

MINUTES

1. **CALL TO ORDER**

Mayor Evans called the meeting of the Flagstaff City Council held June 18, 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 Vice Mayor Shimoni 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. **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.

Beautification and Public Art Administrator Mark DiLucido addressed Council providing an update on three new public art projects.

Joe Galli on behalf of the Greater Flagstaff Chamber of Commerce addressed Council with an update of the Flagstaff Stem Camp put on by the Chamber.

5. **PROCLAMATIONS AND RECOGNITIONS**

A. **Employee Work Group Recognitions**

Council approached the podium and recognized the Wildcat Reclamation Plant employees for their response to the digester pipe failure emergency.

6. **LIQUOR LICENSE PUBLIC HEARINGS**

A. **Consideration and Action on Liquor License Application:** Kamporn Khonphian "Asia Station," 121 S. San Francisco Street, Series 12 (restaurant), New License.

Mayor Evans opened the public hearing.

Sgt. Collin Seay briefly reviewed the application.

There being no public comment, Mayor Evans closed the public hearing.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to forward the application to the State with a recommendation of approval.

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 Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to approve the Consent Agenda as presented.

Vote: 7 - 0 - Unanimously

- A. **Consideration of Appointments:** Presiding Magistrate, Magistrate and On-Call Magistrate.
Approve the appointments of Honorable Thomas Chotena as Presiding Magistrate,
Honorable Michael Araujo as Magistrate and Honorable Paul Julien as On-Call Magistrate.

8. **ROUTINE ITEMS**

- A. **Consideration and Approval of Contracts:** Annual Software Maintenance Contracts

IT Director CJ Perry addressed Council stating the contract is for the annual maintenance for the organization's Microsoft software licensing.

Councilmember Whelan asked if there was a price increase from last year. Mr. Perry stated that there was an increase due to the licensing of new employees.

Moved by Councilmember Jamie Whelan, **seconded by** Vice Mayor Adam Shimoni to approve contracts for annual software maintenance in an amount not to exceed \$436,015.25 plus applicable taxes with CDW/Microsoft Enterprise Agreement: Cooperative pursuant to Arizona State Contract No. ADSPO17-149774, \$191,602.56 and Hexagon (Formerly Intergraph) \$244,412.69.

Vote: 7 - 0 - Unanimously

- B. **Consideration and Approval of Contract:** Purchase of Materials and/or Services with Northern Arizona University for Fiber Services

Mr. Perry noted that the critical element of the contract is to replace the leased line with SuddenLink which will allow for increased bandwidth and expansion of the free public wifi.

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Charlie Odegaard to approve a contract with Northern Arizona University (NAU) in an amount not to exceed the FY2020 budget of \$90,000 to connect fiber optic cable between City of Flagstaff and Northern Arizona University and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

- C. **Consideration and Adoption of Resolution No. 2019-32:** A resolution of the Flagstaff City Council adopting the City of Flagstaff Public Safety Personnel Retirement System Pension Funding Policy; delegating authority; and establishing an effective date.

Management Services Director Rick Tadder provided a PowerPoint presentation that covered the following:

PUBLIC SAFETY PENSION FUNDING POLICY
STEP 1: INTRODUCTION
STEP 2: PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
STEP 3: PSPRS FUNDING GOAL
BASE PLAN – NO ADDITIONAL CONTRIBUTION GRAPH
\$871,000 ADDITIONAL ANNUAL CONTRIBUTIONS GRAPH
UNFUNDED ACTUARIAL ACCRUED LIABILITY (UAAL)
PATH FORWARD

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2019-32 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL ADOPTING THE CITY OF FLAGSTAFF PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM PENSION FUNDING POLICY; DELEGATING AUTHORITY; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2019-32.

Vote: 7 - 0 - Unanimously

- D. Consideration and Adoption of Ordinance No. 2019-18:** A(n) ordinance of the Flagstaff City Council authorizing the acquisition of approximately 1.931 acres of real property at 3900 E. Industrial Drive for public right-of-way and approving real estate purchase and sale contracts; providing for severability, the delegation of authority, and establishing an effective date.

Real Estate Manager Charity Lee provided a PowerPoint presentation that covered the following:

RIGHT OF WAY ACQUISITION
OVERVIEW MAP
PROJECT COST
ACQUISITION COSTS

Councilmember Whelan asked why the project was picked as a priority to complete. Ms. Lee explained that this is the third phase of the project and there are drainage issues in the area but because the city does not own the property the improvements cannot be made.

Councilmember Whelan expressed concern about other projects not being completed or postponed and asked why they cannot be prioritized over phase three of another project. Capital Improvements Engineer Bret Peterson stated that much of it has to do with funding sources. Stormwater improvements are funded by stormwater fees and Road Repair and Street Safety funds the streets projects. Mayor Evans added that she understands the frustration, but the other consideration is that constant reprioritization of projects leads to nothing ever being fully completed. There is value to completing the project and adding another to the capital improvement plan.

Moved by Councilmember Charlie Odegaard, **seconded by** Vice Mayor Adam Shimoni to read Ordinance No. 2019-18 by title only for the first time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING THE ACQUISITION OF APPROXIMATELY 1.931 ACRES OF REAL PROPERTY AT 3900 E. INDUSTRIAL DRIVE FOR PUBLIC RIGHT-OF-WAY AND APPROVING REAL ESTATE PURCHASE AND SALE CONTRACTS; PROVIDING FOR SEVERABILITY, DELEGATION OF AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE

- E. Consideration and Adoption of Ordinance 2019-11:** A(n) ordinance of the Flagstaff City Council authorizing the sale of a portion of City property located at 2989 E. Butler Avenue, Assessor Parcel Number 106-04-007B to Woodshire on Butler, LLC for affordable housing, and establishing an effective date.

