

## MINUTES

### 1. CALL TO ORDER

Mayor Nabours called the meeting of November 3, 2015, to order at 4:02 p.m.

#### NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

*Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).*

### 2. ROLL CALL

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

PRESENT:

ABSENT:

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

NONE

Others present: City Manager Josh Copley and City Attorney Michelle D'Andrea.

### 3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

#### MISSION STATEMENT

*The mission of the City of Flagstaff is to protect and enhance the quality of life of its citizens.*

### 4. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- A. Consideration and Approval of Minutes : City Council Regular Meeting of October 20, 2015; and Special Meeting (Executive Session) of October 27, 2015.

**Moved by** Councilmember Scott Overton, **seconded by** Councilmember Karla Brewster to approve the minutes of the City Council Regular Meeting of October 20, 2015; and Special Meeting (Executive Session) of October 27, 2015.

**Vote:** 7 - 0 - Unanimously

## 5. PUBLIC PARTICIPATION

*Public Participation enables the public to address the Council about an item that is not on the agenda. Comments relating to items that are on the agenda will be taken at the time that the item is discussed. If you wish to address the Council at tonight's meeting, please complete a comment card and submit it to the recording clerk as soon as possible. Your name will be called when it is your turn to speak. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.*

Heather Ainardi with the City's Convention and Visitor's Bureau (CVB) addressed the Council to inform them and the public that Governor Ducey signed a proclamation announcing that Flagstaff has been proclaimed Arizona's Winter Wonderland. She thanked City staff as well as the leadership for pushing it through with assistance from Richard Travis and Representative Thorpe. She then read the proclamation.

Richard Baron with the County Manager's Office introduced two fellows that were visiting from Indonesia and Malaysia. They each addressed the Council and briefly discussed the countries from which they come.

Mayor Nabours welcomed them both, stating that they were happy to have them.

## 6. PROCLAMATIONS AND RECOGNITIONS

## 7. APPOINTMENTS

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

- A. **Consideration of Appointments:** Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA) Transit Advisory Committee (TAC) Citizen Appointment.

**Moved by** Councilmember Karla Brewster, **seconded by** Councilmember Eva Putzova to appoint Sherry Miller to the Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA) Transit Advisory Committee (TAC), term to expire October 2018.

**Vote:** 7 - 0 - Unanimously

## 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.*

None

**10. ROUTINE ITEMS****A. Consideration and Approval of Contract: State Lobbying Services (**Approve agreement with Triadvocates, LLC in the amount of \$45,000 annually, plus expenses**).**

Stephanie Smith from the City Manager's Office addressed the Council, stating that this and the next item were contracts with the City's lobbyists to advocate and monitor the City's legislation, both statewide and federally. She said that the lobbyists receive direction from the Council through the adoption of their annual Legislative Priorities, and they are then responsible for ongoing communication as well as seeking direction from the City on important bills.

Ms. Smith then acknowledged Richard Travis with Triadvocates (state issues), who was present, and Bob Homes with Nexxus (federal issues), who was present telephonically. She also recognized Rick Compau with Purchasing for his leadership through the competitive process.

Ms. Smith then provided a PowerPoint presentation which addressed:

**FEDERAL AND STATE LOBBYISTS SERVICES**

Scope of Work

Compensation Solicitation Process

Recommendation

**FEDERAL AND STATE LOBBYING SERVICES**

Demonstrate knowledge of City's issues

Full scope of work is included in Packet

**COMMUNICATION**

COMPETITIVE PROCESS

EVALUATION CRITERIA

PROPOSALS RECEIVED

PAST ADDITIONAL EXPENSES

Councilmember Putzova said that both of the recommended lobbyists have been with the City for awhile, and asked how long. Ms. Smith explained that both of the individual assigned to the City have been with them for awhile. Both individuals were with different firms. Three fourths of the way through FY14 Richard Travis moved to Traidvocates and Bob Holmes moved to Nexxus.

Councilmember Putzova asked that staff speak to some of their successes.

Ms. Smith reviewed some successes at the federal level which were with the amount of leverage they have been able to get with the City's \$10 million bond for forest restoration. In three short years they have leveraged an additional \$2.5 million with \$2 million from federal resources, which allows the City's dollars to go further.

At the state level, besides becoming the Winter Wonderland of Arizona, Mr. Travis has had significant success talking about the need for a Veteran facility in Flagstaff before both the State and House of Representatives. Additionally, there has been significant progress with intergovernmental agreement in the recent year with ADOT (Arizona Department of Transportation) to help the City access right-of-way along I-40 for the Red Gap pipeline.

Other successes included: Amending two different trash bills, funding for segments of the Rio de Flag project, keeping the City fighting at the top of the line with the Corp of Engineers; Airport grant funding; forest health funding; East Flagstaff traffic interchange, BNSF project, \$4 million for the Innerbasin project.

