

MINUTES

1. CALL TO ORDER

Mayor Daggett called the meeting of the Flagstaff City Council held June 6, 2023, to order at 3:02 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this 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:

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

ABSENT:

VICE MAYOR ASLAN

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 Matthews read the Mission Statement of the City of Flagstaff, and Councilmember Sweet 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.

Sustainable Food Systems Vista Natalie Pierson addressed Council regarding Pollinator Week and invited Council and the public to participate in various events throughout the week.

Stephen Puhr addressed Council and spoke in opposition to the plans to build at USGS when there were no cost recovery plans.

Tom Pearson addressed Council about climate change and concerns with the Carbon Neutrality Plan.

Seth Moniz addressed Council about the requirements being imposed by the county for wastewater systems south of Grand Canyon.

Cassidy Motahari submitted a written comment with concerns about the elimination of free parking.

5. COUNCIL LIAISON REPORTS

Councilmember McCarthy reported that he attended the Bicycle Advisory Committee meeting where they discussed the Butler and Beaver separated bike lane project. There was discussion about trying to keep the pilot in place. He also reported that MetroPlan hired Kate Morely as their Executive Director.

Councilmember House reported that she attended the Commission on Diversity Awareness meeting where they discussed the upcoming pride parade. They also discussed the Northern Arizona Healthcare proposed health village project. She also reported that the Housing Commission met and had a good conversation about the new GIS maps that focus on housing options and the furtherance of the Ten-Year Housing Plan.

Councilmember Harris reported that she attended a Digital Equity Institute meeting where they discussed inequities and challenges associated with internet access.

6. APPOINTMENTS

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that the City Council may vote to go into executive session, which will not be open to the public, for the purpose of discussing or considering employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body...., pursuant to A.R.S. §38-431.03(A)(1).

A. Consideration of Appointments: Beautification and Public Art Commission.

Moved by Councilmember Khara House, **seconded by** Councilmember Jim McCarthy to appoint J. Micheal Cruz to a term expiring June 2026.

Vote: 6 - 0 - Unanimously

Moved by Councilmember Miranda Sweet, **seconded by** Councilmember Lori Matthews to appoint Carla McCord to a term expiring June 2024.

Vote: 6 - 0 - Unanimously

Moved by Mayor Becky Daggett, **seconded by** Councilmember Jim McCarthy to appoint Claire Eddleman-Heath to a term expiring June 2026.

Vote: 6 - 0 - Unanimously

7. CONSENT ITEMS

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

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Deborah Harris to approve the Consent Agenda as presented.

Vote: 6 - 0 - Unanimously

A. Consideration and Approval of Contract: Approve the J.W. Powell Specific Plan Study - Change Order Number 5 with Peak Engineering, Inc. in the amount of \$220,142.62.

1. Approve Change Order Number 5 with Peak Engineering, Inc. in the amount of \$220,142.62;
2. Add 601 calendar days to the design services contract; and
3. Authorize the City Manager to execute the necessary documents.

B. Consideration and Approval of Contract: Approve the construction contract with Mountain High Excavating, LLC. in the total amount of \$5,291,814.00 for the Switzer Canyon Water Transmission Main Phase IV Improvement Project.

1. Approve the construction contract with Mountain High Excavating, LLC ("Contractor") in the total amount of \$5,291,814.00 and a contract time duration of 270 calendar days.
2. Approve a contract allowance of \$223,581.00 which is 5% of the Engineer's Estimate of Probable Cost.
3. Approve Change Order Authority to the City Manager in the amount of \$529,181.40 (10% of the contract amount, less allowance); and
4. Authorize the City Manager to execute the necessary documents.

