

## MINUTES

### 1. Call to Order

Mayor Nabours called the Work Session of the Flagstaff City Council held on January 12, 2016, to order at 6:01 p.m.

### 2. Pledge of Allegiance

The City Council and audience recited the Pledge of Allegiance.

### 3. 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

Others present: City Manager Josh Copley and Deputy City Attorney Sterling Solomon.

### 4. Preliminary Review of Draft Agenda for the January 19, 2016, 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 Overton stated in regards to item 15A on Parking Management that the ordinance specifically addresses the program, a parking management officer, and establishing a special revenue fund; he would suggest some language on what the intent of that special revenue fund is and what the revenues should be used for. Additionally, he requested that the capital costs of the kiosks is included in the pro-forma because it currently shows as a lease but no number. Vice Mayor Barotz added that one of the things the downtown community is concerned about is that the funding will be swept down the road. Any information and suggestions that legal can give about how to protect the funding would be helpful.

Mayor Nabours asked if Mr. Whitaker would cover the difference in cost between a roundabout and a traffic light and how the grant plays into that when presenting on item 10B.

Mayor Nabours also asked if staff could provide some information on item 15B regarding animal keeping in regards to the possibility of putting language in the ordinance that established an expiration date unless renewed by Council.

## 5. 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.*

None

## 6. Life Safety Recognition.

Mayor Nabours came down to the podium for the presentation of this item.

Mayor Nabours recognized Elizabeth "Libby" Champagne and presented her with a Citizen's Heroism Award for her life saving actions in providing aid and assistance to Gretchen Wilce.

## 7. Annual Report from staff and the Flagstaff Arts Council.

Executive Director of the Flagstaff Arts Council John Tannous addressed Council introducing Deputy Director Elizabeth Voegler and some of the Board members in attendance.

Mr. Tannous provided a PowerPoint presentation that covered the following:

ANNUAL REPORT  
CITY OF FLAGSTAFF – ARTS & SCIENCES  
ARTS COUNCIL/CITY CONTRACT  
ART & SCIENCE FUND GRANTS

Ms. Voegler continued the presentation.

FLAGSTAFF365.COM  
THE ARTBOX INSTITUTE  
FIRST FRIDAY ARTWALK  
ARTWALK – INTERACTIVE ONLINE MAP  
COCONINO CENTER FOR THE ARTS  
VIOLA AWARDS  
INCREASE OPPORTUNITIES  
YOUTH ACCESS TO THE ARTS

Mr. Tannous continued the presentation

ART & SCIENCE FUND GRANTS

RETURN ON INVESTMENT  
ROI: LOCAL TAX REVENUES  
ROI: TOURISM REVENUE  
RETURN ON INVESTMENT  
COMING IN 2016  
THANK YOU!

Mayor Nabours asked how much money the Arts Council receives from BBB revenues. Mr. Tannous stated that \$300,000 is re-granted out into the community with an additional \$73,000 covering the support of the programs and administration. Mayor Nabours asked if they receive any other funding that goes into the grants. Mr. Tannous explained that they do not receive additional funding for grants, however, they do receive funding from a number of other local, regional and national sources that supports their programs.

Councilmember Brewster stated that the Arts Council has been doing a great job and she looks forward to continuing the partnership.

**8. Sustainability Commission and Plastic Bag Focus Group's Recommendations Concerning Plastic Bags. (At the request of the City Council, the Sustainability Commission and Interim City Manager's Plastic Bag Focus Group will provide an overview of recommendations for plastic bag management in Flagstaff as presented to City Council in 2015.)**

Sustainability Manager Nicole Woodman addressed Council stating that she would be reviewing the recommendations provided by the Sustainability Commission and the Plastic Bag Focus Group. She introduced Kevin Ordean on behalf of the Sustainability Commission and Kathy Flaccus, Moran Henn, and Rob Wilson on behalf of the Plastic Bag Focus group who will be presenting information as well.

Ms. Woodman provided a PowerPoint presentation that covered the following:

MANAGING PLASTIC BAGS IN FLAGSTAFF  
BACKGROUND

Mr. Ordean continued the presentation.

