

MINUTES

1. CALL TO ORDER

Mayor Daggett called the meeting of the Flagstaff City Council held December 3, 2024, to order at 3:14 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 discussion and consultation 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 through other technological means.

Present: Mayor Becky Daggett
Councilmember Deborah Harris
Councilmember Khara House
Councilmember Lori Matthews
Councilmember Jim McCarthy
Councilmember Miranda Sweet

Absent: Vice Mayor Austin Aslan

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 McCarthy 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. OPEN CALL TO THE PUBLIC

Open Call to the Public enables the public to address the Council about an item that is not on the prepared agenda. Comments relating to items that are on the agenda will be taken at the time that the

item is discussed. Open Call to the Public appears on the agenda twice, at the beginning and at the end. The total time allotted for the first Open Call to the Public is 30 minutes; any additional comments will be held until the second Open Call to the Public.

If you wish to address the Council in person at today'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 Open Call to the Public and Public Comment. 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.

Colleen Maring, Chief People Officer and General Counsel at Northern Arizona Healthcare, recognized local healthcare professionals at a Flagstaff-area awards ceremony. RJ Reed, CRNA at FMC, received the 2024 Greg Cox Advanced Practice Provider of the Year Award for his dedication, leadership, and 17 years of service in anesthesia. The award honors the late Greg Cox, a long-time FMC Physician Assistant. Christy Rebe, a nurse navigator in the breast care clinic, was named Mason Nurse of the Year for her compassionate support and guidance of patients through their cancer care journey. Over 100 nominations were considered for these system-wide awards.

Matthew Dyer addressed Council and requested that Councilmember McCarthy stop making negative online comments about Southside Tavern. He believed that the comments had harmed his business and reputation. He provided one-star reviews, blocked messages, screenshots of alleged statements, and emails sent to Councilmember McCarthy since January that went unanswered. He made efforts to remain respectful and asked for mutual restraint in future online postings.

5. COUNCIL LIAISON REPORTS

Councilmember Sweet reported that MetroPlan would meet that week and there was an upcoming ribbon cutting of Aspen Niche.

Councilmember Harris expressed her gratitude to Northern Arizona University for the well-attended community reception they hosted.

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).

Mayor Daggett noted that Councilmember Matthews had a family emergency and her appointments would be postponed to the meeting of December 10, 2024.

A. Consideration of Appointments: Indigenous Commission

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to appoint Mowana Lomaomvaya to a term expiring December 2027.

Vote: 5 - 0 - Unanimously

Moved by Councilmember Khara House, **seconded by** Councilmember Jim McCarthy to appoint Darrell Marks to a term expiring December 2027.

Vote: 5 - 0 - Unanimously

B. Consideration of Appointments: Planning and Zoning Commission

Moved by Councilmember Miranda Sweet, **seconded by** Councilmember Jim McCarthy to appoint Carole Mandino to a term expiring December 2027.

Vote: 5 - 0 - Unanimously

C. Consideration of Appointments: Water Commission

Moved by Councilmember Miranda Sweet, **seconded by** Councilmember Jim McCarthy to appoint Ron Doba to a term expiring December 2027.

Vote: 5 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to appoint Donald Bills to a term expiring December 2027.

Vote: 5 - 0 - Unanimously

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Khara House to appoint Matthew Garcia to a term expiring December 2026.

Vote: 5 - 0 - Unanimously

Moved by Mayor Becky Daggett, **seconded by** Councilmember Miranda Sweet to appoint Haley Paul to a term expiring December 2025.

Vote: 5 - 0 - Unanimously

D. Consideration of Appointments: Tourism Commission.

Moved by Mayor Becky Daggett, **seconded by** Councilmember Jim McCarthy to appoint Jamie Thousand to a term expiring January 2028.

Vote: 5 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to appoint Regina Salas to a term expiring January 2028.

Vote: 5 - 0 - Unanimously

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Jim McCarthy to appoint Julie Comnick to a term expiring January 2028.

Vote: 5 - 0 - Unanimously

E. Consideration of Appointments: Open Space Commission.

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to appoint Molly Joyce to a term expiring April 2027.

Vote: 5 - 0 - Unanimously

7. LIQUOR LICENSE PUBLIC HEARINGS

Applications under Liquor License Public Hearings may be considered under one public hearing and may be acted upon by one motion unless otherwise requested by Council.

