

**INFORMATION PAMPHLET
FOR THE
CITY OF FLAGSTAFF, ARIZONA**

**SPECIAL ELECTION
NOVEMBER 7, 2023**

Compiled and issued by the
CITY OF FLAGSTAFF, ARIZONA



**FOLLETO DE INFORMACIÓN
PARA LA
CIUDAD DE FLAGSTAFF, ARIZONA**

**ELECCIÓN ESPECIAL
7 DE NOVIEMBRE DE 2023**

Compilado y publicado por la
CIUDAD DE FLAGSTAFF, ARIZONA

**FOR A SPANISH VERSION OF THIS PUBLICITY PAMPHLET CALL 928-213-2076,
EMAIL STACY.SALTZBURG@FLAGSTAFFAZ.GOV, OR VISIT WWW.FLAGSTAFF.AZ.GOV/ELECTIONS**

**PARA UNA VERSIÓN EN ESPAÑOL DE ESTE FOLLETO PUBLICITARIO LLAME AL 928-213-2076,
EMAIL STACY.SALTZBURG@FLAGSTAFFAZ.GOV, O VISITE WWW.FLAGSTAFF.AZ.GOV/ELECTIONS**

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To the Voters of the City of Flagstaff:

YOUR VOTE COUNTS! Exercise your right to vote as a citizen of Flagstaff.

On Tuesday, November 7, 2023, the City of Flagstaff will hold a Special Vote-By-Mail Election to ask voters to consider 19 City Charter Amendments and a proposition proposed by referendum regarding Ordinance No. 2023-11.

This is a Ballot-by-Mail Election, there will be no polling places on Election Day. All registered voters in the City of Flagstaff will automatically receive a ballot in the mail approximately three weeks prior to the election.

I urge you to thoroughly read all the material contained within this pamphlet. Please keep in mind that questions may be printed on both sides of the actual ballot. This pamphlet has been printed in both English and Spanish and both are posted online at <https://www.flagstaff.az.gov/2105/Elections>. To request a physical copy of the Spanish version, contact the City Clerk's Office at (928) 213-2076 or email stacy.saltzburg@flagstaffaz.gov.

Sincerely,

*Stacy Saltzburg, MMC, MPA, City Clerk
211 W. Aspen Avenue, Flagstaff, Arizona
(928) 213-2076 – stacy.saltzburg@flagstaffaz.gov*

GENERAL VOTING INFORMATION November 7, 2023

Last Day to Register to Vote	October 10, 2023
Ballots Mailed and In-Person Ballot Replacement Voting Begins	October 11, 2023
Last Day to Request a Replacement Ballot by Mail	October 27, 2023
Last Day to Mail Back Your Ballot	October 31, 2023
Election Day – Ballots Must Be Received	November 7, 2023 by 7:00 p.m.

RECEIVING YOUR BALLOT

This is a Ballot-by-Mail Election. There will be no polling places on Election Day. All registered voters in the City of Flagstaff will automatically receive a ballot in the mail approximately three weeks prior to the election.

Requesting a Replacement Ballot: If you lost, spoiled, or never received your ballot, you may request a replacement ballot by calling the Coconino County Recorder’s Office at (928) 679-7860 or toll-free at (800) 793-6181, or by visiting one of the replacement ballot sites listed below.

Replacement Ballot Sites:

Coconino County Voter Services Flagstaff Mall (between JCPenney and Planet Fitness) 4650 N. US Highway 89, Flagstaff Monday – Friday 9:00 a.m. – 5:00 p.m.	Coconino County Recorder’s Office 110 E. Cherry Ave, Flagstaff Monday – Friday 8:00 a.m. – 5:00 p.m.
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Replacement Ballot Sites are open from 6:00 a.m. to 7:00 p.m. on Election Day, Tuesday, November 7, 2023.

RETURNING YOUR BALLOT

You may return your voted ballot by mail using the postage-paid envelope included with the ballot or drop it off at one of the Ballot Drop Box locations listed below. Your ballot must be **received** by the Recorder’s Office no later than 7:00 pm on Election Day, Tuesday, November 7, 2023. Postmarks do not apply when considering this deadline.

Ballot Drop Box Locations:

Flagstaff City Hall Lobby 211 W. Aspen Ave, Flagstaff <i>(during business hours only – 8:00 a.m. – 4:30 p.m.)</i>	Coconino County Voter Services Flagstaff Mall (between JCPenney and Planet Fitness) 4650 N. US Highway 89, Flagstaff <i>(during business hours only – 9:00 a.m. – 5:00 p.m.)</i>
Coconino County Recorder’s Office 110 E. Cherry Ave, Flagstaff	Coconino County Health and Human Services 2625 N. King St, Flagstaff
Coconino County Community Development 2500 N. Fort Valley Rd, Flagstaff	Coconino County Treasurer Drive-thru location 2304 N. 3 rd St, Flagstaff <i>(box is located at the exit of the parking lot)</i>
NAU Bookstore S. Beaver St, NAU Campus, Flagstaff	Flagstaff Fire Station #6 3877 S. Lake Mary Rd, Flagstaff

FOR MORE INFORMATION, CONTACT:

Coconino County Recorder’s Office
110 East Cherry Avenue
Flagstaff, Arizona 86001
Telephone: (928) 679-7860
www.coconino.az.gov/elections

FREQUENTLY ASKED QUESTIONS

WHO CAN VOTE?

To vote in any city election, you must be eighteen years of age or older, live within city limits, and be registered to vote. **The last day to register to vote for the Special Election is October 10, 2023.**

IF I HAVE TO REGISTER TO VOTE, WHERE DO I GO TO TAKE CARE OF THAT?

Contact the Coconino County Recorder's Office located at 110 East Cherry Avenue, Flagstaff. The telephone number for that office is (928) 679-7860 or toll-free at (800) 793-6181. Information is also available online at www.coconino.az.gov/elections regarding voter registration.

I'VE RECEIVED MY BALLOT IN THE MAIL. NOW WHAT DO I DO?

Once you have received your ballot, read all the instructions carefully. Fill out your ballot in **BLACK** ink. Then, place your voted ballot in the return envelope, sign the envelope, and drop it in the mail. The return envelope is self-addressed, and the return postage has been pre-paid for you. If you do not want to mail your ballot, you can drop it off at one of the Ballot Drop Box locations listed on page 6.

All ballots must be returned to the Coconino County Recorder's Office by 7:00 p.m. on Tuesday, November 7, 2023.

I NEVER RECEIVED MY BALLOT. WHAT SHOULD I DO?

If you did not receive a ballot, your voter registration information could be wrong. To check your voter registration status and/or request a replacement ballot, you may call the Coconino County Recorder's Office at (928) 679-7860 or toll-free at (800) 793-6181 or visit one of the replacement ballot sites listed on page 6.

I MADE A MISTAKE ON MY BALLOT. WHAT DO I DO?

If you made a mistake on your ballot, take your spoiled ballot to one of the Replacement Ballot Sites listed on page 6 to request a replacement ballot.

I LOST MY BALLOT. WHAT DO I DO?

If you lost your ballot, call the Coconino County Recorder's Office at (928) 679-7860 or toll-free at (800) 793-6181 or visit one of the Replacement Ballot Sites listed on page 6 to request a replacement ballot.

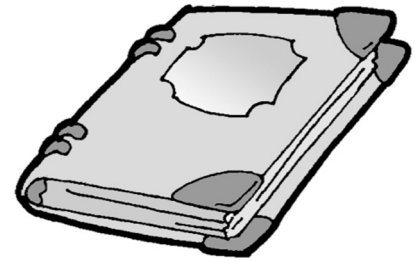
IF I MOVE TO A DIFFERENT RESIDENCE ADDRESS, WILL VOTING MATERIALS BE FORWARDED TO ME?

No. Voting materials cannot be forwarded to a different address from that listed on your voter registration. It is important for the Coconino County Recorder's Office to have your **CURRENT** information on file. If you change your name or your residential address, you must re-register to vote by October 10, 2023. To determine whether or not your registration is current, please contact the Coconino County Recorder's Office at (928) 679-7860 or toll-free at (800) 793-6181 or visit one of the Replacement Ballot Sites listed on page 6.

CITY CHARTER

What is a City Charter?

The City Charter is the basic law of a city as established by a majority of the voters pursuant to Arizona Revised Statutes ([A.R.S. § 9-281 et seq.](#)). The City Charter defines the powers and functions of the city. It serves as the foundation of government for the city but leaves the details of operation to the City Council and City Manager. The City Charter sets forth the governance structure, defines the qualifications and role of elected officials, and establishes the authority and responsibility of city officers, among other things. The City Charter may be preempted to the extent it conflicts with state, federal, or judicial law.



Why is the city referring proposed charter amendments to the voters for consideration?

Any amendments to the City Charter must be approved by a majority of the voters. Over time, City Charters should be reviewed for conformity and alignment with state and federal law, changes in community values, changes in the form or substance of the municipal governance structure, and technical changes to bring language into uniformity with commonly understood titles or terms. It has been eight (8) years since the Charter was last reviewed and changes approved by voters.

PROPOSED AMENDMENTS

The Flagstaff City Council is referring 19 proposed amendments to the Flagstaff City Charter for voter consideration. The proposed amendments have been prepared in compliance with [A.R.S. §19-123\(A\)\(1\)](#). Text proposed to be deleted is shown with a line drawn through the center of the letters and new material is indicated by printing the material in capital letters.

A summary analysis explaining each proposed amendment, frequently asked questions, and any arguments for or against the question as submitted by the public are included.

