

## MINUTES

### 1. Call to Order

Mayor Deasy called the Work Session of April 27.2021, to order at 3:01 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 work session, 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. Pledge of Allegiance and Mission Statement

The Council and audience recited the Pledge of allegiance and Vice Mayor Daggett read the Mission Statement of the City of Flagstaff.

#### MISSION STATEMENT

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

### 3. Roll Call

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

#### PRESENT:

MAYOR DEASY (virtually)  
VICE MAYOR DAGGETT (virtually)  
COUNCILMEMBER ASLAN (virtually)  
COUNCILMEMBER SALAS (virtually)  
COUNCILMEMBER SHIMONI (virtually)  
COUNCILMEMBER SWEET (virtually)

#### ABSENT:

COUNCILMEMBER MCCARTHY

Others present: City Manager Greg Clifton; City Attorney Sterling Solomon.

### 4. Public Participation

*Public Participation enables the public to address the council about items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. 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 to have 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.*

Maggie Twomey introduced Marissa Molloy who spoke about littering.

Angelina Valenzuela, Christina Osterink, and Ralph Bardsley addressed Council with information about a recent school project.

Savanna Gray spoke about community gardens.

Karen Enyedy spoke about concerns regarding invasive weed management.

Leslie Pickard submitted a written comment in opposition to defunding the police. She requested additional funding be allocated to the department.

## 5. **Review of Draft Agenda for the May 4, 2021 City Council Meeting**

*Citizens wishing to speak on agenda items not specifically called out by the City Council may submit a speaker card for their items of interest to the recording clerk.*

None.

## 6. **Proclamation: Municipal Clerk's Week**

Mayor Deasy read the proclamation.

## 7. **Management Services Division Overview**

Management Services Director Rick Tadder, Purchasing Director Patrick Brown, and Finance Director Brandi Suda introduced their sections and work programs. Mr. Tadder also spoke about the Revenue Section and their work program.

Slides included:

- Agenda
- Organization Chart
- Management Services Mission Statement
- Management Services Budget
- Administrative Section
- Purchasing Section Mission Statement
- Purchasing Section
- Finance Section Mission Statement
- Finance Section
- Revenue Section Mission Statement
- Revenue Section
- Management Services Division

Councilmember Aslan asked Mr. Tadder how collections have differed through the pandemic and when the City will be moving back into a normal phase. Mr. Tadder stated that the policy and practice is to not disconnect any water customer that has not paid, but rather work with customers with back billing to set up payment plans. He added that staff has created a flyer to identify resources for utility assistance to get out to the customers. The next stage is to discuss customers that have not made any effort to contact staff, but the goal is to keep the water on until the health of the community is ensured.

Councilmember Aslan asked if the plan will be brought back to Council and Mr. Tadder stated that he would bring it forward to Council, potentially in a Work Session. Councilmember Aslan asked what the impact to the budget has been with the payment plans and the delayed payments. Mr. Tadder stated that he will bring data forward to Council in May or June.

Councilmember Shimoni thanked staff for their presentation. He added that he supports bringing the plans regarding water cutoffs to Council.

Mayor Deasy added his appreciation.

## 8. City Manager Office Division Update

City Manager Greg Clifton presented to Mayor and Council on the City Manager's Office. He introduced Deputy City Manager Shane Dille and Deputy City Manager Shannon Anderson who discussed the programs they oversee. Mr. Clifton, Mr. Dille, and Ms. Anderson went over the City Manager's work program, budget, and management philosophy. Mr. Clifton introduced City Clerk Stacy Saltzburg who introduced her staff and gave an overview of her office. Ms. Saltzburg introduced Public Affairs Director Jessica Drum. Ms. Drum presented on the Public Affairs team. Ms. Drum introduced Coordinator for Indigenous Initiatives Rose Toehe to speak about the Indigenous Initiatives. Ms. Toehe introduced Director of Risk Manager Dean Coughenour who presented on the Risk Management program. Mr. Coughenour introduced Sustainability Director Nicole Antonopoulos who introduced the Sustainability Team and their work.

Councilmember Shimoni thanked Ms. Antonopoulos and her team for their great work.

