

MINUTES

1. CALL TO ORDER

Mayor Evans called the Special Meeting of the Flagstaff City Council held June 17, 2020, to order at 6:45 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 (virtually)
VICE MAYOR SHIMONI (virtually)
COUNCILMEMBER ASLAN (virtually)
COUNCILMEMBER MCCARTHY (virtually)
COUNCILMEMBER ODEGAARD (virtually)
COUNCILMEMBER SALAS (virtually)
COUNCILMEMBER WHELAN (virtually)

Others present: City Manager Greg Clifton; City Attorney Sterling Solomon.

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The Council and audience recited the pledge of allegiance and Councilmember Aslan 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. **Consideration and Adoption of Resolution No. 2020-36:** A resolution of the Council of the City of Flagstaff, Arizona, adopting the Budget for the Fiscal Year 2020-2021.

Mayor Evans thanked those who took the time to submit comments on the budget, she also thanked the staff members who read those comments into the record. She offered comments about representing all citizens of Flagstaff and the importance of hearing and considering all voices. She acknowledged the work of police officers and recognized their families. She acknowledged the difficulties faced by police officers when having to serve as social workers, substance abuse counselors, and mental health care providers. She also recognized the issues that exist around the country with some officers.

Mayor Evans spoke about the Black Lives Matter movement. Right now, in America, Arizona, and Flagstaff the focus should be on the black lived experience and the lack of acknowledgement of the contributions of black people and the continued struggle with systemic racism. Flagstaff needs to stop and acknowledge and give credit to the black community. The City Council needs to fully back and support the proposal provided by the Southside Association and assist in having those conversations.

Councilmember Aslan stated that he does not want to adjust the budget at this time. He does believe that there need to be conversations about the police budget, data collection and availability, and opportunities for adjustments. He requested the following FAIR item:

To have a logistical discussion for launching a community dialogue that explores the black lived experience in Flagstaff and Arizona and he would like the city to partner with the Flagstaff Southside Community Association to lead the way.

Councilmember Salas thanked everyone for their words and passion for the community. She fully supports the strategic framework for truth, justice, and reconciliation proposed by the black community and the Southside Community Association. She stated that the budget before the Council has evolved and developed to fulfill the goals identified by the Council. She added that the purpose of law enforcement in a free society is to promote public safety and uphold the rule of law so individual liberty can flourish. Without law enforcement anarchy, chaos and lawlessness will prevail. Promoting community policing and improving training will require resources and an enduring commitment from leadership at every level of government. There is a significant need to provide additional resources to social services, public housing, and education, but it should not come at the expense of police funding.

Councilmember Odegaard thanked the community for all the comments received and for the staff who read those comments. Now is the time to engage the community in meaningful dialogue and action for social reform. He requested that more funding be allocated for police training and also requested funding to assist with the community discussions requested by the Southside Community Association.

Vice Mayor Shimoni thanked the public for their engagement. He spoke about the CAHOOTS program in Eugene, Oregon and his desire to see a similar program implemented in Flagstaff. It is a mobile crisis program that provides assistance, free crisis response for homelessness, intoxication, mental health emergencies, and de-escalation. He believes that a similar program would cost about \$1 Million and could potentially divert 20% of calls to the police.

Councilmember Whelan also thanked the community for their comments. She supports a process to actively engage the community in meaningful dialogue and to take action for

social justice reform. She would like to see funding directed to the Southside Community Association to engage in a community dialogue about the black lived experience. She would also like to see an increase in funding for training for the police department.

Councilmember McCarthy indicated that many of the things they want and should do will take time and at this stage in the process it is not prudent to make significant changes in the budget. He is supportive of adding back the funding for training for the police department. He stated that the Flagstaff Police Department is an excellent department. He acknowledged that mistakes are made but those have always been addressed appropriately by leadership. He requested the following FAIR item:

Presentation to Council by the police department on their policies and procedures regarding racial profiling, de-escalation training, use of force, rules on the various types of choke holds, how complaints of inappropriate actions are handled, and procedures to prevent hiring officers that took inappropriate actions in other police departments. Presentation should include recommendations regarding procedures recently evolving in other cities where other professionals (e.g., paramedics, counselors, etc.) respond to calls that do not involve possible violence and do not require an armed officer. Also, consideration of creating a Public Safety Commission.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to read Resolution No. 2020-36 by title only incorporating the discussion of Council regarding police training and funding for the southside neighborhood association community conversations.

