NOTE: IN ACCORDANCE WITH PROVISIONS OF THE ARIZONA REVISED STATUTES AND THE FLAGSTAFF CITY CHARTER, THE SUMMARIZED MINUTES OF CITY COUNCIL MEETING ARE NOT VERBATIM TRANSCRIPTS. ONLY THE ACTIONS TAKEN AND DISCUSSIONS APPEARING WITHIN QUOTATION MARKS ARE VERBATIM. AUDIO RECORDINGS OF CITY COUNCIL MEETINGS ARE ON FILE IN THE CITY CLERK'S OFFICE.

SUMMARIZED MINUTES
COUNCIL MEETING

March 6, 2012
12:00 p.m.

A meeting of the Flagstaff City Council was held on March 6, 2012 convening at 12:00 p.m. in the Council Chambers at City Hall, 211 West Aspen Avenue, Flagstaff, Arizona.

CALL TO ORDER

The meeting was called to order by Mayor Presler.

1. ROLL CALL

On roll call, the following were present:

Mayor Presler

Vice Mayor Barotz
Councilmember Brewster
Councilmember Evans, excused
Councilmember Overton
Councilmember White

Also present were:

Kevin Burke, City Manager
Rosemary Rosales, City Attorney

SWEARING-IN CEREMONY OF NEWLY-APPOINTED COUNCILMEMBER

Presiding Magistrate Tom Chotena administered the Oath of Office to newly-appointed Councilmember Mark Woodson.

RECESS FOR BRIEF RECEPTION FOR NEWLY ELECTED COUNCILMEMBER

Mayor Presler recessed the Council meeting to hold a reception for Councilmember Mark Woodson.

RECONVENE INTO COUNCIL MEETING

Mayor Presler reconvened the Council meeting.

ROLL CALL OF NEW COUNCIL

Mayor Presler

Vice Mayor Barotz

Councilmember Brewster

Councilmember Evans, excused

Councilmember Overton

Councilmember White

Councilmember Woodson

2. PUBLIC PARTICIPATION

3. BOARD AND COMMISSION APPOINTMENTS

A. Consideration of Applicants for Appointments: Sustainability Commission. [The City Council may vote to discuss this matter 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.]

RECOMMENDED ACTION: Make one appointment to a partial term expiring October, 2013.

Councilmember White moved to appoint Aregai Trecle to a partial term expiring October 2012. Motion seconded by Vice Mayor Barotz and carried unanimously.

B. Consideration of Applicants for Appointments: Beautification and Public Art Commission. [The City Council may vote to discuss this matter 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.]

RECOMMENDED ACTION: Make one appointment to a design professional term expiring June, 2012; and one appointment to an arts community term expiring June, 2013.

Councilmember Brewster moved to appoint Peter Schaafsma to a design professional term expiring June 2012; and appointed Heather Malloy to an arts community term expiring June 2012. Motion seconded by Vice Mayor Barotz and carried by a unanimous vote.

4. LIQUOR LICENSE PUBLIC HEARINGS

A. Consideration of and Action on Liquor License Application: Ramesh Gauchan, "Delhi Palace Cuisine of India", 2700 S. Woodland Village Boulevard, #640, Series 12 New License.

RECOMMENDED ACTION: Open the public hearing.
Receive citizen input.
Close the public hearing.

The 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.

Councilmember White moved to open the public hearing. The motion was seconded by Councilmember Overton. Motion carried unanimously.

There being no public input, Councilmember Overton moved to close the public hearing, seconded by Councilmember White. Motion passed unanimously.

Councilmember White moved to forward the application to the State with a recommendation for approval. Councilmember Brewster seconded the motion, which carried by a unanimous vote.

5. CONSENT ITEMS

A. Consideration and Approval of Annual Audit Reports: Fiscal year ending June 30, 2011.

RECOMMENDED ACTION: Approve the June 30, 2011 Comprehensive Annual Financial Report; and the Single Audit Report and Schedule of Financial Awards.

