

MINUTES

1. CALL TO ORDER

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

Present: Mayor Becky Daggett
Vice Mayor Miranda Sweet
Councilmember Austin Aslan
Councilmember Jim McCarthy
Councilmember Khara House
Councilmember Lori Matthews
Councilmember Deborah Harris (arrived at 3:22 pm)

Staff 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. Steve Canter addressed Council and expressed concern that the Council is too focused on federal matters rather than local issues. He spoke against bike lane development, raised concerns about traffic flow, high-rise complexes, parking, and traffic lights, and urged more focus on flood and fire control for local residents.

Sanoma Boynton, Stream Stewards Coordinator and AmeriCorps member for Sustainability, addressed Council and shared updates on the Stream Stewards program.

Jeanette Hovey, Account Executive for Air Methods, addressed Council and announced that the company is no longer under a non-compete agreement with Guardian Air and will be opening a Flagstaff office soon.

Janine Kelly addressed Council and spoke about the importance of sidewalk snow removal, offered suggestions for encouraging compliance among residents, and requested better enforcement of related city codes.

5. COUNCIL LIAISON REPORTS

Councilmember House shared an update from the Commission on Diversity Awareness on the Municipal Equality Report and noted upcoming recommendations regarding City Holidays and Women's History Month.

Councilmember Sweet reported from the Water Commission on recent water channel cleanup efforts. She also noted that Mountain Line has postponed the introduction of its electric bus.

Councilmember McCarthy announced that the MetroPlan Executive Director is retiring, and the board is currently interviewing candidates for an interim replacement.

Vice Mayor Aslan visited Quality Connections and was interviewed for their newsletter. He also met with Dr. Eric Heiser, the new president of Coconino Community College.

Councilmember Matthews reported from CCJC on local crime rates and discussed the effectiveness of the CARE program, along with additional committee updates.

6. LIQUOR LICENSE PUBLIC HEARINGS

Mayor Daggett opened the Public Hearing.

Sergeant Kevin Sapp presented the two applications to Council noting no concerns.

Councilmember McCarthy asked what a sampling license is. Sergeant Sapp stated it is an attachment to their current license that allows their customers to sample under strict guidelines.

There being no public comment Mayor Daggett closed the public hearing.

Moved by Councilmember Lori Matthews, **seconded by** Vice Mayor Miranda Sweet to forward the application to the State with a recommendation for approval.

Vote: 7 - 0 - Unanimously

- A. **Consideration and Action on Liquor License Application:** Rochan Goswami, Mobil Country Club, 3960 N. Country Club Drive, Series 9S (liquor store), Sampling Privileges.
- B. **Consideration and Action on Liquor License Application:** Adam Louis Harrington, "Harrington's Tap House," 2711 E. Lakin Dr., Suite 2, Series 10 (beer and wine store), New License.

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 Jim McCarthy, **seconded by** Councilmember Khara House to approve the Consent Agenda as presented.

Vote: 7 - 0 - Unanimously

- A. **Consideration and Approval of Grant Award:** Invasive Plant Grant Agreement between the City of Flagstaff and the Department of Forestry and Fire Management to support the maintenance of the Observatory Mesa Natural Area open space.

Approve the agreement to the Department of Forestry and Fire Management, Invasive Plant Grant for grant funds in the amount of \$100,000, with a city match of \$11,500 to support the maintenance of the Observatory Mesa Natural Area open space

- B. **Consideration and Approval of Contract:** Approve the Cooperative Purchase Contract with Empire Southwest for a 2023 Cozad Slide Axle Trailer in the amount of \$130,342.68

1. Approve the Cooperative Purchase Contract with Empire Southwest for a 2023 Cozad Slide Axle Trailer in the amount of \$130,342.68; and
2. Authorize the City Manager to execute the necessary documents.

- C. **Consideration and Approval of Contract:** Approve the Cooperative Purchase Contract with RDO Equipment Co. in the amount of \$246,933.89 for the purchase of a 2023 John Deere 444P Front Loader.

1. Approve the Cooperative Purchase Contract with RDO Equipment Co. in the amount of \$246,933.89 for the purchase of a 2023 John Deere 444P Front Loader; and
2. Authorize the City Manager to execute the necessary documents.

- D. **Consideration and Approval of PZ-15-00115-23 - Adora - Phase 2 at Timber Sky Final Plat:** Capstone Homes requests Final Plat approval for Adora - Phase 2 at Timber Sky located at 2760 S Vega Street, a 39 lot single-family subdivision on 7.15 acres in the Medium-Density Residential (MR) Zone.

Approve the Final Plat and authorize the mayor to sign the Final Plat and City/Subdivider Agreement when notified by staff that all documents are ready for signature and recordation.

