

AGENDA

CITY COUNCIL ORIENTATION RETREAT
THURSDAY
JANUARY 30, 2025

CORE SERVICES FACILITY
3200 WEST ROUTE 66
8:30 A.M.

All City Council Meetings are live streamed on the city's YouTube page
(<https://www.youtube.com/@FlagstaffCityGovernment>)

*****PUBLIC COMMENT*****

Verbal public comments related to items appearing on the posted agenda may be given in person or online and will be taken at the time the item is discussed.

To provide online verbal comment on an item that appears on the posted agenda, use the link below.

ONLINE VERBAL PUBLIC COMMENT

Written comments may be submitted to publiccomment@flagstaffaz.gov. All comments submitted via email will be considered written comments and will be documented in the record as such.

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 work session, 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.

MAYOR DAGGETT
VICE MAYOR SWEET
COUNCILMEMBER ASLAN
COUNCILMEMBER GARCIA

COUNCILMEMBER HOUSE
COUNCILMEMBER MATTHEWS
COUNCILMEMBER SPENCE

3. Pledge of Allegiance, Mission Statement, and 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. City Council Orientation Retreat

Discussion and Engagement

5. Adjournment

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at _____ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this _____ day of _____, 2024.

Stacy Saltzburg, MMC, City Clerk

THE CITY OF FLAGSTAFF ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 48-hour advance notice, reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 213-2076 or email at stacy.saltzburg@flagstaffaz.gov to request an accommodation to participate in this public meeting.

NOTICE TO PARENTS AND LEGAL GUARDIANS: Parents and legal guardians have the right to consent before the City of Flagstaff makes a video or voice recording of a minor child, pursuant to A.R.S. § 1-602(A)(9). The Flagstaff City Council meetings are live-streamed and recorded and may be viewed on the City of Flagstaff's website. If you permit your child to attend/participate in a televised Council meeting, a recording will be made. You may exercise your right not to consent by not allowing your child to attend/participate in the meeting.

**CITY OF FLAGSTAFF
STAFF SUMMARY REPORT**

To: The Honorable Mayor and Council
From: Stacy Saltzburg, City Clerk
Date: 01/27/2025
Meeting Date: 01/30/2025



TITLE:
City Council Orientation Retreat

DESIRED OUTCOME:
Discussion and Engagement

Executive Summary:

Information:

Attachments: [Detailed Agenda](#)
[Presentation](#)
[City Council Rules of Procedure](#)
[Flagstaff City Charter](#)

FLAGSTAFF CITY COUNCIL RETREAT

January 30, 2025

Session I: Introductions & Engagement

Time: 8:30-9:30 a.m.

1. Welcome and introductions
2. Icebreaker activity to encourage interaction
3. Overview of retreat objectives and agenda

Session II: Overview of City Council

Time: 9:30-10:30 a.m.

1. Understanding council roles and responsibilities
2. Meeting rules and procedures

BREAK: 10:30-10:45 a.m.

Session III: Overview of the Community

Time: 10:45 a.m.-Noon

1. Presentation of Flagstaff demographics, challenges, and opportunities
2. Engagement session
3. Q&A

Session IV: Lunch & Focused Discussion: 12:00-1:00 p.m.

Session V: The Work of City Council – Charter, Laws, and Outreach

Time: 1:00-2:30 p.m.

1. City Charter overview
2. Open meeting law
3. Public records law/conflicts of interest
4. Public outreach

BREAK: 2:30-2:45 p.m.

Session VI: The Work of City Council – Skills and Strategies

Time: 2:45-4:00 p.m.

1. Setting Priorities and Leadership Skills: communication styles and approaches to work
2. Collaboration and Coalition-building: identifying resources, working across roles and interests

Session VII: Conclusion and Next Steps

Time: 4:00-4:30 p.m.

1. Public Comment Period
2. Reflections on important messages
3. Final thoughts

Flagstaff City Council Retreat

January 30, 2025





Welcome & Introductions



ICE BREAKER ACTIVITY

OVERVIEW OF RETREAT OBJECTIVES AND AGENDA



Today's Agenda



- 1. Overview of City Council**
- 2. Overview of the Community**
- 3. The Work of City Council – Charter, Laws, and Outreach**
- 4. The Work of City Council – Skills and Strategies**
- 5. Conclusion and Next Steps**



Ground Rules

- **Participate fully and stay focused:** engage in discussion, ask questions, avoid side conversations and distractions from personal devices
- **Respect time:** keep comments concise and relevant
- **Listen actively:** take turns speaking, avoid interrupting
- **Diverse perspectives welcome:** disagree respectfully
- **Provide constructive feedback:** when presenting a problem, try to identify a viable solution



Retention of information -sip from the fire hydrant-



Don't worry!
We learn as we go!



HOTEL MONTE VISIT



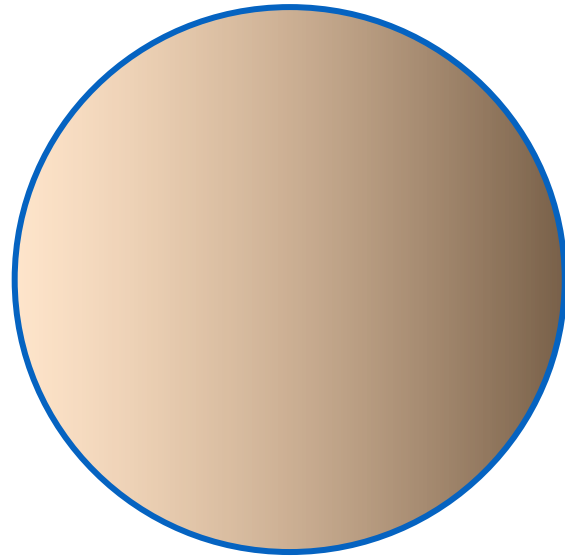
Overview of City Council



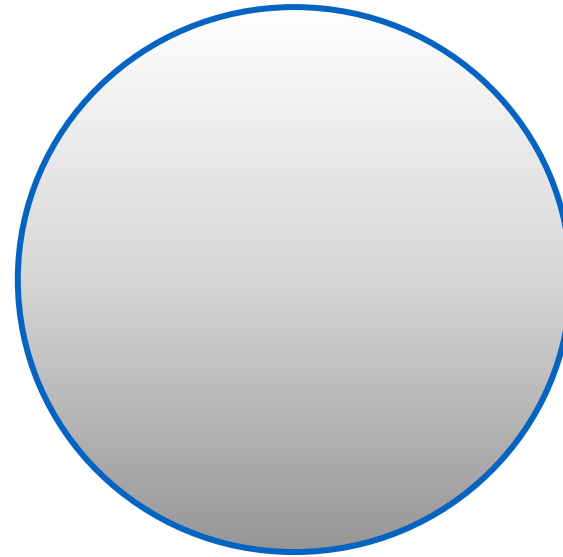


Council as Policy Maker

The Dichotomy:



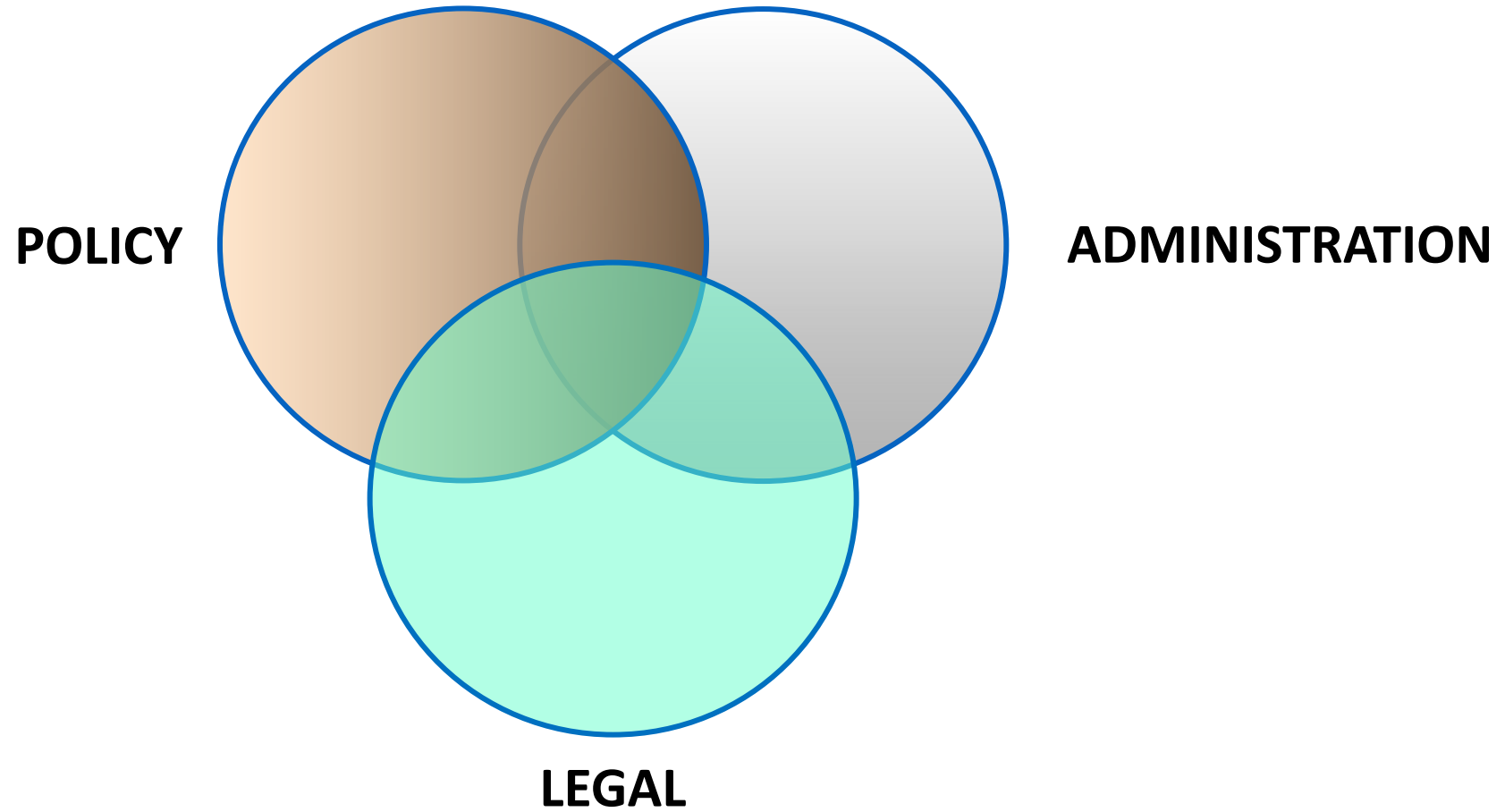
POLICY



ADMINISTRATION

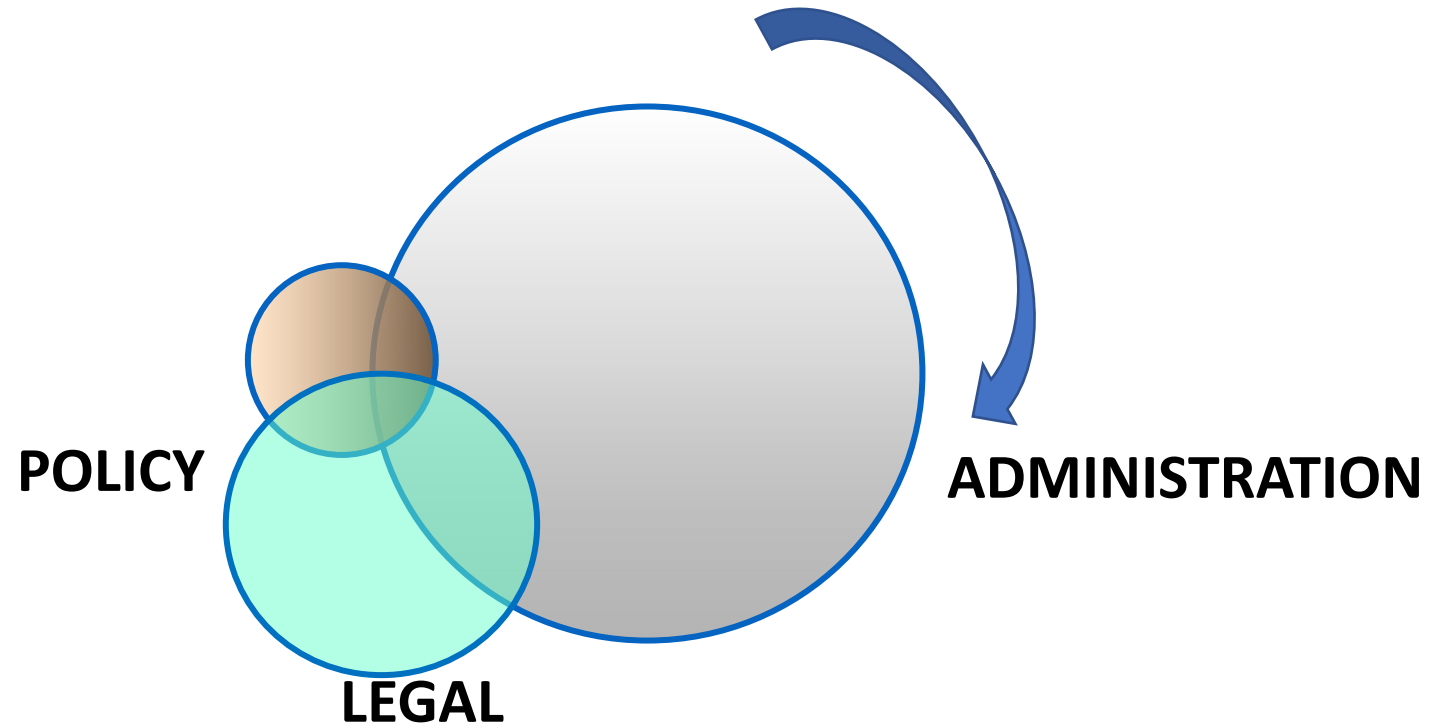


Council as Policy Maker





Council as Policy Maker





Council as Policy Maker

- There is no dichotomy between policy and administration
- The rule of law is foundational to all that we do
- There is necessary overlap of the spheres
- Even with some overlap, there is still need for separation
- No static model ... it's always in flux
- City Council does more than set policy



Council Roles

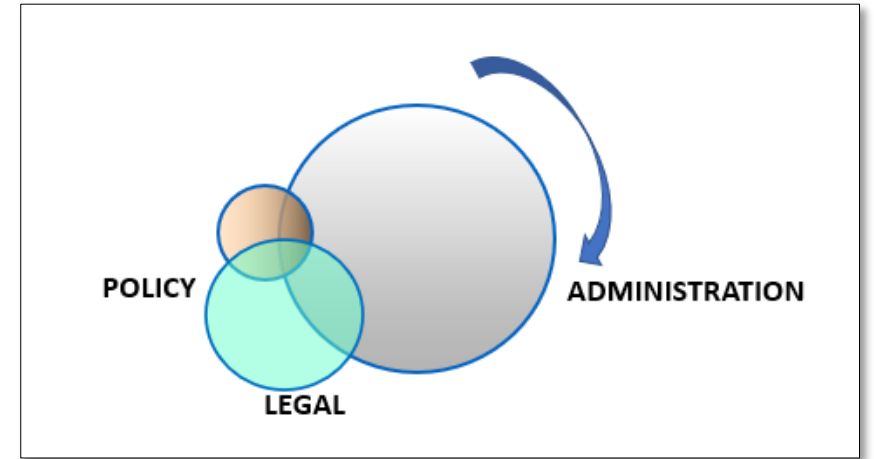


- Strategic Vision
- Constituent Advocate
- Trustee Steward
- Decision Maker
- Community Builder
- Oversight



Role of the Manager

"There is a dance that managers must do with their elected officials as they navigate the curved and blurry line between politics and administration, but this symbiotic relationship is built on the foundational premise that management is a supporting role."





Role of Staff



Staff is responsible for implementing policies set by Council, performing administrative tasks, providing analysis and data to inform the policy makers, delivering services to the citizens at the operational level, overseeing programs and projects, and keeping the community informed and engaged.



Role of Staff



- Policy execution
- Administrative tasks
- Data analysis
- Public service delivery
- Project & program development
- Communication and outreach



Role of Staff



- Policy execution
- Administrative tasks
- Data analysis
- Public service delivery
- Project & program development
- Communication and outreach



Role of Staff



- Policy execution
- Administrative tasks
- Data analysis
- Public service delivery
- Project & program development
- Communication and outreach

Accountability Knowledge Teamwork Communication Leadership



Tying it all Together



Engagement with Staff:

- Council is free to meet with Staff for Information
 - Courtesy Notice to Management
 - Please Avoid Allocation of Resources or Delegation of Tasks
 - Think of Staff Time from Budgetary Perspective
 - Understand the "Separation" of Roles
 - Always be mindful of Open Meetings Law and need for Transparency



Tying it all Together



Engagement by Staff:

- Staff is likewise free to meet with individual Councilmembers to share information
- Courtesy Notice to Management
- Council Meetings and Work Sessions
 - Emphasize Broad Participation in Presentations
 - Division Updates & CM Reports
- Community and Intergovernmental Functions



Council / Staff Relationships

Some Things to Keep in Mind:

- Accountability for Staff:
 - If there are complaints or concerns regarding staff, send them to the CMO
 - If there are compliments or positive outcomes, feel free to pass them on
- Transparency by Staff
 - Updates and newsletters; website and social media; presentations to council
 - Operational challenges do arise, and we do strive for transparency to our elected body, and citizenry, when there are resulting impacts to service or programs



Council Decorum

Some Suggested Considerations:

- In front of camera & microphone, you are streaming; records are perpetual
- Free flowing discussions and editorials are best saved for other forums
- Large agendas will necessitate efficient meetings
- Clear thought will erode after a few hours
- Don't have to engage on every topic

Brevity is the Soul of Wit – William Shakespeare





MEETING RULES & PROCEDURES





City Council Rules of Procedure

“The Council shall determine its own rules and order of business,....”

