

MINUTES

1. CALL TO ORDER

Mayor Evans called the meeting of the Flagstaff City Council held February 19, 2019, to order at 4:30 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 EVANS
VICE MAYOR SHIMONI
COUNCILMEMBER ASLAN
COUNCILMEMBER MCCARTHY
COUNCILMEMBER ODEGAARD
COUNCILMEMBER SALAS
COUNCILMEMBER WHELAN

Others present: City Manager Barbara Goodrich; City Attorney Sterling Solomon.

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The Council and audience recited the pledge of allegiance and Councilmember Odegaard read the Mission Statement of the City of Flagstaff.

MISSION STATEMENT

The mission of the City of Flagstaff is to protect and enhance the quality of life for all.

4. **PROCLAMATIONS AND RECOGNITIONS**

The Mayor and City Council came down to the podium and presented the NPA Girls Soccer Team and Flagstaff High School Cross Country Team with an official recognition for their recent accomplishments.

A. Recognition: NPA Girls Soccer Team

Councilmember Salas read and presented the NPA Girls Soccer Team with an official recognition.

B. Recognition: Flagstaff High School Cross Country Team

Councilmember Odegaard read and presented the Flagstaff High School Cross Country Team with an official recognition.

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.

Jessica Mendoza addressed Council regarding her concerns and disapproval of the Youth Employment Bill HB2523.

Robert White addressed Council about the upcoming discussions regarding the Shultz Pass parcel. He indicated that a political action committee will soon be forming to ask for a ballot measure to protect that land as open space.

Steve Finch addressed Council in opposition to HB2523. He also mentioned the Airbnb bills, as well as the bill proposing assistance to the non-profits.

6. **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).

A. Consideration of Appointments: Beautification and Public Art Commission.

Moved by Councilmember Charlie Odegaard, **seconded by** Mayor Coral J. Evans to appoint Anthony Garcia to a term expiring June 2021.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Jim McCarthy to appoint Craig Webber to a term expiring June 2021.

Vote: 7 - 0 - Unanimously

Moved by Mayor Coral J. Evans, **seconded by** Councilmember Charlie Odegaard to appoint George Averbek to a term expiring June 2021.

Vote: 7 - 0 - Unanimously

7. 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.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to approve the Consent Agenda as presented.

Vote: 7 - 0 - Unanimously

- A. Consideration and Approval of Contract:** Arizona Water/Wastewater Agency Response Network Mutual Aid Agreement
Approve the amended Arizona Water/Wastewater Agency Response Network Mutual Aid Agreement finalized and dated December 12, 2018

8. ROUTINE ITEMS

- A. Consideration and Adoption of Resolution No. 2019-09:** A resolution approving an Intergovernmental Agreement between the City of Williams, the Sedona Fire District, the Pinewood Fire District, the Highlands Fire District, the Summit Fire and Medical District, Mormon Lake Fire District, the Ponderosa Fire District, and the City of Flagstaff to provide for Mutual Aid.

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Jim McCarthy to read Ordinance No. 2019-09 by title only for the final time.

Vote: 7 - 0 - Unanimously

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILLIAMS, THE SEDONA FIRE DISTRICT, THE PINEWOOD FIRE DISTRICT, THE HIGHLANDS FIRE DISTRICT, THE SUMMIT FIRE AND MEDICAL DISTRICT, MORMON LAKE FIRE DISTRICT, THE PONDEROSA FIRE DISTRICT, AND THE CITY OF FLAGSTAFF TO PROVIDE FOR MUTUAL AID

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2019-09.

Vote: 7 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2019-07:** A resolution to authorize entering an Intergovernmental Agreement (IGA) with State of Arizona Department of Veterans Services (ADVS) to provide Building Inspection Services for the construction of a new Veterans Home located at 2100 N. Gemini Drive on McMillan Mesa.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2019-07 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FLAGSTAFF AND THE STATE OF ARIZONA THROUGH THE ARIZONA DEPARTMENT OF VETERANS' SERVICES FOR THE CITY TO PROVIDE BUILDING INSPECTION SERVICES IN CONNECTION WITH THE PROPOSED VETERANS HOME TO BE BUILT IN FLAGSTAFF

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jamie Whelan to adopt Resolution No. 2019-07.

