

## MINUTES

### 1. **CALL TO ORDER**

Mayor Deasy called the meeting of the Flagstaff City Council held April 19, 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 SWEET  
COUNCILMEMBER ASLAN (virtually)  
COUNCILMEMBER MCCARTHY  
COUNCILMEMBER SALAS  
COUNCILMEMBER SHIMONI

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, Vice Mayor Sweet read the Mission Statement of the City of Flagstaff, and Councilmember Salas 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 May 19, 2020, Regular Meeting of June 2, 2020, Regular Meeting of June 16, 2020, Regular Meeting of June 17, 2020, Work Session of June 30, 2020, Regular Meeting of July 7, 2020, Regular Meeting of August 18, 2020, Special Meeting (Executive Session) of January 11, 2022, Special Meeting (Executive Session) of January 18, 2022, Special Meeting (Executive Session) of January 25, 2022, Special Meeting (Executive Session) of February 1, 2022, Special Meeting (Executive Session) of February 8, 2022, Special Meeting (Executive Session) of February 15, 2022, Special Meeting (Executive Session) of February 22, 2022, Special Meeting (Executive Session) of March 8, 2022, and Special Meeting (Executive Session) of March 29, 2022.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to approve the minutes of the City Council Regular Meeting of May 19, 2020, Regular Meeting of June 2, 2020, Regular Meeting of June 16, 2020, Regular Meeting of June 17, 2020, Work Session of June 30, 2020, Regular Meeting of July 7, 2020, Regular Meeting of August 18, 2020, Special Meeting (Executive Session) of January 11, 2022, Special Meeting (Executive Session) of January 18, 2022, Special Meeting (Executive Session) of January 25, 2022, Special Meeting (Executive Session) of February 1, 2022, Special Meeting (Executive Session) of February 8, 2022, Special Meeting (Executive Session) of February 15, 2022, Special Meeting (Executive Session) of February 22, 2022, Special Meeting (Executive Session) of March 8, 2022, and Special Meeting (Executive Session) of March 29, 2022.

**Vote:** 6 - 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.*

Kyle Nitschke addressed Council in support of prioritizing climate projects, climate infrastructure, as well as bike and pedestrian safe projects in the upcoming budget.

Michelle James, on behalf of Friends of Flagstaff's Future, addressed the Council in support of funding the plans put in place by the City Council, including the Carbon Neutrality Plan and the Alternative Transportation Master Plan. Projects that support these plans should be prioritized for funding in the upcoming budget.

Volunteer and Event Coordinator Steven Thompson addressed Council about the upcoming Earth Day celebration events being held at Bushmaster Park.

Eric Wolverton, on behalf of Habitat for Humanity, addressed Council about the struggles of making homeownership a reality. He spoke about Habitat for Humanity programs that focus on providing people a pathway to homeownership.

Kathrine Allen submitted a written comment in support of additional funding for climate change efforts.

## **6. PROCLAMATIONS AND RECOGNITIONS**

- A. Recognition:** 2021 George F. Ames National Performance and Innovation in the State Revolving Fund (SRF) Creating Environmental Success Program (PISCES) award for Excellence in Environmental and Public Health Protection from the U.S. Environmental Protection Agency (EPA) for the Flagstaff Watershed Protection Project.

Grants and Contracts Manager Stacey Brechler-Knaggs and Management Services Director Rick Tadder provided comments about the EPA's PISCES award. The Flagstaff Watershed Protection was recognized for its important work to prevent forest fires with EPA's PISCES award. Flagstaff Watershed Protection's resiliency project employs forest thinning to protect Flagstaff's drinking water resources and avoid catastrophic wildfire damage. The effort focuses on 10,000 acres of federal, state, and local lands adjacent to the city, reducing dry debris and thinning the forest through removing small- and medium-diameter trees. EPA's George F. Ames Performance and Innovation in the SRF Creating Environmental Success (PISCES) program celebrates innovation demonstrated by Clean Water SRF programs and assistance recipients. 27 projects nationwide from state or local governments, public utilities, and private entities were honored.

