

MINUTES

1. **CALL TO ORDER**

Mayor Evans called the meeting of the Flagstaff City Council held July 2, 2019, to order at 4:01 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 (telephonically)
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. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- A. **Consideration and Approval of Minutes:** City Council Regular Meeting of September 18, 2018; Combined Special Meeting/Work Session of September 25, 2018; Regular Meeting of October 2, 2018; Combined Special Meeting/Work Session of October 9, 2018; Special Meeting (Executive Session) of February 7, 2019; Special Meeting (Executive Session) of February 12, 2019; Special Meeting (Executive Session) of February 26, 2019; Special Meeting (Executive Session) of March 5, 2019; Special Meeting (Executive Session) of March 12, 2019; Special Meeting (Executive Session) of March 15, 2019; Special Meeting (Executive Session) of March 19, 2019; Special Meeting (Executive Session) of March 21, 2019; Special Meeting (Executive Session) of March 26, 2019; Special Meeting (Executive Session) of April 2, 2019; April 9, 2019; Special Meeting (Executive Session) of April 16, 2019; Special Meeting (Executive Session) of April 30, 2019; Special Meeting (Executive Session) of May 7, 2019; Special Meeting (Executive Session) of May 14, 2019; Special Meeting (Executive Session) of May 28, 2019; Special Meeting (Executive Session) of June 4, 2019; Special Meeting (Executive Session) of June 11, 2019; and Special Meeting (Executive Session) of June 18, 2019.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to approve the minutes of the City Council Regular Meeting of September 18, 2018; Combined Special Meeting/Work Session of September 25, 2018; Regular Meeting of October 2, 2018; Combined Special Meeting/Work Session of October 9, 2018; Special Meeting (Executive Session) of February 7, 2019; Special Meeting (Executive Session) of February 12, 2019; Special Meeting (Executive Session) of February 26, 2019; Special Meeting (Executive Session) of March 5, 2019; Special Meeting (Executive Session) of March 12, 2019; Special Meeting (Executive Session) of March 15, 2019; Special Meeting (Executive Session) of March 19, 2019; Special Meeting (Executive Session) of March 21, 2019; Special Meeting (Executive Session) of March 26, 2019; Special Meeting (Executive Session) of April 2, 2019; April 9, 2019; Special Meeting (Executive Session) of April 16, 2019; Special Meeting (Executive Session) of April 30, 2019; Special Meeting (Executive Session) of May 7, 2019; Special Meeting (Executive Session) of May 14, 2019; Special Meeting (Executive Session) of May 28, 2019; Special Meeting (Executive Session) of June 4, 2019; Special Meeting (Executive Session) of June 11, 2019; and Special Meeting (Executive Session) of June 18, 2019.

Vote: 7 - 0 - Unanimously

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.

Jay Lively Recreation Supervisor Michael Abeyta addressed Council with information about National Parks and Recreation Month.

Sandra Englekey addressed Council about the upcoming 4-H livestock auction at the Coconino County Fair.

6. PROCLAMATIONS AND RECOGNITIONS

A. Employee Work Group Recognition

Senior Assistant Prosecution Attorney Robert Brown.

Mr. Solomon showed the nomination video that recommended Mr. Brown for a Prosecutor Lifetime Achievement award.

The Mayor and Council approached the podium to read and present Mr. Brown with a proclamation in honor of him receiving the Prosecutor Lifetime Achievement Award.

Flagstaff Housing Staff

Councilmember Whelan read a statement regarding the Silar Homes Gas Line incident, after which Mayor and Council asked the Housing staff to join them at the front of the room to be honored and recognized for their efforts.

Jesse Dominguez

Mayor and Council asked Jesse Dominguez to approach the dais and receive a proclamation declaring July 2, 2019 as Jesse Dominguez Day in honor of his 52 years of service to the City of Flagstaff and the Flagstaff Housing Authority.

7. LIQUOR LICENSE PUBLIC HEARINGS

Mayor Evans opened the public hearing.

Police Sergeant Collin Seay briefly reviewed the application.

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

A. **Consideration and Action on Liquor License Application:** John Peasley, "Grand Canyon Brewing Company," 1800 S. Milton Road #11, Series 06 and Series 03, Location/Owner Transfer and New License.

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

Vote: 7 - 0 - Unanimously

8. 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 Jamie Whelan, **seconded by** Councilmember Jim McCarthy to approve the Consent Agenda as presented.

