

AGENDA

REGULAR COUNCIL MEETING
TUESDAY
JULY 17, 2012

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
12:00 NOON AND 5:30 P.M.

12:00 NOON MEETING

Individual Items on the 12:00 noon meeting agenda may be postponed to the 5:30 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 _____

COUNCILMEMBER ORAVITS _____

VICE MAYOR EVANS _____

COUNCILMEMBER OVERTON _____

COUNCILMEMBER BAROTZ _____

COUNCILMEMBER WOODSON _____

COUNCILMEMBER BREWSTER _____

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.

3. BOARD AND COMMISSION APPOINTMENTS

The City Council may vote to discuss appointments in executive session pursuant to A.R.S. § 38.431.03(A)(1). The names of the applicants may be obtained by contacting the City Clerk.

- A. [Consideration of Appointments: Councilmember liaisons to boards and commissions, Coconino County Boards and councils, and various community boards and councils.](#)**

RECOMMENDED ACTION:

Make Council liaison appointments to the City's boards and commissions, Coconino County boards and councils, and various community boards and councils.

4. LIQUOR LICENSE PUBLIC HEARINGS

- A. [Consideration and Action on Liquor License Application: Charles Hoyt, "Louie's Chicken Shack", 1926 N. 4th St., #8B, Series 12, New License.](#)**

RECOMMENDED ACTION:

Open the public hearing.
Receive citizen input.
Close the 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.

- B.** [Consideration and Action on Liquor License Application: Omar Castro, "Cyndie's Pizza", 2116 E. Route 66, Series 07, Person Transfer and Location Transfer.](#)

RECOMMENDED ACTION:

Open the public hearing.
Receive citizen input.
Close the 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.

- C.** [Consideration and Action on Liquor License Application: Justin Volkenant, "Bun Huggers", 901 S. Milton Road, Suite A, Series 12, New License.](#)

RECOMMENDED ACTION:

Open the public hearing.
Receive citizen input.
Close the 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.

- D.** [Consideration and Action on Liquor License Application: Glenn Meinen, "Cyrano's Seafood & Chophouse", 1850 N. Fort Valley Road, Series 12, New License.](#)

RECOMMENDED ACTION:

Open the public hearing.
Receive citizen input.
Close the 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.

E. [Consideration and Action on Liquor License Application: Mark Wagner, "Chevron", 1785 S. Railroad Springs Blvd., Series 09, Person Transfer.](#)

RECOMMENDED ACTION:

Open the public hearing.
Receive citizen input.
Close the 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.

F. [Consideration and Action on Liquor License Application: H.J. Lewkowitz, "Museum of Northern Arizona", 3101 N. Fort Valley Road, Series 07, Person Transfer and Location Transfer.](#)

RECOMMENDED ACTION:

Open the public hearing.
Receive citizen input.
Close the 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.

G. [Consideration and Action on Liquor License Application: Angela Thomas, "A'scentual Beauty Boutique", 12 E. Route 66, #102, Series 10, New License.](#)

RECOMMENDED ACTION:

Open the public hearing.
Receive citizen input.
Close the 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.

5. CONSENT ITEMS

ALL MATTERS UNDER 'CONSENT AGENDA' ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTING 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 Purchase Under State Contract: All-wheel-drive motor graders with snow wing attachments.

RECOMMENDED ACTION:

Approve the purchase under State Contract of two all-wheel-drive motor graders with snow wing attachments in the amount of \$468,814.92, plus the trade in of two non all-wheel-drive 1986 and 1989 motor graders and a 1984 D7G dozer.

B. Consideration and Approval of Construction Contract: Woodlands Village Blvd. Median and Edge Improvements Project.

RECOMMENDED ACTION:

1. Approve the construction contract with R.K. Sanders Inc. in the amount of \$384,297.90 which includes a \$42,570 (11%) contract allowance for accommodation of unanticipated field issues and a contract time schedule of 100 calendar days; and
2. Approve administrative Change Order Authority to the City Manager in the amount of \$34,172 (10% of bid contract amount, less allowance) to cover potential costs associated with unanticipated items of work; and
3. Authorize the City Manager to execute the necessary documents.

C. Consideration and Approval of Construction Contract: Coconino/ Elden/Humphreys 2010 bond improvements projects.

RECOMMENDED ACTION:

1. Approve the construction contract (including the Base Bid and the Additive Alternate) with Eagle Mountain Construction in the amount of \$1,285,353.00 which includes a \$70,000.00 contract allowance and a 120 calendar day contract time;
2. Approve administrative change order authority in the amount of \$61,000 (5% of the contract amount, less allowance) to cover potential costs associated with unanticipated items of work; and
3. Authorize the City Manager to execute the necessary documents.

D. [Consideration and Approval of Construction Contract: Shadow Mountain Phase I: Linda Vista Valley gutters.](#)

RECOMMENDED ACTION:

1. Approve the construction contract with Eagle Mountain Construction, Inc. in the amount of \$212,566 with a 90 day contract time ;
2. Approve change order authority in the amount of \$21,256 (10%) of the contract amount to cover potential costs associated with unanticipated items of work; and
3. Authorize the City Manager to execute the necessary documents.