SUSTAINABILITY COMMISSION  
SUSTAINABILITY COMMISSION'S RECOMMENDATION FOR A PLASTIC BAG BAN

Moran Henn, Kathy Flaccus, and Rob Wilson continued the presentation.

PLASTIC BAG FOCUS GROUP  
PLASTIC BAGS FOCUS GROUP PHASE 1  
PLASTIC BAGS FOCUS GROUP PHASE 2  
PLASTIC BAGS FOCUS GROUP PHASE 3 AND PHASE 4  
PLASTIC BAGS FOCUS GROUP ADDITIONAL CONSIDERATIONS

Councilmember Oravits asked where the funding for the recycling program comes from. Ms. Woodman explained that the funding is generated from the Environmental Assessment Fee that is on each water bill. The recommendation of increasing that fee by one dollar would result in approximately \$68,000.

Mayor Nabours stated that there had been previous discussion about moving forward with a

voluntary education program; he asked what has been done and the current status of the program. Ms. Woodman explained that the City has had a voluntary recycling program since 2008 and programming has been continued and improved since that time. Stores have strict policies in place regarding bag use. Staff has been able to do some free reusable bag giveaways at the stores that have allowed it. There are also free reusable bag distribution centers at three different locations where thousands of bags have been distributed to people in the community. There is a robust social media campaign and staff continues to do education and outreach throughout the community.

Councilmember Oravits asked how outreach is being done with the stores and if there has been any effort to encourage cashiers to ask about reusable bags. Ms. Woodman stated that staff has tried to work with grocery stores and what they have found is that the stores refer the City back to their corporate offices. There are a lot of policies determined at the corporate level; for example, the average bag load is 2.4 items and there has been little success in attempting to increase that number. It has been difficult to get time with the stores but staff continues the education piece as much and as often as they can.

Councilmember Oravits asked if there has been talk about the bag distribution centers being put in stores. Ms. Woodman stated that there is a limited budget and at this time there is not enough funding to supply distribution centers. She stated that Sustainability and Solid Waste has partnered to initiate a reusable bag bank and work to target areas in the community that could benefit from them.

Councilmember Evans stated that she would like to see the City begin Phase 1 and Phase 2 as soon as possible and she requested information on the actual budget for those phases. Staff has done what they can on a voluntary basis and she feels that it is time to do more than that.

**9. Briefing on the Launch of the Flagstaff Community Forum, Online Civic Engagement Platform.**

Comprehensive Planning Manager Sara Dechter introduced Nick Barry, Marlena Medford and Rob Hines with Peak Democracy. She provided a PowerPoint presentation that covered the following:

FLAGSTAFF COMMUNITY FORUM  
ENGAGEMENT CYCLE  
GOALS OF ONLINE CIVIC ENGAGEMENT  
TWO PARTICIPATION CHANNELS TO THE RESCUE!  
BENEFITS TO FORUM VISITORS  
BENEFIT TO POLICY MAKERS AND STAFF  
TYPES OF FORUM TOPICS  
PEAK DEMOCRACY SUPPORT SERVICES  
BENEFITS/WORK TO DO  
LET'S TAKE A LOOK

Ms. Dechter provided a tour of the website and a demonstration of how the portal works.

Councilmember Oravits asked how the portal is different than placing something on Facebook for comment. Ms. Dechter explained that the portal allows the City to combine the various different audiences from social media and grow them together. For example, the Regional Plan Facebook page has 250 people who have liked it and the Sustainability page has over 4,000, this program helps to combine that audience and instead of having to post on several different

pages, the portal gives a central area for people to get information, make comments and provide input. Additionally, the portal is better set up to keep people on topic. Councilmember Oravits asked if there is someone who has to moderate the topics. Mr. Barry explained that Peak Democracy moderates all the comments and off topic comments are quite rare; people that are participating are there for the specific topic and to provide input. Councilmember Oravits asked if there is a way to require all participants to register to make sure staff is not fielding hundreds of comments from people who are unassociated with Flagstaff. Ms. Dechter explained that the moderator can flag posts and IP addresses to make sure the topic is not being overrun by the same person. Staff gets notification if there are uncivil or off-topic comments. The feedback of those who are registered allow staff to use the mapping feature to show if they live in or out of the city limits, are on the NAU campus or other various parts of the City. Comments received from a national forum are able to be filtered out should it be identified that they are unassociated with Flagstaff.