QUESTION NO. 1 (Proposition 461)

OFFICIAL TITLE: AMENDMENT TO ARTICLE IX, SECTION 4, *NOMINATION FOR PRIMARY ELECTION*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to change the deadline for submission of candidate petitions to be consistent with state law and allow the Council to modify the minimum required signatures for City Council candidates as permitted by state law.

Shall the Charter of the City of Flagstaff, Arizona, Article IX, Section 4, *NOMINATION FOR PRIMARY ELECTION*, be amended as follows:

Section 4 – *NOMINATION FOR PRIMARY ELECTION*

- (a) Nominations for Primary Elections shall be by petition of nomination, which shall consist of a printed or written form, which shall be furnished to applicants by the City Clerk.
- (b) The petition or petitions for nomination, consisting of signatures of qualified voters, aggregating not less than five (5) percent, nor more than ten (10) percent of the number of electors voting at the last preceding municipal General Election, shall be presented to the City Clerk **WITHIN THE TIME PERIOD ESTABLISHED BY ARIZONA STATUTES AS MAY BE AMENDED** ~~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 A 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.

SUMMARY ANALYSIS

Article IX, Section 4 of the City Charter guides the candidate nomination process. To qualify as a City Council candidate in Flagstaff, a person must collect a minimum number of petition signatures from citizens. Currently, the signature requirement for candidates to qualify for placement on the ballot is a minimum of 5% of the number of voters who voted at the last preceding General Election. This calculation is prescribed by state law (A.R.S. § 16-322 (A)(8)). As voter turnout increases so does the minimum number of required signatures.

Prior candidates have shared that the signature requirement is difficult to achieve and can be a barrier to running for office. To illustrate, in 2022 there was need for two write-in candidates as the requisite number of signatures for candidate placement on the ballot was not obtained. The minimum number of signatures for the upcoming 2024 election and the last three candidate elections are as follows:

2024 – 1,131
2022 – 1,602
2020 – 1,045
2018 – 1,313

A.R.S. § 16-322(A)(8) allows a City Council to adopt an ordinance that could set the minimum number of signatures at 1,000 or 5%, whichever is less. The City of Flagstaff has not been able to utilize this particular provision within the law because the City Charter is very specific that the calculation is based on 5% of voters.

This amendment would allow for the alternative to be utilized to reduce the minimum required signatures to 1,000 or 5% whichever is less.

An additional amendment to this section of the City Charter is related to the period of time in which potential City Council candidates can file their petitions with the City Clerk's office. The filing period as it is currently written is out of compliance with state law which requires that petitions must be filed no earlier than 150 days and no less than 120 days before the primary election date.

The proposed amendment would align the City Charter with state law and provide flexible language should state law be amended in the future.

FREQUENTLY ASKED QUESTIONS

Why does the city not have authority to set its own number of petition signatures for nomination of candidates for City Council and filing deadlines?

Elections have been determined to be a matter of statewide concern by the state. Because of this, cities and towns have very limited authority to create their own rules related to local elections. Cities and towns are bound by state law and must adhere to those standards unless expressly noted otherwise.

Can the City Council set the minimum signature requirement for something more or less than 1,000?

No, state law explicitly states that the minimum signature requirement be set at 1,000 or 5% whichever is less.

If the City Council passed an ordinance to reduce the number of signatures to 1,000, could they go back to the 5% minimum later?

Yes. The City Council could decide to repeal the prior ordinance which would revert the minimum required signatures back to 5% of the voters who voted at the last preceding general election.

TEXT OF BALLOT

QUESTION NO. 1 (Proposition 461)

PROPOSED AMENDMENT RELATING TO: NOMINATION REQUIREMENTS FOR PRIMARY ELECTION

A **YES** vote shall have the effect of amending Article IX, Section 4, of the Charter to change the deadline for submission of candidate petitions to be consistent with state law and allow the Council to modify the minimum required signatures for City Council candidates as permitted by state law.

YES

A **NO** vote shall have the effect of not amending Article IX, Section 4, of the Charter to change the deadline for submission of candidate petitions to be consistent with state law and allow the Council to modify the minimum required signatures for City Council candidates as permitted by state law.

NO

ARGUMENTS FOR PROPOSITION NO. 461

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 461

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No arguments submitted.

QUESTION NO. 2 (Proposition 462)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VIII, SECTION 2, *PURCHASES, ~~AND CONTRACTS, AND FOR CITY IMPROVEMENTS~~*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to increase the threshold dollar amount requiring formal solicitation from \$50,000 to \$100,000 and to update procurement language to reflect best practices.

Shall the Charter of the City of Flagstaff, Arizona, Article VIII, Section 2, PURCHASES AND CONTRACTS FOR CITY IMPROVEMENT, be amended as follows:

Section 2 – 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 **ONE HUNDRED THOUSAND DOLLARS (\$100,000)** ~~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, **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 THOUSAND DOLLARS (\$100,000)** ~~fifty thousand dollars (\$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.~~

SUMMARY ANALYSIS

Currently, the City Charter requires a formal procurement process and City Council approval for purchases, contracts, or city improvements over \$50,000. This threshold was approved by voters in 2008.

Significant inflationary increases over the years have impacted the costs of routine supplies, materials, equipment, services, and city improvements. Manufacturer pricing has also become inconsistent and unstable, and quoted pricing is expiring before a contract can be approved. The formal procurement process requires additional months in process and may result in delay of service delivery or inability for the vendor to honor pricing or provide goods. An increase in the threshold will allow the city to secure needed supplies, materials, equipment, services, and city improvements more quickly before they are no longer available.

The proposed amendment would also remove the requirement that City Council approve all contract amendments except those contracts they initially approved.

FREQUENTLY ASKED QUESTIONS

What is the difference between a formal versus an informal procurement process?

A formal procurement process is used for more expensive purchases. It requires the issuance of an invitation for bids or request for proposals or other approved solicitation, posting the solicitation on the city's procurement on-line solicitation platform, emailing the solicitation to all vendors who have registered to receive notification of

procurement opportunities, and advertising the solicitation in the newspaper for at least two consecutive weeks. Following an evaluation of responses received, the City Council may award a contract for the goods or services to the selected vendor.

An informal procurement process is used for less expensive purchases. The city currently uses an informal procurement process whenever the cost is less than \$50,000. For nominal cost purchases less than \$25,000, the city may directly select a vendor. For purchases in an amount of \$25,001 to \$49,999, the city obtains at least three (3) written quotes from vendors and selects the most competitive quote. The contract may then be approved by the City Manager or Division Director.

All purchases are made pursuant to the city's [Procurement Code Manual](#), which is approved by the City Council at a public meeting. If the voters approve this amendment, the Procurement Code Manual will be updated accordingly for approval by the City Council.

Why are formal procurement limits set?

Procurement limits are set to establish an orderly process to purchase goods or services and give all participants fair and competitive access to city contracts, while obtaining the best value for the city and community.

How long has it been since the City Charter was amended to increase the formal procurement dollar amount?

It has been 15 years since the voters established a new threshold for when formal procurements are required. The City Charter was amended by the voters in May 2008 to raise the limit from \$15,000 to \$50,000. Since then, prices and costs have increased. According to current consumer price index (CPI) calculations for goods and services, \$50,000 is now equivalent to \$72,000 and prices and costs are expected to continue increasing.

How will the public know how money is being spent?

All material goods, services, and construction items are presented during the public budget process and contained in the city budget published on the city's website.

What controls are in place to ensure that the City Council is aware of purchases under \$100,000?

All expenditures are required to be consistent with city policy as prescribed by the [Procurement Code Manual](#) and the fiscal year budget as adopted by City Council. Through the budget process, City Council is made aware of and approves budget allocations and expenditures. The city's [Procurement Code Manual](#) also directs that staff bring any contract resulting from an informal procurement to the City Council to obtain input in matters of high community interest and/or potential controversy.

Will purchases under \$100,000 be subject to an approval process?

Yes. All purchases must still go through an internal process that includes competitive solicitations or proposals. The city's [Procurement Code Manual](#) requires all procurements, including those under the formal threshold, be reviewed and approved by the city's purchasing staff. Subsequent purchase orders resulting from the procurement are also reviewed for approval by the requesting department leadership, accounting staff, and again by the purchasing staff.

How does Flagstaff's formal procurement threshold compare with other governmental agencies?

Current research identifies there are a number of public Arizona agencies who operate at or above \$100,000 procurement thresholds.

Note: This list references only those public sector agencies who have responded through an Arizona public sector purchasing related listserv, emails, phone calls, or online search.

<u>Agency Name</u>	<u>Formal Procurement Threshold</u>
Arizona State University	\$100,000
Chandler Unified School District	\$100,000
City of Phoenix	\$100,000
City of Willcox	\$100,000
City of Yuma	\$100,000
Coconino County	\$100,000
Marana Unified School District	\$100,000
Maricopa County Community College District	\$100,000
Mesa Unified School District	\$100,000
Pinal County	\$100,000
State of Arizona	\$100,000
Santa Cruz Valley Unified School District	\$100,000
Tolleson Union High School	\$100,000
Town of Oro Valley	\$100,000
Tucson Unified School District	\$100,000

How many purchases fall between \$50,000 and \$100,000?

During fiscal year 22-23 (July 1, 2022 – June 30, 2023), 31 purchases were between \$50,000 and \$100,000.

TEXT OF BALLOT

QUESTION NO. 2 (Proposition 462)

PROPOSED AMENDMENT RELATING TO: PURCHASES, CONTRACTS, AND CITY IMPROVEMENTS

A **YES** vote shall have the effect of amending Article VIII, Section 2, of the Charter to increase the threshold dollar amount requiring formal solicitation from \$50,000 to \$100,000 and to update procurement language to reflect best practices.

