



Flagstaff Community Case Studies

Written for the Mayor's Community Policy Trust under the Office of Coral Evans in 2020, the case studies in this document consolidate the history of four major issues faced by members of the Flagstaff community. Each case study represents a complex policy area in which numerous stakeholders are motivated to work for the good of the community yet face constraints from factors such as state and federal legislation and conflicting public interests. In forwarding the purpose of the Mayor's Community Policy Trust, these case studies are intended to provide continuity and consistency regarding the history and purpose of long-term policy goals, as well as provide insight regarding effective policy solutions for ongoing community issues.

Keep Families Free and Together (Pg.2)

This case study examines immigration-related legislation, litigation, and community activism efforts linked to the Flagstaff City Council's Keep Families Free and Together proclamation.

History of the Schultz Parcel (Pg.7)

While Flagstaff is surrounded by beautiful forests and open spaces, it also faces a high cost of living and a limited supply of available housing. This case study provides an overview of the history of the City-owned Schultz Pass property, the various uses that have been proposed for it, and City Council action to-date.

Flagstaff's Minimum Wage (Pg. 13)

Incorporating the viewpoints of Flagstaff voters, employees, business owners, the City Council, citizen interest groups and the state legislature, this case study provides an overview Flagstaff's minimum wage by reviewing the timeline of relevant events and contextualizing the actions and reactions of the various stakeholders involved.

The Closure of Arrowhead Village Mobile Home Park (Pg.19)

This case study introduces the circumstances surrounding the closure of the Arrowhead Village Mobile Home Park and explores the role residents, community activists, the City of Flagstaff, and City Council played during the event to learn what can be done in the future to avoid further displacements.



Keep Families Free & Together

Legislation, Outcomes & Alternative Approaches

Photo Credit: Arizona Daily Sun

The enforcement of immigration-related legislation has become a complex topic for localities across the country as they strive to serve their communities with compassion but must also abide by both state and federal law.

This case study provides an overview of relevant legislation, litigation, and community activism efforts that led up to the Flagstaff City Council's Keep Families Free and Together proclamation, as well as offering an examination of alternative approaches to local immigration policy enforcement.

Timeline of Keep Families Free and Together Events

Spring 2010 – State Legislature Passes SB1070 and SB2162

The Arizona state legislature changed the field of immigration enforcement significantly when it passed the Support Our Law Enforcement and Safe Neighborhoods Act, also known as SB1070, in April of 2010. This law created new immigration-related crimes and gave local law enforcement new authorities when interacting with the public. Several of the most cited provisions within SB1070 include creating a state trespassing violation for having an “unlawful presence”, as well as requiring local law enforcement to attempt to determine a person’s immigration status if the officer develops “a reasonable suspicion that the person is an alien”.¹² This wording created fears that local law enforcement would be able to legally engage in racial profiling of the people they interact with.

After strong negative reaction around the country on the possibility of racial profiling resulting from SB1070, the Arizona state legislature passed SB2162, which prohibited law enforcement from considering ethnicity, skin color, or perceived national origin when implementing SB1070. The new law also clarified that law enforcement may only reasonably attempt to determine an individual’s immigration status while enforcing other laws or ordinances.³

2010 – 2012 – Initial Court Challenges and Reaction in Flagstaff

The first of multiple legal challenges to SB1070 arose only a few months after its passage in July 2010 when the U.S. Department of Justice sued the state of Arizona, asserting that federal law preempted state law in immigration enforcement. The U.S. Supreme Court ruled that three of the four major provisions⁴ that make up SB1070 are preempted by federal law and therefore unconstitutional. However, the Court did find that state and local law enforcement can communicate with the federal Immigrations and Customs Enforcement (ICE) agency during otherwise lawful arrests.⁵

In September 2012, [Flagstaff Police Department Special Order 12-030](#) was issued, instructing officers to “conduct all immigration enforcement activities in a manner consistent with federal and state laws regulating immigration and protecting the civil rights, privileges and immunities of all persons”. The Special Order states that local law enforcement should not limit or restrict immigration enforcement at the federal or state level.⁶

Spring 2016 – State Legislature Passes SB1487

In early 2016, the Arizona legislature passed SB1487, which allows the state to withhold shared revenues from localities that are determined by the Arizona Attorney General to have violated state law.⁷ This legislation is amongst the strongest local preemption legislation in the country and creates a significant financial penalty for cities that violate state law. SB1487 applies to all types of state law violations, including immigration law violations.

Spring 2016 – Arrest of Frankie Madrid and Subsequent Deportation

In January of 2016, Francisco “Frankie” Madrid-Holguin was arrested in Flagstaff for possession of narcotic drugs for sale, possession of drug paraphernalia and carrying a weapon in the commission

of a felony crime. Madrid had lived in Flagstaff since infancy and was undocumented. He was also well-known in the community as a committed activist for LGBTQ and immigration rights. After serving 1.5 years in detention and prison in the United States, he was deported to Mexico (his country of birth) in August of 2017.⁸ Less than two months after his deportation, Madrid took his own life while residing in Hermosillo, Mexico. Madrid’s family and friends subsequently urged the Flagstaff City Council to oppose the Coconino County Jail policy of honoring 48-hour ICE detainers¹ for undocumented inmates.⁹

Spring 2018 – City of Flagstaff Policy and Lawsuit against Coconino County

Immigration-focused legal challenges continued in April 2018 when a lawsuit was filed against the Coconino County Jail District Board of Directors, asking the Court to determine if the County’s policy of complying with ICE detainers was legal. A U.S. District Judge found that Coconino County’s policy of complying with ICE detainers did not violate state or federal law and dismissed the lawsuit. The judge explained his reasoning, stating that Constitutional law does not bar Coconino County from complying ICE requests to hold inmates, but also suggests that state law does not explicitly compel Coconino County to grant ICE detainer requests. Due to this ambiguity, the community group Keep Flagstaff Together argued that the judge’s ruling supports the assertion that Coconino County can use discretion in whether or not it complies with ICE detainer requests.^{10 11 12}

In March 2018, the Flagstaff City Council requested a [City Council Report](#) from the Flagstaff Police Department on the impacts of SB1070 on local police operations and ICE operations within the city. The resulting report stated that Flagstaff Police Department policy instructs officers to follow SB070, including that a police officer must make reasonable attempts to determine the immigration status of a detainee *only* if an officer develops a reasonable suspicion that a detainee is unlawfully present in the U.S. during a legal stop. The Flagstaff Police Department policy also instructs officers to contact ICE *only* if a reasonable suspicion exists that a detainee is unlawfully present. Due to data limitations, the report was unable to determine how many individuals arrested by Flagstaff Police Department later receive ICE detainers after their booking into the Coconino County jail. The Flagstaff Chief of Police noted, however, that “no Flagstaff Police Officer has transported an individual to the Coconino County Jail solely for an ICE “hit” or hold with no other criminal charges since the enactment of SB1070”.¹³ During the lawsuit against Coconino County, State Representative Bob Thorpe also contacted Flagstaff’s City Attorney and threatened that if the Flagstaff City Council continued its involvement in the County’s policy of compliance with ICE detainer requests, Thorpe would file a complaint with the attorney general to request an investigation.¹⁴

2018 – 2019 – City of Flagstaff Resolution, Proclamation and Policy Changes

In May of 2018 Flagstaff City Council passed a [resolution](#) regarding Coconino County Detention Centre Policy. The vote was 4 to 3 in favor of the resolution and recommended that the Coconino

¹ An ICE detainer is essentially a request from ICE that local law enforcement agencies keep an individual in custody for up to 48 hours after their release date and time to allow ICE to assume custody to remove the individual from the country.

