

MINUTES

JOINT SPECIAL COUNCIL MEETING / WORK SESSION
TUESDAY, MARCH 26, 2013
COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
6:00 P.M.

1. Call to Order.

Mayor Nabours called the Flagstaff Joint Special City Council Meeting/Work Session of March 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 (telephonically)
COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON
COUNCILMEMBER WOODSON

Councilmembers absent:

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.

None.

5. Consideration and Approval of Purchase under Maricopa County Contract: Aerial Photography and Digital Terrain Model (DTM) Acquisition.

Ladd Vagen, IT Director, introduced Robb Krause, IT Specialist, who provided a PowerPoint presentation on Geographical Information Systems (GIS).

The last topographic survey was done in 2004 and the last aerial images were done in 2007.

Malcolm Alter, Stormwater Manager, continued the presentation with examples of the use of GIS by the Stormwater section, and Ryan Roberts, Utilities Engineering Manager, continued gave examples of the use of GIS by the Utilities Department.

Lastly, Patrick Bourque, Public Works Section Head, Solid Waste and Fleet, continued the presentation with examples of the use of GIS by the Solid Waste section, specifically the Landfill.

Council clarified the cost breakdown for each of the flights. There is one flight for the aerial photos and one flight for the LiDar photos.

Council asked about the effect of up to date data in responding to emergencies and emergency planning, and if the emergency response would be better with more current data. Staff responded that the emergency response would be better and the preparedness of the responders would be greater. The maps that are being used now do not have the most current data and is not the desired format.

Mr. Burke offered that the City will end up paying for this service one way or another through the various projects that are going on throughout the City. These projects often require recent aerial photos for planning and engineering and the cost of obtaining those photos will be passed through to the City through the contracts. This route offers the biggest return on investment because the entire city can be done at one time versus multiple instances.

Council asked about the impact to citizens. Mr. Alter indicated that updated and correct information is needed to correct the FEMA maps that place a number of citizens in flood plains erroneously. In order to get people out of the floodplain they need this information. Additionally, the current information is critical from a flooding perspective in order to better predict water flow in a flood event. This is why the LiDar and Aerial photography together are vital; they go hand in hand with these predictions.

It was pointed out that the departments requesting this service have more than enough money to cover the cost of the service. The departments budgeted for this service in this fiscal year.

It was asked if there is a way to direct that the funds come from the enterprise funds first and last from the GF accounts. Mr. Burke responded that it was possible to make that distinction if so approved.

It was commented that the enterprise funds should bear a majority of the cost because they utilize the product more frequently.

The following individuals spoke against approval of the contract:

- Gabor Kovacs
- Richard Mihalik

Mayor Nabours moved to approve the purchase with Sanborn Agency through the Maricopa County Contract for Aerial Imaging services in the amount of \$98,188.30 with the limitation that only 20% of that be paid from the General Fund and the remainder be paid from the enterprise funds; seconded; motion failed 2:5 with Vice Mayor Evans, and Councilmembers Barotz, Brewster, Woodson, and Overton casting dissenting votes.

Council commented on the value of the product but concern with the timing.

At 7:06 p.m. Councilmember Brewster was excused from the meeting due to technological issues that prevented her from hearing the Council discussion.

Councilmember Woodson moved to proceed with the purchase contract for aerial imaging services with as much as possible being paid from the enterprise funds as has been previously budgeted; seconded; motion failed 3:3 with Mayor Nabours, and Councilmembers Oravits and Overton casting the dissenting votes.

Councilmember Woodson moved to postpone the issue to the next regular Council meeting; seconded.

There was discussion as to whether this was a valid motion. A break was held from 7:10 p.m. to 7:21 p.m. for staff and the City Attorney to confer.

Mayor Nabours offered clarification that the motion to postpone is allowed. At the next meeting the motions would not be the same motions that have already been made tonight but it could be something a little bit different. At this meeting tonight or after following some procedures at the next meeting there can be a motion to reconsider the issue.

At this time Councilmember Woodson withdrew his motion to postpone the issue to the next regular council meeting; and Vice Mayor Evans withdrew her second.