Mayor Nabours said that sometimes it is not money, but having someone close to the ground in Phoenix and Washington to check on things and shepherd them through the process. He said that they are always well received at FAA when they travel to Washington.

Mayor Nabours asked if some cities have a staff person serve as their lobbyist. Ms. Smith said that it depends on the city or county. Some cities in Arizona hire their own staff person, similar to the County. Mr. Travis added that it depends on the size of the cities. The larger cities will have several designated lobbyists at the capital and also hire outside firms. The small cities do not have anyone at all and rely solely on the League. He said that most cities with a population between 50,000 and 100,000 contract for a lobbyist rather than hire an in-house one.

Councilmember Putzova asked who in staff was a registered lobbyist. Ms. Smith said that she could provide a list in a follow-up e-mail. She said that the City Manager staff and Leadership Team is listed on the Secretary of State's site. Ms. D'Andrea said that the City representatives in the contract were Mr. Copley, Ms. Watson and Ms. Goodrich; it would be good to add Stephanie Smith to the contract.

**Moved by** Councilmember Karla Brewster, **seconded by** Councilmember Coral Evans to approve the Contract with the Triadvocates, LLC to provide state lobbying services for the City of Flagstaff for an annual fee of \$45,000 plus applicable expenses billed at cost and authorize the City Manager to execute the necessary documents.

**Vote:** 7 - 0 - Unanimously

- B. Consideration and Approval of Contract:** Federal Lobbying Services (***Approve agreement with Nexxus Consulting, LLC in the amount of \$82,606 annually, plus expenses***).

See discussion in item 10-A above.

**Moved by** Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to approve the Contract with Nexxus Consulting, LLC to provide federal lobbying services for the City of Flagstaff for an annual fee of \$82,606 plus applicable expenses billed at cost and authorize the City Manager to execute the necessary documents, to include Stephanie Smith in the contract.

**Vote:** 7 - 0 - Unanimously

- C. Consideration of Meeting Cancellation:** November 24, 2015, Work Session due to Thanksgiving holiday.

**Moved by** Councilmember Jeff Oravits, **seconded by** Councilmember Coral Evans to cancel the November 24, 2015, Work Session due to the Thanksgiving holiday.

**Vote:** 7 - 0 - Unanimously

**D. Presentation of City Manager Excellence Awards.**

City Manager Josh Copley came forward to make presentations, thanking the Deputy City Managers and City Attorney for helping in the selection process for 91 nominations made this year. He said that the awards are based on the highest of the San Francisco Peaks--Fremont, Agassiz and Humphreys, and are selected based on the City's values of teamwork, accountability, community, quality, and leadership. The following awards were then presented:

**FREMONT AWARD**

**Teamwork** - Customer Service Committee (The active members of the team this past year include: Jason Cook, Tammy Bishop, Lianne Garcia, Karl Eberhard, Tanner Callan, Jennifer Caputo, Denise Thompson, Geneva Dawson, Lisa Deem, Paul Lasiewicki, Jessica Foos, Claire Harper, Tamara Lawless, Glorice Pavey and Crystal Warden)

**Accountability** - Robert Brown, Prosecution

**Communication** - Nathan Naloborski

**Quality** - Nick Jacobellis (Police)

**AGASSIZ AWARD**

**Teamwork** - Customer Service (Michele Bader, Kim Burns, Pam Caskey, Sandy Corder, Sharon Gonzales, Sabrina Schoenhard)

**Accountability** - Wildcat A+ Team (Ryan Roberts, Erin Young, Steve Camp, Mark Richardson, Troy Dagenhart, Mike Miller, Bill Case, Rick (Fredrick) Wright, Alicia Davia, Scott Gede, Rick Norman, Jeremy Meyers, Jesus Romero, Lisa Adams, Jolene Hayes, Robin Harrington and James Boyer)

**Communications** - Stacy Saltzburg (City Clerk's Office)

**Quality** - Becky Cardiff and Margo Neff

**Leadership** - Stephanie Smith

**HUMPHREYS AWARD**

Marianne Sullivan (Police Legal Advisor)

Mayor Nabours thanked everyone and invited them to attend a reception in the lobby to congratulate the winners.

**RECESS**

The 4:00 p.m. session of the November 3, 2016, Council Meeting recessed at 5:00 p.m.

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

**RECONVENE**

Mayor Nabours reconvened the Regular Meeting of November 3, 2015, at 6:03 p.m.

**NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION**

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§38-431.03(A)(3).

**11. ROLL CALL**

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

PRESENT

ABSENT

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

NONE

Others present: City Manager Josh Copley and City Attorney Michelle D'Andrea.

**12. PUBLIC PARTICIPATION**

The following individuals addressed the Council on the issues noted:

Al White, regarding proposed changes being considered to the Zoning Code with regard to ADA parking. He urged the Council to maintain the current standards.

