MINUTES

REGULAR COUNCIL MEETING TUESDAY, MARCH 19, 2013 COUNCIL CHAMBERS 211 WEST ASPEN AVENUE 4:00 P.M. AND 6:00 P.M.

4:00 P.M.

1. CALL TO ORDER

Mayor Nabours called the meeting 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.

Councilmembers present: Councilmembers absent:

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

COUNCILMEMBER WOODSON (excused)

Others present: Deputy City Manager Jerene Watson; Interim City Attorney Michelle D'Andrea.

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The Council and audience recited the Pledge of Allegiance and Mayor Nabours read the City's 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. <u>Consideration and Approval of Minutes</u>: March 5, 2013, Special Council Meeting; March 5, 2013, Regular Council Meeting; March 7, 2013, Special Council Meeting; and March 11, 2013, Joint Meeting of the City Council and Coconino County Board of Supervisors.

Councilmember Oravits referred to the bottom of page 10 of the March 5, 2013, Regular Council meeting minutes, noting that it should read "Councilman Oravits" rather than "Councilman Overton."

Councilmember Oravits moved to approve the minutes [of March 5, 2013, Special Council Meeting; March 5, 2013, Regular Council Meeting; March 7, 2013, Special Council Meeting; and March 11, 2013, Joint Meeting of the City Council and Coconino County Board of Supervisors] as amended; seconded; passed 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.

Mark Di Lucido, CD&R Project Administrator of the City's Economic Vitality Division, briefly reviewed the City's new *Vision Flagstaff* program. Mayor Nabours suggested that he get on a future agenda so he had more time to demonstrate the program.

6. **PROCLAMATIONS AND RECOGNITIONS**

None

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).

None

8. LIQUOR LICENSE PUBLIC HEARINGS

A. <u>Consideration and Action on Liquor License Application:</u> Sara Holloway, "Air Cafe", 6200 S. Pulliam Dr. #109, Series 12 (restaurant), New License.

Councilmember Overton moved to open the Public Hearing; seconded; passed unanimously.

There being no public input received, Councilmember Overton moved to close the Public Hearing; seconded; passed unanimously.

Councilmember Oravits moved to forward the application to the State with a recommendation for approval; seconded; passed unanimously.

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 <u>BUDGETED</u> ITEMS.

A. Consideration and Approval of Purchase under Maricopa County Contract:

Aerial Photography and Digital Terrain Model (DTM) Acquisition.

Councilmember Oravits gave a brief demonstration on the differences he has found between the aerial photography software used by Coconino County and Yavapai County, noting that the program used by Coconino County does not work on iPads or iPhones.

A lengthy discussion was held on various programs and their benefits. Information Technology Director Ladd Vagen explained that the photographs used by the City are used internally by various departments and they are more accurate than what is available on sites such as Yavapai County, which are probably provided by Bing.

Robb Krause of the IT Department demonstrated the difference in accuracy available with the City's internal system and public systems utilized by the counties for property information. Mr. Vagen explained that the information used internally by the City could be made available to the public, but it would require more money and manpower.

Councilmember Barotz said that there appeared to be two different issues being addressed—the photographs themselves and the overall software programs.

Discussion was held on the ability to coordinate efforts with the County and their system. Mr. Vagen said that it was his understanding that the County was asked if they were interested in participating with this update and they declined.

Councilmember Oravits moved to postpone this item to next week, and schedule a Special Meeting in case their questions are answered and they are comfortable moving forward with making a motion at that time since time was of the essence; seconded; passed unanimously.

Staff was directed to address the following:

- 1) What software does Yavapai County and Coconino County use?
- 2) Why do some provide access to iPads/iPhones and others do not? What would be required to correct that?
- 3) Who provides Yavapai County's / Coconino County's photographs? Bing? Does Yavapai County receive annual updates from Bing or take their own photographs?
- 4) Who provides the four map layers?
- 5) If we can obtain updated photographs and spend the \$98,000 on upgrading the system, should we do that?
- 6) Do we or can we coordinate with obtaining aerial photographs with Yavapai County? If they contract for their photographs could the City and County take turns with the expense of each update?