Ms. Dechter added that the cost is currently \$9,000 for a one year subscription. If the City were to renew for a three or five year contract there would likely be some savings. The portal is currently being funded from leftover monies in the Regional Plan budget but ongoing it may be part of the Communications budget.

**10. Discussion of Marriott Property Acquisition / Development Agreement (*SEE ITEM 15-D ON THE JANUARY 19, 2016, DRAFT AGENDA PACKET*)**

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

MARRIOTT RESIDENCE INN

APPROVED SITE PLAN

4 story building with 110 units

8 foot setback from property line and building face

2.5-3 feet that encroach into the public right of way at Aspen/Beaver

ITEMS FOR CONSIDERATION

APPROVED SITE PLAN

EXACTION VS. ACQUISITION

PROPOSED ROW TRANSACTIONS

DEVELOPMENT AGREEMENT TERMS

ADA RAMP RELOCATION TO ASPEN

APPROVED SITE PLAN RECONFIGURED

WHY WIDEN HUMPHREYS STREET?

WHY PURCHASE RIGHT-OF-WAY NOW?

OPTIONS

Vice Mayor Barotz asked what the rationale was for including a property purchase in a development agreement rather than pursuing a purchase contract with adequate protections for buyers and sellers. Mr. Folke explained that staff was advised that a development agreement was a good avenue for this kind of transaction. Vice Mayor Barotz stated that a purchase agreement could be as long as the development agreement with protections and rights and responsibilities of each party. She feels that it is a bad strategy in terms of protecting the City. Mr. Solomon acknowledged that it is a good point and stated that an executive session could be done should the Council wish to discuss it further.

Mayor Nabours asked if the transfer of property would happen in escrow with title insurance. Mr. Folke stated that it would. Right now the development agreement talks about the transfer happening prior to the Certificate of Occupancy being issued so there is no specific date that it would occur on.

Councilmember Putzova asked how the Arizona Department of Transportation (ADOT) was involved with the conversation and agreement. She asked if the City approached ADOT to have them purchase the land. Mr. Folke explained that there is a standard distribution list for site plan reviews and staff solicits comments from all of them. He was not involved in any meetings with ADOT but Community Development Director Mark Landsiedel and City Engineer Rick Barrett have met with them monthly to discuss various projects. Mr. Landsiedel offered that there has been many conversations with ADOT about the potential future widening of Humphreys. FMPO Manager Dave Wessel presented to Council a few months ago about the funding required to do the widening and that it was not currently available. As this development came forward the City talked to ADOT about the daily traffic loads and asked them if they wanted to do right turn lanes into the project or continue to seek funding for a widening project. ADOT expressed that they are interested in the widening project should funding become available and the right of way is acquired.

Councilmember Evans asked about the parking option and what Marriott has agreed to. Mr. Folke stated that the language is not as strong as staff would like in the development agreement; he explained that currently the draft agreement talks about future considerations and the garage. It recognizes that the City and the Developer recognize the need for a parking garage and when the time comes for the garage to be considered the Developer agrees to evaluate the use of the parcel. Staff went back and forth with the developer on the language looking for more of a commitment but there is concern about limitations being put on the parcel. Mayor Nabours asked if the City moved forward with a parking garage and had access to Marriott's surface parking south of Aspen Avenue, a much more effective parking garage could be developed. If Marriott were to get the same number of parking spaces they had with the surface lot they would likely be willing to go along with it and the City would end up with a much more efficient parking garage. Mr. Folke stated that there would definitely need to be some assurances for the same amount of parking spaces but the idea would be to have a multi-level parking structure and the City and Marriott would have to work out the terms of how it is constructed, the funding sources and how any revenue would be allocated. It was something that staff felt was important to include in the development agreement. While it plans for future options the language does not really commit either party and staff felt that it was better than nothing.

Mr. Landsiedel stated that one of the things staff considered was that as of today, Humphreys is ADOT jurisdiction; when the widening project gets funding it may well be one of the roads the City takes over as a route transfer. If so, the City would now have the ability to bring the right of way as a local contribution should it be an ADOT project.