A. Consideration and Action on Liquor License Application: Arti Patel, "Days Inn", 2735 S Woodlands Village Blvd, Series 11 (Hotel/Motel), New License

Mayor Daggett opened the public hearing.

City Clerk Assistant Georganna Staskey introduced the applications and noted that there were no

concerns from the Police Department or Community Development.

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

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to forward the application to the state with a recommendation for approval.

Vote: 5 - 0 - Unanimously

8. CONSENT AGENDA

All matters under Consent Agenda are considered by the City Council to be routine. Unless a member of City Council expresses a desire at the meeting to remove an item from the Consent Agenda for discussion, the Consent Agenda will be enacted by one motion approving the recommendations listed on the agenda. Unless otherwise indicated, expenditures approved by Council are budgeted items.

Councilmember McCarthy requested that Item 8B be pulled for discussion.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to approve the Consent Agenda with the exception of Item 8B as presented.

Vote: 5 - 0 - Unanimously

- A. **Consideration and Ratification:** Letter of Support for Arizona Public Service Company's ("APS") SAGUARO Program.

Retroactively approve the letter of support.

- B. **Consideration and Approval:** Letter of Support for the Funding of the Pioneer Museum and Arizona Historical Society FY2026 Budget.

Councilmember McCarthy stated that he strongly supported the letter of support for the Pioneer Museum. He requested that the words "per year" be added at the end of a sentence in the second paragraph where it says "Flagstaff receives over 5.5 million day and overnight visitors."

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to approve the letter of support as amended.

Vote: 6 - 0 - Unanimously

- C. **Consideration and Approval of Contract:** B2B Direct Sales, Inc. dba The HVAC Company and the City of Flagstaff for the purchase of an HVAC unit for the Aquaplex.

1. Approve the Cooperative Purchase Contract between the B2B Direct Sales, Inc. dba The HVAC Company and the City of Flagstaff to purchase a 35 ton Trane TCD420 air conditioning unit in the amount not exceed \$171,988.33; and
2. Authorize the City Manager to execute the necessary documents.

- D. **Consideration and Approval of Contract:** Purchase of (75) Police Patrol Rifles and accompanying accessories/equipment from Cats Arms LLC dba Sionics Weapon Systems, in an amount not to exceed \$178,999.55, for the Flagstaff Police Department.

1. Approve the Purchase Contract with Cats Arms LLC dba Sionics Weapon Systems, in an amount not to exceed \$178,999.55, for Police Patrol Rifles for the Flagstaff Police Department; and
2. Authorize the City Manager to execute all necessary documents.

- E. Consideration and Approval of Contract:** Approval the contract amendment to the Professional Services Contract with Terros Health to include Emergency Medical Care Technicians in the operations of the Community Alliance, Response & Engagement (CARE) Unit
1. Approve the contract amendment to Terros Health for the inclusion of Emergency Medical Care Technicians in the CARE Unit contract.
 2. Authorize the City Manager to execute all necessary documents.
- F. Consideration and Approval of Settlement:** City of Flagstaff vs Arizona Materials Properties, LLC et al
1. Approve global settlement of the pending condemnation proceeding and claims for relocation benefits under the Uniform Relocation Act related to acquisition of property owned by Arizona Materials Properties, LLC, pursuant to the terms discussed in Executive Session subject to City Attorney approval of final form of document; and
 2. Authorize and direct the City Manager and/or City Attorney to execute all documents and take other actions as are necessary to finalize the global settlement.
- G. Consideration and Approval of Contract:** Ratification of expenditures with Stantec Consulting Services, Inc. for additional services in the amount of \$128,134 and approval of the First Amendment for a total contract amount of \$340,000.
1. Approve the First Amendment to the contract with Stantec Consulting Services, Inc. in the amount of \$128,134; and
 2. Authorize the City Manager to execute the necessary documents.
- H. Consideration and Approval of Contract:** Cooperative Purchase Contract with ExerPlay, Inc. for the Mobile Haven Park and Smokerise Park playground replacement in the amount of \$165,603.33
1. Approve the Cooperative Purchase Contract in the amount of \$165,603.33 with ExerPlay, Inc. replacing the aged playgrounds with new playgrounds as a turnkey project through the 1GPA Cooperative Purchasing Agreement #23-07P-04; and
 2. Authorize the City Manager to execute the necessary documents.
- I. Consideration and Approval of Contract:** Fifth Amendment to the Construction Manager at Risk (CMAR) Construction Services Agreement with Eagle Mountain Construction, Inc. for the Spruce Wash Flood Mitigation Suite of Projects to add Guaranteed Maximum Price (GMP) 5.
1. Approve the Fifth Amendment to the CMAR Construction Services Agreement with Eagle Mountain Construction, Inc. for the Spruce Wash Mitigation Suite of Projects to include GMP 5 in the amount of \$7,988,896.61 and adding 0 days to the contract duration; and
 2. Approve an Owner's Contingency of \$75,000.00, which is approximately 1% of GMP 5; and
 3. Authorize the City Manager to execute the necessary documents.

