

## MINUTES

### 1. CALL TO ORDER

Mayor Evans called the meeting of the Flagstaff City Council held April 16, 2019, to order at 4:30 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 EVANS  
VICE MAYOR SHIMONI  
COUNCILMEMBER ASLAN  
COUNCILMEMBER MCCARTHY  
COUNCILMEMBER ODEGAARD  
COUNCILMEMBER SALAS  
COUNCILMEMBER WHELAN

Others present: Acting City Manager Barbara Goodrich and City Attorney Sterling Solomon.

### 3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The Council and audience recited the Pledge of Allegiance and Councilmember Odegaard read the Mission Statement of the City of Flagstaff.

### MISSION STATEMENT

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

#### 4. **APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

##### A. **Consideration and Approval of Minutes:** City Council Work Session of February 26, 2019.

**Moved by** Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to approve the City Council Work Session minutes of February 26, 2019.

**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.*

Dorde "George" Cedec, of Cultural Exchange Worldwide, addressed the Council and introduced the foreign exchange student Aizhan Anuarbek from the Republic of Kazakhstan.

Ms. Aizhan addressed the Mayor and Council, sharing information about her home country. She also talked about her experiences in America and conveyed her gratitude for the international exchange program.

#### 6. **PROCLAMATIONS AND RECOGNITIONS**

##### A. **Recognition of Flagstaff Northstars Hockey team**

Councilmember McCarthy read a recognition for the Flagstaff Northstars and the Mayor and Council presented a certificate to the team. Members from the team presented Mayor Evans with a personalized Flagstaff Northstars hockey jersey.

##### B. **Recognition of NJBLA Warriors**

Councilmember Whelan read the recognition for the NJBLA Warriors and the Mayor and Council presented a certificate to the team. The captain of the team addressed Council stating their gratitude and announcing that they won the national championship and that they have been invited to play in Kaua'i, HI.

## 7. 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: Parks and Recreation Commission.

**Moved by** Councilmember Charlie Odegaard, **seconded by** Mayor Coral J. Evans to appoint Steven Flannagan to a term expiring August 2021.

**Vote:** 6 - 0 - Unanimously

**Moved by** Mayor Coral J. Evans, **seconded by** Councilmember Charlie Odegaard to appoint Aurelia Yazzie to a term expiring August 2021.

**Vote:** 6 - 0 - Unanimously

## 8. LIQUOR LICENSE PUBLIC HEARINGS

### A. Consideration and Action on Liquor License Application: Stephen Buysse, "Famous Pizza", 104 E. Route 66, Series 07 (Beer and Wine Bar), New License.

Mayor Evans opened the public hearing.

Police Sergeant Collin Seay provided a brief overview of the license. The applicant, Mr. Steve Buysse, was present in the audience to address any questions from the Council.

Councilmember Whelan asked whether all license applicants have undergone liquor license training and if the completion of training is confirmed. Sergeant Seay explained that training fulfillment is reported to the state, which oversees the training process. Councilmember Whelan inquired about the permission to sell beer and wine for off-site consumption, expressing reservations about selling six-packs at the restaurant. Sergeant Seay replied that the requested license would encompass the ability to both deliver and sell beer and wine for off-site consumption. He added that all series 07 licenses grant businesses the right to sell beer and wine for off-site consumption and to make deliveries. Mr. Buysse discussed the protocols for delivering beer and verifying the recipient's age, emphasizing that delivery drivers are trained to verify age.

Vice Mayor Shimoni asked if Mr. Buysse is aware of any other establishments delivering beer and wine to consumers. Mr. Buysse noted that all series 07 licenses have the capability, but his locations in Yavapai County primarily sell alcohol for off-site consumption within the store. He added that delivery is a rare occurrence.

Councilmember McCarthy clarified that the license comes with extra controls and is limited in nature. Mr. Buysse further elaborated on the specific controls associated with the license.

Councilmember Aslan questioned whether beer and wine could be purchased through online delivery from other stores, such as grocery stores. Deputy City Manager Kevin

Treadway explained that he believes a series 07 license would be required for such sales.

Councilmember Salas asked Mr. Buysse to provide more insight into his decision to transition the license from a series 12 to a series 07. Mr. Buysse explained that Famous Pizza rarely conducts alcohol deliveries and that he invests in series 07 licenses due to their appreciating value. However, part of the motivation for the new license is to enable customers to purchase alcohol and leave the premises.