10. **ROUTINE ITEMS**

A. <u>Consideration and Approval of Purchase:</u> Solid Waste Trucks New Bid Number 2013-08: Solid Waste Truck: New Chassis with New or Refurbished Body.

Councilmember Overton moved to approve the purchase [under Bid Number 2013-08 from Alliance Refuse Trucks of Gilbert, AZ for one rear load and two front load garbage trucks with new truck cab / chassis and refurbished bodies in the amount of \$530,813 with trade ins]; seconded; passed unanimously.

B. **Consideration to Purchase**: Four (4) Police Interceptor Sedans.

Mayor Nabours said that he had spoken with the owner of Babbitt Ford as to why they did not bid on this purchase, and it was his understanding that the bid asked for Crown Victorias, but Crown Victorias are not produced anymore and can only be obtained through a few dealers. He indicated that if they had known that Police Interceptors would be acceptable they would have bid.

Senior Procurement Specialist Candace Schroeder said that the specifications were written for a "police vehicle." They were hoping to receive bids on Crown Victorias because the City has the additional equipment needed for them, but the specs were written in a way to accept any type of "police vehicle." She said that they received bids for other types of vehicles as well, such as Tahoes and Chargers.

Mayor Nabours asked if the bidders knew that the City had the extra equipment and would have preferred Crown Victorias, and if they may have believed that if a

Crown Victoria was bid at a higher rate than another type of vehicle, the City would still award to the Crown Victoria because of that equipment.

Ms. Schroeder explained that it was an Invitation to Bid and procurement regulations would have required her to award to the lowest, responsible bidder, which in this case was the Police Interceptor.

Mayor Nabours said that the Council would like to be able to take care of local businesses. Ms. Schroeder said that she does, too, and that was why they went with an Invitation to Bid, to allow all dealers to bid. She said that the local dealers knew about the Invitation to Bid and she felt staff did everything they could to provide for that opportunity.

Vice Mayor Evans said that she felt that staff did an excellent job in securing the vehicles, and appreciated their service. She then moved to accept [and approve the purchase of the lowest responsive and responsible bid from Sanderson Ford of Phoenix, for the purchase of four (4) 2013 Ford Police Interceptor Sedans in the amount of \$113,422.72 plus applicable sales tax]; seconded; passed 5-1 with Mayor Nabours casting the dissenting vote.

C. <u>Consideration and Approval of Temporary Use of City-Owned Property:</u>
Located at 216 W. Phoenix Avenue, Flagstaff, AZ 86001

Councilmember Brewster moved to approve the license [with Goodwill Industries for temporary use of a City property located at 216 W. Phoenix Avenue, Flagstaff, Arizona 86001]; seconded; passed unanimously.

D. <u>Consideration of Cost Reimbursement Agreement:</u> An agreement between the City of Flagstaff and the Federal Bureau of Investigation (FBI) to provide overtime reimbursement by the FBI for the formalized Northern Arizona Violent Gang Safe Streets Task Force.

Councilmember Barotz moved to approve the Cost Reimbursement Agreement to receive reimbursement of overtime costs from the FBI; seconded; passed unanimously.

E. Consideration and Approval of Intergovernmental Agreement: Consideration of an Intergovernmental Agreement (IGA) with the City of Williams, City of Page, Northern Arizona University, Coconino County, City of Flagstaff, Town of Fredonia, City of Sedona, Arizona Department of Public Safety, and Arizona Game and Fish Commission for the creation and participation in the Arizona Child Abduction Response Team (CART), Coconino Region.

Councilmember Overton moved to approve [the multi-agency IGA to create and participate in the Coconino Region Arizona Child Abduction Response Team (CART)]; seconded.

Councilmember Brewster asked for staff to explain the difference between this and Amber Alert. Lt. Mansfield said that when they meet the specific criteria an Amber Alert is issued and the department begins their investigation, which can

drain a department's staff. The CART team allows for additional resources to be pulled from a region or state to assist that department. They are currently attempting to become certified as a Regional CART team, which would include agencies throughout northern Arizona.

