

RESOLUTION NO. 2020-39

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, AUTHORIZING NORTHERN ARIZONA INTERGOVERNMENTAL PUBLIC TRANSPORTATION TO PROCEED WITH ENVIRONMENTAL AND OTHER EVALUATION AND PLANNING FOR THE TRANSFER CENTER ON CITY PROPERTY UNDER EXISTING LICENSE

RECITALS:

WHEREAS, the Northern Arizona Intergovernmental Public Transportation Authority (“Mountain Line”) and City of Flagstaff (“City”) desire that Mountain Line proceed with the necessary environmental and other evaluation and planning for the transportation center for public transportation on City owned real property located along West Phoenix Avenue near downtown Flagstaff (“the Property”);

WHEREAS, Mountain Line and the City have entered into various agreements related to the construction and operation of a parking lot and transfer center on the Property, the most recent of which is a License Agreement for NAIPTA Transfer Center dated May 1, 2019 (“License”), attached hereto;

WHEREAS, Mountain Line needs to conduct certain environmental and other testing, evaluation, planning, and reporting (including to the Federal Transit Administration and other government entities) for the continued operation and potential expansion of the transportation facilities on the Property (collectively the “Evaluation”); and

WHEREAS, Mountain Line and the City desire to clarify Mountain Line’s right to, and to the extent necessary authorize Mountain Line to, proceed with the Evaluation.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. Clarification and Authorization under License.

The Flagstaff City Council hereby clarifies that under the License Mountain Line has the authority and permission to, and to the extent necessary authorizes Mountain Line to, conduct, document and report any and all Evaluation on or related to the Property as Mountain Line deems necessary. The City Manager is authorized to execute any documents and/or approve any actions necessary to carry-out the intent of this resolution.

SECTION 2. Coordination with the City.

Mountain Line shall coordinate with the City, and provide notice to the City as provided in the License of, the Evaluation activities.

SECTION 3. Cost of Evaluation.

Mountain Line shall bear any and all costs of the Evaluation.

SECTION 4. License Remains in Effect.

The License, as clarified herein, shall remain in full force and effect.

SECTION 5. Effective Date.

This resolution shall be immediately effective upon adoption.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 16th day of June, 2020.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:

License Agreement for NAIPTA Transfer Center dated May 1, 2019