County Sheriff changes the policy of honoring ICE detainers for those booked into Coconino County jail if suspected of being in the country without documentation.¹⁵

In further action by the Flagstaff City Council, in November 2018, a councilmember provided a proposed draft ordinance on the topic of Keep Families Free and Together, which proposed to amend Title 14 of the City Code with an additional chapter. Council held an executive session on the proposed ordinance in April 2019 and in September of the same year, issued a non-binding [proclamation](#) describing the steps the Flagstaff Police Department has taken to develop an immigration policy that both complies with state law and builds trust with the community. It proclaimed Flagstaff as an “inclusive and welcoming community recognizing that compliance with the law is required and that the Flagstaff Police Department will continue its efforts to enforce the law compassionately and with sensitivity to the immigration community”.^{16 17}

In July of 2019, the Flagstaff Police Department also made significant changes to its [Immigration Enforcement Policy \(Policy 429\)](#), which is used to guide officers in managing investigations into issues of immigration enforcement. The first notable change is that where officers were previously strongly advised against making immigration status inquiries during consensual contacts with juveniles, victims and witnesses of crimes, officers are now prohibited from doing so (pg. 390). Additionally, Policy 429 was changed to note that if a person is arrested and booked into jail, the Flagstaff police officer does not need to conduct an immigration inquiry as that will be done by the jail prior to the person’s release. It is also noted in the updated policy that a Flagstaff police officer may inquire about a person’s county of citizenship for consular notification reasons when arresting a person and booking them into a jail facility, but that officer is not required to inquire into immigration status or contact ICE (pg. 394).¹⁸

Alternative Approaches

State and federal laws create a challenging legal situation for local governments when crafting their immigration policies. In Arizona, that environment is made more complex by the existence of SB1070, which creates new immigration-related crimes, and by SB1487, which threatens significant financial penalties for cities and towns that are interpreted to have not complied with state law. In combination, these two pieces of legislation greatly restrict the actions that local governments in Arizona can take regarding immigration.

Other localities in different states may be operating in an environment that allows for a less strict interpretation of federal regulations due to the lack of state preemption as seen in Arizona. For example, in Colorado, it was determined that local sheriffs do not have authority to partake in immigration law and that Colorado lacks a statute prohibiting local law enforcement from cooperating with federal agents. As a result, local law enforcement agencies may not grant ICE detainer requests.¹⁹ Similarly in Illinois, the Illinois TRUST Act bans local police officers and deputies from working with ICE and from complying with ICE detainers. The Illinois Keep Families Together Act ensures that all State agencies, public schools, and public institutions of higher education are available to all residents in Illinois regardless of immigration status and prevents law enforcing agencies from inquiring about immigration status, even if an individual is arrested, detained, in custody, in questioning, or seeking assistance as the victim of a crime.²⁰

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- ¹ <https://www.azleg.gov/legtext/49leg/2r/bills/sb1070s.pdf>
- ² <https://www.ncsl.org/research/immigration/analysis-of-arizonas-immigration-law.aspx>
- ³ <https://apps.azleg.gov/BillStatus/BillOverview?billnumber=HB2162&Sessionid=93>
- ⁴ The first provision made it a state crime to reside in the United States without legal permission. The second provision made it a state crime to work in the United States without legal permission. The third provision required law enforcement officers to verify the legal status of all individuals who were arrested or detained. The fourth provision allowed law enforcement officers to arrest individuals without a warrant based on probable cause of unlawful presence.
- ⁵ <https://www.ncsl.org/research/immigration/analysis-of-arizonas-immigration-law.aspx>
- ⁶ <https://www.flagstaff.az.gov/DocumentCenter/View/40866/Special-Order-12-030-Immigration-Enforcement-English?bidId=>
- ⁷ <https://apps.azleg.gov/BillStatus/BillOverview?billnumber=1487&Sessionid=115>
- ⁸ https://azdailysun.com/news/did-frankie-madrid-have-to-die/article_96b0a7ea-51da-587e-a5f1-20aa483ef170.html
- ⁹ https://azdailysun.com/news/local/flagstaff-city-council-moves-forward-with-anti-ice-detainer-resolution/article_a9440baf-a88e-5d81-a485-6809b1e17d73.html
- ¹⁰ https://azdailysun.com/news/local/coconino-county-sheriff-s-policy-on-ice-holds-survives-initial/article_eed4d2e1-2aae-5284-8965-6487756f2d89.html
- ¹¹ <https://apnews.com/41acbc652ea64f8e9e57276d29acf151>
- ¹² https://azdailysun.com/news/local/suit-lands-coconino-county-jail-policy-on-ice-detainers-in/article_48067da8-2525-5a0b-bdb7-73bc1d0ede7b.html
- ¹³ <https://www.flagstaff.az.gov/DocumentCenter/View/57337/CCR-SB-1070?bidId=>
- ¹⁴ https://azdailysun.com/news/local/suit-lands-coconino-county-jail-policy-on-ice-detainers-in/article_48067da8-2525-5a0b-bdb7-73bc1d0ede7b.html
- ¹⁵ RES2018.23.JailDetentionPolicy McCarthy Revised.docx
- ¹⁶ <https://www.flagstaff.az.gov/DocumentCenter/View/62763/October---Keeping-Families-Free-and-Together-Month>
- ¹⁷ http://cityweb.flagstaffaz.gov/agendaquick/agenda_publish.cfm?disp_minutes=883&disp_minutes_In=9825&id=&form_type=MINUTES&beg_meetmth=ALL&beg_meetyr=2017&end_meetmth=ALL&end_meetyr=2020&mt=ALL&sstr=keep%20families%20free&dept=ALL&hartkeywords=&sortby=f.form_num,%20f.rev_num&fp=ADVSRCH&StartRow=1#ReturnTo9825
- ¹⁸ <https://www.flagstaff.az.gov/DocumentCenter/View/48780/FPD-POLICY-MANUAL?bidId=>
- ¹⁹ <https://theappeal.org/politicalreport/colorado-ice-contracts-new-law/>
- ²⁰ <https://www.oakpark.com/News/Articles/7-9-2019/New-laws-on-immigration,-human-trafficking-signed-/>



History of the Schultz Parcel

A Timeline from 2005 to 2020

Photo Credit: City of Flagstaff

While the city of Flagstaff is gifted with beautiful scenery, ample outdoor recreation opportunities and rich wildlife habitat, it is also “landlocked” in that it is surrounded by national forest, limiting the land available for housing. This situation, among other factors, has created high housing costs for Flagstaff residents and an interest by some in developing affordable housing units. The placement of these future affordable housing units is debated by community members who are interested in preserving currently undeveloped areas.

This case study provides an overview of the history of the City-owned Schultz Pass property, the various uses that have been proposed for it, and City Council action to-date.

Background

For over a decade, the City of Flagstaff has been investigating the potential use and designation of a three-acre, City-owned piece of property at the corner of Fort Valley and Schultz Pass roads called the Schultz Pass parcel. The Schultz Pass Parcel is located on the northwest corner of the intersection of Highway 180 and Schultz Pass Road.

In 2005, as part of the consideration for an adjacent development, the Flagstaff City Council chose to incorporate the Schultz Pass Parcel into city limits and, at the time, the property was designated for the purpose of affordable housing.¹ The City paid \$140,200 for the land and \$435,167 for public improvements necessary for future housing development, including engineering, surveying, the installation of public sewer and water, sidewalks, telephone lines, electricity and natural gas. The total cost of the parcel and the public improvements was \$575,367. Infrastructure improvements were completed the spring of 2007. Affordable housing funds, resulting from the sale of other parcels for affordable housing purposes, were utilized for this purpose.

The future of the site became more complex and uncertain as the nation and the City dealt with the 2008 economic recession. Originally, the City Council has discussed the development being part of the Land Trust Program, as it was their expectation that future development would be ownership housing. The City of Flagstaff Land Trust Program was created in spring of 2006 and was being designed as a prospective housing development, Schultz Pass Meadows, was going through the entitlement process in the winters of 2005/2006. In the following years, the housing market nationwide changed due to the recession, and there was an increased need for rental housing in the community. Additionally, the funding sources to create such ownership housing largely disappeared. As noted in a 2017 City Council Report from Community Development and Housing Departments, land trusts for affordable housing throughout the United States provide all types of housing options, including, but not limited to: rental, condominiums, townhouses, cooperative housing and homeownership. However, City staff recognized that if the City of Flagstaff retained ownership of the land while partnering with a developer for the creation of affordable rental housing, it would add an additional complicating layer to the financing of development. It is common practice for developers to utilize the land being built upon as collateral for construction financing. If the City retains ownership of this parcel, the land could not be utilized in this way, which would make the funding of an affordable housing development in this site even more difficult.²

Stakeholders Involved

The Schultz Pass property is so hotly debated largely due to the variety of stakeholders interested in seeing the land used in different ways. Proponents of using the property to develop affordable housing argue that affordable housing units for rental or purchase in Flagstaff are in extremely short supply and that over half a million dollars has already been invested into this property to be able to offer affordable housing units to Flagstaff residents. Other groups of stakeholders that generally oppose using the Schultz property to develop affordable housing include those with concerns of traffic congestion in the area, those worried about the impact development would have on viewsapes, and those wanting to designate the property as open space to preserve the ecological integrity of the site.^{3 4}

Timeline of Council Actions

2005 to 2007 – Schultz Pass Parcel Purchased and Developed for Affordable Housing Purposes

The Schultz Pass Meadows housing development was proposed by Big Corner LLC in 2005 and encompasses two parcels as shown on the map below: Parcel A was a market rate subdivision and Parcel B was purchased for affordable housing. Parcel B, the Schultz Pass Parcel that is the topic of this paper, is 3.06 acres and was offered to the City by the developer for \$140,200 for the purposes of affordable housing. For the proposed development to move forward, the land needed to be annexed into the City, the Regional Plan land use amended, the Urban Growth Boundary expanded, and the parcels rezoned. In evaluation of the offer to sell Parcel B to the City for affordable housing, preliminary site designs were prepared in-house by Karl Eberhard to demonstrate how up to 26 townhome style units could fit on the property. As part of the rezoning process, the proposing developer was required to hold a citizen participation meeting. This meeting took place on July 18, 2005 and notice of the meeting was sent to all property owners within 300 feet of the proposed project site, plus the following organizations: Cheshire Park Townhouse Owners Association, Linwood Heights Homeowners Association, and Friends of Flagstaff's Future. The resulting report is available to review upon request. In addition to the required ads for the Planning and Zoning Commission public hearings, a full color, full page fold-out advertisement was published in the Arizona Daily Sun on October 9 and 19, 2005.

