

CITY COUNCIL REGULAR MEETING AGENDA

REGULAR COUNCIL MEETING
TUESDAY
FEBRUARY 7, 2023

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
3:00 P.M.

All City Council Meetings are live streamed on the city's website
(<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

*****PUBLIC COMMENT*****

Verbal public comments may be given through a virtual public comment platform or in-person

If you want to provide a verbal comment during the Council Meeting, use the link below to join the virtual public comment room.

VIRTUAL PUBLIC COMMENT WAITING ROOM

Written comments may be submitted to publiccomment@flagstaffaz.gov. All comments submitted via email will be considered written comments and will be documented into the record as such.

1. **CALL TO ORDER**

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 through other technological means.

MAYOR DAGGETT
VICE MAYOR ASLAN
COUNCILMEMBER HARRIS
COUNCILMEMBER HOUSE

COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SWEET

3. **PLEDGE OF ALLEGIANCE, MISSION STATEMENT, AND 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. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- A. **Consideration and Approval of Minutes:** City Council Regular Meeting of January 4, 2022, Special Meeting of January 6, 2022, Work Session of January 11, 2022, Regular Meeting of January 3, 2023, Special Meeting (Executive Session) of January 10, 2023, Special Meeting (Executive Session) of January 12, 2023, Regular Meeting of January 17, 2023, City Council Retreat of January 19, 2023, and City Council Retreat of January 20, 2023.

STAFF RECOMMENDED ACTION:

Approve the minutes of the City Council Regular Meeting of January 4, 2022, Special Meeting of January 6, 2022, Work Session of January 11, 2022, Regular Meeting of January 3, 2023, Special Meeting (Executive Session) of January 10, 2023, Special Meeting (Executive Session) of January 12, 2023, Regular Meeting of January 17, 2023, City Council Retreat of January 19, 2023, and City Council Retreat of January 20, 2023.

5. PUBLIC PARTICIPATION

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

6. PROCLAMATIONS AND RECOGNITIONS

- A. **Proclamation:** Astrotourism Month
- B. **Proclamation:** Black History Month

7. COUNCIL LIAISON REPORTS

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.

- A. **Consideration and Approval of Contract:** A Cooperative Purchase Contract with Surdex Corporation in the amount of \$74,958.00 for Orthoimagery and LiDAR Data Acquisition.

STAFF RECOMMENDED ACTION:

1. Approve the Cooperative Purchase Contract with Surdex Corporation in the amount of \$74,958.00 for Orthoimagery and LiDAR Data Acquisition; and
2. Authorize the City Manager to execute the necessary documents.

9. **PUBLIC HEARING ITEMS**

- A. **Consideration and Adoption of Ordinance No. 2023-01:** An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff City Code, Title 10, Flagstaff Zoning Code, Division 10-80.20: Definitions of Specialized terms, phrases, and building functions, Section 10-80.20.040: Definitions "D" to modify the term "duplex"; Providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date.

STAFF RECOMMENDED ACTION:

At the February 7th, 2023 Council Meeting:

- 1) Hold Public Hearing
- 2) Read Ordinance No. 2023-01 by title only for the first time
- 3) City Clerk reads Ordinance No. 2023-01 by title only (if approved above)

At the February 21st, 2023 Council Meeting:

- 4) Read Ordinance No. 2023-01 by title only for the final time
- 5) City Clerk reads Ordinance No. 2023-01 by title only (if approved above)
- 6) Adopt Ordinance No. 2023-01

- B. **Consideration and Adoption of Ordinance No. 2023-02 :** An ordinance of the City Council of the City of Flagstaff amending the Flagstaff City Code, Title 10 Flagstaff Zoning Code, Chapter 10-40 Specific to Zones, Division 10-40.30: Non Transect Zones, Section 10-40.30.050 Industrial Zones, to modify Table 10-40.30.050.B to allow Manufacturing/Processing - Heavy in the Light Industrial Zone with a Conditional Use Permit, providing for the repeal of conflicting ordinances, severability, and establishing an effective date

STAFF RECOMMENDED ACTION:

At the February 7th, 2023 Council Meeting:

- 1) Hold Public Hearing
- 2) Read Ordinance No. 2023-02 by title only for the first time
- 3) City Clerk reads Ordinance No. 2023-02 by title only (if approved above)

At the February 21st, 2023 Council Meeting:

- 4) Read Ordinance No. 2023-02 by title only for the final time
- 5) City Clerk reads Ordinance No. 2023-02 by title only (if approved above)
- 6) Adopt Ordinance No. 2023-02

10. **REGULAR AGENDA**

- A. **Consideration and Adoption of Resolution No. 2023-03:** A resolution of the Flagstaff City Council naming the tunnel under 1-17 along the Sheep Crossing FUTS Trail in honor of Cosmic Ray (Raymond J. Brutti)

STAFF RECOMMENDED ACTION:

- 1) Read Resolution No. 2023-03 by title only
- 2) City Clerk reads Resolution No. 2023-03 by title only (if approved above)
- 3) Adopt Resolution No. 2023-03

- B. **Consideration and Adoption of Resolution No. 2023-04:** A resolution of the Flagstaff City Council, declaring, for purposes of Section 1.150 2 of the Federal Treasury Regulations, official intent to be reimbursed in connection with certain capital expenditures related to the November 2022 election for proposition 441 and 442 projects as approved by voters, and establishing an effective date.

STAFF RECOMMENDED ACTION:

- 1) Read Resolution No. 2023-04 by title only
- 2) City Clerk reads Resolution No. 2023-04 by title only (if approved above)
- 3) Adopt Resolution No. 2023-04

11. **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 Vice Mayor Aslan to place on a future agenda a discussion about entering into a process to rename Agassiz Peak.

STAFF RECOMMENDED ACTION:

Council direction.

- B. **Future Agenda Item Request (F.A.I.R.):** A request by Vice Mayor Aslan to place on a future agenda a discussion about revisiting the City of Flagstaff Logo/Seal.

STAFF RECOMMENDED ACTION:

Council direction.

12. **PUBLIC PARTICIPATION**

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

14. ADJOURNMENT

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at _____ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this _____ day of _____, 2023.

Stacy Saltzburg, MMC, City Clerk

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, City Clerk
Date: 01/31/2023
Meeting Date: 02/07/2023



TITLE:

Consideration and Approval of Minutes: City Council Regular Meeting of January 4, 2022, Special Meeting of January 6, 2022, Work Session of January 11, 2022, Regular Meeting of January 3, 2023, Special Meeting (Executive Session) of January 10, 2023, Special Meeting (Executive Session) of January 12, 2023, Regular Meeting of January 17, 2023, City Council Retreat of January 19, 2023, and City Council Retreat of January 20, 2023.

STAFF RECOMMENDED ACTION:

Approve the minutes of the City Council Regular Meeting of January 4, 2022, Special Meeting of January 6, 2022, Work Session of January 11, 2022, Regular Meeting of January 3, 2023, Special Meeting (Executive Session) of January 10, 2023, Special Meeting (Executive Session) of January 12, 2023, Regular Meeting of January 17, 2023, City Council Retreat of January 19, 2023, and City Council Retreat of January 20, 2023.

Executive Summary:

Minutes of City Council meetings are a requirement of Arizona Revised Statutes and, additionally, provide a method of informing the public of discussions and actions being taken by the City Council.

Financial Impact:

None

Policy Impact:

None

Connection to PBB Key Community Priorities/Objectives & Regional Plan:

Priority Based Budget Key Community Priorities and Objectives

Effective Governance

Previous Council Decision on This:

None

Attachments: [01.04.2022 CCRM](#)
[01.06.2022 CCSM](#)

01.11.2022 CCWS

01.03.2023 CCRM

01.10.2023 CCSMES

01.12.2023 CCSMES

01.17.2023 CCRM

01.19.2023 CCR

01.20.2023 CCR

MINUTES

1. CALL TO ORDER

Mayor Deasy called the meeting of the Flagstaff City Council held January 4, 2022, to order at 3:04 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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2. ROLL CALL

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

PRESENT:

ABSENT:

MAYOR DEASY
VICE MAYOR DAGGETT
COUNCILMEMBER ASLAN (virtually)
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SALAS
COUNCILMEMBER SHIMONI (virtually)
COUNCILMEMBER SWEET

Others present: Acting City Manager Heidi Hansen; 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 Vice Mayor Daggett 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

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Climate Engagement Coordinator Jenna Ortega addressed Council to introduce herself and announce the recently launched climate advisory groups.

Michelle James with Friends of Flagstaff's Future addressed Council with concerns about the Lone Tree Overpass, they believe that it is overbuilt, has inadequate protections for bicyclists and pedestrians, and is in conflict with the Carbon Neutrality Plan. She asked the Council to slow the process down to provide for more community discussion about the design.

Dawn Rodriguez addressed Council asking that the feasibility studies, adverse impact analysis, city presentations, and YouTube videos related to the Museum Flooding situation be posted on the internet.

Yiqun Lin and Joel McMillin submitted a written comment noting their concerns with the Lone Tree Overpass project.

5. PROCLAMATIONS AND RECOGNITIONS

A. Recognition: High School Cross Country Teams

Mayor Deasy read and presented recognitions to the Coconino High School Girls Cross Country Team and the Flagstaff High School Boys Cross Country Team.

B. Proclamation: Speak Up, Stand Up, Save a Life Month

Mayor Deasy read the Speak Up, Stand Up, Save a Life Month proclamation.

6. COVID-19 UPDATE

A. COVID-19 Update

Deputy City Manager Shannon Anderson provided a PowerPoint presentation that

covered the following:

COVID-19 UPDATE
AGENDA
DR. ENGELTHALER UPDATE

Dr. Engelthaler continued the presentation.

OMICRON: BLACK CLOUDS AND SILVER LININGS
THANKSGIVING 2021
GLOBALOMICRON – 01/04/2022
OMICRON IN SOUTH AFRICA – 01/04/2022
OMICRON IN UK – 01/04/2022
OMICRON TRAJECTORY
COVID: AZ AND COCONINO
AZ VARIANT SURVEILLANCE
AZOMICRON BY WEEK (01/04/2022)
AZOMICRON BY COUNTY (01/04/2022)
WHY ISOMICRON SO DIFFERENT?
THEOMICRON SPIKE MUTATIONS
THEOMICRON MUTATIONS
THE LATESTOMICRON RESEARCH
THE BLACK CLOUD AND THE SILVER LINING

Councilmember Shimoni asked the best way for the community to slow the spread.

Dr. Engelthaler stated that it has been difficult to determine what people should be doing differently than what is already being done. The best thing is to remind everyone to continue to take appropriate precautions and get immunized or boosted if appropriate. Councilmember Shimoni asked about masks. Dr. Engelthaler stated that the further we have gotten away from the original strain of the virus the less protective the masks became; N95s, if fitted properly, are the best, followed by KN95s, and then general medical masks. He encouraged wearing masks when there are large groups of people and when there are unknown people in close contact.

Councilmember Sweet asked if there are any specific recommendations for small business owners and restaurants. Dr. Engelthaler indicated that there is nothing new to offer, they can lower the amount of spread by encouraging vaccinations among their employees and their customers. It is really about reinforcing the same messaging as before.

Mayor Deasy asked about the effectiveness of the home tests. Dr. Engelthaler stated that the specificity and sensitivity for identifying the target is the same. The at home tests are not as good or sensitive as PCR tests and that is okay because PCRs can detect for weeks following infection.

Mayor Deasy asked if there is a reason Coconino County is being hit harder than the rest of the state. Dr. Engelthaler stated that Coconino County is the cold spot of the state and at this time of the year there is more opportunity for transmission because people are celebrating indoors and less likely to be outside. There is no epidemiology reason.

Council thanked Dr. Engelthaler for his presentation and for being willing to discuss with Council.

Ms. Anderson continued the presentation.

CCHHS: COVID-19 WEEKLY CASES
CCHHS: HOSPITAL ADMISSIONS
CCHHS: COVID-19 RELATED DEATHS
CCHHS: COMMUNITY TRANSMISSION
CCHHS: COMMUNITY VACCINATION
CCHHS: VARIANTS
NAH: HOSPITAL CENSUS

Councilmember Shimoni stated that he would like to see the Council meetings return to a fully virtual setting and ask staff not to meet with people unless they are outdoors and masked. Mayor Deasy stated there is the ability to operate remotely if that is the desire. He would encourage messaging to staff to be aware of their health and take additional measures to keep themselves and others safe. He also suggested looking into the opportunity to provide tests to staff members.

7. COUNCIL LIAISON REPORTS

Councilmember Shimoni reported that he attended a social service provider meeting, it was a great meeting that included the Police Department, Councilmembers, and city staff. The Indigenous Commission and Transportation Commission will be meeting later in the week.

Councilmember McCarthy reported that MetroPlan will be meeting that week.

Councilmember Salas reported that she will be attending the MetroPlan meeting where they will discuss their budget allocations. The Rural Transportation Advocacy Council will be meeting with the Secretary of Transportation to advocate for mindful inclusion of transportation dollars to rural Arizona.

8. 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: Library Board.

Moved by Councilmember Regina Salas, **seconded by** Mayor Paul Deasy to appoint Frank Garcia with a term expiring November 2024.

Vote: 7 - 0 - Unanimously

9. 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 Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to approve the Consent Agenda as presented.

Vote: 7 - 0 - Unanimously

- A. Consideration and Approval of Contract:** Approve the cooperative purchase contract with Point & Pay for payment processing services in an amount not to exceed \$320,000.
1. Approve the cooperative purchase contract for payment processing services for various City of Flagstaff locations (which may include additional locations at a later date) with Point & Pay in an amount not to exceed \$320,000; and
 2. Authorize the City Manager to execute the necessary documents.
- B. Consideration and Approval of Grant Award:** Healthy Forest Initiative Grant for Greater Flagstaff Area Healthy & Resilient Forest Project
Approve the Grant Agreement for the Greater Flagstaff Healthy & Resilient Forest Project for the Healthy Forest Initiative (HFI) Grant Program from the AZ Department of Forestry and Fire Management (DFFM) in the amount of \$357,143 - \$250,000 grant share is provided to a match of \$107,143. Of the \$107,143 match, \$21,840 will be city staff time to manage the grant and \$81,463 will be provided by private property owners for forest treatment work on their property.
- C. Consideration and Approval of Contract:** Cooperative Purchase Contract with Beta Public Relations in the amount of \$67,031.04.
1. Approve the Cooperative Purchase Contract with Beta Public Relations in the amount of \$67,031.04; and
 2. Authorize the City Manager to execute the necessary documents.
- D. Consideration and Approval of Contract:** Service contract with Altice (aka SuddenLink) to provide internet, and point to point network connectivity with City Hall and city infrastructure for a three year term, not to exceed \$97,200 total.
Approval of service contract with Altice, allowing for fiber optic connection between Law Enforcement Administration Facility (LEAF) (Flagstaff Police Department (FPD) side) and City Hall buildings, as well as a new internet connection for FPD; and authorize the City Manager to execute the necessary documents.

A break was held from 4:25 p.m. through 4:42 p.m.

10. ROUTINE ITEMS

A. Consideration and Approval: 2022 Legislative Priorities

Interim Public Affairs Director Sarah Langley introduced Federal Lobbyist Bob Holmes and State Lobbyist Todd Madeksza. Ms. Langley reviewed the Federal and State Legislative Priorities that include the comments provided by Council at the prior meeting.

Councilmember McCarthy stated that he has done some research on the Homestead Tax Treatment and asked that it be included in the state priorities. The proposal would be revenue neutral; the idea is that houses that are primary residences should pay less tax than those homes that are vacation or short-term rentals. He proposed that in addition to the state-aid-to-school credit the city advocate for a lower assessed valuation rate for owner-occupied primary residences, with the lost revenue to be balanced by a slightly higher valuation rate for non-primary residences.

Vice Mayor Daggett stated that she is generally in support of treating both types of residences differently in some way, but she would like to see something like this vetted more before landing on a solid priority. She feels it is premature but is supportive of investigating it further and working with other entities to garner support.

Council agreed that further research is needed and asked Ms. Langley to look into the matter further.

Mayor Deasy suggested including information and research about land value tax to the research. Land value tax is where a property is only assessed by land value rather than the land and property combined. Council agreed that the information would be helpful.

Councilmember Salas recommend an edit to the transportation section; *advocate for additional funding to ADOT to plan, build, preserve, modernize, and expand transportation and infrastructure projects that impact Northern Arizona and our tribal partners*.

Vice Mayor Daggett noted that she wants to see as much emphasis as possible put behind partnering with other cities and towns on issues related to short-term rentals.

Moved by Councilmember Regina Salas, **seconded by** Councilmember Jim McCarthy to approve the 2022 State and Federal Legislative Priorities with the requested edits to the State Transportation Language.

Vote: 7 - 0 - Unanimously

B. Consideration and Approval: Revised Economic Recession Plan

Management Services Director Rick Tadder addressed Council indicating that the Budget Team is recommending revisions to the Economic Recession Plan. The amendments were presented at the budget retreat for discussion and staff is now seeking Council approval of the amendments.

Moved by Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to approve the revised Economic Recession Plan.

Vote: 7 - 0 - Unanimously

C. Consideration and Approval of BNSF Railway Preliminary Engineering Agreement: Lone Tree Overpass Project Construction Document Review.

Capital Improvements Project Manager Christine Cameron addressed Council stating that the agreement provides funding for BNSF consultants to review the engineering plans related to the project.

Moved by Mayor Paul Deasy, **seconded by** Councilmember Austin Aslan to approve the Lone Tree Overpass Project (Project) Preliminary Engineering Agreement (Agreement) with BNSF Railway (BNSF) in the amount of \$78,601 with the revised language for the cancelation clause and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

11. PUBLIC HEARING ITEMS

A. Public Hearing and Consideration of Ordinance No. 2022-01: An Ordinance of the City Council of the City of Flagstaff, extending and increasing the corporate limits of the City of Flagstaff pursuant to the provisions of Title 9, Chapter 4, Arizona Revised Statutes, by annexing approximately 10.05 acres of land located at 7000 North Highway 89, which certain land is

contiguous to the existing corporate limits of the City of Flagstaff, and establishing city zoning for said land as Highway Commercial (HC) with a Resource Protection Overlay (RPO); providing for severability, authority for clerical corrections, and establishing an effective date. **(Flagstaff Rehab Campus Annexation: Project Number PZ-20-00164-03).**

Mayor Deasy opened the public hearing.

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

FLAGSTAFF REHAB CAMPUS ANNEXATION REQUEST
ANNEXATION REQUEST OVERVIEW
PROJECT LOCATION
DEVELOPMENT OVERVIEW
CONCEPT PLAT
CONCEPT PLAN
PROPOSED BUILDING ELEVATIONS & MATERIALS
NATURAL RESOURCE PROTECTION
CITIZEN PARTICIPATION
CONCURRENT REZONING REQUEST
RURAL RESIDENTIAL (RR) ZONE
ANNEXATION APPROVAL CRITERIA
FINDING 1: PUBLIC SYSTEMS ANALYSIS
FINDING 2: CONFORMANCE WITH ARS 9-471
FINDING 3: FLAGSTAFF REGIONAL PLAN 2030
STAFF RECOMMENDATION

Mike Zipprich CEO of America Rehab Campus addressed Council explaining their model of providing substance abuse treatment facilities in Arizona.

Councilmember Shimoni stated that he would like for the programming to incorporate cultural considerations. American Rehab Campus Executive Vice President of Operations Michelle Carrasco stated that she hopes to work with the Indigenous Commission to get input on a program specific to the indigenous population.

Councilmember Shimoni indicated that he is concerned about rezoning the parcel to Highway Commercial and then the development not being delivered as expected. He suggested putting a development agreement in place to document conditions and protections related to the project. Mr. Zipprich stated that he is concerned about the restrictions and financial burden that a development agreement may place on his ability to be flexible with construction. Mayor Deasy stated that he shares the concerns of Councilmember Shimoni but does not want to have something so restrictive in place that it jeopardizes the project.

Vice Mayor Daggett asked if the parcel was not annexed if they would be on a septic system. Guillermo Cortes, with SWI Engineering, indicated yes and stated that an alternative method would need to be found for wastewater and access to the well. The annexation makes sense and it has been in the works for a couple of years already.

A majority of Council was not supportive of requiring a development agreement for the project.

There being no public comment Mayor Deasy closed the public hearing.

12. REGULAR AGENDA

- A. Consideration and Adoption of Resolution No. 2022-01:** A resolution of the Flagstaff City Council, approving an Intergovernmental Agreement (IGA) between Flagstaff Unified School District and the City of Flagstaff for storm water detention and drainage improvements at Killip Elementary School.

Public Works Director Scott Overton addressed Council asking for approval of an IGA with the Flagstaff Unified School District for storm water detention and drainage improvements at Killip Elementary School.

Council expressed appreciation for the project and for the work being put into mitigate flooding in the community.

Moved by Mayor Paul Deasy, **seconded by** Vice Mayor Becky Daggett to read Resolution No. 2022-01 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN FLAGSTAFF UNIFIED SCHOOL DISTRICT AND THE CITY OF FLAGSTAFF FOR STORM WATER DETENTION AND DRAINAGE IMPROVEMENTS AT KILLIP ELEMENTARY SCHOOL

Moved by Mayor Paul Deasy, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2022-01.

Vote: 7 - 0 - Unanimously

13. PUBLIC PARTICIPATION

None

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

Councilmember Salas reported that she will be touring the Lone Tree and Butler project site later in the week.

Councilmember Sweet requested that the posters and outreach messaging for businesses related to COVID-19 mitigation strategies be made available again. Economic Vitality Director Heidi Hansen offered that Discover Flagstaff can create and distribute materials to those who would like them.

Councilmember McCarthy thanked Council for the discussion concerning the property tax issue.

Mayor Deasy stated that the first ever State of the City address is scheduled to occur on January 19, 2022. He invited the Council to attend. He also requested a FAIR item to discuss the implementation of a housing program where elderly individuals who need additional assistance can be paired with people who can help the person in exchange for free rent.

Councilmember Shimoni indicated that he will also be attending the Lone Tree site visit later in the week. There is an upcoming Mountain Line meeting where they will be discussing an Airport micro-transit option. He also reported that Congressman O’Halloran will be meeting with staff to discuss the alternative response program and there will be a CDBG meeting with target neighborhoods later in the week. Lastly, he indicated that he would like Council to consider going fully virtual for the Council Meetings to be an example to the community and represent the type of behavior others should be using.

Councilmember Aslan requested increased messaging about the effectiveness of KN95 masks as opposed to cloth masks. He indicated that he will be attending the Council meetings virtually through the month of January.

15. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held January 4, 2022, adjourned at 6:42 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 4, 2022. 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

MINUTES

1. Call to Order

Mayor Deasy called the meeting of the Flagstaff City Council held January 6, 2022, to order at 5:01 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 work session, 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 DEASY (virtually)
VICE MAYOR DAGGETT (virtually)
COUNCILMEMBER ASLAN (virtually)
COUNCILMEMBER MCCARTHY (virtually)
COUNCILMEMBER SALAS (virtually)
COUNCILMEMBER SHIMONI (virtually)
COUNCILMEMBER SWEET (virtually)

Others present: Acting City Manager Heidi Hansen; City Attorney Sterling Solomon.

3. **Pledge of Allegiance, Mission Statement, and Land Acknowledgement**

The Council and audience recited the pledge of allegiance, Vice Mayor Daggett read the Mission Statement of the City of Flagstaff, and Councilmember Shimoni 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. Discussion and Direction on COVID-19 Matters Including:

- **Council Meeting Protocol**
- **COVID Testing Assistance**

Acting City Manager Heidi Hansen explained why she called the meeting and clarified that the need was to do it in a timely manner and in accordance with Open Meeting Law.

Councilmember Sweet asked if transitioning back to fully virtual meeting requires Council to change the phase the city is currently in. Senior Deputy City Manager Shannon Anderson explained that there would not need to be a change in the phase.

Christy Zeller and Alicyn Gitlin addressed Council and expressed concern that they were not told of a possible exposure to COVID-19 after meeting with the Mayor.

Councilmember Shimoni stated that a surge is coming and he would like to see the city move back to Phase 2 as soon as possible and move all meetings back to virtual only. Ms. Anderson stated that moving back to Phase 2 would close all facilities except the Visitor Center and Jay Lively.

Councilmember Salas asked if staff had a recommendation on the phases. Ms. Anderson stated that staff is encouraged to work remotely when able, buildings remain under limited hours, and masks are required in city facilities. At this point there is no recommendation to go back to Phase 2 but to continue messaging the current protocols and guidelines.

Councilmember Aslan stated that the Council meetings should go back to remote until further notice.