9. ROUTINE ITEMS

- A. Consideration and Adoption of Resolution No. 2024-45 and Ordinance No. 2024-28:** A Resolution of the City Council of the City of Flagstaff, Coconino County, Arizona, declaring as a public record that certain document filed with the City Clerk entitled "PZ-24-00009 - Subdivision Process" and an Ordinance of the City Council of the City of Flagstaff, Coconino County, Arizona, amending the Flagstaff City Code Title 11, General Plans and Subdivisions.

Councilmember McCarthy moved to to adopt Resolution No. 2024-45 with Alternative 2. Zoning Code Manager Tiffany Antol explained that Alternative 1 was approved at the last meeting when the first read of the ordinance was done. Councilmember McCarthy asked for a brief summary of the

alternatives. Ms. Antol stated that Alternative 2 was where 100% of property owners within a subdivision had to sign rather than a percentage. However, there was a provision provided for when someone could not get the signatures, then they would go through the notification process.

Councilmember McCarthy withdrew his motion.

Moved by Councilmember Jim McCarthy, seconded by Councilmember Khara House to adopt Resolution No. 2024-45.

Vote: 5 - 0 - Unanimously

Moved by Councilmember Deborah Harris, seconded by Councilmember Miranda Sweet to read Ordinance No. 2024-28 by title only for the final time.

Vote: 5 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF AMENDING THE FLAGSTAFF CITY CODE, TITLE 11, GENERAL PLANS AND SUBDIVISIONS, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "PZ-24-00009 -- SUBDIVISION PROCESS"; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Khara House, seconded by Councilmember Jim McCarthy to adopt Ordinance No. 2024-28.

Vote: 5 - 0 - Unanimously

- B. Consideration and Adoption of Ordinance No. 2024-27:** An ordinance of the City Council of the City of Flagstaff, authorizing the exchange of real property of substantially equal value, with property owner Gary S. Christensen M.D.

Moved by Councilmember Khara House, seconded by Councilmember Miranda Sweet to read Ordinance No. 2024-27 by title only for the final time.

Vote: 5 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AUTHORIZING THE EXCHANGE OF REAL PROPERTY OF SUBSTANTIALLY EQUAL VALUE, WITH PROPERTY OWNER GARY S. CHRISTENSEN M.D. FOR THE SCHULTZ CREEK TRAILHEAD; PROVIDING FOR DELEGATION OF AUTHORITY, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Khara House, seconded by Councilmember Jim McCarthy to adopt Ordinance No. 2024-27.

Vote: 5 - 0 - Unanimously

- C. Consideration and Adoption of Ordinance No. 2024-29:** An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff Zoning Map to rezone approximately 13.96 acres of real property located at 4631 S Lake Mary Road, from the Estate Residential (ER) zone with a Resource Protection Overlay (RPO) to the High Density Residential (HR) zone with a Resource Protection Overlay (RPO), providing for severability, authority for clerical corrections, and establishing an effective date.

The following individuals addressed Council in opposition to the rezoning:

- Tobie Bardsley
- Marilyn Reuvers
- John Lloyd
- Jill Cooper

- Frances Joseph

The following comments were received:

- Concerned about increased traffic from a new hotel and tourists traveling to nearby lakes.
- Concerned about lack of sidewalks and limited public transportation.
- There was only one firehouse that served the area, it was a safety concern.
- Oppose more apartments and give preference to single-family homes to maintain aesthetics and community character.
- Rezoning would negatively impact their quality of life and go against neighborhood input.
- Planning and Zoning Commission recommended denial.
- Preserve rural character and consider the impact of high-density development in a rural area.
- Align development with the city's mission and long-term planning goals.