The stated purpose of the acquisition contained in the Development Agreement (DA) was to develop permanently affordable workforce housing; therefore, any development on the parcel is required to be permanently affordable. The DA also stated that a gateway entry sign needed be installed on the parcel, which is currently on the site and will remain. Per the DA, public improvements in the form of curb, gutter, sidewalk with parkways, public sewer and water, telephone, power, and natural gas were provided by the developer on the City's parcel and reimbursed by the City at cost. The City also provided reimbursement for engineering, surveying and testing expenses particular to the improvements on or adjacent to the parcel purchased for affordable housing. Additionally, the City reimbursed the developer for one-half of the cost of bringing the water lines under Highway 180 and under Schultz Pass Road. Public improvements were completed in spring of 2007. The final cost of all public improvements was \$435,167.⁵

Spring 2017 – Schultz Pass Property to be Included in RFP for Affordable Housing

In the Spring of 2017, Council directed staff to include the Shultz Pass parcel in a request for proposals to create affordable rental units on multiple pieces of city property.⁶ After the Flagstaff City Council received over a hundred public comments on the issue in a June 2017 council meeting advocating for using the land as either open space or for affordable housing, Council stressed the acute need for affordable housing in Flagstaff and directed staff to move forward with the request for proposals.

Schultz Pass Meadows housing development Concept Plan Proposed by Big Corner LLC in 2005

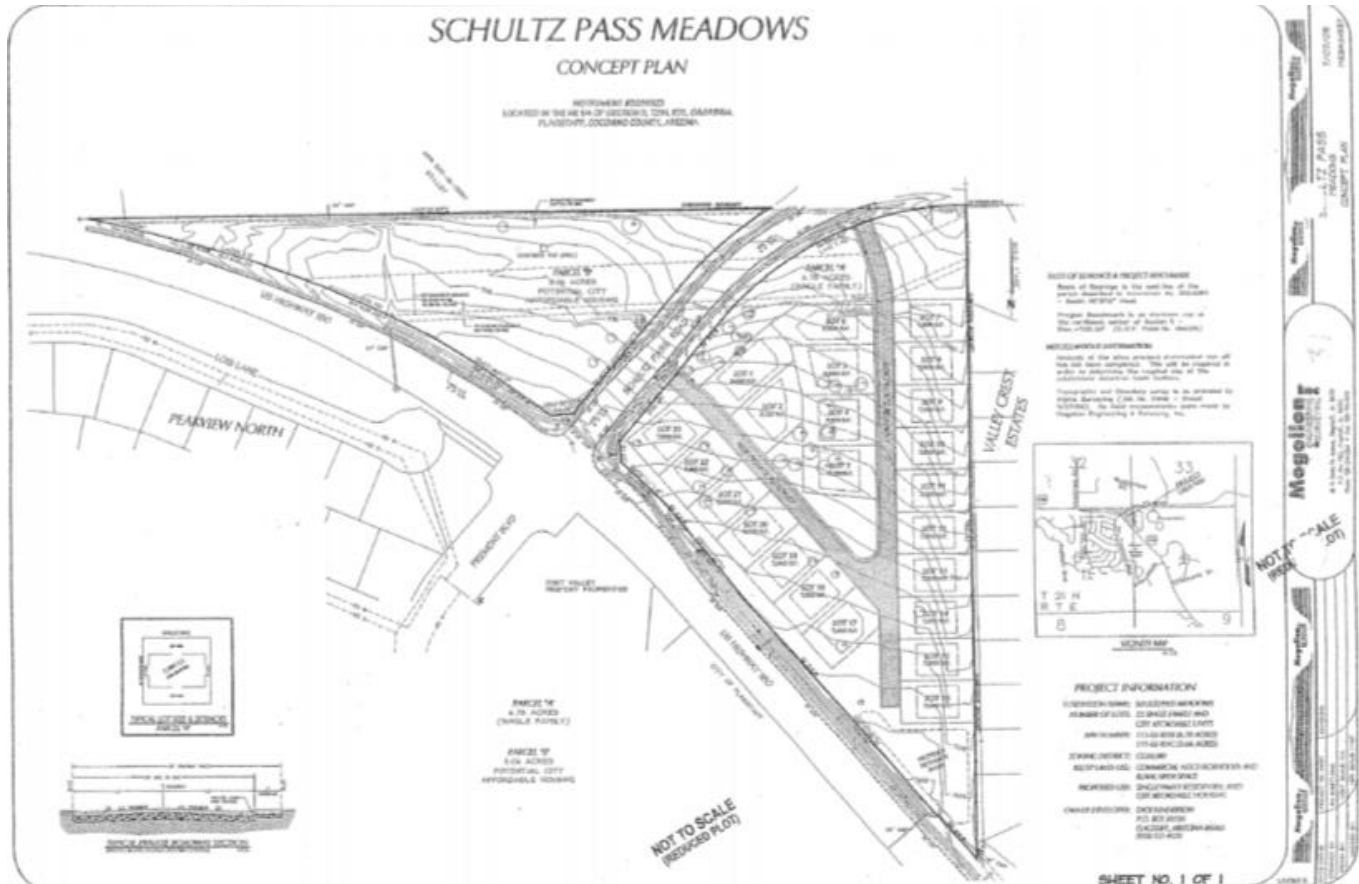


Photo Credit: City of Flagstaff

Summer 2017 – Citizen’s Petition Submitted and Schultz Pass Property Removed from RFP

On Wednesday July 5, 2017 a [citizen’s petition](#) was submitted to the City Manager’s Office requesting consideration of Council action to designate the Schultz Pass Property as Open Space (Cit. Pet. #2017-03). According to the City’s Charter, a citizen’s petition must be acted upon within 31 days of submission and at the Council’s next regular meeting; however, the Council was set to break for the summer after that day’s council meeting and would not resume until August 15 which would be 41 days later. At the City Council meeting held that day public comment was submitted in favor and in opposition of development at the Schultz Parcel. Because of this conflict, Council held a special session on Friday July 7, 2017 at the Coconino County Board of Supervisors Chambers to discuss a Future Agenda Item Request (F.A.I.R.) regarding the citizens' petition. Two councilmembers agreed to move this item to a future agenda to be heard at the August 15, 2017 Council Meeting.