Vote: 7 - 0 - Unanimously

*A RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA
ADOPTING THE BUDGET FOR THE CITY OF FLAGSTAFF FOR FISCAL YEAR
2020-2021*

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Austin Aslan to adopt Resolution No. 2020-36.

Vote: 7 - 0 - Unanimously

5. **Consideration and Adoption of Ordinance No. 2020-16:** 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, 2021. **(Primary and secondary property tax levies for FY 2020-2021)**

Michael Henderson submitted a public comment in opposition to a secondary tax levy.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2020-16 by title only for the first time.

Vote: 7 - 0 - Unanimously

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

A break was held from 8:06 p.m. through 8:25 p.m.

6. **Consideration and Adoption of Resolution No. 2020-35:** 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
SECTION 1: INTRODUCTION
SECTION 2: PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
SECTION 3: PSPRS FUNDING GOAL
SECTION 4: ADDITIONAL COUNCIL CONSIDERATION
PATH FORWARD

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to read Resolution No. 2020-35 by title only for the first time.

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 Austin Aslan to adopt Resolution No. 2020-35.

Vote: 7 - 0 - Unanimously

7. **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.

Dispatch Supervisor Katie Brandis addressed Council stating that the police department has been designated the system administrator for Coconino County by the State 911 Office. The grant is to cover the costs of all the 911 telephone systems in Coconino County and it will be administered through Flagstaff Police Department.

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jamie Whelan to approve the acceptance of the grant from the Arizona Department of Administration Office of Grants and Federal Resources in the amount of \$501,554.00 for the 911 budget for Coconino County FY2020-21.

Vote: 7 - 0 - Unanimously

8. **Consideration and Adoption of Resolution No. 2020-32:** 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 Vice Mayor Adam Shimoni, **seconded by** Councilmember Jamie Whelan read Resolution No. 2020-32 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. 2020-32.

Vote: 7 - 0 - Unanimously

9. **Consideration and Adoption of Resolution No. 2020-39:** A Resolution of the Flagstaff City Council, authorizing Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA) to proceed with environmental and other evaluation and planning for the Downtown transfer center on City property under the existing license.

Mayor Evans reordered the agenda to take this item after Item 13.

Community Development Director Dan Folke indicated that Mountain Line has identified the site of the existing transfer station as the best location to construct the new Downtown Connection Center. The agreement will allow them to proceed with a NEPA process that includes environmental testing.

Moved by Mayor Coral Evans, **seconded by** Councilmember Jamie Whelan to recess into Executive Session for legal advice.

Vote: 7 - 0 - Unanimously

Council recessed into Executive Session from 9:24 p.m. through 9:36 p.m.

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2020-39 by title only.

Vote: 7 - 0 - Unanimously

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

Moved by Councilmember Jamie Whelan, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2020-39.

Vote: 7 - 0 - Unanimously

10. **Consideration and Adoption of Resolution No. 2020-34:** A resolution of the City Council of the City of Flagstaff, Coconino County, Arizona authorizing City of Flagstaff to become a member of the Arizona municipal Risk Retention Pool, an Arizona nonprofit corporation.

Risk Management Director Dean Coughenour indicated that the resolution formally enters the City of Flagstaff into the Arizona Municipal Risk Retention Pool.

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to read Resolution No. 2020-34 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, AUTHORIZING CITY OF FLAGSTAFF TO BECOME A MEMBER OF THE ARIZONA MUNICIPAL RISK RETENTION POOL, AN ARIZONA NONPROFIT CORPORATION

Moved by Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2020-34.

Vote: 7 - 0 - Unanimously

11. **Consideration and Approval of Preliminary Plat** Request by AZ North Realty for Preliminary Plat (replat) approval for Rio Homes Unit 4, a 5.1-acre site located at 1221 East Emma Drive. The site is in the Medium Density Residential (MR) zone and has a Resource Protection Overlay (RPO).