(Charter Article II, Section 14)

- Govern Council operations and meeting protocol
- Updated periodically as requested by Council or staff.
- Last updated November 2, 2021



City Council Rules of Procedure

- Meeting dates, times, and locations
- Order of business and how agendas are structured
- Future Agenda Item Request (FAIR) process
- Rules of order and decorum among Council, staff, and citizens
- Provides guidance on motions, amendments to motions, point of order, etc.
- Details the citizen petition process



Council Meetings



Regular City Council Meetings

- Held on the 1st and 3rd Tuesday of the month
- Business Meetings (motions and votes are taken)

Work Sessions

- Held on the 2nd and 4th Tuesday of the month
- Discussion and Direction meetings (no motions or votes are taken)

Executive Session

- Held on an as-needed basis
- Executive Sessions are closed to the public
- Agendas are required for public notification



Council Meetings



Working Calendar

- A living document that sets the schedule of agenda topics
- Distributed to Council each week with the agenda
- Available online for public viewing

CITY OF FLAGSTAFF, ARIZONA

WORKING CALENDAR – 2025

Updated 1/9/2025 1:22 PM

TUESDAY, JANUARY 14, 2025 – EXECUTIVE SESSION/ WORK SESSION

LOCKED

TYPE	TIME	ITEM	REQUESTOR	SUBJECT	STAFF	DEADLINE
ES	12:00 PM	ES	Solomon	Water litigation and Northeastern Arizona Indian Water Rights Settlement (A3, A4)	Solomon	
WS	3:00 PM	Disc.	Hansen	Update on the Arts, Science and Culture Survey and RSOQ process	McIntire	01/08/2025
WS	3:00 PM	Disc.	Darr	CDBG 101 and Funding Priorities	Pavlik	01/08/2025
WS	3:00 PM	Disc.	Williams	Private Pressure Sewer Mains and Services Code Text Amendment	Salazar	01/08/2025
WS	3:00 PM	Disc.	Folke	Update and Discussion on LASS+CAP project	McNulty	01/08/2025
WS	3:00 PM	Disc.	Antonopoulos	Resilience Hubs: EPA Grant Update	Wiley	01/08/2025
WS				Review of Draft Agenda for January 21, 2025 Meeting		

TUESDAY, JANUARY 21, 2025 – COUNCIL MEETING

TYPE	TIME	ITEM	REQUESTOR	SUBJECT	STAFF	DEADLINE
ES	1:00 PM	ES	Solomon	Water litigation and Northeastern Arizona Indian Water Rights Settlement (A3, A4)	Solomon	
CM	3:00 PM	Proc.	Daggett	Proclamation: Black History Month and Martin Luther King Day	Johnson	01/08/2025
CM	3:00 PM	Appts.	Saltzburg	Boards and Commissions Appointments for Heritage Preservation Commission	Staskey	01/08/2025
CM	3:00 PM	LL	Saltzburg	Liquor License Application – Majestic Marketplace Series 07, Majestic Marketplace Series 09, and All You Mead	Staskey	01/08/2025
CM	3:00 PM	Consent	Mood	Rio de Flag Water Reclamation Plant Backup Generators - Design Contract	Lanzetta	01/08/2025
CM	3:00 PM	Consent	Overton	Approval of contract with Samsara for vehicle telematics	Naliborski	01/08/2025
CM	3:00 PM	Routine	Langley	Consideration & Approval of 2025 State & Federal Legislative Priorities	Langley	01/08/2025
CM	3:00 PM	Routine	Anderson	Anti-Human Trafficking Grant Agreement	Anderson	01/08/2025
CM	3:00 PM	Routine	Perry	Amendment to the Wecom Design/Build Contract for the Build	Perry	01/08/2025
CM	3:00 PM	Regular	Williams	Ord. – 1 st Read – Private Pressure Sewer Mains and Services Code Text Amendment	Salazar	01/08/2025
CM	3:00 PM	Regular	Williams	Ord. – 1 st Read – Stormwater Management Design Manual Revisions	Schenk	01/08/2025
CM	3:00 PM	Regular	Williams	Backup power project for the Rio De Flag Wastewater Reclamation Plant, a grant agreement between the Arizona Department of Emergency and Military Affairs (DEMA) and the City of Flagstaff.	McNamara	01/08/2025

TUESDAY, JANUARY 28, 2025 – EXECUTIVE SESSION/ WORK SESSION

LOCKED

TYPE	TIME	ITEM	REQUESTOR	SUBJECT	STAFF	DEADLINE
ES	1:00 PM					
WS	3:00 PM	Disc.	Hansen	Presentation from Mechanical Engineering Graduate Students	McCormick	01/22/2025
WS	3:00 PM	Disc.	Langley	Municipal Equality Index Scorecard	Rhode	01/22/2025
WS	3:00 PM	Disc.	Overton	Review of Solid Waste Program Updates	Beckett/Brown	01/22/2025
WS				Review of Draft Agenda for February 4, 2025 Meeting		

THURSDAY/FRIDAY, JANUARY 30-31, 2025 – COUNCIL RETREAT

TYPE	TIME	ITEM	REQUESTOR	SUBJECT	STAFF	DEADLINE
CRT	8:30 AM					01/24/2025



Council Meetings



DRAFT AGENDA

- A “Draft” agenda for the voting meeting is prepared and distributed with the Work Session agenda
- Opportunity for Council to review the upcoming voting meeting and ask any questions of staff
- The Work Session agenda allows for a review of the Draft agenda
- If there are any questions or concerns about upcoming agendas or specific agenda items we encourage you to contact staff to discuss
- We are here to help and assist in your decision making



Council Meetings



Public Participation

- The public is permitted to speak 3 times during a meeting and each comment is limited to 3 minutes
- ***Open Call to the Public*** is at the beginning of the meeting and is confined to comments on items that are NOT on the agenda
 - Council is unable to dialogue with these speakers as there has not been proper public notice of the topic
- ***Public Comment*** is reserved for items that are on the agenda.
 - Council can ask questions/dialogue with these speakers if desired



Council Meetings



Hybrid Meetings

- Virtual participation is available for Council, staff, and the public
- Council Meetings are live-streamed and recorded on YouTube



Lobbying and Delegation Meetings

- At least two members of Council must be in attendance at any meetings with State, Federal, or Tribal representatives where any city, state, federal, or tribal business is discussed.
- State or Federal Lobbying Trips
 - Mayor and two other Councilmembers
- The councilmembers chosen to attend will be determined by an established rotation

BREAK



Returning at approximately 1:00 p.m.



HOTEL MONTE VISIT

Overview of Community





1882

FLAGSTAFF

ARIZONA

Understanding Our Community

Discuss the Potential
Power of Data

Consider
Relationship between
Data and Policy

Review Community
Demographics

Identify
Additional Resources



Join at menti.com | use code: 1849 8416



What are your top two priorities for Flagstaff?

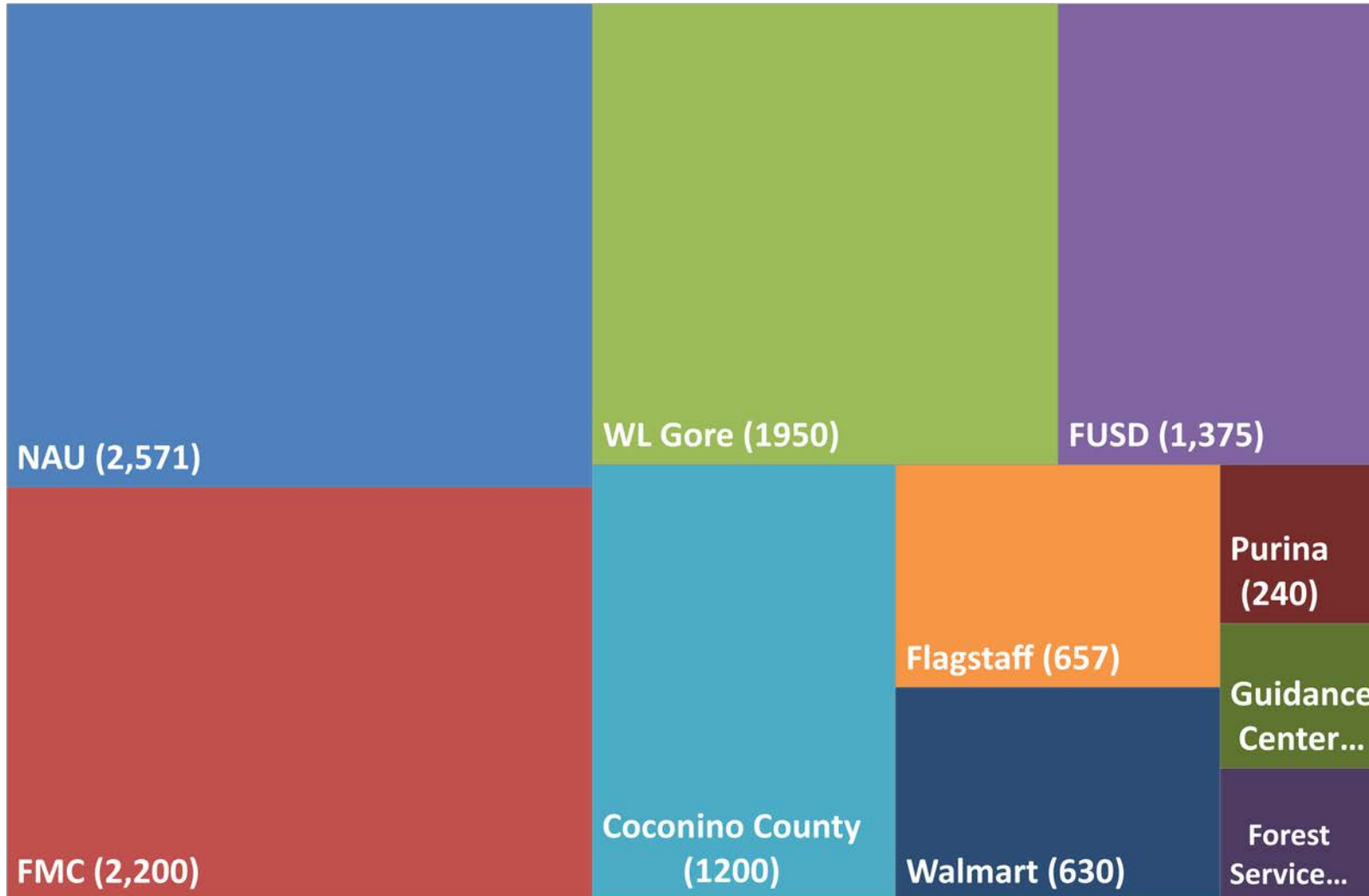
(capture each priority in one or two words)



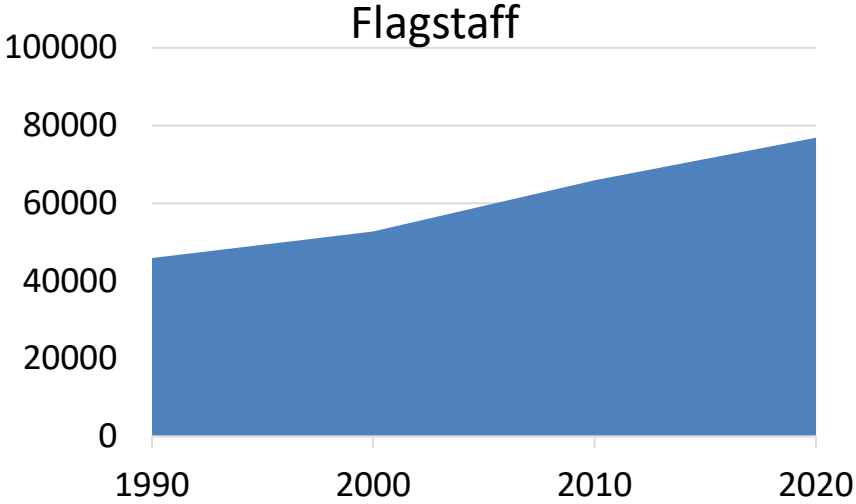
General Overview

- ✓ Population – 76,933
- ✓ Area = 66 square miles
- ✓ **Top Employment Sectors:**
Government, Education,
Science, Healthcare, Tourism,
Transportation, Utilities
- ✓ **Tourism = 6 million**
visitors/\$560 million per year

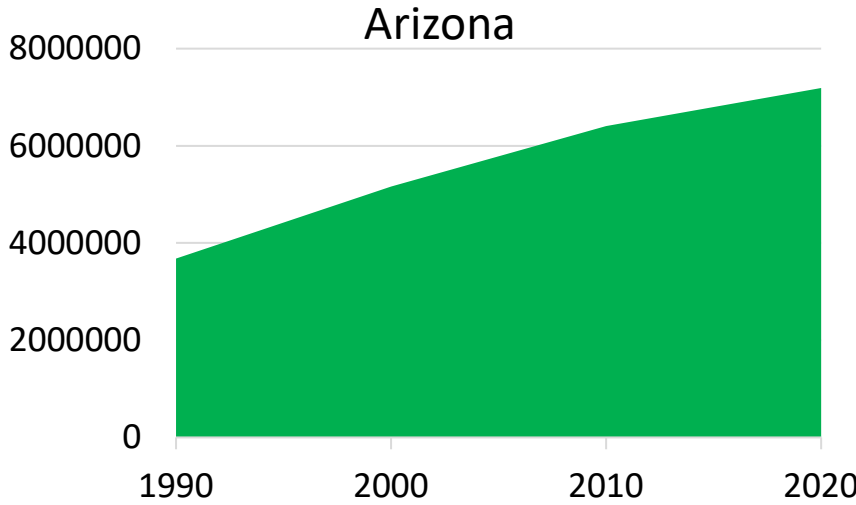
Flagstaff: Top 10 Employers



Comparative Population Growth: 1990 - 2020

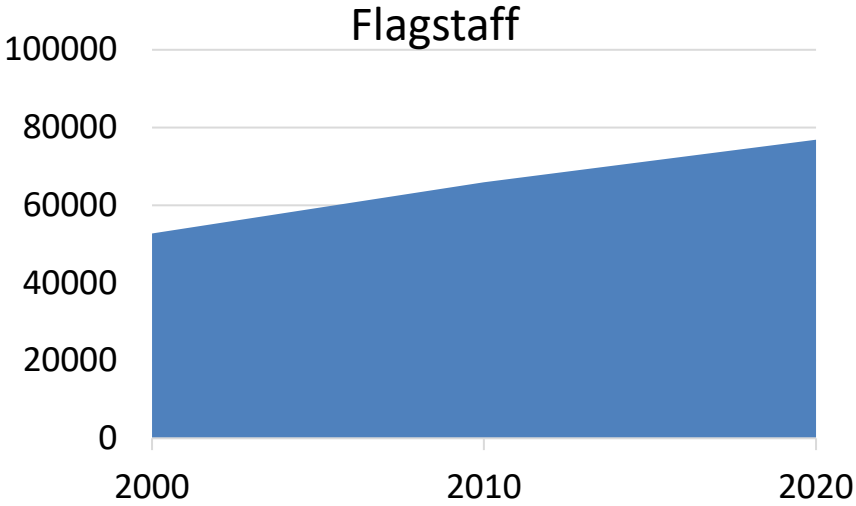


68% Growth

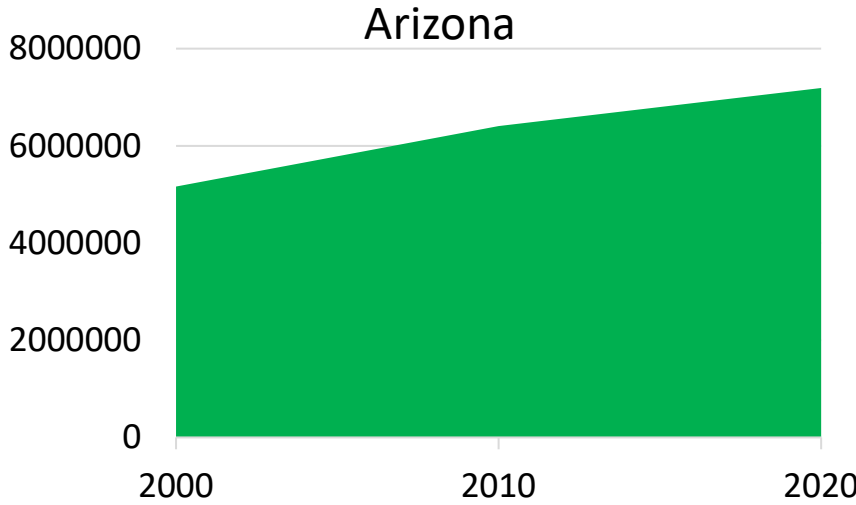


95% Growth

Comparative Population Growth: 2000 - 2020

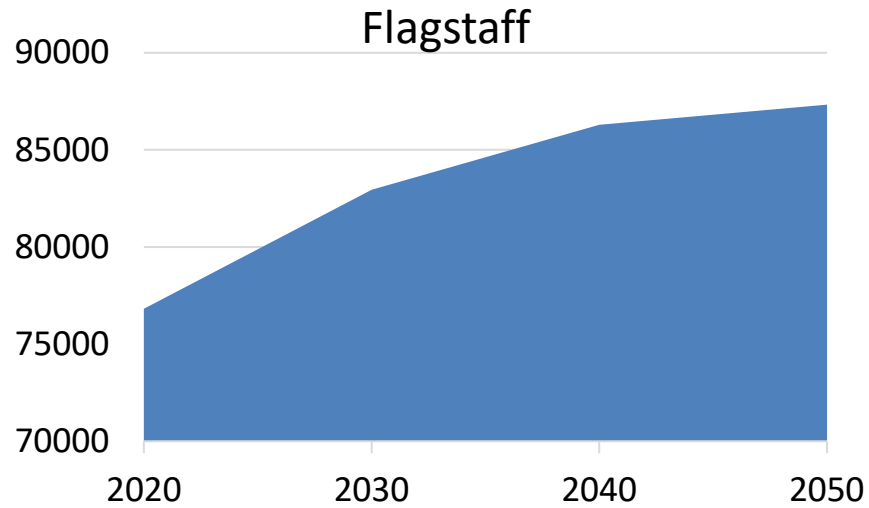


46% Growth

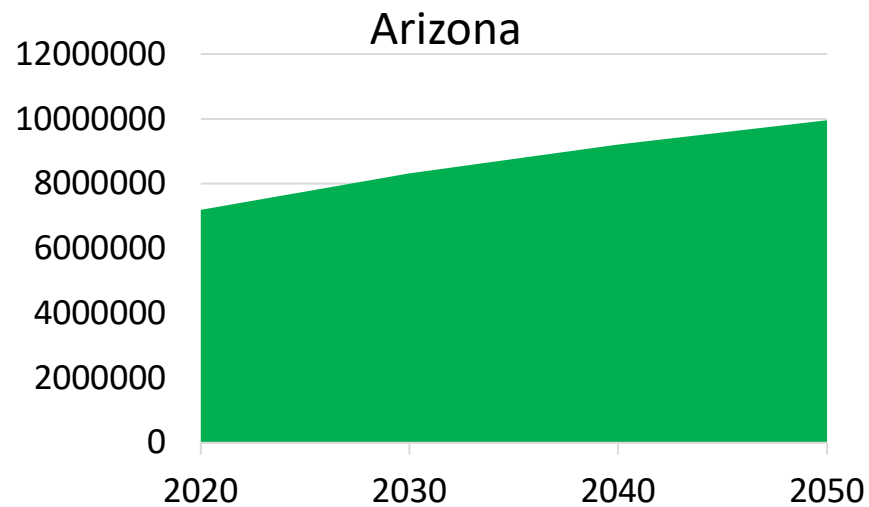


39% Growth

Future Population Growth



14% Growth



36% Growth

Age

Age

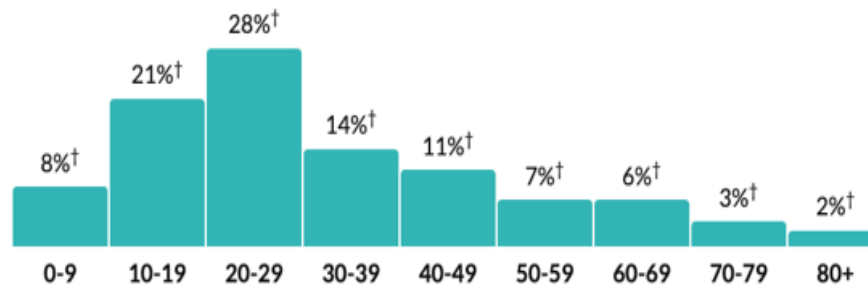
26

Median age

about 80 percent of the figure in the
Flagstaff, AZ Metro Area: 32.7

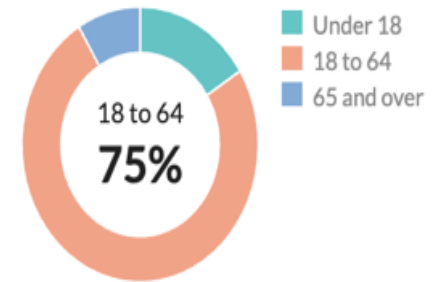
about two-thirds of the figure in
Arizona: 39.3

Population by age range



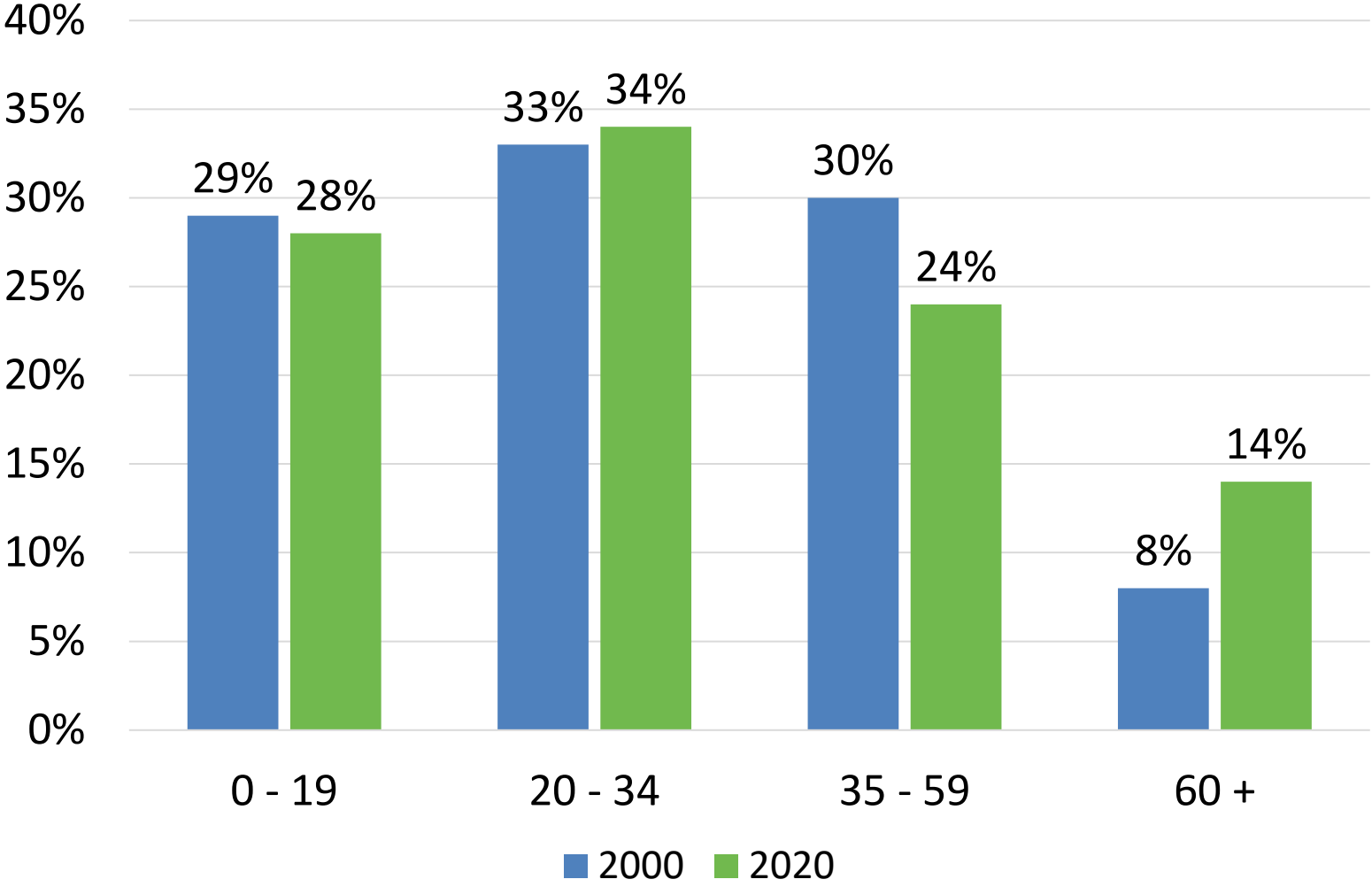
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Population by age category