- E. **Consideration and Approval of Contract:** Lone Tree Overpass Project - Award of the Third Amendment to the Design-Build Services Agreement to Ames Construction in an amount not to exceed \$1,583,826.20.

1. Award of the Third Amendment to the Design-Build Services Agreement to Ames Construction in an amount not to exceed \$1,583,826.20; and
2. Authorize the City Manager to execute the necessary documents.

- F. **Consideration and Ratification of Letter:** Submittal of Letter to the Editor Opposing SB1108

Ratify the submittal of a letter to the editor opposing SB1108.

8. ROUTINE ITEMS

- A. **Consideration and Adoption of Ordinance No. 2023-02** : An ordinance of the City Council of the City of Flagstaff amending the Flagstaff City Code, Title 10 Flagstaff Zoning Code, Chapter 10-40 Specific to Zones, Division 10-40.30: Non Transect Zones, Section 10-40.30.050 Industrial Zones, to modify Table 10-40.30.050.B to allow Manufacturing/Processing - Heavy in the Light Industrial Zone with a Conditional Use Permit, providing for the repeal of conflicting ordinances, severability, and establishing an effective date

Senior Planner Wesley Welch was available for any questions.

Councilmember McCarthy stated that he supports this item since Conditional Use Permits have to be approved and come before City Council.

Councilmember House asked for confirmation on which areas of the map were impacted. Mr. Welch stated the light purple and confirmed it was not mixed with residential.

Moved by Councilmember Jim McCarthy, **seconded by** Vice Mayor Miranda Sweet to read Ordinance No. 2023-02 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, DIVISION 10-40.30: NON-TRANSECT ZONES, SECTION 10-40.30.050 INDUSTRIAL ZONES TO MODIFY TABLE 10-40.30.050.B TO ALLOW MANUFACTURING/PROCESSING -- HEAVY IN THE LIGHT INDUSTRIAL ZONE WITH A CONDITIONAL USE PERMIT; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jim McCarthy, **seconded by** Vice Mayor Miranda Sweet to adopt Ordinance No. 2023-02.

Vote: 7 - 0 - Unanimously

- B. **Consideration and Adoption of Ordinance No. 2023-01**: An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff City Code, Title 10, Flagstaff Zoning Code, Division 10-80.20: Definitions of Specialized terms, phrases, and building functions, Section 10-80.20.040: Definitions "D" to modify the term "duplex"; Providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date.

Moved by Councilmember Khara House, **seconded by** Vice Mayor Miranda Sweet to read Ordinance No. 2023-01 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, DIVISION 10-80.20: DEFINITIONS OF SPECIALIZED TERMS, PHRASES, AND BUILDING FUNCTIONS, SECTION 10-80.20.040: DEFINITIONS "D" TO MODIFY THE TERM "DUPLEX"; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Khara House, **seconded by** Vice Mayor Miranda Sweet to adopt Ordinance No. 2023-01.

Vote: 7 - 0 - Unanimously

- C. **Consideration and Adoption of Ordinance No. 2023-03:** An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff City Code, Title 12, Floodplains, Chapter 12-02, Stormwater Management Utility, by amending Section 12-02-002-0003, Schedule of Stormwater Management Utility Service Charges and Fees; providing for repeal of conflicting ordinances, severability, penalties, authority for clerical corrections, and establishing an effective date

Mayor Daggett opened the public hearing.

Stormwater Management Director Ed Schenk was available for questions.

Councilmember McCarthy sought clarification, stating that there were three scenarios presented previously, and that Council had voted on Option 3B. He confirmed that this is the option being voted on tonight. Mr. Schenk affirmed that this was correct.

There being no public comment Mayor Daggett closed the public hearing.

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Jim McCarthy to read Ordinance No. 2023-03 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 12, FLOODPLAINS, CHAPTER 12-02, STORMWATER MANAGEMENT UTILITY, BY AMENDING SECTION 12-02-002-003 SCHEDULE OF STORMWATER MANAGEMENT UTILITY SERVICE CHARGES AND FEES; PROVIDING FOR REPEAL OF CONFLICTING OF ORDINANCES, SEVERABILITY, PENALTIES, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Austin Aslan, **seconded by** Councilmember Jim McCarthy to adopt Ordinance No. 2023-03.

Vote: 7 - 0 - Unanimously

9. **PUBLIC HEARING ITEMS**

- A. **Consideration and Adoption of Ordinance No. 2023-04:** An Ordinance of the City Council of the City of Flagstaff, authorizing the exchange of property of substantially equal value with the Arizona Board of Regents; providing for delegation of authority, repeal of conflicting ordinances, and establishing an effective date

Consideration and Adoption of Resolution No. 2023-05: A Resolution of the City Council of the City of Flagstaff, approving the First Amendment to an Intergovernmental Agreement with the Arizona Board of Regents related to Consolidation of University Campus and Road Projects.