- C. Consideration and Approval of Cooperative Purchase Contract:** with J.C Cullen, Inc. d/b/a Niles Radio Communications in the amount of \$222,390.04, plus applicable taxes, for Cradlepoint R1900 routers, Panorama antennas, licensing, hardware installation, and support/maintenance.
1. Approve a Cooperative Purchase Contract with J.C Cullen, Inc. d/b/a Niles Radio Communications in the amount of \$222,390.04, plus applicable taxes, for Cradlepoint R1900 routers, Panorama antennas, licensing, hardware installation, and support/maintenance; and
 2. Authorize the City Manager to execute the necessary documents.
- D. Consideration and Approval of Contract:** Construction Manager at Risk Construction Services Contract with a Guaranteed Maximum Price of \$4,300,000.00 for construction of Sequence D-Phase II to be awarded to Rummel Construction, Inc.
1. Approve the Construction Manager at Risk (CMAR) Construction Services Guaranteed Maximum Price (GMP 1) to Rummel Construction, Inc. (Contractor) for \$4,300,000.00, with a construction duration not to exceed 411 calendar days (June 30, 2024); and
 2. Authorize the City Manager to execute the necessary documents.
- E. Consideration and Approval of Contract:** Approve the 2023 Renewal of the Master Agreement for Software Maintenance with Hexagon for software utilized by the City of Flagstaff Police Department in the amount of \$270,972.72 (plus any applicable sales tax).
1. Approve the 2023 Renewal of the Master Agreement for Software Maintenance with Hexagon in the amount of \$270,972.72 (plus any applicable sales tax); and
 2. Authorize the City Manager to execute all necessary documents.

8. **REGULAR AGENDA**

- A. Consideration and Adoption of Resolution No. 2023-30:** A resolution of the Council of the City of Flagstaff, Arizona adopting the tentative budget for Fiscal Year 2023-2024.

Finance Director Brandi Suda provided a PowerPoint presentation that covered the following:

CITY OF FLAGSTAFF FY 2023-2024 BUDGET
 TIMELINE
 LEGAL SCHEDULE A
 HIGHLIGHTS
 TOTAL EMPLOYEE INVESTMENT
 CHANGES SINCE APRIL RETREAT
 ADDITIONAL INFORMATION

Ms. Suda explained that the resolution would set the maximum appropriation that could be spent for the upcoming fiscal year.

Moved by Councilmember Miranda Sweet, **seconded by** Councilmember Lori Matthews to read Resolution No. 2023-30 by title only.

Vote: 6 - 0 - Unanimously

A RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA ADOPTING THE TENTATIVE BUDGET FOR THE FISCAL YEAR 2023-2024

Moved by Councilmember Miranda Sweet, **seconded by** Councilmember Lori Matthews to adopt Resolution No. 2023-30.

Vote: 6 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2023-31:** A resolution approving the Third Amendment to the Intergovernmental Agreement and Third-Party Agreement between the City of Flagstaff, Coconino County and Paw Placement of Northern Arizona dba High Country Humane for Animal Sheltering Services.

Police Chief Dan Musselman stated that the resolution would authorize a five-year extension to the agreement with High Country Humane. He noted that annual price adjustments would be based on the CPI and applied on July 1 of each year. The total increase would be \$12,769 over the prior year. He also stated that the amendment was consistent with the charges Coconino County had agreed to provide.

Sam Wheeler, Chairperson of the High Country Humane Board of Directors, addressed Council and thanked them for the consideration of the amendments and stated that the amendments would provide the tools necessary to take their organization to a higher level.

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Miranda Sweet to read Resolution No. 2023-31 by title only.

Vote: 6 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AMENDMENT THREE TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN COCONINO COUNTY, PAW PLACEMENT OF NORTHERN ARIZONA, DBA HIGH COUNTRY HUMANE, AND THE CITY OF FLAGSTAFF FOR ANIMAL SHELTERING SERVICES

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2023-31.

Vote: 6 - 0 - Unanimously

- C. Consideration and Adoption of Resolution No. 2023-21:** A resolution approving the filing of condemnation proceedings to acquire easements necessary for the Switzer Canyon Water Transmission Main Project, Phase IV.

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Jim McCarthy to postpone until staff was able to obtain necessary documentation.

Vote: 6 - 0 - Unanimously

- D. Consideration and Approval of Lease Amendments:** Flagstaff Airport Rental Car Concessions, IFB 2011-09A: Amendment to leases with Avis Budget Car Rental LLC, Alamo Rental Car/National Car Rental, The Hertz Corporation, and Enterprise Rent-A-Car companies. (Amendment to current leases with car companies for a one-year extension)

Real Estate Manager Bryce Doty addressed Council and stated that the amendments were for a one-year extension of the current leases. He explained that staff were working on a new

solicitation for rental services and the contract extensions would provide the necessary time to conduct the solicitation appropriately.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to approve the amendments to the current lease agreements for a lease renewal for one (1) year between the City of Flagstaff and Avis Budget Car Rental LLC, Alamo Rental Car/National Car Rental, The Hertz Corporation, and Enterprise Rent-A-Car Companies and authorize the City Manager to execute all necessary documents.

