

MINUTES

REGULAR COUNCIL MEETING
TUESDAY, APRIL 16, 2013
COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M. AND 6:00 P.M.

1. **CALL TO ORDER**

Mayor Nabours called the meeting to order at 4:03 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.

Present:

Absent:

MAYOR NABOURS
COUNCILMEMBER BAROTZ
COUNCILMEMBER BREWSTER
COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON
COUNCILMEMBER WOODSON

VICE MAYOR EVANS

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

3. **PLEDGE OF ALLEGIANCE AND MISSION STATEMENT**

The Council and audience recited the Pledge of Allegiance and then Mayor Nabours read the City of Flagstaff 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. **Consideration and Approval of Minutes:** City Council Meeting of April 2, 2013; City Council Special Work Session of April 8, 2013; City Council Special Meeting

(Executive Session) of April 9, 2013; and City Council Work Session of April 9, 2013.

Staff was directed to amend Page 5 of the April 2, 2013, meeting (first paragraph) where it indicated that Councilmember Overton had made a statement in the first paragraph, but it was Councilmember Barotz.

Councilmember Oravits moved to approve [the minutes of the City Council Meeting of April 2, 2013; City Council Special Work Session of April 8, 2013; City Council Special Meeting (Executive Session) of April 9, 2013; and City Council Work Session of April 9, 2013] 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.

Mayor Nabours said that he recently attended the Robotics Competition in Chandler where the Coconino High School Coconuts were the star of the show. He had invited them to the meeting this evening to give a brief presentation.

Philly, Sarah and Kitty of the Coconuts gave a presentation on their group, showing the presentation that they had given to win an award, and also discussed the various other awards they had won.

Jaina Moan of the Museum of Northern Arizona discussed the upcoming Museum activities, including the Discovery Program taking place over the summer months.

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**

None

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 budgeted items.

Items 9-A, D and E were removed from the Consent Agenda.

Councilmember Brewster moved to approve Consent Items 9-B and 9-C; seconded; passed unanimously.

A. **Consideration and Approval of Construction Contract:** Route 66 Culvert at Rio De Flag

MOTION:

- 1) Approve the construction contract (including Base Bid) with RTR Paving and Resurfacing in the amount of \$296,047.00 which includes a \$41,000.00 contract allowance and a 60 calendar day contract time;
- 2) Approve administrative change order authority in the amount of \$13,000 (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.

Mayor Nabours noted that he had previously had some questions on this project and staff had provided a memo to address those questions. Mr. Alter reviewed the answers, stating that 16" pipe would not carry a significant amount of stormwater so as to change the downstream conditions so there would be not downstream impact.

Mr. Alter also reviewed the answer to the second question regarding the bottomless pit in the Country Club area. He said that the Army Corp of Engineers did rate that area hydraulically, and staff has looked at how long it would take to drain the lake if it was functioning at the level the Corp indicated, and it would take two or three days to drain. He said that they cannot depend on bottomless pits, but with the flow going into that area it would be insignificant.

B. **Consideration and Approval of Change Order No. 3:** Coconino/Elden/Humphreys 2010 Bond Improvements.

MOTION: Approve Change Order No. 3 with Eagle Mountain Construction Co. in the amount of \$303,511, ***to authorize the contractor to replace deteriorated**

water and sewer mains in Cottage Avenue from Mike's Pike to Beaver Street, and extend the contract by 35 calendar days.

- C. **Consideration and Approval of Construction Contract:** Hillside Water and Sewer Replacement Project

MOTION:

- 1) Approve the construction contract with Capital Improvements, LLC in the amount of \$322,542.10 which includes a \$36,000 contract allowance and a 120 calendar day contract time;
- 2) Approve change order authority in the amount of \$28,654 (10% 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:** West Street and Arrowhead Avenue Project Phase II

MOTION:

- 1) **Award the Construction Contract to Capital Improvements, LLC in the amount** of \$3,402,974.20 which includes a \$210,000.00 contract allowance. The contract period is 200 calendar days; and
- 2) Authorize Change Order Authority to the City Manger in the amount of \$319,297.00 (10% of contract amount excluding allowance) for unanticipated or additional items of work; and
- 3) Authorize the City Manager to execute the necessary documents.