Councilmember Oravits moved to postpone the issue to the next regular Council Meeting; seconded; passed unanimously.

6. Adjournment

The Flagstaff Joint Special City Council meeting of March 26, 2013, adjourned at 7:24 p.m.

WORK SESSION

1. Call to Order

Mayor Nabours called the Flagstaff Work Session of March 26, 2013, to order at 7:24 p.m.

2. Preliminary Review of Draft Agenda for the April 2, 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.*

Vice Mayor Evans said that she had questions on items 8A and 8B for the applicants. Mayor Nabours indicated that item 8A has been withdrawn by the applicant.

Councilmember Overton requested a PowerPoint presentation on item 10B to better understand how they got there and the finance details.

Councilmember Woodson declared that he would have a conflict of interest with item 10B and would be excusing himself at that time for the discussion.

Councilmember Woodson also requested information on the makeup of the Greater Flagstaff Forest Partnership.

Councilmember Barotz requested information on item 10A specifically related to why the applicant lives in Phoenix but the job is located in Flagstaff.

3. 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.

Jim Cronk, Planning Director, provided Council with a brief update on the Regional Plan. A working draft has been completed and Council will be receiving a copy by the end of the week. Additionally, hard copies will be available for public viewing at a number of locations throughout the City. Mr. Cronk offered an invitation to the public announcement function on Friday, March 29th from 12:00 – 5:00 pm.

4. Flagstaff Cultural Partners - Art Incubator Update.

Laura Kelly, Project Director of Flagstaff Cultural Partners, provided Council with an update on the Arts Incubator.

Ms. Kelly is working to develop a workforce development program for the arts industry. The real idea behind the incubator is providing a safe place for ideas to grow and help develop the marketplace skills of artist to make them more viable.

The long range goal is the acquisition of a building where artists could make their work and show it to the public. The space would include support services, gallery space, and workshop space.

The shorter range goal is the creation of a nine month certificate granting course that is a series of business courses for those in the artist industries. Similar to the structure of the Flagstaff Leadership Program the concept is to develop a cohort that goes through a series of skills, mentoring, interaction, etc. together that yields stronger business skills and networking. Courses offered would include things such as grant writing, public speaking, etc.

The next steps for Flagstaff Cultural Partners is to meet one on one with Councilmembers and other public officials to get feedback and buy in on the process. In addition to these meetings, continued research on programs similar to this in other communities and marshalling the rich palate of resources here in the city (NACET, CC, COF, NAU, etc) and development of the courses themselves are ongoing.

5. Introduction of proposed adoption of the 2012 International Codes and Title 4, 2013 Building Code Amendments.

Mike Scheu, Building Official, provided a history of how the City arrived at this point of adoption.

In July of 2011, the Council approved going to a six year code adoption cycle, bypassing the 2009 Codes and waiting to adopt the 2012 International Codes. In September of 2012, the Insurance Service Organization conducted a review of the Building Code plan review process and building inspection process. Due to not having adopted the most current codes (the 2009 Codes); the City's classification tentatively went from a Class 2 to a Class 9 for residential, commercial and industrial property. The City has until October 2, 2013, to have completed the plan for adopting the 2012 International Building Codes to restore the rating.

Since February 2012 there have been ongoing public code forums for community members to get them updated on the 2012 codes.

Staff is also moving forward with self certification. The City went through the Phoenix process and is working to develop a training program/process for audit.

Council asked about the International Energy Code and the impact to the average single family home. Mr. Scheu indicated that a study was done in Salt Lake City between 2006 and 2011 that showed anywhere from \$1900 to \$2400 increase in addition to what is being paid now.

Additionally House Bill 2404 that is currently in the Senate states that any house listed for a HERS rating of 80 or below meets the state requirement for energy efficiency. This bill will lower the requirement from the international recommendation.

Council expressed a desire to fully understand how the new codes will directly affect consumers and contractors. This is an opportunity to look at the existing code and clean up some of the current standards that have not worked so well since the last adoption.

Mr. Burke offered that if there are any issues or concerns that Council has with the current or proposed code to bring them up to staff now in order to make sure that issues and concerns are identified and addressed in a timely manner with this adoption.