Vice Mayor Daggett stated that she supports going back to virtual until the next COVID update from staff and then Council can reassess at that point. The Council agreed to holding remote meetings for three to four weeks and then reassess. Council requested an update from the Re-Entry Team on the current phase and operations. Council also asked that staff have access to high quality N95 masks and that adequate stocks are maintained.

Council discussed using city facilities as potential testing sites and places where the public could pick up at home tests. There were concerns about exposure to employees and not wanting to put them at additional risk or place additional burden on them. The County Health Department has not made a formal request for use of city facilities and it is something that could be considered if and when a request is made.

Director of Coconino County Health and Human Services Kim Musselman addressed Council stating that there is not an ask for the use of city property or facilities; the county has plenty of facilities to utilize. Right now, people are able to come to the NAU testing site and there are still other free testing sites open and available for those who want to use them. The at home tests are not readily available and the county is not yet ready to facilitate distribution as they do not have the supply needed to maintain. She will communicate with cities if additional resources or locations are needed.

Ms. Hansen stated that the Flagstaff Local My Actions Matter campaign will continue to be utilized to communicate where tests are available, testing options and locations, along with other helpful information.

Ms. Anderson stated that Council will continue to be updated on the bi-weekly emergency operation calls. Ms. Musselman added that the calls are open to the Council to attend and listen.

5. Adjournment

The Special Meeting of the Flagstaff City Council held January 6, 2022, adjourned at 7:11 p.m.

MAYOR

ATTEST:

CITY CLERK

MINUTES

1. Call to Order

Mayor Deasy called the meeting of the Flagstaff City Council held January 11, 2022, to order at 3:02 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 work session, 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 DEASY (virtually)
VICE MAYOR DAGGETT (virtually)
COUNCILMEMBER ASLAN (virtually)
COUNCILMEMBER MCCARTHY (virtually)
COUNCILMEMBER SALAS (virtually)
COUNCILMEMBER SHIMONI (virtually)
COUNCILMEMBER SWEET (virtually)

Others present: Acting City Manager Heidi Hansen; 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 Vice Mayor Daggett 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 items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. 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 to have 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.

Traffic Engineer Jeff Bauman and Public Works Streets Director Sam Beckett provided a brief update on the bike lane pilot project on Beaver.

Dawn Rodriguez addressed Council speaking about Museum Fire flooding.

Michelle James addressed Council regarding the Lone Tree Overpass project and expressed concern about the size and safety of intersection; she asked the Council to slow the design process down. She also offered comments in support of the Active Transportation Master Plan.

Paul Bier also addressed Council with concerns about the Lone Tree Overpass project.

5. Review of Draft Agenda for the January 18, 2022 City Council Meeting

Citizens wishing to speak on agenda items not specifically called out by the City Council may submit a speaker card for their items of interest to the recording clerk.

Councilmember Shimoni indicated that he would like to hear from staff in Capital about Item 12A during the presentation next week.

6. Commission on Diversity Awareness Recommendation for Equitable Restroom Availability

Commission on Diversity Awareness Chairperson DeAnn Wegwert provided a PowerPoint presentation that covered the following:

EQUITABLE RESTROOM ORDINANCE
PURPOSE OF THE ORDINANCE
KEY ELEMENTS
NON-CITY OWNED PROPERTY

Claire Hardi submitted a written comment in support of the recommendations from the Commission on Diversity Awareness.

Council expressed appreciation for the presentation and the recommendations from the

commission. They expressed support for moving the issue forward and for city facilities to be signed as they are able. They were also supportive of a possible ordinance that would require single use restrooms within city facilities be signed in a gender-neutral manner.

7. Presentation: Municipal Equality Index

Management Analyst Chris Rhode provided a PowerPoint presentation that covered the following:

MUNICIPALITY EQUALITY INDEX
SUMMARY
WHAT IS THE MUNICIPALITY EQUALITY INDEX?
CONTENTS OF SCORECARD
FLAGSTAFF 2021 SCORECARD
WHERE WE LOSE POINTS
HOUSING NON-DISCRIMINATION LAWS
CITY PROVIDES TRANSGENDER-INCLUSIVE HEALTHCARE BENEFITS
NON-DISCRIMINATION ORDINANCE IS ENFORCED BY CODA
LEADERSHIP'S PRO-EQUALITY LEGISLATIVE OR POLICY EFFORTS
SINGLE-OCCUPANCY ALL-GENDER FACILITIES
CITY PROTECTS YOUTH FROM CONVERSION THERAPY
YOUTH BULLYING PREVENTION POLICY FOR CITY SERVICES
CITY PROVIDES SERVICES TO LGBTQ+ PEOPLE EXPERIENCING HOMELESSNESS
CITY PROVIDES SERVICES TO LGBTQ+ OLDER ADULTS
CITY PROVIDES SERVICES TO THE TRANSGENDER COMMUNITY
CITY TESTS LIMITS OF RESTRICTIVE STATE LAW

Claire Hardi submitted a written comment urging Council to move forward with an ordinance banning conversion therapy for individuals under 18. She also asked Council to consider how dismantling Section 6-01-001-0022 of the City Code could be viewed as a pro-equality policy effort.

Mayor Deasy stated that if the city were to pursue large policy changes, it would need to do so with input from the community. He suggested the formation of a committee or task force to engage with the community,

Vice Mayor Daggett stated that she is open to conversations about how to make things better for people in the community and understanding what could be done to make sure Flagstaff is as welcoming and inclusive as it can be.

Councilmember McCarthy suggested having the Commission on Diversity Awareness weigh in and offer recommendations back to Council.

Council agreed to ask the Commission on Diversity Awareness to weigh in and offer recommendations. They also asked Mr. Solomon to research and present at a future Executive Session legal advice concerning Housing Non-Discrimination Laws.

8. Carbon Neutrality Plan Quarterly Update

Sustainability Director Nicole Antonopoulos, Climate Engagement Coordinator Jenna Ortega, Climate Program Manager Jenny Niemann, and Climate Analyst Ramone Alatorre provided a

PowerPoint presentation that covered the following:

CARBON NEUTRALITY PLAN QUARTERLY UPDATE
TODAY'S DISCUSSION
WELCOME JENNA!
CARBON NEUTRALITY ACTION UPDATES
STRONG NEIGHBORHOODS
COMMUNITY RESILIENCE
EQUITABLE SYSTEMS
DECREASED DEPENDENCE ON CARS
CLEAN ENERGY SOURCES
ELECTRIC MOBILITY
BUILDING ELECTRIFICATION
CLEAN ELECTRICITY
MANAGED CONSUMPTION
REDUCED BUILDING ENERGY USE
SUSTAINABLE CONSUMPTION & WASTE MGMT.
UPHOLDING OUR COMMITMENT
CARBON DIOXIDE REMOVAL
ENGAGEMENT
IMPLEMENTATION TOOLS
INVESTMENT STRATEGY
HIGHLIGHTS OF UPCOMING ACTION

The Council expressed appreciation for the presentation and the work of staff. They extended words of support and excitement about future updates.

Councilmember Shimoni stated that he was excited to hear about possible incentives for electric bikes. He also noted that he would like to see an audit done of all city division efforts toward carbon neutrality to evaluate where they are at and help set goals for the future.

Councilmember Sweet mentioned the success of the ride and drive event and encouraged similar events. She also noted excitement about another round of the solar co-op.

Councilmember Salas stated that the cooperation with MetroPlan will lead to a good partnership with the ATMP and the regional transportation safety plan being initiated by NACOG. There is grant funding and other funding resources for electrification and EV charging stations, complete streets, smart signals, and the like.

Councilmember McCarthy stated that transportation is the leading cause of greenhouse gas emissions, and it is important to keep that in mind as decisions are made with regard to land use and the zoning code.

A break was held from 5:37 p.m. through 5:52 p.m.

9. COVID-19 Update

Acting City Manager Heidi Hansen, Housing Director Sarah Darr, Library Director Jared Tolman, Parks, Recreation, Open Space, and Events Director Rebecca Sayers, City Attorney Sterling Solomon, and Grants and Contracts Manager Stacey Brechler-Knaggs provided a PowerPoint presentation that covered the following:

COVID-19 UPDATE

AGENDA
PHASE 3 – CURRENT PHASE
PHASE 2
CITY PHASE RECOMMENDATION
CITY FACILITY OPERATIONS
HOUSING OFFICES
FLAGSTAFF VISITOR CENTER
SITE SPECIFIC PLAN RECOMMENDATIONS
DOWNTOWN & EAST SIDE LIBRARIES
RECREATION FACILITIES
JOE C. MONTOYA COMMUNITY AND SENIOR CENTER
HAL JENSEN RECREATION CENTER
AQUAPLEX
JAY LIVELY ACTIVITY CENTER
ATHLETICS
CITY PHASE SUMMARY
MASK AVAILABILITY UPDATE
COVID EOC ATTENDANCE

Council discussed the staff recommendations, reduced capacity at the Aquaplex pool, using masks while on the ice at Jay Lively, mask requirements at city facilities, and community messaging.

Deb Harris addressed Council stating that she does not want to see staff put in a position of confrontation with the public about masks so communicating to people up front that they will be asked to leave if they do not wear a mask seems like a softer approach rather than telling someone that they are required to do something. She also spoke about challenges with only permitting KN95 masks because there is a lot of confusion about what they are and how to find them.

The Council majority was to move forward with staff recommendations along with a reduction in pool capacity to 30 and requiring masks at all times at Jay Lively. They also agreed that Mayor Deasy and Councilmember Sweet would attend the COVID EOC meetings with Councilmember Shimoni as an alternate.

10. Public Participation

None

11. Informational Items To/From Mayor, Council, and City Manager; future agenda item requests

Councilmember Shimoni reported that he attended the Indigenous Commission meeting where they received an update on cultural sensitivity and education training, they also discussed a logo for the commission. He reported that the CJCC will be meeting later that week and the Transportation Commission will also be meeting to discuss the Lone Tree Overpass project. He also offered comments about the tension among Council over the last week and encouraged his colleagues to commit to working together and in support of the community. He commented about Mayor's upcoming State of the City address and that he believes it should be a Council, rather than individual, effort.

Vice Mayor Daggett reported that the Housing Section has some upcoming information sessions on the CDBG block grant process. The sessions will be recorded and available online

if people are unable to attend live.

Councilmember McCarthy reported that MetroPlan met recently where they allocated money to the city for the Downtown Mile Project. He also reported that he, Councilmember Sweet, and Mayor Deasy met to discuss the draft noise ordinance. He then read a statement regarding the Mayor's upcoming State of the City address and clarified that the speech will represent the Mayor's views individually and the context may or may not be in agreement with a majority of the City Council.

Councilmember Sweet noted that she will not be in attendance at the next Council meeting due to a death in her family.

Councilmember Salas invited Council to agree to disagree while upholding the rule of majority.

Mayor Deasy wished his twins happy birthday.

12. Adjournment

The Work Session of the Flagstaff City Council held January 11, 2022, adjourned at 7:57 p.m.

MAYOR

ATTEST:

CITY CLERK

MINUTES

1. **CALL TO ORDER**

Mayor Daggett called the meeting of the Flagstaff City Council held January 3, 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
VICE MAYOR ASLAN
COUNCILMEMBER HARRIS
COUNCILMEMBER HOUSE
COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SWEET

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 Sweet read the Mission Statement of the City of Flagstaff, and Councilmember McCarthy 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. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- A. **Consideration and Approval of Minutes:** City Council Regular Meeting of December 7, 2021, Combined Special Meeting/Work Session of December 28, 2021, Special Meeting (Executive Session) of December 6, 2022, and Special Meeting (Executive Session) of December 20, 2022.

Moved by Councilmember Khara House, **seconded by** Mayor Becky Daggett to approve the minutes of the City Council Regular Meeting of December 7, 2021, Combined Special Meeting/Work Session of December 28, 2021, Special Meeting (Executive Session) of December 6, 2022, and Special Meeting (Executive Session) of December 20, 2022.

Vote: 7 - 0 - Unanimously

5. PUBLIC PARTICIPATION

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

None

6. PROCLAMATIONS AND RECOGNITIONS

- A. **Proclamation:** Human Trafficking Awareness Month

The City Council joined Mayor Daggett at the podium where she read and presented the Human Trafficking Awareness Month proclamation.

7. COUNCIL LIAISON REPORTS

Councilmember House reported that she attended the Commission on Diversity Awareness Commission meeting where they discussed increased engagement and upcoming proclamations.

8. 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: Planning and Zoning Commission.

Moved by Councilmember Miranda Sweet, **seconded by** Councilmember Jim McCarthy to appoint Marchell Camp to a term expiring December 2025.

Vote: 7 - 0 - Unanimously

Councilmember Aslan indicated that he would have preferred to have more applications to consider for the appointments. He suggested postponing his appointment to allow more time

for applications to be submitted.

The Council briefly discussed a possible postponement and how that could affect the commission.

Moved by Vice Mayor Austin Aslan, **seconded by** Councilmember Jim McCarthy to postpone his appointment until more applications are received.

Vote: 7 - 0 - Unanimously

B. Consideration of Appointments: Open Spaces Commission.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to appoint Bruce Fox to a term expiring April 2023.

Vote: 7 - 0 - Unanimously

9. LIQUOR LICENSE PUBLIC HEARINGS

Mayor Daggett opened the public hearing on all three applications.

Police Lieutenant Ryan Turley introduced the application noting nothing of concern.

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

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to forward the applications to the state with a recommendation for approval.

Vote: 7 - 0 - Unanimously

A. Consideration and Action on Liquor License Application: Amy S. Nations, "Foram Bar, Grill, Nightclub," 30 S. San Francisco, Series 06, Owner Transfer.

- B. **Consideration and Action on Liquor License Application:** Tung Kam Cheng "Golden Dragon," 2730 E. Lakin Drive, Series 12 (restaurant), New License.
- C. **Consideration and Action on Liquor License Application:** Scott Emil Sawyer "FlagTagAZ," 1801 W. Route 66, Suite 102, Series 07 (Beer and Wine Bar), New Application.

10. **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.

Councilmember McCarthy requested Item 10B be pulled for discussion.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to approve the Consent Agenda 10A and 10C as presented.

Vote: 7 - 0 - Unanimously

- A. **Consideration and Adoption of Ratifying the Supplemental Project Agreement:**
Ratifying the Supplemental Project Agreement between the City of Flagstaff and the U.S. Department of Agriculture, Coconino National Forest for the implementation of cultural resource surveys.
Ratify the Supplemental Project Agreement with the Coconino National Forest in the amount of \$1,504,489.93.
- B. **Consideration and Approval of Final Plat:** TLC PC Land Investors, LLC requests Final Plat approval for Ghost Tree at Pine Canyon (PZ-21-00155-05) located at 3201 South Clubhouse Circle, a 12-unit single-family home subdivision on 7.87 acres in the Single-Family Residential (R1) Zone.

Councilmember McCarthy stated that while he will be voting in support of the item because it is in strict compliance with the City Code, he believes that the project is contrary to the city's goals of promoting mass transit, walkability, and bikability.

Vice Mayor Aslan agreed with the comments and appreciated the opportunity to recognize the tension that exists. Councilmember House added that the project was approved back in 2000 when there was no climate emergency declaration, however, it is important to keep the concerns noted by Councilmember McCarthy in mind with all projects.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to approve the Final Plat and authorize the Mayor to sign the Final Plat and City/Subdivider Agreement when notified by staff that all documents are ready for signature and recordation.

Vote: 7 - 0 - Unanimously

- C. Consideration and Approval of Contract:** Ratification of a Contract for Professional Services with Water Resources Economics in an Amount Not to Exceed \$65,000 for a Stormwater Utility Rate Adjustment Study
1. Staff recommends Ratification of a Contract for Professional Services with Water Resources Economics in an Amount not to Exceed \$65,000 for a Stormwater Utility Rate Adjustment Study; and
 2. Authorize the City Manager to execute the necessary documents.

11. DISCUSSION ITEMS

A. Federal and State Legislative Priorities Update

Public Affairs Director Sarah Langley provided a PowerPoint presentation that covered the following:

2023 LEGISLATIVE PRIORITIES
AGENDA
INTERGOVERNMENTAL AFFAIRS PROGRAM

Federal Lobbyist Bob Holmes continued the presentation.

FEDERAL LANDSCAPE
PROPOSED FEDERAL LEGISLATIVE PRIORITIES
ECONOMY
TRANSPORTATION & INFRASTRUCTURE
COMMUNITY INFRASTRUCTURE
ENVIRONMENT
COUNCIL FEEDBACK

Councilmember McCarthy stated that there may be more support for the Grand Canyon protection item if the focus is on public health in terms of water quality at the Grand Canyon. Mr. Holmes agreed that it may be a way to find some common ground on the matter.

Councilmember House stated that post-wildfire flooding incidents have brought attention to major issues associated with national flood insurance such as how to determine eligibility and exacerbated rates. She wanted to ensure that those types of matters are included within the existing priorities. Mr. Holmes stated that he has seen some correspondence in regard to the huge cost increases for insurance and it will be something that he will be watching for.

Vice Mayor Aslan indicated that it will be great to see some of the Rio de Flag project points take shape in the coming year and he wants to continue to prioritize that project. He also asked about adding fireworks to both the federal and state priorities as a matter of home rule.

Mayor Daggett asked about the project related to the recent watershed protection funding. Stormwater Manager Ed Schenk stated that the funding was awarded to Flagstaff for channel stabilization downstream of the basins, however the projects related to the Highway 180 culvert were not included because they are not eligible for the NRCS funding.

State Lobbyist Todd Madeksza continued the presentation.

STATE LANDSCAPE
PROPOSED STATE LEGISLATIVE PRIORITIES
COUNCIL FEEDBACK

Mr. Clifton addressed Council stating that there was reference to a five year delay by the Arizona League of Cities and Towns related to short term rental legislation. There is a desire for cities and towns to have the ability to regulate short term rentals and it is not well understood by many cities and towns why the League would take a position of a five-year moratorium. Cities and towns can seek legislation individually but the ability to do that collectively has been hindered. It is a frustrating position to be in. Council discussed their frustrations and the challenges related to the short-term rental situation.

Vice Mayor Aslan requested that communication and regular meetings be reinstated with the Arizona Corporation Commission. With different leadership in place, relations may improve and work to the city's favor.

Councilmember McCarthy requested that wildlife corridors be included in the priorities. Vice Mayor Aslan agreed stating that wildlife corridors relate directly to forest health and habitat restoration.

Ms. Langley concluded the presentation.

NEXT STEPS

12. PUBLIC PARTICIPATION

None

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

Vice Mayor Aslan requested additional information about snow play at the new basins related to the Pipeline West post-wildfire flooding.

Councilmember McCarthy reported that he will be attending the meeting of January 10, 2023 virtually as he will be out of state.

Councilmember House reported that she attended the memorial ceremony for Officer Tyler Stewart. The Flagstaff Police Department did a wonderful job with the ceremony and reflection of Officer Stewart's life and legacy.

14. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held January 3, 2023, adjourned at 4:42 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 3, 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

SPECIAL MEETING (EXECUTIVE SESSION)
TUESDAY, JANUARY 10, 2023
STAFF CONFERENCE ROOM - SECOND FLOOR
FLAGSTAFF CITY HALL
211 WEST ASPEN AVENUE
1:00 P.M.

1. **Call to Order**

Mayor Daggett called the Special Meeting (Executive Session) to order at 1:00 p.m.

2. **ROLL CALL**

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

PRESENT:

ABSENT:

MAYOR DAGGETT
VICE MAYOR ASLAN (virtually)
COUNCILMEMBER HARRIS (arrived at 1:16 p.m.)
COUNCILMEMBER HOUSE
COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY (virtually)
COUNCILMEMBER SWEET

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

3. **Recess into Executive Session**

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to recess into Executive Session.

Vote: 7 - 0 - Unanimously

4. **Executive Session:**

- A. Discussion or consultation for legal advice with the attorney or attorneys of the public body and discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, pursuant to A.R.S. §38-431.03(A)(3) and (4), respectively.
- i. Legal advice and settlement discussions on binding waivers of enforcement

5. Adjournment

The Special Meeting (Executive Session) of the Flagstaff City Council held January 10, 2023, reconvened into Open Session at 2:01 p.m. at which time the meeting adjourned.

MAYOR

ATTEST:

CITY CLERK

SPECIAL MEETING (EXECUTIVE SESSION)
THURSDAY, JANUARY 12, 2023
STAFF CONFERENCE ROOM - SECOND FLOOR
FLAGSTAFF CITY HALL
211 WEST ASPEN AVENUE
3:00 P.M.

1. Call to Order

Mayor Daggett called the Special Meeting (Executive Session) to order at 3:06 p.m.

2. ROLL CALL

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

PRESENT:

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

ABSENT:

COUNCILMEMBER HARRIS
COUNCILMEMBER MCCARTHY

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

3. Recess into Executive Session

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Miranda Sweet to recess into Executive Session.

Vote: 5 - 0 - Unanimously

4. Executive Session:

- A.** Discussion or consultation for legal advice with the attorney or attorneys of the public body, pursuant to A.R.S. §38-431.03(A)(3).
 - i.** Legal advice regarding Open Meeting Law
- B.** Discussion or consultation for legal advice with the attorney or attorneys of the public body and discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, pursuant to A.R.S. §38-431.03(A)(3) and (4), respectively.
 - i.** Discussion and legal advice regarding pending litigation – City of Flagstaff v. Desert Mountain Energy, Coconino County Superior Court, CV2020-00624

- ii. Discussion and legal advice regarding pending litigation – City of Flagstaff v. Arizona Department of Administration, Maricopa County Superior Court, CV2021-011210, Arizona Court of Appeals Division One, No. 1 CA-CV21-0655

5. Adjournment

The Special Meeting (Executive Session) of the Flagstaff City Council held January 12, 2023, reconvened into Open Session at 3:51 p.m. at which time the meeting adjourned.

MAYOR

ATTEST:

CITY CLERK

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

MINUTES

1. **Call to Order**

Mayor Daggett called the meeting of the Flagstaff City Council held January 19, 2023, to order at 8:30 a.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 work session, 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
VICE MAYOR ASLAN (arrived at 8:35 a.m.)
COUNCILMEMBER HARRIS
COUNCILMEMBER HOUSE (virtually until 10:45 a.m.)
COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SWEET

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, Mayor Daggett read the Mission Statement of the City of Flagstaff, and Councilmember McCarthy 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. City Council Procedures & Orientation Retreat

Mr. Clifton offered opening remarks and introduced Katie Wittekind who facilitated the retreat.

FLAGSTAFF CITY COUNCIL RETREAT
WELCOME, OBJECTIVES, & ICE BREAKER

Council and staff participated in an ice breaker activity.

City Attorney Sterling Solomon and City Clerk Stacy Saltzburg continued the presentation.

WELCOME/INTRODUCTIONS
TODAY'S AGENDA
RETENTION OF INFORMATION
CITY CHARTER
FLAGSTAFF CITY CHARTER
CITY CODE
OPEN MEETING LAW
WHAT CONSTITUTES A MEETING?
QUORUM REQUIREMENT
EXECUTIVE SESSIONS
PROHIBITED ACTS/VIOLATIONS
EMAIL AND OTHER COMMUNICATIONS
PENALTIES
SOCIAL EVENTS
HOW TO AVOID PITFALLS WITH OPEN MEETING LAW
ELECTIONS LAW

Council discussed various scenarios where Open Meeting Law applies and they discussed the use of social media in the context of Open Meeting Law.

COUNCIL MEETINGS & PROCEDURES
COUNCIL MEETINGS
DRAFT AGENDA
PUBLIC COMMENT/PARTICIPATION
WORKING CALENDAR
DIRECTION NEEDED
CITY COUNCIL RULES OF PROCEDURE
FUTURE AGENDA ITEM REQUESTS (FAIR)

A break was held from 10:25 a.m. through 10:45 a.m.

Deputy City Clerk Stacy Fobar continued the presentation.

BOARDS & COMMISSIONS
BOARD AND COMMISSION ROLE

CITY CLERK'S ROLE
STAFF LIAISON ROLE & RESPONSIBILITIES
VACANCIES
APPOINTMENT PROCESS
ROTATING LIST EXAMPLE
APPOINTMENT PROCESS
STAFF SUMMARY AND APPLICATION PACKETS

Council discussed the board and commission process and encouraged more outreach on vacancies, possible changes to the application, and staff discretion as to when to bring applications forward for consideration.

Deputy City Attorney Kevin Fincel continued the presentation.

PUBLIC RECORDS LAW & CONFLICT OF INTEREST
PUBLIC RECORDS LAW
PUBLIC POLICY
RECORD KEEPING REQUIREMENT
CONFLICT OF INTEREST LAW
APPLICABILITY
GENERALLY
SUBSTANTIAL INTEREST
IDENTIFYING CONFLICTS
REMOTE INTERESTS
WHAT TO DO
SEEKING HELP
OTHER PROHIBITIONS
PUBLIC PERCEPTIONS
REMEDIES
PENALTIES

Senior Assistant City Attorney Christina Rubalcava and Planning Director Michelle McNulty continued the presentation.