Vote: 7 - 0 - Unanimously

- C. Consideration and Adoption of Resolution No. 2019-08:** A resolution approving an Intergovernmental Agreement between the City of Flagstaff and Coconino County for Hazardous Waste Services.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Resolution No. 2019-08 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FLAGSTAFF AND COCONINO COUNTY FOR HAZARDOUS WASTE SERVICES

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2019-08.

Vote: 7 - 0 - Unanimously

- D. Consideration and Adoption of Resolution No. 2019-01 and Ordinance No. 2019-01:** A resolution of the City Council of the City of Flagstaff, Arizona declaring that certain document known as the "2019 City Tax Code Amendments - Codification of Election Results" as a Public Record, and providing for an effective date; and an ordinance of the City Council of the City of Flagstaff, Arizona, amending the Flagstaff City Code, Title 3, *Business Regulations*, Chapter 3-05, *Privilege and Excise Taxes*, by adopting "2019 City Tax Code Amendments - Codification of Election Results" as set forth in that public record on file with the City Clerk; providing for penalties, repeal of conflicting ordinances, severability, authority for clerical corrections, and establishing effective dates. (**2019 City Tax Code Amendments - Codification of Election Results**)

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Jamie Whelan to adopt Resolution No. 2019-01.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-01 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, TITLE 3, BUSINESS REGULATIONS, BY ADOPTING "THE 2019 CITY TAX CODE AMENDMENTS – CODIFICATION OF ELECTION RESULTS" AS SET FORTH IN THAT PUBLIC RECORD ON FILE WITH THE CITY CLERK RELATING TO CODIFICATION OF THE PUBLIC TRANSIT SALES TAX, TRANSPORTATION SALES TAX, AND LONE TREE OVERPASS SALES TAX; PROVIDING FOR USE OF TAX REVENUES, PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING EFFECTIVE DATES

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to adopt Ordinance No. 2019-01.

Vote: 7 - 0 - Unanimously

- E. Consideration and Adoption of Resolution No. 2019-11:** A resolution approving an Intergovernmental Agreement between the City of Phoenix Police Department and the City of Flagstaff Police Department for the receipt of funding for the investigation of internet crimes against children.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2019-11 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PHOENIX POLICE DEPARTMENT AND THE CITY OF FLAGSTAFF POLICE DEPARTMENT FOR THE RECEIPT OF FUNDING FOR THE INVESTIGATION OF INTERNET CRIMES AGAINST CHILDREN

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2019-11.

Vote: 7 - 0 - Unanimously

- F. Consideration and Possible Adoption:** City Council Rules of Procedure, as Amended.

City Clerk Stacy Saltzburg reviewed the following changes to the Rules of Procedure:

Section 4.02 - Future Agenda Item Requests (F.A.I.R.):

- The addition of a requirement for the requesting Councilmember to be present through each step of the F.A.I.R. process.
- The addition of the process for the disposition of F.A.I.R. items remaining from an outgoing Councilmember.
- Changing the number of Councilmembers needed to place an item on a future agenda from two to three.
- The addition of a process for changing the order of items in the F.A.I.R. Discussion Queue.

Section 4.03 - Removal of a F.A.I.R. Item

- The addition of the requirement for a Councilmember to request the removal of an agenda item at a public meeting.
- Updates to the number of Councilmembers needed to move an item forward from two to three.

Section 5.01 - Regular Meeting Agenda

- The addition of the Pledge of Allegiance to the 6:00 P.M. meeting agenda.

Section 6.03 - Selection of Vice Mayor

- New section regarding the selection process for the Vice Mayor.

Section 11.03 - No New Agenda Items after 9:30 p.m. except by Majority Vote.

- Clarification that agenda items not considered will be placed on the next Regular or Special Council meeting agenda.