Vote: 6 - 0 - Unanimously

- E. Consideration and Adoption of Resolution No. 2023-32:** A resolution in support of calls for President Joe Biden to create BaaJ Nwaavjo I'tah Kukveni Grand Canyon National Monument in Northern Arizona

Public Affairs Director Sarah Langley stated that a coalition of Indigenous Nations was calling upon the President to protect areas that include sacred and cultural sites. If created, the designation would protect the area by making the twenty-year moratorium on mining permanent.

Coordinator for Indigenous Initiatives Rose Toehe offered that the designation was very important to many Indigenous Nations in the area and beyond. Many people were suffering due to uranium mining and 67% of Arizonans supported a permanent ban on uranium mining around the Grand Canyon. It was important to adopt the resolution and it was critical to the relationships the City of Flagstaff was building with their Indigenous neighbors.

Councilmember House stated that the resolution and designation was an important step in land acknowledgement.

Moved by Councilmember Khara House, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2023-32 by title only.

Vote: 6 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, IN SUPPORT OF CALLS FOR PRESIDENT JOE BIDEN TO CREATE BAAJ NWAAVJO I'TAH KUKVENI GRAND CANYON NATIONAL MONUMENT IN NORTHERN ARIZONA

Moved by Councilmember Khara House, **seconded by** Councilmember Deborah Harris to adopt Resolution No. 2023-32.

Vote: 6 - 0 - Unanimously

- F. Consideration and Adoption of Resolution No. 2023-20 and Ordinance No. 2023-12:** A Resolution of the City of Flagstaff, Coconino County, Arizona, declaring as a public record that certain document filed with the City Clerk entitled "NAH Health Village Phase 1 Specific Plan" and an Ordinance of the City Council of the City of Flagstaff, Coconino County adopting the NAH Health Village Phase 1 Specific Plan to guide the development of 172.62 acre of real property and to provided specific development requirements for 93.39 acres generally located at 1120 W Purple Sage Trail.

Zoning Code Manager Tiffany Antol provided a PowerPoint presentation that covered the following:

NAH HEALTH VILLAGE, SPECIFIC PLAN, CONCEPT ZONING MAP AMENDMENT AND DEVELOPMENT AGREEMENT
NAH HEALTH VILLAGE
DEVELOPMENT AGREEMENT
OVERVIEW
SITE PLAN REVIEW
OPEN SPACE & CIVIC SPACE
RESIDENTIAL DENSITY
SUSTAINABILITY
PRIVATE SHUTTLE SERVICE
FIRE PROTECTION
LEGACY CAMPUS
OUTDOOR LIGHTING
WATER AND SEWER IMPROVEMENTS
ON-SITE TRANSPORTATION IMPROVEMENTS
OFF-SITE TRANSPORTATION IMPROVEMENTS
RECOMMENDATION

Mr. Clifton addressed Council to comment on an allegation that the recent Council Washington D.C. trip was done solely for the purpose of advocating for the NAH relocation and associated funding. He stated that the allegation was not true. He explained that trips to Washington D.C. to meet with the city's delegation are done on an annual basis and have been for many years. The purpose of the trips were to build relationships between elected officials at the local and federal levels; they were also a means by which the city pursued programmatic funding, grant funding, direct appropriations, and funding support. The city had enjoyed a strong track record of receiving funding support that materialized from those trips. Recently, the relationships with congressional delegates had resulted in support, allocation of land resources, and funding for flood mitigation efforts, along with a \$56 million allocation toward the Rio de Flag project.