YES

A **NO** vote shall have the effect of not amending Article VIII, Section 2, of the Charter to increase the threshold dollar amount requiring formal solicitation from \$50,000 to \$100,000 and to update procurement language to reflect best practices.

NO

ARGUMENTS FOR PROPOSITION NO. 462

The “for” and “against” arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 462

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No arguments submitted.

QUESTION NO. 3 (Proposition 463)

OFFICIAL TITLE: AMENDMENT TO ARTICLE IV, SECTION 1, *ADMINISTRATIVE DEPARTMENTS AND OFFICES*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment removing the requirement that heads of departments, the city clerk, the city treasurer, and city attorney reside within the limits of the City of Flagstaff.

Shall the Charter of the City of Flagstaff, Arizona, Article IV, Section 1, *ADMINISTRATIVE DEPARTMENTS AND OFFICES*, be amended as follows:

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

SUMMARY ANALYSIS

Article IV, Section 1 of the City Charter requires that deputy city managers (referred to as heads of departments in the Charter), the city clerk, the city treasurer, and the city attorney reside within the official limits of the City of Flagstaff. The proposed amendment would remove this residency requirement and allow persons who live outside city limits to hold these positions.

Allowing the deputy city managers, the city clerk, the city treasurer, and the city attorney to reside outside city limits offers more affordable housing options to qualified job applicants for these positions. People who live in surrounding neighborhoods participate in the Flagstaff community by operating businesses, working, shopping, attending school, and purchasing goods and services in Flagstaff. As such, they are part of the community fabric.

FREQUENTLY ASKED QUESTIONS

How will this change impact recruitment and retention?

It enhances the city's ability to hire qualified job applicants when there are more housing options and neighborhood choices. Often times requiring an applicant to live within the city boundaries, with fewer choices and higher cost of living, requires a compensation package that exceeds what the city is able to offer. Because of this the city loses qualified applicants. This can also become a retention issue when individuals are unable to purchase a home within the city limits, prompting them to move to another agency to obtain career advancement or homeownership. Individuals within the organization may choose not to pursue career advancement internally due to the residency limitation.

Would there be any limit to where these employees can live?

Yes. Flexible work arrangements and telework is available for some positions in accordance with the [Flexible Work Schedule Directive](#). This directive requires employees to live within the state of Arizona and they must

physically report to work three days a week. Additionally, the City Manager may implement requirements based on the needs of the position and/or the organization.

Are there residency requirements for other city employees?

Yes. Article 1-60-010 of the Employee Handbook prescribes certain requirements for emergency service personnel and employees who take home city vehicles. Emergency service employees must be able to arrive at an emergency location or their work location within one hour of notification to report to duty. Employees who choose to take a city vehicle home must live within a designated perimeter around City Hall.

Do other cities require persons holding these positions to reside within city limits?

Most cities and towns in Arizona do not have this type of requirement for these positions. Most require only the City Manager to live within city limits.

Will the City Manager still have to live within city limits?

Yes. The City Manager will continue to be required to reside within the official limits of the City of Flagstaff as specified in Article III, Section 2 of the Charter.

TEXT OF BALLOT

QUESTION NO. 3 (Proposition 463)

PROPOSED AMENDMENT RELATING TO: ADMINISTRATIVE RESIDENCY REQUIREMENTS

A **YES** vote shall have the effect of amending Article IV, Section 1, of the Charter to remove the requirement that heads of departments, the city clerk, the city treasurer, and city attorney reside within the limits of the City of Flagstaff.

YES

A **NO** vote shall have the effect of not amending Article IV, Section 1, of the Charter to remove the requirement that heads of departments, the city clerk, the city treasurer, and city attorney reside within the limits of the City of Flagstaff.

NO

ARGUMENTS FOR PROPOSITION NO. 463

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 463

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No arguments submitted.

QUESTION NO. 4 (Proposition 464)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VIII, SECTION 3, ~~BIDS~~ PROCUREMENT, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to update the language to reflect best practices for the variety of procurement methods that exist.

Shall the Charter for the City of Flagstaff, Arizona, Article VIII, Section 3, BIDS, be amended as follows:

Section 3 – ~~BIDS~~ PROCUREMENT

- (A) **CITY PURCHASES OF SUPPLIES, MATERIALS, EQUIPMENT, SERVICES, AND IMPROVEMENTS SHALL BE MADE PURSUANT TO PROCUREMENT PROCESSES SET FORTH IN THE PROCUREMENT CODE ESTABLISHED BY ORDINANCE OF THE CITY COUNCIL.**
- (B) The advertisement for **FORMAL SOLICITATIONS FOR PURCHASES ABOVE THE FORMAL THRESHOLD** ~~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 **THE RESPONSES** ~~bids~~. **THE 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 **RESPONSE** ~~proposals~~; or (3) by other methods that provide for security of **RESPONSES** ~~bids~~ 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 **RESPONSES TO THE SOLICITATION** ~~bids~~, 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 **RESPONSES TO THE SOLICITATION** ~~bids, and advertise for bids again.~~

SUMMARY ANALYSIS

The city currently uses multiple procurement methods for obtaining city improvements, supplies, materials, equipment, and services needed for city operations and programs. Bidding is just one type of procurement method the city uses. When the City Charter was originally drafted, the bidding procurement method was the only method utilized. Since then, there have been additional methods established by state law and state procurement ([Arizona State Procurement Manual](#)) which are utilized by the City of Flagstaff.

This amendment updates the Charter to reflect the multiple procurement methods used today.

FREQUENTLY ASKED QUESTIONS

Why is this change being proposed?

The current charter language of “Bid,” “Bidding,” or “Bidder” refers to one type of procurement method that is based strictly on the lowest price. Current procurement methods now include the ability for municipalities to also determine whether a vendor has the qualifications or experience to provide the necessary product or services. Changing the language in the Charter would formally include those methods as well.

What other methods of procurement are there?

Currently the City of Flagstaff utilizes three formal procurement methods.

1. Bidding – procurement method where the award is based on the lowest dollar amount of the bids received.

2. Request for Proposals – procurement method where the award is based on qualifications, experience, and price.
3. Request for Statement of Qualifications – procurement method where the award is based solely on qualifications and experience.

Do other public agencies have multiple procurement methods as well?

Yes. Public agencies across the country utilize multiple procurement methods for obtaining goods and services.

TEXT OF BALLOT

QUESTION NO. 4 (Proposition 464)

PROPOSED AMENDMENT RELATING TO: *PROCUREMENT METHODS*

A **YES** vote shall have the effect of amending Article VIII, Section 3, of the Charter to update the language to reflect best practices for the variety of procurement methods that exist.

YES

A **NO** vote shall have the effect of not amending Article VIII, Section 3, of the Charter to update the language to reflect best practices for the variety of procurement methods that exist.

NO

ARGUMENTS FOR PROPOSITION NO. 464

The “for” and “against” arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 464

The “for” and “against” arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

QUESTION NO. 5 (Proposition 465)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VIII, SECTION 9, LEASES AND SALE OF CITY REAL PROPERTIES, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to allow for the sale of real property for a specific purpose and consolidate related provisions within the Charter.

Shall the Charter for the City of Flagstaff, Arizona, Article VIII, Section 9, LEASES OF CITY PROPERTIES, be amended as follows:

Section 9 – 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. 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 RESPONSES. IF THERE ARE NO RESPONSES SUBMITTED, THEN FOR A TWO-YEAR PERIOD THE CITY MANAGER MAY, SUBJECT TO COUNCIL APPROVAL, ENTER INTO AN AGREEMENT TO SELL THE PROPERTY FOR AN AMOUNT REASONABLY CONSISTENT WITH AN APPRAISAL WITHOUT FURTHER NOTICE AND SOLICITATION PROCESS. SALE OR TRADE OF REAL PROPERTY WITH ANOTHER GOVERNMENT ENTITY DOES NOT REQUIRE A NOTIFICATION AND SOLICITATION PROCESS.**
- (C) **THE COUNCIL MAY ALSO IN ITS DISCRETION SUBDIVIDE AND PLAT CITY PROPERTY WHICH IT DETERMINES TO SELL, PROVIDE RESTRICTIONS RELATIVE TO ITS USE AND DEDICATE STREETS AND ALLEYS AS DETERMINED NECESSARY FOR THE USE OF THE PUBLIC.**

SUMMARY ANALYSIS

This proposed Charter amendment would give the City Council authority to lease or sell real property (land and buildings) to someone other than the highest responsible bidder. As revised, Article VIII, Section 9, paragraph A would enable solicitations to consider factors beyond price when selling or leasing real property.

The amendment will provide greater flexibility in leasing real property. The city often wants to lease land or buildings for specific purposes that benefit the community. For example, the city has leased or licensed use of its property for Theatrikos (community theater), the Boys and Girls Club (childcare and development), and the Murdoch Center (hub for the Southside community). The city has also leased land for economic development purposes, including the Lumberyard restaurant and land near the Flagstaff Pulliam Airport.

This amendment is being proposed to reflect the practice of allowing use of buildings for community services versus simply for the highest price. Although the city is currently able to impose restrictions on its invitations for bids for leasing and enter into revocable licenses for use of its buildings (versus leasing), the proposed Charter amendment would give City Council more flexibility and allow requests for proposals for community uses when leasing land or buildings.