Councilmember Putzova stated that she would like to understand what it means legally to explore the use of the parcel and what the developer is committing to in the agreement. Mr. Solomon stated that he would be more comfortable discussing that question in executive session.

Vice Mayor Barotz stated that she would like to see the comps for how the value of the property was determined. Mr. Folke indicated that he is happy to provide that information to the Council. He stated that what the developer will be purchasing is more than fair market value.

Councilmember Oravits asked where the money for the right of way purchase will come from. Deputy City Manager Barbara Goodrich explained that the answer is two-fold; because of the robust building activity over the last few years' sales tax and building revenues have been boosted and the funding would come from those additional revenues over budget. Because the maximum appropriations are set with the budget the City would borrow appropriation from a transportation project to fund the acquisition in the current year. She indicated that there should

be no impact to the other projects because typically they are not all completed each year and have to be carried forward into the next budget year anyway.

Vice Mayor Barotz asked if staff can provide more information on the proposal to widen Humphreys at the meeting next week. It is an important decision in conjunction with a development agreement and there has been no discussion with the public about the potential widening. She also requested a map that shows what the widening would look like.

Terry Madeksza addressed Council on behalf of the Flagstaff Downtown Business Alliance. She stated that they are in support of the project and are excited to have new hotel rooms in the downtown. They are also excited about the future of the surface parking lot and what it might be long term.

**Moved by** Vice Mayor Celia Barotz, **seconded by** Councilmember Coral Evans to convene into Executive Session for legal advice concerning the Marriott property acquisition.

**Vote:** 7 - 0 - Unanimously

After noticing that proper notice was not on the agenda to recess into executive session the session immediately recessed and returned to regular session.

**11. Review of Draft Agenda Items for the January 16, 2016, City Council Meeting.\***

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

None

**12. Public Participation**

None

**13. Informational Items To/From Mayor, Council, and City Manager; Future Agenda Item Requests.**

Councilmember Evans stated that she received an email from an individual about phone numbers and addresses on board and commission applications and those being posted in the Council agendas online to the public. She asked if staff can look at possibly removing phone numbers and addresses from the public packet.

She also reported that she received an email about the timing of various public meetings and how they often conflict with each other. She suggested developing a master schedule of these types of meetings and encouraging developers to try and avoid scheduling public meetings that conflict with other public meetings.

Vice Mayor Barotz thanked the Public Works staff for their efforts during the last snow storm. She understands the berm issue that the public gets frustrated about but feels that the staff is doing the best they can do and she appreciates their efforts.

Councilmember Oravits stated that during the snow he had the opportunity to do an interview with ABC 15 and mentioned the sled debris. He suggested talking with ADOT about putting a witty sign on the overhead signs coming into town asking people to haul out what they bring in.

He also reported that he went down to Phoenix for the opening day of the legislative

session. He received some very positive news about the bill for the Veteran's Home and getting it moved through the session successfully.

Mr. Copley stated that City staff have been working hard to clear all of the city owned sidewalks. Staff will continue to discuss and work through the issue of removing the blockages of sidewalk access as quickly as possible.

He added that he will have his first meeting with some of the larger businesses in town to discuss housing options and identifying solutions for workforce housing.

Lastly, the weather caused the Utility Rate Discussion to be postponed; staff is looking for dates to reschedule and will be contacting Council soon for schedule availability.

Mayor Nabours stated that there is a constant issue of people shoveling their sidewalk during and after a snow storm only to come back out to find it covered again. He asked if there was a way to plow closer to the curb in an effort to reduce the amount of snow that is put back on the sidewalk with subsequent passes. Public Works Director Erik Solberg addressed Council stating that the City has a lot of new snow plow drivers this year. The protocol is to try and set the snow berm the first time and then build upon it. The operators try but it is difficult. Supervisors are working with the newer drivers to help them identify landmarks for the curbs and hopefully this will help in the future and correct some of the problem.

#### **14. Adjournment**

The Flagstaff City Council Work Session of January 12, 2016, adjourned at 8:04 p.m.

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MAYOR

ATTEST:

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CITY CLERK