael Horne on behalf of Milton Road Texaco, located in the Highway Commercial Zoning District. This district allows for liquor stores.

There are no active Zoning Code violations associated with David Horne or the Milton Road Texaco.

This liquor license is recommended for approval.

Memo

To: Stacy Saltzberg, Deputy City Clerk

From: Ranbir Cheema - Tax, Licensing & Revenue Manager

Date: April 02, 2014

Re: Series 10 Liquor License – New License – Texaco

Clearwater Management LLC DBA Milton Rd Texaco is licensed with the City Sales Tax Section for its location at 1601 S Milton Road. Since they just started business in March 2014, they are not yet required to file a tax return. Currently, they are in good standing with the Sales Tax Section of the City.

/liquor licenses/Porky's Pub.doc

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To:	The Honorable Mayor and Council
From:	Randall Groth, Project Manager
Date:	04/09/2014
Meeting Date:	04/15/2014

TITLE:

Consideration and Approval of Contract: Rose St. 2010 Bond Improvements Project. ***(Contract for improvements on Rose St.)***

RECOMMENDED ACTION:

1) Approve the construction contract with RTR Paving and Resurfacing, LLC in the amount of $1,403,358.00 including a $75,500 contract allowance and a contract time of 140 calendar days;
2) Approve Change Order Authority to the City Manager in the amount of $132,785.00 (10% of contract amount, less allowance);
3) Authorize the City Manager to execute the necessary documents.

Policy Decision or Reason for Action:

Award of the contract will authorize the construction of the Rose St. 2010 Bond Improvements project in accordance with the approved public improvement plans prepared by Turner Engineering, Inc. and Peak Engineering, Inc.

Subsidiary Decisions Points: The project is scheduled in the Capital 5-year plan for Division 24 and is funded in the FY 14 authorized budget.

Financial Impact:

The project has a total project budget appropriation of $1,605,000 from the 2010 Street/Utility general obligation bond. The FY 14 budget is in the amount of $1,449,260 (acct. 403-09-421-3263-6).

The bid solicitation was published on the City website and twice in the *Daily Sun.* Nine bids were received on March 5, 2014 at the office of the City Purchasing Agent. A summary of bids received is included under Expanded Financial Considerations on Page 2.

Connection to Council Goal:

Repair, replace and maintain infrastructure (streets & utilities)

Has There Been Previous Council Decision on This:

The Council adopted the FY14 budget at a prior Council meeting.

Options and Alternatives:

1) Approve the award as recommended; or,
2) Reject approval of the award.

Background/History:

In November 2010, voters authorized up to $16.5 million in general obligation bonds to fund street and utility infrastructure replacements. Based upon condition ratings and age of the existing utilities and pavements, the Rose St. project has been identified for funding using a portion of the bond authorization.

Key Considerations:

The project will address street and utility work in Rose Street and Rose Avenue from Cedar Avenue to Fourth Street. The project will replace approximately 2,050 linear feet of sanitary sewer main, replace all sewer and water service lines, install new fire hydrants, construct a storm sewer system, construct new asphalt pavement with curb & gutter and new sidewalks.

Expanded Financial Considerations:

Below is a summary of the bids received:

Bidder	**Bid**
Consultant's Estimate	*1,593,680.00;*
RTR Paving	1,403,358.00;
McDonald Brothers	1,513,226.61;
Kinney Construction Services	1,742,019.00;
LP's Excavating	1,756,030.65;
Eagle Mtn. Construction	1,765,248.52; ***
Standard Construction	1,815,130.70;
C & E Paving	1,877,000.00;
Capital Improvements LLC	1,879,625.87;
BEC SW	1,906,075.02.

*** Contractor recorded total amount incorrectly. This reflects the corrected total.

The Rose St. 2010 Bond Improvement Project is the final project funded by the 2010 voter authorized general obligation bond for street and utility infrastructure replacement . The bond program will have completed twelve projects and spent an estimated $14.4 million dollars for construction of improvements and $2.6 million for soft costs. The Rose St. project has a current total budget appropriation of $1,605,000.

If contingency funding is necessary, it is available from the following currently obligated funding; the $16.5 million 2010 Street/Utility Bond Improvements program, $400,000 of the Utility Aging Infrastructure budget and $100,000 from the Transportation Tax budget.

Contract Allowance is established to accommodate costs for unanticipated items of work and is included in the contract amount.

Change Order Authority establishes a dollar amount (10% of the contract amount, less allowance) and provides the City Manager, on behalf of the City Council, authority to amend the contract amount in response to unforeseen costs that are more than the contracted amount.

Community Benefits and Considerations:

The community benefits of this project include:

- Aging clay sewer pipe and sewer services will be replaced to meet current standards
- Water services will be replaced
- The old strip pavement will be replaced with a full pavement with curb & gutter per standards
- Sidewalks and handicap ramps will be built
- A storm sewer system will be built
- Fire hydrants will be upgraded to meet current standards

Community Involvement:

Inform - On January 23, 2014, an email was sent to the Sunnyside Neighborhood Association providing an overview of the project scope and a working schedule. Contact information for the City's project manager was also included.

Involve - In October 2013, Temporary Entry Permit requests with a letter describing the work and including City contact information were sent to all property owners impacted by the project.

Empower - Voters authorized up $16.5 million in general obligation bonds in November 2010. The bonds are to fund street and utility infrastructure replacements.

Expanded Options and Alternatives:

1) Approve the award as recommended. This would allow the project to be constructed in 2014.

2) Reject approval of the award. This option could delay the construction start and cause work to span two construction seasons, which would include a winter shutdown with temporary improvements in place and possibly increase project costs. The neighborhood would have a substantially longer duration of impact from construction activities.

Attachments: Vicinity Map
Construction Contract

Vicinity Map

Rose St. 2010 Bond Improvements

1 inch = 200 feet

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CONSTRUCTION CONTRACT

City of Flagstaff, Arizona
And
RTR Paving and Resurfacing, LLC

This Construction Contract ("Contract") is made and entered into this _____ day of _____ 2014, by and between the City of Flagstaff, an Arizona municipal corporation with offices at 211 West Aspen Avenue, Flagstaff, Arizona ("Owner") and RTR Paving and Resurfacing, LLC ("Contractor"), a limited liability company with offices in Flagstaff, Arizona. Contractor and the Owner may be referred to each individually as a "Party" and collectively as the "Parties."

RECITALS

A. Owner desires to obtain construction services; and

B. Contractor has available and offers to provide personnel and materials necessary to accomplish the work and complete the Project as described in the Scope of Work within the required time in accordance with the calendar days included in this Contract.

NOW, THEREFORE, the Owner and Contractor agree as follows:

1. Scope of Work. The Contractor shall furnish all labor, materials, equipment, transportation, utilities, services and facilities required to perform all work for the construction of **Rose St. 2010 Bond Improvement Project** (the "Project"). Contractor shall construct the Project for the Owner in a good, workman like and substantial manner and to the satisfaction of the Owner through its engineers and under the direction and supervision of the City Engineer or his properly authorized agents including but not limited to project managers and project engineers. Contractor's work shall be strictly pursuant to and in conformity with the Contract.

1.1 A Pre-Construction Conference will be held with the successful Contractor after the Notice of Award is issued. The location, date and time of the Conference will be agreed upon between the Contractor and the Engineer. The purpose of the meeting is to outline specific construction items and procedures that the City of Flagstaff (the "Owner") feels require special attention on the part of the Contractor. The Contractor may also present any variations in procedures to improve the workability of the Project, reduce the cost or reduce inconvenience to the public. The Contractor shall submit a written proposal at this conference outlining intended plans for maintaining continuous access to residences and businesses along the construction site and traffic control.

2. Contract; Ownership of Work. Contractor shall furnish and deliver all of the materials and perform all of the work in accordance with this Contract; Construction Plans; Special Provisions; the City of Flagstaff Engineering Design and Construction Standards and Specifications; the latest version of the Maricopa Association of Governments ("MAG") Specifications for Public Works Construction and City revisions to the MAG Specifications for

Public Works Construction ("Exhibit A"); and any Arizona Department of Transportation (A.D.O.T.) Standards that may be referenced on the Plans or in the specifications, incorporated in this Contract by reference, plans and associated documents. All provisions of the Invitation for Construction Bids, Performance Bond, Payment Bond, Certificates of Insurance, Addenda, Change Orders and Field Orders, if any, are hereby incorporated into this Contract. All materials, work, specifications and plans shall be the property of the Owner.

The following exhibits are incorporated by reference and are expressly made a part of this Contract:

2.1.1 Revisions of MAG Standard Specifications for Public Works Construction ("Flagstaff Addendum to MAG") Exhibit A

2.1.2 Special Provisions Exhibit B

3. Payments. In consideration of the faithful performance of the work described in this Contract, the Owner shall pay an amount not to exceed **$1,403,358.00** to the Contractor for work and materials provided in accordance with the bid schedule, which amount includes federal, state, and local taxes, as applicable. This amount shall be payable through monthly progress payments, subject to the following conditions:

3.1 Contractor shall promptly submit to the Owner all proper invoices necessary for the determination of the prices of labor and materials;

3.2 Progress payments shall be made in the amount of ninety percent (90%) of the value of labor and materials incorporated in the work, based on the sum of the Contract prices of labor and material and of materials stored at the worksite, on the basis of substantiating paid invoices, as estimated by the Owner, less the aggregate of all previous payments, until the work performed under this Contract is fifty percent (50%) complete. When and after such work is fifty (50%) complete, the ten percent (10%) of value previously retained may be reduced to five percent (5%) of value completed if Contractor is making satisfactory progress as determined by the Owner, and providing that there is no specific cause or claim requiring a greater amount to be retained. If at any time the Owner determines that satisfactory progress is not being made, the ten percent (10%) retention shall be reinstated for all subsequent progress payments made under this Contract;

3.3 The City Engineer shall have the right to determine the final amount due to Contractor;

3.4 Monthly progress payments shall be made by the Owner, on or before fourteen (14) calendar days after the receipt by the Owner of an approved estimate of the work completed;

3.5 Contractor agrees that title to materials incorporated in the work, and stored at the site, shall vest with the Owner upon receipt of the corresponding progress payment;

3.6 The remainder of the Contract price, after deducting all such monthly payments and any retention, shall be paid within sixty (60) days after final acceptance of completed work by the Owner. The release of retention or alternate surety shall be made following the Owner's receipt and acceptance of: Contractor's Affidavit Regarding Settlement of Claims, Affidavit of Payment, Consent of Surety for Final Payment, and Unconditional Full and Final lien waivers from all subcontractors and suppliers who have filed an Arizona Preliminary 20 Day Lien Notice in accordance with A.R.S. §§ 33-992.01 and 33-992.02.

4. Time of Completion. Contractor agrees to complete all work as described in this Contract within **140 calendar days** from the date of the Owner's Notice to Proceed free of all liens, claims and demands of any kind for materials, equipment, supplies, services, labor, taxes and damages to property or persons, in the manner and under the conditions specified within the time or times specified in this Contract.

5. Performance of Work. All work covered by this Contract shall be done in accordance with the latest and best accepted practices of the trades involved. The Contractor shall use only skilled craftsmen experienced in their respective trades to prepare the materials and to perform the work.

6. Acceptance of Work; Non-Waiver. No failure of the Owner during the progress of the work to discover or reject materials or work not in accordance with this Contract shall be deemed an acceptance of, or a waiver of, defects in work or materials. No payment shall be construed to be an acceptance of work or materials, which are not strictly in accordance with the Contract.

7. Delay of Work. Any delay in the performance of this Contract due to strikes, lockouts, fires, or other unavoidable casualties beyond the control of the Contractor and not caused by any wrongful act or negligence of the Contractor shall entitle the Contractor to an extension of time equal to the delay so caused. The Contractor shall notify the Owner in writing specifying such cause within twenty-four (24) hours after its occurrence. In the event such delay is caused by strikes, lockouts, or inability to obtain workmen for any other cause, the Owner shall have the right but shall not be obligated to complete the work on the same basis as is provided for in Section 13 below (Contract Violations).

8. Failure to Complete Project in Timely Manner. If Contractor fails or refuses to execute this Contract within the time specified in Section 3 above, or such additional time as may be allowed, the proceeds of Contractor's proposal guaranty shall become subject to deposit into the Treasury of the municipality as monies available to compensate the Owner for damages as provided by A.R.S. § 34-201 for the delay in execution of this Contract, and bonds and the performance of work under this Contract, and the necessity of accepting a higher or less desirable bid from such failure or refusal to execute this Contract and bond as required. If Contractor has submitted a certified check or cashier's check as a proposal guaranty, the check shall be returned after execution of this Contract. The certified check or cashier's check of other Bidders shall be returned at the expiration of thirty (30) days from the date of opening of proposals or sooner, if this Contract is executed prior to that time.

9. Labor Demonstration. It is understood that the work covered by this Contract is for the Owner's business purposes and that any unfavorable publicity or demonstrations in connection with the work will have a negative effect upon the Owner. If Contractor's actions in performance of the Contract result in any public demonstration on behalf of the laborers or organized labor in the vicinity of the Owner's premises, whether such demonstration is in the form of picketing, posting of placards or signs, violence, threats of violence or in any other form, which in the Owner's judgment, might convey to the public the impression that the Owner or the Contractor or any subcontractor is unfair to laborers or to organized labor, the Owner shall have the right to terminate this Contract immediately, unless the Contractor shall have caused such demonstration to be discontinued within two (2) days after request of the Owner to do so. In the event any such demonstration is attended by violence, the Owner may fix lesser time within which a discontinuance shall be accomplished. In the event of Contract termination, the Contractor agrees to remove from the Premises within twenty-four (24) hours of termination, all machinery, tools, and equipment belonging to it or to its subcontractors. All obligations or liabilities of the Owner to the Contractor shall be discharged by such termination, except the obligation to pay to the Contractor a portion of the Contract price representing the value based upon the Contract prices of labor and materials incorporated in the work as established by the Owner, less the aggregate of all previous payments, but subject to all of the conditions pertaining to payments generally.

10. Material Storage. During the progress of the work, the Contractor shall arrange for office facilities and for the orderly storage of materials and equipment. Contractor shall erect any temporary structures required for the work at his or her own expense. The Contractor shall at all times keep the premises reasonably free from debris and in a condition, which will not increase fire hazards. Upon completion of the work, the Contractor shall remove all temporary buildings and facilities and all equipment, surplus materials and supplies belonging to the Contractor. Contractor shall leave the Premises in good order, clean, and ready to use by the Owner. The establishment of any temporary construction yard, material storage area or staging area to be located within City of Flagstaff limits and outside the public right-of-way or Project limits generally requires a Temporary Use Permit. (See Exhibit A, Section 107.2.1.)

11. Assignment. Contractor shall not assign this Contract, in whole or in part, without the prior written consent of the Owner.

12. Notices. All notices or demands required to be given, pursuant to the terms of this Contract, shall be given to the other Party in writing, delivered in person, sent by facsimile transmission, deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested or deposited with any commercial air courier or express service at the addresses set forth below, or to such other address as the Parties may substitute by written notice, given in the manner prescribed in this paragraph.

If to Owner:	**If to Contractor:**
Patrick Brown, C.P.M.	Richard Walters
Senior Procurement Specialist	President
211 West Aspen Avenue	P.O. Box 1807

Flagstaff, AZ 86001 Flagstaff, AZ 86002

13. Contract Violations. In the event of any of the provisions of this Contract are violated by the Contractor or by any of Contractor's subcontractors, the Owner may serve written notice upon the Contractor and the Surety of its intention to terminate such Contract (the "Notice to Terminate"). The Contract shall terminate within five (5) days of the date Contractor receives the Notice to Terminate, unless the violation ceases and Contractor makes arrangements for correction satisfactory to the Owner. In the event of any such termination, the Owner shall immediately serve notice of the termination upon the Surety by registered mail, return receipt requested. The Surety shall have the right to take over and perform the Contract. If the Surety does not commence performance within ten (10) days from the date of receipt of the Owner's notice of termination, the Owner may complete the work at the expense of the Contractor, and the Contractor and his or her Surety shall be liable to the Owner for any excess cost incurred by the Owner to complete the work. If the Owner completes the work, the Owner may take possession of and utilize such materials, appliances and plants as may be on the worksite site and necessary for completion of the work.

14. Termination for Convenience. The Owner may terminate this contract at any time for any reason by giving at least **thirty 30 days** written notice to the Contractor. If termination occurs under this Section 14, the Contractor shall be paid fair market value for work completed by Contractor as of the date of termination.

15. Contractor's Liability and Indemnification. To the fullest extent permitted by law, the Contractor shall defend, indemnify and hold harmless the Owner, its agents, representatives, officers, directors, officials and employees from and against all claims, damages, losses and expenses (including but not limited to attorney fees, court costs, and the cost of appellate proceedings), relating to arising out of, or alleged to have resulted from the acts, errors, mistakes, omissions, work or services of the Contractor, its employees, agents, or any tier of subcontractors in the performance of this Contract. Contractor's duty to defend, hold harmless and indemnify the Owner, its agents, representatives, officers, directors, officials and employees shall arise in connection with the claim, damage, loss or expense that is attributable to bodily injury, sickness, disease, death, or injury to, impairment, or destruction of property including loss of use resulting there from, caused by any acts, errors, mistakes, omissions, work or services in the performance of this Contract including any employee of the Contractor or any tier of subcontractor or any other person for whose acts, errors, mistakes, omissions, work or services the Contractor may be legally liable. The amount and type of insurance coverage requirements set forth in the Contract (Section 103.6 of Exhibit A) will in no way be construed as limiting the scope of the indemnity in this paragraph.

16. Non Appropriation. In the event that no funds or insufficient funds are appropriated and budgeted in any fiscal period of the Owner to meet the Owner's obligations under this Contract, the Owner will notify Contractor in writing of such occurrence, and this Contract will terminate on the earlier of the last day of the fiscal period for which sufficient appropriation was made or whenever the funds appropriated for payment under this Contract are exhausted. No payments shall be made or due to the other party under this Contract beyond these amounts appropriated and budgeted by the Owner to fund the Owner's obligations under this Contract.

17. Amendment of Contract. This Agreement may not be modified or altered except in writing and signed by duly authorized representatives of the parties.

18. Subcontracts. Contractor shall not enter into any subcontract, or issue any purchase order for the completed work, or any substantial part of the work, unless in each instance, prior written approval shall have been given by the Owner. Contractor shall be fully responsible to the Owner for acts and omissions of Contractor's subcontractors and all persons either directly or indirectly employed by them.

19. Cancellation for Conflict of Interest. This Contract is subject to the cancellation provisions of A.R.S. § 38-511.

20. Compliance with All Laws. Contractor shall comply with all applicable laws, statutes, ordinances, regulations and governmental requirements in the performance of this Contract.

21. Employment of Aliens. Contractor shall comply with A.R.S. § 34-301, which provides that a person who is not a citizen or ward of the United States shall not be employed upon or in connection with any state, county or municipal public works project.

22. Compliance with Federal Immigration Laws and Regulations. Contractor warrants that it complies with all Federal Immigration laws and regulations that relate to its employees and complies with A.R.S. 23-214.A. Contractor acknowledges that pursuant to A.R.S. 41-4401 a breach of this warranty is a material breach of this contract subject to penalties up to and including termination of this contract, and that the City retains the legal right to inspect the papers of any employee who works on the contract to ensure compliance with this warranty.

23. Contractor's Warranty. Contractor warrants that it complies with all Federal Immigration laws and regulations that relate to its employees and complies with A.R.S. § 23-214.A, Verification of Employment Eligibility. Contractor shall not employ aliens in accordance with A.R.S. § 34-301, Employment of Aliens on Public Works Prohibited. Contractor acknowledges that pursuant to A.R.S. § 41-4401, Government Procurement; E-Verify Requirement; Definitions, a breach of this warranty is a material breach of this contract subject to penalties up to and including termination of this Contract, and that the Owner retains the legal right to inspect the papers of any employee who works on the Contract to ensure compliance with this warranty.

24. Jurisdiction and Venue. This Agreement shall be administered and interpreted under the laws of the State of Arizona. The Contractor hereby submits itself to the original jurisdiction of those courts located within Coconino County, Arizona.

25. Attorney's Fees. If suit or action is initiated in connection with any controversy arising out of this Agreement, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees, or in event of appeal as allowed by the appellate court.

26. Time is of the Essence. Contractor acknowledges that the completion of the Contract by the dates specified final completion is critical to the Owner, time being of the essence of this Contract.

27. Headings. The article and section headings contained herein are for convenience in reference and are not intended to define or limit the scope of any provision of this Contract.

28. Severability. If any part of this Contract is determined by a court to be in conflict with any statute or constitution or to be unlawful for any reason, the parties intend that the remaining provisions of this Contract shall remain in full force and effect unless the stricken provision leaves the remaining Contract unenforceable.

IN WITNESS WHEREOF, the Owner and Contractor, by their duly authorized representatives, have executed this Contract as of the date written above.

(Please sign in blue ink. Submit original signatures – photocopies not accepted)

Owner, City of Flagstaff	**RTR Paving and Resurfacing, LLC**
Kevin Burke, City Manager	Signature
Attest:	Printed Name
City Clerk	
Approved as to form:	
City Attorney	

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: David Wessel, Metro Planning Org Manager

Co-Submittter: Amy Hagin, Senior Procurement Specialist

Date: 04/09/2014

Meeting Date: 04/15/2014

TITLE:

Consideration and Approval of Contract: Consultant Agreement: Development and Analysis of Operational Alternatives for the Milton Road Corridor ***(Grant funded)***

RECOMMENDED ACTION:

1) Approve the agreement with Kimley Horn & Associates, Inc. in the amount of $99,972.12 with Federal Highway Administration and Federal Transit Administration funds passed-through from the Arizona Department of Transportation; and
2) Authorize the City Manager to execute the necessary documents.

Policy Decision or Reason for Action:

Milton Road is the main "entrance" to the City transitioning directly to and from Interstate 17. As a major arterial in a region with a poorly developed arterial/collector network, the roadway is required to serve many functions: multimodal corridor, general mobility, general access, gateway feature and more. Options for developing parallel arterials for congestion relief are increasingly expensive and difficult to phase, requiring a renewed focus on improving Milton Road operations. The purpose of this effort is to use micro-simulation modeling to examine and illustrate the performance of different combinations of access management treatments, transit service patterns, and various intersection configurations. Subsidiary Decisions Points: The project is supported by the FMPO Executive Board in the FMPO Work Program and Transportation Improvement Program. The project is supported by the Arizona Department of Transportation.

Financial Impact:

The cost is $99,972.12. Grant match valued at $14,951.92 will be provided through in-kind labor by City staff participating in the project.

Connection to Council Goal:

Below are the Council goals relating to this item:

1. Repair Replace maintain infrastructure (streets & utilities)
5. Retain, expand, and diversify economic base
11. Effective governance (via potential for future partnerships with ADOT)

Has There Been Previous Council Decision on This:

The FMPO participated with ADOT in the *Flagstaff Urban Mobility Study* of Milton Road in 2003-2004. The study was primarily funded by ADOT. The FMPO brought some money to the consulting contract to more fully evaluate multimodal alternatives and the Council approved that action. The *Urban Mobility Study* will be used as a basis for the alternatives evaluated in this beginning effort. Implementation of the original study was hampered by lack of direction on land use at the time which prevented decision on access, access management, and project specificity. FMPO staff working with City staff believe many of those issues are closer to resolution, due in part, to information contained in the Council adopted *Flagstaff Regional Plan 2030*.

Options and Alternatives:

1. Approve the agreement to Kimley-Horn & Associates, Inc. as recommended.
2. Reject all bids. Not recommended. All firms are qualified and capable of doing the work. All proposals are within budget. Rejecting bids will delay the project and create coordination efforts with another project should a grant be awarded.

Background/History:

Milton Road is a state highway and subject to state plans and policies. Regionally, it is addressed by the *Flagstaff Regional Land Use and Transportation Plan* (2001), the FMPO *Regional Transportation Plan 2009* and is addressed in a draft update of the former, *Flagstaff Regional Plan 2030*. A more detailed ADOT study from 2004, *The Flagstaff Urban Mobility Study,* also speaks to general desired improvements. That study identified Lone Tree Road as an important alternative route. An economic downturn and significant increases in the cost of an interchange at I-40 have forestalled that option. NAIPTA, the local transit provider, recently envisioned significant improvements to Milton Road in their 5-*Year and Long Range Transit Plan* updates (2013). Finally, Northern Arizona University has a campus master plan that identifies policies, expansion plans and many key physical improvements.

Key Considerations:

Partnership opportunities exist with the Arizona Department of Transportation through the highway safety program if projects are identified and have a positive cost-benefit ratio. Leveraging of federal funds through the Federal Transit Administration is possible if a viable transit corridor is identified.

Four (4) firms submitted proposals for performing the consulting service. A five (5)-person evaluation committee independently reviewed each proposal and scored the firms on the following criteria: experience and qualifications, presented approach and schedule, and pricing fee. The scoring results are on the attached Scoring Tabulation document.

Expanded Financial Considerations:

Funding is available through Federal Transit Administration Section 5303 Metropolitan Transit Planning Funds in the amount of $47,000 (requires 20% match) and in Federal Highway Administration Surface Transportation Program funds of $53,000 (requires 5.7% match). Matching funds will be provided via in-kind labor from participating City staff.

Community Benefits and Considerations:

A robust analysis will help clarify potential prospective solutions (i.e, roundabouts for example) in addressing challenges in this corridor.

Community Involvement:

Inform - the general purpose of this exercise is to test several alternatives and measure their effectiveness in resolving safety, congestion, access and multimodal mobility issues. This information will be used for future consultation and collaboration with the public. The City applied for a grant to undertake that public effort. Failing receipt of the grant, the City will proceed with an outreach effort for a smaller section of the corridor, likely in the vicinity of the area of north of Butler Avenue.

Attachments: KHA Contract
Scoring tabulation

AGREEMENT FOR
MILTON ROAD ALTERNATIVES OPERATION ANALYSIS MICRO-SIMULATION MODELING

CITY OF FLAGSTAFF
and

KIMLEY-HORN AND ASSOCIATES, INC.

This Agreement for a City of Flagstaff Milton Road Alternatives Operation Analysis Micro-Simulation Modeling ("Agreement") is made by and between the City of Flagstaff ("City"), a municipal corporation with offices at 211 W. Aspen Avenue, Flagstaff, Coconino County, Arizona, and Kimley-Horn and Associates, Inc., a corporation, with an office at 1855 W. Baseline Road, Suite 200, Mesa, Maricopa County, Arizona ("Provider"), effective as of the date written below.

RECITALS

A. The City desires to enter into this Agreement for Milton Road Alternatives Operation Analysis Micro-Simulation Modeling; and

B. Provider has available and offers to provide the personnel necessary to organize and provide said services in accordance with the Scope of Work, attached to this Agreement as Exhibit A;

For the reasons recited above, and in consideration of the mutual covenants contained in this Agreement, the City and Provider agree as follows:

1. SERVICES TO BE PERFORMED BY PROVIDER

Provider agrees to provide the services, as set forth in detail in Exhibits "A" and "B" attached hereto and hereby incorporated as part of this Agreement and adopted by reference.

2. COMPENSATION OF PROVIDER

The City agrees to make payment, in the amount of $99,972.12 to Provider to render the services set forth in Exhibits "A" and "B".

3. RIGHTS AND OBLIGATIONS OF PROVIDER

3.1 Independent Contractor. The parties agree that Provider performs specialized services and that Provider enters into this Agreement with the City as an independent contractor. Nothing in this Agreement shall be construed to constitute Provider or any of Provider's agents or employees as an agent, employee or representative of the City. As an independent contractor, Provider is solely responsible for all labor and expenses in connection with this Agreement and for any and all damages arising out of Provider's performance under this Agreement. Provider is not obligated to accept all requests for services, depending on circumstances with other work being performed for other clients.

3.2 Provider's Control of Work. All services to be provided by Provider shall be performed as determined by the City in accordance with the Scope of Services set forth in Exhibit "A." Provider shall furnish the qualified personnel, materials, equipment and other items necessary to carry out the terms of this Agreement. Provider shall be responsible for and in full control of the work of all such personnel.

3.3 Reports to the City. Although Provider is responsible for control and supervision of work performed under this Agreement, the services provided shall be acceptable to the City and shall be subject to a general right of inspection and supervision to ensure satisfactory completion. This right of inspection and supervision shall include, but not be limited to, all reports if requested by the City to be provided by Provider to the City and the right of the City, and the right of the City to audit Provider's records.

3.4 Compliance with All Laws. Provider shall comply with all applicable laws, ordinances, rules, regulations and executive orders of the federal, state and local government, which may affect the performance of this Agreement. Any provision required by law, ordinances, rules, regulations, or executive orders to be inserted in this Agreement shall be deemed inserted, whether or not such provisions appear in this Agreement.

4. NOTICE PROVISIONS

Notice. Any notice concerning this Agreement shall be in writing and sent by certified or registered mail as follows:

To the City's Authorized Representative: To Provider:

David Wessel
FMPO Manager
City of Flagstaff
211 W. Aspen
Flagstaff, Arizona 86001

5. INDEMNIFICATION

To the fullest extent permitted by law, Provider shall indemnify, defend, save and hold harmless the City of Flagstaff and its officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Provider or any of its owners, officers, directors, agents, employees or subcontractors. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of such Provider to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by Provider from and against any and all claims. It is agreed that Provider shall be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Provider shall waive all rights of subrogation against the City, its officers, officials, agents and employees for losses arising from the work performed by Provider for the City.

6. INSURANCE

Provider and subcontractors, if any, shall procure and maintain until all of their obligations have been discharged, including any warranty periods under this Agreement are satisfied, insurance against claims for injury to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Provider, its agents, representatives, employees or subcontractors.

The insurance requirements herein are minimum requirements for this Agreement and in no way limit the indemnity covenants contained in this Agreement. The City in no way warrants that the minimum limits contained herein are sufficient to protect Provider from liabilities that may arise out of the performance of the work under this Agreement by Provider, its agents, representatives, employees or subcontractors and Provider is free to purchase additional insurance as may be determined necessary.

A. Minimum Scope and Limits of Insurance. Provider shall provide coverage at least as broad and with limits of liability not less than those stated below.

1. Automobile Liability - Any Auto or Owned, Hired and Non-Owned Vehicles
(Form CA 0001, ed. 12/93 or any replacement thereof.)
Combined Single Limit Per Accident for Bodily Injury and Property Damage $1,000,000

2. Professional Liability $2,000,000

B. SELF-INSURED RETENTIONS/DEDUCTIBLES: Any self-insured retentions and deductibles must be noted to the City. However, the Proposer shall be solely responsible for any self-insured and/or deductibles associated with the Proposer's insurance coverage.

C. OTHER INSURANCE REQUIREMENTS: The policies are to contain, or be endorsed to contain, the following provisions:

1. Commercial General Liability and Automobile Liability Coverages:

   a. The City of Flagstaff, its officers, officials, and employees are additional insureds with respect to liability arising out of: activities performed by, or on behalf of, the Provider; including the City's general supervision of the Provider; products and completed operations of the Provider: and automobiles owned, leased, hired or borrowed by the Provider.

   b. The Provider's insurance shall contain broad form contractual liability coverage.

   c. The Provider's insurance coverage shall be primary insurance with respect to the City, its, officers, officials, and employees. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be in excess to the coverage of the Provider's insurance and shall not contribute to it.

   d. The Provider's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

   e. Coverage provided by the Provider shall not be limited to the liability assumed under the indemnification provisions of this contract.

   f. The policies shall contain a waiver of subrogation (not including auto) against the City, its officers, officials, and employees for losses arising from work performed by the Provider for the City.

2. Workers' Compensation and Employer's Liability Coverage: The insurer shall agree to waive all rights of subrogation against the City, its officers, officials, employees and volunteers for losses arising from work performed by the Provider for the City.

6.1 Notice of Cancellation. Each insurance policy required by the insurance provisions of this Agreement shall provide the required coverage and shall not be suspended, voided or canceled except after thirty (30) days prior written notice has been given to the City, except when cancellation is for non-payment of premium, then at least ten (10) days prior notice shall be given to the City. Such notice shall be sent directly to:

Rick Compau, C.P.M., CPPO, CPPB
Purchasing Director
City of Flagstaff, Purchasing Division
211 W. Aspen Ave.
Flagstaff, Arizona 86001

6.2 Acceptability of Insurers. Insurance shall be placed with insurers duly licensed or authorized to do business in the State of Arizona and with an "A.M. Best" rating of not less than A- VII, or receiving prior approval by the City. The City in no way warrants that the above-required minimum insurer rating is sufficient to protect Provider from potential insurer insolvency.

6.3 Verification of Coverage. Prior to commencing work or services**,** Provider shall furnish the City with certificates of insurance (ACORD form or equivalent approved by the City) as required by this Agreement. The certificates for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf.

All certificates and any required endorsements shall be received and approved by the City before work commences. Each insurance policy required by this Agreement shall be in effect at or prior to commencement of work under this Agreement and remain in effect for the duration of this Agreement. Failure to maintain the insurance policies as required by this Agreement or to provide evidence of renewal shall constitute a material breach of contract.

All certificates required by this Agreement shall be sent directly to **Rick Compau, C.P.M., CPPO, CPPB, Purchasing Director, City of Flagstaff, Purchasing Division, 211 W. Aspen Ave., Flagstaff, AZ**. **86001.** The City project/contract number and project description shall be noted on the certificate of insurance. The City reserves the right to request and receive within ten (10) days, complete, certified copies of all insurance policies required by this Agreement at any time**.** The City shall not be obligated, however, to review same or to advise Provider of any deficiencies in such policies and endorsements, and such receipt shall not relieve Provider from, or be deemed a waiver of the City's right to insist on, strict fulfillment of Provider's obligations under this Agreement.

6.4 Subcontractors. Providers' certificate(s) shall include all subcontractors as additional insureds under its policies **or** Provider shall furnish to the City separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to the minimum requirements identified above.

6.5 Approval. Any modification or variation from the insurance requirements in this Agreement shall be made by the City Attorney's office, whose decision shall be final. Such action shall not require a formal amendment to this Agreement, but may be made by administrative action.

7. DEFAULT AND TERMINATION

7.1 Events of Default Defined. The following shall be Events of Default under this Agreement:

7.1.1 Any material misrepresentation made by Provider to the City;

7.1.2 Any failure by Provider to perform its obligations under this Agreement including, but not limited to, the following:

7.1.2.1 Failure to commence work at the time(s) specified in this Agreement due to a reason or circumstance within Provider's reasonable control;

7.1.2.2 Failure to perform the work with sufficient personnel and equipment or with sufficient equipment to ensure completion of the work within the specified time;

7.1.2.3 Failure to perform the work in a manner reasonably satisfactory to the City;

7.1.2.4 Failure to promptly correct or re-perform within a reasonable time work that was rejected by the City as unsatisfactory or erroneous;

7.1.2.5 Discontinuance of the work for reasons not beyond Provider's reasonable control;

7.1.2.6 Failure to comply with a material term of this Agreement, including, but not limited to, the provision of insurance; and

7.1.2.7 Any other acts specifically stated in this Agreement as constituting a default or a breach of this Agreement.

7.2 Remedies.

7.2.1 Upon the occurrence of any Event of Default, the City may declare Provider in default under this Agreement. The City shall provide written notification of the Event of Default and any intention of the City to terminate this Agreement. Upon the giving of notice, the City may invoke any or all of the following remedies:

7.2.1.1 The right to cancel this Agreement as to any or all of the services yet to be performed;

7.2.1.2 The right of specific performance, an injunction or any other appropriate equitable remedy;

7.2.1.3 The right to monetary damages;

7.2.1.4 The right to withhold all or any part of Provider's compensation under this Agreement;

7.2.1.5 The right to deem Provider non-responsive in future contracts to be awarded by the City; and

7.2.1.6 The right to seek recoupment of public funds spent for impermissible purposes.

7.2.2 The City may elect not to declare an Event of Default or default under this Agreement or to terminate this Agreement upon the occurrence of an Event of Default. The parties acknowledge that this provision is solely for the benefit of the City, and that if the City allows Provider to continue to provide the Services despite the occurrence of one or more Events of Default, Provider shall in no way be relieved of any of its responsibilities or obligations under this Agreement, nor shall the City be deemed to waive or relinquish any of its rights under this Agreement.

7.2.3 Any excess costs incurred by the City in the event of termination of this Agreement for default, or in the event the City exercises any of the remedies available to it under this Agreement, may be offset by use of any payment due for services completed before termination of this Agreement for default or the exercise of any remedies. If the offset amount is insufficient to cover excess costs, Provider shall be liable for and shall remit promptly to the City the balance upon written demand from the City.

8. GENERAL PROVISIONS

8.1 Headings. The article and section headings contained herein are for convenience in reference and are not intended to define or limit the scope of any provision of this Agreement.

8.2 Jurisdiction and Venue. This Agreement shall be administered and interpreted under the laws of the State of Arizona. Provider hereby submits itself to the original jurisdiction of those courts located within Coconino County, Arizona.

8.3 Attorney's Fees. If suit or action is initiated in connection with any controversy arising out of this Agreement, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees, or in event of appeal as allowed by the appellate court.

8.4 Severability. If any part of this Agreement is determined by a court to be in conflict with any statute or constitution or to be unlawful for any reason, the parties intend that the remaining provisions of this Agreement shall remain in full force and effect unless the stricken provision leaves the remaining Agreement unenforceable.

8.5 Assignment. This Agreement is binding on the heirs, successors and assigns of the parties hereto. This Agreement may not be assigned by either the City or Provider without prior written consent of the other.

8.6 Conflict of Interest. Provider covenants that Provider presently has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of services required to be performed under this Agreement. Provider further covenants that in the performance of this Agreement, Provider shall not engage any employee or apprentice having any such interest. The parties agree that this Agreement may be cancelled for conflict of interest in accordance with Arizona Revised Statutes § 38-511.

8.7 Authority to Contract. Each party represents and warrants that it has full power and authority to enter into this Agreement and perform its obligations hereunder, and that it has taken all actions necessary to authorize entering into this Agreement.

8.8 Integration. This Agreement represents the entire understanding of City and Provider as to those matters contained in this Agreement, and no prior oral or written understanding shall be of any force or effect with respect to those matters. This Agreement may not be modified or altered except in writing signed by duly authorized representatives of the parties.

8.9 Non-appropriation. In the event that no funds or insufficient funds are appropriated and budgeted in any fiscal period of the City for payments to be made under this Agreement, the City shall notify Provider of such occurrence, and this Agreement shall terminate on the earlier of the last day of the fiscal period for which sufficient appropriation was made or whenever the funds appropriated for payment under this Agreement are exhausted. No payments shall be made or due to Provider under this Agreement beyond these amounts appropriated and budgeted by the City to fund payments under this Agreement.

8.10 Mediation. If a dispute arises out of or relates to this Agreement, and if the dispute cannot be settled through negotiation, the parties agree first to try in good faith to resolve the dispute by mediation before resorting to litigation or some other dispute resolution procedure. Mediation shall take place in Flagstaff, Arizona, shall be self-administered, and shall be conducted under the CPR Mediation Procedures established by the CPR Institute for Dispute Resolution, 366 Madison Avenue, New York, NY 10017, (212) 949-6490, www.cpradr.org, with the exception of the mediator selection provisions, unless other procedures are agreed upon by the parties. Unless the parties agree otherwise, the mediator(s) shall be selected from panels of mediators trained under the Alternative Dispute Resolution Program of the Coconino County Superior Court. Each party agrees to bear its own costs in mediation. The parties shall not be obligated to mediate if an indispensable party is unwilling to join the mediation. This mediation provision shall not constitute a waiver of the parties' right to initiate legal action if a dispute is not resolved through good faith negotiation or mediation, or if a party seeks provisional relief under the Arizona Rules of Civil Procedure.

8.11 Compliance with Federal Immigration Laws and Regulations. Provider hereby warrants to the City that the Provider and each of its subcontractors ("Subcontractors") will comply with, and are contractually obligated to comply with, all Federal Immigration laws and regulations that relate to its employees and A.R.S. §23-214(A) (hereinafter "Provider Immigration Warranty").
A breach of the Provider Immigration Warranty shall constitute a material breach of this Agreement and shall subject the Provider to penalties up to and including termination of this Agreement at the sole discretion of the City.

The City retains the legal right to inspect the papers of any Provider or Subcontractor employee who works on this Agreement to ensure that the Provider or Subcontractor is complying with the Provider Immigration Warranty. Provider agrees to assist the City in regard to any such inspections.

The City may, at its sole discretion, conduct random verification of the employment records of the Provider and any of subcontractors to ensure compliance with Provider's Immigration Warranty. Provider agrees to assist the City in regard to any random verifications performed.

The provisions of this Article must be included in any contract the Provider enters into with any and all of its subcontractors who provide services under this Agreement or any subcontract. "Services" are defined as furnishing labor, time or effort in the State of Arizona by a contractor or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

8.12 Subcontractors. This Agreement or any portion thereof shall not be sub-contracted without the prior written approval of the City. No Subcontractor shall, under any circumstances, relieve Provider of its liability and obligation under this Agreement. The City shall deal through Provider and any Subcontractor shall be dealt with as a worker and representative of Provider. Provider assumes responsibility to the City for the proper performance of the work of Subcontractors and any acts and omissions in connection with such performance. Nothing in the Contract Documents is intended or deemed to create any legal or contractual relationship between the City and any Subcontractor or Sub-Subcontractor, including but not limited to any third-party beneficiary rights.

8.13 Waiver. No failure to enforce any condition or covenant of this Agreement by the City shall imply or constitute a waiver of the right of the City to insist upon performance of the condition or covenant, or of any other provision of this Agreement, nor shall any waiver by the City of any breach of any one or more conditions or covenants of this Agreement constitute a waiver of any succeeding or other breach under this Agreement.

9. DURATION

This Agreement shall become effective on and from the day and year executed by the parties, indicated below, and shall continue in force for an initial term of one (1) year, beginning April 15, 2014 through April 14, 2015], unless sooner terminated as provided above. Upon mutual agreement between the City and Provider, this Agreement may be renewed for a maximum of one (1) additional one (1) year term, upon mutual agreement from both parties.

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City of Flagstaff	**Provider**
_____	_____
Kevin Burke, City Manager	

Attest:

City Clerk

Approved as to form:

City Attorney

Date of Execution:_____

EXHIBIT A

STANDARD TERMS AND CONDITIONS

The following terms and conditions are an explicit part of the solicitation and any offer received by a Proposer in response to this RFP.

1. **CERTIFICATION:** By signature on the Offer page, at the end of this RFP document, Proposer certifies that:
   a. The submission of the Offer did not involve collusion or other anti-competitive practices.
   b. Proposer has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the Offer. Failure to provide a valid signature affirming the stipulations required by this clause shall result in the rejection of the Offer. Signing the Offer, on page 31 of this RFP document, with a false statement shall void the Offer and any resulting contract and may be subject to penalties provided by law.

2. **GRATUITIES:** The City may, by written notice to the Proposer, cancel any resulting contract if it is found by the City that gratuities, in the form of entertainment, gifts or otherwise, were offered or given by the Proposer or any agent or representative of the Proposer, to any officer or employee of the City with a view toward securing a contract, securing favorable treatment with respect to the awarding, amending, or the making of any determinations with respect to the performing of such contract. In the event any resulting contract is canceled by the City pursuant to this provision, the City shall be entitled, in addition to any other rights and remedies, to recover or withhold from the Proposer the amount of the gratuity.

3. **OFFER BY PROPOSER:** All responses to this RFP are offers to contract with the City and shall substantially conform to the terms, conditions, specifications and other requirements set forth within the text of the RFP Package, including the sample Agreement. Offers do not become contracts unless and until they are formally accepted by the City. Formal acceptance may occur when the City Manager accepts an Offer, or when the City Council accepts the Offer and enters into the Agreement, as allowed under the Flagstaff City Charter. The City reserves the right to clarify any contractual terms with the concurrence of Proposer, however, any substantial non-conformity in the Offer shall be deemed non-responsive and the Offer rejected. A contract approved by the City Council may only be changed by written amendment signed by duly authorized representatives of the City and the Proposer.

4. **EXCEPTION TO THE SOLICITATION:** Proposer shall identify and list all exceptions taken to all sections of this RFP Package and list these exceptions referencing the section (paragraph) where the exception exists, identifying the exceptions and the proposed wording for Proposer's exception. Proposer shall list these exceptions under the heading "Exception to the PROPOSAL Solicitation." Exceptions that surface elsewhere and that do not also appear under the heading "Exception to the Proposal Solicitation," shall be considered invalid and void and of no contractual significance. The City reserves the right to reject, render the proposal non-responsive, enter into negotiation on any of the Proposer exceptions, or accept them.

5. **INTERPRETATION - PAROL EVIDENCE:** The Agreement is intended by the parties as a final expression of their agreement. No course of prior dealings between the parties and no

usage of the trade shall be relevant to supplement or explain any term used in the Agreement. Acceptance or acquiescence in a course of performance rendered under the Agreement shall not be relevant to determine the meaning of the contract even though the accepting or acquiescing party has knowledge of the nature of the performance and opportunity to object. Whenever a term defined by the City Charter or applicable Arizona State Statute is used in the Agreement, that definition shall control.

6. **RIGHTS AND REMEDIES:** No provision in this document or in the RFP Packet shall be construed, expressly or by implication, as a waiver by either party of any existing or future right and/or remedy available by law in the event of any claim of default or breach of contract.

7. **PROTESTS:** Protests shall be resolved, in accordance with the following: A protest shall be in writing and shall be personally delivered or served upon the City Purchasing Director. A protest of a solicitation shall be received at the City Purchasing Department before the solicitation opening date. A protest of a proposed award or of an award shall be personally delivered or served upon the City Purchasing Director within ten (10) days after the protester knows or should have known the basis of the protest. A protest shall include:
   a. The name, address and telephone number of the protester;
   b. The signature of the protester or its representative;
   c. Identification of the solicitation or contract number;
   d. A detailed statement of the legal and factual grounds of the protest including copies of relevant documents; and
   e. The form of relief requested.

8. **ADVERTISING:** Proposer shall not advertise or publish information concerning the solicitation or the Agreement, without the prior written consent of the City.

9. **RIGHT TO INSPECT PLANT:** The City may, at reasonable times and at its expense, inspect the plant or place of business of a Proposer or Sub-proposer which is related to the performance of any contract as awarded or to be awarded.

10. **INSPECTION:** All materials, services or construction are subject to final inspection and acceptance by the City. Materials, services or construction failing to conform to the specifications of the contract shall be held at Proposer's risk and may be returned to Proposer. If so returned, all costs shall be the responsibility of Proposer.

11. **PURCHASE ORDERS:** The City shall issue a purchase order for the goods or services covered by the contract. All such purchase orders will reference the contract number, as well as the City Council approval date and Council Agenda item number.

12. **PACKING AND SHIPPING:** If applicable, Proposer shall be responsible for industry standard packing which conforms to requirements of carrier's tariff and ICC regulations. Containers shall be clearly marked as to lot number, destination, address and purchase order number. All shipments shall be F.O.B. Destination, City of Flagstaff, 211 West Aspen Avenue, Flagstaff, Arizona 86001, <u>unless otherwise specified by the City</u>. C.O.D. shipments will not be accepted.

13. **TITLE AND RISK OF LOSS:** The title and risk of loss of material or service shall not pass to the City until the City actually receives the material or service at the point of delivery, and

the City has completed inspection and has accepted the material, unless otherwise provided within the contract.

14. **NO REPLACEMENT OF DEFECTIVE TENDER:** Every tender of materials, or services, must fully comply with all provisions of the contract. If a tender is made which does not fully conform, this shall constitute a breach and Proposer shall not have the right to substitute a conforming tender without prior approval from the City.

15. **DEFAULT IN ONE INSTALLMENT TO CONSTITUTE TOTAL BREACH:** Proposer shall deliver conforming materials, or services, in each installment or lot of the contract and may not substitute nonconforming materials, or services. Delivery of nonconforming materials, and/or services, or a default of any nature, at the option of the City, shall constitute a breach of the contract as a whole.

16. **SHIPMENT UNDER RESERVATION PROHIBITED:** Proposer is not authorized to ship materials under reservation and no tender of a bill of lading shall operate as a tender of the materials.

17. **LIENS:** All goods, services and other deliverables supplied to the City under the Agreement shall be free of all liens other than the security interest held by Proposer until payment in full is made by the City. Upon request of the City, Proposer shall provide a formal release of all liens.

18. **LICENSES:** Proposer shall maintain in current status all Federal, State, and local licenses and permits required for the operation of the business conducted by Proposer as applicable to the Agreement.

19. **COST OF PROPOSAL PREPARATION:** The City shall not reimburse the cost of developing, presenting or providing any response to this solicitation. Proposals submitted for consideration by the City should be prepared simply and economically, providing adequate information in a straightforward and concise manner.

20. **CONFIDENTIAL INFORMATION:**

    A. If a Proposer believes a specific section of its proposal to be confidential, the Proposer is to mark the page(s) “confidential” and isolate the pages marked confidential in a specific and clearly labeled section of its proposal response. The Proposer is to include a written statement as to the basis for considering the marked pages confidential.

    B. The information identified by the person as confidential shall not be disclosed until the City makes a written determination.

    C. The City shall review the statement and information and shall determine in writing whether the information shall be treated as confidential.

    D. If the City determines to disclose the information, the City shall inform the Proposer in writing of such determination.

    E. After award of a contract, proposal responses shall be considered a matter of public record and subject to disclosure. Materials submitted by Proposers shall become the property of the City unless otherwise requested at the time of submission. Materials

identified as confidential by the Proposer will be reviewed by the City Purchasing Office which shall make a determination as to whether the information is disclosable. Generally, information submitted in response to this RFP is considered a matter of public record and subject to disclosure pursuant to the Arizona Public Records Law.

21. **AUTHORIZED CHANGES:** The City reserves the right at any time to make changes in any one or more of the following: a) methods of shipment or packing; b) place of delivery; and c) quantities. If any change causes an increase or decrease in the cost of or the time required for performance, an equitable adjustment may be made in the price or delivery schedule, or both.

    Any claim for adjustment shall be evidenced in writing and approved by the City Purchasing Director prior to the institution of the change.

22. **SAMPLES:** Upon request, Proposers may be required to furnish a sample of the goods and/or service to be provided. Submission of a sample by a Proposer shall constitute an express warranty that the whole of the goods and/or service shall conform to the sample submitted. All samples submitted by a Proposer shall become the property of the City for testing purposes and/or future comparison at no charge unless designated otherwise by the Proposer. Samples not destroyed by testing or which are not retained for future comparison shall be returned upon request at Proposer's expense.

23. **PRE-PROPOSAL CONFERENCE:** A prospective Proposers' conference may be held at the City's sole discretion. <u>If scheduled, the date and time of this conference will be indicated on the cover page of this document</u>.

    The purpose of this conference shall be to clarify the contents of this RFP Package in order to prevent any misunderstanding of the City's position. Any doubt as to the requirements of this RFP Package or any apparent omission or discrepancy should be presented to the City at this conference. The City shall then determine the appropriate action necessary, if any, and issue a written amendment to the RFP. Oral statements or instructions shall not constitute an amendment to this RFP.

24. **DISCUSSIONS AND REVISIONS TO PROPOSAL:** Discussions may be conducted with responsible Proposers who submit proposals determined to be reasonably susceptible of being selected for award. Such discussions may facilitate the exchange of pertinent information to enable a more complete understanding of, and responsiveness to, the solicitation requirements. Should the City elect to call for 'best and final' offers, Proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing Proposers. The purposes of such discussions shall be to:

    A. Determine in greater detail such Proposers' qualifications, and

    B. Explore with the Proposers, the Scope of Services, the Proposers' proposed method of performance, and the relative utility of alternate methods of approach;

    C. Determining whether the Proposers have the necessary personnel and facilities to perform within the required time;

D. Agreeing upon compensation which is fair and reasonable, taking into account the estimated value of the required services, and the scope, complexity and nature of such services.

25. COOPERATIVE PURCHASING AGREEMENTS: A contract resulting from this RFP may be extended for use by the members of the Flagstaff Alliance for the Second Century. An Intergovernmental Agreement (IGA) has been executed between the City, Coconino County Community College District, Northern Arizona University, Coconino County and Flagstaff Unified School District. The contract may also be extended to other municipalities and government agencies of the state. Any such usage by other municipalities and government agencies must be in accordance with the ordinance, charter and/or rules and regulations of the respective political entity. Any public agencies not identified within this RFP who wish to cooperatively use the contract are subject to the approval of Proposer.

The City is also a member of S.A.V.E. (Strategic Alliance for Volume Expenditures), which consists of numerous municipalities, counties, universities, colleges, schools and other Arizona State agencies. These cooperatives are achieved through Intergovernmental Agreements (IGAs) in accordance with provisions allowed by A.R.S. §11-952 and §41-2632. The IGAs permit purchases of material, equipment and services from Proposers at the prices, terms and conditions contained in contracts originated between any and all of these agencies and the Proposer(s) contract, as awarded.

Is your firm willing to offer the goods and services solicited under the terms and conditions of this solicitation to other members of the Flagstaff Alliance for the Second Century and S.A.V.E. under the same pricing, terms and conditions?

_____ Yes _____ No

26. FINANCIAL STATUS: All Proposers shall make available upon request a current audited financial statement, a current audited financial report, or a copy of a current federal income tax return. Failure or refusal to provide this information within five (5) business days after communication of the request by the City shall be sufficient grounds for the City to reject a proposal, and/or to declare a Proposer non-responsive or non-responsible.

If a Proposer is currently involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, the Proposer must provide the City with that information as part of its proposal. The City may consider that information during evaluation of the proposal.

By submitting a proposal in response to this solicitation, Proposer agrees that, if, during the term of any contract it has with the City, it becomes involved as a debtor in a bankruptcy proceeding, or becomes involved in a reorganization, dissolution or liquidation proceeding, or if a trustee or receiver is appointed over all or a substantial portion of the property of Proposer under federal bankruptcy law or any state insolvency law, Proposer shall immediately provide the City with a written notice to that effect, and shall provide the City with any relevant information it requests to determine whether the Proposer will meet its obligations to the City.

27. **GOVERNING LAW and JURISDICTION:** This solicitation shall be governed by and construed in accordance with the laws of the State of Arizona.

28. **SUBSEQUENT PURCHASES:** The City, with the consent of the successful Proposer(s), reserves the right to purchase additional items as listed in this proposal, if Proposer is willing to offer the same terms and conditions as submitted in this proposal, for a period of twelve (12) months from the date of approval.

29. **POINT OF CONTACT:** The proposal must indicate the name of one individual who the City is to contact with any questions or clarifications in regards to the proposal.

30. **ON-SITE INVESTIGATION:** Proposers are strongly encouraged to view all of the City's facilities that may be referenced in the Scope of Work prior to submitting their proposal. The Proposer shall be responsible for examining the facility sites and comparing it with the descriptions and specifications, to have carefully examined all of the RFP Package, including the sample contract and to have satisfied themselves as to the conditions under which the work is to be performed before submitting a proposal and entering into the contract.

    No allowance shall subsequently be made on behalf of Proposer on account of an error on its part or its negligence or failure to become acquainted with the conditions of the site, or surrounding areas.

31. **CONTRACT ADMINISTRATION:** To help insure contract compliance, a Contract Administration Process will be an integral part of the contract. This Contract Administration Process is an audit and feedback system and will be in addition to any of the other policies and procedures contained herein. The Contract Administration Process is a total quality management tool that empowers the users to monitor and assure contract compliance. The Proposer should know during the proposal process that the successful Proposer will be closely monitored for contract compliance. No additional cost is anticipated to be incurred by the successful Proposer by the presence of the Contract Administration Process, as long as contract compliance is maintained.

    All changes or amendments to the contract are to be in writing, authorized by the Purchasing Director, approved by the City Council, and signed by authorized representatives of the parties.

32. **CONTRACT TYPE:** Firm Fixed Fee. Initial contract term shall be for one (1) year.

33. **CONTRACT RENEWAL:** The City reserves the right to unilaterally extend the period of the contract for ninety (90) days beyond the stated expiration date. In addition, by mutual written consent, the contract may be renewed for supplemental periods of up to **one (1)** additional one (1) year term.

34. **OFFER ACCEPTANCE PERIOD**: In order to allow for an adequate evaluation, the City requires an offer in response to this solicitation to be valid and irrevocable for ninety (90) days after the opening time and date.

35. **CONTACT WITH CITY EMPLOYEES AND CONTRACTORS**
    All persons and/or firms that are interested in this project (including the firm's employees, representatives, agents, lobbyists, attorneys, and sub-contractors) will refrain, under penalty

of disqualification, from direct or indirect contact for the purpose of influencing the evaluation/selection or creating bias in the evaluation/selection process with any person who may play a part in the evaluation/selection process. This includes but is not limited to the evaluation panel, City Council Members, City Manager, Assistant City Manager(s), Deputy City Manager(s), Department Directors or other staff. This policy is intended to create a level playing field for all potential firms, assure that contract decisions are made in public, and to protect the integrity of the selection process. All contact on this selection process should be addressed to the authorized representative identified on Page One of this document.

PROJECT DESCRIPTION/BACKGROUND

The Flagstaff Metropolitan Planning Organization (FMPO) is seeking professional consulting services to assess the operational effectiveness of alternative mobility treatments for Milton Road in Flagstaff, Arizona.

Milton Road is the main "entrance" to the City transitioning directly to and from Interstate 17. As a major arterial in a region with a poorly developed arterial/collector network, the roadway is required to serve many functions: multimodal corridor, general mobility, general access, gateway feature and more. Options for developing parallel arterials are increasingly expensive and difficult to phase requiring a renewed focus on improving Milton Road operations.

Milton Road is under ADOT jurisdiction. It is a five lane section with a two-way center left turn lane. At the north-end it transitions to Business Route 40 (aka E. Route 66). Traffic volumes through the project limits range from 28,000 near Beaver/66, 43,000 near Butler/Milton, and 35,000 near the southern limits at Forest Meadows. Major intersections include: Humphreys/66, Butler/Milton, W. Route 66/Milton, Forest Meadows/Milton

Project Limits: The area to be included is Milton Road from I-17 north to E. Route 66 to, but not necessarily including, the intersection with San Francisco Street. The area will also include sufficient cross-street length to demonstrate and evaluate measures of effectiveness.

This effort's purpose is to use micro-simulation modeling to examine and illustrate the performance of different combinations of access management treatments, transit service patterns, and various intersection configurations.

Milton Road is a state highway and subject to state plans and policies. Regionally, it is addressed by the *Flagstaff Regional Land Use and Transportation Plan* (2001), the FMPO *Regional Transportation Plan 2009* and is addressed in a draft update of the former, *Flagstaff Regional Plan 2030*. A more detailed ADOT study from 2004, *The Flagstaff Urban Mobility Study,* also speaks to general desired improvements. NAIPTA, the local transit provider recently envisioned significant improvements to Milton Road in their 5-*Year and Long Range Transit Plan* updates (2013). Finally, Northern Arizona University has a campus master plan that identifies policies, expansion plans and many key physical improvements.

SCOPE OF WORK

1. Budget - $100,000
2. Schedule – Eight (8) months, April 2014 – December 2014
3. Measures of Effectiveness (MOE): The consultant will work with the FMPO Technical Advisory Committee to establish appropriate measures of effectiveness. This should include measures for throughput, delay, safety and other measures

4. Data assessment, Data Gap analysis and Collection: FMPO will collect turn movements at signalized and unsignalized intersections – ~~including some major driveways~~, and 24-hour volume counts – over the course of the fall ~~summer~~. The consultant will assess the data needed for the micro-simulation model and other MOEs, report on their availability and develop a solution for collecting additional required data.
5. Micro-simulation Model Development and Calibration: The consultant will develop a model that reasonably represents current conditions and produce a baseline report based on approved MOE's. The model should represent transit, pedestrian and bicycle modes as well as automobile. FMPO will provide volume and turn movement counts. NAIPTA will provide transit boarding and alighting data. A VISSIM model of Milton Road and US 180 from just south of Plaza Way to Ft. Valley Road developed in 2011 is available as is a TransCAD regional transportation model (24-hour) calibrated to year 2010.
6. Horizon Year Model Development: The consultant will develop a year 2030 model using either growth factors or interpolated values from the FMPO regional model. Particular attention will be paid to geographic and magnitude assumptions regarding Northern Arizona University housing on and off campus.
7. Alternative Treatments: The consultant will represent various corridor treatments in the model that may include all or some of the following in combination:
   a) Access management and network treatments: medians, driveway consolidation, new intersections, backage roads, potential expansion to 6 general purpose lanes
   b) Transit service treatments: Expansion to 6 lanes for dedicated transit, bicycle, right turns; use of backage roads in existing conditions and with transit exclusive access at key points
   c) Intersection alternatives: Intersection capacity treatments. Alternatives may be modeled for different intersections. For instance, at Butler/66 FMPO is interested in evaluating a Quadrant left turn – use of Clay to Malpais to channel southbound left turns from Butler Avenue; Massive Rotary/Roundabout using Malpais/Clay/Milton;
8. Public Participation: The consultant will work directly or through the FMPO with a variety of project-related ad hoc committees and established boards, commissions and committees to review various aspects of the corridor evaluation. The consultant will propose an approach describing the breadth and depth of this participation.
9. Agency Participation: Whereas considerable technical review will come through the FMPO Technical Advisory Committee, the consultant will schedule explicit time with ADOT Flagstaff District personnel to debrief them on the project and receive their input

CITY OF FLAGSTAFF PURCHASING DIVISION
211 WEST ASPEN AVE.
FLAGSTAFF, ARIZONA 86001

REQUEST FOR PROPOSAL No. 2014-16
BUYER: AMY HAGIN
PH: (928) 213-2276, FX: (928) 213-2209

OFFER

TO THE CITY OF FLAGSTAFF:

The undersigned hereby offers and agrees to furnish the material, service, or construction in compliance with the RFP Package. Signature also certifies understanding and compliance with "Certification" as defined in Article 1 of the "Standard Terms and Conditions" of this Agreement.

For clarification of this offer, contact:

Name: Michael J. Hermann, P.E. Phone: (602) 944-5500 Fax: (602) 944-7423

Company Name: Kimley-Horn and Associates, Inc.

Address: 7740 N. 16th Street, Suite 300

City, State, Zip: Phoenix, AZ 85020

Signature of Person Authorized to Sign Offer

Senior Vice President
Title

Michael J. Hermann, P.E.
Printed Name

2/17/14
Date

EXHIBIT B

FLAGSTAFF METROPOLITAN PLANNING ORGANIZATION

Cost Proposal

Team Member	Role	Rate	Project Initiation and Data Collection Tasks 1 & 2	Existing Baseline Model Task 3	2030 Baseline Model and Working Paper 1: Baseline Analysis Tasks 4 & 5	Development of Alternative Corridor Treatments Task 6	Candidate Alternatives Analysis Task 7	Working Paper 2: Alternatives Development and Analysis Task 8	Final Report and Presen-tation of Findings Task 9	Total Hours	Billing
KIMLEY-HORN AND ASSOCIATES, INC.											
Hours and Rates											
David Perkins	Principal / QA/QC	$215.00	1	1	2	4	4	2	4	18	$3,870.00
Michael Grandy	Project Manager	$174.00	10	10	16	16	12	16	18	98	$17,052.00
Brent Crowther	Sr. Traffic Engineer	$174.00	2	2	2	30	12	8	2	58	$10,092.00
Jiaxin Tong	Traffic Modeler	$118.00	16	40	16	12	64	10	20	178	$21,004.00
Dhruva Lahon	Modeling Reviewer	$125.00	1	6	2	2	12	2	1	26	$3,250.00
Keith Christian	Project Analyst	$118.00	20	32	20	12	40	8	8	140	$16,520.00
Matt Farmen	Project Analyst	$118.00	10	40	9	18	48	20	12	157	$18,526.00
Catherine Occhiline	Admin Support	$72.00	4	3	2	2	3	2	2	18	$1,296.00
Total Hours			64	134	69	96	195	68	67	693	*
Labor Subtotal Cost			*$8,144.00*	*$16,485.00*	*$9,266.00*	*$14,214.00*	*$24,688.00*	*$9,484.00*	*$9,329.00*	*	*$91,610.00*
Direct Expenses											
Delivery/Travel			$25.00	$200.00	$200.00	$200.00	$25.00	$200.00	$500.00	*	$1,350.00
Direct Expenses Subtotal			$25.00	$200.00	$200.00	$200.00	$25.00	$200.00	$500.00	*	$1,350.00
KIMLEY-HORN LABOR AND EXPENSES			$8,169.00	$16,685.00	$9,466.00	$14,414.00	$24,713.00	$9,684.00	$9,829.00	*	**$92,960.00**
HDR, INC.											
Hours and Rates											
Michael LaBianca	Quality Control	$160.00			2		2			4	$640.00
Faisal Chowdhury	Travel Demand Modeler	$120.00			23		12			35	$4,200.00
Lisa Scott	Admin. Support	$73.00			1		1			2	$146.00

Cost Proposal

Team Member	Role	Rate	Project Initiation and Data Collection	Existing Baseline Model	2030 Baseline Model and Working Paper 1: Baseline Analysis	Development of Alternative Corridor Treatments	Candidate Alternatives Analysis	Working Paper 2: Alternatives Development and Analysis	Final Report and Presentation of Findings		
			Tasks 1 & 2	Task 3	Tasks 4 & 5	Task 6	Task 7	Task 8	Task 9	Total Hours	Billing
Total Hours			0	0	26	0	15	0	0	41	*
Labor Subtotal Cost			*$-*	*$-*	*$3,153.00*	*$-*	*$1,833.00*	*$-*	*$-*	*	*$4,986.00*
Direct Expenses											
Delivery/Travel					$25.00					*	$25.00
Direct Expenses Subtotal			$-	$-	$25.00	$-	$-	$-	$-	*	$25.00
HDR LABOR AND EXPENSES			$-	$-	$3,178.00	$-	$1,833.00	$-	$-	*	**$5,011.00**
FIELD DATA SERVICES OF ARIZONA, INC.											
Hours and Rates											
Sharon Morris	Data Collection	$69.84	12							12	$838.08
Dirk Rice	Data Collection	$36.18	28							28	$1,013.04
Total Hours			40	0	0	0	0	0	0	40	*
Labor Subtotal Cost			*$1,851.12*	*$-*	*$-*	*$-*	*$-*	*$-*	*$-*	*	*$1,851.12*
Direct Expenses											
Delivery/Travel			$150.00	$-	$-		$-	$-	$-	*	$150.00
Direct Expenses Subtotal			$150.00	$-	$-	$-	$-	$-	$-	*	$150.00
FDS LABOR AND EXPENSES			$2,001.12	$-	$-	$-	$-	$-	$-	*	$2,001.12
TOTAL LABOR + DIRECT EXPENSES			$10,170.12	$16,685.00	$12,644.00	$14,414.00	$26,546.00	$9,684.00	$9,829.00		**$99,972.12**
Study Tasks/Deliverables as % of Total Cost			10%	17%	12%	14%	27%	10%	10%	*	100.0%

CITY OF FLAGSTAFF
PURCHASING DIVISION
RFP NO. 2014-16 MILTON ROAD ALTERNATIVES

SCORING TABULATION

Evaluation Criterion #1-- (40% value) Experience & Qualifications				
	CIVTECH	***KIMLEY-HORN***	***KITTLESON***	***LEE ENGINEERING***
Evaluator #1	120	200	160	160
Evaluator #2	120	160	200	160
Evaluator #3	160	200	160	200
Evaluator #4	160	160	120	200
Evaluator #5	120	120	160	80
Subtotal:	**136**	**168**	**160**	**160**
Criteria Ranking:	4	1	2	2

Evaluation Criterion #2-- (45% value) Presented Approach & Schedule				
	CIVTECH	***KIMLEY-HORN***	***KITTLESON***	***LEE ENGINEERING***
Evaluator #1	180	180	135	180
Evaluator #2	135	180	225	180
Evaluator #3	180	180	225	225
Evaluator #4	180	202.5	180	180
Evaluator #5	180	135	135	135
Subtotal:	**171**	**175.5**	**180**	**180**
Criteria Ranking:	4	3	1	1

Evaluation Criterion #3-- (15% value) Price/Fee				
	CIVTECH	***KIMLEY-HORN***	***KITTLESON***	***LEE ENGINEERING***
Evaluator #1	45	60	60	45
Evaluator #2	60	60	60	45
Evaluator #3	45	75	60	60
Evaluator #4	52.5	60	60	60
Evaluator #5	60	45	60	45
Subtotal:	**52.5**	**60**	**60**	**51**
Criteria Ranking:	3	1	1	4

TOTAL SCORE:	**359.5**	**403.5**	**400**	**391**
Total Criteria Ranking:	**4**	**1**	**2**	**3**

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To:	The Honorable Mayor and Council
From:	Trevor Henry, Project Manager
Date:	04/09/2014
Meeting Date:	04/15/2014

TITLE:

Consideration and Approval of Contract: FUTS Arizona Trail, Route 66 to McMillan Mesa Project. ***(Approve construction contract with Tri-Com Corporation for construction of FUTS Arizona Trail, Route 66 to McMillan Mesa Project)***

RECOMMENDED ACTION:

Award the construction contract to Tri-Com Corporation of Tempe, Arizona in the total award amount of $230,503.80, which includes $25,000.00 in contract allowance. The contract period is 90 calendar days; and
2) Authorize Change Order Authority to the City Manager in the amount of $20,500.00 (10% of the bid contract amount, less contract allowance) for unanticipated additional costs; and
3) Authorize the City Manager to execute the necessary documents.

Policy Decision or Reason for Action:

Awarding the contract will authorize the construction of the FUTS Arizona Trail, Route 66 to McMillan Mesa project in accordance with the approved public improvements plans prepared by SWI, Inc.

Financial Impact:

The FUTS Arizona Trail, Route 66 to McMillan Mesa project is funded by the total budget appropriation of $283,438 for FY 14 from the Flagstaff Urban Trails Fund/BBB Fund (051-05-111-3003-5).

Connection to Council Goal:

Fund existing and consider expanded recreational services

Has There Been Previous Council Decision on This:

No previous Council decisions.

Options and Alternatives:

Approve the award as recommended Reject the bids and direct staff to re-advertise the project

Background/History:

The bid solicitations were published two times, March 2 and 9, 2014. Seven bids were received on March 27, 2014 at the office of the City Purchasing Agent. A summary of the bids received are:

Bidder	Total
Engineer's Estimate	$ 295,290.00
Tri-Com Corp.	$ 230,503.80
McCauley Construction Corp.	$ 416,514.00
R Bloom Underground Inc.	$ 296,989.01
RTR Paving and Resurfacing, Inc.	$ 324,688.75
Nickel Contracting	$ 435,797.00
McDonald Brothers	$ 248,571.35
Eagle Mountain Const.	$ 290,797.00

Key Considerations:

The scope of the project includes approximately 3,500 linear feet of new trails compliant with the City's standards. The project will construct approximately 3,300 feet of an aggregate base course trail sections and about 200 feet of a concrete trail section. Included with the project are stormwater improvements, regulatory signs and striping.

Expanded Financial Considerations:

The work is a scheduled and funded Capital Improvement project. The FY 14 authorized budget of $283,438 for the FUTS Arizona Trail, Route 66 to McMillan Mesa account (051-05-111-3003-5) has adequate funding for construction of the improvements. The apparent low bid is 21.9% below the Engineer's Estimate.

Community Benefits and Considerations:

The project will complete a missing FUTS trail segment between the McMillan Mesa area and the Route 66 corridor. This trail is also part of the Arizona Trail, a National Scenic Trail that stretches for almost 800 miles across Arizona from Mexico to Utah.

Community Involvement:

The project is an element of the Flagstaff Urban Trails System Plan and Regional Bikeways Plans. The project is programmed in the City Five Year Capital Plan. A FUTS easement has been acquired from the affected property owners that will allow for the construction of the project.

Expanded Options and Alternatives:

Approve the award to the apparent low bidder as recommended. Reject the bids and direct staff to re-advertise the project. The result would be a probable change in project costs (increase or decrease) and delay in project construction. May affect the FUTS easements that have been acquired for the project.

