

MINUTES

1. CALL TO ORDER

Mayor Daggett called the meeting of the Flagstaff City Council held January 17, 2023, to order at 3:01 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

2. ROLL CALL

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

PRESENT:

ABSENT:

MAYOR DAGGETT (virtually)
VICE MAYOR ASLAN (virtually)
COUNCILMEMBER HARRIS (virtually)
COUNCILMEMBER HOUSE (virtually)
COUNCILMEMBER MATTHEWS (virtually)
COUNCILMEMBER MCCARTHY (virtually)
COUNCILMEMBER SWEET (virtually)

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

3. PLEDGE OF ALLEGIANCE, MISSION STATEMENT, AND LAND ACKNOWLEDGEMENT

The Council and audience recited the pledge of allegiance, Councilmember McCarthy read the Mission Statement of the City of Flagstaff, and Councilmember Harris read the Land Acknowledgement.

MISSION STATEMENT

The mission of the City of Flagstaff is to protect and enhance the quality of life for all.

LAND ACKNOWLEDGEMENT

The Flagstaff City Council humbly acknowledges the ancestral homelands of this area's Indigenous nations and original stewards. These lands, still inhabited by Native descendants, border mountains sacred to Indigenous peoples. We honor them, their legacies, their traditions, and their continued contributions. We celebrate their past, present, and future generations who will forever know this place as home.

4. PUBLIC PARTICIPATION

Public Participation enables the public to address the Council about an item that is not on the agenda. Comments relating to items that are on the agenda will be taken at the time that the item is discussed. If you wish to address the Council at tonight's meeting, please complete a comment card and submit it to the recording clerk as soon as possible. Your name will be called when it is your turn to speak. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

None

5. COUNCIL LIAISON REPORTS

Vice Mayor Aslan reported that he attended the Tourism Commission's Annual Budget Retreat where he had a great opportunity to hear about their budgeting process.

Councilmember House reported that the Commission on Diversity Awareness and the Housing Commission will be meeting later in the week.

Councilmember Matthews reported that she attended the Indigenous Commission meeting and noted that there are vacancies on the commission if any members of the public are interested in serving. She also met with Coordinator for Indigenous Initiatives Rose Toehe and will be attending the NAIPTA/Mountain Line meeting later in the week.

Councilmember McCarthy reported that he attended the MetroPlan meeting; he noted that the February meeting has been cancelled and they will reconvene in March.

Councilmember Sweet reported that she attended the Beautification and Public Art Commission meeting where they reviewed the 5-year plan. There are a lot of great projects in the works that Council will be soon hearing about. She also reported that she will be attending the Mountain Line Board meeting and Water Commission meeting later in the week.

Mayor Daggett reported that she attended the ECONA Meeting and the CJCC meeting.

6. APPOINTMENTS

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 the City Council may vote to go into executive session, which will not be open to the public, for the purpose of discussing or considering employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body...., pursuant to A.R.S. §38-431.03(A)(1).

A. Consideration of Appointments: Tourism Commission.

Moved by Mayor Becky Daggett, **seconded by** Vice Mayor Austin Aslan to appoint Jennifer Grogan to a term expiring January 2026.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to appoint Karen Laflen to a term expiring January 2026.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Jim McCarthy to appoint Michael Marquess to a term expiring January 2026.

Vote: 7 - 0 - Unanimously

B. Consideration of Appointments: Planning and Zoning Commission.

Moved by Vice Mayor Austin Aslan, **seconded by** Councilmember Jim McCarthy to appoint Ian Sharp to a term expiring December 2025.

Vote: 7 - 0 - Unanimously

7. LIQUOR LICENSE PUBLIC HEARINGS

A. Consideration and Action on Liquor License Application: Jeffrey Craig Miller, "B66 Brunch Brew BBQ," 409 S. San Francisco St., Series 12 (restaurant), New License.

Mayor Daggett opened the public hearing.

Police Sergeant Kevin Sapp introduced the application noting nothing of concern.

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

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Khara House to forward the application to the state with a recommendation for approval.

Vote: 7 - 0 - Unanimously

8. CONSENT ITEMS

All matters under Consent Agenda are considered by the City Council to be routine and will be enacted by one motion approving the recommendations listed on the agenda. Unless otherwise indicated, expenditures approved by Council are budgeted items.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to approve the Consent Agenda as presented.