Councilmember Oravits said that he did not have a question on this project, but asked that it be removed from the Consent Agenda because he would not be supporting it. He believed the price tag was high and that a roundabout was not practical for that area.

Mayor Nabours asked why this project was selected versus something else in town. Project Manager II Christine Cameron said that this was funded through the transportation tax bond. It has been on the drawing board since the inception of the bond. It is a major collector roadway, but does not have sidewalk, curb, gutter, or drainage. It was old asphalt and was a good candidate.

Councilmember Brewster noted that they had discussed what types of intersections were the safest, and the area residents decided on the small roundabout. She added that this was Phase II of a project that has already been started and appropriated.

- E. ***Consideration and Approval of Amendment to Contract:** Design services and related construction costs for Picture Canyon-Rio de Flag Meander Restoration Project. (MOVED FROM 10-C)

MOTION:

- 1) Approve Contract Amendment with Natural Channel Design for the amount of \$216,980.00

- 2) Authorize City Manager to execute the necessary documents.

Councilmember Oravits asked where the funding came from for this grant. Watershed Specialist David McKee said that it was through the Water Protection Fund, a state agency. Grants Manager Stacey Brechler-Knaggs said that the City had applied in 2005 for the original grant. At that time they had a lot of sources available. Recently they have been looking to sweep that fund and since this was an existing project that they liked, they offered additional funding.

She added that the Board approved only two projects in the entire state—Fossil Creek and the Picture Canyon Corridor, and the City was awarded both of them with increased funding amounts. Mr. McKee said that this would complete the Picture Canyon Corridor restoration project.

Councilmember Barotz asked if the funds would go back into the State General Fund if they had been swept. Ms. Brechler-Knaggs replied that she did not know for sure, she would be guessing that perhaps it would, but they were worried about the agency going away altogether.

Mayor Nabours moved to approve Consent Items 9-A and 9-E; seconded; passed unanimously.

Councilmember Brewster moved to approved Consent Item 9-D; seconded; passed 5-1 with Councilmember Oravits casting the dissenting vote.

10. **ROUTINE ITEMS**

- A. **Consideration and Approval of Street Closure(s):** Ninth Annual Route 66 Days Charity Car Show.

Ms. Pavey reviewed the application, noting that notice of the item coming before Council at this meeting had been advertised in the March and April newsletters that are sent out electronically to the downtown property owners, and posted on the website under flagstaff.az.gov/downtown.

Discussion was held on what attempts needed to be made to notify property owners. It was suggested that perhaps additional efforts needed to be made; however, some Councilmembers noted that the applicant had done everything that was required of them in the Special Event Permit process and if members were not happy with that process, then it needed to be amended, not this specific application.

Staff was directed to resend the CCR that had been circulated about 1 ½ years ago regarding the Special Event Permit process.

Councilmember Overton moved to approve [the street closure at Aspen and Birch avenues between Humphreys and San Francisco streets, on Saturday, September 7, 2013, from 6:00 a.m. - 6:00 p.m.]; seconded; passed unanimously.

B. **Consideration and Approval of Construction Contract: Sitgreaves ADA Ramp Project**

City Engineer Rick Barrett stated that Trevor Henry was unable to be at the meeting, so Mo El-Ali would be addressing this project.

Mr. El-Ali reviewed the proposed project, stating that the lane will be reduced in width to provide for the ADA ramp. He added that it would have been very complicated to remove the steps on that side, so the ramp will be next to them, and he said that the roadway width was wide enough to allow for this reduction.

He said that it was a joint project with ADOT with ADOT paying 50% of the construction contract and the other 50% coming from the City's transportation tax. He said that the City would be coordinating traffic control with ADOT as well.

Mayor Nabours moved to approve [award the construction contract to Eagle Mountain Construction of Flagstaff, Arizona in the amount of \$158,475.00, which includes \$16,000.00 in contract allowance. The contract period is 60 calendar days; and authorize Change Order Authority to the City Manager in the amount of \$14,300.00 (10% of the bid contract amount, less contract allowance) for unanticipated additional costs; and authorize the City Manager to execute the necessary documents]; seconded; passed unanimously.

C. ITEM MOVED TO CONSENT AGENDA 9-E.

D. **Consideration of Grant Agreements and Acceptance of Grant Funding** from the Arizona Department of Homeland Security 2010 grant program for Mobile Data Terminals and Enhancing Agent and Chemical Identification projects.