## **7. 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 & LEVEL  
CCHHS: COMMUNITY VACCINATION  
CCHHS: VARIANTS  
NAH: HOSPITAL CENSUS  
PUBLIC TRANSIT MASK UPDATE

## **8. COUNCIL LIAISON REPORTS**

Councilmember Salas reported that she attended the Parks and Recreation Commission meeting the prior week. She also congratulated the Parks, Recreation, Open Space, and Events Division for obtaining a \$100,000 grant through Arizona State Parks Heritage Fund for the non-motorized trail improvements at Buffalo Park.

Councilmember Shimoni reported that the CJCC Executive Committee met the prior week where they discussed going back out for a national search for the Executive Director position. He also reported that he and Vice Mayor Sweet had a good meeting with Mountain Line to discuss how the city can embrace public transit through policies and processes.

## 9. 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: Industrial Development Authority

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Adam Shimoni to appoint Lance MaGill to a term expiring April 2028.

**Vote:** 6 - 0 - Unanimously

**Moved by** Councilmember Regina Salas, **seconded by** Mayor Paul Deasy to appoint Tara Boucher to a term expiring April 2028.

**Vote:** 6 - 0 - Unanimously

### B. Consideration of Appointments: Commission on Inclusion and Adaptive Living

**Moved by** Vice Mayor Miranda Sweet, **seconded by** Mayor Paul Deasy to appoint Stephanie Birdwell to a term expiring March 2025.

**Vote:** 6 - 0 - Unanimously

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Adam Shimoni to appoint Rachel Simukonda to a term expiring March 2025.

**Vote:** 6 - 0 - Unanimously

**Moved by** Councilmember Regina Salas, **seconded by** Mayor Paul Deasy to appoint Sarah Dorman to a term expiring March 2025.

**Vote:** 6 - 0 - Unanimously

**Moved by** Councilmember Jim McCarthy, **seconded by** Mayor Paul Deasy to appoint Jeremy Musgrove to a term expiring March 2023.

**Vote:** 6 - 0 - Unanimously

**Moved by** Councilmember Austin Aslan, **seconded by** Councilmember Jim McCarthy to appoint Keith Becker to a term expiring March 2023.

**Vote:** 6 - 0 - Unanimously

C. **Consideration of Appointments:** Citizen Commission on Council Salaries.

**Moved by** Councilmember Adam Shimoni, **seconded by** Councilmember Jim McCarthy to appoint McKenzie Jones to an At-Large position on the Citizen Commission on Council Salaries.

**Vote:** 6 - 0 - Unanimously

**Moved by** Vice Mayor Miranda Sweet, **seconded by** Mayor Paul Deasy to appoint Kyle Nitschke to an At-Large position on the Citizen Commission on Council Salaries.

**Vote:** 6 - 0 - Unanimously

**Moved by** Councilmember Jim McCarthy, **seconded by** Councilmember Adam Shimoni to appoint Allison Eckert to an HR Professional position on the Citizen Commission on Council Salaries.

**Vote:** 6 - 0 - Unanimously

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to appoint Jim Wine to an HR Professional position on the Citizen Commission on Council Salaries.

**Vote:** 6 - 0 - Unanimously

10. **LIQUOR LICENSE PUBLIC HEARINGS**

Mayor Deasy opened the public hearing.

Police Sergeant Ryan Turley introduced the three applications noting no concerns.

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

**Moved by** Mayor Paul Deasy, **seconded by** Vice Mayor Miranda Sweet to forward all three applications to the state with a recommendation of approval.

**Vote:** 6 - 0 - Unanimously

- A. **Consideration and Action on Liquor License Application:** Jeffrey Craig Miller, "Butler Easy Mart," 1311 E. Butler Avenue, Series 10 (beer and wine store), New License.
- B. **Consideration and Action on Liquor License Application:** Larami Jean Sandlin, "Dark Sky Brewing Company," 103 W. Birch Avenue, Series 12, New Application.
- C. **Consideration and Action on Liquor License Application:** Sergio Haron, "One Stop," 2325 S. Woodlands Village Boulevard, Series 09 (liquor store - all spirituous liquor), New Application.

11. **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 McCarty stated that he had submitted questions on item 11D to staff; he received answers and is supportive of the item.

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

**Vote:** 6 - 0 - Unanimously

**A. Consideration and Approval of BNSF Railway Preliminary Engineering Services**

**Agreement:** Lone Tree Overpass Project Construction Document Review.

1. Approve the Lone Tree Overpass Project (Project) Preliminary Engineering Services Agreement (Agreement) with BNSF Railway (BNSF) in the amount of \$78,601; and
2. Authorize the City Manager to execute the necessary documents.

