

# MINUTES

WORK SESSION  
TUESDAY, JANUARY 28, 2014  
COUNCIL CHAMBERS  
211 WEST ASPEN AVENUE  
6:00 P.M.

**1. Call to Order.**

Mayor Nabours called the Flagstaff Work Session of January 28, 2014, to order at 6:03 p.m.

**2. Pledge of Allegiance.**

The City Council and audience recited the Pledge of Allegiance.

**3. Roll Call**

**Councilmembers present:**

MAYOR NABOURS  
VICE MAYOR EVANS  
COUNCILMEMBER BAROTZ  
COUNCILMEMBER ORAVITS  
COUNCILMEMBER OVERTON

**Councilmembers absent:**

COUNCILMEMBER BREWSTER  
COUNCILMEMBER WOODSON

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

**4. Public Participation**

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

Grants Manager Stacey Brechler-Knaggs showed a short video and presented the Engineering News-Record Southwest Region Award to the City of Flagstaff and Hunter Contracting for their work on the reconstruction of the pipeline road damaged during the Shultz fire and flooding.

**5. Preliminary Review of Draft Agenda for the February 4, 2014, City Council Meeting.\***

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

Councilmember Barotz asked about the Business Improvement District item; she wanted to know if John VanLandingham or Mark Lamberson had communicated with the individuals who had submitted objections. Community Design and Redevelopment Manager Karl Eberhard stated that Mr. VanLandingham and Mr. Lamberson had reached out in both cases.

Mr. Burke stated that there are three items on the 4:00 p.m. agenda and asked if the Council would like to keep the schedule as is or address it differently. Council agreed to move the 4:00 p.m. agenda items to the beginning of the 6:00 p.m. agenda and have no 4:00 p.m. meeting.

**6. 2013 Citizen Survey Results**

Assistant to the City Manager for Communications Kimberly Ott stated that the City successfully completed the citizen's survey. It has been four years since the last one was done. The information in the survey helps staff understand what is being done well and what needs improvement. The Council budget priorities are really falling in line with the results that were seen. The survey analyzed a wide variety of issues and compared them to the study done in 2009 and benchmarked with other similar communities.

Ms. Ott introduced Laurie Irvin with the National Research Center who provided a PowerPoint presentation that covered the following:

- ▶ 2013 RESIDENT SURVEY
- ▶ WHAT IS THE FLAGSTAFF RESIDENT SURVEY?
- ▶ HOW WAS THE SURVEY ADMINISTERED?

Councilmember Oravits noted that of the 1500 surveys mailed only 437 were completed and returned; he asked how this affected the survey results. Ms. Irvin stated that measures are in place to ensure every household is represented. It is known that women and homeowners tend to respond most often so there is an over sample of multi-family households to counter. The received surveys are compared to the 2010 census data and are adjusted to match the census set, again ensuring that all demographics are represented.

Ms. Irvin continued the presentation.

- ▶ KEY LEARNING #1
- ▶ OVERALL QUALITY OF LIFE
- ▶ QUALITY OF COMMUNITY
- ▶ TOP RATED COMMUNITY CHARACTERISTICS

- ▶ KEY LEARNING #2
- ▶ ENRICHMENT OPPORTUNITIES
- ▶ KEY LEARNING #3

Mayor Nabours stated that there is a lot of information in the survey and to make the best use of it the Council is going to need to put some of them in context and follow-up with them.

Ms. Irvin continued the presentation.

- ▶ KEY LEARNING #4
- ▶ QUALITY OF NATURAL ENVIRONMENT, PARKS AND ENVIRONMENTAL
- ▶ MAINTAINING A HEALTHY FOREST
- ▶ PROTECT CITY FROM WILDFIRES
- ▶ KEY LEARNING #5
- ▶ TRAVEL THROUGH CITY
- ▶ TRANSPORTATION SYSTEMS
- ▶ STREET MAINTENANCE
- ▶ SUPPORT FOR SALES TAX INCREASE FOR STREET IMPROVEMENTS
- ▶ KEY LEARNING #6
- ▶ SERVICE RATINGS
- ▶ KEY LEARNING #7
- ▶ GOVERNMENT PERFORMANCE
- ▶ SUMMARY OF KEY LEARNINGS

Ms. Irvin stated that the results were very positive and there was good information in the survey that can be used in the priority and planning setting.

## 7. **Bushmaster Park Concept Plan**

Parks Manager Steve Zimmerman offered a PowerPoint presentation on the Bushmaster Park Concept Plan.