Mr. Clifton reviewed the materials presented to representatives during the trip and explained that there was a brief mention of a direct spending request associated with the RAISE grant application that included NAH as a co-applicant and the matching funds that they would be providing should the grant be awarded to the city. He went on to explain that it was not unusual for the city to partner with private entities, developers, nonprofits, service organizations, and other government agencies on grant pursuits. He clarified that there were many needs within the public safety utility and a new fire station in the area of the NAH development was one of them. The current station was undersized and not able to accommodate the newly acquired ladder truck or the necessary staff to man the truck. A new station was needed to provide the necessary public safety services to the area and that need would exist with or without the NAH development; the relocation had just advanced the timeline.

Councilmember Matthews asked who was responsible for funding the improvements if the grant was not awarded. Ms. Antol explained that the financial responsibility fell entirely to NAH.

NAH Vice President of Real Estate and Construction Steve Eiss, along with Guillermo Cortes from Shepard-Wesnitzer Inc., and Tim Kinney from Kinney Construction Services Inc. continued the presentation.

NORTHERN ARIZONA HEALTHCARE HEALTH AND WELLNESS VILLAGE

A POTENTIAL I-17 UNDERPASS
HISTORY OF THE I-17 CROSSING
CONCEPTUAL TRAFFIC CONTROL PLAN
CONCEPTUAL TRAFFIC CONTROL PLAN PHASE 1
CONCEPTUAL TRAFFIC CONTROL PLAN PHASE 2
CONCEPTUAL TRAFFIC CONTROL PLAN PHASE 3
THE CHALLENGE IS CONSTRUCTING THE ACTUAL UNDERPASS
NAH'S SUSTAINABILITY EFFORTS

Councilmember McCarthy suggested the following two edits to the development agreement:

4.4.4 Electric Vehicle Charging – REVISED WORDING (added words in italics and caps):

“upon surpassing 80% utilization of existing charging stations *DURING PEAK HOURS OF OPERATION*, NAH shall install additional electric vehicle charging stations sufficient to serve another 20 electric vehicles at a time.”

4.4.5 Green Connect Program – REVISED WORDING (added words in italics and caps):

“NAH shall join the APS Green Connect Partner Program prior to receiving the first certificate of occupancy for the Project. *TO THE EXTENT THAT ELECTRICAL POWER IS AVAILABLE FROM APS THROUGH THE PROGRAM, THE PROJECT SHALL USE POWER FROM THE PROGRAM OR FROM RENEWABLE ENERGY PRODUCED ON-SITE.*”

Mr. Eiss stated that he had no problem with the first suggested amendment. Regarding the second, he stated that he was not sure if that was how the program worked currently through APS. They had committed to signing the same agreement that the City of Flagstaff had signed. Councilmember McCarthy stated that there needed to be some teeth put into that requirement.

Councilmember Matthews asked about their experience with building efficient buildings. Mr. Kinney stated that he was one of the first LEED-accredited developers in Northern Arizona over 20 years ago and had built several Green Sustainable buildings, eight of which were certified LEED Platinum. Councilmember Matthews asked Mr. Kinney's opinion on the project and the amendments that were added. Mr. Kinney stated that the LEED Silver was an excellent place to be, and while the Gold Standard was a reach, they would be able to achieve it without the certifications.

Councilmember Sweet asked about the challenges associated with going from a Silver Standard to a Gold Standard in Flagstaff. Mr. Kinney stated that the elevation was a challenge; Flagstaff has four distinct seasons and 40-degree temperature swings which could compromise mechanical equipment. They had been able to meet the Gold Standard with redundancies in place that had been well-designed to be efficient. Mr. Kinney noted that the Gold Standard had a wide range of points associated with it and they would probably be in the middle range of that. Going to Platinum would be another 20 to 40 points and would require an extensive redesign of the mechanical systems. They would have to get into more renewable energy which the site was not suited for because there were a lot of trees. Another significant challenge was accessibility to materials; the things that would have to be done to reach the Platinum Standard would be very costly and would require significant maintenance ongoing.

Councilmember Matthews stated that she had concerns with Councilmember McCarthy's proposed amendment that required the hospital to use clean energy because it may not be available.

Mayor Daggett thanked NAH for their commitment to provide all the data requested to calculate the carbon footprint. She stated that the information would allow the city to identify how to address the rest of the Carbon Neutrality Plan.