LAND USE LAW & PROCESS
WHAT IS THE REGIONAL PLAN?
WHY IS IT A "REGIONAL PLAN"?
WHAT IS A SPECIFIC PLAN?
ZONING CODE
SUBDIVISION ORDINANCE
AUTHORITY FOR PLANNING
TYPES OF DECISIONS
DUE PROCESS
FINDINGS
CONDITIONS OF APPROVAL
ENTITLED VS. NON-ENTITLED PROJECTS
MORE TO COME...

A break was held from 12:30 p.m. through 1:01 p.m.

TEAM BUILDING ACTIVITY

Mr. Clifton continued the presentation.

ORGANIZATIONAL STRUCTURE & MANAGEMENT STRATEGIES
 THE STRUCTURE OF THE ORGANIZATION
 CORE SERVICES (REQUIRED SERVICES AND UNIVERSAL SERVICES)
 SUPPORT SERVICES (MORE INTERNAL FOCUS)
 ADAPTABLE TO COMMUNITY NEEDS & PRIORITIES
 APPROPRIATELY SIZED AND FUNDED
 GENERAL FUND EXPENDITURES
 EMPHASES OVER RECENT YEARS
 PERSONAL INTERESTS
 CHALLENGES
 RESTRUCTURES

A break was held from 2:45 p.m. through 2:55 p.m.

COUNCIL/STAFF ROLES & RELATIONSHIPS
 COUNCIL/STAFF ROLES
 REACTIVE POLICY MAKING
 PROACTIVE POLICY PROCESS
 IMPLEMENTATION OF POLICY
 THE DICHOTOMY
 THE PRACTICAL MODEL
 THE STERLING MODEL
 COUNCIL/STAFF RELATIONSHIPS
 ENGAGEMENT WITH STAFF
 ENGAGEMENT BY STAFF
 SOME SUGGESTED MEETING DECORUM

Public Affairs Director Sarah Langley continued the presentation.

PUBLIC OUTREACH
 MEDIA RELATIONS
 PITCHING STORIES
 RESPONDING TO INQUIRIES
 SOCIAL MEDIA DIRECTIVE
 RESIDENT EMAILS
 VIDEOS

5. Public Participation

None

6. Adjournment

The Retreat of the Flagstaff City Council held January 19, 2023, adjourned at 3:45 p.m.

MAYOR

ATTEST:

CITY CLERK

MINUTES

1. Call to Order

Mayor Daggett called the meeting of the Flagstaff City Council held January 20, 2023, to order at 10:29 a.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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2. **ROLL CALL**

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PRESENT:

ABSENT:

MAYOR DAGGETT
VICE MAYOR ASLAN
COUNCILMEMBER HARRIS
COUNCILMEMBER HOUSE
COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SWEET

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

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4. City Council Budget Retreat

Mr. Clifton offered some opening remarks and turned things over to the facilitator Katie Wittekind who reviewed the objectives for the day.

COUNCIL BUDGET RETREAT WELCOME AND OBJECTIVES

Assistant Finance Director Heidi Derryberry and Finance Director Brandi Suda continued the presentation.

AGENDA
BUDGET INTRODUCTION
BUDGET TEAM CHARTER
PURPOSE
MEETINGS
ROLES
CODE OF CONDUCT
BUDGET PROCESS
BUDGET TIMELINE
FISCAL POLICIES
COLOR OF MONEY
FUND TYPES
SPECIAL REVENUE FUNDS
ENTERPRISE FUNDS
CAPITAL PROJECT FUNDS
DEBT SERVICE FUNDS
GENERAL FUND

Management Services Director Rick Tadder continued the presentation.

MAINTAINING FISCAL HEALTH
RECESSION PLANNING
FISCAL RESPONSIBILITY
FUND BALANCE RESERVE POLICY
STRUCTURALLY SOUND 5-YEAR PLANS
DEDICATED PROFESSIONAL STAFF

A break was held from 11:45 a.m. through 12:20 p.m.

Management Analyst Chris Rhode continued the presentation.

PRIORITY BASED BUDGET (PBB)
PBB OVERVIEW
PRIORITY AND OBJECTIVE DEVELOPMENT
KEY COMMUNITY PRIORITIES

PRIORITY BASED BUDGETING PRIORITIES AND OBJECTIVES
PBB ANNUAL PROCESS
PUBLIC FACING PBB DATA

Mr. Tadder continued the presentation.

REVENUE UPDATES
RECESSION CONSIDERATIONS
ECONOMIC OUTLOOK
GENERAL FUND – SALES TAX
GENERAL FUND – STATE SHARED
BBB TAX FUNDS
LODGING METRICS

Interim Deputy City Manager Heidi Hansen continued the presentation.

BUDGET TEAM FOCUS

HR and Risk Management Director Randy Tracy continued the presentation

COMPENSATION
MINIMUM WAGE ORDINANCE
MINIMUM WAGE – CPI IMPACTS
MERIT
PAY FOR PERFORMANCE
MID-YEAR MARKET ADJUSTMENTS
PAY PLAN MARKET ADJUSTMENTS
COMPENSATION SUMMARY

A break was held from 2:03 p.m. through 2:22 p.m.

Mr. Clifton continued the presentation.

BIG PICTURE GOALS AND PRIORITIES
BIG PICTURE PRIORITIES
EXPECTATION FOR FEBRUARY RETREAT

Council discussed their priorities for the upcoming budget process. The following are the priorities identified:

- Community involvement and meeting people where they are
- Housing
- Employee benefits
- Wastewater Treatment Plant
- Streamlining Capital Improvement timelines
- Fire equipment
- The Big Shift policies

5. Public Participation

Adam Shimoni addressed Council in support of improvements for pedestrians and cyclists. He indicated that a letter had been sent to the Council that included a series of recommendations and he would like for those to be considered as the Council enters the budget process.

6. Adjournment

The Retreat of the Flagstaff City Council held January 20, 2023, adjourned at 3:15 p.m.

MAYOR

ATTEST:

CITY CLERK

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Corryn Smith, Water IT Admin
Co-Submitter: Tim Harrington
Date: 01/31/2023
Meeting Date: 02/07/2023



TITLE:

Consideration and Approval of Contract: A Cooperative Purchase Contract with Surdex Corporation in the amount of \$74,958.00 for Orthoimagery and LiDAR Data Acquisition.

STAFF RECOMMENDED ACTION:

1. Approve the Cooperative Purchase Contract with Surdex Corporation in the amount of \$74,958.00 for Orthoimagery and LiDAR Data Acquisition; and
2. Authorize the City Manager to execute the necessary documents.

Executive Summary:

The 2025 Flagstaff Water Services Strategic Plan emphasizes the benefit of implementing data driven decisions to increase the efficiency of managing the City's water, wastewater, reclaimed water, and stormwater infrastructure. Under the Cooperative Purchase Contract, Surdex Corporation (Surdex) will provide orthoimagery, which is high resolution imagery captured by low altitude planes (aerial imagery) or satellites. Surdex will also provide Light Detection and Range (LiDAR) Data which is a combination of 3-D and laser scanning to create high resolution elevation profiles for terrain mapping.

The collection of current orthoimagery and LiDAR data is critical for understanding the rapidly growing City. The City last purchased high resolution orthoimagery in 2013. With recent development and changes in physical landscapes due to climate change events, it is vital to acquire new data with the orthoimagery and LiDAR to understand changes in stormwater, water, and wastewater systems. The new data will open the doors to several projects such as creating new elevation profiles for recently compromised Schultz Creek watershed and examining high water consumption landscapes. In addition, on a daily basis, field crew operators in Water Distributions, Wastewater Collections, and Stormwater Maintenance will use the imagery collected while performing work orders, inspections, and service requests. The new data will also capture City owned well fields, such as Lake Mary and Woody Mountain, which will allow Water Services to make smarter planning and operational decisions.

Financial Impact:

Funding for this project was found in the fiscal year (FY23) in multiple Sections that will benefit from this new data.

202-08-303-1051-0-4214: \$4,000
202-08-303-1052-0-4290: \$6,000
202-08-303-1054-0-4237: \$10,000
202-08-301-1011-0-4224: \$25,000

203-08-312-1122-0-4206: \$5,000
203-08-311-1110-0-4206: \$8,000
204-08-321-1202-0-4208: \$2,000
206-08-331-1257-0-4237: \$14,958

Policy Impact:

None

Connection to PBB Priorities/Objectives, Carbon Neutrality Plan & Regional Plan:

Priority Based Budget Key Community Priorities and Objectives High Performing Governance: Enhance the organization's fiscal stability and increase efficiency and effectiveness. Carbon Neutrality Plan CR-1: Ensure all mitigation actions improve Flagstaff's ability to adapt to the future. Regional Plan Goal WR.2. Manage a coordinated system of water, wastewater, and reclaimed water utility service facilities and resources at the City level and identify funding to pay for new resources

Has There Been Previous Council Decision on This:

No

Options and Alternatives:

1. Approve the Cooperative Purchase Contract with Surdex for orthoimagery and LiDAR Data Acquisition through Federal General Services Administration (GSA) cooperative contract #47QTCA18D00J5; or
2. Do not approve the Cooperative Purchase Contract with Surdex through GSA cooperative contract #47QTCA18D00J5 and direct staff to conduct a formal procurement for the services. This is not a preferred option as it will delay the collection of necessary data.

Background/History:

The City last purchased high resolution orthoimagery in 2013, nearly a decade ago. The lack of updated imagery hinders planning and operational efforts within Water Services. With updated orthoimagery and LiDAR data, field crew members can quickly understand the location of various assets, which will allow them to address water main breaks, stormwater flooding, and sanitary sewer overflows with ease. While historic imagery serves a purpose to understand how landscapes have changed over time, it is imperative to keep up-to-date on this type of data as the City continues to grow and develop. The updated data will be used for better planning of critical infrastructure, including, Lake Mary and Woody Mountain well fields. Engineers and Planners will use the orthoimagery to examine these remote sites without having to go into the field.

Without this new data, the City will remain behind on aerial imagery which is greatly important for comprehending growth, but also spatially understanding our infrastructure such as valves, hydrants, manholes, and catch basins in proximity to streets, curbs, structures, and private properties. Without the LiDAR data, the City will not be able to provide updated elevation profiles of the recently compromised Schultz Creek Watershed (due to the Pipeline West fire and flooding events from 2022), which will result in lack of updated models for short-term and long-term flood mitigation.

Procurement staff reviewed the GSA cooperative contract #47QTCA18D00J5 to determine that the cooperative contract is current, valid and that Surdex is able to provide Water Services the correct scope for the orthoimagery and LiDAR Data Acquisition.

Key Considerations:

To adopt the Cooperative Purchase Contract with Surdex will align with Water Service's 2025 Strategic Goals of: Use Standards and Data to Drive Decisions Making, Upgrade Stormwater System and Increase Maintenance, Accelerate Infrastructure Maintenance and Replacement, Improve Compliance with Environmental Standards and Protections, Enhance Communications and Customer Service.

Attachments: [Contract No CO-2023-56](#)

COOPERATIVE PURCHASE CONTRACT

Contract No. CO-2023-56

This Cooperative Purchase Contract is made and entered into this _____ day of _____, 2022 by and between the City of Flagstaff, Arizona, a political subdivision of the State of Arizona ("City") and Surdex Corporation, a Missouri corporation ("Contractor").

RECITALS:

- A. Contractor has a Government Purchasing Cooperative Contract 47QTCA18D00J5 with the General Services Administration (GSA) federal agency to supply materials and/or services ("Agency Contract"), which was awarded through a competitive and open procurement process;
- B. The City has authority to enter into a cooperative purchase contract with Contractor utilizing the Agency Contract.

AGREEMENT:

NOW THEREFORE, in consideration for the mutual promises contained herein, the parties agree as follows:

1. Materials and or Services Purchased: Contractor shall provide to City the materials and or services, as specified in the Purchase Order(s) submitted by the City in accordance with the Agency Contract. General description of materials and or services being purchased:

Orthoimagery and Lidar Data Acquisition

2. Specific Requirements of City: Contractor shall comply with all specific purchase and delivery requirements and/or options of City, as specified in the Scope of Work, Exhibit A and incorporated by reference.
3. Payment: Payment to the Contractor for the materials and or services provided shall be **seventy-four thousand nine hundred fifty-eight and no cents (\$74,958.00), in addition to taxes and other charges**; made in accordance with the price list and terms set forth in the Agency Contract. Any price adjustment must be approved by mutual written consent of the parties through a formal amendment. The City Manager or his/her designee (the Purchasing Director) may approve an amendment if the amendment price increase is less than \$50,000; otherwise City Council approval is required.
4. Terms and Conditions of Agency Contract Apply: All provisions of the Agency Contract documents, including any amendments, are incorporated in and shall apply to this Contract as though fully set forth herein. The Agency Contract documents are set forth in Exhibit B, attached hereto and incorporated by reference. Contractor is responsible for promptly notifying City in writing of any changes to the Agency Contract.
5. Special Terms and Conditions: The Scope of Work, attached hereto as Exhibit A, contains additional terms and conditions apart from the Agency Contract. The parties agree to those Special Terms and Conditions.
6. Certificates of Insurance: All insurance provisions of the Agency Contract shall apply, including any requirement to name the City as an additional insured. Prior to commencing performance

under this Contract, Contractor shall furnish City with a copy of the current Certificate of Insurance required by the Agency Contract.

7. Term: This Cooperative Purchase Contract shall commence upon execution by the parties and shall continue until expiration or termination of the underlying Agency Contract, unless sooner terminated by City in writing.
8. Renewal: This Cooperative Purchase Contract shall be automatically renewed if the underlying Agency Contract is renewed, for the same renewal period, unless City provides advance written notice to Contractor of its intention to non-renew.
9. Notice: Any formal notice required under this Contract shall be in writing and sent by certified mail and email as follows:

To the City:

Tim Harrington
Water Services Manager
City of Flagstaff
211 W. Aspen Ave.
Flagstaff, AZ 86001
tharrington@flagstaffaz.gov
Phone: 928-213-2413

To Contractor:

Brett Thomassie
V.P., Federal Business Development
520 Spirit of St. Louis Boulevard
Chesterfield, MO 63005
Phone: 985-718-7155
brett.thomassie@surdex.com

With a copy to:

Liane Garcia
Buyer
City of Flagstaff
211 W. Aspen Ave.
Flagstaff, AZ 86001
lgarcia@flagstaffaz.gov
Phone: 928-213-2279

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CONTRACTOR:

By: _____

Title: _____

CITY OF FLAGSTAFF

By: _____

Title: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney's Office

Notice to Proceed issued: _____, 20__

**EXHIBIT A
SCOPE OF WORK
(Attached)**

1. City of Flagstaff Orthoimagery Proposal (10 pages)

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**EXHIBIT B
AGENCY CONTRACT
(Attached)**

1. General Services Administration Federal Supply Service Authorized Federal Supply Schedule Catalog/Price List and Terms and Conditions Applicable to Earth Observation Solutions (EOS) – 9 pages.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

PROPOSAL

City of Flagstaff Orthoimagery

DATE

October 3, 2022



SUBMITTED TO

Corryn Smith

City of Flagstaff
211 W Aspen Avenue
Flagstaff, Arizona 86001
clsmith@flagstaffaz.gov

SUBMITTED BY

Brett Thomassie

Vice President, Federal Business
Development
Direct: (985) 718-7155
Email: brett.thomassie@surdex.com

TECHNICAL PROPOSAL

City of Flagstaff

Orthoimagery



PROJECT AREA

The project area includes approximately 85 square miles of imagery and 3 square miles of lidar located near Flagstaff, Arizona. The exact areas of interest (AOIs) are shown on the boundary diagram later in this proposal. Prior to mobilization of acquisition assets and production, Surdex will require confirmation of the contractual project limits.

DIGITAL AERIAL PHOTOGRAPHY

Surdex aircraft will capture 3" GSD aerial photography of your areas of interest. Each aircraft is equipped with high-precision digital aerial mapping sensors. The acquisition plan will be designed to achieve photogrammetric accuracies based on the known requirements requested by the City of Flagstaff and generally accepted industry practices. Surdex's image sensors are equipped with forward motion compensation and gyro-mount sensor leveling features. To supplement the required photogrammetric ground control, all aircraft and sensors are equipped with Global Navigation Satellite System (GNSS) navigation and Inertial Navigation System (INS) technology. Surdex's direct digital sensors capture Panchromatic (PAN), Red, Green, Blue (RGB) and near Infrared (IR) bands simultaneously. Processing and delivery of supplemental image bands is available upon request for an additional charge.

Acquisition Conditions: Surdex will acquire imagery when the sky is free of clouds, cloud shadows and atmospheric haze, generally between 10:00 a.m. and 2:00 p.m. and/or when the sun angle is greater than 30 degrees.

LIDAR ACQUISITION

Lidar data will be captured of the Schultz Creek area of interest using Surdex aircraft equipped with a Teledyne Optech Galaxy Lidar airborne laser scanner. The sensor is capable of a pulse rate of up to 550kHz. The sensor features Multiple Discrete Return technology, capturing up to four returns per pulse and full intensity image capability. The acquisition plan will be designed to achieve the nominal point spacing (NPS) of 0.35 meters. The collection will be designed to achieve QL1 accuracy requirements.

LIDAR DENSITY & SPACING REQUIREMENTS				
	QL0	QL1	QL2	QL3
DENSITY	≥ 8 pts/m ²	≥ 8 pts/m ²	≥ 2 pts/m ²	≥ 0.5 pts/m ²
POINT SPACING	≤ 0.35m	≤ 0.35m	≤ 0.71m	≤ 1.41m

System calibration flights may be acquired at Surdex's discretion based on the location of the project and contractual specifications.

TECHNICAL PROPOSAL

City of Flagstaff

Orthoimagery



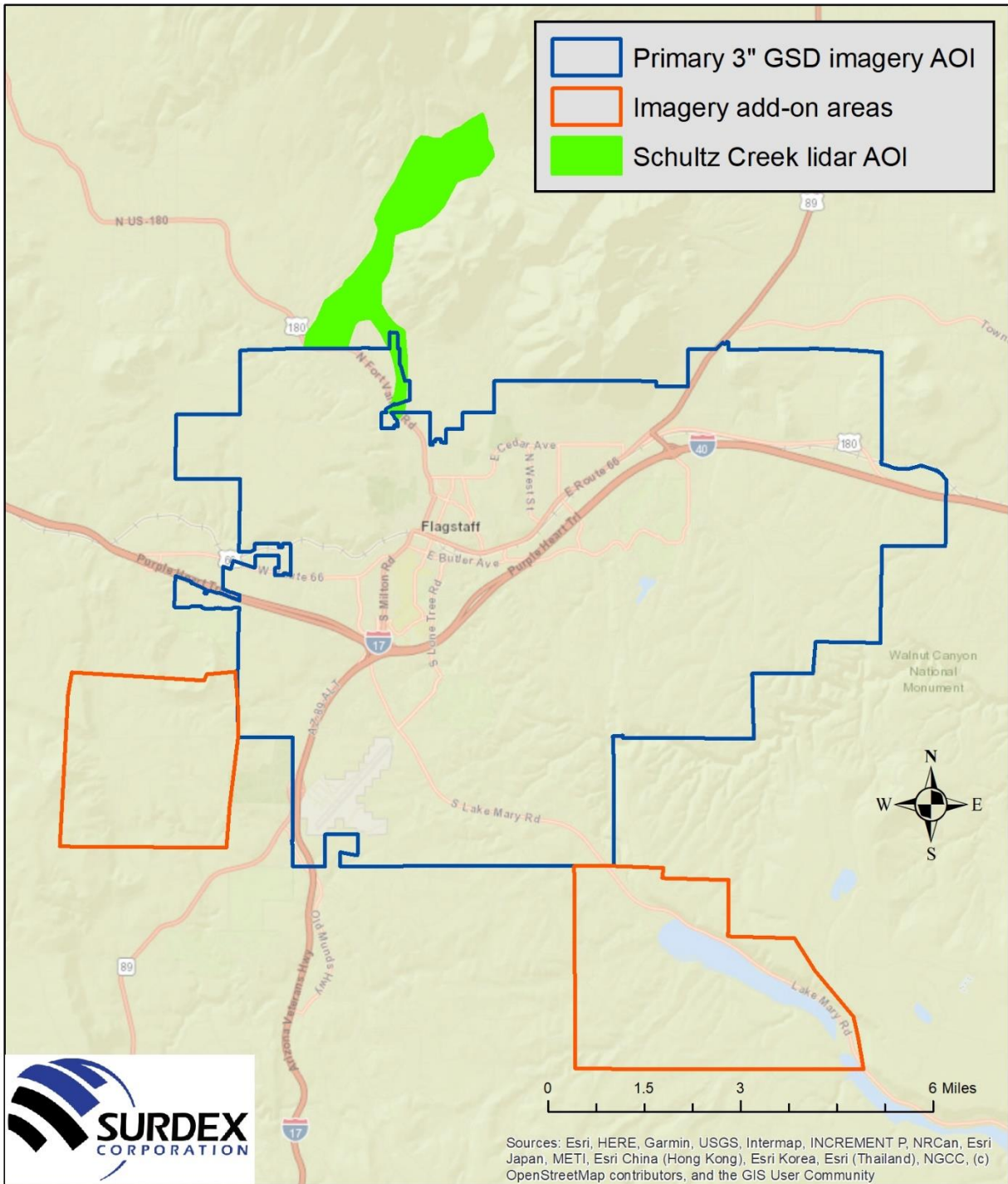
GROUND CONTROL SURVEYS (OPTIONAL)

Surdex will perform ground surveys to support geospatial data production projects. This surveying will be performed to an accuracy and density required to support the mapping project.

TRIANGULATION

All aerial imagery collected for this project will be processed through an analytical triangulation solution that is controlled to ground survey points.

BOUNDARY DIAGRAM CITY OF FLAGSTAFF, ARIZONA



TECHNICAL PROPOSAL

City of Flagstaff

Orthoimagery



ORTHOIMAGERY MAPPING

Surdex will produce digital orthorectified aerial image tiles consistent with the shapefile area of interest (AOI) and tile layout approved by the City of Flagstaff. The orthoimage tiles will be provided at a ground resolution of 3". Unless specifically requested in writing, Surdex reserves the right to utilize, if available, any existing elevation model deemed suitable for orthorectification to meet the contractual accuracy requirements as stated. If suitable elevation data is not available, Surdex will generate a new elevation model using manual and automated photogrammetric techniques. If requested, Surdex will deliver the elevation model used in the orthorectification process. To improve efficiency of client acceptance, Surdex may provide, at its discretion, seamline data for reference. Standard image format shall be tiff and tiff world (.tif/.tfw) and deliverables will be provided on an external hard drive. Additional image formats are available. An additional charge may be required for additional formatting or processing.

LIDAR DATA FILTERING AND CLASSIFICATION

Lidar processing technicians will determine which type of filtering techniques need to be applied to each type of area to develop a reliable ground elevation surface. Factors affecting this decision include slope, vegetation and cultural features. Each project has unique characteristics that can only be assessed after the data is collected. Data integrity is verified after visualizing results from the selected filtering techniques such as shaded relief models, 3D viewers and elevation images.

Surdex will provide classified bare-earth data in .LAS format, ESRI gridded point data or other acceptable formats as requested.

Lidar specifications follow the USGS Lidar Base Specification version 2.1 for Quality Level 1 data.

Lidar Accuracy

Surdex provides a full lidar accuracy report including project overview and process and QA/QC descriptions addressing all NDEP/ASPRS procedures and requirements.

BARE-EARTH DIGITAL ELEVATION MODELS (DEM)

The final Digital Elevation Model (DEM) will be created once the data has been calibrated, edited, and filtered using Surdex workflows. The DEM will represent the ground surface, interpolated using the gridded network from the bare-earth surface. Bodies of water (ponds and lakes), wide streams and rivers, and other non-tidal water bodies will be hydro-flattened within the DEM.

HYDRO-FLATTENING

Following the USGS Lidar Base Specification, hydro-flattening will be applied to all water impoundments, natural or man-made, that are larger than two acres in size (equivalent to a round pond ~350' in diameter), to all streams wider than 100', and to all non-tidal boundary waters bordering the project area regardless of size. Areas outside survey boundary will be coded as "No Data." Internal voids (such as open water areas) will be coded as "No Data" and placed into another class of data so the raw data are available for future use, if so desired.

TECHNICAL PROPOSAL

City of Flagstaff

Orthoimagery



PRODUCT ACCURACY

Unless otherwise requested, the products provided under this proposal will meet or exceed the American Society for Photogrammetry and Remote Sensing (ASPRS) Accuracy Standards for Digital Geospatial Data horizontal and/or vertical accuracies as listed below.