Section 11.06 - Video Streaming, Recording, and Photography

- New section regarding video streaming, recording, and photography at Council meetings.

Councilmember McCarthy provided suggestions to be included with the F.A.I.R. provisions that provide clarification on what notification is to be provided if a Councilmember requests that their F.A.I.R. item be removed.

Council asked for staff to develop language that addresses Councilmember McCarthy's concerns and bring it back for Council review at the 6:00 portion of the meeting.

RECESS

The 4:30 p.m. portion of the February 19, 2019, Regular Council Meeting recessed into a employee reception at 5:32 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Evans reconvened the Regular Meeting of February 19, 2019, at 6:00 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).

9. ROLL CALL

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

PRESENT:

ABSENT:

MAYOR EVANS
VICE MAYOR SHIMONI
COUNCILMEMBER ASLAN
COUNCILMEMBER MCCARTHY
COUNCILMEMBER ODEGAARD
COUNCILMEMBER SALAS
COUNCILMEMBER WHELAN

Others present: City Manager Barbara Goodrich; City Attorney Sterling Solomon.

10. PLEDGE OF ALLEGIANCE

The Council and audience recited the pledge of allegiance.

11. PUBLIC PARTICIPATION

John Viktora addressed Council with concerns about fracking and the need to include the indigenous people in efforts to ban those types of activities.

Emily Davalos addressed Council with concerns about the tone of the meeting last week regarding the DME MOU and license agreement.

Anthony Garcia addressed Council concerning their relationship with their boards and commissions. He urged Council to become more involved with the commissions and seek to improve the relationships between them.

The following individuals addressed Council with concerns related to the closure of the DPS Dispatch Center:

- Sandy Thompson
- Shannon Clifford
- Scott Church
- Suzanne Holbert
- Alimah Damgaard

Elizabeth Curter submitted a written comment card regarding concerns about the closure of the DPS Dispatch Center.

Veronica Villegas addressed Council with concerns about fracking in and around Flagstaff.

Tyler Linner addressed Council with concerns about the process of approving MOUs and license agreements and asked that the Council require those to be available to the public before they are executed.

Khalif Durham addressed Council with suggestions about improving the relationship and

communication between the Council and boards and commissions.

Joe Galli with the Greater Flagstaff Chamber of Commerce addressed Council offering that the Chamber is working on a collaborative effort to find solutions for those who are affected by the DPS Dispatch closure.

12. **CARRY OVER ITEMS FROM THE 4:30 P.M. AGENDA**

A. **8-F: Consideration and Possible Adoption:** City Council Rules of Procedure, as Amended.

City Clerk Stacy Saltzburg reviewed the edited language that clarifies the process and notification related to removing a F.A.I.R. item.

A Councilmember who has previously requested a F.A.I.R. item may have it removed up until the time it appears on the agenda as a F.A.I.R. item. No other Councilmember is permitted to remove an item. If an item is removed prior to it appearing on an agenda, the City Manager will notify the Council of its removal at the next Council Meeting. If another Councilmember wants to retain the item, it shall retain its then-current place in the queue. Once on the agenda, the request to remove must be made during a public meeting.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Jamie Whelan to approve the City Council Rules of Procedure as amended.

Vote: 7 - 0 - Unanimously

13. **PUBLIC HEARING ITEMS**

A. **Public Hearing, Consideration and Possible Adoption of Ordinance No. 2019-02:** An ordinance amending the Flagstaff Zoning Map designation of approximately 14.51 acres of real property located at 825 and 829 E. Butler Ave. on parcel numbers 104-13-002B and 104-03-005B from Light Industrial (LI) and Heavy Industrial (HI) to 2.24 acres of Highway Commercial (HC) and 12.27 acres of High Density Residential (HR), for purposes of developing a multi-family residential and commercial project. **(McGrath Partners Zoning Map Amendment request for property located at 825 and 829 E. Butler Ave.)**

Mayor Evans opened the public hearing.