SUSTAINABILITY RECAP
CLARIFICATIONS FOR THE PUBLIC RECORD
FORMAL ASK OF CITY COUNCIL

Mayor Daggett asked staff to comment on the proposal regarding Purple Sage. City Engineer Paul Mood explained that it was difficult to respond to the proposed traffic control because it was the first time that staff had seen it. There would be other utilities in the roads such as water, fiber optics, and gas that would have to be considered. Staff's recommendation remained that the Purple Sage intersection be built to the elevation needed for a future underpass. Should Council like to amend that condition, staff recommended that the development agreement include the requirement that plans be submitted for both the interim condition and the final condition with the lower elevation that would include all demolition and temporary measures needed to do that construction prior to recording the final plat. That would allow staff to know what type of easements and other things would be needed in the future. Staff also recommended that some type of financial assurance be provided for future work.

Council inquired about the future need for the underpass. Mr. Mood explained that the underpass was showing in the Regional Plan so staff must assume that it would be built in the future when reviewing projects. Development in the area had not happened yet so the underpass had not been included in the city's five-year plans.

A break was held from 5:22 p.m. through 5:35 p.m.

The following individuals spoke in opposition of the NAH relocation project:

- Patricia Ellsworth
- Karen Enyedy
- Michele James
- David Spence
- Stefan Sommer

The following comments were received:

- The Northern Arizona Climate Change Alliance would have liked to have been involved in the conversation earlier.
- The development agreement should include the requirement for LEED Gold certification.
- Council should require staff to develop a plan for deep study and analysis.
- Technology is changing medical infrastructure needs and the infrastructure being envisioned now may not actually be needed.
- There needs to be an assessment of community health needs with careful attention to lower-income households.
- There is no way to determine an alternative plan without a study of the existing infrastructure and possible acquisition of available properties.
- There needs to be full disclosure of both known and potential costs of the project.
- More information is needed, and more time is needed to gather that information.
- Council should refer the matter to the voters.
- The draft development agreement does not adequately outline the expenses the city is responsible for.
- The development agreement should require a public process before any proposed changes are made to the infrastructure improvement agreements related to the fiscal

responsibility of NAH.

- At what level will NAH join the APS Green Connect Partner program, and how long will the agreement last?
- The Council should postpone the final reading of 2023-11 to allow time to receive and analyze the carbon footprint data.
- There should be an analysis of what a typical hospital stay costs at the current location in comparison to the cost at the new facility.
- Renovating the existing facility can achieve many of the same goals they have outlined for the new facility.
- The public deserves to know the projected costs for the existing and future locations.

The following individuals submitted written comments in opposition to the NAH relocation project:

- Kyle Nitschke
- Alex James Russell
- Christine Schimanski
- James Snyder

The following individuals spoke in favor of the NAH relocation project:

- Joe Galli
- Whitney Cunningham

The following comments were received:

- The Greater Flagstaff Chamber of Commerce supports the rezone and the development agreement because of the economic impacts that will come to the community as the facility is constructed and completed.
- New healthcare industry jobs will be created.
- Local contractors are being used for construction and they have impeccable reputations.
- There are over \$100 million in tax revenues that will collectively be generated for local municipalities.
- Construction jobs will benefit retailers, hoteliers, and restaurants.
- Please continue to support the development and advance the rezone and development agreement.
- There have been generational investments in Flagstaff; in the 80's W.L. Gore expanded their facilities by several hundred square feet, NAU expanded significantly in the 60's, downtown business owners taxed themselves to grow and expand the downtown, and forty years ago, NAH was formed building on a facility that began in 1936.
- Continue the investment in leadership and vision.
- NAH is making a \$50 million investment in roads and a \$5 million investment in fire facilities.
- NAH is going to build a park bigger than Foxglenn and reduce energy consumption by 50% and fossil fuel usage by 75%. None of those benefits will be realized if the project does not move forward.
- The project is a generational investment and it should be supported.

Phillip Williams submitted a written comment in support of the NAH relocation project.

Senior Assistant City Attorney Christina Rubalcava provided a review of the recommendations for the development agreement:

1. Modify section 4.12.1 and 4.12.2 to reference the northern face of the patient towers rather than the western face.
2. Modify section 4.4.4 add Utilization shall be measured during regular hours of operation

for the ACC as the last sentence.