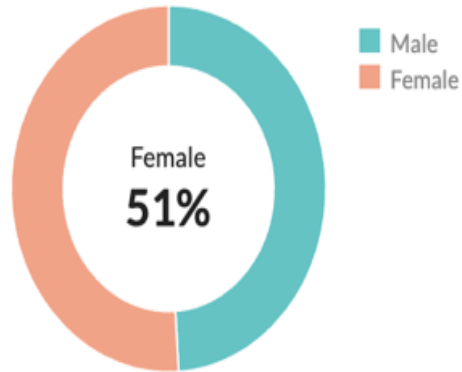
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Age : 2000 - 2020



Sex & Race/Ethnicity

Sex



[Show data / Embed](#)

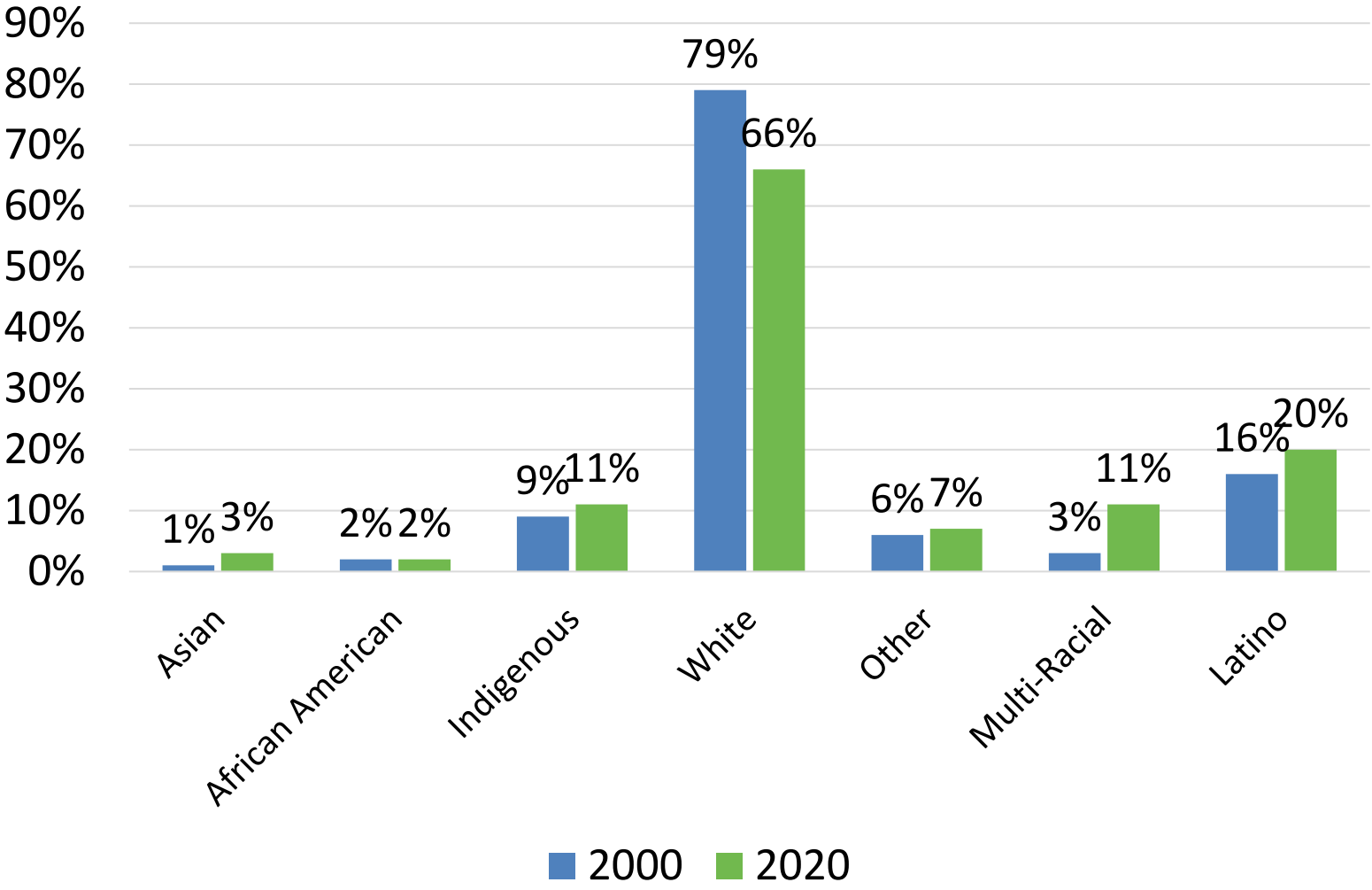
Race & Ethnicity



* Hispanic includes respondents of any race. Other categories are non-Hispanic.

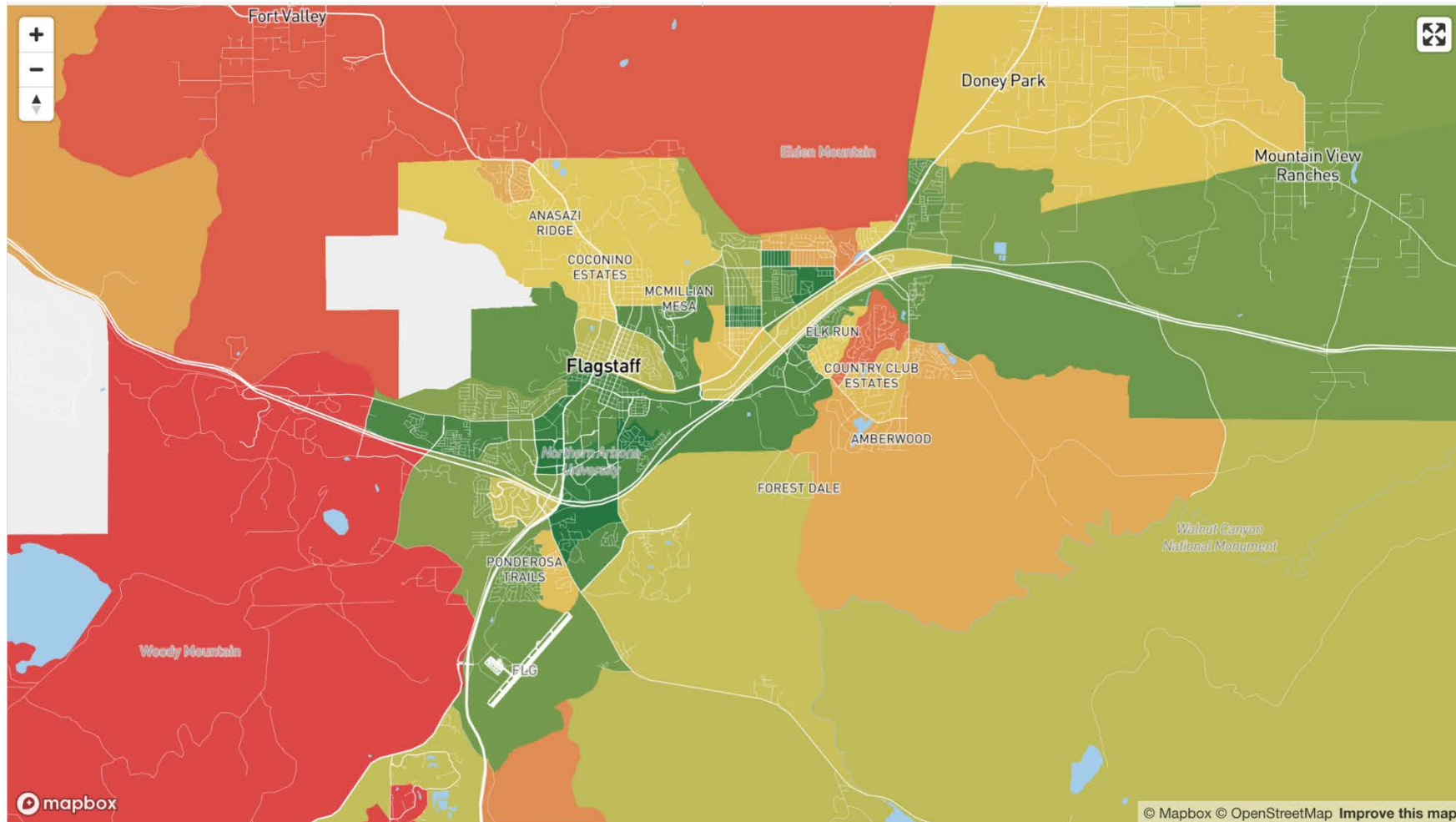
[Show data / Embed](#)

Race/Ethnicity : 2000 - 2020



U.S. Census Bureau, Decennial Census (2000, 2020)

Diversity in Flagstaff



Best Neighborhood, Data Sources: U.S. Census, proprietary data mapping and analysis. Special thanks to the University of Virginia
<<https://bestneighborhood.org/race-in-flagstaff-az/>>

Income and Poverty

Income

\$43,645

Per capita income

a little higher than the amount in the Flagstaff, AZ Metro Area: \$41,605 †

a little higher than the amount in Arizona: \$41,290

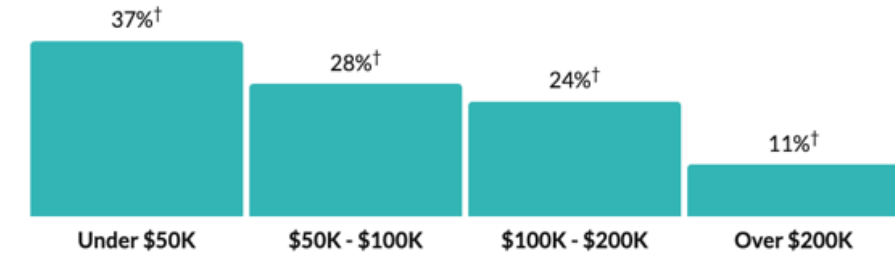
\$71,402

Median household income

about the same as the amount in the Flagstaff, AZ Metro Area: \$71,738

about 90 percent of the amount in Arizona: \$77,315

Household income



[Show data / Embed](#)

Poverty

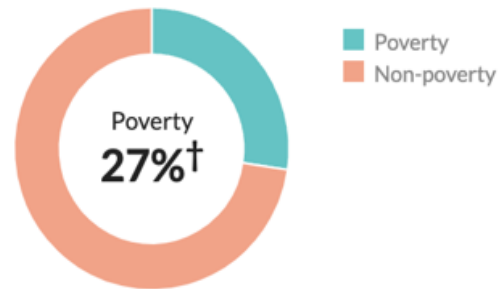
19.8%

Persons below poverty line

about 10 percent higher than the rate in the Flagstaff, AZ Metro Area: 18.6% †

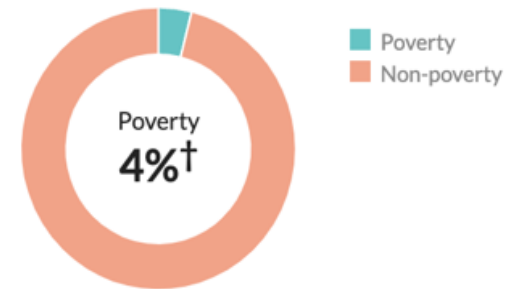
about 1.5 times the rate in Arizona: 12.5%

Children (Under 18)



[Show data / Embed](#)

Seniors (65 and over)



[Show data / Embed](#)

Education

Educational attainment

96.4%

High school grad or higher

a little higher than the rate in the Flagstaff, AZ Metro Area: 92.8%

about 10 percent higher than the rate in Arizona: 89.4%

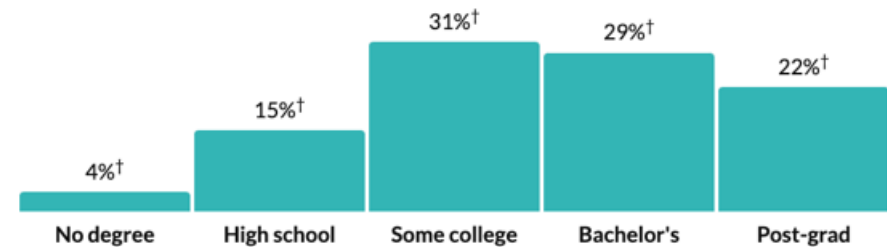
51.1%

Bachelor's degree or higher

about 1.3 times the rate in the Flagstaff, AZ Metro Area: 39.8%

about 1.5 times the rate in Arizona: 33.5%

Population by highest level of education



* Universe: Population 25 years and over

[Show data / Embed](#)

Housing and Mobility

Value

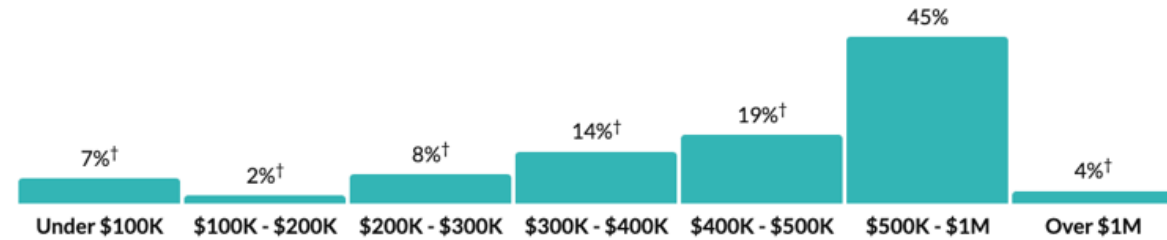
\$605,600

Median value of owner-occupied housing units

about 1.3 times the amount in the Flagstaff, AZ Metro Area: \$470,900

about 1.5 times the amount in Arizona: \$411,200

Value of owner-occupied housing units



* ACS 2023 5-year data

[Show data / Embed](#)

Geographical mobility

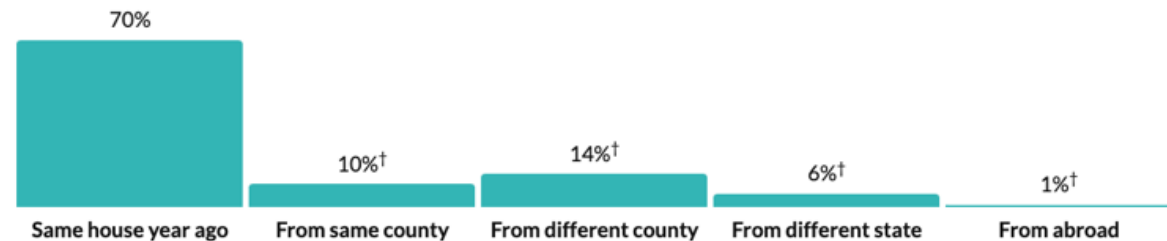
30.2%

Moved since previous year

about 1.5 times the rate in the Flagstaff, AZ Metro Area: 20.1% †

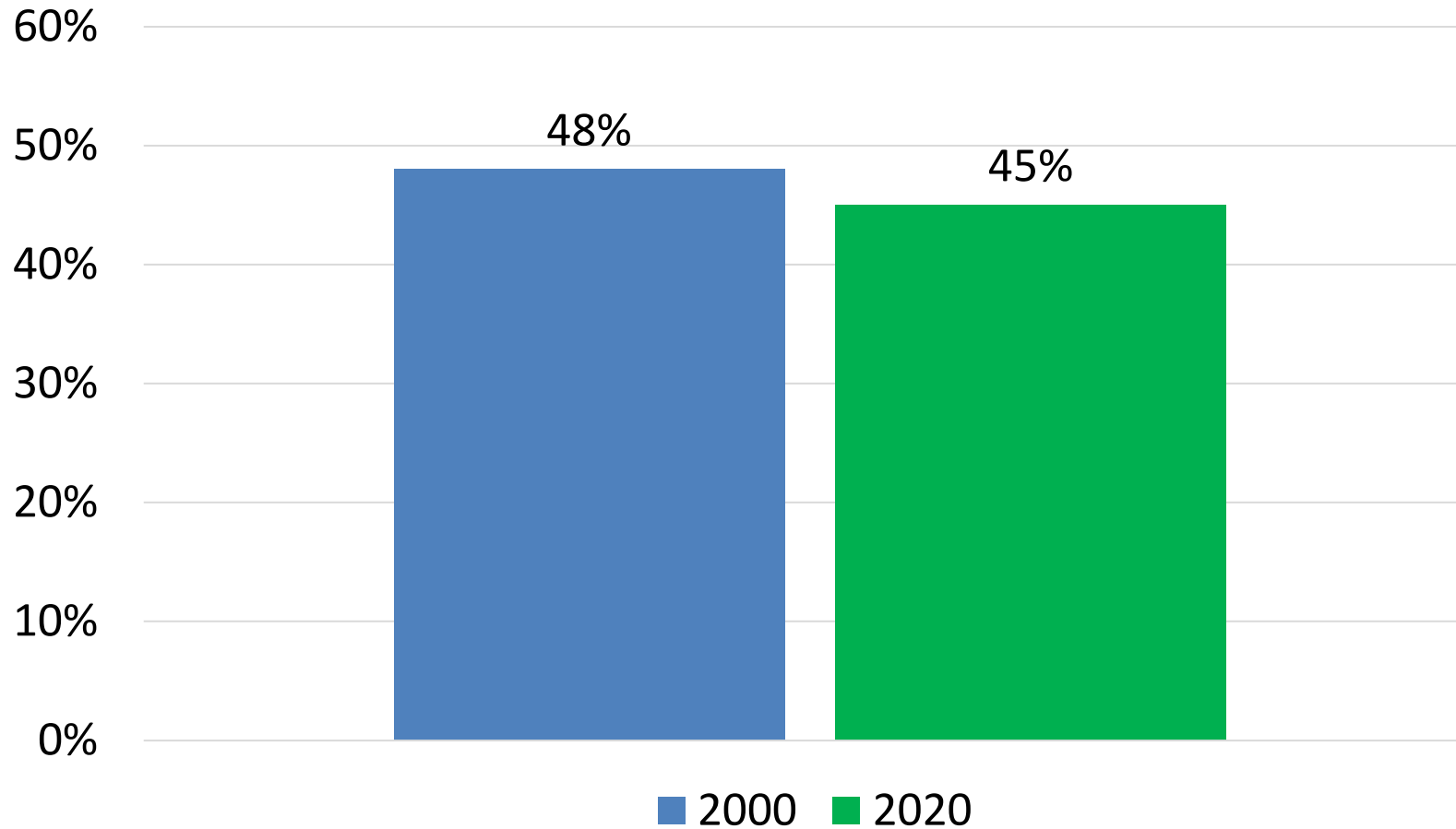
more than double the rate in Arizona: 14%

Population migration since previous year



[Show data / Embed](#)

Owner-Occupied Housing: 2000 - 2020



The Flagstaff Electorate

NUMBER OF FLAGSTAFF VOTERS: PRESIDENTIAL ELECTIONS							
	2000	2004	2008	2012	2016	2020	2024
Registered Voters	33,087	34,807	31,445	30,775	39,238	43,195	53,365
Votes Cast	21,370	26,870	26,801	24,729	30,579	36,073	34,815
Turnout	64.6%	77.2%	85.2%	80.4%	77.9%	83.5%	82.4%

2000-2024

Population
↑ 52%

Electorate
↑ 61%

Voting
↑ 63%

Our Community



- Flagstaff
- Coconino County
- Indigenous Communities
- Colorado Plateau
- Arizona
- United States
- The World

Data Resources

(Primary and Secondary Data)

BRONZE

- World Population Review
- Data USA
- CityFacts
- City Population

SILVER

- AZ Dept of Economic Opportunity
 - State Data Center
 - Population Estimates
- Census Reporter

GOLD


- US Census Bureau
 - Decennial Census
 - American Community Survey (ACS)
- data.census.gov
- Other Government
- Private/Public Firms

Additional Resources

Fred Solop & Nancy Wonders
GloLocal Vision, LLC

 fred@globalocalvision.com


 nancy@globalocalvision.com

 (928) 275-1680

 www.globalocalvision.com

Sara Rinfret
Aras Solutions

 sararinfret@hotmail.com

 (330) 763-0034

 www.rinfretsolutions.com





1882
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ARIZONA

Questions?