Jim Cronk, Planning Director, pointed out that the code must be adopted by ordinance and suggested combining the first reading with the public hearing and a month later do the second reading. This would allow time for staff to react and adjust to things we hear during the public hearing.

6. Presentation on the City of Flagstaff's Procurement Code Manual.

Rick Compau, Purchasing Director, provided a PowerPoint presentation that provides an overview of the development of the Procurement Code Manual. The City of Flagstaff has not had a manual, but always followed the state procurement regulations. This manual will provide a framework for purchasing.

Council indicated that there have been issues in the past and they have heard complaints associated with Article 7.1A and suggest that the language be beefed up in that section to further establish ethics of its own.

Additionally, Council would like to see public disclosure of all awards, possibly on the City website that indicates what they are for, who was awarded the contract and the dollar amount. It provides transparency and a good indicator of balance.

Council also asked that the manual clarify and further define what is considered a *reasonable good faith effort* and what a *local vendor* is.

The presentation ended at Article 9 with a continuation requested at a later work session.

7. Presentation on the Discussion and Next Steps for the Core Services Maintenance Facility.

Pat Bourque, Public Works Section Head for Solid Waste and Fleet, provided a PowerPoint presentation that gave a brief update on the Core Services Maintenance Facility and available properties identified.

Rick Compau, Purchasing Director, continued the presentation with information on how the new Request for Proposals (RFP) differs from the previous RFP.

Council asked for the RFP information to go out the National Association of Realtors as an outreach tool.

Jill Trompeter, Real Estate Manager indicated that a mailing list of all of the licensed realtors in town was created and that notification will be sent to all of them.

Council inquired about the ability to require attendance at the pre-proposal meeting in order for an RFP to be accepted. Mr. Compau indicated that the City can certainly make this a requirement but it may require a more lengthy advertisement process to allow for time for the information to be integrated appropriately in the bids. Additionally there is the

risk of missing a really good opportunity due to extenuating circumstances preventing attendance.

There was discussion about the benefit of potential bidders touring the McAllister Ranch property. The idea is that there may be more competitive proposals if they know that there is a viable alternative for the City.

There was further discussion about the weight of each proposal requirement and where they fit in order of importance and how they are scored. Council agreed that it will be important to clearly define what it takes to score well.

Council and staff discussed the language associated with purchase or exchange of City owned property. It was determined that the word *purchase* would need to be removed from that section and leave the requirement as *exchange* of current City owned property.

8. Review of Draft Agenda Items for the April 2, 2013, City Council Meeting.*

None

9. Public Participation

None

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

Vice Mayor Evans requested information about the dumpster that is taking up 2.5 parking spaces on San Francisco and Route 66; she is being contacted by people about this issue and would like to provide a response.

Vice Mayor Evans also requested information from the Flagstaff Police Department on how many times they responded to the old tourist home in the past 3 years, if the calls were classified as health and safety responses and the approximate cost for each time they responded. Lastly, if there was a mechanism in place and at what point the owners would be responsible for the cost of these responses.

Councilmember Barotz announced that the Senate Environment and Public Works Committee unanimously passed the Water Resources Development Act that would authorize 18 new U.S. Army Corps of Engineers flood protection, navigation and ecosystem restoration projects while instituting a number of reforms to the process.

There is a provision in the bill that says it would increase flexibility for non-federal sponsors of Corps projects, including a pilot program aimed at improving the quality and speed of projects by allowing local and state governments to take over as project manager for Corps projects. This is very timely given the recent discussions about the Rio de Flag project. This will be one to watch.

Councilmember Oravits requested the last 12 months of travel records for the Sustainability program. He would like a summary of what the trips entailed, length of time, total cost of trip, and what funds were used to pay for these trips.

He also thanked staff for jumping on the median issue at the farmers market median.

Mr. Burke offered that while in Hawaii he came across a front page news article that dealt with infrastructure issues' it was somewhat nice to see they are not the only ones dealing with these issues.

11. Adjournment

The Flagstaff City Council Work Session of March 26, 2013, adjourned at 9:29 p.m.

MAYOR

ATTEST:

CITY CLERK