City Attorney Sterling Solomon provided additional information about the various licenses that permit the sale of beer or wine for takeout.

There being no further comment, Mayor Evans closed the public hearing.

**Moved by** Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to forward the application to the State with a recommendation of approval.

**Vote:** 5 - 2

NAY: Councilmember Jamie Whelan  
Councilmember Regina Salas

## 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.*

Councilmember Whelan requested that Item 9-B be pulled for discussion.

Vice Mayor Shimoni requested that Item 9-C be pulled for discussion.

**Moved by** Councilmember Jim McCarthy, **seconded by** Councilmember Regina Salas to approve all consent items except for 9B and 9C.

**Vote:** 7 - 0 - Unanimously

- A. Consideration and Approval of Contract:** To purchase two (2) 2020 Ford Police Interceptor Utility Hybrid vehicles, in the amount of \$79,819.96 from Babbitt Ford Lincoln Mercury. It should be noted the aforementioned total includes the local Transaction Privilege Tax (2.051%) and the actual cost to the City will be \$78,215.75.

### STAFF RECOMMENDED ACTION:

1. Approve the contract award to Babbitt Ford for the purchase of two (2) 2020 Ford Police Interceptor Utility Hybrid vehicles at a total of \$79,819.96 (includes all applicable taxes and fees).
  2. Authorize the City Manager to execute the necessary documents.
- B. Consideration and Approval of Purchase through an Invitation For Bids Process (IFB):** Purchase of one (1) 2019 Chevrolet Bolt EV from Courtesy Chevrolet this fiscal year in the amount of \$36,954.23. Potentially purchase two (2) more Chevrolet Bolt EV's in fiscal year 2020 for a total cost of \$110,862.69.

Councilmember Whelan inquired about the locations where the charging stations would be placed for the vehicles. Public Works Director Andy Bertelsen responded that charging stations would be established, including at least one at the library. He also mentioned that both Economic Vitality and ParkFlag would utilize the requested vehicle.

Further, Councilmember Whelan sought clarification whether the contract pertains solely to the procurement of one vehicle in 2019 and not for an additional two vehicles in 2020. Mr. Bertelsen clarified that the contract exclusively covers the purchase of one vehicle in 2019.

Fleet Manager Greg Conlin supplemented the information, explaining that the request involves a contract for the acquisition of three vehicles, yet only one is being bought in 2019. The presented bid encompasses the cumulative cost under the contract.

Vice Mayor Shimoni inquired about the expenses associated with installing a charging station in the library garage. Mr. Conlin mentioned that a charger was acquired for \$500, and the installation is estimated to cost around \$500 as well.

Mr. Bertelsen emphasized that the current approval is strictly for the acquisition of a vehicle in 2019, and if the budget for 2020 is approved, only then would they proceed with additional purchases. Councilmember Whelan expressed concern that the current approval might inadvertently grant blanket authorization for 2020 purchases, which she is opposed to.

Councilmember McCarthy proposed a motion to approve the purchase of one vehicle at this time.

Mayor Evans sought clarification from the staff regarding whether approving the purchase of a single vehicle would impact the overall vehicle pricing. The staff assured Council that the price would remain unaffected and affirmed that the plan is to procure only one vehicle. The clarification satisfied Councilmember Whelan that the purchase aligns with her concerns.

**Moved by** Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to approve the purchase of 1 (one) 2019 Chevrolet Bolt EV from Courtesy Chevrolet in the amount of \$36,954.23 in fiscal year 2019, and if approved during the budget process, purchase up to 2 (two) more Chevrolet Bolt vehicles at the same amount in fiscal year 2020 and to authorize the City Manager to execute the necessary documents.

**Vote:** 7 - 0 - Unanimously

**C. Consideration and Approval of Purchase through a Cooperative Purchase**

**Contract:** The purchase of two (2) 2019 Chevrolet Silverado 2500 Pickup Trucks from Courtesy Chevrolet in the amount of \$72,790.50.

Streets Section Director Scott Overton was available to address Council's inquiries regarding the proposed purchase.

Vice Mayor Shimoni inquired about the criteria that trigger the replacement of vehicles. Mr. Overton explained that the vehicles being requested are meant to replace supervisor vehicles from 2006. He requested Fleet Services Manager Greg Conlin to elaborate on the replacement triggers. Mr. Conlin stated that Fleet Management Policy outlines guidelines for replacements, stipulating that a vehicle should be replaced at either 150,000 miles or after 15 years. Replacement decisions are also influenced by maintenance costs and a point-based assessment system. The Fleet Department also considers the potential for

repurposing vehicles.