Ms. Lee provided a PowerPoint presentation that covered the following:

SALE OF CITY PROPERTY 2989 E. BUTLER AVENUE AND DEVELOPMENT OF
AFFORDABLE HOUSING
AERIAL MAP

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Jim McCarthy to read Ordinance No. 2019-11 by title only for the first time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING THE SALE OF A PORTION OF CITY PROPERTY LOCATED AT 2989 E. BUTLER AVENUE, ASSESSOR PARCEL NUMBER 106-04-007B TO WOODSHIRE ON BUTLER, LLC FOR AFFORDABLE HOUSING, AND ESTABLISHING AN EFFECTIVE DATE

- F. Consideration and Approval of Agreement:** Category 5 Master Cost Recovery Agreement between U.S. Department of Agriculture, Forest Service, Coconino National Forest and the City of Flagstaff.

Ms. Lee offered that the City is working on many projects that require a special use permit from the Forest Service. In order to expedite the City's projects, the Forest Service has requested that the City enter into a Master Cost Recovery Agreement. The Agreement will be funded with an initial \$15,000 and will allow the Forest Service to use the funds to process the City applications in a more timely manner.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to approve the Master Cost Recovery Agreement Between U.S. Department of Agriculture (USDA), Forest Service, Coconino National Forest, and City of Flagstaff.

Vote: 7 - 0 - Unanimously

- G. Consideration and Adoption of Ordinance 2019-23:** An ordinance of the Flagstaff City Council authorizing the transfer of real property along Arizona Highway 180/Humphreys Street from Route 66 to Aspen Avenue to the Arizona Department of Transportation for right-of-way purposes; delegating authority and establishing an effective date.

Ms. Lee provided a PowerPoint presentation the covered the following:

TRANSFER OF CITY PROPERTY AND RIGHT OF WAY TO ADOT
BACKGROUND/HISTORY
PROPERTY TRANSFER
PROPERTY TRANSFER LOCATION MAP

Councilmember Whelan asked why the turning lane is not extended back to Wheeler Park. Traffic Engineer Jeff Bauman stated that staff has the same question and discussions are ongoing with ADOT as the design plans are completed.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to read Ordinance No. 2019-23 by title only for the first time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING TRANSFER OF REAL PROPERTY ALONG ARIZONA HIGHWAY 180/HUMPHREYS STREET FROM ROUTE 66 TO ASPEN AVENUE TO THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY PURPOSES; DELEGATING AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE

Mayor Evans stated that Items 8H, 8I, and 8J will be carried over to the 6:00 p.m. portion of the agenda.

- H. Consideration and Approval of Resolution No. 2019-23:** A resolution of the Flagstaff City Council approving Grant Agreement GRT-19-0007314-T between the State of Arizona and the City of Flagstaff acting on behalf of the Flagstaff Metropolitan Planning Organization (FMPO) regarding work project implementation. (Annual Update of FMPO Grant Agreement)
- I. Consideration and Adoption of Resolution No. 2019-26 and Ordinance No. 2019-16:** Adoption of the *"The 2018 Suite of Codes and the 2019 Amendments to City Code, Title 4, Building Regulations."*
- J. Consideration and Adoption of Resolution No. 2019-27 and Ordinance No. 2019-17:** Declaring as a Public Record that certain document known as "The International Fire Code, 2018 Edition, and the 2019 Amendments to the Flagstaff City Code, Title 5, Fire Code" and adopting said public record by reference.

RECESS

The 4:30 p.m. portion of the June 18, 2019, Regular Council Meeting recessed at 5:47 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Evans reconvened the Regular Meeting of June 18, 2019, at 6:02 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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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

Anthony Garcia addressed Council to provide an update on the Beautification and Public Art Commission and encouraged community to get involved and participate on the commission.

12. CARRY OVER ITEMS FROM THE 4:30 P.M. AGENDA**A. ITEM 8H**

Consideration and Approval of Resolution No. 2019-23:A resolution of the Flagstaff City Council approving Grant Agreement GRT-19-0007314-T between the State of Arizona and the City of Flagstaff acting on behalf of the Flagstaff Metropolitan Planning Organization (FMPO) regarding work project implementation. (Annual Update of FMPO Grant Agreement)

Grants and Contracts Manager Stacey Brechler-Knaggs stated that the grant agreement is on behalf of the FMPO and acknowledges their annual work plan.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Resolution No. 2019-23 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL APPROVING JOINT PROJECT AGREEMENT/INTERGOVERNMENTAL AGREEMENT GRT-19-0007314-T BETWEEN THE STATE OF ARIZONA AND THE CITY OF FLAGSTAFF ACTING ON BEHALF OF THE FLAGSTAFF METROPOLITAN PLANNING ORGANIZATION (FMPO) REGARDING WORK PROGRAM IMPLEMENTATION

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2019-23.