Mr. Folke recognized Planning Development Manager Elaine Averitt for her 14 years of service to the city. He announced that Ms. Averitt would be retiring on June 26, 2020.

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

RIO HOMES UNIT 4 PRELIMINARY PLAT
LOCATION – 1221 EAST EMMA DRIVE
EXISTING SUBDIVISION PLAT – 2005
PROPOSED PRELIMINARY PLAT 2020
CIVIL SITE PLAN – LOWER LOOP (WEST)
CIVIL SITE PLAN – UPPER LOOP (EAST)
FLAGSTAFF ZONING CODE
RESOURCE PROTECTION PLAN
SITE PLAN BUILDING ELEVATIONS
RIO HOMES UNIT 4 – SYSTEMS ANALYSIS
RECOMMENDATION

Councilmember McCarthy asked if both trash and recycling service would be provided to which Ms. Averitt responded yes.

Vice Mayor Shimoni asked about the electric vehicle hook ups and room breakdown. Ms. Averitt stated that she does not have specific information on the electric vehicle hook ups but that the building safety review does require that the infrastructure is installed. In terms of the room break down, all units are either one or two bedrooms.

Councilmember Whelan asked if any of the units are to be affordable. Ms. Averitt noted that there was not an affordable component to the development.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to approve the preliminary plat for Rio Homes Unit 4, a 5.1-acre site located at 1221 East Emma Drive.

Vote: 7 - 0 - Unanimously

- 12. Consideration and Adoption of Resolution No. 2020-37:** A resolution of the City Council of the City of Flagstaff, Arizona, calling a Special Election to be held on November 3, 2020, in conjunction with the City's General Election, to submit to the registered voters of Flagstaff a question to approve the continuation of a 1% City transaction privilege (sales) tax, excluding the tax on food, through June 30, 2035

City Clerk Stacy Saltzburg addressed Council requesting a call of a Special Election in conjunction with the November General Election for the purpose of seeking approval from the voters to continue the City's 1% sales tax.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Resolution No. 2020-37 by title only.

Vote: 7 - 0 - Unanimously

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, IN CONJUNCTION WITH THE CITY'S GENERAL ELECTION, TO SUBMIT TO THE REGISTERED VOTERS OF FLAGSTAFF A QUESTION TO APPROVE THE CONTINUATION OF A 1% CITY TRANSACTION PRIVILEGE (SALES) TAX, EXCLUDING THE TAX ON FOOD, THROUGH JUNE 30, 2035

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2020-37.

Vote: 7 - 0 - Unanimously

- 13. Consideration and Adoption of Ordinance No. 2020-18:** An ordinance amending Flagstaff City Code Title 9, Traffic, Chapter 9-05, Bicycles.

Mr. Solomon indicated that the ordinance will formally codify accurate language relating to electric bike access on certain sidewalks and multiuse paths.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Austin Aslan to read Ordinance No. 2020-18 by title only for the first time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA AMENDING FLAGSTAFF CITY CODE TITLE 9, TRAFFIC, CHAPTER 9-05, BICYCLES, OF THE FLAGSTAFF CITY CODE; ESTABLISHING SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

14. DISCUSSION ITEMS

A. Rio de Flag Flood Control Project - Update

Project Manager Trevor Henry provided a PowerPoint presentation that covered the following:

RIO DE FLAG MONTHLY UPDATE
PROJECT UPDATE
USACE
PROJECT DESIGN
ENVIRONMENTAL
REAL ESTATE
BNSF RAILWAY CO

Councilmember Odegaard asked when construction might be able to start. Mr. Henry stated that it is not currently known especially with the challenges the weather presents during the winter. The team remains committed to bringing movement forward just as quickly as possible.

15. COUNCIL LIAISON REPORTS

Councilmember McCarthy reported that the NAIPTA budget was approved at their past meeting, and they also made a policy decision that as soon as feasibly possible they would be implementing a requirement of masks for all Mountain Line passengers.