Attachments: Construction Contract
Vicinity Map

CONSTRUCTION CONTRACT

City of Flagstaff, Arizona
and
Tri-Com Corporation

This Construction Contract ("Contract") is made and entered into this _____ day of _____ 2014, by and between the City of Flagstaff, an Arizona municipal corporation with offices at 211 West Aspen Avenue, Flagstaff, Arizona 86001 ("Owner") and Tri-Com Corporation ("Contractor") an Arizona corporation with offices at 2129 E. Cedar Street, Suite 6, Tempe, Arizona. Contractor and the Owner may be referred to each individually as a "Party" and collectively as the "Parties."

RECITALS

A. Owner desires to obtain construction services; and

B. Contractor has available and offers to provide personnel and materials necessary to accomplish the work and complete the Project as described in the Scope of Work within the required time in accordance with the calendar days included in this Contract.

NOW, THEREFORE, the Owner and Contractor agree as follows:

1. Scope of Work. The Contractor shall furnish all labor, materials, equipment, transportation, utilities, services and facilities required to perform all work for the construction of **Flagstaff Urban Trail System, Route 66 to McMillan Mesa Project** (the "Project"). Contractor shall construct the Project for the Owner in a good, workmanlike and substantial manner and to the satisfaction of the Owner through its engineers and under the direction and supervision of the City Engineer or his properly authorized agents including but not limited to project managers and project engineers. Contractor's work shall be strictly pursuant to and in conformity with the Contract.

1.1 A Pre-Construction Conference will be held with the successful Contractor after the Notice of Award is issued. The location, date and time of the Conference will be agreed upon between the Contractor and the Engineer. The purpose of the meeting is to outline specific construction items and procedures that the City of Flagstaff (the "Owner") feels require special attention on the part of the Contractor. The Contractor may also present any variations in procedures to improve the workability of the Project, reduce the cost or reduce inconvenience to the public. The Contractor shall submit a written proposal at this conference outlining intended plans for maintaining continuous access to residences and businesses along the construction site and traffic control.

2. Contract; Ownership of Work. Contractor shall furnish and deliver all of the materials and perform all of the work in accordance with this Contract; Construction Plans; Special Provisions; the City of Flagstaff Engineering Design and Construction Standards and Specifications; the latest version of the Maricopa Association of Governments ("MAG") Specifications for Public Works Construction and City revisions to the MAG Specifications for

Public Works Construction ("Exhibit A"); and any Arizona Department of Transportation (A.D.O.T.) Standards that may be referenced on the Plans or in the specifications, incorporated in this Contract by reference, plans and associated documents. All provisions of the Invitation for Construction Bids, Performance Bond, Payment Bond, Certificates of Insurance, Addenda, Change Orders and Field Orders, if any, are hereby incorporated into this Contract. All materials, work, specifications and plans shall be the property of the Owner.

The following exhibits are incorporated by reference and are expressly made a part of this Contract:

2.1.1 Revisions of MAG Standard Specifications for Public Works Construction ("Flagstaff Addendum to MAG") Exhibit A

2.1.2 Special Provisions Exhibit B

3. Payments. In consideration of the faithful performance of the work described in this Contract, the Owner shall pay an amount not to exceed $_____to the Contractor for work and materials provided in accordance with the bid schedule, which amount includes federal, state, and local taxes, as applicable. This amount shall be payable through monthly progress payments, subject to the following conditions:

3.1 Contractor shall promptly submit to the Owner all proper invoices necessary for the determination of the prices of labor and materials;

3.2 Progress payments shall be made in the amount of ninety percent (90%) of the value of labor and materials incorporated in the work, based on the sum of the Contract prices of labor and material and of materials stored at the worksite, on the basis of substantiating paid invoices, as estimated by the Owner, less the aggregate of all previous payments, until the work performed under this Contract is fifty percent (50%) complete. When and after such work is fifty percent (50%) complete, the ten percent (10%) of value previously retained may be reduced to five percent (5%) of value completed if Contractor is making satisfactory progress as determined by the Owner, and provided that there is no specific cause or claim requiring a greater amount to be retained. If at any time the Owner determines that satisfactory progress is not being made, the ten percent (10%) retention shall be reinstated for all subsequent progress payments made under this Contract;

3.3 The City Engineer shall have the right to determine the final amount due to Contractor;

3.4 Monthly progress payments shall be made by the Owner, on or before fourteen (14) calendar days after the receipt by the Owner of an approved estimate of the work completed;

3.5 Contractor agrees that title to materials incorporated in the work, and stored at the site, shall vest with the Owner upon receipt of the corresponding progress payment;

3.6 The remainder of the Contract price, after deducting all such monthly payments and any retention, shall be paid within sixty (60) days after final acceptance of completed work by the Owner. The release of retention or alternate surety shall be made following the Owner's receipt and acceptance of: Contractor's Affidavit Regarding Settlement of Claims, Affidavit of Payment, Consent of Surety for Final Payment, and Unconditional Full and Final Lien Waivers from all subcontractors and suppliers who have filed an Arizona Preliminary 20 Day Lien Notice in accordance with A.R.S. §§ 33-992.01 and 33-992.02.

4. Time of Completion. Contractor agrees to complete all work as described in this Contract within **ninety (90) calendar days** from the date of the Owner's Notice to Proceed free of all liens, claims and demands of any kind for materials, equipment, supplies, services, labor, taxes and damages to property or persons, in the manner and under the conditions specified within the time or times specified in this Contract.

5. Performance of Work. All work covered by this Contract shall be done in accordance with the latest and best accepted practices of the trades involved. The Contractor shall use only skilled craftsmen experienced in their respective trades to prepare the materials and to perform the work.

6. Acceptance of Work; Non-Waiver. No failure of the Owner during the progress of the work to discover or reject materials or work not in accordance with this Contract shall be deemed an acceptance of, or a waiver of, defects in work or materials. No payment shall be construed to be an acceptance of work or materials, which are not strictly in accordance with the Contract.

7. Delay of Work. Any delay in the performance of this Contract due to strikes, lockouts, fires, or other unavoidable casualties beyond the control of the Contractor and not caused by any wrongful act or negligence of the Contractor shall entitle the Contractor to an extension of time equal to the delay so caused. The Contractor shall notify the Owner in writing specifying such cause within twenty-four (24) hours after its occurrence. In the event such delay is caused by strikes, lockouts, or inability to obtain workmen for any other cause, the Owner shall have the right but shall not be obligated to complete the work on the same basis as is provided for in Section 13 below (Contract Violations).

8. Failure to Complete Project in Timely Manner. If Contractor fails or refuses to execute this Contract within the time specified in Section 3 above, or such additional time as may be allowed, the proceeds of Contractor's proposal guaranty shall become subject to deposit into the treasury of the municipality as monies available to compensate the Owner for damages as provided by A.R.S. § 34-201 for the delay in execution of this Contract, and bonds and the performance of work under this Contract, and the necessity of accepting a higher or less desirable bid from such failure or refusal to execute this Contract and bond as required. If Contractor has submitted a certified check or cashier's check as a proposal guaranty, the check shall be returned after execution of this Contract. The certified check or cashier's check of other Bidders shall be returned at the expiration of thirty (30) days from the date of opening of proposals or sooner, if this Contract is executed prior to that time.

9. Labor Demonstration. It is understood that the work covered by this Contract is for the Owner's business purposes and that any unfavorable publicity or demonstrations in connection with the work will have a negative effect upon the Owner. If Contractor's actions in performance of the Contract result in any public demonstration on behalf of the laborers or organized labor in the vicinity of the Owner's premises, whether such demonstration is in the form of picketing, posting of placards or signs, violence, threats of violence or in any other form, which in the Owner's judgment, might convey to the public the impression that the Owner or the Contractor or any subcontractor is unfair to laborers or to organized labor, the Owner shall have the right to terminate this Contract immediately, unless the Contractor shall have caused such demonstration to be discontinued within two (2) days after request of the Owner to do so. In the event any such demonstration is attended by violence, the Owner may fix lesser time within which a discontinuance shall be accomplished. In the event of Contract termination, the Contractor agrees to remove from the Premises within twenty-four (24) hours of termination, all machinery, tools, and equipment belonging to it or to its subcontractors. All obligations or liabilities of the Owner to the Contractor shall be discharged by such termination, except the obligation to pay to the Contractor a portion of the Contract price representing the value based upon the Contract prices of labor and materials incorporated in the work as established by the Owner, less the aggregate of all previous payments, but subject to all of the conditions pertaining to payments generally.

10. Material Storage. During the progress of the work, the Contractor shall arrange for office facilities and for the orderly storage of materials and equipment. Contractor shall erect any temporary structures required for the work at his or her own expense. The Contractor shall at all times keep the premises reasonably free from debris and in a condition which will not increase fire hazards. Upon completion of the work, the Contractor shall remove all temporary buildings and facilities and all equipment, surplus materials and supplies belonging to the Contractor. Contractor shall leave the Premises in good order, clean, and ready to use by the Owner. The establishment of any temporary construction yard, material storage area or staging area to be located within City of Flagstaff limits and outside the public right-of-way or Project limits generally requires a Temporary Use Permit. (See Exhibit A, Section 107.2.1.)

11. Assignment. Contractor shall not assign this Contract, in whole or in part, without the prior written consent of the Owner.

12. Notices. All notices or demands required to be given, pursuant to the terms of this Contract, shall be given to the other Party in writing, delivered in person, sent by facsimile transmission, deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested or deposited with any commercial air courier or express service at the addresses set forth below, or to such other address as the Parties may substitute by written notice, given in the manner prescribed in this paragraph.

If to Owner:	**If to Contractor:**
Patrick Brown, C.P.M.	Joe Trail
Senior Procurement Specialist	Construction Manager
211 West Aspen Avenue	2129 E. Cedar St., Suite 6

Flagstaff, AZ 86001 Tempe, AZ 85281

13. Contract Violations. In the event of any of the provisions of this Contract are violated by the Contractor or by any of Contractor's subcontractors, the Owner may serve written notice upon the Contractor and the Surety of its intention to terminate such Contract (the "Notice to Terminate"). The Contract shall terminate within five (5) days of the date Contractor receives the Notice to Terminate, unless the violation ceases and Contractor makes arrangements for correction satisfactory to the Owner. In the event of any such termination, the Owner shall immediately serve notice of the termination upon the Surety by registered mail, return receipt requested. The Surety shall have the right to take over and perform the Contract. If the Surety does not commence performance within ten (10) days from the date of receipt of the Owner's notice of termination, the Owner may complete the work at the expense of the Contractor, and the Contractor and his or her Surety shall be liable to the Owner for any excess cost incurred by the Owner to complete the work. If the Owner completes the work, the Owner may take possession of and utilize such materials, appliances and plans as may be on the worksite site and necessary for completion of the work.

14. Termination for Convenience. The Owner may terminate this contract at any time for any reason by giving at least **thirty 30 days** written notice to the Contractor. If termination occurs under this Section 14, the Contractor shall be paid fair market value for work completed by Contractor as of the date of termination.

15. Contractor's Liability and Indemnification. To the fullest extent permitted by law, the Contractor shall defend, indemnify and hold harmless the Owner, its agents, representatives, officers, directors, officials and employees from and against all claims, damages, losses and expenses (including but not limited to attorney fees, court costs, and the cost of appellate proceedings), relating to arising out of, or alleged to have resulted from the acts, errors, mistakes, omissions, work or services of the Contractor, its employees, agents, or any tier of subcontractors in the performance of this Contract. Contractor's duty to defend, hold harmless and indemnify the Owner, its agents, representatives, officers, directors, officials and employees shall arise in connection with the claim, damage, loss or expense that is attributable to bodily injury, sickness, disease, death, or injury to, impairment, or destruction of property including loss of use resulting there from, caused by any acts, errors, mistakes, omissions, work or services in the performance of this Contract including any employee of the Contractor or any tier of subcontractor or any other person for whose acts, errors, mistakes, omissions, work or services the Contractor may be legally liable. The amount and type of insurance coverage requirements set forth in the Contract (Section 103.6 of Exhibit A) will in no way be construed as limiting the scope of the indemnity in this paragraph.

16. Non Appropriation. In the event that no funds or insufficient funds are appropriated and budgeted in any fiscal period of the Owner to meet the Owner's obligations under this Contract, the Owner will notify Contractor in writing of such occurrence, and this Contract will terminate on the earlier of the last day of the fiscal period for which sufficient appropriation was made or whenever the funds appropriated for payment under this Contract are exhausted. No payments shall be made or due to the other party under this Contract beyond these amounts appropriated and budgeted by the Owner to fund the Owner's obligations under this Contract.

17. Amendment of Contract. This Agreement may not be modified or altered except in writing and signed by duly authorized representatives of the parties.

18. Subcontracts. Contractor shall not enter into any subcontract, or issue any purchase order for the completed work, or any substantial part of the work, unless in each instance, prior written approval shall have been given by the Owner. Contractor shall be fully responsible to the Owner for acts and omissions of Contractor's subcontractors and all persons either directly or indirectly employed by them.

19. Cancellation for Conflict of Interest. This Contract is subject to the cancellation provisions of A.R.S. § 38-511.

20. Compliance with All Laws. Contractor shall comply with all applicable laws, statutes, ordinances, regulations and governmental requirements in the performance of this Contract.

21. Employment of Aliens. Contractor shall comply with A.R.S. § 34-301, which provides that a person who is not a citizen or ward of the United States shall not be employed upon or in connection with any state, county or municipal public works project.

22. Compliance with Federal Immigration Laws and Regulations. Contractor warrants that it complies with all Federal Immigration laws and regulations that relate to its employees and complies with A.R.S. 23-214.A. Contractor acknowledges that pursuant to A.R.S. 41-4401 a breach of this warranty is a material breach of this contract subject to penalties up to and including termination of this contract, and that the City retains the legal right to inspect the papers of any employee who works on the contract to ensure compliance with this warranty.

23. Contractor's Warranty. Contractor warrants that it complies with all Federal Immigration laws and regulations that relate to its employees and complies with A.R.S. § 23-214.A, Verification of Employment Eligibility. Contractor shall not employ aliens in accordance with A.R.S. § 34-301, Employment of Aliens on Public Works Prohibited. Contractor acknowledges that pursuant to A.R.S. § 41-4401, Government Procurement; E-Verify Requirement; Definitions, a breach of this warranty is a material breach of this contract subject to penalties up to and including termination of this Contract, and that the Owner retains the legal right to inspect the papers of any employee who works on the Contract to ensure compliance with this warranty.

24. Jurisdiction and Venue. This Agreement shall be administered and interpreted under the laws of the State of Arizona. The Contractor hereby submits itself to the original jurisdiction of those courts located within Coconino County, Arizona.

25. Attorney's Fees. If suit or action is initiated in connection with any controversy arising out of this Agreement, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees, or in event of appeal as allowed by the appellate court.

26. Time is of the Essence. Contractor acknowledges that the completion of the Contract by the dates specified final completion is critical to the Owner, time being of the essence of this Contract.

27. Headings. The article and section headings contained herein are for convenience in reference and are not intended to define or limit the scope of any provision of this Contract.

28. Severability. If any part of this Contract is determined by a court to be in conflict with any statute or constitution or to be unlawful for any reason, the parties intend that the remaining provisions of this Contract shall remain in full force and effect unless the stricken provision leaves the remaining Contract unenforceable.

IN WITNESS WHEREOF, the Owner and Contractor, by their duly authorized representatives, have executed this Contract as of the date written above.

(Please sign in blue ink. Submit original signatures – photocopies not accepted)

Owner, City of Flagstaff

_____
Kevin Burke, City Manager

Attest:

_____
City Clerk

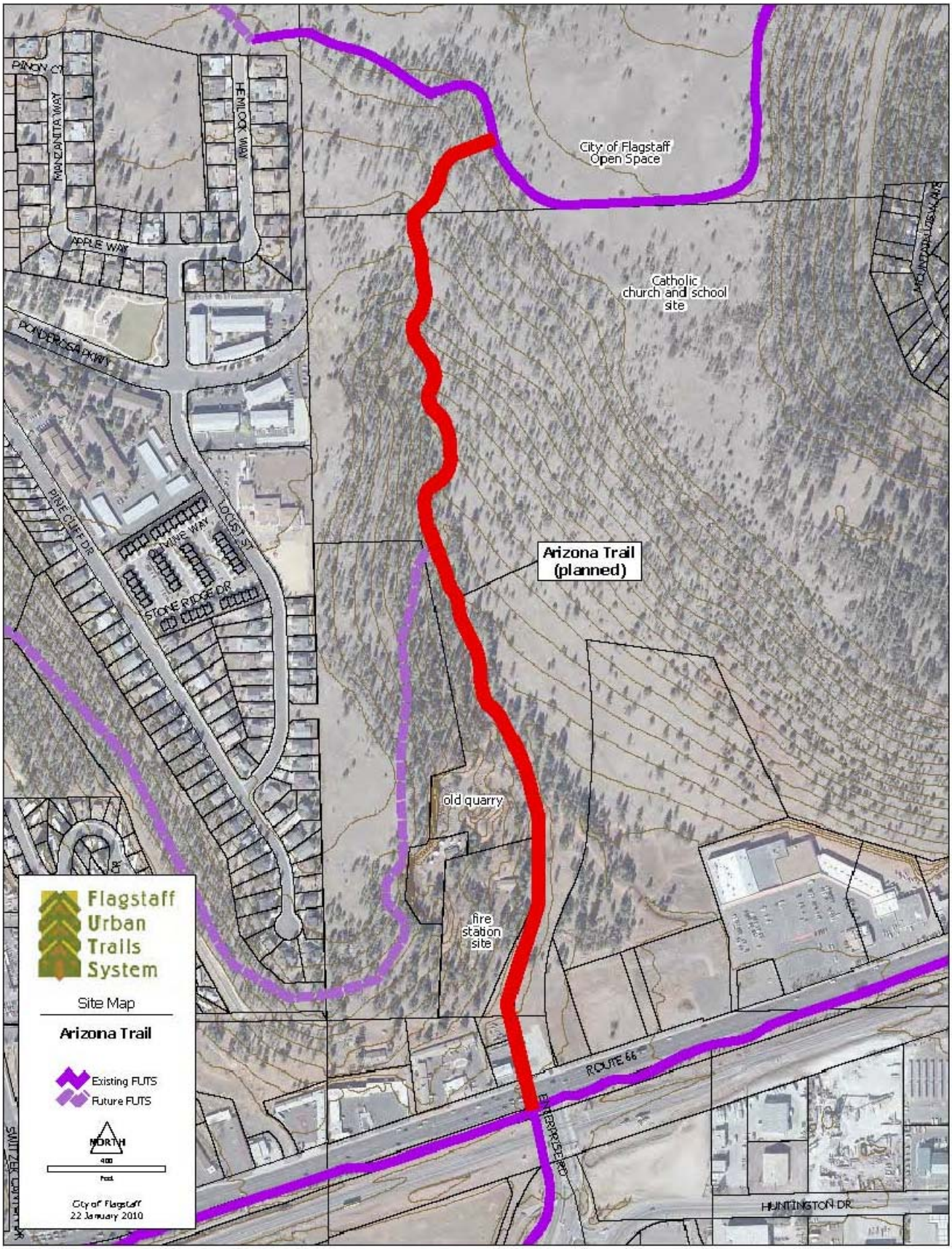
Approved as to form:

_____
City Attorney

Tri-Com Corporation

_____
Signature

_____
Printed Name



FUTS Route 66 to McMillan Mesa Project

PROJECT NUMBER: 300300

CITY OF FLAGSTAFF, ARIZONA

CAPITAL IMPROVEMENTS PROGRAM

BY: TDH

DATE: 03-31-14

SCALE: N.T.S.

10. A.

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: Kevin Treadway, Police Chief

Co-Submitter: Marianne Sullivan, Assistant City Attorney - Prosecution

Date: 04/09/2014

Meeting Date: 04/15/2014

TITLE:

Consideration of Ordinance No. 2014-09: An ordinance prohibiting aggressive solicitation

RECOMMENDED ACTION:

1) Read Ordinance No. 2014-09 by title only for the final time
2) City Clerk reads Ordinance No. 2014-09 by title only (if approved above)
3) Adopt Ordinance No. 2014-09

Policy Decision or Reason for Action:

The Flagstaff Police Department with assistance from the Flagstaff City Attorney's Office is requesting the approval of Ordinance 2014-09, which would prohibit aggressive solicitation in Flagstaff.

Financial Impact:

There is no financial impact to the City of Flagstaff by adopting this ordinance.

Connection to Council Goal:

Effective governance by addressing public safety and constituent concerns.

Has There Been Previous Council Decision on This:

Council has not made a prior decision on this issue. The prospect of developing an ordinance prohibiting aggressive solicitation was presented during Council work session on February 11, 2014. Council provided support in bringing a draft ordinance forward. First reading of the ordinance took place at the April 1, 2014, Council Meeting.

Options and Alternatives:

1) Adopt Ordinance 2014-09, making it unlawful to aggressively solicit in Flagstaff.
2) Amend Ordinance 2014-09
3) Do not adopt Ordinance 2014-09

Background/History:

In August 2013, a local attorney and the ACLU filed a lawsuit against the Flagstaff City Attorney and the Police Chief alleging the state statute prohibiting loitering to beg was unconstitutional. After legal review, it was determined in fact the statute found under ARS 13-2905 (A)(3) was believed to be a violation of free speech. Following recommendations by the City Attorney and Police Chief, the Flagstaff City Council approved a settlement whereby the Flagstaff Police Department would refrain immediately from taking enforcement action for loitering to beg. On October 11, 2013, the Arizona Criminal Justice Commission advised all law enforcement agencies in the state that the United States District Court had declared ARS 13-2905(A)(3) to be unconstitutional and void under the first and fourteenth amendments of the Constitution. The statute was declared unenforceable statewide.

Each year, the Flagstaff Police Department receives numerous calls from concerned citizens who have been approached by individuals begging for assistance. In one recent 13 month period, the police department recorded 642 calls for service where the event code was classified as loitering. The event code for loitering and "vagrancy" is the same, so not all 642 calls received were specifically for loitering to beg, however during that same 13 month period, the Flagstaff Police Department made 141 arrests for panhandling under 13-2905A3 prior to the legal challenge of this statute. Statistics indicate a large number of citizens contact the police annually with concerns regarding this behavior. A number of these arrests involved activity described by the victim as "aggressive" at the time the panhandling occurred. A case review indicates it is apparent many subjects who panhandle tend to target females or the elderly resulting in many of these victims describing the contact as causing fear. In two separate case, children under the age of ten were solicited.

The Flagstaff Police Department believes that citizen concerns regarding loitering to beg on private property can be addressed through a partnership with business owners. Officers can be granted authority to "trespass" subjects on private property at the business owner or managers direction. If a business owner believes loitering to beg is bad for business, authority may be granted allowing officers to trespass individuals involved in this conduct. Notice shall be given upon first contact, warning the individual this conduct is not allowed and the officer will trespass the individual from that property. Recent changes in state statue on trespassing now allows the officers to "trespass"at the direction of the business owner. Notice of trespass will be documented in our records system, accessible to officers in the field. Future or subsequent contacts with the same individual at that location could result in an arrest for trespass.

Incidents occurring on school grounds can be enforced under the existing provision remaining in the State loitering statute. Private schools and churches are also private property, and as such, solicitation can be effectively addressed with the trespassing statute.

With trespassing tools in place on private property, the challenge will be in addressing certain behaviors involving aggressive solicitation on public property.

During legal review, it has been determined that several municipalities in the state of Arizona have enacted local ordinances to address aggressive solicitation. These ordinances have successfully addressed citizens concerns by prohibiting behavior or conduct, as opposed to the content of speech.

The proposed ordinance on aggressive solicitation is attached. It contains many of the same elements of several of the ordinances reviewed from other municipalities. Several options are open for Council discussion, most notably distances listed prohibiting certain behavior in proximity to commercial institutions.

Key Considerations:

A draft bill on Aggressive Solicitation is being proposed in the State House of Representatives. A copy of that bill is attached. Much of the same prohibitions appear in this draft legislation, but it is of course unknown at this time whether this bill will gain the support this legislative session. The issue of panhandling in Flagstaff is most definitely seasonal, with significant increases in calls for service and response to panhandling complaints experienced during spring and summer months. We expect calls for service regarding loitering incidents will begin to dramatically increase in late April.

There are also concerns with the legality of prohibiting solicitation on medians. Currently there is an existing state law under A.R.S. Section 13-2906 "Obstructing a Highway or Other Public Thoroughfare", that applies if a person recklessly interferes with the passage of any highway by creating an unreasonable inconvenience or hazard. The 9th Circuit Court of Appeals has found that attempts to set prohibitions on day laborers who were soliciting work and obstructing traffic while doing so unconstitutional. Recently the U.S. District Court in Maine struck down a Portland, Maine City Ordinance prohibiting soliciting on medians. The Court first found that a median is a public forum for the purposes of the First Amendment free speech analysis. The Court then went on to state that because the City Council and Chief of Police in Portland interpreted the ordinance to allow persons to go on the median to place campaign signs, that the ordinance was unconstitutional as it was not reasonably related to the State's interest of safety concern. Therefore, if a local ordinance is considered prohibiting solicitation on medians, that ordinance would have to prohibit all activity on medians including the placement of signs in order to possibly be found constitutional. However given the 9th Circuit ruling previously mentioned, the possibility exists the courts may find any prohibition of solicitation on medians unconstitutional due to the existence of the more applicable A.R.S. section 13-2906, "Obstructing a Public Thoroughfare".

Community Benefits and Considerations:

Adoption of this ordinance will provide a tool for law enforcement when concerns are received by citizens regarding aggressive solicitation, or from business owners who have concerns about loitering in proximity of commercial institutions.

Community Involvement:

Inform: There have been several articles in the AZ Daily Sun in the past several months detailing the court decision regarding the repeal of ARS 2905(A)(3) and the impacts on enforcement of loitering to beg here locally. Specifically an article appeared in the Daily Sun on October 5, 2013, as well as an editorial by the Daily Sun on September 19, 2013. On January 11, 2013, the Daily Sun carried a headline story describing in detail the proposed state law banning aggressive solicitation.

Consult: The Daily Sun also carried a small story prior to the work session on 2-11-2013 where City staff provided City Council with a power point presentation seeking direction on a proposed ordinance banning aggressive solicitation. Citizens had the opportunity at this work session o speak on this issue during public forum. One citizen showed at the work session and filled out a comment card in support of the proposed ordinance. No citizens spoke on this issue at that work session.

Attachments: House Bill on aggressive loitering
Power Point
Ord. 2014-09

PREFILED JAN 08 2014

REFERENCE TITLE: aggressive solicitation; offense

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

HB 2024

Introduced by
Representative Kavanagh

AN ACT

AMENDING SECTION 13-2905, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 29, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-2914; RELATING TO OFFENSES AGAINST PUBLIC ORDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 13-2905, Arizona Revised Statutes, is amended to read:

13-2905. Loitering; classification

A. A person commits loitering if such person intentionally:

1. Is present in a public place and in an offensive manner or in a manner likely to disturb the public peace solicits another person to engage in any sexual offense.

2. Is present in a transportation facility and after a reasonable request to cease or unless specifically authorized to do so solicits or engages in any business, trade or commercial transactions involving the sale of merchandise or services.

~~3. Is present in a public place to beg, unless specifically authorized by law.~~

~~4.~~ 3. Is present in a public place, unless specifically authorized by law, to gamble with any cards, dice or other similar gambling devices.

~~5.~~ 4. Is present in or about a school, college or university building or grounds after a reasonable request to leave and either does not have any reason or relationship involving custody of or responsibility for a pupil or student or any other specific legitimate reason for being there or does not have written permission to be there from anyone authorized to grant permission.

~~6.~~ 5. Except as provided in section 13-3969, subsection A, solicits bail bond business inside a court building or immediately around or near the entrance of a county or city jail. For the purposes of this paragraph, "solicit" includes handing out business cards or any printed material or displaying any electronic devices related to bail bonds, verbally asking a person if the person needs a bail bond and recruiting another person to solicit bail bond business.

B. Loitering under subsection A, paragraph ~~5~~ 4 is a class 1 misdemeanor. Loitering under subsection A, paragraphs 1, 2, 3~~, 4~~ and ~~6~~ 5 is a class 3 misdemeanor.

Sec. 2. Title 13, chapter 29, Arizona Revised Statutes, is amended by adding section 13-2914, to read:

13-2914. Aggressive solicitation; classification; definitions

A. IT IS UNLAWFUL FOR A PERSON TO SOLICIT ANY MONEY OR OTHER THING OF VALUE OR SOLICIT THE SALE OF GOODS OR SERVICES:

1. WITHIN FIFTEEN FEET OF ANY BANK ENTRANCE OR EXIT OR ANY AUTOMATED TELLER MACHINE.

2. IN ANY PUBLIC TRANSPORTATION VEHICLE OR FROM ANY PERSON WHO IS WAITING WITHIN TEN FEET OF A SIGN DESIGNATING A BUS STOP. THIS PARAGRAPH DOES NOT APPLY TO THE OPERATOR OF A PUBLIC TRANSPORTATION VEHICLE WHO REQUESTS OR ACCEPTS PAYMENT OF A FARE.

3. IN A PUBLIC AREA BY:

(a) INTENTIONALLY, KNOWINGLY OR RECKLESSLY MAKING ANY PHYSICAL CONTACT WITH OR TOUCHING ANOTHER PERSON IN THE COURSE OF THE SOLICITATION WITHOUT THE PERSON'S CONSENT.

(b) APPROACHING OR FOLLOWING THE PERSON BEING SOLICITED IN A MANNER THAT IS INTENDED OR IS LIKELY TO CAUSE A REASONABLE PERSON TO FEAR IMMINENT BODILY HARM TO ONESELF OR ANOTHER OR DAMAGE TO OR LOSS OF PROPERTY OR THAT IS REASONABLY LIKELY TO INTIMIDATE THE PERSON BEING SOLICITED INTO RESPONDING AFFIRMATIVELY TO THE SOLICITATION.

(c) CONTINUING TO SOLICIT THE PERSON AFTER THE PERSON BEING SOLICITED HAS CLEARLY COMMUNICATED A REQUEST THAT THE SOLICITATION STOP.

(d) INTENTIONALLY, KNOWINGLY OR RECKLESSLY OBSTRUCTING THE SAFE OR FREE PASSAGE OF THE PERSON BEING SOLICITED OR REQUIRING THE PERSON TO TAKE EVASIVE ACTION TO AVOID PHYSICAL CONTACT WITH THE PERSON MAKING THE SOLICITATION. THIS SUBDIVISION DOES NOT APPLY TO ACTS THAT ARE AUTHORIZED AS AN EXERCISE OF ONE'S CONSTITUTIONAL RIGHT TO PICKET OR PROTEST.

(e) INTENTIONALLY, KNOWINGLY OR RECKLESSLY USING OBSCENE OR ABUSIVE LANGUAGE OR GESTURES THAT ARE INTENDED OR LIKELY TO CAUSE A REASONABLE PERSON TO FEAR IMMINENT BODILY HARM OR THAT ARE REASONABLY LIKELY TO INTIMIDATE THE PERSON BEING SOLICITED INTO RESPONDING AFFIRMATIVELY TO THE SOLICITATION.

B. A VIOLATION OF THIS SECTION IS A PETTY OFFENSE, EXCEPT THAT A SECOND OR SUBSEQUENT VIOLATION OF THIS SECTION IS A CLASS 3 MISDEMEANOR.

C. FOR THE PURPOSES OF THIS SECTION:

1. "AUTOMATED TELLER MACHINE" HAS THE SAME MEANING PRESCRIBED IN SECTION 6-101.

2. "BANK" MEANS A BANK, CREDIT UNION OR OTHER SIMILAR FINANCIAL INSTITUTION.

3. "PUBLIC AREA" MEANS AN AREA THAT THE PUBLIC OR A SUBSTANTIAL GROUP OF PERSONS HAS ACCESS TO AND INCLUDES ALLEYS, BRIDGES, BUILDINGS, DRIVEWAYS, PARKING LOTS, PARKS, PLAYGROUNDS, PLAZAS, SIDEWALKS AND STREETS OPEN TO THE GENERAL PUBLIC, AND THE DOORWAYS AND ENTRANCES TO BUILDINGS AND DWELLINGS AND THE GROUNDS ENCLOSING THEM.

4. "PUBLIC TRANSPORTATION VEHICLE" MEANS ANY VEHICLE THAT IS USED FOR THE TRANSPORTATION OF PASSENGERS ON SCHEDULED ROUTES ON AN INDIVIDUAL PASSENGER FARE-PAYING BASIS.

5. "SOLICIT" MEANS USING ANY MEANS OF COMMUNICATION, INCLUDING BY SPOKEN, WRITTEN OR PRINTED WORD, TO REQUEST AN IMMEDIATE DONATION OR EXCHANGE OF MONEY OR OTHER THING OF VALUE FROM ANOTHER PERSON REGARDLESS OF THE SOLICITOR'S PURPOSE OR INTENDED USE OF THE MONEY OR OTHER THING OF VALUE.

Definition of Aggressive Manner

(a) Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation without the person's consent; or

(b) Approaching or following the person being solicited, if the conduct is:

1) intended to or is likely to cause a reasonable person to fear bodily harm to oneself or another, or damage to or loss of property or the commission of a criminal act upon the person or property in the person's possession; or

2) is intended to or is reasonably likely to intimidate a reasonable person being solicited into responding affirmatively to the solicitation; or

Definition of Aggressive Manner

(c) Continuing to solicit from a person within five feet (5’) of that person being solicited after the person has made a negative response to such solicitation; or

(d) Intentionally, knowingly or recklessly obstructing the safe or free passage of the person being solicited, or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitation. Acts authorized as an exercise of one’s constitutional right to picket or legally protest, and acts authorized by a permit issued by the City, shall not constitute obstruction of pedestrian or vehicular traffic; or

(e) Intentionally or recklessly using obscene or abusive language or gestures:

(1) intended to or likely to cause a reasonable person to fear bodily harm or the commission of a criminal act upon the person or property in the person’s possession; or

(2) intended to or is reasonably likely to intimidate a reasonable person into responding affirmatively to the solicitation.

Other Definitions

- AUTOMATED TELLER MACHINE FACILITY
- PUBLIC AREA
- SOLICIT: To request an immediate donation of money or other thing of value from another person, regardless of the solicitor's purpose or intended use of the money or other thing of value. The solicitation may be, without limitation, by the spoken, written or printed word, or by other means of communication.
- PUBLIC TRANSPORTATION VEHICLE
- BANK

Prohibited Acts

It shall be unlawful for any person or group to solicit money or other things of value, or to solicit the sale of goods or services:

(1) In an aggressive manner in a public area; or

(2) In any public transportation vehicle or from any persons within fifteen feet (15’) of any transit stop, bus stop, taxi stand, train station or the inside of the train station; or

(3) Within fifteen feet (15’) of any entrance or exit of any bank, financial institution, automated teller machine facility, without the consent of the owner or other person legally in possession of such facility; or

(4) Immediately adjacent to the entrance of a business in a manner that physically interferes with ingress or egress to that business entrance; or

Prohibited Acts

(5) Within fifteen feet (15’) From persons engaging in any financial transaction; or

(6) Within fifteen feet (15’) from persons inside a business, including a patio area, except with the consent of the business owner; or

(7) On private property if the owner, tenant, or lawful occupant has asked the person not to solicit on the property, or has posted a sign clearly indicating that solicitations are not welcome on the property.

(8) From any person under the age of sixteen (16) years who is unaccompanied by an adult.

(C) Penalty: A violation of this section shall be a class three (3) misdemeanor.

ORDINANCE NO. 2014-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 6, *POLICE REGULATIONS,* CHAPTER, 1 *GENERAL OFFENSES,* DIVISION 1, BY ADDING A NEW SECTION 1 RELATING TO AGGRESSIVE SOLICITATION; PROVIDING FOR PENALTY, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, Article XIII, Section 8 of the Flagstaff City Charter gives the City Council the plenary power to enact and make all proper and necessary ordinances to care out and give effect to the implied and express powers granted in the Charter and thereby protect and safeguard the rights, interests, safety, morality, health and welfare of the City and its inhabitants; and

WHEREAS, the City Council finds that enacting this aggressive solicitation ordinance protects that rights, interests, safety and welfare of the inhabitants of the City; and

WHEREAS, Article XIII, Section 7 of the Flagstaff City Charter provides that violation of any ordinance of the City is a misdemeanor that may be prosecuted by the authorities of the City in the name of the State of Arizona; and

WHEREAS, Article VII, Section 5 of the Flagstaff City Charter requires the Council to act by ordinance when it imposes or provides for imposing fines or other penalties.

ENACTMENTS:

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

SECTION 1. In General.

The Flagstaff City Code, Title 6, Police Regulations, Chapter 1, General Offenses, Division 1, Section 1 is hereby added as set forth below:

6-01-01-01 AGGRESSIVE SOLICITATION

A. For the purposes of this Chapter the following terms shall mean:

1. AGGRESSIVE MANNER: Means and includes either individually or as a group:

a. Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation without the person's consent; or

b. Approaching or following the person being solicited, if the conduct is:

(1) intended to or is likely to cause a reasonable person to fear bodily harm to oneself or another, or damage to or loss of property or the commission of a criminal act upon the person or property in the person's possession; or

(2) is intended to or is reasonably likely to intimidate a reasonable person being solicited into responding affirmatively to the solicitation; or

c. Continuing to solicit from a person within five feet (5') of that person being solicited after the person has made a negative response to such solicitation; or

d. Intentionally, knowingly or recklessly obstructing the safe or free passage of the person being solicited, or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitation. Acts authorized as an exercise of one's constitutional right to picket or legally protest, and acts authorized by a permit issued by the City, shall not constitute obstruction of pedestrian or vehicular traffic; or

e. Intentionally or recklessly using obscene or abusive language or gestures:

(1) intended to or likely to cause a reasonable person to fear bodily harm or the commission of a criminal act upon the person or property in the person's possession; or

(2) intended to or is reasonably likely to intimidate a reasonable person into responding affirmatively to the solicitation.

2. AUTOMATED TELLER MACHINE FACILITY: The area comprised of one or more automatic or automated teller machines, and any adjacent space which is made available to banking customers after regular banking hours.

3. PUBLIC AREA: An area to which the public or a substantial group of persons has access, and includes, but is not limited to, alleys, bridges, buildings, driveways, parking lots, parks, playgrounds, plazas, sidewalks, and streets open to the general public, and the doorways and entrances to buildings and dwellings, and the grounds enclosing them.

4. SOLICIT: To request an immediate donation of money or other thing of value from another person, regardless of the solicitor's purpose or intended use of the money or other thing of value. The solicitation may be, without limitation, by the spoken, written or printed word, or by other means of communication.

5. PUBLIC TRANSPORTATION VEHICLE: Any vehicle used for the transportation of passengers on scheduled routes on an individual passenger fare-paying basis.

6. BANK: A bank Credit Union or other similar financial institution.

B. It shall be unlawful for any person or group to solicit money or other things of value, or to solicit the sale of goods or services:

1. In an aggressive manner in a public area; or

2. In any public transportation vehicle or from any persons within fifteen feet (15') of any transit stop, bus stop, taxi stand, train station platform or the inside of the train station; or

3. Within fifteen feet (15') of any entrance or exit of any bank, financial institution, automated teller machine facility, without the consent of the owner or other person legally in possession of such facility; or

4. Immediately adjacent to the entrance of a business in a manner that physically interferes with ingress or egress to that business entrance; or

5. Within fifteen feet (15') of persons engaging in any financial transaction; or

6. Within fifteen feet (15') from persons inside a business, including a patio area, except with the consent of the business owner; or

7. On private property if the owner, tenant, or lawful occupant has asked the person not to solicit on the property, or has posted a sign clearly indicating that solicitations are not welcome on the property.

8. From any person under the age of sixteen (16) years who is unaccompanied by an adult.

SECTION 2. Penalty.

Any person convicted of a violation of this ordinance is guilty of a class 3 misdemeanor.

SECTION 3. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

SECTION 4. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 5. Clerical Corrections.

The City Clerk is hereby authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary related to this ordinance as amended herein, and to make formatting changes needed for purposes of clarity and form, or consistency within thirty (30) days following adoption by the City Council.

SECTION 6. Effective Date.

This ordinance shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 15th day of April, 2014.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: Glorice Pavey, Recreation Supervisor

Co-Submitter: Brian Grube, Recreation Services Director

Date: 04/09/2014

Meeting Date: 04/15/2014

TITLE:

Consideration and Approval of Street Closure(s): Tenth Annual Route 66 Days Charity Car Show

RECOMMENDED ACTION:

Approve the street closure at Aspen and Birch Avenues between Humphreys and San Francisco Streets on September 6, 2014 from 6:00 a.m. - 6:00 p.m.

Policy Decision or Reason for Action:

By allowing the 2014 Route 66 Days Charity Car Show as an exception to the Special Event Permit Regulations regarding the full closure of Aspen and Birch avenues, between Humphreys and San Francisco streets, the City is providing a safe alternative locations for an annual community event. There are no Subsidiary Decision Points.

Financial Impact:

Street Closures have the potential to change traffic patterns for local businesses.

Connection to Council Goal:

A sustainable community through economic vitality, environmental protection and social inclusion.
Diversity of arts, culture and educational opportunities.
Livability through good neighborhoods, affordable housing and varied recreational activities.

Has There Been Previous Council Decision on This:

The Route 66 Charity Car Show has been granted this exception for the last nine years.

Options and Alternatives:

Deny the request to close the proposed downtown streets.
• Pro: Closure of streets in the north downtown area has the potential to negatively impact business in this area. By not allowing the closure, these north downtown businesses and residents could count on the ordinary flow of traffic and parking.
• Con: This is a well attended community event that brings visitors into Flagstaff and positively affects many areas of the local economy, including hotel and restaurant sales.

Background/History:

The 2013 Flagstaff Route 66 Days Charity Car Show is organized by the local Route 66 Car Club. Now in its tenth year, the purpose of this event is to bring attention to the historic value of Route 66, bringing people to Flagstaff to celebrate its history through display of reconditioned and restored cars and other City attractions. The first event in 2005 started out with 88 cars and provided the framework for future events. The event has grown from 88 cars to over 450 cars. The Route 66 Days Charity Car Show is the premiere car show event north of Phoenix and has become a destination event for entrants from around the United States. The event has allowed the Route 66 Car Club to donate $185,000 to local charities over the last nine years.

Key Considerations:

The current special event permit regulations do not allow for the full closure of one-way downtown streets. Deviations from the special event permit packet have been approved by City Council on a case-by-case basis. The Route 66 Days Charity Car Show has been granted this exception for the last nine years. Additional two-way street closures involved with this permit do not require City Council approval including Sitgreaves between Santa Fe and Birch Avenue; Aspen Avenue between Humphreys and Sitgreaves; Leroux Street between Route 66 and Birch Avenue. the flow of traffic will continue as normal on San Francisco Street, Beaver Street and Humphreys street. The Flagstaff Fire Department requires that there be a fire lane and access to all hydrant and water hook-ups on the streets.

Expanded Financial Considerations:

Street closures have the potential to change traffic patterns for local businesses.

Community Benefits and Considerations:

The Route 66 Days Charity Car Show draws approximately 5,000-10,000 residents and visitors to the historic downtown area. It generates tourism and business for Flagstaff hotels and restaurants. Downtown Flagstaff provides a significant draw for the event due to the ambience and historical nature of the downtown area. Additionally, the close proximity of restaurants and shops are enjoyed by both entrants showing their cars for the day and spectators.

Direct revenue from both entrants and vendors is significant as the even hosted 450 sold vehicle entries and 56 vendors in 2012. Approximately 85% of those entries were registered and in Flagstaff on Friday night in anticipation of Saturday's show.

Route 66 Days Charity Car Show has donated over$165,000 to local Flagstaff charities in the past seven years.

Community Involvement:

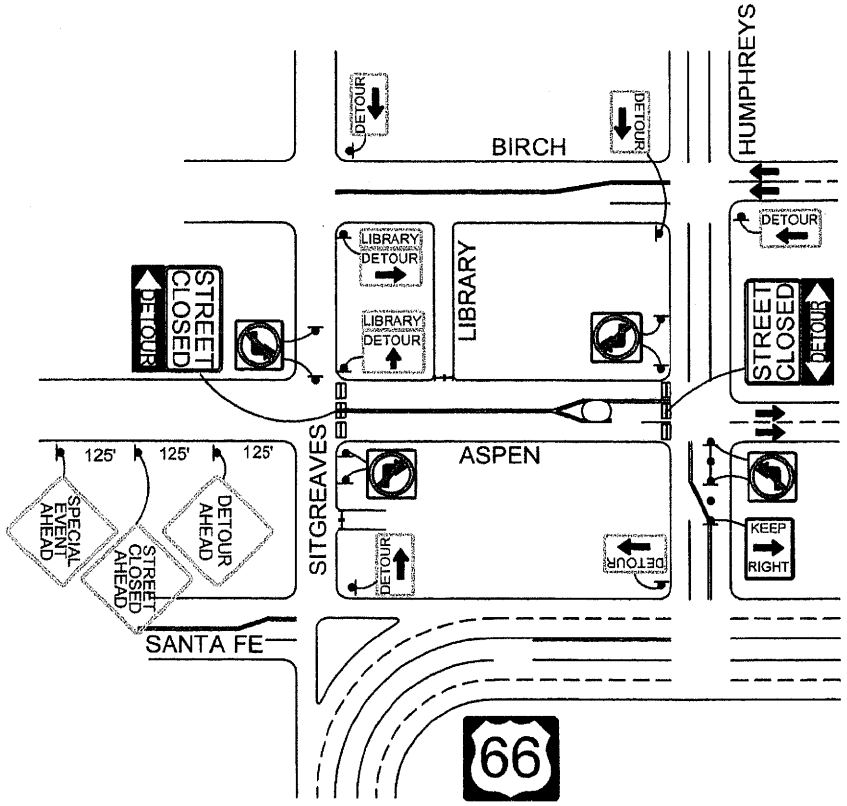
The public participation goal of "inform" has been chosen. Numerous organizations and businesses participate in this event, including many f the downtown businesses. The April 'Downtown Newsletter' informed residents and local downtown businesses of the date and time that this agenda item will be presented to City Council.

Attachments: Traffic Control Plan

ROUTE 66 DAYS --- BOB

NORTH

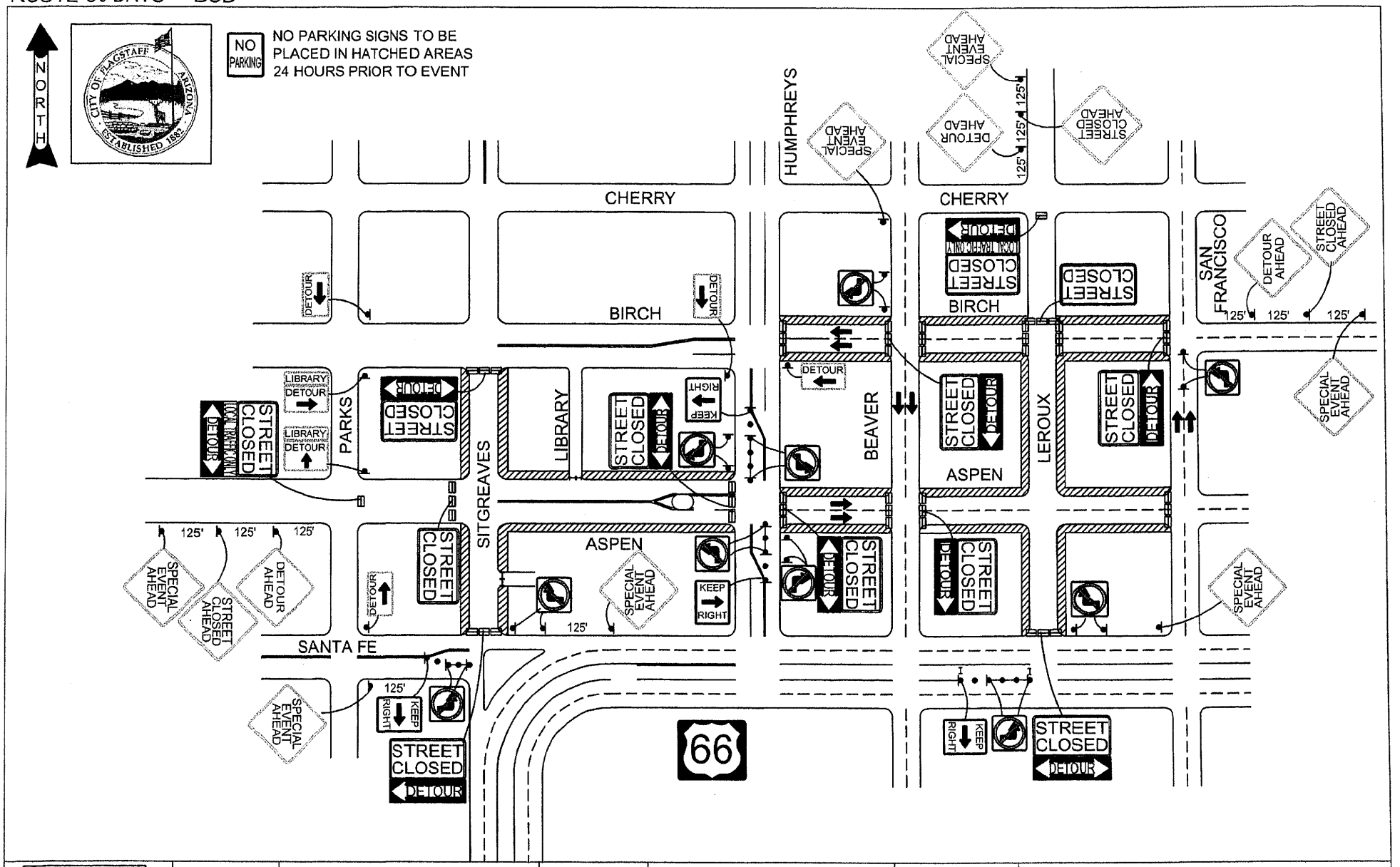
NO PARKING SIGNS TO BE PLACED ON ASPEN, HUMPHREYS TO SITGREAVES



ASPEN CLOSURE TIME
CLOESD BY 5:30 PM ON 9-6-13
OPENED BY 6:00 PM ON 9-8-13

TRAFFICADE WORK ZONE SERVICES 602-431-0911 FAX 602-272-3705	P.O. NUMBER		JOB NUMBER		PROJECT NAME
	ARROW BOARD / HI-LEVEL / TYPE 2 / TYPE 3 / DEVICE	SPEED LIMIT	FLASH: X V.P.'S: X STEADY: X CONES: 36": X 48":	START DATE: 9-6-13 TIMES: SEE NOTE DURATION: 9-8-13	TCP NAME: R66-SIT-ASP-5
					CONTRACTOR: ROUTE 66 DAYS
					MUNICIPAL: FLAGSTAFF
			DRAWN ON: 7-11-13	BY: MATTHEW GROTTS	LOCATION: SITGREAVES & ASPEN

ROUTE 66 DAYS --- BOB



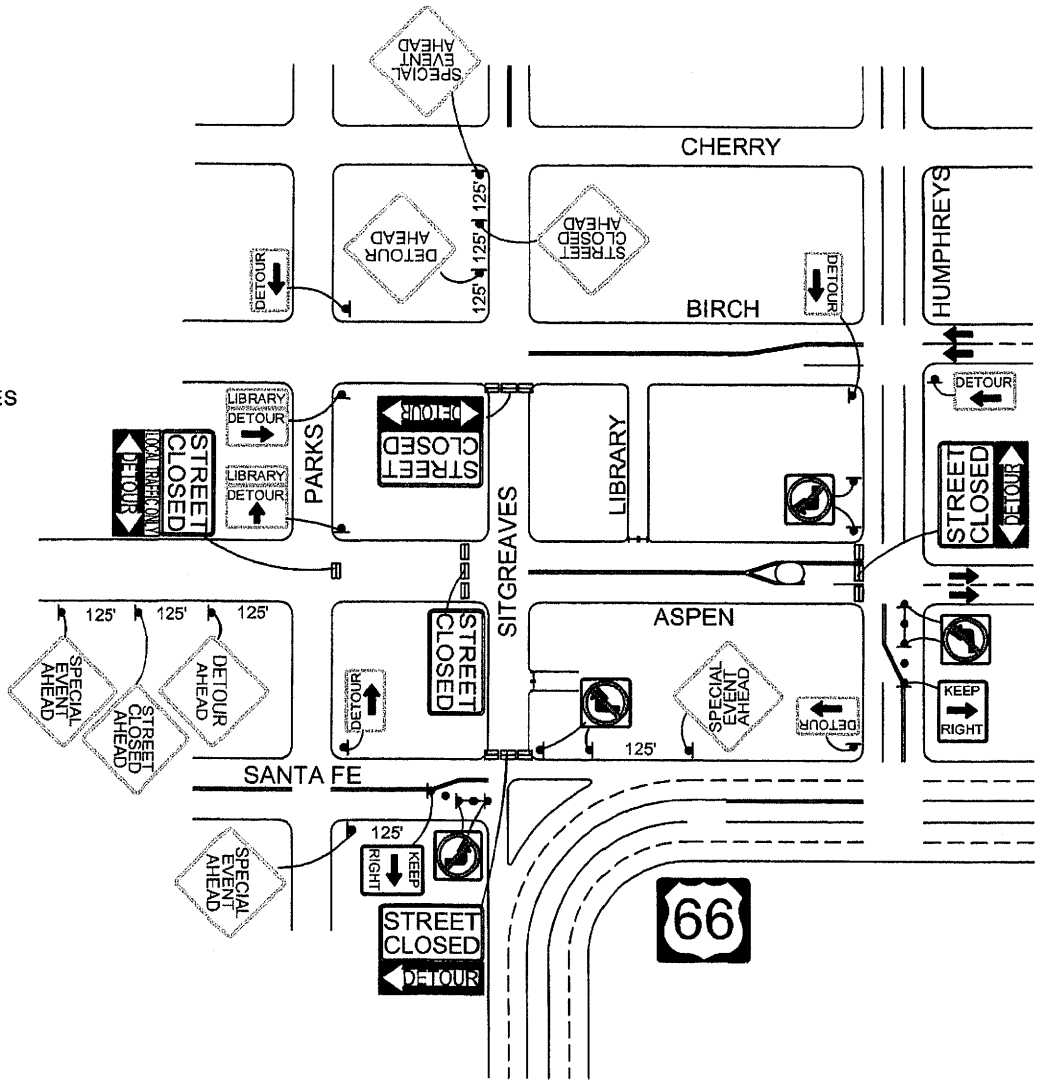
TRAFFICADE WORK ZONE SERVICES 602-431-0911 FAX 602-272-3705	P.O. NUMBER		JOB NUMBER		PROJECT NAME
	ARROW BOARD / HI-LEVEL / TYPE 2 / TYPE 3 / DEVICE	FLASH : X V.P.'S : X	START DATE : 9-7-13	TCP NAME :	R66-SIT-ASP-4
	SPEED LIMIT	STEADY : X CONES :	TIMES : 0600-1800	CONTRACTOR :	ROUTE 66 DAYS
		36" : X 48" :	DURATION : 9-7-13	MUNICIPAL :	FLAGSTAFF
		DRAWN ON : 7-11-13	BY: MATTHEW GROTTS	LOCATION :	SITGREAVES & ASPEN

ROUTE 66 DAYS --- BOB

NORTH

NO PARKING — NO PARKING SIGNS TO BE PLACED ON SITGREAVES, BIRCH TO SANTA FE

NO PARKING — NO PARKING SIGNS TO BE PLACED ON ASPEN, HUMPHREYS TO SITGREAVES



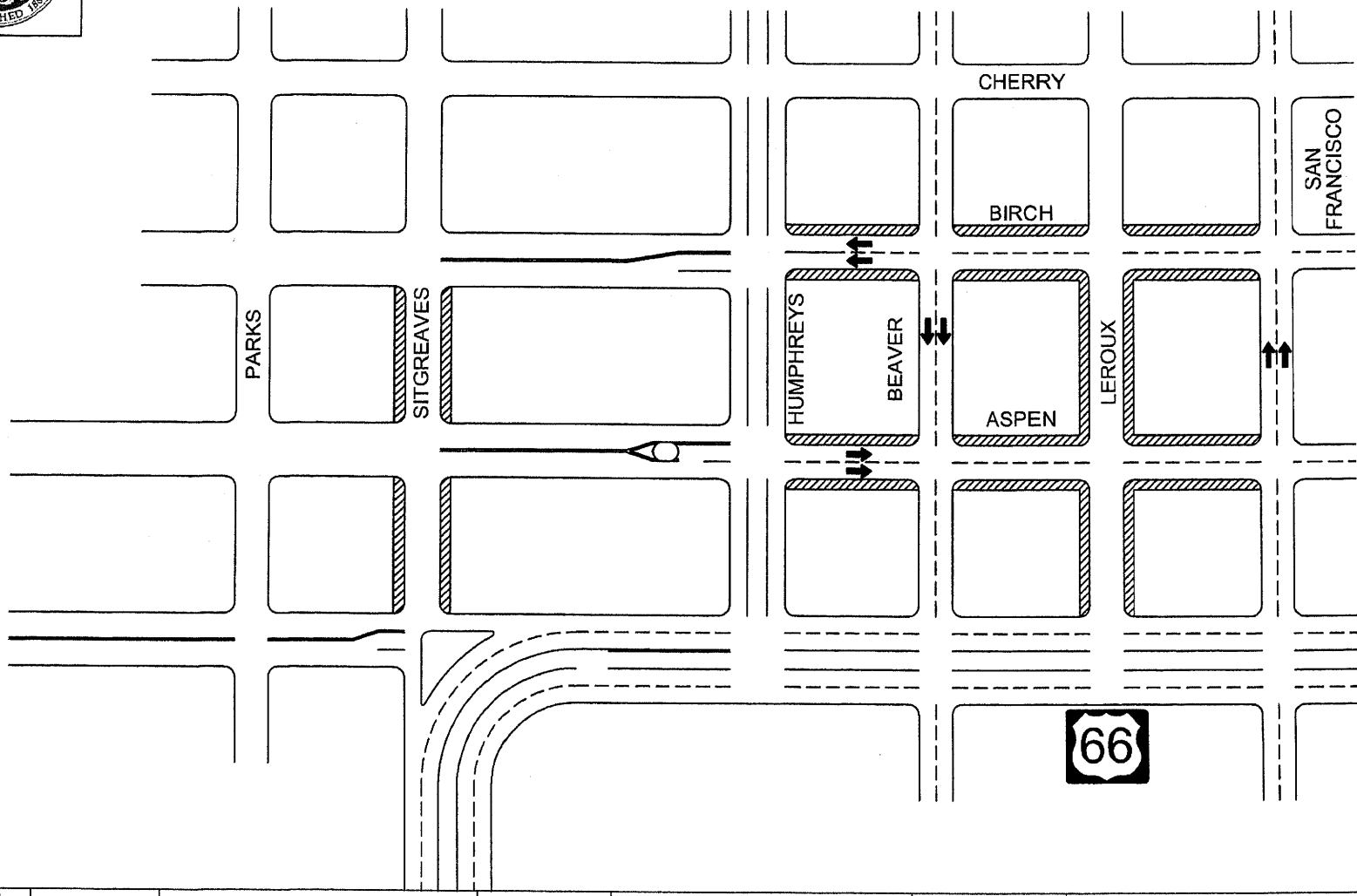
STIGREAVES CLOSURE TIME
CLOESD BY 6:00 AM ON 9-6-13
OPENED BY 6:00 PM ON 9-7-13

ASPEN CLOSURE TIME
CLOESD BY 5:30 PM ON 9-6-13
OPENED BY 6:00 PM ON 9-8-13

TRAFFICADE WORK ZONE SERVICES 602-431-0911 FAX 602-272-3705	P.O. NUMBER		JOB NUMBER		PROJECT NAME
	ARROW BOARD / HI-LEVEL / TYPE 2 / TYPE 3 / DEVICE	FLASH: X V.P.'S: X	START DATE: 9-6-13	TCP NAME:	R66-SIT-ASP-3
	SPEED LIMIT	STEADY: X CONES:	TIMES:	CONTRACTOR:	ROUTE 66 DAYS
		36": X 48":	DURATION: 9-8-13	MUNICIPAL:	FLAGSTAFF
		DRAWN ON: 7-11-13	BY: MATTHEW GROTTS	LOCATION:	SITGREAVES & ASPEN

ROUTE 66 DAYS --- BOB

NO PARKING SIGNS TO BE PLACED IN HATCHED AREAS 24 HOURS PRIOR TO EVENT

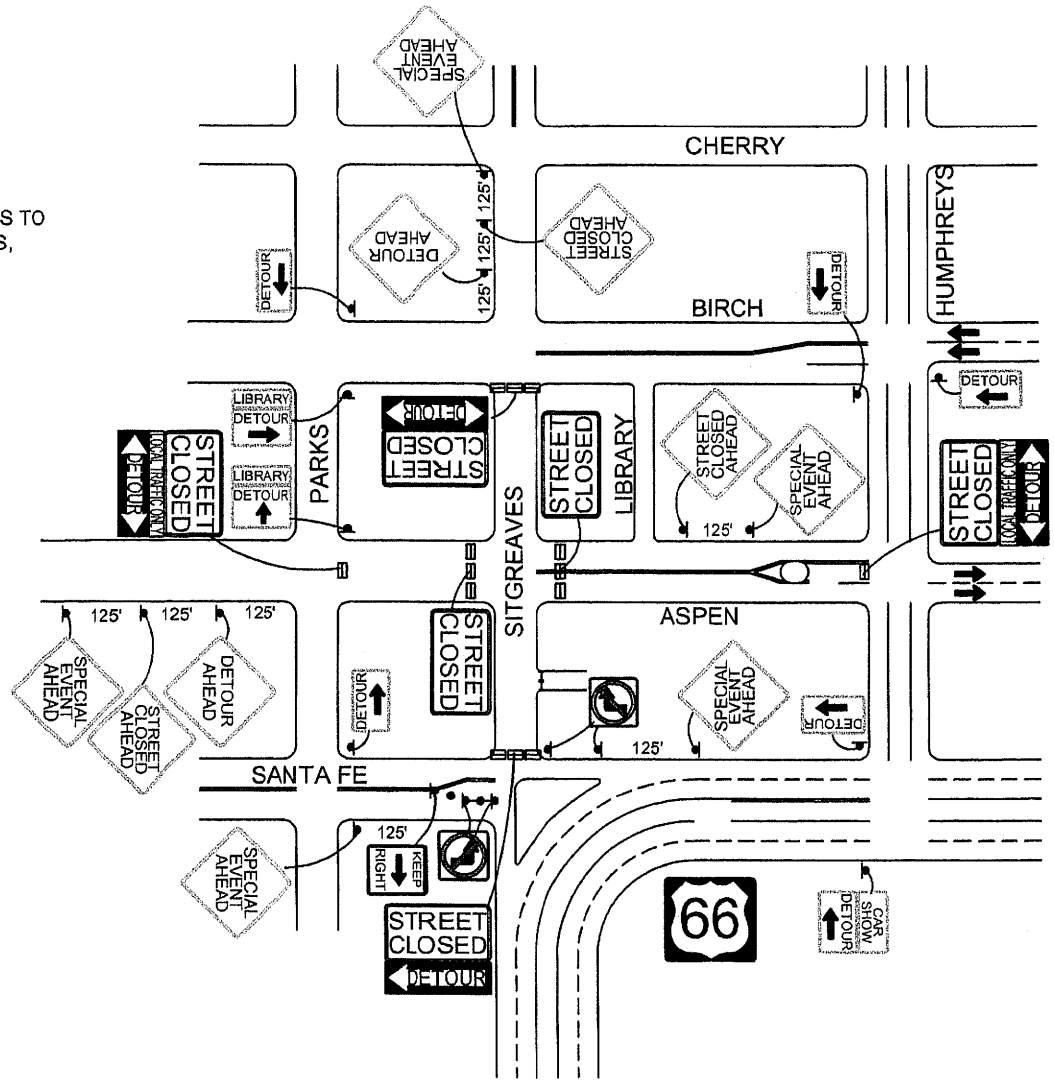


TRAFFICADE WORK ZONE SERVICES 602-431-0911 FAX 602-272-3705	P.O. NUMBER		JOB NUMBER		PROJECT NAME
	ARROW BOARD / HI-LEVEL / TYPE 2 / TYPE 3 / DEVICE	SPEED LIMIT	FLASH: X V.P.'S: X STEADY: X CONES: 36": X 48":	START DATE: 9-6-13 TIMES: DURATION: 9-8-13	TCP NAME: R66-SIT-ASP-2
			DRAWN ON: 7-11-13	BY: MATTHEW GROTTS	CONTRACTOR: ROUTE 66 DAYS
					MUNICIPAL: FLAGSTAFF
					LOCATION: SITGREAVES & ASPEN

ROUTE 66 DAYS --- BOB

NORTH

NO PARKING — 24 HOUR NO PARKING SIGNS TO BE PLACED ON SITGREAVES, BIRCH TO SANTA FE



STIGREAVES CLOSURE TIME
CLOESD BY 6:00 AM ON 9-6-13
OPENED BY 6:00 PM ON 9-7-13

TRAFFICADE WORK ZONE SERVICES 602-431-0911 FAX 602-272-3705	P.O. NUMBER		JOB NUMBER		PROJECT NAME
	ARROW BOARD / HI-LEVEL / TYPE 2 / TYPE 3 / DEVICE	SPEED LIMIT	FLASH : X V.P.'S : X	START DATE : 9-6-13	TCP NAME : R66-SIT-ASP-1
			STEADY : X CONES :	TIMES : SEE NOTE	CONTRACTOR : ROUTE 66 DAYS
			36" : X 48" :	DURATION : 9-7-13	MUNICIPAL : FLAGSTAFF
			DRAWN ON : 7-11-13	BY: MATTHEW GROTTS	LOCATION : SITGREAVES & ASPEN

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: Glorice Pavey, Recreation Supervisor

Co-Submitter: Brian Grube, Recreation Services Director

Date: 04/09/2014

Meeting Date: 04/15/2014

TITLE:

Consideration and Approval of Street Closure(s): Hopi Native Arts and Cultural Festival

RECOMMENDED ACTION:

Approve the street closure at Aspen Ave between San Francisco Street and Leroux Street on September 27, 2014 at 6:00 a.m. through September 28, 2014 at 6:00 p.m.

Policy Decision or Reason for Action:

Subsidiary Decisions Points: By allowing the Hopi Native Arts and Cultural Festival as an exception to the special event permit regulations of partial street closures by allowing the full closure of Aspen Avenue between San Francisco Street and Leroux Street, the City is providing a safe location for a community event.

Financial Impact:

Street closures have the potential to change traffic patterns for local businesses.

Connection to Council Goal:

Diversity of arts, culture and educational opportunities.

Has There Been Previous Council Decision on This:

Other special events have received this exception in the past. The Hopi Native Arts and Cultural Festival received this exception in 2013.

Options and Alternatives:

Approve
or
Deny the request to close the proposed downtown streets.
• Pro: Closure of streets in the north downtown area has the potential to negatively impact business in this area. By not allowing the closure, these north downtown businesses and residents could count on the ordinary flow of traffic and parking.
• Con: This is a well-attended community event that brings visitors into the downtown area. The street closure will allow the show to expand and grow.

Background/History:

The Hopi Native Arts and Cultural Festival is sponsored by the Hopi Tribe's Economic Development Corporation to provide an opportunity for Native American artisans to sell their arts and crafts. Additionally, this gives the Hopi Tribe an opportunity to share their life and culture through educating the public with art, dance and traditional foods. The market is in its fourth year and has annually drawn over 1000 residents and visitors into the downtown area.

Key Considerations:

The current special event permit regulations do not allow for the full closure of one-way downtown streets. Deviations from the special event permit packet have been approved by City Council on a case-by-case basis.

Expanded Financial Considerations:

Street closures have the potential to change traffic patterns for local businesses.

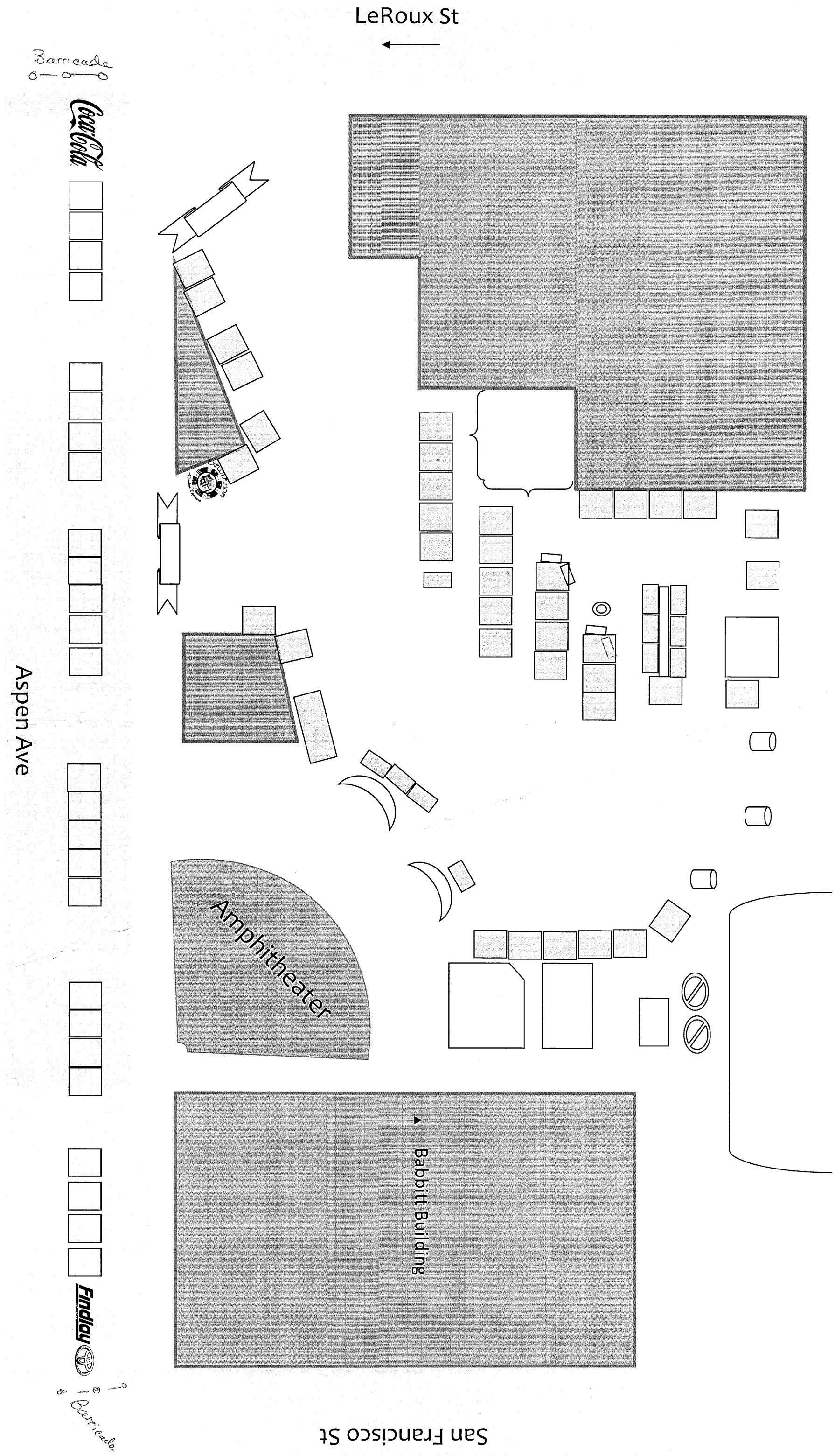
Community Benefits and Considerations:

The Hopi Native Arts and Cultural Festival draws approximately 1000 residents and visitors to the historic downtown area and may generate tourism and business for Flagstaff hotels and restaurants. The Hopi Native Arts and Cultural Festival provides and educational opportunity for residents and visitors through the sale and display of art, crafts and food.

