

WORK SESSION AGENDA

**CITY COUNCIL WORK SESSION
TUESDAY
MAY 9, 2023**

**COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
3:00 P.M.**

All City Council Meetings are live streamed on the city's website
(<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

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

Verbal public comments may be given through a virtual public comment platform or in-person

If you want to provide a verbal comment during the Council Meeting, use the link below to join the virtual public comment room.

VIRTUAL PUBLIC COMMENT WAITING ROOM

Written comments may be submitted to publiccomment@flagstaffaz.gov. All comments submitted via email will be considered written comments and will be documented into 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 legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

2. ROLL CALL

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

MAYOR DAGGETT
VICE MAYOR ASLAN
COUNCILMEMBER HARRIS
COUNCILMEMBER HOUSE

COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SWEET

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. **Public Participation**

Public Participation enables the public to address the council about items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone to have an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

5. **Review of Draft Agenda for the May 16, 2023 City Council Meeting**

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

6. **Proclamation:** Provider Appreciation Day

7. **Proclamation:** Mental Health Awareness Week

8. **Proclamation:** National Economic Development Week

9. **Proclamation:** National Travel and Tourism Week

10. **National Travel and Tourism Week Update**

Provide an update about Discover Flagstaff and National Travel and Tourism Week.

11. **Economic Development Week 2023**

Awareness of Economic Development Week 2023, related activities and opportunities to participate in engaging the community on the topic of economic development and related local efforts.

12. **Mountain Line Update to City Council**

Discussion Only

13. **Short-term Rentals License Update**

Staff is seeking direction from Council on the draft short-term rental license ordinance.

14. **2023 Charter Amendment Discussion**

Council direction on amendments to advance to voters

15. **Public Participation**

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

17. **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 _____, 2023.

Stacy Saltzburg, MMC, City Clerk

CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Meg Roederer, Communications Specialist
Date: 04/18/2023
Meeting Date: 05/09/2023



TITLE:

National Travel and Tourism Week Update

DESIRED OUTCOME:

Provide an update about Discover Flagstaff and National Travel and Tourism Week.

EXECUTIVE SUMMARY:

The mission of Discover Flagstaff is to increase visitation and visitor spend through responsible marketing, advertising, direct sales and other programming. This is done by utilizing data-driven strategies and tactics which inspires and motivates year-round visitation benefiting the community economically and socially. Tourism is the city's number one industry and economic driver.

Established in 1983, National Travel and Tourism Week (NTTW) May 7-13, 2023, is an annual tradition presented by the US Travel Association. This year marks the 40th anniversary of NTTW celebrating the industry's critical role in powering economies, communities, and connections moving travel forward. Discover Flagstaff has nuanced the week as National Travel and Eco-Tourism Week to reflect our community values. Nuancing the week's festivities by adding a strategic spin, locally the celebration will be named **National Travel and Eco-Tourism Week**. The Discover Flagstaff tourism service day is Wednesday, May 10, 2023.

INFORMATION:

Watch the National Travel and Tourism Week video at <https://vimeo.com/showcase/10205614>

Attachments: [Presentation](#)

National Travel & Tourism Week

Trace Ward,
Director, Discover Flagstaff





The Visitor Economy is Essential



- Established in 1983
- Celebrate the essential role of tourism in the economy
- Jobs
- Cultivating vibrant communities
- Visit, Discover, Grow



The Visitor Economy is Essential





The Visitor Economy is Essential



- **\$750 million** in greater impact to the **Flagstaff economy**
- **8,000** individuals and families rely on **jobs** directly serving the visitor
- **BBB Tax** collected in FY 2022 = **\$11.4 million**
- Every **Flagstaff taxpayer** receives an average **savings of \$730** a year due to the visitor economy

Discover Flagstaff is celebrating by:

- Celebrating our visitors on social media
- Services day on May 10th
- Proclamation



The Visitor Economy is Essential



JOIN US!

We are celebrating by hosting another Service Day, and inviting the community to join us for an enjoyable day of giving back.

Wednesday, May 10
NEW! 11:30 am - 1:30 pm

RSVP by April 28 and for more information – cnelson@flagstaffaz.gov



Flagstaff
discoverflagstaff.com
Arizona's destination for all seasons

The Visitor Economy is Essential



CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council

From: John Saltonstall, Business Retention & Expansion Manager

Co-Submitter: Jack Fitchett

Date: 04/04/2023

Meeting Date: 05/09/2023



TITLE:
Economic Development Week 2023

DESIRED OUTCOME:

Awareness of Economic Development Week 2023, related activities and opportunities to participate in engaging the community on the topic of economic development and related local efforts.

EXECUTIVE SUMMARY:

Economic Development Week is an industry event created by the International Economic Development Council (IEDC) to bring awareness to economic development practices. A series of activities have been planned for the Economic Development Week 2023, which occurs from May 8 through May 12. City of Flagstaff Economic Development Staff have partnered with the Economic Collaborative of Northern Arizona (ECoNA), Moonshot@NACET, and Coconino County to elevate economic development and to engage the public.

INFORMATION:

Economic Development 2023 is a chance to learn about economic development in your community and to be a part of the work. Starting on Monday May 8th, there is an interviewing workshop from 11 to noon in the main conference room of the Accelerator Building on the NACET Campus. The Executive Director of Moonshot@NACET, Diana White will present. In the evening, the Flagstaff Women Leadership Network will hold their meeting at Mother Road Brewing from 4:30 – 6. The Director of Transmission Operations and Maintenance for APS, Mackenzie Rodgers will speak with the group about her role with APS and her path to her present.

On Tuesday May 9th, WE (Women Entrepreneurs) Mean Business will meet from 11 to noon in the main conference room of the Accelerator Building on the NACET Campus.

In the afternoon, tune into the City of Flagstaff City Council meeting for a presentation from regional economic development practitioners.

On Thursday May 11th, from 4 to 6 come to Mother Road Brewing to meet your economic development practitioners for an informal mixer.

Starting Friday look for the new graduates from CCC and NAU as they launch into their careers.

Attachments: EconDevWeek 2023

ECONOMIC DEVELOPMENT WEEK 2023

5/9/2023





Economic Development Week

- Economic development is the intentional practice of improving a community's economic well-being and quality of life.
- The effectiveness of professional economic development practitioners lies in their ability to collaborate with industry, government and community stakeholders.
- Economic Development celebrates the practice and the people doing the work everyday.



Economic Development Week

Activities Throughout Flagstaff

- May 8, Ms. Diana White's Interview Workshop from 11-noon at the NACET Campus and the Flagstaff Women Leadership Network will hold their meeting at Mother Road Brewing from 4:30 – 6
- May 9, WE (Women Entrepreneurs) Mean Business from 11 to noon in the Accelerator Conference Room
- Come meet YOUR Regional Economic Development Practitioners. 4 – 6. Celebration event in the evening - Mother Road.



Partners



- COCONINO COUNTY
 - Economic Development Manager
 - Mr. Chris Pasterz



Partners



- Moonshot@NACET
 - Executive Director
 - Ms. Diana White



Partners



- Economic Collaborative of Northern Arizona
 - President & CEO
 - Ms. Gail Jackson



Community Investment



Questions?

THANK YOU!

CITY OF FLAGSTAFF
STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Rick Tadder, Management Services Director
Co-Submitter: Heather Dalmolin, CEO and General Manager
Date: 05/01/2023
Meeting Date: 05/09/2023



TITLE:
Mountain Line Update to City Council

DESIRED OUTCOME:
Discussion Only

EXECUTIVE SUMMARY:
This is an opportunity for Mountain Line to provide Council with a presentation about current transit operations and planning for the future.

INFORMATION:
Mountain Line will be providing City Council an update on their FY 2022-23 Performance metrics, FY 2023-24 Budget information, financial outlook, and a review of the Flagstaff In Motion-A Community Transit Plan.

Attachments: [Presentation](#)
[Flagstaff In Motion](#)



Mountain Line Today and Beyond



FY2023 Performance

Mountain Line Fixed Route

- Projected to increase ridership by 20% from 1.3M to 1.6M
- Projected to decrease cost per boarding by 13%
- Projected actual cost per hour of \$136.66, 3% less than budget

Mountain Line Paratransit

- Passenger per service hour increase from 1.81 to 1.93
- Cost per passenger trip decrease from \$58.62 to \$52.36
 - City Taxi use increasing by 20%
 - Taxi Cost per Trip average \$18.43



Getting you where you want to go



Budget Review

- Compensation and benefits
 - Impact of inflation, minimum wage, and market trends on wages
- Operating budget at current service levels
- Infrastructure plans and needs
 - Downtown Connection Center
 - Aging Bus Fleet & Electrification
 - Bus stop upgrades, infill, and relocations



Getting you where you want to go



Compensation Recommendations

Cost: \$215,000

- Pay Plan
 - 4.5% step increases for step plan employees
 - 3% increases for all open range pay grades
- Compensation Market Adjustment Study
 - Budget capacity included for some adjustments TBD
 - Preliminary results show need for mid-grade adjustments – admin, supervisor/managers



Getting you where you want to go



Benefit Recommendations

Cost: \$136,000

- No changes to benefit plan options
- Offer the same benefits to full-time and part-time
- NAPEBT medical premiums increased
 - 6% for Buy Up, 5.5% for Base, 5% for High Deductible
- Cost share for employees
 - Increase Mountain Line portion of premium cost share to parity with City – 72% for base family/EE+1 plans
 - Significant decrease in cost to the employee for family/EE+1 plans



Getting you where you want to go



FY2024 Operating Budget



Increased categories consistent with prior years, excluding fuel.

- Vehicle Maintenance Parts & Supplies – increase 20.8%
- Insurance – increase 31%
- Facilities Supplies and Janitorial Contract – increase 14%

Total of other program expenses will stay flat at \$2,490,000 through some savings achieved and reallocation of expenses.



Getting you where you want to go



Budget Results

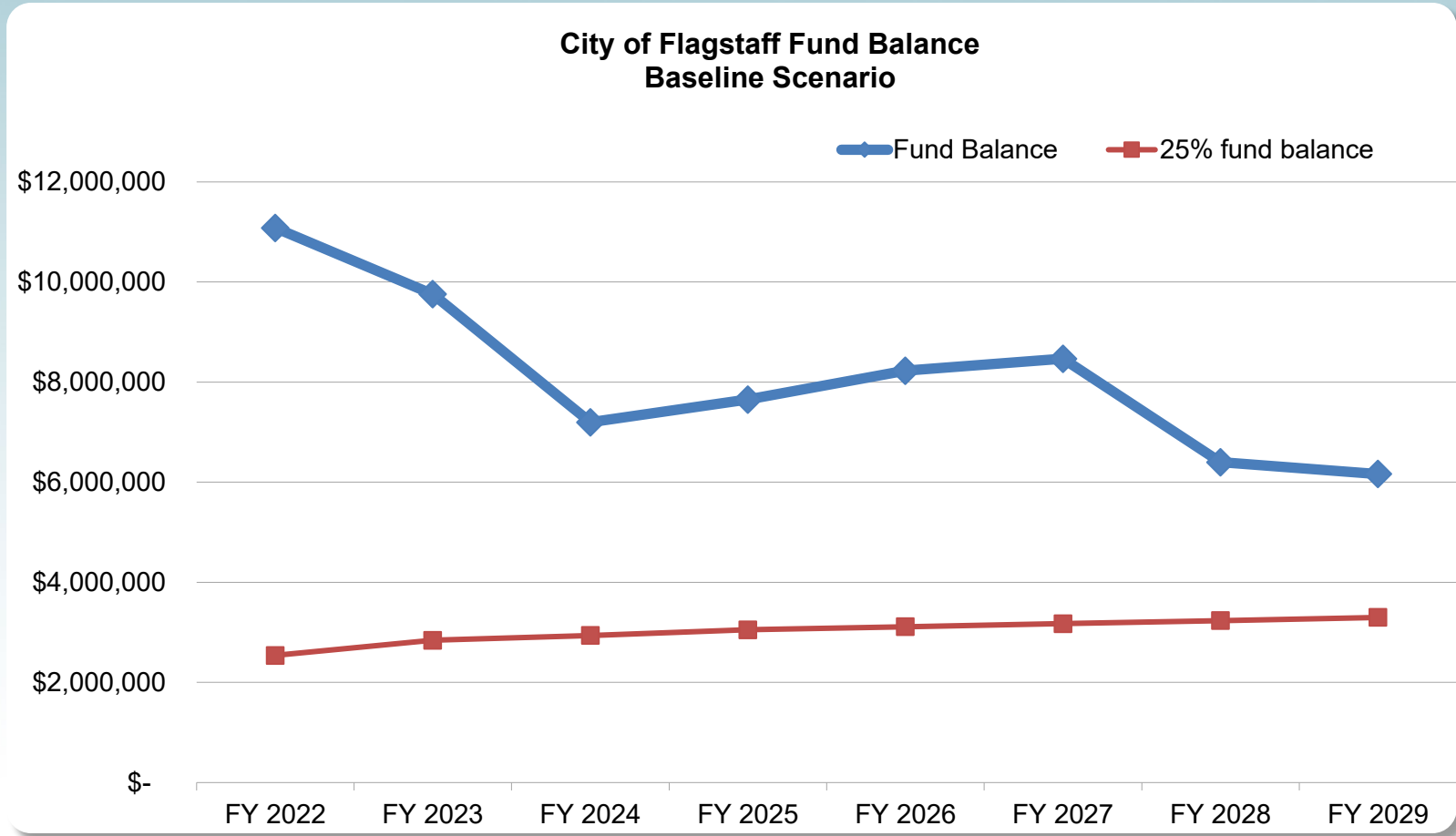
	FY2023 Budget	FY2023 Projected	FY2024 Budget
Revenues			
Grants/Other	\$ 26,852,758	\$ 12,091,227	\$ 53,940,484
Transit Tax	\$ 11,475,516	\$ 7,764,865	\$ 9,061,949
Fares/NAU	\$ 1,233,062	\$ 1,470,331	\$ 1,471,549
Expenses			
Salaries & Benefits	\$ 7,894,202	\$ 7,518,012	\$ 8,241,546
Operating	\$ 3,242,149	\$ 3,393,135	\$ 3,596,203
Total Operating	\$ 11,136,351	\$ 10,911,147	\$ 11,837,749
Capital	\$ 28,424,983	\$ 10,415,276	\$ 52,636,233
Total	\$ 39,561,334	\$ 21,326,423	\$ 64,473,982



Getting you where you want to go



5 Year Financial Outlook

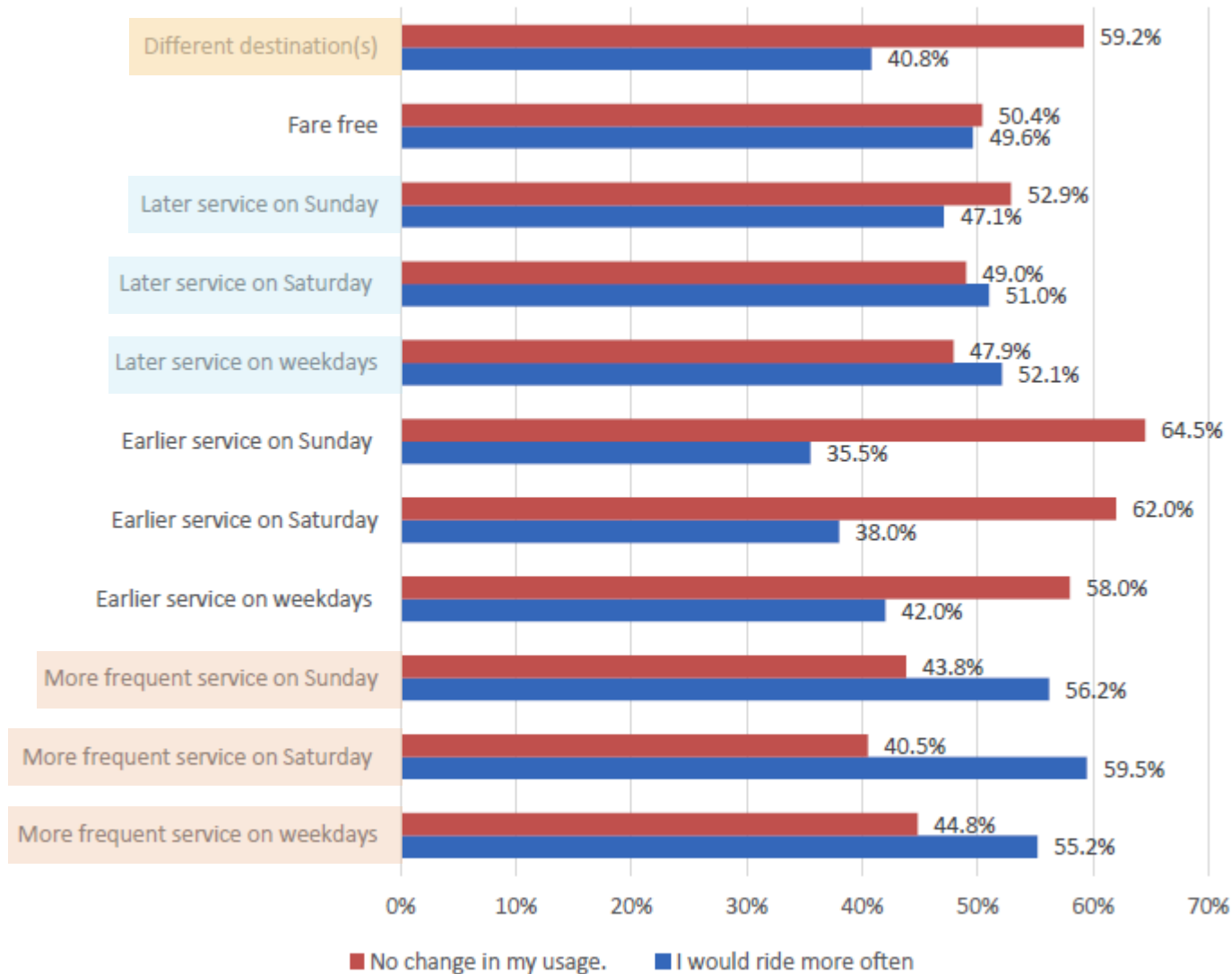


Getting you where you want to go











Transit Needs (2022)

Exhibit 2.32 Impact of service improvements on ridership



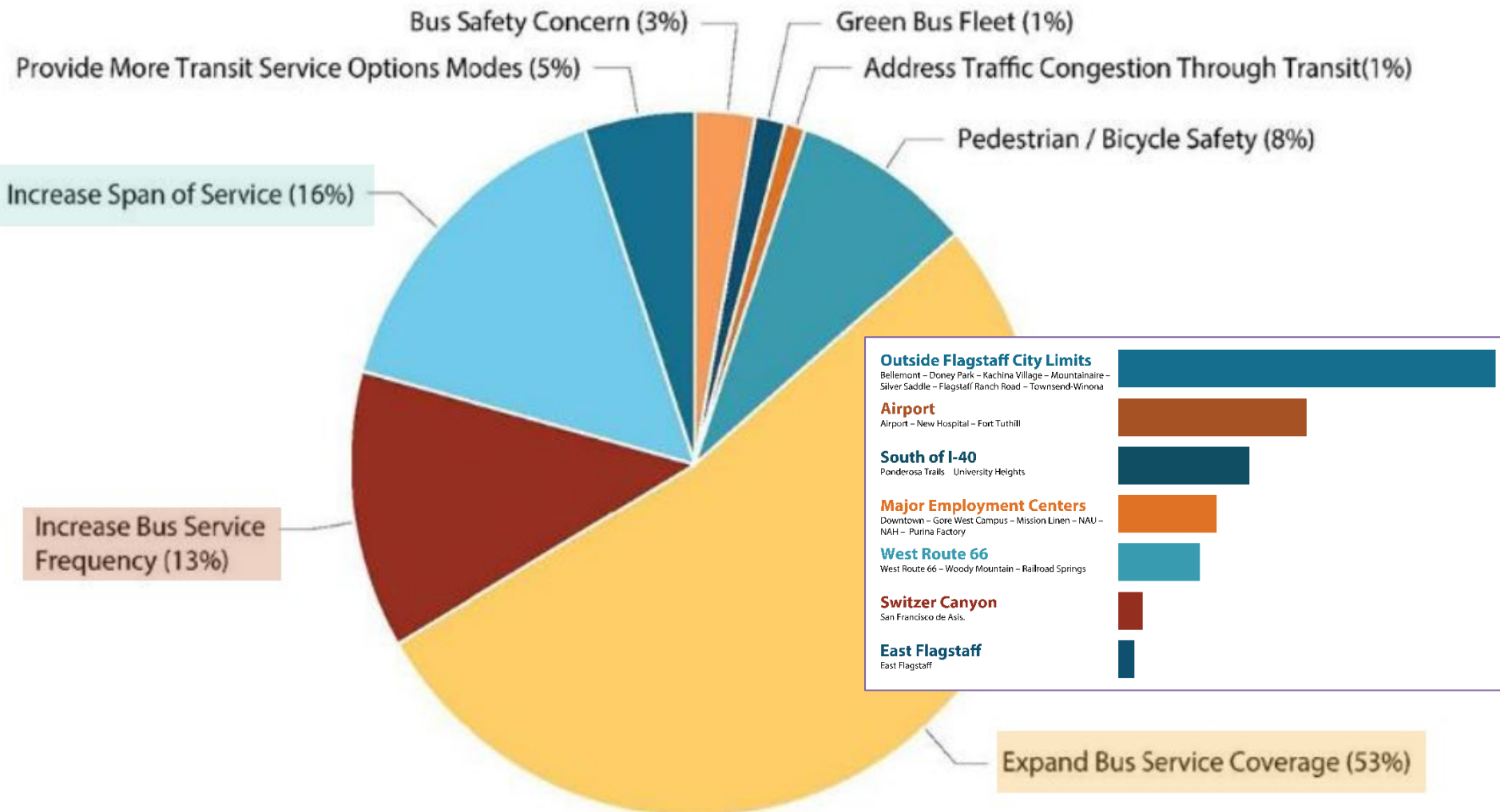
Transit Needs (2022)

If you could pick one improvement, which is most important to you?

Improvement	Rider Preference	Rider Preference	Change from Current
Later service on Monday-Thursday		~ 12am	~ 11pm
on Friday		~ 12am	~ 11pm
on Saturday		~ 12am	~ 8pm
on Sunday		~ 12am	~ 8pm
More frequent service Monday-Thursday		~ 9pm	~ 6pm
on Friday		~ 9pm	~ 6pm
on Saturday		More frequent	Most 60-minute frequency, 20/30/40-minute frequency
on Sunday			

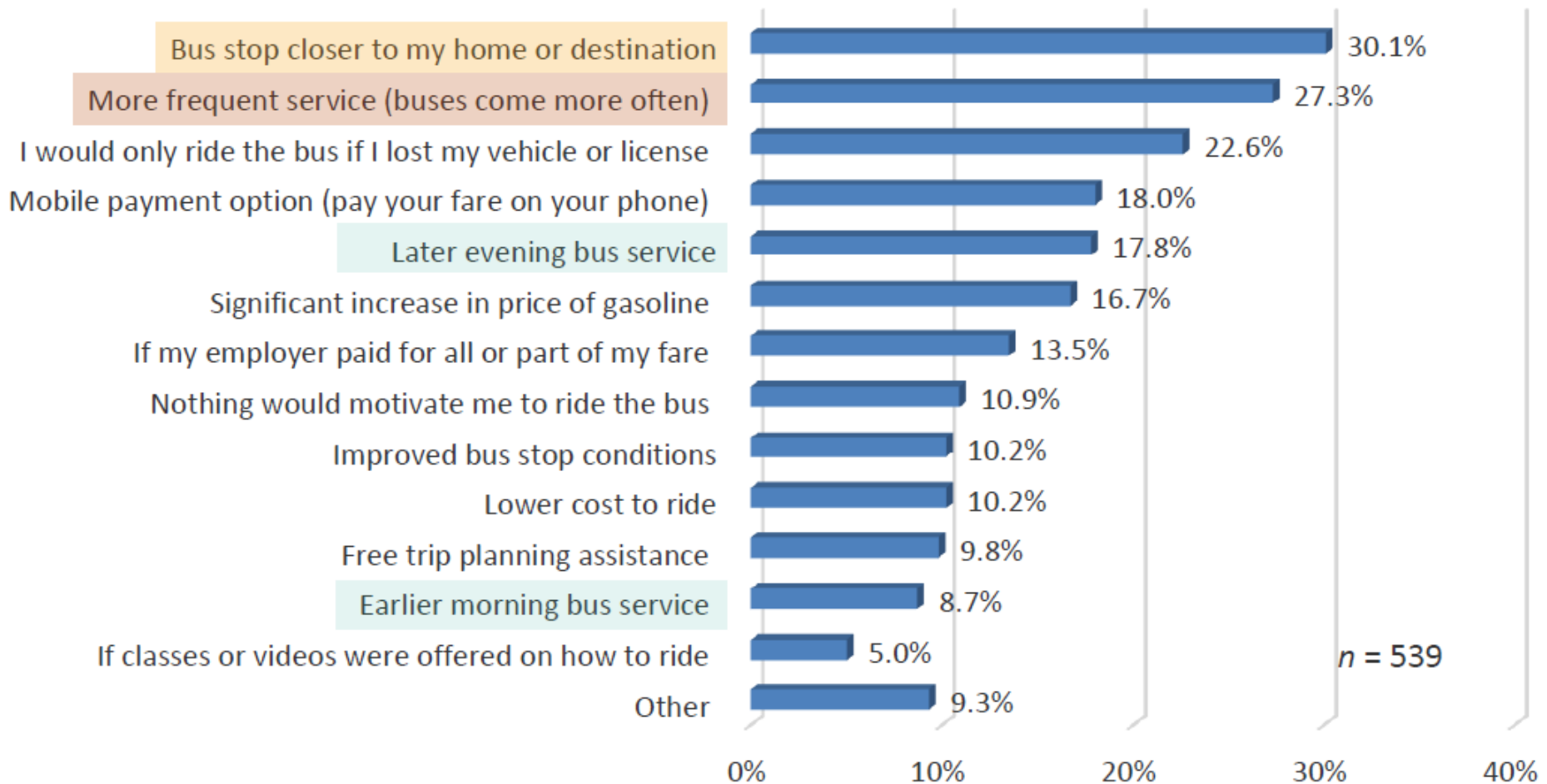
Transit Needs (2021)

Figure 7c. Flagstaff in Motion (2021) service improvements



Transit Needs (2019)

Figure 7b. Never Rider survey (2019) service improvements



FLAGSTAFF IN MOTION

A Community Transit Plan



Getting you where you want to go



Transit Vision

Buses arrive more often to more places for longer periods of time Monday through Saturday.

Increase Route 5 peak frequency to 30 minutes Monday through Saturday.

Make the Route 2 deviation a regular part of every trip with an infrastructure improvement.

Increase Route 7 off-peak frequency to 40 minutes Monday through Saturday.

Increase frequency on Routes 3 and 66 to 20 minutes during peak period and 30 minutes during off-peak period, Monday through Saturday.

Add coverage to new areas, including W Historic Route 66, relocated Northern Arizona Healthcare on Beulah Blvd, and the Flagstaff Pulliam Airport via Ponderosa Trails.

Increase Saturday service level to match weekday service.

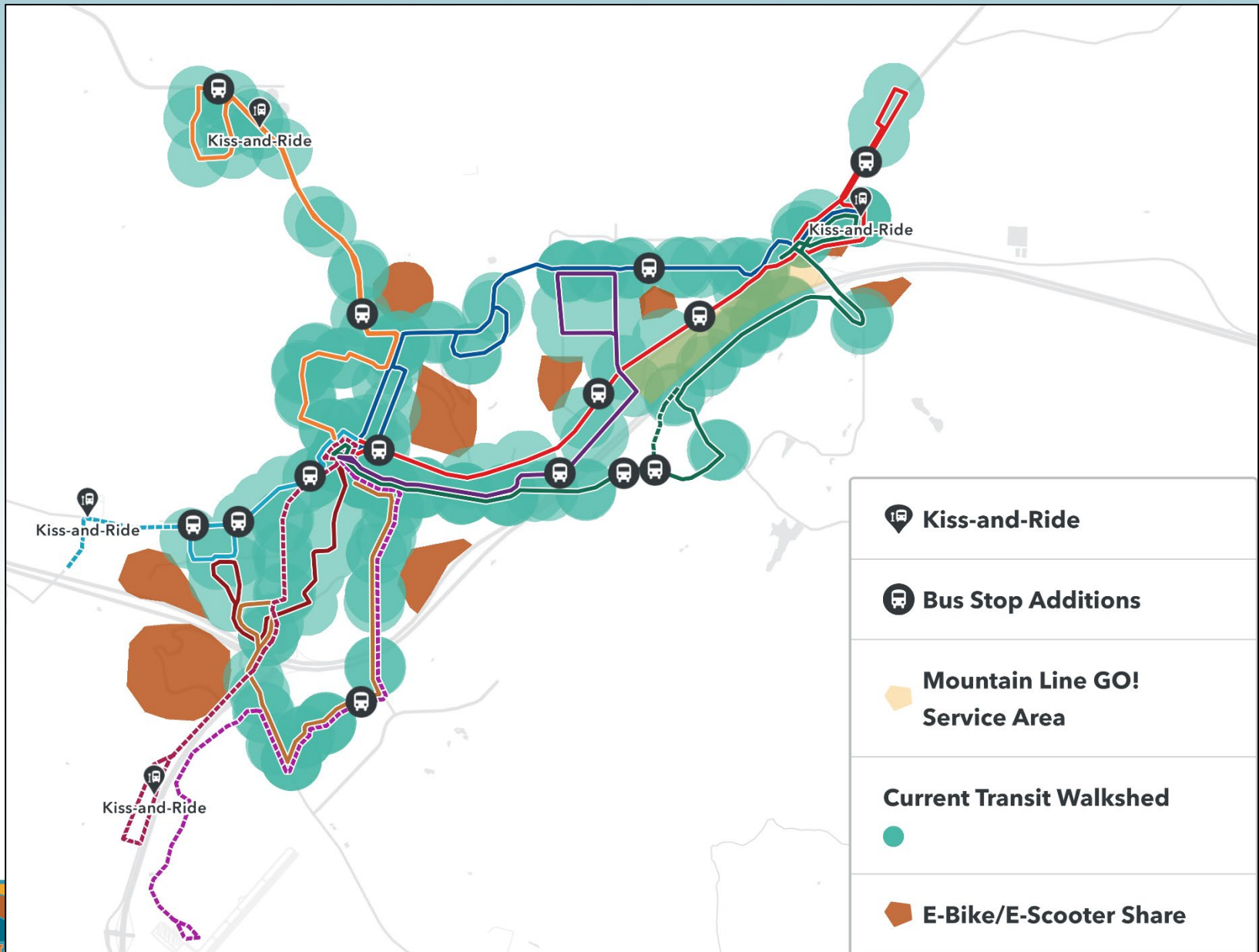
Longer off-peak evening service hours to 12:00 AM Monday through Saturday.

Late-night trips for bus-pass holders 12:00-2:30 AM provided by taxi companies, Uber, or Lyft, and partially paid for by Mountain Line.