Mayor Daggett opened the public hearing.

Real Estate Manager Bryce Doty provided a PowerPoint presentation that covered the following:

VICINITY MAP
HOSKINS AVE RIGHT-OF-WAY
SUBJECT PROPERTIES
PARCEL SUBJECT TO DEVELOPMENT AGREEMENT
EXPANSION OF LONE TREE

Councilmember Matthews asked about the abandoned restaurant and whether the City is taking ownership of the property. Mr. Doty explained that while the property is still privately owned, it is currently burdened by a Development Agreement (DA) with the City. However, the City is releasing the owner from the DA's requirements.

Mayor Daggett inquired about future land use and whether Northern Arizona University (NAU) might need a new DA. Community Development Director Dan Folke responded that he was unsure at this time.

Councilmember McCarthy asked whether there is still potential for extending Route 66 to create a new entrance into NAU. Mr. Folke stated that the plan appears to have been abandoned for now. He also provided historical context on the parcel and clarified the changes in ownership over the years.

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

Moved by Councilmember Jim McCarthy, **seconded by** Vice Mayor Miranda Sweet to read Ordinance No. 2023-04 by title only for the first time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AUTHORIZING THE EXCHANGE OF PROPERTY OF SUBSTANTIALLY EQUAL VALUE WITH THE ARIZONA BOARD OF REGENTS; PROVIDING FOR DELEGATION OF AUTHORITY, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

10. DISCUSSION ITEMS

A. Presentation on Civil Rights and Municipal Equality Index

Management Analyst Chris Rhode provided a PowerPoint presentation that covered the following:

PRESENTATION OVERVIEW
 WHO IT APPLIES TO
 WHO IS EXEMPT
 PROTECTED CLASSES
 COMPLAINT PROCESS
 CIVIL RIGHTS ORDINANCE
 STATUTE OF LIMITATIONS
 STAFF RECOMMENDATION
 MUNICIPAL EQUALITY INDEX
 CONTENTS OF SCORECARD
 OVERALL SCORE
 WHERE WE LOSE POINTS
 FLAGSTAFF 2022 SCORECARD
 SINGLE-OCCUPANCY ALL-GENDER FACILITIES
 CITY PROTECTS YOUTH FROM CONVERSION THERAPY

Mayor Daggett asked if this would be an ordinance that states that no counselor or therapist would be able to provide conversion therapy in the City. Mr. Rhode confirmed that was correct. Mayor Daggett asked for the Pima County's ordinance to be sent to Council.

CITY PROVIDES TRANSGENDER- INCLUSIVE HEALTHCARE BENEFITS
 NON-DISCRIMINATION ORDINANCE IS ENFORCED BY CODA

Councilmember McCarthy stated that the Planning and Zoning Commission can make a planning policy but does not see a need to change for CODA.

YOUTH BULLYING PREVENTION POLICY FOR CITY SERVICES
 CITY PROVIDES SERVICES TO LGBTQ+ PEOPLE EXPERIENCING HOMELESSNESS

Councilmember Matthews asked whether the review focused solely on Sharon's Manor or if other organizations, such as Anew, were also considered. Mr. Rhode responded that while others were included, the primary focus was on organizations that receive City funding.

CITY PROVIDES SERVICES TO LGBTQ+ OLDER ADULTS
CITY PROVIDES SERVICES TO THE TRANSGENDER COMMUNITY
REPORTED 2020 HATE CRIME STATISTICS TO THE FBI
LEADERSHIP'S PRO-EQUALITY LEGISLATIVE OR POLICY EFFORTS
CITY TESTS LIMITS OF RESTRICTIVE STATE LAW

Councilmember Aslan requested that staff monitor any upcoming laws relevant to these items and keep Council informed.

B. State Legislative Update

Chief of Staff Shawn Johnson, Public Affairs Director Sarah Langley, and Lobbyist Todd Madeksza provided a PowerPoint presentation that covered the following:

BILL PROCESS
OPPOSE RECOMMENDATION
SB1117
HB 2808
HB 2003
SB 1312
SB 1108
HCR 2043

Councilmember Aslan acknowledged that while some state legislation may seem frivolous, community concerns are valid. He asked about the likelihood of certain bills advancing. Mr. Johnson responded that it is too early to tell and that outcomes will depend on how negotiations progress. He deferred to Mr. Madeksza for further insight.

Mr. Madeksza emphasized the importance of actively opposing problematic bills early, as the Governor is generally hesitant to issue vetoes. Strong, informed opposition is key.

Mayor Daggett stressed the need for Council to receive information sooner, as residents frequently ask about pending legislation and expect timely answers.