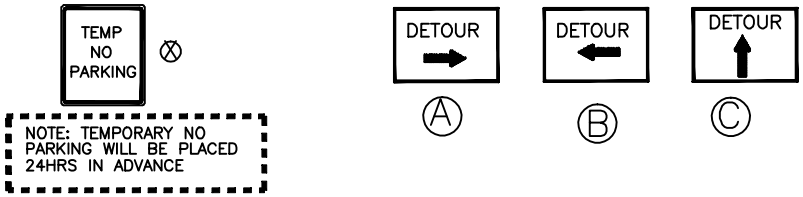
Community Involvement:

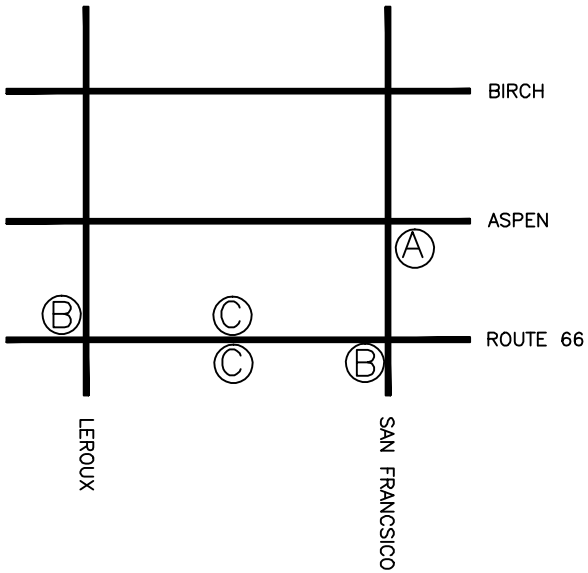
The public participation goal of collaborate has been chosen: The Hopi Tribe hopes to bring together the businesses and residents for a successful arts and craft festival. The April Downtown Newsletter informed residents and local downtown businesses of the date and time that this agenda item will be presented to City Council. Additionally, the Hopi Economic Development Corporation worked with surrounding businesses in 2013 and adjusted their site plan to allow for a more open layout.

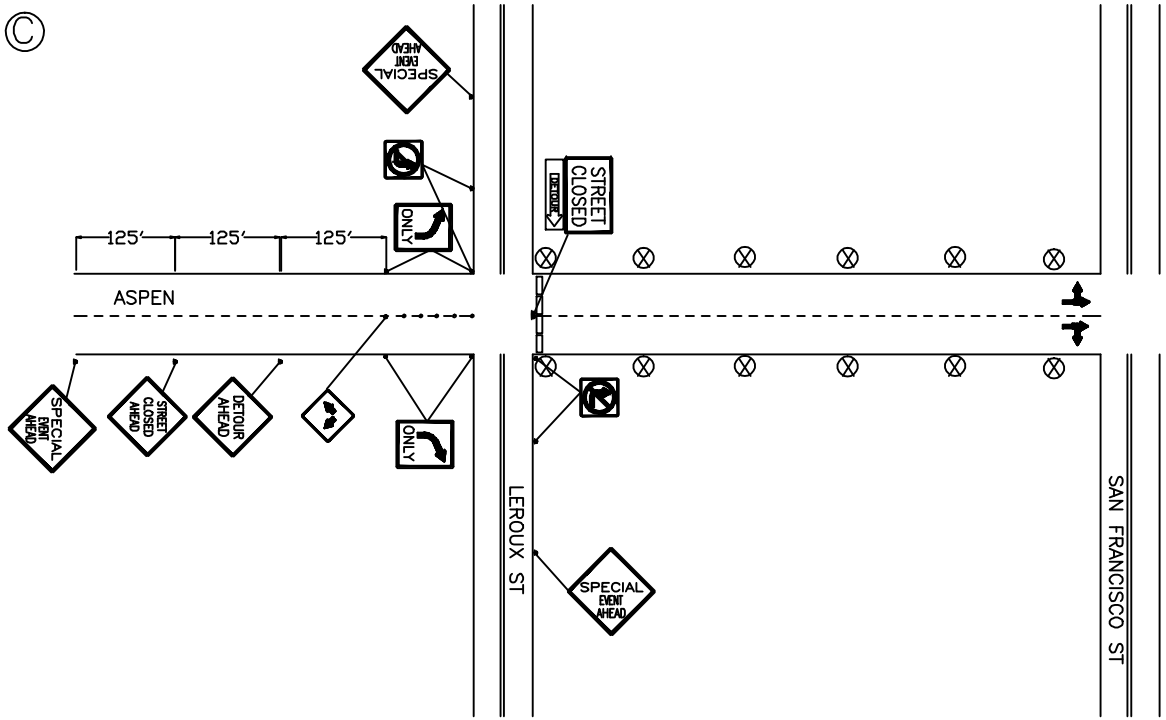
Attachments: Site Plan
Traffic Control Plan


LeRoux St
Barricade
Coca-Cola
Aspen Ave
Amphitheater
Babbitt Building
Findlay
Barricade
San Francisco St

FOREMAN – LISA
PHONE: 928–522–8675
DATE: 28 SEP 10 TO 29 SEP 13
TIME: 6AM TO 6PM







RoadSafe TRAFFIC SYSTEMS
Life on the road
OFFICE: 602–243–1218
FAX: 602–243–3470

NORTH
NOT TO SCALE

SPEED LIMIT 25
EXISTING SPEED LIMIT

LEGEND

SIGN AND LIGHT TYPE (IF APPLICABLE)
SIZE: 36" x 36" X 48" x 48" ___
LIGHT: TYPE A ___ TYPE B ___

CHANNELIZING DEVICE
SPACING TAPER 40' TANGENT 50' CENTERLINE N/A

HIGH LEVEL ☐ TYPE I/TYPE II ▥ TYPE III

TRAFFIC CONTROL PLAN # 1

CONTRACTOR: HOPI TRIBE	DATE: 22 MAY 13
LOCATION: ASPEN AVE & LEROUX	
TIME USAGE: 24HRS	START DATE: 28 SEPT 13
AGENCY: CITY OF FLAGSTAFF	DRAWN BY: GREG MONTEZ

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To:	The Honorable Mayor and Council
From:	Justyna Costa, Housing & Grants Administrator
Date:	04/09/2014
Meeting Date:	04/15/2014

TITLE:

Consideration and Adoption of Resolution No. 2014-14: A resolution approving the City of Flagstaff 2014/2015 Annual Action Plan and authorizing its submission to the U.S. Department of Housing and Urban Development (HUD).

RECOMMENDED ACTION:

1) Read Resolution No. 2014-14 by title only
2) City Clerk reads Resolution No. 2014-14 (if approved above)
3) Adopt Resolution No. 2014-14

Policy Decision or Reason for Action:

An Annual Action Plan (AA Plan) is a HUD-required document that specifies how the annual allocation of Community Development Block Grant (CDBG) funds will be spent. The submission of the AA Plan is required to maintain the City of Flagstaff's annual entitlement allocation of CDBG and is due to HUD on May 15, 2014.

Subsidiary Decisions Points:

Staff is presenting Community Development Block Grant (CDBG) funding options to City Council at the April 8, 2014 agenda review for discussion and consideration.

Financial Impact:

The 2014/2015 CDBG allocation is $570,941, an increase of $5,169 from last year. In addition, the City of Flagstaff is able to combine program income and reallocated funds from previous years to increase the funds available for allocation. Total program income and reallocated funds will equal $44,527.73 for a grand total of $615,468.73 available for the 2014/15 allocation.

Connection to Council Goal:

Effective Governance - The City of Flagstaff is considered an entitlement community and receives an annual allocation of CDBG funding. CDBG funds over the past 15 years have provided benefit to thousands of Flagstaff residents.

Has There Been Previous Council Decision on This:

No

Options and Alternatives:

A) Approve Resolution No. 2014-14 and authorize its submission to HUD.
B) Modify the AA Plan and authorize its submission to HUD at a later time.
C) Not approve Resolution No. 2014-14, not submit the AA Plan to HUD and risk losing CDBG funding for 2014/2015 and possibly future allocations.

Background/History:

Every two years, staff comes to a Council Work Session to request guidance on Council CDBG Priorities and the overall CDBG process for the coming two years. On January 8, 2013 staff received Council guidance to conduct a formal public proposal process to assess the community need for CDBG funds. In addition, Council asked staff to research possible infrastructure options within target neighborhoods. In the 2014 CDBG process, nine external agency proposals were received along with two City of Flagstaff requests.

Housing staff is responsible for determining whether a proposed activity is eligible, and for conducting a risk assessment of the project and applying agency. Federal funds require administrative knowledge and capacity to ensure compliant and timely expenditure of funds. Additionally, a committee comprised of three community representatives (one non-profit representative, one governmental representative, and one representative from a brokerage firm) and three City staff met to review the external

proposals and rank them by consensus. Rankings are created primarily to serve as a risk and benefit assessment and are a crucial part of the staff recommendations forwarded to City Council. Below is a list of the proposals in ranking order. The proposals are divided between Housing and Public Service categories as they have two separate funding limits and different criteria. Internal City of Flagstaff proposals are presented to meet City Council priorities or other unmet needs in the community and are not ranked (NR) competitively with the other proposals as the City would administer these projects directly. A comprehensive Proposal Book that included each of the below proposals was distributed to Council the week of March 24, 2014.

Housing Activities	Proposal/Project	Request	Ranking
BOTHANDS, Inc.	Financial Assist. & Counseling	$150,000	106
The Guidance Center	Inverrary House Minor Rehab	$32,651	100
Catholic Charities	Shelter Rehabilitation	$27,200	90
Northland Family Help Center	Rehab - Sustainable HVAC System	$115,000	48
City of Flagstaff	Owner Occupied Housing Rehab	$125,000	NR
City of Flagstaff	Arroyo Park - Phase 2	$100,000	NR

Public Service Activities	Proposal/Project	Request	Ranking
Northland Hospice	Operational Asst. - Olivia White	$20,000	106
Catholic Charities	PATH Operational Assistance	$30,000	104
Flagstaff Shelter Services	Women's Shelter Operations	$38,911	103
DNA People's Legal	Housing Legal Asst.	$25,070	85
Big Brothers Big Sisters	Program Recruiter	$24,905	80

Key Considerations:

HUD requires that funded activities implement strategies from the Consolidated Plan. All recommended activities further this goal. Also important are project eligibility and viability. CDBG funds must be used to further the CDBG Primary Objective to develop viable urban communities by providing decent housing, a suitable living environment and expanded economic opportunities principally for low and moderate-income persons in Flagstaff (80% of the AMI = $47,600 currently for a family of four).

HUD has two funding caps with regard to the use of CDBG funds. Public Service Activities are capped at 15% of the allocation and Program Administration is capped at 20% of the allocation. The rest of the available funding can be spent on Housing/Economic Development Activities.

Staff is prepared to present and discuss the following recommendations with City Council at the April 8, 2014 agenda review.

Public Service Funding Recommendation

Federal CDBG regulations do not allow more than 15% of funds to be spent on Public Service Activities; $91,000 for Program Year 14/15. The top ranked agencies total a recommendation allocation of $88,911. As CDBG regulations prohibit going above the 15% cap, and $2,089 is not enough to fund an additional activity, staff is recommending to add the remaining balance into the Housing Activities recommendations, where there is no cap. Below are the funding recommendations for the Public Service Category:

Public Service Activities	Proposal/Project	Request	Recommendation	Ranking
Northland Hospice	**Operational Asst, - Olivia White**	**$20,000**	**$20,000**	**106**
Catholic Charities	**PATH Operational Asst.**	**$30,000**	**$30,000**	**104**
Flagstaff Shelter Services	**Women's Shelter Operations**	**$38,911**	**$38,911**	**103**

Housing Funding Recommendation

There is $404,557.73 ($402,468.73+$2,089) in CDBG funds available for Housing Activities. Below are the funding recommendations for the Housing Category:

Housing Activities	Proposal/Project	Request	Recommendation	Ranking
BOTHANDS, Inc.	**Financial Assist. & Counseling**	**$150,000**	**$150,000**	**106**
The Guidance Center	**Inverrary House Minor Rehab**	**$32,651**	**$32,651**	**100**
Catholic Charities	**Shelter Rehabilitation**	**$27,200**	**$27,200**	**90**
City of Flagstaff	**Owner Occupied Housing Rehab**	**$125,000**	**$110,000**	**NR**
City of Flagstaff	**Arroyo Park - Roadway Access Improvements**	**$100,000**	**$84,706.73**	**NR**

Administration Recommendation

CDBG administration and compliance are limited to 20% of the allocation.

Total Administration = $122,000

$39,966 = 7% Estimated City Indirect Rate

$82,034 =13% Grant Compliance and Administration

Expanded Financial Considerations:

The attached Resolution 2014-14 is reflective of the recommendations listed above. The 2014/2015 CDBG recommendations are based on a total of $615,468.73 in available funding and an estimated City of Flagstaff indirect rate of 7%.

- The 2014/2015 allocation is $570,941, a $5,169 increase from 2013/2014.
- In addition to the annual allocation, there is $41,844.70 available from prior year program income and $2,683.03 in reallocated funds for a total of $615,468.73 available to allocate. Program income is gathered through the repayment of loans of the Owner Occupied Housing Rehabilitation and Homebuyer Financial Assistance programs. Reallocated funds primarily derive from activities that complete their scope of work but do not spend down all of their funds. This year's reallocated funding comes from the leftover funding of the 2012/2013 Flagstaff Shelter Services - Rehabilitation of Shelter grant.
- Federal CDBG regulations do not allow more than 15% of funds to be spent on public service activities; $91,000. Staff is recommending an allocation of $88,911.
- CDBG administration and compliance are limited to 20% of the allocation; $122,000.
    - Of the $122,000, an estimated 7% or $39,966 will be required for the City's indirect allocation, leaving 13% or $82,034 to be utilized for compliance and administration associated with the grant.

Community Benefits and Considerations:

CDBG funds, leveraged with other private and public funds over the past 15 years, have resulted in benefits to thousands of Flagstaff residents.

Community Involvement:

The Annual Action Plan process has two opportunities for Community Involvement.
Involve - The public participation process is a requirement of the Plan and encourages public involvement.
Collaborate - The ranking committee is an example of public participation at the collaboration level.

Attachments: Res. 2014-14

RESOLUTION NO. 2014-14

A RESOLUTION APPROVING THE CITY OF FLAGSTAFF 2014/2015 ANNUAL ACTION PLAN AND AUTHORIZING ITS SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

RECITALS:

WHEREAS, the Flagstaff City Council is committed to the welfare of its low and moderate income residents; and

WHEREAS, the Flagstaff City Council is committed to meeting the national objectives of the United States Department of Housing and Urban Development ("HUD") to: (1) benefit low and moderate income persons; (2) address slum and blight conditions; and (3) meet an urgent community need; and

WHEREAS, the City of Flagstaff has been designated as a Community Development Block Grant ("CDBG") Entitlement Community by HUD; and

WHEREAS, preparation of the Annual Action Plan is a federal requirement in order for local entitlement jurisdictions to continue to receive CDBG and other HUD grant funding; and

WHEREAS, the City of Flagstaff has prepared a 2014/2015 Annual Action Plan in order to meet the federal requirement; and

WHEREAS, the Flagstaff City Council has reviewed and approved the 2014/2015 Annual Action Plan.

ENACTMENTS:

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

SECTION 1. That the submission of 2014/2015 Annual Action Plan be hereby authorized to reflect the following use of the 2014/2015 CDBG funds, and the reallocation of CDBG funds from previous program years.

2014/2015 Funds For Allocation

Total 2014/2015 Entitlement Award		$570,941.00
Total Reallocation from Program Income and Previous Project Years		$44,527.73
13/14 Program Income	*$41,844.70*	
Unspent reallocated funding	*$2,683.03*	
12/13 FSS Shelter Rehab		
Total Available		**$615,468.73**

2013/2014 CDBG ENTITLEMENT FUNDS ALLOCATION

Total Available	**$615,468.73**
Grant Compliance and Administration	$82,034.00
Estimated City Indirect Rate of 7%	$39,966.00
Housing Activities	
BOTHANDS, Inc. - Financial Assistance and Counseling Program	$150,000.00
The Guidance Center. – Inverrary House Rehab	$32,651.00
Catholic Charities – Shelter Rehabilitation	$27,200.00
City of Flagstaff - Owner Occupied Housing Rehabilitation	$110,000.00
City of Flagstaff – Arroyo Park Roadway Access Improvements (Phase 2)	$84,706.73
Public Service Activities	
Northland Hospice –Operational Assistance Olivia White	$20,000.00
Catholic Charities – PATH Operational Assistance	$30,000.00
Flagstaff Shelter Services – Women's Shelter Operation	$38,911.00
Total City of Flagstaff Fund Allocation	**$615,468.73**

SECTION 2. That the Housing Section be authorized to submit this resolution and Annual Action Plan to HUD.

SECTION 3. That the City Manager be authorized to execute the non-intergovernmental agreements for the allocations with the parties and in the amounts authorized by Council in this Resolution.

SECTION 4. That this resolution shall take effect 30 days after its adoption.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 15th day of April, 2014.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: Tiffany Antol, Planning Development Manager

Date: 04/09/2014

Meeting Date: 04/15/2014

TITLE:

Consideration and Approval of Preliminary Plat: Request from Mogollon Engineering and Surveying Inc., on behalf of True Life Communities PCAZ, for the subdivision of approximately 8.06 acres into 36 single-family residential townhome lots located at 3002 S. Clubhouse Circle, within the R1, Single-Family Residential Zone.

RECOMMENDED ACTION:

Approve the preliminary plat as recommended unanimously by the Planning and Zoning Commission.

Policy Decision or Reason for Action:

The City Council will find, based on the recommendation from the Planning and Zoning Commission, that the proposed Preliminary Plat meets the requirements of the Zoning Code (City Code Title 10), the Subdivision Code (City Code Title 11), and the Engineering Design Standards and Specifications for New Infrastructure (City Code Title 13).

Financial Impact:

No financial liabilities are anticipated by the approval of this Preliminary Plat.

Connection to Council Goal:

Retain, expand, and diversify economic base.

Has There Been Previous Council Decision on This:

In June of 2000, the City Council approved a rezoning request and development agreement allowing the development of Pine Canyon, which includes a mixture of condominium, estate twin houses (duplex units), estate homes, clubhouse and recreational facilities, maintenance and storage facilities, and an 18-hole private golf course with accessory facilities, located on approximately 660 acres.

In 2006, the subject site was recorded as a final plat intended for 60 condominium dwelling units. Three buildings containing 12 dwelling units have been constructed and will remain as part of the original Mountain Vista Condominium at Pine Canyon subdivision. The property owner intends to abandon the remaining 48 condominium units within a total of 12 buildings, and re-plat the remainder of the subdivision for the proposed townhomes.

Options and Alternatives:

1. Approve the Preliminary Plat, as recommended by the Planning and Zoning Commission.
2. Approve the Preliminary Plat with new conditions.
3. Deny the Preliminary Plat based on non-compliance with the Zoning Code, the Subdivision Code, and/or the Engineering Design Standards and Specifications for New Infrastructure.

Background/History:

The applicant is seeking a preliminary plat approval for a 36-unit residential townhouse subdivision within the larger Pine Canyon development. Several development standards have changed since the property was originally subdivided for condominiums, including a new Zoning Code, new driveway ordinance, new storm water standards, new engineering standards, new landscaping standards, and new building placement standards. The applicant does not intend to change the design of the improved subdivision but simply intends to change the ownership type in light of recent lending restrictions.

The subject site is zoned R1, Single-Family Residential. The proposed development of 36 dwelling units is within the density required by the *Flagstaff Zoning Code* (Section 10-40.30.030). The R1 density requirement is 2-5 units per acre within the Resource Protection Overlay; the proposed density is 4.46 units per acre. Single-family (attached) is a permitted use in the R1 zone as a Planned Residential Development (PRD). The Townhouse Building Type permits a minimum lot area of 1, 440 square feet (18' width x 80' depth). The lots within the White Pines Townhomes at Pine Canyon subdivision comply with the minimum lot area. The replat townhome project complies, to the maximum extent feasible, with the Townhouse Building Type standards (including open space, size/massing) and building form and placement standards such as setbacks and height.

The infrastructure, such as utilities, roadways and private driveways, were installed several years ago as part of the previous planned condominium project. Prior to construction, design review guidelines applicable under the previous Land Development Code were applied and approved. the submitted preliminary plat site layout meets the guidelines that were applicable at the time of the original subdivision. The new proposed building elevations, meet to the greatest extent feasible, the new Architectural Design Standards for buildings established in the *Zoning Code.*

Community Involvement:

The existing zoning of the subject property allows for the proposed subdivision. No public hearings or public outreach are required as part of the subdivision plat review. The applicant did however, contact the existing condominium owners to inform them of the changes to the remainder of their subdivision. Only one response was received which was supportive of the re-plat to townhomes because the remaining undeveloped lots make it difficult to refinance.

Attachments: Planning Commission Staff Report
Preliminary Plat
Elevations and Floor Plans

PLANNING & DEVELOPMENT SERVICES REPORT
PRELIMINARY PLAT

PPPL2014-0003

DATE: **March 7, 2014**
MEETING DATE: **March 26, 2014**
REPORT BY: **Tiffany Antol**

REQUEST:

A request for Preliminary Plat approval for White Pines Townhomes at Pine Canyon, a 36-unit residential townhouse subdivision on an 8.06-acre site located at 3002 S. Clubhouse Circle in the R1, Single-Family Residential Zone.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission forward the preliminary plat to the City Council with a recommendation for approval.

PRESENT LAND USE:

The subject site is located within the larger Pine Canyon development which encompasses a 660-acre. The site is part of an existing residential condominium subdivision consisting of 48 undeveloped and 12 existing condominium dwelling units with existing private street improvements and utility infrastructure completed.

PROPOSED LAND USE:

White Pines Townhomes at Pine Canyon residential subdivision development, consisting of 36 townhome dwelling units located on 8.06 acres of undeveloped land.

NEIGHBORHOOD DEVELOPMENT:

North: Clubhouse Circle and John Wesley Powell Blvd
South: Golf course, R1 Zone
East: 46 detached cottage units, R1 Zone
West: 46 detached cottage units, R1 Zone.

REQUIRED FINDINGS:

The Planning and Zoning Commission shall find the proposed preliminary plat meets the requirements of the City Code Title 10, Flagstaff Zoning Code; City Code Title 11, General Plans and Subdivisions; and City Code Title 13, Engineering Design Standards and Specifications.

STAFF REVIEW:

Introduction

In June of 2000, the City Council approved a rezoning request and development agreement allowing the development of Pine Canyon, which includes a mixture of condominium, estate twin houses (duplex units), estate homes, clubhouse and recreational facilities, maintenance and storage facilities, and an 18-hole private

golf course with accessory facilities, located on approximately 660 acres. The primary entrance to Pine Canyon is located at the intersection of Lone Tree Road and John Wesley Powell Blvd.

The applicant, Mogollon Engineering, representing True Life Communities PCAZ, is seeking preliminary plat approval for a 36-unit residential townhouse subdivision within the larger Pine Canyon Development. In 2006, the subject site was recorded as a final plat intended for 60 condominium dwelling units. All of the infrastructure for the project has been installed as part of the condominium project. Three buildings continaing 12 dwelling units have been constructed and will remain as part of the original Mountain Vista Condominium at Pine Canyon subdivision. The property owner intends to abandon the remaing 48 condominium units within a total of 12 buildings (Sheet 5), and re-plat the remainder of the subdivision for the proposed townhomes. The original condominimum subdivision included a mix of three and four unit structures while under the new townhouse plat all structures will be designed in groups of three units.

Several development standards have changed since 2006, including a new Zoning Code, new driveway ordinance, new storm water standards, new engineering standards, new landscaping standards, and new building placement standards. The applicant does not intend to change the design of the improved subdivision but simply intends to change the ownership type in light of recent lending restrictions. As such, the applicant was allowed to utilize the plans prepared and approved in conjunction with the existing condominium plat since the site has already been distrubed and necessary infrastrucre has already been installed.

Flagstaff Area Regional Land Use and Transportation Plan

The current land use designation for the site is predominantly Low Density Residential. The proposal of 36 units conforms to the Low Density Residential Regional Land Use Designation, as well as the development agreement between the City of Flagstaff and Pine Canyon.

ZONING REQUIREMENTS

The property is zoned R1, Single-Family Residential. The proposed development of 36 dwelling units is within the density required by the *Flagstaff Zoning Code* (Section 10-40.30.030). The R1 density requirement is 2-5 units per acre within the Resource Protection Overlay; the proposed density is 4.46 units per acre. Under the Land Development Code, the property was previously zoned R1, Residential District, which allowed the condominium subdivision under the Planned Multiplex option with a permitted minimum lot area of 2,000 square feet per dwelling unit.

Single-family (attached) is a permitted use in the R1 zone as a Planned Residential Development (PRD). Division 10-40.60.270 of the *Zoning Code* addresses specific use standards for Planned Residential Developments. PRDs may use different building types (i.e., Courtyard Apts, Duplex, Townhouse) as part of an integrated site planning process in non-transect zones and for achieving gross densities on undeveloped land where substantial natural resources are present on the site. Division 10-50.110 of the *Zoning Code* provides standards for specific building types and specifies the transect zones in which they are allowed. The T4N.2 transect zone allows townhouses in new neighborhoods. Townhouse standards are located in Division 10-50.110.120 of the *Zoning Code*. The proposed townhomes are utilizing the same building envelopes approved through the condomimium subdivision. These lots are unique in that they do not directly front onto a street so the garages are truly neither front nor rear loaded. Both end units have side loaded garages but all center units have two sepearte single car garages loaded at the main entrance.

The Townhouse Building Type permits a minimum lot area of 1,440 square feet (18’ width x 80’ depth). The lots within the White Pines Townhomes at Pine Canyon subdivision comply with the minimum lot area. The

replat townhome project complies, to the maximum extent feasible, with the Townhouse Building Type standards (including open space, size/massing) and building form and placement standards such as setbacks and height allowed in the T4N.2 transect zone (Division 10-40.40.030 of the *Zoning Code*). All of the lots meet the 10' by 10' minimum depth and width for private open space through open decks and porches and all meet the requirement for 15% of lot area with the inclusion of decks and porches.

Setback requirements for the T4N.2 transect zone are:

Front:	5'min.; 12' max.	Provided (min.):	5'
Side:	3' min. (0' for side by side units)	Provided (min.):	3' (0' for side by side units)
Rear:	3' min.	Provided (min.):	3'

Maximum permitted height in the T4N.2 transect zone is 4 stories with a maximum overall height of 52'. The proposed townhouses will have two stories with a maximum overall height of 31'-2".

All of the proposed townhomes are developed as part of a triplex structure. The previous condominiums consisted of both three and four unit attached structures. There are two designs proposed for the townhouse structures. Building A, has smaller units (1,973 s.f. to 2,300 s.f.) and lower overall building height at 25'-8½". Twenty-one of the total units will be developed as Building A types. The remaining 15 units will be included in the larger Building B, which units range between 2,463 s.f. to 2,638 s.f.

The building elevations provide visual interest by incorporating zoning code compliant design review elements including; primary entrances at human scale, recessed garage doors, sloped roofs with overhanging eaves, multiple roof planes and varying pitch angles, and indigenous building materials. Each unit has an individual pedestrian entry.

Landscaping

A landscaping plan was submitted and approved in conjunction with the condominium project. A final landscaping plan was approved prior to the issuance of civil construction plans. Existing and new vegetation was utilized to meet the requirements. The requirements for landscaping under the Land Development Code are different from the current Zoning Code but staff believes that the intent and requirement has been fulfilled for landscaping on site. Each new building should include foundation landscaping.

Natural Resources

The subject property is located within the Resource Protection Overlay. A Resource Protection plan was provided at the time the site was subdivided into the Mountain Vista Condominiums. The resources on site were accounted for and preserved prior to initiation of construction of infrastructure to service the subdivision. Resources on the site include moderate slopes and forest. The resource protection plan submitted with the Preliminary Plat application indicated that the minimum protection standards would be met. Since the entire existing infrastructure for the condominium will be utilized to service the proposed townhomes which will occupy the same footprint of the condominiums the original resource protection remains valid and complete for the subject site.

RESOURCE PROTECTION LAND IN THE R1 ZONE
WHITE PINES TOWNHOMES AT PINE CANYON

RESOURCE	TOTAL ACRES	REQUIRED PROTECTION LEVEL & ACRES	PROTECTED LEVEL & PROTECTED ACRES
Rural Floodplain	None	--	--
Slope 17-24.9%	1.237	70% .866	70% .866
Slope 25% -34.9%	0.00	80% 0.00	80% 0.00
Forest Resource	3.262	50% 1.63	*50% 1.63

* Developer credited approximately .17 acres of excess forest from the golf course tract to meet minimum protection thresholds. The above calculations reveal that resources will be protected above the minimum resource protection thresholds within the R1 Zone.

Open Space

As a Planned Residential Development a total of 15% of the total site is required to be preserved as open space. A common element tract of 3.79 acres will be set aside on behalf of the Homeowners Association as open space and resource protection. A total of 47% of the subject area will be set aside as open space and resource preservation.

Site Planning Design Standards

The infrastructure, such as utilities, roadways and private driveways, were installed several years ago as part of the previous planned condominium project. Prior to construction, design review guidelines applicable under the previous Land Development Code were applied and approved. The submitted preliminary plat site layout meets the guidelines that were applicable at that time of the original subdivision. The new proposed building elevations, meet to the greatest extent feasible, the new Architectural Design Standards for buildings established in the *Zoning Code*.

SYSTEMS ANALYSIS:

Access and Traffic

A Traffic Impact Analysis was prepared and approved for the entire Pine Canyon master planned community. Improved access to the development is provided by John Wesley Powel (JWP) Blvd. from Lake Mary Road, and by the extension of Lone Tree Road from the intersection of Lone Tree Road and Zuni Drive to the new intersection of JWP Blvd. All interior streets within Pine Canyon are private and maintained by the Homeowner's Association.

A private looped street named Clubhouse Circle provides access to the subdivision. The street design within the subdivision consists of a cul-de-sac street named Tourmaline Drive as well as a looped street named Bent Tree Circle. The cross section of the private streets provides a 27-foot wide street section with rolled curb and gutter on both sides and a four-foot wide tail on one side of street. A series of driveways extends off these two streets to provide direct access to each townhouse unit, including the existing condominium units.

Water and Wastewater

Eight-inch public waterlines have been constructed beneath the private streets and driveways. Connections have been made to the eight-inch public waterline extension constructed by the developer along the alignment of the private streets. A larger water line was required to assure pressure and fire flow within the higher elevations of Pine Canyon.

Eight-inch public sewer lines have been constructed beneath the public and private streets. These public mains flow by gravity into a private lift station. This private lift station transfers the wastewater through a force main north into a public gravity sewer line. All maintenance associated with the private force mains and lift station is the responsibility of the developer/Homeowner Association.

Stormwater

A Stormwater Analysis was completed for the entire Pine Canyon development and was accepted by the Stormwater Manager. The development was required to provide subregional on-site detention in the golf course ponds that serve as a dual purpose for storage of irrigation water and stormwater detention. Development of the first phase and golf course constructed this system.

RECOMMENDATION:

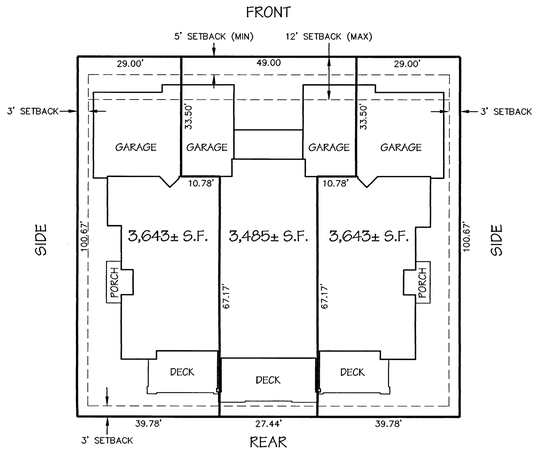
Staff recommends the Planning and Zoning Commission forward the Preliminary Plat to the City Council with a recommendation for approval.

ATTACHMENTS:

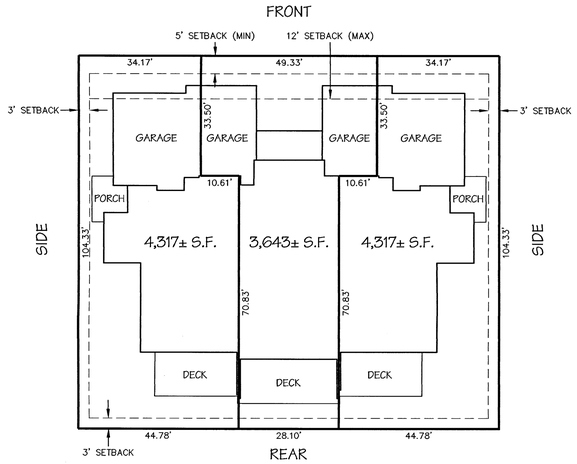
- Application
- Location/Vicinity Map
- Preliminary Plat and Amended Final Plat (5 sheets, 24x36”)
- Floor Plans & Typ. Colored Elevations (uphill models, downhill models, 11x17”)

PRELIMINARY PLAT
FOR
WHITE PINES TOWNHOMES
AT
PINE CANYON

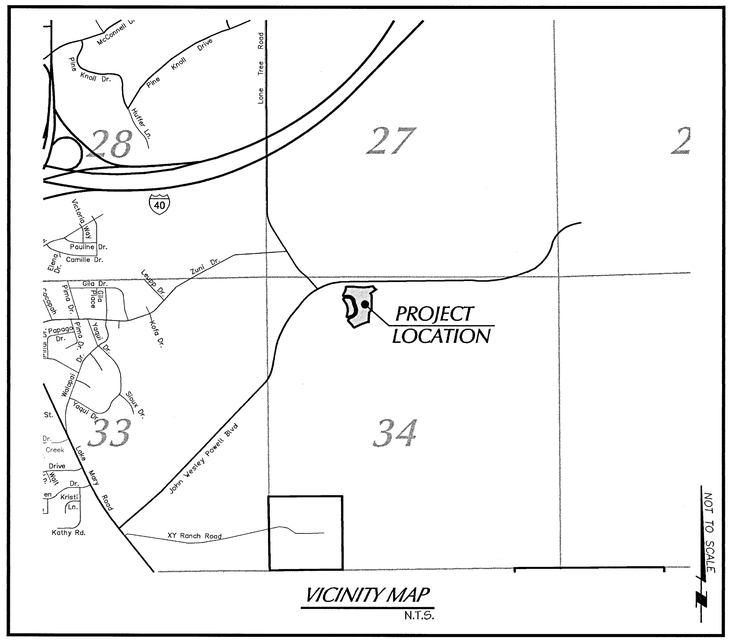
A SUBDIVISION OF TRACT 24H OF THE AMENDED FINAL PLAT
OF THE MOUNTAIN VISTA CONDOMINIUM AT PINE CANYON
AS RECORDED IN INSTRUMENT No. _____, RECORDS OF COCONINO COUNTY
LOCATED IN THE NW1/4 OF SECTION 34,
TOWNSHIP 21 NORTH, RANGE 7 EAST, G&S.R.M.
FLAGSTAFF, COCONINO COUNTY, ARIZONA



BUILDING "A" TOWNHOME LOT
10,771 S.F. 1"=20'



BUILDING "B" TOWNHOME LOT
12,277 S.F. 1"=20'



VICINITY MAP
N.T.S.

UTILITY COMPANY ACKNOWLEDGMENT

UNISOURCE ENERGY	DATE
CENTURYLINK	DATE
ARIZONA PUBLIC SERVICE	DATE
SUDDENLINK	DATE

PROJECT INFORMATION

OLD PROJECT NAME:	MOUNTAIN VISTA CONDOMINIUM AT PINE CANYON
NEW PROJECT NAME:	WHITE PINES TOWNHOMES AT PINE CANYON
PROJECT LOCATION:	3002 S. CLUBHOUSE CIRCLE FLAGSTAFF, AZ. 86001
APN NUMBER:	105-21-062
ACREAGE FOR NEW TOWNHOMES:	8.0647±
NUMBER OF NEW TOWNHOMES:	36
CURRENT ZONING DISTRICT:	R1
PROPOSED ZONING DISTRICT:	R1
CURRENT USE:	VACANT
PROPOSED USE:	TOWNHOMES
FEMA DESIGNATION:	ZONE "X"
OWNER/DEVELOPER:	THE TRUE LIFE COMMUNITIES MR. AIDAN BARRY 1201 E. JOHN WESLEY POWELL BLVD FLAGSTAFF, AZ. 86001 (928) 779-5700

INDEX TO SHEETS

1 COVER SHEET
2 BOUNDARY & LEGAL DESCRIPTION
3 LOTS & UNITS
4 UTILITY PLAN
5 LOTS & UNITS WITH CONTOURS

CALL TWO WORKING DAYS BEFORE YOU DIG
1-800-STAKE-IT
1-800-782-5348
(OUTSIDE MARICOPA COUNTY)

COF DRB # DEV 12-083

Mogollon Inc ENGINEERING & SURVEYING
411 W Santa Fe Avenue, Flagstaff, Az. 86001
P.O. Box 1952, Flagstaff, Az. 86002
Phone: 928-214-0214 • Fax: 928-213-0015

REGISTERED LAND SURVEYOR
23950
KYLE J. DETISHPULLER
Date Signed 3/31/14
ARIZONA, U.S.A.
Expires on 3/31/15

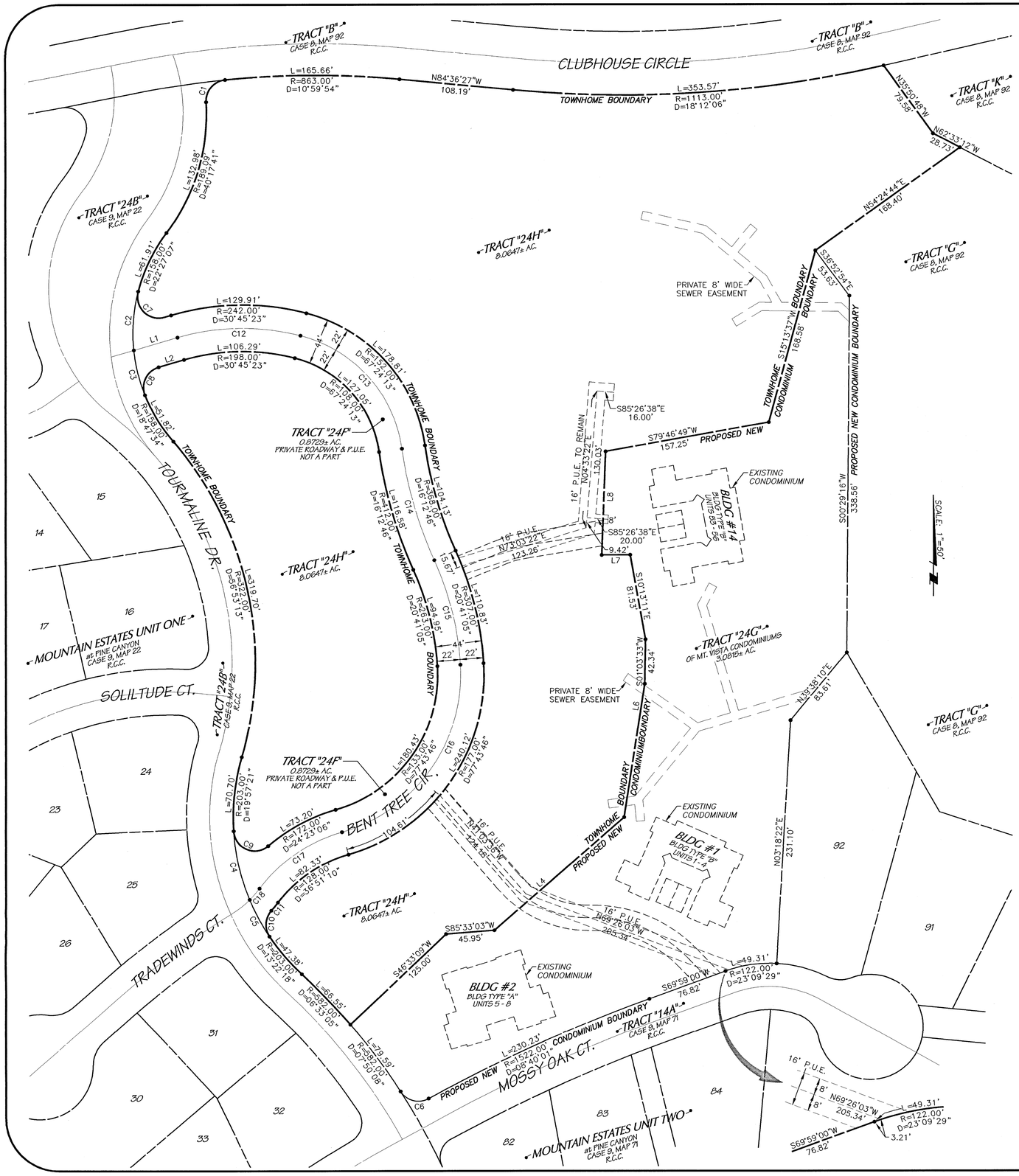
WHITE PINES TOWNHOMES
AT PINE CANYON
PRELIMINARY PLAT
2/13/14
MES# 12999

REVISIONS: PER C.O.F. COMMENTS DATED 12/30/13

DATE: 2/13/14
DESIGNED BY:
DRAWN BY:
CHECKED BY: KJH
PROJECT NO: 12999
FN: SHEET-01
VERT SCALE: N/A
HOR SCALE: 1"=50'

PRELIMINARY PLAT
FOR
WHITE PINES TOWNHOMES
AT
PINE CANYON

A SUBDIVISION OF TRACT 24H OF THE AMENDED FINAL PLAT
OF THE MOUNTAIN VISTA CONDOMINIUM AT PINE CANYON
AS RECORDED IN INSTRUMENT No. _____, RECORDS OF COCONINO COUNTY
LOCATED IN THE NW1/4 OF SECTION 34,
TOWNSHIP 21 NORTH, RANGE 7 EAST, G&S.R.M.
FLAGSTAFF, COCONINO COUNTY, ARIZONA



LINE DATA

#	BEARING	DISTANCE
L1	N73°47'44"E	43.24'
L2	N73°47'44"E	25.18'
L3	DELETED	
L4	S48°56'24"W	163.21'
L5	DELETED	
L6	S08°50'20"W	128.21'
L7	N89°32'24"E	27.00'
L8	S02°13'58"W	98.16'

CURVE DATA

#	RADIUS	LENGTH	DELTA
C1	20.00'	30.61'	87°42'11"
C2	158.00'	56.07'	20°20'02"
C3	158.00'	44.13'	16°00'15"
C4	203.00'	67.17'	18°57'29"
C5	203.00'	39.69'	11°12'06"
C6	20.00'	29.98'	85°52'24"
C7	20.00'	42.15'	120°44'19"
C8	20.00'	33.37'	95°35'58"
C9	20.00'	44.18'	126°33'46"

CURVE DATA

#	RADIUS	LENGTH	DELTA
C10	20.00'	26.48'	75°52'00"
C11	122.00'	10.09'	04°44'15"
C12	220.00'	118.10'	30°45'23"
C13	130.00'	152.93'	67°24'13"
C14	390.00'	110.36'	16°12'46"
C15	285.00'	102.89'	20°41'05"
C16	155.00'	210.28'	77°43'46"
C17	150.00'	96.48'	36°51'10"
C18	100.00'	14.29'	08°11'09"

SHEET NO. 2 OF 5

COF PROJECT # DEV 12-083

Mogollon Inc ENGINEERING & SURVEYING
411 W Santa Fe Avenue, Flagstaff, Az. 86001
P.O. Box 1852, Flagstaff, Az. 86002
Phone: 928-214-0214 • Fax: 928-913-3015

REGISTERED LAND SURVEYOR 23950 KENT V. MOSGROVE III ARIZONA U.S.A. Expires on 3/31/15

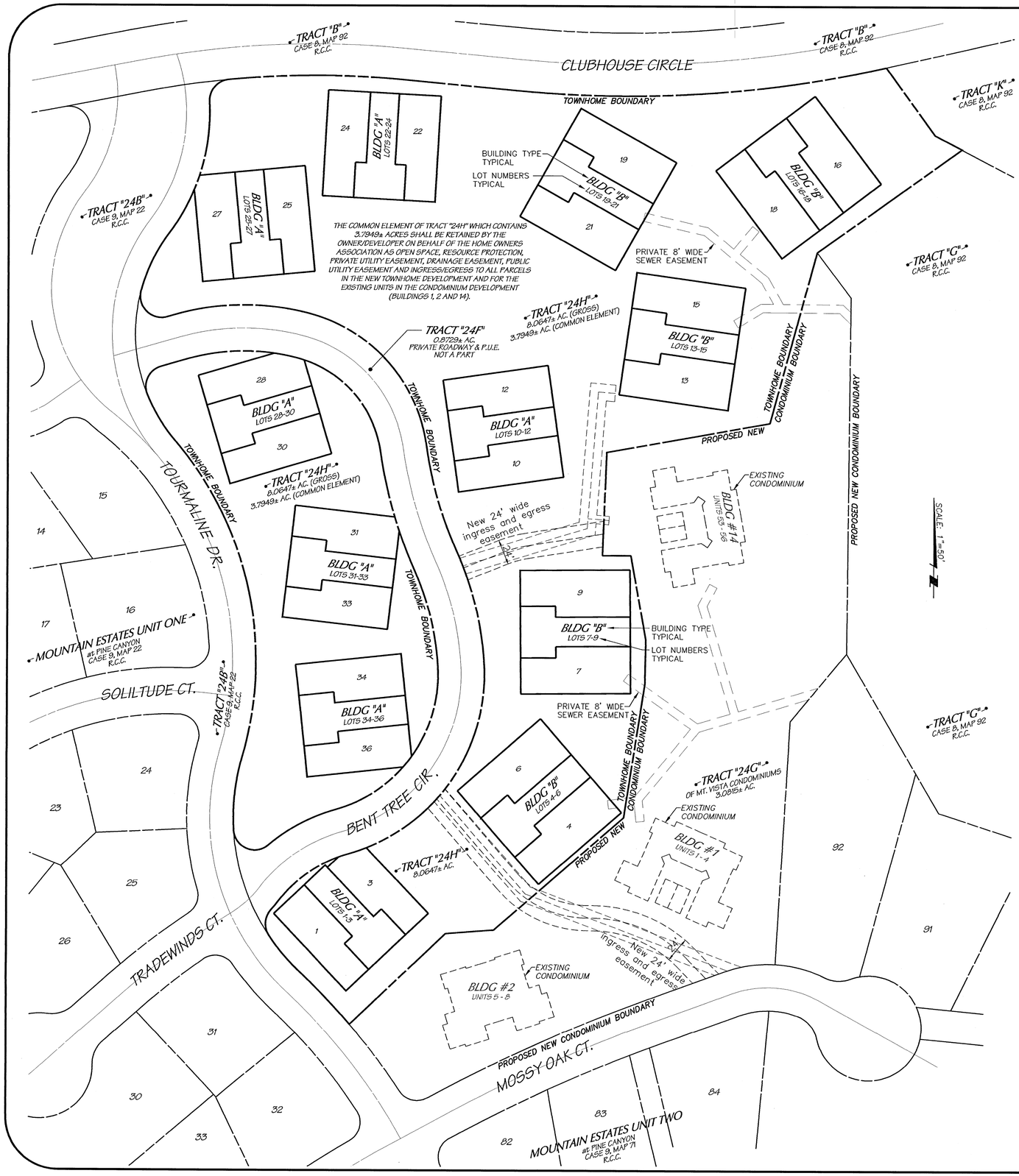
WHITE PINES TOWNHOMES AT PINE CANYON
BOUNDARY & LEGAL DESCRIPTION

2/13/14
MES# 12999

DATE: 2/13/14	PROJECT NO. 12999
DESIGNED BY:	REVISIONS: PER C.O.F. COMMENTS DATED 12/30/13
DRAWN BY:	FN: SHEET-02
CHECKED BY: KVH	VERT SCALE: N/A
	HOR SCALE: 1"=50'

PRELIMINARY PLAT
FOR
WHITE PINES TOWNHOMES
AT
PINE CANYON

A SUBDIVISION OF TRACT 24H OF THE AMENDED FINAL PLAT
OF THE MOUNTAIN VISTA CONDOMINIUM AT PINE CANYON
AS RECORDED IN INSTRUMENT No. _____, RECORDS OF COCONINO COUNTY
LOCATED IN THE NW1/4 OF SECTION 34,
TOWNSHIP 21 NORTH, RANGE 7 EAST, G&S.R.M.
FLAGSTAFF, COCONINO COUNTY, ARIZONA



THE COMMON ELEMENT OF TRACT "24H" WHICH CONTAINS 3.7949± ACRES SHALL BE RETAINED BY THE OWNER/DEVELOPER ON BEHALF OF THE HOME OWNERS ASSOCIATION AS OPEN SPACE, RESOURCE PROTECTION, PRIVATE UTILITY EASEMENT, DRAINAGE EASEMENT, PUBLIC UTILITY EASEMENT AND INGRESS/EGRESS TO ALL PARCELS IN THE NEW TOWNHOME DEVELOPMENT AND FOR THE EXISTING UNITS IN THE CONDOMINIUM DEVELOPMENT (BUILDINGS 1, 2 AND 14).

SHEET NO. 3 OF 5

COF PROJECT # DEV 12-083

Mogollon Inc ENGINEERING & SURVEYING
411 W. Santa Fe Avenue, Flagstaff, Az. 86001
P.O. Box 1952, Flagstaff, AZ. 86002
Phone: 928-214-0214 • Fax: 928-913-0015

REGISTERED LAND SURVEYOR 23950 ROY K. HOTSENPILLER DATE Signed 3/31/15 ARIZONA U.S.A.

Expires on 3/31/15

WHITE PINES TOWNHOMES AT PINE CANYON LOTS & UNIT TYPE

2/13/14 MES# 12999

DATE: 2/13/14	REVISIONS: PER C.O.F. COMMENTS DATED 12/30/13
DESIGNED BY:	PROJECT NO. 12999
DRAWN BY:	FN: SHEET-03
CHECKED BY: KVW	VERT SCALE: N/A
	HOR SCALE: 1"=50'

PRELIMINARY PLAT
FOR
WHITE PINES TOWNHOMES
AT
PINE CANYON

A SUBDIVISION OF TRACT 24H OF THE AMENDED FINAL PLAT
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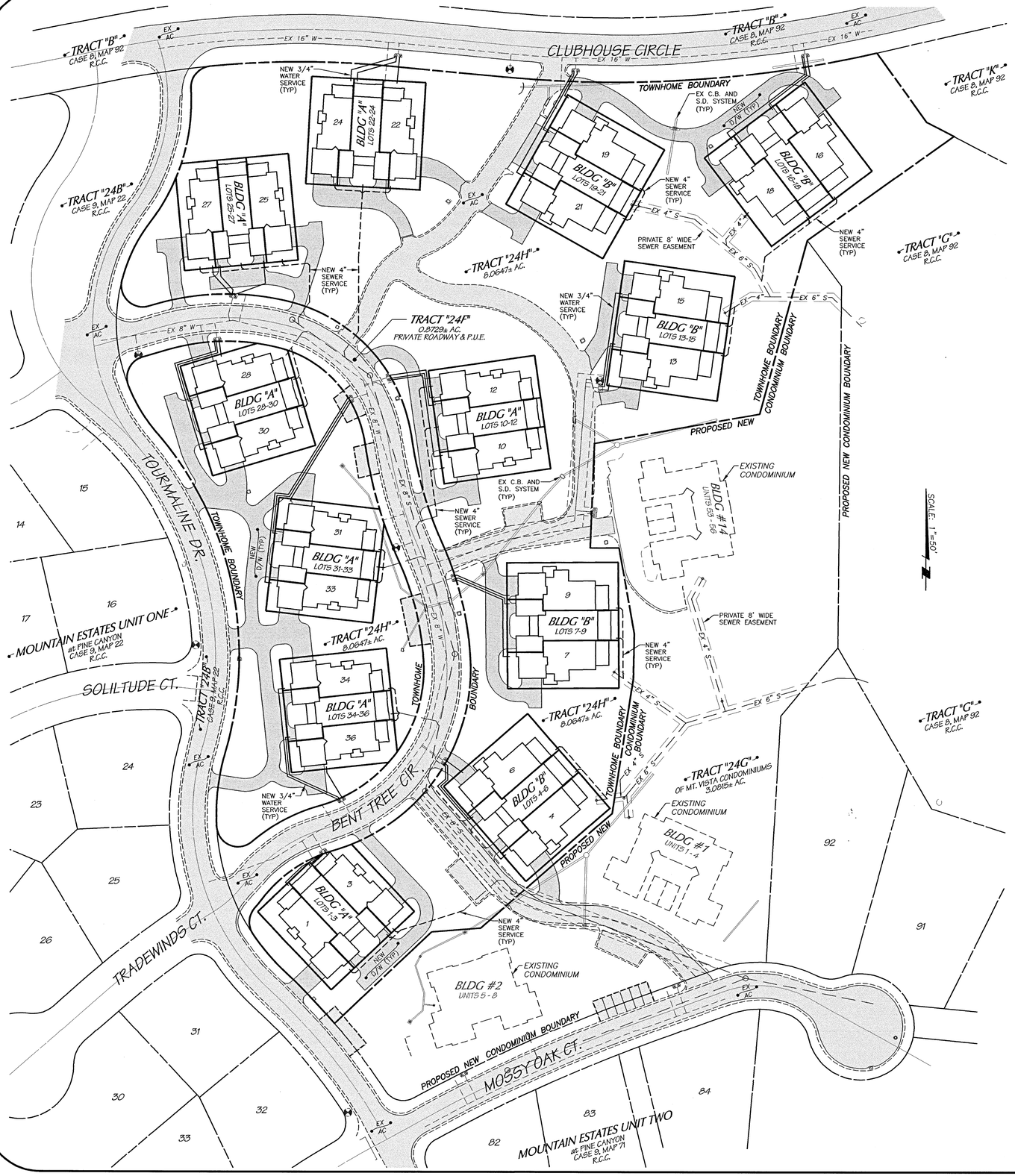
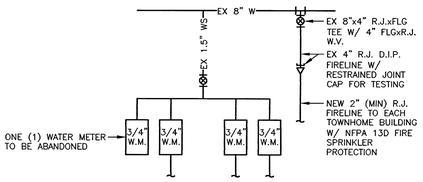
AS RECORDED IN INSTRUMENT No. _____, RECORDS OF COCONINO COUNTY
LOCATED IN THE NW1/4 OF SECTION 34,
TOWNSHIP 21 NORTH, RANGE 7 EAST, G&S.R.M.
FLAGSTAFF, COCONINO COUNTY, ARIZONA





WATER METER - TYPICAL WATER SERVICE
(PUBLIC IMPROVEMENT) N.T.S.

SHEET NO. 4 OF 5

COF PROJECT # DEV 12-083

2/13/14
MES#12999

WHITE PINES TOWNHOMES
AT PINE CANYON
UTILITY PLAN

Mogollon Inc ENGINEERING & SURVEYING
411 W Santa Fe Avenue, Flagstaff, Az. 86001
P.O. Box 1952, Flagstaff, Az. 86002
Phone: 928-214-0214 • Fax: 928-213-0015

REGISTERED LAND SURVEYOR
2,950
KENT V. MOTSENFELDER
ARIZONA, U.S.A.
Expires on: 3/31/15

DATE: 2/13/14	REVISIONS: PER C.O.F. COMMENTS DATED 12/30/13
DESIGNED BY:	PROJECT NO. 12999
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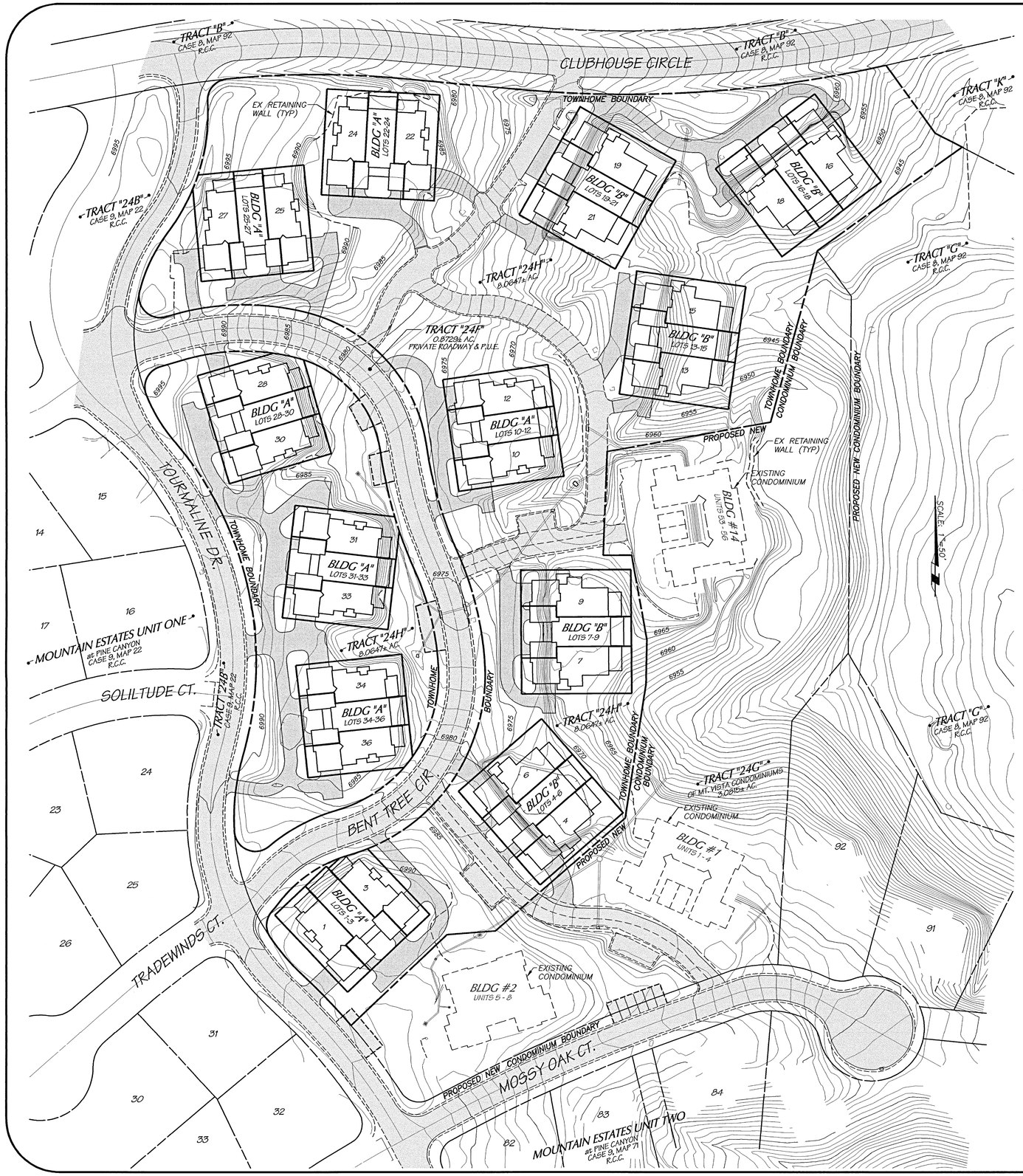

PRELIMINARY PLAT
FOR
WHITE PINES TOWNHOMES
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PINE CANYON

A SUBDIVISION OF TRACT 24H OF THE AMENDED FINAL PLAT
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LOCATED IN THE NW1/4 OF SECTION 34,
TOWNSHIP 21 NORTH, RANGE 7 EAST, G&S.R.M.
FLAGSTAFF, COCONINO COUNTY, ARIZONA

SHEET NO. 5 OF 5

COF PROJECT # DEV 12-083

Mogollon Inc
ENGINEERING & SURVEYING
411 W Santa Fe Avenue, Flagstaff, Az. 86001
P.O. Box 1952, Flagstaff, Az. 86002
Phone: 928-214-0214 • Fax: 928-913-0015

Expires: 6/30/15

WHITE PINES TOWNHOMES
AT PINE CANYON
LOTS & UNITS WITH CONTOURS

2/13/14
MES#12999

DATE: 2/13/14	REVISIONS: PER C.O.F. COMMENTS DATED 12/30/13
PROJECT NO. 12999	
DESIGNED BY:	FN: SHEET-05
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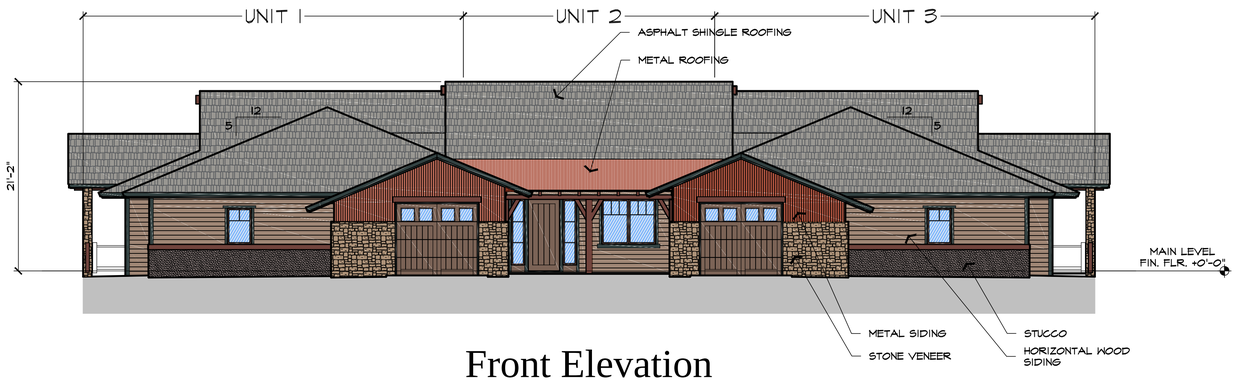
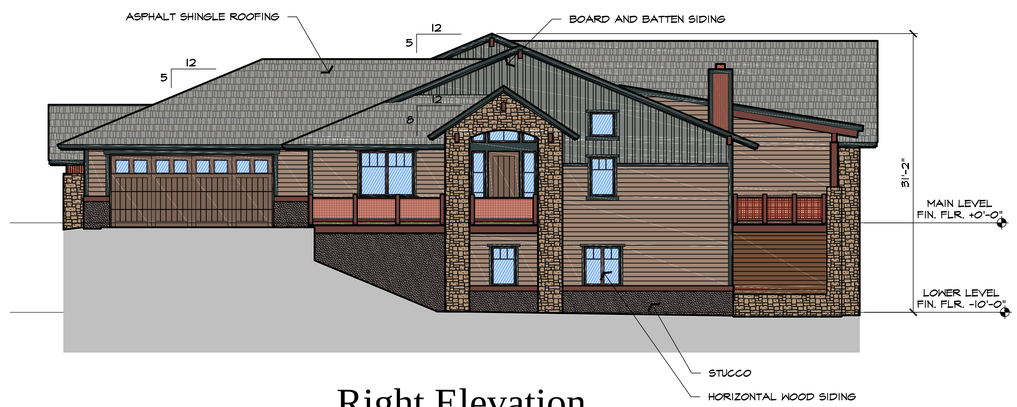
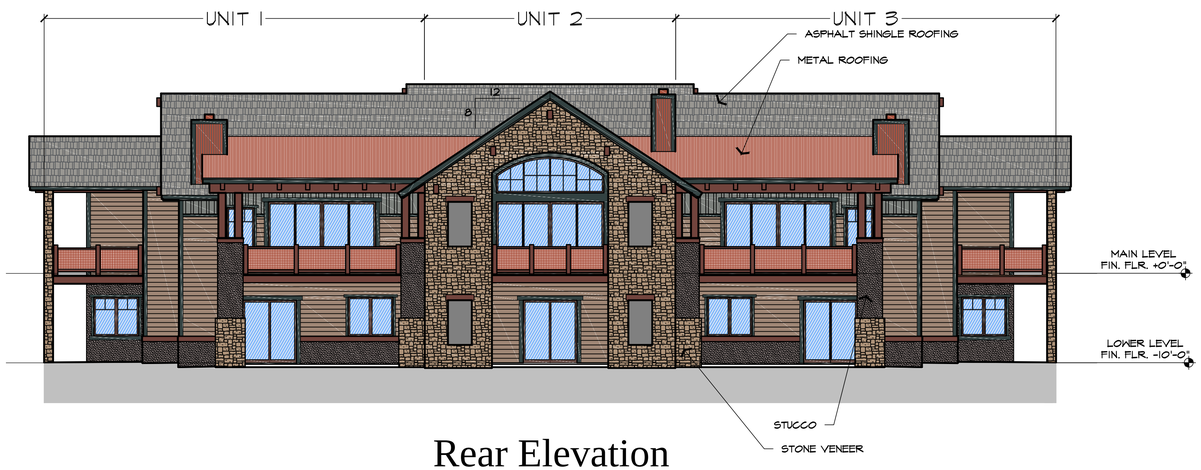
CHECKED BY: KVH	HOR. SCALE: 1"=50'



Front Elevation



Right Elevation
(Left Similar)



Rear Elevation

Building B Elevations

1/8" = 1'-0"

Preliminary Design

Issue Date
NOVEMBER 18, 2013

Preliminary - Not for Construction

Revisions
1
2
3
4

White Pines Townhomes at Pine Canyon
Pine Canyon Golf Club
Flagstaff, Arizona

Project Number
2011.14B

Drawing
SCHEM. ELEVATIONS

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ARCHITECTS, INC.
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Flagstaff, Arizona 86001
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Sheet
A2

2 of 2

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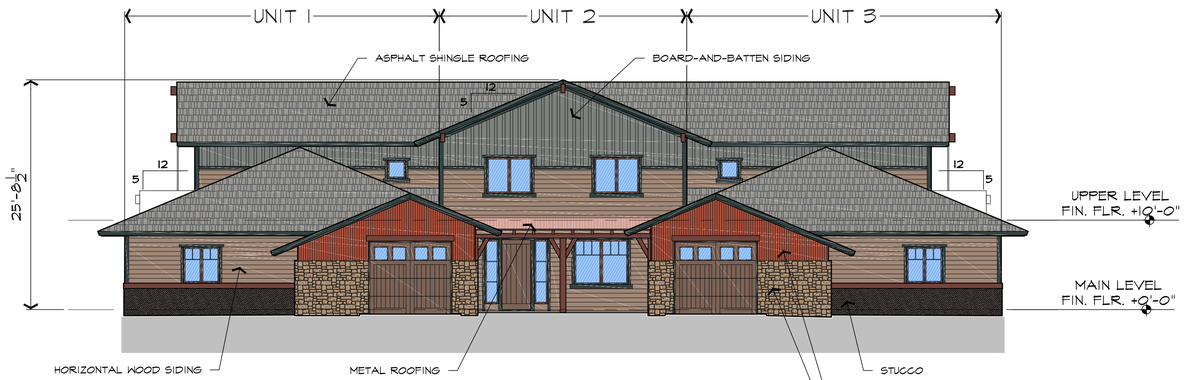
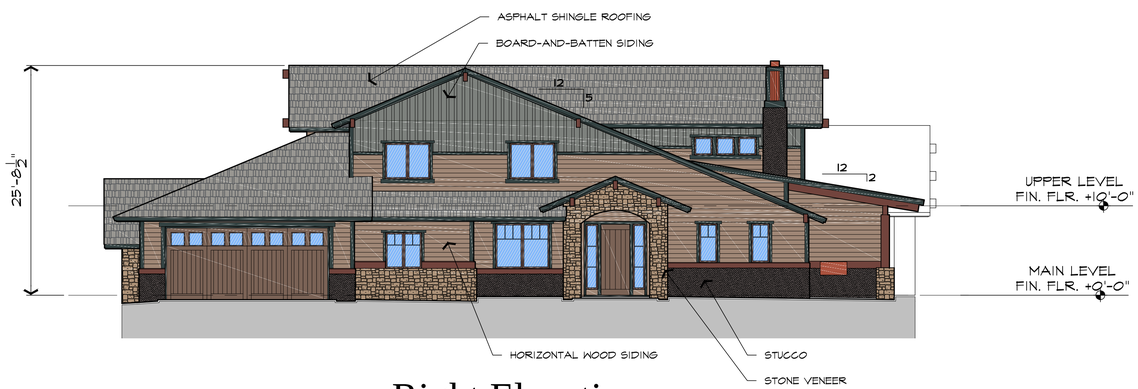
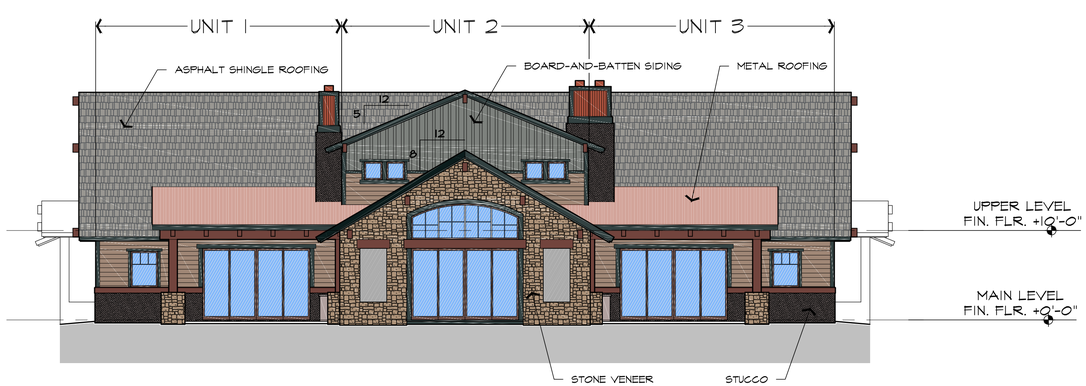
11/18/2013 5:23 PM Z:\Pine Canyon Homes\Mountain Vista Condos\Ph-B\Mountain Vista Townhomes Building B\sheets\Ph-B-A-2 Elevations.dwg



Front Elevation



Right Elevation
(Left Similar)



Rear Elevation

Building A Elevations

1/8" = 1'-0"

Preliminary Design

Issue Date
NOVEMBER 18, 2013

Preliminary - Not for Construction

Revisions
1
2
3
4

White Pines Townhomes at Pine Canyon
Pine Canyon Golf Club
Flagstaff, Arizona

Project Number
2011.14A

Drawing
ELEVATIONS

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2 of 2

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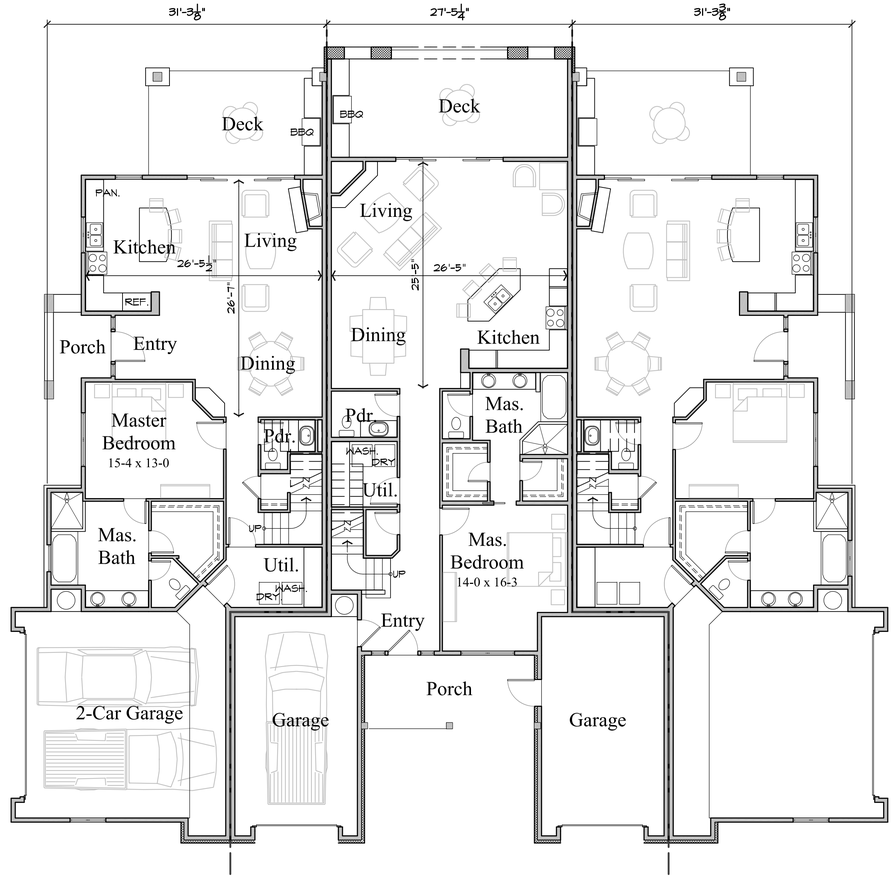
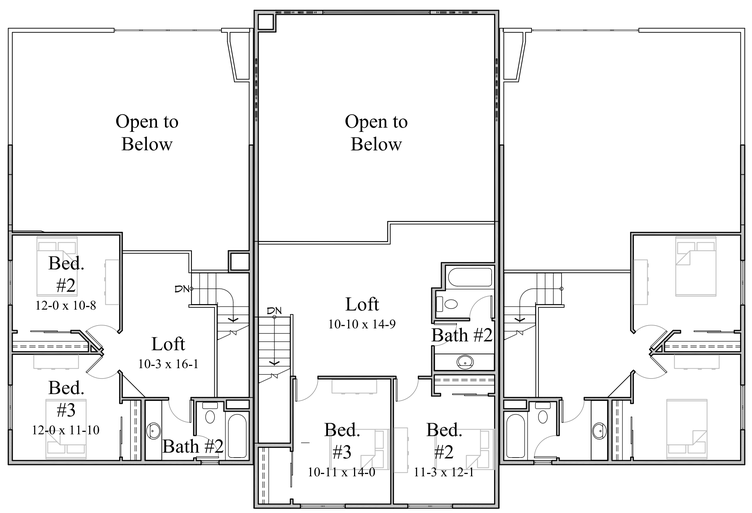
11/18/2013 5:10 PM Z:\Pine Canyon Homes\Mountain Vista Condos\MVH-A\Mountain Vista Townhomes Building A\Sheets\Preliminary Sheets\MVH-A2 Elevations.dwg



Main Level Plan



Upper Level Plan

PROJECT AREA CALCULATIONS

LIVABLE - END UNIT	
MAIN LEVEL	1,351 S.F.
UPPER LEVEL	549 S.F.
TOTAL	1,950 S.F.
LIVABLE - CENTER UNIT	
MAIN LEVEL	1,489 S.F.
UPPER LEVEL	788 S.F.
TOTAL	2,277 S.F.

