

## MINUTES

### 1. CALL TO ORDER

Mayor Deasy called the meeting of the Flagstaff City Council held March 15, 2022, to order at 3:03 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 DEASY  
VICE MAYOR DAGGETT (virtually)  
COUNCILMEMBER ASLAN  
COUNCILMEMBER MCCARTHY  
COUNCILMEMBER SALAS  
COUNCILMEMBER SHIMONI (virtually)  
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 Aslan 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. 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. PROCLAMATIONS AND RECOGNITIONS

#### A. Proclamation: Colorectal Cancer Awareness Month

Mayor Deasy read and presented the Colorectal Cancer Awareness Month proclamation to representatives from NACA.

### 6. COVID-19 UPDATES

#### A. COVID-19 Update

Senior Deputy City Manager Shannon Anderson provided a PowerPoint presentation that covered the following:

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

Coordinator for Indigenous Initiatives Rose Toehe continued the presentation.

INDIGENOUS NATIONS DATA  
NAVAJO NATION  
HOPI TRIBE

Ms. Anderson concluded the presentation.

SOCIAL MEDIA SHARING  
CITY'S MONITORING CRITERIA  
RE-ENTRY PLAN: PHASE III  
RE-ENTRY PLAN: PHASE IV  
RE-OPENING CITY FACILITIES

Parks, Recreation, Open Space, and Events Director Rebecca Sayers provided a brief update on the Recreation Re-Entry Plan and operations.

Library Director Jared Tolman also provided a brief update on the Library Re-Entry Plan and operations.

Council expressed support for staff's recommendation to move to Phase 4.

**7. COUNCIL LIAISON REPORTS**

Councilmember Sweet reported that she attended the Beautification and Public Art Commission meeting where they discussed the Arizona Murals Initiative, Regional Plan, capital projects, and the budget.

Councilmember Salas reported that she attended the ECONA Executive Board meeting last week with Camp Verde and Sedona. There is some interest building from businesses who are interested in coming to Flagstaff. She also noted that Josh Maher has been appointed to be Chairman.

Mayor Deasy reported that the Commission on Diversity Awareness met and discussed upcoming proclamations for May. They also received a presentation from the Climate Engagement Coordinator on how the commission can be involved in climate action. The equitable restroom recommendation was also discussed as well as a subcommittee for the Municipal Equality Index.

**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.*

Mayor Deasy requested Item 8E be pulled for discussion.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to approve Consent Items 8A through 8D as presented.

**Vote:** 7 - 0 - Unanimously

**A. Consideration and Approval of Contract:** Cooperative Purchase Contract for one (1) new 2020 International Road Wizard 4300 4X2 Street Sweepers from RWC International, Ltd DBA RWC Group in the amount of \$313,886.96, in addition to other fees and taxes.

1. Approve the Cooperative Purchase Contract for one (1) 2020 International Road Wizard 4300 4X2 Street Sweeper from RWC International, Ltd. DBA RWC Group in the amount of \$313,886.96, in addition to other fees and taxes; and
2. Authorize the City Manager to execute the necessary documents.

- B. Consideration and Approval of Contract:** Cooperative Purchase Contract with Stifel, Nicolaus & Company, Inc. to provide Financial Services for issuing a Water Infrastructure Finance Authority (WIFA) of Arizona Loan, a Private Placement Loan and a Private Placement Refinancing Loan debt in an amount not to exceed \$135,000.
1. Approve the Cooperative Purchase Contract for Bond Underwriting Services with Stifel, Nicolaus & Company, Inc. for a combined fee for a maximum total not to exceed an amount of \$135,000; and
  2. Authorize the City Manager to execute the necessary documents.
- C. Consideration and Approval of Contract:** Cooperative Purchase Contract with Greenberg Traurig, LLP to provide Legal Bond Counsel services for issuing a Water Infrastructure Finance Authority (WIFA) of Arizona Loan, a Private Placement Loan and a Private Placement Refinancing Loan debt in an amount not to exceed \$120,000.
1. Approve the cooperative purchase contract for Legal Bond Counsel services through Greenberg Traurig LLP for a fee of \$40,000 per loan issuance and an amount not to exceed \$120,000; and
  2. Authorize the City Manager to execute the necessary documents.
- D. Consideration and Approval of Contract:** Consideration of Contract award to First Class Enterprises, LLC., DBA First Class Sanitation for the Purchase and Maintenance of Portable Chemical Toilets.
1. Approve the Contract with First Class Enterprises, LLC DBA First Class Sanitation for the Purchase and Maintenance of Portable Chemical Toilets; and
  2. Authorize the City Manager to execute the necessary documents.
- E. Consideration and Approval of Letter:** Notice of Interest in Participation of Bipartisan Legislation for Rural Water Development

Water Resources Manager Erin Young provided a PowerPoint presentation that covered the following:

NOTICE OF INTEREST IN PARTICIPATION OF BIPARTISAN LAW FOR RURAL WATER DEVELOPMENT  
 RECLAMATION TECHNICAL ASSISTANCE  
 BIPARTISAN INFRASTRUCTURE LAW  
 BOR OPPORTUNITIES...  
 SMALL WATER STORAGE & GROUNDWATER STORAGE  
 ASSISTANCE FOR GROUNDWATER RECHARGE  
 TITLE XVI  
 WATERSMART GRANTS  
 ENVIRONMENTAL WATER RESOURCES PROJECT

Robert Vane and George Kladnik, with the Flagstaff Water Group, addressed Council with concerns about the development of Red Gap Ranch, environmental health concerns, and the energy intensity and costs associated with Red Gap Ranch. They urged Council to focus more attention on reuse options of indirect and direct potable reuse. They recommended that Council insist that staff pursue a balanced set of studies of water reuse options. They also urged Council to investigate viable new advanced treatment technologies

Michelle James, on behalf of Friends of Flagstaff's Future, addressed Council with concerns that funding for Red Gap Ranch is being prioritized over direct potable reuse. She also

encouraged Council to pursue funding for indirect and direct potable reuse.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to recess into Executive Session for legal advice.

**Vote:** 7 - 0 - Unanimously

The Council recessed into Executive Session from 4:16 p.m. through 5:14 p.m.

Councilmember McCarthy asked staff to provide information that substantiates the statements related to direct and indirect potable reuse not being sufficient.

Councilmember Shimoni stated that the reuse section of the white paper indicates that the reuse will not address the water shortfall. Ms. Young stated that the community uses 8,000 acre feet per year, wastewater treats about 6,000 acre feet per year, and we return unused reclaim from 3,500 or 4,000 acre feet per year. If we were to do direct potable reuse, we would be doing about half of what we deliver to the community. We are not creating new water so we are drawing down the aquifer or surface water. Additional water will be needed in the future to be mindful of the withdrawal of the aquifer. Additionally, redundancy in water supplies is needed so if the water supply is compromised, there are back up supplies.

**Moved by** Councilmember Jim McCarthy, **seconded by** Mayor Paul Deasy to approve the letter for Notice of Interest in Participation of Bipartisan Legislation for Rural Water Development subject to the changes noted and subject to legal review of the amended letter. At the first paragraph at the end of second sentence add "*and feasibility funding for potable water reuse*" then add sentence at end of second to last paragraph that say "*we also request assistance with a feasibility study for potable water re-use.*"

**Vote:** 7 - 0 - Unanimously

## 9. ROUTINE ITEMS

- A. **Consideration and Adoption of Ordinance No. 2022-06:** An ordinance of the City Council of the City of Flagstaff, authorizing the City of Flagstaff to accept a donation of .29 acres of vacant land along the west side of Switzer Canyon Drive, parcel no. 101-29-050 (Tract E); delegating authority to complete the transaction; providing for repeal of conflicting ordinances, severability, authority for clerical corrections; and establishing an effective date

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Miranda Sweet to read Ordinance No. 2022-06 by title only for the final time.

**Vote:** 7 - 0 - Unanimously

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AUTHORIZING THE CITY OF FLAGSTAFF TO ACCEPT A DONATION OF .29 ACRES OF VACANT LAND ALONG THE WEST SIDE OF SWITZER CANYON DRIVE, PARCEL NO. 101-29-050 (TRACT E); DELEGATING AUTHORITY TO COMPLETE THE TRANSACTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE*

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Miranda Sweet to adopt Ordinance No. 2022-06.

**Vote:** 7 - 0 - Unanimously

- B. Consideration and Adoption of Ordinance No. 2022-05:** An Ordinance of the City Council of the City of Flagstaff, amending the Flagstaff Zoning Map to rezone approximately 13.49 acres of real property generally located at 5531 East Cortland Boulevard, a portion of APN 113-37-001E from the Highway Commercial (HC), Light Industrial-Open (LI-O), and Research and Development (RD) zones to the High Density Residential (HR) zone with conditions, providing for severability, authority for clerical corrections, and establishing an effective date.

Councilmember Salas asked if there are any estimates of value for the contributions provided by the developer. Northern Arizona Land Acquisition and Development Manager Charity Lee provided the following voluntary contributions:

- Concrete FUTS – \$110,000
- Offsite sewer – \$786,000
- Additional EV spaces – \$24,000
- Additional covered bike parking – \$12,000
- Sustainable Development, energy star rated, and other elements – \$710,000
- \$1,660,968 in additional construction costs
- Affordable Housing Units – reduction of \$137,000 per year over 30 years

**Moved by** Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to read Ordinance No. 2022-05 by title only for the final time.