**B. Consideration and Approval of Final Plat:** Case No. PZ-21-00271-01, VP66 & Woody Mountain LLC, requests Final Plat approval for @Liv Flagstaff located at 2701 S Woody Mountain Road, a two lot subdivision in the Medium Density Residential (MR) and Rural Residential (RR) Zones.

Staff recommends the City Council approve the Final Plat and authorize the Mayor to sign the Final Plat when notified by staff that all documents are ready for signature and recordation.

**C. Consideration and Approval of Final Plat** Case No. PZ-18-00030-07, Mogollon Engineering on behalf of Mongini & Selna Living Trust, requests Final Plat approval for The Lofts at Continental located at 5531 E Cortland Boulevard, a two-lot subdivision in the High Density Residential (HR) and Highway Commercial (HC) zones.

Staff recommends the City Council approve the Final Plat and authorize the Mayor to sign the Final Plat when notified by staff that all documents are ready for signature and recordation.

**D. Consideration and Approval of BNSF Railway Preliminary Engineering Services**

**Agreement:** ADOT B40/Milton Underpass and BNSF Railway Bridge Reconstruction Document Review.

1. Approve the Milton Bridge Reconstruction Project (Project) Preliminary Engineering Services Agreement (Agreement) with BNSF Railway (BNSF) in the amount of \$96,973; and
2. Authorize the City Manager to execute the necessary documents.

**E. Consideration and Approval of Contract:** Approve the Cooperative Purchase Contract with DataBank IMX, LLC in the amount of \$97,017 for the Contract Management configuration of the OnBase platform.

1. Approve the Cooperative Purchase Contract with DataBank IMX, LLC in the amount of \$97,071 for the Contract Management configuration of the OnBase platform; and
2. Authorize the City Manager to execute the necessary documents.

F. **Consideration and Approval of Contract:** Approval of a Cooperative Purchase Contract with J.C. Cullen d/b/a Niles Radio Communications in the amount of \$81,976.32 for a Network Communications Tower for Critical Water Infrastructure located at Lake Mary Well #2.

1. Approve the Cooperative Purchase Contract with J.C Cullen, Inc. d/b/a Niles Radio Communications in the amount of \$81,976.32 for the purchase and installation of a Network Communication Tower for Critical Water Infrastructure located at Lake Mary Well #2; and
2. Authorize the City Manager to execute the necessary documents.

G. **Consideration and Approval of Contract:** Approve the Cooperative Purchase Contract with Sands Motor Company in the amount of \$80,745.22 for the purchase of one (1) 2021 Chevrolet Silverado 4500HD with Rugby 2-3 Yard Dump Body.

1. Approve the Cooperative Purchase Contract with Sands Motor Company in the amount of \$80,745.22 for the purchase of one (1) 2021 Chevrolet Silverado 4500HD with Rugby 2-3 Yard Dump Body utilizing the Maricopa County cooperative purchase contract; and
2. Authorize the City Manager to execute the necessary documents.

H. **Consideration and Approval of Grant Acceptance:** Grant agreement between the State of Arizona, through the Arizona Department of Transportation, Multi-modal Planning Division, Aeronautics Group, and the City of Flagstaff for the Airport Pavement Management System.

Approve the Grant Agreement with the State of Arizona, Arizona Department of Transportation, Multi-modal Planning Division, Aeronautics Group for grant funds in the amount of \$1,415,380.00 (with a city match of \$141,538.00) for airport pavement maintenance.

I. **Consideration and Approval of Contract:** Approve the Cooperative Purchase Contract for a Velocity Pumper Fire Engine and a Velocity Aerial Quint Unit with Hughes Fire Equipment, Inc., in the total amount of \$2,097,693.50.

1. Approve the Cooperative Purchase Contract for a Velocity Pumper Fire Engine in the amount of \$817,673.90 and a new Velocity Aerial Quint Unit in the amount of \$1,280,019.60 from Hughes Fire Equipment, Inc. in the total amount of \$2,097.693.50; and
2. Authorize the City Manager to execute the necessary documents.