Dick Monroe, regarding the golf course at Continental Country Club, asking the Council to consider them a partner and realize they are not making money on the course.

Chuck Crandall, regarding an incident that happened two years ago while walking downtown.

Gabor Kovacs, regarding prior votes on the issue of an Indigenous Peoples Day.

Rudy Preston, regarding the confusion of having a draft and final, as well as amended, agendas on the website. He also voiced concern with the agreement with Nestle Purina, stating that the agreement was taking away tax dollars from the schools. He requested a moratorium on any further such agreements.

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

None

**14. PUBLIC HEARING ITEMS**

None

**15. REGULAR AGENDA**

**A. Discussion/Direction on 2016 Legislative Priorities and Communication and Engagement Strategies**

Assistant to the City Manager Stephanie Smith reviewing the process for adoption of the annual legislative priorities and then reviewed the City's proposed resolutions to the League of Arizona Cities and Towns and those proposed by the League.

Councilmember Evans asked for more explanation on the Public Records Request item. Ms. Smith said that the bill would allow cities and towns to place reasonable balances on public records requests. Mayor Nabours noted that Flagstaff did not join on that bill, but it was introduced by the City of Yuma as they have one individual that submits very time-consuming requests monthly and they have had to hire additional staff to respond to them.

Richard Travis said that part of the discussion that should be had is the logistics. With filing deadlines, etc. simply asking a legislator to open or drop a bill, it would probably be too late. Their hope is to find out what the Council would like to see and then some prioritization of those matters. Then, if it is a bill they would like somewhere on that list, it is his job to get some of the mechanics take care of.

Councilmember Putzova asked for comment on some of the major bills that did not make it into law, and if there was any indicating that any of the same laws would be reintroduced. Mr. Travis said that some bills that may be seen again this session include: firearm legislation, sales tax reforms, waste management and trash, pension reform.

Brief discussion was held on firearm laws. Mayor Nabours said that was a good example; there was nothing about that on their guiding principles, yet the League took a strong position because of the costs and complications to each city/town chambers.

Ms. Smith said that staff would ask that the Council think about what is most important to Flagstaff and what state agency collaborations or projects are critical to Flagstaff.

Councilmember Putzova said that she would appreciate a discussion on what level they should focus on. She said that they can create a long list, but there are limited resources. Ms. Smith said that some of those things mentioned could align well with their guiding principles.

Ms. Smith said that on November 17, 2015, staff will be bringing back a resolution with a list included. Council worked some on the State side of priorities and then took a break from 7:55 p.m. to 8:06 p.m., returning to discussion of federal issues and priorities.

Councilmember Evans asked Mr. Holmes if he thought that the CDBG funding would be cut. Mr. Holmes said that he did not believe that it would; he thinks it will stay at status quo.

Discussion was held on transportation. Mr. Holmes said that the House is going to start debating its six-year authorization plan tomorrow. The Senate passed their bill at the end of July and they will see some movement on a lot of issues. He said that the 2016 calendar came out today showing a break from July 16 through Labor Day, so if issues are not resolved by June they become mixed into the political process.

Gabor Kovacs addressed the Council regarding past discussions of public safety being controlled federally, and the impact it would have on local control. He asked that the Council look into that issue.

Discussion was held on 2016 Tribal Relations priorities. Members agreed that they enjoyed meeting with the Hopi Council and would appreciate doing the same with the Navajo Tribe. Councilmember Evans said that she would like to see Flagstaff host the Summit in 2016. Councilmember Putzova asked that they be sensitive to the cultural context and proposed

that they do not call it "border town." She thought that all of the ideas were good and help build partnerships and interrelationships.

Councilmember Putzova said that there was a recent presentation from the Navajo Nation Human Rights Commission about some of the issues raised that she did not know tribal leaders were worried about. She thought that was a good lens to look through, and then also look at some of those issues they were not so happy about, specifically the predatory practices by car dealerships.

Ms. Smith said that she will take all of the feedback along with current issues and bring back some proposed language for their Guiding Principles.

Discussion was then held on communication and engagement strategies. Council agreed to have staff include a standing item on the agenda for "discussion of current items before the State Legislature.

Ms. Smith said that she would bring back the Guiding Principles and Priorities to the November 17, 2015, Council meeting and then they would discuss the upcoming federal lobbying trip at the December 9 budget retreat. She also reminded everyone that on December 10, 2015, they would be holding their Legislative Breakfast at the Aquaplex to meet with their state delegation.

Mayor Nabours then moved to discussion of Future Agenda Item Request issue regarding joining the lawsuit related to local control and plastic bags.