PRODUCT ACCURACIES				
GSD	LIMITING RMSE _{x,y}	RMSE _r	CE95	ALLOWABLE SEAMLINE MISMATCH
3"	0.5'	0.71'	1.22'	1.0'

LIDAR ACCURACY REQUIREMENTS				
	QLO	QL1	QL2	QL3
RELATIVE	≤ 4cm	≤ 8cm	≤ 8cm	≤ 16cm
ABSOLUTE	≤ 5cm	≤ 10cm	≤ 10cm	≤ 20cm

If City of Flagstaff chooses the additional ground control survey option shown in the Fee Schedule below, quality assurance check point survey data will be collected by Surdex within the project area to provide an independent means for verifying the project data accuracy and to use for the orthorectification process. The check point survey plan will be provided to the City of Flagstaff for review. The surveyor will adhere to the guidelines for independent survey control layout and verification. All map data tiles will be reviewed to verify compliance to the specified accuracy. An RMSE accuracy assessment report for the DEM is provided to show that project data meets accuracy requirements.

TECHNICAL PROPOSAL

City of Flagstaff

Orthoimagery



SCHEDULE

A project manager will be assigned to coordinate the production and scheduling of this project. Services will be provided on a mutually agreeable schedule after receipt of the signed copy of this proposal / contract. Both seasonal and daily weather conditions dictate when acceptable data can be captured. Our director of image processing and flight acquisition manager will consider these factors when planning the schedule.

Acquisition will be scheduled during a data acquisition window in 2022 or Spring of 2023 as specified by the City of Flagstaff.

3" orthoimagery pricing for all City of Flagstaff-provided AOIs and QL1 lidar pricing for the Schultz Creek AOI is as follows:

FEE SCHEDULE

FEE SCHEDULE – IMAGERY		
AREA	SPECIFICATIONS AND DELIVERABLES	PRICE
PRIMARY AOI	3" 4-band orthoimagery	\$39,300
	Ground control survey	\$3,000
WOODY MOUNTAIN WELL FIELD	3" 4-band orthoimagery	\$4,106
	Ground control survey	\$300
LAKE MARY WELL FIELD	3" 4-band orthoimagery	\$6,452
	Ground control survey	\$300

FEE SCHEDULE – SCHULTZ CREEK QL1 LIDAR		
SERVICES	SPECIFICATIONS AND DELIVERABLES	PRICE
QL1 LIDAR FOR SCHULTZ CREEK AOI		\$21,500

Proposal is good for Sixty (60) days from date of proposal.

TECHNICAL PROPOSAL

City of Flagstaff

Orthoimagery



DELIVERY ITEMS

The following delivery items are included in the fee schedule:

Digital Orthoimagery

- Survey Report
- Digital orthoimagery in .tif/tfw, .JPEG, MrSID tiles and/or MrSID mosaic formats
- Seamline shapefile
- FGDC-compliant metadata

Lidar

- Survey Report
- Lidar point cloud in LAS and/or .dgn formats
- Hydro breaklines in shapefile and/or .dgn formats
- DEM in .img or GeoTIFF format
- FGDC-compliant metadata

SURDEX CORPORATION

CITY OF FLAGSTAFF, ARIZONA


Signature

Signature

Date October 3, 2022

Date _____

HELP US PREVENT PAYMENT FRAUD – Surdex will adhere to the original payment processing method in our contract. Surdex will not contact you to change payment processing methods. Surdex requests all questions or concerns be directed to Surdex Corporation, Accounting.

TECHNICAL PROPOSAL

City of Flagstaff

Orthoimagery



TERMS AND CONDITIONS

The following terms and conditions are incorporated in and together with the proposal become a part of the contract between Client and Surdex Corporation ("Surdex"). Both parties agree as follows:

ACCESS

Client shall arrange for access to and make all provisions for Surdex to enter upon all public and private lands as required for Surdex to perform its services.

INVOICES / PAYMENT SCHEDULE

Client is solely responsible for payment of services; payment will in no way be conditional upon Client receipt of payment from another party. Payment schedule is to be:

- 50% due upon notice to proceed, 50% due upon final delivery.

TERMS / INTEREST / LATE PAYMENT

Payment shall be due 30 days after receipt of an invoice. Interest shall accrue on past due invoices at the rate of 1½ percent per month (18% per annum), or the maximum rate allowed by law, whichever is less, from the date that payment was first due.

Payments shall be applied first to accrued interest and then to unpaid principal. Client agrees to pay Surdex's fees, costs, and other reasonable expenses, including attorney's fees, incurred in any efforts to enforce any provision of this Agreement, including efforts to compel payment of past due amounts.

If a project is inactive for more than 45 days, Surdex may suspend the services and bill Client for all services performed to date.

TAXES

If Client does not provide evidence of tax exempt status prior to commencement of any services by Surdex, then Client shall be responsible for any and all taxes in connection with such services.

SURDEX'S INSURANCE REQUIREMENTS

Surdex shall maintain in force throughout the term of this Agreement insurance of the types and in the minimum amounts set forth below.

- 1) WORKERS COMPENSATION: Statutory Coverage, including Employer's Liability with minimum limits of \$1,000,000.
- 2) COMMERCIAL GENERAL LIABILITY: \$2,000,000 Combined Single Limit per occurrence for Bodily Injury, Personal Injury, and Property Damages, including Contractual Liability covering Surdex's indemnification obligations in this Agreement.

3) COMPREHENSIVE AUTOMOBILE LIABILITY: \$1,000,000 Combined Single Limit per accident including any auto, all owned autos, hired autos and non-owned autos.

4) PROFESSIONAL LIABILITY: \$2,000,000.

5) AIRCRAFT LIABILITY: \$10,000,000, if aircraft are employed.

6) VALUABLE PAPERS: \$150,000.

INDEMNITY

Surdex agrees to indemnify, defend and hold Client harmless from and against any and all claims, demands, suits, damages, and costs (including attorney' fees and cost of defense) due to bodily injury or property damages arising directly out of Surdex's negligence, but only to the extent that such indemnity is covered by Surdex's CGL or Professional Liability insurance.

As a material part of the consideration to Surdex, Surdex assumes all risk of damage to its property or injury to persons, including its agents, contractors and employees in performance of Services hereunder, and Surdex hereby waives all claims in respect thereof against Client, except for any claim arising out of Client's negligence or willful misconduct. As used in this Section, the term "Client" shall include Client's employees, agents and contractors, if applicable, and "Surdex" shall include Surdex's employees, agents and contractors, if applicable.

Client agrees to indemnify, defend and hold Surdex harmless from and against any and all claims, demands, suits, damages, and costs (including attorney' fees and cost of defense) due to bodily injury or property damages arising directly out of Client's negligence.

TECHNICAL PROPOSAL

City of Flagstaff

Orthoimagery



TESTING

Client shall independently verify the accuracy of Surdex's services prior to using or relying on the same (or providing the same to others for any reason), and in an event no later than six (6) months after completion of the services (the "Claim Period").

If Client fails to take commercially reasonable efforts to verify the accuracy of Surdex's services as required herein, then Client shall be deemed to have waived all claims and rights of recovery against Surdex.

RIGHT TO CURE

If Client discovers errors in the deliverables within the Claim Period, Client shall promptly notify Surdex, and Surdex shall have the right to correct or repair for ninety (90) days after receipt of Client's notice (or such longer period if 90 days is insufficient) at Surdex's sole cost.

LIMITATION OF LIABILITY

To the fullest extent permitted by law, Surdex's total aggregate liability to the Client arising out of this Agreement, whether arising in contract, warranty, tort (including negligence), strict liability, or otherwise, is limited to the Total Price paid to Surdex for this contract.

In the event of timely notice of any deficiencies, Surdex's liability extends only to correcting Surdex-related deficiencies and will in no case exceed the original fee, nor will it include any subsequent costs incurred by the client or others; said warranty does not extend to services, data, or control information provided by the client.

NOTWITHSTANDING ANYTHING TO THE CONTRARY, NEITHER CLIENT NOR SURDEX SHALL BE LIABLE TO THE OTHER FOR, AND EACH EXPRESSLY WAIVES THE RIGHT TO RECOVER, CONSEQUENTIAL, INDIRECT, PUNITIVE, SPECIAL OR EXEMPLARY LOSSES OR DAMAGES, WHETHER ARISING IN CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY OR OTHERWISE, INCLUDING BUT NOT LIMITED TO LOSSES OF USE, PROFITS, BUSINESS, REPUTATION OR FINANCING.

OTHER

Any services being provided to Client by Surdex may be terminated by either party upon ten (10) business days' prior written notice, and in such event Surdex shall be paid by Client for all services performed up to and including the termination date, including reimbursable expenses.

FORCE MAJEURE

Neither Client nor Surdex shall be liable to the other for damages or delay in performance caused by acts of God, weather, strikes, labor disputes, accidents or any other

event beyond the control of the other or its employees and agents.

ARBITRATION

All disputes arising out of or relating to this Agreement shall be decided by arbitration, in accordance with the rules of the American Arbitration Association. The prevailing party shall be awarded attorneys' fees and costs.

OWNERSHIP OF WORK PAPERS

Surdex agrees that all materials, reports, drawings, studies, specifications, estimates, maps, computer data tapes, computations and other materials prepared by or for Client under the terms of this Agreement shall upon proper payment by Client to Surdex become the property of the Client. However, any processes, procedures, programs, software, or similar practices of Surdex, whether developed prior to or during the project, shall remain the property of Surdex until sold or licensed to Client for its use or use by others for separate compensation. Client shall not alter the same in any manner and shall waive any claim against Surdex and shall, to the fullest extent permitted by law, indemnify, defend, and hold Surdex harmless from any claim or liability for injury or loss arising from unauthorized alteration of Surdex's work product.

CONFIDENTIALITY

Surdex shall keep confidential all information obtained from and designated as confidential by Client and shall not divulge any confidential information concerning the Project to any person or entity (other than Surdex's subcontractors, employees or other persons or entities to the extent necessary to complete the services) unless written approval is granted by the Client or as ordered by a court of competent jurisdiction.

GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Missouri. Should a conflict of terms arise from agreed to provisions, the terms of this agreement shall prevail.

EXECUTION

Upon signing of this document, this Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.



**GENERAL SERVICES ADMINISTRATION FEDERAL SUPPLY SERVICE
AUTHORIZED FEDERAL SUPPLY SCHEDULE CATALOG/PRICE LIST**

Online access to contract ordering information, terms and conditions, up-to-date pricing, and the option to create an electronic delivery order is available through GSA *Advantage!*, a menu-driven database system. The INTERNET address for GSA *Advantage!* is <http://www.gsaadvantage.gov>

SCHEDULE TITLE: Federal Supply Schedule 70 – General Purpose Commercial Information Technology Equipment, Software and Services

FSG 70: ADP Equipment Software, Supplies, Equipment

CONTRACT NUMBER: 47QTCA18D00J5

CONTRACT PERIOD: 08/09/2018 through 08/08/2023

For more information on ordering from Federal Supply Schedules click on the FSS Schedules button at www.fss.gsa.gov

CONTRACTOR: Surdex Corporation
520 Spirit of St Louis Blvd
Chesterfield, MO 63005-1002
Phone: (636) 368-4400
E-mail: MarkZ@surdex.com

CONTRACTOR'S ADMINISTRATION SOURCE:

P.O.C.: Mark Zeman
Phone: (636) 368-4400
E-mail: MarkZ@surdex.com

BUSINESS SIZE: Other than Small Business

CONTRACT INFORMATION:

1. TABLE OF AWARDED SPECIAL ITEM NUMBERS (SINs)

SIN	DESCRIPTION
541370GEO	Earth Observation Solutions

2. MAXIMUM ORDER*: The maximum order is \$1,000,000

*If the best value selection places your order over the Maximum Order identified in this catalog/price list, you have an opportunity to obtain a better schedule contract price. Before placing your order, contact the aforementioned contactor for a better price. The contractor may (1) offer a new price for this requirement (2) offer the lowest price available under this contract or (3) decline the order. A delivery order that exceeds the maximum order may be placed under the schedule contract in accordance with FAR 8.404.

3. MINIMUM ORDER: \$100
4. GEOGRAPHIC COVERAGE: Domestic delivery within the 48 contiguous states, Alaska, Hawaii, Puerto Rico, Washington, DC, and U.S. Territories. Note that for products, domestic delivery also includes a port or consolidation point, within the aforementioned areas, for orders received from overseas activities.
5. POINT(S) OF PRODUCTION: N/A
6. DISCOUNT FROM LIST PRICES: Prices shown are GSA net prices
7. QUANTITY/VOLUME DISCOUNT: None
8. PROMPT PAYMENT TERMS: None
9. Government Purchase Cards are accepted at or below the micro purchase threshold.
10. FOREIGN ITEMS: N/A
- 11a. TIME OF DELIVERY: Negotiated at Task Order Level
- 11b. EXPEDITED DELIVERY: Negotiated at Task Order Level
- 11c. OVERNIGHT AND 2-DAY DELIVERY: Negotiated at Task Order Level
- 11d. URGENT REQUIRMENTS: Agencies can contact the Contractor's representative to affect a faster delivery. Customers are encouraged to contact the contractor for the purpose of requesting accelerated delivery.
12. FOB POINT: Destination

Note: All travel required in the performance of this contract and orders placed hereunder must comply with the Federal Travel Regulations (FTR) or Joint Travel Regulations (JTR), as applicable, in effect on the date(s) the travel is performed. Established Federal Government per diem rates will apply to all contractor travel. Contractors cannot use GSA city pair contracts. The contractor shall not add the Industrial Funding Fee onto travel costs.

- 13a. ORDERING ADDRESS: Same as Contractor's address.
- 13b. ORDERING PROCEDURES: For supplies and services, the ordering procedures, information on Blanket Purchase Agreements (BPA's) are found in Federal Acquisition Regulation (FAR) 8.405-3.
14. PAYMENT ADDRESS: Same as Contractor's address.

15. WARRANTY PROVISION: Standard Commercial Warranty. Customers should contact the contractor for a copy of the warranty.
16. EXPORT PACKING CHARGES: N/A
17. TERMS AND CONDITIONS OF GOVERNMENT PURCHASE CARD ACCEPTANCE:
Accepted at or below the micro-purchase level.
18. TERMS AND CONDITIONS OF RENTAL, MAINTENANCE, AND REPAIR (IF APPLICABLE):
N/A
19. TERMS AND CONDITIONS OF INSTALLATION (IF APPLICABLE): N/A
- 20a. TERMS AND CONDITIONS OF REPAIR PARTS INDICATING DATE OF PARTS PRICE
LISTS AND ANY DISCOUNTS FROM LIST PRICES (IF AVAILABLE): N/A
- 20b. TERMS AND CONDITIONS FOR ANY OTHER SERVICES (IF APPLICABLE): N/A
21. LIST OF SERVICE AND DISTRIBUTION POINTS (IF APPLICABLE): N/A
22. LIST OF PARTICIPATING DEALERS (IF APPLICABLE): N/A
23. PREVENTIVE MAINTENANCE (IF APPLICABLE): N/A
- 24a. SPECIAL ATTRIBUTES SUCH AS ENVIRONMENTAL ATTRIBUTES (e.g., recycled content,
energy efficiency, and/or reduced pollutants): N/A
- 24b. Section 508 Compliance for EIT: N/A
25. DUNS NUMBER: 006332415
26. NOTIFICATION REGARDING REGISTRATION IN CENTRAL CONTRACTOR
REGISTRATION (CCR) DATABASE: Contractor is registered and valid in SAM until
10/26/2018, Cage Code = 8G253

**TERMS AND CONDITIONS APPLICABLE TO EARTH OBSERVATION SOLUTIONS (EOS)
SPECIAL ITEM NUMBER 541370GEO**

1. SCOPE

- a. The terms and conditions stated under Special Item Numbers 541370GEO Earth Observation Solutions apply exclusively to this SIN within the Information Technology Schedule.
- b. This SIN is a solutions SIN, which involves services and products to include but not limited to imagery, subscriptions, software, platform and data as a service, and end-to-end data analytics. This SIN provides ordering activities with access to a wide range of Earth Observation Solutions.
- c. Earth Observation Solutions provided shall comply with all certifications and industry standards as specified by ordering activity.
- d. The Contractor shall provide services at the Contractor's facility and/or at the ordering activity location, as agreed to by the Contractor and the ordering activity.

2. INFORMATION ASSURANCE/SECURITY REQUIREMENTS

- a. The contractor shall meet information assurance and security requirements in accordance with the ordering activity requirements specified in the order and/or Blanket Purchase Agreement. The ordering activity is responsible for ensuring to the maximum extent practicable that each requirement issued is in compliance with the Federal Information Security Management Act (FISMA) as applicable.
- b. The ordering activity shall assign an impact level (per Federal Information Processing Standards Publication 199 & 200 (FIPS 199, "Standards for Security Categorization of Federal Information and Information Systems") (FIPS 200, "Minimum Security Requirements for Federal Information and Information Systems") prior to issuing the initial statement of work. Evaluations shall consider the extent to which each proposed service accommodates the necessary security controls based upon the assigned impact level. The Contractor awarded the SIN shall be capable of meeting at least the minimum security requirements assigned against a low-impact information system.
- c. The ordering activity reserves the right to independently evaluate, audit, and verify the FISMA compliance for any proposed or awarded services. All FISMA certification, accreditation, and evaluation activities are the responsibility of the ordering activity.
- d. Ordering activities are responsible for determining any additional information assurance and security related requirements based on the nature of the application and relevant mandates. This may include incorporation of the appropriate security forms (e.g., a DD-254) for any special clearance requirements and indoctrinations, such as Sensitive Compartmented Information (SCI). This may also include DOD Directives cited in specific orders and Blanket Purchase Agreements.

3. STANDARDS COMPLIANCE

- a. Vendor suitability for offering solutions through the Earth Observation Solutions SIN must be in accordance with the laws and standards when cited applicable to specific orders and Blanket Purchase Agreements. Offerings shall comply with cited Department of Defense (DoD) standards, Intelligence Community (IC) standards, Open Geospatial Consortium (OGC) standards (<http://www.opengeospatial.org/standards>), and other standards such as

<https://nationalmap.gov/standards> stated as applicable in specific orders and Blanket Purchase Agreements.

4. ORDER

- a. Ordering activities/agencies may use written orders, Electronic Data Interchange (EDI) orders, Blanket Purchase Agreements, individual purchase orders, delivery orders, or task orders for ordering services under this contract. Blanket Purchase Agreements shall not extend beyond the end of the contract period; all services and delivery shall be made and the contract terms and conditions shall continue in effect until the completion of the order. Orders for tasks which extend beyond the fiscal year for which funds are available shall include FAR 52.232-19 (Deviation – May 2003) Availability of Funds for the Next Fiscal Year. The purchase order shall specify the availability of funds and the period for which funds are available.
- b. All delivery or task orders are subject to the terms and conditions of the contract. In the event of conflict between an order and the contract, the contract will take precedence.

5. PERFORMANCE OF SERVICES

- a. The Contractor shall commence performance of services on the date agreed to by the Contractor and the ordering activity.
- b. The Contractor agrees to render services during normal working hours, unless otherwise agreed to by the Contractor and the ordering activity.
- c. The ordering activity should include the criteria for satisfactory completion for each task in the Statement of Work or Delivery Order. Services shall be completed in a good and workmanlike manner.
- d. Any Contractor travel required in the performance of Earth Observation Solutions must comply with the Federal Travel Regulation or Joint Travel Regulations, as applicable, in effect on the date(s) the travel is performed. Established Federal Government per diem rates will apply to all Contractor travel. Contractors cannot use GSA city pair contracts. All travel will be agreed upon with the client prior to the Contractor's travel.

6. INSPECTION/ACCEPTANCE

The Contractor shall only tender for acceptance those items that conform to the requirements of this contract. The ordering activity reserves the right to inspect or test any product that has been tendered for acceptance. The ordering activity may require repair or replacement of nonconforming item at no increase in contract price. The ordering activity must exercise its post acceptance rights (1) within a reasonable time after the defect was discovered or should have been discovered; and (2) before any substantial change occurs in the condition of the product, unless the change is due to the defect in the product. For inspection and acceptance, the latest versions in the contract apply of 52.212-4 CONTRACT TERMS AND CONDITIONS – COMMERCIAL ITEMS and 552.212-4 CONTRACT TERMS AND CONDITIONS – COMMERCIAL ITEMS.

7. ENTERPRISE USER LICENSE AGREEMENTS REQUIREMENTS (EULA)/COMMERCIAL SUPPLIER AGREEMENTS (CSAs)

The Contractor shall provide all EULAs/CSAs in an editable Microsoft Office (Word) format.

8. WARRANTY

- a. Unless specified otherwise in this contract, the Contractor's standard commercial guarantee/warranty as stated in the contract's commercial pricelist will apply to this contract.
Surdex's products undergo rigorous QC processes at each phase of production resulting in a client "First Time Acceptance" rate of 98%. We also warranty our products for one full year after the date of final acceptance. Should a customer find any defect in our product after acceptance, we will correct it at no cost.
- b. The Contractor warrants and implies that the items delivered hereunder are merchantable and fit for use for the particular purpose described in this contract. If no implied warranties are given, an express warranty of at least 60 days must be given in accordance with FAR 12.404(b)(2).
- c. Limitation of Liability. Except as otherwise provided by an express or implied warranty, the Contractor will not be liable to the ordering activity for consequential damages resulting from any defect or deficiencies in accepted items.

9. TECHNICAL SERVICES

The Contractor, without additional charge to the ordering activity, shall provide a hot line technical support number for the purpose of providing user assistance and guidance in the implementation of any software provided.

Surdex does not provide software as a deliverable (our products are used with standard industry software), but we do provide some online flight tracking and imagery inspection services. These are supported the client's designated Project Manager (who will be assigned at the commencement of the project).

10. RESPONSIBILITIES OF THE CONTRACTOR

The Contractor shall comply with all laws, ordinances, and regulations (Federal, State, City, or otherwise) covering work of this character. If the end product of a task order is software, then FAR 52.227-14 (MAY 2014) Rights in Data – General, may apply.

The Contractor shall comply with contract clause (52.204-21) to the Federal Acquisition Regulation (FAR) for the basic safeguarding of contractor information systems that process, store, or transmit Federal data received by the contract in performance of the contract. This includes contract documents and all information generated in the performance of the contract.

11. RESPONSIBILITIES OF THE ORDERING ACTIVITY

Subject to security regulations, the ordering activity shall permit Contractor access to all facilities necessary to perform the requisite services.

12. INDEPENDENT CONTRACTOR STATUS

All work performed under the Earth Observation Solutions SIN shall be as an independent Contractor, and not as an agent or employee of the ordering activity.

13. ORGANIZATIONAL CONFLICTS OF INTEREST

- a. Definitions.

“Contractor” means the person, firm, unincorporated association, joint venture, partnership, or corporation that is a party to this contract.

“Contractor and its affiliates” and “Contractor or its affiliates” refers to the Contractor, its chief executives, directors, officers, subsidiaries, affiliates, subcontractors at any tier, and consultants and any joint venture involving the Contractor, any entity into or with which the Contractor subsequently merges or affiliates, or any other successor or assignee of the Contractor.

An “Organizational conflict of interest” exists when the nature of the work to be performed under a proposed ordering activity contract, without some restriction on ordering activities by the Contractor and its affiliates, may either (i) result in an unfair competitive advantage to the Contractor or its affiliates or (ii) impair the Contractor’s or its affiliates’ objectivity in performing contract work.

- b. To avoid an organizational or financial conflict of interest and to avoid prejudicing the best interests of the ordering activity, ordering activities may place restrictions on the Contractors, its affiliates, chief executives, directors, subsidiaries and subcontractors at any tier when placing orders against schedule contracts. Such restrictions shall be consistent with FAR 9.505 and shall be designed to avoid, neutralize, or mitigate organizational conflicts of interest that might otherwise exist in situations related to individual orders placed against the schedule contract. Examples of situations, which may require restrictions, are provided at FAR 9.508.

14. INVOICES

The Contractor, upon completion of the work ordered, shall submit invoices. Progress payments may be authorized by the ordering activity on individual orders if appropriate. Progress payments shall be based upon completion of defined milestones or interim products. Invoices shall be submitted monthly for recurring services performed during the preceding month.

15. RESUMES

Resumes shall be provided to the GSA Contracting Officer or the user ordering activity upon request or as required. The contractor is required to provide personnel meeting the qualifications specified under any labor categories quoted on a Time & Materials order or that form the Firm Fixed Price.

16. APPROVAL OF SUBCONTRACTS

The ordering activity may require that the Contractor receive, from the ordering activity's Contracting Officer, written consent before placing any subcontract for furnishing any of the work called for in a task order.