The amendment also will provide greater flexibility when selling land or buildings. The city often would like to consider creative proposals for use and not just the highest price. For example, a proposal may include an offer to reserve an affordable housing restriction or conservation easement over all or part of the land being sold, or a proposal may include an offer to construct a community amenity such as a pocket park or trail within a proposed development as a condition of sale, or a proposal may include a commitment to develop or use land or buildings for specific purposes.

This proposed Charter amendment would also move existing Charter provisions related to disposal of real property currently found in Article VIII, Section 10 to this section (Section 9) as paragraphs B and C. This is a “cleanup” that will make it easier to find all requirements related to sale or lease of real property by combining them in one section.

TEXT OF BALLOT

QUESTION NO. 5 (Proposition 465)

PROPOSED AMENDMENT RELATING TO: *LEASES AND SALE OF REAL CITY PROPERTIES*

A **YES** vote shall have the effect of amending Article VIII, Section 9, of the Charter to allow for the sale of real property for a specific purpose and consolidate related provisions within the Charter. **YES**

A **NO** vote shall have the effect of not amending Article VIII, Section 9, of the Charter to allow for the sale of real property for a specific purpose and consolidate related provisions within the Charter. **NO**

ARGUMENTS FOR PROPOSITION NO. 465

The “for” and “against” arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 465

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No arguments submitted.

QUESTION NO. 6 (Proposition 466)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VIII, SECTION 1, *PREPARATION*, SECTION 5, *CONTRACTS FOR OFFICIAL ADVERTISING*, SECTION 6, *FRAUD AND COLLUSION*, AND SECTION 7, *AVOIDANCE OF CONTRACTS MADE THROUGH FRAUD AND COLLUSION*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to update language in Sections 1, 5, 6, and 7, to be consistent and inclusive of all procurement methods.

Shall the Charter of the City of Flagstaff, Arizona, Article VIII, Section 1, *PREPARATION*, Section 5, *CONTRACTS FOR OFFICIAL ADVERTISING*, Section 6, *FRAUD AND COLLUSION*, and Section 7, *AVOIDANCE OF CONTRACTS MADE THROUGH FRAUD AND COLLUSION*, be amended as follows:

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

Section 5 – CONTRACTS FOR OFFICIAL ADVERTISING

- (a) The City Manager shall **DISSEMINATE-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 **RESPONSES-proposals**. The **RESPONSES-proposals** shall specify the type and space to be used at the rate or rates named in the **RESPONSES-bid**. The City Manager shall **DISSEMINATE-let** the contracts for such official advertising to the lowest qualified **RESPONDER OR HIGHEST SCORING PROPOSAL-bidder** 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 **SOLICITATIONS-bids** in the manner provided herein.

Section 6 – FRAUD AND COLLUSION

Any member of the Council, or any officer or employee of the City who shall aid or assist a **RESPONDER-bidder** in securing a contract to furnish labor, material, equipment, supplies, or services at a higher price than that proposed by any other **RESPONDER-bidder**, or who shall favor one **RESPONDER-bidder** over another by giving or withholding information, or who shall willfully mislead any **RESPONDER-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 **RESPONSE OR RESPONSES-bid or bids**, colluded with any other party or parties for the purpose of preventing any other **RESPONSE-bid** being made, then the contract so awarded shall be null and void, and the City Manager shall advertise for **A new SOLICITATION-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.

SUMMARY ANALYSIS

The city currently uses multiple procurement methods for obtaining city improvements, supplies, materials, equipment, and services needed for city operations and programs. Bidding is just one type of procurement method the city uses. When the City Charter was originally drafted, the bidding procurement method was the

only method utilized. Since then, there have been additional methods established by state law and state procurement ([Arizona State Procurement Manual](#)) which are utilized by the City of Flagstaff.

This amendment updates the Charter to reflect the multiple procurement methods used today.

FREQUENTLY ASKED QUESTIONS

Why is this change being proposed?

The current charter language of “Bid,” “Bidding,” or “Bidder” refers to one type of procurement method that is based strictly on the lowest price. Current procurement methods now include the ability for municipalities to also determine whether a vendor has the qualifications or experience to provide the necessary product or services. Changing the language in the Charter would formally include those methods as well.

What other methods of procurement are there?

Currently the City of Flagstaff utilizes three formal procurement methods.

1. Bidding – procurement method where the award is based on the lowest dollar amount of the bids received.
2. Request for Proposals – procurement method where the award is based on qualifications, experience, and price.
3. Request for Statement of Qualifications – procurement method where the award is based solely on qualifications and experience.

Do other public agencies have multiple procurement methods as well?

Yes. Public agencies across the country utilize multiple procurement methods for obtaining goods and services.

TEXT OF BALLOT

QUESTION NO. 6 (Proposition 466)

PROPOSED AMENDMENT RELATING TO: *PROCUREMENT LANGUAGE*

A **YES** vote shall have the effect of amending Article VIII, Sections 1, 5, 6, and 7, of the Charter to update language to be consistent and inclusive of all procurement methods.

YES

A **NO** vote shall have the effect of not amending Article VIII, Sections 1, 5, 6, and 7, of the Charter to update language to be consistent and inclusive of all procurement methods.

NO

ARGUMENTS FOR PROPOSITION NO. 466

The “for” and “against” arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 466

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No arguments submitted.

QUESTION NO. 7 (Proposition 467)

OFFICIAL TITLE: AMENDMENT TO ARTICLE IV, SECTION 5, *PERSONNEL RULES AND REGULATIONS*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to allow the City Manager, rather than the Council, to establish personnel rules and regulations.

Shall the Charter for the City of Flagstaff, Arizona, Article IV, Section 5, *PERSONNEL RULES AND REGULATIONS*, be amended as follows:

Section 5 – PERSONNEL RULES AND REGULATIONS

THE CITY MANAGER SHALL ESTABLISH ~~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 **PRESIDING MAGISTRATE Police Judges**.

SUMMARY ANALYSIS

The City of Flagstaff operates as a Council/Manager form of government. Article III Section 3 of the City Charter outlines the powers and duties of the City Manager. Per item (c) the City Manager is responsible to appoint, lay off, suspend, transfer, demote, or remove all officers and employees of the city except those that are elected or appointed by City Council.

This proposed amendment to Article IV Section 5 would authorize the City Manager to establish the Personnel Rules and Regulations, also known as the Employee Handbook, that govern how the City Manager may accomplish those responsibilities. Authorizing the City Manager to establish personnel rules and regulations will enable a more responsive organization. When unprecedented events or circumstances occur such as a pandemic, economic downturns, catastrophic occurrences, or challenges with recruitment, it is important for the city to be able to act quickly. All of these events have occurred in recent years resulting in the need to make quick adjustments to the city's personnel regulations; examples include remote working, emergency leave, and facility operations during the pandemic. Personnel related policies are carefully vetted by city leadership, the Employee Advisory Committee, and the City Attorney's office prior to implementation.

Many personnel rules contained within the Employee Handbook are not recommendations of the City Manager or staff but are required by state or federal law. For example, there are laws pertaining to military leave, family and medical leave, and accommodations of persons with disabilities, to name a few. These laws change from time to time and personnel rules need to be updated accordingly.

Currently the City Manager has the authority to issue policies that do not involve appointments, promotions, demotions, discharges, and reinstatements of employees. These policies are separate from the Employee Handbook. There are efficiencies gained when all employment related policies are maintained in the same document and format, so employees know all the information that governs their employment.

The City Council's responsibility will be to provide direction and feedback to the City Manager on policies of interest to them and approve changes to classification and compensation, merits, and benefits through the annual public budget process. For example, during the budget process, City Council recommended the City Manager implement a paid parental leave policy and requested the consideration of Juneteenth as an additional paid holiday.

FREQUENTLY ASKED QUESTIONS

What is the Employee Advisory Committee's role related to the Employee Handbook?

The Employee Advisory Committee (EAC) members are elected by employees and provide recommendations

to the City Manager as to employee personnel rules, benefits, and compensation. The EAC was established by the City Council for this purpose. More information about the EAC can be found in [City Code 1-14-001-0006](#).

How will City Council and the community be apprised of personnel rules and regulations if under the authority of the City Manager?

It is the duty of the City Manager to keep the City Council advised at all times of the affairs and needs of the city, and make reports annually or more frequently, if requested by the City Council, of all affairs of the City per City Charter. The City Council and community will continue to be apprised of updates to personnel rules and regulations through the City Manager’s report and/or during informational to and from provided during City Council meetings. If the policy is of high community interest, the City Manager is expected to bring forward a discussion item during a City Council meeting. A recent example is the internal policy on Human Exploitation and Trafficking, which was discussed at length before the City Council. Information will also continue to be shared between the City Manager and City Councilmembers during their many ongoing meetings and communications.

How do we know the personnel rules and regulations will serve the interests of the community?

The City Manager serves at the pleasure of City Council and the Manager receives ongoing direction and feedback from the elected body. The personnel rules and regulations should reflect the direction and feedback received from the City Council. If City Council finds that this is not the case, they have the opportunity to provide redirection and/or take corrective action with the City Manager.

City Council provides an annual evaluation to the City Manager where they can consider information such as employee satisfaction, reasons employees leave the organization, and changes seen in employee tenure.

TEXT OF BALLOT

QUESTION NO. 7 (Proposition 467)

PROPOSED AMENDMENT RELATING TO: PERSONNEL RULES AND REGULATIONS

A **YES** vote shall have the effect of amending Article IV, Section 5, of the Charter to allow the City Manager, rather than the Council, to establish personnel rules and regulations.

YES

A **NO** vote shall have the effect of not amending Article IV, Section 5, of the Charter to allow the City Manager, rather than the Council, to establish personnel rules and regulations.