Slides included:

- Organizational Chart
- City Management
- CMO Budget Allocation
- CMO Duties
- Misc CMO Areas of Focus
- Management Philosophies
- City Clerk -- Staff Introductions
- City Clerk Budget Allocation
- City Clerk Work Program
- City Clerk -- What's to Come?
- Public Affairs Team
- Public Affairs Budget
- Elected Official Support
- Office of Labor Standards
- Intergovernmental Affairs
- Communications
- Videography and Social Media
- NAU Neighborhood Liaison
- Indigenous Initiatives
- Indigenous Commission
- Risk Management
- Sustainability
- Sustainability -- Budget
- Sustainability -- Climate
- Sustainability -- Community Events
- Sustainability -- Community Stewards
- Sustainability -- Energy
- Sustainability -- Food Systems
- Sustainability -- Materials Management
- Sustainability -- What's to Come...

A break was held from 5:49 p.m. through 6:00 p.m.

## 9. COVID-19 Update

Deputy City Manager Shannon Anderson gave an update to Mayor and Council on the updated COVID data.

Slides included:

- Agenda
- Data Updates
- CCHHS: COVID-19 Weekly Cases
- CCHS: Hospital Admissions
- CCHHS: COVID-19 Related Deaths
- CCHHS: Community Transmission
- CCHHS: Community Vaccination
- NAH: Hospital Census
- Re-Entry Plan Discussion
- City's Monitoring Criteria
- Special Event Permits
- Re-Entry Plan: Event Permits
- Choosing Safer Activities
- Council Discussion

Zach Ellman asked Council if there was a firm date to open up events for outdoor events with the new CDC guidelines.

Jim Cross asked Council if there was a firm date set to open up events for outdoor events with the new CDC guidelines.

Matthew Ziegler thanked Council for continuing the discussion. He spoke about the challenges of planning outdoor events without a firm date for reopening and mentioned that he and other event planners have been looking outside of City limits to hold their events. He spoke about the new CDC guidance for outdoor events.

Chris Scully encouraged the Council to work with event planners for creating events this summer and offered some solutions to mitigate risk.

Councilmember Aslan asked Mr. Ziegler about vaccine passports and if he has any ideas on how to implement vaccine passports at an event like Hullabaloo. Mr. Ziegler stated that he would potentially ask people to bring their vaccination card to the event for entry. He stated that he is hopeful that it would not be necessary. Mr. Ziegler stated that he believes he has the right to require a vaccine for his private event. City Attorney Sterling Solomon stated that the governor preempted cities and towns for requiring a vaccine passport, but that does not preclude a private business from doing so.

Councilmember Aslan asked Mr. Ziegler if his planning for Hullabaloo is limited by crowd capacity limits. Mr. Ziegler stated that it is hard to sell event sponsorships if he is unclear on the event capacity. Councilmember Aslan asked how many participants Mr. Ziegler would expect at Hullabaloo this year. Mr. Ziegler replied that the capacity at Wheeler Park is 2,500, and the most they have had pre-pandemic was 2,200 at peak with about 5,000 people during the two-day event. Councilmember Aslan asked how the capacity calculator compares with that number. Councilmember Aslan stated that he believes that there is a path forward. Mr. Ziegler stated that even if Council allowed his event to go on with full capacity, he understands that there is a risk inherent with the decision and that he can cancel if things go poorly in the future.

Parks and Recreation and Open Space Director Rebecca Sayers stated that the capacity of Wheeler Park would be from 400 people to 531 using the current calculators.

Mayor Deasy asked Council their opinion on a July 1st opening.

Councilmember Shimoni stated that he is comfortable with reopening outdoor events on July 1. He added that he is comfortable with that date being earlier as well.

Councilmember Aslan stated that he is encouraged by the numbers he is seeing because they are stable. He addressed the CDC guidelines and how they impact large outdoor crowds. He added that the State of Arizona does not have a mask mandate and that the local municipality is preempted from one. He stated that a nice compromise would be to lift the capacities a bit and encourage event planners to require masks and adherence to CDC guidelines. He added that variants are created and

spread through crowds with mixed statuses of immunity. He stated that it is important to keep the tools at hand, such as the capacity calculator.