Focused Lunch Discussion

During the lunch break, meet in groups of 5 or more - take turns speaking and engage in active listening

- What are your top two priorities for the city?
- Why do these priorities matter most? (Aim for 3 reasons for each priority, per person.) Take notes on the points you make and those made by others.
- How do current and future demographics affect these priority areas? (if time permits)



LUNCH



Returning at approximately 1:00 p.m.



HOTEL MONTE VISIT

The Work of the City Council





City Charter





Flagstaff City Charter



- A document that outlines the City’s governmental structure, identifies jurisdiction, and provides enabling authority for self-rule.
- Flagstaff’s “Constitution” (Not a general law city)
- Any amendment to the Charter requires approval by a majority of qualified electors voting in election.
- Was originally voted on by the citizens in 1958 and has been amended 9 times since then.
 - Last amendment 2023



Flagstaff City Charter

- Provides for a Council-Manager form of government
(Charter Article II, Section 11)
- Council makes policy decisions
(Charter Article II, Section 11)
- Council appoints a City Manager
(Charter Article III, Section 2)
 - Implements policy and administers city government
(Charter Article III, Section 3)
- Council does not direct city staff
 - The non-interference clause
(Charter Article II, Section 18)



Flagstaff City Charter

- Council appoints two additional positions:
 - City Attorney
(Charter Article IV, Section 4)
 - City Magistrate(s)
(Charter Article XI, Section 2)
- Council also appoints Board and Commission members
(Charter Article V, Section 1)
- City Manager makes all other appointments and hiring decisions
(Charter Article III, Section 3)



Flagstaff City Charter

- Council powers and duties are outlined in Article II
 - Four or more councilmembers constitute a “quorum” of Council
 - Each member of Council is entitled to one vote
 - Failure to vote is considered a vote in the affirmative

(Charter Article II, Section 15 & 16)

- Mayor is the ceremonial head of the city and presides over the City Council Meetings

(Article II, Section 7)



Flagstaff City Charter



- Other General Areas of the Charter
 - Council Meetings (Article II)
 - City Divisions and Departments (Article IV)
 - Finance and Taxation (Article VI)
 - Contracts (Article VIII)
 - Elections (Article IX)
 - Initiatives, Referendum and Recall (Article X)
 - Franchises and Public Utilities (Article XII)
 - General, Succession in Government, and Amendments (Articles XIII-XIV)



City Code

- Where the “nuts and bolts” or details of City regulations exist
 - Governs everything from boards and commissions to nuisances for dogs at large, to creation and duties of specific city divisions, to zoning regulations, and minimum wage
- Council actions by ordinance create the City Code
 - Become codified as the general ordinances - laws of the City to be implemented/enforced by city administration
- City Code may be amended by any current or future City Council by ordinance



Open Meeting Law





Open Meeting Law





Open Meeting Law

- “All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting.” ARS § 38-431.01(A).
- “It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided” ARS § 38-431.09.



Open Meeting Law

What constitutes a meeting?

- A meeting is a gathering, in person or through technological devices, of a quorum of a public body at which they discuss, propose, or take legal action, including deliberations. ARS § 38-431(4).
 - ***This includes all forms for communication including social media, chat apps, texts, telephone, e-mail communications, etc.***



Open Meeting Law

- Legislative Intent: Openness in Government
 - Arizona's public policy
 - Official deliberations and proceedings conducted openly
 - Maximize public access
 - Any uncertainty resolved in favor of openness

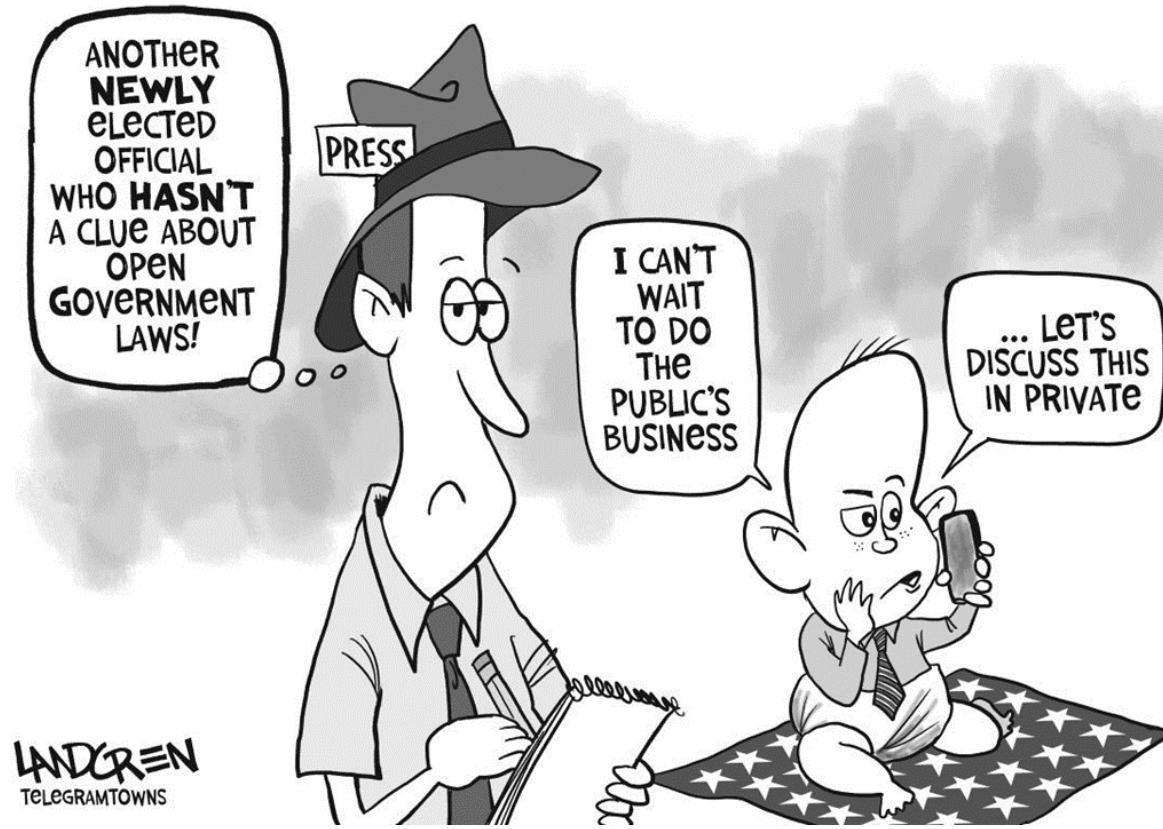


Open Meeting Law

- Meetings shall be open to the public
- Legal action must take place in a public meeting
- The proposing and discussing of action must take place in a public meeting
- Only agenda items may be discussed



Open Meeting Law





Open Meeting Law

- A.R.S. §38-431.02
- Meetings must comply with notice, agenda, and minute requirements
 - When and where
 - Information to inform the public of the matters to be discussed or decided
 - Generalities such as “Old business” or “New Business” not sufficient – must be more specific
 - Minimum 24-Hour public notice is required
 - Includes subcommittees (Boards/Commissions)



Open Meeting Law

- Quorum Requirement
 - What is a quorum?
 - Majority of membership
 - What if you don't have a quorum?
 - You don't have a "meeting" and you adjourn
 - Discussions and presentations should be rescheduled
 - Please communicate with staff if unable to attend



Open Meeting Law

- A.R.S. §38-431.03
- Executive Sessions (exception to rule)
 - Executive sessions require prior consent of City Attorney
 - Nine legal reasons for convening into executive session
 - Most used:
 - Litigation
 - Contract and Property Negotiations
 - Legal Advice
 - Employment



Open Meeting Law

• PROHIBITED ACTS/VIOLATIONS

- Polling individual Council members to reach a decision prior to a meeting
- Discussion/deliberation between less than a quorum outside public meeting for the purpose of circumventing the Open Meeting Law
 - E-mails/Social Media/Texts
- Soliciting third parties to gather or pass information from or to other members of Council – Serial Communications



Open Meeting Law





Open Meeting Law

- **E-mail and Other Communications**

- E-Mail (or “electronic”) communications may constitute a meeting
 - DO NOT “reply all”
- The use of e-mail among a quorum of members to discuss public matters is prohibited by the Open Meeting Law
 - Public does not have access
- E-Mails regarding City business are a public record
 - Does not matter whose computer is used or whether e-mail address is city or personal



Open Meeting Law

• Penalties

- If found guilty of an Open Meeting Law violation, a court may:
 - Levy a fine up to \$500 against the **Councilmember** for each violation
 - The **Councilmember personally** must pay the fine
- The Councilmember is subject to removal from office



Open Meeting Law



SOCIAL EVENTS

- If more than a quorum may be present:
 - “Notice of Possible Quorum” posted
 - Include statement that no business of public body will be discussed and no action taken
 - Councilmembers should avoid talking with each other – or have a witness



Open Meeting Law

- **How to avoid pitfalls with the Open Meeting Law**
 - Don't poll other Councilmembers on City business
 - Limit your discussions with other Councilmembers to public meetings
 - Don't send e-mails/texts/social media messages to each other
 - Distribute information to the Council through open meetings
 - Disband meetings when a quorum is not in attendance
 - Avoid misconception - "I can talk to up to two others..."

Public Records Law & Conflict of Interest





Public Records Law





Public Records Law



Public Policy:

“Public records and other matters in the custody of any officer shall be open to inspection by any person at all times during office hours.”

ARS § 39-121.



Public Records Law

Record Keeping Requirement:

“All officers and public bodies shall maintain all records, including records as defined in section 41-151.18, ***reasonably necessary or appropriate to maintain an accurate knowledge of their official activities*** and of any of their activities which are supported by monies from this state or any political subdivision of this state.” ARS 39-121.01(B).



Public Records Law

"Records" are defined in A.R.S. § 41-151.18 as:

- all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, including prints or copies of such items produced or reproduced on film or electronic media pursuant to § 41-151.16, made or received by any governmental agency in pursuance of law or in connection with the transaction of public business and ***preserved or appropriate for preservation by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government***, or because of the informational and historical value of data contained in the record, and includes records that are made confidential by statute.



Public Records Law

- Production of records: applies to paper and electronic documents (including emails, texts, chats and other written and/or electronic communications)
- Includes home computer, phone, if used for City business
- Process for retention—create one
- When term is up...
 - Forward records to appropriate staff; or
 - Forward to appropriate staff at any time



Conflict of Interest Law



"Yes, I am employee of the month again. And yes, I'm the one who chooses the employee of the month. And no, I don't see a conflict of interest."



Conflict of Interest Law

Applicability

- Applies to:
 - All Public Officers (Including Councilmembers and Board and Commission Members)
 - All Public Employees



Conflict of Interest Law

Generally ARS §38-503

Generally ARS §38-503

A public officer or employee who has, or whose relative has, a ***substantial interest*** in a decision of the public agency or in any contract, sale, purchase or service to such public agency must disclose that interest in the official record and not vote on or participate in the decision or transaction.



Conflict of Interest Law

Substantial Interest ARS §38-502(11)

- "Substantial interest" means any nonspeculative pecuniary or proprietary interest, either direct or indirect, ***other than a remote interest.***
 - Generally, any interest that affects your, or your relative's, financial (pecuniary) or property (proprietary) interests



Conflict of Interest Law

Identifying Conflicts

- Three Questions to Identify a Conflict of Interest:
 - Will my decision have a positive or negative impact on my interests or that of my relatives?
 - Do I have a monetary or ownership interest in the matter?
 - Is my interest other than one of the designated remote interests?



Conflict of Interest Law

Remote Interest

- Remote interests are financial and property interests deemed to be so minor as not to trigger the reporting and non-participation requirements
- May still vote and participate in discussions



Conflict of Interest Law

Examples:

- Remote Interests:
 - “That of a nonsalaried officer of a nonprofit corporation.” ARS § 38-502(10)(a).
 - No problem being an unpaid director of the Boys and Girls Club and voting to approve a new building project for the Club coming before the Council



Conflict of Interest Law

Examples:

- Remote Interests:
 - Recipient of municipal services under same terms and conditions as general public. ARS § 38-502(10)(g).
 - No problem for a member of Council to discuss and vote on new water and sewer rates.



Conflict of Interest Law

Examples:

- Remote Interests:
 - That of a member of a trade, business, occupation, profession, or class of persons consisting of at least ten members which is no greater than the interest of the other members of that trade, business, occupation, profession or class of persons. ARS § 38-502(10)(j).
 - No problem for member of Council who is a property owner to discuss and vote on zoning amendments that impact numerous other property owners.



Conflict of Interest Law

What To Do

- What if you have a substantial conflict?
 - Refrain from voting on or participating in the decision
 - Make the conflict of interest known in the official record
 - Leave the dais and the room



Conflict of Interest Law

Seeking Help

- What if you aren't sure?
 - Ask us
 - If an official written legal opinion of a conflict is given by City Attorney's Office it is a public record and filed with the City Clerk



Conflict of Interest Law

Other Prohibitions

- Gifts and Bribes: Never use official position to secure, and never accept, any valuable thing or benefit that would not ordinarily accrue in the performance of official duties



Conflict of Interest Law

Public Perceptions

- Public Perception and the Appearance of a Conflict
 - Add additional filters to your decision-making process
 - Is there sufficient appearance that your continued participation would harm your credibility or that of your board or City?
 - Is the accusation reasonably grounded?
 - Does the accuser stand to gain something by your withdrawal from the discussion?



Conflict of Interest Law

Remedies

- Contracts are voidable
- Affected person may sue
- Court may assess attorneys' fees and costs



Conflict of Interest Law

Penalties

- Forfeiture of office
- Felony
 - A knowing or intentional violation of the Conflict of Interest Law
- Misdemeanor
 - A negligent or reckless violation of the Conflict of Interest Law



HOTEL MONTE VISIT

Public Outreach





Media Relations



City of Flagstaff

News Release
Jan. 17, 2025
For Immediate Release

City seeks community members to serve on public art panels

FLAGSTAFF, Ariz- The City of Flagstaff's Beautification, Arts & Sciences program is seeking community members to join selection panels for public art projects. Art experience is not required, but a strong interest in community is essential.

Panelists will evaluate artists, artist proposals or participate in discussions about projects. The total time commitment ranges from approximately four to 12 hours spread over multiple days, depending on the project. All meetings are held virtually to ensure accessibility and convenience. People from all backgrounds, industries and demographics are encouraged to apply.

"Public art plays a vital role in making Flagstaff a vibrant and welcoming place for residents and visitors," said Beautification, Arts & Sciences Program Manager Jana Weldon. "By serving as panelists, community members can shape the city's art scene and directly impact the projects that get selected."

Each panel consists of two to three community members alongside city staff and representatives from the City's Beautification and Public Art Commission. Drawing panelists from an area where an artwork will be installed is essential to achieving a meaningful connection between the piece and its location. Including local voices promotes transparency, strengthens community engagement, and ensures that artwork reflects the neighborhood's values, aspirations, and/or cultural heritage.

"We prioritize community representation and encourage anyone who is interested in this opportunity to apply," said Weldon.

Pitching Stories

- Our relationships with print, radio & TV media outlets promote awareness and transparency
- News releases allow us to tell the City's story

City of Flagstaff seeks volunteers for panels on public art

DAILY SUN STAFF Jan 23, 2025



Junior Cassie Abell, 17, paints fruit on a large mural on the side of the Flagstaff Family Food Center for a service-learning project celebrating community food during Flagstaff Arts and Leadership Academy's intercession week in this March 2024 file photo. The mural was designed by PALA 11th-grade student artist Mija Winifron and is part of a Flagstaff Beautification Grant.
Mattie Logan, Arizona Daily Sun



Media Relations

Responding to Inquiries

- Public Affairs only responds to media requests related to City business
- Responses are factual and non-opinionated
- Public Affairs:
 - Coordinates written responses
 - Sets up interviews with staff and/or Councilmembers
 - Can provide talking points or background information





Social Media



- Official City presence on Facebook, Instagram, LinkedIn & Nextdoor among others
- Content includes project updates, recruitment efforts, new initiatives, and series like Meet Team Flagstaff



City of Flagstaff
3,541 followers
1d • 🌐

Walk-in Wednesdays are here!

Join us on Wednesday, January 29th at one of two locations for a chance to ...more

WALK-IN WEDNESDAYS

Explore Career Opportunities with the City of Flagstaff!

<p>PUBLIC WORKS Wednesday Jan. 29th</p> <p>Location: Building #6 3200 W. Route 66 Flagstaff, AZ 86001</p> <p>12-2pm Meet & Greet with Hiring Teams (Facilities, Fleets, Streets & Collections)</p> <p>2-3pm FREE Behind-the-Scenes Tour</p>	<p>PROSE Wednesday Jan. 29th 11am-2pm</p> <p>Location: 1702 N 4th St. Flagstaff, AZ 86001</p> <p>Roles: Park Technicians, Recreation Coordinators & more!</p>
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Questions? Contact: careers@flagstaffaz.gov

CITY OF FLAGSTAFF **PUBLIC WORKS PROSE**
CITY OF FLAGSTAFF PARK, RECREATION OPEN SPACE & EVENTS

👤 You and 16 others 1 comment · 4 reposts



Videos



- Creatively sharing City initiatives, opportunities, and updates with our community
- Produced in-house with staff or with contracted videographers