Planning Development Manager Elaine Averitt provided a PowerPoint presentation that covered the following:

ZONING MAP AMENDMENT REQUEST
 LOCATION & SURROUNDING USES
 SUBJECT SITE – LOOKING SOUTHEAST
 REQUEST
 ZONING EXHIBIT
 RENDERED SITE PLAN
 ZONING CODE STANDARDS COMPARISON
 ARCHITECTURAL ELEVATIONS
 COMMERCIAL CORNER BUILDING
 RESIDENTIAL BUILDINGS
 PUBLIC SYSTEMS IMPACT ANALYSIS
 DEVELOPMENT AGREEMENT
 FOR DISCUSSION – REVISED UNIT MIX

Traffic Engineer Jeff Bauman continued the presentation.

FOR DISCUSSION - TRANSPORTATION
GOOGLE MAP – BUTLER AVE

Mayor Evans asked about the entrance and exit off of Butler. Mr. Bauman offered that there was a vehicle count done over the course of several days and those counts are depicted in the documents included with the staff summary. He added that Prop. 419 and Prop 420 will be improving the intersection with dual turn lanes and that is scheduled for a few years out. There will also be a change in the striping on Lone Tree for a two stage left turn and that will be put into place when the project is built.

Councilmember Whelan expressed concern with the right turn lane into the development and the need for greater deceleration opportunities. She also expressed concern about visibility for exiting along Butler. She indicated that safety should be the top priority.

Councilmember Aslan asked about impacts the development would have on the public safety officers using Sawmill Road. Mr. Bauman explained that Sawmill is currently carrying 3,500 cars per day and in the future, the projections are 5,560 cars per day which will keep the service levels at A and B.

Housing Director Sarah Darr continued the presentation.

FOR DISCUSSION – AFFORDABLE HOUSING

Mayor Evans stated that the reason many of the affordable units are smaller units is because that is what the greatest need is. Ms. Darr agreed stating that based on the waiting lists and industry trends smaller units are in highest demand.

Vice Mayor Shimoni asked if Ms. Darr had any thoughts about families or older individuals wanting to live in a complex such as what is being proposed. Ms. Darr explained that they have heard from people that they need a place to live and while they have a choice to apply for east or west side housing, they can also apply for both which is the most common scenario. It generally does not matter much when housing is so desperately needed. When looking for projects that could provide affordable housing options, they look for central locations near transit connections. Ms. Darr added that they do not force people to live somewhere, they get to choose where they live. There are so many different situations and elements within the community and that is why there is so much effort put into integrate affordable housing throughout the community and make different types of housing available.

Comprehensive Planning Manager Sara Dechter continued the presentation.

FLAGSTAFF REGIONAL PLAN 2030 – FUTURE GROWTH ILLUSTRATION MAP
FOR DISCUSSION – REGIONAL PLAN & EMPLOYMENT AREAS
FOR DISCUSSION – REGIONAL PLAN HIGH OCCUPANCY HOUSING

Vice Mayor Shimoni asked if student housing in the proposed area would reduce pressure elsewhere. Ms. Dechter explained that student housing was always part of the equation in the proposed area and the High Occupancy Housing Plan would encourage more density than what is currently proposed. All housing types were considered in the area however.

Councilmember Aslan asked about the history of the industrial use of the site; when it stopped

being used and how many applications were received for the parcel.

Ms. Averitt introduced General Manager Dan Wendt who stated that the property had been in use by Jeldwen since 1969 and they closed after the sawmill closed in 1993.

Councilmember Aslan asked if there were other kinds of light industrial uses proposed for the site. Mr. Wendt stated that the site has mainly been used for warehousing, there were some plans to try and develop the front of the property but it did not gain any traction. There is 120,000 square feet of space and finding people who need that kind of space has been a challenge. Walgreens and SCA Tissue both rented portions of the property at one time for warehousing. They have been trying to find other uses for the property over the last couple of years but have been unsuccessful.

Ms. Averitt continued the presentation.