- ▶ BUSHMASTER PARK CONCEPT DESIGN PROJECT
- ▶ WHY ARE WE HERE TONIGHT?
- ▶ BACKGROUND/HISTORY
- ▶ COMMUNITY CONCERNS
- ▶ INTERNAL WORK GROUP
- ▶ PARTNERS
- ▶ COMMUNITY OUTREACH
- ▶ STRATEGIES
- ▶ PHASE I
- ▶ PHASE II
- ▶ CONCEPT PLAN
- ▶ FUNDING
- ▶ WHAT'S THE COST?
- ▶ DISCUSSION/QUESTIONS

Councilmember Overton expressed concern about the procurement timeline with using multiple contractors and urged staff to get the timeframe as short as possible.

Vice Mayor Evans expressed excitement over the plan getting to this point. She inquired about how the east side parking lot would be connecting with Silar Homes. Mr. Zimmerman stated that staff is looking at moving the barricades down 40 feet to gain access to the park and building a bridge over the ditch. Vice Mayor Evans stated that some of the issues in Bushmaster Park could possibly be resolved if the blocked off key points were opened up as it would encourage more people to use the park; she requested that the barricades be completely removed, not relocated. Additionally, the large boulders off of Elder Dr. should be removed as well. This would give more visibility of the park.

Vice Mayor Evans inquired about the community garden and how it would be funded. She also indicated that the plan addresses the physical infrastructure but not the social infrastructure. She would like to see more information on how people are going to use the park. Lastly, she suggested relocating the Police Department bike squad to inside the park as it would put a constant police presence in the park as a home base and having something like that really assists in moving the project forward socially.

Mr. Zimmerman offered that there was discussion about removing the barricades at Silar Homes and there was a lot of concern about introducing traffic into a community that has become accustomed to little or no traffic. There have been recent discussions with the Police Department to support reopening the west parking. Both conversations will be pursued further.

With regards to the community garden, there is no agreement for a community garden to be operated by the current group the City uses; they are working on a new Memorandum of Understanding at this time. The plan outlines a place holder for a community garden to happen however it comes about. The Parks and Recreation Commissioners were highly in favor of the garden and wanted it to be included with Phase I but after public comment it was decided for Phase II. How it is to be constructed is still to be determined.

Mr. Zimmerman stated that based on the studies people wanted a place to hold family functions and a place to gather. By adding the ramadas it would facilitate a social gathering place. The Bushmaster Block Watch group currently uses a ramada and it is assumed that they would continue.

Vice Mayor Evans stated that along with the physical plan there needs to be a concept plan for the social engagement part from the community even if it is to identify what community groups will do what. New ramadas can be built but if people are still unsure about using the park the problem remains. She asked about improved signage on Lockett, Steves, Elder, and other surrounding streets. Mr. Zimmerman explained that signage for the park now is difficult because the City does not have land on which to put a sign. As the project moves further, there may be options available on Thomas road for a formal sign.

Mayor Nabours indicated that there have been discussions before that if any more parks were added the Parks Section would not be able to afford to maintain them and asked if the funding for maintenance had been addressed. It would be counterproductive to build this park up and not be able to maintain it. Mr. Zimmerman stated that the biggest cost is

putting in the infrastructure. While a new water meter is not needed, there will need to be upgrades with new electrical service. In reviewing the initial budget he believes that no additional funding will be needed for the maintenance of the park and staff is currently looking at having a full time person placed there.

Mayor Nabours offered a thank you to staff and the Parks and Recreation Commission for the activities that were considered but not adopted to be included in the plan, it shows that this was not the first run and the report is truly the final result of what they think is the best.

The following individuals addressed Council in favor of the Bushmaster Park Concept Plan:

- Marguerite Hendrie
- Marty Eckrem
- Mary Walter
- Dr. Lisa Hardy
- Denise Burley
- Tom Ziegler
- Richard Bob
- Brenda Gene
- Charles Hammersley
- Chelsea Kuiper

Comments received included:

- It is time to focus on public perception and the positive aspects of the park.
- Hope that the plan does not end with construction but will include a grander plan of Parks and Recreation planning.
- The addition of the ADA park is fantastic.
- The improvements will bring more families to the park.
- More parking will be much appreciated.
- Urge planners to move beyond public meetings to have people participate in a very specific plan.
- Provide the resources to construct a community garden but depend on participants to maintain.
- The plan is a huge alignment with the mission of the health district.
- Bushmaster Park is a central location for the Native American community. NACA would love to utilize the park for personal training and fitness classes. If the area is expanded NACA will fully utilize it.
- The entire design process was initiated by the community group and their efforts to enhance the community.
- If you build it they will come, there is little opportunity for recreation services to bring activities into this park and these improvements will dramatically change this. The improved activities will bring people in to experience the park in a positive manner.