Vote: 7 - 0 - Unanimously

- A. **Consideration of Appointment:** City Attorney.
Re-appoint Sterling Solomon as the City Attorney for the City of Flagstaff.

9. **ROUTINE ITEMS**

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

Mr. Solomon addressed Council stating that there were several comments from residents and retailers and in response to the feedback that was received there will be a stakeholder meeting between now and when the fee schedule comes before Council in September.

Councilmember Salas asked Mr. Solomon about offering an exception to active military personnel. Mr. Solomon indicated that it is a Council decision as to whether they want to provide any sort of exception. There are other municipalities that offer this type of exception but it is really a decision of the Council.

The following individuals addressed Council in support of the ordinance:

- Nicole Olmstead
- Christina Caldwell
- Gabe Smith
- Anastacia Dougi
- Karime Arce-Romero
- Stacey Robbins
- Hunter Owens
- Jolynn Robbins
- Bernice Carver

The following comments were received:

- This is a very strong ordinance, thank you for taking the matter seriously.
- We hope this ordinance can be a model for other cities in the state.
- The military is working to get tobacco out of the armed forces to make sure troops are as healthy as they can be.
- This is very important to keeping our community healthy.
- Kids are smoking at younger and younger ages, this will help reduce their access to tobacco.
- Keeping tobacco out of youth's hands is paramount to ending a nationwide epidemic.
- This ordinance will curb the addiction to tobacco.
- Military branches has increased education and tobacco cessation efforts.
- Raising the purchasing age to 21 would make it easier for retailers to enforce because vertical licenses would apply to both tobacco and alcohol.
- We are happy to see the Council upholding their mission, to protect and enhance the quality of life for all.
- Delaying tobacco initiation until 21 will help prevent a lifetime of addiction and reduce the rates of addiction in our community.

Mayor Evans expressed appreciation to the young people who have been following and pushing the issue for the last two years.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-24 by title only for the final time including the amendments for the inclusion of education.

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 Austin Aslan, **seconded by** Councilmember Jamie Whelan to adopt Ordinance No. 2019-24.

Vote: 7 - 0 - Unanimously

- B. 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.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to read Ordinance No. 2019-11 by title only for the final 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

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to adopt Ordinance No. 2019-11.

Vote: 7 - 0 - Unanimously

- C. 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.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-18 by title only for the final 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

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to adopt Ordinance No. 2019-18.

Vote: 7 - 0 - Unanimously

- D. 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.

Councilmember McCarthy asked if a right turn lane will be added from southbound Humphreys onto Aspen Avenue. City Engineer Rick Barrett stated that it is included as part of the overall Arizona Department of Transportation project.

Councilmember Salas stated that the project is a good example of the public private partnerships that move projects forward.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-23 by title only for the final 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

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Regina Salas to adopt Ordinance No. 2019-23.

Vote: 7 - 0 - Unanimously

- E. Consideration and Adoption of Ordinance No. 2019-25:** An ordinance of the City Council of the City of Flagstaff, Arizona, amending the Flagstaff City Code, Title 2, Boards and Commissions, by adding a new chapter 2-25, creating a Housing Commission; providing for repeal of conflicting ordinances, severability, and establishing an effective date.

Housing Director Sarah Darr provided a PowerPoint presentation that covered the following:

ORDINANCE 2019-25 CREATING A HOUSING COMMISSION (SECOND READ)
 PURPOSE
 EIGHT DUTIES – 1 & 2
 EIGHT DUTIES – 3, 4 & 5
 EIGHT DUTIES – 6, 7 & 8
 COMMISSION MEMBERS
 13 COMMISSION MEMBERS
 COMMISSION MEMBERS
 OTHER ITEMS OF INTERESTS

The Council discussed adding a provision to the ordinance that directs the commission to make recommendations on housing policy and housing needs in Flagstaff.

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jamie Whelan to read Ordinance No. 2019-25 by title only for the final time and including the amending B(2) to include make recommendations on housing policy and housing needs in Flagstaff.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, TITLE 2, BOARDS AND COMMISSIONS, BY ADDING A NEW CHAPTER 2-25, CREATING A HOUSING COMMISSION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to adopt Ordinance No. 2019-25 as amended.