Councilmember Overton moved to take the recommended action. Motion seconded by Councilmember White and carried upon unanimous vote.

B. Consideration and Approval of Payment: Reclaimed water connection rebates.

RECOMMENDED ACTION: Approve the rebate payments to Flagstaff Unified School District in the amount of $2,403.15 and Lone Tree Investment, LLC in the amount of $107,495.19.

Councilmember White moved to approve the recommended action. Motion seconded by Councilmember Overton and carried unanimously.

6. ROUTINE ITEMS

A. Consideration and Possible Adoption of Ordinance No. 2012-02: An ordinance adopting that certain document entitled "2012 Amendments to Chapter 9-01, Traffic Code, Providing for Specifically Enumerated Standing, Stopping and Parking offenses; Clarifying the Imposition of Civil Sanctions; and Providing for the Appointment of Unarmed Police Aides, Traffic Investigators and Volunteer Parking Enforcement Personnel"; and declaring an emergency.

RECOMMENDED ACTION:

(1) Move to read Ordinance No. 2012-02 for the first time by title only.
(2) Move to amend Ordinance No. 2012-02 by adding a new Section 3 as read into the record.
(3) Vote on the motion to amend.
(4) Vote on the motion to read Ordinance No. 2012-02 for the first time by title only.
(5) Move to consider the reading of Ordinance No. 2012-02 for the final time by title only (*requires unanimous affirmative vote.*)
(6) Upon unanimous vote above, move to read Ordinance No. 2012-02 for the final time by title only.
(7) Adopt Ordinance No. 2012-02 (*requires supermajority in favor)*.

Mayor Presler moved to go into Executive Session. Motion seconded by Councilmember Overton. Motion carried unanimously.

Upon convening from Executive Session Councilmember Brewster moved to read Ordinance No. 2012-02 for the first time by title only. Motion seconded by Councilmember White and carried upon a unanimous vote. Title was read as follows:

ORDINANCE NO. 2012-02

An ordinance adopting that certain document entitled "2012 Amendments to Chapter 9-01, Traffic Code, Providing for Specifically Enumerated Standing, Stopping and Parking offenses; Clarifying the Imposition of Civil Sanctions; and Providing for the Appointment of Unarmed Police Aides, Traffic Investigators and Volunteer Parking Enforcement Personnel"; and declaring an emergency.

Mayor Presler moved to amend Ordinance No. 2012-02 by adding a new Section 3 as read into the record: .

"SECTION 3. That Section 9-01-0001-0003(F)(3) be stricken and replaced with the following language:

> "3. Limited Time Parking Areas: It is unlawful to park any vehicle in violation of any restriction so signed or marked."

Motion seconded by Councilmember White and carried unanimously.

Councilmember White moved to consider the reading of Ordinance No. 2012-02 for the final time by title only. Motion seconded by Councilmember Brewster. Motion carried upon unanimous vote.

Councilmember White moved to read Ordinance No. 2012-02 for the final time by title only. Motion seconded by Councilmember Brewster which carried upon a unanimous vote.

Councilmember White moved to adopt Ordinance No. 2012-02, seconded by Councilmember Brewster. Motion carried unanimously.

B. Consideration and Adoption of Resolution No. 2012-11: A resolution of the Mayor and City Council of Flagstaff, Arizona, appointing Election Boards for the mail ballot Primary Election to be held in the City of Flagstaff, Arizona, on Tuesday, March 13, 2012.

RECOMMENDED ACTION: Read Resolution No. 2012-11 by title only.
Adopt Resolution No. 2012-11.

Councilmember Overton moved to take the recommended action. Motion seconded by Councilmember Brewster. Motion carried unanimously. Title was read as follows:

RESOLUTION NO. 2012-11

> A resolution of the Mayor and City Council of Flagstaff, Arizona, appointing Election Boards for the mail ballot Primary Election to be held in the City of Flagstaff, Arizona, on Tuesday, March 13, 2012.