## **B. Discussion and Direction of Council Travel Policy and Use of Travel Funds**

Executive Assistant to the Mayor and Council Meg Roederer provided a PowerPoint presentation which addressed the following:

EXECUTIVE SUMMARY  
BACKGROUND  
HOW FUNDS ARE USED  
WHAT HAPPENS TO UNUSED FUNDS?  
WHAT ACCOUNTSABILITY PROCEDURES SHOULD APPLY?  
FINANCIAL IMPACT  
OPTIONS AND ALTERNATIVES

Discussion was held on the ability of the Council to following either the current employee travel policy or develop their own. If they developed their own, they could designate what the process would look like and what would and would not be covered.

Discussion was held on what exactly the travel funds could be used for. Concern was voiced with it possibly becoming a "slush fund" to be used for whatever the Council wanted to use it for. It was noted that some of the funds in the past have been used for subscriptions. Vice Mayor Barotz said that she thought it was important to separate the nontravel-related items since some of them do not travel. She would like the public to know that she is not traveling around the country. She asked how Council can continue to grown and learn; she did not believe that conferences were the only way to do that.

Mayor Nabours said that he would assume there was an employee policy on a department or employee getting a subscription or books on tape, etc. Ms. Roederer said that there are budget line items fro training and also subscriptions. They could break those allocations out in the budget if they prefer.

Discussion was held on who would approve the requests since the City Manager was not the Council's supervisor. Councilmember Brewster said that he may not approve the request, but could still look at the request to ensure that it was meeting the policy.

Mayor Nabours said that he did not think they should be treated any differently than other employees. Every department has requests for subscriptions, etc. Those same rules should apply to the Council. It is simply the job of the City Manager to see if he would approve the request for any other employee.

Councilmember Oravits said that he believed they were trying to fix something that was not broken. He has heard that some on Council are interested in hiring interns. He would not support that, but he would support breaking the funds out into the appropriate categories in the budget.

Consensus of Council was to direct to staff to create a policy that was similar to the employee policy, to be brought back to Council for fine tuning.

**16. DISCUSSION ITEMS**

None

**17. FUTURE AGENDA ITEM REQUESTS**

*After discussion and upon agreement of three members of the Council, an item will be moved to a regularly-scheduled Council meeting.*

**A. Future Agenda Item Request (F.A.I.R.): A request by Councilmember Evans to place on a future Work Session agenda review of the Sustainability Commission and Task Force's Plan regarding Plastic Bags.**

Councilmember Evans said that she was looking for support from three Councilmembers to review the Sustainability Commission and Task Force's plan. She said that they stopped the conversation because the week they were going to discuss it was the week the state decided to intervene. She would like to have a full discussion and report.

With three Councilmembers in support, this item will move to a future agenda for consideration.

Mayor Nabours then returned discussion back to the issue regarding the Council Travel Policy.

**B. Future Agenda Item Request (F.A.I.R.): A request by Councilmember Evans to place on a future agenda discussion and possible action regarding the City joining the lawsuit and/or filing an amicus brief re plastic bags.**

Councilmember Evans provided a memorandum from Tim Hogan regarding participation in the lawsuit through either intervention or an amicus curiae. She also shared with the Council an e-mail from Lauren Kubly, asking for support of the City in her lawsuit.

Councilmember Evans said that she was looking for support to move this discussion forward, noting that time was of the essence.

Gabor Kovacs, Flagstaff, addressed the Council stating that he would like the whole plastic bag issue dropped as it was frivolous. He said that he did agree in a lot of ways as it dealt with local control, but lawsuits take a lot of time and money and they need to focus on more

critical issues in the community.

Councilmember Putzova said that it had to be a private citizen defending the right of a city or cities to govern their affairs. She thought it was sad that they are never the ones that drive these issues, to protect their voters and stand for their charters.

With three Councilmembers in support, this item will be placed on a future agenda for consideration.

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

Councilmember Evans said that she would like to have a better understanding of the water rates and information on the reclaimed water going to the Continental Country Club. She would like to have the history behind it, how it was established, who paid for what, and who is now paying. Mr. Copley said that he would have staff prepare a CCR.

Councilmember Putzova asked for a FAIR or CCR on GPLET. She would like to have a public presentation on the arrangements of contracts they have with various businesses. She would like to elaborate on the written report that is available and maybe have a policy discussion.

Mayor Nabours noted that this year the Council would be collecting hams on behalf of the Family Food Center, in competition with the County (who is collecting turkeys). They would be collecting them on November 7 and 8 at "Stuffing the Truck" at the Safety on North 89.

**19. ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held November 3, 2015, adjourned at 8:56 p.m.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**CERTIFICATION**

I, ELIZABETH A. BURKE, do hereby certify that I am the City Clerk of the City of Flagstaff, County of Coconino, State of Arizona, and that the above Minutes are a true and correct summary of the Meeting of the Council of the City of Flagstaff held on November 3, 2015. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 19th day of January, 2016.

\_\_\_\_\_  
CITY CLERK