

MINUTES

REGULAR COUNCIL MEETING
TUESDAY, JUNE 4, 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 4:02 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 Barotz
Councilmember Brewster
Councilmember Oravits
Councilmember Overton
Councilmember Woodson

Mayor Nabours called for a Moment of Silence in memory of Paul Jones, a past employee of the City of Flagstaff, and Councilmember Barotz read some background information on Mr. Jones for the public.

3. **PLEDGE OF ALLEGIANCE AND 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:** Flagstaff City Council Special Work Session of May 20, 2013; Regular Meeting of May 21, 2013; Special Meeting of May 28, 2013 (Executive Session); and Work Session of May 28, 2013.

Councilmember Woodson referred to the Work Session of May 20, 2013, and stated that he believed Kent Hotsenspiller was not present as indicated.

Councilmember Oravits moved to approve the minutes of the Flagstaff City Council Special Work Session of May 20, 2013; Regular Meeting of May 21, 2013; Special Meeting of May 28, 2013 (Executive Session); and Work Session of May 28, 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 (or is listed under Possible Future Agenda Items). 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.

The following individuals addressed the Council re a resolution adopted by the Council in the 1990's related to keeping Flagstaff a nuclear free zone and asking that the Council consider that resolution now that it has been stated that the uranium ore will be transported through Flagstaff.

- Alicyn Gitlin
- Dawn Dyer

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**

Mayor Nabours moved to open the Public Hearing for all three liquor license applications; seconded; passed unanimously.

With no public input received, **Mayor Nabours moved to close the Public Hearing; seconded; passed unanimously.**

- A. **Consideration and Action on Liquor License Application:** Andrea Lewkowitz, "The McMillan", 2 W. Route 66, Series 06 (bar- all spirituous liquor), Person and Location Transfer.

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

- B. **Consideration and Action on Liquor License Application:** Dorian Lenz, "Cheba Hut", 1411 S. Milton Rd., Series 12 (restaurant), New License.

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

- C. **Consideration and Action on Liquor License Application:** Navayogasingam Thuraisingam, "Modern Grove", 1020 S. Milton Rd., Suite 102, Series 12 (restaurant), New License.

Councilmember Woodson 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 budgeted items

Mayor Nabours stated that Councilmember Oravits had a conflict on Item 9-B and had a question on 9-H. **Councilmember Overton moved to approve the Consent Agenda Items 9-A, C, D, E, F and G; seconded; passed unanimously.**

- A. **Consideration and Approval of Contracts:** Custodial Services Contracts.

MOTION:

1) Acceptance of the proposals (listed below) for custodial services under RFP No. 2013-23.

- Accurate Building Maintenance, LLC [seven (7) facilities]

- Carnation Building Service, Inc. [eight (8) facilities]

- Twilight Janitorial Service, Inc. [four (4) facilities]

2) Provide the Purchasing Director the authority to add or delete facilities as necessary during the term of the agreement.

- B. **Consideration and Approval to enter into a property management agreement for the Lease of City-Owned Property:** Located at 311 W. Cherry Avenue.

Councilmember Oravits declared a conflict of interest and left the dais.

Councilmember Barotz asked how Core Realty had been selected. Ms. Trompeter explained that staff did a Request for Quotes with approximately 20 responses received. Staff then entered the responses into a matrix and prioritized them to determine the top selections. She said that they have gone through four different realty companies to find one because of the limitations required by the City Charter on advertising.

Ms. Trompeter said that Core Realty was a local broker. Mayor Nabours noted that their office was located on Woodland Blvd. Ms. Trompeter responded to a question that 10% of the rental rate was a typical fee for these services.

Councilmember Brewster moved to authorize staff to enter into an Agreement with Core Realty for property management and leasing services of a City-owned property located at 311 W. Cherry, Flagstaff, Arizona; seconded; passed 6-0 with Councilmember Oravits abstaining.

Councilmember Oravits returned to the dais.

- C. **Consideration and Approval of a Contract:** Pre-Hospital Care Emergency Service Agreement with Flagstaff Medical Center.

MOTION: Consider an Agreement with Flagstaff Medical Center in the amount of \$6,500 for Medical Direction of Flagstaff Fire Department Paramedics and Advance Life Support drug box rental.