17. DESCRIPTION OF SERVICES AND PRICING

- a. The Contractor shall provide a description of offerings under Earth Observation Solutions SIN in the same manner as the Contractor sells to its commercial and ordering activity customers. The contractor shall provide a description and any applicable licensing should be included. If the contractor is proposing hourly rates (for hours that are not already rolled into a subscription), then a description of all corresponding commercial job titles (labor categories) for those individuals who will perform the service should be provided.

- b. Pricing shall be in accordance with the Contractor's customary commercial practices; e.g., hourly rates, monthly rates, term rates, and/or fixed prices, minimum general experience and minimum education.

The following is an example of the manner in which the description of a commercial job title should be presented if applicable. Contractors shall only use personnel who meet the requirements or any equivalent combination of education and experience cited by the vendor:

EXAMPLE: Commercial Job Title: System Engineer

Minimum/General Experience: Three (3) years of technical experience which applies to systems analysis and design techniques for complex computer systems. Requires competence in all phases of systems analysis techniques, concepts and methods; also requires knowledge of available hardware, system software, input/output devices, structure and management practices.

Functional Responsibility: Guides users in formulating requirements, advises alternative approaches, conducts feasibility studies.

Minimum Education: Bachelor's Degree in Computer Science

- c. Group 70 Information Technology Schedule is not to be used as a means to procure services which fall under the Brooks Act. The services offered under this SIN shall NOT include construction, alteration of real property or Architect-Engineering (A-E) services as set forth in FAR Part 36. FAR 36.6 distinguishes between mapping services of an A-E nature and mapping services which are not connected nor incidental to the traditionally accepted A-E Services that are allowable on Schedule 70.

PRICE LIST

SIN(s) PROPOSED	SERVICE PROPOSED (e.g. Job Title/Task)	PRICE OFFERED TO GSA (including IFF)
541370GEO	<i>Photogrammetrist Senior</i>	109.92
541370GEO	<i>Photogrammetrist Journeyperson</i>	64.08
541370GEO	<i>Quality Assurance Manager</i>	98.27
541370GEO	<i>Project Manager</i>	94.18
541370GEO	<i>Aerial Photography Pilot</i>	67.55
541370GEO	<i>Sensor Operator in flight</i>	76.42
541370GEO	<i>Sensor Operator on ground</i>	47.09
541370GEO	<i>Airborne GPS Ground Engineer</i>	61.06
541370GEO	<i>Stereo Technician</i>	58.86
541370GEO	<i>Orthophoto Technician</i>	48.72
541370GEO	<i>GIS Technician</i>	48.44
541370GEO	<i>Survey Licensed</i>	114.44
541370GEO	<i>Survey Technician</i>	51.00
541370GEO	<i>Geospatial Analyst Senior</i>	109.61
541370GEO	<i>Geospatial Analyst Journey</i>	68.87
541370GEO	<i>Imagery Scientist</i>	76.07
541370GEO	<i>Cartographer Senior</i>	82.08
541370GEO	<i>Cartographer Journeyperson</i>	48.55
541370GEO	<i>Database System Manager</i>	127.58

ODC - "Other Direct Charges"

541370GEO	<i>Piston single/hr</i>	279.81
541370GEO	<i>Piston twin/hr</i>	582.28
541370GEO	<i>Turbo prop/hr</i>	800.12
541370GEO	<i>LiDAR sensor/hr</i>	505.97
541370GEO	<i>Digital Sensor</i>	639.56
541370GEO	<i>GPS/hr</i>	6.94

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Ben Mejia, Planner
Date: 01/31/2023
Meeting Date: 02/07/2023



TITLE:

Consideration and Adoption of Ordinance No. 2023-01: An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff City Code, Title 10, Flagstaff Zoning Code, Division 10-80.20: Definitions of Specialized terms, phrases, and building functions, Section 10-80.20.040: Definitions “D” to modify the term “duplex”; Providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date.

STAFF RECOMMENDED ACTION:

At the February 7th, 2023 Council Meeting:

- 1) Hold Public Hearing
- 2) Read Ordinance No. 2023-01 by title only for the first time
- 3) City Clerk reads Ordinance No. 2023-01 by title only (if approved above)

At the February 21st, 2023 Council Meeting:

- 4) Read Ordinance No. 2023-01 by title only for the final time
- 5) City Clerk reads Ordinance No. 2023-01 by title only (if approved above)
- 6) Adopt Ordinance No. 2023-01

Executive Summary:

The proposed amendment is to modify the definition of the term “Duplex” (Section 10-80.20.040) to only refer to attached dwellings. Staff proposes this amendment to resolve conflicts in the Zoning Code created by a 2020 Zoning Text Amendment (Ordinance No. 2020-11) which, in addition to several other changes, redefined duplex to include two single-family dwellings on a lot as a detached duplex. As a result of this amendment, lots of sufficient size in all zones that support single-family development would be permitted to build a second single-family dwelling that would follow the Code standards and permitting process of single-family development.

Financial Impact:

There are no anticipated financial impacts affiliated with the proposed City Code Text Amendment.

Policy Impact:

There are no anticipated policy impacts affiliated with the proposed City Code Text Amendment.

Connection to PBB Priorities/Objectives, Carbon Neutrality Plan & Regional Plan:

Priority Based Budget Key Community Priorities and Objectives

Safe & Healthy Community - Ensure the built environment is safe through the use of consistent standards, rules & regulations.

Robust Resilient Economy - Enhance understanding between the development community, the City & Flagstaff residents.

Carbon Neutrality Plan

DD-1: Encourage vibrancy, appropriate density, and attainability in existing neighborhoods, so that more residents live within walking distance of their daily needs.

Regional Plan

Goal LU.1.6: Establish greater flexibility in development standards and processes to assist developers in overcoming challenges posed by redevelopment and infill sites.

Goal LU.5.2: Promote infill development over peripheral expansion to conserve environmental resources, spur economic investments, and reduce the cost of providing infrastructure and services.

Goal LU.5.3: Promote compact development appropriate to and within the context of each area type: urban, suburban, and rural.

Has There Been Previous Council Decision on This:

There have been no previous Council decisions on this.

Options and Alternatives:

The City Council may adopt, modify, or deny the proposed amendment.

Background/History:

The proposed amendment includes the following modification to Section 10-80.20.040:

Duplex: A residential building designed to be occupied by two families living independently of each other with two attached ~~or detached~~ dwelling units on one lot or parcel. ~~If attached, the~~ The units may be attached front-to-back or side-to-side with a common or party wall or stacked one atop the other with a common ceiling-floor separating the units.

Key Considerations:

A Zoning Code Text Amendment shall be evaluated based on the following findings:

A. Finding #1:

The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;

The amendment's primary purpose is to re-establish consistency within the Zoning Code and facilitate the development of a second single-family dwelling on a lot, providing additional infill housing opportunity. This is consistent with General Plan goals LU.1.6, LU.5.2, and LU.5.3. Land Use goal LU.1.6 references the establishment of greater flexibility in development standards and processes to facilitate overcoming challenges to redevelopment and infill development. This amendment would facilitate redevelopment and infill development of two single-family homes on a lot by removing the requirements that would be necessary for duplex development such as Architectural Design Standards, guest parking requirements, and concept plan application review. LU.5.2 promotes infill development, this amendment would provide new opportunity to develop on lots with existing single-family dwellings. LU.5.3 promotes compact development appropriate to each area type. This amendment facilitates compact development within existing neighborhoods in keeping with single-family neighborhoods.

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, DIVISION 10-80.20: DEFINITIONS OF SPECIALIZED TERMS, PHRASES, AND BUILDING FUNCTIONS, SECTION 10-80.20.040: DEFINITIONS “D” TO MODIFY THE TERM “DUPLEX”; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City of Flagstaff wishes to amend Title 10 Flagstaff Zoning Code of the Flagstaff City Code, to modify the term “Duplex”; and

WHEREAS, a citizen review session was held at the Planning Commission work session on January 11, 2023, to discuss the proposed Zoning Code text amendment in accordance with Section 10-20.50.040 of the Flagstaff Zoning Code; and

WHEREAS, the Planning and Zoning Commission held a public hearing on January 25, 2023, and provided a recommendation to City Council on the proposed Zoning Code text amendment; and

WHEREAS, the Council has read and considered the staff report prepared by the Planning and Development Services section of the Community Development division and all attachments to those reports, and the Council finds that the proposed Zoning Code text amendment is in conformance with the General Plan, and the findings of Section 10- 20.50.040 of the Flagstaff Zoning Code have been met.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. Title 10 Flagstaff Zoning Code, Division 10-80.20: Definitions of Specialized Terms, Phrases, and Building Functions, Section 10-80.20.040 Definitions “D”, is hereby amended to modify the term “Duplex”, as follows:

Duplex: A residential building designed to be occupied by two families living independently of each other with two attached ~~or detached~~ dwelling units on one lot or parcel. ~~If attached,~~ The units may be attached front-to-back or side-to-side with a common or party wall or stacked one atop the other with a common ceiling-floor separating the units.

SECTION 3. The amendment is consistent with and conforms to the goals of the Regional Plan (General Plan).

SECTION 4. The amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, and will add to the public good as described in the General Plan.

SECTION 5. The amendment is internally consistent with other applicable provisions of this Zoning Code.

SECTION 6. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 7. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 8. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 9. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 21st day of February, 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



City of Flagstaff

Community Development Division

211 W. Aspen Ave
Flagstaff, AZ 86001
www.flagstaff.az.gov

P: (928) 213-2618
F: (928) 213-2609

Date Received August 30, 2022		Application for Zoning Code Text Amendment		File Number PZ-22-00180
Applicant(s)/Property Owner(s) City of Flagstaff - Michelle McNulty		Title Planning Director	Phone 928-213-2608	Email Michelle.McNulty@flagstaffaz.gov
Mailing Address 211 W Aspen Avenue			City, State, Zip Flagstaff, AZ 86004	
Representative (If applicable) Tiffany Antol		Title Zoning Code Manager	Phone 928-213-2605	Email tantol@flagstaffaz.gov
Mailing Address Same as above			City, State, Zip	

Property Address	City, State, Zip
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Application Name: Duplex Definition
Zoning Code Text Amendment
Chapter Name and Number: 10-80 Definitions
Division Name and Number: 10-80.20 Definition of Specialized Terms, Phrases and Building Functions
Section Name and Number: 10-80.20.040 Definitions "D"
Chapter Name and Number:
Division Name and Number:
Section Name and Number:
Chapter Name and Number:
Division Name and Number:
Section Name and Number:

Additional Information:

Owner's Signature (required) <i>Michelle McNulty</i>	Date: 1/19/23	Representative Signature (If applicable) <i>Tiffany Antol</i>	Date: 1/19/23
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For City Use		
Date Filed:	File Number(s):	Fee Receipt Number:
P & Z Hearing Date:	Publication and Posting Date:	Amount:
Council Hearing Date:	Publication and Posting Date:	Date:
Received by:	Comments:	

Minimum Submittal Requirements:

As part of the Pre-application Meeting (required), the Zoning Code Manager, or designee, will identify those items from this application checklist that will be required for Zoning Code Text Amendment application submittal. An application that does not include all required items will not be accepted. By signing the application, the applicant acknowledges that all required documents/information are included within the application.

If you have any questions regarding the information above or items indicated on this checklist, please contact the Zoning Code Manager, or designee indicated in the contact information listed on Page 3 of this checklist.

PART I – GENERAL REQUIREMENTS

Staff Use Only		Description of Documents Required for Complete Application. No application shall be accepted without all items marked below
Reqd	Subd	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	I.1 Zoning Code Text Amendment Application Checklist (this list)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	I.2 Application Fee Base fee \$ <input style="width: 150px; height: 20px;" type="text"/> (same as the small scale rezoning base fee) * The application fee provided is based on the current fee schedule adopted by the City Council and is subject to change without notification. The applicant shall pay the fee applicable at the of the application submittal.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	I.3 Completed Application for Zoning Code Text Amendment – 1 copy The application must be signed by the applicant and the current property owner of record. If the property owner is unavailable to sign the application, a Letter of Authorization must be submitted.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	I.6 Citizen Participation Plan – 1 copy <input checked="" type="checkbox"/> A plan identifying the methodology the applicant intends to use to notify the public, and when required, conduct a neighborhood meeting. The plan shall include: <ul style="list-style-type: none"> <input type="checkbox"/> 1. The dates, times, and locations of the neighborhood meeting(s). The applicant shall hold a minimum of _____ neighborhood meeting(s), that is/are separate from a work session with the Planning and Zoning Commission. <input type="checkbox"/> 2. A copy of the published advertisement(s) for the neighborhood meeting. The applicant shall publish a 1/8-page advertisement in the local newspaper a minimum of 10 days, and not more than 14 days prior to the date of the neighborhood meeting. The advertisement shall include the applicant's contact information, a summary of the Zoning Code amendment, and the dates, times, and locations of the neighborhood meeting(s). The Zoning Code Manager, or designee, shall approve that advertisement before it is sent to the newspaper for publication. (Contact the Arizona Daily Sun newspaper for publishing deadlines.) <input type="checkbox"/> 3. A copy of the letter sent to all persons on the City's notification registry for a Zoning Code Text Amendment, and the mailing addresses of all persons that the letter was sent to. The applicant shall notify all persons on the City's notification registry for a Zoning Code Text Amendment of their proposed amendment by 1st Class Letter. The letter shall include the applicant's contact information, a summary of the Zoning Code amendment, and: <ul style="list-style-type: none"> <input type="checkbox"/> a. the dates, times, and locations of the neighborhood meeting(s). <input type="checkbox"/> b. legislative draft of the proposed zoning code text amendment. <input type="checkbox"/> 4. A copy of the letter sent to all property owners within _____ the property, the mailing addresses of the property owners that the letter sent to, and a map showing the location of properties there were notified. The letter shall include the applicant's contact information, a summary of the Zoning Code amendment, and: <ul style="list-style-type: none"> <input type="checkbox"/> a. the dates, times, and locations of the neighborhood meeting(s). <input type="checkbox"/> b. legislative draft of the proposed zoning code text amendment. <input checked="" type="checkbox"/> 5. A report of the status and results of the any communication and comments received from the public, including the neighborhood meeting (when required), and the applicant's proposed resolution to comments received. <input checked="" type="checkbox"/> 6. Methods to keep the Director informed of the status and results of the any communication and comments received from the public. The Director, or designee, may request written report pertaining to any communication and comments received from the public prior to scheduling a work session, or hearing, before the Planning Commission.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	I.10 Electronic Submittal – 1 copy An electronic copy of all submitted information (.pdf format)
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PART II – CONCEPT ZONING CODE TEXT AMENDMENT

Staff Use Only		Description of Documents Required for a Complete Application. No Application will be accepted without all items marked below.
Reqd	Subd	

<input checked="" type="checkbox"/>	<input type="checkbox"/>	II.1 Project Narrative – 5 copies The narrative shall include the following: <ul style="list-style-type: none"> • Project title and date. • The reason for the request. • List and respond to each of the required Zoning Code findings for Text Amendments, which are: <ol style="list-style-type: none"> (1) The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan; (2) The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City; and (3) The proposed amendment is internally consistent with other applicable provisions of this Zoning Code. • An analysis of how the proposed amendment will benefit the community. • Any additional information the applicant would like add in support of the requested amendment.
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	II.2 Legislative Draft of the Proposed Zoning Code Text Amendment – 5 copies
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PART IV – OTHER SUBMITTAL REQUIREMENTS

Staff Use Only		Description of Documents Required for Complete Application. No application shall be accepted without all items marked below
Reqd	Subd	

<input type="checkbox"/>	<input type="checkbox"/>	IV.1 Other Requirements Please provide the following: <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
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PART V – ZONING CODE MANAGER, OR DESIGNEE

No application shall be accepted without a Zoning Code Manager's, or designee's, signature below.

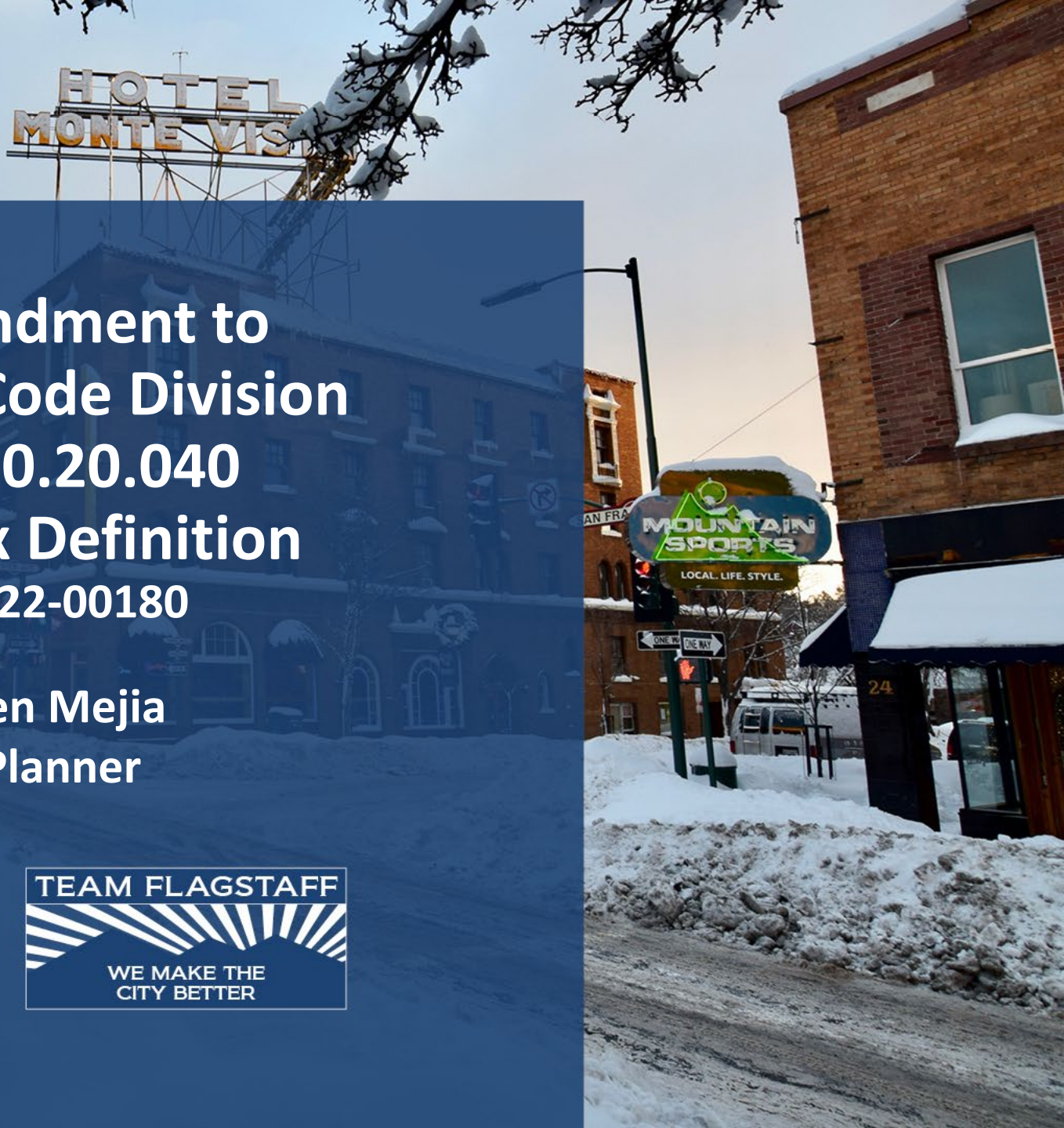
V.1 Zoning Code Manager or designee Contact Information

If you have any questions regarding this application checklist, please contact the Zoning Code Manager or designee.

Name (print): TIFFANY ANTON Phone: 928-213-2605

E-mail: tanton @flagstaffaz.gov Date: 1/19/23

Signature: 



**Amendment to
Zoning Code Division
10-80.20.040
Duplex Definition
PZ-22-00180**

**Ben Mejia
Planner**





PZ-22-00180: Updates to Zoning Code - Duplex

Background

- A 2020 Zoning Text Amendment modified the definition of duplex to include two single-family homes on one lot as a “detached duplex”
- The 2020 amendment created inconsistencies within the Zoning Code
- This amendment restores the definition of duplex to only refer to attached dwelling units, bringing internal consistency throughout the Zoning Code



PZ-22-00180: Updates to Zoning Code - Duplex

Proposed Amendment

Provisions that are being deleted are shown in bold strikethrough

Provisions that are being added are shown in bold red text.

Section 1. Amend Title 10 Flagstaff Zoning Code, Chapter 10-80: Definitions, Division 10-80.20: Definitions of Specialized Terms, Phrases, and Building Functions, and Building Functions, Section 10-80.20.040 Definitions “D”, to modify the term “Duplex”, as follows:

Duplex: A residential building designed to be occupied by two families living independently of each other with two attached ~~or detached~~ dwelling units on one lot or parcel. **If attached, t**The units may be attached front-to-back or side-to-side with a common or party wall or stacked one atop the other with a common ceiling-floor separating the units.



PZ-22-00180: Updates to Zoning Code - Duplex

Staff Recommendation

Findings for Zoning Code Text Amendments:

- (1) The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**
- (2) The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City; and**
- (3) The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**



PZ-22-00180: Updates to Zoning Code - Duplex

The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan.

The proposal supports the following goals of the General Plan by facilitating infill development:

- LU.1.6
- LU.5.2
- LU.5.3



PZ-22-00180: Updates to Zoning Code - Duplex

The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City.

The proposed amendment is not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the City.



PZ-22-00180: Updates to Zoning Code - Duplex

The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

The proposed amendment revises the definition of duplex to re-establish internal consistency of the Zoning Code.



PZ-22-00180: Updates to Zoning Code - Duplex

Recommendation

Planning and Zoning Commission meets on January 25th, their recommendation will be presented to Council on the February 7th meeting.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Wesley Welch, Associate Planner
Date: 01/31/2023
Meeting Date: 02/07/2023



TITLE:

Consideration and Adoption of Ordinance No. 2023-02 : An ordinance of the City Council of the City of Flagstaff amending the Flagstaff City Code, Title 10 Flagstaff Zoning Code, Chapter 10-40 Specific to Zones, Division 10-40.30: Non Transect Zones, Section 10-40.30.050 Industrial Zones, to modify Table 10-40.30.050.B to allow Manufacturing/Processing - Heavy in the Light Industrial Zone with a Conditional Use Permit, providing for the repeal of conflicting ordinances, severability, and establishing an effective date

STAFF RECOMMENDED ACTION:

At the February 7th, 2023 Council Meeting:

- 1) Hold Public Hearing
- 2) Read Ordinance No. 2023-02 by title only for the first time
- 3) City Clerk reads Ordinance No. 2023-02 by title only (if approved above)

At the February 21st, 2023 Council Meeting:

- 4) Read Ordinance No. 2023-02 by title only for the final time
- 5) City Clerk reads Ordinance No. 2023-02 by title only (if approved above)
- 6) Adopt Ordinance No. 2023-02

Executive Summary:

The proposed amendment is to allow the use of Manufacturing/Processing - Heavy in the Light Industrial Zone with a Conditional Use Permit. Staff is presenting this amendment due to the limited Heavy Industrial-zoned land within the city. This amendment would allow more flexibility for industrial uses to locate within the city. The Manufacturing/Processing - Heavy use would only be allowed in the Light Industrial Zone with a Conditional Use Permit which would help to mitigate any issues that could arise with this use.

Financial Impact:

There are no anticipated financial impacts affiliated with the proposed City Code Text Amendment.

Policy Impact:

There are no anticipated policy impacts affiliated with the proposed City Code Text Amendment.

Connection to PBB Priorities/Objectives, Carbon Neutrality Plan & Regional Plan:

Priority Based Budget Key Community Priorities and Objectives

Robust Resilient Economy - Maintain & Enhance an equitable & effective business recruitment, retention, & expansion program throughout the community.

Carbon Neutrality Plan

CR-1: Ensure all mitigation actions improve Flagstaff's ability to adapt to the future.

Regional Plan

Goal LU.16 Establish heavy industrial areas that provide for the manufacturing of goods, flexible space, and intermodal facilities that are well maintained, attractive, and compatible with adjoining nonindustrial uses.

Policy ED.3.8 Protect existing business and industrial land uses from encroachment and allow for their expansion.

Policy ED 4.2 Promote variety and flexibility in land use and development options within the urban growth boundary.

Has There Been Previous Council Decision on This:

There has been no previous Council decision on this.

Options and Alternatives:

The City Council may adopt, modify, or deny the proposed amendment.