E. [Consideration and Approval of Intergovernmental Agreement: Dispatch services.](#)

RECOMMENDED ACTION:

Approve the Intergovernmental Agreement with Highlands Fire District.\

F. [Consideration and Approval of Intergovernmental Agreement/Joint Project Agreement: Airport Pavement Management Program System.](#)

RECOMMENDED ACTION:

Approve the Intergovernmental Agreement/Joint Project Agreement with the State of Arizona Department of Transportation Aeronautics Division in the amount of \$453,060.80, plus a City match of \$50,340.20.

6. [ROUTINE ITEMS](#)

A. [Consideration of Appointments: On Call Judges for the Flagstaff Municipal Court.](#)

RECOMMENDED ACTION:

Appoint on-call judges as follows: Paul Christian, Gerald McCafferty, Tom Miller, Jennifer Nagel, Warren Sanford, Susan Slasor, and Sandra Wagner

- B. [Consideration and Adoption of Resolution No. 2012-27: A resolution of the City Council of the City of Flagstaff authorizing signatures for checks and payment vouchers.](#)

RECOMMENDED ACTION:

Read Resolution No. 2012-27 by title only.
Adopt Resolution No. 2012-27.

- C. [Consideration of Resolution 2012-29: A resolution of the City Council of the City of Flagstaff, Arizona, granting a public utility easement to Arizona Public Service Company at 1800 N. El Paso Flagstaff Road.](#)

RECOMMENDED ACTION:

Read Resolution No. 2012-29 by title only.
Adopt Resolution No. 2012-29.

7. **PRESENTATION OF CITY MANAGER'S AWARDS**

RECESS

5:30 P.M. MEETING

8. **RECONVENE REGULAR MEETING**

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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9. **PLEDGE OF ALLEGIANCE, INVOCATION, AND VISION STATEMENT**

VISION STATEMENT

The City of Flagstaff will be a sustainable, safe and vibrant community retaining the character, high quality of life and charm of a small town. Flagstaff will offer economic opportunities, educational choices, attainable housing, a protected environment and cultural and career opportunities to a diverse population.

10. **ROLL CALL :**

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

| | |
|------------------------------|-----------------------------|
| MAYOR NABOURS _____ | COUNCILMEMBER ORAVITS _____ |
| VICE MAYOR EVANS _____ | COUNCILMEMBER OVERTON _____ |
| COUNCILMEMBER BAROTZ _____ | COUNCILMEMBER WOODSON _____ |
| COUNCILMEMBER BREWSTER _____ | |

11. **APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

No items were submitted.

PUBLIC PARTICIPATION.

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12. **CARRY OVER ITEMS FROM THE 12:00 NOON AGENDA**

13. **PUBLIC HEARING ITEMS**

No items were submitted.

14. **REGULAR AGENDA**

- A. [**Consideration and Approval of Grant Agreement: Route 66 Flagstaff Urban Trails System rest stop interpretive signage.**](#)

RECOMMENDED ACTION:

Approve the Grant Agreement with the National Park Service in the amount \$8,750.00.

- B.** [Consideration and Approval of Settlement Agreement: Presidio in the Pines Homeowners Association, Inc., Tru-Built Construction, Inc., Majestic Presidio, LLC, Par Partners, LLC, Doucette Flagstaff I, LLC, and Presidio Financial, LLC.](#)

RECOMMENDED ACTION:

Approve the settlement agreement.

- C.** [Consideration and Adoption of Resolution No. 2012-31: A resolution approving the Third Supplement to the Development Agreement between the City of Flagstaff and Miramonte Arizona, LLC.](#)

RECOMMENDED ACTION:

Read Resolution No. 2012-31 by title only.
Adopt Resolution No. 2012-31.

- D.** [Consideration and Approval of Lease of City-Owned Property: Snow play recreational area on the northeast portion of McMillan Mesa.](#)

RECOMMENDED ACTION:

1. Approve the Lease Agreement with D&C Maintenance and Snow Plowing, L.L.C., for an annual lease fee of \$3,000 for the winter season of operation; revenue share, based on gross revenue less sales tax, of 5.5% up to \$400,000; 7.5% from \$400,001 to \$600,000; and 9.5% from \$600,001 and higher; with an initial term of ten (10) years and an option for two 5-year extensions upon mutual written agreement between both parties; and
2. Authorize the City Manager to execute the necessary documents.

- E.** [Consideration and Adoption of Resolution No. 2012-30: A resolution of the Council of the City of Flagstaff, Arizona, ordering and calling a special debt authorization election to be held on November 6, 2012, in and for the City of Flagstaff, Arizona, to submit to the qualified electors thereof questions with respect to the sale and issuance of various purpose bonds of the City of Flagstaff, Arizona.](#)

RECOMMENDED ACTION:

Read Resolution No. 2012-30 by title only.
Adopt Resolution No. 2012-30.

15. DISCUSSION ITEMS

- A. [Discussion/Consideration of Zoning Code Amendment: A-frame signs.](#)

RECOMMENDED ACTION:

Discuss and provide direction.

- B. [Consideration/Discussion: August City Council Retreat.](#)

RECOMMENDED ACTION:

Discuss format and facilitation issues related to the August City Council Retreat

PUBLIC PARTICIPATION

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

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 _____, 2012.

Margie Brown, MMC, City Clerk