Vote: 7 - 0 - Unanimously

B. ITEM 8I

Consideration and Adoption of Resolution No. 2019-26 and Ordinance No. 2019-16: Adoption of the "The 2018 Suite of Codes and the 2019 Amendments to City Code, Title 4, Building Regulations."

Vice Mayor Shimoni asked about adjusting the EV ready spaces to a percentage of spaces when the total parking spaces exceeds 100. Currently only three spaces are required for a lot that has 100 or more spaces. He recommended shifting to a two percent requirement for the larger lots instead of a fixed number. Climate and Energy Specialist Jenny Neiman stated that the fixed number of three EV ready spaces for lots of 100 or more was based on an evaluation of best practices around the country. The recommendation focuses on getting a smaller number of EV charging stations installed in more places throughout the community which is why the requirement is actually heavier for smaller developments. Staff's recommendation is to keep the requirement fixed at three spaces for lots of 100 or more. Vice Mayor Shimoni noted his concern that developers will only do the minimum requirement and he would prefer a more progressive approach.

Councilmember Salas asked if there was a reason given for why the County did not include the additional energy efficiency requirements in their code. Ms. Neiman indicated that the blower door and duct testing were not included for a number of reasons but one of them is because of the geographic range of the county and it is difficult to get those service out to those areas.

Joe Galli on behalf of the Greater Flagstaff Chamber of Commerce addressed Council with concerns about the additional costs associated with the new codes. There is concern that it will further inhibit affordability in Flagstaff.

Councilmember McCarthy stated that he is sensitive to adding cost to new housing however the total cost of housing is related to utility usage and it is cost effective to provide energy efficiency capabilities on the front end rather than retrofit later.

Mayor Evans indicated that she is not supportive of adding to the cost of new housing. People in Flagstaff are just trying to get into a home and this is one more hurdle in the overall expense.

Councilmember Whelan stated that she is looking down the road and these additions to the code are the proper way to proceed to decrease the carbon footprint of Flagstaff. There are many factors that go into the cost of housing including realtor fees, developer fees, heating fees, etc. and if everyone was willing to give a little the cost could be lowered.

Councilmember Aslan noted that these inclusions do not mandate that people get a certain type of car or install solar panels on their house, it is making the house ready for those improvements if, and when, a homeowner decides to install them. If a house is equipped and ready for these improvements the homeowner may be more likely to consider an electric vehicle or solar improvements.

Councilmember Salas stated that she does not feel that these elements need to be required

in the code. Developers and homeowners are already including them voluntarily and perhaps incentivizing the installation is a better approach.

Councilmember Aslan added that these elements directly support the Climate Action and Adaptation Plan which the Council unanimously supported. This is an opportunity to combat climate change and make a difference.

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Austin Aslan to adopt Resolution No. 2019-26 with the amendment of 2% EV ready spaces for 100 plus parking spaces.

Vote: 3 - 4

AYE: Councilmember Austin Aslan
Councilmember Jim McCarthy
Vice Mayor Adam Shimoni

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to adopt Resolution No. 2019-26.

Vote: 5 - 2

NAY: Councilmember Regina Salas
Mayor Coral Evans

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-16 by title only for the final time.

Vote: 5 - 2

NAY: Councilmember Regina Salas
Mayor Coral Evans

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, ADOPTING THAT CERTAIN DOCUMENT ENTITLED "THE 2018 SUITE OF CODES AND THE 2019 AMENDMENTS TO CITY CODE, TITLE 4, BUILDING REGULATIONS" BY REFERENCE AND FIXING THE EFFECTIVE DATE OF THE CODES AND AMENDMENTS; REPEALING ALL SECTIONS OF THE CITY CODE IN CONFLICT WITH THIS ORDINANCE; PRESERVING RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN UNDER THE PRIOR CODES; PROVIDING PENALTIES FOR VIOLATIONS; AND PROVIDING FOR SEVERABILITY

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard moved to adopt Ordinance No. 2019-16.

Vote: 5 - 2

NAY: Councilmember Regina Salas
Mayor Coral Evans

C. ITEM 8J**Consideration and Adoption of Resolution No. 2019-27 and Ordinance No.**

2019-17: Declaring as a Public Record that certain document known as "The International Fire Code, 2018 Edition, and the 2019 Amendments to the Flagstaff City Code, Title 5, Fire Code" and adopting said public record by reference.

Fire Chief Mark Gaillard stated that public outreach has been conducted and it is recognized that there may be costs associated with the new codes, but they are negligible in most cases. The updated codes will bring new technologies and cost saving efforts and it is not anticipated that there will be any large increases in the cost of development from these codes.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to adopt Resolution No. 2019-27.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-17 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, ADOPTING "THE INTERNATIONAL FIRE CODE, 2018 EDITION, AND THE 2019 AMENDMENTS TO FLAGSTAFF CITY CODE, TITLE 5, FIRE REGULATIONS" 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

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to adopt Ordinance No. 2019-17.

Vote: 7 - 0 - Unanimously

13. PUBLIC HEARING ITEMS

- A. Public Hearing, Consideration and Possible Adoption of Ordinance No. 2019-20:** An ordinance amending the Flagstaff Zoning Map designation of approximately 14.51 acres of real property located at 825 and 829 E. Butler Avenue 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.

Mayor Evans opened the public hearing.