Issue Date
DECEMBER 13, 2012

Preliminary - Not for Construction

Revisions
1
2
3
4

Mountain Vista at Pine Canyon
Pine Canyon Golf Club
Flagstaff, Arizona

Project Number
2011.14A

Drawing
SCHEMATIC PLANS

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Sheet
A1
1 of 2

Building A
⅛" = 1'-0"

Preliminary Design

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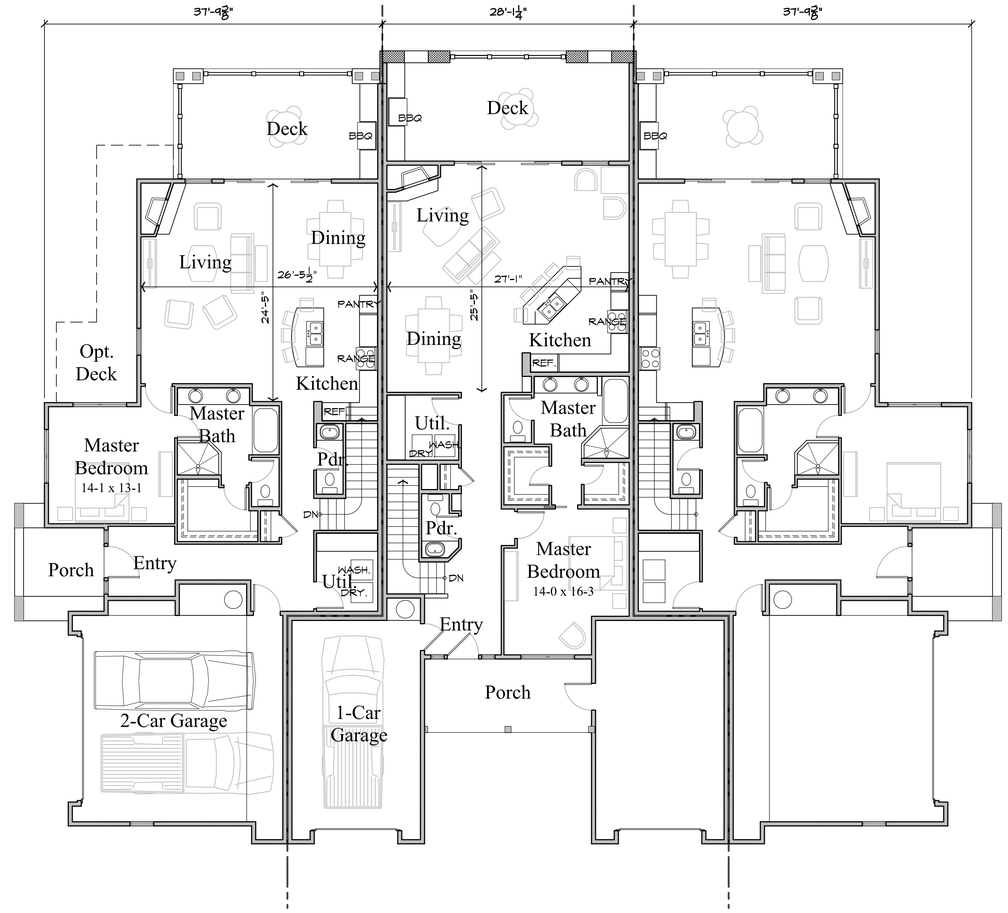
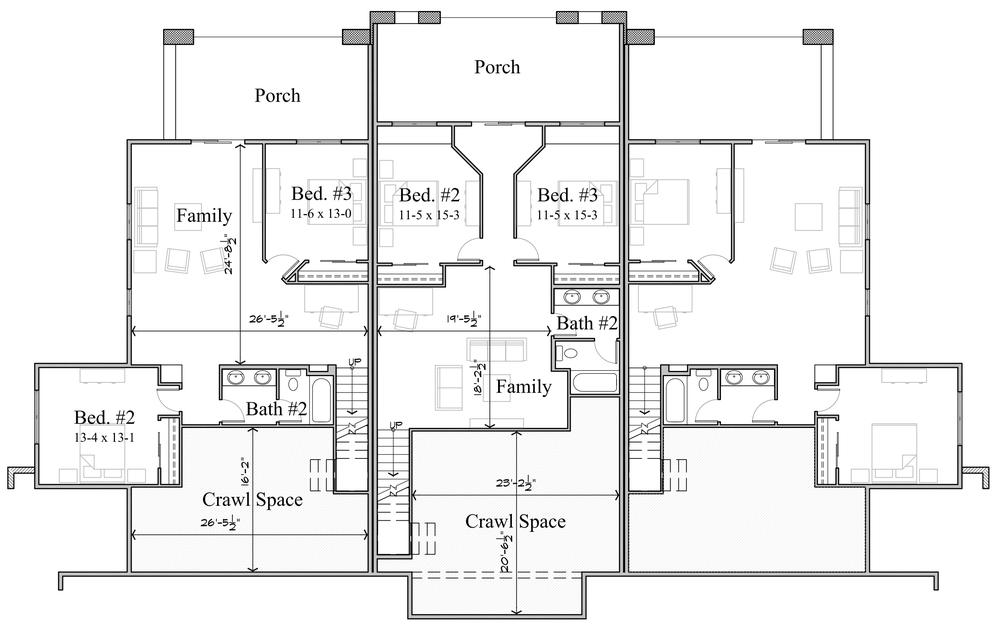
12/12/2012 10:31 AM Z:\Pine Canyon Homes\Mountain Vista Condos\MVTH-A\Mountain Vista Townhomes Building A\Sheets\MVA-A1 Schematic Planning



Main Level Plan



Lower Level Plan

PROJECT AREA CALCULATIONS

LIVABLE - END UNIT	
MAIN LEVEL	1,480 S.F.
LOWER LEVEL	1,042 S.F.
TOTAL	**2,522 S.F.**
CRAWL SPACE - END UNIT	362 S.F.
LIVABLE - CENTER UNIT	
MAIN LEVEL	1,517 S.F.
LOWER LEVEL	946 S.F.
TOTAL	**2,463 S.F.**
CRAWL SPACE - CENTER UNIT	483 S.F.

Building B Plans

1/8" = 1'-0"

Preliminary Design

Issue Date
DECEMBER 13, 2012

Preliminary - Not for Construction

Revisions
1
2
3
4

Mountain Vista at Pine Canyon

Pine Canyon Golf Club
Flagstaff, Arizona

Project Number
2011.14B

Drawing
FLOOR PLANS

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Sheet
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1 of 3

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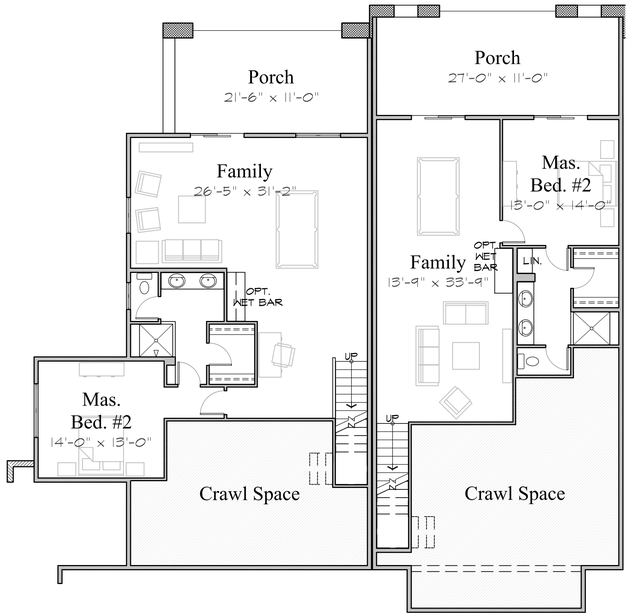
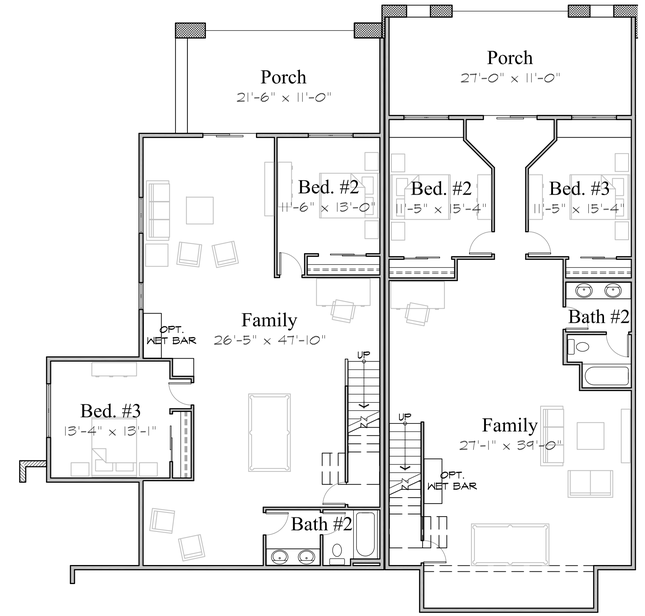
12/12/2012 10:52 AM Z:\Pine Canyon Homes\Mountain Vista Condos\MV-TH-B\Mountain Vista Townhomes Building B\Models\MV-B(A) Schematic Plan.dwg



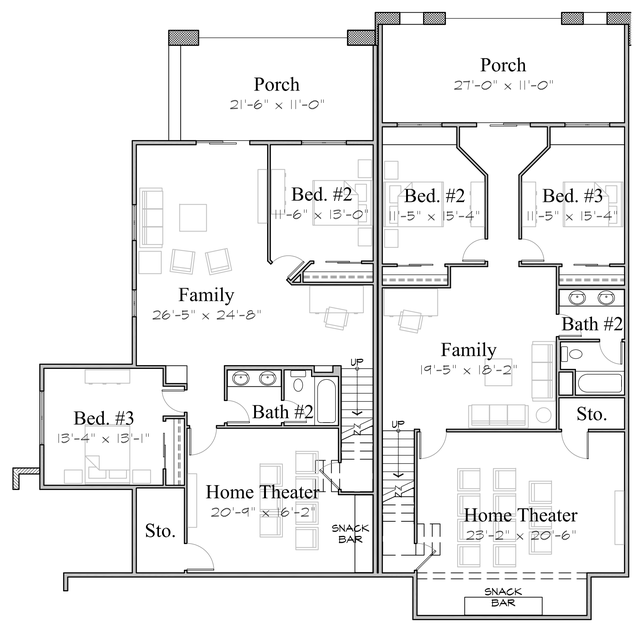
Second Master Option

END UNIT: 1,030 S.F.
MIDDLE UNIT: 887 S.F.



Expanded Family Option

END UNIT: 1,417 S.F.
MIDDLE UNIT: 1,449 S.F.



Home Theater Option

END UNIT: 1,417 S.F.
MIDDLE UNIT: 1,449 S.F.

Building B Plan Options

1/8" = 1'-0"

Preliminary Design

Issue Date
DECEMBER 13, 2012

Preliminary - Not for Construction

Revisions
1
2
3
4

Mountain Vista at Pine Canyon

Pine Canyon Golf Club
Flagstaff, Arizona

Project Number
2011.14B

Drawing
B PLAN OPTIONS

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Sheet
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12/12/2012 11:02 AM Z:\Pine Canyon Notes\Mountain Vista Condos\MV-TH-B\Mountain Vista Townhomes Building B\Architectural\MV-B A3 Plan Options.dwg

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: Neil Gullickson, Planning Development Manager

Date: 04/09/2014

Meeting Date: 04/15/2014

TITLE:

Consideration and Approval of Preliminary Plat: for Fountain Head United, LLC for Camryn Pines subdivision, a one-hundred and twenty-three lot, single-family, detached residential subdivision. The site is 59.1 acres in size and is located at 4501 South Beulah Boulevard. The site is zoned R1, Single-Family Residential zone.

RECOMMENDED ACTION:

Approve the preliminary plat as recommended by the Planning and Zoning Commission.

Policy Decision or Reason for Action:

The Planning and Zoning Commission shall base a recommendation(s), and the City Council shall find the proposed Preliminary Plat meets the requirements of the City of Flagstaff Zoning Code, Title 11, General Plans and Subdivisions and the City of Flagstaff, Engineering Design and Construction Standards and Specifications for New Infrastructure.

Financial Impact:

No financial liabilities to the City are anticipated by the approval of this preliminary plat.

Connection to Council Goal:

Retain, expand, and diversify economic base.

Has There Been Previous Council Decision on This:

On June 10, 2008, the City Council approved a preliminary plat for this subdivision. That preliminary plat was never final platted. An extension of the preliminary plat approval was granted through August 11, 2011 at which time the final plat application was to be approved by the City Council. That final plat application was not submitted.

Options and Alternatives:

1. Approve the plat as recommended by the Planning and Zoning Commission.
2. Approve the plat subject to no conditions, additional conditions, or modified conditions.
3. Deny approval of the plat based on non-compliance with the zoning code and/or Flagstaff Engineering Design and Construction Standards and Specifications for New Infrastructure.

Background/History:

This site is located adjacent to and southwest of the intersection of Beulah Boulevard and Mountain Dell Road. The entire site is zoned R1, Single-Family Residential, and will allow detached, single-family homes. The northern subdivision boundary is located adjacent to Mountain Dell Road and the Mountain Dell subdivision, which is located within a county island and outside of the City's jurisdiction. Camryn Pines was a part of a Regional Land Use Plan amendment that was approved in 2005 and included roughly 1,000 acres known as Villaggio Montana. This development includes three parcels that are presently zoned R1, Residential District.

The site consists of rolling forested topography; a 120-foot-wide Arizona Public Service easement bisects this site diagonally from the southwest to northeast. The easement supports above-ground, 69 kilo-watt electric transmission lines. Other than roads, detention facilities, and trails, no development is proposed to take place within the easement.

The Flagstaff Fire Department administered a forest stewardship tree thinning on this site during the summer of 2006. The northwest corner of the property is impacted by the floodway and floodplain of the Sinclair Wash drainage as it nears the Mountain Dell subdivision. The floodplain noted as Tract N on the preliminary plat is 4.14 acres in size and is to be dedicated to the City of Flagstaff for administration and maintenance.

The lots will be accessed internally from a system of public rights-of-way. Local and local narrow street sections will be provided by the developer. Dimensioned street sections are located on page two of the attached plat.

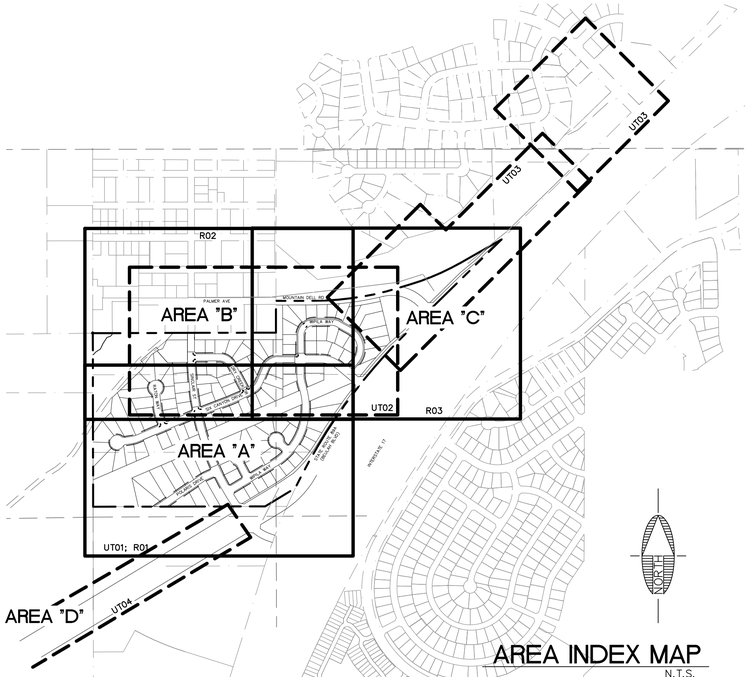
Community Involvement:

The existing site zoning allows the proposed subdivision. No public hearings are required as part of a subdivision plat review. No members of the public commented on this plat at the Planning and Zoning Commission meeting.

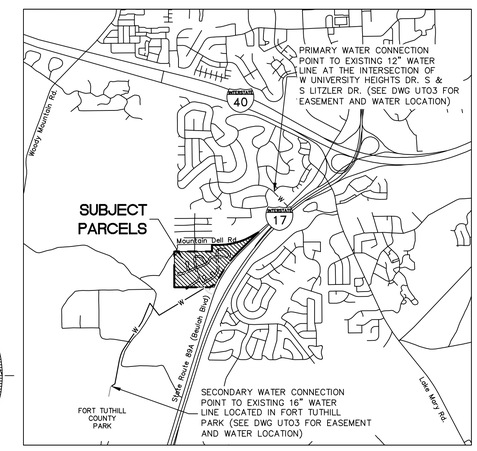
Attachments: Camryn Pines P-plat
Camryn Pines P&Z report

PRELIMINARY PLAT
FOR
CAMRYN PINES SUBDIVISION
FLAGSTAFF, ARIZONA

LOCATED WITHIN THE NW, SW, AND NE $\frac{1}{4}$ OF SECTION 32,
TOWNSHIP 21 NORTH, RANGE 7 EAST, GILA AND SALT RIVER
BASELINE AND MERIDIAN
COCONINO COUNTY, ARIZONA



AREA INDEX MAP
N.T.S.



VICINITY MAP
N.T.S.

C.O.F. FILE NO. : DRB 06-013

SHEET INDEX

SHEET NO.	DWG NO.	DESCRIPTION
1	CVR	COVER SHEET
2	RS01	ROADWAY SECTIONS, SETBACKS, AND TRAIL SECTIONS
3	RS02	FUTURE BEULAH BLVD. SECTIONS
4	EX01	PROJECT BOUNDARY AND EXISTING PROPERTY INFORMATION
5	UT01	AREA A WATER AND SEWER MASTER PLAN
6	UT02	AREA B WATER AND SEWER MASTER PLAN
7	UT03	AREA C WATER AND SEWER MASTER PLAN
8	UT04	AREA D WATER AND SEWER MASTER PLAN
9	R01	AREA A PROJECT INFRASTRUCTURE
10	R02	AREA B PROJECT INFRASTRUCTURE, CURVE TABLE
11	R03	AREA C PROJECT INFRASTRUCTURE
12	R04	INTERIM AND FUTURE IMPROVEMENTS
13	BD01	PRELIMINARY BASIN DETAILS
14	BD02	PRELIMINARY BASIN DETAILS
15	PH01	PHASING PLAN

ARIZONA PUBLIC SERVICE
BY: DATE:

UNISOURCE ENERGY SERVICES
BY : DATE:

SUDDENLINK
BY: DATE:

CENTURY LINK
BY: DATE:

LEGAL DESCRIPTION

THAT PORTION OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, COCONINO COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A UNITED STATES DEPARTMENT OF THE INTERIOR BRASS CAP ACCEPTED AS THE WEST QUARTER CORNER OF SAID SECTION 32, FROM WHICH UNITED STATES DEPARTMENT OF THE INTERIOR BRASS CAP ACCEPTED AS THE NORTHWEST CORNER OF SAID SECTION 32 BEARS NORTH 00°05'05" WEST A DISTANCE OF 2663.18 FEET;

THENCE ALONG THE WEST LINE OF SAID SECTION 32, NORTH 00°05'57" WEST A DISTANCE OF 75.06 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST LINE NORTH 00°05'57" WEST A DISTANCE OF 382.33 FEET TO A POINT ON SAID WEST LINE;

THENCE CONTINUING ALONG SAID WEST LINE NORTH 00°06'30" WEST A DISTANCE OF 874.32 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 32;

THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER NORTH 89°48'57" EAST A DISTANCE OF 1325.73 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER;

THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, NORTH 00°03'19" WEST A DISTANCE OF 229.86 FEET;

THENCE DEPARTING SAID EAST LINE, NORTH 89°48'41" EAST A DISTANCE OF 279.73 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 2,083.48 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°41'03" AN ARC LENGTH OF 606.70 FEET;

THENCE NORTH 73°09'47" EAST A DISTANCE OF 102.30 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1,762.95 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°49'57" AN ARC LENGTH OF 394.85 FEET;

THENCE NORTH 60°17'46" EAST, A DISTANCE OF 341.35 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 89-A;

THENCE ALONG SAID RIGHT OF WAY SOUTH 45°31'39" WEST, A DISTANCE OF 956.08 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 4066.00 FEET, THE CENTER OF WHICH BEARS SOUTH 44°29'23" EAST;

THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°43'13", AN ARC LENGTH OF 1399.46 FEET TO A POINT THAT LIES 20.00 FEET NORTHWESTERLY OF THE SOUTHWESTERLY LINE OF AN 80.00 FEET WIDE POWER LINE EASEMENT AS DESCRIBED IN DOCKET 1389, PAGE 135 RECORDS OF COCONINO COUNTY;

THENCE PARALLEL WITH AND 20.00 FEET NORTHWEST OF SAID SOUTHEASTERLY LINE, SOUTH 58°54'29" WEST, A DISTANCE OF 255.40 FEET;

THENCE SOUTH 89°52'58" WEST ALONG THE SOUTH LINE OF THAT PARCEL DESCRIBED IN DOCKET 2052, PAGE 153, OFFICIAL RECORDS OF COCONINO COUNTY, A DISTANCE OF 1244.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 59.10 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED FROM INFORMATION DESCRIBED IN RESULTS OF SURVEY RECORDED AT INSTRUMENT # 3399370, OFFICIAL RECORDS OF COCONINO COUNTY.

SWI HAS PERFORMED A DETAILED BOUNDARY SURVEY AND AERIAL TOPOGRAPHY SURVEY OF THE SUBJECT PARCEL.

DRAINAGE NOTES

1. THE PROPERTY OWNER(S) OF THE PARTICULAR LOT OR PARCEL, WHICH INCLUDES A WATERCOURSE, IS RESPONSIBLE FOR MAINTAINING THE NATURAL AND MANMADE WATERCOURSES' CONDITION, AS IT WAS WHEN THE SUBDIVISION WAS APPROVED. NATURAL OR MANMADE WATERCOURSES SHALL NOT BE MOVED FROM THE LOCATION EXISTING AT THE TIME OF SUBDIVISION APPROVAL (UNLESS APPROVED BY THE CITY OF FLAGSTAFF AND THE PROPOSED ACTION IS REVIEWED TO DETERMINE THE APPLICABILITY OF CORPS OF ENGINEERS OR OTHER FEDERAL, STATE OR LOCAL PERMITTING). THESE WATER COURSES WILL REQUIRE PERIODIC MAINTENANCE TO CONVEY ON-SITE OR OFF-SITE DISCHARGES. PERIODIC MAINTENANCE WILL CONSIST OF THE REMOVAL OF EARTH AND/OR VEGETATIVE MATERIAL THAT HAS BUILT UP SINCE THE ORIGINAL APPROVAL OF THE FINAL PLAT OF THIS SUBDIVISION. PRIOR TO ANY WORK BEING CONDUCTED WITHIN THESE WATER COURSES, THE PROPERTY OWNERS SHALL VERIFY THAT SUCH MAINTENANCE ACTIVITY COMPLIES WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL REQUIREMENTS.
2. EASEMENTS ARE HEREBY GRANTED TO THE ASSOCIATION, ITS SUCCESSORS AND ASSIGNS AND THE PROPERTY OWNERS OF THIS SUBDIVISION FOR DRAINAGE PURPOSES AS SHOWN ON THIS PLAT IN THE AREAS MARKED DRAINAGE EASEMENT. HOWEVER, THE HOME OWNERS ASSOCIATION AND THE CITY OF FLAGSTAFF HAS THE AUTHORITY TO ENTER ONTO THE SITE AND MAINTAIN THE DRAINAGE EASEMENTS AT THE EXPENSE OF THE PROPERTY OWNERS. SHOULD COURT ACTION BE NECESSARY TO COLLECT THESE BILLS, THE PROPERTY OWNER(S) SHALL BE RESPONSIBLE FOR ATTORNEY'S FEES AND COURT COSTS.

PROJECT INFORMATION

CAMRYN PINES

NUMBER OF UNITS: 123 SINGLE FAMILY UNITS
GROSS AREA: 59.10 ACRES
GROSS DENSITY: 2.08 UNITS PER ACRE
NET DENSITY (EXCLUDING ROADWAY): 2.68 UNITS PER ACRE
NET ACREGE: 45.9

EXISTING ZONING: R1
APN 112-05-001G
APN 112-05-001K

1. THE SUBDIVISION IS LOCATED WITHIN THE CITY OF FLAGSTAFF WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
2. ALL UTILITIES, INCLUDING STREET LIGHT AND ELECTRIC LINES INSTALLED WITH THIS DEVELOPMENT SHALL BE PLACED UNDERGROUND.
3. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CITY OF FLAGSTAFF CODES AND ORDINANCES.
4. AN ASSOCIATION WILL BE FORMED AND HAVE THE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS TO BE NOTED AS "TRACTS" (INCLUDING LANDSCAPED AREAS AND DRAINAGE FACILITIES).
5. DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITY EASEMENTS.
6. NEW IMPERVIOUS SURFACE AREA: 13.84 ACRES
   TOTAL INCLUDES ONLY ROADWAY IMPROVEMENTS. RESIDENTIAL UNIT SIZE/DIMENSIONS NOT YET DETERMINED.
7. MAXIMUM REAR & SIDE YARD FENCE HEIGHT ADJACENT TO FUTS EASEMENT TO BE 4'.

ZONING

THE ENTIRE PROJECT AREA IS WITHIN THE CITY OF FLAGSTAFF ZONING "SINGLE-FAMILY RESIDENCE (R1)" PER CITY OF FLAGSTAFF OFFICIAL ZONING MAP 20 & 21. THIS PROJECT WILL NOT INVOLVE REZONING.

WATER AND SEWER IMPACT ANALYSIS

THIS PRELIMINARY PLAT IS IN COMPLIANCE WITH THE RECOMMENDATIONS SET FORTH IN THE PUBLIC WATER AND SEWER IMPACT ANALYSIS PREPARED BY THE CITY OF FLAGSTAFF UTILITIES DEPARTMENT DATED AUGUST 28, 2013.

RESOURCE PRESERVATION

SEE RESOURCE PROTECTION PLAN PREPARED AS A SEPARATE DOCUMENT

ESTIMATED EARTHWORK QUANTITIES

9,779 C.Y. EXCAVATION 14,974 C.Y. EMBANKMENT

SOURCE OF PROJECT INFORMATION

TOPOGRAPHIC DATA WITHIN THE PROJECT LIMITS WAS PROVIDED BY COOPER AERIAL SURVEYS CO., ON APRIL 23, 2008. TOPOGRAPHIC DATA ON THE PERIMETER OF THE PROJECT IS CITY OF FLAGSTAFF 2-FOOT CONTOUR DATA.

BOUNDARY INFORMATION BASED ON RESULTS OF SURVEY PREPARED BY SHEPHARD-WESNITZER, INC. ON 09/10/2008 RECORDED AT INSTRUMENT #3499370 OFFICIAL RECORDS OF COCONINO COUNTY.

PROJECT OWNER:

APN: 112-05-129
FOUNTAINHEAD FLAG, LLC
PMB 819
3219 E CAMELBACK ROAD
PHOENIX, AZ 85018
(928) 774-3826

PROJECT DEVELOPER:

CAPSTONE HOMES
ATTN: BRIAN RHOTON
1750 RAILROAD SPRINGS BLVD., STE. 110
FLAGSTAFF, AZ 86001
(928) 774-3826

PLAT PREPARATION

GUILLERMO CORTES, P.E.
SHEPHARD-WESNITZER, INC.
110 W. DALE AVE.
FLAGSTAFF, AZ 86001
(928) 773-0354

FEMA DESIGNATION

THE PROJECT AREA IS WITHIN ZONES A2, B, AND C AS DESIGNATED BY FEMA FIRM'S 040020 0011B. NO BUILDING WILL OCCUR WITHIN ZONES A2 OR B, LOCATED AT THE NORTHWEST CORNER OF THE SITE, AND ALL STRUCTURES ADJACENT TO FLOOD PLAIN WILL BE BUILT AT LEAST ONE FOOT ABOVE FLOOD PLANE ELEVATION.

LEGEND

ROAD CENTERLINE	EX. LOT LINE
LOT LINE	EX. EASEMENT
ROW	INTERMEDIATE CONTOUR
EASEMENT	6945 INDEX CONTOUR
8"SS GRAVITY SEWER LINE	EX. INTERMEDIATE CONTOUR
12"W WATER LINE	6945 EX. INDEX CONTOUR
STORM DRAIN PIPE	X EX. FENCE
SUBDIVISION BOUNDARY	8"W EX. WATER LINE
FIRE HYDRANT	8"SS EX. SEWER LINE
WATER VALVE	G EX. GAS
STREET LIGHT	OHE EX. OVERHEAD UTIL.
SEWER MANHOLE	SECTION LINE
STOP SIGN	EX. GUARDRAIL
CATCH BASIN	EX. SIGN
CLEAR VIEW ZONE	EX. SANITARY SEWER MANHOLE
LOT 44 LOT #	EX. WATER VALVE
10298.04 LOT SQUARE FOOTAGE	EX. WATER METER
0.24 LOT ACREAGE	EX. UTILITY POLE
DRAINAGE ARROW	EX. DOWN GUY
DETENTION BASIN	FND. MONUMENT (AS NOTED)
	FND. SURVEY NAIL W/TAG "CMX 32222" (UNLESS OTHERWISE NOTED)

TRACT TABLE

LOT	SQUARE FEET	ACRES		RESPONSIBILITY OF MAINTENANCE
TRACT A	143596	3.30	DRAINAGE; DETENTION; OPEN SPACE	HOME OWNERS ASSOC.
TRACT B	29111	0.67	DRAINAGE; DETENTION	HOME OWNERS ASSOC.
TRACT C	8221	0.19	DRAINAGE; OPEN SPACE	HOME OWNERS ASSOC.
TRACT D	9975	0.23	DRAINAGE; DETENTION	HOME OWNERS ASSOC.
TRACT E	18047	0.41	OPEN SPACE	HOME OWNERS ASSOC.
TRACT F	7904	0.18	OPEN SPACE	HOME OWNERS ASSOC.
TRACT G	39674	0.91	DRAINAGE; DETENTION; OPEN SPACE	HOME OWNERS ASSOC.
TRACT H	73774	1.69	DRAINAGE; DETENTION; OPEN SPACE	HOME OWNERS ASSOC.
TRACT J	51162	1.17	OPEN SPACE	HOME OWNERS ASSOC.
TRACT K	59938	1.38	OPEN SPACE	HOME OWNERS ASSOC.
TRACT L	41954	0.96	OPEN SPACE; FUTS TRAIL	HOME OWNERS ASSOC.
TRACT M	6337	0.15	OPEN SPACE; FUTS TRAIL	HOME OWNERS ASSOC.
TRACT N	180361	4.14	FLOOD PLAIN – TO BE DEDICATED TO THE CITY OF FLAGSTAFF	CITY OF FLAGSTAFF
TRACT P	11507	0.26	FUTURE DEVELOPMENT OR OPEN SPACE	HOME OWNERS ASSOC.
TRACT R	9926	0.23	LANDSCAPE BUFFERYARD	HOME OWNERS ASSOC.
TRACT S	10742	0.25	LANDSCAPE BUFFERYARD	HOME OWNERS ASSOC.
TRACT T	17497	0.40	LANDSCAPE BUFFERYARD	HOME OWNERS ASSOC.
TRACT U	4010	0.09	DRAINAGE	HOME OWNERS ASSOC.
TRACT V	6677	0.15	DRAINAGE	HOME OWNERS ASSOC.
TRACT W	6998	0.16	PEDESTRIAN ACCESS; FUTURE RIGHT-OF-WAY	CITY OF FLAGSTAFF

FOR AGENCY REVIEW
NOT FOR BIDDING OR CONSTRUCTION

REGISTERED LAND SURVEYOR CERTIFICATE NO. 41502 JAMES CROWLEY Date Signed 2/13/14 ARIZONA, U.S.A. Expires 9/30/16

REGISTERED PROFESSIONAL ENGINEER CERTIFICATE NO. 28658 ARTHUR H. BECKWITH Date Signed 2/13/14 ARIZONA, U.S.A. Expires 3/31/2016

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

PRELIMINARY PLAT
COVER SHEET

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: AS SHOWN
DRAWN: AHB
DESIGN: MWJ
CHECKED: GEC

110 West Dale Ave
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.swiaz.com
SWI Shephard Wesnitzer, Inc.

REVISIONS

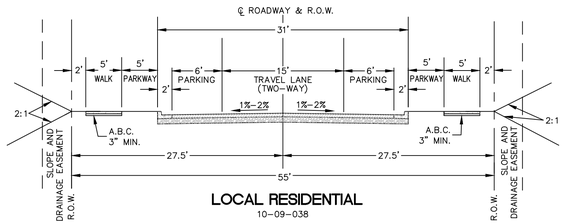
NO.	DESCRIPTION	DATE	BY

CALL TWO WORKING DAYS BEFORE YOU DIG 1-800-STAKE-IT

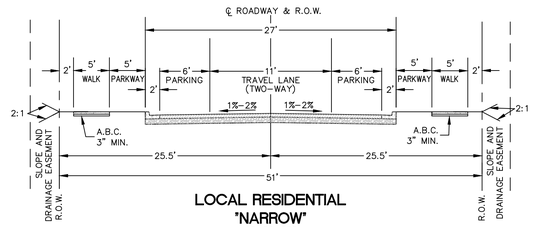
DRAWING NO. CVR
SHT NO. 1 OF 15

PLOTTED: Feb 13, 2014-9:40am

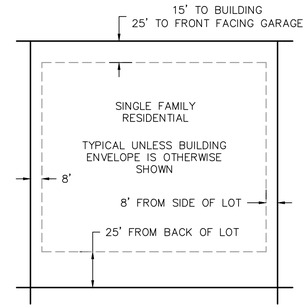
FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_SH01.dwg MWJ-C3D12



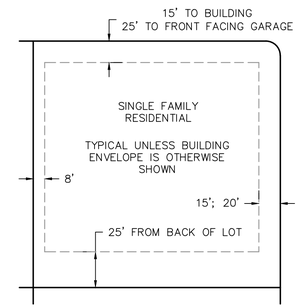
LOCAL RESIDENTIAL
10-09-038



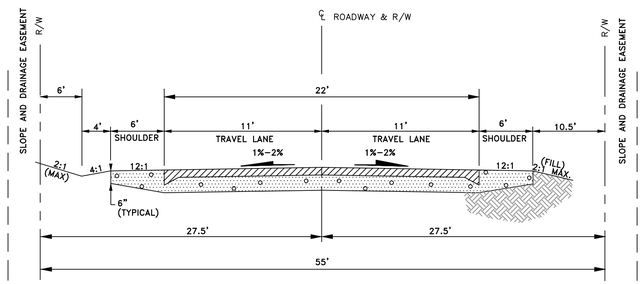
LOCAL RESIDENTIAL
"NARROW"
10-09-039



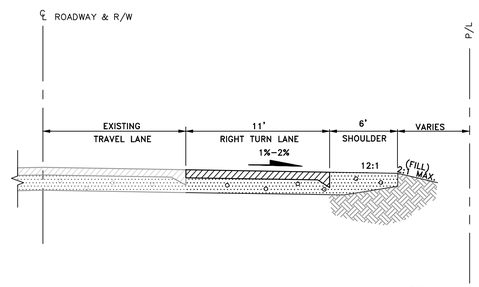
TYPICAL SINGLE FAMILY RESIDENTIAL SETBACKS
N.T.S.



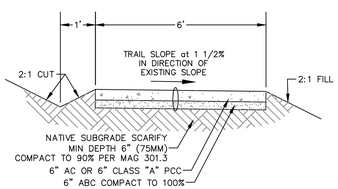
TYPICAL SINGLE FAMILY RESIDENTIAL SETBACKS AT CORNER LOTS
N.T.S.



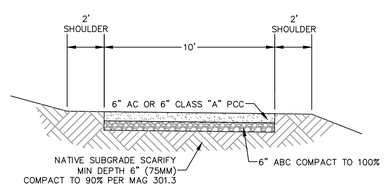
SINCLAIR AND SIX CANYON INTERIM SECTION
10-09-048



INTERIM SECTION AT 89A (BEULAH BLVD) 1 R04



CASUAL PATH TYPICAL SECTION
N.T.S.



F.U.T.S. TYPICAL SECTION
N.T.S.

PARCEL MAP CHECK REPORT

Prepared by: Shephard-Wesnitzer, Inc.
Date: 9/24/2013 2:18:12 PM

Parcel Name: OVERALL PROPERTY BOUNDARY
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North: 59,571.1224' East: 52,290.6646'

Segment# 1: Curve
Length: 394.849' Radius: 1,762.954'
Delta: 12.8325 (d) Tangent: 198.254'
Chord: 394.024' Course: N 66°43'34" E
Course In: N 16°51'27" W Course Out: S 29°41'25" E
RP North: 61,258.3204' East: 51,779.4214'
End North: 59,726.8148' East: 52,652.6323'

Segment# 2: Line
Course: N 60°17'46" E Length: 341.349'
North: 59,895.9593' East: 52,949.1274'

Segment# 3: Line
Course: S 45°31'39" W Length: 956.082'
North: 59,226.1599' East: 52,266.8799'

Segment# 4: Curve
Length: 1,399.455' Radius: 4,066.000'
Delta: 19.7203 (d) Tangent: 706.718'
Chord: 1,392.558' Course: S 35°39'01" W
Course In: S 44°29'23" E Course Out: N 64°12'36" W
RP North: 56,325.5724' East: 55,116.2567'
End North: 58,094.5832' East: 51,455.2518'

Segment# 5: Line
Course: S 58°54'29" W Length: 255.398'
North: 57,962.6923' East: 51,236.5443'

Segment# 6: Line
Course: S 89°52'58" W Length: 1,244.568'
North: 57,960.1460' East: 49,991.9789'

Segment# 7: Line
Course: N 0°05'57" W Length: 382.333'
North: 58,342.4785' East: 49,991.3172'

Segment# 8: Line
Course: N 0°06'30" W Length: 874.323'
North: 59,216.7999' East: 49,989.6640'

Segment# 9: Line
Course: N 89°48'57" E Length: 1,325.725'
North: 59,221.0612' East: 51,315.3822'

Segment# 10: Line
Course: N 0°03'19" W Length: 229.863'
North: 59,450.9241' East: 51,315.1604'

Segment# 11: Line
Course: N 89°48'41" E Length: 279.731'
North: 59,451.8449' East: 51,594.8899'

Segment# 12: Curve
Length: 606.699' Radius: 2,083.480'
Delta: 16.6842 (d) Tangent: 305.511'
Chord: 604.558' Course: N 81°28'19" E
Course In: N 0°11'10" W Course Out: S 16°52'13" E
RP North: 61,535.3139' East: 51,588.1223'
End North: 59,541.4981' East: 52,192.7603'

Segment# 13: Line
Course: N 73°09'47" E Length: 102.299'
North: 59,571.1289' East: 52,290.6740'

Perimeter: 8,392.674' Area: 2,574,504.06Sq.Ft.
Error Closure: 0.0114 Course: N 55°34'58" E
Error North : 0.00644 East: 0.00939

Precision 1: 736,199.474

REGISTERED LAND SURVEYOR CERTIFICATE NO. 41502 JAMES CROWLEY Date Signed 2/13/14 ARIZONA, U.S.A. Expires 9/30/16

REGISTERED PROFESSIONAL ENGINEER (CIVIL) CERTIFICATE NO. 28658 ARTHUR H. BECKWITH Date Signed 2/13/14 ARIZONA, U.S.A. Expires 3/31/2016

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

ROADWAY SECTIONS, SETBACKS, AND TRAIL SECTIONS

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: AS SHOWN
DRAWN: AMS
DESIGN: JC
CHECKED: JC

110 West Dale Ave
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.swiaz.com
Shephard Wesnitzer, Inc.

REVISIONS

NO.	DESCRIPTION	DATE	BY

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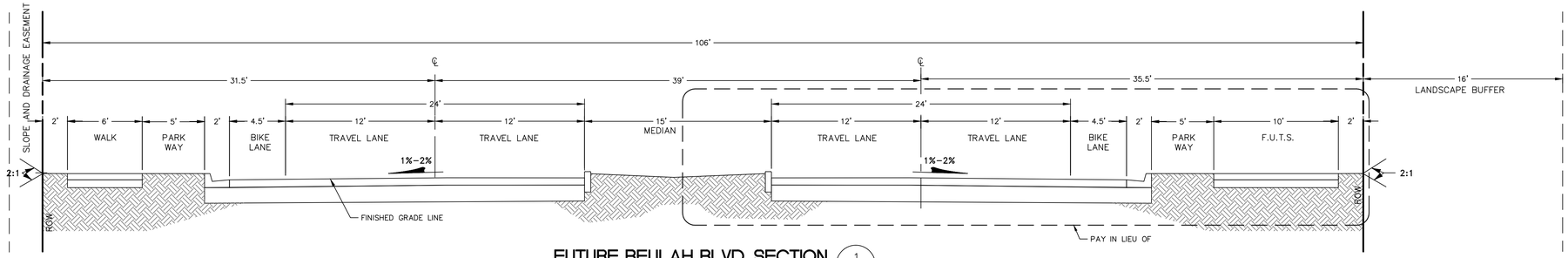
DRAWING NO.
RS01

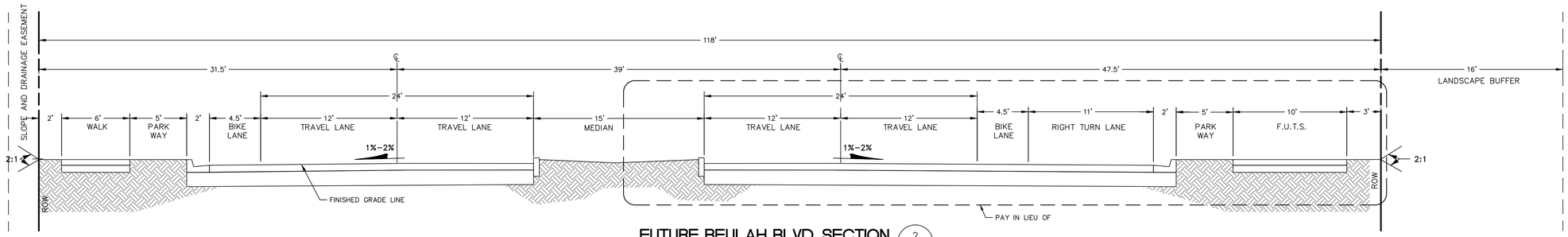
SHT NO. 2 OF 15

PLOTTED: Feb 13, 2014-9:40am

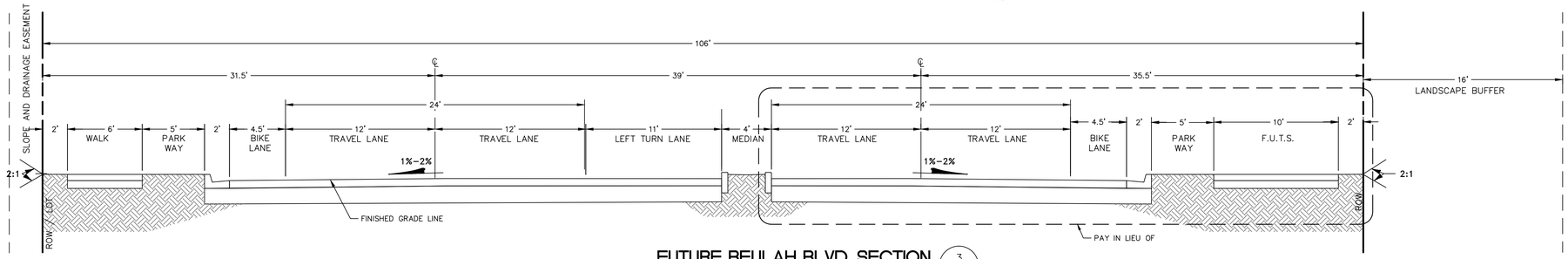
FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_Sht02.dwg MWJ-C3D12



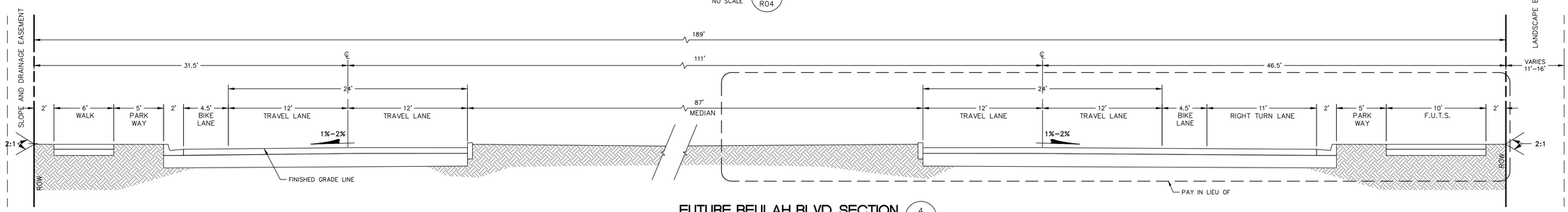
FUTURE BEULAH BLVD. SECTION (1 / R04)
NO SCALE



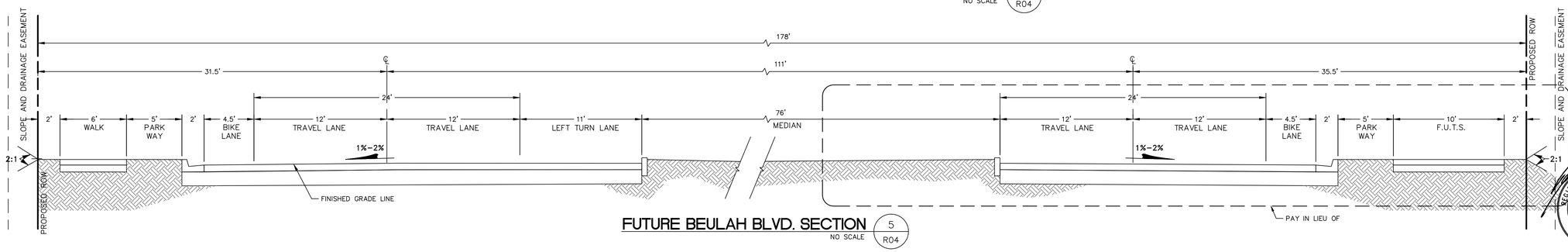
FUTURE BEULAH BLVD. SECTION (2 / R04)
NO SCALE



FUTURE BEULAH BLVD. SECTION (3 / R04)
NO SCALE



FUTURE BEULAH BLVD. SECTION (4 / R04)
NO SCALE



FUTURE BEULAH BLVD. SECTION (5 / R04)
NO SCALE

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 41502
JAMES CROWLEY
Date Signed 2/13/14
ARIZONA, U.S.A.
Expires 9/30/16

REGISTERED PROFESSIONAL ENGINEER (CIVIL)
CERTIFICATE NO. 28658
ARTHUR H. BECKWITH
Date Signed 2/13/14
ARIZONA, U.S.A.
Expires 3/31/2016

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

PRELIMINARY PLAT
FUTURE BEULAH BLVD. SECTIONS

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: AS SHOWN
DRAWN: MWJ
DESIGN: AHB
CHECKED: GEC

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928.774.8934 fax
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Shephard Wesnitzer, Inc.

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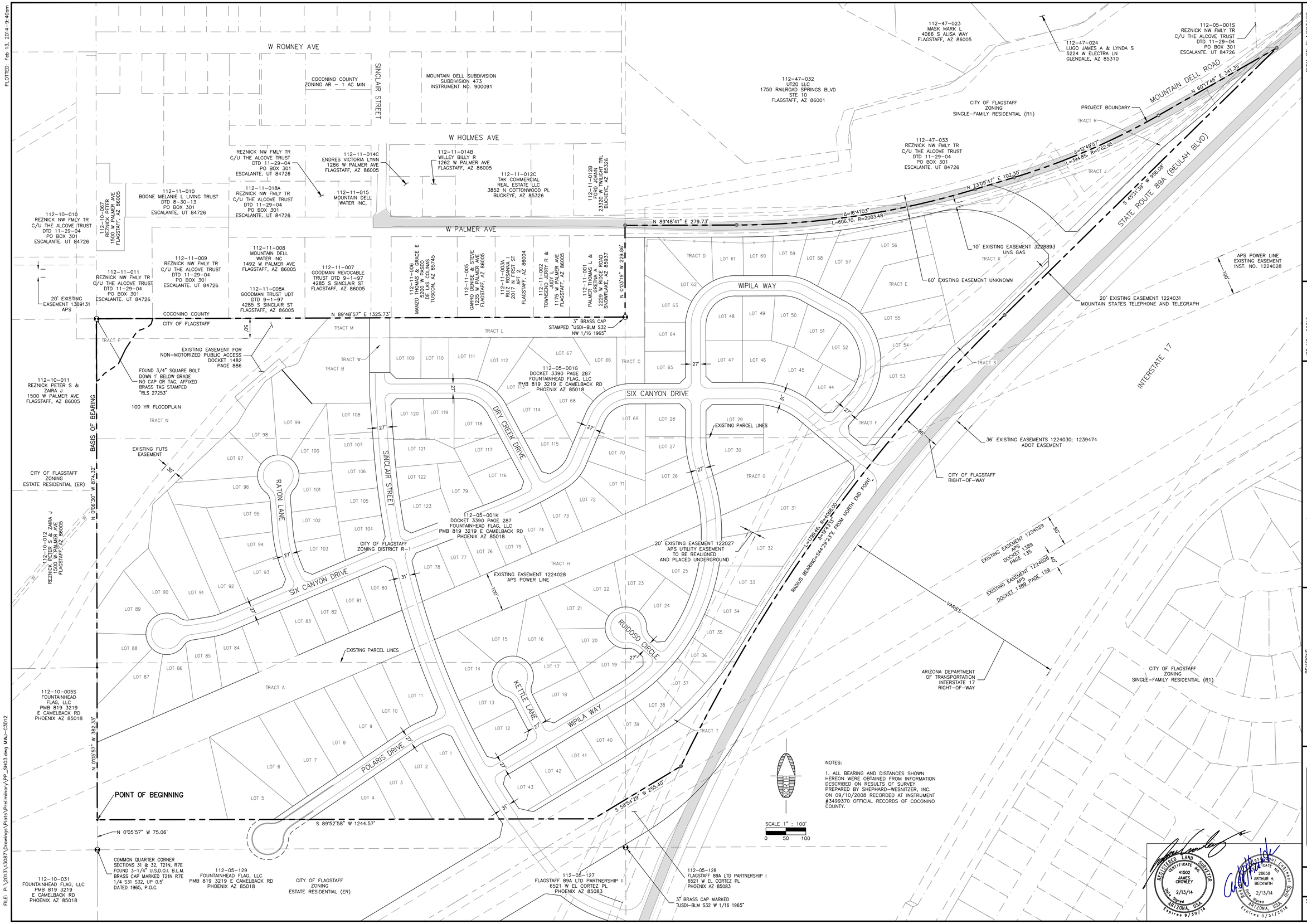
DRAWING NO.
RS02

SHT NO. 3 OF 15

PLOTTED: Feb 13, 2014-9:40am

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_SH02.dwg MWJ-C3D12



NOTES:

1. ALL BEARING AND DISTANCES SHOWN HEREON WERE OBTAINED FROM INFORMATION DESCRIBED ON RESULTS OF SURVEY PREPARED BY SHEPHARD-WESNITZER, INC. ON 09/10/2008 RECORDED AT INSTRUMENT #3499370 OFFICIAL RECORDS OF COCONINO COUNTY.

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

PROJECT BOUNDARY AND EXISTING PROPERTY, EASEMENT, AND RIGHT OF WAY INFORMATION

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: 1"=100'
DRAWN: AMS/DKB
DESIGN: JC/GEC
CHECKED: GEC

110 West Dale Ave
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
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Shephard Wesnitzer, Inc.

NO.	DESCRIPTION	DATE	BY

REVISIONS

CALL TWO WORKING DAYS BEFORE YOU DIG
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DRAWING NO.
EX01

SHT NO. 4 OF 15

PLOTTED: Feb 13, 2014-9:40am

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_SH03.dwg MWJ-C3D12

PLOTTED: Feb 13, 2014-9:41am

MATCH LINE SEE DRAWING UT02

RATON LANE
SINCLAIR STREET
SIX CANYON DRIVE
WIPILA WAY
POLARIS DRIVE
KETTLE LN
RUIDOSO CIRCLE
STATE ROUTE 89A (BEULAH BLVD)

POND 1A (LID)
POND 1B (EXTENDED DETENTION BASIN)
POND 1C (EXTENDED DETENTION BASIN)
POND 2B (EXTENDED DETENTION BASIN)
POND 2C (EXTENDED DETENTION BASIN)
POND 2D (EXTENDED DETENTION BASIN)

20' UTILITY EASEMENT
18" SEWER STUB OUT
21.5' TYP.
N 0°06'30" W 874.32'
N 0°05'57" W 382.33'
N 0°05'57" W 75.06'
S 89°52'58" W 1244.57'
S 38°54'29" W 255.40'
L=1324.46' R=4056.00' Δ=19°43'13"

MATCH LINE SEE DRAWING UT04

SCALE 1" = 60'
0 30 60
CONTOUR INTERVAL = 2 FOOT

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

AREA "A" WATER AND SEWER MASTER PLAN

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: 1"= 60'
DRAWN: AMS/DKB
DESIGN: JC/GEC
CHECKED: GEC

110 West Dale Ave
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.swiaz.com
Shephard Wesnitzer, Inc.

REVISIONS			
NO.	DESCRIPTION	DATE	BY

CALL TWO WORKING DAYS BEFORE YOU DIG
1-800-STAKE-IT

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 41502
JAMES CROWLEY
2/13/14
Date Signed
ARIZONA, U.S.A.
Expires 9/30/16

REGISTERED PROFESSIONAL ENGINEER (CIVIL)
CERTIFICATE NO. 28658
ARTHUR H. BECKWITH
2/13/14
Date Signed
ARIZONA, U.S.A.
Expires 3/31/2016

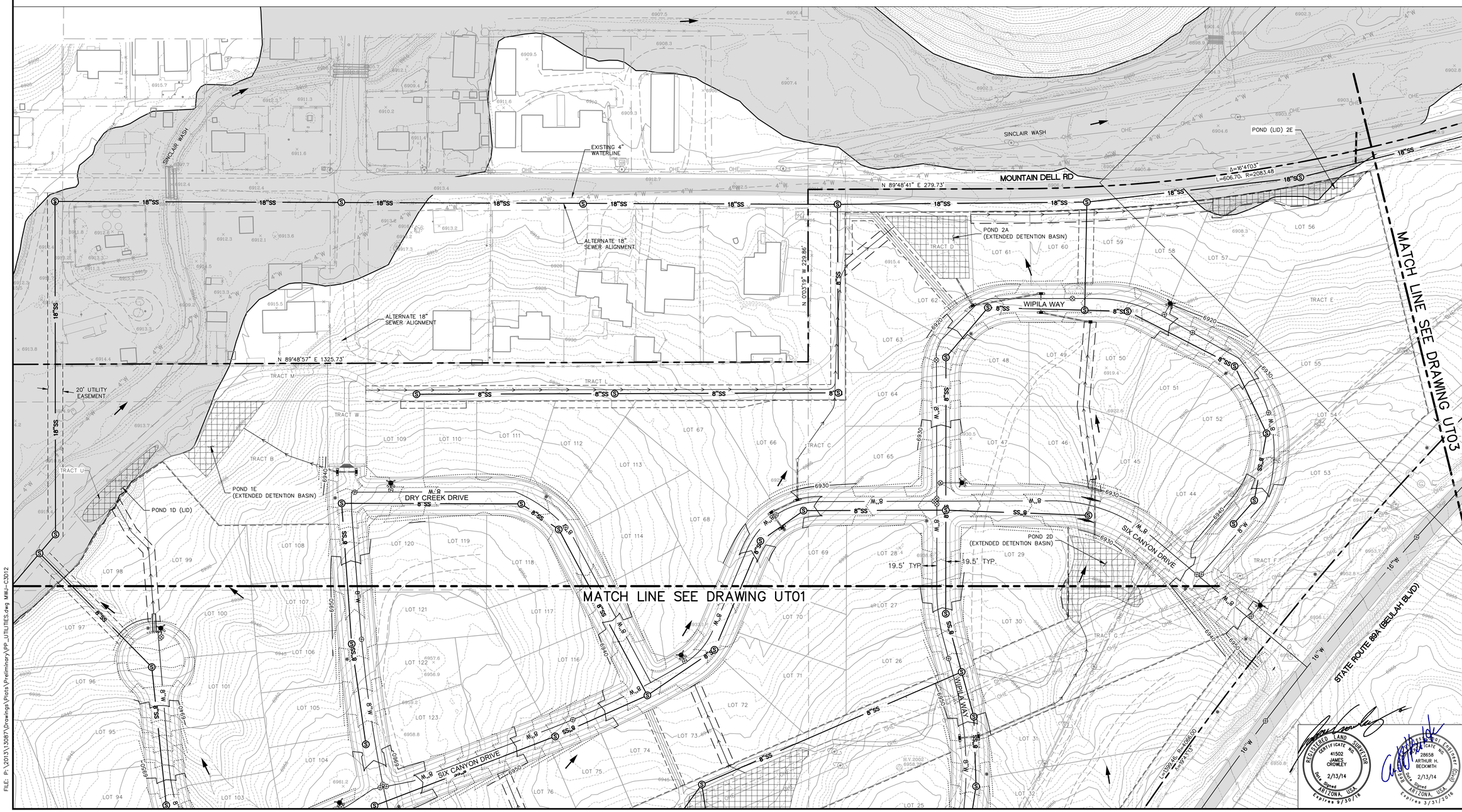
DRAWING NO.
UT01

SHT NO. 5 OF 15

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_UTILITIES.dwg MWJ-C3D12

PLOTTED: Feb 13, 2014-9:41am

SCALE 1" : 60'
0 30 60
CONTOUR INTERVAL = 2 FOOT



CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

AREA "B" WATER AND SEWER MASTER PLAN

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: 1"= 60'
DRAWN: MWJ
DESIGN: AHB/MWJ
CHECKED: GEC

110 West Dale Ave
Flagstaff, AZ 86001
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928.774.8934 fax
www.swiaz.com
Shephard Wesnitzer, Inc.

NO.	DESCRIPTION	DATE	BY

REVISIONS

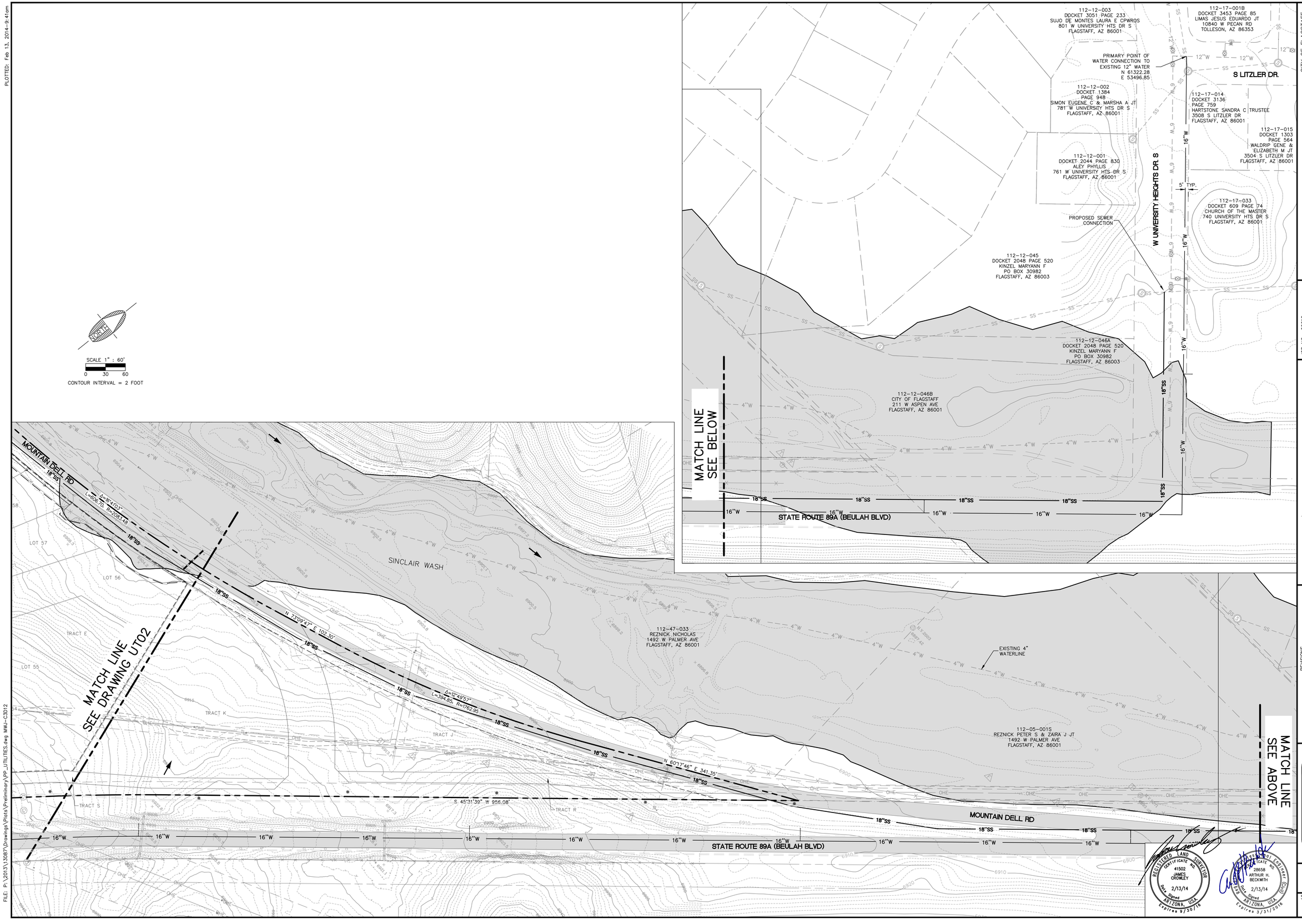
CALL TWO WORKING DAYS BEFORE YOU DIG
1-800-STAKE-IT

DRAWING NO.
UT02

SHT NO. 6 OF 15

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_UTILITIES.dwg MWJ-C3D12

PLOTTED: Feb 13, 2014-9:41am



CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

AREA "C" WATER AND SEWER MASTER PLAN

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: 1"= 60'
DRAWN: MWJ
DESIGN: AHB/MWJ
CHECKED: GEC

110 West Dale Ave
Flagstaff, AZ 86001
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928.774.8934 fax
www.swiaz.com
Shephard Wesnitzer, Inc.

NO.	DESCRIPTION	DATE	BY

REVISIONS

CALL TWO WORKING DAYS BEFORE YOU DIG
1-800-STAKE-IT

DRAWING NO.
UT03

SHT NO. 7 OF 15

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_UTILITIES.dwg MWJ-C3D12

PLOTTED: Feb 13, 2014-9:42am

STATE TRUST LAND

116-13-005A
COCONINO COUNTY
219 E CHERRY AVE
FLAGSTAFF, AZ 86001

SECONDARY POINT OF CONNECTION TO EXISTING 16" WATER
N 54495.95
E 47801.80

FORT TUTHILL PARK

30' UTILITY EASEMENT

16" WATER LINE

112-10-005T
FLAGSTAFF 89 LTD PARTNERSHIP II
6521 W CORTEZ PL
PHOENIX, AZ 85083

112-10-006A
FLAGSTAFF 89 LTD PARTNERSHIP I
6521 W CORTEZ PL
PHOENIX, AZ 85083

MATCH LINE SEE BELOW (LEFT)

EXISTING FUTS

SCALE 1" : 60'
0 30 60
CONTOUR INTERVAL = 2 FOOT

MATCH LINE SEE ABOVE (RIGHT)

112-10-006A
FLAGSTAFF 89 LTD PARTNERSHIP I
6521 W CORTEZ PL
PHOENIX, AZ 85083

112-10-006C
FLAGSTAFF 89 LTD PARTNERSHIP I
6521 W CORTEZ PL
PHOENIX, AZ 85083

16" WATER LINE

30' UTILITY EASEMENT

EXISTING FUTS

20' UTILITY EASEMENT

112-10-006B
RODIS ERNESTO B MD TRUSTEE
RODIS EB MDFACS PC PNSN PRFT SHRNG PLAN
6521 W CORTEZ PL
PHOENIX, AZ 85083

112-10-032
RODIS ERNESTO B MD TRUSTEE
RODIS EB MDFACS PC PNSN PRFT SHRNG PLAN
6521 W CORTEZ PL
PHOENIX, AZ 85083

112-10-005T
FLAGSTAFF 89 LTD PARTNERSHIP II
6521 W CORTEZ PL
PHOENIX, AZ 85083

112-10-006C
FLAGSTAFF 89 LTD PARTNERSHIP I
6521 W CORTEZ PL
PHOENIX, AZ 85083

112-10-031
FOUNTAINHEAD FLAG LLC
PMB 819 3219 E CAMELBACK RD
PHOENIX, AZ 85018

MATCH LINE SEE BELOW (LEFT)

SCALE 1" : 60'
0 30 60
CONTOUR INTERVAL = 2 FOOT

MATCH LINE SEE ABOVE (RIGHT)

112-10-031
FOUNTAINHEAD FLAG LLC
PMB 819 3219 E CAMELBACK RD
PHOENIX, AZ 85018

20' UTILITY EASEMENT

16" WATER LINE

112-05-129
FOUNTAINHEAD FLAG LLC
PMB 819 3219 E CAMELBACK RD
PHOENIX, AZ 85018

MATCH LINE SEE DRAWING UT01

SCALE 1" : 60'
0 30 60
CONTOUR INTERVAL = 2 FOOT

112-05-126
RODIS ERNESTO B & PAULA K
6521 W CORTEZ PL
PHOENIX, AZ 85083

112-05-127
FLAGSTAFF 89 LTD PARTNERSHIP I
6521 W CORTEZ PL
PHOENIX, AZ 85083

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 41502
JAMES CROWLEY
Date Signed 2/13/14
ARIZONA, U.S.A.
Expires 9/30/16

REGISTERED PROFESSIONAL ENGINEER (CIVIL)
CERTIFICATE NO. 28658
ARTHUR H. BECKWITH
Date Signed 2/13/14
ARIZONA, U.S.A.
Expires 3/31/2016

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

AREA 'D' WATER AND SEWER MASTER PLAN

JOB NO:	06612
DATE:	Feb 13, 2014
SCALE:	1"= 60'
DRAWN:	MWJ
DESIGN:	AHB
CHECKED:	GEC

110 West Dale Ave
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.swiaz.com

Shephard Wesnitzer, Inc.

NO.	DESCRIPTION	DATE	BY
REVISIONS			

CALL TWO WORKING DAYS BEFORE YOU DIG
1-800-STAKE-IT

DRAWING NO.
UT04

SHT NO. 8 OF 15

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_UTILITIES.dwg MWJ-C3D12

PLOTTED: Feb 13, 2014-9:42am

NOTES:
1. SEE DWG R02 FOR LOT AND TRACT CURVE TABLE.
2. ALL DRAINAGE EASEMENTS ARE PRIVATE AND MAINTAINED BY HOME OWNERS ASSOCIATION.