3000 ft

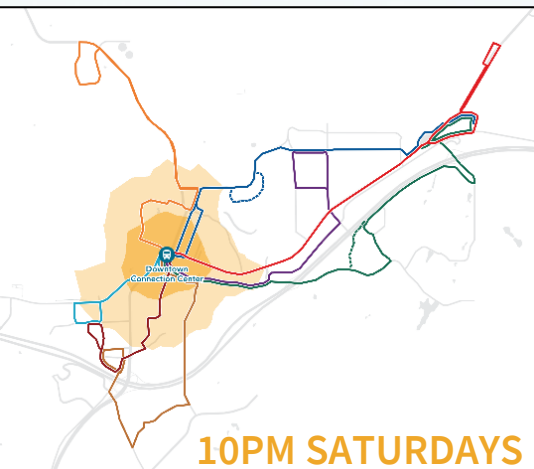
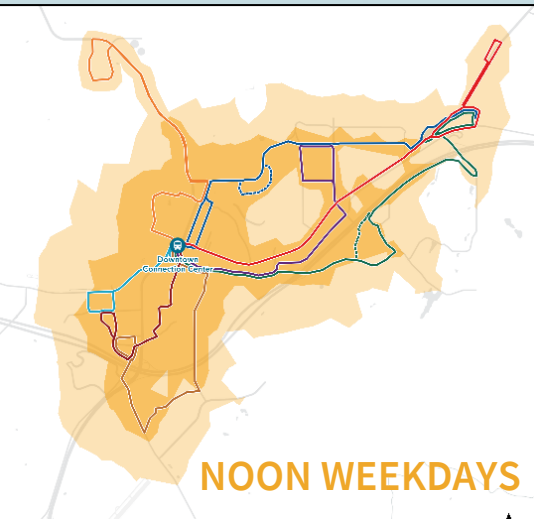


Improve Access To The Bus System



Transit Vision Access from DCC in 15 and 30 minutes


CURRENT




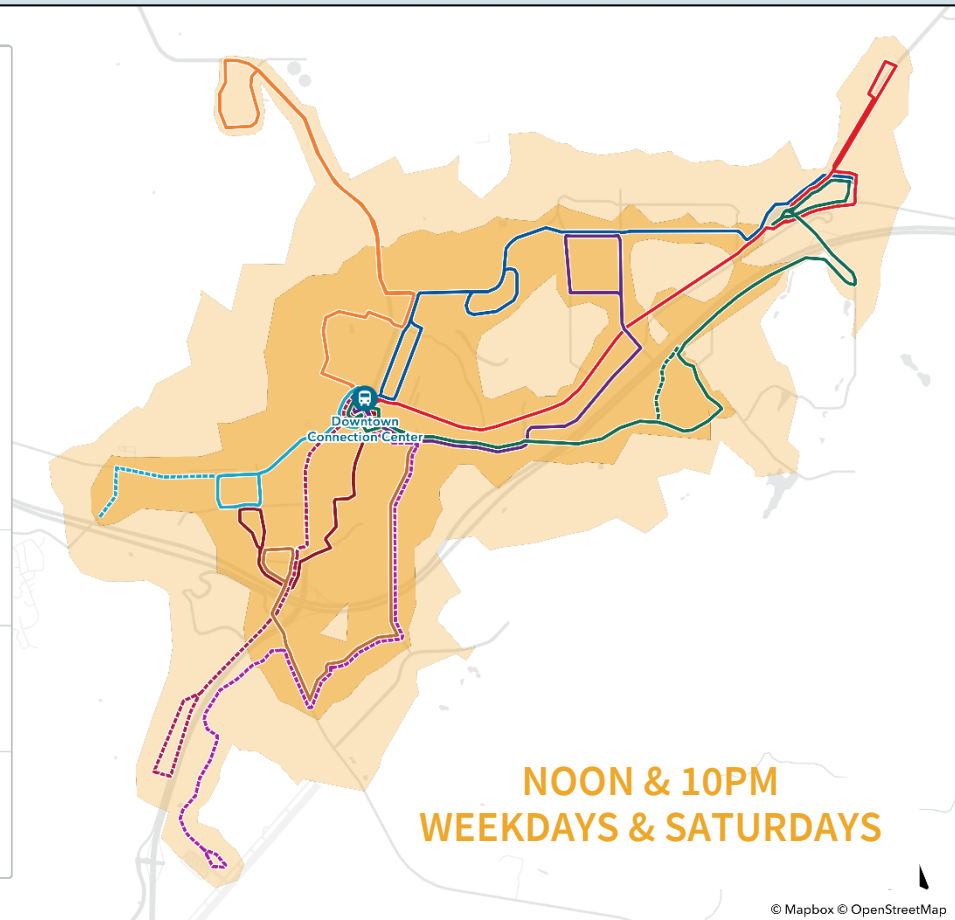
TRANSIT VISION

- New Route to the Airport via Ponderosa Trails
- New Route to the NAH Facility
- Route 2 w/ Gemini Rd
- Route 3
- Route 3 deviation
- Route 4/14
- Route 5
- Route 7
- Route 8
- Route 8 extension
- Route 10
- Route 66

 Downtown Connection Center

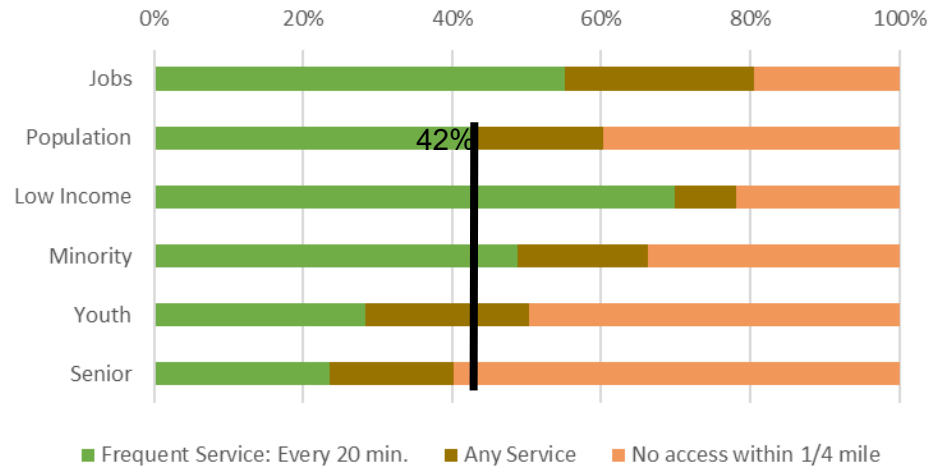
15 minutes- Transit Vision
 12:00 and 10:00 PM
Weekdays and Saturdays

30 minutes- Transit Vision
 12:00 and 10:00 PM
Weekdays and Saturdays

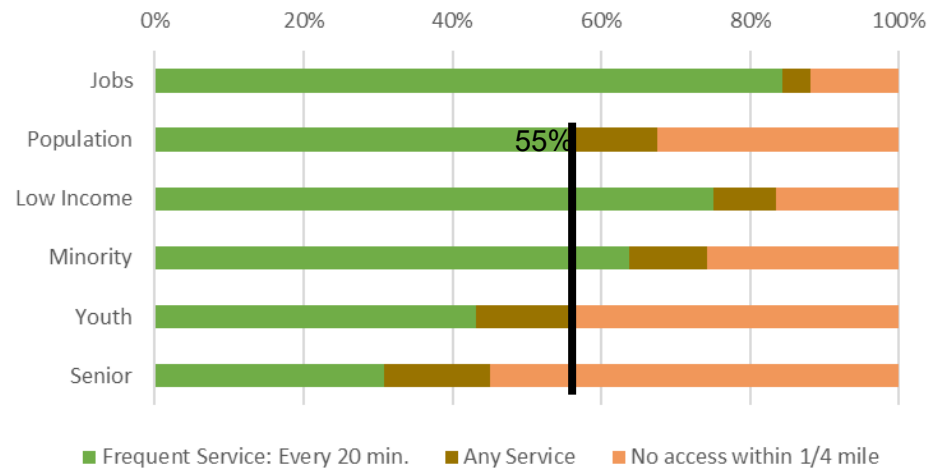


Transit Access

Access Provided by the Existing Network



Access Provided by the Transit Vision



Transit-Supportive Actions

- Seek new funding and partnerships to implement Flagstaff in Motion.
- Request local agency partners to
 - Include transit and first- and last-mile improvements in planning and capital projects.
 - Modify roadway codes and standards to better incorporate transit.
 - Adopt Mountain Line plans.

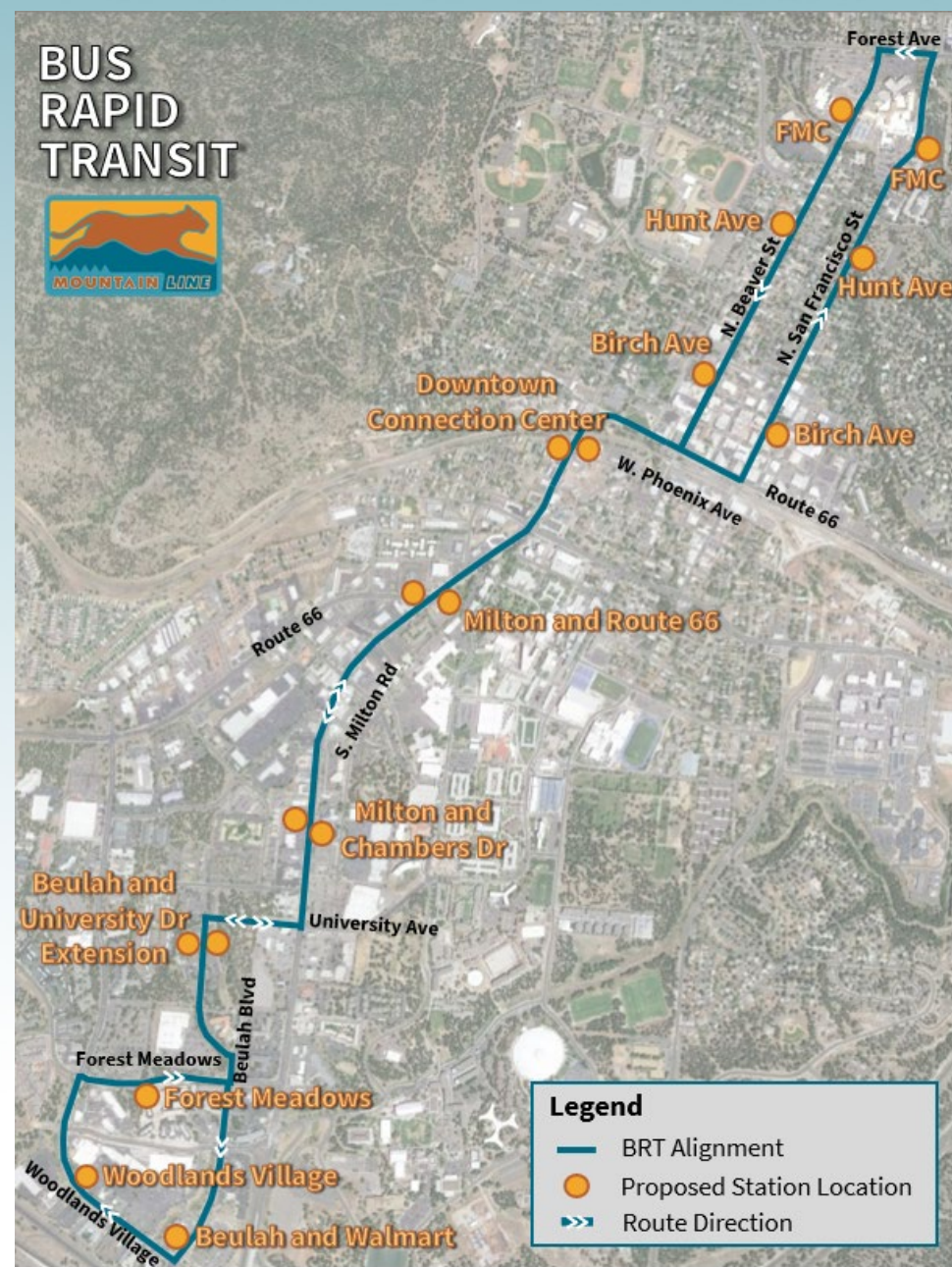


Getting you where you want to go



BRT

- North anchor is moving
- Roadway improvements require jurisdiction support



Next Steps

- Spring 2023: Citizen Advisory Committee formed (advisory to Mountain Line staff)
 - Made up of a diverse group representing the overall community
 - Scheduled 4-5 meetings between May and October
 - Procure service for both an education campaign consultant and a polling consultant.
 - First meeting was May 2: review of the Flagstaff in Motion plan and service changes identified
 - Next meeting June 7: review financial plan and talk about financial need, committee will also help create first set of polling questions with polling to begin in mid-June



Getting you where you want to go



Next Steps

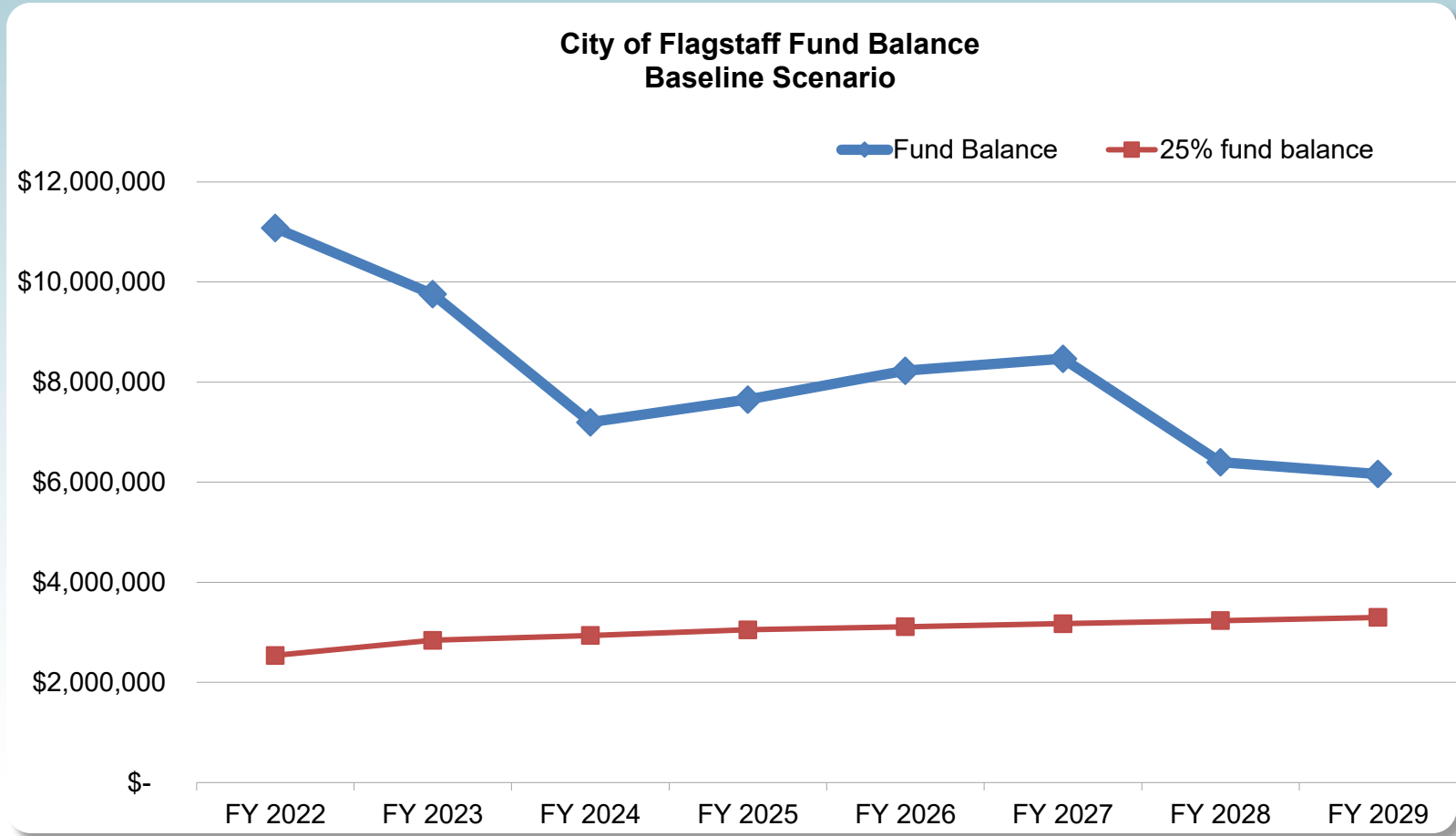
- Fall 2023: Mountain Line Board to review CAC recommendation for potential Tax question to fund new and expanded services
- Winter 2023: Mountain Line to send a recommendation to City Council for consideration, a potential transit tax question for November 2024 election
- Spring 2023: Mountain Line to begin a public education campaign on what new funding can achieve
- November 2024: ask the voters if they are willing to increase and or extend transit taxes



Getting you where you want to go



5 Year Financial Outlook



Getting you where you want to go



Final Report

FLAGSTAFF IN MOTION

A Community Transit Plan

05 - Year Plan



January 2023

TABLE OF CONTENTS

I. EXECUTIVE SUMMARY	01
Transit Vision	01
Recommendation to Increase Access	04
II. HOW WE GOT HERE	08
Citizen Advisory Committee	08
Board of Directors and Citizen Advisory Committee Goals.....	08
Public Input.....	09
Guiding Principles for Successful Transit	11
III. RECOMMENDATIONS	13
Improve Access to the Existing Bus System	13
Transit Service Improvements	18
Financial Impact	26
How Do We Fund This/Revenue Sources and Amounts	27
Transit Supportive Actions	28
Other Opportunities to Consider in the Future	29
APPENDIX A.....	35
Annual Operation Cost Estimate and One-Time Capital Costs in FY 2023 Dollars	35
Strategic Investment Plan (SIP) Recommendations for Consideration of Transit Signal Priority (TSP) Treatment	36
Additional Bus Stops for Existing Routes.....	37
Bus Stops to Support New Routes.....	38
Enhanced Pedestrian Crossings and Wayfinding.....	39
Intersection Bus Treatment at Forest Ave and Gemini Rd	40
APPENDIX B.....	41
Evaluation Criteria.....	41
APPENDIX C.....	43
Prioritized List of Transit Routes and Flagstaff Neighborhoods	43
APPENDIX D.....	45
Definitions	45

TABLE OF FIGURES

Figure 1. Transit Vision recommended improvements.....	02
Figure 2. Transit Vision improvements	04
Figure 3a. Transit Vision frequency (12:00 PM weekdays/Saturday).....	05
Figure 3b. Transit Vision frequency (10:00 PM weekdays/Saturday)	05
Figure 4a. Current access at 12:00 PM weekdays	07
Figure 4b. Current access at 10:00 PM Saturday.....	07
Figure 5. Transit Vision access at 12:00 PM and 10:00 PM weekdays/Saturday	07
Figure 6. Goals to guide Flagstaff in Motion	08
Figure 7a. Onboard survey (2018) impact of improvements on ridership	09
Figure 7b. Never Rider survey (2019) service improvements	10
Figure 7c. Flagstaff in Motion (2021) service improvements	10
Figure 8. Rider survey (2022) preferred improvements	11
Figure 9. Rider survey (2022) trip purpose.....	12
Figure 10. Recommended improvements to access	13
Figure 11. Bus stop additions.....	14
Figure 12. Forest Ave and Gemini Rd bus treatment	15
Figure 13. Enhanced pedestrian crossing and wayfinding recommendations	16
Figure 14. TSP benefits	16
Figure 15. Shared E-bikes and E-scooters	17
Figure 16. E-bike and E-scooter share locations.....	17
Figure 17. Permanent Transit Network.....	26
Figure 18. Revenue sources and amounts.....	27
Figure 19. Proposed second BRT project.....	30
Figure 20. Connections between CCC and NAU	30
Figure 21. Expanded transit coverage locations.....	32

I. EXECUTIVE SUMMARY

TRANSIT VISION

Flagstaff in Motion is a Community Transit Plan (Plan) that identifies how best to provide and fund Mountain Line transit services. It captures known community transit needs for the next five years and prioritizes them into a list with recommendations to fund and implement for the near future. This Plan is a living document. As funding, conditions, and partner priorities are constantly evolving, Mountain Line will react and modify this Plan in order to best meet the diverse transit needs of the Flagstaff community it serves.

Two main goals guided the improvements selected for the Plan. The first goal was to target areas with the highest ridership potential. The second goal was to support transit dependent populations. Major considerations in the evaluation of prioritization were increased access and equity, and alignment with helping solve major community issues around affordability, climate action, housing, workforce shortage, and transportation infrastructure.

Flagstaff in Motion recommendations are supported by industry trends across the country, documented in the Guiding Principles of the *Move! That! Bus! 2022* publication from the National Association of City Transportation Officials (NACTO). While not a part of the prioritization process, the report outlines basic philosophies that must be in place to ensure transit service is successful:

- Transit is a public service, not a business.
- More frequent bus service means more freedom.
- People have jobs, lives, and transportation needs outside of 9-to-5 office hours.
- Streets that work for transit work better for everyone.

The Transit Vision increases annual operations cost by 77%, or \$5.8 million, and additional capital funding is needed to support operations. All improvements identified in Flagstaff in Motion need additional funding to implement. The rising cost of operations continues to impact operations and capital needs.

FLAGSTAFF IN MOTION

Figure 1. Transit Vision recommended improvements

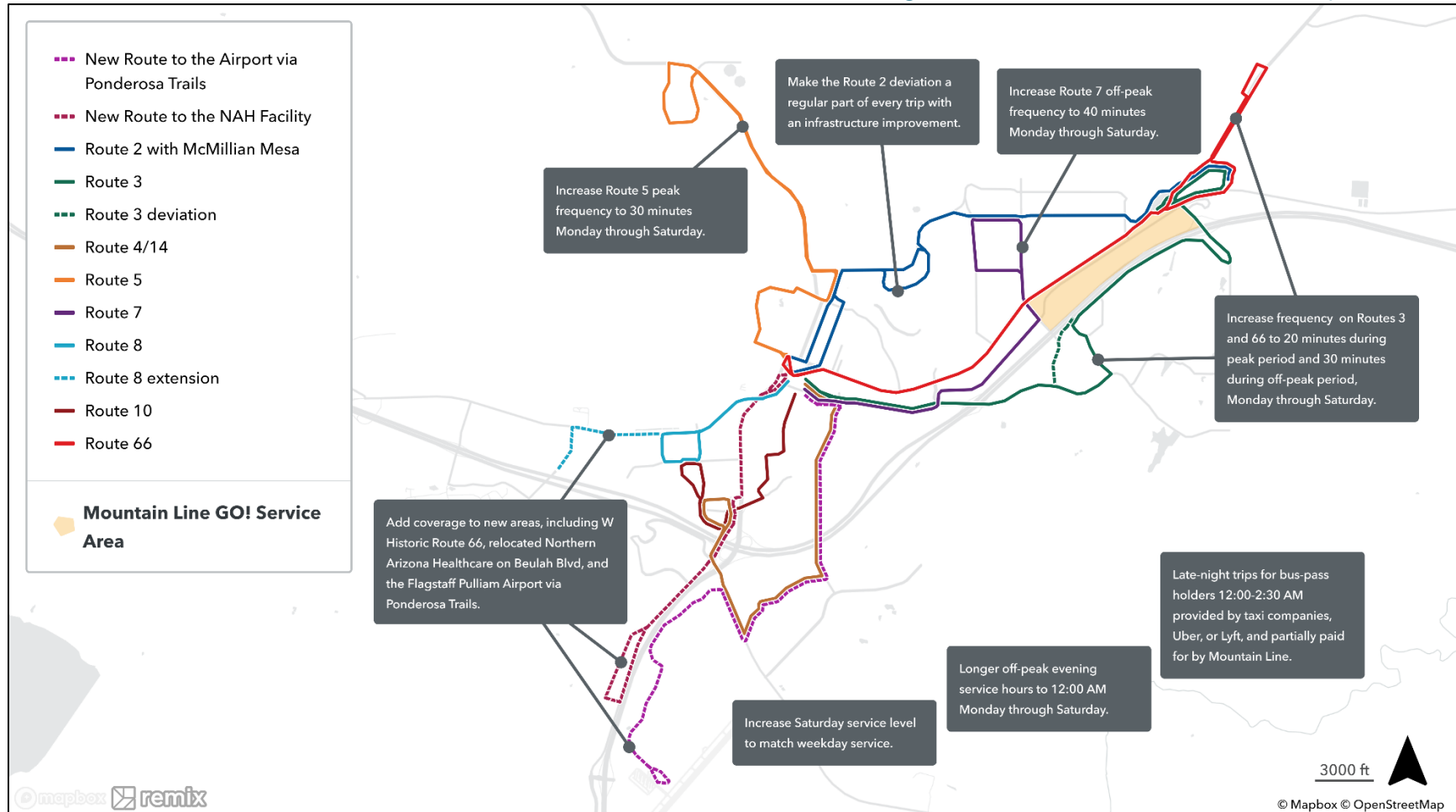


Figure 1 shows the recommended improvements of the Transit Vision. Mountain Line recommends offering the following improvements:

BUSES ARRIVE MORE OFTEN FOR LONGER PERIODS OF TIME ON THE MAJORITY OF ROUTES MONDAY THROUGH SATURDAY:



High-frequency, peak-period service to about 9:00 PM, depending on the route.



Increase frequency to achieve 20- to 30-minute frequency on all routes during peak period.



Increase frequency to 30- to 40-minute frequency during evenings on some routes.



Longer off-peak evening service hours to 12:00 AM.



Late-night trips within bus service area for pass-holders on Friday and Saturday nights from 12:00 to 2:30 AM provided by taxi companies, Uber, or Lyft, and partially paid for by Mountain Line.

ADD COVERAGE TO NEW AREAS, INCLUDING:



Improve access to the existing bus system with additional bus stops on some routes.



Make the Route 2 deviation a regular part of every trip with an infrastructure improvement to allow buses to make a left turn off McMillan Mesa.



Add a bus route along Beulah Blvd to the Fort Tuthill area, serving the proposed new location of the Northern Arizona Healthcare (NAH) campus, and truncate routes 4 and 14 to create a single bi-directional route (to reduce duplication of service on Milton Rd with the new bus route).




Extend Route 8 on W Historic Route 66 to Woody Mountain Rd seven days a week.



Add a bus route through the Ponderosa Trails neighborhood that connects to the Flagstaff Pulliam Airport.

Figure 2. Transit Vision improvements



	Service Period			
	Peak 6:00 AM - 6:00 PM Monday - Friday	Off-Peak 6:00 PM - 10:00 PM Monday - Friday	Peak 6:00 AM - 9:00 PM Monday - Saturday	Off-Peak 9:00 PM - 12:00 AM Monday - Saturday
	Current Frequency (minutes)		Transit Vision Frequency (minutes)	
Route 2	20	30	20	30
Route 3	30	60	20	30
Route 4/14	20 to 30	30 to 40	20	40
Route 5	60	60	30	60
Route 7	20	60	20	40
Route 8	30	60	30	30
Route 10	8	20	8	20
Route 66	30	60	20	30
New Route to the Relocated NAH Facility	-	-	20	30
New Route to the Airport via Ponderosa Trails	-	-	60	60

Blue shading indicates changes over current.

RECOMMENDATION TO INCREASE ACCESS

Accessibility is defined as the ease of reaching desired destinations. The main benefit of the Transit Vision is increased access to desired destinations by increasing frequency across the system, resulting in reduced travel time as more routes connect more often.

Figures 3a and 3b show the Transit Vision color-coded by frequency. Figure 3a is the frequency at noon on weekdays and Saturday, while Figure 3b is the frequency at 10:00 PM on weekdays and Saturday. The Transit Vision frequency will mean fewer people having to decide whether to be 20 minutes early to their appointment or 10 minutes late, with more arrival times to match their schedules. This demonstrates Mountain Line's continued commitment to improving bus frequency in line with public interest, as more frequent bus service means more freedom.

Figure 3a. Transit Vision frequency (12:00 PM weekdays/Saturday)

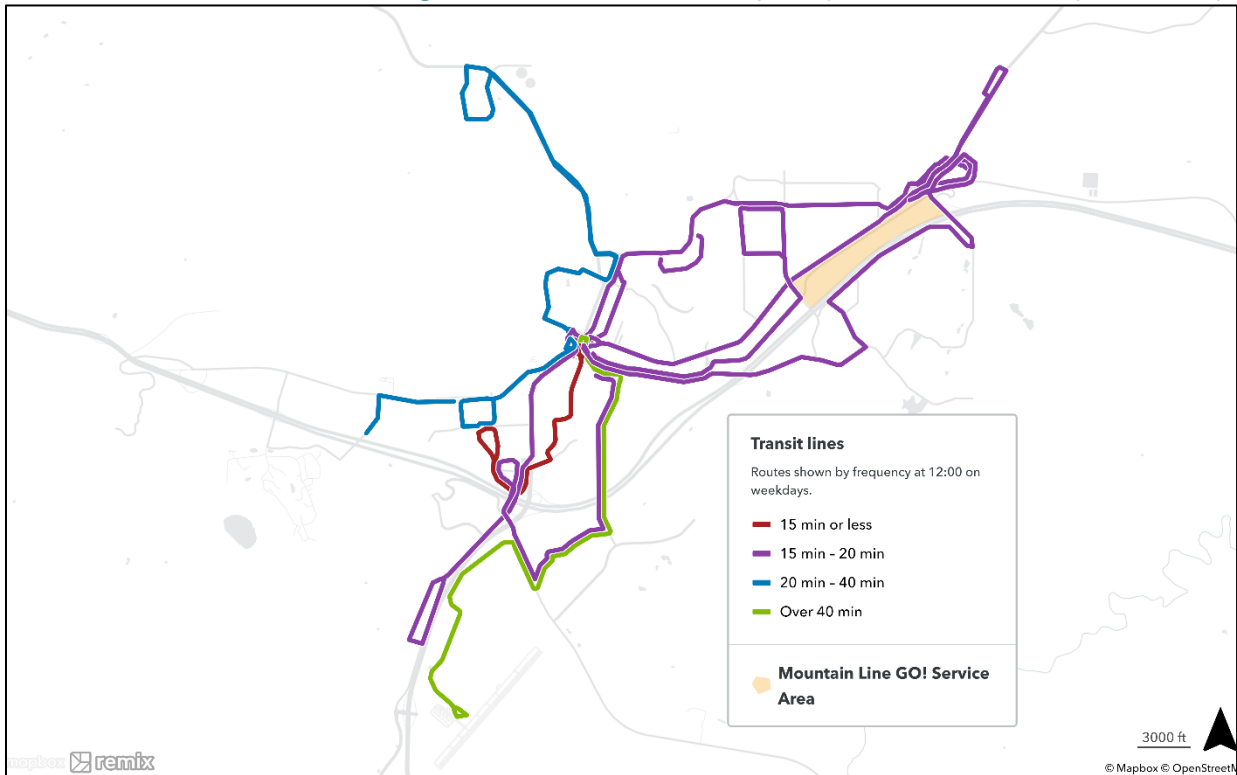
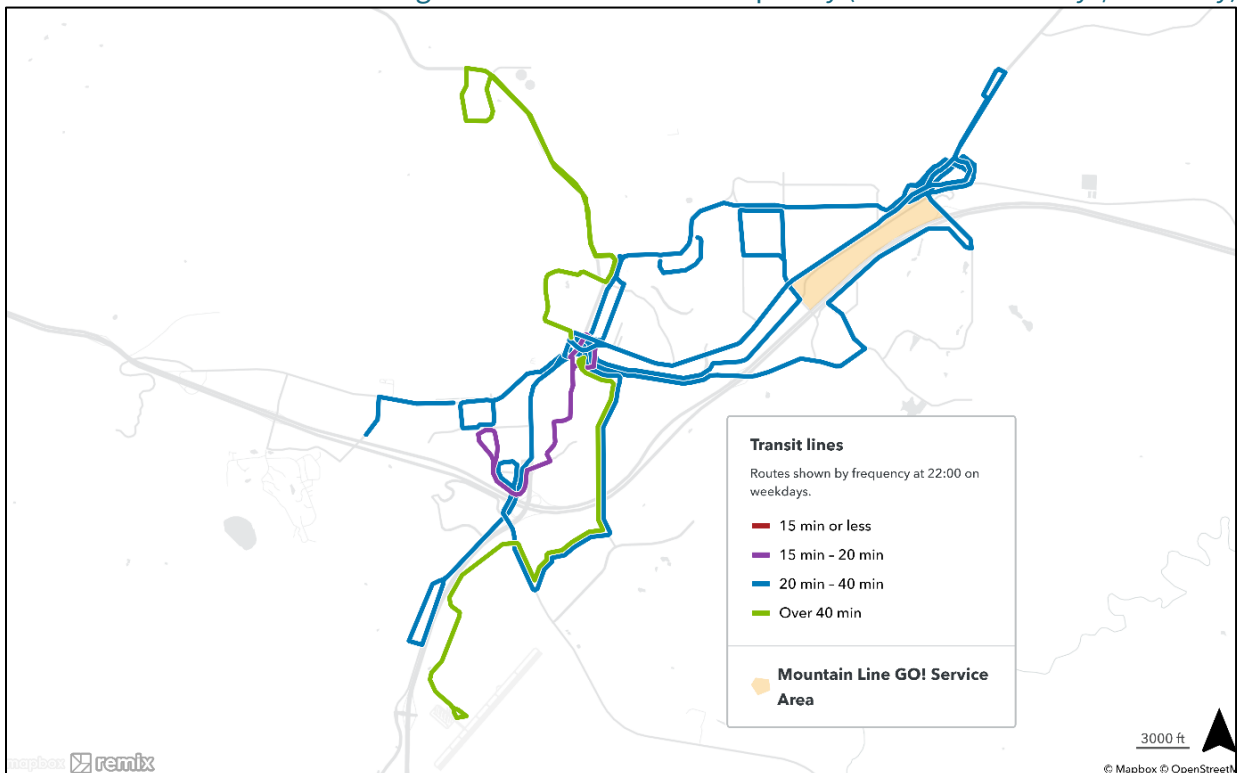


Figure 3b. Transit Vision frequency (10:00 PM weekdays/Saturday)



Figures 4a and 4b show how far someone at the Downtown Connection Center (DCC) can travel in 15 and 30 minutes at 12:00 PM (Figure 4a) and at 10:00 PM (Figure 4b) in the current bus system. Currently, no bus service is available at 10:00 PM, so Figure 4b shows the walking access from the DCC only.