Councilmember House asked if a representative of the development could speak to the overall plan of the community, what was envisioned, and what work had been done in terms of the concerns of the community.

Mike Maerowitz with Snell and Wilmer, representing Atlantic Development, stated that it had been a lengthy, three-year process working with city staff on a development application. That included addressing public infrastructure challenges, designing the project to align with the city's regional plan and suburban designation, and conducting extensive public outreach through neighborhood and individual meetings. He acknowledged the concerns about change from neighbors but emphasized the project's importance in addressing the city's housing emergency. While it would not solve all housing issues, the project represented a significant step toward meeting the city's housing priorities with an appropriately designed development.

Councilmember House asked staff about the reference to the number of apartments available versus the need, as well as the numbers referenced in the 10-Year Housing Plan.

Housing Director Sarah Darr stated that the current community rental vacancy rate was approximately 6.74%, which was below the national average and slightly above typical local rates of around 5%. She indicated that Section 8 voucher holders often struggled to find available units, as vacancies in complexes rarely remained open for long. Thousands of local households were on waiting lists for affordable housing, reflecting local preference policies. She also shared that progress on the city's 10-year housing plan was tracked quarterly. It showed incremental improvements, but the goals had not yet been met. The plan emphasized both affordable housing and overall housing supply to meet community demand. Housing staff were working with regional planners to forecast future needs. The demand continued to outpace supply.

Mayor Daggett asked about the wait times for those on the waiting list. Ms. Darr stated that it was 18 to 24 months depending on the number of bedrooms.

Councilmember McCarthy stated that he was willing to support the project if they accepted the conditions provided in the agenda packet and included the FUTS construction. Mr. Maerowitz agreed.

Councilmember Sweet asked about the micro transit and if there had been any conclusion. Mr. Maerowitz stated that there was ongoing conversations with Mountain Line about transit options in the area. While traditional bus service was not feasible due to current density, future growth may allow for it. There was potential for micro-transit or shuttle service and they supported and committed to continue exploring those options. Councilmember Sweet asked if there was a way to include that in the development agreement. Mr. Maerowitz offered a statement that could be added to the development agreement such as "the developer shall use reasonable efforts to continue discussions with Mountain Line about bringing micro-transit to service the property."

Mayor Daggett emphasized that Council carefully reviewed all materials, including Planning and Zoning Commission meetings, staff reports, emails, and community input, before considering the housing project. She acknowledged neighborhood concerns but stressed the city's ongoing housing crisis, citing data and experiences with residents struggling to find housing. The Council aimed to

balance housing needs with climate goals and regional planning priorities. She also noted that a variety of housing types were necessary. She was open to lower-density, locally affordable projects, but acknowledged the challenge in finding suitable options for current residents.

Councilmember Sweet emphasized that Council had done their homework by thoroughly reviewing materials, watching the Planning and Zoning Commission meetings, visiting the site, meeting with residents, and consulting staff. She echoed the Mayor's comments about due diligence and stressed that while she understood the neighbors' concerns, the city was facing a housing emergency that required difficult decisions.

Councilmember Harris acknowledged the difficulty of unwanted projects in neighborhoods but stressed that Council did listen and carefully considered input. She highlighted the housing struggles in the community, where essential workers like firefighters, police officers, nurses, and teachers were forced to live far away and commute, which also impacted climate goals. She encouraged empathy, emphasized that the issue affected the entire community, and expressed support for moving the project forward despite the challenges.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Deborah Harris to read Ordinance No. 2024-29 by title only for the final time with the inclusion of the conditions that were presented in the agenda packet.