## 12. **ROUTINE ITEMS**

A. **Consideration and Adoption of Ordinance No. 2022-07:** An ordinance of the Council of the City of Flagstaff, Arizona approving the form and authorizing the execution and delivery of a loan agreement with the Water Infrastructure Financing Authority of Arizona from its Clean Water Revolving Fund program; delegating the determination of certain matters relating thereto to the Mayor, the City Manager and the Management Services Director of the City; providing the transfer of certain moneys and making certain covenants and agreements with respect thereto; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by such loan agreement and this ordinance and declaring an emergency.

Management Services Director Rick Tadder stated that in addition to the second reading of the ordinances, staff is seeking to add an emergency clause to allow staff to be more aggressive with the financing in the stormwater fund.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Adam Shimoni to read Ordinance No. 2022-07 by title only for the final time.

**Vote:** 6 - 0 - Unanimously

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, ARIZONA APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA FROM ITS CLEAN WATER REVOLVING FUND PROGRAM; DELEGATING THE DETERMINATION OF CERTAIN MATTERS RELATING THERETO TO THE MAYOR, THE CITY MANAGER AND THE MANAGEMENT SERVICES DIRECTOR OF THE CITY; PROVIDING FOR THE TRANSFER OF CERTAIN MONEYS AND MAKING CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT THERETO; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY SUCH LOAN AGREEMENT AND THIS ORDINANCE AND DECLARING AN EMERGENCY*

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to adopt Ordinance No. 2022-07.

**Vote:** 6 - 0 - Unanimously

- B. Consideration and Adoption of Ordinance No. 2022-08:** An ordinance of the Council of the City of Flagstaff, Coconino County, Arizona (1) providing for the sale and execution and delivery pursuant to a Series 2019 Utility System Revenue Trust Agreement of utility system revenue obligations, in one or more series evidencing proportionate interests of the owners thereof in installment payments of the purchase price to be paid by the City of Flagstaff, Arizona, pursuant to a Series 2019 Utility System Revenue Purchase Agreement to finance costs of certain improvements to the water and sewer utility system of the City; (2) authorizing the completion, execution and delivery with respect thereto of agreements necessary or appropriate as part of financing the costs of such improvements and paying related financing costs; (3) delegating to the Mayor, the City Manager, and the Management Services Director certain authority with respect to the purposes hereof; (4) authorizing the Management Services Director to expend all necessary funds therefor and (5) authorizing the Management Services Director or his designees to take all other actions necessary to the consummation of the transaction contemplated by this ordinance and declaring an emergency.

**Moved by** Mayor Paul Deasy, **seconded by** Vice Mayor Miranda Sweet to read Ordinance No. 2022-08 by title only for the final time.

**Vote:** 6 - 0 - Unanimously

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, COCONINO COUNTY, ARIZONA (1) PROVIDING FOR THE SALE AND EXECUTION AND DELIVERY PURSUANT TO ONE OR MORE UTILITY SYSTEM REVENUE TRUST AGREEMENTS OF UTILITY SYSTEM REVENUE AND REVENUE REFUNDING OBLIGATIONS, IN ONE OR MORE SERIES, EVIDENCING PROPORTIONATE INTERESTS OF THE OWNERS THEREOF IN INSTALLMENT PAYMENTS OF THE PURCHASE PRICE TO BE PAID BY THE CITY OF FLAGSTAFF, ARIZONA, PURSUANT TO ONE OR MORE UTILITY*

*SYSTEM REVENUE PURCHASE AGREEMENTS TO FINANCE AND/OR REFINANCE COSTS OF CERTAIN IMPROVEMENTS TO THE WATER, WASTEWATER AND STORMWATER UTILITY SYSTEM OF THE CITY; (2) AUTHORIZING THE COMPLETION, EXECUTION AND DELIVERY WITH RESPECT THERETO OF AGREEMENTS NECESSARY OR APPROPRIATE AS PART OF FINANCING AND/OR REFINANCING THE COSTS OF SUCH IMPROVEMENTS AND PAYING RELATED FINANCING COSTS; (3) DELEGATING TO THE MAYOR, THE CITY MANAGER AND THE MANAGEMENT SERVICES DIRECTOR CERTAIN AUTHORITY WITH RESPECT TO THE PURPOSES HEREOF; (4) AUTHORIZING THE MANAGEMENT SERVICES DIRECTOR TO EXPEND ALL NECESSARY FUNDS THEREFOR; AND (5) AUTHORIZING THE MANAGEMENT SERVICE DIRECTOR OR HIS DESIGNEES TO TAKE ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS ORDINANCE AND DECLARING AN EMERGENCY*