Figure 5 shows how someone at the DCC can travel under the new Transit Vision. Riders can get farther in shorter amounts of time, reducing travel time and making transit a more attractive option. The expanded access is evident in the Transit Vision, giving people more freedom. The most dramatic difference is between Figure 4b and Figure 5, as the Transit Vision includes bus service until 12:00 AM, drastically increasing access for riders across Flagstaff and decreasing travel time.

Figure 4a. Current access at 12:00 PM weekdays

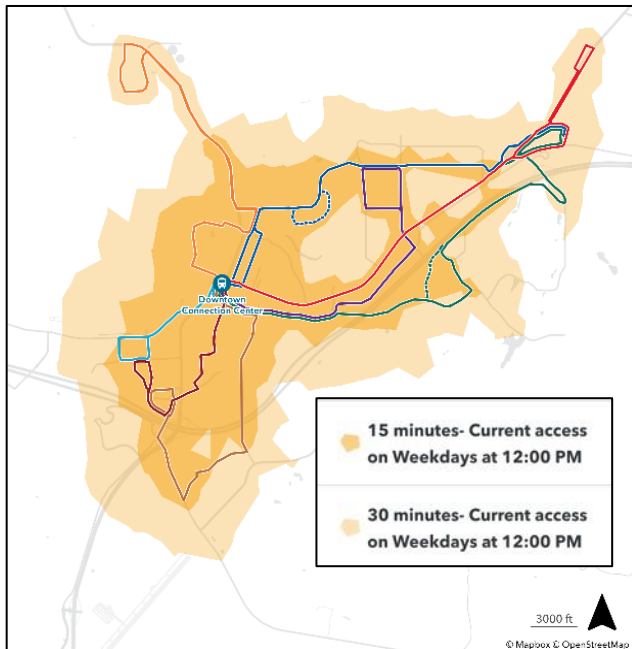


Figure 4b. Current access at 10:00 PM Saturday

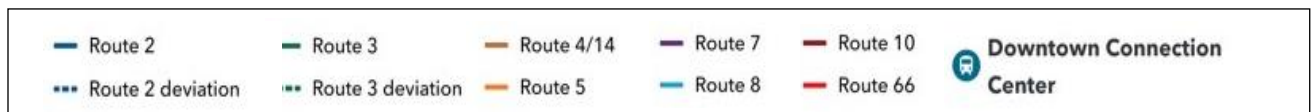
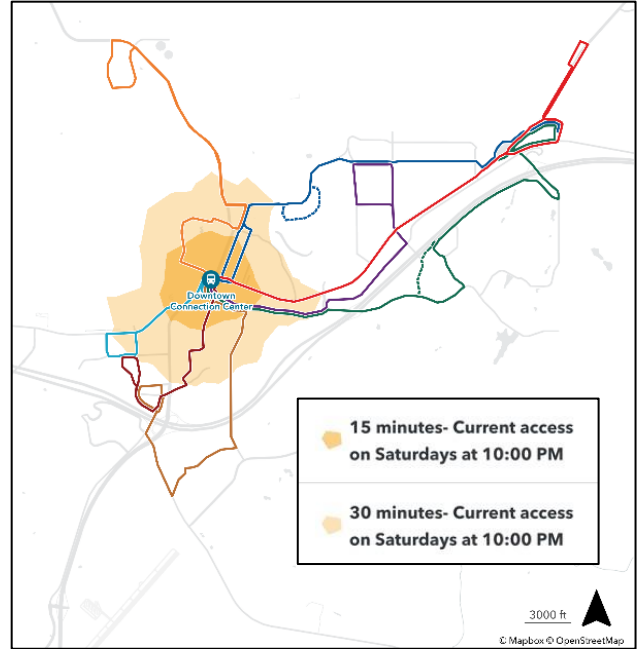
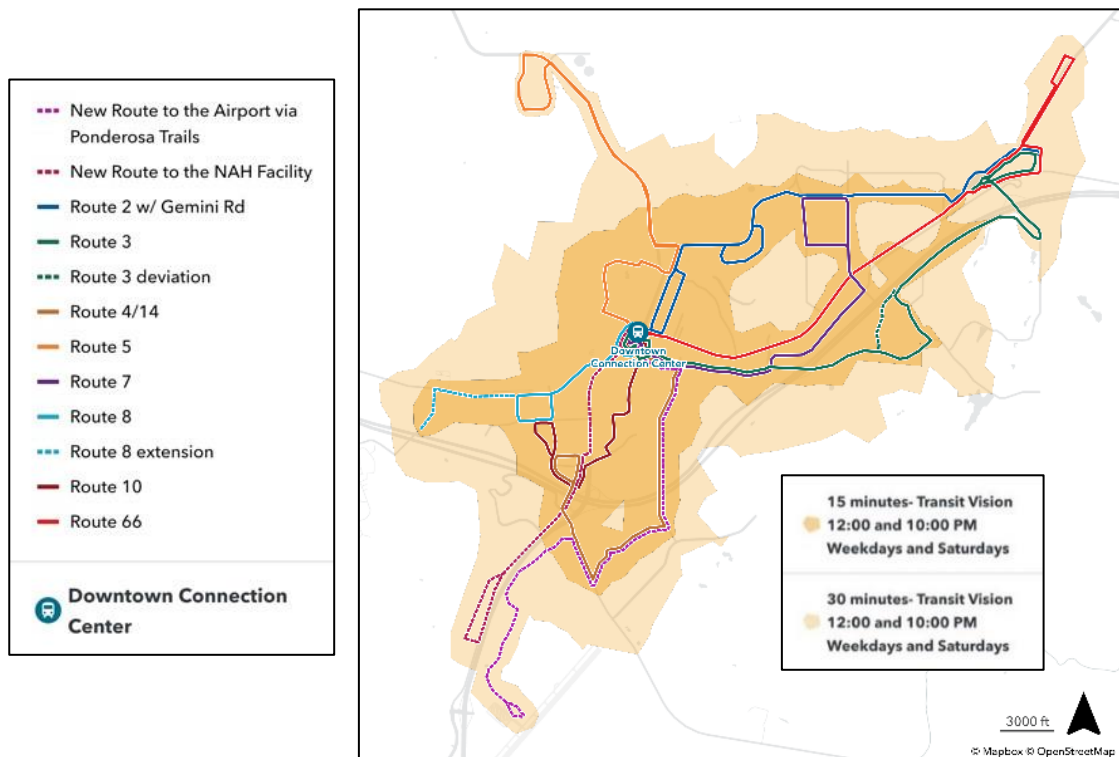


Figure 5. Transit Vision access at 12:00 PM and 10:00 PM weekdays/Saturday



II. HOW WE GOT HERE

Flagstaff in Motion is a Community Transit Plan (Plan) that identifies how best to provide and fund Mountain Line transit services. It captures known community transit needs for the next five years and prioritizes them into a list with recommendations to fund and implement. Two main goals guided the improvements selected for the Plan. The first goal was to target areas with the highest ridership potential. The second goal was to support transit dependent populations. Major considerations in the evaluation of prioritization were increased access and equity, and alignment with helping solve major community issues around affordability, climate action, housing, workforce shortage, and transportation infrastructure.

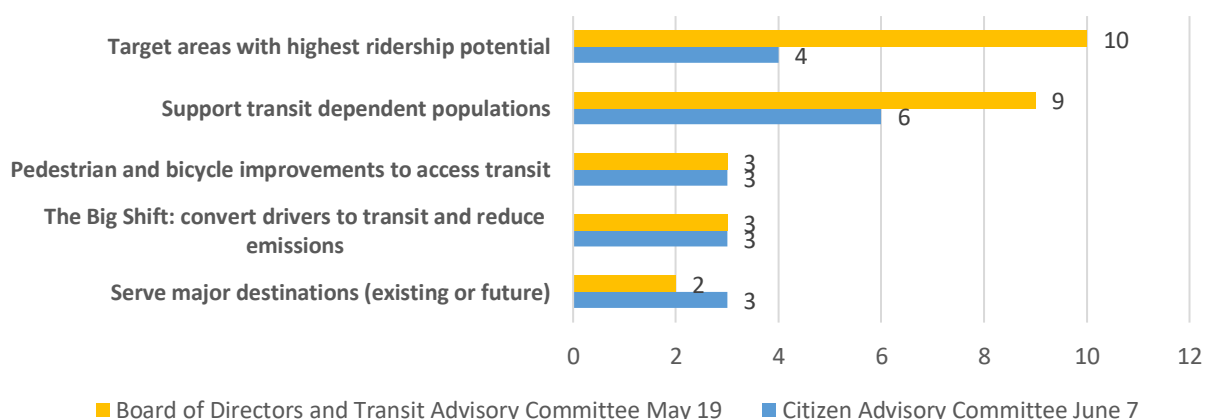
CITIZEN ADVISORY COMMITTEE

A Citizen Advisory Committee was formed for Flagstaff in Motion to collaborate with engaged citizens to create a community-driven plan that reflects the needs and priorities of Flagstaff. The 15 participants included transit riders, community leaders, and members of organizations whose mission overlaps with Mountain Line to ensure different views are represented in the decision-making process for this planning effort.

BOARD OF DIRECTORS AND CITIZEN ADVISORY COMMITTEE GOALS

Two main goals guided the improvements selected for the Plan, as seen in Figure 6. The first goal was to “Target areas with highest ridership potential.” The second goal was to “Support transit dependent populations.” These goals shaped the Evaluation Criteria and weighting used to develop a prioritized list of bus routes and Flagstaff neighborhoods, available in Appendices B and C, respectively.

Figure 6. Goals to guide Flagstaff in Motion



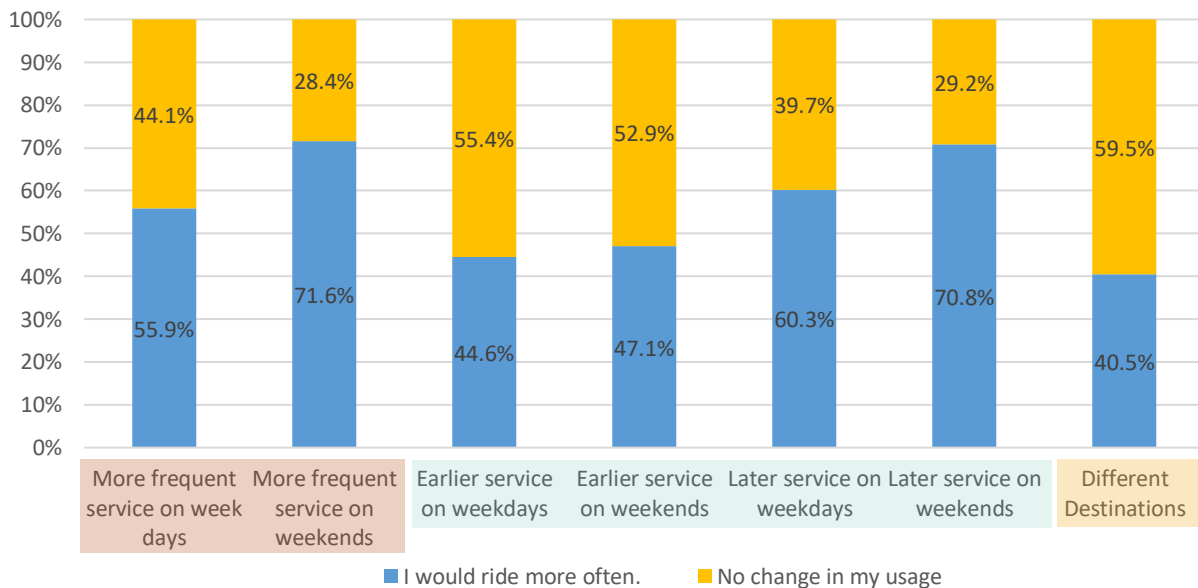
PUBLIC INPUT

Mountain Line regularly surveys riders and non-riders about what services would increase the likelihood of taking more bus trips. The top three requests for transit service improvements are:

- Coverage, or increasing bus service to areas not currently served¹;
- Frequency, or how often a bus arrives; and
- Span, or extending hours of service in the morning or night.

This is seen in the summary of public input in Figures 7a, 7b, and 7c, with coverage highlighted in yellow, frequency highlighted in orange, and span highlighted in blue. While these are the top three requests, other improvements are also requested, such as bus stop amenities, pedestrian and bicycle infrastructure, and electric buses. All suggestions, even if beyond the scope of Flagstaff in Motion, are considered and implemented if staff approve and the improvement is feasible within budgetary constraints.

Figure 7a. Onboard survey (2018) impact of improvements on ridership



¹ See Appendix D for more definitions of bus terminology used in the Plan.

Figure 7b. Never Rider survey (2019) service improvements

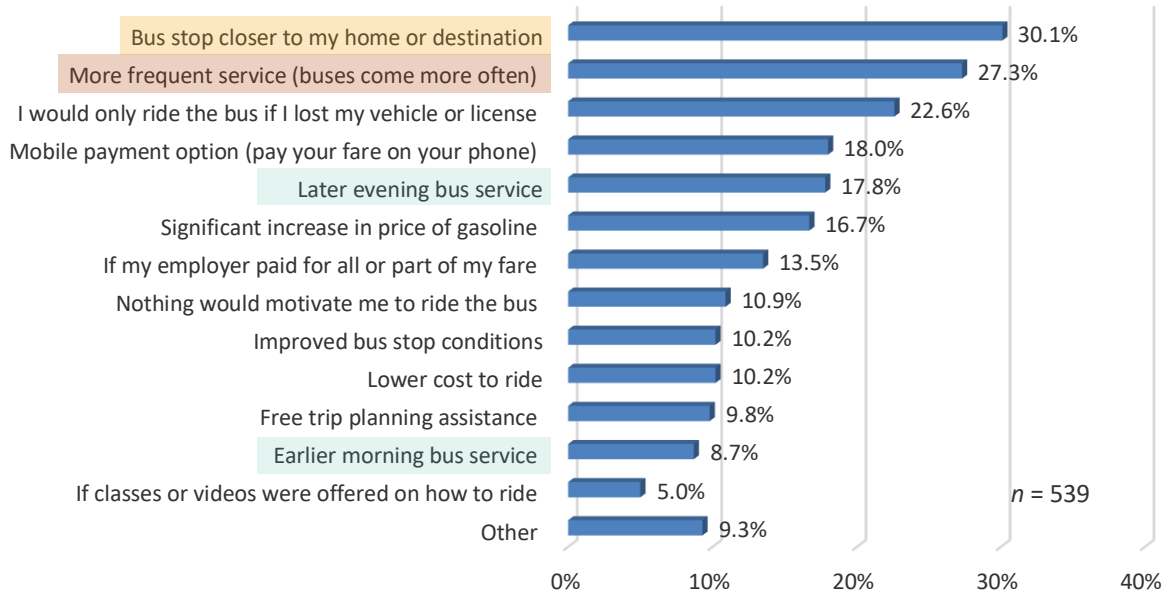
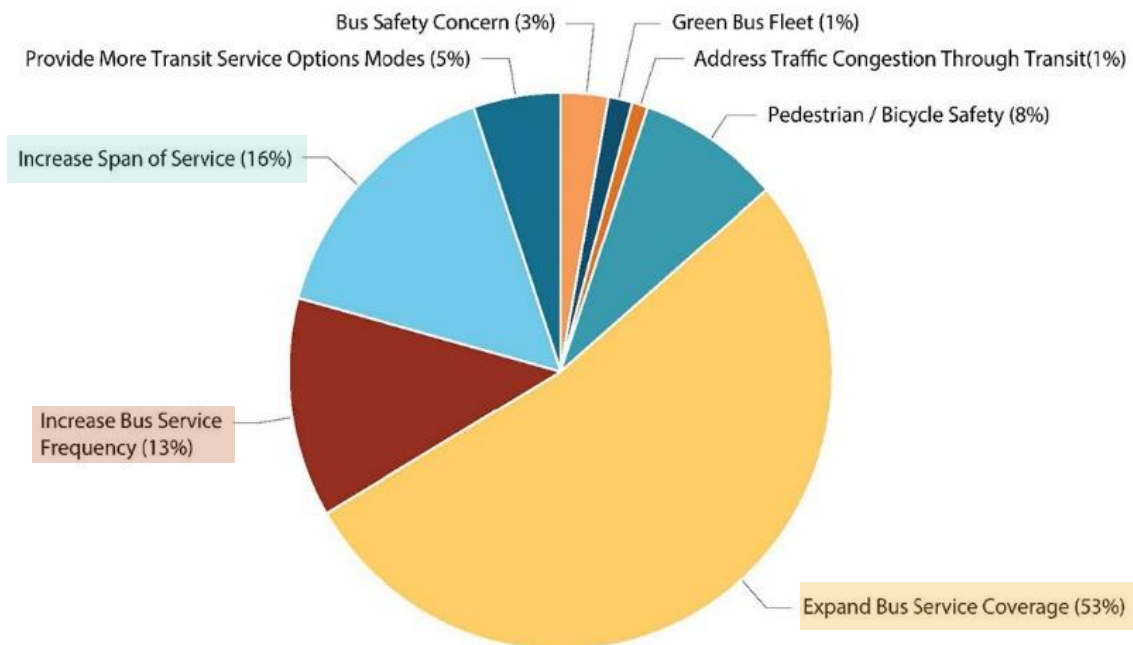


Figure 7c. Flagstaff in Motion (2021) service improvements



Mountain Line conducted an additional survey of riders as part of Flagstaff in Motion to get specific information about what days and hours riders wanted in these improvements. Figure 8 shows a summary of the survey results. When riders were asked to pick the one improvement most

Figure 8. Rider survey (2022) preferred improvements

Improvement		Rider Preference	Change from Current
Later service on Monday-Thursday		~ 12am	~ 11pm
Later service on Friday		~ 12am	~ 11pm
Later service on Saturday		~ 12am	~ 8pm
Later service on Sunday		~ 12am	~ 8pm
More frequent service Monday-Thursday		~ 9pm	~ 6pm
More frequent service on Friday		~ 9pm	~ 6pm
More frequent service on Saturday		More frequent	Most 60-minute frequency, 20/30/40-minute frequency
More frequent service on Sunday			

important to them, *more frequent service Monday through Thursday until 9:00 PM* was most requested. The next priorities, *later service on Monday through Thursday until 12 AM* and *later service on Saturday until 12 AM*, were nearly equally requested.

GUIDING PRINCIPLES FOR SUCCESSFUL TRANSIT

While not a part of the prioritization process, the transit service improvements outlined in Flagstaff in Motion are supported by industry trends, as documented in the National Association of City Transportation Officials (NACTO) Guiding Principles from its 2022 *Move! That! Bus!* report. These principles set a basic framework for consideration in developing a successful transit system.

1. TRANSIT IS A PUBLIC SERVICE, NOT A BUSINESS

Public transportation is an essential public service that everyone, transit rider or not, relies on and benefits from. Decision-makers should prioritize service quality and rider needs with the understanding that better service will bring in more riders and help them better meet city safety, accessibility, sustainability, and equity goals.



2. MORE FREQUENT BUS SERVICE MEANS MORE FREEDOM

Increasing bus frequency encourages more people to ride transit more often. Frequent, all-day service makes destinations more accessible, giving people the freedom to get where they need to go regardless of time of day.

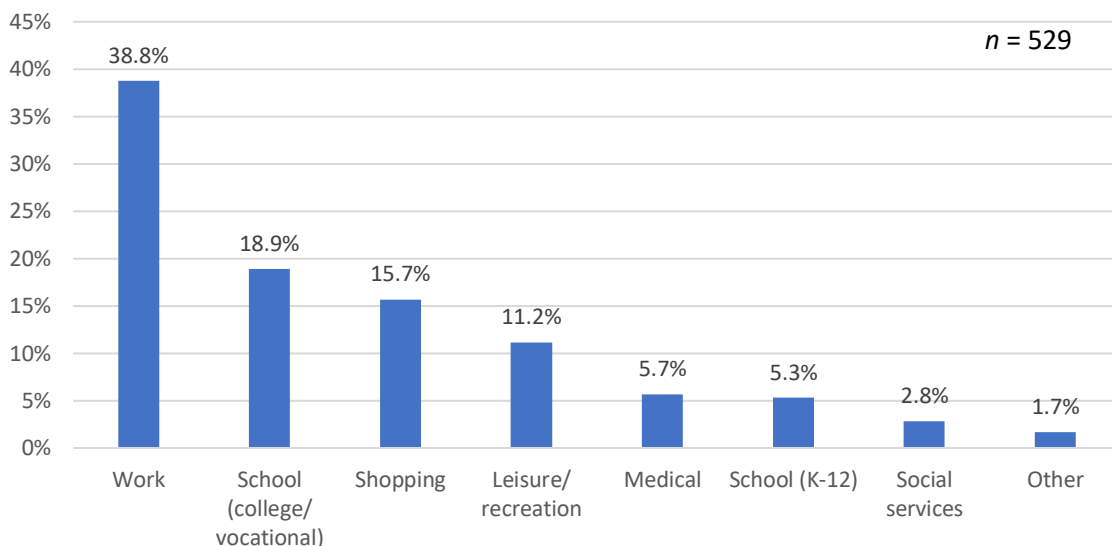


3. PEOPLE HAVE JOBS, LIVES, AND TRANSPORTATION NEEDS OUTSIDE OF 9-TO-5 OFFICE HOURS

While Figure 9 shows that the majority (57.7%) of trips that people make on Mountain Line buses are commute trips to work or school, increasing frequency and span of hours are essential to ensure transit gets people where they want to go outside the traditional 9-to-5 and support the service industry and third-shift employees for industries that operate 24 hours a day.



Figure 9. Rider survey (2022) trip purpose



4. STREETS THAT WORK FOR TRANSIT WORK BETTER FOR EVERYONE

Transit priority streets speed up bus service, making the bus more reliable, convenient, and accessible. They reduce conflicts between road users and are safer for people biking, walking, rolling, and driving. They're also proven to increase retail sales by increasing foot traffic and bringing in more customers. See the Transit Supportive Policies chapter for more ways Mountain Line hopes transit can work with its agency partners.



Rider and non-rider preferences align in the selection of transit service improvements seen in the Transit Vision.

III. RECOMMENDATIONS

Recommendations in this Plan are divided into two categories: Improve Access to the Existing Bus System and Transit Service Improvements.

IMPROVE ACCESS TO THE EXISTING BUS SYSTEM

The existing bus system is focused on the corridors with a high density of homes and jobs, so Mountain Line is already targeting the highest ridership areas. Therefore, improving access to this core network, also known as first- and last-mile improvements, will do the most to support high ridership. Figure 10 shows recommended methods to improve access, including bus stop additions, Kiss-and-Ride locations, bus treatments, enhanced pedestrian crossings and wayfinding, and E-bike and E-scooter share. These improvements are defined in the following sections and detailed in Appendix A.

Figure 10. Recommended improvements to access

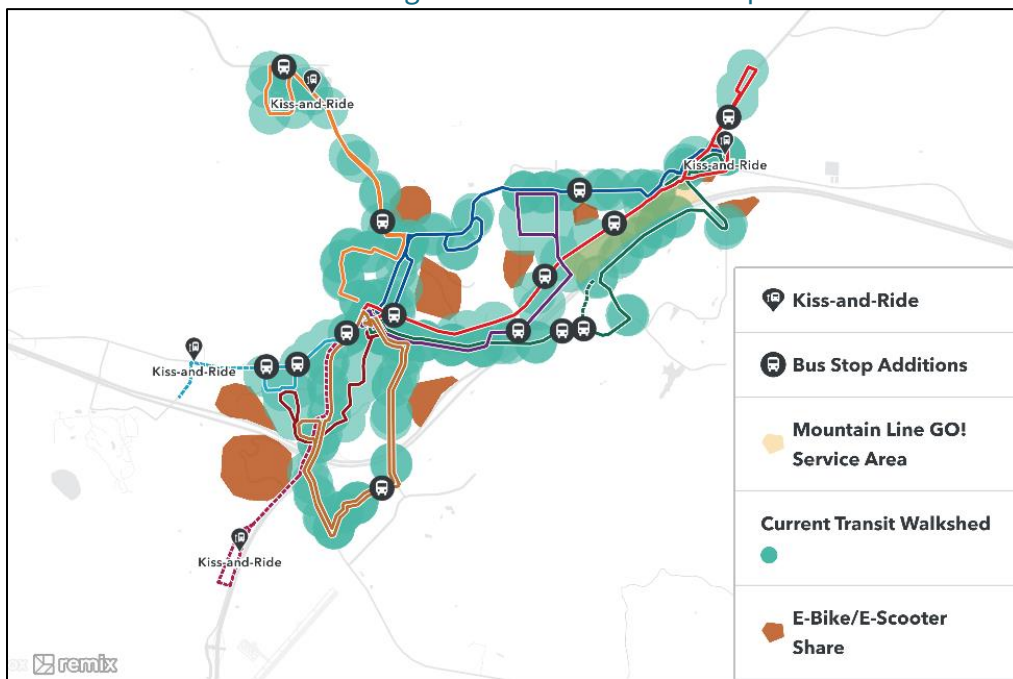
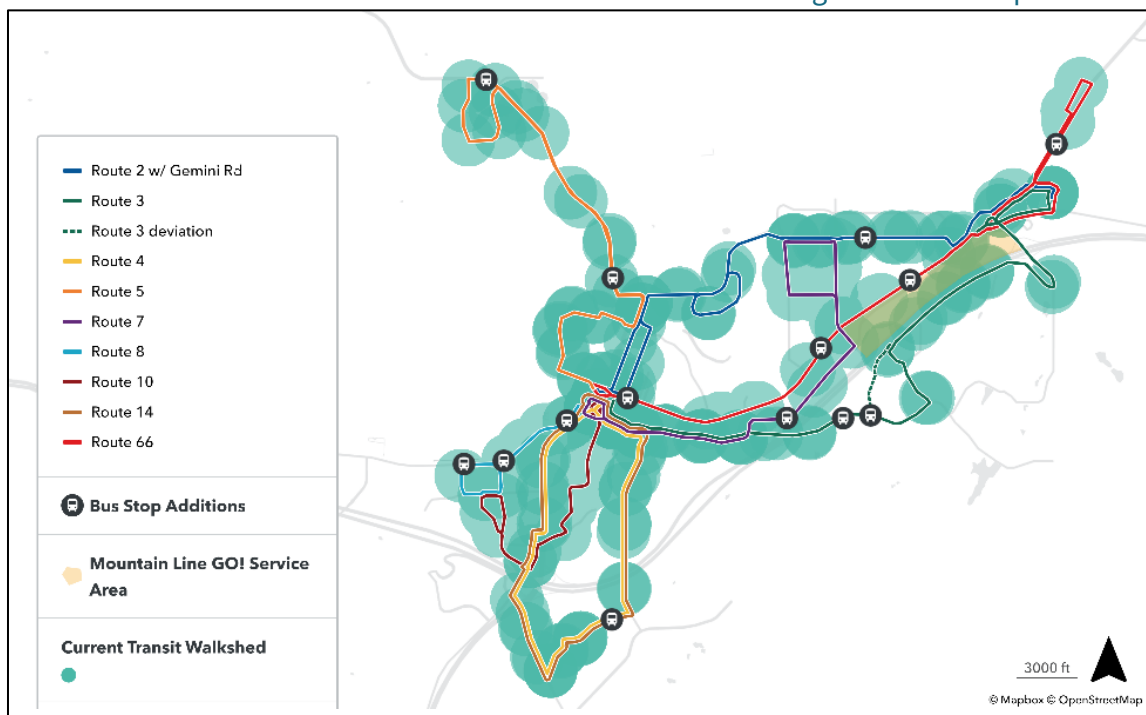


Figure 10 also shows the transit walkshed as a shaded area around bus routes. The shading extends ¼ mile around bus stops on the road network, which is the industry standard distance a person will walk to access a bus stop. Excellent pedestrian and bicycle facilities around bus stops can increase that distance to ½ mile and 3 miles, respectively. The adopted Flagstaff Active Transportation Master Plan (ATMP) include improvements identified by Mountain Line to address deficiencies in accessing bus stops.

BUS STOP ADDITIONS

You can see gaps in the transit walkshed shown in Figure 10, and the Plan identifies 21 bus stop additions to improve access to the existing bus system, listed in Appendix A. When roads are not in a grid, people often have to walk longer distances to access bus stops, sometimes to the point that using transit is no longer feasible. These bus stop additions are meant to improve access to Flagstaff neighborhoods, and some of them have been identified in partner agency projects for years, such as new stops on Route 3 added as part of the City of Flagstaff’s Butler Avenue and Fourth Street Project. Implementation of each bus stop is not guaranteed and may change as opportunities and challenges arise.

Figure 11. Bus stop additions



Please note some bus stop additions may require an enhanced pedestrian crossing, which requires agency partners to implement and manage. Anticipated locations have been added to the Pedestrian and Bicycle list under Infrastructure.

KISS-AND-RIDE

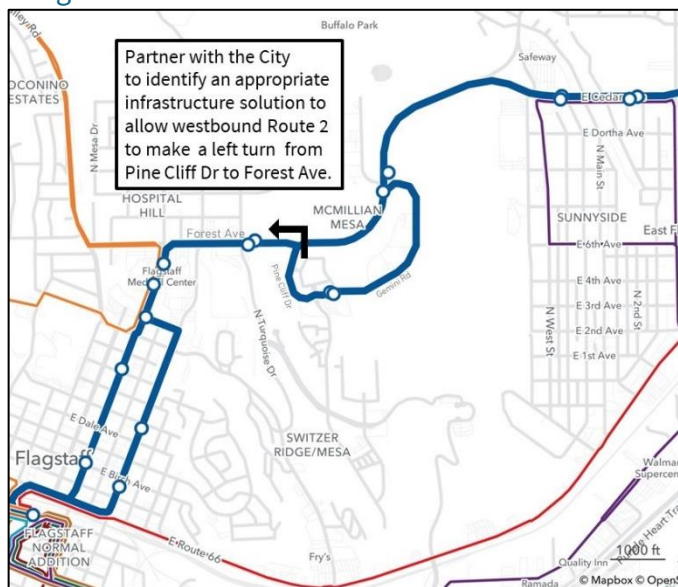
Kiss-and-Ride locations would give people living outside of Flagstaff (Bellemont, Doney Park, Fort Valley, Kachina Village, and Mountainaire) a way to utilize the bus system. Kiss-and-Ride locations identified in the map are representative, as they assume extension of Route 8 and a new route to the NAH facility. This would require infrastructure improvements to support a space for passenger cars to temporarily park to drop people off near a bus stop, enabling them to continue their trip for the day by bus. Other ways to support communities outside of Flagstaff city limits are discussed in the Other Improvements to Consider section of this Plan.