Mayor Nabours asked if these grants were all federal funds. Deputy Fire Chief Jerry Bills replied that they were all federal funds, administered through the State of Arizona. He said that this will complete a project that they partially funded in 2012.

Deputy Chief Bills reviewed the different equipment, noting that the MDT's would be placed in the wildland trucks and the chemical identification equipment would provide for additional equipment to allow crews to set up the perimeters of a spill, as an example, a chlorine leak.

Councilmember Woodson moved to approve the grant agreements with the Arizona Department of Homeland Security and authorize the acceptance of grant funding in the amount of \$19,800 for Mobile Date Terminals and \$4,504 for Enhancing Agent and Chemical Identification; seconded; passed unanimously.

- E. **Consideration and Adoption of Resolution No. 2013-08 and Ordinance No. 2013-09:** A resolution declaring the *2013 Addendum 5 of the Flagstaff Employee Handbook of Regulations* a Public Document, and an Ordinance adopting said Public Document by reference.

Human Resources Director Shannon Anderson said that she had given a presentation during the previous week's Work Session that outlined some of the revisions seen in Addendum 5. One of the questions raised was how the City saves money on the personal day purchase program. She explained that the employee is paying for their day off, but it is paid over time and in turn the City does not pay the related taxes and retirement contribution.

Mayor Nabours moved to read Resolution No. 2013-08; seconded; passed unanimously.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK ENTITLED "THE 2013 ADDENDUM 5 TO THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS"

Mayor Nabours moved to adopt Resolution No. 2013-08; seconded; passed unanimously.

Mayor Nabours moved to read Ordinance No. 2013-09 by title only for the first time; seconded; passed unanimously.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF AMENDING THE FLAGSTAFF CITY CODE, TITLE 1, ADMINISTRATIVE, PERSONNEL SYSTEM, SECTION 1-14-001-0001, PERSONNEL SYSTEM ADOPTED, AMENDING THE FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS BY ADOPTING "THE 2013 ADDENDUM 5 FLAGSTAFF EMPLOYEE HANDBOOK OF REGULATIONS" BY REFERENCE, RELATING TO POLICIES AND PROCEDURES, AMENDING OR ADOPTING SECTIONS RELATING TO GENERAL DEFINITIONS, HOLIDAY LEAVES, VACATION LEAVE, SICK LEAVE, DEPENDENT SICK LEAVE, PERSONAL LEAVE, PURCHASE DAY PROGRAM, BEREAVEMENT LEAVE, FAMILY MEDICAL LEAVE, MILITARY LEAVE, MILITARY TRAINING LEAVE, JURY DUTY LEAVE, CRIME VICTIM LEAVE, VOTING DAY LEAVE, PAID LEAVE OF ABSENCE, LEAVE WITHOUT PAY, UNAUTHORIZED LEAVE WITHOUT PAY, DONATED LEAVE, AND INCLEMENT WEATHER; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECESS

The Flagstaff City Council Regular Meeting of April 16, 2013, recessed at 5:08 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Nabours reconvened the meeting of April 16, 2013, at 6:02 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).

Mayor Nabours requested a Moment of Silence for those impacted by the recent Boston tragedy.

11. **ROLL CALL**

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

Present:

Absent:

MAYOR NABOURS
COUNCILMEMBER BAROTZ
COUNCILMEMBER BREWSTER
COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON
COUNCILMEMBER WOODSON

VICE MAYOR EVANS

Others present: City Manager Kevin Burke; 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. **Consideration and Adoption of Resolution No. 2013-07:** A resolution approving the City of Flagstaff 2013/2014 Annual Action Plan and authorizing its submission to the U.S. Department of Housing and Urban Development (HUD).

Councilmember Barotz asked if they wanted to move forward or wait until Vice Mayor Evans could be present as well.

Councilmember Oravits voiced concern with accepting the grant funds and then the costs for the projects seem to be so much larger.

Councilmember Barotz asked that staff identify exactly how much of the funding was going to rehabilitation projects. Ms. Costa replied that with Option B it was the \$140,000.

Mayor Nabours said that he had read in the Arizona Republic that one, if not more, member(s) of the Gilbert Town Council had voted against accepting the grant funds, and that raised the question to him of what would happen if the Council did not vote for the funds.