Councilmember McCarthy withdrew his motion and Councilmember Harris agreed.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Deborah Harris to read Ordinance No. 2024-29 by title only for the final time with the following conditions:

1. The subject property must be developed in accordance with the approved site plan and the conditions of approval dated December 22, 2022. Modifications (other than minor modifications) to the approved site plan will require an amendment to this Direct to Ordinance Zoning Map Amendment request.
2. All other requirements of the Zoning Code and other City codes, ordinances and regulations, shall be met by the proposed development.
3. All terms, conditions, and restrictions detailed within the "Lake Mary Housing Development Agreement" must be fully satisfied.
4. In the event the property is rezoned and the Developer fails to obtain final Civil Plan approval within two (2) years of the effective date of the rezoning ordinance, then the City may schedule a public hearing before the City Council for the purpose of causing the zoning on the Property to revert to the former classification of Estate Residential (ER) in accordance with A.R.S. § 9-462.01. Civil Plan approval will not be granted until the following condition precedent is met:
 - The Developer obtains the required approvals from the National Forest Service to locate the pressurized sewer line in National Forest Service property.
5. Affordable Housing Incentives are being requested for this Project. Zoning Code Section 10-30.20.020.I includes eligibility requirements. To ensure compliance with the Zoning Code, the developer shall implement a minimum of one (1) of the following items with final construction permit approvals:
 - Extend the Flagstaff Urban Trails System ("FUTS") from the existing terminus at John Wesley Powell and Lake Mary Road, down Lake Mary Road to the Site along the west side of Lake Mary Road, in general conformance with the Comprehensive Plan Map 26d: Existing and Planned Flagstaff Urban Trails, as amended November 3, 2022.
6. The applicant will pursue reasonable discussions with Mountain Line regarding micro-transit in the near future.

Vote: 5 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 13.96 ACRES OF REAL PROPERTY LOCATED AT 4631 SOUTH LAKE MARY ROAD, APN 115-03-001A, FROM THE ESTATE RESIDENTIAL (ER) ZONE IN THE RESOURCE PROTECTION OVERLAY TO THE HIGH DENSITY

RESIDENTIAL (HR) ZONE IN THE RESOURCE PROTECTION OVERLAY WITH CONDITIONS; PROVIDING FOR SEVERABILITY; AUTHORITY FOR CLERICAL CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to adopt Ordinance No. 2024-29.

Vote: 5 - 0 - Unanimously

- D. Consideration and Adoption of Resolution No. 2024-46:** A resolution of the City Council of the City of Flagstaff, Arizona, authorizing the execution of the Lake Mary Housing Development Agreement between the City of Flagstaff and Flagstaff OZ Ventures, LLC. related to the development of approximately 13.96 acres of real property generally located at 4631 South Lake Mary Road and establishing an effective date.

Senior Planner Ben Mejia provided a PowerPoint presentation that covered the following:

LAKE MARY HOUSING
DEVELOPMENT AGREEMENT
COUNCIL OPTIONS

Mayor Daggett clarified that there would be 20% affordable units for a maximum household income of 80% AMI which was separate from the acceptance of vouchers. If someone used a voucher that did not count towards the affordable units. Mr. Mejia stated that she was correct.

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to read Resolution No. 2024-46 by title only.

Vote: 5 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, AUTHORIZING THE EXECUTION OF THE LAKE MARY HOUSING DEVELOPMENT AGREEMENT BETWEEN FLAGSTAFF OZ VENTURES, LLC. AND THE CITY OF FLAGSTAFF RELATED TO THE DEVELOPMENT OF APPROXIMATELY 13.96 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 4631 SOUTH LAKE MARY ROAD; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2024-46.

Vote: 5 - 0 - Unanimously

- E. Consideration and Approval:** Change Order 2 with Eagle Mountain Construction for the Beulah/University Realignment Project

Capital Improvements Project Manager David Pedersen provided a PowerPoint presentation that covered the following:

BEULAH/UNIVERSITY REALIGNMENT PROJECT
VICINITY MAP
PROJECT MAP
CHANGE ORDER 1
CHANGE ORDER 2

Mayor Daggett asked if drivers would no longer be able to make a left from Milton to Fresquez. Mr. Pedersen confirmed and stated that it would be a right-in and right-out. The intent was to turn onto University Avenue if they needed to go in that direction.

PROJECT SCHEDULE
PROGRESS

Councilmember House shared that she had received some concerns about safety at the University Square apartments, she asked if the work associated with the change order would address those concerns. Mr. Pedersen stated that there would be improvements and with the opening of the road that week, the issues would be resolved.

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to approve Change Order 2 for with Eagle Mountain Construction for \$390,173.15 and 20 additional calendar days to the contract period and authorize the City Manager to execute the necessary documents.

Vote: 5 - 0 - Unanimously

10. PUBLIC HEARING ITEMS

A. Public Hearing: FY 2020 and FY2022 Biennial Development Impact Fee Audits

Mayor Daggett opened the public hearing.

