

## MINUTES

WORK SESSION  
TUESDAY, FEBRUARY 26, 2013  
COUNCIL CHAMBERS  
211 WEST ASPEN AVENUE  
6:00 P.M.

### 1. Call to Order.

Mayor Nabours called the Flagstaff Work Session of February 26, 2013, to order at 6:02 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 BREWSTER  
COUNCILMEMBER ORAVITS  
COUNCILMEMBER OVERTON  
COUNCILMEMBER WOODSON

#### Councilmembers absent:

None

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

### 4. Public Participation (Non-Agenda Items Only):

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.

Mayor Nabours recognized Interim City Attorney Michelle D'Andrea and noted the change in the seating at the dais. The City Attorney will now be seated with the Deputy City Managers and the City Clerk.

Donna Creamer, Flagstaff, addressed Council with her thoughts on the Council's TSA decision.

Mayor Nabours provided a brief overview of the procedures for the upcoming item, explaining that the Council is only determining if there is a consensus of Council to place the item on a later agenda for action.

The following individuals addressed Council urging them to support drafting a resolution in support of HB2573 on a later meeting agenda for action:

Elisha Dorfsmith, Flagstaff  
David Scopak  
Two unnamed Flagstaff residents  
Greg Hancock  
Mr. Stavely

Michael Dougan, Flagstaff, addressed Council about his concern with the condition of the streets in Flagstaff.

Lou Anderson, Flagstaff, addressed Council about the condition of the City's infrastructure and his concern with the possibility of raising taxes to get enough money to fix our roads.

Sophia Gatts, Flagstaff, addressed Council about keeping the City in good shape for the tourists who come here.

**5. Preliminary Review of Draft Agenda for the March 5, 2013, 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.*

None.

Mayor Nabours moved agenda item 10 up in the agenda.

**10. Discussion/direction on Resolution of Support for HB2573, Prohibited Governmental Compliance; 2012 NDAA.**

Councilmember Oravits asked Council for support in bringing a Resolution of Support for HB2573. This bill, if passed, will reinforce the Arizona Constitution and civil rights. Mr. Oravits provided background on the 2012 NDAA is and what HB2573 will do if passed.

Mr. James Burton was asked to speak about this item. Mr. Burton provided some personal experiences of his family and read a letter from Gordon Hirabachi. He urged Council to move forward with the resolution.

Some members of Council expressed concern with the short time frame and their ability to make an informed decision in such a short period of time.

There was also concern that this is another resolution that does not directly relate to City operations. Council was encouraged to lobby individually for support of the bill.

There was no Council consensus on taking this item forward to a future meeting.

**6. Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA) Five Year and Long Range Transportation Plan Presentation.**

Barbara Goodrich introduced Jeff Meilback, General Manager and CEO of Northern Arizona Intergovernmental Public Transit Authority (NAIPTA).

Mr. Meilback offered a PowerPoint presentation on NAIPTA's five year transit plan. He then introduced Erika Mazza, Marketing Coordinator for NAIPTA, who explained the public outreach that is planned and the process they will be going through to gather public comment.

Council suggested that NAIPTA start looking into further education of the public through more intimate neighborhood meetings to get the word out about the service and the increase in convenience that NAIPTA is offering. It was suggested that they focus on changing the mindset of the people who are not using the bus on how convenient it can be.

Mr. Meilback indicated that they are in the process of launching a better marketing plan; they want to be sure they are marketing something accurate as well.

A break was held from 7:18 p.m. to 7:31 p.m.

**7. Rio de Flag Flood Control Project - Path Forward Presentation.**

Mark Landsiedel, Community Development Director gave a PowerPoint presentation: He explained that there is likely to be no funding for this project in the future. The current United States Army Corp of Engineers (USACE) system is broken. He gave examples of the slow movement and the increased cost with the Rio de Flag project. The USACE has been unable to explain why the cost continues to increase.

Some time back there was a week long process with City staff and USACE that identified a savings of \$15 million; after the USACE process there was only \$1 million savings and ultimately an increase in total cost of over \$4 million. It has been frustrating.

Benefit cost ratio of this project has continued to decrease due to the time estimated for project completion. With a low benefit cost ratio funding is extremely difficult to obtain at the federal level. There is a lot of frustration with the inconsistent progress with this project and thus the City is looking at other alternatives.

Mr. Landsiedel introduced James Duval, Senior Project Manager, who continued the presentation.

There are four options available at this time:

- OPTION #1 – STAY THE COURSE
- OPTION #2 – SELF ADMINISTRATION
- OPTION #3 – CITY PROJECT
- OPTION #4 – TERMINATE PROJECT

Mr. Burke provided some clarifications for Council to keep in mind.