REGISTERED LAND SURVEYOR CERTIFICATE NO. 41502 JAMES CROWLEY Date Signed 2/13/14 ARIZONA, U.S.A. Expires 9/30/16

REGISTERED PROFESSIONAL ENGINEER CERTIFICATE NO. 28658 ARTHUR H. BECKWITH Date Signed 2/13/14 ARIZONA, U.S.A. Expires 3/31/2016

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

AREA "A"
PROJECT INFRASTRUCTURE

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: 1"= 60'
DRAWN: MWJ
DESIGN: AHB/MWJ
CHECKED: GEC

Shephard Wesnitzer, Inc.
110 West Dale Ave
Flagstaff, AZ 86001
928.773.0354
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NO.	DESCRIPTION	DATE	BY

REVISIONS

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DRAWING NO. R01

SHT NO. 9 OF 15

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_INFRASTRUCTURE.dwg MWJ-C3012

PLOTTED: Feb 13, 2014-9:42am

Curve Table

CURVE #	DELTA ANGLE	ARC LENGTH	RADIUS
C1	7°08'49"	240.06	1924.50
C2	4°54'43"	10.67	124.50
C3	4°53'28"	10.63	124.50
C4	3°13'38"	9.88	175.50
C5	6°34'33"	20.14	175.50
C6	4°42'51"	158.35	1924.50
C7	2°59'29"	100.48	1924.50
C8	3°09'35"	106.14	1924.50
C9	12°19'55"	37.77	175.50
C10	1°41'33"	5.18	175.50
C11	34°33'03"	19.30	32.00
C12	12°15'04"	6.84	32.00
C13	66°46'19"	60.60	52.00
C14	33°31'01"	30.42	52.00
C15	43°11'59"	39.21	52.00
C16	68°29'10"	62.16	52.00
C17	61°37'44"	55.93	52.00
C18	46°48'07"	26.14	32.00
C19	14°01'28"	30.47	124.50
C20	7°27'51"	42.39	325.37
C21	10°53'39"	61.87	325.37
C22	46°48'07"	26.14	32.00
C23	50°21'35"	45.71	52.00
C24	35°20'21"	32.07	52.00
C25	53°28'07"	48.53	52.00
C26	39°20'45"	35.71	52.00
C27	47°34'59"	43.18	52.00
C28	47°30'26"	43.12	52.00
C29	46°48'07"	26.14	32.00
C30	11°51'42"	56.83	274.49
C31	1°52'07"	66.26	2031.86
C32	0°52'24"	30.97	2031.86
C33	1°09'26"	41.04	2032.00
C34	0°55'22"	32.73	2032.00
C35	1°35'45"	56.59	2032.00
C36	0°32'22"	19.13	2032.00
C37	0°35'49"	21.17	2032.00
C38	1°39'02"	55.38	1922.50
C39	2°04'34"	69.66	1922.50
C40	2°06'05"	70.51	1922.50

Curve Table

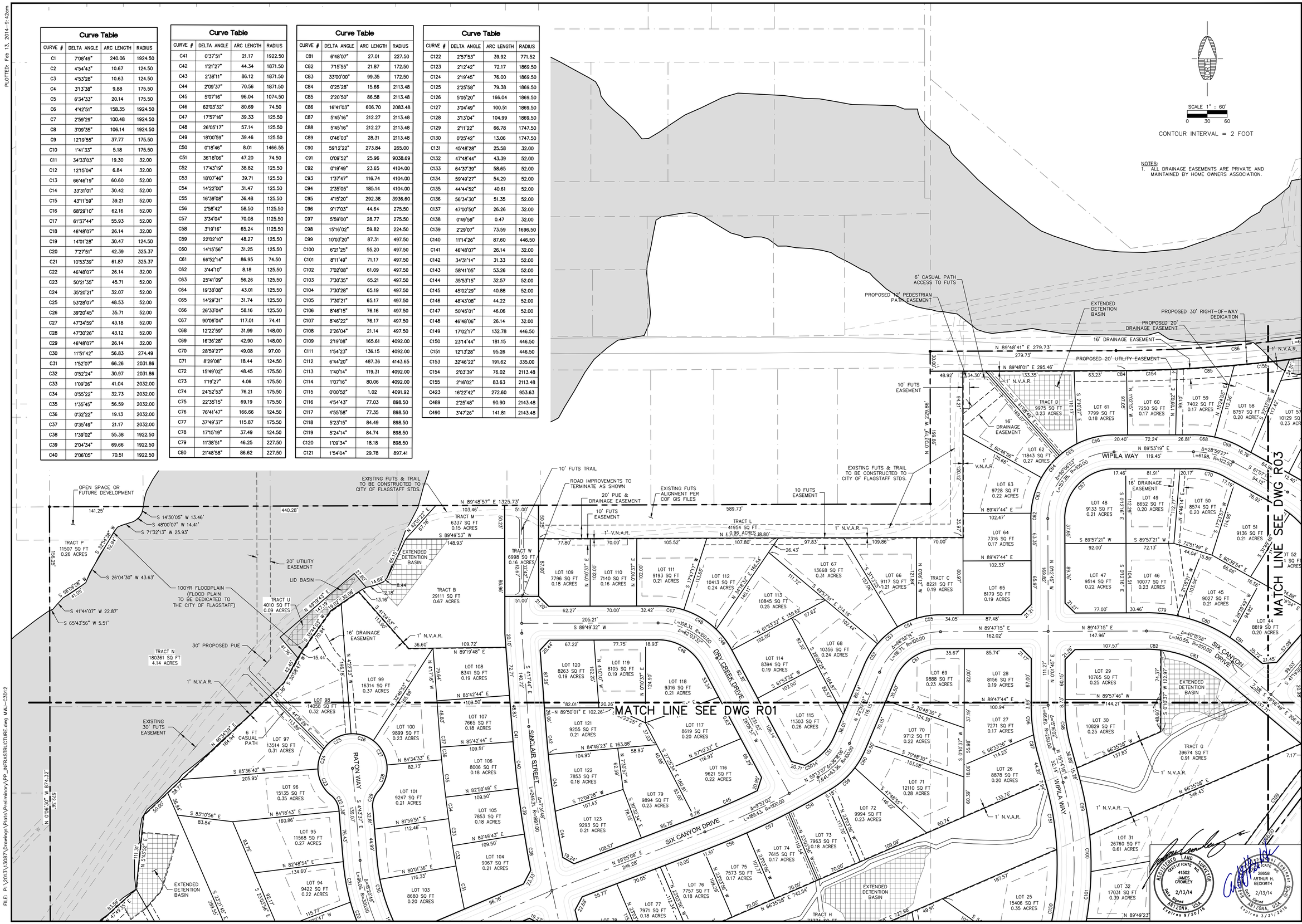
CURVE #	DELTA ANGLE	ARC LENGTH	RADIUS
C41	0°37'51"	21.17	1922.50
C42	1°21'27"	44.34	1871.50
C43	2°38'11"	86.12	1871.50
C44	2°09'37"	70.56	1871.50
C45	5°07'16"	96.04	1074.50
C46	62°03'32"	80.69	74.50
C47	17°57'16"	39.33	125.50
C48	26°05'17"	57.14	125.50
C49	18°00'59"	39.46	125.50
C50	0°18'46"	8.01	1466.55
C51	36°18'06"	47.20	74.50
C52	17°43'19"	38.82	125.50
C53	18°07'46"	39.71	125.50
C54	14°22'00"	31.47	125.50
C55	16°39'08"	36.48	125.50
C56	2°58'42"	58.50	1125.50
C57	3°34'04"	70.08	1125.50
C58	3°19'16"	65.24	1125.50
C59	22°02'10"	48.27	125.50
C60	14°15'56"	31.25	125.50
C61	66°52'14"	86.95	74.50
C62	3°44'10"	8.18	125.50
C63	25°41'09"	56.26	125.50
C64	19°38'08"	43.01	125.50
C65	14°29'31"	31.74	125.50
C66	26°33'04"	58.16	125.50
C67	90°06'04"	117.01	74.41
C68	12°22'59"	31.99	148.00
C69	16°36'28"	42.90	148.00
C70	28°59'27"	49.08	97.00
C71	8°29'08"	18.44	124.50
C72	15°49'02"	48.45	175.50
C73	1°19'27"	4.06	175.50
C74	24°52'53"	76.21	175.50
C75	22°35'15"	69.19	175.50
C76	76°41'47"	166.66	124.50
C77	37°49'37"	115.87	175.50
C78	17°15'19"	37.49	124.50
C79	11°38'51"	46.25	227.50
C80	21°48'58"	86.62	227.50

Curve Table

CURVE #	DELTA ANGLE	ARC LENGTH	RADIUS
C81	6°48'07"	27.01	227.50
C82	7°15'55"	21.87	172.50
C83	33°00'00"	99.35	172.50
C84	0°25'28"	15.66	2113.48
C85	2°20'50"	86.58	2113.48
C86	16°41'03"	606.70	2083.48
C87	5°45'16"	212.27	2113.48
C88	5°45'16"	212.27	2113.48
C89	0°46'03"	28.31	2113.48
C90	59°12'22"	273.84	265.00
C91	0°09'52"	25.96	9038.69
C92	0°19'49"	23.65	4104.00
C93	1°37'47"	116.74	4104.00
C94	2°35'05"	185.14	4104.00
C95	4°15'20"	292.38	3936.60
C96	9°17'03"	44.64	275.50
C97	5°59'00"	28.77	275.50
C98	15°16'02"	59.82	224.50
C99	10°03'20"	87.31	497.50
C100	6°21'25"	55.20	497.50
C101	8°11'49"	71.17	497.50
C102	7°02'08"	61.09	497.50
C103	7°30'35"	65.21	497.50
C104	7°30'28"	65.19	497.50
C105	7°30'21"	65.17	497.50
C106	8°46'15"	76.16	497.50
C107	8°46'22"	76.17	497.50
C108	2°26'04"	21.14	497.50
C109	2°19'08"	165.61	4092.00
C111	1°54'23"	136.15	4092.00
C112	6°44'20"	487.36	4143.65
C113	1°40'14"	119.31	4092.00
C114	1°07'16"	80.06	4092.00
C115	0°00'52"	1.02	4091.92
C116	4°54'43"	77.03	898.50
C117	4°55'58"	77.35	898.50
C118	5°23'15"	84.49	898.50
C119	5°24'14"	84.74	898.50
C120	1°09'34"	18.18	898.50
C121	1°54'04"	29.78	897.41

Curve Table

CURVE #	DELTA ANGLE	ARC LENGTH	RADIUS
C122	2°57'53"	39.92	771.52
C123	2°12'42"	72.17	1869.50
C124	2°19'45"	76.00	1869.50
C125	2°25'58"	79.38	1869.50
C126	5°05'20"	166.04	1869.50
C127	3°04'49"	100.51	1869.50
C128	3°13'04"	104.99	1869.50
C129	2°11'22"	66.78	1747.50
C130	0°25'42"	13.06	1747.50
C131	45°48'28"	25.58	32.00
C132	47°48'44"	43.39	52.00
C133	64°37'39"	58.65	52.00
C134	59°49'27"	54.29	52.00
C135	44°44'52"	40.61	52.00
C136	56°34'30"	51.35	52.00
C137	47°00'50"	26.26	32.00
C138	0°49'59"	0.47	32.00
C139	2°29'07"	73.59	1696.50
C140	11°14'26"	87.60	446.50
C141	46°48'07"	26.14	32.00
C142	34°31'14"	31.33	52.00
C143	58°41'05"	53.26	52.00
C144	35°53'15"	32.57	52.00
C145	45°02'29"	40.88	52.00
C146	48°43'08"	44.22	52.00
C147	50°45'01"	46.06	52.00
C148	46°48'06"	26.14	32.00
C149	17°02'17"	132.78	446.50
C150	23°14'44"	181.15	446.50
C151	12°13'28"	95.26	446.50
C153	32°46'22"	191.62	335.00
C154	2°03'39"	76.02	2113.48
C155	2°16'02"	83.63	2113.48
C423	16°22'42"	272.60	953.63
C489	2°25'48"	90.90	2143.48
C490	3°47'26"	141.81	2143.48



CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

AREA 'B' PROJECT INFRASTRUCTURE

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: 1"= 60'
DRAWN: MWJ
DESIGN: AHB/MWJ
CHECKED: GEC

110 West Dale Ave
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.swioz.com
Shephard Wesnitzer, Inc.

NO.	DESCRIPTION	DATE	BY
	REVISIONS		

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DRAWING NO. R02

SHT NO. 10 OF 15

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 41502
JAMES CROWLEY
Date Signed 2/13/14
ARIZONA, U.S.A.
Expires 9/30/16

REGISTERED PROFESSIONAL ENGINEER (CIVIL)
CERTIFICATE NO. 28658
ARTHUR H. BECKWITH
Date Signed 2/13/14
ARIZONA, U.S.A.
Expires 3/31/2016

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_INFRASTRUCTURE.dwg MWJ-C3D12

PLOTTED: Feb 13, 2014-9:42am

SCALE 1" : 60'
0 30 60

CONTOUR INTERVAL = 2 FOOT

NOTES:
1. SEE DWG R02 FOR LOT AND TRACT CURVE TABLE.
2. ALL DRAINAGE EASEMENTS ARE PRIVATE AND MAINTAINED BY HOME OWNERS ASSOCIATION.

100YR FLOODPLAIN

S MOUNTAIN DELL RD

SOUTH 30' OF EXIST 60' EASEMENT TO BE ABANDONED AT SUCH TIME THAT RE-ALIGNMENT IS CONSTRUCTED

30' ROW DEDICATION TO COF FOR FUTURE MOUNTAIN DELL ALIGNMENT

EXTENDED DETENTION BASIN

LID BASIN

TRACT V 6677 SQ FT 0.15 ACRES

1' V.N.A.R.

DRAINAGE EASEMENT

16' LANDSCAPE BUFFER

ROW TO BE DEDICATED TO COF

70' ROW DEDICATION TO COF

TRACT J 51162 SQ FT 1.17 ACRES

TRACT R 9926 SQ FT 0.23 ACRES

TRACT K 59938 SQ FT 1.38 ACRES

TRACT E 18047 SQ FT 0.41 ACRES

TRACT S 10742 SQ FT 0.25 ACRES

TRACT F 7904 SQ FT 0.18 ACRES

TRACT G 39674 SQ FT 0.91 ACRES

TRACT D 9975 SQ FT 0.23 ACRES

LOT 56 18692 SQ FT 0.43 ACRES

LOT 57 10129 SQ FT 0.23 ACRES

LOT 58 8757 SQ FT 0.20 ACRES

LOT 59 7402 SQ FT 0.17 ACRES

LOT 60 7250 SQ FT 0.17 ACRES

LOT 61 7799 SQ FT 0.18 ACRES

LOT 62 11843 SQ FT 0.27 ACRES

LOT 63 9728 SQ FT 0.22 ACRES

LOT 64 7316 SQ FT 0.17 ACRES

LOT 65 8179 SQ FT 0.19 ACRES

LOT 66 9117 SQ FT 0.21 ACRES

LOT 67 8668 SQ FT 0.31 ACRES

TRACT C 8221 SQ FT 0.19 ACRES

LOT 68 10356 SQ FT 0.24 ACRES

LOT 69 9888 SQ FT 0.23 ACRES

LOT 70 9712 SQ FT 0.22 ACRES

LOT 71 12110 SQ FT 0.28 ACRES

LOT 72 9994 SQ FT 0.23 ACRES

LOT 73 8 SQ FT 8 ACRES

LOT 28 8156 SQ FT 0.19 ACRES

LOT 27 7271 SQ FT 0.17 ACRES

LOT 26 8878 SQ FT 0.20 ACRES

LOT 25 15406 SQ FT 0.35 ACRES

LOT 29 10765 SQ FT 0.25 ACRES

LOT 30 10829 SQ FT 0.25 ACRES

LOT 31 26760 SQ FT 0.61 ACRES

LOT 32 17031 SQ FT 0.39 ACRES

LOT 48 9133 SQ FT 0.21 ACRES

LOT 49 8652 SQ FT 0.20 ACRES

LOT 50 8574 SQ FT 0.20 ACRES

LOT 47 9514 SQ FT 0.22 ACRES

LOT 46 10077 SQ FT 0.23 ACRES

LOT 45 9027 SQ FT 0.21 ACRES

LOT 52 9064 SQ FT 0.21 ACRES

LOT 55 14401 SQ FT 0.33 ACRES

LOT 54 12973 SQ FT 0.30 ACRES

LOT 53 10969 SQ FT 0.25 ACRES

LOT 44 SQ FT ACRES

MATCH LINE SEE DWG R02

WIPILA WAY

SIX CANYON DRIVE

STATE ROUTE 89A (BEULAH BLVD.)

INTERSTATE 17

EXISTING CITY OF FLAGSTAFF RIGHT-OF-WAY

EXTENDED DETENTION BASIN

REGISTERED LAND SURVEYOR CERTIFICATE NO. 41502 JAMES CROWLEY Date Signed 2/13/14 ARIZONA, U.S.A. Expires 9/30/16

REGISTERED PROFESSIONAL ENGINEER CERTIFICATE NO. 28658 ARTHUR H. BECKWITH Date Signed 2/13/14 ARIZONA, U.S.A. Expires 3/31/2016

FILE: P:\2013\3087\Drawings\Plats\Preliminary\PP_INFRASTRUCTURE.dwg MWJ-C3D12

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

AREA "C"
PROJECT INFRASTRUCTURE

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: 1"= 60'
DRAWN: MWJ
DESIGN: AHB/MWJ
CHECKED: GEC

Shephard Wesnitzer, Inc.
110 West Dale Ave
Flagstaff, AZ 86001
928.773.0354
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www.swiaz.com

NO.	DESCRIPTION	DATE	BY

REVISIONS

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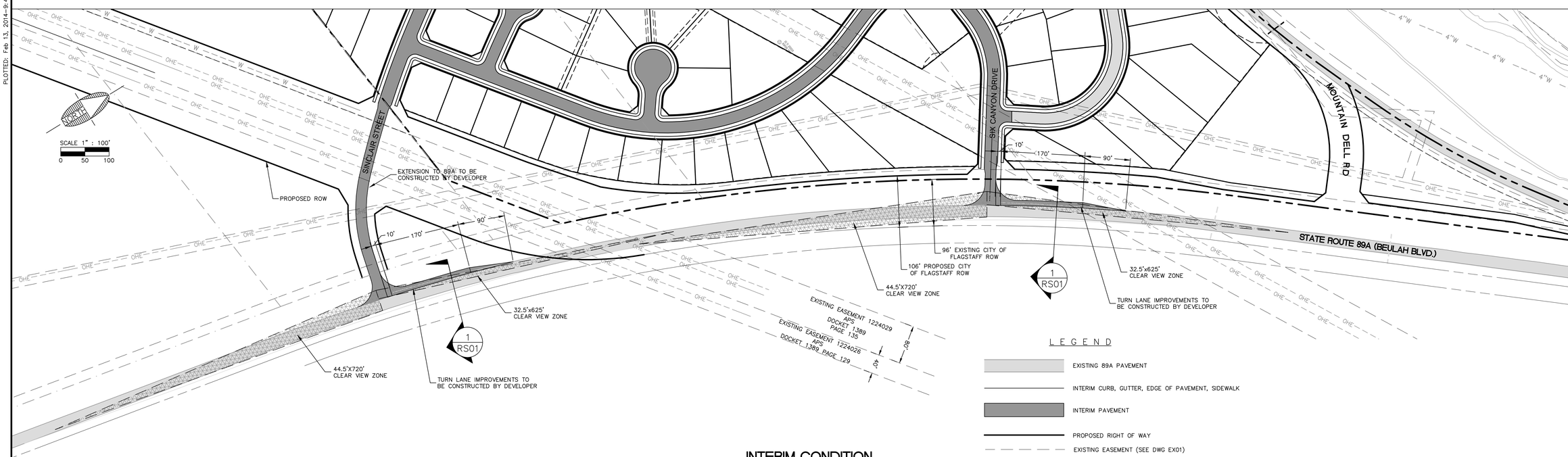
DRAWING NO. R03

SHT NO. 11 OF 15

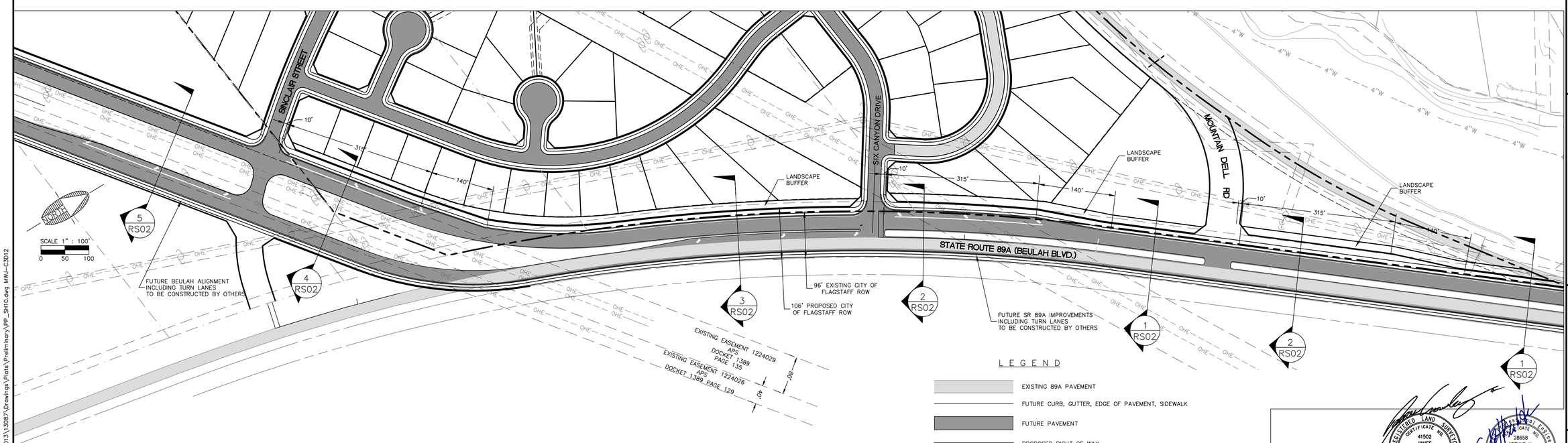
PLOTTED: Feb 13, 2014-9:43am



INTERIM CONDITION

LEGEND

- EXISTING 89A PAVEMENT
- INTERIM CURB, GUTTER, EDGE OF PAVEMENT, SIDEWALK
- INTERIM PAVEMENT
- PROPOSED RIGHT OF WAY
- EXISTING EASEMENT (SEE DWG EX01)
- OHE — EXISTING OVERHEAD ELECTRICAL
- EXISTING POWER POLE



FUTURE CONDITION

LEGEND

- EXISTING 89A PAVEMENT
- FUTURE CURB, GUTTER, EDGE OF PAVEMENT, SIDEWALK
- FUTURE PAVEMENT
- PROPOSED RIGHT OF WAY
- EXISTING EASEMENT (SEE DWG EX01)
- OHE — EXISTING OVERHEAD ELECTRICAL
- EXISTING POWER POLE

REGISTERED LAND SURVEYOR CERTIFICATE NO. 41502 JAMES CROWLEY Date Signed 2/13/14 ARIZONA, U.S.A. Expires 9/30/14

REGISTERED PROFESSIONAL ENGINEER (CIVIL) CERTIFICATE NO. 28658 ARTHUR H. BECKWITH Date Signed 2/13/14 ARIZONA, U.S.A. Expires 3/31/2016

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_SH10.dwg MWJ-C3D12

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

INTERMIN AND FUTURE IMPROVEMENTS

JOB NO: 06612
DATE: Feb 13, 2014
SCALE: AS SHOWN
DRAWN: AMS
DESIGN: JLC
CHECKED: JLC

110 West Dale Ave
Flagstaff, AZ 86001
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928.774.8934 fax
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Shephard Wesnitzer, Inc.

NO.	DESCRIPTION	DATE	BY

REVISIONS

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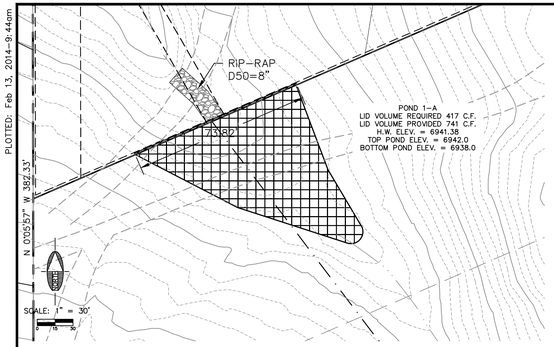
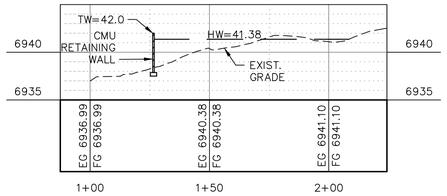
DRAWING NO.
R04

SHT NO. 12 OF 15





POND 1-A PROFILE
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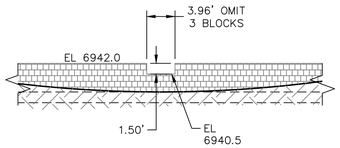
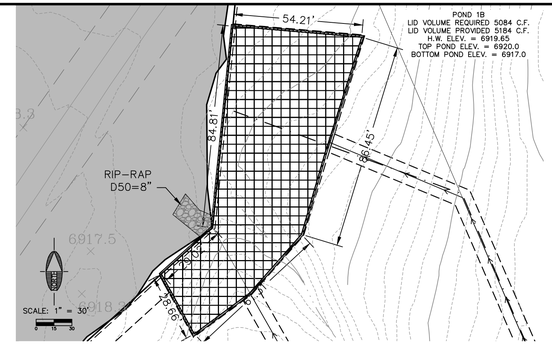
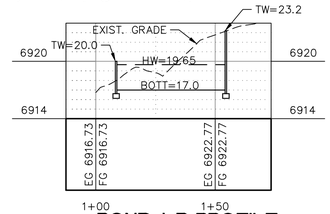


POND 1-A WIER ELEVATION
1"=10'





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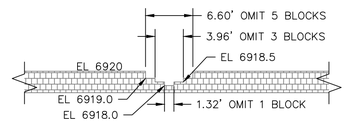
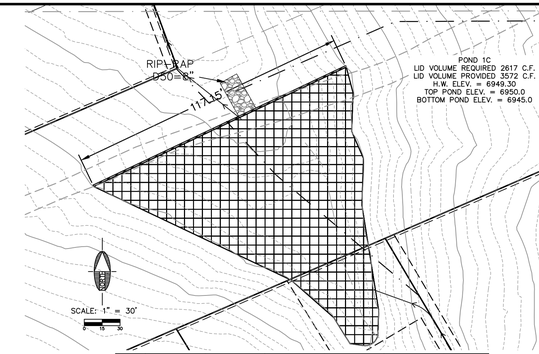
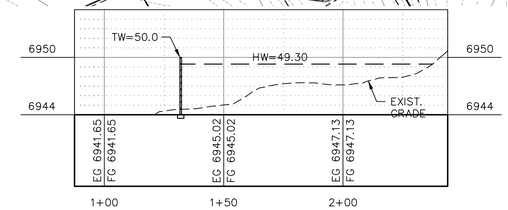


POND 1-B WIER ELEVATION
1"=10'





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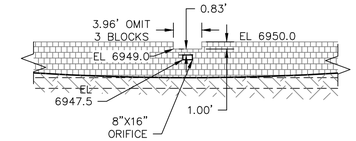
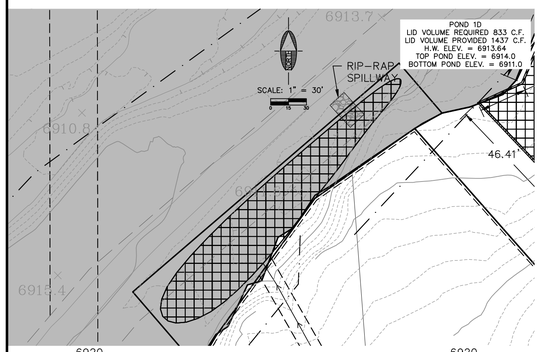
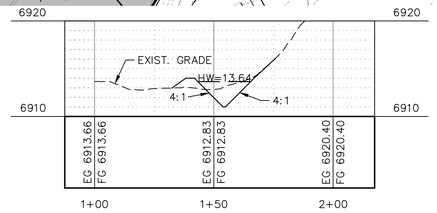
1"=30'



POND 1-C WIER ELEVATION
1"=10'





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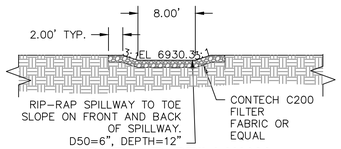

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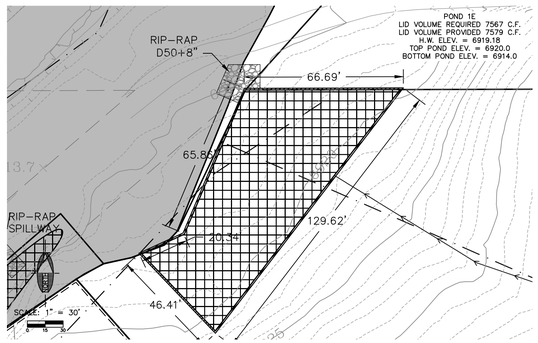

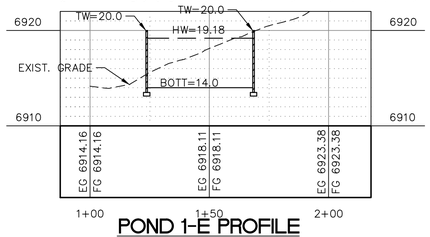

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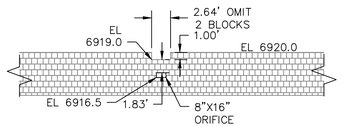

POND 1-E WIER ELEVATION
1"=10'

Camryn Pines Initial Preliminary Plat LID Analysis

		Impervious local residential street (sf/ft)	Impervious half local residential street (sf/ft)	Impervious lot area (sf)		LID required depth (ft)
	Variables	41	20.5	2500		0.08
Pre-development Basin ID	Preliminary Drainage Report Basin ID	Length full width road (ft)	Length half width road (ft)	Number of lots	Total impervious area for LID (sf)	Required 1" LID volume based on impervious gross area (cf)
1	1A	0	0	2	5,000	417
	1B	400	225	16	61,013	5,084
	1C	400	0	6	31,400	2,617
	1D	0	0	4	10,000	833
	1E	1,000	600	15	90,800	7,567
2	2A	2,700	300	42	221,850	18,488
	2B	750	375	7	55,938	4,661
	2C	450	400	14	61,650	5,138
	2D	450	100	8	40,500	3,375
	2E	0	0	9	22,500	1,875
	empty	0	0	0	0	0
	Total	6,150	2,000	123	600,650	50,055
	1. Gross required 1" LID volume is for impervious streets and assumed lot area.					
	2. Existing impervious = 0.0 sf					
	3. Proposed impervious = 600,650 sf					

FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

PRELIMINARY BASIN DETAILS

JOB NO:	13087
DATE:	FEB 14
SCALE:	AS SHOWN
DRAWN:	EWS
DESIGN:	EWS/JTL
CHECKED:	GEC

110 W. Dale Avenue
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
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REVISIONS

NO.	DESCRIPTION	DATE	BY

CALL TWO WORKING DAYS BEFORE YOU DIG
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DRAWING NO.
BD01

SHT NO. 13 OF 15

REGISTERED PROFESSIONAL ENGINEER (CIVIL)
CERTIFICATE NO. 28658
ARTHUR H. BECKWITH
2/13/14
Date Signed
ARIZONA, U.S.A.
Expires 3/31/2016

PLOTTED: Feb 13, 2014-9:44am

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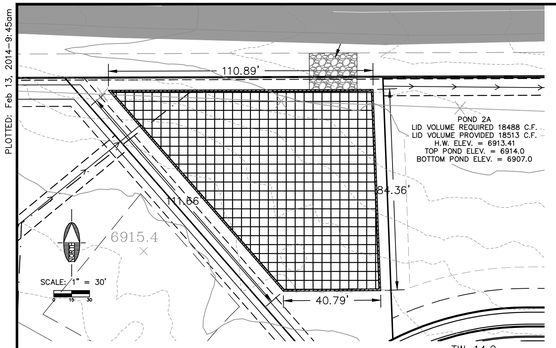

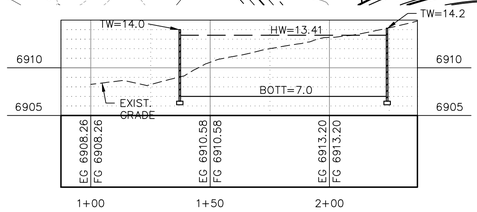

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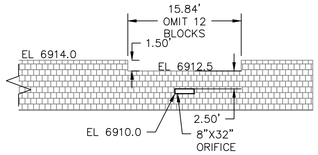

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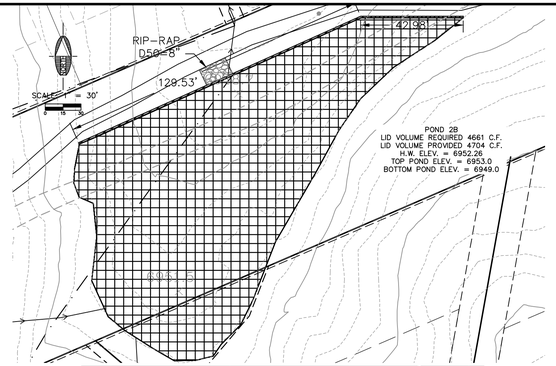

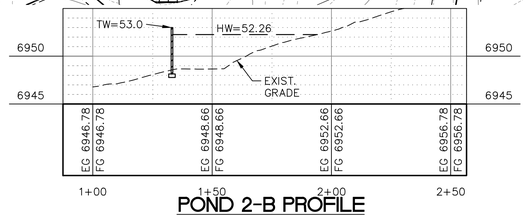

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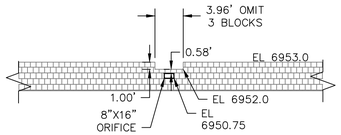

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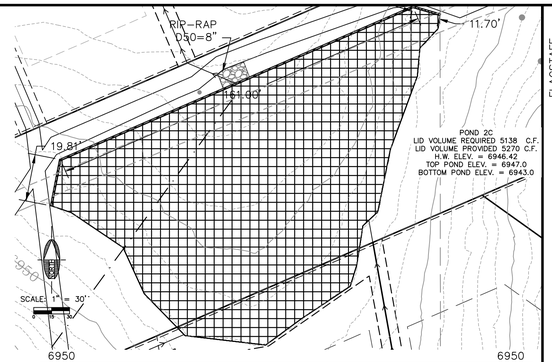

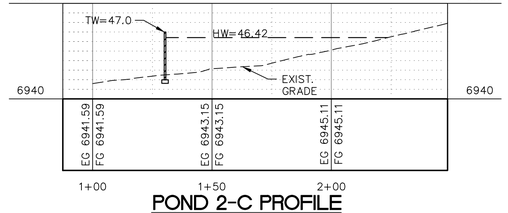

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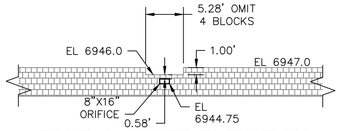

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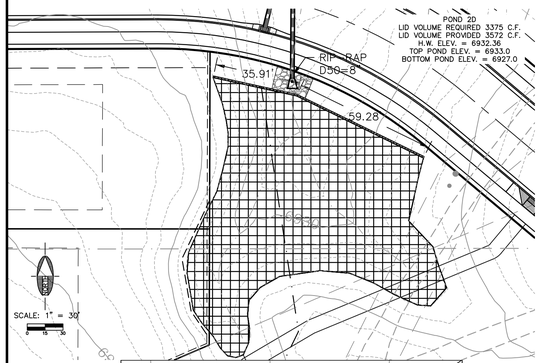

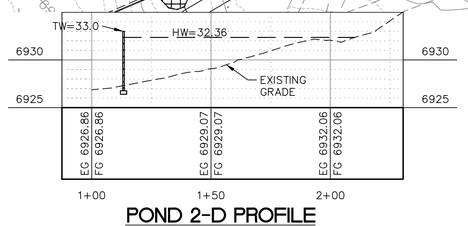

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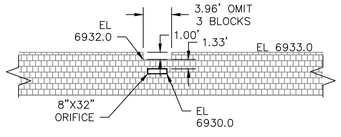

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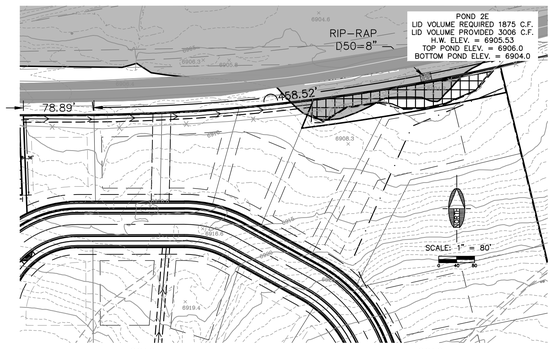

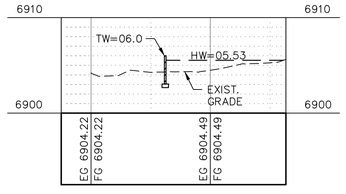

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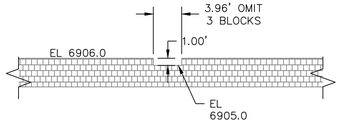

POND 2-E WIER ELEVATION
1"=10'

FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

PRELIMINARY BASIN DETAILS

JOB NO:	13087
DATE:	FEB 14
SCALE:	AS SHOWN
DRAWN:	EWS
DESIGN:	EWS/JTL
CHECKED:	GEC

110 W. Dale Avenue
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.swiaz.com
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NO.	DESCRIPTION	DATE	BY

REVISIONS

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DRAWING NO.
BD02

SHT NO. 14 OF 15

Registered Professional Engineer (Civil)
CERTIFICATE NO. 28658
ARTHUR H. BECKWITH
Date Signed 2/13/14
ARIZONA, U.S.A.
Expires 3/31/2016

PLOTTED: Feb 13, 2014-9:45am

FILE: P:\2013\13087\Engineering\Drainage\DWG\POND-EXHIBITS.dwg MWJ-C3012

PLOTTED: Feb 13, 2014-9:45am

PHASING TABLE

UNIT 1
LOTS 1–47
TRACTS: A,B,D,G,H,J,K,L,M,N,P,R,S,T,U,V,W

UNIT 2
LOTS 48–79
TRACTS: C,E,F

UNIT 3
LOTS 80–123

PHASING LEGEND

UNIT 1

UNIT 2

UNIT 3

NOTES:
1. ALL IMPROVEMENTS OUTSIDE OF SUBDIVISION BOUNDARY ARE TO BE CONSTRUCTED WITH UNIT 1.
2. EACH UNIT'S IMPROVEMENTS SHALL BE DESIGNED TO BE FULLY OPERATIONAL AND FUNCTIONAL IN PERPETUITY WITHOUT RELIANCE ON THE DEVELOPMENT OF FUTURE PHASES.
3. POLARIS CUL-DE-SAC TO BE BUILT TO CITY OF FLAGSTAFF STANDARDS PER SECTION 13-10-004-0001, DEAD END STREETS.

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 41502
JAMES CROWLEY
Date Signed 2/13/14
ARIZONA, U.S.A.
Expires 9/30/14

REGISTERED PROFESSIONAL ENGINEER (CIVIL)
CERTIFICATE NO. 28658
ARTHUR H. BECKWITH
Date Signed 2/13/14
ARIZONA, U.S.A.
Expires 3/31/2016

CITY OF FLAGSTAFF
ARIZONA

CAMRYN PINES PRELIMINARY PLAT

PRELIMINARY PLAT
PHASING PLAN

JOB NO:	06612
DATE:	Feb 13, 2014
SCALE:	1"=100'
DRAWN:	MWJ
DESIGN:	AHB/GEC
CHECKED:	GEC

110 West Dale Ave
Flagstaff, AZ 86001
928.773.0354
928.774.8934 fax
www.swiaz.com
SWI Shephard Wesnitzer, Inc.

NO.	DESCRIPTION	DATE	BY
REVISIONS			

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DRAWING NO.
PH01

SHT NO. 15 OF 15

FILE: P:\2013\13087\Drawings\Plats\Preliminary\PP_PH01.dwg MWJ-C3D12

PLANNING AND DEVELOPMENT SERVICES
PRELIMINARY PLAT REPORT

PUBLIC HEARING | **DATE:** **March 5, 2014**
PC PPPL 14-0004 | **MEETING DATE:** **March 26, 2014**
REPORT BY: **Neil Gullickson**

REQUEST:

PC PPPL 14-0004, a request for preliminary plat approval by Fountain Head United, LLC for Camryn Pines subdivision, a one-hundred and twenty three lot, single-family, detached residential subdivision. The site is 59.1 acres in size and is located at 4501 South Beulah Boulevard. The site is zoned R1, Single-Family Residential zone.

STAFF RECOMMENDATION:

Staff recommends that the commission forward the preliminary plat to the city council with a recommendation for approval.

PRESENT LAND USE:

Undeveloped land.

PROPOSED LAND USE:

One-Hundred and twenty three single-family residential lots.

NEIGHBORHOOD DEVELOPMENT:

North:	Single-family residential uses, County and City subdivisions, R1 zoning district.
South:	Undeveloped lands, Single-family residential uses, R1 zoning district.
East:	Interstate 17 and Beulah Boulevard right-of-ways
West:	Intermittent Single-family residential uses, ER, Estate Residential District.

REQUIRED FINDINGS:

The Planning and Zoning Commission shall find the proposed Preliminary-Plat meets the requirements of the City of Flagstaff Zoning Code, Title 11, General Plans and Subdivisions and City of Flagstaff Engineering Design and Construction Standards and Specifications for New Infrastructure.

STAFF REVIEW:

Introduction/Background:

This site is located adjacent to and southwest of the intersection of Beulah Boulevard and Mountain Dell Road. The entire site is zoned R1, Single-Family Residential, and will allow detached, single-family homes. The northern subdivision boundary is located adjacent to Mountain Dell Road and the Mountain Dell subdivision, which is located within a county island and outside of the City's jurisdiction. Camryn Pines was a part of a Regional Land Use Plan amendment that was approved in 2005 and included roughly 1,000

acres known as Villaggio Montana. This development includes three parcels that are presently zoned R1, Residential District.

The site consists of rolling forested topography; a 120-foot-wide Arizona Public Service easement bisects this site diagonally from the southwest to northeast. The easement supports above-ground, 69 kilo-watt electric transmission lines. Other than roads, detention facilities, and trails, no development is proposed to take place within the easement.

The Flagstaff Fire Department administered a forest stewardship tree thinning on this site during the summer of 2006. The northwest corner of the property is impacted by the floodway and floodplain of the Sinclair Wash drainage as it nears the Mountain Dell subdivision. The floodplain noted as Tract N on the preliminary plat is 4.14 acres in size and is to be dedicated to the City of Flagstaff for administration and maintenance.

The lots will be accessed internally from a system of public right-of-ways. Local and local narrow street sections will be provided by the developer. Dimensioned street sections are located on page two of the attached plat.

Flagstaff Area Regional Land Use and Transportation Plan

As noted above, this site was subject to a Regional Land Use and Transportation Plan amendment in 2005. The resulting designation for the site is Low-Density Residential encouraging up to 5 units per acre. The preliminary plat reflects a gross density of 2.8 and net density (roads excluded) of 2.68 units-per-acre. This proposal complies with the Regional Plan designation.

ZONING REQUIREMENTS:

As noted above this site is zoned R1. Each lot will be subject to the standard development requirements of the district or to specific building envelopes, which are identified on the preliminary plat. The zoning code discusses the following development standards for the district.

- Maximum building coverage of 35%,
- Maximum building height of 35 feet,
- 6,000 square-foot lots (minimum lot size),
- Fifteen-foot front setback to the livable dwelling space and 25 feet to the garage front. Eight-foot interior side and 20-foot exterior side setbacks, and
- Twenty-five-foot rear yard setbacks.

These lots will comply with the development regulations.

Natural Resources

The resource protection plans submitted with the application for preliminary plat indicate that minimum protection standards will be met. This site contains forest, moderate and steep slope, and rural floodplain resources. Moderate sloped areas of 17-24.9% total 3.0 acres; steep slopes greater than 25-34.99% total .50 acre, slopes greater than 35% equal 197 sq ft or .004 acre; and forest resource equals 45.9 acres. The

resource plan indicates that .51 acres of excess slope resource will be credited toward the forest resource requirement. There is 4.14 acres of rural floodplain on this property. The developer has noted on the first page of the plat that the floodplain (Tract N) will be dedicated to the city. The dedication will take place with the final plat and will require the developer to provide a deed to the city.

The following chart provides additional detail regarding the amounts and percentages of resources preserved at this site.

	TOTAL AREA	% REQUIRED	% PRESERVED	AREA REQUIRED	AREA PROVIDED
FOREST	45.9 AC	50%	52% W/SLOPE CREDIT	22.9AC	24.31(.91 AC CREDIT)
17% SLOPE	3.0 AC	70%	82%	2.1 AC	2.56 AC
25% + SLOPE	.50	80%	96%	.25 AC	.48 AC
+ 35% SLOPE	.004	100%	100%	.004	.004
FLOODPLAIN	4.14 AC	100%	100%	4.14 AC	4.14 AC

The above calculations reveal that resources will be protected above the minimum resource thresholds within the R1, Residential District.

Open Space

The Non-Transect zones residential development standards division10-40.30 of the zoning code does not require open space to be provided in single-family, residential subdivisions located in the R1, Residential zoning districts. As noted earlier a 100-foot-wide APS easement crosses this site. This easement will, to some extent, act as an open space feature. The easement runs from Beulah Boulevard on the east side across the development to the western property boundary. The developer is providing a 6-foot-wide “casual path” that runs from the eastern edge of the easement to a point where the path turns and runs between lots 82 and 83 and onto Raton Lane where another casual path runs between lots 97 and 98 to the existing FUTS alignment that runs to Fort Tuthill. The developer is also proposing to locate detention basins within the APS easement.

Landscaping

The preliminary plat notes that the developer will provide landscaping around the periphery of the subdivision. The final landscaping plans will be reviewed by staff with the submission of the improvement plans. The improvement and landscaping plans require staff approval prior to acceptance of the final plat application. Staff anticipates that the developer will use new landscaping along Beulah Boulevard and try to use existing forest resources to meet the periphery buffer landscape requirements.

Street trees are required by the Engineering Standards and their placement will be reviewed as part of the improvement plans and by the Planning Development Manager as the subdivision is receiving final inspection. The street trees will be placed each 45-feet in the 5-foot-wide parkway located on either side of the subdivision streets.

Between Camryn Pines and Mountain Dell, the City has constructed a FUTS. Both the residents of Mountain Dell and staff with concurrency from the developer felt that solid fencing along the rear lot lines of Camryn Pines adjacent to the trail would create the feeling of being in a "cattle chute" when using the FUTS. A note regarding the height limitation adjacent to FUTS is noted on the cover sheet of the preliminary plat and will be included on the final plat.

Lighting

This site is located in Astronomical Zone II, which allows up to 10,000 lumens of lighting on a single-family lot. Unshielded lighting is allowed as long as no more than 4,000 lumens are unshielded; the balance of 6,000 lumens must be fully shielded. The Dark Sky Ordinance, located in division 10-50.70 of the zoning code

Building Design

Staff has reviewed and applied the applicable site guidelines as part of their review of this subdivision. Review of the guidelines includes:

- The trail through the APS easement will optimizes the home owner's ability to use and enjoy the open nature of the easement.
- The internal road layout provides the opportunity to connect Polaris Drive with the adjacent Tuthill North Subdivision, which is proposed to be developed to the west of this subdivision. Right-of-way at the north end of Sinclair Street is being provided so that a connection to Mountain Dell will be available if needed in the future, which would provide a true secondary access to this subdivision/county island.
- Pedestrian and bicycle connections are provided throughout the subdivision so that the residents can use the street side sidewalks, bike lanes, and casual paths to access the FUTS, which runs through the northwest corner of the subdivision.

Single-family residences are exempt from the city's building design standards.

SYSTEMS ANALYSIS:

Traffic/Access/Pedestrian/Bicycle

A traffic impact analysis was required for this development. Traffic improvements for this development include the following:

- The developer is providing right-of-way along the Beulah Blvd. frontage to facilitate the ultimate build out. Beulah Blvd. is an arterial street that will include two travel lanes in each direction with a median and edge improvements. In addition to the right-of-way, the developer will build right turn deceleration lanes for Six Canyon Drive and Sinclair Street. The developer is not responsible for building additional travel lanes on Beulah Blvd., but will be providing cash for the future curb, gutter, parkway and FUTS improvements.
- Referencing sheet 12, of the plat, the developer will be dedicating adequate right of way for a realignment of Mountain Dell Road but will not be responsible for building the road. The new

alignment will provide a perpendicular intersection, which when improved would be a safer intersection than the current alignment. The exact location and dimensions will be determined with the submission and review of the improvement plans.

- As noted in the introduction, the street sections are located on Page 2 of the plat. The internal streets will be built to residential local and residential local narrow standards. These street designations are based on the volume of traffic each street will carry.
- Referencing sheet 12 of the Plat, Sinclair Street will extend from the southern edge of the subdivision to a perpendicular intersection with Beulah Blvd. To facilitate this intersection, the developer will need to acquire property for the right-of-way from the neighboring property owner. The developer currently has negotiated with the neighbor and has the necessary property under contract to purchase.
- At this same corner of the subdivision, the Regional Land Use and Transportation Plan indicate that Beulah Blvd. will begin realignment. This developer is dedicating ROW to support a future arterial road that includes an APS easement and existing overhead utility lines. When fully built out, the realigned portion of Beulah Blvd. will include two travel lanes in each direction, curb, gutter, 5-foot-wide parkway, FUTS and center median. Right-of-way dedications will be required of adjacent property owners as development proposals come forward for the balance of the realigned Beulah Blvd.
- Referencing sheet 11, the developer will dedicate new right-of-way to the city for the portion of Mountain Dell Road located on this property. This will include 30 feet along the north property line.
- As noted earlier, the development proposes a complete internal pedestrian system, providing access from each residence to the system. A ten-foot-wide, unpaved FUTS runs along the floodplain at the northwest corner of the development; this is part of the Fort Tuthill trail. The development will provide access to the FUTS via three, 6-foot-wide casual paths, one between lot 62 and tract D, one along Sinclair Street and the last between lots 97 and 98. Curb gutter, parkway and sidewalks are being provided across the frontage of all lots. Internal trail connections to the trail in the APS easement described above run between lots 82 and 83, and lots 73 and 74. A second FUTS is planned to run adjacent to the west side of Beulah Blvd., this section of the FUTS will be included as part of the cash payment for future improvements discussed above.
- This subdivision is located within the Airport Avigation Area Zone; an Avigation easement is required for development within this zone (Section 10-03-009-0002 of the LDC). The completed and approved easement will be recorded with the final plat.

The Mountain Line public transit system does not currently provide services this area.

Water System

Water and Sewer Impact Analysis was preformed for this site. The developer is responsible for the installation of a 16-inch water transmission main running from University Heights Drive South along Beulah Boulevard across the frontage of this property to an existing 16-inch stub located at Fort Tuthill Park. This will provide the secondary source of water which is a requirement of the City's Engineering Standards.

No reclaim water service is available to this site.

Wastewater Systems

The sanitary sewer system includes an 18-inch main that will be extended from University Heights Drive South to and through the subdivision to its western boundary. The 18-inch line is sized to handle the total anticipated development needed for City lands up-stream of this location. The sanitary sewer systems within the subdivision will gravity feed, through a series of 8-inch public lines located within the subdivision.

Stormwater Systems

A preliminary drainage report has been submitted for staff review. As noted above in the introduction, the report identified tract N (4.14 acres) as rural flood plain, which will be dedicated to the City. Additionally, a series of detention basins have been identified by the developer as necessary to capture and meter stormwater from the site at the pre-development flow rates.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission forward the preliminary plat to the City Council with a recommendation for approval with all applicable conditions of the IDS approval of February 10, 2014, and the following conditions:

1. The property owners provide a completed Avigation Easement with the final plat application.

ATTACHMENTS:

- Preliminary Plat Application,
- Location map,
- DRB Minutes of February 10, 2014,
- Preliminary Plat,
- Resource protection plan.

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To:	The Honorable Mayor and Council
From:	Karl Eberhard, Comm Design & Redevelopment Mgr
Date:	04/09/2014
Meeting Date:	04/15/2014

TITLE

Discussion: Direction to Staff regarding the Fourth Street Corridor Master Plan

RECOMMENDED ACTION:

None - Discussion Only. Review, discuss, and clarify as needed the direction provided to staff at the January 23, 2014 City Council mini-budget retreat.

INFORMATION

The January 23, 2014 mini budget retreat presentation provided context for certain City Council finance-driven budget discussions with no inquiry to the City Council for decisions regarding the findings from the study, its conclusions, or its disposition. This report summarizes the retreat discussion.

PROJECT HISTORY:
Staff provided an overview of the Fourth Street Corridor Master Plan, summarized in time line format as follows:

- 2009: At the request of the City Council through the FY09 budget process, Community Design and Redevelopment staff initiated a design study of Fourth Street from Route 66 to Cedar Avenue. A Consultant team, lead by Otak Inc., was selected and the contract approved by the City Council in April of 2009.
- 2010: The City Council reviewed initial stakeholder input and several conceptual design schemes, and provided further direction in February of 2010. In response to staff review comments, in July additional traffic study work was added to the contract and additional public outreach work was also added due to the extended time frame. The final report was provided to City staff in November of 2010.
- 2011-2013: Potential traffic impacts of the proposal were evaluated by staff, including additional traffic modeling by the consultant, the Flagstaff Metropolitan Planning Organization (FMPO), and by an independent (third) traffic engineer.
- 2013-Present: So as not to be confused with business improvement district formation efforts on the east side, the report has not been presented to the City Council in the intervening time (since February 2013).

SCOPE OF WORK:
The initial scope of work sought by the City Council included the goals of pedestrian safety and comfort, traffic issues, urban design and beautification, multi-modal transportation, and redevelopment of the public realm. The scope of work also included extensive community involvement and cost information and recommendations. Broad community outreach confirmed this scope of work - that Fourth Street should be "a place to be."

STUDY FINAL RECOMMENDATIONS:

- Traffic Improvements: Align intersections; add turn lanes and traffic lights; combine driveways along the corridor; and differentiate the shared turn lane.
- Pedestrian Improvements: Add additional pedestrian crossings; add sidewalks and landscaping along the edges; and enhance the shared turn lane paving.
    - For the portion north of Seventh Avenue, north of the Cal Ranch store, the study proposes removing a driving lane in each direction and to placing the edge improvements within the existing right-of-way.
    - For the portion south of Sixth Avenue, the study proposes the acquisition of right-of-way in order to add edge improvements.

The solution proposed for the northern portion, removing driving lanes, is of concern to certain stakeholders. Understanding the costs and benefits of this choice warrants a special City Council discussion, of some length, so that traffic impacts, design qualities, and costs can be fully considered. Staff believes that the study suggests a fundamental policy question: Is Fourth Street "a place to be" first and an arterial road second, or, is it an arterial road first and "a place to be" second? Between these two priorities, the resulting character of this commercial district is quite different and the desired improvements are quite different.

CITY COUNCIL DISCUSSION:
The Council heard the presentation and appreciated the need for a policy discussion, notably as it related to the proposed design solution for the northern part of Fourth Street. At the same time, the Council remained concerned about the immediate need for increased pedestrian safety, and recognized that there were portions of the plan that work whether or not the solution for the northern portion is implemented and that thus appeared agreeable to all concerned. While funding for improvements will be a discussion at the upcoming City Council Budget Retreat, the January 23rd discussion included funding considerations as follows:

- The Beautification and Public Art Commission has recommended an allocation each year and the City Council has adopted budgets such that there is $1.5M of BBB - Beautification funds available ("saved up") for this work.
- $500,000 in Transportation Tax funding is currently available.
- For land acquisitions associated with the intersection re-alignments, additional funding would be necessary.

CITY COUNCIL DIRECTION for the CURRENT WORK PROGRAM:
The City Council provided two items of direction for staff:

1. In current work program, implement the following portions of the Master Plan:

- Pedestrian crossings (possibly with median refuges).
- Edge improvements south of Sixth Street.
- Enhanced shared turn lane paving.
- The realignment of Cedar Avenue and Lockett Road.
- The realignment of Seventh and Sixth Streets

Notably, these items make up a significant work plan to implement. And, the funding that the City Council discussed would be sufficient to accomplish much of this work.

2. Schedule a public hearing for the City Council to consider the Fourth Street Corridor Master Plan, budgetary implications, and the ultimate role of the study in the future planning of this area. The overall master plan, its conclusions, and its disposition (adoption, rejection, or alternative direction) remain the subject of a future City Council discussion.

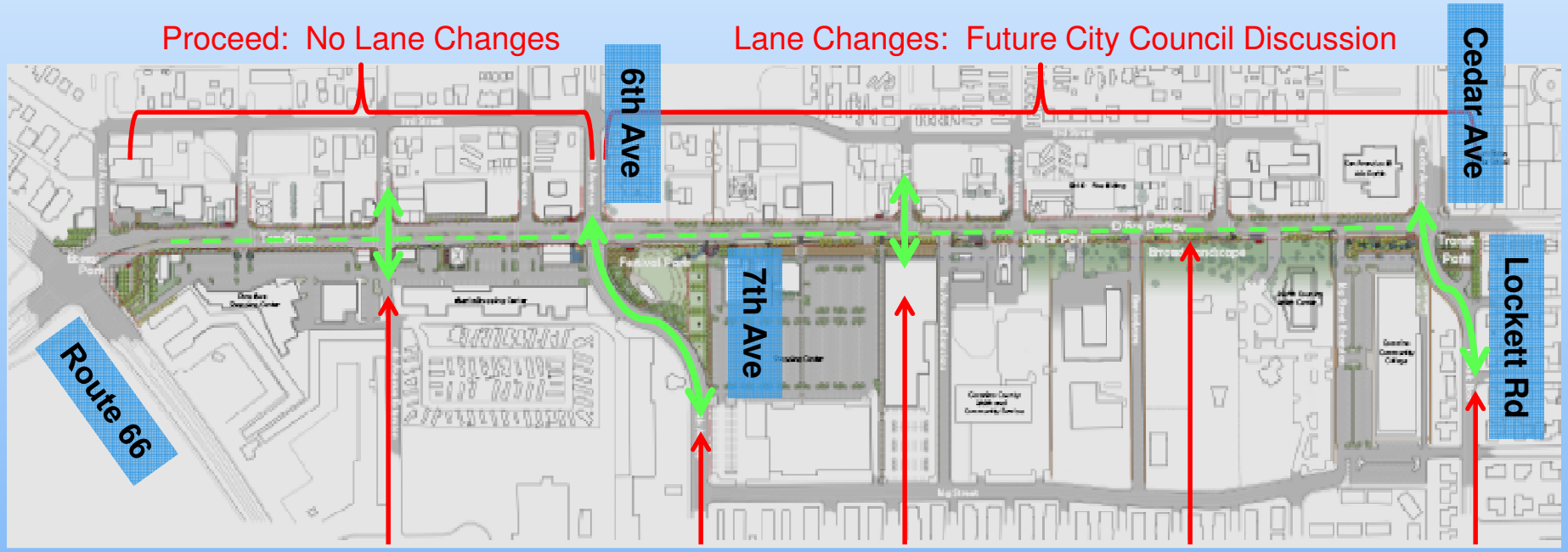
CURRENT CITY COUNCIL CONSIDERATION

This item is before the City Council to provide an opportunity to review, discuss, and clarify as needed the direction provided to staff at the January 23, 2014 City Council Mini-budget Retreat. It also allows an opportunity for citizens who are interested and have recently spoken before the City Council to understand what specific elements of the Fourth Street Corridor Master Plan are moving forward at this time (Summarized above under CITY COUNCIL DIRECTION for the CURRENT WORK PROGRAM).

Attachments: Master Plan - Annotated
January Retreat - Staff Memo
PowerPoint

Fourth Street Corridor Master Plan

City Council Direction – January 23, 2014



Proceed:

Pedestrian Activated Crossing

Intersection Re-alignment

Pedestrian Activated Crossing

Enhanced Shared-turn Lane Paving

Intersection Re-alignment

January 16, 2014

MEMO

TO: Honorable Mayor and Members of the City Council

FROM: Karl Eberhard, AIA
Community Design and Redevelopment Manager

RE: Fourth Street Corridor Study - North
City of Flagstaff – Internal Link to Study

At the request of the City Council, Community Design and Redevelopment staff initiated a design study of the northern portion of Fourth Street, from Route 66 to Cedar Avenue. While the study suggests certain redevelopment ideas, and redevelopment would be expected following municipal investment, the study was specifically *not* an East Flagstaff Redevelopment Plan. The purpose of this study was to address community concerns about the corridor, the public realm, and to create a conceptual plan that provides an overall vision, a framework for physical and financial planning, and that could serve as the basis of future detailed work. As it turns out, the end result is a policy question ...

A Consultant team, lead by Otak Inc., was selected and the contract approved by the City Council in April of 2009. The City Council reviewed initial stakeholder input and several conceptual design schemes, and provided direction in February of 2010. In response to staff comments, in July of 2010, additional Traffic Study work was added to the contract and additional public outreach work was also added due to the extended timeframe. The final report was provided to City staff in November of 2010. Through February of 2013, potential traffic impacts were evaluated by staff, including additional traffic modeling by the consultant, modeling by the Flagstaff Metropolitan Planning Organization (FMPO), and modeling by a third party traffic engineer. So as not to be confused with business improvement district formation efforts on the east side, the report has not been presented to the City Council in the intervening time.

Goal and Plan Development:

The initial scope of work approved by the City Council included the goals of Pedestrian Safety and Comfort, Traffic Issues, Urban Design and Beautification, Multimodal Transportation, and Redevelopment of the public realm. The scope of work also included extensive Community Involvement and Cost information and recommendations.

Community Involvement:

Stakeholder input was obtained through workshops and presentations conducted on September 1st and 2nd, 2009, December 15th and 16th, 2009, January 26, 2010, and December 1, 2010. Stakeholders included property and business owners, neighborhood residents, community organizations (neighborhood, business, and religious), City Council members and County Supervisors, City Boards and Commissions, City (All Divisions), County, and FUSD staff, and the broader Flagstaff community.

The Consultant's outreach process started with a stakeholder review and confirmation of the scope of work goals. Through this process, the following vision was developed for the northern part of Fourth Street:

> "A signature street based on local ecology and cultural history that links neighborhoods, develops Fourth Street as a destination, and creates a sense of place"

The community review of preliminary concepts, and ongoing community discussions, further shaped the goals and objectives that were incorporated into the final plan recommendations.

Existing Conditions:

The stakeholder's observations and concerns weren't conveniently grouped into "Pedestrian Safety and Comfort, Traffic Issues, Multimodal Transportation, Urban Design and Beautification, and Redevelopment". Their observations were more ground level - such as "there's only one legal crossing in a mile of street", "the road divides the neighborhoods east and west of the street", "people drive too fast", and "more green, less grey". In summary, while the street sort of works for cars it's certainly not a neighborhood center and certainly not a place for people. It is that character, being severely pedestrian-adverse, that distinguishes Fourth Street from downtown, the mall, or the Sawmill – places of commercial investment and value, economic vitality, and places of redevelopment. This character is a product of neighborhood development in an era when auto-exclusive development was the norm, but importantly, it is also the product of a limited right-of-way width. The existing right-of-way is nearly completely filled by the road.

Preliminary Plan Concepts:

Otak, Inc. developed several conceptual design schemes that were considered (descriptions are included in the study). Two general ideas, or directions, were presented as initial schemes to the stakeholders and the City Council (February 2010).

The "Linear Park" concept involved reducing the overall width of the road, eliminating one driving lane in each direction, creating space for needed edge improvements including parkways and sidewalks, multi-modal transportation facilities, and a linear park on the east side. Intersections at Sixth, Seventh, and Cedar Avenues would have been re-aligned, other intersections improved, and driveways into the shopping malls would have been consolidated to assist in traffic flow and to create open spaces. Other key components included on-street parking, pedestrian crossings, and incorporated sustainability and "Green Street" technologies.

The "Village Square" concept proposed organizing Fourth Street around a series of open areas that provide community spaces. The highlight was the development of a large central plaza between Sixth and Seventh Avenues. The four existing traffic lanes were preserved, requiring right-of-way (ROW) purchases to accommodate edge improvements, and the center shared turn lane would have become a planted median. Intersection and driveway modifications as well as pedestrian and multi-modal transportation facilities were similar, in function at least, to those of the "Linear Park" scheme.

The Final Plan Recommendations:

Consensus feedback, and traffic analysis, suggested that making all of Fourth Street two lanes was not workable, putting a plaza in the middle of the street was not workable, and eliminating the center turn lane was not workable. It seemed that the "Linear Park" scheme, with some modifications, worked pretty well from Cedar Avenue to Seventh Avenue and that the "Village Square" scheme, with some modifications, worked pretty well from Sixth Avenue to Route 66. This combination best balanced the various community goals and objectives and the final plan is indeed this blend of the two earlier schemes.

Pedestrian Safety and Comfort:

In addition to this direct goal, all of the stakeholder goals speak to the walkability of the neighborhood and the desire to create walkability where none exists today. The specific objectives of this goal include a complete sidewalk system, pedestrian crossings, corridor and neighborhood connectivity, shade, lighting, and slowing down traffic.

Pedestrian safety and comfort, and walkability, are accomplished in part by adding missing features. The plan describes these clearly and thus only highlights are addressed here. Pedestrian crossings are provided at ¼ mile intervals overall and at $^{1}/_{8}$ mile intervals in key places[1]. These crossings provide neighborhood connectivity, notably the east side of the street to the neighborhood areas west and vice versa. In addition, the plan recommends some street connections between Fourth Street and the neighborhood areas to the east, as well as a handful of purely pedestrian connection opportunities.

[1] For reference, 1/8 mile intervals are every 660 feet, approximately equal to two blocks in downtown Flagstaff – not ideal, but much better.

Altogether these added features increase the level of "friction", an alteration that naturally causes drivers to slow down. Notably, most of the traffic slowing is a result of the added signals and pedestrian crossings. The relationship between vehicle speed and the severity of collisions between cars and people is well established - decreasing vehicle speeds from forty miles per hour to thirty reduces the fatalities nearly in half.

The other significant alteration to create pedestrian safety and comfort, and walkability, is the removal of driving lanes from Sixth to Cedar Avenue. In that area, instead of being purchased, the existing ROW is reallocated to provide the necessary space for the place making and safety sought by the stakeholders. In the transportation industry, this solution is referred to as a "road diet". In addition to reducing speeds, reducing the number of lanes contributes significantly to pedestrian safety and walkability. Supported by the Federal Highway Administration (FHWA) and their studies and publications, five-lane roadways significantly discourage mobility and access of transit users, pedestrians and bicyclists.

Neighborhood Traffic Issues:

The stakeholder objectives with regard to changing the roadway included access management, intersection design (specifically aligning Sixth and Seventh Avenues and signalized intersections), turning movements, and slowing down the traffic.

Most of the intersection improvements are rather mundane and typical considerations of the number of turn lanes, signals, and so forth. Notably however, realignments are proposed at Cedar Avenue/Locket Road and at Sixth/Seventh Avenues and each location requires a notable investment in ROW acquisition. Clearly, the recommended design balances functional possibilities, spatial needs, and cost.

Cedar / Lockett & Fourth

Sixth / Seventh & Fourth

Access management recommendations do not include the traditional solution of adding raised medians, but does include consolidating driveways. The concern about turning movements initially suggested adding medians but upon vetting with the stakeholders, this objective was reduced to simply enhanced turn lane paving and improving the intersection designs.

The Consultant feels that the streetscape elements provide enough friction and the signals enough pause, that the task of slowing down traffic is accomplished without need of specific traffic calming features.

Urban Design and Beautification:

Within this goal, objectives included a coordinated community design creating gathering spaces, streetscaping (including landscaping, furniture, signage, and similar amenities), “more green, less gray”, and public art. The over-arching objective specifically included making Fourth Street a destination, or commercial activity center, as well as a place that serves the neighborhood population, and a community design element that unites rather than divides East Flagstaff. In the course of developing the study, the stakeholders referred to this over-arching objective as “place making”.

For many, the public process used to develop this study is referred to as “place making”. Under this definition, it involves looking at, listening to, and asking questions of the users to discover their needs and aspirations. This information is then used to create a common vision for that place.

Multimodal Transportation:

Because of the real or perceived dire need for pedestrian facilities (sidewalks, crossing, and so forth), these became a goal separate from other multi-modal transportation objectives. The other two objectives of a balanced multi-modal transportation system include bicycle and transit facilities.

Fourth Street currently has bike lanes and the recommended plan proposes a bicycle path instead. Bike lanes are appropriate to meet the Engineering Standards. This change can readily be accommodated with the detailed design and engineering work without materially changing the study. This critique exemplifies that specific details shown now do not detract from the current function of the plan - as the basis of financial planning, grant applications, and future detailed design and engineering work.

The study recommends bus service in both directions, double the number of stops, and enhanced stop facilities (shelters, urban design, public art and so forth). And, the plan offers up an operational strategy to achieve this level of service.

Redevelopment:

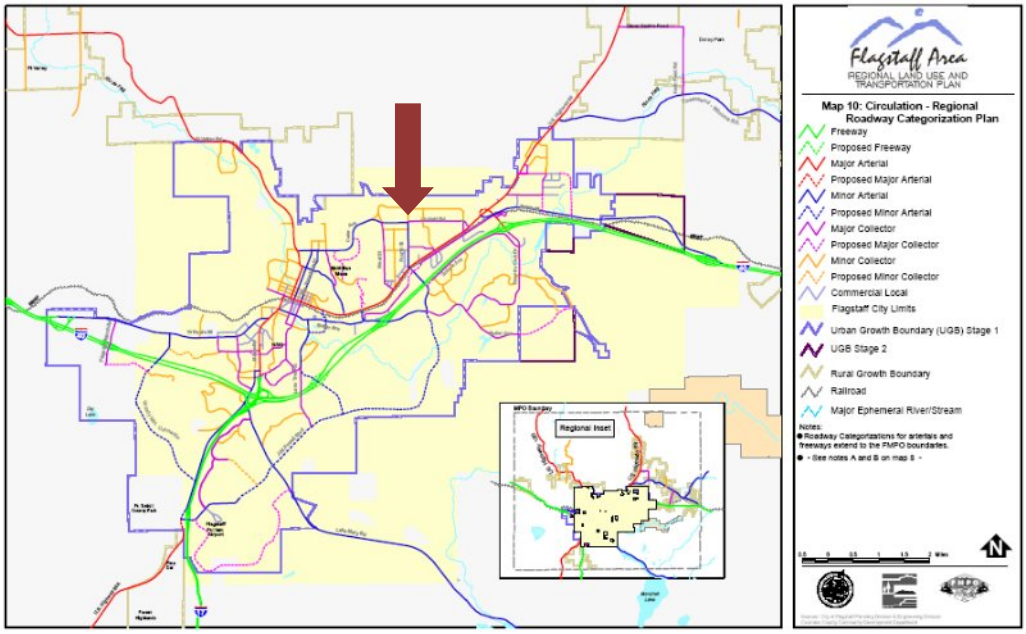
The stakeholders identified place making, walkability, neighborhood connection, and a balanced street design as issues to be addressed by the corridor study. Importantly, these were put forth as means to achieve redevelopment in the area. Fourth Street has not seen notable reinvestment and has been declining for some time. Compared to years past, other corridors of the City now compete to serve the driving public and other places that are walkable have been redeveloped, and developed, and are prospering. The decline of Fourth Street has not only made it less serving to people passing through, it has also made it less neighborhood serving – less of an activity center. Redeveloping Fourth Street is necessary to address this, to provide local commercial and employment opportunities, and to bring prosperity to the area.

The stakeholder's redevelopment objectives also included a desire for more comprehensive branding, or theming, for the neighborhood. The streetscape and beautification elements, furnishings, signage, interpretive elements, and public art all work together to express the community character in a unifying and unique way.

Note that the study was intentionally limited to the public realm and is not a redevelopment plan for East Flagstaff. Thus, the depth of "redevelopment" recommendations includes only those that relate to the public realm and those that the Consultant felt needed to be conceptualized in order to perform the task at hand.

Service as an Arterial Road:

In looking at the overall picture of Flagstaff's road network, Fourth Street is an important arterial, and it will be more so when it is connected to Pulliam Drive. It is a rare north-south connection and allows direct access from East Route 66, areas of the City to the east and south, to McMillan Mesa, the hospital, Highway 180, and the residential neighborhoods to the north of Cedar Avenue / Lockett Road. Recognizing this community serving role, the ability of Fourth Street to continue to serve as a part of the City's overall arterial network was an objective of the study.



Today, Fourth Street has a peak hour demand of approximately 15,250 Average Daily Traffic (ADT) at the north end and 17,500 at the south end. The Consultant estimated the current capacity at 34,000 ADT. The proposed road design, in addition to the modified intersections, edge improvements, and access controls noted above, includes removing a driving lane on each side from just north of Seventh Street to Cedar Avenue. Known as a "road diet", this solution allows the proposed improvements to be constructed without purchasing right-of-way by utilizing the surplus capacity of the road. While the Consultant believed this "worked" from a traffic engineering point of view, they were also influenced by the stakeholders input.

Stakeholder thoughts specific to the road diet were certainly mixed. Those who felt Fourth Street currently worked well, those who felt its primary function is that of an arterial road, and businesses that believe passing cars are more beneficial than passing pedestrians, clearly and emphatically *do not* support the lane reductions. Those groups and individuals that believe Fourth Street should be a destination first, that slowing down traffic is good for people and business, and those that felt the contribution of Fourth Street to the overall arterial road system is a lesser priority, supported the road diet concept.

Starting with the review of the first concepts, staff struggled with the Consultants supposition that acceptable Levels of Service (LOS) could be maintained with the road diet. As a result, the Consultant contract was amended to include additional traffic engineering. Substantial additional traffic analysis was performed over the next two years, and during this period the Consultant replaced their first traffic engineer and purchased and used traffic modeling software recommended by the City. To provide background data, at the request of the City, the Consultant modeled the existing road design with no change other than growth, and reported a forecasted LOS of B and C. For the corridor as proposed, the Consultant maintained that the City would experience LOS C and D. The Regional Transportation Plan (RTP) recommends LOS E as the acceptable minimum for an urban arterial road.

Since the City of Flagstaff has no experience with road diets, no methodologies for analysis, and no metrics or standards for results, we looked at many other communities and case studies for guidance. The most pertinent information was provided by the Seattle Department of Transportation (SDOT), an agency with more than thirty completed road diets. While SDOT uses current traffic volumes for their analysis, we elected to use 2032 traffic volumes. SDOT proceeds with road diets if the LOS does not drop by more than two letter grades, if the letter grade is not less than LOS E, and if the reduction in travel time (delay) is not greater than 30%.