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

ZONING MAP AMENDMENT REQUEST PZ-19-00081
LOCATION & SURROUNDINGS
FLAGSTAFF REGIONAL PLAN 2030

REQUEST
ZONING EXHIBIT
ORIGINAL PROPOSED SITE PLAN
ORIGINAL RENDERED SITE PLAN
REVISED SITE PLAN
REVISED UNIT MIX
ZONING CODE STANDARDS COMPARISON
PUBLIC SYSTEMS IMPACT ANALYSIS
DEVELOPMENT AGREEMENT
CITIZEN PARTICIPATION
RECOMMENDATION

The applicant Mark Lindley continued the presentation.

REVISED SITE PLAN
REVISED UNIT MIX
SITE PLAN – MAIN STREET CONCEPT
COMMUNITY CONCERNS – TRAFFIC IMPACT
COMMUNITY CONCERNS – MULTIMODAL TRANSPORTATION
COMMUNITY CONCERNS – AFFORDABLE HOUSING
COMMUNITY CONCERNS – POLICE AND FIRE

Vice Mayor Shimoni asked how many EV ready spots are planned. Mr. Lindley stated that there are currently four planned. They will try to incorporate as many as possible early on and they will provide infrastructure that will allow for easy expansion.

Vice Mayor Shimoni asked if there may be a willingness to add additional affordable units. Mr. Lindley stated that they have been working with the affordable housing staff and are working from their recommendations.

Councilmember Aslan asked about the concept of flex building. Mr. Lindley explained that they heard that it is a challenge for community partners and events to find rental space for things such as community functions, farmers markets and the like. The flex building is a 2,000 square foot space that would be available for rent by the public.

Councilmember Odegard asked about access to the Sawmill businesses. Allen Sanderson with McGrath Partners indicated that there are two crossing points on Sawmill Road and there is nothing to indicate that there will be any issues with pedestrians getting access to the business area. They are willing to put crosswalk striping in if that is so desired.

Councilmember Salas asked if there will be a new connection made to the FUTS trail. Mr. Lindley indicated that access to the FUTS will be provided along Sawmill Road and the side of the property. A sidewalk will be installed that will connect into the trail through the Sinclair Wash area.

Councilmember Salas asked what the economic development impact is for the development. Mr. Lindley indicated that the tax increase would be approximately \$450,000 per year.

Councilmember Aslan asked about the inclusion of amenities at Sinclair Wash and future collaborations with NAU for the area. Barrett Kirk with McGrath Partners stated that they had learned about the opportunities available at Sinclair Wash and the needs they could help out with. They discussed the addition of things like picnic tables and birding houses. They do not have specifics but it is something they are excited about including.

The following individuals spoke in support of the rezoning:

- Joe Galli
- Dan Wendt
- Bryan Nielsen
- Kyle Yarush
- Dan Kellett
- Kim Ryder
- Whitney Cunningham
- Mark Jensen

The following comments were received:

- This is a good project and the developer will do great things for this property and for the community.
- Goodwill is excited to be a part of this development and thinks that their retail space could be their Flagship location in Northern Arizona.
- Do not leave this property in its current condition, it is unsightly, unsafe, has no connectivity, and serves no purpose.
- The current proposal meets all the requirements and is consistent with the construction just to the west.
- The developer is providing a relevant, functional, beautiful project that will serve the Flagstaff community.
- The development will provide much needed housing and jobs.
- This project will have good economic return.

Written comment cards in opposition of the rezoning were submitted by the following individuals:

- Alex Ramsey
- Isha Braun

Vice Mayor Shimoni indicated that he is supportive of the project. He is impressed with the location, room count, breakdown of units, the ample bike storage, and all the other accommodations. He thanked the developer for going above and beyond to make a positive impact on the community.

Councilmember McCarthy stated that it is a large project that does not belong just anywhere in Flagstaff; however, the proposed location is excellent and fits very well with the surrounding Sawmill development.

Councilmember Odegaard thanked Mr. Lindley for providing housing to the community.

Councilmember Whelan indicated that she is impressed with the developer who came into the community and truly listened and considered the needs in Flagstaff. It is a good location for this type of project and she is excited for the housing opportunities it will bring to the community.

Councilmember Aslan thanked the developer for listening and going through the process. He believes that the project before the Council is a great example of infill development with a variety of housing types. The project compliments the other housing in the area with the Grove and it is a good location for this type of development.

Councilmember Salas thanked the developer and staff for working together to put a new

version of the project together. McGrath listened to the community and diligently worked to address the many needs and concerns from the original project. This request meets the findings, it is in conformance with the Regional Plan and the High Occupancy Housing Plan, it meets the requirements of urban activity center, and includes a mix of housing types and price ranges. It exceeds the civic space and common open space by providing the multi-purpose flex space and opportunities for public art. It will create connectivity with the FUTS and there is a commitment to help with preserving Sinclair Wash.

Councilmember Salas indicated that she is supportive of the new language that reverts the property back to industrial should the commercial elements not be met within six years. She is encouraged by the potential of \$430,000 in property taxes to the City.

Mayor Evans stated that there were many who questioned Council's decision to reject the first proposal. She thanked McGrath for taking the rejection to heart, considering the concerns and coming back with a very good project. This development is one that will encourage families, working professionals, and students to co-exist together. She believes that there is a real potential for economic development and growth in the city because of the two partners in place. She asked that they consider the inclusion of a crosswalk between the development and the Sawmill area to better facilitate the pedestrian traffic that is likely to come with the project.