Vice Mayor Shimoni then directed questions to Mr. Conlin regarding the maintenance costs of the vehicles to be replaced, specifically a Ford S36 and a Ford S34. Unfortunately, Mr. Conlin did not have the maintenance cost information for the S36 and S34 available during the meeting. In addition, Vice Mayor Shimoni inquired whether plans for repurposing the vehicles had been determined. Mr. Conlin replied that the S36 vehicle would be repurposed for onsite use at the Landfill, and the S34 would be reserved for other assignments.

Vice Mayor Shimoni further probed whether these vehicles had encountered issues beyond meeting replacement criteria. Mr. Conlin noted that the S36 had experienced a transmission failure, a substantial repair job. The Vice Mayor also questioned whether there was potential to acquire vehicles with longer lifespans. Mr. Conlin explained that Fleet had negotiated a special warranty with a longer coverage period to extend the vehicles' longevity. He also addressed whether the purchase aligns with the community's desire for "high quality core service," stating that the vehicles, as frontline response and delivery service trucks, are vital for core services.

Councilmember McCarthy sought clarity on the requested Silverado, asking whether it was a full-sized pickup and why a larger vehicle was necessary instead of a smaller truck. Mr. Conlin and Mr. Overton clarified that the trucks are fully equipped, including small snow plows for snow events and emergencies. The vehicles are heavy-duty delivery trucks intended for frontline responses. The need for a larger truck stems from their capacity to tow other vehicles.

**Moved by** Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to approve the equipment purchase of two (2) 2019 Chevrolet Silverado 2500 Crew cab 4x4 LWB Pickup trucks from Courtesy Chevrolet in the amount of \$36,395.25 per unit for a total cost of \$72,790.50 through Cooperative Purchase Contract #ADOSP017-166120 with the Arizona Department of Administration, State Procurement Office; and authorize the City Manager to execute the necessary documents.

**Vote:** 7 - 0 - Unanimously

- D. Consideration and Approval of Cooperative Contract:** Purchase of one (1) Commercial Front Load Refuse Truck and one (1) Residential Side Load Refuse Truck from Rush Truck Center Arizona through the Houston-Galveston Area Council Cooperative Purchase Agreement, Contract No. RH08-18.

**STAFF RECOMMENDED ACTION:**

1. Approve the purchase of one (1) Commercial Front Load Refuse Truck in the amount of \$278,839.67 each and one (1) Residential Side Load Refuse Truck in the amount of \$301,229.85 for a total purchase amount of \$580,069.52 from Rush Truck Center Arizona through the Houston-Galveston Area Council Cooperative Purchase Agreement, Contract No. RH-08-18.
2. Authorize the City Manager to execute the necessary documents.

**E. Consideration and Approval of Cooperative Contract:** Purchase Itron 500W RIVA ERT( Encoder Receiver Transmitters) from Ferguson Water Works through a cooperative purchase contract in the amount not to exceed \$300,000.

1. Approve the cooperative purchase contract with Ferguson Water Works through the State of Arizona contract ADSP014-074995 to purchase Itron 500W RIVA ERTs not to exceed \$300,000; and
2. Authorize the City Manager to execute the necessary documents

**F. Consideration and Approval of Cooperative Contract:** For water meter exchange out and repair services for the *Water Meter Replacement Program* with Water Metering Services, Inc. through a cooperative purchase contract with the City of Tempe, AZ for a sum not to exceed \$250,000 per fiscal year.

1. Approve the cooperative purchase contract with Metering Services, Inc. for water meter exchange out and repair services for the *Water Meter Replacement Program* through the City of Tempe Contract No. WUD14-I51-01 in a sum not to exceed \$250,000 per fiscal year; and
2. Authorize the City Manager to execute the necessary documents

**G. Consideration and Approval of Proprietary Purchase:** Purchase of Saf-T-Chlor dry sodium chlorite and drums from CDG Environmental, LLC.  
Approve the proprietary purchase of Saf-T-Chlor dry sodium chlorite and drums from CDG Environmental, LLC in the amount not to exceed \$100,000 (One hundred thousand dollars) annually.