**Moved by** Mayor Paul Deasy, **seconded by** Vice Mayor Miranda Sweet to adopt Ordinance No. 2022-08.

**Vote:** 6 - 0 - Unanimously

- C. Consideration and Adoption 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).***

Senior Planner Genevieve Pearthree stated that the matter was heard back in February and a first read of the ordinance was done. At that time Council gave direction to work with the developer on a development agreement. Staff has not yet received a development agreement and is looking to Council to either continue the item or move forward with the second read and adoption.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to approve the request for a continuance until May 17, 2022.

Councilmember Shimoni stated that he met with the developer and they are not going to pursue a development agreement because it would be detrimental to their ability to pursue the project in Flagstaff. Instead of postponing, he would be comfortable with annexing and moving forward with the rezone.

Applicant Mike Zipprich addressed Council and provided information about the operations of their facilities. There is a high demand for their programs and services and he does not believe that a development agreement is needed.

Councilmember McCarthy stated that he would like to see the project move forward and he withdrew his second to the motion made by the Mayor.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Regina Salas to approve the request for a continuance until May 17, 2022.

Mayor Deasy expressed concern about not having more direct information as to why it is believed that a development agreement is not needed. He indicated that postponing would allow for that information to be gathered and presented.

Council and staff discussed what a development agreement is and how it is typically used as part of a rezone request rather than an annexation. Staff expressed challenges in determining exactly what Council wanted to see within the development agreement.

Mayor called for a vote on the motion.

**Vote: 3 - 3**

AYE: Councilmember Austin Aslan  
Mayor Paul Deasy  
Vice Mayor Miranda Sweet

NAY: Councilmember Adam Shimoni  
Councilmember Jim McCarthy  
Councilmember Regina Salas

The motion failed on a tie vote.

**Moved by** Councilmember Adam Shimoni, **seconded by** Councilmember Jim McCarthy to stop pursuing a Development Agreement.

**Vote: 3 - 3**

AYE: Councilmember Austin Aslan  
Vice Mayor Miranda Sweet  
Mayor Paul Deasy

NAY: Councilmember Adam Shimoni  
Councilmember Jim McCarthy  
Councilmember Regina Salas

The motion failed on a tie vote.

**Moved by** Councilmember Adam Shimoni, **seconded by** Councilmember Jim McCarthy to approve the request for a continuance until May 17, 2022.

**Vote: 6 - 0 - Unanimously**

- D. **Consideration, and Adoption of Ordinance No. 2022-02:** An Ordinance of the City Council of the City of Flagstaff, amending the Flagstaff Zoning Map to rezone approximately 1.09 acres of real property generally located at 7000 North Highway 89, a portion of APN 301-50-005G, from the Highway Commercial (HC) zone with a Resource Protection Overlay (RPO) to the Rural Residential (RR) with a Resource Protection Overlay (RPO) with conditions, providing for severability, authority for clerical corrections, and establishing an effective date. (***Flagstaff Rehab Campus Concept Zoning Map Amendment: Project Number PZ-20-00164-04***).

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to approve the request for a continuance until May 17, 2022.

**Vote:** 6 - 0 - Unanimously

A break was held from 4:36 p.m. through 4:56 p.m.

- E. **Consideration and Approval of Contract Amendment:** First Amendment to the Service Provider Contract for Community Health and Human Services with United Way of Northern Arizona in the total amount of \$784,000.

Grants and Contracts Manager Stacey Brechler-Knaggs introduced Chair of the United Way of Northern Arizona Board Mike Kelly and Vice-Chair Armando Reese; they provided a PowerPoint presentation that covered the following:

ARPA LOCAL RECOVERY FUNDS  
UNITED WAY OF NORTHERN ARIZONA  
ALLOCATIONS FOR DISTRIBUTION  
UWNA GRANTING HISTORY  
UWNA APPLICATION PROCESS

**Moved by** Mayor Paul Deasy, **seconded by** Vice Mayor Miranda Sweet to approve the First Amendment to the Service Provider Contract with United Way of Northern Arizona for administration of \$700,000 of the American Rescue Plan Act Coronavirus Local Recovery Federal and Non-Federal Funds with a 12% administrative fee for a payment in the amount of \$84,000 for a total distribution to United Way of Northern Arizona of \$784,000 and authorize the City Manager to execute the necessary documents.