Councilmember Brewster said that if they had a problem with the process at the federal level, the City of Flagstaff not accepting the funds is not going to help that. If they do not take the funds, they will go to someone else and if the City wants to apply for them at a later time it will make it more difficult.

Councilmember Brewster asked what the solution would be to the need for the rehabilitation projects, or if they were suggesting to not do them at all. Councilmember Oravits said that they have sat there several times and said that this was not the purview of the City Council. Realistically, the City would probably not turn the funds down, but with regard to who would fix it, they could go back to the old way of doing things and let the private sector help.

Mayor Nabours said that in one of the options the City would have \$19,000 in unallocated funds. He asked if they would risk losing that or if it could be carried over. Ms. Costa said that the City has to meet the 1.5X test every Spring, measured as on April 30. With that, they have to make sure they do not have in the bank 1.5 times their allocation. It depends on how quickly their sub-recipients get their projects done. They cannot carry too much forward. She said that right now they have approximately ten contracts open, guessing at around \$350,000 waiting to be expended.

Discussion was held on the \$70,000 identified for the thrift store. Mayor Nabours asked if it would jeopardize anything if they were to move that \$70,000 to unallocated. Ms. Costa said that in her opinion it would be risky.

Housing Manager Sarah Darr explained that they were working with a lot of variables and it depends on how fast the other agencies spend their funds. If they were to add another \$70,000 to the unallocated, they may then come in mid-year with an amendment to the Action Plan with another option for spending those funds.

Mayor Nabours asked if at midyear there would be an opportunity for additional applications. Ms. Darr said that traditionally, no, there would not be such an opportunity.

It was noted that there was no money included for support of the homeless. Staff noted that there was an application from Catholic Charities under the PATH program, which directly benefited the homeless. They added that they did not receive an application from Flagstaff Shelter Services.

Mr. Burke noted that his understanding with the segregation of funds was that the capacity was not on the Public Service side and that is where this would be impacted. Ms. Costa added that the Public Service category has a cap of 15% and under both of the options they have met that cap.

Some concern was voiced with use of funds for the startup of a business, such as the thrift store for BOTHHANDS. Devonna McLaughlin, BOTHHANDS, said that one of the problems that the agencies run into is that HUD does not fund the grants until November and then they test for the 1.5X issue in April. As an agency, that leaves very little time from the time it is awarded to complete a project, and spending the money.

She also noted that the thrift store personnel would be hired through those living at the Sharon's Attic, so they would be serving homeless women.

Councilmember Oravits said that normally when a startup business is considered, a business plan is provided. Ms. McLaughlin said that they have done quite a bit of research through the Small Business Development Center, the Board, etc. She has a business plan proposal that was not part of the application process, but she would be happy to provide additional information.

Councilmember Oravits said that he also has concerns in that some of the other thrift stores that have started up in the City have gone out of business. McLaughlin said that they were not looking to provide credit. They spoke with quite a few of them, and also reached out to the Coconino Career Center about receiving training for those they will be employing.

She said that they do everything from HUD-approved housing counseling, foreclosure prevention counseling, sustainable housing for families, a construction company, rehab of homes, new construction of homes. They run the Sharon Manor, etc. She said that they have not always had experience with these types of businesses, but they have an engaged and dynamic Board of Directors. She said that they do have expertise to help in this area.

Mr. Burke noted that this was not the first time they would be funding a start up business. They funded Flagstaff Shelter Services when they were first starting up.

Councilmember Brewster said that they have an excellent reputation for completing projects and doing new things. Councilmember Barotz expressed her confidence in the Board of Directors of BOTHHANDS and if they have looked at this and feel it is a good idea, she has faith that the board members understand what they are undertaking.

Mayor Nabours moved to move the \$70,000 for BOTHHANDS to unallocated funds; seconded; motion failed 3-3 with Councilmembers Barotz, Brewster and Overton casting the dissenting votes.

Mayor Nabours moved to adopt Option B, except put the \$70,000 from BOTHHANDS to infrastructure, and adding the \$19,205 unallocated, with

both going toward the Arroyo Park Roadway; seconded; motion failed 3-3 with Councilmembers Barotz, Brewster and Overton casting the dissenting votes.