BUS TREATMENT FOR THE FOREST AVE AND GEMINI RD INTERSECTION

Route 2 currently serves Gemini Rd, shown in Figure 12, once in the morning and once in the afternoon, Monday through Friday, when school is in session. Mountain Line recognizes the current transit needs of the youth, seniors, veterans, and residents in the McMillan Mesa neighborhood support regular service and have identified an infrastructure solution is needed to enable regular bus service to this neighborhood. Mountain Line will partner with the City of Flagstaff to seek grant funding for planning of the appropriate bus treatment for the intersection, then seek design and construction grant funding. Serving

Gemini Road on every trip heading east and west, every day, would require one-time capital funding and no additional annual funding. However, the timeline for this required infrastructure improvement is unknown and likely many years out.

Figure 12. Forest Ave and Gemini Rd bus treatment



ENHANCED PEDESTRIAN CROSSINGS AND WAYFINDING

Mountain Line fully supports Flagstaff's Active Transportation Master Plan (ATMP) to support access to bus stops with infrastructure improvements like enhanced pedestrian crossings, sidewalks, and bike lanes. However, the locations identified below are specific barriers to accessing bus stops and Mountain Line identifies these as high priority.

Some bus stop additions may also require enhanced pedestrian crossings to enable implementation per agency partners' engineering criteria. They may also require warrants or thresholds to be met, which was not vetted through this Plan. Additional consideration is needed on how pedestrian crossings get funded, built, and who is responsible for ongoing maintenance associated with them. Whether they should be part of a future funding tax question or not is still to be determined.

Many of these pedestrian and bicycle improvements are identified as needs in the Arizona Department of Transportation (ADOT) Milton Road and US 180 Corridor Master Plans.

The wayfinding/signage/marketing of connections to transit is a communications strategy. For example, there is good infrastructure to get from the University Heights neighborhood to Route 10 bus stops in Woodlands Village and it is a reasonably short distance to travel by foot or bike. The missing piece may be ensuring the public recognizes this strong connection to transit to improve access for the University Heights area.

Figure 13. Enhanced pedestrian crossing and wayfinding recommendations

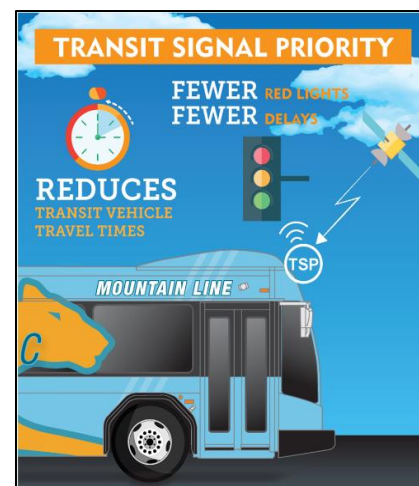
Route	Bike/Ped Improvements	Quantity
2	Cedar Ave <ul style="list-style-type: none"> near Aris St near East St 	2
3	Solier Ave <ul style="list-style-type: none"> Fox Lair Dr west Fox Lair Dr east Elk Run St Butterfield Apartments Timberline Place 	5
4/14	Per ADOT Corridor Master Plan on Milton Rd <ul style="list-style-type: none"> Starbucks Lake Mary Rd <ul style="list-style-type: none"> near Mohawk Dr near Walapai Dr 	5
5	Per ADOT US180 Corridor Master Plan on US 180 <ul style="list-style-type: none"> near Forest Ave near Meade Ln near Whipple Rd 	3
7	Huntington Ave near Grant St	1
8	W Historic Route 66, exact locations of crossings in to be identified in a future corridor master plan <ul style="list-style-type: none"> near Railroad Springs Blvd near Northwestern St near Woody Mountain Rd 	3
10	Wayfinding/signage/marketing of ped/bike connections to transit in University Heights neighborhood	N/A
66	US 89 at Snowflake Dr/Trails End Dr (Sacred Peaks Health Center)	1
All	Milton Rd at Phoenix Ave (requires a traffic signal)	1

TRANSIT SIGNAL PRIORITY

Transit Signal Priority (TSP) lets buses move through congested areas faster and makes riding the bus more attractive, as shown in Figure 14. The Mountain Line Strategic Investment Plan (SIP) identified the intersections that are currently congested, impacting on-time performance and reliability of service for riders. As traffic grows, congestion will only increase, further delaying transit to the point where Mountain Line would need to add additional buses to service to maintain current frequencies.

See Appendix A for SIP recommendations for consideration of TSP treatment.

Figure 14. TSP benefits



E-BIKE & E-SCOOTER SHARE

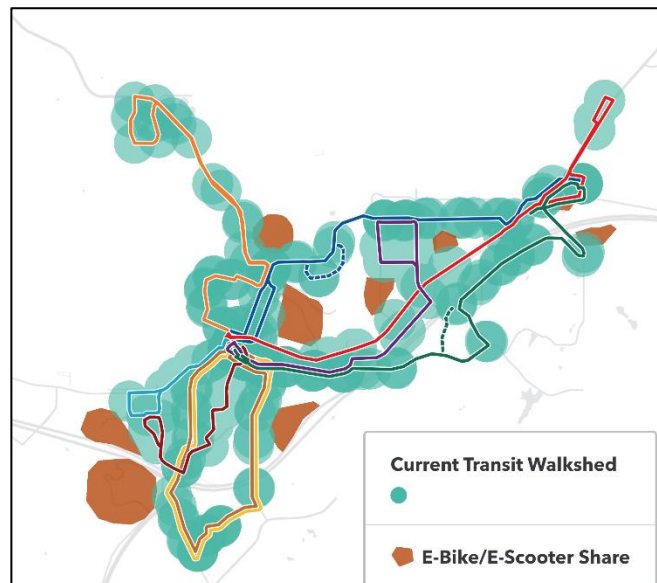
E-bike and E-scooter shares are affordably priced short-term rentals that would be stationed at hubs around Flagstaff, as pictured in the example in Figure 15. This is a great first- and last-mile solution to access transit and is utilized in many cities around the world. The City of Flagstaff and Northern Arizona University (NAU) are in the process of contracting with an E-bike or E-scooter share vendor to implement sharing hubs around town. Mountain Line has identified a few neighborhoods that make sense for an E-bike or E-scooter share to fill first- and last-mile connections to bus stops and would work with the City's vendor to suggest some hub locations. These include but are not limited to:

- Boulder Point
- University Heights
- Pine Knoll/Rio Homes
- Switzer Canyon
- Sunnyside
- Lower Greenlaw
- Boulder Ridge
- Purina Factory
- W.L. Gore & Associates (Fourth St. and Woody Mountain facilities)

Figure 15. Shared E-bikes and E-scooters



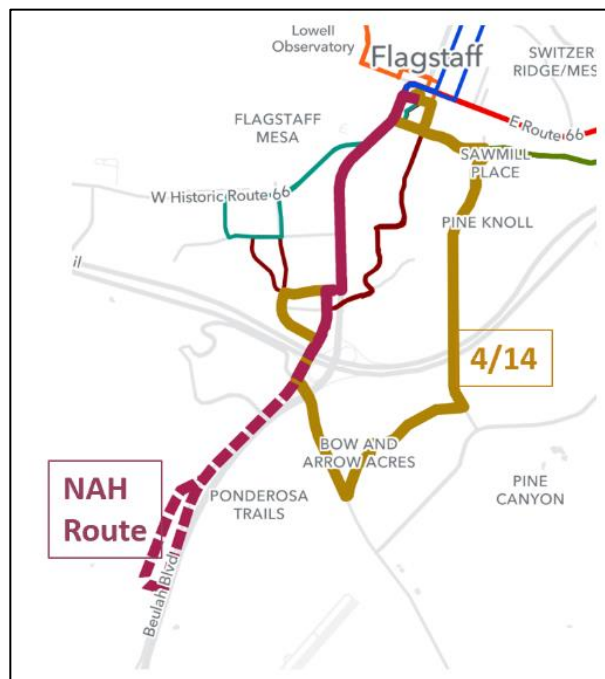
Figure 16. E-bike and E-scooter share locations



TRANSIT SERVICE IMPROVEMENTS

NEW BUS ROUTE TO THE RELOCATED NORTHERN ARIZONA HEALTHCARE FACILITY

At the time of publication, the current Northern Arizona Healthcare (NAH) major medical facility was applying for City permitting for relocation on Beulah Blvd near Fort Tuthill. This location is 1.5 miles south of existing transit service and in an undeveloped part of town with few nearby destinations that support transit service. The current location of the NAH facility is on Beaver Street and has excellent bus service with 15-minute frequency from Routes 2 and 5. Ridership at the two stops adjacent to this facility is in our top quartile with a typical combined 245 boardings and alightings each day pre-COVID. Similar or higher ridership is anticipated at the new location, as people who walk and bike to the current NAH facility will no longer have that option and will likely take transit instead of a personal vehicle.



The new bus route to NAH on Beulah Blvd is not prioritized but rather an assumed community necessity and to be funded as a part of the Transit Vision. The Mountain Line Board of Directors has identified transit service to the regional healthcare provider and the largest employer in the Flagstaff area is critical for community equity. Mountain Line does not recommend reducing current bus service and redirecting funding to add a new bus route to NAH.

Annual Operations Cost	\$870,942
<i>New route to NAH facility</i>	<i>\$1,264,113</i>
<i>Cost savings to combine 4/14</i>	<i>-\$393,171</i>
Annual Ridership	353,343
Capital Impact	Yes
Paratransit Impact	Yes

PRIORITIZED TRANSIT SERVICE IMPROVEMENTS OF THE TRANSIT VISION

The Transit Vision improvements listed below represent Mountain Line's priorities, in order. The annual operational cost to implement all of the improvements is a 77% increase, or \$5.8 million dollars, over current bus system expenses. This increase may exceed the reasonable amount of funding for voters to approve for funding. Therefore, additional consideration is needed on what the appropriate amount to increase is, and potential refinements to the improvements to be

funded in the available amount. Please note each improvement is cumulative of all previously listed improvements; if there is modification to the order then the cost and ridership impacts would need to be adjusted.

Transit Service Evaluation Criteria	
<i>Each transit improvement is described below using the following metrics:</i>	
COSTS	Costs are in FY 2023 dollars and estimated for direct operations using revenue hours and miles. Direct Cost is inclusive of fixed direct (HR staff, office supplies) and variable direct (fuel, mechanics, operators).
RIDERSHIP	Ridership is estimated using Mountain Line data and applying a percent change to FY 2019/pre-COVID boarding data. These are estimates and not a prediction, as travel patterns shift with service changes and do not account for cumulative impacts of transit service improvements.
CAPITAL IMPACT	Capital Impact lists improvements needed to support the operations, if any. These could include bus stop additions, improvements to access bus stops, roadway bus treatment, or transit signal priority and are described in the Capital Improvements section. Cost estimates for all capital improvements are included in Appendix A.
PARATRANSIT IMPACT	Paratransit Impact identifies if the improvement triggers a change to the current Americans with Disabilities Act (ADA) paratransit service area. Paratransit is an on-demand service with unpredictable ridership patterns. Therefore, total ridership and costs are not estimated within this plan. Mountain Line provides ADA Paratransit service around ¾ mile of all fixed-route service, per the requirements of the Federal Transit Administrations, and provides ADA Plus paratransit service to Flagstaff city limits. Typically, it is assumed that changes to the paratransit service area will introduce additional costs. However, as all transit service improvements are within Flagstaff city limits (the area already served), paratransit ridership may not increase because these areas may not see an increase in demand. It should be noted that fare revenue from paratransit trips will likely decrease as ADA Plus trips are replaced with ADA Paratransit, as ADA Paratransit has a lower fare. Impacted areas will have people transitioning from ADA Plus to regular ADA; however, some people on ADA Plus may now be able to use the fixed-route bus.

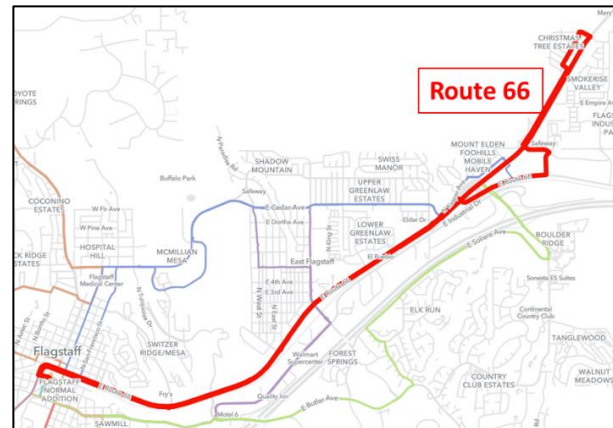
In addition to operating funds needed for these Transit Service Improvements, funding will be needed for capital improvements (buses, bus stops, and access to bus stops) to support some of these transit service improvements. See Appendix A for operations and capital costs in Fiscal Year 2023 dollars; additional consideration is needed to account for cost escalation and implementation timeline.

Route 66 Frequency

#1

Increase peak frequency Monday through Friday to 20 minutes. Route 66 is currently at 30 minutes.

Annual Operations Cost	\$314,022
Annual Ridership	51,107
Capital Impact	Yes
Paratransit Impact	No



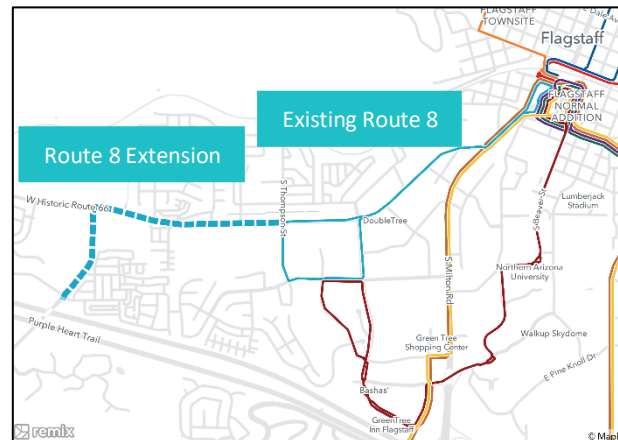
Route 8 Extension

#2

Extend Route 8 to Woody Mountain Rd roundabout, maintain existing peak frequency of 30 minutes and improve off-peak to 30 minutes.

Route 8 currently interlines with Route 7 during weekday evenings, weekends, and holidays. Extending Route 8 would require a dedicated bus during the off-peak period that it currently shares with Route 7. An additional impact would result in off-peak frequency on Route 7 increasing to 40 minutes (it is currently at a 60-minute frequency).

Annual Operations Cost	\$278,196
Annual Ridership	65,981
Capital Impact	Yes
Paratransit Impact	Yes

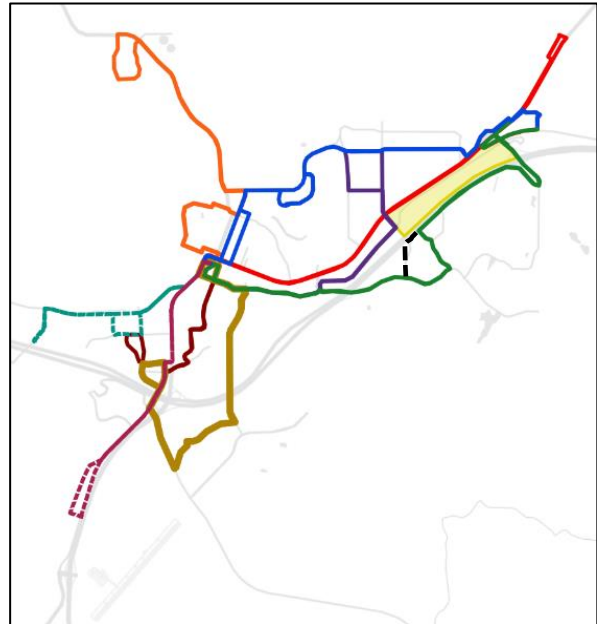


12:00 AM Service End

#3

End bus service around 12:00 AM Monday through Saturday (Sunday ends at current time of 8:00 PM).

Mountain Line bus service currently ends around 10:00 PM Monday through Friday and around 8:00 PM on weekends and holidays. This improvement originally applied to all seven days of the week, but riders ranked late night service on Sunday as lower priority than other days of the week. Additional consideration may be needed on whether the 8:00 PM service end on Sunday should be extended. Based on available funding, certain routes may be prioritized for this improvement.

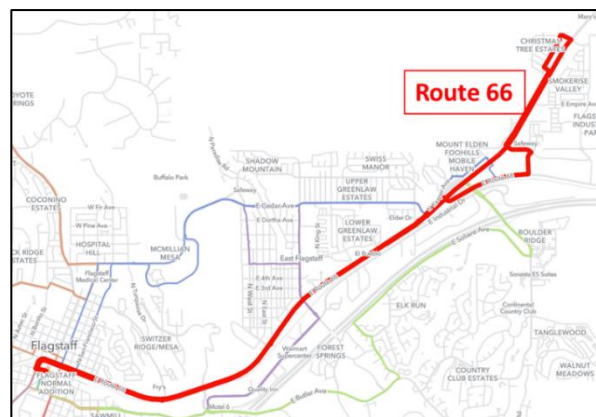


Annual Operations Cost	\$1,087,300
Annual Ridership	40,939
Capital Impact	No
Paratransit Impact	Yes

Route 66 Frequency

#4

Increase frequency to 30 minutes during the evening Monday through Friday. Route 66 is currently 60 minutes during this off-peak period from about 6:00 to 10:00 PM.

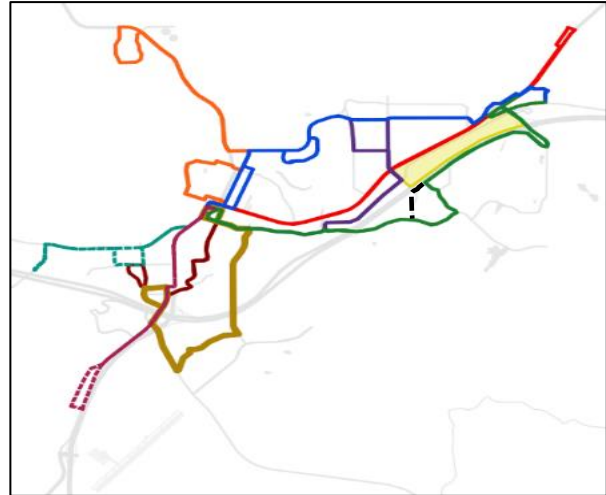


Annual Operations Cost	\$143,841
Annual Ridership	25,897
Capital Impact	No
Paratransit Impact	No

Increase Saturday Service: Match Weekday Frequency and Span

#5

Saturday schedules would now match weekday service for each route, so for Route 5 that only means extending hours as it operates at a 60-minute frequency at this point in the cumulative improvements. This means doubling frequency during peak period to 20- or 30-minute frequency (most routes currently have 60-minute frequency on Saturday) and extending hours in the morning and evening. Saturday service would start around 6:00 AM and end around 12:00 AM (midnight); currently Saturday service starts around 7:00 AM and ends around 8:00 PM.

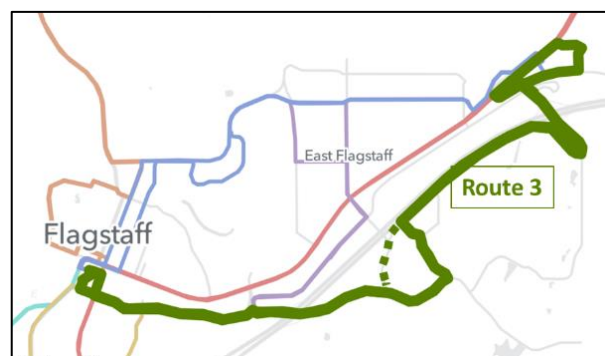


Annual Operations Cost	\$754,994
Annual Ridership	248,091
Capital Impact	No
Paratransit Impact	Yes

Route 3 Frequency

#6

Increase Route 3 peak frequency to 20 minutes from about 6:00 AM to 6:00 PM, Monday through Saturday. Currently Route 3 has 30-minute peak frequency.

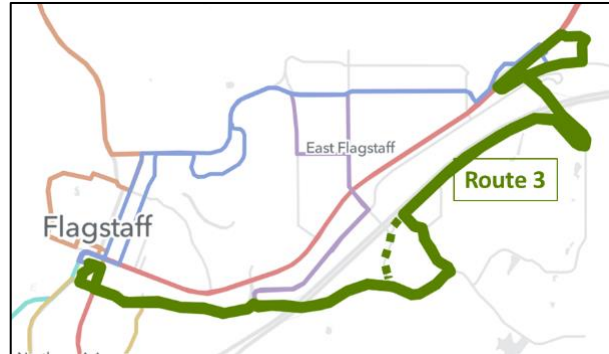


Annual Operations Cost	\$323,128
Annual Ridership	33,619
Capital Impact	Yes
Paratransit Impact	No

Route 3 Frequency

#7

Increase Route 3 off-peak frequency to 30 minutes during evenings Monday through Saturday. Currently Route 3 has a 60-minute frequency, which would remain on Sundays.

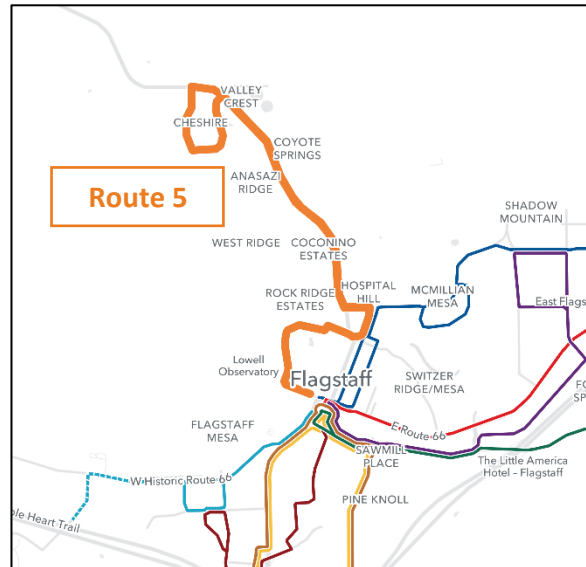


Annual Operations Cost	\$190,576
Annual Ridership	17,035
Capital Impact	Yes
Paratransit Impact	No

Route 5 Frequency

#8

Increase Route 5 peak frequency to 30 minutes Monday through Saturday, 6:00 AM to 6:00 PM. Route 5 currently operates at a 60-minute frequency and does not have peak service. Route 5 has the lowest riders per hour in the Mountain Line system, likely due to infrequent service that is difficult to use.



Annual Operations Cost	\$291,286
Annual Ridership	15,789
Capital Impact	Yes
Paratransit Impact	No

Peak Extended to 9:00 PM

#9

Peak service, or the span of hours that Mountain Line operates at the highest frequency, currently starts around 6:00 AM and ends around 6:00 PM Monday through Friday. Extending peak service to 9:00 PM would achieve two guiding principles: frequency is freedom and people don't live 9-to-5 lives. With the preceding transit improvement that Saturday match weekday frequency and span, this improvement is assumed to apply to Saturday.

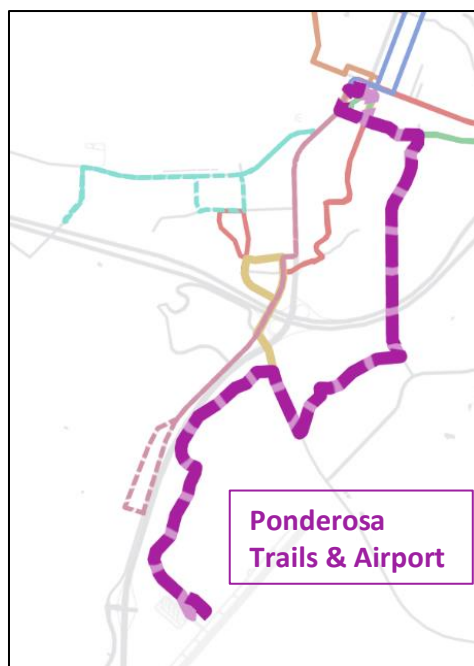


Annual Operations Cost	\$551,777
Annual Ridership	124,005
Capital Impact	No
Paratransit Impact	No

New Route to Airport via Ponderosa Trails

#10

A new bus route is proposed to extend into the Ponderosa Trails neighborhood to the Flagstaff Pulliam Airport, operating seven days a week every 60 minutes. This route would interline with Route 4/14, hence the alignment on Lone Tree Rd and Lake Mary Rd. The Ponderosa Trails bus route would match service hours in the system, assumed to be until 12:00 AM Monday through Saturday.



Annual Operations Cost	\$651,310
Annual Ridership	75,762
Capital Impact	Yes
Paratransit Impact	Yes

Late-Night Taxi Partnership Friday & Saturday 12:00 AM to 2:30 AM

#11

Keep the end of transit service at 12:00 AM and add Transportation Network Company (TNC) partnerships to support trips between the end of service and 2:30 AM on Friday and Saturday.



Service would be eligible for transit riders only, as fare is subsidized and assumed to be equal to that of a one-way bus fare (\$1.25). Additional consideration is needed on the actual end time of service as there is an unquantified transit need for third-shift workers from 2:30 to 6:00 AM, the ability of local TNCs to fulfill trip requests, and fare policy for this service.

Annual Operations Cost	\$324,576
Annual Ridership	20,286
Capital Impact	No
Paratransit Impact	No

PERMANENT TRANSIT NETWORK

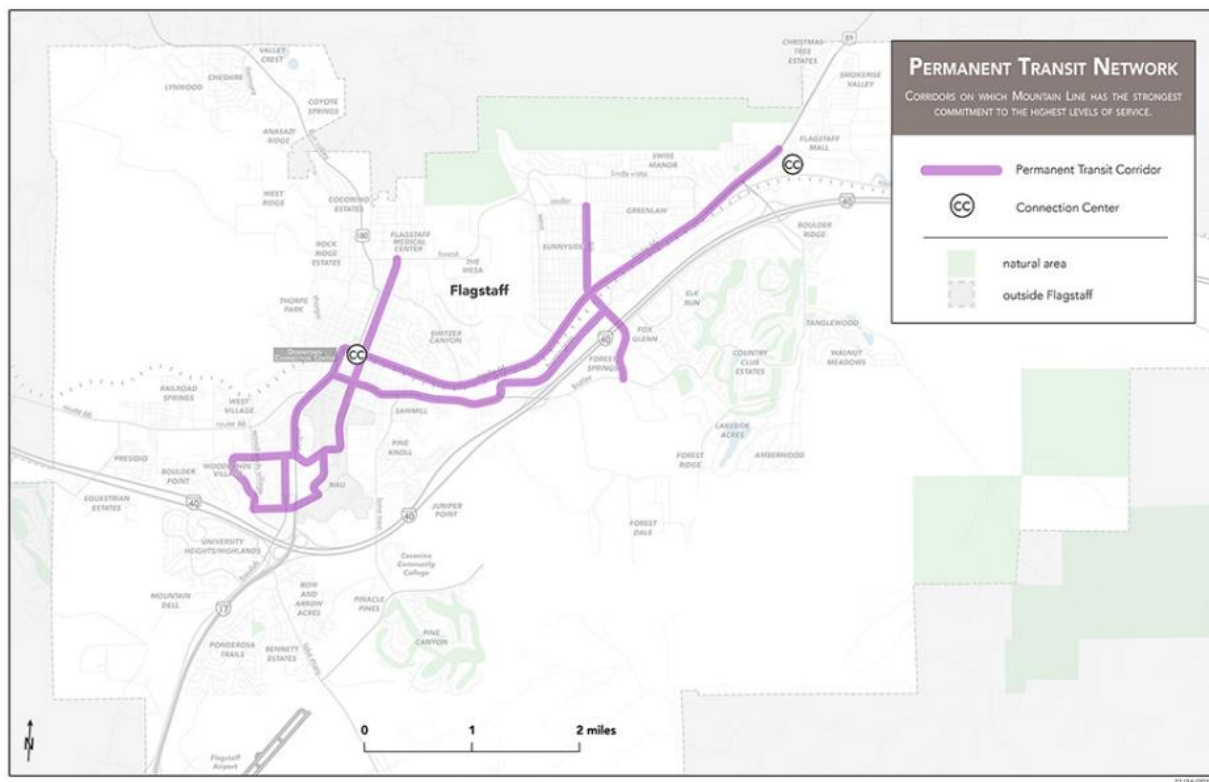
While the recommended Transit Service Improvements above are an ambitious Plan to make transit an attractive mode choice in the community, the Permanent Transit Network continues to plan a vital role. As part of the previous Five-Year Plan, Mountain Line and its partners identified a set of corridors on which the agency can make the strongest commitment to service. Figure 17 shows these corridors highlighted in purple.

The Permanent Transit Network is Mountain Line's contribution to the ongoing conversation among transit planners, land-use planners, developers, and private organizations about how and where the city should have Transit Oriented Development. Development, street improvements, and transit priority projects on these corridors will do the most to help Mountain Line deliver efficient and high-ridership service in the future.

A number of other organizations have a role to play in the success of the transit network and are likely to find that their own transit-related goals are more successful once they take into account the Permanent Transit Network. These organizations will have an opportunity to refine their policies, practices, and regulations now that Mountain Line has defined the Permanent Transit Network. These include the City of Flagstaff, Arizona Department of Transportation, large institutions like

Northern Arizona University and healthcare providers, real estate developers, and MetroPlan.

Figure 17. Permanent Transit Network



FINANCIAL IMPACT

The annual operations cost of the Transit Vision is an average of \$14.4 million each year, representing a 100% increase of the current transit sales tax. This value does not include cost escalation.

Total capital costs to support the Transit Vision are \$25.9 million, not including cost escalation. This figure does not include current operations, projects in the FY 2023 Financial Plan including fleet replacement and the Downtown Connection Center, or future facility projects such as the Kaspar Headquarters Master Plan. Capital improvements would be implemented over 10 years and are dependent upon federal and other funding. Historically Mountain Line has received federal funds to offset the local share and anticipate keeping the local share at 20% of the total cost. See Appendix A for all cost details.

HOW DO WE FUND THIS / REVENUE SOURCES AND AMOUNTS

Mountain Line explored many funding options, as shown in Figure 18. The various revenue sources were evaluated against four factors: Yield, equity, administrative, and legal (detailed below).