3. Modify section 4.4.5 modify as follows:

1. NAH shall join the APS Green Connect Partner Program for 100 percent of electric power used on-site for the term of this Agreement. Copies of the contract approved by the Arizona Corporation Commission for this program shall be provided to the City prior to receiving the first certificate of occupancy for the Project. In the event that the APS Green Connect Partner Program is terminated or NAH desires to participate in an alternate program, NAH shall be permitted to participate in a substantially equivalent program upon the written approval of the City Manager and in the sole and absolute discretion of the City Manager.
4. Add section 4.4.7 Within 8 weeks from the date of execution of this Agreement, NAH shall provide the City with the calculated carbon footprint of the hospital and ACC, and shall also provide the underlying data used by NAH to calculate that carbon footprint.
5. Add section 4.4.8 NAH shall design the hospital and ACC to meet credit guidance for LEED Gold Standards, but is not required to obtain official LEED certification.

Councilmember Matthews offered comments about the underpass and suggested that NAH be required to provide engineering plans for the current state and plans for after Beulah was widened and put a 20% financial assurance bond with a sunset of ten years.

Councilmember Sweet asked about the APS Green Connect Partner program and if the development agreement would allow NAH to move away from that program should the city find a better program. Ms. Rubalcava stated that the language could be updated to add *“unless a substantially equivalent program is approved by the city.”*

Councilmember Harris expressed frustration about people within the community trying to stop a project that would help other members of the community. She was concerned that the personal agenda of some has been put ahead of the health and safety of everyone else and future generations. The community was growing, and it would continue to grow. The community needed to come together and compromise to do what was best for everyone. She expressed her support for moving the project forward.

Councilmember McCarthy stated that he had studied the case in great detail and that he had met with many people on all sides of the issue, read numerous emails, and attended the Planning and Zoning Commission meetings. Many members of the public believed that the city was heavily subsidizing the development. However, based on the actual development agreement, NAH would be responsible for funding the infrastructure, including water and sewer systems, as well as road improvements. The city was assisting NAH in applying for federal road improvement grants, but if the grants were not awarded, NAH would be responsible for covering the costs. He stated that misinformation had circulated on social media that suggested the city would cover the transportation grant match, but NAH was responsible for that. He also stated that a new fire station was required regardless of the hospital's approval, as the current one was inadequate for the new equipment ordered and paid for by the city. The cost of the fire station would be shared equally between the city and NAH.

Councilmember McCarthy noted that the hospital itself would not pay property taxes because it was a nonprofit entity. However, the city would receive income from construction taxes and construction impact fees from all aspects of the project. Although carbon neutrality was not a requirement for other projects and was not mandated by city code, there was an understanding of the importance of moving towards carbon neutrality. While the new hospital may not achieve LEED Platinum certification, it had agreed to meet the standards of LEED Gold. NAH had also agreed to solar installations on at least 40% of the parking garage roof

within 18 months after receiving their Certificate of Occupancy. He also mentioned bus service, noting that while it would be valuable, the city did not require subsidized bus service for other developments. NAH would provide a free shuttle or taxi service for those who needed transportation.

Councilmember House stated that part of her consideration had been the broader vision for sustainable, responsible, and holistic development for Flagstaff's future. Flagstaff was growing and would continue to grow. She believed that the findings had been met. That did not dismiss the other aspects of the development and it was important to keep constantly engaged in the plans for the existing campus. She would like for the city to engage in a visioning process about future plans for the existing campus. There was a need to make brave decisions when it came to the development of Flagstaff, there had been a hesitation to do that in the past and there was fear in the community about what growth meant. Tough conversations must be had and difficult decisions must be made to grow responsibly.

Councilmember Sweet offered that there had been a lot of discussion and listening to all sides of the project and the decisions were not easy. The project affected many people in the community and those who used the medical system. There were still questions and concerns, but she believed that the findings had been met to move the project forward. She looked forward to engaging on the plans for the legacy campus.

Councilmember Matthews stated that she believed that the process had been very open and transparent. So many of the questions being asked and concerns being raised had all been addressed in prior meetings. If people were to go back and watch the presentations over the last couple of years, most of their questions would be answered. At that point, suggesting that things are moving too fast and should slow down was just another delay tactic. She expressed concern that the messages out in the public were not factual and that much of the outrage that was on social media was based on false information. She acknowledged the concerns and complaints about how employees were treated and how business was conducted but those were not within the purview of the City Council. The role of the City Council was to determine if the findings could be met. She appreciated the conditions that were discussed, and she would like to revisit the Purple Sage underpass discussion soon.