Councilmember Woodson moved to adopt Resolution No. 2012-11. Motion seconded by Councilmember Brewster and motion carried unanimously.

7. RECESS

5:30 P.M. MEETING

RECONVENE REGULAR MEETING

The meeting reconvened at 5:39 p.m. and Mayor Presler called the meeting back to order.

8. PLEDGE OF ALLEGIANCE, INVOCATION, AND VISION STATEMENT

Mayor Presler asked those present to stand for the Pledge of Allegiance, the reading of the Vision Statement, and the Invocation.

9. ROLL CALL

On roll call the following were present:

Mayor Presler

Vice Mayor Barotz
Councilmember Brewster
Councilmember Evans
Councilmember Overton
Councilmember White
Councilmember Woodson

Also present were:

Kevin Burke, City Manager
Rosemary Rosales, City Attorney

10. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

A. Consideration of Minutes: Regular Council Meeting of January 3, 2012.

RECOMMENDED ACTION: Approve the minutes as submitted/corrected.

Councilmember Overton moved to approve the January 3, 2012 minutes. Motion seconded by Councilmember Evans and carried upon unanimous vote.

11. PUBLIC PARTICIPATION PROCLAMATIONS, AND RECOGNITION OF OUTGOING BOARD AND COMMISSION MEMBERS

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

13. PUBLIC HEARING ITEMS

14. REGULAR AGENDA

A. Consideration and Adoption of Resolution No. 2012-07: A resolution of the City of Flagstaff, Arizona approving an amendment to the Lease Agreement between the City of Flagstaff and Pulliam I, LLC ("Lessee").

RECOMMENDED ACTION: Read Resolution No. 2012-07 by title only.
Adopt Resolution No. 2012-07.

Councilmember Woodson moved to read Resolution No. 2012-07 by title only. Motion seconded by Councilmember Evans and carried unanimously. Title was read as follows:

RESOLUTION NO. 2012-07

A resolution of the City of Flagstaff, Arizona approving an amendment to the Lease Agreement between the City of Flagstaff and Pulliam I, LLC ("Lessee").

Councilmember White moved to adopt Resolution No. 2012-07. Motion was seconded by Councilmember Evans and carried unanimously.

B. Consideration and Adoption of Resolution No. 2012-08: A resolution of the City of Flagstaff, Arizona approving an amendment to the Lease Agreement between the City of Flagstaff and Pulliam II, LLC ("Lessee").

RECOMMENDED ACTION: Read Resolution No. 2012-08 by title only.
Adopt Resolution No. 2012-08.

Councilmember Evans moved to read Resolution No. 2012-08 by title only. Motion seconded by Councilmember Brewster and carried unanimously. Title read as follows:

RESOLUTION NO. 2012-08

A resolution of the City of Flagstaff, Arizona approving an amendment to the Lease Agreement between the City of Flagstaff and Pulliam II, LLC ("Lessee").

Councilmember Brewster moved to adopt Resolution 2012-08, seconded by Councilmember Woodson. Motion carried by a unanimous vote.

C. Consideration and Adoption of Resolution No. 2012-09: A resolution of the City of Flagstaff, Arizona approving an amendment to the Lease Agreement between the City of Flagstaff and Pulliam III, LLC ("Lessee").

RECOMMENDED ACTION: Read Resolution No. 2012-09 by title only.
Adopt Resolution No. 2012-09.

Councilmember Woodson approved the reading of Resolution No. 2012-09 by title only. Motion seconded by Councilmember Brewster and carried unanimously. The title was read as follows:

RESOLUTION NO. 2012-09

A resolution of the City of Flagstaff, Arizona approving an amendment to the Lease Agreement between the City of Flagstaff and Pulliam III, LLC ("Lessee").

Councilmember White moved to adopt Resolution No. 2012-09. Motion seconded by Councilmember Woodson. Motion carried upon unanimous vote.