Vote: 7 - 0 - Unanimously

- A. Consideration and Approval of the Design-Build Agreement:** Design-Build Services Agreement with Hunter Contracting Co. for the Inner Basin Waterline Restoration Project and a Design Phase Services GMP1 in the amount of \$189,694.00.
1. Approve Design-Build Services Agreement with Hunter Contracting Co.;
 2. Approve the Design Phase Services GMP1 with Hunter Contracting Co. in the amount of \$189,694.00 and a contract duration of 150-calendar days; and
 3. Authorize the City Manager to execute the necessary documents.
- B. Consideration and Approval of Contract:** Cooperative Purchase Contract with Deere & Company of a John Deere Compact Utility Tractor in the amount of \$66,071.40.
1. Approve the Cooperative Purchase Contract with Deere & Company of a John Deere Compact Utility Tractor in the amount of \$66,071.40; and
 2. Authorize the City Manager to execute all the necessary documents.
- C. Consideration and Approval of Contract:** Approve the Cooperative Purchase Contract for a Velocity Aerial Bucket Quint Unit with Hughes Fire Equipment, Inc. in the total amount of \$1,960,222.66.
1. Approve the Cooperative Purchase Contract with Hughes Fire Equipment, Inc. through the Sourcewell Agency Cooperative Contract for a new Velocity Aerial Bucket Quint Unit in the total amount of \$1,960,222.66; and
 2. Authorize the City Manager to execute the necessary documents.

9. ROUTINE ITEMS

- A. Consideration and Approval of Grant Agreement:** Grant Agreement between the City of Flagstaff and the Arizona Department of Forestry and Fire Management for Invasive Plant Grant (State) - Observatory Mesa Invasive Plant Prevention and Control.

Open Space Supervisor Robert Wallace provided a PowerPoint presentation that covered the following:

OPEN SPACE INVASIVE PLANT GRANT CONSIDERATION
OPEN SPACE BACKGROUND – WHO, WHAT, HOW
WHAT WILL THIS GRANT ACHIEVE
WHAT IS THE CITY AGREEING TO
HOW GRANT ACCEPTANCE MEETS CITY GOALS
OPTIONS

Councilmember House stated that she is excited about the grant and appreciates the great work being advanced by the Open Space section.

Councilmember Harris asked about the students targeted in the Open Space programming in relation to the grant. Mr. Wallace explained that the grant specifically calls out indigenous and underprivileged youth; there is a partnership with Title 1 schools in addition to educational partners such as Willow Bend to expand participation opportunities to all 3rd grade students. Unfortunately, limited resources do not allow the ability to offer programming to all grades but they continue to look for other partnerships and are hoping to expand the program to the middle schools.

Mayor Daggett stated that there has been great work done with weed eradication and education, she is excited to see the project continue to help people identify problem plants on their own property.

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to approve the Grant Agreement #IPG 22S-702 with the Arizona Department of Forestry and Fire Management, for Observatory Mesa Invasive Plant Prevention and Control Grant in the amount of \$97,000, with a city match of \$11,260 to support the maintenance of the Observatory Mesa Natural Area open space.

Vote: 7 - 0 - Unanimously

- B. Consideration and Approval of Parking Demand Study:** Request by the Holy Trinity Catholic Newman Center to approve a Parking Demand Study for a new place of worship building at 520 W. Riordan Rd., subject to the issuance of a Conditional Use Permit.

Senior Planner Genevieve Pearthree provided a PowerPoint presentation that covered the following:

NEWMAN CENTER PARKING DEMAND STUDY
REQUEST
NEWMAN CENTER PROPOSAL
CONCEPT PLAN
BUILDING FLOOR PLANS – 1ST FLOOR
BUILDING FLOOR PLAN – 2ND FLOOR
PARKING DEMAND STUDY METHODS
PARKING DEMAND STUDY RESULTS
TRANSPORTATION MODE WHEN NAU IS IN SESSION
TRANSPORTATION MODE WHEN NAU IS NOT IN SESSION
CURRENT AND ANTICIPATED PARKING DEMAND FOR AVERAGE NUMBER OF ATTENDEES
PROPOSED PARKING DEMAND MANAGEMENT STRATEGIES
OPTIONS AND ALTERNATIVES
STAFF RECOMMENDATION

Vice Mayor Aslan asked if any part of the original building is staying in tact. Father Matt Lowry stated that they are trying to preserve what they can but much of the materials include encapsulated asbestos which is problematic.

Councilmember House asked how much parking is currently available and how much will be available after construction. Father Lowry stated that currently there are 62 spaces available and that will be reduced down to 45.