Mayor Daggett offered appreciation to staff for their part in the process. It had been a long and stressful road for them, and she appreciated the dedication they have shown. She thanked those who came to the table and collaborated on the various conditions and requirements of the development agreement. Collaboration was critical, not just for that project, but moving forward as Flagstaff continued to grow. What was important was that information was factual; she encouraged the public to verify the information that they were presented with. She stated that Council would be discussing the site plan soon; it would be presented to the Council and public at an upcoming meeting. She also noted that the process had demonstrated the need to update codes to meet the community housing and climate goals. Lastly, she thanked the public for their involvement and participation in the public process; public input had led to a lot of important changes and clarifications.

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Deborah Harris to adopt Resolution No. 2023-20.

Vote: 6 - 0 - Unanimously

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Deborah Harris to read Ordinance No. 2023-12 by title only for the final time.

Vote: 6 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ADOPTING A SPECIFIC PLAN, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "THE NAH HEALTH VILLAGE PHASE 1 SPECIFIC PLAN" TO GUIDE THE DEVELOPMENT OF 172.62 ACRES OF REAL PROPERTY AND TO PROVIDE SPECIFIC DEVELOPMENT REQUIREMENTS FOR 98.39 ACRES GENERALLY LOCATED AT 1120 W PURPLE SAGE TRAIL PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Miranda Sweet to adopt Ordinance No. 2023-12.

Vote: 6 - 0 - Unanimously

- G. Consideration and Adoption of Ordinance No. 2023-11:** An Ordinance of the City Council of Flagstaff, amending the Flagstaff Zoning Map to rezone approximately 98.39 acres of real property from Rural Residential (40.47 acres) and Estate Residential (57.92 acres) to Highway Commercial (63.18 acres) and Public Facilities (35.21 acres) and adding the Resource Protection Overlay to APN 112-10-036, 112-10-037, and 112-05-125 generally located at 1120 W Purple Sage Trail.

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Miranda Sweet to read Ordinance No. 2023-11 by title only for the final time.

Vote: 6 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 98.39 ACRES OF REAL PROPERTY FROM RURAL RESIDENTIAL (40.47 ACRES) AND ESTATE RESIDENTIAL (57.92 ACRES) TO HIGHWAY COMMERCIAL (63.18 ACRES) AND PUBLIC FACILITIES (35.21 ACRES) AND ADDING THE RESOURCE PROTECTION OVERLAY TO APN 112-10-036, 112-10-037, AND 112-05-125 GENERALLY LOCATED AT 1120 W PURPLE SAGE TRAIL 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. 2023-11.

Vote: 6 - 0 - Unanimously

- H. Consideration and Possible Adoption of Resolution No. 2023-24:** A resolution authorizing the execution of the Northern Arizona Healthcare (NAH) Health Village Development Agreement between NAH and the City of Flagstaff, related to the development of approximately 172.62 acres of real property generally located at 1120 W. Purple Sage Trail.

Councilmember Matthews again offered her suggestion that NAH be required to provide engineering plans for the current state and plans for after Beulah was widened and put a 20% financial assurance bond with a sunset of ten years. She believed that was reasonable

especially with the other development that was happening or planned to happen in that area.

Mayor Daggett stated that she would like to move forward with staff's recommendation. Councilmembers McCarthy, Sweet, Harris, and House voiced support for staff's recommendations.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to read Resolution No. 2023-24 by title only including the recommendations listed in the staff recommendation.

Vote: 6 - 0 - Unanimously

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AUTHORIZING THE EXECUTION OF THE NAH HEALTH VILLAGE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FLAGSTAFF AND NORTHERN ARIZONA HEALTHCARE CORPORATION RELATED TO THE DEVELOPMENT OF APPROXIMATELY 172.62 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 1120 W PURPLE SAGE TRAIL AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2023-24 as amended.