So, we took a look at delay. If the proposed plan were implemented, at Peak Hour, over the mile long reach, southbound drivers would experience 53 seconds of delay and northbound drivers would experience 74 seconds of delay. The majority of that delay is the result of the "free flow" speed dropping to the posted 30 miles per hour and due to the introduction of new signals and crossings. The delay attributable to the road diet is less than 30% of the total travel time.

If our projected 2032 conditions were the existing conditions in Seattle, they would proceed with this plan.

Staff believes that the introduced delay may cause some drivers to divert to other routes, primarily those drivers that are just "passing through" East Flagstaff. It is difficult to establish a magnitude for this expectation, so we looked at documented measurements of diversion at eleven other comparable road diets. Half showed *no* diversion of traffic. The worst case was Valencia

Street in San Francisco which experienced a ten percent diversion of traffic. The best case was State Route 516 in Covington, Washington, where traffic *increased* by ten percent after a road diet.

If we then suppose that ten percent of the traffic on Fourth Street is diverted to other routes, a small number would likely divert to local streets, more to collector streets including Cedar Avenue/Lockett Road, West Street, Main Street, and a Steves/Elder/Paterson Blvd. cut-through route. Some will divert to alternative arterial roads including Switzer Canyon Road/Columbus Avenue, San Francisco/Beaver Streets, and Humphreys Street. Taking a best guess at the distribution among these possible alternative routes, these alternative routes may experience as much as three percent additional traffic. Notably however, our Traffic Program is sometimes called upon to respond to (fix / stop) neighborhood cut-through traffic that is of this magnitude.

Finally, in April of 2012, a third traffic engineer was engaged directly by the City to review the work to date and to perform additional traffic modeling. Using a growth rate of 1.5%[2], considering pedestrian crossings as full intersections, and changing the modeling to account for "Flagstaff driver habits", this engineer determined that overall the proposed corridor will perform "similar to the current roadway design" in 2032. In other words, by 2032 both the existing roadway and the roadway proposed in the plan will get to LOS E and F[3], with the redevelopment (plan) scenario likely getting there sooner.

Any road design scenario that addresses the traffic concerns of the stakeholders, slowing down traffic, addressing the need of crossing opportunities, and reducing "wild left turns", will lower the level of service and increase the overall travel time on the corridor. This may motivate drivers to seek alternative routes, including the adjacent residential streets. Therefore staff recommends that the entire street grid in this area be studied comprehensively so that neighborhood cut-through issues can be identified and addressed when the Fourth Street traffic issues are addressed.

Cost:

Of less concern to most stakeholders who were engrossed in the long awaited "visioning", a goal the City placed in the balance was "costs". The Consultant was directed to consider options that were realistic and to balance the goals and objectives against the costs.

In summary, for planning purposes, to convert Fourth Street to "a place to be" as proposed, the study outlines a five phase construction process with an estimated cost of $8,862,668. Real estate acquisition is estimated at $3,700,000. With mobilization, construction engineering, and contingency added, the total estimated cost is $16,358,901.

Notably, this estimate relies on the removal of driving lanes to balance the desired goals and features with the cost of ROW acquisition. If all of the "edge treatments" were simply appended onto the existing roadway, with no road diet, the budget needs to be increased by at least $3,700,000 to account for additional right-of-way acquisition.

[2] The Flagstaff Regional Plan 2030 (Place Matters) uses a growth rate of 1%.
[3] This LOS is due to failure at the intersections.

Policy Context:

Regional Land Use and Transportation Plan (RLUTP):

The RLUTP generally envisions a community where livability and a sense of community are a priority. Giving dimension to this vision, it calls for community driven planning, place making, walkability, connectivity, neighborhood integration, and being a pedestrian, bicycle, and transit friendly community. Specifically with regard to the design of our transportation system, notably in priority order, it calls for "safety, balance[4], connectivity, efficiency, and diversity". And specifically with regard to Fourth Street, the plan calls for it to be a minor arterial road, a multi-modal corridor, and an activity center – a place to be and the most efficient corridor possible.

The community concerns, vision, goals, and objectives regarding Fourth Street speak directly to the RLUTP vision, generally and specifically. It is currently a low density, suburban, auto-dominated, excessively paved, over capacity road that has little or no livability or walkability features, that lacks any positive sense of community, and that economically and spiritually fails to serve – in fact, it divides – the community most affected by it. As a result, it currently functions, and is sometimes thought of, more like a major arterial – defined as "through capacity is emphasized over local access". The proposed plan transforms it into the opposite.

Flagstaff Regional Plan 2030 (Place Matters):

Place Matters similarly looks to Fourth Street as an activity center, and specifically identifies arterial level of service as a low priority when compared to pedestrian, bicycle, and transit levels of service. This plan would change Fourth Street to an activity center as envisioned in Place Matters.

Regional Transportation Plan (RTP):

The foundation of the RTP is to support the RLUTP in both its vision and basis upon the region's core values. The primary objectives include supporting transportation projects that "enhance neighborhood and community character, environmental sustainability, safety, and the region's economy". To do this, the plan calls for *balancing* mobility, access, and trip choice with the needs and character of each neighborhood. It also specifically identifies Fourth Street as an activity center – the northern portion as a district activity center and the southern portion as a community activity center – as proposed.

It prescribes the use of four transportation planning strategies for all areas; Context Sensitive Solutions, Complete Streets, connectivity for all modes, and maximizing personal travel choices. The RTP notes that Complete Streets increase personal mobility and are designed to safely and attractively accommodate all transportation users, and that Context Sensitive Solutions result in transportation facilities that reflect community values based on the input of designers and stakeholders and are integrated with surrounding land uses. All of these objectives and strategies are accomplished by the proposed plan for Fourth Street.

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[4] RLUTP: Planning and design seeks to balance the various, and sometimes competing, goals and objectives of a project. A design that provides absolute satisfaction for one variable at the expense of other variables is a poor design. A good design balances all of the variables proportionally according to user preferences.

Policy Question:

The report and subsequent traffic discussions pose an interesting policy question: Is Fourth Street a place to *pass through* more than a *place* to be? Or, is Fourth Street a *place* to be more than a place to *pass through*?

Note that this is not an either/or question but rather a question of balance. Design, including planning, is a function of balancing goals, and the question posed here seeks what design variables are more important than others.

Another way to pose the question is: Does the benefit of *place* outweigh the cost?

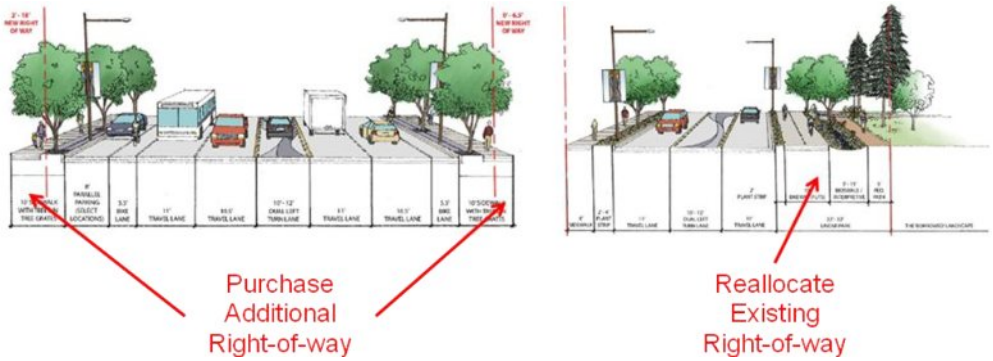
On the benefit side, implementing the plan as prepared addresses pedestrian safety and comfort, neighborhood traffic issues, urban design and beautification, multimodal transportation, and redevelopment. Service as an arterial road is maintained at acceptable levels for a decade or two. And, the place making process, the desires of the community, are honored.

On the cost side, the current surplus road capacity is consumed, drivers will experience delay in passing through East Flagstaff, drivers may or may not divert to neighborhood streets, and expanding the road and intersections for better pass-through functionality in the future, should we choose to do that, will be more difficult and costly. The cost is roughly $17M, not considering any additional work performed to address neighborhood cut-through traffic (should that occur).

Alternatives:

An immediate question comes to mind from the above consideration: Why don't we just append the edge improvements on to the existing roadway?

This solution, assuming we kept the traffic enhancing features like intersection realignments, added turn lanes, and consolidated driveways would likely address the neighborhood traffic issues. It would still allow for adding sidewalks, improved multimodal transportation, and notable enhancement of the urban design and beautification. Keeping the various pedestrian crossings would help a lot, but not as well as also narrowing the crossing. Service to redevelopment would be improved, but also not as well. Overall, the character will be noticeably different, being less safe and less conducive to livability and walkability.



However, drivers will still experience delay, with the delay only reduced from seventy-four seconds to sixty-eight seconds. Diversion of drivers to neighborhood streets still may or may not occur. Expanding the road and intersections for better pass-through functionality in the future will still be difficult and costly, however likely less so because the right-of-way expansion. The $17M cost is certainly increased by at least $4M for additional right-of-way acquisition. Potential expenses to address diverted traffic are still not included. And, while both options suggest that an expansion of Cedar Avenue and Lockett Road is appropriate, this option suggests a larger expansion to match the larger capacity of Fourth Street.

Interim Measures:

Some of the features proposed in the study would serve this plan as well as alternative road designs, and can be addressed at this time. Between Route 66 and Sixth Avenue, right-of-way can be acquired so that missing sidewalks could be installed and inadequate sidewalks could be upgraded. Additional crossing opportunities could be installed. Driveway consolidations can be pursued. With these efforts, street trees and other streetscape elements could be installed. Some of these can be accomplished north of Sixth Avenue if the policy question can be answered or on a temporary basis. Over the entire length of the street, the proposed decorative median could be installed. And, while needing some time to accomplish, the re-alignment of Cedar Avenue/Locket Road and at Sixth/Seventh Avenues makes sense for all road design scenarios. With these realignments, the two gathering spaces could be developed.

Fourth Street Corridor Master Plan

Review and Discussion

of

City Council Direction

Provided January 23, 2014

Fourth Street Corridor Master Plan

Staff Presentation – January 23, 2014

- Context for Budget Discussion
- Recommended future City Council discussion regarding the findings from the study, its conclusions, or its disposition.

Fourth Street Corridor Master Plan

Staff Presentation – January 23, 2014

- Project History
- Public Outreach
- Consultant's Scope of Work
- Consultant's Recommendations
- Conclusion: Policy Discussion Required
  - Is Fourth Street "a place to be" first and an arterial road second, or, is Fourth Street an arterial road first and "a place to be" second?

Fourth Street Corridor Master Plan

City Council Discussion – January 23, 2014

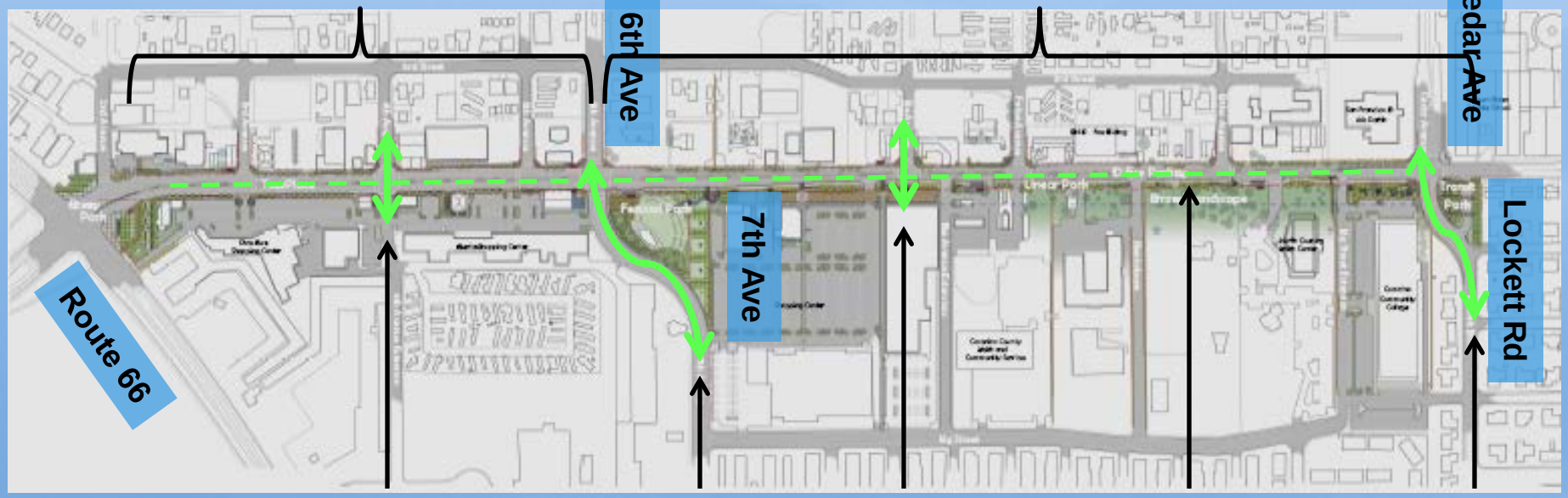
- Question: Funding Possibilities
  - BBB – Beautification ($1.5M)
  - Transportation Tax ($.5M)
- Policy Discussion Required
- Immediate Safety Concerns
- Phasing / Smaller Project Possibilities
- Portions of Master Plan not related to policy question

Fourth Street Corridor Master Plan

City Council Direction – January 23, 2014

No Lane Changes
Proceed: Sidewalks, etc.

At Lane Changes: Future City Council Discussion
No work



Proceed:

Pedestrian Activated Crossing

Intersection Re-alignment

Pedestrian Activated Crossing

Enhanced Shared-turn Lane Paving

Intersection Re-alignment

Fourth Street Corridor Master Plan

Questions?

Discussion

Direction

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: Roger Eastman, Zoning Code Administrator

Date: 04/08/2014

Meeting Date: 04/15/2014

TITLE

Discussion: Possible amendments to Division 10-20.50 (Sign Regulations) of the Flagstaff Zoning Code.

RECOMMENDED ACTION:

Staff will be seeking direction from the City Council on needed amendments to the City of Flagstaff's sign regulations.

INFORMATION

On November 1, 2011 the Council, by unanimous vote, adopted the new Flagstaff Zoning Code. With a document as complex as the Zoning Code, and despite staff's best efforts and attention to detail, it was realized that some standards or issues would be incomplete or incorrect. Over the past two years, City planning staff, as well as staff that work with the Zoning Code on a regular basis (i.e. from the engineering, traffic, stormwater, housing or legal sections/divisions), have documented sections of the Code where possible amendments would be required.

Late last year Council adopted revisions to Division 10-20.50 (Amendments to the Zoning Code Text and the Zoning Map) as well as to Section 10-50.100.080.E of the Sign Regulations to allow for a sign for the Flagstaff Mall and Marketplace.

In a work session on March 11, 2014, Council directed staff to proceed with needed amendments to the Sign Regulations (Division 10-50.100 of the Zoning Code) as soon as possible with work on all other amendments to follow later in the year. It was also agreed that Council would submit their primary concerns and issues with the Sign Regulations to staff by the end of March for inclusion in the staff summary for the April 15th meeting. The concerns and comments received from some of the Council are included in the attachment, provided below, as is an analysis of these comments to identify pros and cons, as well as an overview of staff's ideas for amendments to the sign regulations. The purpose of the sign regulations copied from Division 10-50.100 (Sign Standards) is also included in this attachment.

Summary of the History of Sign Regulation in the City of Flagstaff:

In the early 1960s and 1970s Flagstaff had an economy that was primarily tourist-based. At that time Route 66 (or Santa Fe Avenue as it was then called) drew travelers through the City, and thus hotels, motels, gas stations, and other businesses relied on large illuminated signs to attract attention, as well as billboards on the south side of Route 66. In later years as the interstate freeway system was completed around Flagstaff, local business owners fearing a loss of revenue from bypass traffic on I-40, utilized billboards along the interstate to attract attention and advertise their businesses. Flagstaff, therefore, became like many other cities and towns of that era, cluttered with competing signs that were in the eyes of some residents unappealing and distracting from Flagstaff's natural beauty.

Through the early 1980s a local resident led a spirited effort to reduce sign clutter as it was realized that despite I-40 and previous fears that local businesses would not be successful the local economy was still growing. As the observatory was also concerned for light pollution from the signs, amendments to the City's first sign regulations were adopted to reduce the height and area of commercial signs. This first regulation created a large number of grandfathered signs, some of which still exist today.

In the late 1980s and into the early 1990s over 30 billboards were located on land owned by the Burlington Santa Fe Railroad south of Route 66 between downtown and east Flagstaff. After much legal wrangling, the City prevailed in using the beautification portion of recently established BBB funds (1988) to purchase railroad right-of-way, and over a number of years, all of these billboards were eventually eliminated.

Staff has gleaned some interesting facts from studying past City of Flagstaff zoning codes which include:

- The Flagstaff Consolidated Zoning Ordinance of 1949 only included sign regulations for the R1 (Single-family Residence) District. No sign regulations were established for any other zoning district, including commercial and industrial zones.
- The City of Flagstaff Zoning Code of 1970 (as amended through the mid-1980s) allowed signs in commercial districts to range from 14 feet to 26 feet in height, based on the posted speed limit, 20 mph or less to 55+ mph, respectively.
- The sign regulations in the 1991 Land Development Code were comprehensively updated in June 1997 to include the sign standards that have been in effect since then, and under which most new development applications and businesses have been reviewed and approved.
- While there was some amendment and refinement to the sign regulations in the current 2011 Zoning Code, these standards are essentially the same as those adopted in 1997.

CONCLUSION

At the April 15, 2014 work session, staff will be seeking agreement and direction from the Council on needed amendments to Division 10-50.100 (Sign Regulations) of the Zoning Code.

The Sign Standards (Division 10-50.100) may be viewed on the Zoning Code webpage - www.flagstaff.az.gov/zoningcode. Scroll down to Chapter 10-50, and click on [Part 3] to view the sign regulations.

After staff has completed draft amendments for future review and approval they would be presented to the public for their comment and input. Further public comment will be facilitated when the amendments are presented to the Planning and Zoning Commission at a public meeting and a future public hearing for a recommendation of approval. Thereafter, the amendments will be presented to the Council for final approval. During this process it is possible that Flagstaff residents and/or the Planning and Zoning Commission may suggest additional amendments.

Attachments: Report on Sign Regulations

Attachment to Staff Summary – April 15, 2014 Council Work Session
Overview of Proposed Amendments to Division 10-20.50 (Sign Regulations) of the Flagstaff Zoning Code

This attachment to the April 15, 2014 Staff Summary includes the Purpose statements for the City's sign regulations (Section 10-50.100.010) of the Flagstaff Zoning Code, a discussion of the comments provided by three councilors on the sign regulations with an analysis of pros and cons, as well as a similar presentation and analysis of staff's suggested amendments to the sign regulations.

Purpose of Sign Regulations:
The purpose of the City of Flagstaff's sign regulations are established in Section 10-50.100.010 (Purpose), and are included here as a reference.

10-50.100.010 Purpose

A. The Council finds that the natural surroundings, climate, history, and people of the City provide the Flagstaff community with its unique charm and beauty. This Division has been adopted to ensure that all signs installed in the City are compatible with the unique character and environment of the community, and in compliance with the General Plan.
B. The purpose of this Division is to promote public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content neutral, and nondiscriminatory sign standards and requirements, including the following specific purposes:

    1. To promote and accomplish the goals, policies, and objectives of the General Plan;
    2. To balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
    3. To recognize free speech rights by regulating signs in a content-neutral manner;
    4. To promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, and/or illegible signage;
    5. To protect the aesthetic beauty of the City's natural and built environment;
    6. To prevent property damage, personal injury, and litter from signs which are improperly constructed, poorly maintained, or of flimsy materials;
    7. To protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape;
    8. To provide consistent sign design standards;
    9. To provide an improved visual environment for the citizens of and visitors to the City and to protect prominent view sheds within the community; and
    10. To enable the fair and consistent enforcement of these sign regulations.

List of Council Identified Issues and Concerns:
The issues and concerns identified by three councilors are arranged below in their own words in broad categories. Located at the end of this document is a table that summarizes each of the issues submitted by the three councilors.

General:

1. Continue to respect our dark sky ordinance. (Woodson)
   Pros: Supported by goals and policies in the Flagstaff Regional Plan, both current and proposed.
   Cons: None.

Permanent Signs:

2. Include a provision that sets criteria for off-premises signs for properties that do not have frontage on a major road, such as an arterial like Route 66 or John Wesley Powell Boulevard: How big; primarily directional; how many; under what circumstances? (Mayor Nabours)
   Pros: Allows for clearer directional way-finding signs for developments that are not located on a major arterial road.
   Cons: Significant sign clutter could result if this rule was applied to all developments and/or uses not located on a major arterial. Also, it may be hard to define the circumstances under which this new regulation would apply.

3. Allow for off-premise signs. (Woodson)
   Comment: With this statement Councilor Woodson is seeking to initiate a conversation on off-premise signs in general with the off-site signs for the Flagstaff Auto Park, Flagstaff Mall and Marketplace, and the Catholic Church as examples.

4. Window Sign: Delete the permit requirement for any sign inside a business or on the inside surface of a window. (Mayor Nabours)
   Pros: Business owners save time and money by not having to apply on-line or to the City for a permit for a window sign.
   Cons: Business owners will be less likely to understand the rules for window signs. There may be a potential impact on code compliance staff if active enforcement of these rules is commenced. Note that currently code compliance staff only respond to complaints relative to window signage alleged to be out of compliance with existing standards.

5. Sign placement on commercial buildings. Broaden placement options for business signs on commercial buildings. Example: If the owner is allowed 50 sq. ft. of signage as per code, businesses should have the ability to decide appropriate placement of signage on the building. A business may prefer 40 sq. ft. on the back of their business and 10 sq. ft. on the front or vice versa. Some examples where this may be advantageous include; Woodlands Plaza (where Greek Taverna is) and Staples. (Oravits)
   Pros: This proposal will allow for simplified sign regulations that are easier for residents to understand, provide more flexibility in building mounted sign placement than the current regulations, and will be easier to administer and interpret by staff. This proposal is also supported by many business owners.
   Cons: This may result in the placement of more signs on a building, although the area of signage allowed would not change.

6. Freestanding sign replacement incentive: Allow commercial buildings with an older freestanding sign the option to replace it with a new freestanding sign of the same size (or smaller if they chose). There is currently a disincentive for businesses to replace older freestanding signs. Business's may chose not to replace the freestanding sign because they often lose a large amount of square footage. Let's allow businesses the option to replace their old freestanding sign with a new modern freestanding sign, under current design standards, but allowing square footage as large as (or smaller if the owner chooses) as the old freestanding sign being replaced. Some examples include; Green Tree Shopping Center, Kachina. (Oravits)
   Comment: The City Attorney will be providing a legal opinion on this proposal under separate cover.

7. Allow the retrofit of existing but old and unsightly signs with a newer sign that would be allowed to have a % larger than if a new sign as an incentive to get the old sign down and something more attractive up in its place. (Woodson)
   Comment: This is an equivalent comment to that offered in comment #5 above. The City Attorney will be providing a legal opinion on this proposal under separate cover.

8. Allow signage to face the interstate. (Woodson)
   Pros: Allows businesses that face the interstate without a frontage road to have signage that faces directly toward the interstate. Under the current sign regulations this is not permitted.
   Cons: When the City's sign regulations were updated in 1991 with the adoption of the Land Development Code, and with pressure from many Flagstaff residents who were concerned with the proliferation of billboards and other signs in the City at that time, the prohibition on freeway-oriented signs was inserted. Removal of this prohibition may not be supported by many Flagstaff residents as it has been in place for over 20 years.

9. Allow for more than one group sign for a property if the property is large enough. (Woodson)
   Comment: The current sign regulations allow for more than one freestanding sign provided that the frontage is longer than 500 feet (See Table 10-50.100.060.H and Table 10-50.100.060.I). Staff suggests that these existing provisions should be simplified, and possibly studied to determine if and how additional freestanding signs should be permitted.

Temporary Signs:

10. Include a provision that there can only be one temporary (A-frame; pole banner) sign per 200 feet of street frontage (or per parcel if less than 200 feet). (Mayor Nabours)
    Pros: This proposal will help to reduce or eliminate temporary business signs in the community. The staff comments below (# 13) explain the need for clearly establishing the purpose of temporary business signs.
    Cons: Administration and enforcement of this regulation may be difficult.

11. Discuss the prohibition of vertical banners. (Mayor Nabours)
    Pros: This proposal will help to reduce or eliminate temporary business signs in the community. Refer to the staff comments below regarding the need to clearly establish the purpose of temporary business signs.
    Cons: Some business owners who currently use these signs may oppose their prohibition.

12. A-Frame Signs: (Oravits)
    a. Allow A-Frame signs without a permitting process and allow these signs to be self-regulated on private property with a complaint-driven enforcement.
       Pros: This proposal will make it easier for businesses to place temporary signs as there will be no oversight from City staff through a permitting process.
       Cons: This proposal has the potential to result in a proliferation of temporary business signs in the community, and staff doubts that self-regulation would ensure a different outcome than that in effect today. Staff is already struggling to manage the number of temporary signs in the community today, and is concerned that without some permitting mechanism in place, it will be very difficult to minimize sign clutter and proliferation. The staff comments below (# 13) explain the need for clearly establishing the purpose of temporary business signs.

b. Develop basic design standards to ensure Flagstaff remains visually pleasing, e.g. construction material of the signs, (i.e. weather proof material) and a maximum size, perhaps based on total surface area, for example a maximum size of 3'x3' per side or a maximum of 9 square feet, or 6 square feet per side (TBD).
Comment: The current sign regulations establish specific standards for materials and sign area for temporary signs. Sign area is included with each of the specific temporary sign types, e.g. Table 10-50.100.070.D: Standards for Temporary A-Frame Signs. Sign materials are included in the paragraph below this table.

c. Signs need to be properly secured or heavy enough to resist wind.
Comment: The current sign regulations require each temporary sign type to be properly secured, e.g. Table 10-50.100.070.C: Standards for Temporary Wall Banners. Staff agrees that it would be appropriate to insert similar language for all temporary sign types, as it is not included, for example, with the standards for A-frame signs.

d. Signs can only be placed on private property and must only be out during the businesses operating hours. These would be brick and mortar hours, not website hours.
Comment: The current sign regulations prohibit the placement of signs on public property (Section 10-50.100.040 (General Restrictions for All Signs), i.e. signs may only be placed on private property, and this is reinforced in Section 10-50.100.070.B.6. The standards for certain temporary sign types (e.g. A-frame signs or vertical banners) also limit the hours of use to business hours only. Staff has consistently interpreted this to mean the hours the store is open for business, and has not interpreted it as website hours, which could be 24 hours. The current regulations allow temporary wall banners to be installed overnight as it is not practicable to hang and remove a wall banner every day. The staff comments below (# 13) explain the need for clearly establishing the purpose of temporary business signs.

e. To regulate the amount of signs we should develop a maximum amount allowed per lineal footage or frontage. For example, 100 feet of frontage would be allowed a maximum of 2 signs at any given time.
Pros: This proposal may help to reduce or eliminate temporary business signs in the community. The staff comments below (# 13) explain the need for clearly establishing the purpose of temporary business signs.
Cons: Administration and enforcement of this regulation may be difficult.

f. Limitations on what you can attach to the temporary signs. For example, balloons, flags etc.
Comment: The current sign regulations already prohibit the attachment of balloons, ribbons, etc. to all temporary signs (Section 10-50.100.070.B.5).

13. Should we allow event banners, and if so, where and for whom? (Woodson)
Comment: The City Council held a work session on the topic of community non-profit event signs in April 2013, and at that time provided direction to staff to develop ideas to allow these signs at three locations within the community where they would be visible without being a distraction to drivers.

Pros: This idea will eliminate the proliferation of community event/non-profit banners in the community by requiring them to be placed in pre-approved locations that are both visible to passing vehicles without being a distraction to passing drivers. This will also make it easier to administer and enforce these regulations once the community has become accustomed to them.
Cons: It will take time to educate the community on the new regulations.

List of all Issues and Concerns Identified by Staff:
The issues and concerns that staff has identified for review and possible amendment are arranged below in broad categories. Those that fall into the "General", "Permanent Signs", and "Temporary Signs" categories are mostly issues that are policy-driven, and for which specific direction from the Council is requested. Some, but not all of the technical issues, are introduced as examples of minor amendments in the "Some Technical Issues" category.

General:

1. Combine the incentives available in the sign regulations into one location, possibly a table, so that they are easier to find and apply.
   Pros: This will make it easier for applicants to find and apply incentives for greater sign area and/or height that exist in the sign regulations, and it will be easier for staff to administer the regulations.
   Cons: None.

2. Eliminate many of the tables by combining the regulations in the tables to simplify the code – e.g. Tables 10-50.100.060.D, E, and P can be combined and simplified. Table D establishes the standards for building mounted signs and it refers to Table P where more regulations are established. Table E provides for additional standards for building mounted signs. Because standards are currently provided in three locations, it makes it hard to understand and apply these regulations. Combining the standards into one location, and simplifying them as suggested in comment #4 below, will significantly shorten the sign regulations, and make them more understandable and easier to apply.
   Pros: This idea will make the sign regulations, shorter, more understandable, and easier to apply
   Cons: None, other than that it will be a significant amount of work to affect this much needed change.

3. Include additional illustrations for clarity, e.g. to illustrate a service island canopy sign, measurement of sign height, and a map to show the relationship between the regulations within the "Downtown Historic District", "Flagstaff Central District", and the remainder of the City.
   Pros: This idea will provide enhanced clarity and understanding for how the sign regulations are applied.
   Cons: None.

Permanent Signs:

4. Simplify the standards for building mounted signs. This comprehensive amendment which is also suggested and supported by some members of the Council, will significantly shorten the sign regulations, bring needed clarity and organization to this section, and provide much needed flexibility for the placement of signs on buildings by property or business owners. The current Zoning Code includes the same standards from the former Land Development Code for the calculation of the area of building mounted signs, as well as very precise standards to determine where the signs may be placed on a building that were added with the adoption of the Zoning Code in November

2011. These are frequently restrictive and difficult to apply even under typical circumstances for the placement of a building on a parcel, and they become difficult and onerous when an unusual circumstance arises. Staff has, therefore, suggested that these standards be amended (this is supported by many sign design professionals) by eliminating the restrictive requirements on where a sign may be placed on a building, and instead allowing the business owner or property owner to decide where to place their sign. One way of accomplishing this goal is to combine Tables 10-50.100.060.D, E, and P, and to simplify their content. Staff also suggests that consideration should be given to incentivizing the placement of signs above or near entrances to a building, by for example, allowing for more sign area for these signs.
Pros: This change would allow more flexibility in the placement of building mounted signage by property and business owners, and it would establish less restrictive standards than those in place today.
Cons: None, other than that it will be a significant amount of work to affect this much needed change.

5. Rethink the approach for freestanding signs. As discussed in Section #13 below staff offers ideas for comprehensive amendments to the temporary sign standards of the Zoning Code, and further suggests that the concept of temporary business signs should be reassessed and a different approach taken to make them more manageable to business owners and their use easier to administer by the City. Currently temporary signs are frequently used in addition to the permanent signage for a business, rather than to promote a temporary sales event. This frequently occurs in a multi-tenant building such as a shopping center or strip mall where inadequate signage is available on the development's freestanding sign for all of the tenants. Often too, not all of the tenants are readily seen from a public street. There are frequent examples of this circumstance along S. Milton Road and E. Route 66. And, as is often the case, many tenants are unable to display their store name on the freestanding sign for the strip center because it is too small. Staff suggests that if the frontage is long enough, consideration should be given to allowing another freestanding sign so that all the tenants have equal access to signage on the highway. The sign regulations currently allow for additional freestanding signs if a frontage is longer than 500 feet in length, and staff suggests that consideration should be given to amending this to ensure more equal opportunities for signage by retailers.

   The counter point to this suggestion however, is that there are many instances where small retailers are successful even if they are not easily visible from public right-of-way because the shopping center serves as a point of reference for the smaller stores, e.g. "*you will find our business in the ABC Shopping Center*". Interestingly, many shopping centers have not placed effective signage to indicate their name within which a small retailer may be located. Staff suggests that regulations may be established to increase the sign area allowed for the name of a multi-tenant shopping center complex, so that smaller retailers who may not be able to afford the expense of a sign panel on a freestanding sign, may advertise their business using the shopping center's name. Consideration may also be given to allowing for additional freestanding sign area so that all or most of the tenants in a multi-tenant building such as a strip mall shopping center may have an opportunity to have signage to advertise their business. This latter approach, may have unintended consequences however, as this may result in much larger freestanding signs than are currently allowed in the City.
   Pros: These ideas could help to assure more signage for retailers and businesses in multi-tenant buildings such as strip shopping centers that should help them advertise their business without the need for temporary signs to indicate their location.

Cons: There may be opposition from some community members to the idea of granting additional signage allowances. A further consideration is whether increasing sign area for multi-tenant shopping centers is necessarily the best response, especially given the prevalence of GPS technology in smart phones which makes it so much easier to find any business these days.

6. Related to the preceding comment relative to freestanding signs, staff suggests that the functionality and purpose of having Type A and Type B signs based on street classification (Refer to Table 10-50.100.060.I: Additional Standards for Freestanding Signs According to Use) should be evaluated to determine if this is the best approach to permitting freestanding signs.

7. Table 10-50.100.060.P: Staff suggests that consideration be given to increasing the freestanding sign allowance standards for multi-family developments as the current standards only allow for a freestanding sign to be max. 4 feet in height and 24 sq. ft. in area.
   Pros: This proposal will allow multi-family residential and institutional uses to have additional signage to make it easier for these developments to be identified and located.
   Cons: There may be opposition from some community members to the idea of granting additional signage allowances for these uses.

8. Allow the Comprehensive Sign Program standards to also apply to multi-family residential developments and institutional uses. This would allow the concept of a Comprehensive Sign Program (it allows for greater sign height and area if specific design performance measures are incorporated into the sign) to also be applied to non-commercial uses (multi-family residential, institutional, etc.).
   Pros: This proposal will allow multi-family residential and institutional uses to have additional signage to make it easier for these developments to be identified and located.
   Cons: There may be opposition from some community members to the idea of granting additional signage allowances for these uses

9. Table 10.50.100.060.O: Standards for Permanent Window Signs – When the new Zoning Code was under review, staff recommended, and the City Council approved, additional language for the placement of permanent window signs that allowed businesses to apply window signs to no more than 25% of all the windows in a building, regardless of their orientation. As a result, some businesses have covered all the windows facing the street or a parking area with window signage while those facing away from the street have no window signs. This unintended consequence – which may be seen in many restaurants and other businesses on S. Milton Avenue and E. Route 66 – has resulted in sign clutter, and the inability to look into the business or restaurant thereby shutting it off from the public way. Staff suggests that it would be appropriate to return to former the language of the Land Development Code which only allowed window signs to cover 25% of each window.
   Pros: Simpler regulations consistent with those in the former Land Development Code are easier to apply and enforce, reduce sign clutter, and still allow for businesses to establish meaningful window signs while also allowing for visibility into the business.
   Cons: Some business owners may resist this approach to window signage.

10. Section 10-50.100.040.A.7 and Section 10-50.100.060.C.5.c.(9): Vehicle parking and vehicle signs – staff suggests that the duplication in standards between these two

sections should be corrected. Further, as the standards are loosely written and have proven to be difficult to enforce, staff suggests that they be amended to more clearly define where a vehicle may be parked so that the vehicle is not used as an adjunct to other signage on the property. This is a frequent concern along S. Milton Avenue and E. Route 66 where vehicles with business signs on them are parked permanently and used in essence, as signage.
Pros: Clearer, simpler, and more concise regulations are easier to apply and enforce.
Cons: Some business owners who currently use their vehicles as signs may resist this proposed amendment.

11. Section 10-50.100.080.D.6: Staff suggests that new regulations should be included into the Flagstaff Auto Park District that would allow for dealers to add miniature balloons and to allow for strings of pennant flags for promotional events.
Pros: Many auto dealers at the Flagstaff Auto Park currently utilize miniature balloons and hang pennant flags to advertise special sales events as it helps to draw attention to the dealership. This amendment would, therefore, legitimize their current practice.
Cons: Dealerships not located within the Flagstaff Auto Park District would not be able to use balloons and hang pennant flags consistent with the sign regulations. This amendment may, therefore, be opposed by those dealers outside of the District. Note that if balloons and pennant flags are permitted for all auto dealers, they would also have to be allowed for all other uses based on the equality standards of zoning law. Within the Flagstaff Auto Park District, special standards can be enacted, that may serve as an incentive for dealers to locate within the District.

12. Section 10-50.100.120 Removal of Signs: Staff proposes to include this new section to better clarify and define when and under what conditions staff may remove an illegal sign. This suggested language is based on the provisions of the City of Scottsdale's sign regulations.
Pros: This amendment would make it easier for City code staff to cause the removal of an illegal sign on public and private property after suitable notice to the property owner/business owner has been provided. The benefit of this approach is that illegal signs are quickly removed and, therefore, any danger to public safety and sign clutter, would be quickly abated.
Cons: Some business owners, especially those that are in frequent violation of the existing sign regulations, may oppose this new amendment.

Temporary Signs:

13. Section 10-50.100.070: Since the new Flagstaff Zoning Code was adopted in November 2011, staff has realized that the temporary signs section, while well intentioned, has not worked very well and has been hard to administer and implement. Staff suggests, therefore, that a different approach to allowing for temporary signs is necessary. The most important aspect of this revised approach is to <u>more clearly define a temporary sign so that it is clearly understood that it may only be used on a limited basis to advertise a specific sales event or promotion for a finite time</u>. Today the current temporary sign regulations tend to allow business owners to abuse the right to have a temporary sign, and as is apparent on any major arterial in the City, temporary signs are frequently used as additional signs to advertise a business, effectively becoming adjunct permanent signs. Indeed there are many examples of such temporary signs as vertical banners, A-frame signs, or wall banners (most of which have received temporary sign permits from City staff) that are on display every day, and that advertise the name of the

business or direct patrons to parking, rather than advertise a short-term sale or special promotional event, as this Section was intended to facilitate.

If a free standing business on any major arterial has a freestanding sign and building mounted sign as allowed by the sign regulations – and these regulations are actually quite generous in terms of the sign area and sign height they are allowed – then staff suggests that temporary signage should only be allowed for a special event, and that it should not be used (as it is today) for daily advertising. Under this scenario, staff suggests ideas from other Arizona cities could be used where a business owner can apply for a special temporary business sign that is issued for a maximum of say 5 days at any one time, and it can be applied for say 10 times a year. Under this scenario, a business can put out for example, a Labor Day special event sign for 5 days, and later a Halloween, or an anniversary, or a Christmas event sign, a specified number of times in a year and for a specified number of days for each event. One permit would be issued for the year. Businesses may also combine time periods so that temporary signs could be placed for 10 days, 15 days, etc. This will make it much easier for staff to administer and enforce these regulations, and more importantly, it will ensure that the sign is used for a special purpose or sale, rather than as so many of them are today, a duplication of the primary signage on the building or freestanding sign for that business. One additional thought for consideration is whether A-frame signs are really the appropriate temporary sign type for placement along the City's arterials such as S. Milton Avenue and Route 66 because of their size? Perhaps consideration should only be given to allowing banners in these contexts, and only allowing A-frame signs within multi-tenant shopping centers adjacent to their stores?
Pros: This amendment would make it easier for City code staff to administer and enforce these regulations, and more importantly, it will ensure that temporary signs are only used for a special purpose or sale.
Cons: Some business owners, especially those that use temporary signage today in lieu of permanent signs, may oppose this new amendment.

14. Section 10-50.100.070.D.3.c.(2): A-Frame Signs – staff suggests that consideration should be given to not allowing A-frame signs within the Downtown Historic District on both public and private property.
Pros: Private property is limited in the downtown, and it is difficult to place A-frame signs without them encroaching onto a public sidewalk. Typical placement locations are in the recessed doorways of stores that have them, but then the signs often make it difficult to access the door. Further, as downtown sidewalks are already narrow and congested, and this is a predominantly pedestrian/walkable environment, signs for special sales or promotional events should be permitted in the window of the store where it would attract the most attention, or perhaps as a temporary projecting sign as already permitted by the sign regulations (Section 10-50.100.070.D.3.c.(5)).
Cons: Some downtown business owners may not support this amendment.

15. Consider allowing placement of temporary banners to support NAU sports teams. For a number of years, NAU staff has asked the City for special consideration for the placement of temporary banners supporting NAU sports teams. These banners are not currently authorized under the Zoning Code, and are not permitted.
Pros: This amendment would promote and support NAU sports teams.

Cons: If banners are permitted for NAU sports teams, they would have to also be permitted for all other sports teams within the City which would cause additional sign clutter and distraction to motorists. The City Attorney will be providing a legal opinion on this issue under separate cover.

16. Table 10-50.100.070.A: Improve and clarify the regulations for temporary event signs, and allow for community/non-profit event signs. The City Council held a work session on the topic of community non-profit event signs in April 2013, and at that time provided direction to staff to develop ideas to allow these signs at three locations within the community where they would be visible without being a distraction to motorists. Better definitions and criteria to define temporary events and community/non-profit events will also be developed.
    Pros: This idea will eliminate the proliferation of community event/non-profit banners in the community by requiring them to be placed in pre-approved locations that are both visible to passing vehicles without being a distraction to passing motorists. This will also make it easier to administer and enforce these regulations once the community has become accustomed to them.
    Cons: It will take time to educate the community on the new regulations.

17. Section 10-50.100.070: Include standards for temporary real estate development/ construction signs.
    Pros: The existing sign code is silent on temporary signs that are typically placed on a property in advance of construction for a new development project. Staff suggests that it would be appropriate to include provisions to allow these signs.
    Cons: None.

18. Section 10-50.100.070.D.3.c.(4): Vertical banners - Staff has heard from a number of Flagstaff residents that while they support the idea of temporary signs within the community, vertical banners are their least favorite, and many would like to see them prohibited in the community. Staff agrees, and suggests that this type of temporary sign should not be allowed within the City.
    Pros: Removal of these signs will help to reduce sign clutter in the community and will be less distracting to motorists.
    Cons: Some business owners who currently use these signs may oppose this change.

19. Section 10-50.100.070.D.3.c.(5): Window signs – This is much the same issue described above in item # 9. When the new Zoning Code was under review, staff recommended, and the City Council approved, additional language for the placement of temporary window signs that allowed businesses to apply temporary window signs to no more than 25% of all the windows in a building, regardless of their orientation. As a result, some businesses have covered all the windows facing the street or a parking area with window signage while those facing away from the street have no window signs. This unintended consequence – which may be seen in many restaurants and other businesses on S. Milton Avenue and E. Route 66 – has resulted in sign clutter, and the inability to look into the business or restaurant thereby shutting it off from the public way. Staff suggests that it would be appropriate to return to the former language of the Land Development Code which only allowed window signs to cover 25% of each window.
    Pros: Simpler regulations consistent with those in the former Land Development Code are easier to apply and enforce, reduce sign clutter, and still allow for businesses to establish temporary window signs while also allowing for visibility into the business.
    Cons: Some business owners may resist this approach to window signage.

Some Technical Issues:

20. Section 10-50.100.050.C.3: More clearly state that neon included on signs does not have to be shielded.
21. Section 10-50.100.060.C.5.c.(1): Change the term “Accessory Sign” to “Directional Sign” to be consistent with the definition for this type of sign.
22. Section 10-50.100.060.C.5.c.(8): Projecting signs - include a provision to define the maximum number of projecting signs allowed per business as this was inadvertently omitted (it should be one consistent with other signs).
23. Section 10-50.100.060.C.5.c.(10): To make this section clearer change the name of this sign to “Service Island Canopy Sign” and remove the term ”spanner board” as this term and type of sign is no longer used. It used to be a type of sign mounted between the posts supporting the canopy above gas pumps.
24. Section 10-50.100.070.D.3.c.: Include a new section to allow for “upright signs”. Upright signs are typically vertical signs mounted on a large base often with wheels and weighted to provide stability. They are similar to A-frame signs, but the definition for A-frame signs does not comprehensively provide for them.
25. Section 10-50.100.070.D.4: Sign walkers - Modify these regulations to make it easier for sign walkers to walk and stand on private property (e.g. on a walkway). The state legislature is also addressing the issue of where sign walkers may stand (HB2528) and depending on the outcome of this bill (it prohibits a municipality from restricting a sign walker from using a public sidewalk, walkway or pedestrian thoroughfare) modifications to the sign walker regulations will be developed.
26. Table 10-50.100.100.B: Staff suggests that an end note should be added to this table to explain how cumulative adjustments are applied with regard to the range for the height of freestanding signs.
27. Map 10-90.40.030: This map is incorrectly titled as the “Downtown Overlay Zone Map”, and it should be corrected to be “Downtown Historic District Overlay Zone Map”.
28. Division 10-80.20: Definitions - Add some definitions that are missing, e.g. “halo illumination” and “temporary event”
29. There are numerous clerical and Scribner’s errors that will be corrected, including punctuation, grammar, correcting cross-references, etc.

Table Comparing Council-Suggested Ideas on the Sign Code

Issue	Mayor N.	Oravits	Woodson	Staff	Comment
Off-premise directional signs	X		X		
No permit for window signs	X				
Standard of 1 temp. sign per 200 ft	X	X			
Prohibit vertical banners	X			X	
Flexibility for bldg. mounted signs		X			
Non-conforming signs allowed to be rebuilt larger		X	X		Legal issue – memo
A-frame signs					
No permit – self regulated		X			
Design standards		X			Already in the sign stds.
Secured against wind		X			Already in the sign stds.
Limit hours and on private property only		X			Already in the sign stds.
No balloons, etc.		X			Already in the sign stds.
Signs face the interstates			X		
Multiple group (freestanding) signs are OK			X		Already in the sign stds.
Event banners – who and where?			X	X	
Respect dark sky ordinance			X	X	

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To:	The Honorable Mayor and Council
From:	Dan Folke, Planning Director
Co-Submitter:	Barbara Goodrich
Date:	04/09/2014
Meeting Date:	04/15/2014

TITLE:

Discussion: Proposed Development Fees for Public Safety ***(Impact fees for public safety)***

RECOMMENDED ACTION:

Direct staff to prepare ordinance to adopt proposed fees for May hearings.

Policy Decision or Reason for Action:

The City is in process of completing the steps required by the State of Arizona to support continuation of the Public Safety development fee program. A public hearing on the proposed development fees supported by the February 7, 2014 TischlerBise report is required. Staff believes development fees provide a consistent and predictable expense for the constuction industry and predictable revenue for the City's public safety capital budget and debt retirement.

Financial Impact:

Development Fees collected will be used to help fund capital improvements and equipment necessary to meet the demand generated by new residential and non-residential growth. The alternative to development fees is to identify the impact of each project during the entitlement process and include public safety fees in a project development agreement, fund increased demand through General Fund revenues or decrease the level of service.

Connection to Council Goal:

Retain, expand, and diversify economic base
Effective governance

Previous Council Decision on This:

The Flagstaff City Council first adopted Public Safety Development Fees in October 2008 and amended the program in 2011 to be consistent with State law. The current City Council held a public hearing on the Land Use Assumptions (LU) and Infrastructure Improvement Plan (IIP) on December 19, 2013, adopted the LU and IIP on February 18, 2014, and held the public hearing re fees on April 1, 2014. At the April 1, 2014, public hearing staff was directed to bring back options to the April 15, 2014, meeting and these will be provided in the Final Agenda packet for that meeting.

Options and Alternatives:

Direct staff to bring back an ordinance to adopt new fees.

Background/History:

Arizona Revised Statute 9-463.05, adopted during the 2011 legislative session, significantly amended development fee enabling legislation. Commonly known as SB1525, this legislation called for:
1. Amending existing development program changes by January 1, 2012. The City met this condition by adopting the amendment of the existing development program on December 6, 2011; and
2. Abandoning the existing development fee programs by August 1, 2014. To accomplish the abandonment and subsequent adoption by August 1, the City must follow a prescribed schedule allowing adequate time for public input and Council discussion.

On February 18, 2014 the City Council adopted the Land Use Assumptions and Infrastructure Improvement Plan. The next step is to hold a public hearing on the fees and consider adopting the fees by Ordinance in May. In order to meet the 75-day waiting period required after fee adoption and before August 1, the second reading of the Ordinance will need to be considered at a Special Regular Meeting on May 13.

At the February 18 meeting, City Council had questions about whether impact fees could be waived or reduced as an incentive for affordable housing units. City Council adopted an Incentive Policy for Affordable Housing in October 2009. The policy considers a number of incentives including fee waivers and deferments; expedited review; and regulatory incentives such as density bonuses, open space ratios, resource protection plans, and parking. Reimbursement of impact fees are included in the fee eligibility list found on page 11 of the Incentive Policy. The Housing Director has explained that impact fees can be reimbursed to the applicant directly after they have paid the impact fee, or the impact fee has been paid on behalf of the applicant. In both cases the fee is paid from an incentive fund in the Housing budget. So while the impact fee can be waived, the fund is kept whole by the payment from the incentive fund. The Incentive Policy for Affordable Housing can be viewed from the City's website at http://www.flagstaff.az.gov/DocumentCenter/View/42650 or by clicking on the Resources/Contacts tab on the Housing page.

Key Considerations:

Impact fees provide a base standard which allows for predictability and developers can plan for as they prepare development projects in our community. Should impact fees not be assessed, the same type of financial consideration will need to be attained as part of a project's impact analysis. This is typically achieved through a development agreement when the cost to mitigate project impacts is determined. While impact fees are paid at the time a building permit is issued, development agreements may specify payment prior to seeking building permits at the time a project's public improvements are required.

Expanded Financial Considerations:

The Development Fee Report calculates Public Safety fees supported by projected growth over a ten-year period. However, the development fees must be re-examined every five years to assure the land use assumptions and proposed capital improvement program are representative of the experienced demand or require an update to meet the current community need.

Community Benefits and Considerations:

Development fees assess new growth a proportionate share of the cost to provide the services needed to meet the additional calls for service. Alternatives to public safety impact fees are to identify the cost to provide services and negotiate the payment at the time of entitlement (zoning map amendment or subdivision), to fund the increased service demand through other General Fund revenues or to decrease the level of service.

Community Involvement:

Inform - Staff has prepared an informational memo on the current process, proposed fees, proposed 10-year capital program and 10-year projected revenues (attached to this summary). Staff has distributed this memo to the group of stakeholders which includes building industry organizations and neighborhood associations previously contacted about the land use and infrastructure plan.

Consult - To date staff has presented the current fees to Northern Arizona Builders Association and the Chamber of Commerce Government Affairs Committee. The information piece identifies the April 1, 2014 public hearing and encourages participation. Discussion at these meetings has not been supportive of the proposed increases. Comments have focused on why do the fees need to be increased?; the additional property and sales tax generated by new growth should be enough to pay for increased calls for service; has the City considered trying to reduce the demand (e.g., response to medical calls) rather than meet the increased demand?; how much is the City spending on consultants and staff time for the small amount of projected revenues?

Expanded Options and Alternatives:

1. Hold the public hearing and direct staff to prepare an adoption Ordinance for the fees as proposed.
2. Hold the public hearing and direct staff to prepare an adoption Ordinance for revised lower fees.
3. Hold the public hearing and discontinue the Public Safety Development Fee program.

Attachments: TischlerBise Feb. Report
Public Outreach memo
Projected costs & revenues
Presentation
Fee Worksheet

DRAFT – CITY OF FLAGSTAFF PUBLIC SAFETY DEVELOPMENT FEES, INFRASTRUCTURE IMPROVEMENTS PLAN, AND LAND USE ASSUMPTIONS

Prepared for:

City of Flagstaff, Arizona

February 7, 2014

TischlerBise

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EXECUTIVE SUMMARY

The City of Flagstaff has engaged TischlerBise to update its Public Safety development fees for necessary public services pursuant to Arizona Revised Statutes 9-463.05. Municipalities in Arizona may assess development fees to offset infrastructure costs to a municipality associated with providing necessary public services to a development. The development fees must be based on an Infrastructure Improvements Plan. Development fees cannot be used for, among other things: projects not included in the Infrastructure Improvements Plan, projects related to existing development, or costs related to operations and maintenance.

This Infrastructure Improvements Plan and associated update to the City of Flagstaff Public Safety development fees include the following necessary public services:

- Fire
- Police

This plan includes all necessary elements required to comply with the Arizona Revised Statute 9-463.05.

ARIZONA DEVELOPMENT FEE ENABLING LEGISLATION

Arizona Revised Statute 9-463.05 (hereafter referred to as "development fee enabling legislation") governs how development fees are calculated for municipalities in Arizona. During the state legislative session of 2011, Senate Bill 1525 (SB 1525) was introduced which significantly amended the development fee enabling legislation. The changes included:

- Amending existing development fee programs by January 1, 2012;
- Abandoning existing development fee programs by August 1, 2014;
- A new development fee program structure developed from a unified Land Use Assumptions document and Infrastructure Improvements Plan;
- New adoption procedures for the Land Use Assumptions, Infrastructure Improvements Plan, and development fees;
- New definitions, including "necessary public services" which defines what categories and types of infrastructure may be funded with development fees;
- Time limitations in development fee collections and expenditures; and
- New requirements for credits, "grandfathering" rules, and refunds.

Governor Brewer signed SB 1525 into law on April 26, 2011. This update of the City's Public Safety development fees will comply with all of the new requirements of SB 1525.

NECESSARY PUBLIC SERVICES

The City of Flagstaff currently collects development fees for the following infrastructure categories:

- Fire
- Police

Under the new requirements of the development fee enabling legislation, development fees may be used only for construction, acquisition or expansion of public facilities that are necessary public services. "Necessary public service" means any of the following categories of facilities that have a life expectancy of three or more years and that are owned and operated on behalf of the municipality:

- Water Facilities
- Wastewater Facilities

- Storm Water, Drainage, and Flood Control Facilities
- Library Facilities
- Streets Facilities
- Fire and Police Facilities
- Neighborhood Parks and Recreational Facilities
- Any facility that was financed before June 1, 2011 and that meets the following requirements:
  1. Development fees were pledged to repay debt service obligations related to the construction of the facility.
  2. After August 1, 2014, any development fees collected are used solely for the payment of principal and interest on the portion of the bonds, notes, or other debt service obligations issued before June 1, 2011 to finance construction of the facility.

INFRASTRUCTURE IMPROVEMENTS PLAN

Development fees must be calculated pursuant to an Infrastructure Improvements Plan (hereafter referred to as the "IIP"). For each necessary public service that is the subject of a development fee, by law, the infrastructure improvements plan shall include the following seven elements:

> *Element #1: A description of the existing necessary public services in the service area and the costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards, which shall be prepared by qualified professionals licensed in this state, as applicable.*
>
> *Element #2: An analysis of the total capacity, the level of current usage and commitments for usage of capacity of the existing necessary public services, which shall be prepared by qualified professionals licensed in this state, as applicable.*
>
> *Element #3: A description of all or the parts of the necessary public services or facility expansions and their costs necessitated by and attributable to development in the service area based on the approved land use assumptions, including a forecast of the costs of infrastructure, improvements, real property, financing, engineering and architectural services, which shall be prepared by qualified professionals licensed in this state, as applicable.*
>
> *Element #4: A table establishing the specific level or quantity of use, consumption, generation or discharge of a service unit for each category of necessary public services or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial and industrial.*
>
> *Element #5: The total number of projected service units necessitated by and attributable to new development in the service area based on the approved land use assumptions and calculated pursuant to generally accepted engineering and planning criteria.*

Element #6: The projected demand for necessary public services or facility expansions required by new service units for a period not to exceed ten years.

Element #7: A forecast of revenues generated by new service units other than development fees, which shall include estimated state-shared revenue, highway users revenue, federal revenue, ad valorem property taxes, construction contracting or similar excise taxes and the capital recovery portion of utility fees attributable to development based on the approved land use assumptions, and a plan to include these contributions in determining the extent of the burden imposed by the development.

QUALIFIED PROFESSIONALS

The IIP must be developed by qualified professionals using generally accepted engineering and planning practices. A qualified professional is defined as "a professional engineer, surveyor, financial analyst or planner providing services within the scope of the person's license, education, or experience."

TischlerBise is a fiscal, economic, and planning consulting firm specializing in the cost of growth services. Our services include development fees, fiscal impact analysis, infrastructure financing analyses, user fee/cost of service studies, capital improvement plans, and fiscal software. TischlerBise has prepared over 800 development impact fee studies over the past 30 years for local governments across the United States.

DEVELOPMENT FEES

CALCULATION METHODOLOGIES

Development fees for the necessary public services generated by new development must be based on the same level of service provided to existing development in the service area. There are three basic methodologies used to calculate development fees. They examine the past, present, and future status of infrastructure. The objective of evaluating these different methodologies is to determine the best measure of the demand created by new development for infrastructure capacity.

- **Cost recovery method (past)** is used in instances when a community has oversized a facility or asset in anticipation of future development. This methodology is based on the rationale that new development is repaying the community for its share of the remaining unused capacity.
- **Incremental expansion method (present)** documents the current level of service for each type of public facility. The intent is to use revenue collected to expand or provide additional facilities, as needed to accommodate new development, based on the current cost to provide capital improvements.
- **Plan-based method (future)** utilizes a community's capital improvement plan and/or other adopted plans or engineering studies to guide capital improvements needed to serve new development.

Figure 1 is a summary of the methodologies and components used to calculate the IIP and development fees.

Figure 1: Recommended Calculation Methodologies

	Methodology		
Type of Necessary Public Services	Cost Recovery (Past)	Incremental Expansion (Present)	Plan Based (Future)
Fire	• Facilities • Apparatus • Equipment • Communications Infrastructure	• Vehicles • Communications Equipment	Not Applicable
Police	• Communications Infrastructure	• Facilities • Vehicles • Communications Equipment	Not Applicable

Reporting Results

Calculations throughout this Study are based on analysis conducted using Excel software. Formulas and results are discussed herein using one-and two-digit place (in most cases), which represent rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the Study (due to the rounding of figures shown, not in the analysis.)

PROPOSED DEVELOPMENT FEES

Based on the data, assumptions, and calculation methodologies in the Land Use Assumptions and Infrastructure Improvement Plans, the maximum supportable development fees are listed in the figure below:

Figure 2: Maximum Supportable City of Flagstaff Public Safety Development Fees

		Fire	*Police*	*TOTAL Development Fee*
Residential	***Number of Bedrooms***	~~~~~~ Per Housing Unit ~~~~~~~~~~		
2+ Units	All Sizes	$474	$362	$836
Single Unit	0-3	$484	$370	$854
Single Unit	4+	$607	$464	$1,071
Single Unit	*Avg*	$508	$388	$896
Nonresidential		~~ Per Square Foot of Floor Area ~~		
Commercial		$0.89	$0.63	$1.52
Office/Institutional		$0.34	$0.25	$0.59
Industrial/Flex		$0.12	$0.09	$0.21

Source: TischlerBise

Comparison to Current Development Fees

The City of Flagstaff currently collects development fees for the following infrastructure categories:

- Fire
- Police

The City's current development fees, effective as of January 1, 2012, are shown below.

Figure 3: City of Flagstaff Development Fees, Effective January 1, 2012

Current Development Fee Schedule		*Fire*	*Police*	*Current Development Fee*
Residential	***Number of Bedrooms***	~~~~~~ Per Housing Unit ~~~~~~~~~~		
2+ Units	All Sizes	$352	$184	$536
Single Unit	0-3	$444	$231	$675
Single Unit	4+	$444	$231	$675
Single Unit	*Avg*	$444	$231	$675
Nonresidential [1]		~~ Per Square Foot of Floor Area ~~		
Commercial		$0.81	$0.68	$1.49
Office/Institutional		$0.28	$0.24	$0.52
Industrial/Flex		$0.07	$0.06	$0.13

Source: TischlerBise. (28Nov11). *January 1, 2012 Interim Development Fees*
[1] The 2012 nonresidential fees were by size thresholds, averages are shown here.

The changes between the proposed fees and the current fees are shown in the figure below. Note: the red figures in parentheses represent decreases in fee amounts.

Figure 4: Changes Between City of Flagstaff Current and Proposed Development Fees

		Net Change		
		Fire	*Police*	*Development Fee*
Residential	***Number of Bedrooms***	~~~~~~ Per Housing Unit ~~~~~~~~~~		
2+ Units	All Sizes	$122	$178	$300
Single Unit	0-3	$40	$139	$179
Single Unit	4+	$163	$233	$396
Single Unit	*Avg*	$64	$157	$221
Nonresidential		~~ Per Square Foot of Floor Area ~~		
Commercial		$0.08	($0.05)	$0.03
Office/Institutional		$0.06	$0.01	$0.07
Industrial/Flex		$0.05	$0.03	$0.08

Source: TischlerBise

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FIRE FACILITIES INFRASTRUCTURE IMPROVEMENTS PLAN

OVERVIEW

ARS 9-463.05 (T)(7)(f) defines the facilities and assets, which can be included in the Fire Facilities IIP:

> *"Fire and police facilities, including all appurtenances, equipment and vehicles. Fire and police facilities do not include a facility or portion of a facility that is used to replace services that were once provided elsewhere in the municipality, vehicles and equipment used to provide administrative services, helicopters or airplanes or a facility that is used for training police and firefighters from more than one station or substation."*

The Fire Facilities IIP includes components for the Fire facilities, Fire fleet (vehicles/apparatus/equipment), and the Fire Department's proportionate share of the City of Flagstaff public safety communications command center system (communications equipment and infrastructure), and the cost of preparing the Fire Facilities IIP and Development Fee Study. Cost recovery is used to calculate the IIP for the Fire facilities, apparatus, equipment, and communications infrastructure. Incremental expansion is used to calculate the Fire vehicles and communications equipment elements of the Fire IIP and Development Fees.

SERVICE AREA

The City's Fire facilities and assets serve the entire city. The service area for the Fire Facilities IIP and development fees is Citywide.

PROPORTIONATE SHARE

ARS 9-463.05 (B)(3) states that the development fee shall not exceed a proportionate share of the cost of necessary public services needed to accommodate new development. The Fire IIP uses a proportionate share concept to allocate the demand between residential and nonresidential development. The demand for Fire facilities and assets in City of Flagstaff is measured by annual calls for service. Calls for service data from 2012, in combination with functional population factors (described below), were used to determine the relative demand for service from residential and nonresidential development.

Functional Population

TischlerBise recommends functional population to allocate the cost of Fire Facilities to residential and nonresidential development. Functional population has a long history in the professional literature. Originally called activity analysis by Stuart Chapin in 1965, and incorporated into development impact fee methodology by James Nicholas in the mid-1980s, functional population has been used to equitably spread infrastructure costs between residential and nonresidential sectors. TischlerBise has refined the functional population concept by incorporating what the U.S. Census Bureau calls "daytime population." Using jurisdiction-specific data on commuting patterns, it is now possible to account for where people live and work (i.e., spend their daily hours). As shown below, residents that do not work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents that work in Flagstaff are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents that work outside Flagstaff are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2010 decennial census and Longitudinal Employer-Household Dynamics data, both provided by the U.S. Census Bureau, the cost allocation for residential development is 70 percent, while nonresidential development accounts for 30 percent of the demand for Fire Facilities.

Figure 5: City of Flagstaff Functional Population

	Demand Units in 2010			*Demand Hours/Day*	*Person Hours*	
Residential						
Population	65,870					
Residents Not Working		36,843		20	736,860	
Resident Workers		29,027				
Worked in City			17,161	14	240,254	
Worked Outside City			11,866	14	166,124	
			Residential Subtotal		1,143,238	**70%**
Nonresidential						
Non-working Residents		36,843		4	147,372	
Jobs Located in City		34,744				
Residents Working in City			17,161	10	171,610	
Non-Resident Workers (inflow commuters)			17,583	10	175,830	
			Nonresidential Subtotal		494,812	**30%**
				TOTAL	1,638,050	

Source: U.S. Census Bureau, 2010 Decennial Census; U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics

Service Units

The Fire Facilities costs are allocated to both residential and nonresidential development based on an analysis of functional population and calls for service. For residential development, fees are calculated on a per capita basis, and then converted to an appropriate amount by type of housing unit based on persons per household.

For nonresidential development fees, TischlerBise recommends using nonresidential vehicle trips as the demand indicator for Fire Facilities. Trip generation rates are used for nonresidential development because vehicle trips are highest for commercial developments, such as shopping centers, and lowest for industrial/flex development. Office and institutional trip rates fall between the other two categories. Because the Fire Department responds to emergency medical services calls for service this ranking of trip rates is consistent with the relative demand for Fire services from nonresidential development.

Other possible nonresidential demand indicators, such as employment or floor area, would not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, Fire development fees would be too high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator, Fire development fees would be too high for industrial development. More information regarding the calculation of nonresidential vehicle trips can be found in Figure 17: Fire Facilities Ratio of Service Unit to Land Use.

Fire Department Calls for Service

The functional population allocation to residential (70%) and nonresidential (30%) development is applied to the 2012 calls for service data provided by the City of Flagstaff Fire Department to derive calls for service per service unit (i.e., population for residential development, and vehicle trips for nonresidential development). Of the Fire Department's 10,178 calls for service, 7,125 are assigned to residential development, and 3,053 are assigned to nonresidential development, based on functional population.

Figure 6: Fire Facilities Proportionate Share

	2012
Total Calls for Service	10,178

Source: City of Flagstaff, Fire Department

Land Use	Proportionate Share	Estimated Calls for Service (CFS)	2013 Service Units		CFS per Service Unit
Residential	70%	7,125	74,941	Population	0.10
Nonresidential	30%	3,053	102,819	Nonres Vehicle Trips	0.03

Public Safety Communications Command Center Calls for Service

The City of Flagstaff shares a Public Safety Communications Command Center and associated infrastructure with Coconino County and surrounding public safety agencies. The shared command center received 71,475 calls for service from all jurisdictions in calendar year 2012. Calls for service for the City of Flagstaff Fire Department accounted for 14 percent of the total public safety calls for service received. This proportionate share factor will be used to calculate the demands placed on the *communications equipment* (e.g., portable communication radios, and stationary computer components) by the Fire Department.

Proportionate share factors for demands placed on the *communications infrastructure* (e.g., telecommunications towers for wireless network) by the Fire Department were provided by the City of Flagstaff Police Department based on use by the City's Fire, Police, and Public Works departments, and other jurisdictions. Proportionate share factors for *communications infrastructure* differ from *communications equipment* due to additional impact from Public Works. Proportionate share factors are shown below.

Figure 7: Public Safety Communications Command Center Proportionate Share[1]

Public Safety Agency	Calls for Service [1]	Proportionate Share for Communications Equipment [1]	Proportionate Share for Communications Infrastructure [2]
Flagstaff Police	**43,304**	**61%**	**27%**
Flagstaff Fire	**10,178**	**14%**	**18%**
Other Jurisdictions	17,993	25%	26%
Flagstaff Public Works	Not Applicable	0%	29%
Total Calls Received in 2012	71,475	100%	100%

[1] Proportionate share factors for Communications Equipment are based on total calls for service dispatched by the Public Safety Communications Command Center.

[2] Proportionate share factors (shown here as rounded figures) for Communications Infrastructure were provided by the City of Flagstaff Police Department. The City of Flagstaff Department of Public Works places demands on the communications infrastructure but not on the Public Safety Communications Command Center.

[1] The proportionate share factors by department for the *Communications Infrastructure* are shown as rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown here (due to the rounding of figures shown, not in the analysis.)

IIP FOR FIRE FACILITIES

For each necessary public service that is the subject of a development fee, ARS 9-463.05(E) requires that the IIP include seven elements. The sections below detail each of these elements. (A forecast of new revenues generated by sources other than development fees can be found in **Appendix B – Forecast of Revenues Other Than Development Fees**.)

Analysis of Capacity, Usage, and Costs of Existing Public Services

ARS 9-463.05(E)(1) requires:

> *"A description of the existing necessary public services in the service area and the costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards, which shall be prepared by qualified professionals licensed in this state, as applicable."*

ARS 9-463.05(E)(2) requires:

> *"An analysis of the total capacity, the level of current usage and commitments for usage of capacity of the existing necessary public services, which shall be prepared by qualified professionals licensed in this state, as applicable."*

Fire Facilities

Level of Service

The City recently completed a multi-year plan to relocate and expand its Fire facilities. The current inventory of qualified Fire facilities totals 59,197 square feet, which includes excess capacity to serve future demand. The level of service (LOS) for Fire facilities is a measure of square feet per service unit. The current LOS for residential development is calculated as follows: (59,197 square feet X 70% residential proportionate share)/74,941 persons) = 0.55 square feet per capita.[2] This calculation is repeated for nonresidential development using 2013 nonresidential vehicle trips. The results are shown in Figure 8.

Figure 8: Level of Service – Fire Facilities

Facility [1]	Total Square Feet	Cost/SF	Replacement Cost
Station 1	7,913	$520	$4,114,760
Station 2	14,631	$352	$5,150,112
Station 3	9,340	$333	$3,110,220
Station 4	5,600	$232	$1,299,200
Station 5	7,913	$487	$3,853,631
Station 6	9,000	$337	$3,033,000
Station 10 (Airport)	2,800	$250	$700,000
Current Fire Mechanic Space	2,000	$250	$500,000
TOTAL	**59,197**	**$368**	**$21,760,923**

Source: City of Flagstaff Fire Department

[1] Reflects non-administrative space

Service Unit	Proportionate Share	2013	2020	2023
City Population	**70%**	74,941	80,918	83,025
	Square Feet Per Capita	**0.55**	**0.51**	**0.50**
Nonresidential Vehicle Trips	**30%**	102,819	109,630	112,683
	Square Feet per Nonresidential Vehicle Trip	**0.17**	**0.16**	**0.16**

Debt was issued in 2006 and 2012 to help fund the expansion of Fire facilities. As new development utilizes its proportionate share of the available capacity of existing Fire facilities, the City plans to have it pay a proportionate share of the remaining debt, scheduled to be retired in 2020 and 2023. As shown above, if no new Fire facilities are added and development occurs at the rate shown in the Land Use Assumptions, the LOS for Fire facilities will change over the next ten years. The current LOS is 0.55 square feet per capita and 0.17 square feet per nonresidential vehicle trip. By 2023, the LOS for current Fire facilities will be 0.50 and 0.16 respectively.

[2] Level of service is shown as a rounded figure. However, the analysis itself uses figures carried to their ultimate decimal places; therefore the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown here (due to the rounding of figures shown, not in the analysis.)

Cost per Service unit

Debt was issued in 2006 and 2012 to pay for the expansion of Fire facilities to the current square footage of 59,197. As new development utilizes its proportionate share of the available capacity of the Fire facilities, the City plans to have new development pay for its share of the remaining debt. Thus, the cost recovery methodology is used to calculate the cost per service unit by land use. Growth share is based on projected persons and trips at the end of each bond term.

The City of Flagstaff has a fiscal year that runs July 1st through June 30th. The final payments for Fire facilities debt are due July 1st, or the start of the fiscal year. Therefore, the service units at the time of the last July payment are used to calculate the growth share by land use for each debt schedule. The final payment for the 2006 Series A debt is due July 1, 2023. TischlerBise projects the City of Flagstaff will add 8,084 persons and see an additional 9,864 nonresidential vehicle trips between July of 2013 and 2023, which equates to 9 percent of the 2023 projected combined population and nonresidential trips. The formula to calculate growth share for the 2006 Series A debt is (195,708 population and nonresidential vehicle trips in 2023 – 177,760 population and nonresidential vehicle trips in 2013) / 195,708 population and nonresidential vehicle trips in 2023 = 9 percent *(rounded).*

The cost per service unit for residential development is calculated as follows: ((9% growth share x $10,901,463 remaining principal and interest) x 70% residential proportionate share)/8,084 net increase in persons = $84.96 cost per capita. This calculation is repeated for each land use and each debt obligation. The results are a combined cost per service unit for Fire facilities of $109.18 per capita, and $38.95 per nonresidential vehicle trip.