There being no further comments, Mayor Evans closed the public hearing.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to read Ordinance No. 2019-20 by title only for the first time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE AMENDING THE FLAGSTAFF ZONING MAP TO REZONE 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), WITH CONDITIONS; PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

A break was held from 7:55 p.m. through 8:08 p.m.

- B. Public Hearing, Consideration and Possible Adoption of Ordinance No. 2019-21:** An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff Zoning Map to rezone approximately 16.11 acres of real property located at 3401 S Lake Mary Road, from Estate Residential ("ER") and Rural Residential ("RR") to Medium Density Residential ("MR"); **(Aura Flagstaff)**

Mayor Evans opened the public hearing.

Moved by Mayor Coral Evans, **seconded by** Councilmember Charlie Odegaard to postpone the item to the meeting of September 17, 2019.

Vote: 7 - 0 - Unanimously

Mayor Evans closed the public hearing.

C. Public Hearing: "Truth in Taxation", FY 2019-2020 Budget and Property Tax Levy (combined).

Mayor Evans opened the public hearing.

Finance Director Brandi Suda provided a PowerPoint presentation that covered the following:

CITY OF FLAGSTAFF FY 2020 BUDGET
FY 2020 BUDGET TIMELINE
TOTAL FY 2020 BUDGET
PROPERTY TAXES
PROPOSED PROPERTY TAX
PROPERTY TAX RATES
PROPERTY ASSESSED VALUES
CITY PROPERTY TAX IMPACT
 RESIDENTIAL PROPERTY
 COMMERCIAL PROPERTY
CITY PROPERTY TAX – FUNDED BY COUNCIL AT APRIL RETREAT

Steve Finch on behalf of the Flagstaff Lodging, Restaurant, and Tourism Association addressed Council with concerns about raising the property tax and the impact it will have on rising housing costs.

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Jim McCarthy to suspend the Rules of Procedure to allow Joe Galli to provide public comment. Mr. Galli had already addressed Council the maximum amount of times as provided in the Council Rules of Procedure.

Vote: 7 - 0 - Unanimously

Joe Galli on behalf of the Greater Flagstaff Chamber of Commerce addressed Council in opposition to the increase in property tax as it further contributes to the higher costs in the community. He asked the Council to not include the property tax increase in the approved budget.

There being no further comment Mayor Evans closed the public hearing.

The Council recessed into a Special Meeting at 8:27 p.m.

D. SPECIAL MEETING

i. Consideration and Adoption of Resolution No. 2019-25: A resolution of the Council of the City of Flagstaff, Arizona, adopting the Budget for the Fiscal Year 2019-2020

Vice Mayor Shimoni thanked staff for the education of the budget process and for their work in developing the proposed budget. He believes that there is room to grow and address many of the pressing issues in the community.

Councilmember Whelan acknowledged the 21% increase in the budget over 2019; this is an indication that the city is growing. She expressed concern about the lack of a priority-based focus in the budget, the monies that Council is permitted to allocate to their goals has increased but it still is not enough; with a budget of \$338 million, Council was only able to

allocate \$1.3 million. She expressed hesitation with moving the budget forward because the proposed 3% pay increase to staff is a longevity pay versus a merit raise. Employees need to be rewarded for their quality of work and not simply because they have been employed longer than others. She encouraged Council to shift their focus to community needs or Council goals rather than maintaining the status quo process.

Councilmember McCarthy stated that there has been discussion and movement toward changing the budget process next year and into the future. He believes that Council all supports a change in process, but the budget needs to be approved for the coming year.

Mayor Evans stated that she believes some of the issues with the budget are coming from not having clear direction from Council on the merit versus longevity pay. As the City moves forward with the Priority Based Budgeting process next year there will be conversations with the community about their priorities and where they feel resources should be allocated. Changes are coming and Council needs to be mindful of that.

Ms. Goodrich offered that the budget process can start earlier because there is no election to contend with and possible new membership on the Council. Staff has already begun the process of implementing Priority Based Budgeting for the coming year. It is not a single year fix and it will take some time to fully implement but it has started and Council will be brought in much earlier to provide input.

Mayor Evans emphasized that the budget process was done correctly, and she does not want people believing otherwise. It is possible to change the way things are done and improve the process but ultimately the budget was created in a proper way.

Councilmember Salas thanked staff for their work in preparing the budget. She expressed frustration about the budget being predicated on a property tax levy. The cost of living in Flagstaff is continuing to rise and so many other agencies are increasing their property taxes which only adds to the struggle. She indicated that she is not supportive of the budget should it include the property tax increase. She also noted that she is excited to see a change in the budgeting process and moving away from a base budget method.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2019-25 by title only for the first time.

Vote: 6 - 1

NAY: Councilmember Regina Salas

A RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA ADOPTING THE BUDGET FOR THE CITY OF FLAGSTAFF FOR FISCAL YEAR 2019-2020.

Moved by Councilmember Charlie Odegaard, **seconded by** Vice Mayor Adam Shimoni to adopt Resolution No. 2019-25.

Vote: 6 - 1

NAY: Councilmember Regina Salas

Mayor Evans adjourned the Special Meeting and reconvened into the Regular Session at 8:47 p.m.

14. REGULAR AGENDA

- A. Approve a Primary Property Tax Levy:** of \$6,892,243 in FY 2019-2020 (a 2.0% increase in levy from FY 2018-2019 plus amounts attributable to new construction) by roll call vote.

