

AGENDA

TUSAYAN TOWN COUNCIL WORKSHOP

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, April 20, 2016 at 4:30pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Town Council and to the general public that the Tusayan Town Council will hold a Meeting and workshop open to the public on Wednesday, April 20, 2016 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 and A.4 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting the Town Manager at (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

TOWN COUNCIL WORKSHOP

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

**MAYOR CRAIG SANDERSON
VICE MAYOR JOHN RUETER**

**COUNCILMEMBER AL MONTOYA
COUNCILMEMBER JOHN SCHOPPMANN
COUNCILMEMBER BECKY WIRTH**

** One or two Councilmembers may attend by telephone*

3. DISCUSSION ITEMS

**A. FY 2016-17 Budget discussion:
Tusayan Fire District subsidy**

B. Flood Plain Administration options

4. MOTION TO ADJOURN

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this ____ day of April, 2016, at _____ am / pm in accordance with the statement filed by the Tusayan Town Council

Signature of person posting the agenda

TOWN OF TUSAYAN

at the entrance to Grand Canyon National Park



To: Mayor Sanderson and Town Council

From: Town Manager Eric Duthie 

Date: April 18, 2016

Re: Floodplain Administration

On March 30, 2016, I issued a conclusion and recommendation to Council concerning the delegation of Floodplain Administration for the Town. My recommendation, at that time, was to maintain the delegation of authority to Coconino County. Council meeting was postponed, so no action occurred on the recommendation. Since issuance of that recommendation, information has been clarified which has reversed my recommendation.

I quote my recommendation text from the March 30, 2016 memo to refresh the issue:

"At current, based on my professional experiences and the potential liability of assuming these responsibilities within the Town administration, I respectfully request the Town Council reaffirm the current agreement with the Coconino Flood Control District and continue to delegate that duty and responsibility to them".

On Tuesday, April 12, 2016 I attended a presentation from Coconino County staff to the Board of Supervisors, acting as the Flood Control District Board. The presentation identified plans for continued studies and prioritized two mitigation projects for FY 2016-2017. Neither of these projects included Tusayan. After the meeting, County staff assured me that Tusayan is of importance to Coconino County, but no projects would be considered until a decision for continued delegation was made; and that no funding would be available for any Tusayan project during FY 2016-2017.

Additionally, but separate to these discussions, I have become aware of a potential development that will be directly impacted by Floodplain Administration. Delays from the Flood Control District could seriously hamper future opportunities.

I am prepared to move forward with a request for proposals (RFP) for engineering services (rather than staff) to become the Town's Floodplain Administrator upon direction from Council.

Flood Control District

Options for the Town of Tusayan:

Town of Tusayan Elects to Remain in the Flood Control District (current status)

If the town elects to remain in the Flood Control District (FCD), then the FCD will conduct an Initial Engineering Assessment, which will include an in-depth hydrologic analysis and a two-dimensional hydraulic analysis of the floodplains affecting the Tusayan Special Flood Hazard Area. A preliminary review of the existing analyses by an independent and highly regarded civil engineer with expertise in hydrologic analyses indicated that it is likely that the volume of flow through the Tusayan SFHA will increase significantly beyond what has been projected by the town's engineer and the historic FEMA flood risk maps.

There are three possible outcomes from the new analyses:

- 1) New FEMA Flood Risk Maps
- 2) New Local Floodplain
- 3) No change in regulations, which we believe to be unlikely

Timing – the FCD plans to budget to conduct the Initial Engineering Assessment (IEA) in Fiscal Year 2017. However, this is contingent upon the availability of funds and approval by the Board of Directors. If the IEA is pursued, then we expect the process to take approximately six months.

Town of Tusayan Leaves the Flood Control District

If the town elects to leave the Flood Control District, then the FCD will not proceed with the IEA. The town will then be responsible for regulating within the FEMA Special Flood Hazard Area. No FCD taxes will be collected within the town limits.

Town of Tusayan Remains in the Flood Control District but Takes over all Regulation

Town of Tusayan Remains in the Flood Control District, but is responsible for regulation of the FEMA Special Flood Hazard Area and all other existing or future flood risks within the town limits. The County would remit to the town annually the property taxes collected by the FCD within the town limits.

Requested Decision Timeframe

The Flood Control District requests that the Tusayan Town Council make a decision regarding its status with regard to the FCD within 60 days so the FCD can budget and plan appropriately for FY2017.

**TOWN OF TUSAYAN, ARIZONA
ORDINANCE 2013-01**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF TUSAYAN, COCONINO COUNTY, ARIZONA, PERTAINING TO THE NATIONAL FLOOD INSURANCE PROGRAM, ADOPTING BY REFERENCE REVISED FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS, AND FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Town of Tusayan, Arizona is joining the National Flood Insurance Program (NFIP) as a separate community; and,

WHEREAS, the Town of Tusayan, under the National Flood Insurance Program, is the entity responsible for floodplain administration within the Town; and,

WHEREAS, the continued participation in the National Flood Insurance Program is in the best interest of the citizens of Tusayan; and,

WHEREAS, the Federal Emergency Management Agency published a Flood Insurance Study on September 3, 2010, and Flood Insurance Rate Map on September 3, 2010, for the Town of Tusayan; and,

WHEREAS, each community that participates in the National Flood Insurance Program is required to adopt floodplain management regulations consistent with Federal criteria; and,

WHEREAS, the Town of Tusayan has delegated the responsibility of floodplain management to the Flood Control District of Coconino County as provided for in ARS 48-3610; and,

WHEREAS, the Flood Control District of Coconino County has adopted Floodplain Regulations that meet the requirements of the National Flood Insurance Program; and

WHEREAS, those certain documents entitled "Flood Insurance Study for Coconino County" effective September 3, 2010 and Flood Insurance Rate Maps effective September 3, 2010 and "Floodplain Management Regulations for Coconino County" effective August 1981 and all subsequent amendments and/or revisions are hereby designated as public records.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Tusayan, Arizona, as follows:

Section 1. The Town of Tusayan continues to delegate the responsibility of floodplain management to the Flood Control District of Coconino County as provided for in ARS 48-3610. The Town Manager is designated as the National Flood Insurance Program Floodplain Administrator for the Town and is responsible for coordinating with the Flood Control District of Coconino County and will serve as the community point of contact on National Flood Insurance Program issues for County, State and Federal officials.

Section 2. Those public records entitled "Flood Insurance Study (FIS) for Coconino County" effective September 3, 2010 with accompanying Flood Insurance Rate Maps (FIRMs) effective September 3, and all subsequent amendments and/or revisions, three copies of which shall be kept on file in the office of the Town Clerk, are hereby adopted by reference, as the basis for establishing the special flood hazard areas for floodplain management in the Town of Tusayan. The special flood hazard areas documented in the Flood Insurance Study and Flood Insurance Rate Maps are the minimum area of applicability of the floodplain management regulations and may be supplemented by studies for other areas as allowed in the regulations.

Section 3. That public record designated as the "Floodplain Management Regulations for Coconino County" effective August 1981, and all subsequent amendments and/or revisions, three copies of which shall be kept on file in the office of the Town Clerk, is hereby adopted as the legal basis for implementing floodplain management in this community.

Section 4. Repeal of conflicting ordinances. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. Severability. If any portion of this ordinance is determined by a court of competent jurisdiction to be invalid, all remaining portions of this ordinance shall remain in full force and effect.

Section 6. Abatement of violations shall be per "Floodplain Management Regulations for Coconino County" effective August 1981, and all subsequent amendments and/or revisions.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the Town of Tusayan, Coconino County, Arizona, this 15th day of May, 2013.

APPROVED:



Greg Bryan, Mayor

Date: 5/15/13

ATTESTED:



Melissa Malone, Town Clerk

Approved as to form



William J. Sims III, Town Attorney

RESOLUTION NO. 2013-06

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF TUSAYAN, COCONINO COUNTY, ARIZONA APPROVING PARTICIPATION OF THE TOWN OF TUSAYAN IN THE NATIONAL FLOOD INSURANCE PROGRAM

WHEREAS, certain areas of the Town of Tusayan, are subject to periodic flooding or flood-related erosion, that may cause serious damage to properties within these areas; and

WHEREAS, relief is available in the form of Federally sponsored flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this Council to require the recognition and evaluation of flood or flood-related erosion hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses,

NOW, THEREFORE, IT IS RESOLVED, that the Mayor and Council of the Town of Tusayan, Coconino County, Arizona hereby:

1. Assures the Federal Flood Insurance Administration that it will enact as necessary and maintain in force in those areas having flood or flood-relating erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 60 of the National Flood Insurance Program Regulations; and
2. Vests the Flood Control District of Coconino County with the responsibility, authority, and means to:
 - a. Assist the Administrator, at his request, in his delineation of the limits of the area having special flood, mudslide (i.e., mudflow), or flood-related erosion hazards.
 - b. Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain, mudslide (i.e., mudflow), or flood-related erosion areas.
 - c. Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain, mudslide (i.e., mudflow), or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining flood plain, mudslide (i.e.,

mudflow), and/or flood-related erosion areas in order to prevent aggravation of existing hazards.

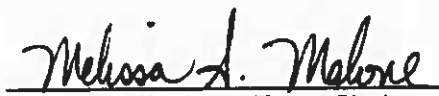
- d. Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of flood plain management measures.
 - e. Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all Flood Hazard Boundary Maps and Flood Insurance Rate maps accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.
3. Appoints the Town Manager to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been flood-proofed, the elevation (in relation to mean sea level) to which the structure was flood-proofed;
 4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program

PASSED AND ADOPTED BY the Mayor and Council of the Town of Tusayan, Arizona, this 15th day of May, 2013.



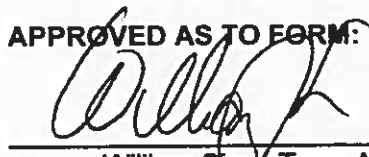
Greg Bryan, Mayor

ATTEST:



Melissa A. Malone, Town Clerk

APPROVED AS TO FORM:

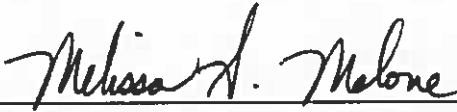


William Sims, Town Attorney

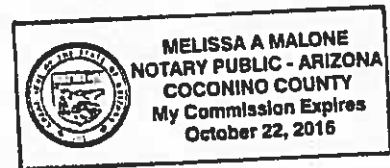
CERTIFIED ORIGINAL

State of Arizona
County of Coconino
Town of Tusayan

On this 29th day of May, 2013, I, Melissa A. Malone, as a Notary Public and as Town Clerk for the Town of Tusayan, do certify that the document titled "Resolution No. 2013-06" is a true and correct original dated May 15, 2013.



Melissa A. Malone, Notary Public and Town Clerk



My commission expires October 22, 2016.