## 10. ROUTINE ITEMS

**A. Consideration and Adoption of Resolution No. 2019-03:** A resolution of the City Council of the City of Flagstaff, Arizona amending the Procurement Code Manual, Article 25, Change Orders, Sections 25.1 Change Order Process, Section 25.2 Change Order Conditions, and Section 25.3 Change Order Membership and establishing an effective date.

Councilmember McCarthy raised concerns about a proposed change that he believes might allow for multiple contract increases without requiring Council approval, as long as each individual change is under \$50,000. Purchasing Manager Patrick Brown clarified that the staff summary contained outdated language and that the resolution had been updated to address the concern. The revisions, available in the red-lined procurement manual, provide the necessary updates. Mr. Brown proceeded to offer an update on the amendments to the Procurement Code Manual.

Councilmember McCarthy further inquired about exceptions related to task orders and the authority for division heads to approve changes up to \$100,000 within 120 calendar days. He sought clarification whether it applies to the original contract or if it is an additional provision. Mr. Brown explained that the exceptions pertain to task orders specifically for professional services, such as projects involving professional design work. For task orders amounting to \$100,000 or more, they must be reviewed either by the change order committee or brought before the Council. He emphasized that these change orders are encompassed within contracts that have already been Council-approved and are part of the approved budget.

**Moved by** Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to read Resolution 2019-03 by title only.

**Vote:** 7 - 0 - Unanimously

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA AMENDING THE PROCUREMENT CODE MANUAL, ARTICLE 25, CHANGE ORDERS, SECTION 25.1 CHANGE ORDER PROCESS, SECTION 25.2 CHANGE ORDER CONDITIONS, AND SECTION 25.3 CHANGE ORDER MEMBERSHIP, AND ESTABLISHING AN EFFECTIVE DATE.*

**Moved by** Councilmember Charlie Odegaard, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2019-03.

**Vote:** 7 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2019-14:** A resolution approving the City of Flagstaff 2019/2020 Annual Action Plan and authorizing its submission to the U.S. Department of Housing and Urban Development (HUD).

**Moved by** Councilmember Regina Salas, **seconded by** Councilmember Austin Aslan to read Resolution 2019-14 by title only.

**Vote:** 7 - 0 - Unanimously

*A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL APPROVING THE CITY OF FLAGSTAFF 2019/2020 ANNUAL ACTION PLAN AND AUTHORIZING ITS SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT*

**Moved by** Councilmember Jim McCarthy, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2019-14.

**Vote:** 7 - 0 - Unanimously

- C. Consideration and Adoption of Ordinance No. 2019-03:** An ordinance of the Flagstaff City Council ratifying the grant and reservation of easements; and formally accepting dedications and donations of easements and real property interests; delegating authority; and establishing an effective date. (***approving receipt/transfer of easements and real property interests***)

**Moved by** Councilmember Jim McCarthy, **seconded by** Councilmember Austin Aslan to read Ordinance 2019-03 by title only for the final time.

**Vote:** 7 - 0 - Unanimously

*AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL RATIFYING THE GRANT AND RESERVATION OF EASEMENTS; AND FORMALLY ACCEPTING DEDICATIONS AND DONATIONS OF EASEMENTS AND REAL PROPERTY INTERESTS; DELEGATING AUTHORITY; AND ESTABLISHING AN EFFECTIVE DATE*

**Moved by** Councilmember Jim McCarthy, **seconded by** Councilmember Austin Aslan to adopt Ordinance No. 2019-03.

**Vote:** 7 - 0 - Unanimously

- D. **Consideration and Adoption of Ordinance No. 2019-04:** An ordinance of the Flagstaff City Council authorizing real property to be dedicated as right-of-way, delegating authority, and establishing a effective date.

**Moved by** Councilmember Jim McCarthy, **seconded by** Councilmember Charlie Odegaard to read Ordinance No. 2019-04 by title only for the final time.

**Vote:** 7 - 0 - Unanimously

*AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING REAL PROPERTY TO BE DEDICATED AS RIGHT-OF-WAY, DELEGATING AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE*

**Moved by** Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to adopt Ordinance No. 2019-04.

**Vote:** 7 - 0 - Unanimously

- E. **Consideration and Approval of Contract:** Exclusivity Agreement between the City of Flagstaff and NextEra Energy Resources Development, LLC.

Councilmember Odegaard inquired about the duration of the exclusivity agreement and was informed that the agreement covers one year for the property either at or near the premises.