D. **Consideration and Adoption of Resolution No. 2012-10:** A resolution of the City of Flagstaff, Arizona approving an amendment to the Lease Agreement between the City of Flagstaff and Pulliam IV, LLC ("Lessee").

RECOMMENDED ACTION: Read Resolution No. 2012-10 by title only.
Adopt Resolution No. 2012-10.

Councilmember Woodson moved to take the recommended action to read Resolution No. 2012-10 by title only. Motion seconded by Councilmember Brewster and motion was carried by unanimous vote. Title was read as follows:

RESOLUTION NO. 2012-10

A resolution of the City of Flagstaff, Arizona approving an amendment to the Lease Agreement between the City of Flagstaff and Pulliam IV, LLC ("Lessee")

Councilmember Overton moved to adopt Resolution No. 2012-10, seconded by Councilmember Woodson. Motion carried upon unanimous vote.

E. **Consideration and Adoption of Ordinance No. 2012-03:** An ordinance adopting amendments to Chapter 9 of the Stormwater Management Design Manual to comply with the rainwater harvesting requirements and adopting a new Chapter 6 of the City of Flagstaff Low Impact Development (LID) Guidance Manual.

RECOMMENDED ACTION: Read Ordinance No. 2012-03 for the first time by title only.

Councilmember Evans moved to approve the recommended action. Motion seconded by Councilmember White and carried 6 to 1 with Councilmember Overton opposed. Title was read as follows:

ORDINANCE NO. 2012-03

An ordinance adopting amendments to Chapter 9 of the Stormwater Management Design Manual to comply with the rainwater harvesting requirements and adopting a new Chapter 6 of the City of Flagstaff Low Impact Development (LID) Guidance Manual.

15. DISCUSSION ITEMS

A. Consideration/Discussion: Violence against women issues.

RECOMMENDED ACTION: None.

Discussion followed regarding a report prepared by Acting Police Chief Kevin Treadway regarding Violence Against Women issues including sexual assault. This report was prepared to educate the Council in response to concerns raised by Mayor Presler after reading a newspaper article that provided inaccurate information pertaining to the increase of sexual assaults in 2011 in Flagstaff. It provides accurate information on violence against women community initiatives in 2011, national and state data pertaining to sexual assault reports in 2011, 2011 statistics of sexual assault in Flagstaff, and the police department's goals for furthering initiatives in 2012.

Acting Chief Treadway pointed out that this is a very complicated and serious issue and that representatives from Victim Witness will come before the Council on April 10, 2012 to provide additional information. He also announced that April is Sexual Assault Awareness Month.

B. Consideration/Discussion: Investment policy update.

RECOMMENDED ACTION: None.

Revenue Director Andy Wagemaker pointed out the updates to the current City Investment Policy, which was reviewed and approved without changes by the City Audit Committee on January 30, 2012. This policy updates the City's current Investment Policy using a standardized governmental investment policy, as governed by the Association of Public Treasurers of the United States and Canada. In addition, this policy is now aligned with Arizona Revised Statutes.

16. PUBLIC PARTICIPATION

Resident Cathy Trotta recognized Councilmember Evans' mother for her many years supporting children's programs.

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

The following Council activities past and future were: Greater Arizona Mayor's Conference, Viola awards and Towle Ranch Event, Arizona Department of Transportation dinner and five year planning meeting.

The Council gave staff the following direction:

1) Consideration of turning the Boulder Pointe Park from private to public and the possibility of weaving this concept into the Parks & Recreation Master Plan.
2) Bath salts ordinance update.
3) Money is not free speech" resolution
4) Civil Rights Ordinance
5) Inviting the Mayor from Salt Lake City to discuss best practices they followed in bridging the gap between Mormon position on gay rights/civil rights.

18. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:52 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

STATE OF ARIZONA,)
) ss.
Coconino County.)

I, MARGIE BROWN, 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 March 6, 2012. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 30th day of May 2012.

CITY CLERK