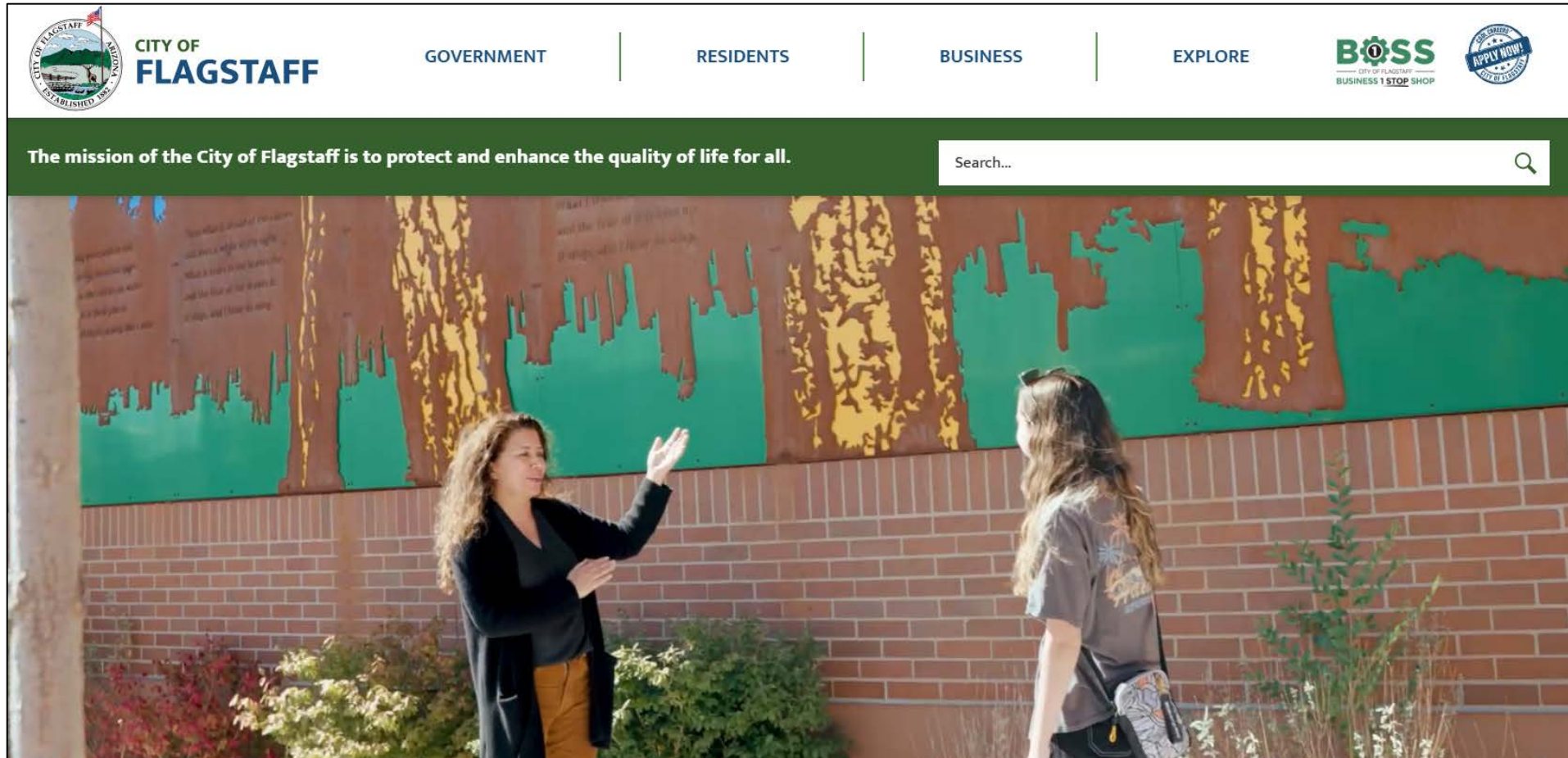




City Website



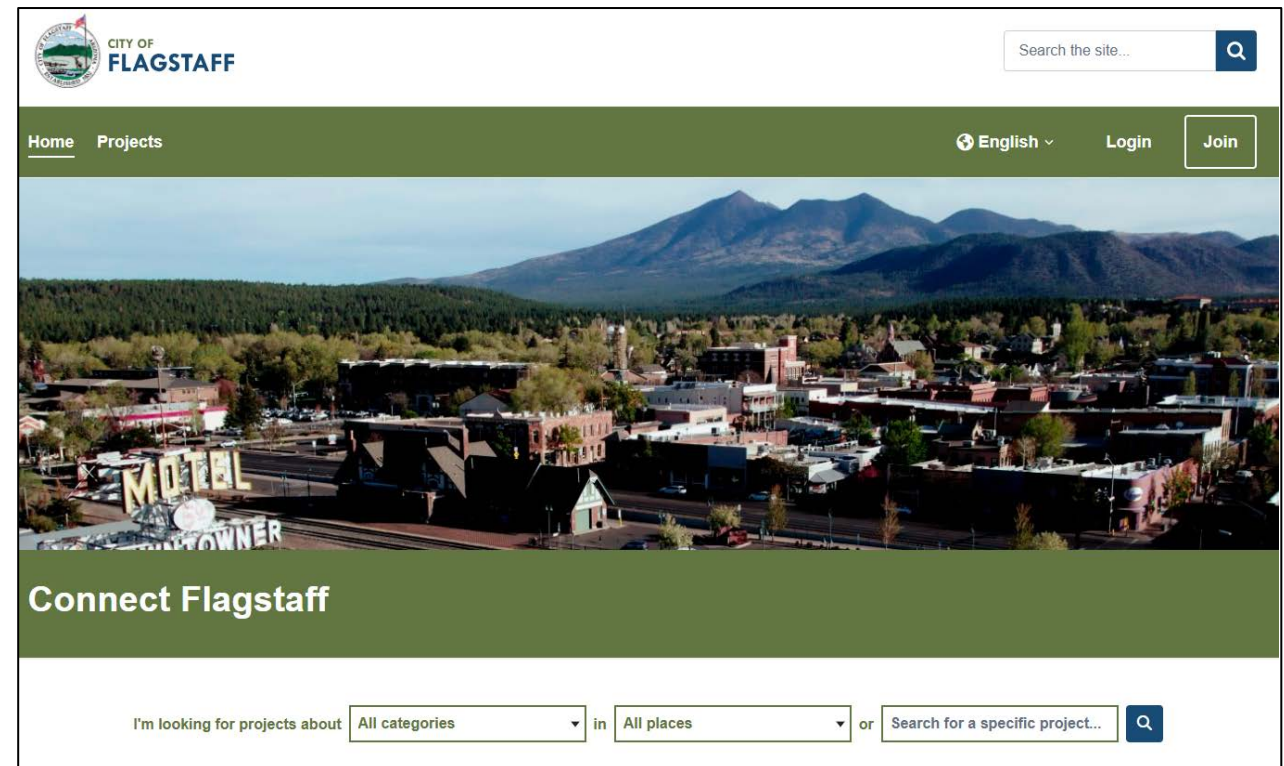
- Major site cleanup, QA and accessibility project ongoing
- New training program rolled out to City Staff in late 2024



Community Engagement Platform

Social Pinpoint

- New platform to house outreach efforts such as surveys, project feeds, Q&As, forums & more
- Connect.Flagstaffaz.gov - launching in February!





Resident Emails

Emails from residents to council@flagstaffaz.gov

Sharing opinions with
Council



Public affairs will forward to
appropriate staff for awareness



Councilmembers are welcome to
respond, but not required

Reporting problems or
asking questions



Public Affairs will route to
appropriate staff subject matter
expert (SME)



The SME will reply to the resident
with a solution or plan, copying
Council

BREAK



Returning at approximately 2:45 p.m.



HOTEL
MONTE VISIT

Skills & Strategies



Communication Styles

<p>ANALYTICAL COMMUNICATOR</p> <p>No-frills, logical Linear</p> <p>Values expertise and facts Prioritizes evidence, data, numbers Focused on end result</p>	<p>INTUITIVE COMMUNICATOR</p> <p>Big picture Non-linear</p> <p>Prefers broad overview over details Concerned with bottom line Innovative, challenges convention</p>
<p>FUNCTIONAL COMMUNICATOR</p> <p>Process-oriented</p> <p>Likes precision, detail, timelines Step-by-step, linear</p> <p>Prioritizes timing and responsibilities Considers every angle and perspective</p>	<p>PERSONAL COMMUNICATOR</p> <p>People-focused</p> <p>Uses emotional language Values interpersonal connections Concerned with who is impacted Considers perspectives of others</p>

- What is *your* communication style? What kind of arguments are most persuasive for you?
- How could you modify your arguments/points to communicate more effectively with someone who seems to prefer a different communication style?

Collaboration

	Cooperative Behavior	Information Sharing	Extent of Communication	Degree of Respect	Perceptions of Motivations	Proactively Seeking Assistance
Collaborative Partnerships	High	High	Extensive, Frequent	High	Positive	Often
Cautious Cooperation	Moderate	Moderate	As needed, Limited	Moderate	Unsure, Varies	Moderate, Situation Specific
Adversarial	Low, if at all	Low, only as required	Minimal, only as required	Low	Negative, Skeptical	Minimal
Cautious Compliance	Moderate	Moderate	As needed, Limited	Moderate	Unsure, Varies	Moderate, Situation Specific

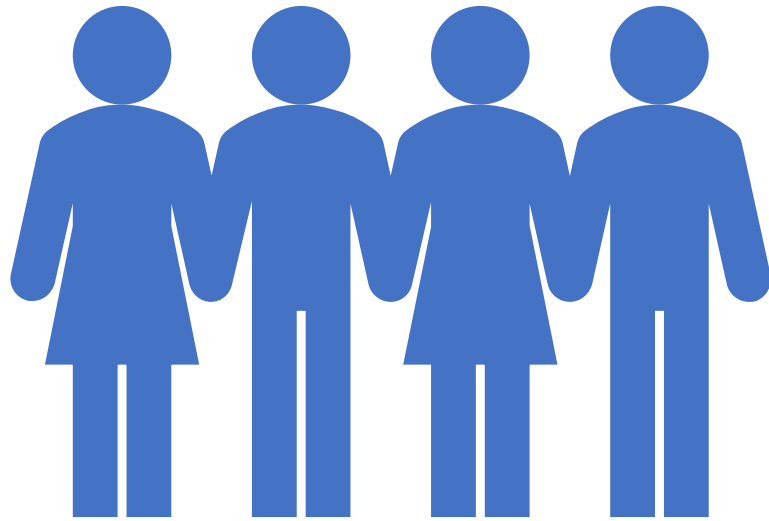
- **What information, support, and resources are needed for priority areas identified?**
- **What departments, organizations, and constituents might offer valuable information, resources or collaboration relevant to your priority areas?**



HOTEL MONTE VISIT

Conclusion and Next Steps



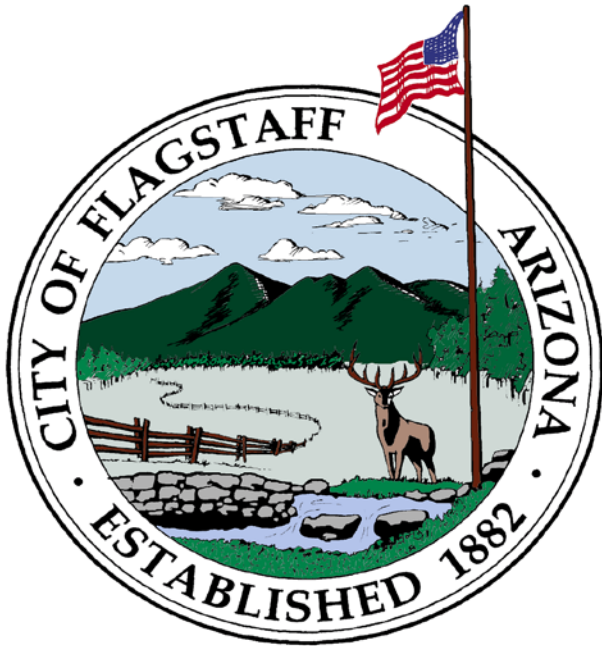


PUBLIC PARTICIPATION



Conclusion & Next Steps

- **Reflections on Important Messages**
- **Final Thoughts**
- **Tomorrow's festivities**



FLAGSTAFF
CITY COUNCIL
RULES OF PROCEDURE

NOVEMBER 2, 2021

RULES OF PROCEDURE
for the
FLAGSTAFF CITY COUNCIL

Rule 1
GENERAL RULES

[Flagstaff City Charter Art. II, §14]

1.01 Rules of Procedure; Journal

The Council shall determine its own rules and orders of business and shall provide for keeping a record of its proceedings. The record of proceedings shall be open to public inspection.

1.02 Written Rules, Order of Business, and Procedure

These Rules of Procedure of the Council shall be available to all interested citizens.

Rule 2
CODE OF CONDUCT & CONFLICTS OF INTEREST

2.01 Code of Conduct

City Councilmembers occupy positions of public trust. All actions and business transactions of such officials dealing in any manner with public funds shall be in compliance with all laws or ordinances establishing a code of conduct for public officials or pertaining to conflicts of interest of public officials or employees.

2.02 Participation and Voting Bar [A.R.S. §38-503]

Any Councilmember prohibited from participating or voting on any matter before the City by the state conflict of interest laws shall make known such conflict on the record of any meeting where the item is discussed, and shall not enter into discussion, debate, or vote on such matter.

Rule 3
COUNCIL MEETINGS

[Flagstaff City Charter Art. II, §12 and 13]

3.01 Regular Meetings

The City Council shall hold regular meetings at 3:00 p.m. on the first and third Tuesday of January, February, March, April, May, June, September, October, November, and December, and on the first Tuesday of July and third or fourth Tuesday of August unless a majority of the Council decides to postpone or cancel such meeting. No change shall be made in regular meeting times or place without a published seven day notice.

If the day fixed for any regular meeting of the Council falls upon a day which the City observes as a legal holiday, the meeting may be cancelled or held at a time and date designated by the Council. All regular meetings of the Council shall be held in the City Hall Council Chambers. No change shall be made in regular meeting times without a published seven-day notice. However, the Mayor or City Manager may change the Council meeting location to adjust to a specific need for additional space required to accommodate a large citizen turnout, upon giving the public notice of such change pursuant to notice requirements. All regular meetings of the Council shall be open to the public.

3.02 Special Meetings

Special meetings may be called by the City Manager, three or more members of the Council, or by the Mayor. The Council may hold any other meetings it deems necessary at such times and locations as it determines appropriate under the circumstances for the purposes of addressing specific issues, specific neighborhood's concerns, strategic planning, budgeting, or for any other purpose allowed by law, so long as notice of such meeting has been given in accordance with the Arizona Open Meeting Law. The City Clerk shall prepare written notice of special sessions, stating time, place, and agenda; this notice shall be given personally, or by telephone, to each member of the Council, the City Manager, and the City Attorney, and shall be posted no later than twenty-four hours in advance of the special meeting. If an emergency requires an earlier meeting of the Council than allowed by this rule, Rule 3.05 pertaining to emergency meetings shall be followed.

3.03 Work Sessions and Agenda Review

Work sessions are public meetings held for the following purposes: (1) briefing Councilmembers on items included on the Council's regular meeting agenda, (2) discussion of long range plans and programs for which no immediate action is required, (3) detailed discussion of matters which may soon be placed on a regular meeting agenda, and (4) exchange of information between the staff and Council. No formal vote shall be taken on any matter under discussion, nor shall any Councilmember enter into a commitment with another respecting a vote to be taken subsequently in a public meeting of the Council, providing that nothing herein shall prevent the Council from giving staff direction on any matter under discussion. Any formal action, however, must be scheduled for Council action at a regular or special Council meeting.

The City Council may hold work sessions every second and fourth Tuesday of each month at 3:00 p.m. When there are five Tuesdays in a month, work sessions will be held on the second and fifth Tuesdays, and the fourth Tuesday will be available for holding a work session, either at City Hall or throughout the community. No meetings will be held on the last Tuesday of December, unless otherwise agreed to by a majority of the Council.

The work session held the Tuesday prior to a regular Council meeting shall include a review of the action items on the next week's regular Council agenda. In the agenda review, the Council may discuss items on the next week's agenda and give direction to the City Manager as to additional information needed. Public comment need not be taken, but may be accepted, at the discretion of the Chair.

No work sessions will be held during the summer break unless called as a special meeting as provided in Section 3.02 of these Rules.

3.04 Executive Sessions [A.R.S. §38-431.03]

The Council may meet in, or recess into, executive session for all purposes allowed by law. The City Manager shall schedule any such meetings on the second and fourth Tuesdays at 1:00 p.m., or earlier as the need arises, prior to work sessions, but an executive session may be scheduled at any other time where circumstances require more immediate action. When there are five Tuesdays in a month, executive sessions shall be held on the second and fifth Tuesday at 1:00 p.m., or earlier, as needed. An executive session may be convened at a special meeting called for that purpose on a majority vote of the members of the Council, or during a regular meeting, special session, or work session of the Council for legal advice on matters on a meeting's properly noticed agenda. Attendance at the executive session shall be limited to members of the City Council, the City Manager and City Attorney or their designees, and appropriate City staff or consultants to the City as the Council may invite or as may be required for advice or information. No formal vote involving final action shall be taken on any matter under discussion while in an executive session, except the Council may instruct its attorneys and representatives as allowed by law.

3.05 Emergency Meetings [A.R.S. §38-431.02]

In case of an actual emergency, the Council may hold a meeting, including an executive session, upon such notice as is appropriate to the circumstances, but shall post a public notice within twenty-four hours declaring that an emergency session has been held, and setting forth the agenda of specific items discussed, considered, or decided.

3.06 Minutes of Meetings [A.R.S. §38-431.01]

Except as otherwise provided by state law, there shall be minutes of all Council meetings. Such minutes shall include, but need not be limited to: (1) the date, time, and place of the meeting; (2) the members of the City Council recorded as either present or absent; (3) a general description of the matters considered; (4) an accurate description of all legal actions proposed, discussed, or taken, and the names of members who propose each motion; and (5) the name of persons, as given, making statements or presenting material to the Council and a reference to the legal action about which they made statements or presented material. Minutes of all meetings, except executive sessions, shall be open to public inspection.

Rule 4 THE COUNCIL AGENDA

4.01 Procedures for Preparation of Council Agendas

All reports, communications, ordinances and resolutions, contracts or other documents, or other matters to be submitted to the Council as part of the Council meeting agenda packet shall be available to the Council, along with a staff summary by the Friday preceding the agenda review work session for the draft agenda and by the Friday preceding the regular meeting for the regular agenda. The City Manager shall review items submitted for timeliness and completeness of information.

Those items which are approved for the Council agenda by the City Manager shall be placed on the agenda in accordance with the order prescribed in Rule 5. Copies of the agenda and any background material shall be disseminated to the Mayor and the City Council in the manner prescribed by the Council; to the City Manager, the Deputy City Managers, the City Attorney, and the City Clerk; and shall be made available to the public on the Friday preceding the Council meeting at which the agenda will be reviewed.

Should a Councilmember wish to share information regarding an item on an agenda other than under the F.A.I.R. process, copies may be distributed on the dais.

The agenda shall be made public in advance of the meeting by posting on the regular public posting board at City Hall and on the City's website. Such action shall be taken concurrently with the furnishing of the agenda to the City Council.

4.02 Future Agenda Item Requests (F.A.I.R.)

The City Manager shall consider any request by a Councilmember to include an item on the Future Agenda Item Request (FAIR) portion of the agenda. A Councilmember may submit an item for consideration in a public meeting during To/From and the City Manager may place it in a queue with other Council requests to be placed on an agenda.

The requesting Councilmember must be present through each step of the F.A.I.R. process to provide information and solicit the support for their item. Should scheduling conflicts arise the requesting Councilmember must contact the City Manager and ask that the item be rescheduled.

In the event that there are remaining F.A.I.R. items from an outgoing Councilmember the items will be placed on a separate list to seek a current Councilmember sponsor. If after 30 days from the last day of their term no Councilmember comes forward to sponsor the item, it will be removed from the queue.

Once the item is placed on an agenda under F.A.I.R.:

- a) If three or more Councilmembers agree, it is placed in the Discussion Queue for future meetings in chronological order. (Shown on working calendar as a discussion item)
- b) Should a Councilmember wish to move the item to the front of the Discussion Queue, a separate and secondary request must be made. Should a minimum of four Councilmembers agree to such request, the item will be placed at the front of the Discussion Queue and Items previously placed on future agendas for discussion will be shifted accordingly.
- c) Should a Councilmember wish to change the order of the items in the Discussion Queue, a request must be made by a Councilmember as to the preferred priority order. Should a minimum of four Councilmembers agree to such a request, the order shall be revised accordingly.

Once an item has been considered under the F.A.I.R. process and placed on a future agenda for discussion, staff time in preparing for such item is limited to eight hours or less. Once direction is given by a majority of the Council, further staff time may be expended. (Show on the Working Calendar as a Regular Item.)

4.03 Removal of a F.A.I.R. Item

A Councilmember who has previously requested a F.A.I.R. item may have it removed up until the time it appears on the agenda as a F.A.I.R. item. No other Councilmember is permitted to remove an item. If an item is removed prior to it appearing on an agenda, the City Manager will notify the Council of its removal at the next Council Meeting. If another Councilmember wants to retain the item, it shall retain its then-current place in the queue. Once on the agenda, the request to remove must be made during a public meeting.

Once it has been placed on the agenda as a F.A.I.R. item, and there are three or more Councilmembers who support moving it to a future agenda for discussion, an item may not be removed until it has been placed back on the agenda as a F.A.I.R. item to be Removed. Should there be no objection from Councilmembers, the item will be removed as a F.A.I.R. item. If at least three other Councilmembers wish to keep it on the F.A.I.R. list, it will be placed on a future agenda as outlined in Section 4.02(a) above.

Rule 5 **ORDER OF BUSINESS**

5.01 Regular Meeting Agenda

The agenda for regular meetings of the City Council shall follow the following order:

Call to Order
Roll Call
Pledge of Allegiance and Reading of the Mission Statement and Land Acknowledgement
Approval of Minutes of Previous Meetings
Public Participation
Proclamations and Recognitions
Council Liaison Reports
City Manager Update
Legislative Updates (as needed)
Appointments
Liquor License Public Hearings
Consent Items
Routine Items*
Public Hearing Items
Regular Agenda
Discussion Items
Future Agenda Item Request (FAIR)
Public Participation
Informational Items and Reports to/from Council and Staff, and Requests for Future
Agenda Items
Adjournment

**Routine Items include those agenda items that are common, reoccurring, have been discussed at length in prior Council meetings, or are expected to have little to no public participation. They may include resolutions or ordinances.*

Consent Agenda items may be considered and acted upon by one motion, unless a Councilmember specifically requests that a consent item be considered and voted on separately. If related to a public hearing item on the agenda, ordinances or resolutions shall be placed under Public Hearings. Items requested for consideration and discussion by a Councilmember and placed in the Future Agenda Item Request Section need not have a staff summary or staff review, but the requesting Councilmember may specify in a memorandum what discussion, action, or options are proposed. There will be no discussion of issues raised during public participation, information items and reports, or requests for future agenda items. The City Clerk shall enter into the minutes all consent items approved with one motion, and shall record separately action taken on those items considered separately.

5.02 Work Session Agenda

The agenda for Work Sessions of the City Council shall follow the following order:

Call to Order
Pledge of Allegiance and Reading of the Mission Statement and Land Acknowledgement
Roll Call
Public Participation
Review of Draft Agenda for next Council Meeting
Legislative Updates (as needed)
Work Session Topics
Public Participation
Informational Items and Reports to/from Council and Staff, and Requests for Future
Agenda Items
Adjournment

Rule 6 PRESIDING OFFICER

[Flagstaff City Charter Art. II, §7 and §8]

6.01 Mayor as Chair

The Mayor, or in his or her absence, the Vice Mayor, shall be the Chair for all meetings of the Council.

6.02 Temporary Chair

In case of the absence of the Mayor and the Vice Mayor, the City Clerk shall call the Council to order. If a quorum is found to be present, the Council shall proceed to elect, by a majority of those present, a Chair for the meeting.

6.03 Selection of Vice Mayor

The candidate with the highest number of votes in the most recent general candidate election shall be appointed Vice Mayor until the next general candidate election. If for whatever reason the Vice Mayor cannot fulfill their term the position will be transferred to

the candidate with the next highest number of votes in the most recent general candidate election.