Councilmember Whelan engaged in a discussion with Sustainability Manager Nicole Antonopoulos about the distinctions between clean and renewable energy and the associated challenges. Councilmember Whelan suggested the idea of a future conversation to explore the philosophies underlying both concepts, and Ms. Antonopoulos noted her consideration of the suggestion.

Mayor Evans directed a question to Ms. Antonopoulos regarding the potential expansion of a renewable energy portfolio to incorporate clean energy. Mayor Evans also highlighted that due to being in a regulated state, the city lacks the freedom to choose energy providers. In response, Ms. Antonopoulos explained that the proposed program would maintain cost efficiency, and there are upcoming opportunities that could address clean energy and potentially introduce 100% clean energy initiatives as well.

Vice Mayor Shimoni inquired about the potential financial benefits for the Hopi Nation from the leased land and was informed that the financial specifics are currently being determined through negotiations between NextEra and the Hopi Nation. He also raised questions about potential concerns associated with the project and the major challenges it might face. Ms. Antonopoulos responded that there are indeed numerous challenges and that the current step is the third phase within a lengthy process.

Councilmember Salas expressed the need for any future financial implications to be communicated to the Council. Ms. Antonopoulos assured that if successful negotiations lead to a power purchase contract, it would be presented to the Council for consideration.

**Moved by** Vice Mayor Adam Shimoni, **seconded by** Councilmember Austin Aslan to approve the exclusivity agreement with NextEra Energy Resources Development, LLC.

**Vote:** 7 - 0 - Unanimously

**F. Consideration and Approval of Contract:** Lease Agreement with American Airlines

Real Estate Manager Charity Lee stated that the lease is modeled on the United Airlines lease.

**Moved by** Councilmember Regina Salas, **seconded by** Councilmember Charlie Odegaard to approve lease agreement with American Airlines.

**Vote:** 7 - 0 - Unanimously

**RECESS**

The 4:30 p.m. portion of the April 19, 2019, Regular Council Meeting recessed at 5:34 p.m.

**6:00 P.M. MEETING**

**RECONVENE**

Mayor Evans reconvened the Regular Meeting of April 19, 2019, at 6:02 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 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 ).*

**11. Roll Call**

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

PRESENT:

ABSENT:

MAYOR EVANS  
 VICE MAYOR SHIMONI  
 COUNCILMEMBER ASLAN  
 COUNCILMEMBER MCCARTHY  
 COUNCILMEMBER ODEGAARD  
 COUNCILMEMBER SALAS  
 COUNCILMEMBER WHELAN

Others present: Acting City Manager Barbara Goodrich and City Attorney Sterling Solomon.

**12. PLEDGE OF ALLEGIANCE**

The Council and audience recited the Pledge of Allegiance and Councilmember Salas read the Mission Statement of the City of Flagstaff.

**MISSION STATEMENT**

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

**13. PUBLIC PARTICIPATION**

Armando Bernasconi, CEO of Quality Connections, spoke before the Mayor and Council about the minimum wage and Senate Bill 1225.

Ben Brown presented his concerns to the Council regarding livestock within the City. He mentioned that he resides in the lower Greenlaw area and highlighted an issue with his neighbors having goats, leading to a problematic smell from the urine.

Members of the Indigenous Circle of Flagstaff had the opportunity to address the Council as well. They expressed their anticipation for continued discussions concerning the transformation of the old Public Works Yard into the Indigenous Cultural Community Center. Indigenous Coordinator Rose Toehe emphasized the partnership with the Indigenous Circle of Flagstaff and urged the Council to seriously consider utilizing the old Public Works Yard for the cultural center. They stated that they hoped Council would support the project and look ahead to establishing a permanent place for the Indigenous Cultural Community Center.

Mayor Evans explained the reason for wearing a hockey jersey that had been presented to her by the Flagstaff Northstars during the 4:30 p.m. meeting.

**14. CARRY OVER ITEMS FROM THE 4:30 P.M. AGENDA**

None

**15. PUBLIC HEARING ITEMS**

- A. Public Hearing, Consideration and Possible Adoption of Ordinance No. 2019-07: An ordinance of the City Council of the City of Flagstaff, amending the McMillan Mesa Village Specific Plan development options for designated Development Area E1 for the purposes of developing a congregate care facility. **(McMillan Mesa Specific Plan Amendment requests for property located at 1831 N Jasper Drive)****

Mayor Evans opened the public hearing.

Planning and Development Manager Patrick St. Clair presented on the Zoning Map Amendment and Specific Plan Amendment request. He discussed the plot's location, the McMillan Mesa development, the requested amendments, and how the business park is designated for medical use, aligning with the current usage.