NO

ARGUMENTS FOR PROPOSITION NO. 467

The “for” and “against” arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 467

The “for” and “against” arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

This proposition gives the City Manager authority to establish personnel rules and regulations pertaining to employee status (appointments, promotions, demotions, discharges, and reinstatements). Friends of Flagstaff’s Future believes that there is great value in maintaining a relationship of checks and balances between the authority of the City Manager and that of the City Council. We also believe that Council’s input on changes to the Employee Handbook is important and valuable and that City employees’ concerns regarding employment

need to be able to be heard by Council. For these reasons, Friends of Flagstaff's Future recommends a No Vote on Proposition 467.

Friends of Flagstaff's Future
Susie Garretson, President / Marcus Ford, Vice-President
Flagstaff, Arizona

We recommend a NO vote on Proposition 467.

We believe that the current charter provision, which requires that the Flagstaff City Manager bring all personnel policies contained in the City of Flagstaff Employee Handbook to the Flagstaff City Council for its consideration is very important and should not be changed.

We oppose this proposed amendment because it would completely eliminate the city council's ability to weigh in on important policy questions and instead give the city manager sole authority over many important policy decisions. We recall from our experiences serving on the city council many instances where the city council had very productive conversations about personnel rules in public meetings because of the current charter provision. We do not believe that changing this provision to allow the city manager to act quickly without council input outweighs the value of transparency and ensuring that the council and public can weigh in on important recommendations by the city manager. The proposed change is not in the best interests of the City of Flagstaff.

Vote No on Prop 467.

Celia Barotz
Former Flagstaff Vice Mayor and
Councilmember 2010 – 2018
Flagstaff, Arizona

Al White
Former Flagstaff Vice Mayor and
Councilmember 2000 – 2012
Flagstaff, Arizona

QUESTION NO. 8 (Proposition 468)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VII, SECTION 5, *WHEN ACTIONS ARE TO BE TAKEN BY ORDINANCE*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to clarify that an ordinance is only needed for property exchanges in fee simple and an ordinance is not required to borrow money.

Shall the Charter for the City of Flagstaff, Arizona, Article VII, Section 5, *WHEN ACTIONS ARE TO BE TAKEN BY ORDINANCE*, be amended 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 **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 fines 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.

SUMMARY ANALYSIS

Article VII, Section 5 of the City Charter defines when the City Council is required to adopt certain actions by ordinance. The proposed amendment would clarify that an ordinance is only required to authorize acquisition, sale, or exchange of public real property in “fee simple” (where title to the land will be transferred). It would clarify that an ordinance is not required to authorize acquisition, sale, or exchange of property interests that are less than fee simple (such as easements).

The City Council will still have to take formal action in a public meeting to transfer lesser property interests such as easements, however it would be by a resolution versus an ordinance. A resolution is a more efficient action because it is effective immediately allowing transfers to happen more expeditiously.

The proposed amendment would also eliminate the need for an ordinance to authorize the city to borrow money. Removing the language “the authorization to borrow money” would still require formal City Council action in a public meeting to borrow money, however it would be by a resolution. A resolution provides increased efficiencies to issue new debt by reducing the time frame between City Council approval and the completion of the borrowing transaction. In periods of rising interest rates, it is important to have the ability to complete the transactions quickly to lock in interest rates and issue debt.

FREQUENTLY ASKED QUESTIONS

How is oversight managed for new debt if not adopted by City Council through an ordinance?

Formal City Council action will still be taken to authorize the issuance of debt. The action will be in the form of a resolution versus an ordinance and will be done during a public meeting. Resolutions allow the issuance of debt to be issued in a shorter timeframe after adoption. In addition, most new borrowings are adopted as part of the annual budget process which is open to the public. It is very rare that the city will issue debt that was not approved in the budget.

Will the City Council be able to issue secondary property tax backed debt without voter approval?

No. State statutes ([A.R.S. §16-204 \(F\)\(4\)](#)) require cities to have an election for voter approval for any debt that will be paid back through a secondary property tax assessment.

TEXT OF BALLOT

QUESTION NO. 8 (Proposition 468)

PROPOSED AMENDMENT RELATING TO: *ACTIONS TAKEN BY ORDINANCE*

A **YES** vote shall have the effect of amending Article VII, Section 5, of the Charter to clarify that an ordinance is only needed for property exchanges in fee simple and an ordinance is not required to borrow money.

YES

A **NO** vote shall have the effect of not amending Article VII, Section 5, of the Charter to clarify that an ordinance is only needed for property exchanges in fee simple and an ordinance is not required to borrow money.

NO

ARGUMENTS FOR PROPOSITION NO. 468

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 468

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No arguments submitted.

QUESTION NO. 9 (Proposition 469)

OFFICIAL TITLE: AMENDMENT TO ARTICLE V, SECTION 1, *APPOINTIVE BOARDS AND COMMISSIONS*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to allow non-city residents to serve on Boards and Commissions.

Shall the Charter for the City of Flagstaff, Arizona, Article V, Section 1, APPOINTIVE BOARDS AND COMMISSIONS, be amended as follows:

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.~~

SUMMARY ANALYSIS

Article V, Section 1 of the City Charter requires that all appointive members of the city's boards and commissions program live within Flagstaff City limits. This amendment would allow non-city residents to serve on some boards and commissions as determined by City Council. The number of seats available to non-city residents will be determined by the City Council through ordinance.

This amendment would expand participation in the board and commission program to those who do not live within the formal city boundary but who actively participate in and are part of the larger Flagstaff community. Non-resident community members have frequently inquired about participating on boards and commissions as a way to get involved and support the community.

FREQUENTLY ASKED QUESTIONS

Why is the city proposing this amendment?

The City Council has established 26 boards and commissions, some of which have struggled to maintain a full roster. Without a full roster, boards and commissions have difficulty holding regular meetings due to lack of members and when meetings are not held, they are unable to carry out their duties or provide recommendations to the City Council. Currently, there are more than 30 vacancies across all boards and commissions. This amendment will help with filling vacant seats on boards and commissions and would bring more inclusivity to the program.

Additionally, non-city residents may hold expertise that other applicants do not have. Specific seats on commissions, such as the Developer seat on the Housing Commission, have a limited number of city residents who can serve in that role, and they are subject to term limits. Expanding the boundary would allow for more diverse thought and experience in commissions.

Could boards or commissions be comprised of all non-city residents?

This is unlikely. The City Council will determine and set by ordinance the number of non-city residents that may be appointed to each commission. By way of example, the City Council may require that a majority of the total membership be city residents. There may also be boards or commissions where City Council determines that all members must be residents.

How do you ensure that residents' interests are safe guarded?

The City Council will determine and set by ordinance the number of non-city residents that may be appointed to each board or commission. It is the responsibility of the City Council to make all appointments to boards and commissions as they deem appropriate for the needs of the community.

Boards and commissions are a recommending body to the City Council only. All decision-making rests with the City Council after consideration of all recommendations from boards, commissions, staff, and the public.

TEXT OF BALLOT

QUESTION NO. 9 (Proposition 469)

PROPOSED AMENDMENT RELATING TO: BOARDS AND COMMISSIONS

A **YES** vote shall have the effect of amending Article V, Section 1, of the Charter to allow non-city residents to serve on Boards and Commissions. **YES**

A **NO** vote shall have the effect of not amending Article V, Section 1, of the Charter to allow non-city residents to serve on Boards and Commissions. **NO**

ARGUMENTS FOR PROPOSITION NO. 469

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No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 469

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City boards and commissions are established for the express purpose of providing Flagstaff residents with a voice in city government. City commissions and boards make recommendations pertaining to the character and shape of the city and more often than not, these recommendations are related to how tax-payer money should be spent. While we recognize that those who live outside of city boundaries are often affected by city decisions, it is the case that non-residents do not pay property taxes and do not vote in City elections. For this reason, Friends of Flagstaff's Future recommends a No vote on this proposition.

Friends of Flagstaff's Future
Susie Garretson, President / Marcus Ford, Vice-President
Flagstaff, Arizona

QUESTION NO. 10 (Proposition 470)

OFFICIAL TITLE: AMENDMENT TO ARTICLE XVI, AMENDMENT NO. 2 – *VOTE REQUIRED FOR CERTAIN TYPES OF FACILITIES COSTING IN EXCESS OF ONE MILLION DOLLARS*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to eliminate Article XVI, Amendment No. 2 of the Charter.

Shall the Charter for the City of Flagstaff, Arizona, Article XVI, Amendment No. 2 – VOTE REQUIRED FOR CERTAIN TYPES OF FACILITIES COSTING IN EXCESS OF ONE MILLION DOLLARS, be amended as follows:

~~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.~~

SUMMARY ANALYSIS

Amendment No. 2 of the City Charter defines when the purchase and/or construction of municipal facilities require an election for citizen approval. Currently no voter approval is required for new water services, public safety, and street facilities. Additionally, no voter approval is required for facilities costing less than approximately \$2.95 million (the charter allows for consumer price index adjustments to the \$1 million limits). Voter approval is required for all other new city buildings or facilities.

The requirements found in Amendment No. 2 may add years to the purchase and/or construction of a municipal facility as voter approval is required. There may be occasions where a new municipal facility is needed that exceeds the current threshold. If the city has the cash funding in place, the City Council could approve the purchase and/or construction of a new facility efficiently through the public process. This could save time and reduce cost due to inflation and rising construction costs.

The proposed amendment would eliminate the requirement for voter approval for all facilities.

FREQUENTLY ASKED QUESTIONS

If this amendment is approved, will voters still have the opportunity to oppose the purchase of new municipal facilities?