AND

Consideration and Adoption of Ordinance No. 2019-15: An ordinance levying upon the assessed valuation of the property within the City of Flagstaff, Arizona, subject to taxation a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amount estimated to be required in the Annual Budget, less the amount estimated to be received from other sources of revenue; providing funds for various bond redemptions, for the purpose of paying interest upon bonded indebtedness and providing funds for general municipal expenses, all for the Fiscal Year ending the 30th day of June, 2020. **(Primary and secondary property tax levies for FY 2019-2020)**

Rick Lopez addressed Council with frustrations about the budget approval process and indicated that he is in opposition of the increase in property taxes.

A written comment card in opposition of the increase in the primary property tax levy was submitted by Joe Galli.

Ms. Goodrich stated that the budget adoption process is dictated by state statute. She recognized that the process is confusing to many.

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Jim McCarthy to approve the proposed increase in the primary property taxes by roll call vote as required by "Truth in Taxation" legislation.

Vote: 4 - 3

NAY: Councilmember Charlie Odegaard
Councilmember Jamie Whelan
Councilmember Regina Salas

Moved by Councilmember Jim McCarthy, **seconded by** Vice Mayor Adam Shimoni to read Ordinance No. 2019-15 by title only for the first time.

Vote: 4 - 3

NAY: Councilmember Charlie Odegaard
Councilmember Jamie Whelan
Councilmember Regina Salas

AN ORDINANCE LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF FLAGSTAFF, ARIZONA, SUBJECT TO TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENSES, ALL FOR THE FISCAL YEAR ENDING THE 30TH

DAY OF JUNE, 2020

- B. Consideration and Adoption of Ordinance No. 2019-13:** An ordinance of the City Council of the City of Flagstaff, Arizona, amending Flagstaff City Code, Title 3, Business Regulations, Chapter 3-05, Privilege and Excise Taxes, Division 3-5-006, Use Tax, by increasing the use tax rate from 1% to 2.281%; providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date.

Management Services Director Rick Tadder provided a PowerPoint presentation that covered the following:

PROPOSED USE TAX INCREASE
ORDINANCE NO 2019-13
REVENUE IMPACT
PUBLIC HEARING/OUTREACH
COUNCIL OPTIONS

Councilmember Whelan stated that she is not supportive of applying the funds to the unfunded pension liability when there is already a plan in place to address. She would rather see these funds applied to the minimum wage assessment or cultural and recreational opportunities.

Councilmember Odegaard stated that applying these funds to the unfunded pension liability saves the public from an increase in sales tax through bonding. It is important to put as much as possible to the pension liability because it continues to increase year after year. Councilmember McCarthy agreed.

Moved by Councilmember Charlie Odegaard, **seconded by** Vice Mayor Adam Shimoni to read Ordinance No. 2019-13 by title only for the first time.

Vote: 5 - 2

NAY: Councilmember Jamie Whelan
Mayor Coral Evans

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 3, BUSINESS REGULATIONS, CHAPTER 3-05, PRIVILEGE AND EXCISE TAXES, DIVISION 3-5-006, USE TAX, BY INCREASING THE USE TAX RATE FROM 1% TO 2.281%; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

- C. Consideration and Adoption of Ordinance No. 2019-24:** An ordinance prohibiting the sale of tobacco products to persons under the age of 21.

Sterling Solomon stated that the ordinance before the Council for consideration is to prohibit the sale of tobacco products to people under 21 years of age.

The following individuals addressed Council in opposition of the ordinance:

- Mark Miller
- Tory Roberg

- Edward Townes
- Amanda Gray
- Todd Flores
- Shawn Frate

The following comments were received:

- Supportive of raising the age for purchase but request that it be at a state or federal level rather than local to avoid confusion between stores in different jurisdictions.
- There could be a reduction in the sales tax the city receives because people will go to neighboring cities, towns, and the reservation to purchase these products.
- Stakeholders should be engaged to provide input on the process.
- This should be a matter left to the state, not cities or towns.
- Business are going to lose business and it gives an unfair sales advantages to those outside of Flagstaff.

Mayor Evans stated that the issue of raising the age for purchase of tobacco products has been in play since 2018. During that time there have been countless people who have spoken in support of the ordinance.

Councilmember Odegaard stated that the ordinance has been a long time coming. The hope was to get a County solution that the City could join with, it was also hoped that there could be a State solution and that was not successful. This is why a local solution is needed.

Mr. Solomon stated that the application process, fee and fine amounts and other details will be forthcoming once the ordinance is passed. Staff would be happy to engage the stakeholders in the community to participate in the process of establishing those rules and regulations. Any new fee or proposed increases in fees have to be publicly posted 60 days in advance of consideration by the Council. There will be plenty of notice to the public who may want to participate in that discussion as well.

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-24 by title only for the first time as amended.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, ARIZONA, AMENDING FLAGSTAFF CITY CODE TITLE 7, HEALTH AND SANITATION, CHAPTER 7-09, TOBACCO PRODUCTS BY PROHIBITING THE SALE OF TOBACCO PRODUCTS TO PERSONS UNDER THE AGE OF 21; ESTABLISHING SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to continue the meeting in accordance with the City Council Rules of Procedure.

Vote: 7 - 0 - Unanimously

A break was held from 9:43 p.m. through 9:56 p.m.