Figure 9: Cost Recovery – Fire Facilities

Debt Obligation		Year of Final	Remaining Principal
Name	Year Issued	Payment	and Interest
Series A	2006	2023	$10,901,463

Land Use	Growth Share [1]	Proportionate Share [2]	Increase 2013-2023 Service Units [3]		Cost per Service Unit
Residential	9%	70%	8,084	Population	$84.96
Nonresidential		30%	9,864	Nonres Vehicle Trips	$29.84

Debt Obligation		Year of Final	Remaining Principal
Name	Year Issued	Payment	and Interest
Series 2011	2012	2020	$2,954,241

Land Use	Growth Share [1]	Proportionate Share [2]	Increase 2013-2020 Service Units [3]		Cost per Service Unit
Residential	7%	70%	5,977	Population	$24.22
Nonresidential		30%	6,811	Nonres Vehicle Trips	$9.11

Source: City of Flagstaff, Finance Department

[1] Share of projected population and nonresidential vehicle trips attributable to new growth

[2] TischlerBise. (2013). Functional Population

[3] TischlerBise. (2013). Development Fee Land Use Assumptions

Land Use	Combined Cost per Service Unit
Residential	**$109.18**
Nonresidential	**$38.95**

Fire Fleet - Vehicles, Apparatus and Equipment

Level of Service

The City plans to maintain the current LOS for Fire vehicles, apparatus, and equipment. The City currently has a 37-unit fleet of Fire vehicles, apparatus, and equipment. Based on the proportionate share analysis discussed above, residential development creates 70 percent of the demand for the Fire fleet, with nonresidential development accounting for 30 percent of the demand. The current LOS for residential development is calculated as follows: ((37 units x 70% proportionate share)/(74,941 persons/1,000)) = 0.35 vehicles per 1,000 persons. This calculation is repeated for nonresidential development resulting in a LOS of 0.11 vehicles per 1,000 nonresidential vehicle trips.

Figure 10: Level of Service Fire Fleet - Vehicles, Apparatus, and Equipment

Type	Description	Units in Service	Unit Price [1]	Replacement Cost
Vehicle	Ladder Apparatus	1	$895,034	$895,034
Vehicle	Rescue - Heavy	1	$560,867	$560,867
Vehicle	TYPE 1 Engine	1	$448,478	$448,478
Vehicle	Pumper Apparatus	4	$394,641	$1,578,564
Vehicle	Type 1 Pumper	1	$359,539	$359,539
Vehicle	TYPE 3 Wildlands	3	$358,000	$1,074,000
Vehicle	Water Tender	2	$270,000	$540,000
Vehicle	HAZMAT Truck	1	$251,392	$251,392
Vehicle	Rescue - Medic	1	$244,247	$244,247
Vehicle	TYPE 6 Engine	2	$130,000	$260,000
Vehicle	TYPE 6 Brush Truck	2	$130,000	$260,000
Vehicle	Rescue - Light	1	$43,220	$43,220
Vehicle	Light Duty Vehicle	9	$26,139	$235,253
Vehicle	Heavy Duty Vehicle	3	$24,657	$73,972
Vehicle	Trailers	2	$4,586	$9,171
Apparatus	Aerial Truck (quint ladder)	1	$800,000	$800,000
Apparatus	Pumper Truck	1	$359,539	$359,539
Equipment	SCBA Equipment	1	$220,358	$220,358
	Total Fleet	37	$221,990	$8,213,633

Source: City of Flagstaff Fire Department
[1] Reflects the unit cost at year of purchase adjusted for inflation to Feb 2013 CPI

Land Use	Proportionate Share	2013 Service Units		Vehicles, Apparatus and Equipment Per 1,000 Service Units
Residential	70%	74,941	Population	*0.35*
Nonresidential	30%	102,819	Nonres Vehicle Trips	*0.11*

Cost per Service unit

The cost per service unit for the incremental expansion of Fire vehicles is calculated in Figure 11. *The cost per service unit of Fire apparatus, and for Fire equipment are each calculated separately.* The City of Flagstaff debt financed the purchase of large Fire apparatus--an Aerial Truck and Pumper Truck--and Fire equipment for use in the entire service area. As new development utilizes its proportionate share of the available capacity of these apparatus and equipment units the City plans to have new development pay for its share of the remaining debt. Thus, the cost recovery methodology is used to calculate the cost per service unit for Fire apparatus, and for Fire equipment (explained below). The cost per service unit for Fire vehicles is calculated using an incremental expansion methodology.

Vehicles

To calculate the cost per service unit for the 34 units of Fire vehicles, the replacement costs for the apparatus and equipment were subtracted from the total replacement cost of the Fire fleet for an adjusted value of $6,833,736 for the Fire vehicles. The current cost of Fire vehicles per service unit for residential development is calculated as follows: ((34 vehicle units X 70% proportionate share) / (74,941 persons/1,000)) = 0.32 level of service X $200,992 average cost per vehicle = $63.83 cost per capita. This calculation is repeated for nonresidential development and results in a cost per service unit of $19.94.

Figure 11: Incremental Expansion – Fire Vehicles

Type	Description	Units in Service	Unit Price [1]	Replacement Cost
Vehicle	Ladder Apparatus	1	$895,034	$895,034
Vehicle	Rescue - Heavy	1	$560,867	$560,867
Vehicle	TYPE 1 Engine	1	$448,478	$448,478
Vehicle	Pumper Apparatus	4	$394,641	$1,578,564
Vehicle	Type 1 Pumper	1	$359,539	$359,539
Vehicle	TYPE 3 Wildlands	3	$358,000	$1,074,000
Vehicle	Water Tender	2	$270,000	$540,000
Vehicle	HAZMAT Truck	1	$251,392	$251,392
Vehicle	Rescue - Medic	1	$244,247	$244,247
Vehicle	TYPE 6 Engine	2	$130,000	$260,000
Vehicle	TYPE 6 Brush Truck	2	$130,000	$260,000
Vehicle	Rescue - Light	1	$43,220	$43,220
Vehicle	Light Duty Vehicle	9	$26,139	$235,253
Vehicle	Heavy Duty Vehicle	3	$24,657	$73,972
Vehicle	Trailers	2	$4,586	$9,171
Apparatus	Aerial Truck (quint ladder)	1	$800,000	$800,000
Apparatus	Pumper Truck	1	$359,539	$359,539
Equipment	SCBA Equipment	1	$220,358	$220,358
	Total Fleet	37	$221,990	$8,213,633
	Total for Fire Vehicles	**34**	$200,992	$6,833,736

Source: City of Flagstaff Fire Department
[1] Reflects the unit cost at year of purchase adjusted for inflation to Feb 2013 CPI

Land Use	Proportionate Share	2013 Service Units	Vehicles Per 1,000 Service Units	Cost per Service Unit
Residential	70%	74,941 Population	*0.32*	**$63.83**
Nonresidential	30%	102,819 Nonres Vehicle Trips	*0.10*	**$19.94**

Apparatus

The cost per service unit for the Fire apparatus (using the cost recovery methodology) is calculated using a growth share based on projected persons and nonresidential vehicle trips at the time of the last payment, July 1, 2019. Of the projected 188,870 combined population and nonresidential vehicle trips in 2019, 11,110 (6 percent) are attributable to new growth between 2013 and 2019. The formula to calculate growth share is as follows: 188,870 population and nonresidential vehicle trips in 2019 – 177,760 population and nonresidential vehicle trips in 2013) / 188,870 population and nonresidential vehicle trips in 2019 = 6 percent *(rounded)*

The Fire apparatus cost per service unit for residential development is calculated as follows: ((6% growth share x $289,122 remaining principal and interest) x 70% residential proportionate share)/5,293 net increase in persons = $2.29 cost per capita. This calculation is repeated for nonresidential development and results in a cost per service unit of $0.89.

Figure 12: Cost Recovery – Fire Apparatus

Debt Obligation		Year of Final	Remaining Principal
Name	Year Issued	Payment	and Interest
Fire Vehicles	2010	2019	$289,122

Land Use	Growth Share [1]	Proportionate Share [2]	Increase 2013-2019 Service Units [3]		Cost per Service Unit
Residential	6%	70%	5,293	Population	**$2.29**
Nonresidential		30%	5,817	Nonres Vehicle Trips	**$0.89**

Source: City of Flagstaff, Finance Department

[1] Share of projected population and nonresidential vehicle trips attributable to new growth

[2] TischlerBise. (2013). Functional Population

[3] TischlerBise. (2013). Development Fee Land Use Assumptions

Equipment

The cost per service unit for the Fire equipment (using the cost recovery methodology) is calculated using a growth share based on projected persons and trips at the time of the last payment, July 1, 2023. Of the projected 195,708 combined population and nonresidential vehicle trips in 2023, 17,948 (9 percent) are attributable to new growth between 2013 and 2023. The formula to calculate growth share is as follows: 195,708 population and nonresidential vehicle trips in 2023 – 177,760 population and nonresidential vehicle trips in 2013) / 195,708 population and nonresidential vehicle trips in 2023 = 9 percent *(rounded).*

The Fire equipment cost per service unit for residential development is calculated as follows: ((9% growth share x $169,414 remaining principal and interest) x 70% residential proportionate share)/8,084 net increase in persons = $1.32 cost per capita. This calculation is repeated for nonresidential development and results in a cost per service unit of $0.46.

Figure 13: Cost Recovery – Fire Equipment

Debt Obligation		Year of Final	Remaining Principal
Name	Year Issued	Payment	and Interest
SCBA Equipment	2006	2023	$169,414

Land Use	Growth Share [1]	Proportionate Share [2]	Increase 2013-2023 Service Units [3]	Cost per Service Unit
Residential	9%	70%	8,084 Population	**$1.32**
Nonresidential		30%	9,864 Nonres Vehicle Trips	**$0.46**

Source: City of Flagstaff, Finance Department

[1] Share of projected population and nonresidential vehicle trips attributable to new growth

[2] TischlerBise. (2013). Functional Population

[3] TischlerBise. (2013). Development Fee Land Use Assumptions

Fire Communications System - Equipment and Infrastructure

The City of Flagstaff maintains an inventory of portable and stationary communications equipment, and the communications infrastructure associated with the shared Public Safety Communications Command Center system. The shared center dispatches calls for the City of Flagstaff, Coconino County and surrounding public safety agencies, as well as providing communications infrastructure for the City of Flagstaff Department of Public Works. Each agency places differing levels of demand on the system. As discussed above, annual calls for service were used to calculate the share of the components allocated to the City of Flagstaff Fire Department; and functional population factors were used to calculate the demands placed on the system by residential and nonresidential land uses in the service area.

Level of Service

There are two types of communications equipment associated with the shared system; first is the portable equipment assigned to staff and vehicles, and second is the computer equipment necessary to dispatch and track calls for service. Communications infrastructure includes the telecommunications towers for the wireless network.

Of the equipment and infrastructure that constitute the City of Flagstaff shared system, the City of Flagstaff Fire Department makes use of 51 components. Portable components used by the Fire Department are allocated to the Fire Department at 100 percent. Dispatch communications components like the computer system's server are allocated based on demand on the system generated by the Fire Department (14%), as determined by calls for service (see the Proportionate Share section above).

Demand placed on the *communications infrastructure* by the Fire Department was determined by the City of Flagstaff. According to the City, the Fire Department generates 18.41 percent of the total demand for the *communications infrastructure*. The remaining demand on the *communications infrastructure* is generated by the Flagstaff Police and Public Works Departments as well as from other jurisdictions.

As shown in Figure 14, these proportionate share factors are used to adjust the count of components to reflect only the share of the total 51 components used by the Fire Department. The Fire Department uses 100 percent of the 6 *portable communications* components, 14 percent of the 44 *dispatch communications* components, and 18.41 percent of the *communications infrastructure.* These shares equate to 12.34 units of communications equipment and infrastructure used by the Fire Department.

The communications equipment and infrastructure LOS for residential development is calculated as follows: (12.34 pieces of equipment x 70% proportionate share)/(74,941 person/1,000) = 0.12 pieces of equipment per 1,000 persons. This calculation is repeated for nonresidential development resulting in a LOS of 0.04 pieces of equipment per 1,000 nonresidential vehicle trips.

Figure 14: Level of Service Fire Communications System - Equipment and Infrastructure

Communications System Equipment and Infrastructure	Units in Service	Fire Dept. Share of Units [1]	Units Used by Fire Dept.	Average Cost per Unit	Replacement Cost [2]
Equipment - Portable Communications	6	100.00%	6.00	$5,733	$34,400
Equipment - Dispatch Communications	44	14.00%	6.16	$5,366	$33,055
Infrastructure - Tower and Network [3]	1	18.41%	0.18	$3,952,287	$727,616
TOTAL	51		12.34	$82,800	$795,071

Source: City of Flagstaff Police Department

[1] City of Flagstaff Public Safety Communications Command Center
[2] Replacement cost is the Fire Department's share of Total Units multiplied by cost per unit.
[3] City of Flagstaff. (2012). Communications Infrastructure proportionate share

Land Use	*Proportionate Share*	*2013 Service Units*		*Equipment & Infrastructure per 1,000 Service Units*
Residential	70%	74,941	Population	*0.12*
Nonresidential	30%	102,819	Nonres Vehicle Trips	*0.04*

Cost per Service unit

The costs per service unit for the Fire *communications equipment* and *communications infrastructure* are calculated separately.

- *Communications Infrastructure:* The City of Flagstaff debt financed the expansion of the public safety *communications infrastructure* in 2011. As new development utilizes its proportionate share of the available capacity of the expanded system the City plans to have new development pay for its share of the remaining debt. Thus, the cost recovery methodology is used to calculate the cost per service unit for Fire *communications infrastructure* (shown in Figure 16).
- *Communications Equipment:* The cost per service unit for Fire *communications equipment* is calculated using an incremental expansion methodology.

Communications Equipment

To calculate the cost per service unit for Fire communications equipment the replacement costs are calculated for each component by multiplying the per unit cost by the share of units allocated to the Fire Department. Next, the replacement value for just the *communications equipment* was calculated resulting in a value of $67,455 for the Fire *communications equipment* alone. (*Communications infrastructure* is calculated and shown separately). The current cost of Fire *communications equipment* per service unit for residential development is calculated as follows: ($67,455 replacement value X 70% proportionate share)/74,941 persons = $0.63 per capita. This calculation is repeated for nonresidential development and results in a cost per service unit of $0.20.

Figure 15: Incremental Expansion – Communications Equipment

Communications System Equipment and Infrastructure	Units in Service	Fire Dept. Share of Units [1]	Units Used by Fire Dept.	Average Cost per Unit	Replacement Cost [2]
Equipment - Portable Communications	6	100.00%	6.00	$5,733	$34,400
Equipment - Dispatch Communications	44	14.00%	6.16	$5,366	$33,055
Infrastructure - Tower and Network [3]	1	18.41%	0.18	$3,952,287	$727,616
TOTAL	51		12.34	$82,800	$795,071
Total for Communications Equipment	**50**		**12.16**	**$5,547**	**$67,455**

Source: City of Flagstaff Police Department

[1] City of Flagstaff Public Safety Communications Command Center

[2] Replacement cost is the Fire Department's share of Total Units multiplied by cost per unit.

[3] City of Flagstaff. (2012). Communications Infrastructure proportionate share

Land Use	*Proportionate Share*	*2013 Service Units*	*Equipment per 1,000 Service Units*	*Cost per Service Unit*
Residential	70%	74,941 Population	*0.11*	**$0.63**
Nonresidential	30%	102,819 Nonres Vehicle Trips	*0.04*	**$0.20**

Communications Infrastructure

Debt was issued in 2011 to pay for the expansion of the Public Safety Communications Command Center infrastructure. As new development utilizes its proportionate share of the available capacity of the *communications infrastructure*, the City plans to have new development pay for its share of the remaining debt. Thus, the cost recovery methodology is used, and the growth share is based on projected persons and trips at the end of the bond term.

The City's Fire, Police, and Public Works Departments use the *communications infrastructure*, along with surrounding public safety agencies. According to the City of Flagstaff, the Fire Department generates 18.41 percent of total demand on the infrastructure.

The City of Flagstaff has a fiscal year that runs July 1st through June 30th. The final payment for the *communications infrastructure* debt is due July 1st, or the start of the fiscal year. Therefore, the service units at the time of the last July payment are used to calculate the growth share by land use. TischlerBise projects the City of Flagstaff will add 6,670 persons and see an additional 7,811 nonresidential vehicle trips between July of 2013 and 2021, which equates to 8 percent of the 2021 projected combined population and nonresidential trips. The formula to calculate growth share is as follows: 192,241 population and nonresidential vehicle trips in 2021 – 177,760 population and nonresidential vehicle trips in 2013) / 192,241 population and nonresidential vehicle trips in 2021 = 8 percent *(rounded).*

The cost per service unit for residential development is calculated as follows: ($3,658,398 remaining principal and interest X 18.41% Fire proportionate share X 8% growth share X 70% residential proportionate share)/6,670 net increase in persons = $5.65 cost per capita. This calculation is repeated for nonresidential development and results in a cost per nonresidential vehicle trip of $2.07.

Figure 16: Cost Recovery – Fire Communications Infrastructure

Debt Obligation		Year of Final	Remaining Principal
Name	Year Issued	Payment	and Interest
Communications Equipment	2011	2021	$3,658,398

Land Use	Portion Attributable to Fire Dept. [1]	Growth Share [2]	Proportionate Share [3]	Increase 2013-2021 Service Units [4]		Cost per Service Unit
Residential	18.41%	8%	70%	6,670	Population	**$5.65**
Nonresidential			30%	7,811	Nonres Vehicle Trips	**$2.07**

Source: City of Flagstaff, Finance Department
[1] City of Flagstaff Public Safety Communications Command Center
[2] Share of projected population and nonresidential vehicle trips attributable to new growth
[3] TischlerBise. (2013). Functional Population
[4] TischlerBise. (2013). Development Fee Land Use Assumptions

Excluded Costs

Development fees in Flagstaff exclude costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards. The City of Flagstaff Capital Improvement Plan addresses the cost of these excluded items.

Current Use and Available Capacity

According to City staff, Fire facilities, apparatus, equipment, and communications infrastructure have surplus capacity to serve growth; therefore, a cost recovery methodology was used to calculate the growth share of future principal and interest payments. Fire vehicles and communications equipment are fully utilized; therefore, there is no available capacity for future development.

RATIO OF SERVICE UNIT TO DEVELOPMENT UNIT

ARS 9-463.05(E)(4) requires:

> *"A table establishing the specific level or quantity of use, consumption, generation or discharge of a service unit for each category of necessary public services or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial and industrial."*

Shown in the table below are the ratios of a service unit (i.e., persons and nonresidential vehicle trips) to various types of land uses for residential and nonresidential development. The residential development table displays the *Persons per Household* factors for single family and multifamily homes.

For nonresidential development, average daily vehicle trips are used for the Fire Facilities IIP as a measure of demand by land use. TischlerBise recommends using nonresidential vehicle trips as the best demand indicator for Fire Facilities. Trip generation rates are used for nonresidential development because vehicle trips are highest for commercial developments, such as shopping centers, and lowest for industrial/flex development. Office and institutional trip rates fall between the other two categories. Because the Fire Department responds to emergency medical calls for service this ranking of trip rates is consistent with the relative demand for Fire services from nonresidential development.

Other possible nonresidential demand indicators, such as employment or floor area, would not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, Fire Facilities development fees would be too high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator Fire Facilities development fees would be too high for industrial development.

Figure 17: Fire Facilities Ratio of Service Unit to Land Use

Residential Development	
Land Use	Persons per Household [1]
Single Unit	2.75
2+ Unit	2.57

[1] TischlerBise. (2013). Development Fee Land Use Assumptions

Nonresidential Development			
Land Use	Weekday Trip Ends [2] (a)	Trip Adjustment [3] (b)	Vehicle Trips (a X b)
Commercial KSF	42.70	33%	14.09
Office/Institutional KSF	11.03	50%	5.52
Industrial/Flex KSF	3.82	50%	1.91

[2] Institute of Transportation Engineers. (2012). Trip Generation Manual 9th Edition

[3] Average adjustment used to count every trip only once, at the point of final destination.

Vehicle trips are estimated using average weekday vehicle trips ends from the reference book Trip Generation published by the Institute of Transportation Engineers (ITE 9th Edition 2012). A vehicle trip end represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway).

Trip generation rates are adjusted to avoid double counting each trip at both the origin and destination points. Therefore, the basic trip adjustment factor of 50 percent is applied to the office/institutional, and industrial/flex categories. The commercial/retail category has a trip factor of less than 50 percent because this type of development attracts vehicles as they pass-by on arterial and collector roads. For example, when someone stops at a convenience store on the way home from work, the convenience store is not the primary destination. For the average shopping center, the ITE data indicates that 34 percent of the vehicles that enter are passing by on their way to some other primary destination. The remaining 66 percent of attraction trips have the commercial site as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor of 66 percent is multiplied by 50 percent to calculate a trip adjustment factor for commercial land use of 33 percent.

PROJECTED SERVICE UNITS AND INFRASTRUCTURE DEMAND

ARS 9-463.05(E)(3) requires:

> *"A description of all or the parts of the necessary public services or facility expansions and their costs necessitated by and attributable to development in the service area based on the approved land use assumptions, including a forecast of the costs of infrastructure, improvements, real property, financing, engineering and architectural services, which shall be prepared by qualified professionals licensed in this state, as applicable."*

ARS 9-463.05(E)(5) requires:

> *"The total number of projected service units necessitated by and attributable to new development in the service area based on the approved land use assumptions and calculated pursuant to generally accepted engineering and planning criteria."*

ARS 9-463.05(E)(6) requires:

> *"The projected demand for necessary public services or facility expansions required by new service units for a period not to exceed ten years."*

Fire Facilities

The development fee enabling legislation requires all development fees to be reevaluated every five years. For the five-year period of this Fire Facilities IIP and Development Fee Study, the City of Flagstaff will collect a Fire facilities fee to pay down the debt incurred to expand the Fire facilities with the capacity to absorb growth. Over the course of the next five years, the City of Flagstaff is projected to add an additional 4,617 persons, and see an additional 4,818 nonresidential vehicle trips. As shown in Figure 18, projected development between 2013 and 2018 will generate demand for the remaining Fire facilities capacity.

Figure 18: Projected Demand for Fire Facilities

Existing Fire Facilities = 59,197 SF

		Residential		Nonresidential		Demand for	Remaining
		Population	2018 LOS	Vehicle Trips	2018 LOS	Facility SF	Capacity
Base Yr	2013	74,941	0.52	102,819	0.16	55,997	3,200
1	2014	76,931	0.52	103,771	0.16	57,191	2,006
2	2015	77,576	0.52	104,726	0.16	57,684	1,513
3	2016	78,228	0.52	105,688	0.16	58,183	1,014
4	2017	78,889	0.52	106,662	0.16	58,688	509
5	2018	79,558	0.52	107,637	0.16	59,197	0

Fire Apparatus

The development fee enabling legislation requires all development fees to be reevaluated every five years. For the five-year period of this Fire Facilities IIP and Development Fee Study, the City of Flagstaff will collect a Fire apparatus fee to pay down the debt incurred to purchase the large apparatus. Over the remaining period of the debt obligation, the City of Flagstaff is projected to add an additional 5,293 persons, and see an additional 5,817 nonresidential vehicle trips. As shown in Figure 19, projected development between 2013 and 2019 will generate demand for the remaining capacity of the Fire apparatus.

Figure 19: Projected Demand for Fire Apparatus

Existing Fire Apparatus = 2 Units

		Residential		Nonresidential		Demand for	Remaining
		Population	2019 LOS	Vehicle Trips	2019 LOS	Apparatus	Capacity
Base Yr	2013	74,941	0.00002	102,819	0.00001	1.88	0.12
1	2014	76,931	0.00002	103,771	0.00001	1.92	0.08
2	2015	77,576	0.00002	104,726	0.00001	1.93	0.07
3	2016	78,228	0.00002	105,688	0.00001	1.95	0.05
4	2017	78,889	0.00002	106,662	0.00001	1.97	0.03
5	2018	79,558	0.00002	107,637	0.00001	1.98	0.02
6	2019	80,234	0.00002	108,636	0.00001	2.00	0.00

Fire Equipment

The development fee enabling legislation requires all development fees to be reevaluated every five years. For the five-year period of this Fire Facilities IIP and Development Fee Study, the City of Flagstaff will collect a Fire equipment fee to pay down the debt incurred to purchase the Fire equipment. Over the remaining period of the debt obligation, the City of Flagstaff is projected to add an additional 8,084 persons, and see an additional 9,864 nonresidential vehicle trips. As shown in Figure 20, projected development between 2013 and 2023 will generate demand for the remaining capacity of the Fire equipment.

Figure 20: Projected Demand for Fire Equipment

Existing Fire Equipment = 1 Unit

		Residential		Nonresidential		Demand for	Remaining
		Population	2023 LOS	Vehicle Trips	2023 LOS	Equipment	Capacity
Base Yr	2013	74,941	0.00001	102,819	0.000003	0.91	0.09
1	2014	76,931	0.00001	103,771	0.000003	0.92	0.08
2	2015	77,576	0.00001	104,726	0.000003	0.93	0.07
3	2016	78,228	0.00001	105,688	0.000003	0.94	0.06
4	2017	78,889	0.00001	106,662	0.000003	0.95	0.05
5	2018	79,558	0.00001	107,637	0.000003	0.96	0.04
6	2019	80,234	0.00001	108,636	0.000003	0.97	0.03
7	2020	80,918	0.00001	109,630	0.000003	0.97	0.03
8	2021	81,611	0.00001	110,630	0.000003	0.98	0.02
9	2022	82,314	0.00001	111,652	0.000003	0.99	0.01
10	2023	83,025	0.00001	112,683	0.000003	1.00	0.00

Fire Communications Infrastructure

The development fee enabling legislation requires all development fees to be reevaluated every five years. For the five-year period of this Fire Facilities IIP and Development Fee Study, the City of Flagstaff will collect a Fire *communications infrastructure* fee to pay down the debt incurred to improve the network and add a telecommunications tower, to ensure the shared Public Safety Communications Command Center would have sufficient capacity to serve growth. Over the remaining period of the debt obligation, the City of Flagstaff is projected to add an additional 6,670 persons, and see an additional 7,811 nonresidential vehicle trips. As shown in Figure 21, projected development between 2013 and 2021 will generate demand for the remaining portion of *communications infrastructure* that is attributable to the Flagstaff Fire Department.

Figure 21: Projected Demand for Fire Communications Infrastructure

Existing Fire Communications Infrastructure = 18.41% of 1 System Unit

		Residential		Nonresidential			
		Service Units	2021 LOS per 1,000	Service Units	2021 LOS per 1,000	Demand for	Remaining
		Population	Service Units	Vehicle Trips	Service Units	Units	Capacity
Base Yr	2013	74,941	0.002	102,819	0.0005	0.17	0.014
1	2014	76,931	0.002	103,771	0.0005	0.17	0.011
2	2015	77,576	0.002	104,726	0.0005	0.17	0.009
3	2016	78,228	0.002	105,688	0.0005	0.18	0.008
4	2017	78,889	0.002	106,662	0.0005	0.18	0.006
5	2018	79,558	0.002	107,637	0.0005	0.18	0.005
6	2019	80,234	0.002	108,636	0.0005	0.18	0.003
7	2020	80,918	0.002	109,630	0.0005	0.18	0.002
8	2021	81,611	0.002	110,630	0.0005	0.18	0.000

Fire Vehicles and Communications Equipment

As shown in Figure 22 TischlerBise projects an additional 8,084 persons and 9,864 trips over the next ten years. The City of Flagstaff Fire Department expects to expand the fleet of Fire vehicles incrementally to serve growth at the current level of service, which equates to a demand for four new vehicles in the next ten years. Incremental investments in Communications equipment will be made by the Fire Department to maintain the current level of service, which equates to a demand for one new unit in the next ten years. The incremental demand to serve growth is shown in Figure 22 below.

The ten-year totals of the projected demand for the Fire vehicles, and the Fire Department's share of the communications equipment is multiplied by the respective costs per average unit to determine the total cost to incrementally expand capacity for each category to accommodate the projected demand over the next ten years. For example, the projected development over the next ten years requires adding four vehicles. This is multiplied by the average cost of $200,992 per average vehicle to calculate a total ten-year cost of $803,968. This calculation is repeated for each category. See Figure 22 for additional details.

Figure 22: Projected Demand for Fire Vehicles and Communications Equipment

	Service Units	Vehicles per 1,000 Service Units	Comm. Equip. per 1,000 Service Units
Res LOS	Persons	0.32	0.11
Nonres LOS	Nonresidential Vehicle Trips	0.10	0.04
	Average Cost per Unit	**$200,992**	**$5,547**

		Projected Service Units		Projected Demand (Rounded)	
		Persons	Nonres Trips	Vehicles (units)	Comm. Equip. (units)
Base	2013	74,941	102,819	34	12
1	2014	76,931	103,771	35	12
2	2015	77,576	104,726	35	13
3	2016	78,228	105,688	35	13
4	2017	78,889	106,662	36	13
5	2018	79,558	107,637	36	13
6	2019	80,234	108,636	36	13
7	2020	80,918	109,630	37	13
8	2021	81,611	110,630	37	13
9	2022	82,314	111,652	37	13
10	2023	83,025	112,683	38	13
Ten-Year Total		**8,084**	**9,864**	**4**	**1**
Cost of Fire Vehicles				$803,968	
Cost of Fire Communications Equipment					$5,547

Fire Facilities Improvements Plan

Lastly, the 10-year plan for necessary Fire Facilities improvements and expansions identified by City of Flagstaff are listed in Figure 23. The figure below reflects new purchases and does not include debt service costs associated with Fire facilities, apparatus, equipment, and communications infrastructure.

Figure 23: Necessary Fire Facilities Expansions

Improvements	***10-Year Plan***
Projects	
Incremental Expansion of Vehicles	**$803,968**
Incremental Expansion of Communications Equipment	**$5,547**
TOTAL	**$809,515**

MAXIMUM SUPPORTABLE FIRE FACILITIES DEVELOPMENT FEES

The proposed development fees by land use for Fire Facilities are shown in Figure 24 on the following page.

Fire Facilities IIP and Development Fee Study

Included in the Fire Facilities *per service unit cost* is the cost to prepare the Fire Facilities IIP and Development Fee Study. See **Appendix A – Cost of Professional Services** for the detailed calculations.

Revenue Credit

Included in the maximum supportable development fees is a *Revenue Credit* of 0 percent. The unadjusted Fire Facilities development fees per development unit would not generate more revenue over the next ten years, based on the approved Land Use Assumptions, than the identified growth-related necessary expenditures of $2,096,648 (necessary facilities expansion plus the IIP and Development Fee Study cost). To ensure that no more fee revenue is collected than the City plans to spend, the potential gross cost per service unit is reduced by the revenue credit to calculate the net capital cost per service unit. Based on the gross capital costs per service unit, the projected development fee revenue would equal $1,513,051. See Figure 24 and Figure 25 for additional detail. Therefore, no revenue credit adjustment is necessary for the Fire Facilities development fees.

Figure 24: Maximum Supportable Fire Facilities Development Fees

Fire Level Of Service and Capital Costs		*Per Person*
Fire Facilities - Debt Service		$109.18
Fire Vehicles		$63.83
Fire Apparatus - Debt Service		$2.29
Fire Equipment - Debt Service		$1.32
Fire Communications Equipment		$0.63
Fire Communications Infrastructure - Debt Service		$5.65
IIP and Development Fee Study		$1.93
GROSS CAPITAL COST		*$184.83*
Revenue Credit	0%	($0.00)
NET CAPITAL COST		***$184.83***

Fire Residential Development Fee Schedule			Development Fee per Housing Unit		
Unit Type	*Number of Bedrooms*	*Persons per Household [1]*	*Proposed Fee*	*Current Fee [2]*	*Increase (Decrease)*
2+ Units	All Sizes	2.57	$474	$352	$122
Single Unit	0-3	2.62	$484	$444	$40
Single Unit	4+	3.29	$607	$444	$163
Single Unit	*Avg*	*2.75*	$508	$444	*$64*

[1] TischlerBise. (2013). Development Fee Land Use Assumptions
[2] TischlerBise. (28Nov11). *January 1, 2012 Interim Development Fees*

Fire Level Of Service and Capital Costs		*Per Trip*
Fire Facilities - Debt Service		$38.95
Fire Vehicles		$19.94
Fire Apparatus - Debt Service		$0.89
Fire Equipment - Debt Service		$0.46
Fire Communications Equipment		$0.20
Fire Communications Infrastructure - Debt Service		$2.07
IIP and Development Fee Study		$0.79
GROSS CAPITAL COST		*$63.30*
Revenue Credit	0%	($0.00)
NET CAPITAL COST		***$63.30***

Fire Nonresidential Development Fee Schedule			Development Fee per Square Foot of Floor Area		
Nonresidential Land Use	*Weekday Vehicle Trip Ends*	*Trip Rate Adj. Factors*	*Proposed Fee*	*Current Fee [3]*	*Increase (Decrease)*
	(Per 1,000 sq. ft.)		*(Per Square Foot of Floor Area)*		
Commercial	42.70	33%	$0.89	$0.81	$0.08
Office/Institutional	11.03	50%	$0.34	$0.28	$0.06
Industrial/Flex	3.82	50%	$0.12	$0.07	$0.05

[3] TischlerBise. (28Nov11). *January 1, 2012 Interim Development Fees*
The 2012 nonresidential fees were by size thresholds, averages are shown here.

FORECAST OF REVENUES FOR FIRE FACILITIES

Appendix B – Forecast of Revenues Other Than Development Fees contains the forecast of revenues required by Arizona's enabling legislation.

Fire Facilities Cash Flow

Revenue projections shown below assume implementation of the maximum supportable Fire Facilities development fees and that development over the next ten years is consistent with the approved Land Use Assumptions described in Appendix C. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the development fee revenue. The deficit shown in the revenue projection below represents the portion of necessary investments that will not be recouped through Fire Facilities development fee revenue.

Figure 25: Projected Revenue for Fire Facilities

Ten-Year Growth-Related Costs for Fire Facilities

Fire Facilities - Debt Service*	$	1,187,929
Fire Vehicles	$	803,968
Fire Apparatus - Debt Service*	$	17,347
Fire Equipment - Debt Service*	$	15,247
Fire Communications Equipment	$	5,547
Fire Communications Infrastructure - Debt Service*	$	53,881
IIP and Development Fee Study	$	12,729
TOTAL	**$**	**2,096,648**

[1] Debt Service costs shown above represent only the growth share of each debt obligation.

		per Housing Unit		*Per Square Foot of Floor Area*		
		Single Unit	*2+ Units*	*Commercial*	*Office*	*Industrial*
		$508	**$474**	**$0.89**	**$0.34**	**$0.12**
	Year	*Housing Units Added*		*Square Feet Added (1,000)*		
Base	2013	16,833	10,324	4,195	6,084	5,316
Year 1	2014	16,942	10,391	4,234	6,139	5,370
Year 2	2015	17,052	10,458	4,273	6,193	5,424
Year 3	2016	17,162	10,526	4,313	6,248	5,478
Year 4	2017	17,273	10,594	4,353	6,303	5,532
Year 5	2018	17,385	10,662	4,393	6,359	5,588
Year 6	2019	17,497	10,731	4,434	6,416	5,643
Year 7	2020	17,610	10,800	4,474	6,473	5,700
Year 8	2021	17,724	10,870	4,515	6,530	5,757
Year 9	2022	17,839	10,940	4,557	6,588	5,815
Year 10	2023	17,954	11,011	4,599	6,648	5,873
	Ten-Yr Increase	1,121	687	404	564	557
	Projected Fees =>	$569,468	$325,638	$359,560	$191,598	$66,787
	Total Projected Revenues		**$1,513,051**			
	Cumulative Net Surplus/(Deficit)		($583,597)			

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POLICE FACILITIES INFRASTRUCTURE IMPROVEMENTS PLAN

OVERVIEW

ARS 9-463.05 (T)(7)(f) defines the facilities and assets, which can be included in the Police Facilities IIP:

> *"Fire and police facilities, including all appurtenances, equipment and vehicles. Fire and police facilities do not include a facility or portion of a facility that is used to replace services that were once provided elsewhere in the municipality, vehicles and equipment used to provide administrative services, helicopters or airplanes or a facility that is used for training police and firefighters from more than one station or substation."*

The Police Facilities IIP includes components for the Police facilities, vehicles, the Police Department's proportionate share of the City of Flagstaff public safety communications command center system (equipment and infrastructure), and the cost of preparing the Police Facilities IIP and Development Fee Study. Cost recovery is used to calculate the IIP for Police communications infrastructure. Incremental expansion is used to calculate the Police facilities, vehicles, and communications equipment elements of the Police Facilities IIP and Development Fees.

SERVICE AREA

The City of Flagstaff Police Department provides service to the entire city. The service area for the Police Facilities IIP and development fees is Citywide.

PROPORTIONATE SHARE

ARS 9-463.05 (B)(3) states that the development fee shall not exceed a proportionate share of the cost of necessary public services needed to accommodate new development. The Police IIP uses a functional population concept to allocate the demand between residential and nonresidential development. The demand for Police facilities and assets in the City of Flagstaff is measured by annual calls for service. Calls for service data from 2012, in combination with functional population factors (described below), were used to determine the relative demand for service from residential and nonresidential development.

Functional Population

TischlerBise recommends functional population to allocate the cost of Police Facilities to residential and nonresidential development. Functional population has a long history in the professional literature. Originally called activity analysis by Stuart Chapin in 1965, and incorporated into development impact fee methodology by James Nicholas in the mid-1980s, functional population has been used to equitably spread infrastructure costs between residential and nonresidential sectors. TischlerBise has refined the functional population concept by incorporating what the U.S. Census Bureau calls "daytime population." Using jurisdiction-specific data on commuting patterns, it is now possible to account for where people live and work (i.e., spend their daily hours). As shown below, residents that do not work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents that work in Flagstaff are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents that work outside Flagstaff are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2010 decennial census and Longitudinal Employer-Household Dynamics data, both provided by the U.S. Census Bureau, the cost allocation for residential development is 70 percent, while nonresidential development accounts for 30 percent of the demand for Police Facilities.

Figure 26: City of Flagstaff Functional Population

	Demand Units in 2010			*Demand Hours/Day*	*Person Hours*	
Residential						
Population	65,870					
Residents Not Working		36,843		20	736,860	
Resident Workers		29,027				
Worked in City			17,161	14	240,254	
Worked Outside City			11,866	14	166,124	
			Residential Subtotal		1,143,238	**70%**
Nonresidential						
Non-working Residents		36,843		4	147,372	
Jobs Located in City		34,744				
Residents Working in City			17,161	10	171,610	
Non-Resident Workers (inflow commuters)			17,583	10	175,830	
			Nonresidential Subtotal		494,812	**30%**
				TOTAL	1,638,050	

Source: U.S. Census Bureau, 2010 Decennial Census; U.S. Census Bureau, OnTheMap 6.1.1 Application and LEHD Origin-Destination Employment Statistics

Service Units

Different demand indicators for residential and nonresidential development are used to calculate the Police Facilities IIP. Residential development fees are calculated based on resident population, and then converted to an appropriate amount by type of housing unit based on persons per household.

For nonresidential development fees, TischlerBise recommends using nonresidential vehicle trips as the demand indicator for Police Facilities. Trip generation rates are used for nonresidential development because vehicle trips are highest for commercial developments, such as shopping centers, and lowest for industrial/flex development. Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for Police services from nonresidential development.

Other possible nonresidential demand indicators, such as employment or floor area, would not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, Police development fees would be too high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator Police development fees would be too high for industrial development. More information regarding the calculation of nonresidential vehicle trips can be found in Figure 34: Police Facilities Ratio of Service Unit to Land Use.

Police Department Calls for Service

The functional population allocation to residential and nonresidential development is applied to the 2012 calls for service data provided by the City of Flagstaff Police Department to derive calls for service per service unit (i.e. population for residential development, and vehicle trips for nonresidential development). Of the Police Department's 43,304 calls for service, 70 percent or 30,313 represent demand from residential development, and 30 percent or 12,991 represent demand from nonresidential development.

Figure 27: Police Proportionate Share

	2012
Total Calls for Service	43,304

Source: City of Flagstaff, Police Department

Land Use	Proportionate Share	Estimated Calls for Service (CFS)	2013 Service Units	CFS per Service Unit
Residential	70%	30,313	74,941 Population	0.40
Nonresidential	30%	12,991	102,819 Nonres Vehicle Trips	0.13

Public Safety Communications Command Center Calls for Service

City of Flagstaff shares a public safety command center and associated infrastructure with Coconino County and surrounding public safety agencies. The shared command center received 71,475 calls for service from all jurisdictions in calendar year 2012. Calls for service for the City of Flagstaff Police Department accounted for 61 percent of the total public safety calls for service received. This proportionate share factor will be used to calculate the demands placed on the *communications equipment* (e.g., portable communication radios, and stationary computer components) by the Police Department.

Proportionate share factors for demands placed on the *communications infrastructure* (e.g., telecommunications towers for wireless network) by the Police Department were provided by the City of Flagstaff Police Department based on use by the City's Fire, Police, and Public Works departments, and other jurisdictions. Proportionate share factors for *communications infrastructure* differ from *communications equipment* due to additional impact from Public Works. Proportionate share factors are shown below.

Figure 28: Public Safety Communications Command Center Proportionate Share[3]

Public Safety Agency	Calls for Service [1]	Proportionate Share for Communications Equipment [1]	Proportionate Share for Communications Infrastructure [2]
Flagstaff Police	**43,304**	**61%**	**27%**
Flagstaff Fire	**10,178**	**14%**	**18%**
Other Jurisdictions	17,993	25%	26%
Flagstaff Public Works	Not Applicable	0%	29%
Total Calls Received in 2012	71,475	100%	100%

[1] Proportionate share factors for Communications Equipment are based on total calls for service dispatched by the Public Safety Communications Command Center.

[2] Proportionate share factors (shown here as rounded figures) for Communications Infrastructure were provided by the City of Flagstaff Police Department. The City of Flagstaff Department of Public Works places demands on the communications infrastructure but not on the Public Safety Communications Command Center.

[3] The proportionate share factors by department for the *Communications Infrastructure* are shown as rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown here (due to the rounding of figures shown, not in the analysis.)

IIP for Police Facilities

For each necessary public service that is the subject of a development fee, ARS 9-463.05(E) requires that the IIP include seven elements. The sections below detail each of these elements. (A forecast of new revenues generated by sources other than development fees can be found in **Appendix B – Forecast of Revenues Other Than Development Fees**.)

Analysis of Capacity, Usage, and Costs of Existing Public Services

ARS 9-463.05(E)(1) requires:

> *"A description of the existing necessary public services in the service area and the costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards, which shall be prepared by qualified professionals licensed in this state, as applicable."*

ARS 9-463.05(E)(2) requires:

> *"An analysis of the total capacity, the level of current usage and commitments for usage of capacity of the existing necessary public services, which shall be prepared by qualified professionals licensed in this state, as applicable."*

Police Facilities

Level of Service and Cost per Service unit

The City plans to maintain the level of service (LOS) for Police facilities that it provides to existing development. Thus, the incremental expansion methodology is used to calculate this component of the Police IIP. The City currently has 46,672 square feet of qualified Police facilities. Based on the proportionate share analysis discussed above, residential development creates 70 percent of the demand for Police facilities, with nonresidential development accounting for 30 percent of the demand. The current LOS for residential development is calculated as follows: (46,672 square feet X 70% residential proportionate share)/74,941 persons = 0.44 square feet per capita. This calculation is repeated for nonresidential development resulting in a LOS of 0.14 square feet per nonresidential vehicle trip.

The cost per service unit is the product of square feet per service unit and the average cost per square foot. The cost per service unit for residential development is calculated as follows: 0.44 square feet per capita X $239 average cost per square foot = $104.19 cost per person. [4] This calculation is repeated for nonresidential development resulting in a cost of $32.55 per nonresidential vehicle trip.

Figure 29: Incremental Expansion – Police Facilities

Facility	Total Square Feet	Cost per Square Foot	Replacement Cost [2]
LEAF Facility (City Police share) [1]	32,148	$252	$8,104,898
Police Share of Coconino Facility	8,000	$252	$2,016,896
Southside Substation	64	$252	$16,135
Sunnyside Substation	400	$252	$100,845
Garage/Warehouse (Win Oil leased)	3,500	$252	$882,392
Purchased "Pod" Storage Space	2,560	$5	$12,000
TOTAL	**46,672**	**$239**	**11,133,166**

Source: City of Flagstaff, Police Department
[1] Reflects non-administrative space
[2] 2007 values adjusted for inflation to Feb 2013 CPI

Land Use	Proportionate Share	2013 Service Units		Square Feet per Service Unit	Cost per Service Unit
Residential	70%	74,941	Population	*0.44*	**$104.19**
Nonresidential	30%	102,819	Nonres Vehicle Trips	*0.14*	**$32.55**

[4] Level of service is shown as a rounded figure. However, the analysis itself uses figures carried to their ultimate decimal places; therefore the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown here (due to the rounding of figures shown, not in the analysis.)

Police Vehicles

The City plans to maintain the LOS for Police vehicles that it provides to existing development. Thus, the incremental expansion methodology is used to calculate this component of the Police Facilities IIP. The City currently has a fleet of 78 Police vehicles. Based on the proportionate share analysis, residential development creates 70 percent of the demand for police vehicles, with nonresidential development accounting for 30 percent of the demand. The current LOS for residential development is calculated as follows: (78 vehicles x 70% proportionate share)/(74,941 persons/1,000) = 0.73 vehicles per 1,000 persons. This calculation is repeated for nonresidential development resulting in a LOS of 0.23 vehicles per 1,000 nonresidential vehicle trips.

The cost per service unit is the product of LOS and the average cost per unit. The cost per service unit for residential development is calculated as follows: (0.73 LOS/1,000) X $34,300 average cost per unit = $24.99 cost per service unit.[5] This calculation is repeated for nonresidential development resulting in a cost of $7.81 per nonresidential vehicle trip.

Figure 30: Incremental Expansion – Police Vehicles

Type of Vehicle	Units in Service	Unit Price [1]	Replacement Cost
Patrol Sedan	32	$38,054	$1,217,741
Patrol Motorcycle	4	$16,157	$64,629
Patrol Motorcycle Trainer	3	$11,480	$34,440
Patrol Utility Vehicle	2	$38,905	$77,810
Patrol 4x4 Pickup Truck	1	$28,594	$28,594
Prisoner Transport Van	1	$44,220	$44,220
Patrol Surveillance Van	1	$162,210	$162,210
Bomb Squad Response Vehicle	1	$176,028	$176,028
Bomb Squad Trailer	1	$85,038	$85,038
Mobile Command Post	1	$60,377	$60,377
Radar/Sign Board Trailer	3	$25,511	$76,534
Full Service Sedan [2]	23	$21,259	$488,967
Graffiti Eradication Van	1	$31,995	$31,995
Street Crimes Task Force Vehicle	2	$36,779	$73,558
Utility Trailer	1	$3,720	$3,720
Animal Control 4x4 Pickup Truck	1	$51,916	$51,916
TOTAL	**78**	**$34,300**	**$2,677,776**

Source: City of Flagstaff, Police Department
[1] Includes all pieces of equipment to place the vehicle in service; Adjusted for Inflation Feb 2013 CPI
[2] Reflects updated inventory to remove vehicles used for administrative services

Land Use	Proportionate Share	2013 Service Units	Vehicles per 1,000 Service Units	Cost per Service Unit
Residential	70%	74,941 Population	*0.73*	**$24.99**
Nonresidential	30%	102,819 Nonres Vehicle Trips	*0.23*	**$7.81**

[5] Level of service is shown as a rounded figure. However, the analysis itself uses figures carried to their ultimate decimal places; therefore the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown here (due to the rounding of figures shown, not in the analysis.)

Police Communications System - Equipment and Infrastructure

The City of Flagstaff maintains an inventory of communications equipment and infrastructure associated with the Public Safety Communications Command Center. The shared center dispatches calls for the City of Flagstaff, Coconino County and surrounding public safety agencies, as well as providing communications infrastructure for the City of Flagstaff Department of Public Works. Each agency places differing levels of demand on the system. As discussed above, annual calls for service were used to calculate the share of the components allocated to the City of Flagstaff Police Department; and functional population factors were used to calculate the demands placed on the system by residential and nonresidential land uses in the service area.

Level of Service

There are two types of communications equipment associated with the shared system; first is the portable equipment assigned to staff and vehicles, and second is the computer equipment necessary to dispatch and track calls for service. Communications infrastructure includes the telecommunications towers for the wireless network.

Of the communication equipment and infrastructure that constitute the City of Flagstaff shared system, the City of Flagstaff Police Department makes use of 72 components. Portable components used by the Police Department are allocated to the Police Department at 100 percent. Dispatch communications components like the computer system's server are allocated based on demand on the system generated by the Police Department, and determined by calls for service (see the **Public Safety Communications Command Center Calls for Service** section above).

Demand placed on the *communications infrastructure* by the Police Department was determined by the City of Flagstaff. According to the City, the Police Department generates 26.53 percent of the total demand for the *communications infrastructure*. The remaining demand on the *communications infrastructure* is generated by the Flagstaff Fire and Public Works Departments as well as from other jurisdictions.

As shown in Figure 31, these proportionate share factors are used to adjust the count of components to reflect only the share of the total 72 components used by the Police Department. The Police Department uses 100 percent of the 27 *portable communications* components, 61 percent (26.84 units) of the 44 *dispatch communications* components, and 26.53 percent of the *communications infrastructure.* These shares equate to 54.11 units of communications equipment and infrastructure used by the Police Department.

The communications equipment and infrastructure LOS for residential development is calculated as follows: (54.11 pieces of equipment x 70% proportionate share)/(74,941/1,000) = 0.51 pieces of equipment per 1,000 persons. This calculation is repeated for nonresidential development resulting in a LOS of 0.16 pieces of equipment per 1,000 nonresidential vehicle trips.

Figure 31: Level of Service Police Communications System - Equipment and Infrastructure

Communications Equipment and Infrastructure	Units in Service	Police Dept. Share of Units [1]	Units Used by Police Dept.	Average Cost per Unit	Replacement Cost [2]
Equipment - Portable Communications	27	100.00%	27.00	$3,900	$105,300
Equipment - Dispatch Communications	44	61.00%	26.84	$5,366	$144,026
Infrastructure - Tower and Network [3]	1	26.53%	0.27	$3,952,287	$1,048,542
TOTAL	72		54.11	$59,635	$1,297,868

Source: City of Flagstaff Police Department

[1] City of Flagstaff Public Safety Communications Command Center

[2] Replacement cost is the Police Department's share of Total Units multiplied by cost per unit.

[3] City of Flagstaff. (2012). Communications Infrastructure proportionate share

Land Use	*Proportionate Share*	*2013 Service Units*		*Equipment & Infrastructure per 1,000 Service Units*
Residential	70%	74,941	Population	*0.51*
Nonresidential	30%	102,819	Nonres Vehicle Trips	*0.16*

Cost per Service unit

The costs per service unit for the Police *communications equipment* and *communications infrastructure* are calculated separately.

- *Communications Infrastructure:* The City of Flagstaff debt financed the expansion of the public safety *communications infrastructure* in 2011. As new development utilizes its proportionate share of the available capacity of the expanded system the City plans to have new development pay for its share of the remaining debt. Thus, the cost recovery methodology is used to calculate the cost per service unit for Police *communications infrastructure* (shown in Figure 33).
- *Communications Equipment:* The cost per service unit for Police *communications equipment* is calculated using an incremental expansion methodology.

Communications Equipment

To calculate the cost per service unit for Police *communications equipment*, first the replacement costs are calculated for each component by multiplying the per unit cost by the share of units allocated to the Police Department. Next, the replacement value for just the *communications equipment* was calculated resulting in a value of $249,326 for the Police *communications equipment* alone. (*Communications infrastructure* is calculated and shown separately). The current cost of Police *communications equipment* per service unit for residential development is calculated as follows: ($249,326 X 70% proportionate share)/74,941 persons = $2.33 per capita. This calculation is repeated for nonresidential development and results in a cost per service unit of $0.73.

Figure 32: Incremental Expansion –Communications Equipment

Communications Equipment and Infrastructure	Units in Service	Police Dept. Share of Units [1]	Units Used by Police Dept.	Average Cost per Unit	Replacement Cost [2]
Equipment - Portable Communications	27	100.00%	27.00	$3,900	$105,300
Equipment - Dispatch Communications	44	61.00%	26.84	$5,366	$144,026
Infrastructure - Tower and Network [3]	1	26.53%	0.27	$3,952,287	$1,048,542
TOTAL	72		54.11	$59,635	$1,297,868
Total for Communications Equipment	**71**		**53.84**	**$4,631**	**$249,326**

Source: City of Flagstaff Police Department

[1] City of Flagstaff Public Safety Communications Command Center
[2] Replacement cost is the Police Department's share of Total Units multiplied by cost per unit.
[3] City of Flagstaff. (2012). Communications Infrastructure proportionate share

Land Use	*Proportionate Share*	*2013 Service Units*	*Equipment per 1,000 Service Units*	*Cost per Service Unit*
Residential	70%	74,941 Population	*0.50*	**$2.33**
Nonresidential	30%	102,819 Nonres Vehicle Trips	*0.16*	**$0.73**

Communications Infrastructure

The City of Flagstaff issued debt in 2011 to pay for *communications infrastructure* improvements. As new development utilizes its proportionate share of the available capacity of the *communications infrastructure*, the City plans to have new development pay for its share of the remaining debt. Thus, the cost recovery methodology is used, and the growth share is based on projected persons and nonresidential vehicle trips at the end of the bond term.

The City's Police, Fire, and Public Works Departments use the *communications infrastructure*, along with surrounding public safety agencies. According to the City of Flagstaff, the Police Department generates 26.53 percent of total demand on the infrastructure.

The City of Flagstaff has a fiscal year that runs July 1st through June 30th. The final payments for debt obligation are due July 1st, or the start of the fiscal year. Therefore, the service units at the time of the last payment, July 1, 2021, are used to calculate the growth share by land use. TischlerBise projects the City of Flagstaff will add 6,670 persons and see an additional 7,811 nonresidential vehicle trips between July of 2013 and 2021, which equates to 8 percent of the 2021 projected combined population and nonresidential trips. The formula to calculate growth share is as follows: 192,241 population and nonresidential vehicle trips in 2021 – 177,760 population and nonresidential vehicle trips in 2013) / 192,241 population and nonresidential vehicle trips in 2021 = 8 percent *(rounded).*

The cost per service unit for residential development is calculated as follows: ($3,658,398 remaining principal and interest X 26.53% Police proportionate share X 8% growth share X 70% residential proportionate share)/6,670 net increase in persons = $8.15 cost per capita. This calculation is repeated nonresidential and results in a cost per nonresidential vehicle trip of $2.98.

Figure 33: Cost Recovery – Police Communications Infrastructure

Debt Obligation		Year of Final	Remaining Principal
Year Issued	Name	Payment	and Interest
2011	Communications Equipment	2021	$3,658,398

Source: City of Flagstaff, Finance Department

Land Use	Portion Attributable to Police Dept. [1]	Growth Share [2]	Proportionate Share [3]	Increase 2013-2021 Service Units [4]	Cost per Service Unit
Residential	26.53%	8%	70%	6,670 Population	**$8.15**
Nonresidential			30%	7,811 Nonres Vehicle Trips	**$2.98**

Source: City of Flagstaff, Finance Department
[1] City of Flagstaff Public Safety Communications Command Center
[2] Share of projected population and nonresidential vehicle trips attributable to new growth
[3] TischlerBise. (2013). Functional Population
[4] TischlerBise. (2013). Development Fee Land Use Assumptions

Excluded Costs

Development fees in Flagstaff exclude costs to upgrade, update, improve, expand, correct or replace those necessary public services to meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards. The City of Flagstaff Capital Improvement Plan addresses the cost of these excluded items.

Current Use and Available Capacity

According to City staff, Police communications infrastructure has surplus capacity to serve growth; therefore, a cost recovery methodology was used to calculate the growth share of future principal and interest payments. Police facilities, vehicles, and communications equipment are fully utilized; therefore, there is no available capacity for future development.

RATIO OF SERVICE UNIT TO DEVELOPMENT UNIT

ARS 9-463.05(E)(4) requires:

> *"A table establishing the specific level or quantity of use, consumption, generation or discharge of a service unit for each category of necessary public services or facility expansions and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial and industrial."*

Figure 34 displays the ratio of a service unit (i.e., persons and nonresidential vehicle trips) to various types of land uses for residential and nonresidential development. The residential development table displays the *Persons per Household* factors for single family and multifamily homes.

For nonresidential development, average daily vehicle trips are used for the Police Facilities IIP as a measure of demand by land use. TischlerBise recommends using nonresidential vehicle trips as the best demand indicator for Police Facilities. Trip generation rates are used for nonresidential development because vehicle trips are highest for commercial developments, such as shopping centers, and lowest for industrial/flex development. Office and institutional trip rates fall between the other two categories.

Other possible nonresidential demand indicators, such as employment or floor area, would not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, Police Facilities development fees would be too high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator Police Facilities development fees would be too high for industrial development.

Figure 34: Police Facilities Ratio of Service Unit to Land Use

Residential Development	
Land Use	**Persons per Household [1]**
Single Unit	2.75
2+ Unit	2.57

[1] TischlerBise. (2013). Development Fee Land Use Assumptions

Nonresidential Development			
Land Use	**Weekday Trip Ends [2] (a)**	**Trip Adjustment [3] (b)**	**Vehicle Trips (a X b)**
Commercial KSF	42.70	33%	14.09
Office/Institutional KSF	11.03	50%	5.52
Industrial/Flex KSF	3.82	50%	1.91

[2] Institute of Transportation Engineers. (2012). Trip Generation Manual 9th Edition

[3] Average adjustment used to count every trip only once, at the point of final destination.

Vehicle trips are estimated using average weekday vehicle trips ends from the reference book Trip Generation published by the Institute of Transportation Engineers (ITE 9th Edition 2012). A vehicle trip end represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway).

Trip generation rates are adjusted to avoid double counting each trip at both the origin and destination points. Therefore, the basic trip adjustment factor of 50 percent is applied to the office/institutional, and industrial/flex categories. The commercial/retail category has a trip factor of less than 50 percent because this type of development attracts vehicles as they pass-by on arterial and collector roads. For an average size shopping center, the ITE (2012) indicates that on average 34 percent of the vehicles that enter are passing by on their way to some other primary destination. The remaining 66 percent of attraction trips have the shopping center as their primary destination, of which half (33%) are trip ends.

PROJECTED SERVICE UNITS AND INFRASTRUCTURE DEMAND

ARS 9-463.05(E)(3) requires:

> *"A description of all or the parts of the necessary public services or facility expansions and their costs necessitated by and attributable to development in the service area based on the approved land use assumptions, including a forecast of the costs of infrastructure, improvements, real property, financing, engineering and architectural services, which shall be prepared by qualified professionals licensed in this state, as applicable."*

ARS 9-463.05(E)(5) requires:

> *"The total number of projected service units necessitated by and attributable to new development in the service area based on the approved land use assumptions and calculated pursuant to generally accepted engineering and planning criteria."*

ARS 9-463.05(E)(6) requires:

> *"The projected demand for necessary public services or facility expansions required by new service units for a period not to exceed ten years."*

Police Communications Infrastructure

The development fee enabling legislation requires all development fees to be reevaluated every five years. For the five-year period of this Police Facilities IIP and Development Fee Study, the City of Flagstaff will collect a Police *communications infrastructure* fee to pay down the debt incurred to improve the network and add a telecommunications tower, to ensure the shared Public Safety Communications Command Center would have sufficient capacity to serve growth. Over the remaining period of the debt obligation, the City of Flagstaff is projected to add an additional 6,670 persons, and see an additional 7,811 nonresidential vehicle trips. As shown in Figure 35, projected development between 2013 and 2021 will generate demand for the remaining portion of *communications infrastructure* that is attributable to the Flagstaff Police Department.

Figure 35: Projected Demand for Police Communications Infrastructure

		Existing Police Communications Infrastructure = 26.53% of 1 System Unit					
		Residential		Nonresidential			
		Service Units / Population	2021 LOS per 1,000 Service Units	Service Units / Vehicle Trips	2021 LOS per 1,000 Service Units	Demand for Units	Remaining Capacity
Base Yr	2013	74,941	0.002	102,819	0.001	0.24	0.021
1	2014	76,931	0.002	103,771	0.001	0.25	0.016
2	2015	77,576	0.002	104,726	0.001	0.25	0.013
3	2016	78,228	0.002	105,688	0.001	0.25	0.011
4	2017	78,889	0.002	106,662	0.001	0.26	0.009
5	2018	79,558	0.002	107,637	0.001	0.26	0.007
6	2019	80,234	0.002	108,636	0.001	0.26	0.005
7	2020	80,918	0.002	109,630	0.001	0.26	0.002
8	2021	81,611	0.002	110,630	0.001	0.27	0.000

Police Facilities, Vehicles, and Communications Equipment

TischlerBise projects an additional 8,084 persons and 9,864 trips over the next ten years. This new development will demand approximately 4,867 additional square feet of Police facilities. The City of Flagstaff Police Department will need to expand its fleet of Police vehicles incrementally by eight units to maintain the current level of service, and add five units of *communications equipment*.

The ten-year totals of the projected demand for each existing Police category is multiplied by the respective costs per unit to determine the total cost of each category to accommodate the projected demand over the next ten years. For example, the projected development over the next ten years requires eight additional Police vehicles. This is multiplied by the average cost of $34,300 per vehicle to calculate the total ten-year cost for Police vehicles to be $274,400. This calculation was repeated for each Police Component. See Figure 36 for additional details.

Figure 36: Projected Demand for Police Facilities, Vehicles, and Communications Equipment

	Service Units	Facilities per Service Unit	Vehicles per 1,000 Service Units	Comm. Equip. per 1,000 Service Units
Res LOS	Persons	0.44	0.73	0.50
Nonres LOS	Nonresidential Vehicle Trips	0.14	0.23	0.16
	Average Cost per Unit	**$239**	**$34,300**	**$4,631**

		Projected Service Units		Projected Demand (Rounded)		
		Persons	Nonres Trips	Facilities (sq. ft.)	Vehicles (units)	Comm. Equip. (units)
Base	2013	74,941	102,819	46,672	78	54
1	2014	76,931	103,771	47,669	80	55
2	2015	77,576	104,726	48,080	80	55
3	2016	78,228	105,688	48,496	81	56
4	2017	78,889	106,662	48,916	82	56
5	2018	79,558	107,637	49,341	82	57
6	2019	80,234	108,636	49,772	83	57
7	2020	80,918	109,630	50,205	84	58
8	2021	81,611	110,630	50,643	85	58
9	2022	82,314	111,652	51,089	85	59
10	2023	83,025	112,683	51,539	86	59
Ten-Year Total		**8,084**	**9,864**	**4,867**	**8**	**5**
Cost of Police Facilities				$1,163,213		
Cost of Police Vehicles					$274,400	
Cost of Police Communications Equipment						$23,155

Police Facilities Improvements Plan

Lastly, the 10-year plan for necessary Police Facilities improvements and expansions identified by the City of Flagstaff are listed in the figure below. The figure below reflects new purchases and does not include debt service costs associated with Police communications infrastructure.

Figure 37: Necessary Police Facilities Expansions

Improvements		***10-Year Plan***
Projects		
	Facilities	
	Emergency Operations Center	**$140,910**
	Incremental Expansion of Police Facilities	**$1,022,303**
	Incremental Expansion of Vehicles	**$274,400**
	Incremental Expansion of Communications Equipment	**$23,155**
	TOTAL	**$1,460,768**

MAXIMUM SUPPORTABLE POLICE FACILITIES DEVELOPMENT FEES

The proposed development fees by land use for Police Facilities are shown in Figure 38 on the following page.

Police Facilities IIP and Development Fee Study

Included in the Police Facilities *per service unit cost* is the cost to prepare the Police Facilities IIP and Development Fee Study. See **Appendix A – Cost of Professional Services** for the detailed calculations.

Revenue Credit

Included in the maximum supportable development fees is a *Revenue Credit* of 0 percent. The unadjusted Police Facilities development fees per development unit would not generate more revenue over the next ten years, based on the approved Land Use Assumptions, than the identified growth-related necessary expenditures of $1,550,395 (existing debt service, necessary expansions, plus the IIP and Development Fee Study cost). To ensure that no more fee revenue is collected than the City plans to spend, the potential gross cost per service unit is reduced by the revenue credit to calculate the net capital cost per service unit. Based on the gross capital costs per service unit, the projected development fee revenue would equal $1,125,690. See Figure 38 and Figure 39 for additional detail. Therefore, no revenue credit adjustment is necessary for the Police Facilities development fees.

Figure 38: Maximum Supportable Police Facilities Development Fees

Police Level Of Service and Capital Costs		*Per Person*
Police Facilities		$104.19
Police Vehicles		$24.99
Police Communications Equipment		$2.33
Police Communications Infrastructure - Debt Services		$8.15
IIP and Development Fee Study		$1.82
GROSS CAPITAL COST		$141.48
Revenue Credit	0%	($0.00)
NET CAPITAL COST		***$141.48***

Police Residential Development Fee Schedule			Development Fee per Housing Unit		
Unit Type	*Number of Bedrooms*	*Persons per Household [1]*	*Proposed Fee*	*Current Fee [2]*	*Increase (Decrease)*
2+ Units	All Sizes	2.57	$362	$184	$178
Single Unit	0-3	2.62	$370	$231	$139
Single Unit	4+	3.29	$464	$231	$233
Single Unit	*Avg*	*2.75*	$388	$231	*$157*

[1] TischlerBise. (2013). Development Fee Land Use Assumptions
[2] TischlerBise. (28Nov11). *January 1, 2012 Interim Development Fees*

Police Level Of Service and Capital Costs		*Per Trip*
Police Facilities		$32.55
Police Vehicles		$7.81
Police Communications Equipment		$0.73
Police Communications Infrastructure - Debt Services		$2.98
IIP and Development Fee Study		$0.75
GROSS CAPITAL COST		$44.82
Revenue Credit	0%	($0.00)
NET CAPITAL COST		***$44.82***

Police Nonresidential Development Fee Schedule			Development Fee per Square Foot of Floor Area		
Nonresidential Land Use	*Weekday Vehicle Trip Ends*	*Trip Rate Adj. Factors*	*Proposed Fee*	*Current Fee [3]*	*Increase (Decrease)*
	(Per 1,000 sq. ft.)		*(Per Square Foot of Floor Area)*		
Commercial	42.70	33%	$0.63	$0.68	($0.05)
Office/Institutional	11.03	50%	$0.25	$0.24	$0.01
Industrial/Flex	3.82	50%	$0.09	$0.06	$0.03

[3] TischlerBise. (28Nov11). *January 1, 2012 Interim Development Fees*
The 2012 nonresidential fees were by size thresholds, averages are shown here.

FORECAST OF REVENUES FOR POLICE FACILITIES

Appendix B – Forecast of Revenues Other Than Development Fees contains the forecast of revenues required by Arizona's enabling legislation.

Police Facilities Cash Flow

Revenue projections shown below assume implementation of the maximum supportable Police Facilities development fees and that development over the next ten years is consistent with the Land Use Assumptions described in Appendix C. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the development fee revenue. The deficit shown in the revenue projection below represents the portion of necessary investments that will not be recouped through Police Facilities development fee revenue.

Figure 39: Projected Revenue for Police Facilities

Ten-Year Growth-Related Costs for Police Facilities

Police Facilities	$1,163,213
Police Vehicles	$274,400
Police Communications Equipment	$23,155
Police Communications Infrastructure - Debt Service*	$77,646
IIP and Development Fee Study	$11,981
TOTAL	**$1,550,395**

[1] Debt Service cost shown above represents only the growth share of the debt obligation.

		Per Housing Unit		*Per Square Foot of Floor Area*		
		Single Unit	*2+ Units*	*Commercial*	*Office*	*Industrial*
		$388	**$362**	**$0.63**	**$0.25**	**$0.09**
	Year	*Housing Units Added*		*Square Feet Added (1,000)*		
Base	2013	16,833	10,324	4,195	6,084	5,316
Year 1	2014	16,942	10,391	4,234	6,139	5,370
Year 2	2015	17,052	10,458	4,273	6,193	5,424
Year 3	2016	17,162	10,526	4,313	6,248	5,478
Year 4	2017	17,273	10,594	4,353	6,303	5,532
Year 5	2018	17,385	10,662	4,393	6,359	5,588
Year 6	2019	17,497	10,731	4,434	6,416	5,643
Year 7	2020	17,610	10,800	4,474	6,473	5,700
Year 8	2021	17,724	10,870	4,515	6,530	5,757
Year 9	2022	17,839	10,940	4,557	6,588	5,815
Year 10	2023	17,954	11,011	4,599	6,648	5,873
	Ten-Yr Increase	1,121	687	404	564	557
	Projected Fees =>	$434,948	$248,694	$255,127	$139,281	$47,640
	Total Projected Revenues		**$1,125,690**			
	Cumulative Net Surplus/(Deficit)		($424,705)			

APPENDIX A – COST OF PROFESSIONAL SERVICES

The table below displays each section of the Public Safety IIP and Development Fee Study. Each necessary public service is assigned a cost, followed by the proportionate share factors used to allocate the cost to residential and nonresidential land uses. Next, the figure displays the change in service units between 2013 and 2018, and finally the cost per service unit. (Because development fees are updated at least every five years, the cost is assessed against the service units for only 5 years.)

Figure A40: IIP and Development Fee Study

Fire Development Fee Report

Land Use		Residential	Nonresidential
Proportionate Share		70%	30%
Fire Consultant Fee	$12,729	$8,910	$3,819

Service Unit		Person	Vehicle Trip
Increase in Service Units	2013-2018	4,617	4,818
Cost per Service Unit		**$1.93**	**$0.79**

Police Development Fee Report

Land Use		Residential	Nonresidential
Proportionate Share		70%	30%
Police Consultant Fee	$11,981	$8,387	$3,594

Service Unit		Person	Vehicle Trip
Increase in Service Units	2013-2018	4,617	4,818
Cost per Service Unit		**$1.82**	**$0.75**

Source: TischlerBise. (2012). Development Fee Land Use Assumptions

APPENDIX B – FORECAST OF REVENUES OTHER THAN DEVELOPMENT FEES

ARS 9-463.05(E)(7) requires:

> *"A forecast of revenues generated by new service units other than development fees, which shall include estimated state-shared revenue, highway users revenue, federal revenue, ad valorem property taxes, construction contracting or similar excise taxes and the capital recovery portion of utility fees attributable to development based on the approved land use assumptions, and a plan to include these contributions in determining the extent of the burden imposed by the development as required in subsection B, paragraph 12 of this section."*

ARS 9-463.05(B)(12) states,

> *"The municipality shall forecast the contribution to be made in the future in cash or by taxes, fees, assessments or other sources of revenue derived from the property owner towards the capital costs of the necessary public service covered by the development fee and shall include these contributions in determining the extent of the burden imposed by the development. Beginning August 1, 2014, for purposes of calculating the required offset to development fees pursuant to this subsection, if a municipality imposes a construction contracting or similar excise tax rate in excess of the percentage amount of the transaction privilege tax rate imposed on the majority of other transaction privilege tax classifications, the entire excess portion of the construction contracting or similar excise tax shall be treated as a contribution to the capital costs of necessary public services provided to development for which development fees are assessed, unless the excess portion was already taken into account for such purpose pursuant to this subsection."*

The City of Flagstaff does not have a higher than normal construction excise tax rate, so the required offset described above is not applicable. The required forecast of non-development fee revenue that might be used for growth-related capital costs is shown in below. There are no General Fund revenues used for growth-related capital expenditures. The City of Flagstaff allocates the Secondary Property Tax revenue to a Debt Service fund. These funds are available for capital investments; however, **the City of Flagstaff directs revenue from the Secondary Property Tax to non-development fee eligible capital needs.** The forecast of revenue to be generated from the Secondary Property Tax was calculated by the City, and is shown in Figure B41.