**Vote:** 6 - 0 - Unanimously

- F. **Consideration and Approval of Contract:** First Amendment to the Service Provider Contract for Arts, Science, and Cultural Services with Flagstaff Arts Council d/b/a Creative Flagstaff in the total amount of \$172,500.

Grants and Contracts Manager Stacey Brechler-Knaggs introduced Jonathan Stone with Creative Flagstaff; they provided a PowerPoint presentation that covered the following:

ARPA LOCAL RECOVERY FUNDS  
CREATIVE FLAGSTAFF  
ALLOCATIONS FOR DISTRIBUTION  
IMPORTANCE OF STRENGTHENED INVESTMENT POST-COVID  
20+ YEAR PARTNERSHIP WITH CITY

Community Investment Director David McIntire addressed Council to provide some corrections and clarifications related to the staff summary. These do not impact the new funds but corrected the numbers to be reflective of actual allocations.

**Moved by** Councilmember Adam Shimoni, **seconded by** Mayor Paul Deasy to approve the First Amendment to the Service Provider Contract with Flagstaff Arts Council d/b/a Creative Flagstaff for administration of the corrected \$453,392.81 of the American Rescue Plan Act Coronavirus Local Recovery Federal and Non-Federal Funds with a 15% administrative fee for a payment of \$22,500 for a total distribution to Creative Flagstaff of \$172,500 and authorize the City Manager to execute the necessary documents.

**Vote:** 6 - 0 - Unanimously

- G. Consideration and Approval of Ratifying Contract:** Ratify and Approve the Construction Contract with Tiffany Construction Co. for the Spruce Wash - Cedar Avenue to Dortha Avenue Channel and Inlet Improvements in the amount of \$2,554,520.13.

Project Manager Christine Cameron addressed Council stating that the project has been operating under an emergency procurement since mid-March. Staff is seeking a ratification for approval of the contract.

**Moved by** Mayor Paul Deasy, **seconded by** Vice Mayor Miranda Sweet to ratify and approve the Construction Contract with Tiffany Construction Co. in the amount of \$2,554,520.13, and allow a contract time of 116 calendar days and authorize the City Manager to execute the necessary documents.

**Vote:** 6 - 0 - Unanimously

**13. REGULAR AGENDA**

- A. Consideration and Adoption of Resolution No. 2022-16:** A resolution approving the City of Flagstaff's 2022 Annual Action Plan and authorizing its submission to the U.S. Department of Housing and Urban Development (HUD).

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

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2022 ANNUAL ACTION PLAN  
 ARPA AND CDBG FUNDING SUMMARY  
 2022 CDBG ALLOCATION RECOMMENDATIONS

Mayor Deasy asked if the 20% administrative fee is typical. Ms. Pavlik explained that staff has historically used 20% which is the cap set by HUD, it includes 10% in indirect costs associated with the program including Legal, Grants and Contracting, and administrative costs of the city.

**Moved by** Councilmember Adam Shimoni, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2022-16 by title only.

**Vote:** 6 - 0 - Unanimously

*A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL APPROVING THE CITY OF FLAGSTAFF COMMUNITY DEVELOPMENT BLOCK GRANT 2022 ANNUAL ACTION PLAN AND AUTHORIZING ITS SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT*

**Moved by** Councilmember Jim McCarthy, **seconded by** Mayor Paul Deasy to adopt Resolution No. 2022-16.

**Vote:** 6 - 0 - Unanimously

- B. Consideration and Approval of Preliminary Plat:** PZ-21-00154-01, MMV Devco, LLC requests Preliminary Plat approval for MMV D3 located at 1800 N Gemini Drive, a single-family subdivision on 6.31 acres in the Medium Density Residential (MR) Zone.