Vote: 7 - 0 - Unanimously

- F. **Consideration and Approval of Grant Agreement:** Arizona 911 Grant Agreement between Arizona Department of Administration Office of Grants and Federal Resources and the City of Flagstaff Acting as System Administrator for Coconino County.

Flagstaff Police Department Communications Manager Katie Brandis reported that the grant covers the cost for the 911 telephone system for five agencies across Coconino County. The City will act as the administrator of the grant and the State will reimburse the City for the cost of the service. One of the requirements of the grant is to have Intergovernmental Agreements in place with the other agencies that requires each agency to cover their costs if the State of Arizona is unable to pay.

The Council expressed their support for the forward-thinking approach to streamline the funding services.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to approve the acceptance of the grant from the Arizona Department of Administration Office of Grants and Federal Resources in the amount of \$720,616.00 for the 911 budget for Coconino County FY2020.

Vote: 7 - 0 - Unanimously

- G. **Consideration and Adoption of Resolution No. 2019-34:** A resolution of the Flagstaff City Council, approving an Intergovernmental Agreement between the City of Williams, City of Page, Grand Canyon National Park, Glen Canyon National Park Service and the City of Flagstaff for the Arizona 911 Grant Program

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to read Resolution No. 2019-34 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILLIAMS, CITY OF PAGE, GRAND CANYON NATIONAL PARK, GLEN CANYON NATIONAL PARK SERVICE AND THE CITY OF FLAGSTAFF FOR THE ARIZONA 911 GRANT PROGRAM

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2019-34.

Vote: 7 - 0 - Unanimously

- H. **Consideration and Adoption of Resolution No. 2019-33:** A resolution of the Flagstaff City Council, approving an amendment to the Intergovernmental Agreement between the Coconino County Community College District and the City of Flagstaff for the continued use and operation of the East Flagstaff Community Library; and establishing an effective date

Interim Library Director Mark Cesare introduced newly hired Library Director Jared Tolman. Economic Vitality Director Heidi Hansen thanked Mr. Cesare for his service as Interim for the last 18 months.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Austin Aslan to read Resolution No. 2019-33 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE COCONINO COUNTY COMMUNITY COLLEGE DISTRICT AND THE CITY OF FLAGSTAFF FOR THE CONTINUED USE AND OPERATION OF THE EAST FLAGSTAFF COMMUNITY LIBRARY; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2019-33.

Vote: 7 - 0 - Unanimously

- I. **Consideration and Adoption of Resolution No. 2019-29:** A resolution of the City Council of the City of Flagstaff approving an Intergovernmental Agreement between Coconino County, the Coconino County Free Library District, and the City of Flagstaff for the administration, operation, maintenance and capital improvement at the Tuba City Library.

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jamie Whelan to read Resolution No. 2019-29 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN COCONINO COUNTY, THE COCONINO COUNTY FREE LIBRARY DISTRICT, AND THE CITY OF FLAGSTAFF FOR THE ADMINISTRATION, OPERATION, MAINTENANCE AND CAPITAL IMPROVEMENTS AT THE TUBA CITY LIBRARY

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Jamie Whelan to adopt Resolution No. 2019-29.

Vote: 7 - 0 - Unanimously

- J. Consideration and Adoption of Resolution No. 2019-37:** A resolution of the Flagstaff City Council, approving an Intergovernmental Agreement between Coconino County and the City of Flagstaff for Dispute Resolution/Mediation Services.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2019-37 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COCONINO COUNTY AND THE CITY OF FLAGSTAFF FOR THE ALTERNATIVE DISPUTE RESOLUTION PROGRAM MEDIATION SERVICES

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Jamie Whelan to adopt Resolution No. 2019-37.

Vote: 7 - 0 - Unanimously

- K. Consideration and Approval of Contract:** State Lobbying Professional Services Contract with Elevated Advocacy, LLC.