Background/History:

The proposed amendment includes the following:

Modify Table 10-40.30.050.B, as follows:

Table 10-40.30.050.B. Industrial Zones – Allowed Uses						
Primary Land Use ¹	Specific Use Regulations	Industrial Zones				
		RD	LI	LI-O	HI	HI-O
Industrial, Manufacturing, Processing and Wholesaling						
Business Parks		P	P	P	--	--
Composting Facility		--	P3	P3	P3	P3
Construction Storage/Supply Yards		--	P2	P2	P	P
Equipment Rental Yard – Heavy		--	P	P	--	--
Flammable Liquid, Gas, and Bulk Fuel – Storage and Sales		--	P	P	P	P
Freight or Trucking Facility		P3	P	P	P	P
Industrial, Heavy – General		--	UP	--	P	P
Industrial, Light – General		--	P	P	P	P
Junk Yard		--	--	--	P	P
Manufacturing/Processing – Heavy		--	UP	--	P	P
Manufacturing/Processing – Light		P	P	P	P	P
Manufacturing/Processing – Previously Prepared Materials		UP	P	P	P	P

Key Considerations:

ORDINANCE NO. 2023-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, DIVISION 10-40.30: NON-TRANSECT ZONES, SECTION 10-40.30.050 INDUSTRIAL ZONES TO MODIFY TABLE 10-40.30.050.B TO ALLOW MANUFACTURING/PROCESING – HEAVY IN THE LIGHT INDUSTRIAL ZONE WITH A CONDITIONAL USE PERMIT; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City of Flagstaff wishes to amend Title 10 Flagstaff Zoning Code of the Flagstaff City Code, to allow Manufacturing/Processing – Heavy in the Light Industrial Zone with a Conditional Use Permit; and

WHEREAS, a citizen review session was held at the Planning Commission work session on January 11, 2023, to discuss the proposed Zoning Code text amendment in accordance with Section 10-20.50.040 of the Flagstaff Zoning Code; and

WHEREAS, the Planning and Zoning Commission held a public hearing on January 25, 2023, and provided a recommendation to City Council on the proposed Zoning Code text amendment; and

WHEREAS, the Council has read and considered the staff report prepared by the Planning and Development Services section of the Community Development division and all attachments to those reports, and the Council finds that the proposed Zoning Code text amendment is in conformance with the General Plan, and the findings of Section 10- 20.50.040 of the Flagstaff Zoning Code have been met.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. Title 10 Flagstaff Zoning Code, Division 10-40.30: Non-Transect Zones, Section 10-40.30.050 Industrial Zones, to modify Table 10-40.30.050.B, is hereby amended as follows:

Table 10-40.30.050.B. Industrial Zones – Allowed Uses						
Primary Land Use ¹	Specific Use Regulations	Industrial Zones				
		RD	LI	LI-O	HI	HI-O
Industrial, Manufacturing, Processing and Wholesaling						
Business Parks		P	P	P	--	--
Composting Facility		--	P ³	P ³	P ³	P ³
Construction Storage/Supply Yards		--	P ²	P ²	P	P
Equipment Rental Yard – Heavy		--	P	P	--	--
Flammable Liquid, Gas, and Bulk Fuel – Storage and Sales		--	P	P	P	P
Freight or Trucking Facility		P ³	P	P	P	P
Industrial, Heavy – General		--	UP	--	P	P
Industrial, Light – General		--	P	P	P	P
Junk Yard		--	--	--	P	P
Manufacturing/Processing – Heavy		--	UP	--	P	P
Manufacturing/Processing – Light		P	P	P	P	P
Manufacturing/Processing – Previously Prepared Materials		UP	P	P	P	P

SECTION 3. The amendment is consistent with and conforms to the goals of the Regional Plan (General Plan).

SECTION 4. The amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, and will add to the public good as described in the General Plan.

SECTION 5. The amendment is internally consistent with other applicable provisions of this Zoning Code.

SECTION 6. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 7. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 8. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 9. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this February 21, 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



City of Flagstaff

Community Development Division

211 W. Aspen Ave
 Flagstaff, AZ 86001
 www.flagstaff.az.gov

P: (928) 213-2618
 F: (928) 213-2609

Date Received		Application for Zoning Code Text Amendment		File Number <i>PZ-22-00220</i>
Applicant(s)/Property Owner(s) City of Flagstaff – Michelle McNulty	Title Planning Director	Phone 928-213-2608	Email Michelle.McNulty@Flagstaffaz.gov	
Mailing Address 211 W Aspen Avenue			City, State, Zip Flagstaff, AZ 86001	
Representative (If applicable) Tiffany Antol	Title Zoning Code Manager	Phone 928-213-2605	Email tantol@flagstaffaz.gov	
Mailing Address Same as above			City, State, Zip	

Property Address N/A	City, State, Zip
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Application Name: Heavy Manufacturing/Processing CUP in Light Industrial
Zoning Code Text Amendment
Chapter Name and Number: 10-40 Specific to Zones
Division Name and Number: 10-40.30.050 Industrial Zones
Section Name and Number: Table 10-40.30.050.B
Chapter Name and Number:
Division Name and Number:
Section Name and Number:
Chapter Name and Number:
Division Name and Number:
Section Name and Number:

Additional Information:

Owner's Signature (required) <i>Michelle McNulty</i>	Date: 10/26/22	Representative Signature (If applicable)	Date:
For City Use			
Date Filed:	File Number(s):	Fee Receipt Number:	
P & Z Hearing Date:	Publication and Posting Date:	Amount:	
Council Hearing Date:	Publication and Posting Date:	Date:	
Received by:	Comments:		

Manufacturing/Processing – Heavy in the Light Industrial Zone with a CUP

Zoning Code Text Amendment

PZ-22-00222

Wesley Welch, Associate Planner





Manufacturing/Processing – Heavy in the Light Industrial Zone



PZ-22-00220 Manufacturing/Processing – Heavy in the LI Zone

The proposed amendment is to allow the Manufacturing/Processing – Heavy use in the Light Industrial Zone with a Conditional Use Permit.

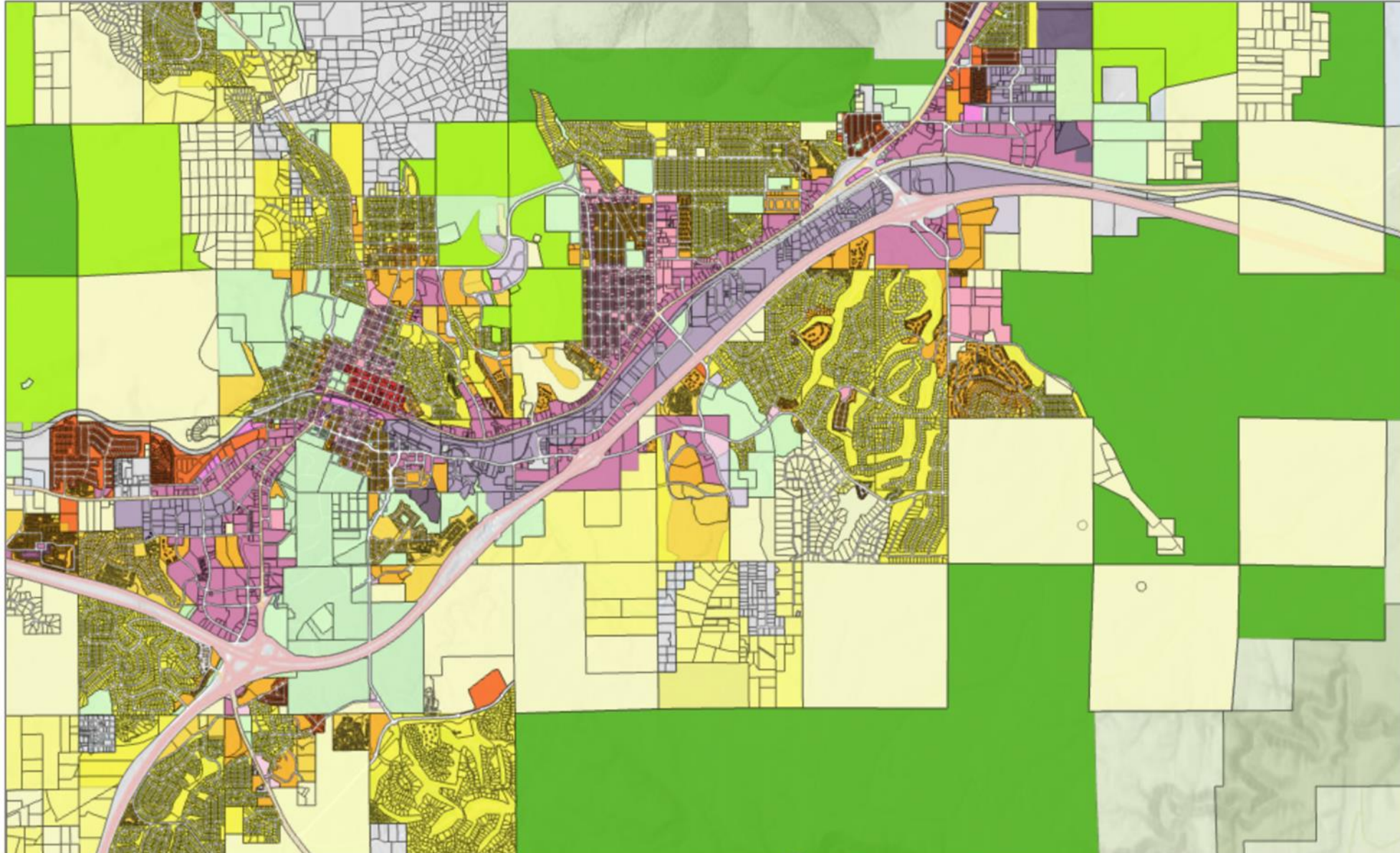
The purpose of this amendment is to allow greater flexibility in the use of our Industrial Zoned lands. As industrial land and development is a vital resource in the City, it is helpful to allow this use to locate in a wider option of zones.



Manufacturing/Processing – Heavy in the Light Industrial Zone



City of Flagstaff Zoning Map





Manufacturing/Processing – Heavy in the Light Industrial Zone



Overview of Proposed Amendment

The amendment would amend the Flagstaff Zoning Code for the purpose of modifying Title 10 Flagstaff Zoning Code, Division 10-40.30: Non-Transect Zones, Section 10-40.30.050 Industrial Zones, to modify Table 10-40.30.050.B with the following inclusion, shown in red.

Table 10-40.30.050.B. Industrial Zones – Allowed Uses						
Primary Land Use ¹	Specific Use Regulations	Industrial Zones				
		RD	LI	LI-O	HI	HI-O
Industrial, Manufacturing, Processing and Wholesaling						
Business Parks		P	P	P	--	--
Composting Facility		--	p ³	p ³	p ³	p ³
Construction Storage/Supply Yards		--	p ²	p ²	P	P
Equipment Rental Yard – Heavy		--	P	P	--	--
Flammable Liquid, Gas, and Bulk Fuel – Storage and Sales		--	P	P	P	P
Freight or Trucking Facility		p ³	P	P	P	P
Industrial, Heavy – General		--	UP	--	P	P
Industrial, Light – General		--	P	P	P	P
Junk Yard		--	--	--	P	P
Manufacturing/Processing – Heavy		--	UP	--	P	P
Manufacturing/Processing – Light		P	P	P	P	P
Manufacturing/Processing – Previously Prepared Materials		UP	P	P	P	P



Manufacturing/Processing – Heavy in the Light Industrial Zone



Staff Recommendation

Findings for Zoning Code Text Amendments:

- (1) The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan;**
- (2) The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City; and**
- (3) The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**



Manufacturing/Processing – Heavy in the Light Industrial Zone



Staff Recommendation

Finding #1 The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan.

- The amendment's primary purpose is to allow for a greater flexibility of our industrial zoned lands. This is consistent with Goal LU.16. and Policies ED.3.8. and ED.4.2. The Land Use goal references the establishment of heavy industrial areas that are well maintained, attractive, and compatible with adjoining nonindustrial uses. The allowance of Manufacturing/Processing – Heavy with a Conditional Use Permit would ensure that development would meet the above goal. The Economic Development policies reference protecting existing businesses and industrial land uses and allowing for their expansion as well as promoting variety and flexibility in land use and development options.



Manufacturing/Processing – Heavy in the Light Industrial Zone



Staff Recommendation

Finding #2 The proposed amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City.

- The amendment provisions are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the City. The proposed amendment would require a Conditional Use Permit in order to mitigate any public interest, health, safety, convenience or welfare issues that could arise.



Manufacturing/Processing – Heavy in the Light Industrial Zone



Staff Recommendation

Finding #3 The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

- The amendment is internally consistent, utilizes the existing format, and does not conflict with other Zoning Code provisions. It maintains the Zoning Code's purpose as a comprehensive contemporary set of land uses and requirements that are straightforward, usable, and easily understood.



Manufacturing/Processing – Heavy in the Light Industrial Zone



Planning and Zoning Commission Recommendation

Staff recommends the City Council approve the Zoning Code Text Amendment, in accordance with the findings presented in this report and the Planning and Zoning Commission recommendation (7-0).



Manufacturing/Processing – Heavy in the Light Industrial Zone



Overview of Proposed Amendment

The amendment would amend the Flagstaff Zoning Code for the purpose of modifying Title 10 Flagstaff Zoning Code, Division 10-40.30: Non-Transect Zones, Section 10-40.30.050 Industrial Zones, to modify Table 10-40.30.050.B with the following inclusion, shown in red.

Table 10-40.30.050.B. Industrial Zones – Allowed Uses						
Primary Land Use ¹	Specific Use Regulations	Industrial Zones				
		RD	LI	LI-O	HI	HI-O
Industrial, Manufacturing, Processing and Wholesaling						
Business Parks		P	P	P	--	--
Composting Facility		--	p ³	p ³	p ³	p ³
Construction Storage/Supply Yards		--	p ²	p ²	P	P
Equipment Rental Yard – Heavy		--	P	P	--	--
Flammable Liquid, Gas, and Bulk Fuel – Storage and Sales		--	P	P	P	P
Freight or Trucking Facility		p ³	P	P	P	P
Industrial, Heavy – General		--	UP	--	P	P
Industrial, Light – General		--	P	P	P	P
Junk Yard		--	--	--	P	P
Manufacturing/Processing – Heavy		--	UP	--	P	P
Manufacturing/Processing – Light		P	P	P	P	P
Manufacturing/Processing – Previously Prepared Materials		UP	P	P	P	P

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Martin Ince, Multi-Modal Planner
Date: 01/31/2023
Meeting Date: 02/07/2023



TITLE:

Consideration and Adoption of Resolution No. 2023-03: A resolution of the Flagstaff City Council naming the tunnel under I-17 along the Sheep Crossing FUTS Trail in honor of Cosmic Ray (Raymond J. Brutti)

STAFF RECOMMENDED ACTION:

- 1) Read Resolution No. 2023-03 by title only
- 2) City Clerk reads Resolution No. 2023-03 by title only (if approved above)
- 3) Adopt Resolution No. 2023-03

Executive Summary:

This resolution will name the tunnel under I-17 along the Sheep Crossing FUTS Trail in honor of Cosmic Ray Brutti in response to a citizen-initiated request and petition. Consideration of this naming request has followed the process and policy established in Resolution 2001-73, which includes a public outreach component and review by relevant City commissions and committees.

Financial Impact:

No financial impact.

Policy Impact:

The process for naming a City facility follows the policy and process set forth in Resolution 2001-73. There are no other policy impacts.

Connection to PBB Priorities/Objectives, Carbon Neutrality Plan & Regional Plan:

Priority Based Budget Key Community Priorities and Objectives

Livable Community

Provide amenities and activities that support a healthy lifestyle

Inclusive & Engaged Community

Foster community pride and civic engagement

Carbon Neutrality Plan

Decreased Dependence on Cars

DD-2 Create inclusive networks for walking and biking that are continuous, attractive, safe, comprehensive, and convenient for people of all ages.

DD-3 Encourage Flagstaff residents and visitors to walk, bike, roll and take the bus.

Regional Plan

Goal T.5. Increase the availability and use of pedestrian infrastructure, including FUTS, as a critical element of a safe and livable community.

Policy T.6.2. Establish and maintain a comprehensive, consistent, and highly connected system of bikeways and FUTS trails.

Has There Been Previous Council Decision on This:

No previous decision

Options and Alternatives:

Approve Resolution No. 2023-03

Do not approve Resolution No. 2023-03

Background/History:

This is a citizen-initiated request to name the tunnel at I-17 along the Sheep Crossing FUTS Trail in honor of Cosmic Ray (Raymond J. Brutti).

Resolution No. 2001-73 establishes a policy and process for naming or changing the name of a City facility. Following submission of a formal request, the naming is reviewed by the appropriate City commissions. For FUTS trails and related facilities, this includes the Pedestrian Advisory Committee, the Bicycle Advisory Committee, the Transportation Commission, and the Parks and Recreation Commission. A recommendation is forwarded to the City Council, which makes the final decision and adopts the name by resolution.

When facilities are named for a person, the City's policy indicates that the individual must have contributed in a definitive way to the betterment of the Flagstaff community and its citizens, be accepted by the general public or professional field as a local, state, or national hero/contributor, or have historical significance. Information regarding how this request satisfies this requirement is provided below under Key Considerations. Additionally, the person must have been deceased for two years, or at least one year in for someone who has contributed outstanding civic service to the City. Cosmic Ray passed a little more than two years ago.

The policy also states that public outreach is done in conjunction with the community or neighborhood that will be served by the facility, and that City staff may initiate efforts to solicit input from the community. Outreach conducted for this request is described in the Community Involvement section below.

Previous examples of FUTS trails that have been named or renamed include the Karen Cooper Trail, Nate Avery Trail, and Matt Kelly Bridge.

Key Considerations:

Cosmic Ray Brutti

Raymond J. Brutti was born in 1946 and moved to Flagstaff in 1979 at the age of 33. He worked as a mechanic at the original Cosmic Cycles on South San Francisco Street, and during this time adopted the "Cosmic Ray" moniker. In 1988, he published "Fat Tire Tales and Trails," one of the first guides for mountain biking in Arizona. He followed with two hiking guides, one for Flagstaff and Sedona and another for the Phoenix area. He died on October 2, 2020, at the age of 74.

Citizen request/petition

Public survey results

Map of Sheep Crossing FUTS Trail

RESOLUTION NO. 2023-03

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL NAMING THE TUNNEL UNDER 1-17 ALONG THE SHEEP CROSSING FUTS TRAIL IN HONOR OF COSMIC RAY (RAYMOND J. BRUTTI)

RECITALS:

WHEREAS, Resolution No. 2001-73 of the Flagstaff City Council establishes a policy for naming City facilities; and

WHEREAS, the City's naming policy specifies that the individual for whom a facility is named has contributed in a definitive way to the betterment of the Flagstaff community and its citizens; and

WHEREAS, Cosmic Ray's guide books, which were first published in 1988, serve as essential guides for hiking and biking in the region and have helped put Flagstaff on the map as a destination for mountain biking, hiking, and outdoor activity; and

WHEREAS, the community wishes to honor Cosmic Ray Brutti and acknowledge his contributions to the community; and

WHEREAS, there is strong community support for naming the tunnel for Cosmic Ray.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1: That the tunnel under I-17 along the Sheep Crossing FUTS Trail be named the "Cosmic Ray Tunnel" in honor of Cosmic Ray Brutti and to acknowledge his contributions to the community.

SECTION 2. Effective Date.

This resolution shall be immediately effective upon adoption.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 7th day of February, 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Resolution 2023-03

Naming the Sheep Crossing FUTS
Tunnel in honor of Cosmic Ray
(Raymond J. Brutti)



Naming the Sheep Crossing FUTS tunnel for Cosmic Ray

- This is a citizen-initiated request to name the tunnel at I-17 along the Sheep Crossing FUTS Trail in honor of Cosmic Ray (Raymond J. Brutti).
- The City's policy and process for naming/renaming a facility is established in Resolution 2001-73
- Previous examples of FUTS trails that have been named or renamed include the Karen Cooper Trail, Nate Avery Trail, and Matt Kelly Bridge.





Naming process

- A formal written request for naming or renaming is submitted to the city manager, including the proposed name, the level of community support, and any additional materials for justification or clarification.
- The request is reviewed by the appropriate City commissions
- A recommendation is forward to the City Council, which makes the final decision and adopts the name by resolution.
- Public outreach is done in conjunction with the community or neighborhood that will be served by the facility.



Naming criteria | individuals

- Contributed in a definitive way to the betterment of the Flagstaff community and its citizens
- Accepted by the general public or professional field as a local, state, or national hero/contributor
- Have historical significance
- Deceased for a minimum of two years (or one year in the case of someone who has contributed outstanding civic service to the City)



Commission review

- Bicycle Advisory Committee: Nov 3, 2022
- Pedestrian Advisory Committee: Dec 8, 2022
- Transportation Commission: Dec 7, 2022
- Parks and Recreation Commission: Dec 19, 2022

- All recommended approval



Community outreach

- Organizers collected 150 signatures on petition
- Public survey on Flagstaff Community Forum:
 - 362 responses
 - 92.5 percent in favor
 - Concerns include...
 - Name a different facility, like a trail
 - Maintain the sheep history



Cosmic Ray Brutti



- Raymond J. Brutti was born in 1946
- Moved to Flagstaff in 1979 at the age of 33
- Worked as a mechanic at the original Cosmic Cycles
- Adopted the “Cosmic Ray” moniker
- Published “Fat Tire Tales and Trails” in 1988
- Died on October 2, 2020, at the age of 74



Justification for naming

- Ray's book "Fat Tire Tales and Trails" was published in 1988, at a time when mountain biking was an entirely new activity. The book, and the subsequent hiking guide, helped put Flagstaff on the map as a destination for mountain biking, hiking, and outdoor activity. The books are known for their unique and humorous writing style and iconic maps and illustrations.
- The guidebooks remain popular and are considered an essential source of information for hiking and biking in Flagstaff for both residents and visitors. The popularity of the books made Ray a recognizable and visible local figure.
- Ray also promoting bicycling in Flagstaff in other ways: he conducted periodic free bicycle repair and maintenance clinics, taught weeks-long repair and maintenance classes, and helped individuals find and outfit old bikes for transportation. He also often stopped to pick up trash along streets and FUTS trails.

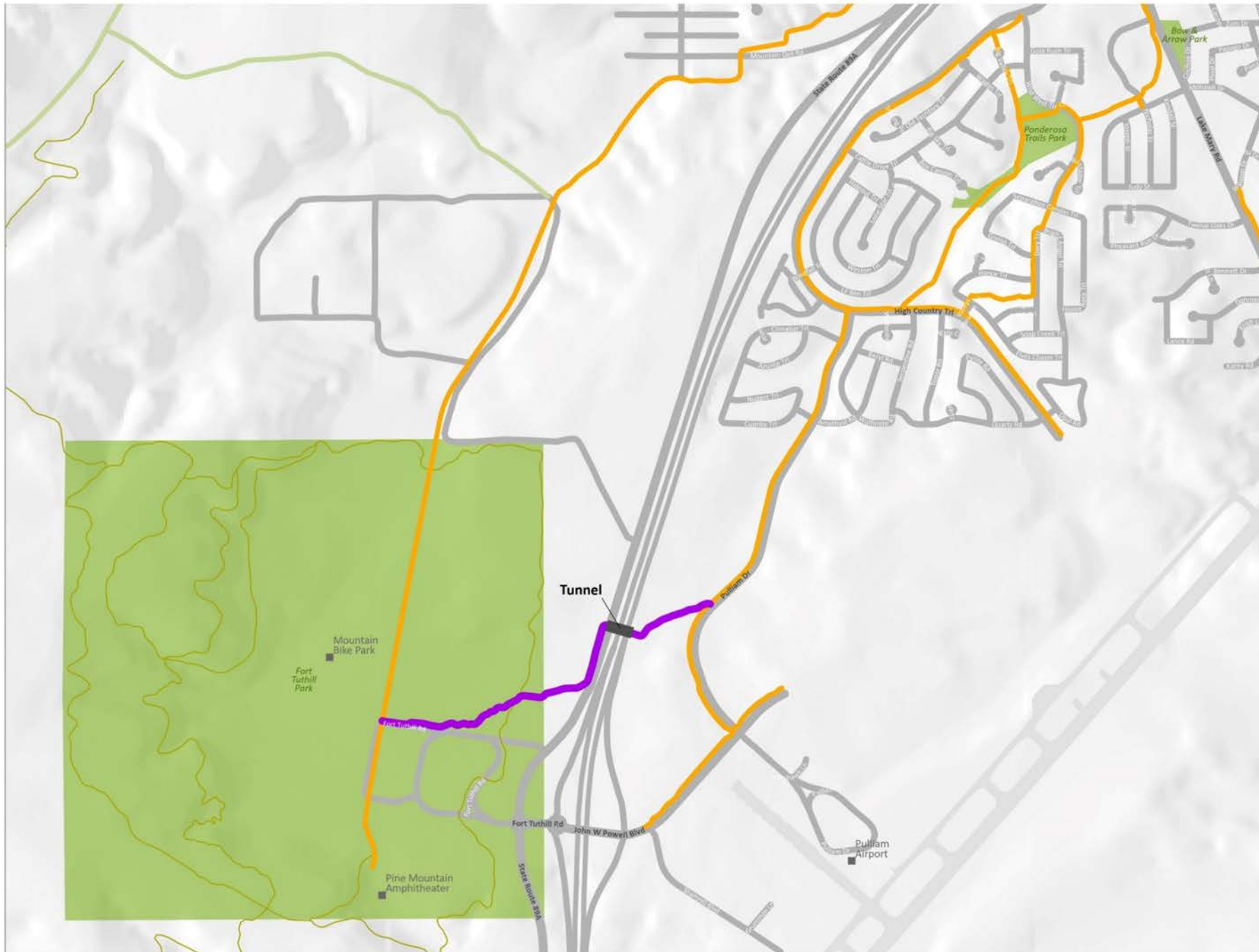
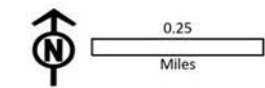


Sheep Crossing FUTS Trail

- Aggregate surfaced FUTS trail, approximately 0.8 miles in length, completed in late 2020
- Connects Ponderosa Trails neighborhood with Fort Tuthill
- Improved tunnel under I-17 that is dedicated for pedestrian and bicycle use
- Two concrete boxes; 10x10 in size and >300 feet in length
- Built in 1960 to move sheep across the interstate

Vicinity Map
**Sheep Crossing FUTS
and tunnel**

-  Sheep Crossing FUTS
-  Sheep Crossing tunnel
-  FUTS | existing
-  Singletrack trails







TEAM FLAGSTAFF

WE MAKE THE CITY BETTER



Memorial



- Separate process from naming
- Described in Resolution No. 2014-18
- May include plaque, mural, artwork, bench

**A Naming Proposal to the City Council of Flagstaff & City
Manager in Memory of Raymond J. Brutti (aka Cosmic Ray)**

Greg Clifton,
Flagstaff City Manager

I am an Arizona native and a resident of over 50 years. I was a longtime friend of Ray Brutti (aka Cosmic Ray) and his family, and I was distressed at his untimely passing in October 2020.