- D. Consideration and Adoption of Resolution No. 2019-30:** A Resolution of the Flagstaff City Council, approving a Pond Agreement with Wanderland Flagstaff, LLC, to provide for acquisition of a storm water detention easement on certain real property located along west Route 66, construction of a pond for recreational and storm water detention use, and maintenance of the pond; providing for recording, and establishing an effective date.

ITEM POSTPONED TO JUNE 25, 2019

- E. Consideration and Adoption of Resolution No. 2019-28 and Ordinance No. 2019-19:** A resolution and ordinance amending the Flagstaff City Code, Title 8, *Streets and Public Ways* and Title 9, *Traffic*, Chapter 9-05, *Bicycles*.

The following individuals spoke in favor of allowing bikes on all FUTS trails:

- Dan Stoffel
- Derek Sonderegger
- Will Carlstrom
- Suzanne Muller
- Dr. Sara Gibson
- Jan Smith
- Anthony Quintile
- Ken Lane
- Jim Gibson
- Derick Monroy
- Norman Clark
- Joe Shannon
- Mark Lamberson
- Hardy Strozier
- Joe Koenig
- Mitch Buckingham

The following comments were received:

- Allow riders to choose the most appropriate routes for them.
- Do not designate certain trails as off limits to e-bikes.
- All types of bikes should be permitted on FUTS until there is better biking infrastructure in place.
- Behavior is the issue and that should be the focus.
- There is no data to support improper use of e-bikes on trails, hold off on any regulations until a problem is identified.
- Speed is as much an issue, if not more, for regular bicycles.
- Trying to find a solution to a non-existent problem.
- The problems are with the rider not the type of bike.
- E-bikes are expensive, so they are most often utilized by an older demographic that are generally more safe.
- The FUTS was intended as a multi-user system and designed for facilitating transportation throughout the city. If you break it up it ruins the transportation element.
- Supportive of safety rules and speed limits.
- Make it easy for people to get out of cars and onto bikes.
- Those with physical limitations should be able to enjoy the FUTS like all other cyclists.
- E-bikes are just like other bicycles, they have no difference in impact to user safety or conflicts than would exist with regular bikes.
- Additional regulations are not needed for e-bikes.

- It does not make sense to break the connectivity of the FUTS for different bikes and it would take away the most popular sections of the trails.
- It makes no sense to put new regulations in place that cannot be enforced.

The following individuals spoke in favor of prohibiting bikes on all FUTS trails:

- Ellen Tibbetts
- Emma Benenati

The following comments were received:

- Allowing e-bikes on the FUTS will open the door for motorized vehicles to use other non-appropriate areas.
- Trails are more rocky, have loose terrain, and are more dusty from mountain bikes, and faster and heavier e-bikes using these trails will create more damage and impact the pedestrians using the trails.
- Perhaps a permit for people with disabilities to access the non-paved trails.
- Maintenance is an issue and the City does not have a budget for increased maintenance and repairs caused by e-bikes.
- It sets a bad precedent for other forms of motorized transportation that may come.

The following individuals spoke in favor of the ordinance as presented:

- Joshua Sprinkle
- Joey Bono
- Joan Martini
- Margie Goulden
- Tom Martin
- Susan Hueftle

The following comments were received:

- The ordinance will allow Class 1 and 2 e-bikes on most FUTS trails with the exception of a couple.
- It removes the biking under the influence elements allowing for a safe alternative to driving.
- While it is preferred to have no e-bike use on any FUTS trails, a compromise can help get to a workable solution for all.
- The roads have not kept up with the needs of the cycling community and alternatives are needed for cyclists.

The following individual spoke in favor of limiting e-bikes to paved FUTS only:

- Betsy Snow

The following comments were received:

- Not all places are appropriate for e-bikes.
- The non-motorized FUTS was implemented with the intent that they would prohibit any type of motorized transportation.
- Allowing e-bikes on FUTS sets a precedent for motorized travel on other trails and open space.
- Consider the impacts on wildlife, pedestrians, and vegetation if e-bikes are permitted.
- E-bikes belong only on the street.
- Complete streets need to be the priority so problems are not pushed into other areas.
- The best compromise is to allow e-bikes on paved FUTS only.

Written comment cards in support of not allowing e-bikes on any FUTS were submitted by

the following:

- Tom Martin
- Betsy Lynn Snow

Written comment cards in support of allowing all bikes on any FUTS were submitted by the following:

- Brian Grube
- JoAnn Vigil
- Glenn Menein
- Derick Monroy
- Julia Menein

Written comment cards in support of the ordinance as presented were submitted by the following:

- Normal Clark
- Darren Bingham

Vice Mayor Shimoni stated that connecting people to the natural environment is what makes Flagstaff special. E-bikes are not considered vehicles under state law and should not be treated as such here. He can understand the concerns about safety but the safety of cyclists on the roads is a higher concern. Providing alternatives for commuting is essential to improving cyclist safety. He expressed support for increased signage, posted speed limits, and additional funding for FUTS and bike lane improvements.

Councilmember Whelan stated that she believes that the conversation has gotten too far in front of the issue. There is little data available to support a significant shift from current practices. She stated that e-bikes should be treated as regular bikes and if there are regulations on e-bikes they should also apply to regular bikes. Her recommendation is that Class 1 and 2 e-bikes should be allowed on all trails with the exception of some select trails that should be preserved for pedestrians only. She would like to see a committee of people to get together and determine which trails are best for young people to ride bikes, for where strollers to go, and where e-bikes are most appropriate. Education and signage is extremely important, this is a behavioral issue not an equipment issue.