Rule 7 **MEETING DECORUM AND ORDER**

7.01 Decorum and Order among Councilmembers

The Chair shall preserve decorum and decide all questions of order, subject to appeal to the Council. During Council meetings, Councilmembers shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the order of the Chair or the Rules of the Council. Every Councilmember desiring to speak shall address the Chair, and upon recognition by the Chair, shall confine himself or herself to the question under debate and shall avoid all personal attacks and indecorous language. A Councilmember once recognized shall not be interrupted while speaking unless called to order by the Chair or unless a point of order is raised by another Councilmember. If a Councilmember is called to order while he or she is speaking, he or she shall cease speaking immediately until the question of order is determined. If ruled to be out of order, he or she shall remain silent or shall alter his or her remarks so as to comply with the Rules of the Council. Councilmembers shall confine their questions to the particular issues before the Council. If the Chair fails to act, any member may move to require him or her to enforce the Rules and the affirmative vote of the majority of the Council shall require the Chair to act.

If Council discussion of a matter exceeds one hour, each Councilmember shall limit their subsequent remarks to three minutes.

7.02 Decorum and Order among City Staff

The Chair shall have the authority to preserve decorum in meetings as far as the audience, staff members, and city employees are concerned. The City Manager shall also be responsible for the orderly conduct and decorum of all City employees under the City Manager's direction and control. Any remarks shall be addressed to the Chair and to any or all members of the Council. No staff member, other than the staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the Chair.

7.03 Decorum and Order among Citizen Participants

Citizens attending Council meetings should observe the same rules of propriety, decorum, and good conduct applicable to members of the Council. Any person causing a disturbance of the peace and good order during a Council meeting, may be removed from the room if so directed by the Chair, and such person may be barred from further audience before the Council. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the Chair, if such actions cause a disturbance of the peace and good order the Chair may direct the Sergeant-at-Arms to remove such offenders from the room. Should the Chair fail to act, any member of the Council may move to require the Chair to enforce the Rules, and the affirmative vote of the majority of the Council shall require the Chair to act. Political campaigning is prohibited. Any member of the public desiring to address the Council on any agenda item shall be recognized by the Chair shall state his or her name and city of residence in an audible

tone for the record, and shall limit his or her remarks to the questions under discussion. Any remarks shall be addressed to the Chair and to any or all members of the Council.

Rule 8
RIGHT OF APPEAL FROM THE CHAIR

8.01 Process for Appeal

Any Councilmember may appeal to the Council from a ruling of the Chair. If the appeal is seconded, the member making the appeal may briefly state his or her reason for the same, and the Chair may briefly explain the Chair's ruling. There shall be no debate on the appeal, and no other member shall participate in the discussion. The Chair shall then put the question, "Shall the decision of the Chair be sustained?" If a majority of the members present vote "aye", the ruling of the Chair is sustained; otherwise, it is overruled.

Rule 9
PUBLIC PARTICIPATION IN COUNCIL DISCUSSIONS

9.01 Non-Public Hearing Discussions

Any person wishing to speak on any matter on the agenda before the Council, or during Public Participation, shall fill out a comment card and submit that card to the recording clerk, who will deliver the card to the Chair. Citizens are allowed to address the Council a maximum of three times throughout the meeting, including comments made during Public Participation. Other than Public Participation, comments shall be limited to the business at hand. The Chair shall limit the period of speaking to a reasonable period of time of no more than three minutes per person (exceptions listed below); a speaker may address the Council with the speaker's own statements and the statements of other persons within the set time limit. The person desiring to speak shall limit his or her remarks to the matter under discussion and shall address his or her remarks to the Chair. Speakers may not cede any portion of their allotted time to another speaker.

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. The ten persons must be listed on the speaker card and be present at the time the comment is given. The persons will be requested to identify themselves by standing and those included in the group are precluded from making comments on the same topic but may participate in any other agenda topics up to the limit addressed in Section 7.03.

Any person wishing to speak with the assistance of a translator shall designate such on the speaker card and be permitted to speak up to five minutes.

9.02 Public Hearings

- A. In the case of a public hearing, the Chair shall announce prior to such hearing the total time limit, if any, to be allowed for public debate, depending upon the circumstances and public attendance. The Chair shall also announce the time limits for each individual speaker (normally no more than three minutes), and that no speaker may be heard more than once.

- B. Any person wishing to speak with the assistance of a translator shall designate such on the speaker card and be permitted to speak up to five minutes.
- C. 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. The ten persons must be listed on the speaker card and be present at the time the comment is give. The persons will be requested to identify themselves by standing and those included in the group are precluded from making comments on the same topic but may participate in any other agendized topics up to the limit addressed in Section 7.03.
- D. Speakers may not cede any portion of their allotted time to another speaker.
- E. The order of presentation and time limits shall be as follows:
 - 1. Staff presentation (ten-minute time limit, except with specific Council permission to exceed this limit).
 - 2. Applicant presentation, only upon applicant's specific request (up to ten minutes, except with specific Council permission to exceed this limit).
 - 3. Council's questions to staff and applicant.
 - 4. Public comment (three minutes for individual speakers, up to fifteen minutes for a representative of ten or more persons present at the meeting who have contributed their time to the representative), The ten persons will be requested to identify themselves by standing and those included in the group are precluded from making comments on the same topic, but may participate in any other agendized topics up to the limit addressed in Section 7
 - 5. Applicant's response, only upon applicant's specific request (5 minutes),
 - 6. Staff's response (5 minutes),
 - 7. Council deliberation and questions to staff and applicant.
- F. This rule will not preclude questions from members of the Council to the speaker where it is deemed necessary for purposes of clarification or understanding, but not for purposes of debate or argument.

Rule 10
RULES GOVERNING MOTIONS BY THE COUNCIL

10.01 Motion to be Stated by the Chair - Withdrawal

When a motion is made and seconded, it shall be so stated by the Chair before debate commences. A motion may not be withdrawn by the mover without the consent of the member seconding it.

10.02 Motion to Suspend Rules

Suspension of these Rules requires a majority consent of the Councilmembers present. A motion to suspend may not be made while another motion is pending unless it directly

applies to the pending motion. Suspension of the Rules may not be appropriate in the context of a Public Hearing.

10.03 Motion to Change Order of Agenda

The Chair may, at his or her discretion, or shall, upon the majority vote of Councilmembers present, change the order of the agenda. However, caution should be given to not changing the order to circumvent the Open Meeting Law.

10.04 Motion to Table

A motion to table is used to delay discussion on an item until later in the meeting or until the next meeting. Neither the motion to table nor other business can be discussed, until a vote has been taken on the motion. If the motion is successful, no further discussion can be had without a motion to take off the table. To take a motion off the table at the same or immediately succeeding meeting, a motion and second must be made to take the item off the table, and it must pass by majority vote.

If not revived by the adjournment of the immediately succeeding meeting, the matter is considered to be dead.

10.05 Motion to Postpone

A motion to postpone is in order when an item is rescheduled to a time certain, when it is delayed with conditions, or when the matter is intended to be disposed of without action. If the motion prevails, the item shall return for Council action at the meeting specified or in accordance with the conditions established in the postponement. A motion to postpone may be debated prior to vote, but no other motion, including a motion to amend, may be offered until the vote is taken and only if the motion to postpone fails.

A motion to postpone indefinitely, if it receives a majority vote, effectively extinguishes an item.

10.06 Motion to Divide the Question

If the question contains two or more divisionable propositions, the Chair may, and upon request of a member shall, divide the same.

10.07 Motion to Amend

On a motion to amend or “strike out and insert”, the motion shall be made so that the intent of the amendment is clear to the Council and public, and for the record.

The Council may materially amend an ordinance after the first read of that ordinance and proceed immediately to the second read and adoption. In other words, it is not necessary to proceed as though it is a new ordinance after a material change.

10.08 Motion to Amend an Amendment

A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be introduced. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.

10.09 Motion to Reconsider

After the decision on any question, any member who voted with the majority may move for a reconsideration of any action at the same meeting or at the next regular meeting that occurs at least one week after the date the action was taken. In the event of a tie vote on a motion, any Councilmember may move for reconsideration at the next regular meeting of the City Council that occurs at least one week after the date the action was taken, but not thereafter. To ensure that the matter will be included on the posted agenda in conformance with the Open Meeting Law, any Councilmember who wishes to have a decision reconsidered must alert the city clerk in writing at least five (5) days, exclusive of Saturdays, Sundays, and intermediate holidays, prior to the meeting at which the motion to reconsider will be made, unless the motion to reconsider was made and seconded at a Council meeting. A motion to reconsider shall require the affirmative vote of the majority of the members present at the time of reconsideration. After a motion for reconsideration has once been acted on, no other motion for reconsideration of the same subject shall be made without unanimous consent of all Councilmembers.

After the reconsideration time period has expired, the same matter may be placed on a later Council meeting agenda under Future Agenda Item Request at the request of any Councilmember. It shall require agreement by Councilmembers during Future Agenda Item Request to be placed on a future agenda as an action item. If the matter is considered for formal action on a future meeting, the motion for or against taking an action need not be made by a member of the prevailing vote.

10.10 Motion for Roll Call Vote

Any Councilmember may request a roll call vote, or the Chair may ask for a roll call vote for purposes of clarifying a vote for the record. The roll may be called for yeas and nays upon any questions before the Council. Unless allowed by the Chair, it shall be out of order for members to explain their vote during the roll call, or to engage in additional debate or discussion on the subject after the vote is taken.

Rule 11

MISCELLANEOUS PROVISIONS

11.01 Prior Approval by Administrative Staff

Except as to matters requested by individual Councilmembers under the Future Agenda Item Request Section of the agenda, all ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his or her authorized representative, and shall have been examined for practicality by the City Manager or his or her authorized representative.

11.02 Placement of Items on Agendas for Council Action

Pursuant to Council direction received during any Council meeting, the City Manager may present ordinances, resolutions, and other matters or subjects to the Council, and any Councilmember may assume sponsorship thereof by moving that such ordinances, resolutions, matters or subjects be adopted. In addition, ordinances, resolutions and other matters or subjects requiring action by the Council may be introduced and sponsored by a member of the Council through the Future Agenda Item Request process described in Rule 4.01.

11.03 No New Agenda Items after 9:30 p.m. except by Majority Vote

No new agenda items shall begin after 9:30 p.m. unless approved by majority vote of the City Council. If, however, discussion on an item commences prior to 9:30 p.m., the Council may continue its deliberation or move to postpone that item. Agenda items on a Council agenda not considered will be placed on the immediately succeeding Regular or Special Council meeting.

11.04 Robert's Rules

Robert's Rules of Order, latest edition, shall serve as a guideline for interpretation of and supplementation for these Rules in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Charter of the City of Flagstaff or the laws of the State of Arizona. The interpretation of these Rules and Robert's Rules shall be guided by the principles underlying Parliamentary law, that is, a careful balance of the rights of individuals and minority subgroups of the council with the will of the majority. In no case shall the strict application of a rule or procedure be interpreted to deny any individual or minority the right to participate in a debate, discussion, or vote, nor shall these rules be interpreted in such a way so as to defeat the will of the majority of the whole of the Council.

11.05 Citizen Petitions [Flagstaff City Charter Art. II, §17]

A citizen or a group of citizens may present a written petition to the City Manager, signed by a minimum of 25 citizens from the City of Flagstaff in a form prescribed by ordinance, who shall present it to the Council at its next regular meeting. The Council must act on the petition within 31 days of the City Manager's presentation. Citizen petitions will first be placed on the agenda under Future Agenda Item Request to determine if there is Council interest in placing the item on a future agenda for consideration. Failure to give such direction shall constitute "action" for purposes of this section.

11.06 Video Streaming, Recording, and Photography

For City Council safety and other security purposes, audio/video streaming, audio/video recording, photography, or similar activities are not permitted on the City Council side of the lectern counter. Such activities are permitted *only* on the public side of the lectern counter so long as they do not obstruct the view of the public in City Council Chambers and the view of the City's official internet live streaming viewers. In the event the City Council meets anywhere outside of City Council Chambers, this same rule shall apply, and no such activities will be permitted on the City Council side of the lectern. This rule

does not apply to the City's official internet streaming and any audio/visual equipment for the same, and also does not apply to body cameras used by law enforcement officers.

11.07 Meetings with State, Federal, and Tribal Delegation and Lobbying Trips

At least two members of Council must be in attendance at any meetings with State, Federal, or Tribal representatives where any city, state, federal, or tribal business is discussed. When the City Council participates in state or federal lobbying trips, the Mayor, or Councilmember designee, will accompany two other councilmembers and optionally staff on each trip. The councilmembers chosen to attend will be determined by an established rotation to ensure equal opportunity to participate and represent the City in this capacity. The Council reserves the right to select a councilmember outside the rotation by a three-fourth (super-majority) vote of the Council.

11.08 Land Acknowledgement Statement

The following statement shall be read, as prescribed by Sections 5.01 and 5.02, at the beginning of each meeting of the Flagstaff City Council:

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.

COUNCIL-MANAGER CHARTER

FOR THE CITY OF FLAGSTAFF, ARIZONA

The original Charter for the City of Flagstaff was prepared by the Board of Freeholders, as provided by law, and submitted to the qualified electors on September 12, 1958. Approval was granted for the Charter by Governor Ernest W. McFarland on October 3, 1958.

Amendments were proposed by the City Council and submitted to the qualified electors of the City on June 20, 1972. The amendments were approved on August 14, 1972, by Governor Jack Williams.

Amendments were again proposed by the City Council and submitted to the qualified electors of the City on March 2, 1982. The amendments were approved on June 7, 1982, by Governor Bruce Babbitt.

Amendments were again proposed by the City Council and submitted to the qualified electors of the City on March 6, 1984. The amendments were approved on April 10, 1984, by Governor Bruce Babbitt.

Amendments were again proposed by the City Council and submitted to the qualified electors of the City on March 1, 1988. The amendments were approved on May 4, 1988, by Governor Rose Mofford.

Amendments were again proposed by the City Council and submitted to the qualified electors of the City on May 19, 1998. The amendments were approved on June 29, 1998, by Governor Jane Dee Hull.

An amendment was again proposed by the City Council and submitted to the qualified electors of the City on May 18, 2008. The amendment was approved on June 19, 2008, by Governor Janice K. Brewer.

Amendments were proposed by the City Council and submitted to the qualified electors of the City on May 19, 2015; ten of the twelve amendments were approved. The amendments were then approved on July 14, 2015, by Governor Douglas A. Ducey.

Amendments were proposed by the City Council and submitted to the qualified electors of the City on November 3, 2015; four of the seven amendments were approved. The amendments were then approved on February 5, 2016, by Governor Douglas A. Ducey.

Amendments were proposed by the City Council and submitted to the qualified electors of the City on November 7, 2024; twelve of the nineteen amendments were approved. The amendments were then approved on January 31, 2024, by Governor Katie Hobbs.

TABLE OF CONTENTS

ARTICLE I INCORPORATION, FORM OF GOVERNMENT, POWERS, CORPORATE SEAL

SECTION		PAGE
1.	Incorporation	1
2.	Form of Government	1
3.	Powers of the City	1
4.	Corporate Seal	2

ARTICLE II THE COUNCIL AND THE MAYOR

1.	Number	2
2.	Selection	2
3.	Term of the Mayor	2
4.	Term of Councilmembers	2
5.	Qualifications	2
6.	Salary	3
7.	Duties of the Mayor	3
8.	Induction	3
9.	Absence to Terminate Membership	3
10.	Vacancies in the Council and the Office of Mayor	3
11.	Powers of the Council	4
12.	Council Meetings	4
13.	Special Meetings	4
14.	Rules of Procedure; Journal	4
15.	Quorum; Ayes and Nays	4
16.	Failure to Vote	4
17.	Consideration of Petitions	5
18.	Council Non-Interference in Appointments or Removals	5
19.	Conduct of Council as to Powers Authorized by Charter When no Procedure has been Established by State Law	5

ARTICLE III THE CITY MANAGER

1.	Appointment of the City Manager	5
2.	The City Manager; Qualifications	6
3.	Powers and Duties	6
4.	Right of the City Manager to a Seat in the Council	7
5.	The Acting City Manager	7
6.	Removal of the City Manager	7

**ARTICLE IV
ADMINISTRATIVE DEPARTMENTS, OFFICES, AND EMPLOYEES**

SECTION		PAGE
1.	Administrative Departments and Offices	7
2.	The City Clerk	8
3.	The City Treasurer	8
4.	The City Attorney	8
5.	Personnel Rules and Regulations	9

**ARTICLE V
APPOINTIVE BOARDS AND COMMISSIONS**

1.	Appointive Boards and Commissions	9
----	-----------------------------------	---

**ARTICLE VI
FINANCE AND TAXATION**

1.	Fiscal	9
2.	Additional Taxes for Special Purposes	9
3.	Claims or Demands Against the City	10
4.	Cash Basis Fund Set Up; Transfer of Sums from Cash Basis Fund to Other Funds	10
5.	Independent Annual Audit	10
6.	Permission to Exceed the Budget	10
7.	Deposits of City Moneys, Investments	10

**ARTICLE VII
ORDINANCES AND RESOLUTIONS**

1.	Council to Act by Motion, Resolution, or Ordinance	11
2.	Ayes and Nays to be Recorded	11
3.	When a Majority Vote is Required	11
4.	Enacting Style	11
5.	When Actions are to be Taken by Ordinance	11
6.	Reading and Passage of Ordinances and Resolutions: Effective Date	11
7.	Emergency Measures: Effective Date	12
8.	Signing of Ordinances and Resolutions	12
9.	Publication of Ordinances and Resolutions	12
10.	How Ordinances Shall be Revised, Re-enacted, and Amended	12
11.	How Ordinances Shall be Repealed or Suspended	12
12.	Ordinances and Resolutions to be Filed, Recorded and Certified; Ordinances and Resolutions as Evidence	13
13.	Procedure for Adoption by Reference	13
14.	Recording of Certain Ordinances	13
15.	Codification of Ordinances	13

**ARTICLE VIII
CONTRACTS**

SECTION		PAGE
1.	Preparation	14
2.	Purchases, Contracts, and City Improvements	14
3.	Procurement	14
4.	Transfer and Sale of Property Within City Government	15
5.	Contracts for Official Advertising	15
6.	Fraud and Collusion	15
7.	Avoidance of Contracts Made through Fraud and Collusion	16
8.	Personal Interest	16
9.	Leases and Sale of Real City Property	16
10.	Sale of City Personal Property	17

**ARTICLE IX
ELECTIONS**

1.	Permitted types of Elections	17
2.	Qualifications of Electors; Registration	17
3.	Arrangement of Names not to Reveal Source of Candidacy or Support of Candidates	18
4.	Nomination for Primary Election	18
5.	Primary and General Elections	18
6.	Repealed	19
7.	Candidates Receiving Most Votes to be Elected	19
8.	Special Elections	19
9.	Absentee Voting	19
10.	Canvassing Returns and Declaring of Election Results	19
11.	Application of State Law	19

**ARTICLE X
INITIATIVE, REFERENDUM, AND RECALL**

1.	Initiative, Referendum, Recall	20
----	--------------------------------	----

**ARTICLE XI
MUNICIPAL COURT**

1.	State Laws Control	20
2.	Magistrate(s), Appointment, Term	20
3.	Service of Process	20
4.	Repealed	20

**ARTICLE XII
FRANCHISES AND PUBLIC UTILITIES**

1.	Elections for Approval of Franchises	21
2.	Establishment of Municipally-Owned and Operated Utilities	21

**ARTICLE XIII
GENERAL PROVISIONS**

SECTION		PAGE
1.	Publicity of Records	21
2.	Official Bonds	22
3.	Oath of Office	22
4.	Insurance	22
5.	Short Title	22
6.	Separability Clause	22
7.	Violations of Charter and City Ordinances; Imprisonment of Violators	23
8.	Plenary and Implied Powers of the Council	23
9.	Plan for Future Physical Development	23
10.	Floodways and Flood Plains	23
11.	Retirement and Old Age and Survivors Benefits	24

**ARTICLE XIV
SUCCESSION IN GOVERNMENT**

Repealed.

**ARTICLE XV
METHOD OF CHARTER AMENDMENT**

Method of Charter Amendment	24
-----------------------------	----

**ARTICLE XVI
AMENDMENTS**

Amendment No. 1	
Vote Required for Certain Types of Bond Issues	24
Amendment No. 2	
Vote Required for Certain Types of Facilities Costing in Excess of One Million Dollars	24

**ARTICLE I
INCORPORATION, FORM OF GOVERNMENT, POWERS,
CORPORATE SEAL**

Section 1 – INCORPORATION

The inhabitants of the City of Flagstaff, within the corporate limits as now established, or as hereafter established in the manner provided by law, shall continue to be a municipal body politic, and corporate in perpetuity, under the name of "City of Flagstaff."