Councilmember Whelan expressed a hope for low vehicle usage and highlighted that certain Mountain Line routes were removed from the area due to congestion from narrow streets, suggesting that the City consider this congestion when allowing more businesses in the

area. She affirmed her support for the item and requested that staff assess transit options in the region.

Councilmember McCarthy added that the reduction in bus routes resulted from low ridership and clarified that congestion contributed to this reduction. Mayor Evans suggested exploring alternative routes and expressed interest in reviewing the area road map.

Mr. St. Clair continued the presentation, covering the Regional Plan, the McMillian Mesa Village Specific Plan, the project's alignment with plans, the role of the congregate care facility, zoning options, a comparison of existing and proposed zoning, the site plan, and architectural elevations.

Councilmember Whelan inquired about the 1992 traffic analysis. Mr. St. Clair explained that the original study was conducted in 1992 and has been revised since then.

Councilmember Salas voiced concerns about traffic.

Mayor Evans mentioned the possibility of conducting a traffic analysis in the future, noting that the option of a road over the back of the Mesa had been removed due to citizen efforts to preserve it as open space.

Vice Mayor Shimoni inquired about bus stops in the vicinity. Planning Director Tiffany Antol mentioned potential changes to the Gemini route but noted a stop on Forest and Gemini. She clarified that traffic needs for a congregate living home differ significantly from those of other facilities.

Councilmember Aslan requested that the Council consider the impact of rezoning on traffic congestion compared to the existing zoning.

Councilmember McCarthy affirmed that the proposal would not generate more traffic than the current zoning. He suggested that traffic issues stemmed from other entities like the school.

Mr. St. Clair continued the presentation, covering findings and staff recommendations.

Councilmember McCarthy asked if the presented points were included in the ordinance. Mr. St. Clair clarified that they were distributed between the two ordinances.

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

**Moved by** Councilmember Jamie Whelan, **seconded by** Councilmember Regina Salas to read Ord. 2019-07 by title only for the first time.

**Vote:** 7 - 0 - Unanimously

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE MCMILLAN MESA VILLAGE SPECIFIC PLAN TO MODIFY DEVELOPMENT OPTIONS FOR DEVELOPMENT AREA E, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE*

**B. Public Hearing, Consideration and Possible Adoption of Ordinance No. 2019-09: An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff Zoning Map to rezone approximately 3.34 acres of real property located at 1831 N Jasper Drive on parcel number 101-46-012A from Research and Development ("RD") to Community Commercial ("CC") for the purposes of developing a congregate care facility. **(Buron Inc. Zoning Map Amendment requests for property located at 1831 N Jasper Drive)****

Mayor Evans opened the public hearing.

Vice Mayor Shimoni inquired about the projected number of employees. The owners anticipated around 75 employees, with most in professional roles.

Margery Todd spoke on behalf of Highgate Senior Living, highlighting that they have nine communities in four states, targeting smaller cities. She presented their proposed 3-story, 87-bed Assisted Living and Memory Care community, mentioning the proximity to medical facilities on McMillian Mesa. Ms. Todd elaborated on assisted living, their core audience, and the expectation that residents will age in place. She emphasized Highgate's holistic approach through aromatherapy and commitment to purposeful living. She described their buildings as "very beautiful" and emphasized human connection. The project would create 75 new jobs and provide volunteer and internship opportunities. Addressing traffic, Ms. Todd stated their flexible three-shift schedule to avoid conflicts with Basis school and the limited impact on traffic.

Vice Mayor Shimoni inquired about making such a complex feel like home. Ms. Todd explained the design's "neighborhoods," secured memory and apartment areas, an all-day dining option, clubs, and programs for community building. The cost per resident is under \$3,000.

Councilmember Whelan asked about permanent affordability and involvement with Medicaid and Medicare. Ms. Todd explained their discounts for employees and spouses but clarified they do not work with Medicaid and Medicare.

Councilmember McCarthy shared his personal experience with assisted care living and expressed support for the project.

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

Vice Mayor Shimoni stressed the value of the project and desired affordability integration.

Mayor Evans noted the severe need for memory care in Flagstaff. She felt that including affordable housing into the business model might not be appropriate due to the specialized care, and zoning should be assessed based on traffic impacts, jobs, and the business type.

Vice Mayor Shimoni advocated for integrating affordability by having apartments available for sharing.