Councilmember Salas reported that she attended the last Airport Commission meeting, where they discussed the recent Council decisions regarding lease abatements. They also discussed the CARES Act funding for the airport and their possible recommendations to Council. She also attended the Parks and Recreation Commission meeting and noted the continuing expense related to graffiti abatement in city parks.

Councilmember Whelan reported that NAIPTA also discussed zero emissions busses and what the transition would look like in the future. They are leaning toward electric busses if it would work financially.

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 Councilmember Aslan to place on a future agenda a discussion regarding the addition of lobbying for Land and Water Conservation Fund to City Council's legislative agenda.

Councilmember Aslan stated that the Land and Water Conservation Fund helps to create a source of money for natural resource goods and services. He would like to see a statement of support and inclusion in the Council's legislative agenda.

Council was supportive of moving the item forward.

- B. Future Agenda Item Request (F.A.I.R.):** A request by Councilmember Salas to place on a future agenda a discussion regarding a possible Council action to adjust the timeline of the Flagstaff minimum wage with the intent of furthering the purpose of the voter initiative.

Councilmember Salas stated that she would like to have a conversation before the minimum wage increase takes effect in January. With the pandemic there have been great challenges presented to Flagstaff businesses and she would like to see Council action to adjust the timeline on the effective date. She is also concerned that adjustments in pay could negatively impact people who receive assistance from the state during such a difficult time already.

Vice Mayor Shimoni acknowledged that businesses are struggling but he does not believe making an adjustment to the minimum wage timeline is the solution.

Councilmember Aslan expressed that he does not think it is an appropriate course of action at the current time. He is concerned that any attempt to make changes would create strife and discord in the community.

Councilmember Whelan stated that in the spirit of community conversation she would support bringing the item forward to a future agenda for discussion; this would allow the community an opportunity to weight in.

Councilmember McCarthy expressed concern about having to further the intent of the voter approved initiative. He does not believe that there is a way to further the intent and slow the timeline down. He is not supportive of moving the item forward to a future agenda for discussion.

Vice Mayor Shimoni indicated that he is open to having a discussion and community conversation, but he too is struggling with how the intent of the initiative could be furthered.

There was not the requisite support to move the item forward to a future agenda for discussion.

17. CITY MANAGER REPORT**A. City Manager Report**

Mr. Clifton briefly reviewed his report.

18. COVID-19 UPDATES

Mayor Evans stated that she asked the City Attorney to prepare an amendment to the emergency proclamation that would include mask wearing. The proclamation would be Flagstaff specific, and she has asked that it be placed on the agenda next week to have the Council consider passing an ordinance to ratify the decision. Mr. Solomon added that he is working through the details and more information would be forthcoming.

Councilmember Aslan noted his support but wanted to understand how enforcement would work.

Mr. Clifton noted that they intend to have an Executive Session next week to revisit the Re-entry Plan as it applies to permits involving city-owned properties.

Councilmember McCarthy stated that he is supportive of masks in certain places, but his concerns lie with outdoor recreation areas. He encouraged a practical approach before issuing an order.

Councilmember Whelan indicated that there is confusion about the county messaging to wear masks but then also permitting 250 people or less at events with certain guidelines. She is concerned that there will be further confusion if the city does something different. She would like to see more marketing and messaging to the public about the importance of masking.

Mr. Clifton stated that these are the reasons an Executive Session is needed, to evaluate the various legal components to these types of decisions.

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

Councilmember Odegaard indicated that there is a lot of graffiti occurring throughout the community and he would like to see additional messaging to the public about graffiti.

Mayor Evans stated that Friday is Juneteenth, and a proclamation was received from the Governor's Office. There is a presentation at the Murdoch Community Center on Saturday, June 20, 2020. She stated that there is a Facebook page that provides a lot of information about Juneteenth. She also recognized members of the community exercising their First Amendment rights and thanked the police officers for being there to make sure everyone is safe in their participation.

20. ADJOURNMENT

The Special Meeting of the Flagstaff City Council held June 17, 2020, adjourned at 10:41 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 June 17, 2020. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 19th day of April, 2022.

CITY CLERK