Section 2 – FORM OF GOVERNMENT

The municipal government provided by this Charter shall be known as the "CouncilManager Government." Pursuant to its provisions, and subject only to the limitations imposed by the State Constitution, the laws of the State of Arizona, and by this Charter, all powers of the City shall be vested in an elective council, hereinafter referred to as "the Council," which shall enact local legislation, adopt budgets, determine policies, and appoint the City Manager, who shall execute the laws and administer the government of the City. All powers of the City shall be exercised in the manner prescribed by this Charter, or, if the manner be not prescribed, then in such manner as may be prescribed by ordinance or the laws of the State of Arizona.

Section 3 – POWERS OF THE CITY

The City shall have all the powers granted to municipal corporations and to cities by the Constitution and general laws of this State, together with all the implied powers necessary to carry into execution all the powers granted.

The City may acquire property within or without its corporate limits for any city purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease, or condemnation, and may sell, lease, exchange, mortgage, hold, manage, and control such property as its interests may require; and, except as prohibited by the Constitution of this State, or restricted by this Charter, the City shall and may exercise all municipal powers, functions, rights, privileges, and immunities of every name and nature whatsoever, and especially to enter into contracts, cooperative and otherwise, with the Government of the United States, the State of Arizona, Coconino County, or any other political subdivision of this State for the construction, maintenance and operation of roads, highways, parks, sewers, waterworks, water conservancy districts, public utilities, and public buildings, all when deemed for the best interest of the City. The enumeration of particular powers by this Charter shall not be deemed to be exclusive, and, in addition to the powers enumerated herein, or implied hereby, or appropriate to the exercise of such powers, it is intended that the City shall have and may exercise all powers which, under the Constitution or laws of this State, it would be competent for this Charter

specifically to enumerate. (8/14/1972)

Section 4 – CORPORATE SEAL

The City shall have a Corporate Seal, which shall be in the custody of the City Clerk.

ARTICLE II THE COUNCIL AND THE MAYOR

Section 1 – NUMBER

The Council shall consist of a Mayor and six (6) Councilmembers elected from the City. (06/07/1982)

Section 2 – SELECTION

The Council shall be elected at large. (06/07/1982)

Section 3 – TERM OF THE MAYOR

The term of the office of the Mayor shall commence on the date of the second regular meeting following canvass of the election, and shall be for two (2) years, or until a successor is elected and inducted. (04/18/1972; 06/07/1982; 07/14/2015)

Section 4 – TERM OF COUNCILMEMBERS

The term of the office of Councilmembers shall commence on the date of the second regular meeting following canvass of the election, and except as otherwise provided herein, shall be for four (4) years, or until their successors are elected and inducted. Each even-numbered year, three (3) Councilmembers shall be elected. (04/18/1972; 06/07/1982; 07/14/2015)

Section 5 – QUALIFICATIONS

The Mayor and the Councilmembers shall be qualified electors of the City and shall hold no other public office except that of notary public, or member of the National Guard or Naval or Military Reserve. If a Councilmember or the Mayor shall cease to possess any of these qualifications or shall be convicted of a crime involving moral turpitude, the office shall immediately become vacant. (06/07/1982)

Section 6 – SALARY

The annual salary of the Mayor and Councilmembers shall be as determined by ordinance but shall not be increased or decreased during the current term of Councilmembers enacting such ordinance. (06/07/1982)

Section 7 – DUTIES OF THE MAYOR

The Mayor shall be the Chairperson of the Council, and preside over its meetings. The Mayor may make and second motions and shall have a voice and vote in all its proceedings. The Mayor shall be recognized as head of the City government for all ceremonial purposes, and by the Governor for purposes of martial law, and shall have executive but no regular administrative duties. (04/18/1972; 06/07/1982)

Section 8 – INDUCTION

At the second regular meeting following canvass of the election, the Council shall induct into office the newly elected Mayor and Councilmembers and organize the Council. At this meeting, the Council shall designate one of its members as ViceMayor, who shall serve in such capacity at the pleasure of the Council. The ViceMayor shall perform all the duties of the Mayor during the absence or disability of the Mayor. (04/18/1972; 06/07/1982; 07/14/2015)

Section 9 – ABSENCE TO TERMINATE MEMBERSHIP

If any Councilmember shall be absent from more than two (2) consecutive regular meetings without the consent of the Council, the member shall thereupon cease to hold office. If the Mayor shall be absent for more than two (2) consecutive regular meetings without the consent of the Council, the Mayor shall thereupon cease to hold office. (06/07/1982)

Section 10 – VACANCIES IN THE COUNCIL AND THE OFFICE OF MAYOR

The Council, by a majority vote of its remaining members, shall, within thirtyone (31) days, fill the vacancies in its own membership, and in the office of Mayor, for the unexpired terms. In the event that such unexpired term exceeds two years from the first date on which candidates may file their nomination papers and petitions, then the appointment to such vacancy shall be for the period from the appointment until the next succeeding city candidate election, at which time a Councilmember shall be elected to serve the remainder of the term and who shall be designated on the ballot as running for the "short term." (06/07/1982; 07/14/2015)

Section 11 – POWERS OF THE COUNCIL

All powers of the City, and the determination of all matters of policy, shall be vested in the Council.

Section 12 – COUNCIL MEETINGS

The Council shall meet regularly at such times and at such places as shall be prescribed by its rules, but not less frequently than once each month. All meetings of the Council shall be open to the public. No change shall be made in regular meeting times or place without a published seven-day notice.

Section 13 – SPECIAL MEETINGS

The Mayor or City Manager may, or, at the request of three (3) members of the Council, shall, by giving notice thereof to all members of the Council then in the City, call a special meeting of the Council for a time not earlier than three (3) hours after the notice is given. Special meetings of the Council may also be held at any time by the common consent of all the members of the Council. (06/07/1982; 02/05/2016)

Section 14 – RULES OF PROCEDURE; JOURNAL

The Council shall determine its own rules and order of business, subject to the provisions of this Charter. It shall keep a journal of its proceedings, and the journal shall be open to public inspection.

Section 15 – QUORUM; AYES AND NAYS

A majority of the members of the Council shall constitute a quorum, but a smaller number may adjourn from day to day, or from time to time. The vote on any question shall be by ayes and nays, and shall be entered in the journal. At the request of any member of the Council, a rollcall vote shall be taken.

Section 16 – FAILURE TO VOTE

No member of the Council present at any meeting shall be excused from voting, except in matters involving the consideration of their own official conduct or declared conflict of interest. In all other cases, a failure to vote shall be entered on the minutes as an affirmative vote. (01/31/2024)

Section 17 – CONSIDERATION OF PETITIONS

Any citizen of the City may present a written petition to the City Manager, signed by a minimum of 25 citizens from the City of Flagstaff in a form prescribed by ordinance, who shall present it to the Council at its next regular meeting; such petition shall be acted upon by the Council, in the regular course of business, within thirtyone (31) days after such presentation. (02/05/2016)

Section 18 – COUNCIL NONINTERFERENCE IN APPOINTMENTS OR REMOVALS

Neither the Council nor the Mayor shall direct or request the appointment of any person to, or removal from, office by the City Manager, or by any of the Manager's subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the City, except as otherwise provided by this Charter. Except for purposes of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager, and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Any Councilmember violating the provisions of this Section, or voting for a resolution or ordinance in violation of this Section, shall be subject to expulsion by the unanimous vote of the remaining Councilmembers. Nothing in this Section shall be construed, however, as prohibiting the Council while in open or executive sessions from fully and freely discussing with or suggesting to the City Manager anything pertaining to City affairs or the interests of the City. (04/18/1972)

Section 19 – CONDUCT OF COUNCIL AS TO POWERS AUTHORIZED BY CHARTER WHEN NO PROCEDURE HAS BEEN ESTABLISHED BY STATE LAW

Whenever, by any provision of this Charter, it is prescribed that any power, duty, or procedure shall or may be exercised, performed, or adopted in the manner established by any law of this State, and there be no procedure established by law therefor, then the Council shall by ordinance prescribe the procedure.

ARTICLE III THE CITY MANAGER

Section 1 – APPOINTMENT OF THE CITY MANAGER

The Council shall appoint an officer of the City who shall have the title of City Manager, and shall have the powers and perform the duties in this Charter provided. No Councilmember shall receive such appointment during the term for which elected, nor within one year after the expiration of the term. (06/07/1982)

Section 2 – THE CITY MANAGER; QUALIFICATIONS

The City Manager shall be chosen by the Council solely on the basis of executive and administrative qualifications, with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of the City Manager's office, as hereinafter set forth. At the time of appointment, the City Manager need not be a resident of the City or State, but during the tenure of office, shall reside within the City.

Section 3 – POWERS AND DUTIES

The City Manager shall:

- (a) Devote entire time to the discharge of official duties, prepare the agenda for, and attend, all meetings of the Council, unless excused therefrom by the Council or the Mayor;
- (b) See that all ordinances are enforced, and that the provisions of all franchises, leases, contracts, permits, and privileges granted by the City are observed;
- (c) Appoint and, when necessary for the good of the service, lay off, suspend, transfer, demote, or remove all officers and employees of the City, except as otherwise provided by this Charter, and except as the Manager may authorize the head of a department or office to appoint and remove subordinates in such department or office, subject to such merit system regulations as the Council may adopt; (06/07/1982)
- (d) Prepare the annual budget estimates and submit them to the Council, and be responsible for the administration of the budget after adoption;
- (e) Keep the Council advised at all times of the affairs and needs of the City, and make reports annually, or more frequently, if requested by the Council, of all affairs of the City;
- (f) Act as purchasing agent for all departments of the City, giving due consideration to the recommendations and counsel of department heads;
- (g) Have such other powers, duties, and functions as this Charter may prescribe, and such powers, duties, and functions consistent with this Charter that the Council may prescribe.

Section 4 – RIGHT OF THE CITY MANAGER TO A SEAT IN THE COUNCIL

The City Manager shall be entitled to a seat in the Council, except in matters involving the conduct or the performance of the City Manager's duties but shall have no vote therein. The City Manager shall have the right to take part in the discussion of all other matters coming before the Council. (06/07/1982)

Section 5 – THE ACTING CITY MANAGER

- (a) The City Manager shall designate, with the approval of the Council, a qualified administrative officer of the City to perform duties during the City Manager's temporary absence or disability. (06/07/1982)
- (b) If the City Manager is suspended by the Council, or if there is a vacancy in the office of the City Manager, the Council shall appoint an Acting City Manager to serve until the suspension ceases, or until another City Manager is appointed and qualified, as the case may be. No Acting City Manager shall hold the position as such for more than eight (8) months, and no appointment of an Acting City Manager shall be renewed. When there is a vacancy in the office, the Council shall fill the position within eight (8) months of the creation of the vacancy. (06/07/1982)

Section 6 – REMOVAL OF THE CITY MANAGER

The Council shall appoint the City Manager for an indefinite term and may remove the Manager by an affirmative vote of five (5) members of the Council. The City Manager may, within ten (10) days from the date of said vote, request a public hearing to be held not later than thirty (30) days thereafter. Severance pay will be at the discretion of the Council. The action of the Council in suspending or removing the Manager shall be final and conclusive on everyone, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension and removal in the Council. (04/18/1972; 06/07/1982)

ARTICLE IV ADMINISTRATIVE DEPARTMENTS, OFFICES, AND EMPLOYEES

Section 1 – ADMINISTRATIVE DEPARTMENTS AND OFFICES

- (a) The Council, by ordinance not inconsistent with this Charter, shall provide for the organization, conduct, and operation of the several offices and departments of the City as established by this Charter, for the creation of additional departments, divisions, offices, and agencies, and for their consolidation, alteration, or abolition.

- (b) The Council, by ordinance not inconsistent with this Charter, may assign additional functions or duties to offices, departments, divisions, or agencies. Where the positions are not incompatible, the Council may combine in one person the powers and duties of two or more offices created or authorized by this Charter.
- (c) The Council shall provide for the number, titles, qualifications, powers, duties, and compensation of all appointive officers of the City. (06/07/1982)
- (d) City officials, as designated by this article, and all heads of departments shall be residents of the City during their tenure of office.

Section 2 – THE CITY CLERK

The City Manager shall appoint an officer of the City, who shall have the title of City Clerk, and who shall give notice of all Council meetings, keep the journal of the Council's proceedings, authenticate by signature, and record in full in books kept for the purpose, all ordinances and resolutions, and perform such other duties as shall be required by this Charter, or by ordinance. The City Clerk will serve at the pleasure of the City Manager. (04/18/1972; 06/07/1982; 07/14/2015)

Section 3 – THE CITY TREASURER

The City Manager shall, with approval of the Council, appoint an officer of the City, who shall have the title of City Treasurer, and who shall receive and have custody of all the money the City, and shall keep and save said money, and dispense the same only as provided by ordinance, and who shall always be bound by the Constitution, laws of the State, Charter of the City, and ordinances, and upon whom legal garnishments may be served. The City Treasurer will serve at the pleasure of the City Manager. (04/18/1972; 06/07/1982)

Section 4 – THE CITY ATTORNEY

The Council shall appoint a City Attorney, who shall be an attorneyatlaw, admitted to the Bar of the Supreme Court of this State. The City Attorney shall be the chief legal advisor of all offices, departments, and agencies, and of all officers and employees in matters relating to their official powers and duties. The City Attorney shall represent the City in all legal proceedings. It shall be the City Attorney's duty to perform all services incident to this position as may be required by statute, by this Charter, or by ordinance. The City Attorney shall have the non-exclusive power to call an executive session with the Council for the purposes of discussion or consultation as permitted by law. The City Attorney will serve at the pleasure of the Council. (06/07/1982; 07/14/2015)

Section 5 – PERSONNEL RULES AND REGULATIONS

The Council shall, by ordinance, provide for the establishment of Personnel Rules and Regulations for the purpose of regulating and controlling the appointments, promotions, demotions, discharges, and reinstatements of all officers and employees of the City, except those elected by the people, members of appointive boards and commissions and volunteers who serve without pay, and also except the City Manager, the City Attorney, and the Police Judges. (04/18/1972; 06/07/1982)

ARTICLE V APPOINTIVE BOARDS AND COMMISSIONS

Section 1 – APPOINTIVE BOARDS AND COMMISSIONS

The Council may, by ordinance, create, change, or abolish boards or commissions as, in its judgment, are required, or as are now or hereafter provided by law, and may grant to them such powers and duties as are consistent with the provisions of this Charter. All members of appointive boards or commissions shall at the time of their appointment be a resident of the City, and shall maintain this residency for the duration of the term in office. (04/18/1972; 06/07/1982)

ARTICLE VI FINANCE AND TAXATION

Section 1 – FISCAL

The budget, taxation, financial, and fiscal powers of the City are a matter of local concern. The Council may by ordinance provide a system for the assessment, levy, and collection of all City taxes, not inconsistent with the provisions of this Charter. (01/31/2024)

Section 2 – ADDITIONAL TAXES FOR SPECIAL PURPOSES

- (a) The Council shall have the power to levy and collect taxes in addition to the taxes herein authorized to be levied and collected, sufficient to pay the interest and maintain the sinking fund of the bonded indebtedness of the City, and to provide for the establishment and support of free public libraries, and for advertising the advantages of the City, and an additional amount deemed to be advisable and necessary to create a reserve fund to provide for replacement of equipment, for the furnishing of City services, and the maintenance of all municipally owned and operated utilities.
- (b) The Council shall have the power to levy a Transaction Privilege Tax (Sales Tax)

subject to approval by a majority of the qualified electors voting in the regularly scheduled general election. (04/18/1972; 04/10/1984)

Section 3 – CLAIMS OR DEMANDS AGAINST THE CITY

The Council shall prescribe by ordinance the manner in which claims or demands against the City shall be presented, audited, and paid.

Section 4 – CASH BASIS FUND SET UP; TRANSFER OF SUMS FROM CASH BASIS FUND TO OTHER FUNDS

Repealed (01/31/2024)

Section 5 – INDEPENDENT ANNUAL AUDIT

Prior to the end of each fiscal year, the Council shall designate an independent Certified Public Accountant, who, as of the end of the fiscal year, shall make up an audit of accounts and other evidence of financial transactions of the City government, and shall submit a longform report, including recommendations concerning policy and fiscal procedures, to the Council, and to the City Manager. Such accountant shall have no personal interest, direct or indirect, in the fiscal affairs of the City government or of any of its officers. The accountant shall, within specifications approved by the Council, postaudit the books and documents kept by the City, and any separate or subordinate accounts kept by any other office, department, or agency of the City government. (06/07/1982)

Section 6 – PERMISSION TO EXCEED THE BUDGET

Nothing in this Article shall prevent the Council from seeking permission from the Arizona State Tax Commission to exceed the adopted budget in the event that an emergency should arise.

Section 7 – DEPOSITS OF CITY MONEYS, INVESTMENTS

In addition to authority granted by the laws of this State, the Council may cause City moneys to be deposited or invested in Certificates of Deposit or other forms of deposits or investments, in any financial institution in the City, upon sufficient security being given the City therefor by said financial institution, approved by the Council. The Council may adopt ordinances implementing this authority and the appropriate City official may, pursuant to said ordinance, invest City moneys not needed to pay current bills as therein directed. (04/18/1972)

ARTICLE VII ORDINANCES AND RESOLUTIONS

Section 1 – COUNCIL TO ACT BY MOTION, RESOLUTION, OR ORDINANCE

The Council shall act by motion, resolution, or ordinance. (05/04/1988)

Section 2 – AYES AND NAYS TO BE RECORDED

The ayes and nays shall be taken from the passage of all ordinances and resolutions, or by roll call upon request of a Councilmember, and entered upon the journal of the proceedings of the Council.

Section 3 – WHEN A MAJORITY VOTE IS REQUIRED

A majority vote of all Councilmembers present shall be necessary to pass any motion, ordinance, or resolution. (06/07/1982)

Section 4 – ENACTING STYLE

The enacting clause of all ordinances passed by the Council shall be in these words: "Be it ordained by the Council of the City of Flagstaff as follows:"

Section 5 – WHEN ACTIONS ARE TO BE TAKEN BY ORDINANCE

In addition to other acts required by law, or by specific provision of this Charter to be done by ordinance, those acts of the Council shall be by ordinance which provide for acquisition, sale, or exchange of public real property and to sell personal property valued in excess of that amount established by ordinance; establishment or change of fire limits or zones; establishment or change of a zoning district; the levy of any tax or assessment; imposition or provide for imposing fine or other penalties; adoption of a code by reference or amend the City code; the authorization to borrow money; granting, renewal, or extending a franchise; the amendment of or repeal of any ordinance. (04/18/1972; 06/07/1982)

Section 6 – READING AND PASSAGE OF ORDINANCES AND RESOLUTIONS: EFFECTIVE DATE

All proposed ordinances and resolutions shall either be read in full or posted in a public place at least twentyfour (24) hours prior to its adoption, provided if any amendments are proposed to a posted ordinance or resolution such amendments shall be read in full prior to its adoption. An ordinance may be read for the final time at the same meeting as when introduced upon unanimous consent of those Councilmembers present. A resolution shall require only one (1) reading before its adoption and may be adopted at the same meeting

at which it is first introduced by a majority of those Councilmembers present. (04/18/1972; 06/07/1982; 05/04/1988)

Section 7 – EMERGENCY MEASURES: EFFECTIVE DATE

- (a) An emergency measure is one necessary for the immediate preservation of the public peace, health, or safety, in which the emergency is set forth and defined. An emergency measure may be placed upon its final reading and final passage at the same meeting as when first introduced upon the affirmative vote of three fourths of all members elected or appointed to the Council. (04/18/1972; 06/07/1982; 07/14/2015)
- (b) An emergency measure shall take effect immediately upon its passage.

Section 8 – SIGNING OF ORDINANCES AND RESOLUTIONS

All ordinances and resolutions shall be signed by the Mayor, and attested by the City Clerk, and approved as to form by the City Attorney. (06/07/1982)

Section 9 – PUBLICATION OF ORDINANCES AND RESOLUTIONS

- (a) All ordinances and resolutions having the effect of ordinances, except emergency measures, shall become effective and operative thirty (30) days after its adoption or as required or permitted by state law, whichever is later. (07/14/2015)
- (b) An emergency ordinance shall be published one time in the official newspaper of the City within ten (10) days after its passage or as required or permitted by state law. (04/18/1972; 07/14/2015)

Section 10 – HOW ORDINANCES SHALL BE REVISED, REENACTED, AND AMENDED

Ordinances shall not be revised, reenacted, or amended by reference to title only, but the ordinance to be revised or reenacted, or the section or sections thereof to be amended, or the new section or sections to be added thereto, shall be set forth and adopted in the method provided in this Charter for the adoption of ordinances.

Section 11 – HOW ORDINANCES SHALL BE REPEALED OR SUSPENDED

No ordinance or section thereof shall be repealed or suspended except by ordinance adopted in the manner provided in this Charter.