Finance Director Brandi Suda stated that the public hearing on development fees was required by state law. The city had collected fees since 2009 and adopted updated public safety development fee plans in 2014 and 2020 to comply with new requirements. Instead of forming an advisory committee, the city chose to complete biannual audits, contracting with Heinfeld Meech & Co. The audits for fiscal years 2019--2022 identified minor exceptions: one missed fee assessment and variances in growth projections. The reports were posted October 7, 2024, and while the hearing was required, no Council action was needed.

Mayor Daggett asked how processes had been changed to address the exceptions. Ms. Suda explained that the processes had not changed but Finance took time to meet with Community Development staff about the missed fee assessment to understand what had happened during that time to make sure it would not happen again. It was an unusual circumstance on the missed fee assessment. In terms of the variances in growth projections, it would likely be an exception on every report because what was projected when the plan was developed would never match exactly to what actually happened. Staff did the best they could, but it was difficult to estimate that growth.

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

11. REGULAR AGENDA

A. Consideration and Adoption of Resolution No. 2024-47: A resolution of the Flagstaff City Council, approving the adoption of the 2024 City of Flagstaff Forest Management Plan.

Forest Health Supervisor Neil Chapman provided a PowerPoint presentation that covered the following:

CITY OF FLAGSTAFF FOREST MANAGEMENT PLAN
 NATIONAL COHESIVE WILDFIRE MANAGEMENT STRATEGY
 INTENT
 NATURAL ENVIRONMENT WITHOUT STRUCTURES DESIRED CONDITIONS
 BASAL AREA COLLECTED VIA A DRONE FLIGHT
 BASAL AREA COLLECTED VIA A SAMPLING GRID
 BUILT ENVIRONMENT DESIRED CONDITIONS

There were questions about where the five feet clearance began and how staff was educating the public. Mr. Chapman explained that the five-foot clearance referred to the area extending five feet out from a home's exterior walls, known as the "immediate zone," which was most vulnerable to wildfire embers. Recommendations included removing flammable materials, vegetation, firewood, and debris; keeping roofs and gutters clear; and using non-combustible fencing. Those guidelines helped reduce wildfire risk. Decisions about nearby trees depended on factors like needle accumulation and homeowner maintenance ability. Outreach to homeowners was done through social media, Firewise awareness events, a new outreach position, and especially word of mouth when neighbors share information after fire department visits.

FOREST STEWARDSHIP PLANS FOR DEVELOPERS

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to read Resolution No. 2024-47 by title only.

Vote: 5 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING THE ADOPTION OF THE 2024 CITY OF FLAGSTAFF FOREST MANAGEMENT PLAN

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2024-47.

Vote: 5 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2024-49:** A resolution of the Flagstaff City Council, approving an Intergovernmental Agreement between Arizona Department of Public safety and the City of Flagstaff for Law Enforcement Retention Initiatives Funding.

Police Support Services Manager Allison Hughes explained that the agreement provided \$150,000 through an intergovernmental arrangement to support police recruitment and retention, funded under 2024 state legislation. The money would be used to hire a vendor specialized in performance coaching and workforce support. Like many agencies, the city faced difficulties attracting and keeping officers due to fewer applicants, competition from other industries, early retirements, and burnout. The initiative aimed to improve officer well-being, job satisfaction, and performance, ultimately strengthening the Police Department.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to read Resolution No. 2024-49 by title only.

Vote: 5 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN ARIZONA DEPARTMENT OF PUBLIC SAFETY AND THE CITY OF FLAGSTAFF FOR LAW ENFORCEMENT RETENTION INITIATIVES FUNDING

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to adopt Resolution No. 2024-49.

Vote: 5 - 0 - Unanimously

A break was held from 4:59 p.m. through 5:17 p.m.

Councilmember Matthews joined the meeting at 5:20 p.m.

- C. Consideration and Adoption of Resolution No. 2024-50:** A resolution of the City Council of the City of Flagstaff, Arizona, authorizing the execution of the development agreement with Little America Hotels and Resorts, LLC ("Little America") for construction of the John Wesley Powell (JWP) extension across Little America property.