Tyler Denham addressed Council stating that the parking study is out of sync with many of the city's other goals. Having more parking brings more vehicles, less parking encourages carpool and other means of transportation. He indicated that the City really should not be involved in the process of managing parking demand especially in an area that is not residential.

Vice Mayor Aslan stated that the process does seem odd and is out of principle with other city documents and practices; he indicated that he would like to see an effort to fix the process.

Councilmember House agreed that revisions to the process may be warranted; the applicant is showing willingness to reduce the footprint of parking which supports the city's priorities.

Councilmember McCarthy stated that he supports the deviation from the general guidelines and likes the inclusion of the pedestrian path. He too supports a future discussion about a modification of the process.

Councilmember Sweet noted her support of the staff recommendation and also supports revisiting the parking requirements at a later time.

Councilmember Matthews voiced her support of the recommendations of staff. She also supports a future discussion about the process but cautioned about going too far and limiting the ability to travel during the extreme weather events that Flagstaff experiences.

Mayor Daggett also voiced her support for the staff recommendation and future discussions about parking requirements.

Moved by Councilmember Jim McCarthy, **seconded by** Vice Mayor Austin Aslan to approve the parking demand study with the following conditions:

1. The Newman Center shall work with NAU to secure additional parking spaces on NAU property to account for increases in the size of the congregation in the larger Newman Center building and associated increases in parking demand.
2. The Newman Center shall provide a pedestrian path per City of Flagstaff Zoning Code section 10-30.60.080.A. that connects to the existing pedestrian path located on the adjacent property to the west at 910 S. Milton Rd. (APN 103-04-005B).
3. The Newman Center shall provide a minimum of 12 bicycle parking spaces, as shown on the Concept Plan that city staff deemed Complete with Conditions on November 17, 2022.

Vote: 7 - 0 - Unanimously

10. REGULAR AGENDA (Items 10C and 10D will not start before 7:00 p.m.)

- A. Consideration and Adoption of Resolution No. 2023-02:** A resolution approving Binding Waivers of Enforcement for five parcels of land located in the City of Flagstaff.

Senior Assistant City Attorney Christina Rubalcava provided a PowerPoint presentation that covered the following:

PROP 207 CLAIMS – BINDING WAIVERS OF ENFORCEMENT
 BACKGROUND
 ORDINANCE 2020-28
 PROP 207 CLAIMS
 OVERVIEW OF PROP 207
 BINDING WAIVER OF ENFORCEMENT

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to read Resolution No. 2023-02 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL APPROVING BINDING WAIVERS OF ENFORCEMENT FOR FIVE PARCELS OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF FLAGSTAFF

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to adopt Resolution No. 2023-02.

Vote: 7 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2023-01:** A resolution for consideration and approval of Intergovernmental Agreement (IGA) between the City of Flagstaff and the Greater Flagstaff Region (GFR) partnering agencies (Summit Fire District, Highlands Fire District, Ponderosa Fire Department, and Pinewood Fire Department)

Deputy Fire Chief Jerry Bills introduced the item and stated that the IGA will allow the agencies to partner together to share grant resources for training in Incident Management.

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to read Resolution No. 2023-01 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE HIGHLANDS FIRE DISTRICT, PONDEROSA FIRE DEPARTMENT, PINEWOOD FIRE DEPARTMENT, SUMMIT FIRE AND MEDICAL DISTRICT AND THE CITY OF FLAGSTAFF FOR THE ASSISTANCE TO FIREFIGHTERS REGIONAL TRAINING GRANT PROGRAM

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2023-01.

Vote: 7 - 0 - Unanimously

Mayor reordered the agenda to take items 11A, 11B, 12, and 13 before items 10C and 10D.

- C. Ratification of a previous City Council's instruction to City Attorney to initiate litigation against Desert Mountain Energy.**

City Attorney Sterling Solomon stated that this item and the next will ratify instructions of a previous City Council to initiate litigation based on advice given during executive session.

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Khara House to ratify a previous City Council's instruction to the City Attorney to initiate litigation against Desert Mountain Energy based on information provided in executive session.

Vote: 7 - 0 - Unanimously

- D. Ratification of a previous City Council's instruction to City Attorney to initiate litigation against the Arizona Department of Administration et. al.**

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Miranda Sweet to ratify a previous City Council's instruction to the City Attorney to initiate litigation against the Arizona Department of Administration et. al. based on information provided in executive session.