Section 12 – ORDINANCES AND RESOLUTIONS TO BE FILED, RECORDED AND CERTIFIED; ORDINANCES AND RESOLUTIONS AS EVIDENCE

All ordinances and resolutions shall be filed and safely kept by the City Clerk, and duly recorded and certified by the City Clerk in books for the purpose marked "City Ordinances," and "City Resolutions," respectively; and recorded copies thereof certified by the City Clerk, or the originals thereof, shall be prima facie evidence of the contents of such ordinances or resolutions, and of the due passage and publication of the same, and shall be admissible in evidence in any Court of this State, or in any proceeding where the contents of such ordinance or resolution, or any of them, is in question; provided, however, that nothing herein contained shall be construed to prevent the proof of the passage and publication of any ordinance or resolution in the manner otherwise prescribed by law. (06/07/1982)

Section 13 – PROCEDURE FOR ADOPTION BY REFERENCE

- (a) The Council may enact the provisions of a code or public record already in existence without setting forth such provisions, but the adopting ordinance shall be published in full. The number of copies required by Arizona statutes of the code or public record shall be filed in the office of the City Clerk and kept available for public use and inspection. A code or public record enacted by reference may be amended in the same manner. (01/31/2024)
- (b) No penalty clause shall be enacted by reference thereto. A penalty clause contained in a code or public record adopted by reference shall be set forth in full in the adopting ordinance.

Section 14 – RECORDING OF CERTAIN ORDINANCES

Annexation ordinances and all ordinances extending or changing the boundaries of the City, zoning territory, or establishing or vacating of streets, alleys, or subdivisions, after publication, shall be recorded in the office of the County Recorder of Coconino County, and after being so recorded, the same shall constitute public notice to all parties of the legal import thereof.

Section 15 – CODIFICATION OF ORDINANCES

Any and all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, shall be compiled, consolidated, revised, indexed, and arranged as a comprehensive ordinance code, and such code may be adopted by reference, with the same effect as an ordinance, by the passage of any ordinance for such purpose. Such code need not be published in the manner required for other ordinances, but the number of copies required by Arizona

statutes thereof shall be filed for use and examination by the public in the office of the City Clerk prior to the adoption thereof. Amendments to the code shall be enacted in the same manner as ordinances. (04/18/1972, 01/31/2024)

ARTICLE VIII CONTRACTS

Section 1 – PREPARATION

All contracts shall be drawn under the supervision of the City Attorney, must be in writing, executed in the name of the City of Flagstaff by the Mayor, except as it may be otherwise provided, either by this Charter or by law, and must be countersigned by the City Clerk, who shall number and register the same in a book kept for that purpose. It is the intent of this Article that all contracts be awarded pursuant to the bidding process whenever possible unless otherwise provided. (06/07/1982)

Section 2 – PURCHASES, CONTRACTS, AND CITY IMPROVEMENTS (01/31/2024)

- (a) The City Manager shall contract for and purchase, or issue purchase authorization for, all supplies, materials, equipment, services, and City improvements for the offices, departments, and agencies of the City. (01/31/2024)

- (b) Any purchase or City improvement costing one hundred thousand dollars (\$100,000) or more, shall be executed by contract, except where such improvements or purchase is authorized by the Council to be executed directly by a City department, in conformity with detailed plans, specifications, scope of work, and estimates approved by the City Manager. Such contracts shall be advertised for solicitation, as directed in the procurement code established by ordinance of the City Council. (04/18/1972; 05/04/1988; 06/29/1998; 06/19/2008, 01/31/2024)

- (c) All contracts are subject to legal review, at the City Attorney's discretion. Any contract or purchase exceeding the sum of one hundred thousand dollars (\$100,000) shall require the prior approval of the Council. (04/18/1972; 05/04/1988; 06/29/1998; 06/19/2008, 01/31/2024)

Section 3 – PROCUREMENT (01/31/2024)

- (a) City purchases of supplies, materials, equipment, services, and improvements shall be made pursuant to procurement processes set forth in the procurement code established by ordinance of the City Council. (01/31/2024)

- (b) The advertisement for formal solicitations for purchases above the formal threshold shall distinctly and specifically state the character of the City

improvement, purchase or kind of supplies, materials, equipment, and services required. Such notice shall be published at least once in the official newspaper, not less than five (5) days prior to the opening of the responses. The City will adopt measures to provide for security and confidentiality of sealed responses. Soliciting shall be: (1) Pursuant to the Arizona State Procurement Code and the City of Flagstaff Procurement Code; or (2) by sealed response; or (3) by other methods that provide for security of responses and competitive soliciting, and under such regulations as may be prescribed by the Council. The City Manager, with the approval of the Council, shall have the power to reject any or all responses to the solicitation, and advertise for solicitations again. (04/18/1972; 06/29/1998, 01/31/2024)

- (c) Contract may be awarded to the lowest responsible and responsive bidder, or to the respondent whose response is most advantageous to the City. The City Manager, with the approval of the Council, shall have the power to reject any or all responses to the solicitation. (01/31/2024)

Section 4 – TRANSFER AND SALE OF PROPERTY WITHIN CITY GOVERNMENT

The City Manager may sell, or may transfer to or between offices, departments, and agencies, supplies, materials, and equipment, subject to such regulations as the Council may prescribe. (04/18/1972; 06/07/1982)

Section 5 – CONTRACTS FOR OFFICIAL ADVERTISING

- (a) The City Manager shall disseminate contracts annually for official advertising for the ensuing fiscal year. For this purpose, the Manager shall submit to each newspaper published in the City a notice describing the contemplated advertising and asking for sealed responses. The responses shall specify the type and space to be used at the rate or rates named in the responses. The City Manager shall disseminate the contracts for such official advertising to the lowest qualified responder or highest scoring proposal publishing a newspaper of general circulation in the City; provided that, the Manager may reject any and all responses, and proceed to secure new solicitations in the manner provided herein. (06/07/1982, 01/31/2024)
- (b) The newspaper to which the award for such advertising is made shall be known and designated as the official newspaper.

Section 6 – FRAUD AND COLLUSION

Any member of the Council, or any officer or employee of the City who shall aid or assist a responder in securing a contract to furnish labor, material, equipment, supplies, or services at a higher price than that proposed by any other responder, or who shall favor

one responder over another by giving or withholding information, or who shall willfully mislead any responder in regard to the character of the labor, material, equipment, supplies, or services called for, or the conditions under which the proposed work is to be done, or who shall knowingly certify to a greater amount of labor or service performed than actually has been performed, or to receipt of a greater amount or different kind of material, supplies, or equipment than actually has been received, shall be guilty of a misdemeanor, and shall be removed from office. (01/31/2024)

Section 7 – AVOIDANCE OF CONTRACTS MADE THROUGH FRAUD AND COLLUSION

If at any time it shall be found that the person to whom a contract has been awarded has, in presenting any response or responses, colluded with any other party or parties for the purpose of preventing any other response being made, then the contract so awarded shall be null and void, and the City Manager shall advertise for a new solicitation for said City improvements and/or supplies, materials, equipment, and services required, or the Council may provide for such public work to be done by the City under the direction of the City Manager. (01/31/2024)

Section 8 – PERSONAL INTEREST

The provisions of the laws of this State relating to and defining conflicts of interest, of all officers and employees of the City, shall apply to and govern in all matters of conflict of interest. (04/18/1972)

Section 9 – LEASES AND SALE OF REAL CITY PROPERTY (01/31/2024)

- (a) The Council may lease or sell any land and buildings, now or hereafter owned by the City on such terms and conditions as the Council may prescribe. (04/18/1972; 06/07/1982, 01/31/2024)
- (b) The Council may sell such portions of the real property of the City not needed or not likely to be needed within a reasonable future time. Real property shall be sold after the published notice of the sale for at least one time per week for three weeks prior to opening of responses. If there are no responses submitted, then for a two-year period the City Manager may, subject to Council approval, enter into an agreement to sell the property for an amount reasonably consistent with an appraisal without further notice and solicitation process. Sale or trade of real property with another government entity does not require a notification and solicitation process. (01/31/2024)
- (c) The Council may also in its discretion subdivide and plat City property which it determines to sell, provide restrictions relative to its use, and dedicate streets and alleys as determined necessary for the use of the public. (01/31/2024)

Section 10 – SALE OF CITY PERSONAL PROPERTY (01/31/2024)

The Council may sell equipment and personal property of the City not needed or not likely to be needed within a reasonable future time. Each sale shall be made on such conditions as the Council may prescribe to the highest responsible bidder or responder whose response is most advantageous to the City after published notice of the sale in accordance with the following schedule: (01/31/2024)

1. Personal property valued in excess of \$1,000.00 shall be sold after published notice of the sale at least one time not less than five (5) days prior to opening of bids. (01/31/2024)
2. Repealed (04/18/1972; 07/14/2015, 01/31/2024)
3. The City Treasurer may sell or otherwise dispose of any personal property having a value of \$1,000.00 or less without published notice, but written advice of such sale or disposal shall be given to the Council for all items above \$1,000.00. (01/31/2024)
4. Repealed (01/31/2024)

ARTICLE IX ELECTIONS

Section 1 – PERMITTED TYPES OF ELECTIONS

- (a) City elections shall be Primary, General, or Special.
- (b) Primary elections shall be held for the purpose of nominating candidates for the General Election, and for such other purposes as the Council may prescribe.
- (c) General elections shall be held for the purpose of electing a Mayor and the Councilmembers of the City, and such other purposes as the Council may prescribe.
- (d) All other municipal elections that may be held by authority of this Charter, or of any law, shall be known as Special Elections.

Section 2 – QUALIFICATIONS OF ELECTORS; REGISTRATION

- (a) The qualifications of electors shall be as required by the Constitution and laws of

this State for State and County electors. Electors shall also be residents of the City for at least thirty (30) days prior to any Primary, General, or Special elections held therein. (04/18/1972; 06/07/1982)

- (b) Registration of voters shall be as provided by City ordinance.
- (c) Residents of areas annexed by the City, who have the qualifications of electors, as set forth above, in respect to their own area immediately prior to annexation, shall be considered as qualified electors of the City upon annexation, and shall be eligible to vote in municipal elections immediately following annexation.

Section 3 – ARRANGEMENT OF NAMES NOT TO REVEAL SOURCE OF CANDIDACY OR SUPPORT OF CANDIDATES

The names of the candidates for each office shall be arranged as provided by law, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

Section 4 – NOMINATION FOR PRIMARY ELECTION

- (a) Nominations for Primary Elections shall be by petition of nomination, which shall consist of a printed or written form, which shall be furnished to applicants by the City Clerk.
- (b) The petition or petitions for nomination, consisting of signatures of qualified voters, aggregating not less than five (5) percent, nor more than ten (10) percent of the number of electors voting at the last preceding municipal General Election, shall be presented to the City Clerk within the time period established by Arizona statutes as may be amended. The City Council may provide by ordinance that the minimum number of signatures required for a candidate be one thousand signatures or five (5) percent of the vote in the City, whichever is less, but not more than ten (10) percent of the vote in the City. The City Clerk shall endorse on such petition or petitions the date and the time when the same was received by the City Clerk and shall cause the candidates' names to be printed on the ballot. (04/18/1972; 06/29/1998; 07/14/2015, 01/31/2024)

Section 5 – PRIMARY AND GENERAL ELECTIONS

- (a) The Primary Election shall be held in the summer and the General Election shall be held in the fall of even-numbered years, on days provided for by Arizona statutes as may be amended. The two candidates receiving the highest number of votes at the Primary Election for each office for which there is a vacancy will be considered nominated for such office, and their names shall be printed on the ballot for the General Election; provided, that if there be any person who, under

the provisions of this Section would have been entitled to become a candidate for any office except for the fact that some other candidate received said equal number of votes therefor, then all such persons receiving said equal number of votes shall likewise become candidates for such office. (02/05/2016)

- (b) In the event that no more than two candidates file nominating petitions for each vacancy in office, the Primary Election may be dispensed with as to that office.

Section 6 – TIME OF HOLDING THE GENERAL ELECTION

Repealed (04/18/1972; 06/07/1982; 02/05/2016)

Section 7 – CANDIDATES RECEIVING MOST VOTES TO BE ELECTED

- (a) The candidate for Mayor who shall receive the highest number of votes at the General Election shall be declared elected. (06/07/1982)
- (b) The candidates for Councilmember, equal in number to the offices to be filled, who shall receive the highest number of votes at the General Election shall be declared elected.

Section 8 – SPECIAL ELECTIONS

The Council shall provide for holding Special Elections, which shall be conducted in the same manner as General Elections.

Section 9 – ABSENTEE VOTING

The Council shall provide by ordinance for voting by absent or disabled electors in City elections.

Section 10 – CANVASSING RETURNS AND DECLARING OF ELECTION RESULTS

Within the time specified by federal and state laws, the Mayor and the Council shall canvass returns and declare the results of such election. The City Clerk shall issue a certificate to each successful candidate elected to office at any General Election. (06/07/1982)

Section 11 – APPLICATION OF STATE LAW

The provisions of the laws of this State relating to and governing the nomination of elective officers and the conduct of elections, and each and every provision of said law, with all amendments thereto, shall apply, and shall govern the nomination of elective officers, and the conduct of elections, except as otherwise provided in this Charter. The

Council shall have the power to make any other provisions relating to the nomination of officers, and to the conduct of elections not repugnant nor contrary to the provisions of the laws of this State, or to the provisions of this Charter.

ARTICLE X INITIATIVE, REFERENDUM, AND RECALL

Section 1 – INITIATIVE, REFERENDUM, RECALL

There are hereby reserved to the electors of the City the powers of the initiative and referendum, and of the recall of elective officers. The provisions of the Constitution and the general laws of this State, as the same now exist or hereafter may be amended, governing the initiative and referendum and recall of elective officers, shall apply to the use thereof in the City.

ARTICLE XI MUNICIPAL COURT (01/31/2024)

Section 1 – STATE LAWS CONTROL

The Municipal Court created by the general statutes of the State, and all statutes pertaining to the jurisdiction and procedure of said Court, shall be fully observed. (01/31/2024)

Section 2 – MAGISTRATE(S), APPOINTMENT, TERM

The Magistrate(s) shall be appointed by the Council and shall hold office at the pleasure of the Council. (06/07/1982, 01/31/2024)

Section 3 – SERVICE OF PROCESS

The Chief of Police shall cause all summonses issued by the Magistrate(s) to be served, and the return endorsed thereon and signed by the officer making such service. The Chief of Police shall also cause all warrants of arrest to be executed. (06/07/1982, 01/31/2024)

Section 4 – DISPOSITION OF FINES, PENALTIES AND FEES

Repealed (06/07/1982)

**ARTICLE XII
FRANCHISES AND PUBLIC UTILITIES**

Section 1 – ELECTIONS FOR APPROVAL OF FRANCHISES

No franchise shall be granted, extended, or renewed by the City without the approval of a majority of the qualified electors residing within its corporate limits voting thereon at a Primary, General, or Special Election; the Council shall submit any matter for approval or disapproval to such election at any Primary or General Election, or shall call a Special Election for such purpose in accordance with Arizona statutes as may be amended; and the Council shall require, before calling any such election, that the estimated expense thereof (to be determined by the Council) shall be first deposited by the applicant for such franchise with the City Clerk. (01/31/2024)

Section 2 – ESTABLISHMENT OF MUNICIPALLY OWNED AND OPERATED UTILITIES

The City shall have power within or without its City limits, to own and operate any public utility, to construct and install any and all facilities that are reasonably needed, and to lease or purchase any existing utility properties used or useful in public service. The City may also furnish service to adjacent and nearby territories which may be conveniently and economically served by the municipally owned and operated utility, subject to the limitations of the provisions of the general laws of this State. The Council may provide by ordinance for the establishment of such utility, and provide for its regulation and control, and the fixing of rates to be charged. The Council may, by ordinance, provide for the extension, enlargement, or improvement of existing utilities, and provide reasonable reserve for such purpose. (06/07/1982)

**ARTICLE XIII
GENERAL PROVISIONS**

Section 1 – PUBLICITY OF RECORDS

All records and accounts of every office, department, or agency of the City shall be open to inspection by any citizen, any representative of a citizens' organization, or to any representative of the press, at all reasonable times, and under reasonable regulations established by the City Manager, except records and documents the disclosure of which would tend to defeat the lawful purpose which they are intended to accomplish.

Section 2 – OFFICIAL BONDS

All elected and appointed officers, and such other employees as the Council may by general ordinance be required to do so, shall give bond in such surety as may be approved by the Council. The premiums on such bonds shall be paid by the City.

Section 3 – OATH OF OFFICE

Every officer of the City, whether elected or appointed under the provisions of this Charter, or under any ordinance of the City, shall, before entering upon the duties of office, take and subscribe an oath of office in the form of the official Oath required by the State Constitution. (06/07/1982)

Section 4 – INSURANCE

- (a) General Insurance. The City is empowered to insure any of its property against such risks as it may determine.
- (b) Liability Insurance. The Council shall procure liability insurance covering the City and its officers, agents, and employees while engaged in governmental or proprietary capacities. The premiums on such insurance shall be paid by the City.
- (c) Group Insurance. The City may participate to the extent determined by the Council in the cost of group insurance programs for City officers and employees. (04/18/1972)

Section 5 – SHORT TITLE

This Charter, adopted by the people of the City of Flagstaff, shall be known and may be cited as "THE COUNCILMANAGER CHARTER OF FLAGSTAFF."

Section 6 – SEPARABILITY CLAUSE

If any Section or part of Section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter, nor the context in which such Section or part of Section so held invalid may appear, except to the extent that an entire Section or part of Section may be inseparably connected in meaning and effect with the Section or part of Section to which such holding shall directly apply.

Section 7 – VIOLATIONS OF CHARTER AND CITY ORDINANCES; IMPRISONMENT OF VIOLATORS

The violation of any provision of this Charter, or of any ordinances of the City, shall be deemed a misdemeanor, and may be prosecuted by the authorities of the City in the name of the State of Arizona, or may be redressed by civil action, at the option of the Council. Any person sentenced to imprisonment for violation of a provision of this Charter, or of an ordinance, may be imprisoned in the City Jail, or, if the Council, by ordinance, shall so prescribe, in the County Jail of this County, in which case the expense of such imprisonment shall be charged in favor of the said County against the City.

Section 8 – PLENARY AND IMPLIED POWERS OF THE COUNCIL

The Council shall have plenary power to enact and make all proper and necessary ordinances, resolutions, and orders to carry out and give effect to the express, as well as the implied, powers granted in this Charter, to the end that a complete, harmonious, and effective municipal government may be initiated, installed, operated, and maintained in the City, and thereby protect and safeguard the rights, interests, safety, morality, health, and welfare of the City and its inhabitants.

Section 9 – PLAN FOR FUTURE PHYSICAL DEVELOPMENT

The Council shall adopt a comprehensive plan for the future physical development of the City to serve as a guide to all future Council action concerning land use regulations and expenditures for capital improvements. The Council may by ordinance implement said comprehensive plan by adopting land use and development regulations, including but not limited to official maps, and grading, zoning, subdivision, architectural regulations, and water resource management, development, conservation, and reclamation. (04/18/1972)

Section 10 – FLOODWAYS AND FLOOD PLAINS

The Council may by ordinance designate and establish as floodways or flood plains areas of land within the boundaries of the City reasonably required or necessary to improve, extend, maintain, or facilitate the control or discharge of waters or rivers and streams and intermittent flowing creeks, washes, arroyos, drains, and channels together with surface and flood waters, in order to prevent the loss of life or injury and damage to property and prevent and prohibit encroachments and obstructions within the floodway or flood plain areas so designated and established by the City. (04/18/1972)

Section 11 – RETIREMENT AND OLD AGE AND SURVIVORS BENEFITS

The City shall have the power to provide for its employees and officers a retirement plan and old age and survivors insurance benefits in addition to, or in lieu of, any state or federal plan or program subject to the provisions of state and federal law. (06/07/1982)

ARTICLE XIV SUCCESSION IN GOVERNMENT

Repealed (06/07/1982)

ARTICLE XV METHOD OF CHARTER AMENDMENT

This Charter, or any part of any Article or Section hereof, may be amended in the manner provided by the Constitution of this State. (06/07/1982)

ARTICLE XVI AMENDMENTS

Amendment No. 1 – VOTE REQUIRED FOR CERTAIN TYPES OF BOND ISSUES

Notwithstanding any other provisions of the Charter, and with the exception of refunding bond issues, special assessment or improvement district and redevelopment or tax increment bonds, or City of Flagstaff Housing Authority bonds, or the financing of a new city hall building and related improvements, after the effective date of this Amendment the City shall not issue or authorize the issuance of any bonds which pledge City tax revenues as a guarantee for their payment, in whole or in part, without the approval of a majority of the qualified electors of the City voting at an election for that purpose. (06/07/1982)

Amendment No. 2 – VOTE REQUIRED FOR CERTAIN TYPES OF FACILITIES COSTING IN EXCESS OF ONE MILLION DOLLARS

Notwithstanding any other provisions of the Charter, with the exceptions of utilities, public safety and street facilities, after the effective date of this Amendment the City shall not expend funds totaling more than one million dollars for the purchase and/or construction of municipal facilities, including but not limited to libraries, civic centers, or swimming pools, without the prior approval of a majority of the qualified electors of the City voting at an election for that purpose. Said one million dollar limit shall be adjusted annually by the consumer price index as of July 1 of each year. (04/10/1984)