A break was held from 7:28 p.m. through 7:39 p.m.

Mayor Nabours asked for Deputy Chief Dan Musselman to give the Police Department perspective of the plan with regard to the development. Deputy Chief Musselman stated that the Police Department realizes that the unimproved forested area is being used for inappropriate activities. The developments proposed will allow legitimate users to utilize the park and this will make the illegitimate users uncomfortable and they will move on to another space.

Councilmember Oravits asked about the impact of removing the boulders at Elder and if it would have a positive or negative affect with the extra flow of traffic. Deputy Chief Musselman explained that he is unaware of the history behind placing the boulders there but staff can look further into the issue and report back.

Mayor Nabours requested a breakdown of the maintenance concerns to ensure that going forward there is enough current funding to support the improvements at the park. He also suggested contacting Senator Begay as there may be funding available from other sources that can add to the project.

Councilmembers Overton and Barotz expressed a desire to move forward with the project. Vice Mayor Evans agreed but would like to see concept planning of what is going to happen in the park once complete. Getting together and pooling resources to promote and sponsor activities will help take back the park.

Mayor Nabours stated that in order to issue the bonds it will be necessary to come before Council for an action item and at that time staff can provide information on access, maintenance issues, and social aspects of the project. Council agreed for the project to proceed.

8. **Presentation on Principles of Sound Water Management - Water Policies: Review Policy E4 Service Outside City Limits, Review Septage, Grease & Mud Hauling Services, and Review red-line edited version of Water Policy Document**

Utilities Director Brad Hill offered a PowerPoint presentation on the Principles of Sound Water Management that addressed the following:

- ▶ UTILITIES INTEGRATED MASTER PLAN
- ▶ TONIGHT'S OBJECTIVES

Utilities Engineering Manager Ryan Roberts continued the presentation.

- ▶ INFRASTRUCTURE

Councilmember Barotz stated that in section E4 the introductory paragraph needs to be clarified as it addresses potable and sewer but the heading makes reference to reclaimed as well.

Ms. D'Andrea stated that an Executive Session is planned to review outside legal counsel's opinion that deals with the separation of reclaimed water.

Mayor Nabours asked if there was a difference in how the City treats service of potable and reclaimed water outside City limits. Mr. Burke offered that the difference is the

extension of water and sewer outside the City required an annexation and reclaimed did not. Councilmember Barotz indicated that it is confusing as it is written; it needs to be made clear that the annexation requirement is only for potable and sewer only.

Mayor Nabours offered that it may be necessary to include a definition at the beginning of the policy that defines water as potable and reclaimed as reclaimed. This would help distinguish between potable and reclaimed and show consistency throughout.

Councilmember Barotz asked if there are any other requirements or conditions before granting reclaimed water services outside City limits and if there are limitations on type of use. Mr. Hill stated that the requirements and conditions are in Section B4.

#### ► RECLAIMED WATER MAP

Mayor Nabours indicated that in A1.3 it references the Mayor and City Council separately. This is the only place that separates Mayor from Council, he asked that Mayor be removed and be updated to reflect City Council.

Mayor Nabours also referenced the top of page 32 where it references maintaining the allocation of water; it indicates that the applicant must commence construction within two years with City Council approval. The language is confusing, he asked for clarification on whether the two year timeframe is from the date of Council approval or is Council giving a two year approval. Comprehensive Planning and Code Manager Roger Eastman stated consistency is needed in the document about this statement and there are three places that the language needs to be changed. The City Council and staff used to condition the applicant to submitting a building permit within two years. That was the standard in Community Development; with the new zone change amendment process the City Council has a lot more latitude with conditions based on the project. Mr. Eastman suggested that the approval is subject to conditions as stipulated by the City Council.

Councilmember Overton asked about the checks in place to keep a Council from abusing that as a condition. Mr. Eastman stated that the Council would be the check and the discussion and or debate would be the answer to that question.