During this special session, Council also discussed possible properties to be included in the Affordable Housing Request for Proposals. During Council discussion, several councilmembers noted a concern that a request for affordable housing proposals would not be successful if they did not give clear direction. There was also concern that if they waited and attempted a RFP which included the Schultz parcel, it might fail and thus all other parcels included in the RFP would fail along with it resulting in no affordable housing developments. The Mayor also expressed fear that

the decision to pull the property from the request for proposals sets a negative precedent for the future of affordable housing. Ultimately, only six of seven councilmembers voted on the issue and the initial vote was a 3-3 tie because councilwoman Eva Putzova left the meeting during a break before public comment began. Mayor Coral Evans was initially in favor of including the parcel, but after much discussion changed her vote to break the tie. This would allow the other parcels in the request to move forward for affordable housing purposes, while still allowing Council the opportunity to hear a citizen's petition on designating the Schultz Pass Parcel for open space in August, when they returned from their summer break. Council directed staff to remove the Schultz Pass parcel from the request for proposals to create affordable housing and the request for proposals moved ahead with other pieces of City-owned property.^{7 8}

Summer 2017 – Open Space Petition Declined

In August of 2017, the Flagstaff City Council chose to not move forward with a citizen's petition proposing the rezone of the Shultz Pass property to open space. Members of the Facebook group "Flagstaff for Schultz Pass Open Space" had gathered 247 signatures for the citizen's petition and filed it with the City Manager's Office. In addition to the paper petition that was submitted to the City, the group also circulated an online petition that received about 2,100 signatures, which included signatures from around the country and the world. Because these signatures were not from citizens in Flagstaff, they could not be used to file the citizen's petition but were instead presented to Council to show public support for the matter. The group explained they were attempting a "win-win solution" for both affordable housing and open space advocates. They stated they had been fundraising over the summer for Housing Solutions of Northern Arizona and would propose a solution that included a way for the City to recoup the lost funding spent on the site's development. Councilmember Barotz suggested that the group create a ballot initiative instead of asking the Council to rezone the land as open space; a ballot initiative, if passed, could only be overturned by the voters, while a rezoning by the sitting council could simply be reversed by a future council. Members of the Facebook group indicated that they would begin the process of creating a ballot initiative to ask votes to designate the Shults Pass property as open space.^{9 10}

Spring 2019 - Summer 2020 – Open Space Ballot Initiative

In March of 2019, debate on the Schultz Pass property continued. Community members interested in seeing the Schultz Pass Parcel designated as open space formed a political action committee called Save Schultz Meadow. The Save Schultz Meadow group began gathering the 4,091 signatures needed to ask voters if the land should be permanently designated as open space on the November 2020 ballot.¹¹

However, in the summer of 2020, the Save Schultz Meadow group sent a statement to the Arizona Daily Sun and created a social media post¹² announcing that it would hold off on submitting signatures to the City of Flagstaff at this time, due to COVID-19 contagion concerns. The group collected about 4,500 signatures, almost 400 more than required, but want to ensure they have extra signatures in case any are rejected during the screening process. During the screening process to approve an initiative for ballot, signatures can be excluded out for various legitimacy reasons, such as someone writing a fake name or being an unregistered voter within the City. The

Save Schultz Meadow Group stated that its plan is to wait until they can collect signatures safely again after the election to enable confidence that question will get on the ballot.

According to the Flagstaff City Clerk, the group can wait to submit their signatures and preserve the signatures they have already collected. Once submitted, the group's ballot initiative could be placed on the next ballot in 2022, unless the Flagstaff City Council calls for a special election on the subject. In the meantime, however, there is nothing preventing either the current or future city council from moving forward with development of the property.¹³

¹ <https://azdailysun.com/news/local/affordable-housing-with-a-view-stirring-controversy-in-flagstaff/article_176fbfdd-2619-5284-8d1d-797b96613325.html>

² <https://www.flagstaff.az.gov/DocumentCenter/View/51789/CCR---Overview-of-Schultz-Pass-Meadows-AH-parcel-and-specific-QA?bidId=>

³ *Ibid.*

⁴ <https://www.flagstaff.az.gov/DocumentCenter/View/51789/CCR---Overview-of-Schultz-Pass-Meadows-AH-parcel-and-specific-QA?bidId=>

⁵ <https://www.flagstaff.az.gov/DocumentCenter/View/51789/CCR---Overview-of-Schultz-Pass-Meadows-AH-parcel-and-specific-QA?bidId=>

⁶ *Ibid.*

⁷

http://cityweb.flagstaffaz.gov/agendaquick/agenda_publish.cfm?id=0&mt=ALL&get_month=7&get_year=2017&dsp=min&seq=601

⁸

http://cityweb.flagstaffaz.gov/agendaquick/agenda_publish.cfm?disp_minutes=604&disp_minutes_In=5837&id=0&form_type=MINUTES&beg_meetmth=7&beg_meetyr=2017&end_meetmth=8&end_meetyr=2017&mt=ALL&sstr=schultz&dept=ALL&hartkeywords=&sortby=f.form_num,%20f.rev_num&fp=ADVSRCH&StartRow=1#ReturnTo5837

⁹ <https://azdailysun.com/news/local/flagstaff-council-declines-schultz-pass-open-space-petition/article_f92d9bfc-9fe7-5a5a-a43a-db8e8adeb69c.html>

¹⁰ https://azdailysun.com/news/local/flagstaff-council-declines-schultz-pass-open-space-petition/article_f92d9bfc-9fe7-5a5a-a43a-db8e8adeb69c.html

¹¹ From <https://azdailysun.com/news/open-space-initiative-sprouts-as-schultz-pass-affordable-housing-sees-new-possibilities/article_b910e166-7d37-5f76-b8dc-42d6eb5e01fa.html>

¹² https://www.facebook.com/SaveSchultzMeadow/posts/636946130505431?__tn__=K-R

¹³ https://azdailysun.com/news/local/voters-wont-see-save-schultz-meadow-on-november-ballot/article_c377803c-adea-5020-b64f-f48f6427f996.html



Flagstaff's Minimum Wage

Photo Credit: Arizona Daily Sun

Stakeholders, Actions & Outcomes

Minimum wage has become a topic of special interest for Flagstaff voters and residents in recent years and has sparked much debate and discussion. It represents a complex issue that involves multiple stakeholders, including Flagstaff voters, employees, business owners, the City Council, citizen interest groups, and the state legislature. In addition to these stakeholders, other trends also impact the minimum wage, such as general economic health and trends, sales tax, affordable housing, and workforce development, among other things.

This case study provides an overview Flagstaff's minimum wage by reviewing the timeline of relevant events and contextualizing the actions and reactions of the various stakeholders involved.

Timeline of Flagstaff Minimum Wage Events

Fall 2016 – Passage of Flagstaff’s Proposition 414 and Arizona’s Proposition 206

In November of 2016, 53% of Flagstaff voters supported Proposition 414 – Initiative for a Living Wage.¹ Prop 414 mandated an incremental increase in the minimum wage paid to employees conducting work within Flagstaff city limits, with wages increasing to \$15.00/ hour by 2021 and ultimately indexing the minimum wage to changes within the Consumer Price Index in 2022.² Additional details on Prop 414 can be found on the City’s Minimum Wage [website](#).

While Flagstaff voters weighed in on a local minimum wage in November 2016, Arizona voters were also asked to vote on Proposition 206 in the same election period. Prop 206, which incrementally increases the minimum wage in the entire state of Arizona to \$12 by 2020, was approved by 58% of Arizona voters. This is important to consider because Flagstaff’s Prop 414 includes language that makes Flagstaff’s minimum wage dependent upon the state of Arizona’s minimum wage. A detailed overview of the minimum wage in both the state of Arizona and in Flagstaff is given below.

Date	State of Arizona/ Prop 206 ³	Prop 414 ⁴	Prop 414 Application
01/01/16	\$8.05	N/A	\$8.05
07/01/17	\$10	\$10 (or \$2 above state)	\$12
01/01/18	\$10.50	\$11 (or \$2 above state)	\$12.50
01/01/19	\$11	\$12 (or \$2 above state)	\$13
01/01/20	\$12	\$13 (or \$2 above state)	\$14
01/01/21	Adjusted for COL*	\$15 (or \$2 above state)	\$15
01/01/22	Adjusted for COL*	Adjusted for COL*	Adjusted for COL*

*Cost of Living

On November 28, 2016, the City Clerk proclaimed Proposition 414 into law and the Flagstaff City Charter and City Code Chapter 15-01 adopted Initiative Ordinance 2016-01.⁵

Winter 2017 – City Council Receives Stakeholder Input

Flagstaff’s minimum wage was \$8.05 per hour in 2016. Under Prop 414, the mandated minimum wage was scheduled to increase to \$12 on July 1, 2017, giving employers approximately nine months to prepare for a 49% increase in the minimum wage. This change sparked many reactions among stakeholders and after the passage of Prop 414 and its enactment into law, three key citizens groups emerged.