Evaluation Factors	
Yield:	Annual revenue, stability
Equity:	Impact on low-income households
Administrative:	Collection mechanism already in place, difficulty
Legal:	Action required by state legislature, by local government, by voter approval

Figure 18. Revenue sources and amounts

Type	Revenue Source	Yield	Equity	Admin	Legal
Broad-based taxes	<ul style="list-style-type: none"> Sales Tax* Property Tax Employer-Paid Payroll Tax Second Home Property Tax 	<ul style="list-style-type: none"> High High Medium Medium 	<ul style="list-style-type: none"> Low Medium High High 	<ul style="list-style-type: none"> High High Medium High 	<ul style="list-style-type: none"> Medium Medium Low Medium
Federal Grants	<ul style="list-style-type: none"> Formula (FTA Section 5307, 5310)* Discretionary (RAISE, LowNo grants)* 	<ul style="list-style-type: none"> Medium High 	<ul style="list-style-type: none"> High High 	<ul style="list-style-type: none"> High High 	<ul style="list-style-type: none"> High High
Fare Revenue	<ul style="list-style-type: none"> General Fare Revenue* NAU & CCC uPass ecoPass* 	<ul style="list-style-type: none"> Low Medium Medium 	<ul style="list-style-type: none"> Medium High High 	<ul style="list-style-type: none"> High High High 	<ul style="list-style-type: none"> Medium Medium Medium
Transportation-related taxes and fees	<ul style="list-style-type: none"> Vehicle-Miles Traveled (VMT) Tax Vehicle Registration Fee Transportation Network Provider Tax Rental Car Tax 	<ul style="list-style-type: none"> High High Low Low 	<ul style="list-style-type: none"> Medium Medium Medium High 	<ul style="list-style-type: none"> Low High Low Low 	<ul style="list-style-type: none"> Low High Low Low
Other	<ul style="list-style-type: none"> Climate Action Fee/Tax Marijuana Sales 	<ul style="list-style-type: none"> Low Low 	<ul style="list-style-type: none"> Medium Medium 	<ul style="list-style-type: none"> Low Medium 	<ul style="list-style-type: none"> Low Medium
Value Capture	<ul style="list-style-type: none"> Developer Fee Transportation Utility Fee (TUF) 	<ul style="list-style-type: none"> Low Low 	<ul style="list-style-type: none"> Medium Medium 	<ul style="list-style-type: none"> Low Low 	<ul style="list-style-type: none"> Low Low

* Existing funding source

Based on the revenue amount Mountain Line could generate from the various sources, consensus was to keep funding simple. Therefore, this Plan's recommendation is to seek an increase in the dedicated transit sales tax to be the majority of revenue, and also diversify funding with other non-local sources including State of Arizona funding and public and private partnerships to achieve operations and capital needs. Additionally, Mountain Line's 2020-2025 Strategic Plan includes the Fiscal Responsibility objective to diversify funding sources to reduce dependency on federal funding for ongoing operations.

Ultimately, including one or more transit ballot questions to increase the transit sales tax is determined by the City of Flagstaff. Mountain Line intends to make a recommendation to the City regarding potential transit tax increases for the November 2024 ballot, but it is the City Council's choice what and if it goes on the ballot.

Mountain Line's main local funding source is currently the City of Flagstaff dedicated transit sales tax, whose existence and amount allocated is determined by voting residents who are registered within Flagstaff City limits. As transit service improvements beyond the city limits are considered, a local funding source other than City sales tax is anticipated to be needed to cover the related expenses. Some of the funding sources listed above may be a good fit for possible transit services outside of city limits.

TRANSIT-SUPPORTIVE ACTIONS

Mountain Line recommends four action items to achieve the goals and guiding principles of this Plan:

SEEK NEW FUNDING AND PARTNERSHIPS TO IMPLEMENT FLAGSTAFF IN MOTION.

The services identified in this Plan help achieve community goals for access, equity, affordability, and climate action. However, none of the projects are identified in Mountain Line's financial planning documents and were never contemplated when the Transit Tax was formulated in 2008 or renewed in 2016. In order to achieve the recommendations in the Plan, new funding is needed. Mountain Line will actively pursue funding sources to implement improvements including increased local match, grants, and partnerships.

PARTICIPATE IN TRANSPORTATION PLANNING AND CAPITAL PROJECTS TO ENSURE TRANSIT AND FIRST- AND LAST- MILE IMPROVEMENTS ARE INCLUDED.

Major transportation plans and capital projects have the ability to greatly enhance the performance, reliability, and comfort of the transit system. Excellent first- and last-mile infrastructure is critical to getting people to and from bus stops and can encourage or discourage the use of a system. Therefore, Mountain Line will actively participate in the planning and design process of transportation projects with Mountain Line's service area.

ACTIVELY PROPOSE MODIFICATIONS TO ROADWAY JURISDICTIONS' CODES AND STANDARDS TO BETTER INCORPORATE TRANSIT.

As identified in the *Move! That! Bus!* report, streets that work for transit work better for everyone. A challenge Mountain Line has faced in the implementation of service is lack of inclusion of transit in City codes and standards. Mountain Line currently relies on partnerships with private and public organizations to implement many large and small capital transit projects such as bus stop additions, amenity upgrades, and access improvements. The ability to ask for transit to be included in new development will be greatly increased by ensuring City processes consider transit much like they consider bicycles and pedestrians. Mountain Line will actively propose amendments to City of Flagstaff zoning codes and the engineering standards of jurisdictional roadway owners.

PROPOSE ADOPTION OF MOUNTAIN LINE PLANS TO LOCAL AGENCY PARTNERS, INCLUDING NAU, CCC, CITY OF FLAGSTAFF, COCONINO COUNTY, METROPLAN, AND ADOT.

Much like proposing revisions to codes and standards above, the ability to ask for items in Transit Planning documents is limited when they are not adopted by partner agencies. Mountain Line will consider proposing the adoption of Flagstaff in Motion and the Transit Guidelines in whole or part as an amendment to the Regional Plan.

OTHER OPPORTUNITIES TO CONSIDER IN THE FUTURE

ZERO EMISSION BUS (ZEB) CHARGING NEEDS

Mountain Line's Zero-Emission Bus (ZEB) Transition Plan identified that Routes 4, 7, and 10 may not have enough time in their layovers at the DCC to charge for the predicted number of minutes needed. This Plan recommends monitoring actual charging time under a variety of conditions as the first electric buses enter service in 2023 and re-evaluate necessary steps at that time. Route 4 will be addressed with the creation of the Route 4/14 bidirectional route and implementation of the new route to serve Beulah Blvd to Fort Tuthill, as the schedule was built to accommodate charging time at the DCC. Runtime and on-time performance for Routes 7 and 10 may not allow schedule adjustment to create more layover time at DCC, but the recommendation of this Plan is to be strategic and prioritize efficiency. Other solutions may include:

- Assuming a few rounds of charging are missed during peak congestion periods,
- Adjusting timepoints,
- Interlining between routes that allow for more layover, and
- Implementing Transit Signal Priority (TSP).

BUS RAPID TRANSIT

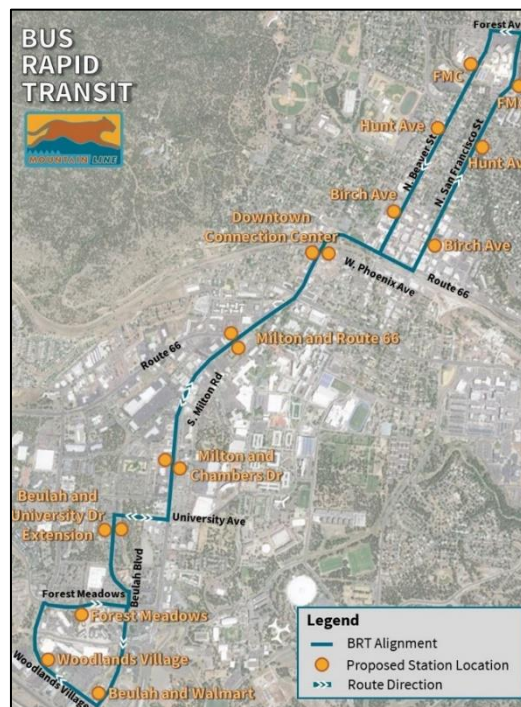
Bus Rapid Transit (BRT) is a collection of capital improvements and transit priority treatment along a route that enables it to move as fast or faster than personal vehicles, as well as 15-minute frequency or better, making transit an attractive travel option. While the Transit Vision demonstrates that increasing frequency is a top priority, this Plan recommends achieving 20-minute frequency on more routes before seeking to increase a few routes to 15 minutes or better. Additionally, BRT requires capital investment in roadway treatments to support faster bus movement, which requires jurisdiction support to implement. Main corridors that could warrant BRT funding and service levels may not have willing partners within the jurisdiction who own the roadway. Potential BRT corridors may require being under City of Flagstaff jurisdiction to align with transit goals and capital requirements of BRT projects.

Mountain Line is very interested in and supportive of BRT options—Route 10 was a Small Starts BRT implemented in 2011 and has proven to be a very successful transit line in terms of ridership as well as the NAU partnership to enable bus-only road sections along the route. Mountain Line has a second BRT project in the Capital Investments Grant (CIG) program of the Federal Transit Administration

(FTA), shown in Figure 19. The project has been paused since 2021 for two main reasons:

1. The north anchor of the route was Northern Arizona Healthcare, but the facility is planning to move south of town to the Fort Tuthill area in the immediate future. Mountain Line and FTA are waiting to see what proposed development may occur to consider modification to alignment of the BRT.
2. Thirty percent of the proposed BRT corridor was to operate on Milton Rd, which is under ADOT jurisdiction. Mountain Line did not have the partnership and support from ADOT to facilitate the capital improvements to Milton Rd needed to support the BRT project.

Figure 19. Proposed second BRT



START OF SERVICE EARLIER IN MORNING

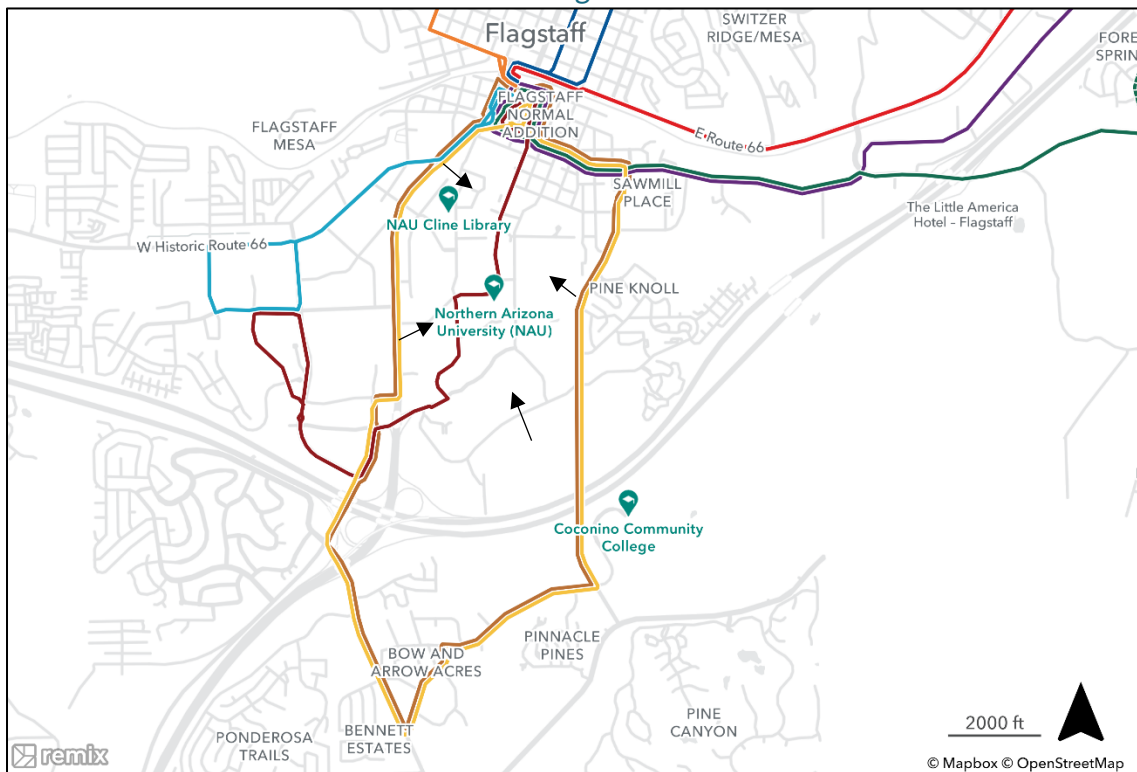
While the majority of requests for longer span of service are asking for late-night transit, early morning is also identified as a need in the Flagstaff community. Third-shift workers at some of the largest employers, including NAH, Purina, and W.L. Gore & Associates, as well as an unquantified number of service industry employees, consistently ask for transit service between 2:00 and 6:00 AM. Additional consideration is needed to support this transit need in the Flagstaff workforce.

BETTER ACCESS ON AND OFF NAU CAMPUS

Public input received in Flagstaff in Motion identified Coconino County College (CCC) students need a more direct transit connection from the CCC campus to the NAU campus, with the Cline Library being a shared facility with CCC and a major campus destination. Figure 20 shows the possible ways to get between the locations, all of which are circuitous and time-consuming. Driving requires parking on campus and paying over \$400 per semester, out of budget range for most students. Mountain Line would like additional east-to-west connections on campus, and plans such, as the Campus Entry Study completed in conjunction with NAU recommended a new entrance onto the NAU campus from eastbound W Historic Route 66. Additional options may exist farther south on campus as well.

Additionally, efficient transit options require better east-to-west campus movement, which are supported by the Campus Entry Study recommendations. There is no funding identified for these capital improvements.

Figure 20. Connections between CCC and NAU



ZERO FARE

Some transit agencies have eliminated fare collection for a variety of reasons: to make it easier to ride the bus and therefore increase ridership, to make transit a more equitable travel mode, to reduce bus operators' conflicts with passengers over fare, to increase route efficiency and reduce wait time at stops and improve on-time performance, and/or to eliminate costs and staffing associated with fare collection. Regardless of the reason, all benefits listed are realized by the transit agency. Drawbacks to zero fare include reduced revenue from fare collection and concerns about riders on buses without having a destination. While this Plan did not explore zero fare, this option may be considered in the future.

W.L. GORE & ASSOCIATES

As Flagstaff's third largest employer with around 2,000 staff, W. L. Gore & Associates (Gore) partnered with Mountain Line to conduct a survey of their workforce on their transportation needs. The survey found 18% of respondents have experienced transportation issues that prevented them from working in the past year, and a majority expressed interest in taking a bus or vanpool to their job at Gore.

Gore has two manufacturing facilities in Flagstaff, and the facility on Fourth St is within the transit walkshed, but the Woody Mountain facility is 2.5 miles from the closest bus stop on Route 8. Flagstaff in Motion recommends extending Route 8 to the Woody Mountain Rd roundabout, but this is still over one mile from the future bus stop to the furthest Gore facility. Some first- and

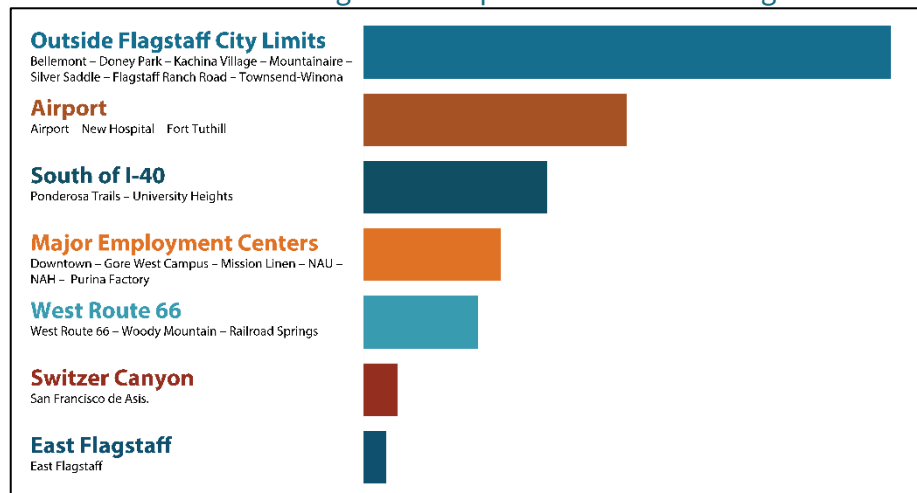
last-mile solutions may support the Gore workforce, such as an E-bike or E-scooter share with Flagstaff’s future vendor, company-owned bike library or golf carts, and pedestrian and bicycle improvements identified in the ATMP along Woody Mountain Rd., especially the bridge over I-40. While not considered as part of this Plan, Mountain Line envisions bus service in the long-term future in the southwest quadrant of Flagstaff that would support Gore as well as development around the potential relocation of NAH near Fort Tuthill.

Gore also draws employees from the Northern Arizona region, and for these individuals the Mountain Line vanpool program may be beneficial. Mountain Line has provided information on bus and vanpool services for distribution to the Gore workforce and continues to discuss service options with Gore.

SERVICE OUTSIDE OF FLAGSTAFF CITY LIMITS

As part of Flagstaff in Motion public input, Mountain Line heard transportation needs for service beyond the Flagstaff City limits, which Figure 21 shows was the top request when people indicated they want expanded coverage. This is also a regular request during rider and non-rider surveys, and from individuals who send

Figure 21. Expanded transit coverage locations

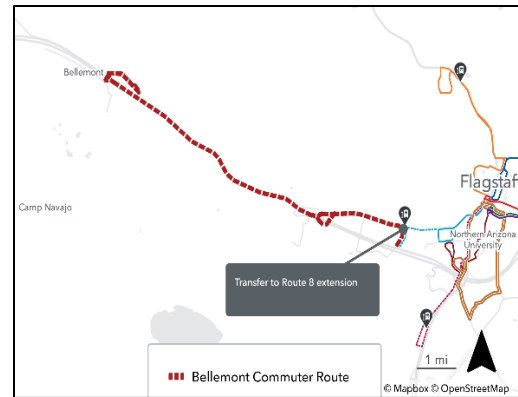


service requests to Mountain Line without being prompted. Mountain Line acknowledges the practicalities of providing service would likely deter riders, as the total service cost would likely result in low frequency and limited hours of service, and low neighborhood densities would require the majority of riders to find feasible first- and last-mile(s) solutions to access the closest bus stop, making them less attractive choices. However, equity and access needs remain. As discussed in the funding section of this Plan, the dedicated transit sales tax is approved by Flagstaff residents living within city limits, and it would have to be a special and specific consideration of the City of Flagstaff to spend money on service outside of City limits. Should a local funding source be available for new service outside of city limits, this Plan has identified a commuter service to support the five neighboring communities of Bellemont, Doney Park, Fort Valley, Kachina Village, and Mountainaire. The proposed service would operate Monday through Friday from 6:00 to 9:00 AM and 3:00 to 6:00 PM with 30-minute frequency. It is proposed that these commuter routes would require riders to transfer to another bus route once inside city limits. Improvement details below show the proposed alignment and estimated cost and ridership for these services.

Fare, route alignment, stop locations, and schedules would require community engagement to help define services prior to implementation. Additional consideration may be needed on the best approach to phase-in service, as some communities may warrant an on-demand service before implementing a commuter route.

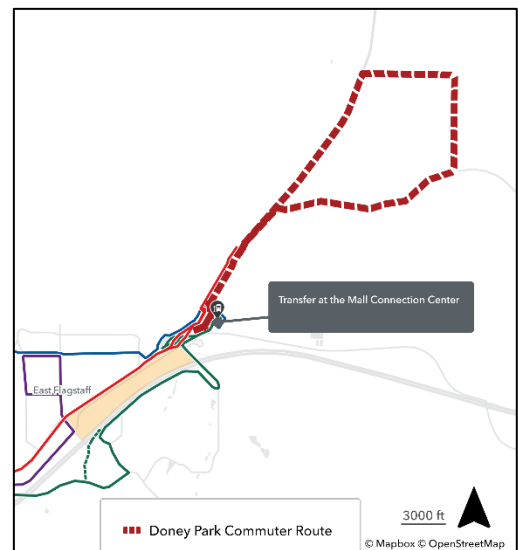
BELLEMONT

Annual Operations Cost	\$352,437
Annual Ridership	7,800
Capital Impact	Yes
Paratransit Impact	Yes



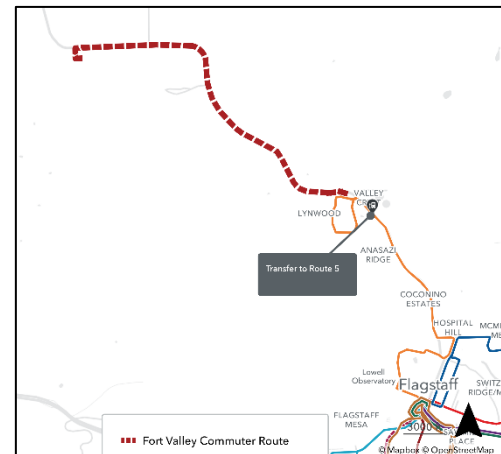
DONEY PARK

Annual Operations Cost	\$265,835
Annual Ridership	20,800
Capital Impact	Yes
Paratransit Impact	Yes



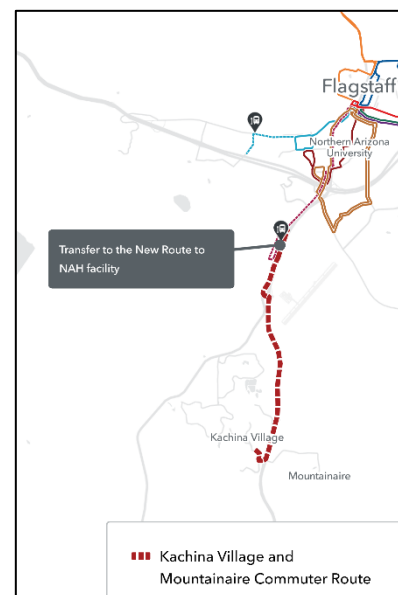
FORT VALLEY

Annual Operations Cost	\$280,996
Annual Ridership	6,500
Capital Impact	Yes
Paratransit Impact	Yes



KACHINA VILLAGE & MOUNTAINAIRE

Annual Operations Cost	\$276,242
Annual Ridership	54,600
Capital Impact	Yes
Paratransit Impact	Yes



REQUEST FOR SERVICE OUTSIDE THE BOUNDARIES POLICY

Periodically Mountain Line receives requests to provide service between Flagstaff and more distant communities such as Tuba City, Winslow, Tusayan, etc., or tourist destinations such as the south rim of the Grand Canyon. Mountain Line’s Request for Service Outside the Boundaries Policy clarifies terms and conditions for how Mountain Line will consider requests for service outside the Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA) boundary. Mountain Line partners closely with the Northern Arizona Council of Governments (NACOG) on services outside of the NAIPTA boundary.

APPENDIX A

ANNUAL OPERATION COST ESTIMATE AND ONE-TIME CAPITAL COSTS IN FY 2023 DOLLARS

Transit Vision Improvements		Operations			Capital			
		Improvement Subtotal (in FY2023 dollars)	Paratransit Impacts	Buses		Bus Stops		Infrastructure
				Qty	Cost (FY2023 dollars)	Qty	Cost (FY2023 dollars)	Cost (FY2023 dollars)
Assumed Improvements								
	Bus Stop Additions and Improvements to Access Transit	\$ -	no	0		21	\$ 2,799,420	\$ 6,485,000
	Route 2 - Make Gemini Loop Permanent	\$ -	yes	0		1	\$ 45,271	\$ 2,500,000
	New Route to NAH Facility * Combine 4/14	\$ 870,942	yes	2.6	\$ 2,635,209	5	\$ 1,344,602	
Prioritized Improvements								
1	Route 66 Frequency Peak 20 Mins, M-F	\$ 314,022	no	1.2	\$ 1,216,250			
2	Route 8 Extension 7 days a week	\$ 278,196	yes	1.2	\$ 1,216,250	6	\$ 1,007,626	\$ 1,080,000
3	12:00 AM Service End All Routes, Monday-Saturday	\$ 1,087,300	yes	0				
4	Route 66 Frequency Off-Peak 30 Min, M-F	\$ 143,841	no	0				
5	Increase Saturday Service: Match Weekday Frequency & Span	\$ 754,994	yes	0				
6	Route 3 Frequency Peak 20 Min, M-F	\$ 323,128	no	1.2	\$ 1,216,250			
7	Route 3 Frequency Off-Peak 30 Min, M-F	\$ 190,576	no	0				
8	Route 5 Frequency Peak 30 Min, M-F	\$ 291,286	no	1.2	\$ 1,216,250			
9	Peak Extended to 9:00 PM	\$ 551,777	no	0	\$ -			
10	New Route to Airport via Ponderosa Trails 7 days a week, 60 min frequency	\$ 651,310	yes	1.2	\$ 1,216,250	11	\$ 1,983,981	
11	Late-Night TNC Fri & Sat 12:00-2:30 AM	\$ 324,576	no	0	\$ -			
Transit Vision Total Cost		\$ 5,781,949	yes	8.6	\$ 8,716,461	44	\$ 7,180,900	\$ 10,065,000
Current Annual Operations Cost **		\$ 7,758,031						
Total Cost of Transit Vision Operations and Capital + Current Operations		\$ 39,502,340						
* The New Route to NAH Facility is not prioritized but rather an assumed community necessity and to be funded as part of the Transit Vision. ** Current annual operations costs include existing bus service and O&M of assets. It does not include cost escalation, fleet replacement, Downtown Connection Center facility construction or O&M, or other future facility needs identified in the Kaspar Headquarters Master Plan.								

STRATEGIC INVESTMENT PLAN (SIP) RECOMMENDATIONS FOR CONSIDERATION OF TRANSIT SIGNAL PRIORITY (TSP) TREATMENT

All TSP locations below would need planning studies to understand return on investment before final recommendations are made. Therefore, no cost estimates are provided.

Location	Project Group
Milton/Butler	Butler Corridor West (Higher Priority)
Butler Ave/Beaver St	
Butler/San Francisco	
Butler/Lone Tree	
Butler/Sawmill	Butler Corridor East (Lower Priority)
Butler/Babbitt	
Butler/Huntington	
Milton/Phoenix	Milton/Beulah Corridor
Milton/Historic 66	
Milton/Riordan	
Milton/Plaza Way	
Beulah/Forest Meadows	
Beulah Blvd/McConnell Dr	
Beulah Blvd/Woodlands Village Blvd	
Beulah/Lake Mary	Milton/Beulah Corridor (future)
Milton/University Dr	
University Dr/Beulah	Route 10 Priority
University/Knoles	
Woodlands Village/Forest Meadows	Other Route Priority
4th/Huntington	
4th/Route 66	
US-180/Route 66	

ADDITIONAL BUS STOPS FOR EXISTING ROUTES

Improve Access to the Existing Bus System		21	\$ 2,799,420	
Route	Bus Stop Location	Quantity	Total Cost (FY2023 dollars)	Notes
2	On Lockett Rd near Patterson Blvd OB & IB	2 Bus Shelters w/ bike rack, trash receptacle, horizontal, easement	\$90,542	
3	On Butler Ave - near Woodshire OB & IB - near Fourth St OB & IB	4 Bus Shelters w/ bike rack, trash receptacle	\$125,084	City including horizontal and easement as part of Butler & Fourth Street corridor master plan. Mountain Line paying for shelter amenity.
4/14	On Zuni Dr near Lone Tree Rd OB & IB	2 Bus Shelters w/ pullout, bike rack, trash receptacle, horizontal, easement	\$390,542	
5	On US 180 - near Whipple Rd OB - near Peak View St OB	2 Bus Shelters w/ pullout, bike rack, trash receptacle, horizontal, easement - Would likely require enhanced pedestrian crossing for implementation, see Ped/Bike attachment for cost.	\$390,542	May be contingent on construction of enhanced crossings per ADOT US 180 Corridor Master Plan recommendations.
7	On Huntington Ave near Grant St OB & IB	2 Bus Shelters w/ bike rack, trash receptacle, horizontal, easement - Would likely require enhanced pedestrian crossing for implementation, see Ped/Bike attachment for cost.	\$45,271	May be contingent on construction of enhanced crossing per City of Flagstaff.
8	On Milton Rd near Malpais Ln OB On W Historic Route 66 - near Woodlands Village Rd OB - near Thompson St OB	3 Bus Shelters w/ pullout, bike rack, trash receptacle, horizontal, easement - Would likely require enhanced pedestrian crossing for implementation, see Ped/Bike attachment for cost.	\$585,813	May be contingent on construction of enhanced crossings. Implemented in coordination w/ US W Route 66 Corridor Master Plan.
10				
66	On US Historic Route 66 - near San Francisco St OB - near First St OB & IB - near Park Dr OB & IB On US 89 near Empire OB	6 Bus Shelters w/ pullout, bike rack, trash receptacle, horizontal, easement	\$1,171,626	

BUS STOPS TO SUPPORT NEW ROUTES

New or Changed Routes		23	\$ 3,990,938	
Route	Bus Stop Location	Quantity	Total Cost (FY2023 dollars)	Notes
2	On Gemini Rd near BASIS OB	1 Bus Shelters w/ bike rack, trash receptacle, horizontal, easement	\$45,271	Gemini Rd OB needed when served as regular part of route.
NAH Route	On Beulah Rd - near Lake Mary Rd OB & IB - near S. University Heights OB & IB - at the relocated NAH Facility (shelter cost only)	4 Bus Shelters w/ pullout, bike rack, trash receptacle, horizontal, easement 1 Bus Shelter w/ bike rack, trash receptacle	\$954,060	City/NAH including horizontal and easement as part of Beulah Rd improvements. Mountain Line paying for shelter amenities.
Extended Route 8	On W Historic Route 66 - near Thompson IB - near Railroad Springs OB & IB - near S. Northwestern St OB & IB - near Woody Mountain Rd OB	5 Bus Shelters w/ pullout, bike rack, trash receptacle, horizontal, easement 1 Bus Shelter w/ bike rack, trash receptacle (in partnership w/ Sky Cottages development)	\$1,007,626	May be contingent on construction of enhanced crossings. Implemented in coordination w/ US W Route 66 Corridor Master Plan.
Ponderosa Trails & Airport Route	On High Country Trail Rd - near Wild West OB & IB - near Cattle Dr Trail OB & IB - near Windfall Trail OB & IB On Pulliam Dr: - near Amethyst OB & IB - near John Wesley Powell Blvd OB & IB - at Flagstaff Pulliam Airport	10 Bus Shelters w/ pullout, bike rack, trash receptacle, horizontal, easement 1 Bus Shelter w/ bike rack, trash receptacle (in partnership w/ Airport)	\$1,983,981	

Bus Stop Amenity Cost Estimates (FY2023 dollars)	
\$ 45,271	Shelter: \$10K pad/permitting, \$31,271 bus shelter package; \$4K easement acquisition
\$ 16,731	Logo Stop: \$5K pad/permitting, \$8331 logo stop package; \$3400 easement acquisition
\$ 150,000	Bus Pullout

ENHANCED PEDESTRIAN CROSSINGS AND WAYFINDING

Mountain Line is in full support of the Flagstaff Active Transportation Master Plan (ATMP). These are specific barriers to access transit.

Route	Bike/Ped Improvements	Quantity	Cost per Unit	Total Cost	Notes
2	Cedar Ave - near Aris St - near East St	2	\$360,000	\$720,000	These figures should be considered as planning-level estimates, and do not account for differences in circumstances at different locations and for the specifics of individual crossings.
3	Solier Ave - Fox Lair Dr west - Fox Lair Dr east - Elk Run St - Butterfield Apartments - Timberline Place	5	\$360,000	\$1,800,000	
4/14	Per ADOT Corridor Master Plan on Milton Rd - Starbucks Lake Mary Rd - near Mohawk Dr - near Walapai Dr	5	\$360,000	\$1,800,000	
5	Per ADOT US180 Corridor Master Plan on US 180 - near Forest Ave - near Meade Ln - near Whipple Rd	3	\$360,000	\$1,080,000	
7	Huntington Ave near Grant St	1	\$360,000	\$360,000	
8	W Historic Route 66, exact locations of crossings in to be identified in a future corridor master plan - near Railroad Springs Blvd - near Northwestern St - near Woody Mountain Rd	3	\$360,000	\$1,080,000	
10	Wayfinding/signage/marketing of ped/bike connections to transit in University Heights neighborhood	N/A	\$5,000	\$5,000	
66	US 89 at Snowflake Dr / Trails End Dr (Sacred Peaks Health Center)	1	\$360,000	\$360,000	
All	Milton Rd at Phoenix Ave (requires a traffic signal)	1	\$360,000	\$360,000	

INTERSECTION BUS TREATMENT AT FOREST AVE AND GEMINI RD

Route	Infrastructure Improvements	Quantity	Cost per Unit	Total Cost	Notes
2	Intersection Bus Treatment Pursue 5305e grant for planning study on best way to make left-turn from northbound Gemini onto westbound Forest Ave to enable Route 2 to serve Gemini Rd on every trip. Per recommendations, seek engineering and construction funding from grants.	1	\$2,500,000	\$2,500,000	Cost estimate based on Kaspar Intersection cost estimate (planning, engineering, construction)

APPENDIX B

EVALUATION CRITERIA

The following Evaluation Criteria and metrics were used to rank Mountain Line bus routes and Flagstaff neighborhoods to determine priority for transit service improvements.

Goals	Evaluation Criteria	Metrics
RIDER EXPERIENCE <i>Continue to improve the efficiency and reliability of transit services in northern Arizona</i>	Transit Efficiency	<ul style="list-style-type: none"> Peak and off-peak headways of bus route On-time performance of bus route Span of service of bus route
	Transfer Opportunities	<ul style="list-style-type: none"> Number of intersecting bus routes (not at DCC) providing transfer opportunities Transfer opportunities in 10 minutes including opposite direction
ACCESSIBILITY AND MOBILITY <i>Enhance accessibility and connectivity, and continue to improve mobility through transit</i>	Existing Population and Employment	<ul style="list-style-type: none"> Existing population and job density within 1/4-mile of transit stops
	Future Population and Employment (2030)	<ul style="list-style-type: none"> Future population and job density within 1/4-mile of transit stops
	Activity Centers	<ul style="list-style-type: none"> Number of local and regional activity centers within 1/4-mile of transit stops
	Educational Institutions	<ul style="list-style-type: none"> Number of schools (public and private) and colleges/university within 1/4-mile of transit stops
	Healthcare Facilities	<ul style="list-style-type: none"> Number of health facilities within 1/4-mile of transit stops (hospitals, urgent cares, nursing homes, and pharmacies)
	Social Service Agencies	<ul style="list-style-type: none"> Number of social service agencies within 1/4-mile of transit stops
EQUITY <i>Provide transit service for people of all ages, abilities, and backgrounds</i>	Title VI Communities	<ul style="list-style-type: none"> Percent of people living within 1/4-mile of transit stops (low-income and minority population) Minority Routes
	Transit Dependent Populations	<ul style="list-style-type: none"> Percent of people living within 1/4-mile of transit stops (people living with disabilities, senior and youth population)
	Equity Index Score	<ul style="list-style-type: none"> Equity index score for each route (density per acre for minority, low-income, LEP, disabilities, senior, youth, and zero-car population)

Goals	Evaluation Criteria	Metrics
SUSTAINABILITY <i>Continue to provide attractive and convenient transit services to promote a healthier and more sustainable community</i>	Vehicle Miles Traveled	<ul style="list-style-type: none"> Comparison of new vehicle miles traveled to existing vehicle miles traveled
	Active Transportation Facilities	<ul style="list-style-type: none"> Number/miles of existing active transportation facilities within 1/4-mile of transit stops (bike lanes, bikeway intersections, sidewalks, enhanced crossings, and FUTS trails)
INVESTMENT <i>Integrate transit services with land use planning policies to support economic development and community growth</i>	Existing Ridership	<ul style="list-style-type: none"> Average weekday boardings per bus route (2019)
	Projected Ridership	<ul style="list-style-type: none"> Average weekday boardings per bus route (2030)
	Future Developments	<ul style="list-style-type: none"> Number of future developments within 1/4-mile of transit stops
LIVING AFFORDABILITY <i>Continue to reduce the cost of living in Northern Arizona by providing affordable transportation options</i>	Car Free Households	<ul style="list-style-type: none"> Percent of households that are car free within 1/4-mile of transit stops
	Affordable Housing	<ul style="list-style-type: none"> Number of affordable housing units within 1/4-mile of transit stops (Flagstaff Housing Authority, senior assisted living, tax credit apartments, and affordable units)

APPENDIX C

PRIORITIZED LIST OF TRANSIT ROUTES AND FLAGSTAFF NEIGHBORHOODS

Use of the Evaluation Criteria in Appendix B resulted in the following prioritized list of Mountain Line transit routes and Flagstaff neighborhoods.

Rank	Prioritized Areas and Routes for Transit Service	Technical Analysis Score	Public Input Score	Normalized Score
1	Route 66	4.5	9	10
2	West Route 66, north side (Railroad Springs, West Village, Crestview)	18.5	22.5	9.03
3	Route 7	6.83	5	8.76
4	Route 2	4.33	7	8.39
5	Route 10	8.16	3	8.27
6	Lower Greenlaw Estates (East Flagstaff)	26	11.25	8.15
7	West Route 66, south side (Presidio, Timber Sky, Boulder Point)	14.5	22.5	8.09
8	Greenlaw Townhomes (East Flagstaff)	25.5	11.25	8.03
9	Upper Greenlaw Estates (East Flagstaff)	23	11.25	7.45
10	Ponderosa Trails/Airport	7	27	7.39
11	Sunnyside (East Flagstaff)	22	11.25	7.21
12	Route 4	5.66	4	7.16
13	Route 5	1.16	8	6.79
14	Route 3	2.83	6	6.54
15	Huntington/Industrial	17.5	11.25	6.16
16	University Heights (South of I-40)	10.5	18	6.1
17	Doney Park	3.5	24.75	6.05
18	Route 14	6.16	2	6.04
19	Switzer Canyon	19.5	6.75	5.58
20	McMillan Mesa	19	6.75	5.46
21	Kachina Village	4	20.25	5.11
22	Smokerise	13	11.25	5.11
23	Route 8	5.83	1	5.06
24	South Country Club (Country Club Estates)	7.5	15.75	4.88
25	Pine Knoll/Rio Homes	22.5	0	4.7

Rank	Prioritized Areas and Routes for Transit Service	Technical Analysis Score	Public Input Score	Normalized Score
26	South 4th St & Butler Ave area (Canyon Del Rio, Sinagua Heights, and Forest Springs)	10.5	11.25	4.53
27	Swiss Manor (East Flagstaff)	21	0	4.35
28	Cherry Hill	20.5	0	4.23
29	Boulder Ridge (east of Country Club)	4.5	11.25	3.12
30	Bellemont	2	13.5	3.06
32	NoHo	12	0	2.25
33	Baderville	2.5	0	0.03
Not Ranked	Regional service - long term Winslow/ Grand Canyon/PHX	N/A	N/A	N/A
High	Relocated Hospital on Beulah Blvd*	N/A	N/A	N/A

* Current conditions in the proposed hospital relocation area do not allow for evaluation but it is ranked as high as Mountain Line identifies bus service to the largest regional hospital as being of great importance.

APPENDIX D

DEFINITIONS

This is a list of industry standard terms used in the Flagstaff in Motion Report. This list is not exhaustive but is intended to support recommendations of this Plan.

Access/Accessibility - The ability and level of ease with which all bus riders—including those with disabilities, special requirements, or other needs—can access bus stops and places they want to go using the bus.

Capital Improvement Grant (CIG) - A competitive funding program for Bus Rapid Transit (BRT) projects available under the Federal Transit Administration. BRT is a collection of capital improvements and transit priority treatment along a route that enables it to move as fast or faster than personal vehicles, as well as 15-minute frequency or better, making transit an attractive travel option.

Coverage – The geographic area that has access to transit, usually considered to be a ¼ mile walking distance around bus routes.

E-Bike and E-Scooter Share – A first- and last-mile solution to support transit access, electric bikes (E-Bike) and/or electric scooters (E-Scooter) are short-term rentals for an affordable price that are stationed at charging hubs.

Enhanced Pedestrian Crossing - A first- and last-mile solution to support transit access, enhanced pedestrian crossings have features that make crossing a street more visible to cars in an effort to make it easier to walk or bike across the street. Features can include but are not limited to a flashing beacon, different color pavement, raised pavement, protected refuge in the middle of the street, among others.

Federal Transit Administration (FTA) – The government agency overseeing local public transit systems. The FTA administers competitive grants and formula funding and requires reporting to demonstrate transit system's strict adherence to regulations.

First- and Last-Mile - The beginning or end of an individual trip made primarily by public transportation. In many cases, people will walk to transit if it is close enough. However, on either end of a public transit trip, the origin or destination may be difficult or impossible to access by a short walk. This gap from public transit to destination is termed a last-mile connection.

Frequency – The time between bus arrivals for a given route. NACTO's guiding principles recommend increasing bus frequency to encourage more people to ride transit more often.

Frequent, all-day service makes destinations more accessible, giving people the freedom to get where they need to go regardless of time of day. More frequent bus service means more freedom.

Kiss-and-Ride – Supports transit use for people living beyond access of the transit system by providing a location on the periphery of the transit system where people can drop-off and pick-up passenger(s) using the bus for the day. It's like park-and-ride but with a temporary parking location.

Off-Peak – Hours outside of peak when bus frequency is lower.

Peak – The time period that bus service operates at the highest frequency, traditionally associated with 9-to-5 office hours to coincide when transit riding is busiest. Mountain Line's peak currently starts around 6:00 AM and ends around 6:00 PM Monday through Friday. NACTO's guiding principles recommend increasing frequency and span of hours are essential to support jobs, lives, and transportation needs outside of 9-to-5 office hours and ensure transit gets people where they want to go.

Pedestrian and Bicycle Improvements – The vast majority of transit trips begin on foot or bicycle as transit routes oftentimes do not operate outside of someone's front door of their house, office, school, or other place they want to go. Pedestrian and bicycle improvements are crucial to support access to transit.

Span – Time period that bus service is available. Mountain Line's hours currently span from about 6:00 AM to about 10:00 PM Monday through Friday, and about 7:00 AM to 8:00 PM on weekends.

Transit Walkshed - $\frac{1}{4}$ mile around bus stops following the road network, which is the industry standard distance a person can reasonably be expected to walk to access a bus stop. Excellent pedestrian and bicycle facilities around bus stops can increase that distance to $\frac{1}{2}$ mile and 3 miles, respectively. A person's physical or mental ability often reduces their distance, especially under inclement conditions such as heat, cold, high traffic roads, high exposure to traffic, etc.

CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Sarah Langley, Public Affairs Director
Date: 04/28/2023
Meeting Date: 05/09/2023



TITLE:

Short-term Rentals License Update

DESIRED OUTCOME:

Staff is seeking direction from Council on the draft short-term rental license ordinance.

EXECUTIVE SUMMARY:

The City currently regulates short-term rentals (STRs), as found in Flagstaff City Code Chapter 3-12. A short-term rental is a residential dwelling unit rented for less than 30 days. Current regulations are based on A.R.S. Section 9-500.39, as in effect prior to September 22, 2022. All STRs are required to register with the City and non-residential uses of STRs are prohibited.

During the spring of 2022, the state legislature passed SB1168 (vacation rentals; short-term rentals; enforcement). This legislation allows limited regulation of vacation or short-term rentals, including the ability to create a license or permit to operate an STR, as well as defined criteria for when a city may deny or revoke a license or permit. The legislation also outlines allowable regulations related to neighbor notification, emergency contacts, civil penalties, and other areas. Staff has drafted an ordinance to create a short-term rental licensing system based on Council and public input and is seeking Council direction.

The City is not able to regulate STRs except to the extent allowed by state law, and state legislators should be contacted if changes in the law are desired.

INFORMATION:

The draft ordinance is attached to this staff summary.

Attachments: [Draft ordinance](#)
[Presentation](#)

2023 SHORT-TERM RENTAL CODE
Draft 5-1-2023

The Flagstaff City Code, Title 3 Business Regulations, is amended by repealing the current Chapter 3-12 Short-Term Rentals, and by replacing it with a new Chapter 3-12 Short-Term Rentals, to read as follows:

CHAPTER 3-12. SHORT-TERM RENTALS

<u>3-12-001-0001</u>	Purpose
<u>3-12-001-0002</u>	Definitions
<u>3-12-001-0003</u>	License Required
<u>3-12-001-0004</u>	License Application
<u>3-12-001-0005</u>	License Term; Renewal
<u>3-12-001-0006</u>	Emergency Point of Contact
<u>3-12-001-0007</u>	Prohibited Uses
<u>3-12-001-0008</u>	Advertisements
<u>3-12-001-0009</u>	Posting on the Property
<u>3-12-001-0010</u>	Neighbor Notification
<u>3-12-001-0011</u>	Reserved
<u>3-12-001-0012</u>	Reserved
<u>3-12-001-0013</u>	Reserved
<u>3-12-001-0014</u>	License Suspensions
<u>3-12-001-0015</u>	Penalties for Verified Violations
<u>3-12-001-0016</u>	Enforcement
<u>3-12-001-0017</u>	Hearing Procedures

3-12-001-0001 PURPOSE

The purpose of the short-term rental (STR) regulations is to protect the health, safety, and welfare of the community and visitors.

3-12-001-0002 DEFINITIONS

For purposes of this chapter:

“City business day” means a day that City Hall is open for business.

“Emergency point of contact” means the owner or individual designated by the owner to: (i) serve as the local twenty-four (24) hour emergency point of contact for the short-term rental; and (ii) respond to complaints and emergencies relating to the short-term rental in a timely manner.

“Nonresidential use” means any use that is not permitted in a residentially zoned district of the City.

“Online lodging marketplace” has the same meaning prescribed in A.R.S. § 42-5076 and generally means a person that provides a digital platform for compensation through which an unaffiliated third party offers to rent lodging accommodations in this State to an occupant, including a transient.

“Online lodging operator” has the same meaning as prescribed in A.R.S. Section [42-5076](#) and means a person that is engaged in the business of renting to an occupant, including a transient as defined in A.R.S. Section [42-5070](#), any lodging accommodation in this State offered through an online lodging marketplace.

“Owner” means any person who, alone or with others, has title or interest in a property, dwelling unit, or portion thereof, with or without actual possession of the short-term rental.

“Owner’s designee” means any person or persons with the charge, care, or control of any property, dwelling unit, or portion thereof and includes the “emergency point of contact.”

“Person” means any individual, public entity, firm, corporation, partnership, limited liability company, trust, association, or any other entity of any kind.

“Short-term rental” or “STR” means any individually or collectively owned single-family or one-to-four-family house or dwelling unit, accessory dwelling unit, or any unit or group of units in a condominium or cooperative that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under A.R.S. Section [42-12001](#). A short-term rental shall also include a dwelling unit in a multiple-family development offered for rent as transient lodging. Each unit that is separately leased is a STR. A short-term rental does not include a timeshare managed pursuant to A.R.S. Section 33-2201 et seq.

“Transaction privilege tax license” is the license issued by the State of Arizona pursuant to A.R.S., Title 42.

“Transient” means any person who either at the person’s own expense or at the expense of another obtains lodging space or use of lodging space on a daily or weekly basis, or any other basis for less than thirty (30) consecutive days.

"Verified violation" means a final adjudication finding of guilt or civil responsibility for violating any state law or City Code provision relating to a purpose prescribed in A.R.S. Section 9-500.39 subsection B or K that has been finally adjudicated (a final decision of a court or administrative hearing officer with no further right of appeal).

"Written notice" includes but is not limited to a written notice sent by electronic means, United States certified mail-return receipt requested, or hand delivery to the address on file for the STR. If written notice is served by electronic means, it is deemed received on the date sent.

3-12-001-0003 LICENSE REQUIRED

- A. License required. It is unlawful to rent or offer to rent a short-term rental (STR) without having first obtained a valid STR license issued under this chapter. A separate license is required for each STR.
- B. Prima facie evidence. Representations or advertisements including online listings that reference the property, house or dwelling unit location within the City as available for transient lodging is prima facie evidence that an owner is offering to rent or operating a STR in the City.
- C. Violations. In addition to any penalty or fine that may be imposed under section 3-12-001-0015 (Penalties for Verified Violations), the owner shall immediately cease operations of the STR until a valid license is obtained.

3-12-001-0004 LICENSE APPLICATION

- A. License applications. The owner of a STR shall apply for a license on an application form supplied by the City. The City Management Services Director may require use of an online licensing system. The application must be signed by the applicant and shall contain the following information:
 - 1. The physical address of the STR property.
 - 2. The name, address, email address, and telephone number of the owner of the STR. If the property owner is an entity, the legal name of the entity and its state of incorporation.
 - 3. The name, address, email address, and telephone number of the owner's designee, if any.
 - 4. The name, address, email address, and twenty-four (24) hour telephone number of the individual who will serve as the emergency point of contact. The emergency point of contact shall be public information.

5. The transaction privilege tax ("TPT") license number issued for the STR by the State of Arizona, including the location code (where applicable).
 6. A statement that the owner acknowledges and agrees that it shall comply with all applicable laws, regulations, and ordinances, and that the owner and each owner designee is not a registered sex offender, has not been convicted of any felony act that resulted in death or serious physical injury, and has not been convicted of any felony use of a deadly weapon within the past five (5) years.
 7. An attestation that the owner will complete the neighborhood notification required under section 3-12-001-0010.
 8. A license fee in the amount established in Chapter 3 - User Fees. The license fee is non-refundable, shall not be pro-rated, and is for an entire year, regardless of whether or not the STR is operated for an entire year.
 9. Proof of lawful presence in the United States in accordance with A.R.S. Sections 1-502 and 41-1080, unless exempted by A.R.S. Section 41-1080(B).
- B. License approval. The City shall promptly issue or deny a STR license after receipt of a complete application.
- C. License denial. The City may deny a STR license for any of the following reasons:
1. The applicant failed to provide the required application information;
 2. The applicant failed to pay the license fee;
 3. The applicant provided false information;
 4. The owner or owner's designee: (i) is a registered sex offender; (ii) has been convicted of any felony act that resulted in death or serious physical injury; or (iii) has been convicted of any felony use of a deadly weapon within five (5) years of submitting the application; or
 5. At the time of application, the owner has a suspended license for the same STR.
- D. Notice of denial and appeals. City Code Compliance shall give written notice of the license denial of an application to the applicant. The notice shall inform the applicant of the right to appeal the denial to the City Manager within ten (10) calendar days and request a hearing pursuant to Section 3-12-001-0017 (Hearing Procedures).
- E. Violations. In addition to any other penalty imposed under section 3-12-001-0005 (Penalties for Verified Violations), the City may impose a civil penalty of \$1,000 per month against the owner if the owner or owner's designee fails to apply for a license within 30 days after receiving written notice of the failure to comply with licensing requirements.

3-12-001-0005 LICENSE TERM, RENEWAL

- A. License term. A STR license issued under this chapter shall be valid for one (1) year from the date of issuance unless suspended or revoked.
- B. Renewal. The owner shall apply for a STR license renewal and pay a renewal license fee via the STR license account.
- C. Non-transferable. A STR license is non-transferable and non-assignable.
- D. License information on file. The owner shall maintain current and accurate information in its online STR license account.

3-12-001-0006 EMERGENCY POINT OF CONTACT

- A. Response time. When requested by a police officer, the emergency point of contact must be on the STR premises, or be available over the phone or text, within sixty (60) minutes of the request related to an emergency that requires police response. For purposes of this section, an emergency includes but is not limited to securing a crime scene, cleanup of a biohazard, cleanup of hazardous materials, or any other circumstances requiring immediate action to protect public health and safety, or property.
- B. Violations. In addition to any other penalty imposed under section 3-12-001-0005 (Penalties for Verified Violations), the City may impose a civil penalty of \$1,000 against the owner for every 30 days the owner fails to provide or maintain current emergency point of contact information on file with the City as required by Section 3-12-001-0004(A)(4). The City shall provide at least thirty (30) days' written notice to the STR owner before imposing the initial civil penalty.

3-12-001-0007 PROHIBITED USES

- A. Prohibited uses. No person may use a STR for any of the following:
 - 1. Nonresidential uses including for a special event that would otherwise require a permit or license pursuant to a city or town ordinance or a state law or rule or for a retail, restaurant, banquet space or other similar use.
 - 2. Housing sex offenders, operating or maintaining a sober living home, selling illegal drugs, liquor control or pornography, obscenity, nude or topless dancing and other adult oriented businesses.
 - 3. Any other use that violates applicable laws, including but not limited to local zoning, building and fire codes, health and sanitation, and noise regulations.

- B. Prima facie evidence. Representations or advertisements including online listings that advertise one of the prohibited uses under this section that reference a STR located within the City is prima facie evidence that a STR is operating in violation of this section.
- C. Nothing herein shall be construed to prohibit a group home for persons with disabilities as allowed by the Americans with Disabilities Act.

3-12-001-0008 ADVERTISEMENTS

The owner shall display the City short-term rental license number on each advertisement for the STR.

3-12-001-0009 POSTING ON THE PROPERTY

The owner of the STR shall display a Notice in the form provided by the City within ten (10) feet of the primary residence of the STR. The Notice will read as follows:

NOTICE

It is unlawful to use this property for any nonresidential use, special events that otherwise require a permit or license, retail business, restaurant, event center, banquet hall or other uses prohibited by Flagstaff City Code 3-12-001-0007 (Prohibited Uses).

Owner:

Emergency Contact name, phone number and email:

City Short-Term Rental License #:

The City Management Services Director may include additional information in the Notice related to the STR or City contact information.

3-12-001-0010 NEIGHBOR NOTIFICATION

- A. Neighbor notification. Prior to offering a STR for rent for the first time, the owner shall provide neighbor notification to each single-family residential property adjacent to the STR, directly across from the STR, and diagonally across the street of the STR. Prior to offering a STR located within a multi-family residential building, the owner shall provide neighbor notification to residents on the same building floor as the STR. The neighbor notification shall be provided in writing in the form required by the City and shall include the following information:

1. The STR license number issued by the City;
2. The physical address of the STR; and

3. The name, physical address, e-mail address, and twenty-four (24) hour telephone number of the emergency point of contact.
- B. Additional neighbor notifications. The owner shall provide an additional neighbor notification within ten (10) days after any change in the emergency point of contact on file with the City and at time of license renewal.
- C. If requested by City, owner shall demonstrate compliance by providing the City with an attestation of notification of compliance that consists of the following information: (a) the STR license number; (b) the address of each property notified; (c) a description of the manner which the owner chose to provide notification to each property so notified; (d) the name and contact information of the person attesting to compliance.

3-12-001-0011 RESERVED (Insurance)

3-12-001-0012 RESERVED (Sex offender background checks)

3-12-001-0013 RESERVED (Miscellaneous)

3-12-001-0014 LICENSE SUSPENSIONS

- A. License suspensions. The City may suspend a STR license for a period of up to twelve (12) months for any of the following:
 1. Three (3) verified violations within a twelve (12) month period, not including any aesthetic, solid waste disposal or vehicle parking violation that is not also a serious threat to public health and safety.
 2. One (1) verified violation that results in or constitutes any of the following:
 - a. A felony offense committed at or in the vicinity of a STR by the owner of the vacation rental or by the owner's designee;
 - b. A serious physical injury or wrongful death at or related to a STR resulting from the knowing, intentional or reckless conduct of the owner of the vacation rental or the owner's designee;
 - c. The owner of the STR or the owner's designee knowingly or intentionally housing a sex offender, allowing offenses related to adult-oriented businesses, sexual offenses, or prostitution, or operating or maintaining a sober living home; or
 - d. The owner of the STR or the owner's designee knowingly or intentionally allowing the use of a STR for a special event that would otherwise require a permit or license pursuant to the City code or a state law or rule or for a retail, restaurant, banquet space or other similar use.

- B. Notice of license suspension and appeals. City shall give written notice of the license suspension to the owner of the STR. The notice shall inform the owner of the right to appeal the license suspension within ten (10) calendar days to the City Manager and request a hearing pursuant to Section 3-12-001-0017 (Hearing Procedures). An appeal under this section does not operate as a stay of the license suspension. This section is not applicable to actions for judicial relief brought pursuant to subsection C.
- C. Judicial relief. Notwithstanding any, any attempted or completed felony act, arising from the occupancy or use of a STR that results in a death, or actual or attempted serious physical injury, shall be grounds for judicial relief in the form of a suspension of the property's use as a STR for a period that shall not exceed twelve (12) months.
- D. Authority. The City Attorney may initiate proceedings in the city court or other court of competent jurisdiction to enforce this section.

3-12-001-0015 PENALTIES FOR VERIFIED VIOLATIONS

- A. Penalties. Notwithstanding any other law, the City may impose the following civil penalties upon the owner of a STR if the owner receives one or more verified violations related to the same STR within a 12-month period:
 - 1. \$500 for the first verified violation.
 - 2. \$1,000 for the second verified violation.
 - 3. \$3,500 for a third and any subsequent verified violation.
- B. If multiple violations arise out of the same response to an incident at a STR, those verified violations are considered one verified violation for the purpose of imposing a penalty.
- C. If multiple violations under section 3-12-001-0008 (Advertisements) for the same STR have occurred within a period of 30 days, then, upon a showing that the STR has come into compliance with such section, those verified violations shall be considered as one verified violation for the purpose of imposing a penalty.
- D. If multiple violations under section 3-12-001-0010 (Neighbor Notification) for the same STR have occurred within a period of 30 days, then upon a showing that the STR has come into compliance with such section, those verified violations shall be considered as one verified violation for the purpose of imposing a penalty.

3-12-001-0016 ENFORCEMENT

- A. Enforcement authority. The City Manager, the City Police Department, City Code Compliance Manager, City Attorney or their designees are delegated authority to enforce this chapter.

B. Notice of violation. The City may send a written notice of violation of any provision of this chapter to the owner or owner's designee. The notice of violation shall inform the owner of:

1. The nature of the violation(s).
2. The section(s) of the code alleged to have been violated.
3. Possible fines or penalties that may be assessed by the City.
4. The time for curing any deficiency or violation so as to avoid fines or penalties.
5. The right to appear at a hearing on a specific date and time to contest the notice of violation, fines, or penalties.
6. The effect of failure to timely request a hearing or appear.
 - a. A failure of the person request a hearing within ten (10) calendar days from receipt of the written notice of violation, shall constitute a waiver of the right to a hearing or to challenge the validity of the City notice of violation and assessment of fines or penalties. The Hearing Officer may render a final decision notwithstanding the owner's failure to appear.
 - b. Similarly, a failure of the person to request a hearing within ten (10) calendar days from receipt of the written notice of the denial or suspension of a license shall constitute a waiver of the right to a hearing or to challenge the validity of the denial or suspension of a license. The Hearing Officer may render a final decision notwithstanding the owner's failure to appear.
7. The hearing procedures, which are set forth in section 3-12-001-0017 (Hearing Procedures) of the City Code.

C. Civil offenses. Each violation of this chapter shall constitute a civil offense. Each day that a violation occurs shall be a separate offense.

D. Owner liability. The failure of any owner's designee to comply with this chapter shall not relieve the owner of liability under this chapter.

E. Remedies cumulative. The remedies in this chapter are cumulative and the City may proceed under one or more such remedies.

3-12-001-0017 HEARING PROCEDURES

A. Hearing officer. The City Manager shall appoint an independent Hearing Officer to preside over any hearing under this chapter.

- B. Hearing date. Upon receipt of a timely appeal or request for a hearing, the Hearing Officer shall schedule a hearing to occur within thirty (30) days or as soon as practicable. The hearing date may be continued or rescheduled upon good cause shown.
- C. Information submittal. Each party shall submit the following to the Hearing Officer and to the opposing party at least ten (10) days prior to the scheduled hearing date:
 - 1. Factual bases for contesting City's written notice of violation or decision;
 - 2. List of persons expected to testify, and a brief summary of each person's expected testimony;
 - 3. A list of and copy of all exhibits;
 - 4. Notice as to whether the party will be represented by legal counsel at the hearing;
 - 5. If desired, a request that the hearing be recorded by an electronic hearing device.
- D. Informal process. The hearing shall be conducted in an informal process to determine whether there is a sufficient factual and legal basis to support the City's notice of violation, fines to be imposed if any, or decision that is being appealed. The rules of evidence shall not apply, provided, however, that the decision of the Hearing Officer shall in all cases be based upon substantial and reliable evidence. All parties to the hearing shall have the right to present evidence and conduct cross-examination. The City shall present its case first. The Hearing Officer may issue orders as may be necessary or appropriate to fairly and efficiently determine the truth and decide the case at hand. The Hearing Officer may ask questions. The City shall have the burden of establishing by a preponderance of the evidence that a violation has occurred or that its action was merited.
- E. Final decision. The Hearing Officer shall issue its written decision within thirty (30) days from the hearing date. The decision shall include factual findings. The decision of the Hearing Officer is final.
- F. Waiver. A failure of the person who received written notice in compliance with the requirements of this chapter to timely request a hearing or the failure to appear at a scheduled hearing shall constitute a waiver of the right to a hearing or to challenge the validity of the City notice of violation or action. The Hearing Officer may render a final decision notwithstanding the person's failure to appear at the hearing.

The Flagstaff City Code, Title 3 Business Regulations, Chapter 3-01 Business License Regulations, is hereby amended by deleting those provisions shown in strike-out, and adding those provisions shown in capitalized underlined text:

3-01-001-0003 LICENSE EXEMPTIONS

- A. The following persons shall not be required to obtain a business license:
1. Any person defined in Section [3-05-002-0270](#) as a Federally exempt organization, governmental entity, proprietary club or public educational entity;
 2. Any person licensed under Chapter [3-07](#) (Special Licenses) or [3-09](#) (Cable);
 3. Any person with a valid franchise agreement with the City;
 4. Any person licensed under Chapter [3-08](#) (Sexually Oriented Businesses);
 5. ANY PERSON WITH A VALID SHORT-TERM RENTAL LICENSE ISSUED UNDER CHAPTER 3-12 (SHORT-TERM RENTALS);
 - ~~5-6.~~ Sidewalk vendor with a permit issued under Section [8-03-002-0004](#) (Sidewalk Vending Carts);
 - ~~6-7.~~ Any person with a valid special event permit issued under Chapter [8-12](#) (Special Events);
 - ~~7-8.~~ Any person with a valid temporary use permit issued under Section [10-20.40.150](#) (Temporary Use Permits);
 - ~~8-9.~~ A fair vendor at a prescheduled fair, convention, celebration, promotion or other public gathering, where the organizer has obtained a special event permit issued under Chapter [8-12](#) (Special Events) or temporary use permit issued under Section [10-20.40.150](#) (Temporary Use Permits).

The Flagstaff City Code, Title 3 Business Regulations, Chapter 3-10 User Fees, is hereby amended by deleting those provisions shown in strike-out, and adding those provisions shown in capitalized underlined text:

3-10-001-0008 License Fees

The user fees of the Management Services Division shall be as follows:

Fee Type	Fee per Each
Business license – annual	\$8

Fee Type	Fee per Each
Business license – renewal	\$8
Business license – penalty failure to obtain/renew	50% of fee
Transient merchant approval	\$0
Transaction privilege and use tax license (see Section 3-05-003-0320)	
Commercial ground transportation – per taxi	\$38
Commercial ground transportation – per motor coach	\$38
Commercial ground transportation – annual renew	\$8
Adult oriented business (see Section 3-08-001-0006)	
Adult oriented business renew (see Section 3-08-001-0006)	
Scavenger waste permit	\$24
<u>SHORT TERM RENTAL LICENSE – ANNUAL (SEE CHAPTER 3-12)</u>	<u>\$175</u>

Short Term Rental Ordinance

May 9, 2023





Agenda



1. Short-term rentals in Flagstaff (zoning, state law and numbers)
2. Propose schedule for ordinance adoption
3. Report on public input and feedback
4. Present draft ordinance to license short term rentals
5. Receive City Council direction

Short Term Rentals Defined



Any residential unit rented for less than 30 days



Flagstaff Any week 2 guests

Filters

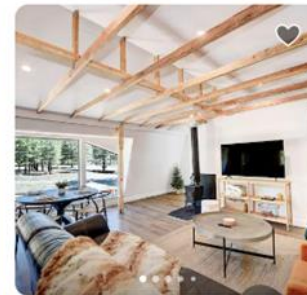
Over 1,000 homes



Home in Flagstaff

★ New

The Ponderosa - NEW! Stylish...
4 beds
Oct 25 - 30
\$241 night



Cottage in Flagstaff

★ New

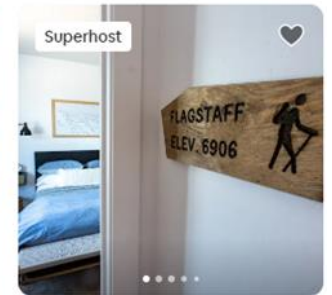
Perfect Private Mountainside ...
2 king beds
Nov 1 - 7
\$137 night



Home in Flagstaff

★ 4.97 (32)

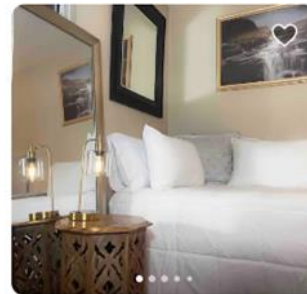
Historic Farmhouse close to ...
2 queen beds
Nov 6 - 12
\$110 night



Guest suite in Flagstaff

★ 4.99 (155)

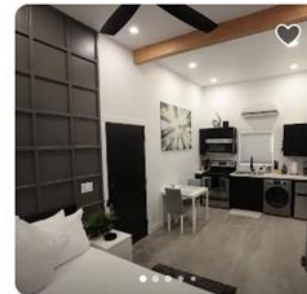
Dark Sky, Queen Bd, Rails ...
2 beds
Oct 30 - Nov 4
\$89 night



Apartment in Flagstaff

★ New

The Private Escape - Luxuriou...
2 beds
Oct 23 - 28



Home in Flagstaff

★ New

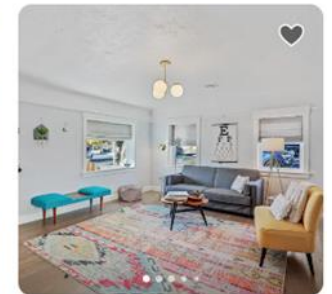
(3) New, Modern, & Private ...
1 queen bed
Oct 16 - 21



Bungalow in Flagstaff

★ 4.96 (49)

Downtown Green Gable ...
1 king bed
Oct 10 - 15



Home in Flagstaff

★ 4.84 (45)

Newly Relisted! Precious ...
3 beds
Oct 30 - Nov 4

Schedule of Events

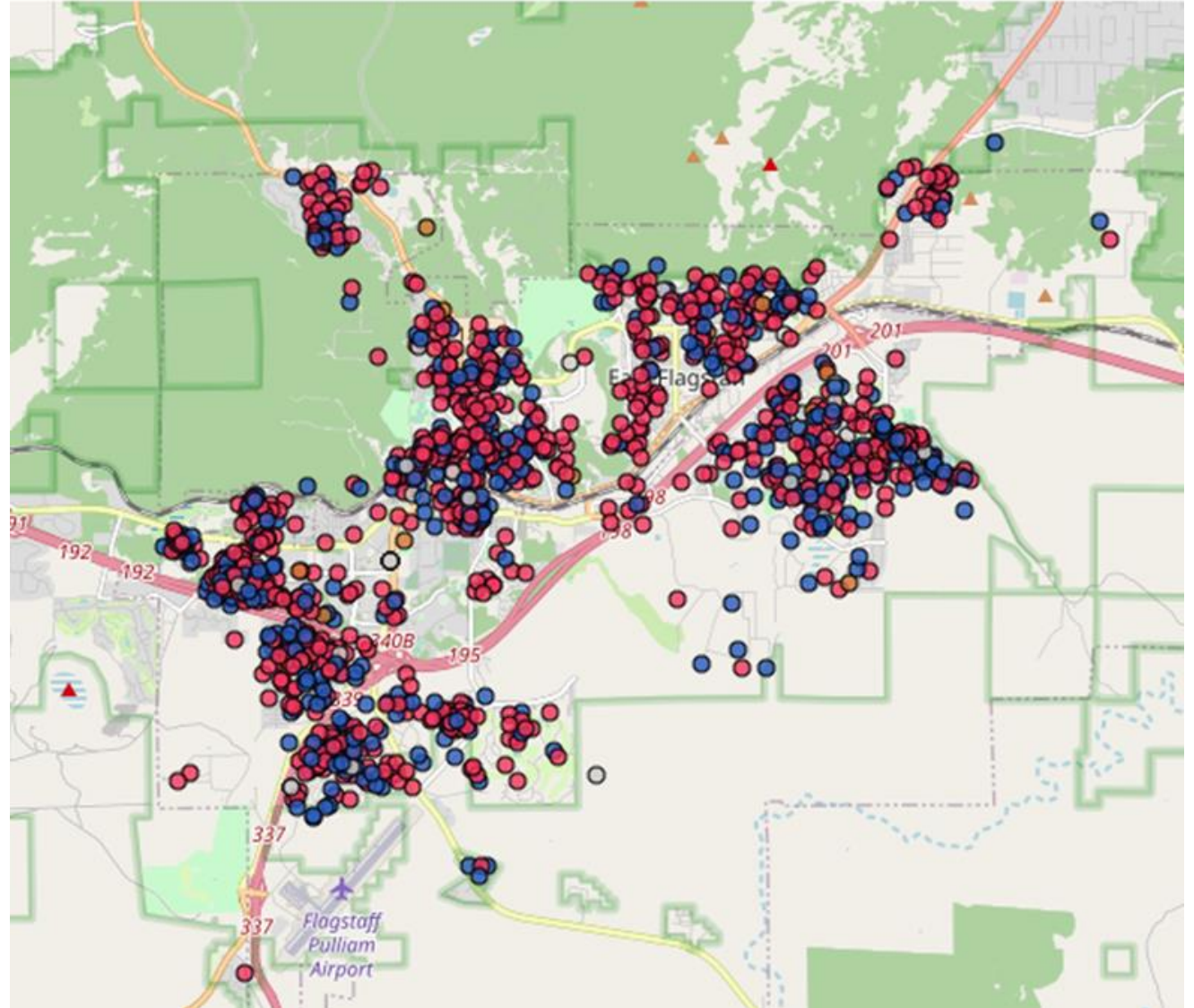
Event	Date
SB1168 signed by Governor	July 2, 2022
Council gave staff direction to begin creating a Short-Term Rental Licensing System in Flagstaff	Oct. 11, 2022
Open House to gather feedback from the community on draft ordinance	March 27, 2023
Rate analysis completed	April 21, 2023
60-day fee notice	April 21, 2023
Staff presents draft ordinance to Council, incorporating community feedback	May 9, 2023
1st read of ordinance	June 20, 2023
2nd read of ordinance and fee adoption	July 3, 2023
Ordinance effective date - Fee payment and licensing process begins	Fall 2023 (Goal of Sept. 1)





STRs in Flagstaff

- Most are in single-family residential neighborhoods
- 1,045 unique properties, 731 registered
- About 3.3% of all residential units are STRs (including apartments)
 - Most Valley cities about 1-2% of all residential units
 - Sedona about 10% of all residential units
- STRs are required to pay local transaction privilege tax (4.281%) and state TPT on gross revenues





Background –Zoning and City Code

- City allows STRs in all zones
 - If there is a Single Family Dwelling Unit and an Accessory Dwelling Unit on the same lot, they cannot both be separately leased as STRs. Zoning Code Section 10-40.60.030(E) and (G)
- STRs are subject to City Code regulations including noise, parking, solid waste, building and fire codes



Background – A.R.S. 9-500.39

- City has required registration of STRs since January 2021
- City now may require:
 - Licensing
 - Emergency contact information
 - Notice to neighbors
 - Payment of a license fee of up to \$250
 - Penalties



Background – A.R.S. 9-500.39

- What City cannot do:
 - Exclude STRs from single-family residential zones
 - Regulate or cap the number of STRs in the City
 - Require STRs to be owner-occupied
 - Regulate STRs differently than single-family dwelling units unless required for public health and safety



Public Comments on Draft Ordinance

- Open house held on March 27, 2023 at City Hall
 - Over 200 attendees both in person and online
 - Feedback and questions received from attendees and by email
 - Staff met after the open house to review feedback and incorporate into the draft ordinance
- Owners expressed interest in collecting data on owner-occupied STRs, the appeals process for verified violations, the frequency of neighbor notifications, and emergency contact requirements.
- Resident concerns included noise, strangers, backyard fires, reduction in affordable housing supply, and regulating STRs as businesses.



Draft Ordinance

License Required

- License required before offering a STR for rent
- Separate license for each STR that is separately leased
- License is non-transferable
- The penalty for failure to have a license is \$1,000 per month after City provides 30 days' notice
- License is for 1 year



Draft Ordinance

License Fee

- State law sets maximum fee at \$250
- City will charge an annual fee
 - Preliminary rate study supports fee of \$175
 - Fee pays for software licensing and code compliance
 - Owner-occupied STRs will pay same fee as offsite owners



Draft Ordinance

License Application

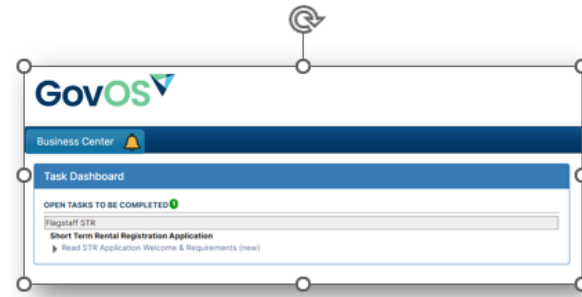
- Address of the STR
- Contact information for STR owner
- Name, address, email address, & 24-hour phone number of emergency point of contact
- Transaction Privilege Tax (TPT) license number
- Statement that the owner will comply with all applicable laws, is not a registered sex offender and does not have a felony conviction for death, serious injury or use of a deadly weapon
- Attestation that neighborhood notification will be completed
- Payment of license fee
- Proof of lawful presence in the United States

Application Process

- Current online registration system (LodgingRev) will be converted to an online licensing system
- Once implemented, property owner will see the license application in the "open tasks" section



Log in to Business Center



Complete Online Form

A screenshot of the "Property Information" form. It includes fields for "Address of Property Used as a Short Term Rental", "Physical Street Address", "Address Unit / Suite", "City", "State", "Zip", "Property Tax Account Number", and "Rental Type".

Upload Documents (Optional)

A screenshot of the "Document Uploader" form. It includes a section for "Upload required: Site & Parking Plan" and a "Choose File" button. It also has a "Save and Return to Business Center" button and a "Submit" button.

Review Fee

A screenshot of the "Fee Required" form. It displays the fee amount as "\$ 250.00" and includes a "Save and Return to Business Center" button and a "Submit" button.

Pay Fee via Bank Account or Credit Card

A screenshot of the "Payment Method" form. It includes a section for "Please select your payment method:" with radio buttons for "Bank Account" and "Credit Card". It also has fields for "First Name", "Last Name", "Card Number", "Expiration Date", "CVC", "Billing Address", "City", "State", "Zip", and "Phone Number".



Draft Ordinance

License Denial

- The City may deny a license if the applicant:
 - Fails to provide required information
 - Fails to pay the license fee
 - Provides false information
 - Is a registered sex offender, has a felony conviction for death or serious physical injury or has a felony conviction for use of a deadly weapon within the last 5 years



Draft Ordinance

Neighbor Notification

- Owner shall provide notice of STR and emergency contact information to:
 - Each single-family unit adjacent, directly across, and diagonal from the STR
 - Residents on the same floor of a multi-family building
- A new notice is required
 - If emergency contact information changes
 - At time of license renewal
 - No new notice required if new neighbors move in



Draft Ordinance

Emergency Point of Contact

- Emergency contact must be available (in-person or by phone) within 60 minutes for emergencies that require police response
- Does not need to be the STR owner
- The penalty is \$1,000 for every 30 days information is not on file, after City provides 30 days' written notice.



Draft Ordinance

Advertisements & Posting

- Advertisements will need to display the STR license number
- A notice must be posted at each STR with emergency contact information and noting prohibited uses under the STR code



Draft Ordinance

Sex Offender Background Checks & Liability Insurance

- City will not require sex offender background checks on booking guests (as drafted)
- City will not require \$500K liability insurance (as drafted)



Draft Ordinance

Verified Violation

- "Verified violation" means a finding of guilt or civil responsibility for violating any state law or local ordinance relating to a purpose prescribed in A.R.S. Section 9-500.39 subsections B or K that has been finally adjudicated (a final decision of a court or administrative hearing officer with no further right of appeal).
- A verified violation will include using a STR for a prohibited use.
- Prohibited uses include nonresidential uses (other than STRs), housing sex offenders, selling illegal drugs, liquor control or pornography, and other uses in violation of law or the City Code that related to public health and safety.



Draft Ordinance

Verified Violation – Must be "Finally Adjudicated"

- A Code Compliance citation is not a verified violation
 - Citation may be appealed
- A verified violation is a final decision of a court or an administrative hearing officer (with no further right of appeal)



Draft Ordinance

License Suspension

- The City may suspend a STR license for up to 12 months for:
 - 3 verified violations within 12 months
 - Not including any aesthetic, solid waste disposal or vehicle parking violation that is not also a serious threat to public health and safety.
 - 1 verified violation that results in a felony offense committed by the owner at the STR, serious injury or wrongful death, knowingly housing a sex offender, allowing prostitution or allowing the use of the STR for a special event that would otherwise require a permit



Draft Ordinance

Penalties for Verified Violations

- \$500 for 1st verified violation
- \$1,000 for 2nd verified violation within 12 months
- \$3,500 for 3rd and any subsequent violations within 12 months
- Citations may be contested and the owner is entitled to an administrative hearing; hearing officer will render decision



Complaints and Code Compliance

- Code Compliance works with residents and property owners
- Current online [incident reporting form](#) will remain live
- Current complaint hotline (928) 714-7951 will remain live

The screenshot shows a web form titled "Short-Term Rental Solution" with a logo consisting of two overlapping triangles. Below the title is a language selector: "Language: English | Espanol". The main heading is "Property Incident Form" in orange. A message states: "Please fill out the following information to log your complaint." Below this is the "Hotline Phone Number: (928) 714-7951" in red. The "Property Information:" section contains two dropdown menus: "Select the property's city *" with "Flagstaff, AZ" selected, and "Select a complaint type *" which is currently empty.



Public Outreach Plan

- Email to all current registered STR owners
- Outreach from Lodging Rev to all owners of STRs being advertised on AirBnb/ VRBO/ etc.
- Social media/ news releases
- Interested parties email distribution list
 - Realtors
 - Insurance agents
 - HOA representatives and neighborhood associations
 - Local interest groups



Stay up to date

- Visit [Flagstaff.az.gov/STRL](https://flagstaff.az.gov/STRL)
- Email shorttermrental@flagstaffaz.gov to be added to the interested parties email distribution list or for any other questions



Questions and feedback



CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Stacy Saltzburg, City Clerk
Date: 05/04/2023
Meeting Date: 05/09/2023



TITLE:

2023 Charter Amendment Discussion

DESIRED OUTCOME:

Council direction on amendments to advance to voters

EXECUTIVE SUMMARY:

Over the last few years, staff has identified a number of needed amendments to the Charter. Many of the amendments are administrative or technical and seek to update the Charter to align with current practices and changes in state law and remove antiquated provisions that are no longer relevant.

In February 2022 City Council gave direction for staff to convene an internal Charter Review Committee to review the amendments identified by staff and bring back a recommendation to Council for consideration. A committee was formed consisting of 15 staff members from across the organization. The committee met over the course of six months to review 34 amendments. Following discussion and deliberations 21 amendments are being presented to Council for consideration.

INFORMATION:

Following Council direction on the amendments to advance to the voters, staff will further refine and finalize the amendments and develop the official ballot language. A resolution will be presented to the Council before summer break to officially call a Special Election for November 7, 2023.

Attached is the ranking of the amendments as determined by the Charter Review Committee.

Attachments: [Presentation](#)
 [Recommended Charter Amendments](#)
 [Current City Charter](#)

Proposed Charter Amendments

Special Election

November 2023





What is a City Charter?

- A document that outlines the City's governmental structure, identifies jurisdiction, and provides enabling authority for self-rule
- All city authority stems from state law
 - A city charter does not grant additional authority (e.g. a city charter cannot give cities authority to adopt fees for affordable housing or climate action programs – that authority needs to come from the state)



Flagstaff City Charter

- Originally voted on by the citizens in 1958 and has been amended 8 times since then
 - Last amendment 2015
- Any amendment to the City Charter requires approval by a majority of the qualified electors voting in the election
- Amendments identified by staff
 - Administrative/technical to bring Charter more in line with current practices or changes in state law



Internal Charter Review Committee

- 15 Members from across the organization
 - Management Services, Sustainability, Economic Vitality, Human Resources, Fire Department, PROSE, Legal, City Manager's Office
- Meetings held between November and April
 - Education, review, rank, and formulate recommendation
- 21 total amendments recommended
 - Overall ranking
 - Three priorities of high, medium, low



Internal Charter Review Committee

- Proposed amendments primarily technical
 - Improve efficiencies within the organization
 - Standardize operations
 - Clean up outdated language or practices
- 6 High Priority
- 6 Medium Priority
- 9 Low Priority



No. 1 – Nomination For Primary Election

Summary Analysis

- Current candidate signature requirements
 - Minimum of 5% of voters at prior General Election
 - 2024 – 1,131
 - 2022 – 1,302
 - 2020 – 1,045
 - 2018 – 1,313
- Amendment provides Council the ability to adopt an ordinance that sets the minimum number of signatures at 1,000 **OR** 5% whichever is less (ARS 16-322(A)(8))
- Amendment would also remove the specific filing date requirement to allow flexibility as state law changes





No. 1 – Proposed Amendment

NOMINATION FOR PRIMARY ELECTION

(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 **BEFORE THE DATE SET FOR THE PRIMARY ELECTION AS DETERMINED BY ARIZONA STATUTES AS MAY BE AMENDED** ~~not earlier than one hundred twenty (120) days, nor later than ninety (90) days before the date set for the Primary Election.~~ **THE CITY COUNCIL MAY PROVIDE BY ORDINANCE THAT THE MINIMUM NUMBER OF SIGNATURES REQUIRED FOR THE CANDIDATE BE ONE THOUSAND SIGNATURES OR FIVE PERCENT OF THE VOTE IN THE CITY, WHICHEVER IS LESS, BUT NOT MORE THAN TEN 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.



No. 2 – Purchases and Contracts for City Improvements



Summary Analysis



- Updates the title of the Article to cover all purchases and contracts, not just those for city improvements
- The amendment would increase the formal purchasing threshold from \$50,000 to \$100,000
 - Addresses inflation and mimics other Arizona jurisdictions thresholds
 - Allows for more efficiencies within the procurement process
- Removes antiquated provision that requires written approval of City Manager for contract amendments



No. 2 – Proposed Amendment

PURCHASES, AND CONTRACTS, AND FOR CITY IMPROVEMENTS

(a) The City Manager shall contract for and purchase, or issue purchase authorization for, all supplies, materials, equipment, ~~and~~ services, **AND CITY IMPROVEMENTS** for the offices, departments, and agencies of the City.

(b) Any **PURCHASE OR** City improvement costing ~~fifty thousand dollars (\$50,000)~~ **ONE HUNDRED THOUSAND DOLLARS (\$100,000)** or more, ~~or any purchase costing more than fifty thousand dollars (\$50,000)~~, 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 bids**, as directed in **THE PROCUREMENT CODE ESTABLISHED BY ORDINANCE OF THE CITY COUNCIL** ~~Section 3 of this Article. The City Manager, with the approval of the City Council, may enter into a contract with the lowest responsible bidder whose proposal is the most satisfactory.~~

(c) **ALL CONTRACTS ARE SUBJECT TO LEGAL REVIEW, AT THE CITY ATTORNEY'S DISCRETION.** Any contract or purchase exceeding the sum of **ONE HUNDRED** ~~fifty~~ thousand dollars (~~\$100~~**50**,000) shall require the prior approval of the Council.

~~(d) Alterations in any contract may be made when authorized by the Council upon the written recommendation of the City Manager.~~



No. 3 – Administrative Departments and Offices



Summary Analysis



- Currently, the City Clerk, City Treasurer, Deputy City Managers, and City Attorney are required to live within the official city limits
- The amendment would remove the residency requirement
 - Could help with recruitment and retention
 - Acknowledges the housing challenges within the city
- The residency requirement would remain for the City Manager as called for in Article III, Section 2 of the Charter



No. 3 – Proposed Amendment

ADMINISTRATIVE DEPARTMENTS AND OFFICES

~~(d) City officials, as designated by this Article, and all heads of departments shall be residents of the City during their tenure of office.~~



No. 4 – Bids



Summary Analysis



- Title of Article would be updated from Bids to Procurement
 - Acknowledges the variety of procurement methods used
- The City uses a variety of procurement methods authorized by law, not just low/high bids. The amendments provide flexibility for the various types of procurement methods utilized
- The amendments are consistent with the Arizona Procurement Code and city practices
- Amendments would also provide for consistent language throughout the Charter



No. 4 – Proposed Amendment

BIDS PROCUREMENT

(A) CITY PURCHASES OF IMPROVEMENTS, SUPPLIES, MATERIALS, EQUIPMENT, AND SERVICES SHALL BE MADE PURSUANT TO PROCUREMENT PROCESSES SET FORTH IN THE PROCUREMENT CODE ESTABLISHED BY ORDINANCE OF THE CITY COUNCIL.

(B) The advertisement for ~~bids~~, 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 ~~bids~~. CITY WILL ADOPT MEASURES TO PROVIDE FOR SECURITY AND CONFIDENTIALITY OF SEALED RESPONSES. SOLICITING Bidding shall be: (1) Pursuant to the Arizona State Procurement Code AND THE CITY OF FLAGSTAFF PROCUREMENT CODE ~~as amended by the City Council~~; or (2) by sealed ~~proposals~~ RESPONSE; or (3) by other methods that provide for security of ~~bids~~ RESPONSES and competitive SOLICITING bidding 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 ~~bids~~ RESPONSES, and advertise for SOLICITATIONS ~~bids~~ again.

(C) CONTRACTS 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 ~~bids, and advertise for bids again~~ RESPONSES TO THE SOLICITATION.



No. 5 – Leases of City Properties

Summary Analysis



- Article title updated to “Leases and SALE of City REAL Properties”
 - This reflects a consolidation of all Charter provisions related to real property in one section of the Charter
- Allows the city to lease or sell property for a specific purpose
 - For example, the city seeks to lease buildings for after-school child care, community services, local theater, affordable housing, that benefit the community



No. 5 – Proposed Amendment

LEASES **AND SALE** OF CITY **REAL** PROPERTIES

(A) The Council may lease **OR SELL** any land, **AND** buildings, ~~or equipment~~ now or hereafter owned by the City on such terms and conditions as the Council may prescribe. ~~All leases shall be made to the highest responsible bidder after publication of notice thereof for at least one time per week for two weeks, stating explicitly the time and conditions of the proposed lease. However, the Council may, in its discretion, reject any and all bids.~~

(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. 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.**

(C) **THE COUNCIL MAY ALSO IN ITS DISCRETION SUBDIVIDE AND PLAT CITY PROPERTY WHICH IT DETERMINES TO SELL, PROVIDING RESTRICTIONS RELATIVE TO ITS USE AND DEDICATE STREETS AND ALLEYS AS DETERMINED NECESSARY FOR THE USE OF THE PUBLIC.**



No. 6 – Contracts



Summary Analysis

- Sections 1, 5(a), 6, and 7
- These are all updates to language used in the Charter and making it consistent throughout.
 - Bid → Solicitation/Response
 - Bidder → Responder
- The amendments better reflect and include the various types of procurement methods utilized.





No. 6 – Proposed Amendment

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 **SOLICITATION** ~~bidding~~ process whenever possible unless otherwise provided.

CONTRACTS FOR OFFICIAL ADVERTISING

(a) The City Manager shall let 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 ~~proposals~~ **RESPONSES**. The ~~proposals~~ **RESPONSES** shall specify the type and space to be used at the rate or rates named in the ~~bid~~ **RESPONSES**. The City Manager shall let the contracts for such official advertising to the lowest qualified ~~bidder~~ **RESPONDER OR HIGHEST SCORING PROPOSAL** publishing a newspaper of general circulation in the City; provided that, the Manager may reject any and all **RESPONSES** ~~bids~~, and proceed to secure new bids in the manner provided herein.



No. 6 – Proposed Amendment (cont.)

FRAUD AND COLLUSION

Any member of the Council, or any officer or employee of the City who shall aid or assist a ~~bidder~~ **RESPONDER** in securing a contract to furnish labor, material, equipment, supplies, or services at a higher price than that proposed by any other ~~bidder~~ **RESPONDER**, or who shall favor one ~~bidder~~ **RESPONDER** over another by giving or withholding information, or who shall willfully mislead any ~~bidder~~ **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.

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 ~~bid~~ **or bids** ~~RESPONSE OR RESPONSES~~, colluded with any other party or parties for the purpose of preventing any other ~~bid~~ **RESPONSE** being made, then the contract so awarded shall be null and void, and the City Manager shall advertise for **A new bids 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 the¹⁸ direction of the City Manager.



No. 7 – Personnel Rules and Regulations



Summary Analysis



- Currently, City Council establishes the Personnel Rules and Regulations.
- The amendment would allow the City Manager to establish Personnel Rules and Regulations which is more in line with the Council/Manager form of government.
- The amendment removes volunteers from the list of those subject to Council control, but leaves Board and Commission members under Council control. This is consistent with regular practice.
- Updates the name of Police Judges to Presiding Magistrate



No. 7 – Proposed Amendment

PERSONNEL RULES AND REGULATIONS

The Council shall **ADOPT AN** ~~, by~~ ordinance **THAT REQUIRES THE CITY MANAGER TO ESTABLISH** ~~, 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 **PRESIDING MAGISTRATE** ~~Police Judges.~~



No. 8 – When Actions are to be Taken by Ordinance



Summary Analysis



- Simplify the process for land exchange
- Clarifies that the city may grant and accept easements without an ordinance
- Requiring debt related financing to go through an ordinance process delays the ability to issue debt by 35 days. Having additional flexibility on speed of issuing debt could improve the rate of return on the debt. It would also allow us to be more proactive when issuing debt and be more responsive especially in terms of emergency management.



No. 8 – Proposed Amendment

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 **IN FEE SIMPLE** 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.



No. 9 – Appointive Boards and Commissions



Summary Analysis



- Currently, only city-residents can serve on city boards and commissions
- The amendment would allow non-city residents to serve on boards and commissions
 - Expands participation to those who work, shop, entertain, etc. in the city
 - It could help with filling seats and bring more inclusivity to commissions
- There would likely be a cap on the number of non-city residents that are able to be appointed to each commission



No. 9 – Proposed Amendment

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.~~



No. 10 – Am. 2 – Vote Required for Certain Types of Facilities Costing in Excess of \$1M



Summary Analysis



- This provision of the Charter delays the city's opportunity to effectively move forward with facility needs
- There may be times where the city has the funding already identified for a facility in excess of the allowed amount but would have to wait for voter approval
- The city has a budget process as well as the ability for the public to speak to facility spending during Council meetings
- Good example is the repurposing of the Montalvo Fire Station



No. 10 – Proposed Amendment

~~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.~~



No. 11 – Am. 1 – Vote Required for Certain Types of Bond Issues



Summary Analysis



- This provision in the Charter hinders the city's ability to issue debt on behalf of the organization which could increase financing costs
- The city could use several other options for issuing debt that could create higher interest rates
- Different types of revenue backed debt are more favorable to investors
- Sales tax backed debt usually has a higher rating
- Delaying the opportunity to wait for voter approval could also impact financing opportunities

MEDIUM PRIORITY – 5 of 6



No. 11 – Proposed Amendment

~~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.~~



No. 12 – Elections for Approval of Franchises



Summary Analysis

- Currently, the Charter allows for a Franchise Election to be called within a 30 day period
- The call of any election must provide ample notice to the County Election Department and should adhere to the time frames established by state law (currently, 150 days)
- The amendment would bring the requirement to call the election into compliance with state law now and in the future as state law may change





No. 12 – Proposed Amendment

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 REVISED STATES AS MAY BE AMENDED** ~~at any time upon thirty (30) days' notice;~~ 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.



No. 13 – Reading and Passage of Ordinances and Resolutions



Summary Analysis



- Currently, to do a first and second read together at the same meeting it requires a unanimous vote of Council
 - 30 day waiting period to become effective
- To declare an emergency and make an ordinance effective immediately (no 30 day wait period) it only requires a three-fourths vote of Council (6 members)
- It should not be harder to do first and final read together than it is to find an emergency which is effective immediately
- The amendment would make both special actions require a three-fourths vote of Council



No. 13 – Proposed Amendment

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 twenty-four (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~~ **THE AFFIRMATIVE VOTE OF THREE-FOURTHS OF ALL MEMBERS ELECTED OR APPOINTED TO THE COUNCIL**. 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.



No. 14 – Fiscal



Summary Analysis



- The amendment brings the Charter more in line with recent legislative changes to the Model City Tax Code, including the incorporation of recent legislative emphasis on tax simplification
- The proposed changes also more clearly define the abilities of Council to self-administer the already adopted tax code



No. 14 – Proposed Amendment

FISCAL

~~The provisions of the Constitution and the Laws of the State as the same now exist or hereafter may be amended governing t~~
The budget, taxation, financial, and fiscal powers of the City **ARE A MATTER OF LOCAL CONCERN. shall apply to the governing and conduct of same in the City. 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.**



No. 15 – Sale of City Property

Summary Analysis



- Title modified to specify City “Personal” Property
- The city desires flexibility to sell personal property to organizations that can put it to community use versus private use
- Increases the value of the property from \$500 to \$1,000
- Authorizes the City Treasurer to sell personal property at or below the designated threshold
- The amendment consolidates all Charter provisions related to personal property in one section of the Charter



No. 15 – Proposed Amendment

SALE OF CITY **PERSONAL** PROPERTY

The Council may sell ~~such portions of the real and~~ **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:

1. Personal property valued in excess of **\$1,000.00** ~~\$500.00~~ shall be sold after published notice of the sale for at least once not less than five (5) days prior to opening of bids.
2. ~~Real property shall be sold after published notice of the sale for at least one time per week for three weeks prior to opening of bids. The Council shall have the right to reject any and all bids. If there are no bids 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 bid process. Sale or trade of real property with another government entity does not require a notification and bid process.~~
3. The City **TREASURER** ~~Manager~~ may sell or otherwise dispose of any personal property having a value of **\$1,000.00** ~~\$500.00~~ or less without published notice, but written advice of such sale or disposal shall be given to the Council **FOR ALL ITEMS ABOVE \$500.00.**
4. ~~The Council may also in its discretion subdivide and plat City property which it determines to sell, providing restrictions relative to its use and dedicate streets and alleys as determined necessary for the use of the public.~~



No. 16 – Ordinances and Resolutions

Summary Analysis



- Sections 13 and 15
- Antiquated requirement in the digital age, State Statute requires one (1) paper copy and one (1) digital copy to be maintained.
- Storage constraints associated with keeping and maintaining three (3) physical copies
- The amendment removes requirement to have three (3) physical copies and is broad enough to accommodate any future changes in state law



No. 16 – Proposed Amendment

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 STATE STATUTE** ~~At least three (3) copies~~ 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.

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 ~~not less than three (3) copies~~ **THE NUMBER OF COPIES REQUIRED BY STATE STATUTE** thereof shall be filed for use and examination by the public in the office of the City Clerk prior to the adoption thereof.

³⁸ Amendments to the code shall be enacted in the same manner as ordinances.



No. 17 – Cash Fund Set Up; Transfer of Sums from Cash Basis Fund to Other Funds



Summary Analysis

- Clean up item
- It is an antiquated section of the Charter that is not used.



No. 17 – Proposed Amendment

~~CASH BASIS FUND SET UP; TRANSFER OF SUMS FROM CASH BASIS FUND TO OTHER FUNDS~~

~~The Council may, by ordinance, create and maintain a permanent revolving fund to be known as the Cash Basis Fund, for the purpose of putting the payment of the running expenses of the City on a cash basis. For this purpose, the Council may provide that from the money received from other sources, a sum equal to not less than two and one-half (2 1/2) cents on each one hundred dollars (\$100.00) of the assessed value of said property shall be placed in such fund, until the accumulated amount of such fund shall be sufficient to meet all legal demands against the Treasury for the first four (4) months, or other necessary period, of the succeeding fiscal year.~~

~~The Council shall have power to transfer from the Cash Basis Fund to any other fund or funds such sum or sums as may be required for the purpose of placing such fund or funds, as nearly as possible, on a cash basis. It shall be the duty of the Council to provide that all money so transferred from the Cash Basis Fund shall be returned thereto before the end of the fiscal year.~~



No. 18 – Police Court



Summary Analysis

- Header and Sections 1, 2, and 3
- Clean up
 - Reflects current terms used
- Updates outdated language in the Charter and make it consistent throughout
 - Police Court → Municipal Court
 - Police Judge → Magistrate





No. 18 – Proposed Amendments

~~POLICE~~ **MUNICIPAL** COURT

STATE LAWS CONTROL

The ~~Police~~ **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

~~POLICE~~ **MAGISTRATE(S)** ~~JUDGE(S)~~, APPOINTMENT, TERM

The ~~Police~~ **MAGISTRATE(S)** ~~Judge(s)~~ shall be appointed by the Council, and shall hold office at the pleasure of the Council.

SERVICE OF PROCESS

The Chief of Police shall cause all summonses issued by the **MAGISTRATE(S)**~~Police Judge(s)~~ to be served, and the return endorsed thereon and signed by the officer making such service. The

⁴² Chief of Police shall also cause all warrants of arrest to be executed.



No. 19 – Failure to Vote



Summary Analysis

- Clean up
- Failure to vote should be excused in matters in which the Councilmember has a conflict of interest





No. 19 – Proposed Amendment

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 A DECLARED CONFLICT OF INTEREST**. In all other cases, a failure to vote shall be entered on the minutes as an affirmative vote.



No. 20 – Qualifications of Electors; Registration



Summary Analysis

- Clean up
- The city cannot prevent registered voters from voting if they have not lived in the city for more than 30 days
- Voter registration is the purview of the state and county
- Brings Charter into compliance with state law





No. 20 – Proposed Amendment

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.~~

(b) ~~Registration of voters shall be as provided by City ordinance.~~



No. 21 – City Treasurer



Summary Analysis



- Clean up
- Currently, the City Council must formally approve the City Manager's appointment of the City Treasurer
- Amendment would remove the requirement for formal Council approval
 - Brings charter in line with the Council/Manager form of government.



No. 21 – Proposed Amendment

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.

Next Steps

- Before Council Break
 - Staff will refine and finalize the language of the advanced amendments
 - Develop ballot language
 - Legal review
 - Call of Election
- Development of outreach materials
- Outreach and education to the public
- Election – November 7, 2023



Direction Requested

- Which proposed amendments would you like to advance to the voters?
- Did we miss anything? Are there other amendments you would like to offer for consideration?



FLAGSTAFF CITY CHARTER

INTERNAL COMMITTEE RANKING

2023

Following Council direction, the exact wording will be refined and reviewed by legal. Final language will be presented as part of the official call of the election in late June, early July.

Ranking	Charter Reference	Proposed Amendment	Comments
HIGH PRIORITY			
1 Stacy S.	Article IX, Section 4(b) Page 15	<p>NOMINATION FOR PRIMARY ELECTION</p> <p>(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 BEFORE THE DATE SET FOR THE PRIMARY ELECTION AS DETERMINED BY ARIZONA STATUTES AS MAY BE AMENDED not earlier than one hundred twenty (120) days, nor later than ninety (90) days before the date set for the Primary Election. THE CITY COUNCIL MAY PROVIDE BY ORDINANCE THAT THE MINIMUM NUMBER OF SIGNATURES REQUIRED FOR THE CANDIDATE BE ONE THOUSAND SIGNATURES OR FIVE PERCENT OF THE VOTE IN THE CITY, WHICHEVER IS LESS, BUT NOT MORE THAN TEN 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.</p>	<p>Provides the City Council the ability to reduce the number of signatures needed to qualify for the ballot.</p> <p>Arizona Revised Statutes § 16-322(A)(8) provides that a city holding nonpartisan elections may by ordinance establish the minimum number of signatures to be one thousand signatures or five percent of the vote in the city, whichever is less, but not more than ten percent of the vote in the city.</p> <p>The filing deadline was changed by the State. The proposed amendment will keep the Charter language consistent with State law moving forward.</p>
2 Patrick	Article VII, Section 2(a, b, c, d) Page 12	<p>PURCHASES, AND CONTRACTS, AND FOR CITY IMPROVEMENTS</p> <p>(a) The City Manager shall contract for and purchase, or issue purchase authorization for, all supplies, materials, equipment, and AND CITY IMPROVEMENTS for the offices, departments, and agencies of the City.</p> <p>(b) Any PURCHASE OR City improvement costing fifty thousand dollars (\$50,000) ONE HUNDRED THOUSAND DOLLARS (\$100,000) or more, or any purchase costing more than fifty thousand dollars (\$50,000), 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</p>	<p>Clarifies the City Manager authority to approve contracts for purchase of materials, services, and improvements.</p> <p>Increases the formal purchasing threshold to \$100,000. Due to inflation and price increases over the years, several Arizona cities have increased their purchasing threshold to \$100,000 (e.g. Phoenix, NAU). The informal solicitation process can be completed</p>

Ranking	Charter Reference	Proposed Amendment	Comments
		<p>the City Manager. Such contracts shall be advertised for SOLICITATION bids, as directed in THE PROCUREMENT CODE ESTABLISHED BY ORDINANCE OF THE CITY COUNCIL Section 3 of this Article. The City Manager, with the approval of the City Council, may enter into a contract with the lowest responsible bidder whose proposal is the most satisfactory.</p> <p>(c) ALL CONTRACTS ARE SUBJECT TO LEGAL REVIEW, AT THE CITY ATTORNEY'S DISCRETION. Any contract or purchase exceeding the sum of ONE HUNDRED fifty thousand dollars (\$10050,000) shall require the prior approval of the Council.</p> <p>(d) — Alterations in any contract may be made when authorized by the Council upon the written recommendation of the City Manager.</p>	<p>relatively quickly, as it involves obtaining competitive quotes from businesses and obtaining the City Manager's approval of the contract. The formal solicitation process takes significant time and administrative expense, as it involves publication of the solicitation in a local newspaper for at least two consecutive weeks, posting on PlanetBids, a fixed closing date and time, a panel evaluation of the offers or responses, and formal contract award by Council.</p> <p>Deletes requirement (d) to conform with common law: if a contract has been approved by the City Manager, the City Manager may approve an amendment. If a contract has been approved by the City Council, only the City Council may approve an amendment unless it has delegated such authority to another person.</p>
3 Greg	Article IV, Section 1(d) Page 7	<p>ADMINISTRATIVE DEPARTMENTS AND OFFICES</p> <p>(d) — City officials, as designated by this Article, and all heads of departments shall be residents of the City during their tenure of office.</p>	<p>Remove the requirement for the City Clerk, City Treasurer, Deputy City Managers, and City Attorney to live within official city limits.</p> <p>This could help with recruitment and retention and acknowledges the housing challenges within the city</p> <p>The residency requirement would remain for the City Manager as called for in Article III, Section 2 of the Charter.</p>

Ranking	Charter Reference	Proposed Amendment	Comments
4 Patrick	Article VIII, Section 3 Page 13	<p>BIDS PROCUREMENT</p> <p>(A) CITY PURCHASES OF IMPROVEMENTS, SUPPLIES, MATERIALS, EQUIPMENT, AND SERVICES SHALL BE MADE PURSUANT TO PROCUREMENT PROCESSES SET FORTH IN THE PROCUREMENT CODE ESTABLISHED BY ORDINANCE OF THE CITY COUNCIL.</p> <p>(B) The advertisement for bids, 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 bids. CITY WILL ADOPT MEASURES TO PROVIDE FOR SECURITY AND CONFIDENTIALITY OF SEALED RESPONSES. SOLICITING Bidding shall be: (1) Pursuant to the Arizona State Procurement Code AND THE CITY OF FLAGSTAFF PROCUREMENT CODE as amended by the City Council; or (2) by sealed proposals RESPONSE; or (3) by other methods that provide for security of bids RESPONSES and competitive SOLICITING bidding 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 bids RESPONSES, and advertise for SOLICITATIONS bids again.</p> <p>(C) CONTRACTS 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 bids, and advertise for bids again RESPONSES TO THE SOLICITATION.</p>	<p>Both the State and the City use a variety of procurement methods authorized by law, not just low/high bids. The amendments provide flexibility for the various types of procurement methods utilized.</p> <p>The proposed amendments are consistent with the Arizona Procurement Code and City practices.</p> <p>Consistent language throughout the Charter.</p>
5 Anja	Article VIII, Section 9 Page 14	<p>LEASES AND SALE OF CITY REAL PROPERTIES</p> <p>(A) The Council may lease OR SELL any land, AND buildings, or equipment now or hereafter owned by the City on such terms and conditions as the Council may prescribe. All leases shall be made to the highest responsible bidder after publication of notice thereof for at least one time per week for two weeks, stating explicitly the time and conditions of the proposed lease. However, the Council may, in its discretion, reject any and all bids.</p> <p>(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. 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</p>	<p>Allows the City to lease or sell property for a specific purpose.</p> <p>For example, the City seeks to lease buildings for after-school child care, community services, local theater, affordable housing, that benefit the community.</p> <p>The proposed amendments also consolidate all Charter provisions related to real property in one section of the Charter.</p>

Ranking	Charter Reference	Proposed Amendment	Comments
		<p>AND SOLICITATION PROCESS. SALE OR TRADE OF REAL PROPERTY WITH ANOTHER GOVERNMENT ENTITY DOES NOT REQUIRE A NOTIFICATION AND SOLICITATION PROCESS.</p> <p>(C) THE COUNCIL MAY ALSO IN ITS DISCRETION SUBDIVIDE AND PLAT CITY PROPERTY WHICH IT DETERMINES TO SELL, PROVIDING RESTRICTIONS RELATIVE TO ITS USE AND DEDICATE STREETS AND ALLEYS AS DETERMINED NECESSARY FOR THE USE OF THE PUBLIC.</p>	
ITEMS RANKED #6 WOULD BE COMBINED INTO A SINGLE BALLOT QUESTION			
6 Patrick	Article VIII, Section 1 Page 12	<p>PREPARATION</p> <p>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 SOLICITATION bidding process whenever possible unless otherwise provided.</p>	<p>Not everything is done by bid. The amendment provides for more flexibility in how we solicit the various types of procurement methods (RSOQ, Cooperative, CMAR, etc.)</p> <p>Provides consistent language throughout the Charter.</p>
6 Patrick	Article VIII, Section 5 (a) Page 13	<p>CONTRACTS FOR OFFICIAL ADVERTISING</p> <p>(a) The City Manager shall let 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 proposals RESPONSES. The proposals RESPONSES shall specify the type and space to be used at the rate or rates named in the bid RESPONSES. The City Manager shall let the contracts for such official advertising to the lowest qualified bidder RESPONDER OR HIGHEST SCORING PROPOSAL publishing a newspaper of general circulation in the City; provided that, the Manager may reject any and all RESPONSES bids, and proceed to secure new bids in the manner provided herein.</p>	<p>These changes are consistent with City practices. The city uses a variety of procurement methods authorized by law, not just low/high bids.</p> <p>Provides consistent language throughout the Charter.</p>
6 Patrick	Article VIII, Section 6 Page 13	<p>FRAUD AND COLLUSION</p> <p>Any member of the Council, or any officer or employee of the City who shall aid or assist a bidder RESPONDER in securing a contract to furnish labor, material, equipment, supplies, or services at a higher price than that proposed by any other bidder RESPONDER, or who shall favor one bidder RESPONDER over another by giving or withholding information, or who shall willfully mislead any bidder RESPONDER in regard to the character of the labor, material, equipment, supplies, or services called for, or the conditions under which the proposed work</p>	<p>These changes are consistent with City practices. The city uses a variety of procurement methods authorized by law, not just low/high bids.</p> <p>Provides consistent language throughout the Charter.</p>

Ranking	Charter Reference	Proposed Amendment	Comments
		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.	
6 Patrick	Article VIII, Section 7 Page 14	<p>AVOIDANCE OF CONTRACTS MADE THROUGH FRAUD AND COLLUSION</p> <p>If at any time it shall be found that the person to whom a contract has been awarded has, in presenting any bid or bids RESPONSE OR RESPONSES, colluded with any other party or parties for the purpose of preventing any other bid RESPONSE being made, then the contract so awarded shall be null and void, and the City Manager shall advertise for A new bids 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.</p>	<p>These changes are consistent with City practices. The city uses a variety of procurement methods authorized by law, not just low/high bids.</p> <p>Provides consistent language throughout the Charter.</p>
MEDIUM PRIORITY			
7 Shannon	Article IV, Section 5 Page 7	<p>PERSONNEL RULES AND REGULATIONS</p> <p>The Council shall ADOPT AN, by ordinance THAT REQUIRES THE CITY MANAGER TO ESTABLISH, 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 PRESIDING MAGISTRATE Police Judges.</p>	<p>Currently, City Council establishes the Personnel Rules and Regulations. The amendment would allow the City Manager to establish Personnel Rules and Regulations which is more in line with the Council/Manager form of government.</p> <p>The amendment removes volunteers from the list of those subject to Council control but leaves Board and Commission members under Council control. This is consistent with regular practice.</p> <p>Updates the name of police judges to Presiding Magistrate</p>
8 Rick	Article VII, Section 5	WHEN ACTIONS ARE TO BE TAKEN BY ORDINANCE	The amendment simplifies the process for land exchange and clarifies that the

Ranking	Charter Reference	Proposed Amendment	Comments
	Page 10	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 IN FEE SIMPLE 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.	<p>city may grant and accept easements without an ordinance.</p> <p>Requiring debt related financing to go through an ordinance process delays the ability to issue debt by 35 days. Having additional flexibility on speed of issuing debt could improve the rate of return on the debt. It would also allow us to be more proactive when issuing debt and be more responsive especially in terms of emergency management.</p>
9 Stacy F	Article V, Section 1 Page 8	<p>APPOINTIVE BOARDS AND COMMISSIONS</p> <p>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.</p>	<p>Would allow non-city residents to serve on boards and commissions.</p> <p>Expands participation to those who work, shop, entertain, etc. in the city. It could help with filling seats and bring more inclusivity to commissions.</p> <p>There would likely be a cap on the number of non-city residents appointed to each commission.</p>
10 Rick	Article XVI, Amendment No. 2 Page 21	<p>Amendment No. 2 VOTE REQUIRED FOR CERTAIN TYPES OF FACILITIES COSTING IN EXCESS OF ONE MILLION DOLLARS</p> <p>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.</p>	<p>This amendment delays the city's opportunity to effectively move forward with facility needs. There may be times where the City has the funding already identified for a facility in excess of the allowed amount but would have to wait for voter approval. The City has a budget process as well as the ability for the public to speak to facility spending during council meetings.</p>

Ranking	Charter Reference	Proposed Amendment	Comments
			Good example is the Montalvo Fire Station.
11 Rick	Article XVI, Amendment 1 Page 20	<p>Amendment No. 1 VOTE REQUIRED FOR CERTAIN TYPES OF BOND ISSUES</p> <p>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.</p>	<p>This amendment ties the organization's hands on effectively issuing debt on behalf of the organization and could cost more in financing costs.</p> <p>The City could use several other options for issuing debt that could create higher interest rates. Different types of revenue backed debt are more favorable to the investors. Sales tax backed debt usually has a higher rating.</p> <p>Delaying the opportunity to wait for voter approval could also impact financing opportunities.</p>
12 Stacy S	Article XII, Section 1 Page 18	<p>ELECTIONS FOR APPROVAL OF FRANCHISES</p> <p>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 REVISED STATES AS MAY BE AMENDED at any time upon thirty (30) days' notice; 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.</p>	<p>The call of election should provide ample notice to the County Election Department and be done in accordance with the time frames established by state law.</p> <p>The language is purposefully kept broad to allow for changes in state law.</p>
LOW PRIORITY			
13 Sterling	Article VII, Section 6 Page 10	<p>READING AND PASSAGE OF ORDINANCES AND RESOLUTIONS: EFFECTIVE DATE</p> <p>All proposed ordinances and resolutions shall either be read in full or posted in a public place at least twenty-four (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</p>	Declaring an emergency and making an ordinance effective immediately takes the affirmative vote of three fourths of Council.

Ranking	Charter Reference	Proposed Amendment	Comments
		<p>introduced upon unanimous consent of those Councilmembers present THE AFFIRMATIVE VOTE OF THREE-FOURTHS OF ALL MEMBERS ELECTED OR APPOINTED TO THE COUNCIL. 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.</p>	<p>It should not be harder to do first and final read together than it is to find an emergency which is effective immediately.</p> <p>Doing a first and second read as well as adoption on the same night still requires a 30-day effective date period.</p>
14 Anja	Article VI, Section 1 Page 8	<p>FISCAL</p> <p>The provisions of the Constitution and the Laws of the State as the same now exist or hereafter may be amended governing the ARE A MATTER OF LOCAL CONCERN. shall apply to the governing and conduct of same in the City. 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.</p>	<p>The amendment brings the Charter more in line with recent legislative changes to the Model City Tax Code, including the incorporation of recent legislative emphasis on tax simplification.</p> <p>The proposed changes also more clearly define the abilities of Council to self-administer the already adopted tax code.</p>
15 Heidi	Article VIII, Section 10 (1, 2, 3, 4) Page 14	<p>SALE OF CITY PERSONAL PROPERTY</p> <p>The Council may sell such portions of the real and 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:</p> <ol style="list-style-type: none"> Personal property valued in excess of \$1,000.00 \$500.00 shall be sold after published notice of the sale for at least once not less than five (5) days prior to opening of bids. Real property shall be sold after published notice of the sale for at least one time per week for three weeks prior to opening of bids. The Council shall have the right to reject any and all bids. If there are no bids 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 bid process. Sale or trade of real property with another government entity does not require a notification and bid process. 	<p>The City desires flexibility to sell personal property to organizations that can put it to community use versus private use.</p> <p>This consolidates all Charter provisions related to personal property in one section of the Charter.</p>

Ranking	Charter Reference	Proposed Amendment	Comments
		<p>3. The City TREASURER Manager may sell or otherwise dispose of any personal property having a value of \$1,000.00 \$500.00 or less without published notice, but written advice of such sale or disposal shall be given to the Council FOR ALL ITEMS ABOVE \$500.00.</p> <p>4. The Council may also in its discretion subdivide and plat City property which it determines to sell, providing restrictions relative to its use and dedicate streets and alleys as determined necessary for the use of the public.</p>	
ITEMS RANKED #16 WOULD BE COMBINED INTO A SINGLE BALLOT QUESTION			
16 Heidi	Article VII, Section 13 (a) Page 11	<p>PROCEDURE FOR ADOPTION BY REFERENCE</p> <p>(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 STATE STATUTE At least three (3) copies 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.</p>	This is an antiquated requirement in the digital age, State Statutes require one (1) paper copy and one (1) digital copy to be maintained. This verbiage would allow the Charter to adapt as State law changes.
16 Heidi	Article VII, Section 15 Page 12	<p>CODIFICATION OF ORDINANCES</p> <p>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 not less than three (3) copies THE NUMBER OF COPIES REQUIRED BY STATE STATUTE 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.</p>	This is an antiquated requirement in the digital age, State Statutes require one (1) paper copy and one (1) digital copy to be maintained. This verbiage would allow the Charter to adapt as State law changes.
17 Stacy S	Article VI, Section 4 Page 8	<p>CASH BASIS FUND SET UP; TRANSFER OF SUMS FROM CASH BASIS FUND TO OTHER FUNDS</p> <p>The Council may, by ordinance, create and maintain a permanent revolving fund to be known as the Cash Basis Fund, for the purpose of putting the payment of the running expenses of the City on a cash basis. For this purpose, the Council may provide that from</p>	Clean up item – this is an antiquated section of the Charter that is not used.

Ranking	Charter Reference	Proposed Amendment	Comments
		<p>the money received from other sources, a sum equal to not less than two and one half (2 1/2) cents on each one hundred dollars (\$100.00) of the assessed value of said property shall be placed in such fund, until the accumulated amount of such fund shall be sufficient to meet all legal demands against the Treasury for the first four (4) months, or other necessary period, of the succeeding fiscal year.</p> <p>The Council shall have power to transfer from the Cash Basis Fund to any other fund or funds such sum or sums as may be required for the purpose of placing such fund or funds, as nearly as possible, on a cash basis. It shall be the duty of the Council to provide that all money so transferred from the Cash Basis Fund shall be returned thereto before the end of the fiscal year.</p>	
ITEMS RANKED #18 WOULD BE COMBINED INTO A SINGLE BALLOT QUESTION			
18 Sterling	Article XI, Header Page 17	POLICE MUNICIPAL COURT	Clean up item – would like to change all references to Police Court to Municipal Court.
18 Sterling	Article XI, Section 1 Page 17	<p>STATE LAWS CONTROL</p> <p>The Police 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</p>	Clean up item – would like to change all references to Police Court to Municipal Court.
18 Sterling	Article XI, Section 2 Page 17	<p>POLICE MAGISTRATE(S) JUDGE(S), APPOINTMENT, TERM</p> <p>The Police MAGISTRATE(S) Judge(s) shall be appointed by the Council, and shall hold office at the pleasure of the Council.</p>	Would like to change all references to Police Judge to Magistrate.
18 Sterling	Article XI, Section 3 Page 17	<p>SERVICE OF PROCESS</p> <p>The Chief of Police shall cause all summonses issued by the MAGISTRATE(S) Police Judge(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.</p>	Clean up – would like to change all references to Police Judge to Magistrate
19 Sterling	Article II, Section 16	FAILURE TO VOTE	Clean up – Failure to vote should be excused in matters in which the

Ranking	Charter Reference	Proposed Amendment	Comments
	Page 4	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 A DECLARED CONFLICT OF INTEREST . In all other cases, a failure to vote shall be entered on the minutes as an affirmative vote.	Councilmember has a conflict of interest.
20 Stacy F	Article IX, Section 2 (a,b) Page 15	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. (b) Registration of voters shall be as provided by City ordinance.	The city cannot prevent registered voters from voting if they have not lived in the city for more than 30 days. Voter registration is the purview of the state and county.
21 Stacy S	Article IV, Section 3 Page 7	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.	Clean up – Remove the requirement that the Council approve the appointment of the City Treasurer. Brings charter in line with the Council/Manager form of government.

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.

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	1

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	2
7.	Duties of the Mayor	2
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	3
12.	Council Meetings	3
13.	Special Meetings	3
14.	Rules of Procedure; Journal	4
15.	Quorum; Ayes and Nays	4
16.	Failure to Vote	4
17.	Consideration of Petitions	4
18.	Council Non-Interference in Appointments or Removals	4
19.	Conduct of Council as to Powers Authorized by Charter When No Procedure has been Established by State Law	4

ARTICLE III

THE CITY MANAGER

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

ARTICLE IV
ADMINISTRATIVE DEPARTMENTS, OFFICES, AND EMPLOYEES

SECTION		PAGE
1.	Administrative Departments and Offices	6
2.	The City Clerk	7
3.	The City Treasurer	7
4.	The City Attorney	7
5.	Personnel Rules and Regulations	7

ARTICLE V
APPOINTIVE BOARDS AND COMMISSIONS

1.	Appointive Boards and Commissions	8
----	-----------------------------------	---

ARTICLE VI
FINANCE AND TAXATION

1.	Fiscal	8
2.	Additional Taxes for Special Purposes	8
3.	Claims or Demands Against the City	8
4.	Cash Basis Fund Set Up; Transfer of Sums from Cash Basis Fund to Other Funds	8
5.	Independent Annual Audit	9
6.	Permission to Exceed the Budget	9
7.	Deposits of City Moneys, Investments	9

ARTICLE VII
ORDINANCES AND RESOLUTIONS

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

ARTICLE VIII CONTRACTS

SECTION		PAGE
1.	Preparation	12
2.	Purchases and Contracts for City Improvements	12
3.	Bids	13
4.	Transfer and Sale of Property Within City Government	13
5.	Contracts for Official Advertising	13
6.	Fraud and Collusion	13
7.	Avoidance of Contracts Made through Fraud and Collusion	14
8.	Personal Interest	14
9.	Leases of City Property	14
10.	Sale of City Property	14

ARTICLE IX ELECTIONS

1.	Permitted types of Elections	15
2.	Qualifications of Electors; Registration	15
3.	Arrangement of Names not to Reveal Source of Candidacy or Support of Candidates	15
4.	Nomination for Primary Election	15
5.	Primary and General Elections	16
6.	Repealed	16
7.	Candidates Receiving Most Votes to be Elected	16
8.	Special Elections	16
9.	Absentee Voting	16
10.	Canvassing Returns and Declaring of Election Results	16
11.	Application of State Law	16

ARTICLE X INITIATIVE, REFERENDUM, AND RECALL

1.	Initiative, Referendum, Recall	17
----	--------------------------------	----

ARTICLE XI POLICE COURT

1.	State Laws Control	17
2.	Police Judge(s), Appointment, Term	17
3.	Service of Process	17
4.	Repealed	17

**ARTICLE XII
FRANCHISES AND PUBLIC UTILITIES**

1.	Elections for Approval of Franchises	17
2.	Establishment of Municipally-Owned and Operated Utilities	18

**ARTICLE XIII
GENERAL PROVISIONS**

SECTION		PAGE
1.	Publicity of Records	18
2.	Official Bonds	18
3.	Oath of Office	18
4.	Insurance	19
5.	Short Title	19
6.	Separability Clause	19
7.	Violations of Charter and City Ordinances; Imprisonment of Violators	19
8.	Plenary and Implied Powers of the Council	19
9.	Plan for Future Physical Development	20
10.	Floodways and Flood Plains	20
11.	Retirement and Old Age and Survivors Benefits	20

**ARTICLE XIV
SUCCESSION IN GOVERNMENT**

Repealed.

**ARTICLE XV
METHOD OF CHARTER AMENDMENT**

Method of Amendment	20
---------------------	----

**ARTICLE XVI
AMENDMENTS**

Amendment No. 1	
Vote Required for Certain Types of Bond Issues	20
Amendment No. 2	
Vote Required for Certain Types of Facilities Costing in Excess of One Million Dollars	21

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 "Council-Manager 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 Vice-Mayor, who shall serve in such capacity at the pleasure of the Council. The Vice-Mayor 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 thirty-one (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 roll-call 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. In all other cases, a failure to vote shall be entered on the minutes as an affirmative vote.

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 thirty-one (31) days after such presentation. (02/05/2016)

Section 18—COUNCIL NON-INTERFERENCE 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 attorney-at-law, 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 provisions of the Constitution and the Laws of the State as the same now exist or hereafter may be amended governing the budget, taxation, financial, and fiscal powers of the City shall apply to the governing and conduct of the same in the City.

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

The Council may, by ordinance, create and maintain a permanent revolving fund to be known as the Cash Basis Fund, for the purpose of putting the payment of the running expenses of the City on a cash basis. For this purpose, the Council may provide that from the money received from other sources, a sum equal to not less than two and one-half (2½) cents on each one hundred dollars (\$100.00) of the assessed value of said property shall be placed in such fund, until the accumulated

amount of such fund shall be sufficient to meet all legal demands against the Treasury for the first four (4) months, or other necessary period, of the succeeding fiscal year.

The Council shall have power to transfer from the Cash Basis Fund to any other fund or funds such sum or sums as may be required for the purpose of placing such fund or funds, as nearly as possible, on a cash basis. It shall be the duty of the Council to provide that all money so transferred from the Cash Basis Fund shall be returned thereto before the end of the fiscal year.

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 long-form 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, post-audit 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 twenty-four (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, RE-ENACTED, AND AMENDED

Ordinances shall not be revised, re-enacted, or amended by reference to title only, but the ordinance to be revised or re-enacted, 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. At least three (3) copies 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.
- (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 not less than three (3) copies 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)

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 AND CONTRACTS FOR CITY IMPROVEMENTS

- (a) The City Manager shall contract for and purchase, or issue purchase authorization for, all supplies, materials, equipment, and services for the offices, departments, and agencies of the City.
- (b) Any City improvement costing fifty thousand dollars (\$50,000) or more, or any purchase costing more than fifty thousand dollars (\$50,000), 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, and estimates approved by the City Manager. Such contracts shall be advertised for bids, as directed in Section 3 of this Article. The City Manager, with the approval of the City Council, may enter into a contract with the lowest responsible bidder whose proposal is the most satisfactory. (04/18/1972; 05/04/1988; 06/29/1998; 06/19/2008)
- (c) Any contract or purchase exceeding the sum of fifty thousand dollars (\$50,000) shall require the prior approval of the Council. (04/18/1972; 05/04/1988; 06/29/1998; 06/19/2008)

- (d) Alterations in any contract may be made when authorized by the Council upon the written recommendation of the City Manager.

Section 3—BIDS

The advertisement for bids 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 bids. Bidding shall be: (1) Pursuant to the Arizona State Procurement Code as amended by the City Council; or (2) by sealed proposals; or (3) by other methods that provide for security of bids and competitive bidding 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 bids, and advertise for bids again. (04/18/1972; 06/29/1998)

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 let 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 proposals. The proposals shall specify the type and space to be used at the rate or rates named in the bid. The City Manager shall let the contracts for such official advertising to the lowest qualified bidder publishing a newspaper of general circulation in the City; provided that, the Manager may reject any and all bids, and proceed to secure new bids in the manner provided herein. (06/07/1982)
- (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 bidder in securing a contract to furnish labor, material, equipment, supplies, or services at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information, or who shall willfully mislead any bidder 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.

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 bid or bids, colluded with any other party or parties for the purpose of preventing any other bid being made, then the contract so awarded shall be null and void, and the City Manager shall advertise for new bids 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.

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 OF CITY PROPERTY

The Council may lease any land, buildings, or equipment now or hereafter owned by the City on such terms and conditions as the Council may prescribe. All leases shall be made to the highest responsible bidder after publication of notice thereof for at least one time per week for two weeks, stating explicitly the time and conditions of the proposed lease. However, the Council may, in its discretion, reject any and all bids. (04/18/1972; 06/07/1982)

Section 10—SALE OF CITY PROPERTY

The Council may sell such portions of the real 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 after published notice of the sale in accordance with the following schedule:

1. Personal property valued in excess of \$500.00 shall be sold after published notice of the sale for at least once not less than five (5) days prior to opening of bids.
2. Real property shall be sold after published notice of the sale for at least one time per week for three weeks prior to opening of bids. The Council shall have the right to reject any and all bids. If there are no bids 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 bid process. Sale or trade of real property with another government entity does not require a notification and bid process. (04/18/1972; 07/14/2015)
3. The City Manager may sell or otherwise dispose of any personal property having a value of \$500.00 or less without published notice, but written advice of such sale or disposal shall be given to the Council.
4. The Council may also in its discretion subdivide and plat City property which it determines to sell, providing restrictions relative to its use and dedicate streets and alleys as determined necessary for the use of the public.

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 not earlier than one hundred-twenty (120) days, nor later than ninety (90) days before the date set for the Primary Election. 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)

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 POLICE COURT

Section 1—STATE LAWS CONTROL

The Police 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.

Section 2—POLICE JUDGE(S), APPOINTMENT, TERM

The Police Judge(s) shall be appointed by the Council, and shall hold office at the pleasure of the Council. (06/07/1982)

Section 3—SERVICE OF PROCESS

The Chief of Police shall cause all summonses issued by the Police Judge(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)

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 at any time upon thirty (30) days' notice; 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.

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 COUNCIL-MANAGER 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)