- D. **Consideration and Approval of Construction Manager at Risk Contract:** Westplex Taxi Lanes Reconstruction Project at Pulliam Airport.

MOTION:

1) Approve the Construction Manager at Risk Contract with J. Banicki Construction, Inc. in an amount not to exceed \$4,556,796.16 for Guaranteed Maximum Price (GMP) # 1, contingent upon receipt of the grants from the Federal Aviation Administration and ADOT Multi-Modal and subsequently a grant offer which will be on a future agenda.

2) Authorize Change Order Authority of 5% in the amount of \$ 227,839.81 to cover potential costs associated with unanticipated or additional items of work.

3) Authorize the City Manager to execute the necessary documents contingent upon receipt of the above-mentioned grants.

- E. **Consideration and Approval of Construction Contract:** La Plaza Vieja 2010 Bond Project.

MOTION:

1) Award the construction contract to LP's Excavating, Inc. of Williams, Arizona in the total award amount of \$1,741,893.15, which includes \$80,000.00 in contract allowance. The contract period is 150 calendar days; and

2) Authorize Change Order Authority to the City Manager in the amount of \$166,000.00 (10% of the bid contract amount, less contract allowance) for unanticipated additional costs; and

3) Authorize the City Manager to execute the necessary documents.

- F. **Consideration and Approval of Consulting Contract:** Red Gap Ranch Water Resources Environmental Assessment.

MOTION: Approve a Contract with Southwest Ground-water Consultants, Inc. to provide professional consulting services for a not-to-exceed amount of \$276,210.

- G. **Consideration of Construction Manager at Risk Contract:** Street Maintenance Program 2013: Cedar Avenue 2010 Bond Improvements.

MOTION:

1) Award Guaranteed Maximum Price Contract #4 (GMP #4) to the Construction Manager at Risk (CMAR) Contract with C and E Paving and Grading, LLC in an amount of \$941,672.30. The contract period is 60 calendar days; and
2) Authorize the City Manager to execute the necessary documents.

- H. **Consideration and Approval of Grant Agreements:** Arizona Department of Homeland Security Subgrantee Agreements for the FFY 2010 and FFY 2011 Homeland Security Grant Program.

Grants Manager Stacey Brechler-Knaggs came forward along with Police Lieutenant Higgins and Fire Chief Iacona to review the various grants.

Councilmember Oravits said that the City recently did a bond for new police radios to equip the organization across the board. He asked what the amount of that bond was and why these additional funds were required. Management Services Director Barbara Goodrich responded that she believed the bond was approximately \$4.7 million.

Lt. Higgins said that the bond did provide new radios, but they will always have a need for additional radios, especially for the big events such as the Dew Downtown where they provide spare radios for those helping with the events.

Lt. Higgins said that these are dual band radios and are able to work with the City's system and another radio system, such as the County.

Chief Treadway added that they did the best they could in anticipating their needs with the prior bond and they came in under the budget by \$300,000. These were something they did not anticipate at the time and are needs they have recognized since they closed that bond out. He said that it will help facilitate public safety efforts.

Ms. Brechler-Knaggs stated that it was a fully funded 100% grant, with no City match. She said that the City applied for the 2013 Homeland Security grants and they actually called the City of Flagstaff asking if they would be willing to accept the money in a short time frame, because they believe that the City of Flagstaff is highly accountable and spend their money for good uses.

Councilmember Overton moved to approve the FFY2011 and FFY2010 Reallocation Subgrantee Agreements with the Arizona Department of

Homeland Security for grant funds for the Fire Department Special Operations Team Personal Protective Gear (in the amount of \$5,824) and for the Police Department Portable Radios (in the amount of \$10,978.81) and Gas Masks and Replacement Filters (in the amount of \$5,464.54); seconded; passed 6-1 with Councilmember Oravits casting the dissenting vote.

10. **ROUTINE ITEMS**

- A. **Consideration of Marketing, RFP and Potential Sale of City-owned Property:** Fire Station No. 7 (west of Milton, south of Butler) APN's 103-06-019, 103-06-017A, 103-06-018A, 103-06-003B consisting of a total of 1.52 acres.

Ms. Trompeter said that staff was coming forward asking for permission to move forward with marketing and putting out a potential Request for Proposals or Invitation to Bid to sell this property (Fire Station No. 7).