1. Fighting to repeal Prop 414 and replace it initially with the state minimum wage, the group Elevate Flagstaff was comprised of local business owners, residents and non-profit organizations who felt that local businesses and nonprofits would not be able to handle the mandated wage increases without negative consequences, such as laying off employees, limiting their hours or increasing prices for goods and services.⁶ This group collected signatures for an initiative campaign to repeal Prop 414 and its \$15 minimum wage.
2. The group behind the original Prop 414, Flagstaff Needs a Raise, continued to defend the legislation and fought against any changes.⁷ The group also filed a lawsuit against Elevate

Flagstaff, claiming that problems with the signatures collected by the group should bar their initiative from appearing on the ballot.⁸ This lawsuit was eventually dismissed.⁹

3. Bridging Flagstaff, a new citizens group, was also created to represent a compromise between the two sides. This group asked Council to amend Prop 414 to slow down the scheduled wage changes, add an inflation cap, and add language to mandate paid sick time for workers.¹⁰

In addition to these groups, individuals and organizations within the community also voiced their opinions of the new minimum wage. The City Council heard from minimum wage earners who were in favor of the increase, as well as local small businesses who both did and did not support the new minimum wage. Organizations providing services to individuals with developmental disabilities were united in their concern over Prop 414’s higher minimum wage, with the leaders of Quality Connections and the Hozhoni Foundation noting that such organizations are not able to cut staff as they have to comply to mandated staffing levels and also will not see an increase in the reimbursements they receive from the state. They noted that it may also make it harder for people with disabilities to obtain employment at a higher minimum wage or cause disability service providers to move out of Flagstaff.^{11 12} Lastly, it is important to note that the services provided by these organizations are mandated by the Arizona Revised Statutes, Title 36, Chapter 5.1.

At a public meeting in February 2017, the Flagstaff City Council was tasked with deciding whether to hold a special election in May to let Flagstaff voters decide on the citizen initiative to repeal the \$15 minimum wage (created by Elevate Flagstaff). Noting the price tag of such an election (approximately \$156,000), historically low voter turnout for off-year elections, and the possibility of setting a precedent of holding special elections to overturn voter-approved initiatives, the Council voted 5-2 to not hold the special election. This decision, in turn, automatically placed the Elevate Flagstaff initiative on the November 2018 ballot.¹³ Council also directed staff to bring back a proposed legal amendment to the current law.

Spring 2017 – City Council Passes Ordinance 2017-08

After voting against the special election and automatically placing Elevate Flagstaff’s citizen initiative on the November 2018 ballot, the Flagstaff City Council considered its ability to further the existing minimum wage legislation. The Voter Protection Act allows a City Council in Arizona to amend a citizen’s initiative only to further its original intent and this amendment must be approved by a supermajority of the City Council (in Flagstaff’s case, 6 out of 7 Councilmembers).¹⁴ Accordingly, in March of 2017, a supermajority of the Flagstaff City Council adopted Ordinance 2017-08 which established a more gradual minimum wage increase but furthered the purposes of the voter approved initiative by increasing the mandated 2022 minimum wage by 50 cents. The table below details the minimum wage mandated by Ordinance 2017-08.

Effective Date	State of Arizona/ Prop 206 ¹⁶	Prop 414 ¹⁷	Prop 414 Application	Ordinance 2017-08 ¹⁸
01/01/16	\$8.05	N/A	\$8.05	n/a
07/01/17	\$10	\$10*	\$12	\$10.50
01/01/18	\$10.50	\$11*	\$12.50	\$11

01/01/19	\$11	\$12*	\$13	\$12
01/01/20	\$12	\$13*	\$14	\$13
01/01/21	Adjusted for COL**	\$15*	\$15	\$15*
01/01/22	Adjusted for COL**	Adjusted for COL**	Adjusted for COL**	\$15.50*

*or \$2 above state wage **Cost of Living

Spring 2017 – Office of Labor Standards Opens

Prop 414, in addition to raising the City’s minimum wage, also gives the City the authority to enforce compliance with the new minimum wage rules, including establishing a civil administrative hearing process, investigating any possible violations by employers, and requiring employers at fault to pay their employees any wages owed, including interest and penalties.¹⁹ In response to this, the City created the Office of Labor Standards, which is tasked with administrating and ensuring compliance with the law by investigating complaints and violations of the Flagstaff’s minimum wage law. The Office of Labor Standards is also tasked with providing educational, technical and awareness services, as well as engaging in community and business partnerships.²⁰

Fall 2017 – Proposition 418 Fails

In November of 2018, a citizen’s initiation to repeal Flagstaff’s new minimum wage appeared on the ballot. The Elevate Flagstaff citizen’s initiative, called Proposition 418 – Initiative for Sustainable Wages Act, sought to tie the City’s minimum wage increase schedule to the state of Arizona’s, with the requirement that the City’s minimum wage remain 50 cents above that of the State’s starting in 2021.²¹ Prop 418 ultimately failed, with only 44% voter approval.²² The failure of Prop 418 meant that Flagstaff’s minimum wage remains as mandated under Ordinance 2017-08. The table below details the minimum wage proposed by Prop 418.

Date	State Prop 206 ²³	Prop 414 ²⁴	Prop 414 Application	Ordinance 2017-08 ²⁵	Prop 418 (Failed) ²⁶
01/01/16	\$8.05	N/A	\$8.05	n/a	n/a
07/01/17	\$10	\$10*	\$12	\$10.50	\$10
01/01/18	\$10.50	\$11*	\$12.50	\$11	\$10.50
01/01/19	\$11	\$12*	\$13	\$12	\$11
01/01/20	\$12	\$13*	\$14	\$13	\$12
01/01/21	Adjusted for COL**	\$15*	\$15	\$15*	\$0.50 above State min. wage
01/01/22	Adjusted for COL**	Adjusted for COL**	Adjusted for COL**	\$15.50*	\$0.50 above State min. wage

*Cost of Living

Spring 2019 – State Passes HB2756

On May 31, 2019, Arizona Governor Ducey signed into law HB2756, a bill that requires each state department to submit an estimate of their expenses attributable to a city’s established minimum wage if it exceeds the minimum wage established by the state of Arizona. Currently and at the time of the bill’s passing, Flagstaff is the only locality within Arizona that mandates a higher

minimum wage than the State. After estimates are received, the state legislature is required to approve the final assessed amount to be charged to the City of Flagstaff.²⁷

Fall 2019 – IGA Signed between AZ Dept. of Economic Security & City of Flagstaff

As part of the Arizona General Appropriations Act of 2019-2020 (HB 2747), the state of Arizona allocated funding to allow the AZ Department of Economic Security to spend \$2 for each \$1 that the city of Flagstaff provides as a voluntary payment to developmental disabilities service providers that experience the highest mandated labor cost increases for services provided within Flagstaff city limits.²⁸ In response to this, the City of Flagstaff signed an Intergovernmental Agreement with the AZ Department of Economic Security (DES) in November of 2018 in which the City provided DES with up to \$150,000 in voluntary funding to qualified developmental disability service providers within the Flagstaff city limits. This voluntary funding was provided in direct response to the increased labor costs experienced by developmental disability service providers as a result of the passage of Prop 414 and Pop 206.

Fall 2019 – City Commissions Study on Flagstaff Minimum Wage

In August of 2019, the City of Flagstaff published a request for proposals to procure an outside contractor to conduct a study on Flagstaff's minimum wage. The purpose of this study was to establish baseline data on the impact of Flagstaff's minimum wage on both employees and employers, as well as to create a toolkit of best practices for businesses to use in adjusting to higher labor costs. The City's RFP process resulted in a consultant being hired to conduct the study. Several months after the study began, a Flagstaff citizens group raised concerns over the selected consultant. The consultant eventually terminated the project contract before completion, citing defamatory remarks and submitted to the City a draft PowerPoint of the findings. That PowerPoint can be accessed on the City's [website](#). One key observation made by the consultant includes the need to take into consideration cost of living data and other key economic variables when setting a minimum wage. For example, a minimum wage of \$15 in San Francisco, where the cost of living is among the highest in the nation, will have different economic impacts than a \$15 minimum wage in Flagstaff, where the cost of living is comparatively lower. The consultant also noted that raising the minimum wage may have an impact on the ability of households to qualify for state and federal benefits such as the Supplemental Nutrition Assistance Program (SNAP), especially when state and federal income eligibility guidelines do not change.

Winter 2020 – State Assessment Received

In February of 2020, City of Flagstaff received a draft estimate from the state indicating what the City would be responsible for paying to Arizona state agencies pursuant to HB2756. For fiscal year 2020, two state agencies reported additional costs of \$671,500 due to Flagstaff's minimum wage and in fiscal year 2021, seven state agencies estimated combined costs of \$1,172,289. Due to the Arizona State Legislature ending its session early in 2020 over COVID-19 concerns, no assessment figure has been included in the State's fiscal year 2021 budget and it is unclear what the State will assess the City of Flagstaff in its upcoming budget. However, with the City minimum wage set to rise again on Jan 1. 2021 to \$15.00, the next assessment will be greater than last year's estimate.

Looking ahead, Flagstaff will continue to follow Ordinance 2017-08 to set its local minimum wage, while future minimum wage trends will continue to be shaped by Flagstaff voters, general economic trends, and the Arizona state legislature.

¹ https://azdailysun.com/news/local/govt-and-politics/elections/flagstaff-minimum-wage-hike-passes-as-do-and/article_6d23d2bf-47b1-53d9-9da6-19d951521791.html

² <https://www.flagstaff.az.gov/DocumentCenter/View/49946/Pages-from-PPFINAL09192016F-I-N-A-LEnglish-Only?bidId=>

³ https://www.azica.gov/sites/default/files/media/FREQUENTLY%20ASKED%20QUESTIONS_MasterwTOC%20FINAL%20020518.pdf

⁴ [ibid](#)

⁵ <https://www.flagstaff.az.gov/DocumentCenter/View/59937/Flagstaff-MW-FAQs--01-01-19>

⁶ https://azdailysun.com/news/local/signature-drive-launched-to-replace-flagstaff-minimum-wage-with-state/article_161de4e6-a51c-5774-a615-a54ce2fc2696.html

⁷ [ibid.](#)

⁸ https://azdailysun.com/business/local/lawsuit-filed-to-stop-elevate-flagstaff-petition/article_d9d2a6a1-a131-599f-8b5a-39eb9f92940b.html

⁹ https://azdailysun.com/news/ballot-challenge-to-flagstaff-minimum-wage-to-proceed/article_859c25fc-84be-51ee-8a45-0ffe3873cf2e.html

¹⁰ https://azdailysun.com/news/local/govt-and-politics/nonprofits-bridging-flagstaff-plead-with-council-over-wage-law/article_cf4669f3-2f77-5424-8ca2-f9150802d43e.html

¹¹ https://azdailysun.com/business/local/caregivers-worry-about-higher-flagstaff-minimum-wage/article_2928d471-5a1b-5c8c-94c2-b569c1657d2b.html

¹² https://azdailysun.com/news/local/govt-and-politics/nonprofits-bridging-flagstaff-plead-with-council-over-wage-law/article_cf4669f3-2f77-5424-8ca2-f9150802d43e.html

¹³ https://azdailysun.com/news/local/council-votes-against-may-special-election/article_db3b6631-a421-565a-a77c-4e7a8882ad65.html

¹⁴ https://azdailysun.com/news/local/flagstaff-minimum-wage-groups-look-to-next-steps/article_df934e4f-d428-5eba-b37b-1c423be209bb.html

¹⁵ <https://www.flagstaff.az.gov/DocumentCenter/View/59937/Flagstaff-MW-FAQs--01-01-19>

¹⁶ https://www.azica.gov/sites/default/files/media/FREQUENTLY%20ASKED%20QUESTIONS_MasterwTOC%20FINAL%20020518.pdf

¹⁷ <https://www.flagstaff.az.gov/DocumentCenter/View/49946/Pages-from-PPFINAL09192016F-I-N-A-LEnglish-Only?bidId=>

¹⁸ <https://www.flagstaff.az.gov/DocumentCenter/View/50992/Title-15-01-Minimum-Wage?bidId=>

¹⁹ [ibid.](#)

²⁰ <https://www.flagstaff.az.gov/3520/Minimum-Wage>

²¹ ²¹ https://azdailysun.com/news/ballot-challenge-to-flagstaff-minimum-wage-to-proceed/article_859c25fc-84be-51ee-8a45-0ffe3873cf2e.html

²² <https://www.coconino.az.gov/DocumentCenter/View/25762/2018-Final-Results?bidId=>

²³ https://www.azica.gov/sites/default/files/media/FREQUENTLY%20ASKED%20QUESTIONS_MasterwTOC%20FINAL%20020518.pdf

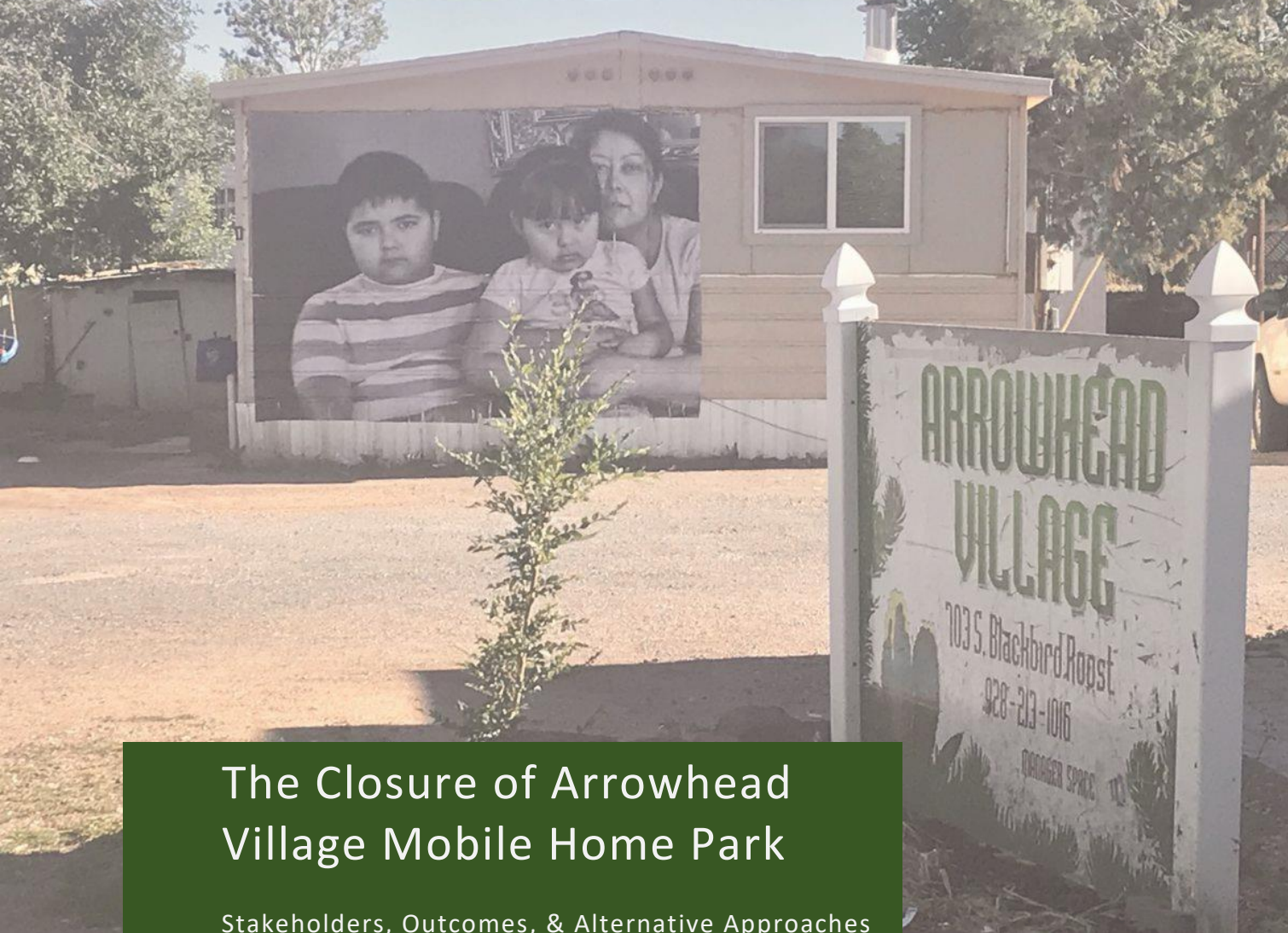
²⁴ <https://www.flagstaff.az.gov/DocumentCenter/View/49946/Pages-from-PPFINAL09192016F-I-N-A-LEnglish-Only?bidId=>

²⁵ <https://www.flagstaff.az.gov/DocumentCenter/View/50992/Title-15-01-Minimum-Wage?bidId=>

²⁶ <https://www.flagstaff.az.gov/DocumentCenter/View/58870/PP2018FINALEGLISH>

²⁷ <https://www.azleg.gov/legtext/54leg/1R/laws/0272.pdf>

²⁸ <https://legiscan.com/AZ/text/HB2747/id/2031279>



The Closure of Arrowhead Village Mobile Home Park

Stakeholders, Outcomes, & Alternative Approaches

Photo Credit: Arizona Daily Sun

In November of 2017, residents of the Arrowhead Village Mobile Home Park received an eviction notice alerting them that the land their homes sit on had been sold and that they had six months to move or abandon their homes. The sale of the land meant that over fifty families would be required to relocate.¹

The displacement of the residents at Arrowhead Village brought to light a clear predicament that tenants of mobile homes parks encounter when faced with eviction. Although they own their mobile or manufactured home, they do not own the land it is located on, and accordingly have limited options when faced with eviction. This displacement can upend entire communities and cause severe emotional and financial stress for residents with few options to keep or relocate their homes.