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

MMV D3 PRELIMINARY PLAT APPROVAL REQUEST  
 REQUEST OVERVIEW  
 VICINITY MAP  
 MMV D3 BACKGROUND  
 MMV D3 PRELIMINARY PLAT  
 REQUIRED FINDING #1: ZONING CODE (TITLE 10)  
 REQUIRED FINDING #2: ENGINEERING STANDARDS (TITLE 13)  
 REQUIRED FINDING #3: SUBDIVISION STANDARDS (TITLE 11)  
 FINDINGS AND RECOMMENDATION

Councilmember McCarthy asked how the parking garages will be set up. Ms. Antol stated that the houses are moved closer to the street and the garages are set back a bit further to allow for a contiguous building. The garage is not larger than the primary width of the units.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to approve the preliminary plat in accordance with the findings presented.

**Vote:** 6 - 0 - Unanimously

- C. Consideration and Adoption of Resolution No. 2022-17:** A resolution approving a Master Participating Agreement between the U.S. Department of Agriculture, Forest Service, Coconino National Forest, and the City of Flagstaff for Watershed Protection

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Regina Salas to read Resolution No. 2022-17 by title only.

**Vote:** 6 - 0 - Unanimously

*A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF AGRICULTURE, UNITED STATES FOREST SERVICE, COCONINO NATIONAL FOREST AND THE CITY OF FLAGSTAFF FOR WATERSHED PROTECTION*

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2022-17.

**Vote:** 6 - 0 - Unanimously

- D. Consideration and Adoption of Ordinance No. 2022-10:** An ordinance of the City Council of the City of Flagstaff, Arizona, amending the Flagstaff City Code, Chapter 1-14, *Personnel System*, by amending the Employee Handbook of Regulations relating to Alternative Work Schedules; providing for penalties; repeal of conflicting ordinances; severability; and establishing an effective date

Human Resources Consultant Jeanie Gallagher addressed Council stating that staff is requesting an amendment to the employee handbook related to the Alternative Work Schedules section. Ms. Gallagher explained that this is an effort to assist with work/life balance and employee retention through flexible work scheduling including telework. The proposed amendment continues to reflect the intent to support flexible scheduling but removes the administrative details and moves to a City Manager Directive. This allows for flexibility to make changes through the learned experiences.

Mr. Clifton added that the discussion has been active for some time. The policy revision is before the Leadership Team for consideration and he we will report back to Council on the outcomes once more thoroughly vetted throughout the organization. The revisions will allow for more remote working options when allowable and appropriate.

Councilmember Aslan stated that he has taken advantage of the ability to work remotely and he appreciates the shift to provide more flexibility.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Adam Shimoni to read Ordinance No. 2022-10 by title only for the first time.

**Vote:** 6 - 0 - Unanimously

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, CHAPTER 1-14, PERSONNEL SYSTEM BY AMENDING THE EMPLOYEE HANDBOOK OF REGULATIONS RELATING TO ALTERNATIVE WORK SCHEDULES; PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE*

- E. Consideration and Adoption of Resolution No. 2022-18:** A resolution of the City Council of the City of Flagstaff, Arizona, calling a Primary Election to be held on August 2, 2022 for the purpose of nominating two mayor candidates for the General Election

Item pulled from the agenda.

**14. PUBLIC PARTICIPATION**

None

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

Councilmember Salas stated that she is looking forward to the Budget Retreat on Thursday and Friday.

Councilmember McCarthy reported that he had met with staff about how it might be possible to have a lower tax rate for primary residences. Now is probably not the right time

but it is something that he would like to consider at a later time under the right state leadership.

Councilmember Aslan offered an apology to Councilmember Shimoni for some perceived gestures during a meeting; it was not his intent and he apologized for creating the misperception.

Vice Mayor Sweet stated that she is also looking forward to the Budget Retreat and she will be attending the Earth Day festivities on Saturday.

Councilmember Shimoni acknowledged Councilmember Aslan’s comments and thanked him. He is also looking forward to the Budget Retreat. He reminded everyone about Earth Day, the High School Pow Wow, and the Youth of the Year awards ceremony for the Boys and Girls Club.

Mayor Deasy reported that he met with Congressman O’Halloran to discuss infrastructure with a focus on the Airport. He, along with the Council, attended the Elevate Pre-K meeting to hear more about their programs and impacts on the community. He had a good meeting with the Alliance for the 21<sup>st</sup> Century to discuss community issues and sustainability efforts.

**16. ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held April 19, 2022, adjourned at 6:00 p.m.

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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 April 19, 2022. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 20th day of June, 2023.

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CITY CLERK