Senior Management Analyst Cliff Bryson briefly reviewed the contract.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to approve the State Lobbying Services Contract with Elevated Advocacy, LLC to provide state lobbying services for the City of Flagstaff, with the first year's monthly fee at five thousand dollars (\$5,000), which includes all applicable expenses billed at cost, for a total annual fee of sixty thousand dollars (\$60,000). Year two and year three will be at a monthly fee of \$5,500, which includes all applicable expenses billed at cost, for an annual fee of sixty-six thousand dollars (\$66,000) and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

RECESS

The 4:30 p.m. portion of the July 2, 2019, Regular Council Meeting recessed at 5:30 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Evans reconvened the Regular Meeting of July 2, 2019, at 6:03 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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10. ROLL CALL

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

PRESENT:

ABSENT:

MAYOR EVANS
VICE MAYOR SHIMONI (telephonically)
COUNCILMEMBER ASLAN
COUNCILMEMBER MCCARTHY
COUNCILMEMBER ODEGAARD
COUNCILMEMBER SALAS
COUNCILMEMBER WHELAN

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

11. PLEDGE OF ALLEGIANCE

The Council and audience recited the pledge of allegiance.

12. PUBLIC PARTICIPATION

Economic Vitality Director Heidi Hansen and NAU Alumni Director Stephanie Smith addressed Council with information about the I Heart Flagstaff event on July 27, 2019.

13. CARRY OVER ITEMS FROM THE 4:30 P.M. AGENDA**14. PUBLIC HEARING ITEMS**

- A. 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.

Mayor Evans opened the public hearing.

Steve Finch with the Flagstaff Lodging, Restaurant, and Tourism Association addressed Council in opposition to the proposed use tax increase.

Mayor Evans asked Ms. Goodrich about the City's current fund balance. Ms. Goodrich explained that for the General Fund there is a 20% fund balance that is roughly \$13 to \$14 million. Mayor Evans asked what the standard percentage is to which Ms. Goodrich responded that typically it is somewhere between 10% and 15%

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

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Austin Aslan to read Ordinance No. 2019-13 by title only for the final time.

Councilmember McCarthy stated that he will be supporting the measure because the City is in a bad situation with the unfunded pension liability and the proposed use tax is something that can help try and solve the problem. Furthermore, the action will level the playing field so people do not get a discount for purchasing goods outside the city.

Councilmember Whelan expressed that she is not willing to support the proposal because she does not think that it provides a big enough impact on the unfunded liability.

Vote: 6 - 1

NAY: Councilmember Jamie Whelan

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

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Austin Aslan to adopt Ordinance No. 2019-13.

Vote: 6 - 1

NAY: Councilmember Jamie Whelan

15. **REGULAR AGENDA**

- A. 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)**

Finance Director Brandi Suda introduced the item and provided a brief overview.

Councilmember Salas asked what options would be available should the Council not pass the tax. Ms. Suda indicated that the City could look at raising user fees or make other cuts to expenditures that were approved with the use of the funds.

Councilmember Salas asked how much revenue is generated with the increase to which Ms. Suda stated \$130,000.

The following individuals addressed Council in opposition of an increase in the property tax:

- Steve Finch
- Rick Lopez

The following comments were received:

- There is no end to increased taxes.
- Even small increases continue to add on to the impact to residents of Flagstaff.
- People are leaving Flagstaff because they cannot afford to live here.
- Show the residents that you care and do not continue to increase taxes.
- The Council should be directing staff to find funding elsewhere rather than pinching taxpayers even more.
- The City's budget is 20% higher than it was a year ago, it does not makes sense to continue raising taxes.

Councilmember Shimoni clarified that the 20% increase in overall budget is related to carryover funding for capital projects, it is not funding that can be used for other purposes.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Austin Aslan to read Ordinance No. 2019-15 by title only for the final 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

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Jim McCarthy to adopt Ordinance No. 2019-15.

Vote: 4 - 3

NAY: Councilmember Charlie Odegaard
Councilmember Jamie Whelan
Councilmember Regina Salas

B. Consideration of Appointment: City Manager.

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Charlie Odegaard to appoint and approve the agreement for City Manager effective August 26, 2019 for the City of Flagstaff.