Vice Mayor Daggett stated that she is comfortable with a July 1 date for events to occur without capacity limits. She would ask event organizers to strongly encourage attendees to stay distanced.

Councilmember Salas referred to her notes from the meeting with Dr. David Englethaler and stated that she is comfortable moving forward with removing restrictions on capacity on July 1.

Councilmember Sweet stated that it is not an easy decision, but that opening events with no capacity limits as of July 1 is what she is comfortable with, but that she realizes that we might need to back pedal if things change.

Mayor Deasy shared a photo on the circulating variants over time. He stated that he is comfortable with a July 1 opening if the metrics are at a minimal transmission level on all three levels. If the metrics are not at the minimal levels, he would like to reconsider opening in June. He asked if Council is comfortable with that stipulation.

Councilmember Shimoni stated that he would like to talk about that later in the year, possibly in June. He stated that he believes he supports that, but that he would still consider moderate transmission.

Vice Mayor Daggett stated that she supports revisiting this in June if needed, but that she prefers to see what metrics are being used at that time.

Mayor Deasy addressed the masks and CDC options. He stated that he is in favor of Option 1 for both.

Vice Mayor Daggett asked for clarification. Ms. Anderson stated that the COVID mitigation efforts could stay in effect after July 1. Vice Mayor Daggett stated that she is in favor of Option 1 and to follow CDC guidelines.

Councilmember Aslan, Councilmember Shimoni, and Councilmember Sweet stated that the city should be following CDC guidelines.

Councilmember Salas stated she is in favor of following the CDC guidelines and would like to have a discussion on herd immunity in Coconino County with the County.

Councilmember Shimoni asked if CDC guidelines would request that events like the July 4th parade would require people to wear masks.

**10. Consideration of creating the proposed Neighborhood Community Commercial (NCC) zone with a maximum building height of 45 feet and the recommended process for the City Council to consider initiating applications to rezone certain areas of the Southside, North End, and Sunnyside neighborhoods to the zone if approved**

Zoning Code Manager Dan Symer presented on the creation of a proposed Neighborhood Community Commercial (NCC) zone for certain areas of the Southside, North End, Sunnyside neighborhoods.

Slides included:

- Purpose of the Work Session
- Reason for the Proposed Zoning Code Text Amendment
- Maps
- Recap of Previous Work Sessions and Public Comments
- Proposed Process
- Order of Neighborhood Implementation
- Questions to Consider

Councilmember Aslan asked Mr. Symer who is leading the process and expressed confusion about voting on the issue before public outreach. He noted that Sunnyside does not have a neighborhood plan yet, which should be a priority. Councilmember Aslan emphasized that all three neighborhoods

should be treated equally and questioned why the Southside was allowed to move forward with limitations while other neighborhoods were not. He expressed discomfort with moving forward in the current process, stating he was very confused.

Mr. Symer explained that the process stems from the Council's adoption of a policy strategy, which included reducing the height limit from 65 feet to 45 feet. After adopting the Southside Neighborhood Plan, these policies were implemented. The recommendation is to conduct public outreach in individual neighborhoods rather than as a group. If the Southside is the only neighborhood ready to proceed, zoning must be in place before moving to the next neighborhood.

Councilmember Aslan questioned why Sunnyside would be last, to which Mr. Symer responded that Sunnyside lacks a neighborhood plan, making it the hardest area for effective outreach. He suggested waiting for warmer weather to start outreach there, as many residents do not have access to computers, and it would be the most expensive outreach effort.

Comprehensive Planning Manager Sara Dechter provided additional context on the High Occupancy Housing measure, noting its connection to the 45-foot height requirement. She mentioned that Sunnyside has more potential for development within the zone.

Mr. Symer added that once the new NCC zone is created, property owners can rezone independently without the city's involvement, giving them the option to initiate rezoning themselves.

Tyler Denham addressed Council in opposition of the plan. He stated that he would sue under Prop 207 if his property is downzoned.

Councilmember Aslan asked Mr. Denham to clarify if he was in Sunnyside or Southside and he confirmed the Southside. Councilmember Aslan asked Ms. Dechter about the adopted plan on the Southside. Ms. Dechter confirmed the current Southside plan includes downzoning.

Sat Best addressed Council and stated that the plan is a step in the right direction for view sheds. He is in support of the plan.

Michele James with Friends of Flagstaff's Future stated that they support the plan.

Marie Jones stated that she supports the plan.

Councilmember Shimoni expressed a desire to consult with the legal team before discussing the issue further.

Mayor Deasy asked if Council needed to direct staff to proceed with public outreach. Mr. Symer clarified that the process involves two steps: adoption and then public outreach in each neighborhood. Creating the zone allows property owners to rezone independently, but the zoning must first be established.

Councilmember Aslan inquired about the waiver process for property owners in the neighborhoods. City Attorney Solomon suggested discussing this in an executive session. Senior Assistant City Attorney Christina Rubalcava noted that while staff is focused on creating a zone, the zoning would not apply to any properties immediately, and Prop 207 would apply later if adopted.

Mayor Deasy called for an Executive Session on the matter at a later time.

Councilmember Shimoni expressed support for the direction and encouraged thinking creatively to engage with local community groups and restaurants.

Vice Mayor Daggett, Councilmembers Aslan, Sweet, and Salas all expressed support for moving forward, though Councilmember Salas raised concerns about outreach to specific neighborhoods and the potential for litigation.

Mr. Symer explained that there had been informal outreach with community organizations and property

owners, with suggestions to avoid winter and fall for outreach efforts and to gather additional public comments as the process progresses.

A break was held from 7:51 p.m. through 8:00 p.m.

#### **11. Requests for Abandonment of Public Right-of-Way on Hoskins Ave. - FUTS and Parking Discussion**

Real Estate Manager Bryce Doty and Transportation Planner Martin Ince presented to Mayor and Council to inform about the abandonment process and to discuss conditions on Hoskins Avenue.

Slides included:

- Vicinity Maps
- Existing Conditions
- Flagstaff Regional Plan 2030
- Draft Active Transportation Master Plan
- Potential Future Use
- Existing Conditions
- Future Use Overlay
- ROW Abandonment Requests
- Request #1
- Existing Encroachments
- Request #2
- Request #3

City Manager Clifton explained that two of the three requests for right-of-way (ROW) vacations originated from the previous Council, who had met with property owners and neighbors. There is a need to carefully consider the relinquishment of ROWs, especially with anticipated future requests from neighbors.

Community Development Director Dan Folke clarified that this discussion was informational, as there had not been a formal process for these requests before. Previously, they went to a staff committee, but now a formal application process will be created. Requests will go to the Planning and Zoning Commission and then City Council.

Councilmember Aslan inquired whether a solution could be found to maintain the FUTS (Flagstaff Urban Trail System) path while offering the ROW vacations. Mr. Folke preferred to plan the facilities first and then consider vacating the ROW. Mr. Ince agreed, emphasizing the importance of maintaining connectivity with FUTS and balancing choices like on-street parking and a cycle track. He supported the ROW abandonments but stressed that future planning should take precedence.

Councilmember Aslan shared his observations from a site tour, noting a brick wall and telephone poles that impede the ROW. He believed that the ROW seemed unnecessary to keep and supported moving forward with all three requests.

Mayor Deasy asked if the ROW vacation process was open only to the requesters, to which Mr. Folke confirmed that the City Council sets the sales price and the requester has the first right of refusal.

A formal request will be presented at the next meeting.

#### **12. Public Participation**

None.

#### **13. Informational Items To/From Mayor, Council, and City Manager; future agenda item requests**

Councilmember Sweet reminded the community of the Beautification and Action grants available to community members.

Councilmember Shimoni reminded the community of the joint meeting with County at 4 p.m. virtually that week.

Mayor Deasy stated it was Water Conservation Month and urged the community to take the water pledge. He also spoke of the nurses week nominations.

**14. Adjournment**

The Work Session of the Flagstaff City Council held April 27, 2021, adjourned at 8:31 p.m.

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MAYOR

ATTEST:

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CITY CLERK