Vote: 6 - 0 - Unanimously

9. 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 Citizens' Petition titled Proposed Pickleball Courts in Bushmaster Park

The following individuals addressed Council in support of the petition to reconsider the construction of pickleball courts at Bushmaster Park:

- Julie Piering
- Audria Smith
- Connie Folsom
- Joanne Benninghoff
- Steve Walter
- Mary Walter
- Kathleen Day

The following comments were received:

- Please consider building pickleball courts at the existing Thorpe Park dog park instead of at Bushmaster Park.
- Pickleball courts should not be built within 600 feet of residences without the consult of an audio engineer.
- I have invested everything into my home and the livability of my property and pickleball is taking that away.
- There should be sufficient funds left over from the current allocation to move the bark park.
- There is existing acreage at Thorpe Park to support 24 pickleball courts.
- Redirecting the funds from Bushmaster to Thorpe now would situate the new courts in a correct place for future expansion.
- Bushmaster Park is not the best situation.
- Having pickleball in Bushmaster Park the last three and a half years has been annoying but now if it is doubled it will be even more annoying.
- Kids have not been able to play basketball because the pickleball players tell them no.

- The courts will be disruptive to the surrounding homes and does not enhance the quality of life.
- Removal of trees to accommodate courts is not appropriate.
- Parking is a concern, there will not be enough if more courts are built.
- Bushmaster Park is the most diverse gathering spot in Flagstaff.
- Kids need a place to play in a way that free and open and not organized; pickleball gentrifies and takes that away from them.
- Look for an indoor location so they can be used all year round.
- Please reconsider and engage more with the community in the park.
- The courts should be relocated to Thorpe Park.
- Bushmaster Park cannot support the number of people that come out to play now and certainly not when the new courts are installed.

Nancy McCleskey submitted a written comment in support of the petition to reconsider the construction of pickleball courts at Bushmaster Park.

The following individuals addressed Council in opposition of the petition to reconsider the construction of pickleball courts at Bushmaster Park:

- Lynn Walsh
- Jen Kottra
- Brooks Hart

The following comments were received:

- The sport is already at Bushmaster and there have been no complaints until we were given permanent courts.
- Please stand with your original decision.
- There was another possible shovel ready location at Thorpe Park Annex and the consultants encouraged the Council to put pickleball courts there and Council decided against it.
- Finding courts for pickleball has been going on for more than four years, it is time to move forward with the plans that have been voted on.
- Bushmaster Park is a suitable location for pickleball because it supports other similar activities.

The following individuals submitted written comments in opposition of the petition to reconsider the construction of pickleball courts at Bushmaster Park:

- Amanda Allen
- Annalisa Hansen
- Patricia Crawford
- Jennifer Kottra
- John Hook
- James Crawford
- Jill Partanen

Councilmember McCarthy stated that he did not believe Bushmaster Park was the right place for pickleball. He would like to move the item forward for reconsideration.

Councilmember House expressed her support in moving the petition forward to a future agenda. There were many challenges surrounding the noise from pickleball, and noise mitigation was a necessary element to consider. She did not believe that noise mitigation was settled in the last discussion and would like to see that it came back for consideration.

Councilmember Matthews stated that noise was a concern. The park was designed to have a

lot of different activities and pickleball had been coexisting in Bushmaster Park for a few years. She also stated that there needed to be time enforcement for the courts, and she would appreciate a discussion about hours of play. She asked if there was another location for consideration for pickleball. Assistant Parks, Recreation, Open Space, and Events Director Amy Hagin explained that the Thorpe Park bark park was not shovel ready. The bark park would need to be relocated to the space identified in the Annex Concept Design. She noted that there were drainage issues and building elevations that would need to be brought up along with stormwater considerations. It was not as easy to take the funds for the Bushmaster Park courts and expect the costs to be the same at a different location.

Mayor Daggett stated that she has additional questions and would support placing the item on a future agenda for consideration.

10. PUBLIC PARTICIPATION

None

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

None

12. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held June 6, 2023, adjourned at 7:50 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

I, STACY SALTZBURG, do hereby certify that I am the City Clerk of the City of Flagstaff, County of Coconino, State of Arizona, and that the above Minutes are a true and correct summary of the Meeting of the Council of the City of Flagstaff held on June 6, 2023. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 6th day of February, 2024.

CITY CLERK