After further discussion, **Councilmember Brewster moved to approve Option A; seconded; passed 5-1 with Councilmember Oravits casting the dissenting vote.**

Diana Watt, Northland Hospice, spoke in favor of the thrift store.

Mayor Nabours moved to read 2013-07 by title only, as amended; seconded passed 4-1 with Councilmember Oravits casting the dissenting vote and Councilmember Barotz out of the room.

Housing/Econ. Development Activities

<i>BOTHANDS, Inc. - Financial Assistance and Counseling Program</i>	\$122,000.00
<i>BOTHANDS, Inc. – Job Creation</i>	\$62,000.00
<i>Catholic Charities - Minor Rehabilitation of Housing</i>	\$43,000.00
<i>City of Flagstaff - Owner Occupied Housing Rehabilitation</i>	\$100,000.00

Public Service Activities

<i>Northland Hospice – Hospice Operational Assistance</i>	\$20,000.00
<i>Catholic Charities – PATH Operational Assistance</i>	\$30,000.00
<i>DNA People’s Legal Services – Housing Legal Assistance</i>	\$23,000.00
<i>City of Flagstaff Infrastructure – Arroyo Roadway</i>	\$95,205.00

A RESOLUTION APPROVING THE CITY OF FLAGSTAFF 2013/2014 ANNUAL ACTION PLAN AND AUTHORIZING ITS SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mayor Nabours moved to adopt Resolution No. 2013-07; seconded; passed 4-1 with Councilmember Oravits casting the dissenting vote and Councilmember Barotz out of the room.

- B. **Consideration and Adoption of Resolution No. 2013-09:** A resolution authorizing the City of Flagstaff to provide up to two-hundred forty-five thousand dollars (\$245,000) to Mountainside Village/Flagstaff LP as Local Government Contribution for a Low Income Housing Tax Credit Acquisition/Rehabilitation Project under the Arizona Department of Housing ("ADOH") 2013 or 2014 Qualified Allocation Plan.

Housing Manager Sarah Darr reviewed this application, noting that the developer had brought forward a new fact that with the way the rent structure would be proposed to change, there would be an average savings per household of about \$206 per month.

Ms. Darr reported that during the middle of last week the Arizona Department of Housing issued an interpretation that they are no longer accepting loans for these ten points. The developer has appealed that interpretation and continues to work on it.

Mayor Nabours asked how the process would take place, if it was through an escrow account. Ms. Darr said that it would all take place at the same time.

Councilmember Oravits asked for clarification of the interest only payments “when sufficient cash flow was available.” Ms. Darr said that those are the terms of the current loan. When the loan was made in 1994, the project was not finished; it was not constructed until 1996 and there was no cash flow until the units were constructed and occupied. The interest is never forgiven; those payments were made current in Spring of 1997.

William Spreitzer, President of Wescap Investments, addressed the Council noting that he was also one of the current general partners of Mountainside Village. He clarified the process taking place through the escrow, stating that when they closed with the City there would be the recorded Deed of Trust that secures the City’s current loan of \$345,000 which would be released and a new loan would be recorded, assuring the City of its payments.

Mr. Spreitzer reviewed the different funding sources involved with the project, noting that if this was approved, the City would have \$100,000 less in the project than it currently does.

Councilmember Oravits said that the Council was told that without this loan the deal would not happen. Mr. Spreitzer said that was correct. The \$245,000 is an important key ingredient to the fund, and it is also important because it is a scoring category. He then reviewed all of the different rehab projects proposed to take place if everything moves forward.

Councilmember Oravits asked Mr. Spreitzer if he would be willing to change the wording in the agreement, to remove the “sufficient cash flow” term. Mr. Spreitzer said that some of the financial institutions would not accept that change and they would not have a feasible project.

Mr. Spreitzer then reviewed the audit process, noting that it is made by a third-party, independent auditor to determine whether there is “sufficient cash flow.” The City would be informed of the audit, but all parties would have to live by it.

Mr. Spreitzer then reviewed some of the other projects they have going around the State. Councilmember Barotz asked what their vacancy rate was. Mr. Spreitzer said that it ran around 3%; from economic occupancy they were at 100%, but there is always some turnover. He added that they will make arrangements for the current residents for the project, as is required by HUD.

Councilmember Woodson moved to read Resolution No. 2013-09 by title only; seconded; passed 5-1 with Councilmember Oravits casting the dissenting vote.