Vote: 7 - 0 - Unanimously

- C. Consideration and Adoption of Resolution No. 2019-31 and Ordinance No. 2019-22:** A Resolution of the City Council of the City of Flagstaff, Coconino County, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "2019 Zoning Code Amendments Industrial Zones and Miscellaneous Revisions (PZ-19-00087 AND PZ-19-00093)"; and, an Ordinance of the City Council of the City of Flagstaff, Coconino County, Arizona, amending the Flagstaff City Code, Title 10, Flagstaff Zoning Code (Ordinance No. 2011-20), Chapters 10-20, 10-40, 10-50, 10-60, and 10-80, as provided in that certain document entitled "2019 Zoning Code Amendments Industrial Zones and Miscellaneous Revisions (PZ-19-00087 and PZ-19-00093)" Declared to be a Public record by Resolution No. 2019-31; providing for repeal of conflicting ordinances, severability, and establishing an effective date.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to adopt Resolution No. 2019-31.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to read Ordinance No. 2019-22 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE (ORDINANCE NO. 2011-20), CHAPTERS 10-20, 10-40, 10-50, 10-60, AND 10-80, AS PROVIDED IN THAT CERTAIN DOCUMENT ENTITLED "2019 ZONING CODE AMENDMENTS INDUSTRIAL ZONES AND MISCELLANEOUS REVISIONS (PZ-19-00087 AND PZ-19-00093)" DECLARED TO BE A PUBLIC RECORD BY RESOLUTION NO. 2019-31; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to adopt Ordinance No. 2019-22.

Vote: 7 - 0 - Unanimously

- D. 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. **(McGrath Partners Zoning Map Amendment request for property located at 825 and 829 E. Butler Avenue)**

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

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Regina Salas to adopt Ordinance No. 2019-20.

Vote: 7 - 0 - Unanimously

- E. Consideration and Adoption of Resolution No. 2019-36:** A resolution authorizing the execution of a Development Agreement between McGrath Real Estate Partners, LLC and the City of Flagstaff related to the development of approximately 14.51 acres of real property (APNs 104-13-002B and 104-03-005B) generally located at 825 and 829 E. Butler Avenue. **(McGrath Development Agreement)**

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to read Resolution No. 2019-36 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN MCGRATH REAL ESTATE PARTNERS, LLC AND THE CITY OF FLAGSTAFF RELATED TO THE DEVELOPMENT OF APPROXIMATELY 14.51 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 825 AND 829 EAST BUTLER AVENUE AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jamie Whelan to adopt Resolution No. 2019-36.

Vote: 7 - 0 - Unanimously

- F. Consideration and Approval of Preliminary Plat** Request by Brookfield Communities, Inc. for Preliminary Plat approval for Woodshire on Butler Condominiums, a 50-unit residential condominium subdivision. The 4.06-acre site is located at 2989 E. Butler Avenue in the HC, Highway Commercial Zone and 3001 E. Butler Avenue in the HR, High-Density Residential Zone; both are in a Resource Protection Overlay (RPO) zone.

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

PRELIMINARY PLAN BROOKFIELD COMMUNITIES, INC. WOODSHIRE ON BUTLER
CONDOMINIUMS
PROPERTY BACKGROUND
VICINITY MAP WITH ZONING
AERIAL
PROPOSED FULL BUILDOUT OF BUTLER AVE. & ROUNDABOUT
DEVELOPMENT PROCESS
PRELIMINARY PLAT & AIRSPACE
BROOKFIELD COMMUNITIES PRELIMINARY PLAT FINDINGS
SYSTEMS ANALYSIS
RECOMMENDATION

Councilmember Whelan asked if there is an estimate on the cost to purchase a unit. Phil Peterson with Brookfield Communities stated that everything they do is aimed at affordability and they try to keep units under \$300,000.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Austin Aslan to approve the Preliminary Plat for Woodshire on Butler Condominiums, a 50-unit residential condominium subdivision. The 4.06-acre site is located at 2989 E. Butler Avenue in the HC, Highway Commercial Zone and 3001 E. Butler Avenue in the HR, High-Density Residential Zone; both are in a Resource Protection Overlay (RPO) zone.

Vote: 7 - 0 - Unanimously

- G. Consideration and Possible Adoption of Resolution No. 2019-18:** A resolution authorizing the execution of a Development Agreement between Woodshire on Butler, LLC, and the City of Flagstaff related to the development of approximately 4.06 acres of real property generally located at 2989 E. Butler Avenue (APN 106-04-007B) and 3001 E. Butler Avenue (APN 106-04-006C). **(Woodshire on Butler Development Agreement)**

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Charlie Odegaard to read Resolution No. 2019-18 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN WOODSHIRE ON BUTLER, LLC AND THE CITY OF FLAGSTAFF RELATED TO THE DEVELOPMENT OF APPROXIMATELY 4.06 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 2989 AND 3001 EAST BUTLER AVENUE AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to adopt Resolution No. 2019-18.