His presence is certainly missed in Flagstaff and surrounding areas.

I have been friends with Ray and his family for probably the duration of his writing the last 10 editions (of 15) of his infamous book Fat Tire Tails and Trails.

There has been much communication about the need for some sort of a Flagstaff commemoration of his contributions to Flagstaff's active population, among myself, Ray's wife, Marcia and Teo Melis, Ray's closest friend and bicycle buddy.

Ray lived in Flagstaff since 1979. Some of his affiliations and contributions (I am sure I have missed many) are listed below:

- Leader of several American Youth Hostel Bicycle Trips in the U.S., Canada and Europe
- Long-time staff member of Flagstaff's original Cosmic Cycles
- Many free bicycle repair and maintenance clinics... taught multi-week bike repair and maintenance classes
- Sales of his books promoting bicycle AND foot trails in the Flagstaff and Sedona areas for locals as well as tourists!
- Activities for familiarization of the Flagstaff and broader AZ outdoor activity crowd - Bike and Foot trails / Grand Canyon Hikes

- Transporting customers of Oars and Dorries to Lees Ferry for Grand Canyon rafting trips, and return
- Seen and recognized nearly every day riding his bike around Flagstaff.

We had discussed different options and decided that naming the tunnel leading from the Pulliam Airport to Fort Tuthill County Park under I-17 / 89A (FUTS and underpass) would be appropriate to bear his pen name, and a bench or a plaque on a bench in commemoration with his full birth name, at the same spot, in honor of his many contributions to the Flagstaff culture.

Perhaps naming the underpass "The Cosmic Ray Underpass" or "Cosmic Ray Brutti - Tunnel-o-Time", or something of the sort could serve to bypass the 2-year rule for displaying a commemoration in his honor, since it is not using his NAME, but more a remembrance of his alter-ego - something that embodies the spirit of the local outdoor enthusiasts - the heart of the Flagstaff culture ... Just something to remind us all of a personality who was committed to the bettering of others, helping them recognize that they matter by being a reminder of what important in this life.

Ray was a model of service to others and of maintaining the natural environs the Flagstaff landscape. He often stopped to pick up others' 'messes' along his byways. One of his last acts was to clean up the trash left under a local bridge by less thoughtful or capable individuals.

I personally am inspired by this act, to do my part to help maintain the beauty of the surroundings.

Let's continue to make the Flagstaff area an even greater place to live work and play by extending a small remembrance of appreciation to someone who did just that.


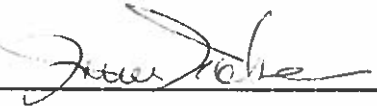
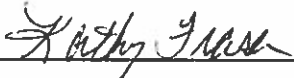
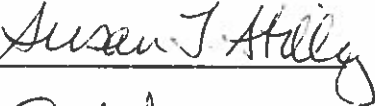

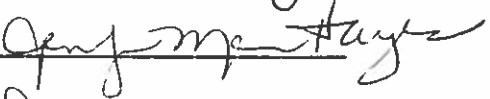
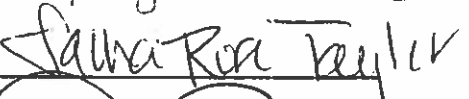

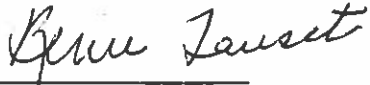

Most Sincerely,

Kay Pifer



"Cosmic Ray Brutti – Tunnel-O-Time"

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Name	Address	Signature
1 KAY PIFER	4283 S. Senator Highway	
2 Jane Jackson	PO Box 3392 Flagstaff	
3 Kathy Fraser	940 N. Thorpe #3	
4 Sue Stille	5420 N. Rabbit Rd	
5 Rachel Stilling	5420 N. Rabbit Rd	
6 Jennifer Meiser - Hayes	908 W Anderson Rd	
7 Laura Taylor	2020 Echirholm Trl	
8 DAVID R. MCCAIN	515 W CHERRY AVE APT B	
9 Renee Fauset	2148 N Talkington Dr	
10 Chris Fauset	2148 N Talkington Dr	

	<u>Name</u>	<u>Address</u>	<u>Signature</u>
11	Kathleen Seck	2713 Red Field Trl	KATHLEEN SWEET
12	Scott Sweet	2793 Redfield Trl	Scott Sweet
13	CLARE GREENFIELD	13 W. QUARTZ RD	Clare
14	Daniel Greenfield	13 W Quartz Rd	Daniel
15	Kelly Harris-Laurin	1101 W Overland Pass	Kelly
16	Cheryl Mango Paget	Flagstaff 40 W. Travertine Trl	Cheryl
17	Kan Linn	6N Flag	kan
18	Barb Wy	618 N. Marian Dr	Barb Wang
19	Rose Hank	824 W Cherry	Rose Hank
20	Barbara Potvin	2038 N. Navajo	Barb Potvin
21	Kathleen Seck	1714 N Navajo	KS
22	Lillian 'Lulu' Santamar	2200 N Marian 86001	Lillian Santamar
23	Bobby Eccleston	4158 N Certhis St 86004	Bobby
24	Cheryl Eccleston	4158 N Certhis St 86004	Cheryl
25	Ember Crowder	805 W Grand Canyon Ave 86004	Ember
26	Casey Malone	17 E Phoenix Ave 86001	Casey
27	CHARLES GILLOCK	829 W MEADE LN 86001	Charles

May 2001

Name Address Signature

28 Susan Gillick 829 W Meade W 86001 Susan Gillick

29 Ernest Roselle 1651 N. Gemini Dr. Ernest Roselle

30 Aisha Magoon 11051 N Gemini Dr. Aisha Magoon

31 Ann Cummins 3045 Verde Ann Cummins

32 Samantha Meier 2821 N. Rose St Samantha Meier

33 Phil TENA 1109 W. Shollenburger Dr. 11270 E North Crestview Phil Tena

34 June/Kim Bidsing Flag, AZ 86004 June/Kim Bidsing

35 BYRON SMITH 813 W COCONINO Byron Smith

36 Kathryn Kozak 2220 N Talkington Kathryn Kozak

37 Rich Kozak 2220 N. Talkington Rich Kozak

38 Alexandra Paven 1127 W Beard Rd Alexandra Paven

39 Madison Lambert 1127 W Beard Rd Madison Lambert

40 FRANK X GALLAGHER 2912 N. CREEKSIDE DR FRANK X GALLAGHER

41 CYNTHIA MCKINNON 421 N JAMES ST, FLAGSTAFF AZ 86001 CYNTHIA MCKINNON

42 JENNIFER MEAD 1500 N. AZTEC ST. FLAGSTAFF AZ 86001 JENNIFER MEAD

43 JIM KEEL 13629 N Emberwood Dr SC AZ JIM KEEL

44 Zackory Boft 3613 Torowanda Flagstaff AZ 86005 Zackory Boft

PRINT
Name

Address

Signature

28 Shaun Browning 5 West Cottage Ave Flagstaff AZ Shaun Browning

29 Sheril Hjelseth 5 W. Cottage Ave, Flagstaff, AZ 86001 Sheril Hjelseth

30 Diane Middants 4311 E Sunrise Dr Phx, AZ 85044 Diane Middants

31 David Middants 4311 E Sunrise Dr Phx, AZ 85044 David Middants

32 Helen Ferrell 12391 Pegasus Rd, Bellmont, AZ 86015

33 Char Sripes 481 Kiowa Flagstaff, AZ 86005

34 Michael O'Malley 12391 Pegasus Rd Bellmont, AZ 86015

35 Bob Spill 1020 N Sunset Dr Flagstaff AZ 86001

36 Dwud S M: Kell 111 E. Oak Ave #4 Flagstaff AZ 86001

37 Ku Blun 2436 W. Rock Island Ave. Flagstaff AZ 86001

38 2 Jy 1235 W. Cochran Ave Flagstaff AZ 86005

39 Bob Cox 1190 W. Cox Ave Flagstaff, AZ 86005

40 John Hall 430 W Juniper Ave Flagstaff AZ 86001

41 Stan 831 S. 2nd Ave Tucson, AZ 85701





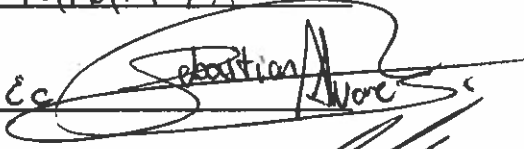
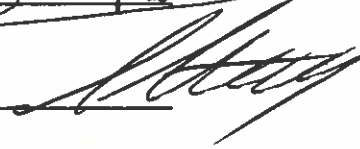


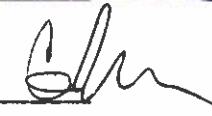
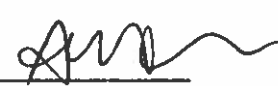







42 JULIA HULL 17095 S Iron Springs Rd Munds Park AZ 86017

43 Noale Creek 747 Cherokee Flagstaff, AZ 86005

44 Rajean D. Sand Ebel 1618 E. Anazazi Dr Flagstaff AZ 86001

Rajean D. Sand Ebel

Print Name Address Signature

- 45 Erik Morales 9060 Palisade ave, North Bergen, NJ, 07047 
- 46 Tyler Lowey 5139 Russo St, Culver City CA 90230 
- 47 Kevin ^{Kevin Pan} Paramal 675 Sun King Loop Westcliffe, Co 81252 
- 48 ~~Steve~~ 900 Elm ST, Graham TX 76450 
- 49 Sebastian Alvarez Pasco del Sol 56-656, Ponce, Puerto Rico 
- 50 Steve Chatinsky 913 W Montvale AV Flagstaff AZ 86001 
- 51 Susan Rose 2000 N Crescent Dr Flagstaff AZ 86001 
- 52 Adam Shimoni 113 N. Aztec St. Flagstaff AZ 86001 
- 53 Cayson Morrison 59 S. Paseo Del Flag Flagstaff AZ 86001 
- 54 Amy Leebig 2400 E Eva Loop Flagstaff, AZ 86004 
- 55 Vasileios Kokkinos 305 E MCCONNELL DR, FLG, 86001 
- 56 Robbie Johnson 820 W. Aspen Flagstaff 86001 
- 57 JERRY L. JOHNSON 820 W. ASPEN FLAGSTAFF 86001 
- 58 FRASER TYE 1350 MYRTLE AV, BROOKLYN NY 11221 
- 59 Lenny de Jongh 4 ORANJEBOOMSTRAAT 275, 4812 EE, BREDA, NL 
- 60 Toby Hocking 811 W. Cherry #1, 86001 
- 61 Josh Korman 3560 W 22nd AVE
Vancouver, BC
V6S 1S3
Canada 

Name Address Signature

- 45 Renee Renz 326 W. Berg Rd Renee Renz
- 46 Bob Turcs 3725 N. Grandview Bob Turcs
- 47 ALLAN GERSON 2393 W MISSION TRAIL CIR Allan Gerson
- 48 Roger Clark 23 Pine Del Del Dr - Flagstaff AZ
- 49 Ryan Dixon 3300 S Gila Dr. #106 Ryan Dixon
- 50 DANTE FARIA 2752 W Pico Del Monte Cir Dante Faria
- 51 Lee Reddish 2466 S Stormy Ln Lee Reddish
- 52 Charmaine Calvinu 3001 S. Walkup Dr. Charmaine Calvinu
- 53 Shelia J. Bishop 3390 S. Hillary Way Shelia J. Bishop
- 54 ~~Bill Bishop~~ 3390 S HILARY WAY Bill Bishop
- 55 Stephen Riek 8 W Aspen Ave apt. 9 Stephen Riek
- 56 David Herbald 3165 W. Brenda Loop David Herbald
- 57 Steve Bucher 520 W. Navajo Steve Bucher
- 58 Kev. Bozeman 310 W Navajo Kev. Bozeman
- 59 Gena Bozeman 310 W Navajo Rd Gena Bozeman
- 60 Olivia Macowski 3509 N Stevens Blvd Olivia Macowski
- 61 Elizabeth Glass 3236 S Mehrhoff Pl Elizabeth Glass

86005

PRINT NAME	Address	Signature
62	Lia Melis 747 Cherokee Flagstaff AZ 86005	Lia Melis
63	3960 N Zurich St Marcia Wiesner Flagstaff AZ 86004	Marcia Wiesner
64	Christina Coer 9 Coeur Rd Flagstaff AZ 86004	Christina Coer
65	Tom Weiner T 801 SAN FRANCISCO ST Flagstaff AZ 86001	Tom Weiner
66	Alison Adams 801 N. San Francisco, Flagstaff, 86001	Alison Adams
67	EMILY SIMPSON 333 W Oak Ave Unit 1 Flagstaff AZ 86001	Emily Simpson
68	Michael Moss 515 E. Bennett Dr. Flagstaff, AZ 86005	Michael Moss
69	Tristen Joy Nelson 12915 Paintance St Flagstaff, AZ 86004	T. Joy Nelson
70	Brian Doyle P.O. Box 866 Flagstaff AZ 86002	Brian Doyle
71	Savannah McShee 6693 N Snowflake Drive 86004	Savannah McShee
72	Stephanie Curran 3230 S. Justin Street	Stephanie Curran
73	CLAY NELSON 32030 S. JUSTIN ST Flagstaff AZ 86005	Clay Nelson
74		

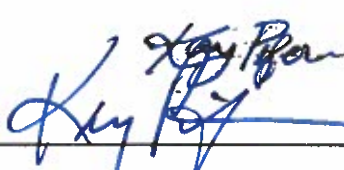



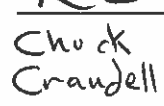

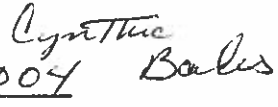



(JUL 12, 1946 - OCT 2, 2020)

R.I.P. Cosmic Ray...

"Cosmic Ray Brutti – Tunnel-O-Time"

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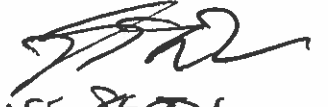
Name Address Signature

- 1 KAY PIFER 4283 S. Senator Highway 
- 2 ERIC BERG 818 PARKWAY, SANTA CRUZ CA 95065 
- 3 DENISE HUDSON 118 W DAKA AVE, FLAGSTAFF AZ 86001 
- 4 Teo Melis 112 N. Aztec St. Flagstaff, AZ 
- 5 Chuck 3909 N. Paradise Rd. FLG 86009 
Crandell
- 6 Alex Melis 112 N. Aztec st. Flagstaff AZ 86001 
- 7 Cynthia Bales 3940 N Zurich Flagstaff AZ 86004 
- 8 Susan Bassett 5961 E. Gander Rd, Flagstaff, AZ 86004 
- 9 John Kalinich 3133 N Meadow Brook Flg. 
- 10 Lizette Melis 19 W. Dale Ave # 302 Flagstaff 86001 

PRINT
NAME

Address

Signature



- 11 Brown Hayes, 217 W. Pine Ave, Flagstaff 86001
- 12 Steve Kenney 620 N Leroux Flagstaff AZ 86002 Shady
Shady
- 13 Irene Barrow 101 N. Hilltop Dr. Flagstaff 86001
- 14 David Barrow
David W. Barrow 101 N. Hilltop Dr., Flagstaff AZ 86001
- 15 Steven "Benny" Benedict 1501 Shady LN Sedona, AZ 86326
- 16 Elizabeth Collier 4215 N. St. Moritz Way Flagstaff AZ 86004
- 17 Ken Couper 4215 N. St. Moritz Way, Flagstaff AZ 86004
- 18 Ethan Miles 222 E. Brannen Ave Flagstaff AZ 86001
- 19 Pamela Chionis 70 Yucca St Sedona, AZ 86351
- 20 Elson Miles 421 N. James St., Flagstaff, AZ 86001
- 21 Michael Brabec 2848 E. Hemberg Dr. Flag, AZ 86004
- 22 Mark Creek 3388 E. Lockett Flag 86004
- 23 Sharon Creek 3388 E. Lockett Flag 86004
- 24 Jaumi Peterson 815 N Pinecliff Flag 86001
- 25 Tharon Goldie 3318 N. Childress St. Flag 86004
- 26 Andrea Mejia 3318 N. Childress St. Flagstaff, AZ 86004
- 27 Arsula Warentin 505 W. Philomina Dr. Flag, AZ 86001

"Cosmic Ray Brutti – Tunnel-O-Time"

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Name	Address	Signature
<hr/>		

KAY PIFER	4283 S. Senator Highway	
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_BRIAN RICHTER	5834 St. George Ave. Crozet VA 22932	
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Print Name Address Signature

62 MATTHEW MAHAN 1210 JOHNSTOWN DR SAN ANTONIO, TX 78263 *MOO*

63 Lenna Mahan P.O. Box 141 Canton, OH 43724

64 Matthew Mahan 12105 TRO

65 ~~Matthew Mahan~~ 1210 Johnstown Dr St TX

66 Jahn Mahan 1210 Johnstown dr San Antonio TX 78263 *B. Mahan*

67 Salachi Mahan 1210 Johnstown Dr San Antonio TX 78263

68 Mackenzie Messing 2417 W Adirondack Ave. Flagstaff, AZ 86001 *Mackenzie Messing*

69 Vicente Diaz 1678 E. Mountain View Ave Flagstaff, AZ *V. Diaz*

70 Kaitlin Harris 1200 N Hillside St. Flagstaff AZ *Kaitlin Harris*

71 _____

72 _____

73 _____

74 _____

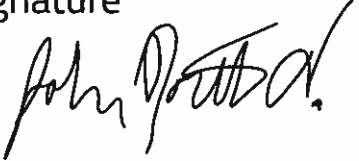
(JUL 12, 1946 – OCT 2, 2020)

R.I.P. Cosmic Ray...

Following, are international friends who also sent in their support for the naming proposal...

"Cosmic Ray Brutti – Tunnel-O-Time"

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Name	Address	Signature
john north	via paracelso 10, 20129 milano italia	

(JUL 12, 1946 – OCT 2, 2020)

R.I.P. Cosmic Ray...

"Cosmic Ray Brutti - Tunnel-O-Time"

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KAROL KRAK, 112 NORTH AZTEC STREET, FLAGSTAFF AZ 86001

(CURRENTLY LIVING IN PRAGUE, CZECH REPUBLIC) *[Signature]*

MARTINA JANOVSKOVA, 112 North Aztec St, Flagstaff AZ 86001

(currently in Prague, Czech Rep)

[Signature]











Cosmic Ray tunnel naming

November 28, 2022, 2:11 PM

Contents

- | | | |
|-----|----------------------|---|
| i. | Introduction | 2 |
| ii. | Summary of responses | 3 |

Cosmic Ray tunnel naming

Do you support naming the Sheep Crossing FUTS tunnel at I-17 for Cosmic Ray?

Introduction

The City has received a request to name the Sheep Crossing FUTS Trail tunnel at I-17 in honor of Cosmic Ray (Raymond J. Brutti). This survey is intended to give the public an opportunity to provide feedback on this request.

Cosmic Ray tunnel naming

Do you support naming the Sheep Crossing FUTS tunnel at I-17 for Cosmic Ray?

Summary Of Responses




As of November 28, 2022, 2:11 PM, this forum had: **Topic Start**

Topic End

Attendees:	452	November 3, 2022, 10:07 AM	November 27, 2022, 11:59 PM
Responses:	362		
Hours of Public Comment:	18.1		

QUESTION 1

Do you support naming the Sheep Crossing FUTS tunnel at I-17 for Cosmic Ray?

		%	Count
Yes, name the Sheep Crossing tunnel for Cosmic Ray		92.5%	335
No, a different FUTS facility should be named for Cosmic Ray		3.3%	12
No, do not name the Sheep Crossing tunnel for Cosmic Ray		4.1%	15

QUESTION 2

Do you have any thoughts or comments to share?

Answered	119
Skipped	243

Do you have any thoughts or comments to share?

Do not name/name another facility

Find another location and name it after Cosmic Ray - the Sheeps Crossing has history and we should honor our ancestors when we have the chance.

Sheep Crossing has historical significance and should be retained.

A trail should be named after cosmic ray and not a tunnel...

I prefer to retain the name "Sheep Crossing" to remember the contribution of sheep herding to the area and to the Basque shepherds that did the work.

I think he deserves a trail, not a tunnel. Something rugged or interesting or unique.

The historic background of the sheep drives in the area should be maintained. We could name a trail for C. Ray

While Cosmic Ray may have been a great person, we need to stop naming things for fallible humans. Leave it Sheep Crossing.

Let's let some of flagstaff history remain

His legacy lives on in this mountain town. He should have a part of the FUTS TRAIL. Not a tunnel.

In the interest of naming locations after people, who knows when we will find something in Cosmic Ray's history that will 'trigger' someone. We are currently renaming long held peaks, streets, etc. in the name of social justice. Let's stay away from naming places and locations after people. Someone, somewhere, might get triggered.

Some part of the FUTS should honor Cosmic Ray!!! Not sure what sections are available...or if one is more appropriate than Sheeps tunnel

I wholeheartedly agree that Flagstaff should memorialize Cosmic Ray, but his books were all about trails, so I think naming a new trail after him would be more suitable.

Stop naming things after people.

Building, roads, places should not be named after humans. In a few years, you'll want to rename it WC Riles Place. Don't do it.

Cosmic Ray
would prefer just calling it The cosmic crossing

Ray lived in East FLG and it doesn't sound like he had any part in improving this tunnel. A trail or feature Ray loved, lived near or helped create should be named after him. Also, he was NOT a sheep so inappropriate. Thanks.

Cosmic Ray is an icon. I had & followed his book in the mid 90's. He deserves to have a facility named in his honor. I support any choice that is made.

Given Ray's contributions to Flagstaff & AZs cycling, I would propose to name a trail with greater visibility, like the Rt66 FUTS--"Cosmic Ray Way?" I often saw him on there & that is where he got the infection that killed him as he picked up trash as he often did. While Sheep Tunnel is a fine addition to

Flags' trail system, it is short, out of the way of many users, and feels like an afterthought of Ray's memory. I appreciate the work of those who have promoted this, but Ray loved Rt66 FUTS. More people will travel the 66 FUTS than Sheep Tunnel & thus learn of & admire Ray's contributions.

Sheeps Crossing is a historic name. A trail or other bike facility should be named for Ray, he definitely deserves it.

Name the Sheep Crossing tunnel for Cosmic Ray

My Suggestion for Proposed Name: "Cosmic Ray Tunnel"

Post-Naming Mural(s): I also hope to continue working with Kay Pifer, and the CoF's Beautification Commission on fundraising for a mural project at both ends and throughout the recently improved tunnel.