Planning Director Michelle McNulty, Traffic Engineer Jeff Bauman, and Deputy City Attorney Kevin Fincel provided a PowerPoint presentation for Items 11C, 11D, and 11E that covered the following:

JWP EXTENSION DEVELOPMENT AGREEMENTS
 J.W. POWELL EXTENSION VICINITY MAP
 BACKGROUND
 TRAILS, WILDLIFE, AND OPEN SPACE
 ROADWAY CROSS-SECTIONS -- FOUR TYPES
 ROADWAY CROSS-SECTION ONE
 ROADWAY CROSS-SECTION TWO

ROADWAY CROSS-SECTION THREE
ROADWAY CROSS-SECTION FOUR
J.W. POWELL MAP
JWP SPECIFIC PLAN
MAIN COMPONENTS
DEVELOPMENT AGREEMENT - 3 SEPARATE AGREEMENTS
AGREEMENT WITH LITTLE AMERICA

There were a few edits made to the agreement after the agenda was published. Mr. Fincel reviewed those change points:

- In combination with the existing water and wastewater infrastructure would support at least 1,500 single-family residential units without LA having to upgrade the improvements.
- Sufficient capacity within the infrastructure improvements within the JWP Right of Way.
- Clarification that capacity fees will still be collected for water and wastewater.

AGREEMENT WITH STL405, JP325, AND GIBSON
1ST AMENDMENT TO CANYON DEL RIO

Nick Wood from Snell and Wilmer, representing Gibson, Lindsay Schube from Gammage and Burnam, representing STL405, Juniper Point, and Canyon Del Rio, and Benjamin Tad representing Gibson, thanked staff for the partnership, collaboration, and work that has gone into getting to where they were.

Councilmember Matthews also expressed her appreciation to staff and all the parties involved. It was great to see how people could come together, problem solve, and find agreements that served everyone.

Written comment from Dana Jolly and Xiaoging MA were submitted regarding concerns about John Wesley Powell.

Anne Vonesh addressed Council with concerns about traffic on Butler. There had been no resolution on the traffic congestion and now there were going to be more homes in the area to add to the problems.

City Engineer Paul Mood explained that the Butler and Fourth Street Improvement Project was at 30% design and moving forward. They were waiting for the development agreements to be approved because some of the other improvements impacted the Butler project. Staff was also waiting to hear on the RAISE grant applications that had been submitted. If the city was awarded that grant funding, there were some different things that could be done with the Butler/Fourth project.

Mayor Daggett asked how long to construction given that it was at 30% design and still waiting on grant funding. Mr. Mood stated that it would be a minimum of six to nine months for design and then a year to 18 months for construction.

Mayor Daggett asked what the plan was if the city was not successful in getting the grant. Mr. Mood said that the project would still move forward. They were considering a pedestrian underpass for the grant, and if not successful, that element would come out of the project.

Mayor Daggett expressed a desire to discuss the speed limit on Butler by the schools at a later time.

Rick Natenberg addressed Council and stated that the map showed 300 feet on either side of the right-of-way (ROW). It looked like the access to River Valley Road would be cut off. His other concern was that while it sounded generous that Little America was giving up ROW, they were getting improved infrastructure in return. They were getting the gold mine while citizens were getting the shaft. He also expressed concerns about impact to the wildlife in the area.

Ms. McNulty clarified that the 300 notation on the map was a reference to the property owners who needed to be notified of the public meeting as it was required that all property owners within 300 feet

were required to be notified.

Mr. Mood stated that the access to River Valley Road would remain the same, off of Harold Ranch Road. The developer would also be improving Harold Ranch Road to the existing low water crossing that the County recently improved. In the development agreement it called out that the property owners could use millings with chip sealing on top. When Canyon Del Rio developed their portions next to Harold Ranch Road, they would improve the interim condition to a local road. With regard to stormwater, there were strict federal processes that had to be followed, and there would be no adverse effects created. A design for the box culverts or something else to accommodate the flow without causing any adverse impacts downstream was needed.

Mayor Daggett asked if there was a migratory route where the overpass would be. Mr. Mood responded yes and that staff had obtained the most current pattern data from Arizona Game and Fish. They were considering smaller box culverts for an underpass and an at-grade crossing for elk. Those were elements that would come in the future and they would continue to work closely with Game and Fish.