SUPPORT RECOMMENDATION
HB 2453
SB 1224
SB 1714
SUPPORT LETTER FOR SB 1224

C. Discussion regarding a rate and fee study for water, reclaimed water, and wastewater funds.

Water Resources Manager Erin Young and Water Services Director Shannon Jones provided a PowerPoint presentation that covered the following:

WHY A RATE & FEE STUDY?
2023 STUDY DEVELOPMENT
COST OF SERVICE EXAMPLE
RATE, FEES, COST OF SERVICES SCOPE

Jilian Worssam submitted a written comment suggesting that ordinance enforcement fees could be used to offset the increase.

Councilmember McCarthy shared his experience serving on the Water Commission and emphasized the philosophy that individuals who use excessive amounts of water should pay accordingly. He questioned whether this principle should also apply to reclaimed water, especially as it may become a more critical water source in the future. He suggested that the City begin considering this issue now rather than delaying for another five years.

Council took a break from 5:03 p.m. through 5:23 p.m.

D. Discussion regarding potential resolution on City Council's position regarding United States Supreme Court Decision of Dobbs v. Jackson and regarding the Arizona legislature's enactment of laws on abortion

City Attorney Sterling Solomon briefly reviewed the topic. He and Senior Assistant City Attorney Marianne Sullivan were available for questions.

The following individuals addressed Council in support of a resolution:

- Debra Block
- Erika Christensen
- Garin Marschall
- Emma Schraner
- Joyce Davidson
- Susan Shapiro
- Kyle Nitschke
- Marilyn Weissman
- Dr. Sanjam Ahluwalia
- Julian Bernhardt
- Jasmine Viehe
- Mia Rodriguez
- Emma Burns
- Sydney Shevat
- Aeka Joshi
- Sabrina Hersey

Written comments in support of a resolution were submitted by the following individuals:

- Samuel Copeland
- Jean Palumbo

The following individuals addressed Council in opposition to a resolution:

- Rosanna Torr
- Sandra Engelke
- David Monihan, Jr.
- Andrea

Written comments in opposition to a resolution were submitted by the following individuals:

- Cindy Bradford
- Pastor Nathaniel
- Donna Loverich
- Kathy Corcoran
- Sabra Lowe-Zedick

Councilmember Matthews emphasized that the Flagstaff City Council cannot change state law or protect abortion rights directly and that any action would be a symbolic, politically charged statement. She expressed reluctance to make such a statement for political purposes.

Councilmember House shared that this is a deeply personal issue for her, she stated she does not view the issue as political, but personal, and voiced support for drafting a resolution.

Councilmember Harris stated she is pro-choice and supports having legal staff draft a resolution.

Councilmember Sweet also voiced support for reproductive rights and backed the creation of a resolution.

Councilmember McCarthy thanked the public for their engagement and stated that decisions around abortion are personal and should not involve government interference. He supports drafting a resolution.

Councilmember Aslan affirmed that abortion is healthcare, and government should stay out of such decisions. He expressed support for going as far as legally possible, including exploring language from the Arizona Abortion Alliance resolution.

Mayor Daggett shared that she is pro-choice and supports moving forward with a resolution.

A majority of Council supported moving forward with drafting a resolution for consideration.

11. FUTURE AGENDA ITEM REQUESTS

After discussion and upon agreement by three members of the Council, an item will be moved to a regularly-scheduled Council meeting.

- A. Future Agenda Item Request (F.A.I.R.): A request by Mayor Daggett to place on a future agenda a discussion about parking requirements.

Michelle James from Friends of Flagstaff's Future addressed Council in support of parking reform.

Mayor Daggett expressed interest in parking requirements, particularly their connection to affordable housing, and acknowledged that staff is reviewing the issue. Planning Director Michelle McNulty shared that staff is finalizing a consultant request for a code analysis focused on parking and it is expected to be released within two weeks, with updates to Council anticipated in six to eight months. When asked about facilitating a discussion before hiring the consultant, Ms. McNulty recommended waiting until the consultant is on board to provide more public information.

Mayor Daggett then requested to withdraw the FAIR item in favor of a broader discussion.

12. PUBLIC PARTICIPATION

None

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

Councilmember Matthews discussed establishing pre-approved plans for ADUs to streamline the process.

Councilmember Harris shared excitement about attending the Parks and Recreation and Open Spaces Commissions. She suggested that Council should consider a code of ethics. Mr. Solomon noted that a previous Council reviewed this idea but it did not move forward.

Councilmember Sweet expressed enthusiasm for the Pluto Festival and highlighted upcoming grant opportunities.

14. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held February 21, 2023 adjourned at 7:24 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 February 21, 2023. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 16th day of December, 2025

CITY CLERK