Motion passed unanimously.

RECESS

The Flagstaff City Council meeting of March 19, 2013, recessed at 4:59 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Nabours reconvened the meeting of March 19, 2013, at 6:03 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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11. ROLL CALL

Councilmembers present: Councilmembers absent:

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

COUNCILMEMBER WOODSON (excused)

Others present: Deputy City Manager Jerene Watson; Interim City Attorney Michelle D'Andrea.

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

None

13. **PUBLIC HEARING ITEMS**

None

14. **REGULAR AGENDA**

A. <u>Consideration and Approval of Grant Application:</u> Arizona Governor's Office of Highway Safety (GOHS) Federal Fiscal Year 2014 for Police Department Applications for DUI Task Force, Youth Alcohol Prevention and Interdiction, Collision Reconstruction Team Training/Equipment, and Fire Department Extrication Equipment.

Grants Manager Stacey Brechler-Knaggs briefly reviewed the requests and Lt. Frank Higgins of the Police Department and Fire Chief Mike Iacona introduced themselves.

Lt. Higgins said that these were ongoing grants that they have received for several years, and this year they were also requesting monies to address underage alcohol consumption.

Chief Iacona said that the Fire Department has also applied for this grant a number of times and this year it would primarily be used for extrication equipment to be used at vehicle accidents.

Ms. Brechler-Knaggs noted that there were no matching funds required; they were 100% federal funds administered through the Governor's Office of Highway Safety.

Vice Mayor Evans moved to approve [the application(s) to the Arizona Governor's Office of Highway Safety (GOHS) for grant funds for the Police Department in the amount of \$45,240 for DUI Task Force activities, \$44,160 for Youth Alcohol Prevention and Interdiction task force, \$24,032 for Collision Reconstruction Team Training/Equipment and \$26,013 for the Fire Department Extrication Equipment]; seconded; passed unanimously.

B. Public Hearing and Consideration / Adoption of Ordinance No. 2013-02: An ordinance amending the Flagstaff City Code, Title 3, Business Regulations, Chapter 3-05, Privilege and Excise Taxes, Division 3-05-004, Privilege Taxes, by amending Section 3-05-004-0430 Timbering and Other Extraction, by deleting a tax exemption for felling, producing or preparing timber for sale or commercial use; amending Section 3-05-004-0475, Transporting for Hire, by deleting tax exemptions related to transporting by motor vehicle outside the City, towing and transportation by railroad, all in an effort to achieve a more uniform Model City Tax Code; and amending Section 3-05-006-0600, Termination, Approval and Authority to Amend Chapter, by making clerical revisions to clarify the history of tax code changes; providing for penalties, repeal of conflicting ordinances, severability, authority for clerical corrections, and establishing an effective date.

Revenue Director Andy Wagemaker said that this was previously discussed at the November 2012 Budget Meeting, and then he reviewed the PowerPoint presentation which addressed:

•BACKGROUND

Governor's TPT Simplification Task Force

Streamline codes

Eliminate "Green Sheet" items specific to municipalities (Flagstaff has 4) Eliminate little used MCTC options in all cities (EE and FF)

•FLAGSTAFF "GREEN SHEET" ITEMS

#1: Tax Expiration Date - Proposed Removal

#2: Railroad Exemption - No business impact Proposed Removal

#3: Timbering Exemption - Proposed Removal (no current Flagstaff business impact)

#4: BBB Ordinance (2% Tax) – Under Review – waiting to see how TPT Task Force handles lodging category

Councilmember Brewster asked if it made any difference if the BBB tax had been approved by the voters. Mr. Wagemaker replied that it did and the League recognizes that. It is a Flagstaff issue to make sure it fits into the broader scheme in the future.

•FLAGSTAFF ONLY OPTIONS:

Local Option EE and FF – Proposed Removal

EE – Out of City Destination Exemption

FF – Towing Exemption

Flagstaff is only City with options selected State Title 28 exempts these transactions

Increase in tax revenue of \$0

City currently issues business license for these businesses

Mayor Nabours noted that different cities have selected different options, such as Phoenix with their food sales tax. Mr. Cheema replied that was correct. The City of Phoenix has chosen to tax their food with a local sales tax, while the City of Flagstaff does not.