Mural Theme: images of use of tunnel by PEDs and Cyclists will add to the naming, and also hope that the tunnel's history allowing the shepherds to move their sheep under the 6 lanes of traffic can also be integrated into the murals.

Need an imaginative tunnel name reflecting Ray's sense of humor. Like "Cosmic Tunnel" or "Cosmic's Tunnel" etc etc with a dedication plaque mounted at both entrances. A hike n bike and dog walk themed outdoorsy mural would be great.

Cosmic Ray is such a pioneer in mountain biking that a single track and/or FUTS trail should be newly constructed in his honor.

Great idea for an amazing dude

I still have his book on my shelf since the '90s.

Happy with naming anything after him!

Yes! This is a wonderful tribute to someone who contributed greatly to the whole Flagstaff community.

Cosmic ray was a wonderful person and did many great things for the flagstaff community. I say name the bridge after Cosmic Ray!

Ray is a legend! great idea.

Naming something FUTS for Ray is a great idea. I don't care if it is this tunnel or something else.

He was awesome

Ray was one of the main people in the adoption of mountain biking in Flagstaff and Arizona. Mountain Biking is one of the core activities in Flagstaff and we should honor his contributions with naming the Sheep Crossing tunnel.

Never met the man but it would honor someone who has contributed to making Flagstaff into the bicycling community that it is today.

Electric bikes and other motorized vehicles should NOT be allowed on the FUTS or any public lands trails. None.

It's in the name, electric MOTOR!

I support work and taxes to create and protect bicyclists on maintained streets. More of this, no motors on any trails.

Need I say, this excludes electric bikes, ATVs, and cars/trucks from our trails?

Cosmic Ray is a Flagstaff Legend! Most used book ever in our household.

A flagstaff staple and champion of helping people enjoy this beautiful region.

I met him once, seemed like a great guy, and I still use/love his guide books for hiking and biking.

Although I'd really support any area that allows hiking and biking. It should be somewhere that will get notice

This would be a way to remember his fun-first, tech-secondary riding philosophy too.

Cosmic Ray's books introduced me to many of the trails I still cherish today. Perhaps a mural could be made in the tunnel based on the artwork in his guides!

His Flagstaff trail guide is in my library.

Thank you for considering naming the bridge after Cosmic Ray. I knew him starting when I was a student at NAU in 1993. His books have been on my shelf for years and I will always treasure them.

He was well known for his trail descriptions. Very helpful to all trail users.

I love that this is being proposed!

Cosmic Ray was and remains a well-known and respected name in this community. If this is not named for him, something definitely should be.

Ray was an important figure in Flagstaff-area cycling, and should definitely be honored in this way.

I will use this tunnel often and appreciate cosmic Ray's impact. It would be great to have a regular reminder

Ray is a staple of flagstaff, it seems fitting to name it after him!

Cosmic Ray is a local legend! Mountain biking before mountain bikes. A friend to all! I think of him on every ride. "Snack on danger, dine on death." Shred in peace!

Cosmic Ray was an icon of Flagstaff cycling and put the capital "C" in our unique Biking Community. He will be dearly missed. Honoring his commitment to biking and cycling in Flagstaff and across Arizona is the right thing to do.

I wholeheartedly support this!!! I didn't know Ray, but I think he symbolized what Flag is all about!

Why not?

Cosmic Ray was a fixture in the Flagstaff cycling community for the last 40 years before his death. He contributed a lot to promoting hiking and biking across AZ with his various trail guides. Let's not forget Ray!

Some bicycling facility should be named after Cosmic Ray and soon if not this one!

Not picky about what trail to name but the honor seems appropriate

Cosmic Ray sold me my first mtn bike when I moved to Flag in 1994. He was super kind and patient with me, and Cosmic Cycles will always be synonymous with outdoor joy in Flagstaff for me. Please honor him this way 🚲

We definitely should honor Cosmic Ray in Flagstaff. If this is the facility that his close friends and family want to have named after him, then that is the one it should be!

Well deserved to a great guy sorry he passed

In this survey I voted yes to the tunnel, but a park bench near Macey's or the train station or other accessible spot in Downtown would make me happier. Ray represented kindness on Flagstaff.

I had the pleasure of bicycle touring in Europe in 1987. Ray was the trip leader for American Youth Hostels. There were 10 participants from all over the US.

He led I don't how many such tours, sharing his unique Flagstaff cycling vibe internationally.
I urge the City to honor Cosmic Ray in this way, though I agree with a FB comment that he should also have a trail named after him!

Great person!

Yes!!!!!! Great idea!!

Cosmic Ray was indeed a Flagstaff character. It was inspiring to see him cycling & planning European bike tours at Macy's.

He contributed significantly to the Flagstaff cycling community. He was well loved and will be missed.

Great idea !

I would even add in renaming something to honor Johnny Johnson. He may not be everyone's cup of tea but he is an iconic local character, WW2 veteran, and former owner of Monte Vista. Super active in Rotary and charitable to his core.

Cosmic Ray was a legend and this will help preserve his memory in our community.

I never met him, but I enjoy his books. I think he made an impact on this community.

I worked where his books were printed for 20 years....I remember saddle stitching his books when they had the blue felt paper cover. I eventually became the person responsible for doing the film stripping and platemaking for his books before printing...I did the round cornering on the books when they were done. He would just come in and we would chat while I worked, I always enjoyed his company. We would talk about adventures, about his daughter and my son and what they were doing, (same age, living in Flagstaff)...I would always see and chat with him at Macys....Love and miss you Ray!!!! ♥♥♥

I remember hearing about Cosmic Ray decades ago. Good man! Would love to see the tunnel named for him.

He is a treasure and the honor is appropriate

Name the trail segment as well

I bought his book in 1989 and it helped me discover the beauty of Arizona.

Ray made significant contributions to the sport of mountain biking in northern Arizona. This is a fitting tribute.

It's a great re-name, and we don't have any sheep herders in the area anymore anyway!

Ray Brutti has given so much to the community of FLG and to the state of AZ. Ray would hold bike repair clinics for FLG (and others) residents. Ray was always picking up litter, in fact picking up litter killed him - literally.

Ray promoted outdoor recreation through his guild books.

Ray promoted international good will by hosting bikers from around the world at his house.

Ray promoted fitness.

Cosmic ray, and his books, was and is a flagstaff icon. This is a great tribute

Have the book.

Would be great if bikers could follow his advice to be respectful and stay on trails.

This is a fantastic idea. Cosmic Ray deserves this honor!

Ray was a stalwart supporter of inclusive cycling especially in the mountain bike community. This is how we should remember and recognize those who had an impact within our community.

Do it!

Why about naming Beaver street section that runs from San Francisco street to Butler Cosmic Ray Roadway since he frequented Macys cafe and to bring more awareness to cycling on that busy portion of downtown.

A flagstaff legend

I knew Ray for the last 8 years before his passing. His passion for getting people on bikes and into the outdoors was legendary. He would come into my store to sell his books and we would have long conversations about hiking, biking and exploring Northern Arizona. He had a passion that was shared with everyone he talked to. This is a great respect to and individual who is worthy of naming this section of trail...

It must use "Cosmic Ray" as most people never knew his given name.

"Cosmic Ray Tunnel" would be a good name

I support naming the Tunnel for Cosmic Ray, however I also support the idea of naming an actual trail for him. I think I heard he may have frequented the Tunnel so if those who knew him best think that honors him best, I'm all for it! Would love to see a plaque there too that tells some of his story.

I have a Cosmic Ray hiking guide. He was a Flagstaff icon.

Cosmic Ray we love you!!!

Cosmic Ray was a light in the Flagstaff community for cyclists. I would love to see him honored on the FUTS.

Biking was Ray's life in Flagstaff, and he worked hard on his books. This is a fitting tribute.

Cosmic Ray was a huge part of Flagstaff and the biking community. This would be an appropriate tribute to his legacy.

It's nice to honor Cosmic Ray with a trail that's been repurposed to provide connectivity.

His book is a real contribution and has encouraged me and many others to get out and explore the trails around Flagstaff & Sedona.

Yes! Yes! Yes!

I bought a cosmic Ray book the week I moved to Flagstaff in 2000. He did a lot of good. I vote that the sign include "Cosmic Ray" as that's how we knew and still know him.

I never met Ray personally. But what I heard from my brother, a good friend of Ray, the tunnel is too small to represent and remember what Ray has done during his life.

In 1988 I met Ray at Cosmic Cycles while being a student at NAU. He ignited my passion for cycling by teaching me about MTB trails and bicycle mechanics. I have been a fanatic about cycling ever since. He was the Godfather of Mountain Biking in Flagstaff. He is dearly missed. His contribution to cycling in Flagstaff is immeasurable.

This is a great way to honor Ray!

We are all cosmic dust. And, he was the best dust ever!

What a beautiful way to honor his memory!

I still have one of his books

Great person in a great community
Let's do this

While I never had the pleasure of meeting the man, Cosmic Ray and his books helped me discover the joys of longer rides and adventure mountain biking. I feel like naming something somewhat remote, yet accessible and frequented is an appropriate honor to him. The sheep crossing tunnel fits that bill in my mind.

Cosmic Ray was a pal and a fine human being!

Peace Ray!

The Cosmic Ray mountain biking book was inspirational to miles and miles of mountain biking and exploring paths less traveled in the late 90's for me and my husband. So appreciative to that book for incredible weekends of exploring. Certainly worthy of this honor.

Please do this! Thank you!

Cosmic Ray helped Mtn. biking take hold in Flagstaff. He let many bikers discover and enjoy rides all over the area.

Great guy! Contributed a lot to our community.

Honoring Ray However it's done is awesome he was such a giver.

He was an icon. If this particular place doesn't get named for Cosmic Ray, a different section should.

I also would support naming an entire trail after him.

Cosmic Ray made our community a better and more livable place and deserves to be remembered in this fitting and appropriate way.

The course of my life was changed forever, when, shortly after moving to Flagstaff in the summer of 1991, on my first visit to Cosmic Cycles, I spent a few of my then very-limited funds on an early edition of a little day-glo green self-published guidebook entitled Fat Tire Tales and Trails, written a guy who called himself Cosmic Ray. For all that he did to change for the better the lives of thousands upon thousands of folks just like me, who bought his books and went on innumerable great bike rides because of them, I think Cosmic Ray is well-deserving of this posthumous recognition.

I'm in support of this tribute to Cosmic Ray provided the rest of that trail keeps the name 'Sheep Crossing' to honor the original purpose of the tunnel structure. Next up: let's consider honoring Jack Welch's legacy of promoting a walkable community by naming a FUTS feature for him; perhaps a trailhead?

Cosmic Ray put together my son's first two-wheeler purchased at Cosmic Cycles almost forty years ago! He had been an important cycling figure in Flagstaff right up until his passing.

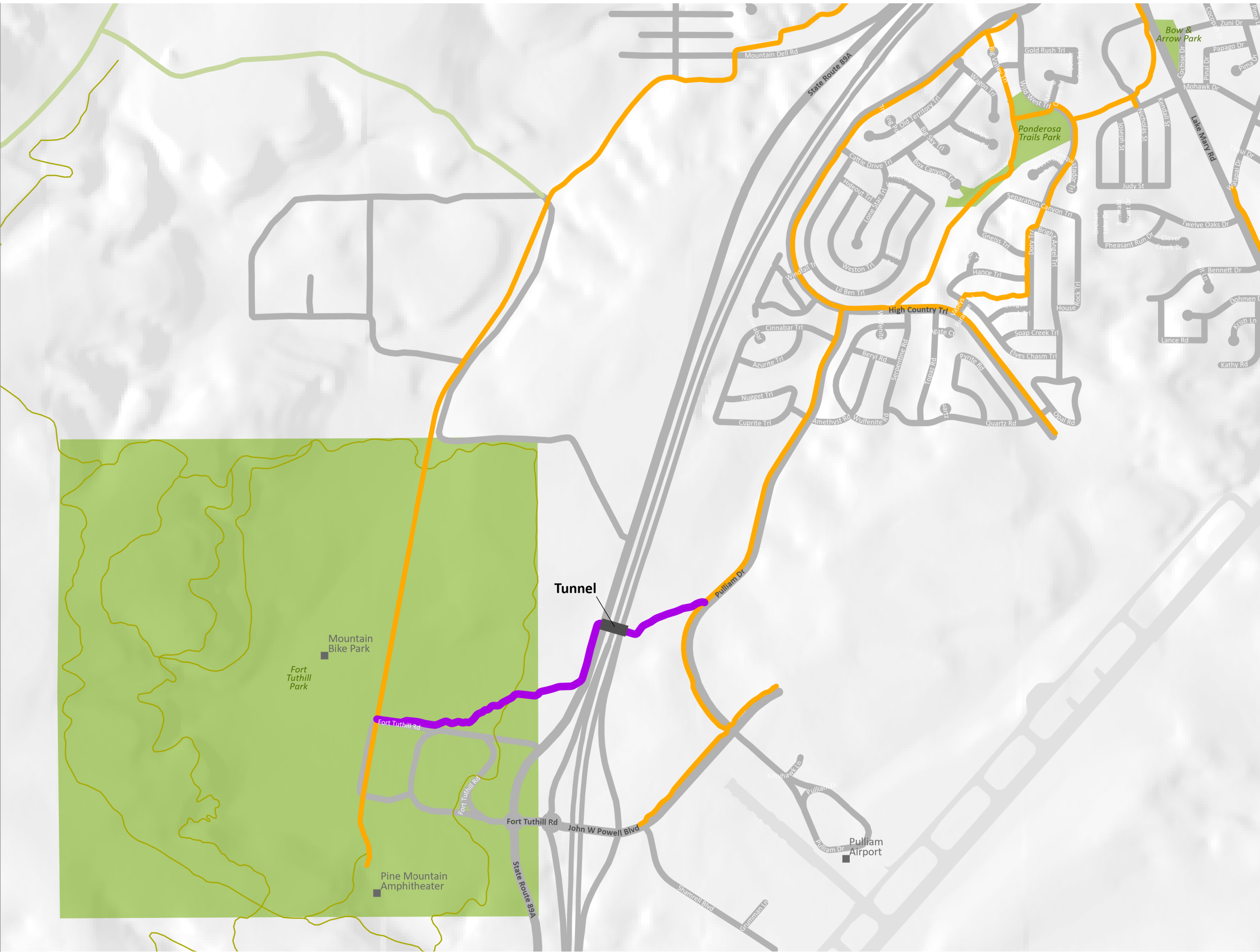
Ray was a very effective ambassador for Flagstaff mountain-biking culture and a true, likable local character.





I loved his book! Was one of the first things i got when i moved to Flag in 2016. Also ran into him on the trail one day..... he was stoked and genuine. Made my day 😊

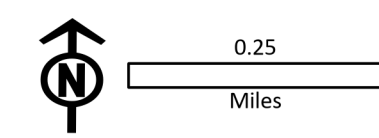
Name it for Ray now. It might take years before City builds a new bike/ped bridge to put a name on.

Well deserved!!!

Vicinity Map
**Sheep Crossing FUTS
and tunnel**



-  Sheep Crossing FUTS
-  Sheep Crossing tunnel
-  FUTS | existing
-  Singletrack trails



**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Rick Tadder, Management Services Director
Date: 01/31/2023
Meeting Date: 02/07/2023



TITLE:

Consideration and Adoption of Resolution No. 2023-04: A resolution of the Flagstaff City Council, declaring, for purposes of Section 1.150 2 of the Federal Treasury Regulations, official intent to be reimbursed in connection with certain capital expenditures related to the November 2022 election for proposition 441 and 442 projects as approved by voters, and establishing an effective date.

STAFF RECOMMENDED ACTION:

- 1) Read Resolution No. 2023-04 by title only
- 2) City Clerk reads Resolution No. 2023-04 by title only (if approved above)
- 3) Adopt Resolution No. 2023-04

Executive Summary:

This resolution will allow the City to reimburse itself for expenditures made on November ballot measure projects that are currently being planned or may be under construction in advance of issuing the debt (bonds) for the projects. Federal regulations provide that the City may reimburse itself for expenditures incurred prior to the issuing of debt so long as this type of resolution is adopted. Without the resolution, only City construction expenditures incurred after the issuance of debt would be allowed.

Financial Impact:

This reimbursement resolution does not have any direct financial impact; however, it allows the City to move forward with capital expenditures prior to completion of future financing.

Policy Impact:

None

Connection to PBB Priorities/Objectives, Carbon Neutrality Plan & Regional Plan:

Carbon Neutrality:

Community Resilience, Housing for All, Clean Electricity, Healthy Forests and Open Spaces, and Health and Safety

Priority Based Budgeting:

Safe and Healthy Community, Sustainable, Innovative Infrastructure, and Livable Community

Regional Plan:

Goal E&C.3. Strengthen community and natural environment resiliency through climate adaptation efforts.

Goal WR.2. Manage a coordinated system of water, wastewater, and reclaimed water utility service facilities and resources at the City level and identify funding to pay for new resources.

Goal WR.4. Logically enhance and extend the City's public water, wastewater, and reclaimed water services including their treatment, distribution, and collection systems in both urbanized and newly developed areas of the City to provide efficient delivery of services.

Goal WR.5. Manage watersheds and stormwater to address flooding concerns, water quality, environmental protections, and rainwater harvesting.

Goal LU.13. Increase the variety of housing options and expand opportunities for employment and neighborhood shopping within all suburban neighborhoods.

Goal NH.3. Make available a variety of housing types at different price points, to provide housing opportunity for all economic sectors.

Goal PF.2. Provide sustainable and equitable public facilities, services, and infrastructure systems in an efficient and effective manner to serve all population areas and demographics.

Has There Been Previous Council Decision on This:

No.

Options and Alternatives:

1. Approve the Reimbursement Resolution: This is the best option to allow the City the greatest flexibility to issue debt when it is most advantageous while allowing construction expenditures to occur; or
2. Do not approve the Reimbursement Resolution: If not approved, staff will need to quickly bring back a debt issuing ordinance for Council and would issue debt at the earliest possible time or projects would need to be delayed.

Background/History:

Proposition 441

On November 8, 2022, a general election was held by the City of Flagstaff whereby the citizens authorized the Investing in City of Flagstaff wildfire suppression, stormwater flood mitigation, and wastewater treatment infrastructure ballot measure. Voters authorized the issuance of \$57,285,000 in general obligation debt. The debt service payments will be made from secondary property taxes.

Proposition 442

On November 8, 2022, a general election was held by the City of Flagstaff whereby the citizens authorized the Creating rental and homeownership opportunities for residents of Flagstaff ballot measure. Voters authorized the issuance of \$20,000,000 in general obligation debt. The debt service payments will be made from secondary property taxes.

Key Considerations:

IRS regulations are very specific as to what capital expenditures are eligible for reimbursement. These expenditures must be any cost of a type that is properly chargeable to a capital account (or would be or chargeable with a proper election) under general federal income tax guidelines.

Expanded Financial Considerations:

Utilizing a reimbursement resolution allows the City to issue debt at the appropriate time. In addition, there is value in not issuing debt for capital project prior to construction because the City will not incur interest expense.

Community Involvement:

Involve, Collaborate, Empower: The ballot measures were developed with the support of the community and utilizing community members on the Citizen Bond Advisory Committee. The voters had an opportunity to decide the ballot measures.

Attachments: [Res. 2022-04](#)

RESOLUTION NO. 2023-04

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, DECLARING, FOR PURPOSES OF SECTION 1.150 2 OF THE FEDERAL TREASURY REGULATIONS, OFFICIAL INTENT TO BE REIMBURSED IN CONNECTION WITH CERTAIN CAPITAL EXPENDITURES RELATED TO THE NOVEMBER 2022 ELECTION FOR PROPOSITION 441 AND 442 PROJECTS AS APPROVED BY VOTERS, AND ESTABLISHING AND EFFECTIVE DATE

RECITALS:

WHEREAS, the City of Flagstaff, Arizona, a political subdivision of the State of Arizona (hereinafter referred to as the "City"), is authorized and empowered to finance the costs of various capital facilities and equipment owned or to be owned by the City; and

WHEREAS, it is contemplated that certain expenditures made by the City with regard to capital facilities and equipment owned or to be owned by the City will be reimbursed from the financing proceeds in the future by or on behalf of the City.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. Definitions. The following terms shall have the meanings assigned thereto as follows:

"Official intent" means a declaration of intent of the City to reimburse an original expenditure with proceeds of an obligation.

"Original expenditure" means an expenditure for a governmental purpose that is originally paid from a source other than a reimbursement bond.

"Reimbursement bond" means the portion of an issue of obligations allocated to reimburse an original expenditure that was paid before the issue date of such issue.

SECTION 2. Official Intent. This Resolution is official intent relating to reimbursement for the original expenditures indicated in Exhibit A attached hereto which are capital expenditures [being any cost of a type that is properly chargeable to a capital account (or would be so chargeable with a proper election) under general federal income tax principles].

SECTION 3. Project Descriptions. The projects for which such original expenditures are to be paid are for those described on the Exhibit A attached hereto and the maximum principal amount of obligations (including the reimbursement bonds for such purposes) to be issued for such projects will not exceed \$77,285,000.

SECTION 4. Reasonableness of Official Intent. On the date of this Resolution, the Council of the City has a reasonable expectation (being that a prudent person in the same circumstances would have based on all the objective facts and circumstances) that it will reimburse such original expenditures with proceeds of such obligations. [Official intents have not been declared by the Council of the City as a matter of course or in amounts substantially in excess of the amounts expected to be necessary for such projects. Moreover, the Council of the City does not have a pattern (other than in extraordinary circumstances) of failure to reimburse actual original expenditures covered by official intents.]

SECTION 5. Reimbursement Period. With certain exceptions, an allocation in writing that evidences use of proceeds of the reimbursement bonds to reimburse the original expenditures shall be made not later than 18 months after the later of the date that the original expenditure is paid or the date the project is "placed in service," but in no event more than 3 years after the original expenditure is paid. The City is allowed to reimburse for expenditures up to 60 days prior to the date of the resolution adoption.

SECTION 6. Public Record. This Resolution shall be included as of the date hereof in the publicly available official records of the City, such records being maintained and supervised by the Clerk of the City, being the main administrative office of the City, and shall remain available for public inspection on a reasonable basis.

SECTION 7. Prior Reimbursement Resolutions. This resolution shall not be construed to amend, replace, or otherwise affect any prior reimbursement resolution adopted by City.

SECTION 8. Effective Date. This resolution shall be immediately effective.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 7th day of February 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:

Exhibit A – Original Expenditures Intended to be Reimbursed as of January 1, 2023

EXHIBIT A

ORIGINAL EXPENDITURES INTENDED TO BE REIMBURSED
AS OF January 1, 2023

<u>Description of Original Expenditures</u>	<u>Amount of Expenditures</u>
Proposition 441 – November 2022 Election Projects Investing in City of Flagstaff wildfire suppression, stormwater flood mitigation and wastewater treatment infrastructure	\$ 57,285,000
Proposition 442 – November 2022 Election Projects Creating rental and homeownership opportunities for residents of Flagstaff	\$ 20,000,000

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, City Clerk
Date: 01/31/2023
Meeting Date: 02/07/2023



TITLE:

Future Agenda Item Request (F.A.I.R.): A request by Vice Mayor Aslan to place on a future agenda a discussion about entering into a process to rename Agassiz Peak.

STAFF RECOMMENDED ACTION:

Council direction.

Executive Summary:

Rule 4.01, Procedures for Preparation of Council Agendas, of the City of Flagstaff City Council Rules of Procedure outlines the process for bringing items forward to a future agenda. Vice Mayor Aslan has requested this item be placed on an agenda under Future Agenda Item Requests (F.A.I.R.) to determine if there are two other members of Council interested in placing it on a future agenda.

Financial Impact:

Policy Impact:

Connection to PBB Key Community Priorities/Objectives & Regional Plan:

Previous Council Decision on This:

Attachments:

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, City Clerk
Date: 01/31/2023
Meeting Date: 02/07/2023



TITLE:

Future Agenda Item Request (F.A.I.R.): A request by Vice Mayor Aslan to place on a future agenda a discussion about revisiting the City of Flagstaff Logo/Seal.

STAFF RECOMMENDED ACTION:

Council direction.

Executive Summary:

Rule 4.01, Procedures for Preparation of Council Agendas, of the City of Flagstaff City Council Rules of Procedure outlines the process for bringing items forward to a future agenda. Vice Mayor Aslan has requested this item be placed on an agenda under Future Agenda Item Requests (F.A.I.R.) to determine if there are two other members of Council interested in placing it on a future agenda.

Financial Impact:

Policy Impact:

Connection to PBB Key Community Priorities/Objectives & Regional Plan:

Previous Council Decision on This:

Attachments: