

ORDINANCE NO. 2026-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF AUTHORIZING THE ACQUISITION OF REAL PROPERTY INTERESTS NECESSARY FOR THE FANNING WASH CULVERT AT STEVES BLVD. PROJECT, A PUBLIC USE; PROVIDING FOR DELEGATION OF AUTHORITY, SUBSEQUENT COUNCIL APPROVALS, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, pursuant to Article VII, Section 5 of the Flagstaff City Charter the City shall acquire real property by ordinance; and

WHEREAS, pursuant to Article I, Section of the Flagstaff City Charter, the City may acquire real property, easements, and other real property interests within or without its corporate limits by purchase, gift devise, exchange, or condemnation; and

WHEREAS, the City desires to acquire easements, temporary Construction easements, and/or real property for the Fanning Wash Culvert at Steves Blvd. Project.

ENACTMENTS:

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

SECTION 1. In General.

The Flagstaff City Council hereby finds that acquisition of the easements and other real property interests described and depicted in the attached Exhibits 1 and 2 are necessary for a public use, the Fanning Wash Culvert at Steves Blvd. Project ("the Property Interests"). The Property Interests may be acquired through purchase, exchange, gift, donation, dedication, or condemnation for a public use.

SECTION 2. Delegation of Authority

The Mayor, City Manager, Planning and Services Director, Real Estate Manager, City Attorney, and/ or their delegates or agents, are hereby authorized and directed to take all steps, and execute all documents necessary to acquire the Property Interests, and to carry out the purpose and intent of this resolution.

The Real Estate Manager is delegated authority to negotiate with property owners for final purchase price or conditions and is authorized to execute purchase contracts for acquisition of Property Interests at a price reasonably consistent with appraised value with approval of City Manager or Council.

SECTION 3. Subsequent Council Approvals.

Any real property or easements acquired pursuant to this ordinance will be presented to the City Council at a council meeting for formal acceptance.

SECTION 4. Severability.

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

SECTION 5. Effective Date.

This ordinance shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 20th day of October, 2026.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:

Exhibit 1	Chart listing property interests to be acquired
Exhibit 2	Legal Description of Property Interests