Scott Tonn addressed Council and stated that between Lake Mary Road and the Lone Tree turn off to John Wesley Powell, the traffic went way beyond the speed limit. There should be a 35 mph limit. Additionally, the city should address how to deal with the thinning of the medians so the landscape and trees are not demolished in the future with expansion.

Mr. Mood stated that the current development agreement called out the 35 mph speed limit but it covered only the current end of Pine Canyon through Canyon Del Rio, it did not include Lake Mary Road to the access to Pine Canyon. Council could provide direction for speed changes if desired. In terms of landscaping, the intent was to keep it natural, as it currently was. While not in the development agreement staff would look and consider the future widening of the road to make sure that trees and landscape accommodated that.

Mayor Daggett stated that the Council could set a 35 mph speed limit for the entire length of John Wesley Powell, but it was something that could be changed by a future Council.

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Miranda Sweet to read Resolution No. 2024-50 by title only subject to the amendments recommended by staff.

Vote: 6 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN LITTLE AMERICA HOTELS AND RESORTS, LLC AND THE CITY OF FLAGSTAFF RELATED TO CONSTRUCTION OF THE JOHN WESLEY POWELL (JWP) EXTENSION ACROSS LITTLE AMERICA PROPERTY; AND ESTABLISHING AN EFFECTIVE DATE AS AMENDED

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2024-50 subject to the amendments recommended by staff.

Vote: 6 - 0 - Unanimously

- D. **Consideration and Adoption of Resolution No. 2024-51:** A resolution of the City Council of the City of Flagstaff, Arizona, authorizing the execution of the development agreement with JP325, LLC ("JP325"), STL405, LLC ("STL405"), and Kelly J. Gibson and Christy R. Gibson ("Gibson") for construction of the John Wesley Powell extension.

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Khara House to read Resolution No. 2024-51 by title only subject to the amendments recommended by staff.

Vote: 6 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN JP325, LLC, STL405, LLC, KELLY J. GIBSON AND CHRISTY R. GIBSON, AND THE CITY OF FLAGSTAFF RELATED TO CONSTRUCTION OF THE JOHN WESLEY POWELL (JWP) EXTENSION; AND ESTABLISHING AN EFFECTIVE DATE AS AMENDED

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Deborah Harris to adopt Resolution No. 2024-51 subject to the amendments recommended by staff.

Vote: 6 - 0 - Unanimously

- E. Consideration and Adoption of Resolution No. 2024-52:** A resolution of the City Council of the City of Flagstaff, Arizona, authorizing the execution of the First Amendment to the Canyon Del Rio Development Agreement.

Moved by Councilmember Khara House, **seconded by** Councilmember Lori Matthews to read Resolution No. 2024-52 by title only.

Vote: 6 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN CDR DEVCORP, LTD, CDR LAND INVESTORS II, LLC, AND THE CITY OF FLAGSTAFF RELATED TO CONSTRUCTION OF THE JOHN WESLEY POWELL (JWP) EXTENSION ACROSS CANYON DEL RIO; AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2024-52.

Vote: 6 - 0 - Unanimously

12. 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 "Miranda Sweet Conflict of Interest"

City Attorney Sterling Solomon stated that the Charter required that within 31 days the Council had to act on citizen petitions. He stated that he had attached a legal memorandum that explained his opinion that there was not a conflict of interest.

There was not requisite support to advance the item to a future agenda.

13. OPEN CALL TO THE PUBLIC

None

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

Councilmember Matthews reminded everyone that it was Giving Tuesday and to consider supporting local non-profits

Councilmember House shared that she was notified that she was the recipient of one of the National League of Cities Centennial Under Forty Impact awards. There were thirty-nine other elected officials who received the award as well.

Mayor Daggett shared that Toys for Tots had placed their boxes around town including one in the City Hall lobby. She encouraged people to bring a new unwrapped toy for donation. She highlighted a few upcoming events: the Handmade Holiday Market, First Friday Artwalk, Art Markets on Fort

Valley Road, and the Winter Wonderland and tree lighting.

Councilmember Harris shared that the Cleo Murdoch community park was completed and she invited everyone to check it out. She thanked the PROSE division for their great work. There would be an official grand opening in the future.

Mayor Daggett stated that at the next Council meeting, they would be recognizing the outgoing Councilmembers and she encouraged all to attend.

15. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held December 3, 2024, adjourned at 7:00 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 December 3, 2024. 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