Yes. The purchase and/or construction of municipal facilities always requires City Council action in a public meeting, and voters have the right to circulate petitions to refer a City Council's legislative action to an election if the voters feel this action is not appropriate. Citizens may also comment during public meetings and the annual budget process.

What is the current spending cap on purchase and/or construction of a municipal facility before voter approval is required?

The Charter allows for annual adjustments for consumer price index. As of July 1, 2023, the cap is approximately \$2,950,000 before voter approval is required. This requirement is exclusive of how the facility is funded. For example, if the city has \$4 million in cash on hand to build a community center, it will still require going to the voters for approval.

How is oversight on the purchase and/or construction of municipal facilities managed if Amendment No. 2 is eliminated?

The City Charter requires purchases of property to be approved by an ordinance adopted by the City Council. The annual city budget process also identifies when a new municipal facility is needed for City Council consideration, if City Council agrees, it is formally adopted as part of the annual budget. These actions are taken in public meetings.

Will the City Council be able to issue secondary property tax backed debt for new municipal facilities without voter approval?

No. State statute (A.R.S. §16-204 (F)(4)) require cities to have an election for voter approval for any debt that will be paid back through a secondary property tax assessment.

Do other city charters require voter approval to construct municipal facilities?

Yes. Research shows that the cities of Phoenix, Mesa, Peoria, and Prescott have some requirements for voter approval related to municipal facilities. Most are focused on construction of any arena, stadium, convention facility, sports complex, or city office buildings.

TEXT OF BALLOT

QUESTION NO. 10 (Proposition 470)

PROPOSED AMENDMENT RELATING TO: FACILITIES IN EXCESS OF ONE MILLION DOLLARS

A **YES** vote shall have the effect of amending Article XVI, Amendment No. 2, of the Charter to eliminate this section of the Charter. **YES**

A **NO** vote shall have the effect of not amending Article XVI, Amendment No. 2, of the Charter to eliminate this section of the Charter. **NO**

ARGUMENTS FOR PROPOSITION NO. 470

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 470

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

This proposition eliminates the current requirement that the City seek voter approval before spending more than a million dollars on purchasing or constructing municipal facilities like libraries, civic centers, or swimming pools. Friends of Flagstaff's Future opposes this proposition because it takes away the citizens' ability to vote on large expenditures related to municipal facilities. Behind all large expenditures is the ever-present question, "What are our priorities as a community?" It is a question that should be determined by the public. Large local projects are underwritten by the tax dollars generated by the residents of Flagstaff and often shape the character of the community. Our current charter affirms the public's right to determine the merits of such projects. We oppose the proposal to remove this authority from the public and recommend a No vote.

Friends of Flagstaff's Future
Susie Garretson, President / Marcus Ford, Vice-President
Flagstaff, Arizona

We recommend a NO vote on Proposition 470.

We believe that the current charter provision that requires that the city seek voter approval before spending a million dollars (adjusted for inflation) for the purchase and/or construction of certain city facilities such as libraries, civic center, or swimming pools without a public vote should not be eliminated as proposed.

We oppose this proposed amendment because it would completely eliminate the ability of the voting public to decide whether the city should spend tax dollars on certain large city projects. Once again, we do not think the argument that ensuring the public has a vote takes too long outweighs ensuring that the public has a vote in such a big decision as whether the city should spend millions of dollars on certain new public facilities. The current provision is important and should remain in our charter. **Vote No on Prop 470.**

Celia Barotz
Former Flagstaff Vice Mayor and
Councilmember 2010 – 2018
Flagstaff, Arizona

Al White
Former Flagstaff Vice Mayor and
Councilmember 2000 – 2012
Flagstaff, Arizona

QUESTION NO. 11 (Proposition 471)

OFFICIAL TITLE: AMENDMENT TO ARTICLE XVI, AMENDMENT NO. 1 – *VOTE REQUIRED FOR CERTAIN TYPES OF BOND ISSUES*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to eliminate Article XVI, Amendment No. 1 of the Charter.

Shall the Charter for the City of Flagstaff, Arizona, Article XVI, Amendment No. 1 – *VOTE REQUIRED FOR CERTAIN TYPES OF BOND ISSUES*, be amended as follows:

~~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.~~

SUMMARY ANALYSIS

Amendment No. 1 of the City Charter dictates that the city shall not issue or authorize issuance of any bonds that pledges city tax revenues, with some exceptions, without an election and approval by voters. Amendment No. 1 could cause delays in project delivery and increase the cost of the project/construction. It could also affect the city's ability to obtain the best interest rate for the debt financing that is funded with the various sales taxes the city collects.

The proposed amendment would eliminate the requirement for voter approval on sale tax-backed bond issues.

FREQUENTLY ASKED QUESTIONS

When is the public currently required to vote on bonding?

Per City Charter, the city is required to have an election for voter approval for any tax-backed debt. In accordance with state law ([A.R.S. §16-204 \(F\)\(4\)](#)), cities are required to have an election for voter approval for any debt that will be paid back through a secondary property tax assessment. All other debt issuances are at the discretion of City Council and are approved as part of a public meeting.

What is an example of when bonds were pledged by Transaction Privilege Tax (sales tax)?

Most recent examples of voter approval to issue debt pledged with Transaction Privilege Taxes (sales tax) were the Route 66 to Butler Overpass Tax and the Transportation Tax approved at the November 6, 2018, election. The city has not pledged or asked to pledge debt on the 1% General Sales Tax.

If Amendment No. 1 is removed, does this allow the City Council to raise Transaction Privilege Taxes (sales taxes) to pledge revenues without a public vote?

No. Transaction Privilege Tax (sales tax) rate changes and renewals require voter approval during a November General Election.

If Amendment No. 1 is removed, who would have the authority to use sales tax as a guarantee to pay back bonds?

The City Council will have the ability to issue sales tax backed bonds. Providing authorization to issue any debt obligations will occur in a public meeting. In addition, the consideration of new debt obligations is part of the public annual budget process.

If the voters do not approve pledging taxes for debt, are there other debt mechanisms that the City Council may use?

Yes. Some examples of debt issuances the City Council are allowed to issue are loans, revenue bonds, certificates of participation, capital leases, and other methods of debt if it is not pledged with tax revenues. In accordance with state law (A.R.S. §16-204 (F)(4)), the city will still require voter approval for debt paid back with secondary property taxes.

Do other city charters require voter approval to pledge taxes for debt obligations?

Yes. The City of Tucson has a similar requirement. Some other cities like Phoenix, Mesa, and Peoria have the restriction tied to specific municipal facilities.

TEXT OF BALLOT

QUESTION NO. 11 (Proposition 471)

PROPOSED AMENDMENT RELATING TO: ISSUANCE OF BONDS

A **YES** vote shall have the effect of amending Article XVI, Amendment No. 1, of the Charter to eliminate this section of the Charter. **YES**

A **NO** vote shall have the effect of not amending Article XVI, Amendment No. 1, of the Charter to eliminate this section of the Charter. **NO**

ARGUMENTS FOR PROPOSITION NO. 471

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 471

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

This proposition eliminates the current restrictions on the City that require voter approval to issue debt using City tax revenues as collateral. Under the current charter, the city cannot pledge tax revenues as a guarantee for payment without a vote of the majority of the public. Friends of Flagstaff's Future opposes any change to the current policy. It is our position that the public should be able to weigh in on long-term debt commitments that will be paid for by current and future citizens. Regardless of any inefficiencies that arise from having to put these decisions to public vote, it is more important that the public have a say in whether tax revenues shall be used to support the financing of municipal projects that require bonding. We recommend a NO vote on this proposition.

Friends of Flagstaff's Future
Susie Garretson, President / Marcus Ford, Vice-President
Flagstaff, Arizona

We recommend a NO vote on Proposition 471.

We believe that the current charter provision that requires a public vote on certain types of bond issues that pledge city tax revenues as a guarantee for their repayment should not be eliminated as proposed.

We oppose this proposed amendment because it is very important that the voting public have the opportunity to decide whether the city should borrow large sums of money and pay it back with our tax revenues. Once again, we do not think the argument that requiring a public vote takes too long outweighs ensuring that the public has a vote in such a big decision. The current provision is important and should remain in our charter.

Vote No on Prop 471.

Celia Barotz
Former Flagstaff Vice Mayor and
Councilmember 2010 – 2018
Flagstaff, Arizona

Al White
Former Flagstaff Vice Mayor and
Councilmember 2000 – 2012
Flagstaff, Arizona

QUESTION NO. 12 (Proposition 472)

OFFICIAL TITLE: AMENDMENT TO ARTICLE XII, SECTION 1 – *ELECTIONS FOR APPROVAL OF FRANCHISES*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to change the time period required to call a franchise election to be consistent with state law.

Shall the Charter for the City of Flagstaff, Arizona, Article XII, Section 1, *ELECTIONS FOR APPROVAL OF FRANCHISES*, be amended as follows:

Section 1 – ELECTIONS FOR APPROVAL OF FRANCHISES

No franchise shall be granted, extended, or renewed by the City without the approval of a majority of the qualified electors residing within its corporate limits voting thereon at a Primary, General, or Special Election; the Council shall submit any matter for approval or disapproval to such election at any Primary or General Election, or shall call a Special Election for such purpose **IN ACCORDANCE WITH ARIZONA STATUTES AS MAY BE AMENDED 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.

SUMMARY ANALYSIS

Article XII, Section 1 of the City Charter, specifies that a special franchise election can be called with 30-day notice. The call of all elections must be done in accordance with state law, which provides ample time and notice to the public and election officials. Currently, the legally required timeframe to call an election is 180 days in advance of an election (A.R.S. § 16-226).