Figure B41: Five-Year Revenue Projection, Secondary Property Tax

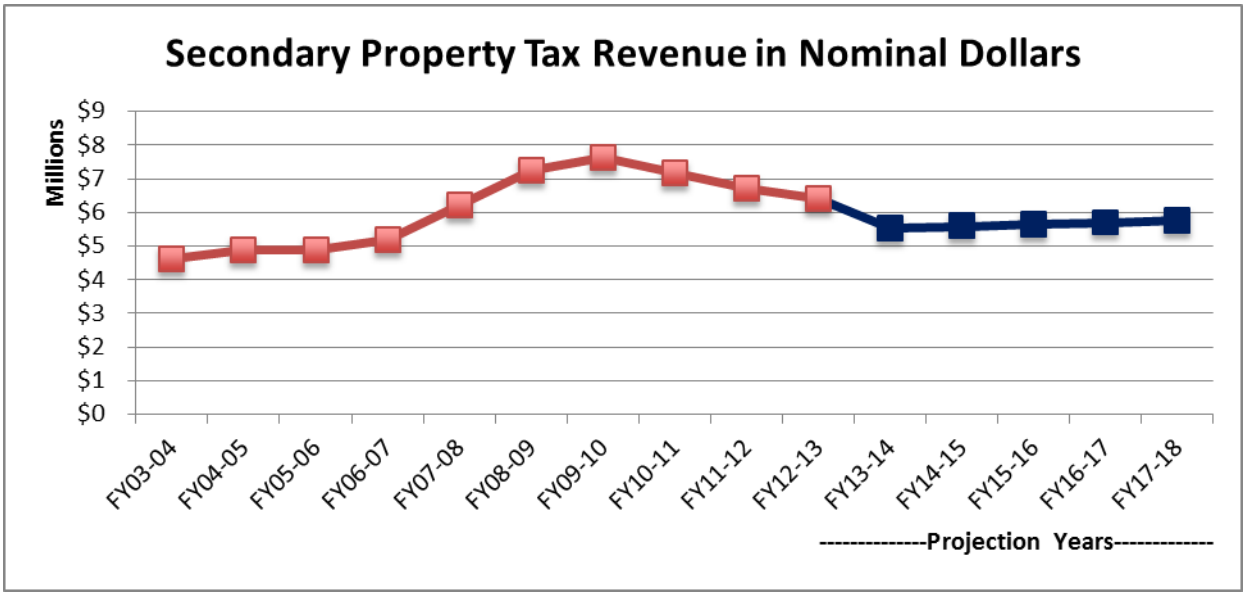
Forecast of Revenues in Nominal Dollars

	FY13-14	*FY14-15*	*FY15-16*	*FY16-17*	*FY17-18*
Secondary Property Taxes Levied for Debt Service	$5,530,453	$5,585,758	$5,641,615	$5,698,031	$5,755,012

Source: City of Flagstaff, Finance Department

The figure below charts ten years of past revenues from the Secondary Property Tax, as reported in the City of Flagstaff Comprehensive Annual Financial Reports, and the revenue projections for the next five fiscal years. As shown, for the next five years, the City projects annual revenue generated by the Secondary Property Tax will remain relatively flat.

Figure B42: Secondary Property Tax Revenue Trend and Projections



Source: City of Flagstaff, Finance Department

APPENDIX C – LAND USE ASSUMPTIONS

Arizona Revised Statutes (ARS) 9-463.05 (T)(6) requires the preparation of a *Land Use Assumptions* document, which shows:

> *"projections of changes in land uses, densities, intensities and population for a specified service area over a period of at least ten years and pursuant to the General Plan of the municipality."*

TischlerBise prepared current demographic ***estimates*** and future development ***projections*** for both residential and nonresidential development that will be used in the Infrastructure Improvement Plan (IIP) and calculation of the development fees. Current demographic data estimates for FY12-13 are used in calculating levels-of-service (LOS) provided to existing development in the City of Flagstaff. Although long-range projections are necessary for planning infrastructure systems, a shorter period of five to ten years is critical for the development fee analysis. Arizona's Development Fee Act requires fees to be updated at least every five years and limits the Infrastructure Improvements Plan to a maximum of ten years. The estimates and projections presented herein were calculated from data used by the City of Flagstaff to develop the 2012 Regional Plan Update for the City of Flagstaff planning region.

SUMMARY OF GROWTH INDICATORS

Development projections and growth rates are summarized in Figure C43. These projections will be used to estimate development fee revenue and to indicate the anticipated need for growth-related infrastructure. However, development fee methodologies are designed to reduce sensitivity to accurate development projections in the determination of the proportionate share fee amounts. If actual development is slower than projected, development fee revenues will also decline, but so will the need for growth-related infrastructure. In contrast, if development is faster than anticipated, the City will receive an increase in development fee revenue, but will also need to accelerate capital improvements to keep pace with development.

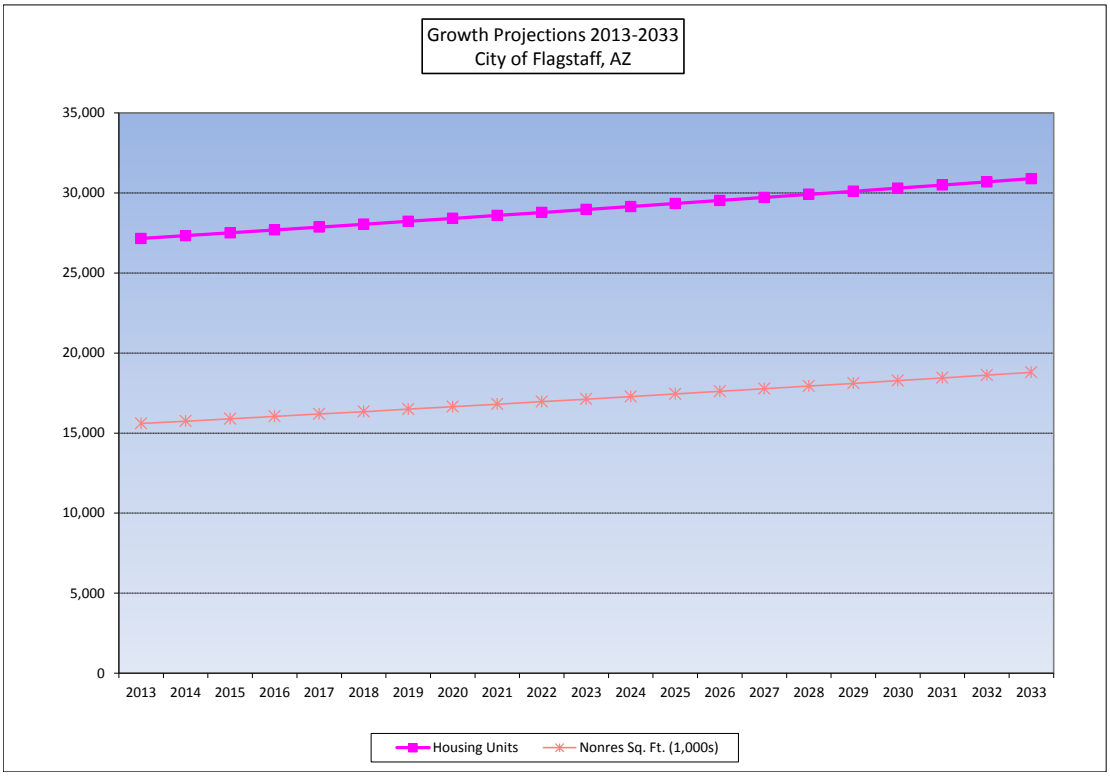
Development projections are calculated through a three-step process. First, TischlerBise used historic population, housing, and employment data from the U.S. Census Bureau, and building permit data provided by the City of Flagstaff to calculate base year 2013 estimates. Second, TischlerBise had discussions with staff and used projections developed by the City of Flagstaff for the 2012 Regional Plan Update process. The City of Flagstaff calculated 20-year projections for population, housing, employment, and land use, based on 2010 decennial census counts and an internally designed high population growth assumption. Finally, TischlerBise applied exponential growth formulas based on the City of Flagstaff 2030 projections of year-round population, housing units, and jobs to estimate projections for each year beyond the base year 2013. See Figure C43 below for a summary of the base year estimates and 20-year projections. The City of Flagstaff is expected to add an average of 187 housing units and 160,000 square feet of non-residential floor area annually.

The City of Flagstaff calculated projections based on two growth scenarios using a low annual growth rate of 0.79 percent and a high annual growth rate of 1.06 percent. Housing unit, employment and land development projections for the 2012 Regional Plan Update were all calculated based on the high annual growth rate to ensure the City of Flagstaff is as prepared as possible to absorb potential growth.

Figure C43: Summary of Development Projections and Growth Rates

											Five-Year Increments ===>			**Cumulative**	**Avg. Ann.**
	Base Yr	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**15**	**20**	**Increase**	**Increase**
	2013	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2028**	**2033**	**2013-2033**	**2013-2033**
RESIDENTIAL DEVELOPMENT															
Housing Units															
Single Family	16,833	16,942	17,052	17,162	17,273	17,385	17,497	17,610	17,724	17,839	17,954	18,542	19,148	**2,315**	**116**
Multifamily	10,324	10,391	10,458	10,526	10,594	10,662	10,731	10,800	10,870	10,940	11,011	11,371	11,743	**1,419**	**71**
TOTAL	27,157	27,333	27,510	27,688	27,867	28,047	28,228	28,410	28,594	28,779	28,965	29,913	30,891	**3,734**	**187**
Nonres Floor Area (1,000 SF)															
Commercial (1,000 SF)	4,195	4,234	4,273	4,313	4,353	4,393	4,434	4,474	4,515	4,557	4,599	4,816	5,044	**849**	**42**
Office/Instit (1,000 SF)	6,084	6,139	6,193	6,248	6,303	6,359	6,416	6,473	6,530	6,588	6,648	6,948	7,262	**1,178**	**59**
Industrial/Flex (1,000 SF)	5,316	5,370	5,424	5,478	5,532	5,588	5,643	5,700	5,757	5,815	5,873	6,172	6,487	**1,171**	**59**
TOTAL	15,595	15,742	15,890	16,038	16,188	16,339	16,493	16,648	16,802	16,960	17,119	17,936	18,793	**3,198**	**160**
														2013-2033	
ANNUAL INCREASES (City Limits)	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	27-28	32-33	**Avg Annual**	
Housing Units		176	177	178	179	180	181	182	184	185	186	192	198	**187**	
Nonres Floor Area (1,000 SF)		147	148	148	150	151	154	155	154	158	160	165	175	**160**	

Source: City of Flagstaff; TischlerBise



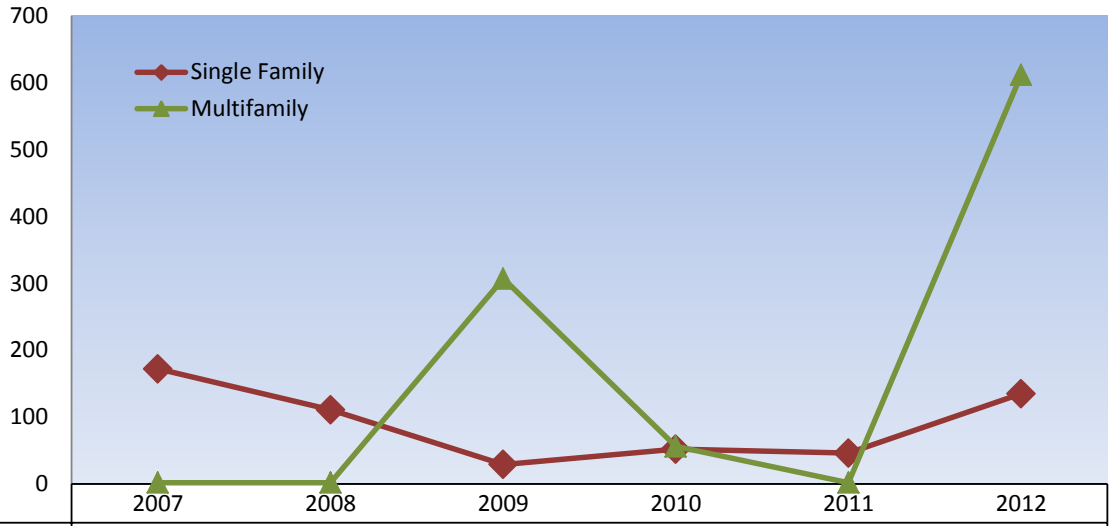
RESIDENTIAL DEVELOPMENT

Current estimates and future projections of residential development are detailed in this section, including population and housing units by type.

Current Housing Unit Estimates

Development fees require an analysis of current levels of service. For residential development, current levels of service are determined using estimates of population and housing units. To estimate current housing units in the City of Flagstaff, TischlerBise obtained building permit information from the City. This information is then used to determine a base year estimate of housing units. Figure C44 shows residential building permit trends by number and type of housing unit for the City of Flagstaff.

Figure C44: Residential Building Permits in the City of Flagstaff, 2007-2012



	2007	2008	2009	2010	2011	2012
Single Family	172	111	29	52	46	135
Multifamily	2	2	307	56	2	612

Source: City of Flagstaff

Residential housing units, and building permit trends, by type are shown in Figure C45 below. To calculate total housing units, the distribution of 63 percent single family and 37 percent multifamily units in the City was calculated from the 2011 U.S. Census American Community Survey (ACS), 1-Year Estimates for *Units in Structure*. This distribution was applied to the total number of units reported by the 2010 decennial census to get 16,600 single family units, and 9,654 multifamily units in the City of Flagstaff in 2010.

Figure C45: Residential Housing Units in the City of Flagstaff

Building Permits [1]		**2010***	**2011***	**2012***	**Total**	*Average*
Single Family [2]		52	46	135	233	*78*
Multifamily [3]		56	2	612	670	*223*
Total		108	48	747	903	

**Issued during calendar year*

Housing Units [4]	*2011 Distribution [5]*	**2010**	**2011**	**2012**	*Base Year* **2013**	*2013 Distribution^*
Single Family	*63%*	16,600	16,652	16,698	16,833	*62%*
Multifamily	*37%*	9,654	9,710	9,712	10,324	*38%*
Total		26,254	26,362	26,410	27,157	

^ Reflects the addition of issued permits

[1] City of Flagstaff Community Development Department, Monthly Construction Permits
[2] Single Family includes detached, attached, and mobile homes
[3] Multifamily includes structures with 2 or more units
[4] U.S. Census Bureau, 2010 Decennial Census: DP1
[5] U.S. Census Bureau, 2011 American Community Survey 1-Year Estimates: Table B25024

To estimate 2011, 2012, and 2013 housing units, the building permits issued each year were added to the housing units, starting with the 2010 census count. TischlerBise estimates the City of Flagstaff had 27,157 housing units at the start of base year 2013. The addition of 612 multifamily units in 2012 changed the 2013 distribution of housing units by type to 62 percent single family and 38 percent multifamily.

Current Household Size and Peak Population

According to the U.S. Census Bureau, a household is a housing unit that is occupied by year-round residents. Development fees often use per capita standards and persons per housing unit (PPHU) or persons per household (PPH) to derive proportionate share fee amounts. When PPHU is used in the fee calculations, infrastructure standards are derived using year-round population. When PPH is used in the fee calculations, the development fee methodology assumes a higher percentage of housing units will be occupied, thus requiring seasonal or peak population to be used when deriving infrastructure standards. TischlerBise recommends that development fees for residential development in the City of Flagstaff be imposed according to the number of persons per household. This methodology recognizes the impacts of seasonal population peaks.

Persons per household requires data on population in occupied units and the types of units by structure. The 2010 decennial census did not obtain detailed information using a “long-form” questionnaire. Instead, the U.S. Census Bureau switched to a continuous monthly mailing of surveys, known as the American Community Survey (ACS), which has limitations due to sample-size constraints. For example, data on detached housing units are now combined with attached single units (commonly known as townhouses). For development fees in Flagstaff, “single family” residential units include detached (both stick-built and manufactured) and attached (commonly known as townhouses, which share a common sidewall, but are constructed on an individual parcel of land). The second residential category includes duplexes and all other structures with two or more units on an individual parcel of land. (Note: housing unit estimates from the ACS will not equal decennial census counts of units. These data are used only to derive the custom PPH factors for each type of unit).

Figure C46 below shows the ACS 2011 1-Year Estimates for the City of Flagstaff. To calculate the PPH, persons (57,726) is divided by households (21,534). Dwellings with a single unit per structure (detached, attached, and mobile homes) averaged 2.75 persons per household. Dwellings in structures with multiple units averaged 2.57 PPH. The 2011 City of Flagstaff total PPH was 2.68.

Figure C46: Persons per Household by Type of Housing

Units in Structure	*Renter & Owner* Persons	Hsehlds	*Persons per Household*	*Housing Units*	*Persons Per Hsg Unit*	*Vacancy Rate*
Single Family	32,735	11,891	2.75	14,879	2.20	20%
Mobile Homes	4,358	1,601	2.72	1,703	2.56	6%
2+ Units	20,633	8,042	2.57	9,643	2.14	17%
Total	57,726	21,534	2.68	26,225		
			Vacant/Seasonal HU	4,691		

2011 Summary by Type of Housing	*Persons*	*House-holds*	***PPH***	*Housing Units*	*PPHU*	*Housing Mix*
Single Family [1]	37,093	13,492	**2.75**	16,582	2.24	63%
Multifamily [2]	20,633	8,042	**2.57**	9,643	2.14	37%
Subtotal	57,726	21,534	**2.68**	26,225	2.20	*Vacancy*
Group Quarters	8,178					*Rate*
TOTAL	65,904	21,534		26,225		17.9%

Source: U.S. Census Bureau, 2011 American Community Survey 1-Year Estimates

[1] Single Family includes detached, attached, and mobile homes

[2] Multifamily includes duplex and all other units with 2 or more units per structure

Peak Population Estimate

The first step in estimating a base year peak population is to calculate a *peak occupancy rate* using ACS estimates of housing units by occupancy. The *peak occupancy rate* is used to determine the number of *peak households* (occupied housing units during seasonal/peak periods). Occupied and vacant housing unit estimates, shown in Figure C47, are from the 2011 ACS 1-Year Estimates, which is the most recent information available for the City. Due to data availability, the share of vacant units counted as "vacant units for seasonal, recreational, or occasional use" is from the ACS 3-Year Estimates, and was used to estimate the percentage of 2011 vacant units that were occupied by seasonal population. Based on the ACS 3-Year Estimates, 51 percent (2,398) of the estimated 4,691 vacant units are seasonally populated. Peak households (23,932) is the sum of year-round occupied households (21,534) and seasonally populated units (2,398). The 2011 Peak Occupancy Rate of 91 percent is the relationship of peak households (23,932) to total housing units (21,534 occupied plus 4,691 vacant). Using peak households reduces the vacancy rate from a year-round rate of 17.9 percent to a seasonal rate of 8.7 percent.

Figure C47: Household Occupancy Rates for City of Flagstaff

2011 Peak	*Housing Units*			*Peak Households*		*Peak Occ.*
Households Estimate	*Occupied*	*Vacant*	*Seasonal**	*Count*	*Share*	*Rate*
Single Family	11,891	2,988	1,535	13,426	56%	90%
Mobile Homes	1,601	102	48	1,649	7%	97%
2+ Units	8,042	1,601	815	8,857	37%	92%
Total	21,534	4,691	2,398	23,932	100%	91%

Source: U.S. Census Bureau, 2011 American Community Survey 1-Year Estimates

*Seasonal share of vacant units estimated from U.S. Census Bureau, 2011 ACS 3-Year Estimates

Next in the process to estimate a base year peak population is to apply the peak occupancy rates by unit type to the 2010-2012 residential building permit data from Figure C44 above to determine how many peak households have been added since the 2010 decennial census count. According to the 2011 ACS 1-Year Estimates, occupied single family units are 63 percent of the City's households. The distribution is applied to the 2010 decennial census count of peak households (i.e., 91% of total housing units) to calculate an estimate of 14,969 single family households and 8,922 multifamily households. The annual units added are adjusted by the peak occupancy rates calculated in Figure C47 above, and then added to the 2010 estimate to determine the 2013 peak households by type. See Figure C48 for additional detail.

Figure C48: Peak Households

2010 Peak	*Peak*		*Peak Households Added Annually [2]*			*2013 Peak*
Households Estimate	*Households [1]*	*Occupancy*	*2010*	*2011*	*2012*	*Households*
Single Family	14,969	91%	47	42	123	15,181
Multifamily	8,922	92%	52	2	563	9,539
Total	23,891	91%	99	44	686	24,720

[1] U.S. Census Bureau, 2010 Decennial Census

[2] City of Flagstaff Community Development Department, Monthly Construction Permits

The last step in calculating a base year peak population for the City of Flagstaff is to apply the persons per household by housing type (see Figure C46) to the base year peak households by housing type (see Figure C48). The final 2013 peak population estimate for City of Flagstaff is the population in single family and multifamily households (66,267) plus the estimated 2013 population living in *group quarters*, which includes Northern Arizona University student housing. As part of the 2012 Regional Plan Update, The City of Flagstaff used 2010 decennial census as the base year figures from which to calculate a projected annual *group quarters* population growth rate of 2.41 percent (assuming the high population growth scenario used for other demographic and housing projections). As shown in Figure C49, the 2013 *group quarters* population estimate of 8,674 is added to the peak households population estimate of 66,267 to determine a base year 2013 peak population of 74,941 persons in the City of Flagstaff.

Figure C49: Peak Population Estimate

2013 Peak Households Estimate	*Persons Per Household [1]*	*Peak*	
		Households	*Population*
Single Family	2.75	15,181	41,736
Multifamily	2.57	9,539	24,474
Total	2.68	24,720	66,267
		Group Quarters [2]	8,674
		Total Base Year Peak Population	74,941

[1] Shown as rounded numbers

[2] City of Flagstaff 2012 Regional Plan Update, high population growth scenario

Peak Population and Housing Unit Projections

TischlerBise analyzed recent growth trends, reviewed the City of Flagstaff 2012 Regional Plan Update data, and had discussions with staff. Based on the high population growth scenario and 2010 decennial census counts, the City of Flagstaff projects a 2030 housing unit estimate of 30,300 units, which equates to an annual growth rate of 0.72 percent. TischlerBise adjusted the annual growth rate to reflect the 2013 base year housing unit estimate of 27,157. The adjusted growth rate of 0.65 percent was used to calculate an estimate of housing units for each year past 2013. Housing units were divided into single family and multifamily unit estimates as described above, and then peak occupancy rates and persons per household factors were applied to the annual housing units added to calculate annual additional peak population in households. See Figure C50 for a summary of the projections.

Included in the City of Flagstaff 2012 Regional Plan Update demographic projections was the assumption that the *group quarters* population within the City (and including Northern Arizona University student housing) would grow at an annual rate of 2.41 percent, to reach a 2030 projected total of 13,000 persons. The annual growth rate was applied to the 2010 decennial census *group quarters* population count of 8,076 to estimate a *group quarters* population for each year beyond 2010. See Figure C50 for a summary of the projections.

Figure C50: Peak Population and Housing Unit Projections

	Decennial Census [1]	*Estimates [2]*			Projection [3]			Exponential Growth Rates	
	2010	**2011**	**2012**	**2013**	**2018**	**2023**	**2030**	2010-30	2013-30
Housing Units	26,254	26,362	26,410	27,157	28,047	28,965	30,300	*0.72%*	*0.65%*
Peak Population in Households [4]			64,428	66,267	69,788	72,021	75,271		*0.75%*
Group Quarters	8,076	8,271	8,470	8,674	9,770	11,005	13,000	*2.41%*	*2.41%*
Peak Population [4]			72,898	74,941	79,558	83,025	88,271		*0.97%*

[1] U.S. Census Bureau, 2010 Decennial Census
[2] Estimates calculated using the 2010-2030 Exponential Growth Rate
[3] 2030 projections from City of Flagstaff 2012 Regional Plan Update, high population growth scenario
[4] TischlerBise

Annual population projections for the City of Flagstaff are the sum of the peak population in households and the group quarter population. The 2013 base year estimate of 74,941 and the 2030 peak population projection of 88,271 persons were used to calculate an exponential growth rate of 0.97 percent for the City of Flagstaff peak population.

Year-Round Population Estimates and Projections

The City of Flagstaff used U.S. Census Bureau 2010 decennial census data as the foundation for the City's 2012 Regional Plan Update. Arizona Department of Administration data from December of 2012 was used to calculate 2012 base year estimates. Intercensal population estimates produced by the Arizona Department of Administration demonstrate an average annual growth rate for the City of Flagstaff that has slowed from a 2007 peak of 3.3 percent and a 2010 peak of 2.2 percent. While the City of Flagstaff does not expect to return to past growth rates, it does expect annual growth well into the future, and that the City will host a growing share of the Coconino County population. Population projections calculated from the decennial census assume a sustained annual growth rate of 1.06 percent and a 2030 population of 81,300.

To calculate a 2013 year-round population, TischlerBise used annual Arizona Department of Administration Interim Intercensal July Population Estimates for 2010, 2011, and 2012. Next, the annual exponential growth rate of 1.06 percent was calculated from the 2010 and 2030 populations used by City of Flagstaff for the high growth scenario. According to the high growth scenario assumptions, the 2013 City of Flagstaff population is 67,024. The annual exponential growth rate of 1.14 percent was calculated from the 2013 population estimate and the 2030 projection, and then applied to each projection year past 2013 to match the City of Flagstaff projected 2030 population of 81,300. Figure C51 presents a summary of the population projections for the City of Flagstaff and Coconino County.

Figure C51: Population Estimates and Projections for City of Flagstaff

	April Census [1]	*Annual July Population Estimates [2]*				Population Projections [3]			Exponential Growth Rates	
	2010	**2010**	**2011**	**2012**	**2013**	**2018**	**2023**	**2030**	2010-30	2013-30
City of Flagstaff	65,870	65,985	66,013	66,322	67,024	70,941	75,086	81,300	*1.06%*	*1.14%*
Coconino County	134,421	134,679	134,162	134,313	135,394	141,632	148,157	157,800	*0.80%*	*0.90%*
City Share	49.0%	49.0%	49.2%	49.4%	49.5%	50.1%	50.7%	51.5%		

[1] U.S. Census Bureau, 2010 Decennial Census
[2] Arizona Department of Administration, Interim Intercensal Population Estimates
[3] 2030 population projection from City of Flagstaff 2012 Regional Plan Update, high population growth scenario

Year-round population estimates and projections are presented here to demonstrate the difference in growth patterns for the year-round (1.14%) and peak populations (0.97%) of the City.

Population and Residential Development Summary

Peak Population and housing unit projections are used to illustrate the possible future pace of service demands, revenues, and expenditures. As these factors will vary to the extent that future development varies, there will be virtually no effect on the actual amount of the development fee. See Figure C52 below for a summary of population and housing unit projections.

Figure C52: Population and Housing Unit Projections in the City of Flagstaff, 2013-2033

											Five-Year Increments ===>				Cumulative	Avg. Ann.
	Base Yr	1	2	3	4	5	6	7	8	9	10	15	20		Increase	Increase
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2028	2033		2013-2033	2013-2033
SUMMARY OF DEMAND PROJECTIONS (City Limits)																
TOTAL PEAK POPULATION	74,941	76,931	77,576	78,228	78,889	79,558	80,234	80,918	81,611	82,314	83,025	86,723	90,670		**15,729**	**786**
TOTAL HOUSING UNITS	27,157	27,333	27,510	27,688	27,867	28,047	28,228	28,410	28,594	28,779	28,965	29,913	30,891		**3,734**	**187**
RESIDENTIAL DEVELOPMENT																
Housing Units																
Single Family	16,833	16,942	17,052	17,162	17,273	17,385	17,497	17,610	17,724	17,839	17,954	18,542	19,148		**2,315**	**116**
Multifamily	10,324	10,391	10,458	10,526	10,594	10,662	10,731	10,800	10,870	10,940	11,011	11,371	11,743		**1,419**	**71**
TOTAL	27,157	27,333	27,510	27,688	27,867	28,047	28,228	28,410	28,594	28,779	28,965	29,913	30,891		**3,734**	**187**
															2013-2033	
ANNUAL INCREASES (City Limits)	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	27-28	32-33		**Avg Annual**	
Peak Population		1,990	645	652	661	669	676	684	693	703	711	759	810		**786**	
Housing Units		176	177	178	179	180	181	182	184	185	186	192	198		**187**	

Source: City of Flagstaff; TischlerBise

NONRESIDENTIAL DEVELOPMENT

Employment Estimates and Projections

In addition to data on residential development, the calculation of development fees requires data on nonresidential square footage and employment (number of jobs) in the City of Flagstaff.

TischlerBise analyzed recent employment trends, reviewed data provided by the City of Flagstaff, and had discussions with staff. According to the analysis conducted by the City of Flagstaff, the City historically hosts between 60 and 65 percent of all Coconino County employment. The City expects this trend to continue well into the future. See Figure C53 below for additional information on County and City employment trends. According to the City of Flagstaff, 2010 employment in the City was approximately 37,100. The city projects 2030 employment will reach 44,600, based on the high population growth scenario used for the 2012 Regional Plan Update. TischlerBise used 2010 and 2030 data to calculate an exponential employment growth rate of 0.92 percent for the City and 0.69 percent for the County. Employment estimates and projections between 2010 and 2030 were calculated with exponential growth rates. TischlerBise estimates the City of Flagstaff had 38,139 jobs for the base year of 2013.

Figure C53: Employment Trends in Coconino County and City of Flagstaff

	City of Flagstaff Estimates [1]			Employment Estimates			Employment Projections [2]			Exponential Growth Rates	
	2000	**2004**	**2010**	**2011**	**2012**	**2013**	**2018**	**2023**	**2030**	2010-30	2013-30
City of Flagstaff	38,400	39,244	37,100	37,443	37,789	38,139	39,935	41,816	44,600	*0.92%*	*0.92%*
Coconino County	58,400	62,200	61,100	61,523	61,948	62,377	64,565	66,829	70,133	*0.69%*	*0.69%*
City Share	65.8%	63.1%	60.7%	60.9%	61.0%	61.1%	61.9%	62.6%	63.6%		

[1] City of Flagstaff 2012 Regional Plan Update; based on the 2010 employment estimate from U.S. Census Bureau LEHD web-based application OnTheMap, "all jobs" plus 5% assumed undercount

[2] 2030 projections from City of Flagstaff 2012 Regional Plan Update, high population growth scenario

Employment by Industry Type

In addition to projecting total employment, as part of the City of Flagstaff 2012 Regional Plan Update process, the City analyzed employment trends and set economic development priorities for the future. City staff made three assumptions to project employment distribution into the future. First, total employment assumes the high population growth scenario used for the 2012 Regional Plan Update. Second, as the County seat, the region will have a high percentage of government office jobs. Third, Industrial/Flex jobs will grow at a faster rate (1.00%) than Commercial/Retail jobs (0.93%) and Office/Institutional jobs (0.89%). Between 2010 and 2030, the City of Flagstaff expects to add 7,500 jobs. Figure C54 shows the incremental growth in employment by industry type.

Figure C54: Employment Distribution by Industry Type

	City of Flagstaff Estimates [1]		Base Year Employment Estimates [2]		Industry Employment Projection [3]	
	2010	2010 Share	2013	2013 Share	2030	Growth Rate
Commercial/Retail	8,162	22%	8,390	22%	9,812	0.93%
Office/Institutional	19,663	53%	20,214	53%	23,496	0.89%
Industrial/Flex	9,275	25%	9,535	25%	11,292	1.00%
TOTAL	*37,100*	*100%*	*38,139*	*100%*	*44,600*	*0.92%*

[1] City of Flagstaff, 2012 Regional Plan Update, high population growth scenario
[2] TischlerBise, based on 2010 distribution from the City of Flagstaff
[3] Due to development activity since the 2012 Regional Plan Update process, the projected industry employment figures deviate from previous assumptions

NONRESIDENTIAL SQUARE FOOTAGE DEVELOPMENT

Job estimates are used to estimate nonresidential square footage based on nationally recognized average square feet per employee data published by The Institute of Transportation Engineers (ITE), and shown in Figure C55.

Figure C55: The Institute of Transportation Engineers, Employee and Building Area Ratios, 2012

ITE Code	*Land Use / Size*	*Demand Unit*	*Weekday Trip Ends per Demand Unit**	*Weekday Trip Ends per Employee**	*Emp Per Dmd Unit***	*Sq Ft Per Emp*
Commercial / Shopping Center						
820	**Average**	**1,000 Sq Ft**	**42.70**	**na**	**2.00**	**500**
General Office						
710	**Average**	**1,000 Sq Ft**	**11.03**	**3.32**	**3.32**	**301**
Other Nonresidential						
770	Business Park***	1,000 Sq Ft	12.44	4.04	3.08	325
760	Research & Dev Center	1,000 Sq Ft	8.11	2.77	2.93	342
610	Hospital	1,000 Sq Ft	13.22	4.50	2.94	340
565	Day Care	student	4.38	26.73	0.16	na
550	University/College	student	1.71	8.96	0.19	na
530	High School	student	1.71	19.74	0.09	na
520	Elementary School	student	1.29	15.71	0.08	na
520	Elementary School	1,000 Sq Ft	15.43	15.71	0.98	1,018
320	Lodging	room	5.63	12.81	0.44	na
254	Assisted Living	bed	2.66	3.93	0.68	na
151	Mini-Warehouse	1,000 Sq Ft	2.50	61.90	0.04	24,760
150	Warehousing	1,000 Sq Ft	3.56	3.89	0.92	1,093
140	**Manufacturing**	**1,000 Sq Ft**	**3.82**	**2.13**	**1.79**	**558**
110	Light Industrial	1,000 Sq Ft	6.97	3.02	2.31	433

* Trip Generation, Institute of Transportation Engineers, 9th Edition (2012).
** Employees per demand unit calculated from trip rates, except for Shopping Center data, which are derived from Development Handbook and Dollars and Cents of Shopping Centers, published by the Urban Land Institute.

TischlerBise used 2012 factors from the ITE to calculate the total nonresidential floor area for three categories of development used for the calculation of development fees. To estimate current nonresidential floor area, 2013 job estimates by category were multiplied by ITE square feet per employee factors. It is estimated the City of Flagstaff has approximately 16 million square feet of nonresidential space in active use. The estimated square footage in 2013 for each major category of nonresidential development is shown below in Figure C56.

Figure C56: Estimated Employment and Nonresidential Floor Area in City of Flagstaff, 2013

	2013	*Square Feet*	*2013 Nonresidential Floor Area*	
	Estimated Jobs	*Per Employee [1]*	*Square Feet*	*Distribution*
Commercial/Retail	8,390	500	4,195,000	27%
Office/Institutional	20,214	301	6,084,359	39%
Industrial/Flex	9,535	558	5,316,636	34%
TOTAL	*38,139*	*409*	*15,595,995*	*100%*

[1] Trip Generation Manual, Institute of Transportation Engineers 9th Edition (2012). Shown as rounded numbers.

Nonresidential Floor Area and Employment Projections

Future employment growth and nonresidential development in the City of Flagstaff are projected based on information provided by City staff, and TischlerBise's analysis of past trends in the City. To project employment for the City, TischlerBise applied the industry-specific growth rates for each year beyond the base year 2013 estimates by industry category.

The projected increase in employment by industry type is then used to project growth in nonresidential square footage using the *Employee per Square Footage* data previously discussed. Results are shown in Figure C57. The City expects to add on average 386 jobs a year for the next twenty years. To keep pace with employment growth, the City should expect to add roughly 160,000 square feet of nonresidential development each year.

Figure C57: Nonresidential Floor Area and Employment Projections in City of Flagstaff, 2013-2033

											Five-Year Increments ===>			**Cumulative**	**Avg. Ann.**
	Base Yr	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**15**	**20**	**Increase**	**Increase**
	2013	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2028**	**2033**	**2013-2033**	**2013-2033**
SUMMARY OF DEMAND PROJECTIONS (City Limits)															
TOTAL JOBS	38,139	38,492	38,848	39,207	39,569	39,935	40,304	40,678	41,053	41,433	41,816	43,786	45,849	**7,710**	**386**
NONRESIDENTIAL DEVELOPMENT															
Employment By Type															
Commercial/Retail	8,390	8,468	8,546	8,625	8,705	8,785	8,867	8,949	9,031	9,115	9,199	9,633	10,087	**1,697**	**85**
Office/Institutional	20,214	20,394	20,575	20,758	20,942	21,129	21,316	21,506	21,697	21,890	22,085	23,084	24,128	**3,914**	**196**
Industrial/Flex	9,535	9,630	9,727	9,824	9,922	10,021	10,121	10,223	10,325	10,428	10,532	11,069	11,634	**2,099**	**105**
TOTAL	38,139	38,492	38,848	39,207	39,569	39,935	40,304	40,678	41,053	41,433	41,816	43,786	45,849	**7,710**	**386**
Nonres Floor Area (1,000 SF)															
Commercial (1,000 SF)	4,195	4,234	4,273	4,313	4,353	4,393	4,434	4,474	4,515	4,557	4,599	4,816	5,044	**849**	**42**
Office/Instit (1,000 SF)	6,084	6,139	6,193	6,248	6,303	6,359	6,416	6,473	6,530	6,588	6,648	6,948	7,262	**1,178**	**59**
Industrial/Flex (1,000 SF)	5,316	5,370	5,424	5,478	5,532	5,588	5,643	5,700	5,757	5,815	5,873	6,172	6,487	**1,171**	**59**
TOTAL	15,595	15,742	15,890	16,038	16,188	16,339	16,493	16,648	16,802	16,960	17,119	17,936	18,793	**3,198**	**160**

														2013-2033
ANNUAL INCREASES (City Limits)	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	27-28	32-33	**Avg Annual**
Jobs		353	356	359	362	366	369	374	375	380	383	401	420	**386**
Nonres Floor Area (1,000 SF)		147	148	148	150	151	154	155	154	158	160	165	175	**160**

Source: City of Flagstaff; TischlerBise

AVERAGE DAILY VEHICLE TRIPS

Nonresidential average Daily Vehicle Trips are used for the Public Safety development fee category as a measure of demand by land use. Vehicle trips are estimated using average weekday vehicle trip ends from the reference book, *Trip Generation, 9th Edition*, published by the Institute of Transportation Engineers (ITE) in 2012. A vehicle trip end represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway).

Trip Rate Adjustments

Trip generation rates are adjusted to avoid double counting each trip at both the origin and destination points. Therefore, the basic trip adjustment factor of 50 percent is applied to the office/institutional, and industrial/flex categories. The commercial/retail category has a trip factor of less than 50 percent because this type of development attracts vehicles as they pass-by on arterial and collector roads. For an average size shopping center, the ITE (2012) indicates that on average 34 percent of the vehicles that enter are passing by on their way to some other primary destination. The remaining 66 percent of attraction trips have the shopping center as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor of 66 percent is multiplied by 50 percent to calculate a trip adjustment factor for commercial land use of 33 percent.

Estimated Vehicle Trips in Flagstaff

Trip adjustment factors are used in conjunction with average weekday vehicle trip ends provided by ITE (2012) to calculate average vehicle trips in the City of Flagstaff based on existing development. Figure C58 details the calculations to determine that existing nonresidential development in the City generates an average of 102,819 vehicle trips on an average weekday. An example of the calculation is as follows for commercial land uses: 4,195 x 42.70 vehicle trips per day per 1,000 square feet x 33 percent adjustment factor = 59,112 total vehicle trips per day from commercial development in the City. The same calculation is done for each land use type.

Figure C58: Average Daily Trips from Existing Development in City of Flagstaff

	Base Year	
Nonresidential Vehicle Trips on an Average Weekday**	**2013**	
Nonresidential Gross Floor Area (1,000 sq. ft.)	*Assumptions*	
Commercial/Retail	4,195	
Office/Institutional	6,084	
Industrial/Flex	5,316	
Average Weekday Vehicle Trips Ends per 1,000 Sq. Ft.**	*Trip Rate*	*Trip Factor*
Commercial	42.70	33%
Office/Institutional	11.03	50%
Industrial/Flex	3.82	50%
Nonresidential Vehicle Trips on an Average Weekday		
Commercial	59,112	
Office/Institutional	33,553	
Industrial/Flex	10,154	
Total Nonresidential Trips	**102,819**	

***Trip rates are from the Institute of Transportation Engineers. (2012). Trip Generation Manual 9th Edition*

DEMAND INDICATORS BY SIZE OF DETACHED HOUSING

As part of the development fee effort for the City of Flagstaff, TischlerBise further analyzed demographic data to present the option to refine the development fee schedule to be more progressive for residential development. This can be done by developing fees by size of housing unit based on bedroom count. Household size can be derived using custom tabulations of demographic data by bedroom range from survey responses provided by the U.S. Census Bureau in files known as Public Use Micro-data Samples (PUMS). Because PUMS data are only available for areas of roughly 100,000 persons, the City of Flagstaff is in Arizona Public Use Micro-data Area (PUMA) 0400. Data is first analyzed for the PUMA area and then calibrated to conditions in the City of Flagstaff.

TischlerBise used 2011 ACS 1-Year Estimates to derive persons per household by number of bedrooms. As shown in Figure C59, TischlerBise derived trip generation rates and average persons, by bedroom range, using the number of persons. Recommended multipliers were scaled to make the average value by type of housing for Arizona PUMA 0400 match the average value derived from ACS data specific to Flagstaff. As the number of bedrooms increases so do the persons per household.

Figure C59: Average Persons per Household by Bedroom Range in City of Flagstaff

	AZ PUMA 0400 [1]		*Recommended Multipliers for Municipality [2]*
	Households	*Persons*	*Persons per Household*
Single Family 0-3 Bdrms	457	1,258	2.62
Single Family 4+ Bdrms	109	376	3.29
Single Family Subtotal	*566*	*1,634*	*2.75*
Multifamily Total	*102*	*220*	*2.57*
AZ PUMA 0400 TOTAL	668	1,854	

[1] American Community Survey, Public Use Microdata Sample for AZ PUMA 0400 (unweighted data for 2011).

[2] Recommended multipliers are scaled to make the average value by type of housing for AZ PUMA 0400 match the average value for Flagstaff, derived from American Community Survey 2011 data, with persons adjusted to the Citywide average of 2.75 persons per single family household.

LAND USE ASSUMPTIONS SUMMARY

Provided on the next page is a summary of annual demographic and development projections to be used for the development fee study. Base year estimates for 2013 are used in the development fee calculations. Development projections are used to illustrate a possible future pace of service demands and cash flows resulting from revenues and expenditures associated with those service demands.

Figure C60: Summary – City of Flagstaff Land Use Assumptions, 2013-2033

											Five-Year Increments ===>				Cumulative	Avg. Ann.
	Base Yr	1	2	3	4	5	6	7	8	9	10	15	20		Increase	Increase
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2028	2033		2013-2033	2013-2033
SUMMARY OF DEMAND PROJECTIONS (City Limits)																
TOTAL PEAK POPULATION	74,941	76,931	77,576	78,228	78,889	79,558	80,234	80,918	81,611	82,314	83,025	86,723	90,670		**15,729**	**786**
TOTAL HOUSING UNITS	27,157	27,333	27,510	27,688	27,867	28,047	28,228	28,410	28,594	28,779	28,965	29,913	30,891		**3,734**	**187**
TOTAL JOBS	38,139	38,492	38,848	39,207	39,569	39,935	40,304	40,678	41,053	41,433	41,816	43,786	45,849		**7,710**	**386**
RESIDENTIAL DEVELOPMENT																
Housing Units																
Single Family	16,833	16,942	17,052	17,162	17,273	17,385	17,497	17,610	17,724	17,839	17,954	18,542	19,148		**2,315**	**116**
Multifamily	10,324	10,391	10,458	10,526	10,594	10,662	10,731	10,800	10,870	10,940	11,011	11,371	11,743		**1,419**	**71**
TOTAL	27,157	27,333	27,510	27,688	27,867	28,047	28,228	28,410	28,594	28,779	28,965	29,913	30,891		**3,734**	**187**
NONRESIDENTIAL DEVELOPMENT																
Employment By Type																
Commercial/Retail	8,390	8,468	8,546	8,625	8,705	8,785	8,867	8,949	9,031	9,115	9,199	9,633	10,087		**1,697**	**85**
Office/Institutional	20,214	20,394	20,575	20,758	20,942	21,129	21,316	21,506	21,697	21,890	22,085	23,084	24,128		**3,914**	**196**
Industrial/Flex	9,535	9,630	9,727	9,824	9,922	10,021	10,121	10,223	10,325	10,428	10,532	11,069	11,634		**2,099**	**105**
TOTAL	38,139	38,492	38,848	39,207	39,569	39,935	40,304	40,678	41,053	41,433	41,816	43,786	45,849		**7,710**	**386**
Nonres Floor Area (1,000 SF)																
Commercial (1,000 SF)	4,195	4,234	4,273	4,313	4,353	4,393	4,434	4,474	4,515	4,557	4,599	4,816	5,044		**849**	**42**
Office/Instit (1,000 SF)	6,084	6,139	6,193	6,248	6,303	6,359	6,416	6,473	6,530	6,588	6,648	6,948	7,262		**1,178**	**59**
Industrial/Flex (1,000 SF)	5,316	5,370	5,424	5,478	5,532	5,588	5,643	5,700	5,757	5,815	5,873	6,172	6,487		**1,171**	**59**
TOTAL	15,595	15,742	15,890	16,038	16,188	16,339	16,493	16,648	16,802	16,960	17,119	17,936	18,793		**3,198**	**160**
Nonresidential Trips																
Commercial (1,000 SF)	59,112	59,661	60,211	60,767	61,331	61,895	62,472	63,043	63,621	64,213	64,805	67,862	71,068		**11,956**	**598**
Office/Instit (1,000 SF)	33,553	33,854	34,155	34,458	34,764	35,070	35,385	35,700	36,013	36,333	36,661	38,318	40,052		**6,499**	**325**
Industrial/Flex (1,000 SF)	10,154	10,256	10,360	10,463	10,567	10,672	10,779	10,887	10,996	11,106	11,217	11,788	12,390		**2,236**	**112**
TOTAL Nonresidential Trips	102,819	103,771	104,726	105,688	106,662	107,637	108,636	109,630	110,630	111,652	112,683	117,968	123,510		**20,691**	**1,035**

ANNUAL INCREASES (City Limits)	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	27-28	32-33	**2013-2033 Avg Annual**
Peak Population		1,990	645	652	661	669	676	684	693	703	711	759	810	**786**
Housing Units		176	177	178	179	180	181	182	184	185	186	192	198	**187**
Jobs		353	356	359	362	366	369	374	375	380	383	401	420	**386**
Nonres Floor Area (1,000 SF)		147	148	148	150	151	154	155	154	158	160	165	175	**160**

Source: City of Flagstaff; TischlerBise

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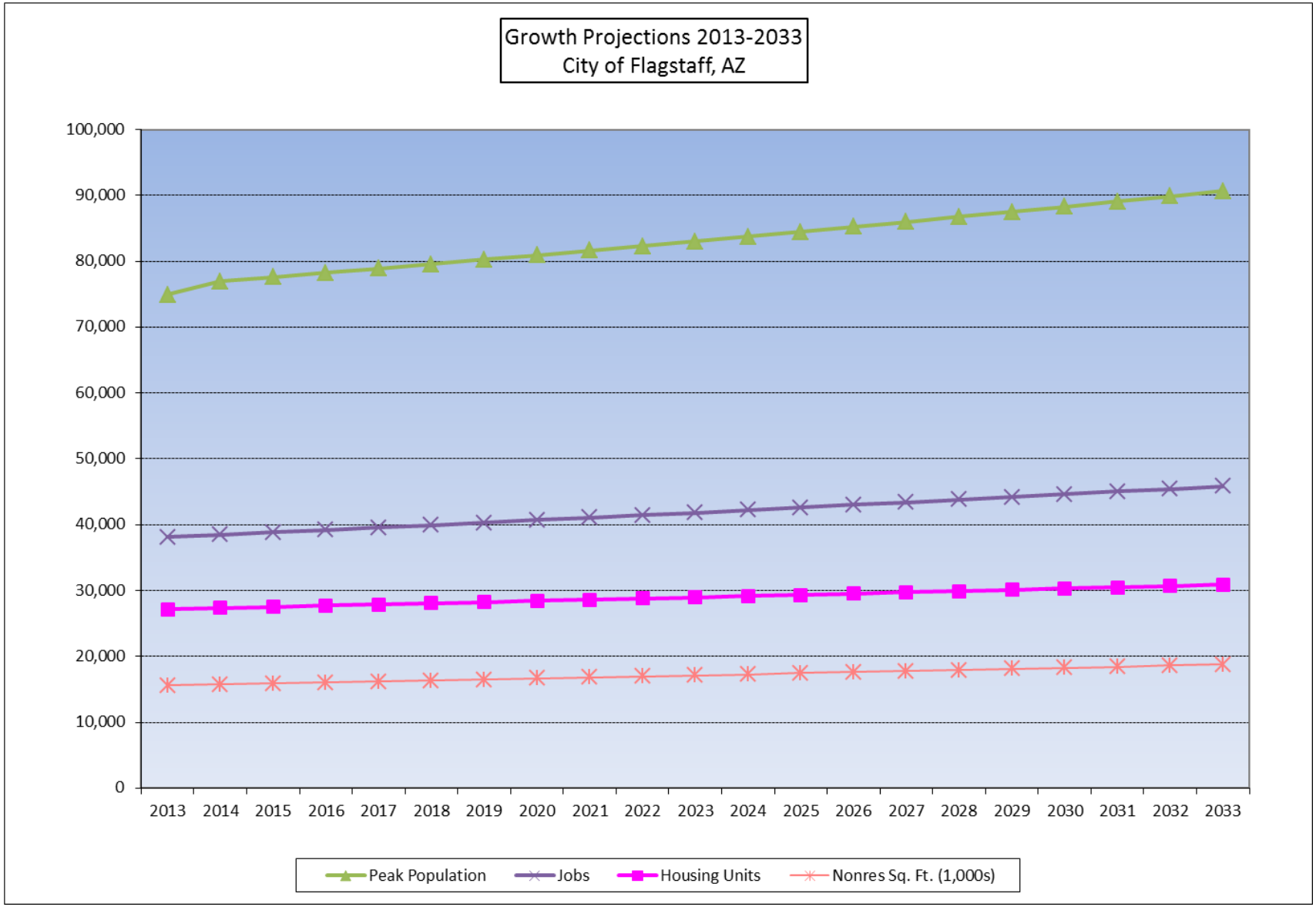
Growth Projections 2013-2033
City of Flagstaff, AZ
100,000
90,000
80,000
70,000
60,000
50,000
40,000
30,000
20,000
10,000
0
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
2028
2029
2030
2031
2032
2033
Peak Population
Jobs
Housing Units
Nonres Sq. Ft. (1,000s)

COMMUNITY DEVELOPMENT

MEMORANDUM

Date: March 18, 2014

To: All Interested Parties

From: Dan Folke, Planning Director

Subject: Development Fee Renewal

The City of Flagstaff began collecting development fees, also known as impact fees, in 2009. The City currently collects fees for public safety purposes, limited to capital projects for the Police and Fire Departments. Fees can only be used to fund service level demands that have increased directly as a result of community growth. The State of Arizona enacted SB1525 which requires all current impact fee programs to be evaluated and subsequently updated every five years.

On February 18, 2014 the City Council adopted the Land Use Assumptions, which model future growth, and an Infrastructure Improvement Plan, which identifies what the fees will be used for. On April 1, 2014 at 6 p.m. the City Council will hold a public hearing on the proposed development fees for Police and Fire capital programs. City Council will consider adoption of the new fees on May 6, and May 13, 2014.

A draft report, *City of Flagstaff Public Safety Development Fees, Infrastructure Improvement Plan, and Land Use Assumptions* was updated on February 7, 2014 by consulting firm TischlerBise. The proposed fees have been revised since the November 1, 2013 report, primarily due to a change in the methodology of assigning public safety calls for service between residential and non-residential. While the residential fees have increased, the commercial fees have decreased from the November, 2013 draft. A summary of the current and proposed fees is found in Table 1. The report also includes the projected expenses and revenues over the next ten years for Police and Fire capital programs. (Attached to this memo)

At this time the City is encouraging all interested parties to review the report and proposed fees and provide public comment, either at the April 1 public hearing or in writing to staff. If you and your organization would like to learn more about

the growth projections, planned capital program or the current or proposed fees, City staff is available to make a presentation.

The complete report can be viewed on the City website at:

http://www.flagstaff.az.gov/DocumentCenter/View/43920

Table 1. Comparison of City of Flagstaff Public Safety Development Fees

	Current Fee (Jan. 1, 2012)	**Proposed November 2013 (+/- current)**	**Proposed February 2014 (+/- current)**
Residential			
2+ Units	$536	$617 (+ $81)	$836 (+ $300)
Single Unit (0-3 bedrooms)	$675	$630 (- $45)	$854 (+ $179)
Single Unit (4+ bedrooms)	$675	$790 (+ $115)	$1,071 (+ $396)
Nonresidential			
Commercial	$1.49/SF	$2.40/SF (+ $0.91)	$1.52/SF (+ $0.03)
Office/Institutional	$0.52/SF	$0.94/SF (+ $0.42)	$0.59/SF (+ $0.07)
Industrial/Flex	$0.13/SF	$0.32/SF (+ $0.19)	$0.21/SF (+ $0.08)

Important Dates to remember:

April 1, 2014: Public Hearing on proposed fees, City Hall, 6 p.m.
May 6, 2014: First Reading of Ordinance to adopt fees, City Hall, 6 p.m.
May 13, 2014: Second Reading of Ordinance to adopt fees, City Hall, 6 p.m.

To schedule a presentation, submit questions or provide comments please contact:

Dan Folke, Planning Director
City of Flagstaff
211 W. Aspen Street
Flagstaff, AZ 86001
928-213-2630
dfolke@flagstaffaz.gov

City of Flagstaff Public Safety Development Fee Program – Proposed Capital Programs

Summary of Projected Fire Costs and Revenues

Ten-Year Growth-Related Costs for Fire Facilities

Fire Facilities - Debt Service*	$	1,187,929
Fire Vehicles	$	803,968
Fire Apparatus - Debt Service*	$	17,347
Fire Equipment - Debt Service*	$	15,247
Fire Communications Equipment	$	5,547
Fire Communications Infrastructure - Debt Service*	$	53,881
IIP and Development Fee Study	$	12,729
TOTAL	**$**	**2,096,648**

[1] Debt Service costs shown above represent only the growth share of each debt obligation.

		per Housing Unit		*Per Square Foot of Floor Area*		
		Single Unit	***2+ Units***	***Commercial***	***Office***	***Industrial***
		$508	**$474**	**$0.89**	**$0.34**	**$0.12**
	Year	***Housing Units Added***		***Square Feet Added (1,000)***		
Base	2013	16,833	10,324	4,195	6,084	5,316
Year 1	2014	16,942	10,391	4,234	6,139	5,370
Year 2	2015	17,052	10,458	4,273	6,193	5,424
Year 3	2016	17,162	10,526	4,313	6,248	5,478
Year 4	2017	17,273	10,594	4,353	6,303	5,532
Year 5	2018	17,385	10,662	4,393	6,359	5,588
Year 6	2019	17,497	10,731	4,434	6,416	5,643
Year 7	2020	17,610	10,800	4,474	6,473	5,700
Year 8	2021	17,724	10,870	4,515	6,530	5,757
Year 9	2022	17,839	10,940	4,557	6,588	5,815
Year 10	2023	17,954	11,011	4,599	6,648	5,873
	Ten-Yr Increase	1,121	687	404	564	557
	Projected Fees =>	$569,468	$325,638	$359,560	$191,598	$66,787
	Total Projected Revenues		**$1,513,051**			
	Cumulative Net Surplus/(Deficit)		($583,597)			

Source: *City of Flagstaff Public Safety Development Fees, Infrastructure Improvement Plan, and Land Use Assumptions, February 7, 2014*

City of Flagstaff Summary of Projected Police Costs and Revenues

Ten-Year Growth-Related Costs for Police Facilities

Police Facilities	$1,163,213
Police Vehicles	$274,400
Police Communications Equipment	$23,155
Police Communications Infrastructure - Debt Service*	$77,646
IIP and Development Fee Study	$11,981
TOTAL	**$1,550,395**

[1] Debt Service cost shown above represents only the growth share of the debt obligation.

		Per Housing Unit		*Per Square Foot of Floor Area*		
		Single Unit	*2+ Units*	*Commercial*	*Office*	*Industrial*
		$388	**$362**	**$0.63**	**$0.25**	**$0.09**
	Year	*Housing Units Added*		*Square Feet Added (1,000)*		
Base	2013	16,833	10,324	4,195	6,084	5,316
Year 1	2014	16,942	10,391	4,234	6,139	5,370
Year 2	2015	17,052	10,458	4,273	6,193	5,424
Year 3	2016	17,162	10,526	4,313	6,248	5,478
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Year 9	2022	17,839	10,940	4,557	6,588	5,815
Year 10	2023	17,954	11,011	4,599	6,648	5,873
	Ten-Yr Increase	1,121	687	404	564	557
	Projected Fees =>	$434,948	$248,694	$255,127	$139,281	$47,640
	Total Projected Revenues		**$1,125,690**			
	Cumulative Net Surplus/(Deficit)		($424,705)			

Source: *City of Flagstaff Public Safety Development Fees, Infrastructure Improvement Plan, and Land Use Assumptions*, *February 7, 2014*

Public Hearing
Draft Development Fee Report

City of Flagstaff, Arizona

April 1, 2014

TischlerBise
Fiscal, Economic & Planning Consultants

Development Impact Fees

- An **impact fee** is a fee that is imposed by a local government on a new or proposed development project to pay for all or a portion of the costs of providing public services to the new development.

TischlerBise
Fiscal, Economic & Planning Consultants

Why Consider Impact Fees?

1. Supports policy that growth pays a share of costs for increased demand for services.
2. Provides predictable costs to the developer.
3. Does not require negotiation – all projects are responsible for the same fees.

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Affordable Housing Incentive

- Policy adopted in 2009
- Impact fees are reimbursed from the Housing Incentive fund
- Amount of reimbursement depends on % of affordable units & % of Area Median Income served

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Consensus Building – Inform & Consult

1. Updated information piece to neighborhood associations and industry organizations
2. Presentations to NABA, Chamber of Commerce & NA Assoc. of Realtors

TischlerBise
Fiscal, Economic & Planning Consultants

Overview of Adoption Process

Round 1 – APPROVED Feb 18, 2014
- Land Use Assumptions
- Infrastructure Improvements Plans

- Land Use Assumptions
  - Updated base year demographics reflect period of slow growth
  - High population growth scenario used for projections
- Infrastructure Improvements Plan
  - Establishes Proportionate Share of demand by land use type
  - Establishes Levels of Service
  - Identifies necessary infrastructure to maintain levels of service

TischlerBise
Fiscal, Economic & Planning Consultants

6

Approved 10-Year Investment Plan to Maintain Levels of Service

Fire		
Fire Facilities - Debt Service*	$	1,187,929
Fire Vehicles	$	803,968
Fire Apparatus - Debt Service*	$	17,347
Fire Equipment - Debt Service*	$	15,247
Fire Communications Equipment	$	5,547
Fire Communications Infrastructure - Debt Service*	$	53,881
IIP and Development Fee Study	$	12,729
TOTAL	**$**	**2,096,648**

Police	
Police Facilities	$1,163,213
Police Vehicles	$274,400
Police Communications Equipment	$23,155
Police Communications Infrastructure - Debt Service*	$77,646
IIP and Development Fee Study	$11,981
TOTAL	**$1,550,395**

* Debt Service costs shown above represent only the growth share of the debt obligation for a 10-year period

TischlerBise
Fiscal, Economic & Planning Consultants

7

Overview of Adoption Process

Round 1 – APPROVED Feb 18, 2014
- Land Use Assumptions
- Infrastructure Improvement Plans

Round 2
- Development Fees

Effective on August 1, 2014

TischlerBise
Fiscal, Economic & Planning Consultants

8

10-Year Projected Revenue

Fire

		per Housing Unit		Per Square Foot of Floor Area		
		Single Unit	2+ Units	Commercial	Office	Industrial
		$508	$474	$0.89	$0.34	$0.12
	Year	Housing Units Added		Square Feet Added (1,000)		
Base	2013	16,833	10,324	4,195	6,084	5,316
Year 10	2023	17,954	11,011	4,599	6,648	5,873
	Ten-Yr Increase	1,121	687	404	564	557
	Projected Fees =>	$569,468	$325,638	$359,560	$191,598	$66,787
	Total Projected Revenues		$1,513,051			
	Cumulative Net Surplus/(Deficit)		($583,597)			

Costs - $2,096,648

Police

		Per Housing Unit		Per Square Foot of Floor Area		
		Single Unit	2+ Units	Commercial	Office	Industrial
		$388	$362	$0.63	$0.25	$0.09
	Year	Housing Units Added		Square Feet Added (1,000)		
Base	2013	16,833	10,324	4,195	6,084	5,316
Year 10	2023	17,954	11,011	4,599	6,648	5,873
	Ten-Yr Increase	1,121	687	404	564	557
	Projected Fees =>	$434,948	$248,694	$255,127	$139,281	$47,640
	Total Projected Revenues		$1,125,690			
	Cumulative Net Surplus/(Deficit)		($424,705)			

Costs - $1,550,395

* Deficit reflects portion of existing debt obligation not recouped by projected development fee revenue.

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9

Maximum Supportable Fees and Comparison

- Careful consideration to necessary public services
  - New Growth's proportionate share of capacity improvements
  - Predictable revenue for public safety capital budget
    - No other dedicated revenue for public safety capacity improvements.

Development Fees by Land Use		Proposed	Existing	Net Change
	Number of Bedrooms	~ Per Housing Unit~		
2+ Units	All Sizes	**$836**	$536	$300
Single Unit	0-3	**$854**	$675	$179
Single Unit	4+	**$1,071**	$675	$396
Single Unit	Avg	**$896**	$675	$221
		~ Per Square Foot of Floor Area ~		
Commercial		**$1.52**	$1.49	$0.03
Office		**$0.59**	$0.52	$0.07
Industrial		**$0.21**	$0.13	$0.08

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Current and Maximum Supportable Fees
Fire Facilities - Residential

Fire Level Of Service and Capital Costs	*Per Person*
Fire Facilities - Debt Service	$109.18
Fire Vehicles	$63.83
Fire Apparatus - Debt Service	$2.29
Fire Equipment - Debt Service	$1.32
Fire Communications Equipment	$0.63
Fire Communications Infrastructure - Debt Service	$5.65
IIP and Development Fee Study	$1.93
GROSS CAPITAL COST	*$184.83*
Revenue Credit 0%	($0.00)
NET CAPITAL COST	*$184.83*

Buying into previously made improvements

Fire Residential Development Fee Schedule

			Development Fee per Housing Unit		
Unit Type	*Number of Bedrooms*	*Persons per Household [1]*	*Proposed Fee*	*Current Fee [2]*	*Increase (Decrease)*
2+ Units	All Sizes	2.57	$474	$352	$122
Single Unit	0-3	2.62	$484	$444	$40
Single Unit	4+	3.29	$607	$444	$163
Single Unit	*Avg*	*2.75*	$508	$444	*$64*

[1] TischlerBise. (2013). Development Fee Land Use Assumptions
[2] TischlerBise. (28Nov11). *January 1, 2012 Interim Development Fees*

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Current and Maximum Supportable Fees
Fire Facilities - Nonresidential

Fire Level Of Service and Capital Costs	*Per Trip*
Fire Facilities - Debt Service	$38.95
Fire Vehicles	$19.94
Fire Apparatus - Debt Service	$0.89
Fire Equipment - Debt Service	$0.46
Fire Communications Equipment	$0.20
Fire Communications Infrastructure - Debt Service	$2.07
IIP and Development Fee Study	$0.79
GROSS CAPITAL COST	*$63.30*
Revenue Credit 0%	($0.00)
NET CAPITAL COST	*$63.30*

Buying into previously made improvements

Fire Nonresidential Development Fee Schedule

			Development Fee per Square Foot of Floor Area		
Nonresidential Land Use	*Weekday Vehicle Trip Ends*	*Trip Rate Adj. Factors*	*Proposed Fee*	*Current Fee [3]*	*Increase (Decrease)*
	(Per 1,000 sq. ft.)		*(Per Square Foot of Floor Area)*		
Commercial	42.70	33%	$0.89	$0.81	$0.08
Office/Institutional	11.03	50%	$0.34	$0.28	$0.06
Industrial/Flex	3.82	50%	$0.12	$0.07	$0.05

[3] TischlerBise. (28Nov11). *January 1, 2012 Interim Development Fees*
The 2012 nonresidential fees were by size thresholds, averages are shown here.

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Current and Maximum Supportable Fees Police Facilities - Residential

Police Level Of Service and Capital Costs		*Per Person*
Police Facilities		$104.19
Police Vehicles		$24.99
Police Communications Equipment		$2.33
Police Communications Infrastructure - Debt Service		$8.15
IIP and Development Fee Study		$1.82
GROSS CAPITAL COST		$141.48
Revenue Credit	0%	($0.00)
NET CAPITAL COST		*$141.48*

Buying into previously made improvements

Police Residential Development Fee Schedule

Unit Type	*Number of Bedrooms*	*Persons per Household [1]*	Development Fee per Housing Unit: *Proposed Fee*	*Current Fee [2]*	*Increase (Decrease)*
2+ Units	All Sizes	2.57	$362	$184	$178
Single Unit	0-3	2.62	$370	$231	$139
Single Unit	4+	3.29	$464	$231	$233
Single Unit	*Avg*	*2.75*	$388	$231	*$157*

[1] TischlerBise. (2013). Development Fee Land Use Assumptions
[2] TischlerBise. (28Nov11). *January 1, 2012 Interim Development Fees*

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Current and Maximum Supportable Fees Police Facilities - Nonresidential

Police Level Of Service and Capital Costs		*Per Trip*
Police Facilities		$32.55
Police Vehicles		$7.81
Police Communications Equipment		$0.73
Police Communications Infrastructure - Debt Service		$2.98
IIP and Development Fee Study		$0.75
GROSS CAPITAL COST		$44.82
Revenue Credit	0%	($0.00)
NET CAPITAL COST		*$44.82*

Buying into previously made improvements

Police Nonresidential Development Fee Schedule

Nonresidential Land Use	*Weekday Vehicle Trip Ends*	*Trip Rate Adj. Factors*	Development Fee per Square Foot of Floor Area: *Proposed Fee*	*Current Fee [3]*	*Increase (Decrease)*
	(Per 1,000 sq. ft.)		*(Per Square Foot of Floor Area)*		
Commercial	42.70	33%	$0.63	$0.68	($0.05)
Office/Institutional	11.03	50%	$0.25	$0.24	$0.01
Industrial/Flex	3.82	50%	$0.09	$0.06	$0.03

[3] TischlerBise. (28Nov11). *January 1, 2012 Interim Development Fees*
The 2012 nonresidential fees were by size thresholds, averages are shown here

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Arizona Comparison of Proposed Fees

Proposed Development Fee for Average Single Residential Unit			
Jurisdiction	Fire	Police	Public Safety Total
Coolidge	$938	$918	$1,856
Glendale	$1,146	$339	$1,485
Avondale	$607	$499	$1,106
Peoria	$417	$503	$920
Flagstaff	**$508**	**$388**	**$896**
Payson	$406	$407	$813
Chandler	$412	$277	$689
Mesa	$272	$402	$674
Queen Creek	$490	$167	$657
Sedona	na	$511	$511
Prescott	$319	$114	$433
Apache Junction	na	$161	$161

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Next Steps

- Finalize Development Fee Components
  - Confirm Components for inclusion in each Necessary Public Service IIP
- Submit Final Development Fee Study

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Flagstaff Adoption Process Schedule

- ✓ November 7, 2013 provide notice of public hearing on LU and IIP and publish draft on municipal website
- ✓ December 10, 2013 Elected Officials Work Session on Land Use Assumptions (LU) Infrastructure Improvements Plan (IIP)
- ✓ January 7, 2014 public hearing on LU & IIP
- ✓ February 18, 2014 City Council adopts LU & IIP, provide notice of public hearing on development fees and publish materials on website

- April 1, 2014 **public hearing** on development fees

  30 days for consensus building and changes to development fees
- May 6, 2014 **City Council** adopts development fees

  75 day mandatory wait period
- July 31, 2014 fees become effective

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City of Flagstaff
Summary Sheet
Impact Fee Modeling

	RESIDENTIAL (per housing unit)				
FEE TABLE	Current Fee	As Proposed - Full IIP	No Debt	Facility & Vehicles Only	Everything except Vehicles
Fire - Blended Single Family	$ 444	$ 508	$ 182	$ 475	$ 332
Fire - Multi Family per Unit	$ 352	$ 474	$ 170	$ 443	$ 310
Police - Blended Single Family	$ 231	$ 388	$ 366	$ 355	$ 320
Police - Multi Family per Unit	$ 184	$ 362	$ 342	$ 331	$ 298
Combined - Blended Single Family	***$ 675***	***$ 896***	***$ 548***	***$ 830***	***$ 652***
Combined - Multi Family per Unit	***$ 536***	***$ 836***	***$ 512***	***$ 774***	***$ 608***
INDIVIDUAL IIP ELEMENTS					
These are the IIP components and their calculated value that is included to determine the fees shown above:					
The numbers below do not add up to the fees shown above as the numbers above are adjusted by average household size.					
Fire Level Of Service and Capital Costs			***Per Person***		
Fire Facilities - Debt Service	NA	**$109.18**		**$109.18**	**$109.18**
Fire Vehicles	NA	**$63.83**	**$63.83**	**$63.83**	
Fire Apparatus - Debt Service	NA	**$2.29**			**$2.29**
Fire Equipment - Debt Service	NA	**$1.32**			**$1.32**
Fire Communications Equipment	NA	**$0.63**	**$0.63**		**$0.63**
Fire Communications Infrastructure - Debt Service	NA	**$5.65**			**$5.65**
IIP and Development Fee Study	NA	**$1.93**	**$1.93**		**$1.93**
Police Level Of Service and Capital Costs					
Police Facilities	NA	**$104.19**	**$104.19**	**$104.19**	**$104.19**
Police Vehicles	NA	**$24.99**	**$24.99**	**$24.99**	
Police Communications Equipment	NA	**$2.33**	**$2.33**		**$2.33**
Police Communications Infrastructure - Debt Service	NA	**$8.15**			**$8.15**
IIP and Development Fee Study	NA	**$1.82**	**$1.82**		**$1.82**
CASH FLOW					
Police & Fire Impact Fee Projected Revenue - 10 years		$ 2,639,112	$ 1,574,762	$ 2,433,434	$ 1,934,450
Ten Year Related Growth-Costs for Police & Fire		$ (3,647,043)	$(2,294,993)	$(3,429,510)	$(2,568,675)
Cumulative Net Surplus/(Deficit)		***$ (1,007,931)***	***$ (720,231)***	***$ (996,076)***	***$ (634,225)***

	COMMERCIAL (per square foot)				
FEE TABLE	Current Fee	As Proposed - Full IIP	No Debt	Facility & Vehicles Only	Everything except Vehicles
Fire - Commercial	$0.81	$0.89	$0.29	$0.82	$0.61
Fire - Office	$0.28	$0.34	$0.11	$0.32	$0.23
Fire - Industrial Flex	$0.07	$0.12	$0.03	$0.11	$0.08
Police - Commercial	$0.68	$0.63	$0.59	$0.57	$0.52
Police - Office	$0.24	$0.25	$0.23	$0.22	$0.20
Police - Industrial Flex	$0.06	$0.09	$0.08	$0.08	$0.07
Combined - Commercial	***$1.49***	***$1.52***	***$0.88***	***$1.39***	***$1.13***
Combined - Office	***$0.52***	***$0.59***	***$0.34***	***$0.54***	***$0.43***
Combined - Industrial Flex	***$0.13***	***$0.21***	***$0.11***	***$0.19***	***$0.15***
INDIVIDUAL IIP ELEMENTS					
	The numbers below are adjusted by vehicle trips and trip adjustment				
	factor to get the fees shown above.				
Fire Level Of Service and Capital Costs			***Per Trip***		
Fire Facilities - Debt Service	NA	**$38.95**		**$38.95**	**$38.95**
Fire Vehicles	NA	**$19.94**	**$19.94**	**$19.94**	**$0.00**
Fire Apparatus - Debt Service	NA	**$0.89**			**$0.89**
Fire Equipment - Debt Service	NA	**$0.46**			**$0.46**
Fire Communications Equipment	NA	**$0.20**	**$0.20**		**$0.20**
Fire Communications Infrastructure - Debt Service	NA	**$2.07**			**$2.07**
IIP and Development Fee Study	NA	**$0.79**	**$0.79**		**$0.79**
Police Level Of Service and Capital Costs					
Police Facilities	NA	**$32.55**	**$32.55**	**$32.55**	**$32.55**
Police Vehicles	NA	**$7.81**	**$7.81**	**$7.81**	
Police Communications Equipment	NA	**$0.73**	**$0.73**		**$0.73**
Police Communications Infrastructure - Debt Service	NA	**$2.98**			**$2.98**
IIP and Development Fee Study	NA	**$0.75**	**$0.75**		**$0.75**