This case study will introduce the circumstances surrounding the closure of the Arrowhead Village Mobile Home Park and explore what role residents, community activists, the City of Flagstaff, and City Council played during the event to learn what can be done in the future to avoid further displacements.

Background

The Arrowhead Village Mobile Home Park was located in La Plaza Vieja Neighborhood of Flagstaff, also known as “Old Town”. This is the oldest settled neighborhood in Flagstaff, settled in the 1850’s, due to its proximity to a freshwater spring. In the 1880’s the neighborhood was the site of ten buildings, a water source, and post office. It was also the location of lumber companies and workers’ housing that housed primarily Hispanic & Basque families who came to Flagstaff as a result of the sheep trade. The City of Flagstaff recommended the district become its own neighborhood as part of the Southside proposal in the late 1990’s.

Today, La Plaza Vieja is comprised of approximately 109 acres with 572 housing units, some of the oldest in Flagstaff, that house roughly 1,072 people. La Plaza Vieja faces the challenges of older housing stock, many without owner-occupants to care for them, along with an aging infrastructure and rising land costs, which make infill and redevelopment challenging. Census information also reports that a number of units do not have kitchen or bathroom facilities. The median household income (for a family of four) is \$31,549, which is lower than the rest of Flagstaff. The low average income could be attributed to a combination of retired older-generation residents and a high percentage of Northern Arizona University students. La Plaza Vieja has a higher percentage of Hispanic residents than Flagstaff as a whole. Within the Hispanic community, there is a mix of families that are new to Flagstaff who were drawn to the neighborhood for affordability, location, and cultural similarities, as well as families that have lived in the neighborhood for generations. Often, in the latter group, multiple generations occupy the same residence. The overall population is young, with over 50% of the population under 24, which could also be attributed by Northern Arizona University students that rent in the neighborhood. The neighborhood is characterized by a high renter occupied housing (79%) and low owner-occupied ratio (14%). According to the City of Flagstaff’s sales tax records, there are fifty-two businesses within Plaza Vieja, with a walking tour revealing twenty-three businesses within the neighborhood, plus a number of rental agencies. Other businesses could very well be home-based businesses, or businesses that no longer exist.²

Arrowhead Village residents faced a previous eviction attempt in 2013 when Landmark Properties, the developer of The Standard student housing complex, expressed interest in purchasing the land to develop an apartment complex. This purchase would have required the rezoning of the property from manufactured home to commercial or industrial use. During negotiations with the residents, a representative for Arrowhead Village asked for \$35,000 for each residence, which developers rejected as “extortion.” City staff responded by citing state law that pre-empted municipalities from requiring higher relocation payments, and instead offered to recommend building more apartments in exchange for voluntary higher payments from the residents that would count as affordable housing investments. Arrowhead Village neighbors petitioned against the rezoning, regardless of the increased payments. Under city law, rezoning requires a super-majority vote of the council for approval, which Landmark Properties did not receive. As a result, Landmark withdrew their rezoning request, dropped the Arrowhead Village parcel from its development plans, and chose to construct along West Route 66 instead, where formal rezoning was not needed.³ The issue would arise again in 2017.

Housing-Related Preemption

Preemption is a legal doctrine that allows a higher level of government to limit or eliminate the power of a lower level of government to regulate a specific issue. It has historically been used as a legislative and judicial tool to resolve problems that can arise when different levels of government adopt conflicting laws on the same subject. Under the Supremacy Clause of the United States Constitution, federal law takes precedence over state and local law. Similarly, state law takes precedence over the laws of a local jurisdiction because cities are “creatures of the state”.⁴

Housing preemption in Arizona essentially creates a relationship between landlords and tenants that is private and cannot be interfered with by local governments. Such preemption can be seen under Titles 9, 33, and 41 of the Arizona Revised Statutes. Under Arizona State law, there are two Residential Landlord and Tenant Acts; one that pertains to standard rental housing and the other to renters in Mobile Home Parks. The Arizona Department of Housing enforces several areas of the Mobile Home Landlord/ Tenant Act, including overseeing the park closure required actions and the mobile home relocation fund (provided for in the Act).^{5 6 7}

Arizona has also taken a punitive approach to all local laws subject to state preemption. Arizona’s extensive preemption law (Arizona Statutes § 41-194.01) enacted in March 2016 through SB 1487, imposes steep monetary consequences for local governments that pass ordinances found to be in violation of state law and has effectively prevented local initiative in the state.⁸

Land Zoning

When Arrowhead Village residents faced eviction in November 2017, residents were incorrectly notified about the zoning status of the land parcel that Arrowhead Village sat on. Residents were notified that the land was being sold in order to build a commercial property, while the land in question was and remains to be zoned for manufactured home use. To notify Arrowhead Village tenants of this intent was inaccurate and misleading as the property owner would need to obtain a conditional use permit or zoning change to build a commercial endeavor on the property.⁹

Response

After residents first faced eviction in 2013, The La Plaza Vieja Neighborhood Specific Plan was unanimously adopted by Flagstaff City Council on October 20, 2015, with an effective date of November 19, 2015. The plan underwent a series of reviews by City of Flagstaff Commissions and Advisory Committees and was recommended by approval by the Planning and Zoning Commission, the Historic Preservation Commission, the Transportation Commission, and the Bicycle and Pedestrian Advisory Committees. The Parks and Recreation Commission also reviewed and supported the plan but did not make a formal motion. The Neighborhood Plan includes a site and area analysis, concept plan, recommended goals and policies, and implementation strategies. Throughout the plan, a goal of creating more affordable housing in the area is frequently noted.¹⁰

After the 2017 eviction notice was received, various actors became involved in the issue, including the residents of Arrowhead Village, community organizers, City of Flagstaff staff, Flagstaff City Council, and

local non-profit and civil society organizations. A summary of the actions taken by different community actors can be found in both city council minutes from this time and a December 2018 City Council Report (CCR) provided by leadership from City's Community Development department.¹¹

Flagstaff City Council and Staff

During the Council budget retreat in April 2018, a discussion was held to consider decreasing the contingency fund balance by half of one percent to provide an ongoing funding source for emergency housing relocation assistance. The goal of this ongoing program would be to leverage other funding opportunities to provide relocation assistance. In the end, this option was set aside, resulting in Council budgeting \$100,000 in one-time general funds for households being displaced from the closure of mobile home parks. Staff was directed to work with the existing programs of Flagstaff Shelter Services and Coconino County Community Services as an interim measure to expedite assistance to residents pending displacement from the closure of Arrowhead Village. There was an initial \$20,000 of funding directed to Arrowhead Village, with stated flexibility to allocate more should there be a need. In addition to Arrowhead Village, staff was directed to create a relocation assistance program with the remaining funds allocated for this purpose.¹²

Other Organizations

Various other local, regional and state organizations responded to the need of Arrowhead Village residents. Four community meetings and three outreach meetings were hosted by Flagstaff Shelter Services and Coconino County Community Services with City staff support, while Front Door via Flagstaff Shelter Services provided a specialist to triage each household. Monetary or in-kind contributions were also received by multiple organizations; the United Way of Northern Arizona contributed \$2,500 for professional interpretation and printing services, Flagstaff Shelter Services contributed \$26,500 for rehousing and other funding to support 12 households, the AZ Department of Housing leveraged \$22,500 in abandonment funds for 20 households and Coconino County assisted 9 families with \$12,225 in funds.¹³ A total of thirty-five Arrowhead households received Relocation Assistance Support via Flagstaff Shelter Services and Coconino County and fourteen with City funding.¹⁴

Community Organizers

Chip Thomas, a local artist, created a wheat paste mural on the side of one of the homes which depicted three of the evicted residents. The artwork was unveiled on June 24th, 2019 at a reveal fundraiser hosted by the Repeal Coalition. Through a GoFundMe Campaign, Chip Thomas and the Repeal Coalition helped raise \$4,440 for Arrowhead Village residents.¹⁵ A search of City Council and County Board of Supervisor minutes from the time also shows that community organizers and residents were active in their advocacy efforts by repeatedly bringing their comments and concerns to elected officials through these public forums.