This amendment represents a minor revision that brings the City Charter requirement to call a franchise election into compliance with state law and provides the flexibility should state law change in the future.

TEXT OF BALLOT

QUESTION NO. 12 (Proposition 472)

PROPOSED AMENDMENT RELATING TO: *FRANCHISE ELECTIONS*

A **YES** vote shall have the effect of amending Article XII, Section 1, of the Charter to change the time period required to call a franchise election to be consistent with state law. **YES**

A **NO** vote shall have the effect of not amending Article XII, Section 1, of the Charter to change the time period required to call a franchise election to be consistent with state law. **NO**

ARGUMENTS FOR PROPOSITION NO. 472

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 472

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No arguments submitted.

QUESTION NO. 13 (Proposition 473)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VII, SECTION 6 – *READING AND PASSAGE OF ORDINANCES AND RESOLUTIONS: EFFECTIVE DATE*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to allow three-fourths of all members elected or appointed to the Council to read an ordinance for the final time at the same meeting as the first reading.

Shall the Charter for the City of Flagstaff, Arizona, Article VII, Section 6, *READING AND PASSAGE OF ORDINANCES AND RESOLUTIONS: EFFECTIVE DATE*, be amended as follows:

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

SUMMARY ANALYSIS

City Council ordinances require two reads before adoption. Typically, there is a two-week period between the first reading and the second reading of an ordinance which provides time for both the City Council and the public to consider the effects of the ordinance. Article VII, Section 6 of the City Charter allows for the first reading, second reading, and adoption of an ordinance at the same City Council meeting where it is first presented, foregoing the two-week period in between, if there is a unanimous vote of the City Councilmembers present at the meeting. This means if there are four members of City Council in attendance, it only requires four affirmative votes.

The proposed amendment will set a higher standard by requiring the affirmative vote of three-fourths of all members elected or appointed to the City Council to read an ordinance for the first and second time and adopt at the same meeting, foregoing the two-week period in between. This means that regardless of how many members of City Council are in attendance at a meeting, this action would require the affirmative vote of at least six members of City Council.

Whether the City Council approves an ordinance in one meeting or in more than one meeting, there is a 30-day referral period before the ordinance goes into effect.

FREQUENTLY ASKED QUESTIONS

What is a referral period?

A referral period is the 30-day period in which citizens may seek a referendum to refer an ordinance of the City Council to an election for voter consideration. With few exceptions all ordinances are not effective for 30 days, to preserve the constitutional right to file a referendum. Ordinances may be effective immediately in the case of an emergency as defined by state statute ([A.R.S. § 19-142 \(B\)](#)).

TEXT OF BALLOT

QUESTION NO. 13 (Proposition 473)

PROPOSED AMENDMENT RELATING TO: *FINAL READ OF ORDINANCES ON THE SAME DAY AS FIRST READ*

A **YES** vote shall have the effect of amending Article VII, Section 6, of the Charter to allow three-fourths of all members elected or appointed to the Council to read an ordinance for the final time at the same meeting as the first reading.

YES

A **NO** vote shall have the effect of not amending Article VII, Section 6, of the Charter to allow three-fourths of all members elected or appointed to the Council to read an ordinance for the final time at the same meeting as the first reading.

NO

ARGUMENTS FOR PROPOSITION NO. 473

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No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 473

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No arguments submitted.

QUESTION NO. 14 (Proposition 474)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VI, SECTION 1 – *FISCAL*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to allow the Council to self-administer the adopted tax code.

Shall the Charter for the City of Flagstaff, Arizona, Article VI, Section 1, *FISCAL*, be amended as follows:

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 **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.**

SUMMARY ANALYSIS

The proposed amendment affirms the city's desire to maintain local control over its own budget, taxation, financial, and fiscal powers to the extent not otherwise preempted by federal or state law. It also affirms City Council authority to adopt ordinances to provide for local taxation, such as local transaction privilege tax (sales tax), use taxes, and property taxes. The city tax code related to sales and use taxes is found in the City Code, Title 3, Chapter 3-05 and is adopted by ordinance.

FREQUENTLY ASKED QUESTIONS

If this amendment is approved, will the City Council be able to adopt local transaction privilege tax rates without voter approval?

No. Article VI, Section 2 (a) of the City Charter dictates that all changes to a transaction privilege tax (sales tax) require voter approval during a November General Election. Per this provision, voters must approve increases in local sales tax rates.

If this amendment is approved, will the city be able to adopt a tax code that differs from the Model City Tax Code?

No. The city tax code is based on the Model City Tax Code that has been adopted by all Arizona cities and towns and is administered by the Arizona Department of Revenue. The Model City Tax Code does allow for some local options, that the city may adopt.

If approved, will I still need to remit local transaction privilege tax and use taxes to the Arizona Department of Revenue for taxable gross income?

Yes.

If approved, will property taxes still be collected by the Coconino County Assessor?

Yes.

TEXT OF BALLOT

QUESTION NO. 14 (Proposition 474)

PROPOSED AMENDMENT RELATING TO: ADMINISTRATION OF ADOPTED TAX CODE

A **YES** vote shall have the effect of amending Article VI, Section 1, of the Charter to allow the Council to self-administer the adopted tax code.

YES

A **NO** vote shall have the effect of not amending Article VI, Section 1, of the Charter to allow the Council to self-administer the adopted tax code.

NO

ARGUMENTS FOR PROPOSITION NO. 474

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 474

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No arguments submitted.

QUESTION NO. 15 (Proposition 475)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VIII, SECTION 10 – SALE OF CITY PERSONAL PROPERTY, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to specify the sale of the City's personal property, increase the threshold dollar amount for sale or disposal of personal property from \$500 to \$1,000, update the language to reflect best practices, and consolidate all provisions related to personal property into one section of the Charter.

Shall the Charter for the City of Flagstaff, Arizona, Article VIII, Section 10, SALE OF CITY PROPERTY, be amended as follows:

Section 10 – SALE OF CITY PERSONAL PROPERTY

The Council may sell **EQUIPMENT AND ~~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 **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~~ **ONE TIME** 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 \$1,000.00**.
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.~~

SUMMARY ANALYSIS

Currently, Article VIII, Section 10 of the City Charter allows for the sale of real and personal property owned by the city that is no longer needed. Clarification is needed to identify the types of items that are determined to be surplus property. The proposed amendment would clarify that the disposal process for surplus personal property (equipment and materials) and the disposal process for real property (land and buildings) is not the same.

The provisions about the disposal of real property (land and buildings) will be relocated to a separate section of the Charter (see Question No. 5, Proposition 465) so that all the provisions related to the sale and lease of real property (land and buildings) are in one section of the Charter (Article VIII, Section 9).

This proposed amendment would then only address disposal of personal property (equipment and materials), and it would allow for personal property valued at less than \$1,000 (versus the current \$500 threshold) to be disposed of without the need for a public auction.

TEXT OF BALLOT

QUESTION NO. 15 (Proposition 475)

PROPOSED AMENDMENT RELATING TO: *THE SALE OF CITY PERSONAL PROPERTY*

A **YES** vote shall have the effect of amending Article VIII, Section 10, of the Charter to specify the sale of the City's personal property, increase the threshold dollar amount for sale or disposal of personal property from \$500 to \$1,000, update the language to reflect best practices, and consolidate all provisions related to personal property into one section of the Charter.

YES

A **NO** vote shall have the effect of not amending Article VIII, Section 10, of the Charter to specify the sale of the City's personal property, increase the threshold dollar amount for sale or disposal of personal property from \$500 to \$1,000, update the language to reflect best practices, and consolidate all provisions related to personal property into one section of the Charter.

NO

ARGUMENTS FOR PROPOSITION NO. 475

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No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 475

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No arguments submitted.

QUESTION NO. 16 (Proposition 476)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VII, SECTION 13 – *PROCEDURE FOR ADOPTION BY REFERENCE* AND SECTION 15 – *CODIFICATION OF ORDINANCES*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to change the number of required physical copies to be consistent with state law.

Shall the Charter of the City of Flagstaff, Arizona, Article VII, Section 13, *PROCEDURE FOR ADOPTION BY REFERENCE* and Section 15 *CODIFICATION OF ORDINANCES*, be amended as follows:

Section 13 – PROCEDURE FOR ADOPTION BY REFERENCE

- (a) The Council may enact the provisions of a code or public record already in existence without setting forth such provisions, but the adopting ordinance shall be published in full. **THE NUMBER OF COPIES REQUIRED BY ARIZONA STATUTES** ~~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.

Section 15 – CODIFICATION OF ORDINANCES

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

SUMMARY ANALYSIS

Sections 13 and 15 of Article VII of the City Charter state that three physical copies of the City Code and declared public records must be stored and maintained. This provision within the Charter was based on prior state law that required three physical copies be stored and maintained. State law has since changed and now allows for one physical copy and one digital copy to be stored and maintained.

This amendment would remove the requirement to maintain three physical copies and allow for the city to adapt as technologies advance and state law changes to accommodate those advancements.

FREQUENTLY ASKED QUESTIONS

Why is this amendment being proposed?

Sufficient and adequate storage has been and will continue to be a challenge. By reducing the number of physical copies required to be kept, we can better extend the life of the storage capacity we currently have.

TEXT OF BALLOT

QUESTION NO. 16 (Proposition 476)

PROPOSED AMENDMENT RELATING TO: *PHYSICAL RECORDS REQUIREMENTS*

A **YES** vote shall have the effect of amending Article VII, Sections 13 and 15 of the Charter to change the number of required physical copies to be consistent with state law.