RECOMMENDED ACTION

Mark Lindley with McGrath Real Estate Partners addressed Council stating that one of the things that did not get discussed at the last meeting was the total number of jobs created; there would be the addition of 50-60 jobs for the development.

Mr. Lindley stated that there was some discussion about the affordable unit mix and he understands the comments about desirability. He stated that the development agreement has some flexibility so if the Housing Department needs to make changes they can. The goal is to take 27 people and provide them with the great amenities, walkability, and central location offered to all the tenants of the property. They are willing to work with Housing staff and try to make sure they are happy with the location of those units.

The following individuals addressed Council concerning the Zoning Map Amendment:

- Susan Weitzler
- Justin Clifton
- Isha Braun
- Joe Galli
- Gaylene Soper
- Alicyn Gitlin

The following comments were received:

- Supportive of the McGrath development.
- The development is in an unobtrusive area of Flagstaff and the height will not be much higher than what is currently in the area.
- Students will be drawn to the location and out of the neighborhoods freeing up much needed single-family housing.
- The best and highest use is student housing and that is much better than a vacant, antiquated warehouse.
- Flagstaff is no longer a lumber or distribution city; it is a university town.
- The proposed driveway will create problems that the traffic engineers are not aware of.
- Vehicles traveling down Butler will have to decelerate quickly to turn into the development.
- This development will have a negative economic impact on surrounding businesses.
- If this development moves forward, there should be a condition that there are no left turns out of the property onto Butler.
- The traffic in the area is going to explode and access to neighboring streets will be very

difficult.

- Many trees will have to be removed and that is unfortunate to those living in the area.
- Please vote no on this request and please do not continue to approve developments that do nothing to support jobs and affordable housing.
- The developer has shown to be a good community partner.
- There is a lot of tax revenue and economic impact to consider.
- The proposed location would provide good synergy with the Aspen Place at the Sawmill.
- This project could be a great asset to the community.
- The developer has made a lot of concessions, but it is still sub-par because they will be getting tax credits.
- Retail space in similar developments are still empty.
- Flagstaff needs housing that is truly for families and retirees.
- There is a need for more housing but many of the new rezones have catered to a single population type.
- The City should rezone in a way that allows all citizens the opportunity to live there; student housing and industrial are not the only options.
- It is important to remember that if students move to the student housing developments it will free up other housing in the community.

Mayor Evans closed the public hearing.

A break held from 8:30 p.m. through 8:43 p.m.

Mayor Evans asked if there could be an amendment to the development agreement for there to be a right turn only out of the development and no left turn into the development from Butler except at Sawmill Road. Senior Assistant City Attorney Christina Rubalcava stated that it could be added as a condition of the ordinance.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Regina Salas to read Ordinance No. 2019-02 and include a condition of a right turn only out of the development.

Vote: 2 - 5

AYE: Councilmember Jim McCarthy
Councilmember Regina Salas

14. **REGULAR AGENDA**

- A. Consideration and Adoption of Resolution No. 2019-06:** A resolution authorizing the execution of a Development Agreement between Flag Holdings LLC and the City of Flagstaff related to the development of approximately 2.92 acres of vacant land (APN 107-16-008S) generally located at 1411 North Fourth Street.

Planning Development Manager Alexandra Pucciarelli provided a PowerPoint presentation that covered the following:

TINY HOUSE VILLAGE DEVELOPMENT AGREEMENT
VICINITY PLAN
SITE PLAN APPROVAL
APPROVED SITE PLAN
APPROVED SITE PLAN: TINY HOUSE
APPROVED SITE PLAN: COMMUNITY CENTER
PLANNED CONSTRUCTION ALONG FOURTH STREET

CONSIDERATION AND ADOPTION OF RESOLUTION NO. 2019-06
COUNCIL OPTIONS

Vice Mayor Shimoni asked for a breakdown on the number of units. Ms. Pucciarelli stated that the site plan does not require a unit breakdown. The developer, David Carpenter stated that they are planning for 24 units that are traditional singlewides at 650-950 square feet. They are primarily one and two bedrooms with some three-bedroom units. There is also a community building planned for the site.