Councilmember McCarthy stated that it is unfortunate that the conversation has become so polarized. The existing rule is that e-bikes are not allowed on FUTS because since 1988 they have been designated as non-motorized trails. He recommended the following trails be limited to non-motorized transportation only: Arizona Trail, Buffalo Park (Nate Avery Trail), Switzer Canyon Trail, Observatory Mesa Trails, Sinclair Wash Trails, and the Karen Cooper Trail.

Councilmember Aslan stated that he is supportive of allowing all bikes on FUTS trails but acknowledged that there is room for conversation about Councilmember McCarthy's suggestion. There is a lot of misunderstanding and misinformation going around on the issue. There is no significant difference between an e-bike and a regular bike and it does not make sense to prohibit e-bikes but not regular bikes from certain trails. His understanding of the designation of non-motorized travel for FUTS applies to transportation such as ATVs, motorcycles, and other off-road, gasoline powered equipment. If there is consideration about not allowing e-bikes in certain areas, the same should apply to regular bikes as well.

Councilmember Odegaard stated that he believes that an e-bike is a bicycle and should be allowed where regular bikes are allowed today.

Councilmember Salas stated that Vice Mayor Shimoni has a bike shop that could benefit from the decision being made on the matter. Even though it is a remote interest he should recuse himself from voting. Mr. Solomon indicated that a remote interest does not require a recusal from voting and that the decision rests with the councilmember.

Councilmember Salas indicated that she is concerned about safety if e-bikes are permitted on the FUTS. The FUTS trails connect with other county, state, and federal trails, and those partners need to be engaged in the conversation. NAU also needs to be involved because they are bringing in a vendor that will be including e-bikes in their fleet. A bigger conversation is needed before a decision can be made.

Mayor Evans stated that there needs to be better regulation of all bikes. They need to have a license, there needs to be designated areas for young riders to ride their bikes, and penalties are needed for bicycling under the influence. It is unfortunate that the issue is so divisive. She is supportive of considering Councilmember McCarthy's suggestions, but she would like for commissions to consider and weigh in. Modifications to the ordinance can always be made if needed.

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Austin Aslan to adopt Resolution No. 2019-28.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Jamie Whelan to amend the motion to prohibit Class 1 and Class 2 e-bikes on the Arizona Trail within Flagstaff city limits.

Vote: 4 - 3

NAY: Councilmember Austin Aslan
Councilmember Charlie Odegaard
Vice Mayor Adam Shimoni

Moved by Councilmember Jim McCarthy, **seconded by** Mayor Coral Evans to amend the motion to prohibit Class 1 and Class 2 e-bike on the Nate Avery and Buffalo Park trails.

Vote: 5 - 2

NAY: Councilmember Charlie Odegaard
Vice Mayor Adam Shimoni

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Jamie Whelan to amend the motion to allow the Pedestrian Advisory Committee, Bicycle Advisory Committee, and Transportation Commission to review the Flagstaff FUTS trails to make a recommendations on any other trails where e-bikes should be prohibited.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Regina Salas to amend the motion to include that signage should be added to the trail giving proper etiquette established by staff or committees and a speed limit of 15 mph for all bikes be posted on trails.

Vote: 2 - 5

AYE: Councilmember Jim McCarthy
Councilmember Regina Salas

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Regina Salas to amend the motion to protect the Observatory Mesa by prohibiting all e-bikes on Mars Hill and Tunnel Springs Trails.

Vote: 2 - 5

AYE: Councilmember Jim McCarthy
Councilmember Regina Salas

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Jim McCarthy to amend the motion to include the review of signage regarding biking etiquette by the Bicycle Advisory Committee, Pedestrian Advisory Committee, and Transportation Commission.

Vote: 7 - 0 - Unanimously

Original motion as amended.

Vote: 7 - 0 - Unanimously

Moved by Vice Mayor Adam Shimoni, **seconded by** Councilmember Austin Aslan to read Ordinance No. 2019-19 by title only for the final time as amended.

Vote: 7 - 0 - Unanimously

*AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF FLAGSTAFF,
ARIZONA AMENDING TITLE 8, STREETS AND PUBLIC WAYS AND TITLE 9, TRAFFIC,
CHAPTER 9-05, BICYCLES, OF THE FLAGSTAFF CITY CODE*

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Charlie Odegaard to adopt Ordinance No. 2019-19 as amended.

Vote: 7 - 0 - Unanimously

15. **COUNCIL LIAISON REPORTS**

16. **FUTURE AGENDA ITEM REQUESTS**

After discussion and upon agreement by three 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 Mayor Evans to place on a future agenda a discussion about a cell phone tower ordinance to require that the coverage map provided in the application be done by an independent third party.

ITEM POSTPONED TO JUNE 25, 2019.

- B. **Future Agenda Item Request (F.A.I.R.):** A request by Councilmember Odegaard to place on a future agenda a discussion about the creation of a City Veterans' Liaison Coordinator position.

ITEM POSTPONED TO JUNE 25, 2019.

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

None

18. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held June 18, 2019, adjourned at 12:13 a.m. on June 19, 2019.

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 June 18, 2019. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 19th day of January, 2021.

CITY CLERK