Mayor Nabours noted that the end result of the changes tonight has no change to the City's expected revenues. Staff replied that was correct.

Mayor Nabours moved to open the Public Hearing; seconded; passed unanimously.

There being no public input, Mayor Nabours moved to close the Public Hearing; seconded; passed unanimously.

Councilmember Barotz moved to read Ordinance No. 2013-02 by title only for the first time; seconded; passed unanimously.

An ordinance amending the Flagstaff City Code, Title 3, Business Regulations, Chapter 3-05, Privilege and Excise Taxes, Division 3-05-004, Privilege Taxes, by amending Section 3-05-004-0430 Timbering and Other Extraction, by deleting a tax exemption for felling, producing or preparing timber for sale or commercial use; amending Section 3-05-004-0475, Transporting for Hire, by deleting tax exemptions related to transporting by motor vehicle outside the City, towing and transportation by railroad, all in an effort to achieve a more uniform Model City

Tax Code; and amending Section 3-05-006-0600, Termination, Approval and Authority to Amend Chapter, by making clerical revisions to clarify the history of tax code changes; providing for penalties, repeal of conflicting ordinances, severability, authority for clerical corrections, and establishing an effective date.

15. **DISCUSSION ITEMS**

None

16. **PUBLIC PARTICIPATION**

Craig Sheets distributed a handout and addressed concerns with meth labs in the City, noting that he has been traveling the nation and working with the FBI regarding this issue.

17. <u>INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF,</u> REQUESTS FOR FUTURE AGENDA ITEMS

Vice Mayor Evans reported that she attended the headstone placement ceremony for Pvt. Devilbiss of the Arizona Rangers. He and Pvt. Stephen Black were two of the original Arizona Rangers, and they are both buried in Flagstaff. There were Rangers from as far away as Nogales attending the event.

Vice Mayor Evans asked for an update regarding law enforcement at the Old Tourist Home on San Francisco. Mayor Nabours agreed that the Council would like a status report regarding this.

Councilmember Barotz reported on her trip to Washington DC last week, noting that she attended the National League of Cities Conference and also had an opportunity to meet with the State legislators regarding the City's federal legislative agenda. She also attended several meetings with Jeff Meilback from NAIPTA, as they continue to build a bus system within the City. She said that they also met with the Undersecretary of Agriculture regarding the Forest Health program and they were very engaged and supportive. She thanked the City Manager and her colleagues for the opportunity.

Councilmember Brewster reported that she had also visited Washington DC last week with some of her colleagues, meeting with both sides of the aisle on various issues including Rio de Flag and Red Gap.

Councilmember Oravits said that he had e-mailed a proposal on A-frame signs to Mr. Burke and Ms. Watson and was hoping it would be e-mailed to everyone.

He said that it appears that the median work on Fourth Street off of Route 66 is being extended and he has received concerns from constituents regarding access. He asked that it be looked into to see what may be done to address those concerns.

Councilmember Oravits reported that he also attended the trip to Washington DC. He said that it was a very interesting experience and they had some good discussions. He continues to have concerns about how the Federal government operates and more than

ever he believes the City should work toward being self-sufficient and less reliant on grants because of the Federal budget.

Mayor Nabours said that they met with nine different offices just on the Rio de Flag issue and one of the departments mentioned that it was one of the top five "screwed up" projects in the country.

18. **ADJOURNMENT**

The	Regular	Meeting	of	the	Flagstaff	City	Council	of	March	19,	2013,	adjourned	at
6:34	p.m.												

	MAYOR
ATTEST:	
CITY CLERK	_
CEF	RTIFICATION
ARIZONA)	
) ss. Coconino)	
County of Coconino, State of Arizona, a	ify that I am the City Clerk of the City of Flagstaff, nd that the above Minutes are a true and correct the City of Flagstaff held March 19, 2013. I further held and that a quorum was present.
Dated this 2nd day of April, 2013.	
	CITY CLERK