Residents of Arrowhead Village

Park residents made multiple attempts at securing financial compensation in exchange for the hardship represented by the eviction notice. Residents worked with attorney Lee Philips, who provided services at no cost, to request rent reimbursement and the return of security deposits from the property buyers;

both requests were denied.¹⁶ Residents also organized an enchilada sale to raise funds for relocation costs. A total sum of \$2,385 was raised and split among the residents.¹⁷

Outcome

Despite efforts from the residents, City Council, city staff, and local community organizers, all of the Arrowhead Village residents were ultimately displaced. Only six families were able to take their homes with them, while the remaining homes were abandoned due to associated moving expenses or the age of the homes, as restrictions exist related to moving any mobile home built before 1976. Eight families from Arrowhead Village were able to move into mobile homes located within the Hidden Hollow Manufactured Home Community, while other families moved in with family or friends or left the Flagstaff area altogether. The Arrowhead Village parcel was sold for \$2.25 million dollars in 2017 but is now back on the market for a list price of \$6 million. The parcel is still zoned to allow only manufactured homes and the listing agent for the property, who was unaware of its history, noted “I’m selling it zoned mobile home, so I hope someone will buy it and maintain it as a mobile home park”.^{18 19}

The Flagstaff City Council has since refused to rezone the parcel and discussion has been raised to condemn the property for affordable housing purposes. On July 3, 2018, Mayor Evans requested a Future Agenda Item Request (F.A.I.R.) to determine if there were any other members of Council interested in placing the topic of condemnation on the agenda. At that time, two Councilmembers agreed to move it forward and four agreed to move it to the front of the line of Discussion Queue.²⁰ The topic was raised again on August 28, 2018²¹ and on January 8, 2019. At the January 2019 meeting, Mayor Evans stated that the area has very limited affordable housing available and according to State statutes, the City can condemn the property for the purpose of affordable housing. Council received public comment concerning condemnation of the property with public opinion being mixed. Mayor Evans asked Council to consider moving the item forward for future discussion, and a Council majority supported of moving the item forward for further discussion.²² The parcel remains un-condemned and undeveloped at the time of writing this study.

Alternative Models

Research into mobile home communities reveals that once land is sold, mobile homeowners face limited options. In recent years, alternative models that allow for the preservation of mobile home parks as affordable housing have emerged. Several examples are listed below.

Resident land ownership of communities:

- Some mobile home communities, such as ones in Washington and Rhode Island, have formed co-ops where they purchase the land from the landlord. Residents pay a membership fee and monthly dues to become a part of the co-op instead of paying monthly rent to a landlord which grants them longer term security and stability.²³
- In Washington state there is a nonprofit called Manufactured Home Community Preservationists (MHCP) which use a combination of bank and public funding to buy parks, currently five across the state, at below-market rates to ensure tenant rates are set low and based on income. This is a collaborative approach in which a board of directors runs the nonprofit and one elected

resident from each mobile home community joins the board. Homeowners are responsible for their own utilities, personal property taxes, insurance and maintenance, and the board creates bylaws and rules.²⁴

Community stabilization & resiliency planning:

- Housing Trust Funds: Washington Housing Trust Fund, managed by the state's commerce department, has helped preserve over a dozen mobile park homes since 1993. The Fund awards funding for affordable housing projects, federal home loans, and has approximately \$996 million in active investments. The Housing Trust Fund awards money in the form of grants and loans, with an interest rate ranging from 0 to 3 percent. Organizations that receive an award must remain affordable for 40 to 50 years.²⁵
- Resiliency Planning Grant: Affordable housing advocates say that the best way to preserve mobile home parks is to turn them into co-operatives owned by residents as mentioned previously. In Boulder, Colorado however, land is so valuable, and parks are so expensive to upgrade that it wouldn't be possible for low-income residents to finance the purchase alone. The City of Boulder, Colorado responded to this community need through the creation of a grant which allow the city to contribute some funding to the resident purchase of the park.²⁶

Anti-Displacement Task Forces and Record Keeping:

- In 2018, the city council of Austin, Texas passed a resolution, Resolution No. 20170817-053, to prevent displacement in their area through a task force. The purpose of this task force is to preserve and expand the supply of affordable housing by controlling land for community development, preserve and grow small businesses and cultural assets, create income and assets by providing needed services (such as, childcare, transportation, a basic retail sector, access to health care, and employment opportunities), and financing strategies to provide community-specific ways to fund the other four categories of action. The task force committed to a ten-month process that culminated in recommendations for future displacement prevention.^{27 28}
- The City Council of San José, California adopted a Housing Crisis Response Workplan on June 12, 2018, which directed the Housing Department to develop a Citywide Anti-Displacement Strategy. That same year, a team of public and private representatives was selected to participate in PolicyLink's 10-city All-in Cities Anti-Displacement Policy Network (ADPN), a national peer learning cohort studying best practice tools and strategies to address displacement. In 2019, the San José ADPN team organized a series of stakeholder and public meetings and on January 15, 2020, released the Community Strategy to End Displacement. The report was written collaboratively by the San José ADPN team and provides a set of 13 recommendations to produce new affordable housing, preserve existing affordable housing, and protect residents in the city's rapidly changing neighborhoods. It was published in English, Spanish, and Vietnamese.²⁹
- In San Antonio, Texas a community advocacy group, Vecinos de Mission Trails, was formed after the City voted to rezone Mission Trails Mobile Home Community and forcibly removed almost 300 residents from their home. Vecinos de Mission Trail works to provide support to the displaced residents of Mission Trails, fully document the history and impacts of their displacement, complete research, and education efforts on the root causes of gentrification

and its policy alternatives, and engage existing Mission Reach residents vulnerable to future displacement. Vecinos de Mission Trails completed two years of research including interviews and data analysis to produce a 104-page report on what happened in the area. Vecinos de Mission Trails has since worked to develop a mutual aid group called the Comités de Defensa del Barrio. In addition to fighting future displacements, the long-term purpose of this group is to understand and reclaim human rights on a neighborhood level, and to create alternative economies based on cooperation and mutual aid.³⁰

¹ https://azdailysun.com/news/local/flagstaff-trailer-park-residents-have-little-legal-recourse/article_f2ff03c0-8118-5c0b-9112-78c8f7f99474.html

² https://www.flagstaff.az.gov/DocumentCenter/View/48015/LPVNP_PublicHearingfinal_100115_finalweb?bidId=

³ https://azdailysun.com/news/local/flagstaff-trailer-park-residents-have-little-legal-recourse/article_f2ff03c0-8118-5c0b-9112-78c8f7f99474.html

⁴ <https://www.supportdemocracy.org/preemption>

⁵ <https://housing.az.gov/general-public/landlord-and-tenant-act>

⁶ <https://www.azleg.gov/arstitle/>

⁷ <https://housing.az.gov/manufactured-housing/az-mobile-home-landlord-tenant-act-information-relocation-fund>

⁸ <https://www.supportdemocracy.org/preemption>

⁹ https://azdailysun.com/news/local/flagstaff-trailer-park-residents-given-six-months-to-vacate/article_6f49f3e9-f258-5bed-be01-b05fc7215d65.html

¹⁰ <https://www.flagstaff.az.gov/3173/La-Plaza-Vieja-Specific-Plan-Archive>

¹¹ <file:///C:/Users/claire.hardi/AppData/Local/Microsoft/Windows/INetCache/Content.Outlook/UBGWZJ10/CCR%20%20Arrowhead%20Village%20Resident%20Relocation%20Assistance.pdf>

¹² <https://www.flagstaff.az.gov/DocumentCenter/View/59691/CCR--Arrowhead-Village-Resident-Relocation-Assistance>

¹³ <https://www.flagstaff.az.gov/DocumentCenter/View/59691/CCR--Arrowhead-Village-Resident-Relocation-Assistance>

¹⁴ <file:///C:/Users/claire.hardi/AppData/Local/Microsoft/Windows/INetCache/Content.Outlook/UBGWZJ10/CCR%20%20Arrowhead%20Village%20Resident%20Relocation%20Assistance.pdf>

¹⁵ <https://www.gofundme.com/f/support-arrohead-families>

¹⁶ https://azdailysun.com/news/at-arrowhead-village-the-families-are-gone-with-most-leaving/article_56d3ce03-ec5b-51e8-94e6-b2cfe39af31f.html

¹⁷ https://azdailysun.com/news/at-arrowhead-village-the-families-are-gone-with-most-leaving/article_56d3ce03-ec5b-51e8-94e6-b2cfe39af31f.html

¹⁸ https://azdailysun.com/news/at-arrowhead-village-the-families-are-gone-with-most-leaving/article_56d3ce03-ec5b-51e8-94e6-b2cfe39af31f.html

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