Vote: 7 - 0 - Unanimously

11. DISCUSSION ITEMS**A. Community Development Block Grant (CDBG) Introduction and Overview;
Establishment of CDBG Council Priorities for Program Years 2023 and 2024**

Housing and Grants Administrator Kristine Pavlik provided a PowerPoint presentation that covered the following:

COMMUNITY DEVELOPMENT BLOCK GRANT
TODAY
CDBG INTRODUCTION
WHAT IS THE COMMUNITY DEVELOPMENT BLOCK GRANT?
WHY DOES THE CITY OF FLAGSTAFF RECEIVE CDBG MONEY?
HOW DOES THE CITY ACCESS THE FUNDS?
HOW CAN THE CITY SPEND THE MONEY?
CDBG OVERVIEW
PRIMARY NATIONAL OBJECTIVE
BENEFITING LOW TO MODERATE INCOME PERSONS
1. LIMITED CLIENTELE
2. HOUSING ACTIVITY
3. AREA BENEFIT
4. JOB CREATION/RETENTION ACTIVITIES
HUD ANNUAL FUNDING CAPS
PUBLIC SERVICE – 15% CAP
CRITERIA FOR USE OF CDBG FUNDS
HOW ARE FUNDS DISTRIBUTED
PROPOSAL PROCESS
CITY CONTRACT REQUIREMENTS
FEDERAL OVERLAY STATUTES
PROPOSAL PROCESS
WHAT HAS CHANGED IN RECENT YEARS?
ALLOCATION OVER THE YEARS
CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT
2021-2022 CDBG CAPER
5-YEAR CONSOLIDATED PLAN GOALS
CDBG PRIORITIES
2021 AND 2022 CDBG COUNCIL PRIORITIES

Council discussed the priorities and provided direction to keep all four of the prior priorities but apply a 10/5 point split for the housing and homelessness prevention items.

Council also discussed outreach and communication efforts and the administration and reporting requirements for selected projects.

B. Wildland Fire Management Program Update

Forest Health Supervisor Neil Chapman and Wildland Fire Battalion Chief Paul Oltrogge provided a PowerPoint presentation that covered the following:

WHO ARE WE? WHAT DO WE DO? WHY DO WE DO IT
WILDLAND FIRE MANAGEMENT
CHALLENGE

FIRE SUPPRESSION AND EXCLUSION
FIRE IS LOCAL
NATURE BASED SOLUTION TO REDUCE UNDESIRABLE FIRE EFFECTS
FWPP THINNING TO DO LIST
UPPER RIO DE FLAG WATERSHED & LEROUX PROJECT ANALYSIS
UPPER RIO DE FLAG WATERSHED & FORT VALLEY EXPERIMENTAL FOREST
LAKE MARY WATERSHED
HOW DO HEALTHY FORESTS SUPPORT ARIZONA'S ECONOMY?
TURNING A BILLION-DOLLAR CHALLENGE INTO HEALTHY FORESTS, SAFE
COMMUNITIES, AND GOOD JOBS

Council expressed appreciation to staff for the presentation and the work being done to ensure and protect healthy forests.

12. PUBLIC PARTICIPATION

None

13. INFORMATIONAL ITEMS TO/FROM MAYOR, COUNCIL, AND STAFF, AND FUTURE AGENDA ITEM REQUESTS

Councilmember Sweet thanked Public Works for the opportunity to participate in a ride-along with the snow plow operations; she enjoyed the experience and it gave her good, firsthand knowledge on how to respond to constituent inquiries.

Councilmember House thanked the all the staff who have been involved in snow operations and keeping the community open and safe. She has seen some really powerful partnerships through the storm, and it shows that the community is united when the time calls for it.

Councilmember Harris expressed appreciation for the community and thanked Eric Greenwald for his assistance with snow removal.

Vice Mayor Aslan stated appreciation for the decisions to go all virtual for the meeting given the current weather conditions. He also thanked staff for all their work keeping things up and running.

Mayor Daggett thanked Mountain Line and all residents who attended the discussion at the Murdoch Center about civic space at the new Downtown Connection Center. She also reported that there is an art exhibition titled Open Doors: Art in Action at the Episcopal Church that exhibits work by local artists to raise awareness of social, environmental, and justice issues in the community and around the world. Panel discussions are also part of the exhibit and they include Councilmember Matthews, city staff, and community partners. She encouraged people to check it out. She also requested a FAIR item to discuss parking requirements.

A break was held from 5:48 p.m. through 7:00 p.m. Items 10C and 10D were taken immediately following the break.

14. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held January 17, 2023, adjourned at 7:05 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 January 17, 2023. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 7th day of February, 2023.

CITY CLERK