A RESOLUTION AUTHORIZING THE CITY OF FLAGSTAFF TO PROVIDE UP TO TWO HUNDRED FORTY-FIVE THOUSAND (\$245,000.00) TO MOUNTAINSIDE VILLAGE/FLAGSTAFF LP AS LOCAL GOVERNMENT CONTRIBUTION FOR A LOW INCOME HOUSING TAX CREDIT PROJECT

*UNDER THE ARIZONA DEPARTMENT OF HOUSING ("ADOH") 2013
QUALIFIED ALLOCATION PLAN*

Councilmember Woodson moved to adopt Resolution No. 2013-09; seconded; passed 5-1 with Councilmember Oravits casting the dissenting vote.

- C. **Consideration and Approval of Ordinance 2013-07 authorizing the trade of City-Owned Property:** If approved, Ordinance 2013-07 will authorize the trade of city-owned land. Parcel number 104-01-007, which is located at the Southwest corner of Elden Street and Butler Avenue, will be combined with the parcel to the South of it for development purposes. The City will receive an improved parcel for the community land trust program from the six unit subdivision created through the trade.

Permanent Affordability Administrator David McIntire reviewed the project. Mayor Nabours noted that Items C and D were related. Mr. McIntire said that the property the City was trading was appraised, prior to the bus stop property being removed, at \$29,000 because it is not easily usable. He explained that the City would exchange that parcel with the property owner of the other parcel, who would then combine the parcels and build six townhouses, one of which would be sold as affordable housing and the land on which it was located would be owned by the City through the Land Trust.

Councilmember Woodson moved to read Ordinance No. 2013-07 by title only for the first time; seconded; passed unanimously.

*AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF
FLAGSTAFF, ARIZONA, AUTHORIZING CONVEYANCE OF CERTAIN REAL
PROPERTY NEAR BUTLER AVENUE AND ELDEN STREET AS PART OF AN
EXCHANGE AGREEMENT WITH SOUTHSIDE DEVELOPMENT, LLC; AND
AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT*

- D. **Consideration and Approval of Preliminary Plat:** Southside Development, LLC. for Elden Townhomes subdivision, a six-lot, single-family, attached residential subdivision. The site is 11,342 square-feet (.26 acres) in size and is located at 307 South Elden Street (SW corner of Elden Street and Butler Avenue). The site is zoned both HR, High Density Residential and T4N1 Transect zones.

Planning Director Jim Cronk explained that the developer, David Carpenter, had been called away earlier in the day, but they did support both of these items.

Councilmember Woodson noted, for the sake of the public, that the Council has discussed this issue previously in Executive Session.

Councilmember Woodson moved to approve [(as recommended by the Planning and Zoning Commission) the preliminary plat subject to the property owner executing an agreement stating that the transect zone T4N1 standards are applied to the property, and declare an effective date

concurrent with the effective date of Ordinance No. 2013-07]; seconded; passed unanimously.

15. **DISCUSSION ITEMS**

No staff input or public participation is allowed on these items until they are moved to a future regular agenda. No action can be taken on these items today other than a vote as to whether to place the issue on a future agenda.

None

16. **PUBLIC PARTICIPATION**

None

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

Councilmember Woodson reported that the Arizona State Transportation Board meeting would be in Flagstaff on Friday, May 10, 2013, at 9:00 a.m. in the Council Chambers and they would be discussing their five-year plan. The evening before there is a dinner hosted by FMPO and Councilmembers were invited to attend.

Councilmember Brewster reported that she and the City Manager had attended a breakfast at NAU regarding energy innovation.

Councilmember Brewster also requested if it was possible to have the NAU students involved with the NAU Energy Initiative come before Council to make a presentation. Mayor Nabours suggested that they get on the agenda; Council agreed.

Mr. Burke reminded everyone that there was no Council meeting scheduled for next Tuesday (April 23); however, the Budget Retreat would be held Wednesday and Thursday, April 24-25, and possibly Friday, April 26, if needed. He added that the budget books would be made available tomorrow.

18. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held April 16, 2013, adjourned at 7:34 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

ARIZONA)
) ss.
Coconino)

I, ELIZABETH A. BURKE, 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 April 16, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of May, 2013.

CITY CLERK