Vice Mayor Evans asked how many times the City has granted a water or sewer extension based on a pre-annexation agreement that has been annexed. Mr. Roberts stated that in the last ten years it has happened one time with W.L. Gore. Vice Mayor Evans followed up asking what the purpose of the pre-annexation agreement is and if it truly was a concept that people will be getting future annexation into the City. Mayor Nabours stated that sometimes the annexation may not be available to the property owner for years because it is conditioned upon other events. Vice Mayor Evans pointed out that the pre-annexation agreement is not truthful in a way if the City knows that annexation is not going to happen for twenty plus years. Pre-annexation assumes that the property will be brought into the City, if this is not going to happen another term should be used.

Mr. Burke offered that the intention is to get the property annexed into the City. The utility is an incentive to get them to annex. The reason that the pre-annexation has been used as a tool is because they may not be able to annex but are willing. With W.L Gore

one of the conditions is that the annexation paperwork must be filed in order to get the project started. Utility service is being used as an incentive and they will annex when available. Vice Mayor Evans asked if the property is not currently, legally able to annex a pre-annexation agreement should not be signed. She asked if there was a process for monitoring the agreements for follow up to make sure that properties are annexed.

Mr. Burke stated that the biggest check is that all of these agreements must be approved by Council. Additionally, there are two other mechanisms in place; with the upgrading of the City's records management system there is now a tickler in the Clerk's office that makes staff aware of upcoming contract expirations. Also in Community Development when a property comes in looking at a development proposal staff knows that this was the missing piece needed to fulfill the requirements for annexation.

Mayor Nabours stated that the rates for customers outside the City limits are higher than those in the City limits and there is language in the ordinance that indicates a rate of 110%; he asked if that percentage can vary and if there were any limits on it. Mr. Roberts indicated that the percentage can be adjusted by Council and noted that it is loosely based on the cost of service. It has fluctuated in the past and Council can direct the staff to address the rate in the next rate study.

Councilmember Barotz requested that if reclaimed water is separated out that Council have an opportunity to review the document again. Mr. Roberts agreed to have Council review the document once reclaimed water was separated.

Rudy Preston addressed Council offering suggestions for the document, they included:

- Include language prohibiting reclaimed augmentation when there is a shortage.
- Do not want to subsidize the water as users.
- In town users should be given priority over out of town users and all contracts should have an expiration date.
- No grandfather clause unless state law requires it.

Mr. Hill continued the presentation

- ▶ SEPTAGE, GREASE & MUD HAULING
- ▶ SEPTAGE
- ▶ GREASE
- ▶ MUD HAULING
- ▶ ADMINISTRATIVE OVERVIEW
- ▶ RECOMMENDED POLICY ADDITIONS

Vice Mayor Evans clarified that when referring to full cost recovery it includes the cost to get the adequate infrastructure in place. She noted that the City's low price encourages more utilization from outside the city and she is unsure that this is the intention suggesting that making the cost higher or comparable to other cities may encourage them to utilize other treatment plants to lessen the burden on the City since the issues are with capacity.

Councilmember Overton asked if ADEQ regulates where vendors choose to dump septage. Mr. Hill explained that septage drivers have to take septage to a treatment

plant per federal standard and the City of Flagstaff has an ordinance that does not allow the pulling of a sewer lid.

Councilmember Oravits stated that it was shocking to learn how far and wide people are coming to dump septage. He asked if there was a way to tier the rates based on location. Flagstaff constituents pay for this infrastructure and it would be nice to tier the costs to account for that. Vice Mayor Evans agreed saying that it is not fair that Flagstaff citizens have to pay for a private company outside the City to utilize the infrastructure. She requested that staff look into what is possible with regards to a tiered rate structure.

9. **Review of Draft Agenda Items for the February 4, 2014, City Council Meeting.\***

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

None.

10. **Public Participation**

Rudy Preston addressed Council about wanting a policy that dictates public outreach and input. He also addressed homelessness in Flagstaff.

11. **Informational Items and Reports from Council and Staff, requests for Future Agenda Items**

Mr. Burke stated that the agenda February 11, 2014, is very light but there is a robust executive session. He asked how the Council would like to handle the schedule. Council agreed to begin executive session at 4:00 p.m., the work session at 6:00 p.m. and then reconvene into executive session immediately following the work session.

12. **Adjournment**

The Work Session of the Flagstaff City Council held January 28, 2014, adjourned at 9:01 p.m.

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MAYOR

ATTEST:

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CITY CLERK