Mayor Evans acknowledged the value of the proposal.

Councilmember Odegaard agreed, deeming the proposal impressive.

Councilmember McCarthy affirmed the proposal's alignment with the Regional Plan.

Councilmember Salas supported the project for its high-quality jobs.

Councilmember Shimoni asked about affordability, particularly studios versus shared apartments. Ms. Todd explained that most residents prefer not to share space as they are already making significant changes, but shared apartments work best for residents who have known each other.

Councilmember Aslan expressed excitement and cautioned against micromanaging the project.

**Moved by** Councilmember Charlie Odegaard, **seconded by** Councilmember Regina Salas to read Ordinance No. 2019-19 by title only for the first time.

**Vote:** 7 - 0 - Unanimously

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 3.34 ACRES OF REAL PROPERTY LOCATED AT 1831 N JASPER DRIVE ON PARCEL NUMBER 101-46-012A FROM RESEARCH AND DEVELOPMENT ("RD") TO COMMUNITY COMMERCIAL ("CC"), WITH CONDITIONS; PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE*

## 16. REGULAR AGENDA

### A. Consideration and Adoption of Resolution No. 2019-15: Adoption of Coconino Joint Land Use Study

Mayor Evans initiated the discussion. Community Development Director Dan Folke delivered a presentation on the Coconino County Joint Land Use Study (JLUS). He explained that the JLUS is a planning document centered around Camp Navajo, the Naval Observatory, and their surrounding communities. Mr. Folke covered the scope of the project study area, the study's procedural aspects, and future implementation plans. He emphasized that the City of Flagstaff aims to collaborate with Coconino County, the Naval Observatory, and Camp Navajo to synchronize developments and the Regional Plan. Additionally, he highlighted the significant portion dedicated to the Dark Skies initiative and outlined its impact on the Comprehensive Plan.

Councilmember Whelan inquired whether the discussions encompassed the potential biomass disposal at Camp Navajo. Mr. Folke responded that the Camp Navajo section does include a policy concerning that matter and detailed substantial conversations between Camp Navajo and the Observatory about the plan.

Vice Mayor Shimoni sought clarification on concerns related to the Dark Skies initiative and biomass disposal. He asked if a physical version of the plan was available. Mr. Folke mentioned that printed copies would be distributed to Councilmembers. Councilmember Aslan expressed excitement about the spread of the Dark Skies initiative.

Mayor Evans indicated her own attendance at some of the meetings and noted that Councilmember McCarthy had also participated in a few. Councilmember McCarthy elaborated that he assumed his position after Celia Barotz left Council and attended one meeting along with Councilmember Whelan. Mayor Evans underscored the significance of safeguarding dark skies for the various telescopes situated close to Flagstaff. She emphasized the importance of not only having someone to enforce Dark Skies regulations

but also an individual capable of educating the public about them. She voiced concerns about potential development at Camp Navajo, fearing that it might adversely affect both observatories.

Councilmember Salas shared an announcement that the upcoming Friday would feature a full moon, and the library was organizing a guided full moon hike at Buffalo Park.

**Moved by** Mayor Coral J. Evans, **seconded by** Councilmember Charlie Odegaard to read Resolution No. 2019-15 by title only.

**Vote:** 7 - 0 - Unanimously

*A RESOLUTION ADOPTING THE COCONINO JOINT LAND USE STUDY A COOPERATIVE LAND USE PLANNING EFFORT BETWEEN LOCAL GOVERNMENTS AND MILITARY INSTALLATIONS*

**Moved by** Vice Mayor Adam Shimoni, **seconded by** Councilmember Regina Salas to adopt Resolution No. 2019-15.

**Vote:** 7 - 0 - Unanimously

**B. Consideration of Audited Financial Reports:** Year ending June 30, 2018

Finance Director Brandi Suda addressed the audit report. She reported that there were no negative marks in the audit and that the Audit Committee unanimously approved both reports.

**Moved by** Councilmember Charlie Odegaard, **seconded by** Vice Mayor Adam Shimoni to approve the FY 2018 Comprehensive Annual Financial Report and the FY 2018 Single Audit Report.

**Vote:** 7 - 0 - Unanimously

**C. Consideration and Adoption of Ordinance No. 2019-06:** 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 establishing an effective date.

Management Services Director Rick Tadder discussed the debt service related to water revenue and highlighted that issuing debt is particularly advantageous due to the drop in interest rates.