Vote: 7 - 0 - Unanimously

- H. Consideration and Approval of Contract:** An agreement with the Flagstaff Downtown Business Alliance (FDBA), Coconino County and Northern Arizona Intergovernmental Public Transit Authority (NAIPTA) to hire consulting services for a Downtown Vision and Action Plan. **(Downtown Vision)**

Councilmember Shimoni left the meeting at 7:19 p.m.

Current Planning Manager Tiffany Antol provided a PowerPoint presentation that covered the following:

DOWNTOWN VISION & ACTION PLAN PARTNERSHIP AGREEMENT
PROJECT OBJECTIVE
PARTNERS & FUNDING AVAILABILITY
STUDY AREA
CONSULTANT SERVICES

Council expressed gratitude for the partnership with downtown and that they are looking forward to seeing a plan come to fruition.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to approve the agreement with the Flagstaff Downtown Business Alliance (FDDBA), Coconino County and Northern Arizona Intergovernmental Public Transit Authority (NAIPTA) to hire consulting services for a Downtown Vision and Action Plan.

Vote: 6 - 0 - Unanimously

- I. **Consideration and Approval:** Calling a Special Meeting for August 27, 2019 and canceling the Work Session.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to cancel the August 20, 2019 Regular Meeting, cancel the August 27, 2019 Work Session, and call a Special Meeting for August 27, 2019.

Vote: 6 - 0 - Unanimously

16. **COUNCIL LIAISON REPORTS**

Councilmember Whelan reported that she attended a NACOG meeting where it was announced that there is money left for grants and projects. She is hoping that there will be some utilization of those funds for Headstart. She also reported that NACOG is working with Mountain Line to identify possible ways to better connect rural areas to Flagstaff.

General Manager and CEO Erika Mazza stated that Mountain Line continues to pursue options for a connection between Flagstaff and Winslow along with other surrounding areas.

Councilmember Whelan also reported that Senator McSally will be in town on the 3rd to meet with Mountain Line and do a tour of the possible Downtown Connection Center site.

17. **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 Councilmember Whelan to place on a future agenda a discussion to review and assess the current Fleet Policy.

Councilmember Whelan stated that she has gotten the information that she was seeking in terms of the request and indicated that she would like to withdraw her request. A majority of Council agreed to remove the item from the F.A.I.R. agenda.

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

Councilmember McCarthy stated that there have been complaints about the bulk trash pick-up. Public Works Director Andy Bertelsen stated that they are about two weeks behind. The tonnage is double the amount from last year so it is taking a bit longer. Also slowing down operations is the non-permitted items in the piles; those items have to be separated out by hand which is time consuming. It is a popular program and there are ongoing conversations about how to improve the program and make operations more efficient.

Councilmember Aslan stated that he is looking forward to the break and hopes everyone enjoys some time off from Council meetings. He mentioned that he is looking forward to participating in the Fourth of July parade with Council.

Councilmember Odegaard stated that there is a food drive at Sam's Club tomorrow for the Food Pantry. He also reported that Victor Daniels from Veterans' Affairs will be in town speaking with the Exchange Club. Congressman O'Halleran will also be speaking at the Chamber. He thanked staff for their hard work and for always being responsive to his questions. He also expressed frustration with recent letters to the editor in the paper that have misinformation contained in them.

Councilmember Salas reported that she attended the Water Services and Housing open houses and did a tour of their facility. She also reported that she will be attending the Sister Cities Convention with CVB Director Trace Ward in a couple of weeks. She wished everyone a happy Fourth of July.

Ms. Goodrich congratulated Shannon Anderson who accepted the position of Deputy City Manager, she shared that Ms. Anderson was formally the Human Resources Director. She also recognized and thanked Police Chief Kevin Treadway who stepped in as Acting Deputy City Manager during the last year and a half of transition.

Councilmember Aslan acknowledged that it was Ms. Goodrich's last meeting as City Manager. He thanked her for her service to the community and that he appreciates all the work she has done and the character she brought to the Council.

Mayor Evans congratulated and welcomed Ms. Anderson on her promotion. She also thanked Ms. Goodrich and wished her well as she heads into retirement. Mayor Evans also wished everyone a Happy Fourth of July.

19. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held July 2, 2019, adjourned at 7:52 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 July 2, 2019. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 16th day of March, 2021.

CITY CLERK