

**ORDINANCE NO. 2025-09**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AUTHORIZING THE ACQUISITION OF REAL PROPERTY INTERESTS FOR THE ARROYO SECO TO DORTHA CHANNEL AS PART OF THE SPRUCE WASH CHANNEL IMPROVEMENTS PROJECT; PROVIDING FOR DELEGATION OF AUTHORITY, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, the City has authority to acquire real property, pursuant to the Article I, Section 3 of the Flagstaff City Charter; and

WHEREAS, acquisition of real property is to be approved by ordinance, pursuant to Article VII, Section 5 of the Flagstaff City Charter; and

WHEREAS, the City desires to acquire real property for the Arroyo Seco to Dortha Channel as part of the Spruce Wash Channel Improvements Project, a project that will help mitigate post-fire flooding risks in east Flagstaff, and to add open space to Ponderosa Park, each a public use.

**ENACTMENTS:**

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

**SECTION 1. In General.**

The Flagstaff City Council hereby authorizes the acquisition of all, or part of the real property identified in the attached Exhibit A. The real property interests may be acquired through purchase, exchange, gift, donation, dedication, or condemnation necessary for a public use; provided, however, prior to commencement of any condemnation proceeding the City Council shall adopt a separate resolution finding that the taking of the real property interest(s) is necessary for a public use and authorizing condemnation.

**SECTION 2. Delegation of Authority**

The Mayor, City Manager, Community Development Director, Real Estate Manager, City Attorney or their delegates or agents, are hereby authorized and directed to take all steps and execute all documents necessary to carry out the purpose and intent of this ordinance.

**SECTION 3. Repeal of Conflicting Ordinances.**

Any ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

**SECTION 4. Severability**

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

**SECTION 5. Clerical Corrections**

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

**SECTION 6. Effective Date**

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

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 20th day of May 2025.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

Exhibits:  
Exhibit A – Chart of Properties  
Map of Area