1. The term *authorization* means paper money. Essentially, the City has the authorization for the project but not the appropriation.
2. The channel referred to as the Northern Reach, while predominate flow is in a closed channel there is an open channel that is more of a hybrid flow to maintain the visual aesthetic of the area.
3. Congress has not adopted a budget in quite some time. This leaves the City in a weird position of how to get funding when there is no budget adopted; funding is based on the prior year so if there is a year with no funding that is likely to continue in future years.
4. It looks as though the project has exceeded the 902 limit; the City is authorized to \$72 million but the cost estimate is now \$92 million, OMB will not consider any funding because the project is beyond the authorized limit.
5. Very few have been successful with self administration, but it is not to say it is not worth pursuing as it has been a trend of late.
6. These options are not mutually exclusive; they can continue with option 1 while pursuing options 2 and 3. They continue to ask for, at a minimum, repair of the Clay Avenue Detention Basin and finish the project design. There is some due diligence to look at what the City-managed project looks like. The \$200,000 needed for the concept design study is already appropriated in the City Budget.

Council asked how far along the designs on the different segments were.

Mr. Duval indicated that the City plans are 90% complete and the USACE side is stated to be at 90%, but there is concern with that number as there seems to be a lot to still be done to get to 100%.

Council asked if staff has done any type of cost estimate if they were to take on the project. Mr. Duval explained that there has not been a cost estimate done as they really want to go down the road of hiring a consultant to help determine the amounts utilizing a similar but smaller design.

Council asked if the City would owe the Federal government any money if this was converted to a City project. Mr. Duval responded there would be no money owed, but instead there may be money owed back to the City.

There was discussion about the cost benefit ratio and how it is determined and the difference between the structural damages versus the economic damages.

Council asked what event the City would need to plan for and accommodate to remove the floodplain downtown and in southside. Mr. Duval responded that a 100-year FEMA event is what would need to be accommodated. He explained that the USACE plans are significantly larger and the thought is that if the City completed this project to FEMA standards there would be a significant cost savings. However, this is why the concept design study is necessary, to determine the cost.

Council suggested that this issue and project could be more than just a City issue, because of the economical impacts GFEC, ECONA and NAU could also be potential partners. Council asked about the difference in the standards between FEMA and USACE.

Malcolm Alter, Stormwater Project Manager, offered that they are separate standards but both federal; the biggest difference is that the USACE has to look fifty years out and that offers more impervious surfaces and structures. FEMA is about insurance.

Council requested that this item be put on a future agenda to see where we are at after the DC trip.

## **8. Wildcat Hill Wastewater Treatment Plant Solids Handling Alternatives.**

Brad Hill, Utilities Director, provided a PowerPoint presentation.

The City has not met the needs and desire of the community by producing A+ water out of the Wildcat Hill Wastewater Treatment Plant.

Mr. Hill introduced Ryan Roberts the Utilities Engineer who continued the presentation.

He said that geo-fabric bags are the quickest option to get going. The City has planned to utilize this method for a two to three year time frame to allow time to develop a long term solution.

The geo-fabric bags will allow them to clean out the basins and move toward compliance with ADEQ. The plant is taking on too many solids, more than it can handle, and this will address that while long term solutions are developed.

Council inquired about a cost estimate for the long term solution. Mr. Roberts provided that the value engineering that was done removed \$5 million from the original design cost so it would be at least that but would estimate upwards of \$15 million with the buildings necessary.

Council asked about the possibility of lowering the permit standard with ADEQ. Mr. Hill indicated that a meeting with ADEQ is scheduled to look at all options for the City to come into compliance.

Council also suggested the possibility of no longer accepting intake from haulers outside the City. There is interest in discussing this option and looking at what the City is charging for this service.

Rudy Preston, Flagstaff, addressed Council about the need to identify and promote ways to reduce overall solids.

David Monihan, Flagstaff, addressed Council with his support of the Utilities Department and the need to continue the process.

Kathleen Nelson, Flagstaff, addressed Council about charging appropriately for the quality of water provided and looking into alternative ways to mitigate solids in the water.

Council asked for Mr. Hill to provide the research previously done on composting toilets.

Council agreed with moving forward with the staff recommendation.

**9. Discussion / direction on participants for upcoming Zoning Map Amendment Process Special Work Session of April 8, 2013.**

Council discussed who would be invited to participate in the discussions about the Zoning Map Amendments.

The meeting will be open to the public and the public will have the opportunity to address Council with their comments.

Council agreed to extend invitations to F<sup>4</sup>, Planning and Zoning Commission Chairperson, Flag 40, NABA or Realtors Association, Chamber of Commerce, Michael Manson, and Mogollon Engineering.

**10. Discussion/direction on Resolution of Support for HB2573, Prohibited Governmental Compliance; 2012 NDAA.**

Moved to earlier in the meeting.

**11. Review of Draft Agenda Items for the March 5, 2013, City Council Meeting.**

None.

**12. Public Participation.**

Rudy Preston, Flagstaff, addressed Council with his concern about changing the agenda order and the effect on public participation.

**13. Informational Items To/From Mayor, Council, and City Manager.**

Councilmember Barotz informed Council that she will not be in town next week as she is traveling to Washington DC.

Councilmember Brewster reported that she had attended the State Tourism Agency dinner in Phoenix. Pulliam Airport was awarded for being one of the best economic drivers in the area.

**14. Adjournment.**

The Flagstaff City Council Work Session of February 26, 2013, adjourned at 10:14 p.m.

---

MAYOR

ATTEST:

---

CITY CLERK