Councilmembers noted that wording within the staff summary was not consistent and discussion was held on the intent of whether or not the funds received from sale of the property would be set aside for a future courthouse, or not. It was noted that in the previous discussions held by Council the consensus was that the funds not be restricted, but rather the intent be known that it should be used for a courthouse.

Mr. Burke said that the funds would be held within the real estate proceeds fund. He said that if they put the funds in this account it would still need to come back before Council for use of the funds for anything. He said that they have typically been a budget operation and, therefore, a Council decision.

Ms. Trompeter said that staff would obtain an easement over the entire parcel of property, to address such issues as the Rio de Flag, with an area to be permitted for signage.

She said that in her discussions with the area's homeowners, they would like to keep the property for open space and include a conservation easement. She said that they had also brought up that they would like to have a community room available, and it had been mentioned that when College America is built they have agreed to provide such a room. She said that they could include extra points in the RFP for that type of use. She could not recall the current zoning of the property.

Mr. Burke said that the prior step in this process was that staff had brought forward four different properties for Council to consider moving forward with selling. Of those four properties, staff was directed to move forward with the two fire stations; however, Fire Station No. 2 had some limiting issues on how it could be used so they have opted to lease that property for the time being and generate some revenue.

After further discussion on whether to include restrictions on the revenues generated from potential sale of the property, **Mayor Nabours moved to**

authorize the City Manager and designated staff to market, issue a RFP and to accept proposals for purchase of Fire Station No. 7, located within the City limits; seconded; passed 6-1 with Vice Mayor Evans casting the dissenting vote.

- B. **Consideration of a Resolution No. 2013-06:** Abandoning a portion of a public ingress and egress easement located at Pulliam Airport Airpark, a part of Track 5B near Shamrell Blvd.

Councilmember Overton moved to read Resolution No. 2013-06 by title only; seconded; passed unanimously.

*RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA,
ABANDONING A PUBLIC INGRESS/EGRESS EASEMENT IN THE PULLIAM
AIRPORT AIRPARK*

Councilmember Brewster moved to adopt Resolution No. 2013-06; seconded; passed unanimously.

Mr. Burke said that a number of real estate items were coming before Council because this evening was Jill Trompeter's last meeting with the City of Flagstaff. He thanked her for her work with the City and wished her success in her future endeavors.

- C. **Consideration and Adoption of Resolution No. 2013-15:** A resolution of the City Council of the City of Flagstaff repealing Resolution No. 2013-02 adopted March 5, 2013, designating the "2013 City of Flagstaff Parks and Recreation Organizational Master Plan" as a Public Record and adopting the 2013 City of Flagstaff Parks and Recreation Organizational Master Plan.

Mayor Nabours stated that when he was presented the prior Resolution (2013-02) for signature he became aware of the section of the resolution that referenced a priority list previously presented by the Parks and Recreation Commission. He had asked that this item be brought back to Council for consideration of repealing that prior resolution and adopting the Parks and Recreation Organizational Master Plan without that section of the resolution. He said that he had concerns with adopting that list when the list itself was not included within the Master Plan.

Mayor Nabours said that the packet included a copy of the minutes from the Council meeting when this section was added to the resolution; however, that was prior to the time that he and Councilmember Oravits came on the Council.

Councilmember Brewster said that she understood the concern, but this section of the resolution was discussed and came from the Commission, and she believed it should remain to show that they had some vision of where they would head with adequate funding.

Mayor Nabours moved to read Resolution No. 2013-15 by title only; seconded; passed 6-1 with Councilmember Brewster casting the dissenting vote.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF DESIGNATING THE "2013 CITY OF FLAGSTAFF PARKS AND RECREATION ORGANIZATIONAL MASTER PLAN" AS A PUBLIC RECORD, REPEALING RESOLUTION NO. 2013-02 ADOPTED MARCH 5, 2013, AND ADOPTING A NEW 2013 CITY OF FLAGSTAFF PARKS AND RECREATION ORGANIZATIONAL MASTER PLAN

Mayor Nabours moved to adopt Resolution No. 2013-15; seconded; passed 6-1 with Councilmember Brewster casting the dissenting vote.