Councilmember Whelan inquired about the nature of the debt, and Mr. Tadder clarified that the City had saved interest costs upfront through the process.

**Moved by** Councilmember Charlie Odegaard, **seconded by** Councilmember Jamie Whelan to read Ordinance No. 2019-06 by title only for the first time.

**Vote:** 7 - 0 - Unanimously

*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 SERVICE DIRECTOR OR HIS DESIGNEES TO TAKE ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS ORDINANCE AND ESTABLISHING AN EFFECTIVE DATE*

**17. DISCUSSION ITEMS**

- A. Discussion/Direction:** Current Issues Before Arizona Legislature and Federal Issues.

No updates.

**18. COUNCIL LIAISON REPORTS**

No updates.

**19. 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 Odegaard to place on a future agenda a discussion about ways that the City and a developer could leverage something to create a public art space.

Anthony Garcia provided public comment, expressing his approval of the discussed topic. He deemed the proposal beneficial, citing that numerous municipalities employ similar ordinances to incentivize developers to allocate a portion of their budget for public art installations. He suggested a trade-off for developers to incorporate public art, asserting that such a requirement could also generate new employment opportunities.

The majority of the Councilmembers expressed their support for the proposal and the discussion moved forward.

- B. Future Agenda Item Request (F.A.I.R.):** A request by Councilmember Whelan to place on a future agenda a discussion about developing a plan and recommendations for zoning for the upcoming work in the Fourth Street, Lone Tree, and I-40 corridors.

Councilmember Whelan expressed the intention to withdraw the item due to it involving privately-owned property.

Vice Mayor Shimoni inquired whether Councilmember Whelan anticipated potential legal actions or if there was another reason for requesting the withdrawal of the FAIR item.

Councilmember Whelan responded that obtaining the private property owner's consent was necessary, aiming to streamline the process and enhance its appeal. She asked Community Development Director Dan Folke whether the approach would indeed streamline the City's process and make it more attractive. Mr. Folke indicated that Councilmember Whelan was proposing the creation of a corridor plan.

Mayor Evans added that if a corridor plan is developed, property owners should be included in the conversation.

Councilmember McCarthy supported the idea of a corridor plan, suggesting that the FAIR item should progress with adjusted wording.

Councilmember Whelan provided further insight into the specific area she was considering, mentioning an existing JW Powell specific plan.

Vice Mayor Shimoni questioned the possibility of amending the zoning code. Mayor Evans clarified that zoning codes cannot be altered for private owners, though Council could establish a plan, but zoning adjustments are not feasible.

Councilmember Aslan expressed support for establishing a corridor plan.

The majority of Councilmembers supported moving this discussion forward.

**20. INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF, FUTURE AGENDA ITEM REQUESTS**

Councilmember Odegaard requested staff to review the public comments made during the June 11, 2019 Work Session regarding animal control. He also mentioned being contacted via social media about private property panhandling and suggested that police aides educate private property owners about their rights concerning panhandling.

Councilmember McCarthy inquired about the old Public Works Yard. City Manager Goodrich responded that an update would be provided during the next week's Budget Retreat.

Councilmember Whelan requested a FAIR item to explore the possibility of reviewing the procurement policy with regards to the fleet policy. Mayor Evans explained the Arizona procurement law and the options available to the City within procurement. Councilmember Whelan also sought a FAIR item to ensure that the City's actions align with the Climate Action Plan, specifically in terms of purchasing items from Phoenix and bringing them to Flagstaff. City staff will create a Council Communication Report (CCR) to address the inquiry. City Manager Goodrich clarified that the fleet policy does not dictate purchasing policy, and Councilmember Whelan expressed the desire to review the fleet policy.

Vice Mayor Shimoni mentioned staying proactive about SB1225, which pertains to appropriations for developmental disabilities service providers. City Manager Goodrich indicated that this topic would be addressed during the Budget Retreat, with the possibility of allocating around \$50,000 from carry-forwards for that purpose.

Councilmember Salas expressed gratitude to FMPO (Flagstaff Metropolitan Planning Organization) and the City for hosting a State Transportation Board tour and dinner she attended. She highlighted the identification of two transportation priorities at the last FMPO meeting: 4th Street and Lone Tree.

Mayor Evans addressed the issue of graffiti on private property.

## 21. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held April 16, 2019, adjourned at 9:04 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 April 16, 2019. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 6th day of February, 2024.

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CITY CLERK