**Vote:** 7 - 0 - Unanimously

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 13.49 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 5531 EAST CORTLAND BOULEVARD, APN 112-37-001E, FROM THE HIGHWAY COMMERCIAL (HC), LIGHT INDUSTRIAL-OPEN (LI-O), AND RESEARCH AND DEVELOPMENT (RD) ZONES WITH A RESOURCE PROTECTION OVERLAY (RPO) TO THE HIGH DENSITY RESIDENTIAL (HR) ZONE WITH A RESOURCE PROTECTION OVERLAY (RPO), PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE*

**Moved by** Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to adopt Ordinance No. 2022-05.

**Vote:** 7 - 0 - Unanimously

## 10. REGULAR AGENDA

- A. Consideration and Adoption of Resolution No. 2022-08:** A resolution of the Flagstaff City Council, authorizing the execution of a development agreement between the City of Flagstaff and Mongini & Selna Childrens Irrevocable Living Trust and Miramonte Holdings, LLC, for The Lofts at Continental related to the development of approximately 13.49 acres of real property generally located at 5531 E Cortland Boulevard and establishing an effective date.

Senior Planner Tiffany Antol provided a PowerPoint presentation that covered the following:

DRAFT DEVELOPMENT AGREEMENT CONTENTS

Councilmember McCarthy asked how many units are included in the development. Ms. Antol stated that there are a total of 139 units with 14 designated as affordable.

**Moved by** Councilmember Regina Salas, **seconded by** Vice Mayor Becky Daggett to read Resolution No. 2022-08 by title only.

**Vote:** 7 - 0 - Unanimously

*A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, ARIZONA, AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FLAGSTAFF, MONGINI & SELENA CHILDRENS IRREVOCABLE LIVING TRUST AND VP 66 AND MIRAMONTE HOLDINGS, LLC FOR THE LOFTS AT CONTINENTAL RELATED TO THE DEVELOPMENT OF APPROXIMATELY 13.49 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 5531 E CORTLAND BOULEVARD AND ESTABLISHING AN EFFECTIVE DATE*

**Moved by** Councilmember Regina Salas, **seconded by** Vice Mayor Becky Daggett to adopt Resolution No. 2022-08.

**Vote:** 7 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2022-10:** A resolution of the Flagstaff City Council, approving the 2022 Cooperative Fire rate agreement (CFRA) Intergovernmental Agreement between the Arizona Department of Forestry & Fire management and the City of Flagstaff

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Miranda Sweet to read Resolution No. 2022-10 by title only.

**Vote:** 7 - 0 - Unanimously

*A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING THE 2022 COOPERATIVE FIRE RATE AGREEMENT (CFRA) INTERGOVERNMENTAL AGREEMENT BETWEEN THE ARIZONA DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT AND THE CITY OF FLAGSTAFF*

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2022-10.

**Vote:** 7 - 0 - Unanimously

## **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 Councilmember Salas to place on a future agenda a discussion to consider hazard pay across the board & continuing with premium pay for law enforcement

Councilmember Salas stated that her intent is to retain existing staff as well as continue with premium pay for police and fire officers. Hazard pay has evolved since COVID. She suggested a one-time appreciation pay for employees that have been working throughout the pandemic.

After a brief discussion, Council agreed that the discussion and decision is better suited within

the context of the upcoming budget process.

- B. Future Agenda Item Request (F.A.I.R.):** A request by Mayor Deasy to place on a future agenda a discussion regarding the development of an “only dig once” policy to allow for other utilities to participate in projects.

Mayor Deasy stated that there is a big push for cities to expand their broadband network. There should be a policy in place that when there is a project underway, conduit should be laid, and other utilities should have the opportunity to participate while the ground is open. He would like to have research done on what other cities are doing to this regard.

Councilmember Salas stated that there is an informal policy among transportation partners to allow for this type of coordination.

There was requisite Council support to move the item to a future agenda for discussion.

**12. PUBLIC PARTICIPATION**

None

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

Councilmember Salas shared a non-denominational prayer for the people around the world who are suffering from war, violence, and apathy.

Councilmember McCarthy reported that he, Mayor Deasy, and Councilmember Shimoni recently met with Representative Blackman and discussed minimum wage, short-term rental control, Museum Fire flooding, and broadband expansion. Councilmember McCarthy also offered thoughts about the violence in Ukraine.

Councilmember Shimoni reported that he met with Sunshine Transportation Solutions Group to learn more about their project. The CJCC Executive Committee will be meeting later in the week, and he will be attending the Children’s Funding Conference next week.

Mayor Deasy reported that Friday is the Arizona Mayor’s Roundtable where they will be discussing attainable housing. The State of the City address was rescheduled for Monday, March 21, 2022, at 5:00 p.m. and Congressman O’Halloran will be in attendance.

**14. ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held March 15, 2022, adjourned at 6:08 p.m.

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MAYOR

ATTEST:

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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 March 15, 2022. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 4th day of April, 2023.

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CITY CLERK