RECESS

The Regular Meeting of the Flagstaff City Council held June 4, 2013, recessed at 4:47 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Nabours reconvened the meeting of June 4, 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 Barotz
Councilmember Brewster
Councilmember Oravits
Councilmember Overton
Councilmember Woodson

None

Others present: City Manager Kevin Burke and 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 Possible Adoption of Resolution No. 2013-12:** Arizona State Parks FY 2013 Growing Smarter Grant Application.

Sustainability Specialist McKenzie Jones reviewed the project, noting that they would not know the exact details of the grants until September. She said that last fall they started the process of reclassifying the land suitable for conservation, and now they were submitting it at the end of June.

Councilmember Barotz said that she supported moving forward on the grant and asked if they had any background information on the \$750,000 they may get from Coconino County. Ms. Jones replied that their challenge was that they do not know the final price. They are waiting for the appraisal, going through due diligence, and once that is received they will have a better idea. They sent a letter to the County Manager a few weeks ago requesting that they consider participating up to the \$750,000, because this project was part of the original Coconino County Parks and Open Space plan from about a decade ago. She said that once they have the numbers for the appraisal they will have a further conversation with the County.

Mayor Nabours added that he met with Mike Townsend and Liz Archuleta and this was one of the things they were talking about at their meeting on June 18, but they are also waiting for the appraisal.

Councilmember Brewster moved to read Resolution No. 2013-12 by title only; seconded; passed unanimously.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF APPROVING THE SUBMISSION OF A GRANT APPLICATION TO ARIZONA STATE PARKS FOR THE GROWING SMARTER STATE TRUST LAND ACQUISITION PROGRAM TO ACQUIRE LAND AT OBSERVATORY MESA

Councilmember Brewster moved to adopt Resolution No. 2013-12; seconded; passed unanimously.

B. **Consideration and Approval/Denial of Real Estate Purchase and Sale**

Agreement: Approve the Real Estate Purchase and Sale Agreement between the City of Flagstaff and Evergreen Devco, Inc. for the sale of approximately 33.5 acres of property consisting of three (3) parcels located at the southeast and southwest corners of the intersection of Fourth Street and Route 66, and the northwest corner of Fourth Street and Huntington Drive adjacent to the Fourth Street overpass.

Councilmember Overton moved to approve [the Real Estate Purchase and Sale Agreement between the City of Flagstaff and Evergreen Devco, Inc.;

and, authorize the City Manager to execute all necessary documents to fulfill the intent of this Purchase and Sale Agreement]; seconded; passed unanimously.

- C. **Consideration and Adoption of Resolution No. 2013-13:** A resolution of the Council of the City of Flagstaff, Arizona adopting the tentative estimates of the amounts required for the public expense for the City of Flagstaff for Fiscal Year 2013-2014; adopting a Tentative Budget; setting for the receipts and expenditures; the amount proposed to be raised by direct property taxation; giving notice of the time for hearing taxpayers, for adopting of Budget and for fixing the tax levies.

Councilmember Overton moved to read Resolution No. 2013-13 by title only; seconded.

Councilmember Oravits said that he hoped they did the budget retreats every year as they were able to work out a lot of things. He found it to be a valuable tool, especially for those new to the Council. He said that they were able to increase funding for streets, preserving many of the services while decreasing the budget a little and maintaining a flat tax levy.

Councilmember Woodson thanked the City Manager and Budget Team for putting up with the direction changes over the last 15 months, and said they all handled it well.

Councilmember Overton said that they did a good job on reallocation of funding for streets and also were able to address personnel compensation some. He said that they had previously seen cuts in compensation with some restored, and it was important for personnel to know that they valued their work and he was happy they were able to start chiseling away.

Mr. Burke thanked the Council for their work on the budget, as well as the staff for their work, noting that it is always a challenge. He added that he would be scheduling a budget debriefing in a Work Session later in the month or July to walk through the process. He said that there was still one outstanding thing and that was the Library District. The budget will not change, but how they accomplish the expenditures could change depending on how the County Board of Supervisors address the issue.

Mr. Tadder clarified that the resolution was setting the maximum allowable expenditures and allowed them to proceed to adoption of the final budget later in the month.

Motion passed unanimously.

A RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA ADOPTING THE TENTATIVE ESTIMATES OF THE AMOUNTS REQUIRED FOR THE PUBLIC EXPENSE FOR THE CITY OF FLAGSTAFF FOR THE FISCAL YEAR 2013-2014; ADOPTING A TENTATIVE BUDGET; SETTING FORTH THE RECEIPTS AND EXPENDITURES; THE AMOUNT PROPOSED

TO BE RAISED BY DIRECT PROPERTY TAXATION; GIVING NOTICE OF THE TIME FOR HEARING TAXPAYERS, FOR ADOPTING OF BUDGET AND FOR FIXING THE TAX LEVIES

Mayor Nabours moved to adopt Resolution No. 2013-13; seconded; passed unanimously.

- D. **Consideration and Adoption of Ordinance No. 2013-12:** An ordinance of the City Council of the City of Flagstaff, Arizona, adopting the "2012 International Family of Codes, and the 2013 Amendments to City Code, Title 4, Building Regulations, and the ICC A117.1 Accessible and Usable Buildings and Facilities Standard, 2009 Edition" by reference and fixing the effective date thereof; repealing all sections of said code in conflict with this ordinance; preserving rights and duties that have already matured and proceedings that have already begun thereunder and providing penalties for the violation thereof.

Building Official Mike Scheu said that tonight they were looking for first read of the Ordinance, and he then gave a brief PowerPoint presentation which addressed the Energy Code Comparison.

He said that there was an additional amendment presented by the Multi-housing group and staff agreed with that recommendation.

Mr. Scheu explained the difference between "prescriptive" and "mandatory." He said that "prescriptive" requirements could be addressed through a simulated performance on the building whole, and "mandatory" meant they were required. If a simulated performance allowed something else to accomplish the same thing, then they could go that way.

It was noted that the initial discussion was to go forward with adoption of the entire suite of 2012 codes for insurance purposes, but they have since learned that if they were to remove the 2012 Energy Code, the insurance rates would not be affected.

Staff explained that the insurance companies are primarily concerned with building codes that address such things as structure, electrical, plumbing, mechanical. With regard to the Energy Code, he would speculate that some year back everyone was getting on the "save energy" bandwagon and they got together with green builders, NABA, etc. to provide an efficiency model code.

Mr. Scheu reviewed the various options outlined in the staff summary, one of which was to adopt all of the 2012 codes, but amend the Energy Code back to a prior year. After some discussion it was the consensus of the Council that they did not want to address it in that manner.

The following individuals addressed the Council, encouraging them to adopt the entire suite of 2012 Codes, including the 2012 Energy Code:

- Brad Garner
- Vance Peterson

- David Carpenter
- Eric Marcus
- Marilyn Weissman

Discussion was held on the ability for contractors to build to the newer Energy Code to attract certain buyers, without it being a requirement.

Mike Sistak, representing the Chamber of Commerce, referenced the letter written by the Chamber Director, Julie Patrick, which addressed concerns they had, and said that they would be coming back to the meeting for the second read of the ordinance with a more substantial view from the Chamber.

Discussion was held on the various cities around the state and what they have adopted in the way of Codes. Some have adopted the 2012, with amendments; some without amendments, etc. they all vary. It was also noted that these only relate to residential as the commercial codes get into much more engineering issues.

Councilmember Barotz asked if staff had any information on the SAVE Act and how it could impact this. Mr. Scheu said that they contacted the City's lobbyist who said that Act was introduced in 2011, but it never got out of committee. It has not been introduced in the current session.

Councilmember Oravits addressed the effect that increased costs up front for a home could have for those qualifying for home mortgages. Vice Mayor Evans added that there are some banks that give preference to those buying green homes since they know they will be saving on utilities in the long run.

Mayor Nabours said that he believed the way to address the energy efficient homes is to let the market drive them. He noted that the government does not mandate what temperature someone has to have their house at and they do not mandate what car they drive for energy savings reasons.

He said that the City of Flagstaff changed its sales tax code to impose a sales tax on land which made the cost of housing about \$900 more expensive. If they want to save money for the good of energy, they should repeal the sales tax on land and reduce permit fees so people will have up-front money for energy savings. He said that he was inclined to stay where they are on the Energy Code and adopt all of the other codes at 2012 with amendments.

Councilmember Barotz said that if they stay where they are at, given the current schedule they are on of reviewing codes every six years, it means that in 2019 when they look at the next adoption they will still be at the 2006 Energy Code.

Councilmember Overton said that he was not interested in going the full-blown 2012 adoption, but he did have concerns with staying at 2006, and he would entertain going with the 2009 Energy Code. He said that he would like to get the spreadsheet in electronic format before the second read of the ordinance.

Councilmember Brewster said that she knows nothing about building and depends on staff. She said that she liked the presentation and would consider adopting the 2012 Codes with the 2009 Energy Code. Discussion was held on the timing of second read and adoption.

Vice Mayor Evans said that it looked like the majority was moving toward the 2009 Energy Code, but she was actually more interested in adopting the 2012 Code. She said that there were other factors that cause housing to be more. She said that when they talk about affordable housing, they are not only talking about what the City is doing, but also what the private sector is doing that hurts or helps sometimes. She said that they currently provide assistance with housing and perhaps they should require those homes to be built to a higher standard as well.

Councilmember Woodson said that he was more inclined with going with the 2012 Codes across the board, with the amendments as noted. To him it levels the playing field.

Councilmember Barotz said that she would strongly support the 2012 Suite of Codes as there are a lot of people in the community that want to move forward.

Mayor Nabours moved to hold first reading of Ordinance No. 2013-12, adopting the 2012 Suite of Codes, along with the 2013 Amendments presented, except that the 2009 Edition of the Energy Code be included; seconded; failed 3-4 with Vice Mayor Evans and Councilmembers Barotz, Oravits and Woodson casting the dissenting votes.

Councilmember Woodson moved to adopt the 2012 Suite of Codes, with the 2013 Amendments; seconded; passed 4-3 with Mayor Nabours and Councilmembers Oravits and Overton casting the dissenting votes.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, ADOPTING THE "2012 INTERNATIONAL FAMILY OF CODES, AND THE 2013 AMENDMENTS TO CITY CODE, TITLE 4, BUILDING REGULATIONS, AND THE ICC A117.1 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES STANDARD, 2009 EDITION", BY REFERENCE AND FIXING THE EFFECTIVE DATE THEREOF; REPEALING ALL SECTIONS OF SAID CODE IN CONFLICT WITH THIS ORDINANCE; PRESERVING RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

- E. **Consideration and Approval of Consulting Agreement:** With True Life Companies (TLC) D.B.A. Pine Canyon regarding change to zoning condition and disposition of fees.

PULLED FROM AGENDA

- F. **Consideration of Changing August City Council Meeting Date:** Tuesday, August 27, 2013, to Monday, August 26, 2013.

Mayor Nabours moved to authorize staff to move the August 27, 2013, Council Meeting to August 26, 2013; seconded; passed unanimously.

15. **DISCUSSION ITEMS**

None

16. **POSSIBLE FUTURE AGENDA ITEMS**

Verbal comments from the public on any item under this section must be given during Public Participation (#5) near the beginning of the meeting. Written comments may be submitted to the City Clerk. After discussion and upon agreement of three members of the Council, an item will be moved to a regularly-scheduled Council meeting.

Mayor Nabours requested that a possible future agenda item be considered for repeal of the sales tax on land.

Vice Mayor Evans requested that a possible future agenda item be considered for the transportation of uranium ore through Flagstaff.

17. **PUBLIC PARTICIPATION**

Gaylor Staveley addressed the Council, inviting everyone to hear a speaker tomorrow night at the Cline Auditorium re Agenda 21.

Utilities Director Brad Hill updated the Council on issues impacting the wastewater treatment plant.

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

Vice Mayor Evans said that she continues to hear from residents in the southside area near Franklin and O'Leary, and she would like to receive a copy of the traffic impact analysis done for the Grove, if one was done, and also for the new development going in front of Grove. She believed that something needs to be done so people can get out.

Mr. Burke said that staff will go back and see what information they have. There is more housing being added on campus but he will try to find anything for developments off campus. Vice Mayor Evans said that if they have a partnership with NAU, perhaps they could do an impact study.

Councilmember Barotz reported that the Flagstaff Cultural Partners were kicking off their summer nights on the square.

Councilmember Brewster reported that she would be attending the retirement party for Kerry Blume on Friday.

19. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held June 4, 2013, adjourned at 7:53 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

STATE OF ARIZONA)
 ss.)
County of 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 June 4, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of June, 2013.

CITY CLERK