Councilmember McCarthy asked if the units will be on wheels or if they will have a foundation. Mr. Carpenter explained that there will be no foundations and the 24 units will arrive on wheels which would then be removed, but the six tiny houses will remain on wheels per the code.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2019-06 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN FLAG HOLDINGS, LLC AND THE CITY OF FLAGSTAFF RELATED TO THE DEVELOPMENT OF APPROXIMATELY 2.92 ACRES OF VACANT LAND LOCATED ALONG THE WEST SIDE OF FOURTH STREET, SOUTH OF I-40 AND NORTH OF SPARROW AVENUE; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2019-06.

Vote: 7 - 0 - Unanimously

- B. Consideration and Possible Adoption Resolution No. 2019-10:** A resolution of the Mayor and City Council of Flagstaff, Arizona opposing Competitive Predator Hunt in Flagstaff, Arizona and Coconino County .

Ms. Goodrich presented a PowerPoint presentation that covered the following:

COMPETITIVE PREDATOR HUNT RESOLUTION
02-19-19 OUTLINE
OVERVIEW
ARIZONA GAME AND FISH DEPARTMENT
SIMILAR COMPETITIONS/RESOLUTIONS

Mayor Evans stated that back in 1999 Game and Fish decided to disallow these types of hunts and it went to the Governor's office for signature, but it was never signed into law. The issue has never come back up for consideration at the state level.

Councilmember Odegaard asked if the proposed Resolution is binding. Ms. Goodrich explained that the City does not have any ability to regulate Game and Fish or hunting regulations outside city limits. There are laws in place that address these kinds of activities within the city, the resolution would be a statement to the community.

The following individuals addressed Council regarding wildlife killing contests:

- Matt Francis
- Betsy Klein
- Cody Lee Bradshaw
- Gaylene Soper
- Tina Meredith
- Ruthanne Penn
- Betsy Klein
- Vincent Jones
- David Lash
- Mike Street
- Annette Sunda
- Douglas Whitehead
- Nathan Renn
- Emily Renn
- Jean Myers
- Alicyn Gitlin
- Rusty Personett
- Jim Parks

The following comments were received:

- Predators have a valid role in the balance of the eco-system.
- These contests are not about ranchers protecting their livestock.
- The indiscriminate killing of predators has no benefit.
- If predators are left alone, they will self-regulate.
- There are multiple contests in Arizona and the Game and Fish Department does not currently regulate them.
- There is legislation pending in six other states to ban wildlife killing contests.
- Hunters are the largest group of wildlife conservationists.
- The Council's time is better suited with leaving these issues to the professionals at the Game and Fish Department.
- The competitions raise money for non-profit and veteran organizations.
- Flagstaff is a Golden Rule City and slaughtering animals is not something it should be associated with.
- Tucson and Dewey-Humboldt have made statements against wildlife killing competitions.
- These competitions are wasteful and unnecessary, they are not going to save deer and livestock.
- If someone owns livestock and there is a problem coyote they deal with the single coyote, not all of them.
- Removing coyotes from one area creates over population in others.
- Please sign a resolution saying this behavior is wrong and it is not wanted anywhere in Arizona.
- Killing is not hunting, contestants do not eat the predators they kill.
- This is not population control.
- Activities such as these promote the thrill of the kill.
- Just because money is given to charity does not mean that the means of obtaining the money is noble.
- Wildlife killing contests are archaic.
- Contests like this should not be part of any progressive community.
- These contests put Mexican grey wolves at risk because they appear similar to coyotes.
- These contests are not the bloodbath they are being portrayed as.
- Please vote in opposition to the resolution.

- This agenda is being pushed by people outside of the City, the Council vote needs to reflect the position of those who elected you.
- Flagstaff has the opportunity to send a strong message to the state.
- Ranchers have many non-lethal tools at their disposal.
- Passing this resolution will send an ethical message to the Game and Fish Department that these types of activities need to be regulated.
- Wildlife is for everyone to enjoy.
- Killing animals is cruel and teaches children that violence and cruelty are fun.
- Hunting is a part of life but these are killing contests which makes the participants killers.
- Participants in the contests must abide by all Game and Fish Department laws and regulations which includes being properly licensed.
- These are not slaughters and there are not hundreds of animals being killed; at the last competition there were 32 two-man teams and seven animals came in for check in.
- The Game and Fish Department has the oversight to manage the wildlife population and should they come forward to regulate with permits or a moratorium then that would be respected.
- The main reason that the coyote callers are doing what they are doing is for the preservation and furtherment of antelope populations.
- The Game and Fish Department is beginning to look at making rules for the coyote calling contests.

Written comments in support of the resolution were submitted by the following:

- Joseph Shannon
- Emma Benenati
- Kay Bordwell
- Tyler Jones Wilson
- Diane Weinberg
- Deborah Sellers
- Deborah DeWolfe

Written comments in opposition of the resolution were submitted by the following:

- Kody Kelley
- Toni Seff
- Jason Manuell
- Jared McGraw
- Jeremy Street
- Laura Kelley
- Kim Horn
- Matthew Horn
- Julie Street
- James Herre
- Dave Pierce Jr.
- Dave Pierce
- Josh Brooks
- JR Flebotte

Councilmember Odegaard stated that he is not supportive of the Council participating in non-binding resolutions. He understands the passion behind the issue but it is outside of the jurisdiction of the City.

Councilmember Aslan stated that he agrees that hunters are important as a conservation group but there is no need to manage the predator population. This is a moral issue not a scientific one. He believes that a resolution has the potential to drive policy for the Game and

Fish Department, the more communities sign on to similar resolutions it will strengthen their voices on the issue.

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2019-10 by title only.

Councilmember McCarthy added that while he is not an expert on wildlife management he does support the resolution.

Vice Mayor Shimoni indicated that influencing change can be difficult, he is hopeful that the resolution will encourage Game and Fish to take action on the issue.

Councilmember Salas stated that it is a very emotional issue and the Game and Fish Department is getting into the process of rulemaking for this type of hunting. The resolution is non-binding and she would defer any decision until rules have been established by Game and Fish. There is no hunting allowed at all within City limits.

Vote: 5 - 2

NAY: Councilmember Charlie Odegaard
Councilmember Regina Salas

*A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF FLAGSTAFF, ARIZONA,
OPPOSING COMPETITIVE PREDATOR HUNTS IN FLAGSTAFF, AZ AND COCONINO
COUNTY*

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2019-10.

Vote: 5 - 2

NAY: Councilmember Charlie Odegaard
Councilmember Regina Salas

15. DISCUSSION ITEMS

- A. Discussion/Direction:** Current Issues Before Arizona Legislature and Federal Issues.

ITEM POSTPONED TO ANOTHER DATE

- B. City Council Fiscal Year 2020 Budget Retreat - Completion of February 7, 2019 Retreat**

ITEM POSTPONED TO ANOTHER DATE

16. COUNCIL LIAISON REPORTS

None

17. FUTURE AGENDA ITEM REQUESTS

After discussion and upon agreement by two members of the Council, an item will be moved to a regularly-scheduled Council meeting.

- A. **Future Agenda Item Request (F.A.I.R.):** A request by Councilmember Whelan to place on a future agenda a discussion about continuing to communicate with the Arizona Board of Regents and invite them to a meeting or send a letter with our concerns about impact on our city.

ITEM POSTPONED TO ANOTHER DATE

- B. **Future Agenda Item Request (F.A.I.R.):** A request by former Councilmember Putzova to place on a future agenda a discussion on changing the City’s organizational structure to create a Sustainability division and elevate the function of the section.

ITEM POSTPONED TO ANOTHER DATE

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

None

19. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held February 19, 2019, adjourned at 10:48 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

I, STACY SALTZBURG, 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 on February 19, 2019. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 2nd day of June, 2020.

CITY CLERK