YES

A **NO** vote shall have the effect of not amending Article VII, Sections 13 and 15 of the Charter to change the number of required physical copies to be consistent with state law.

NO

ARGUMENTS FOR PROPOSITION NO. 476

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 476

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

QUESTION NO. 17 (Proposition 477)

OFFICIAL TITLE: AMENDMENT TO ARTICLE VI, SECTION 4 – *CASH BASIS FUND SET UP; TRANSFER OF SUMS FROM CASH BASIS FUND TO OTHER FUNDS*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to eliminate Article VI, Section 4 of the Charter.

Shall the Charter for the City of Flagstaff, Arizona, Article VI, Section 4, CASH BASIS FUND SET UP; TRANSFER OF SUMS FROM CASH BASIS FUND TO OTHER FUNDS, be amended as follows:

~~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 (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.~~

SUMMARY ANALYSIS

Article VI, Section 4 of the City Charter allows the City Council to create and maintain a Cash Basis Fund. A Cash Basis Fund is used to set aside financial resources to assist in meeting future obligations should a city fund need the financial support.

Ordinance 466 was adopted by City Council on September 8, 1959. Based on research, there were only a few times the fund was used between 1959 and 1967. The city does not use a Cash Basis Fund today. The last reference to the Cash Basis Fund was reported in the Audit Report for the year ending June 30, 1967.

FREQUENTLY ASKED QUESTIONS

Why is the Cash Basis Fund no longer needed?

Since the adoption of the ordinance in 1959 establishing a Cash Basis Fund, there have been a great number of changes made related to financial reporting and management for governments. The biggest impact of change came from the establishment of the Governmental Accounting Standards Board (GASB) in 1984. GASB established accounting and financial reporting standards for U.S. state and local governments that follow Generally Accepted Accounting Principles (GAAP). The GASB standards are intended to promote consistent financial reporting across all government entities.

As is best practice, the city has financial policies which dictate minimum fund balance levels (reserves), as a percentage of operating revenues, for each operating fund. For example, the City's General Fund, which accounts for the majority of the city's day to day operations (i.e., Police, Fire, Community Development, Parks and Recreation), is required to maintain a fund balance of 15% of ongoing revenues. The city has made a commitment to maintain a General Fund balance of 20%, exceeding policy, to better position the city in times of economic decline.

The City of Flagstaff has also adopted an Economic Recession Plan for the organization. This plan establishes indicators to help identify city expenditure reductions that should be taken based on projected or actual declines in revenues. The plan helps the city evaluate the impacts a reduction in revenues will have on the various funds

of the city as well as understanding the roles of unrestricted fund balance (reserves) and contingencies have in economic planning.

Additionally, the city annually updates a 5-year financial plan for all funds of the city to assure it has adequate resources to meet current and future obligations.

TEXT OF BALLOT

QUESTION NO. 17 (Proposition 477)

PROPOSED AMENDMENT RELATING TO: CASH BASIS FUND

A **YES** vote shall have the effect of amending Article VI, Section 4, of the Charter to eliminate this section of the Charter. **YES**

A **NO** vote shall have the effect of not amending Article VI, Section 4, of the Charter to eliminate this section of the Charter. **NO**

ARGUMENTS FOR PROPOSITION NO. 477

The "for" and "against" arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 477

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No arguments submitted.

QUESTION NO. 18 (Proposition 478)

OFFICIAL TITLE: AMENDMENT TO ARTICLE XI, ~~MUNICIPAL POLICE COURT~~, SECTION 1 – STATE LAWS CONTROL, SECTION 2 – ~~MAGISTRATE(S) POLICE JUDGE(S)~~, APPOINTMENT, TERM, AND SECTION 3 – SERVICE OF PROCESS, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to update court language to reflect current terminology.

Shall the Charter of the City of Flagstaff, Arizona, Article XI, MUNICIPAL COURT, Section 1, STATE LAWS CONTROL, Section 2, POLICE JUDGE(S), APPOINTMENT, TERM, and Section 3, SERVICE OF PROCESS, be amended as follows:

Header – ~~MUNICIPAL POLICE COURT~~

Section 1 – STATE LAWS CONTROL

The ~~MUNICIPAL 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 – ~~MAGISTRATE(S) POLICE JUDGE(S)~~, APPOINTMENT, TERM

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

Section 3 – 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 Chief of Police shall also cause all warrants of arrest to be executed.

SUMMARY ANALYSIS

Article XI of the City Charter references outdated language for city courts and judges. The reference to Police Court or Police Judge is antiquated language that is not representative of current facilities or positions.

This amendment is a minor revision to update the terminology within the Charter to reflect the appropriate designations of Municipal Court and Magistrate.

TEXT OF BALLOT

QUESTION NO. 18 (Proposition 478)

PROPOSED AMENDMENT RELATING TO: MUNICIPAL COURT AND MAGISTRATE TERMINOLOGY

A **YES** vote shall have the effect of amending Article XI, Header, and Sections 1, 2, and 3, of the Charter to update court language to reflect current terminology.

YES

A **NO** vote shall have the effect of not amending Article XI, Header, and Sections 1, 2, and 3, of the Charter to update court language to reflect current terminology.

NO

ARGUMENTS FOR PROPOSITION NO. 478

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No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 478

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No arguments submitted.

QUESTION NO. 19 (Proposition 479)

OFFICIAL TITLE: AMENDMENT TO ARTICLE II, SECTION 16 – *FAILURE TO VOTE*, OF THE FLAGSTAFF CITY CHARTER

DESCRIPTIVE TITLE: A measure referred to the people by the City Council regarding a Charter amendment to allow a member of the Council who has a declared conflict of interest be excused from voting.

Shall the Charter of the City of Flagstaff, Arizona, Article II, Section 16, *FAILURE TO VOTE*, be amended as follows:

Section 16 – FAILURE TO VOTE

No member of the Council present at any meeting shall be excused from voting, except in matters involving the consideration of their own official conduct **OR A DECLARED CONFLICT OF INTEREST**. In all other cases, a failure to vote shall be entered on the minutes as an affirmative vote.

SUMMARY ANALYSIS

Article II, Section 16 of the City Charter requires all members of City Council to vote on matters before them. Should a member of City Council decide not to vote, their vote is considered and entered into the record as a “yes” vote. There is an exception noted in this section that a member of City Council does not have to vote on matters involving their own official conduct; however, the Charter does not provide an exception for times when a member of City Council may have a declared conflict of interest.

Arizona law (A.R.S. § 38-500 et. seq.) requires public officers and employees to avoid conflicts of interest that might influence or affect their official conduct. Determining whether a conflict of interest exists requires public officers and employees to evaluate statutorily established standards and exceptions to determine whether their personal interests, or those of certain family members, result in a conflict of interest.

When a member of City Council determines a conflict of interest exists and declares a conflict of interest, an exception in the Charter would avoid the record reflecting a “yes” vote by that member of City Council.

FREQUENTLY ASKED QUESTIONS

What is a declared conflict of interest?

A declared conflict of interest occurs when any public officer or employee of a public agency who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale or purchase.

If this Charter amendment is approved, what will be the practical effect for members of City Council?

The practical effect of this exception will be to resolve an inconsistency between State law and the Charter. After declaring a conflict of interest, a member of City Council would abstain from voting, and a “yes” vote will not be entered in the minutes and record of the meeting as is currently stated under Article II, Section 16 of the Charter. Instead, no record of a vote by that City Councilmember on that item will be in the minutes of the meeting.

TEXT OF BALLOT

QUESTION NO. 19 (Proposition 479)

PROPOSED AMENDMENT RELATING TO: *FAILURE TO VOTE*

A **YES** vote shall have the effect of amending Article II, Section 16, of the Charter to allow a member of the Council who has a declared conflict of interest be excused from voting. **YES**

A **NO** vote shall have the effect of not amending Article II, Section 16, of the Charter to allow a member of the Council who has a declared conflict of interest be excused from voting. **NO**

ARGUMENTS FOR PROPOSITION NO. 479

The “for” and “against” arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

No arguments submitted.

ARGUMENTS AGAINST PROPOSITION NO. 479

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No arguments submitted.

QUESTION NO. 20 (Proposition 480)

On June 6, 2023, the City Council passed Ordinance No. 2023-11 which amends the Flagstaff Zoning Map to rezone approximately 98.39 acres of real property from Rural Residential (40.47 acres) and Estate Residential (57.92 acres) to Highway Commercial (63.18 acres) and Public Facilities (35.21 acres) and adds the Resource Protection Overlay to APN 112-210-036, 112-10-037, and 112-05-125 generally located at 1120 W. Purple Sage Trail.

Ordinance No. 2023-11 has been referred to the qualified electors of the City of Flagstaff by Referendum No. 01-2023.

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF ZONING MAP TO REZONE APPROXIMATELY 98.39 ACRES OF REAL PROPERTY FROM RURAL RESIDENTIAL (40.47 ACRES) AND ESTATE RESIDENTIAL (57.92 ACRES) TO HIGHWAY COMMERCIAL (63.18 ACRES) AND PUBLIC FACILITIES (35.21 ACRES) AND ADDING THE RESOURCE PROTECTION OVERLAY TO APN 112-10-036, 112-10-037, AND 112-05-125 GENERALLY LOCATED AT 1120 W PURPLE SAGE TRAIL PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, Northern Arizona Healthcare Corporation, (“NAH”), has applied for a Concept Zoning Map Amendment to rezone approximately 98.39 acres of real property located within the City of Flagstaff, a legal description of which is provided in “Exhibit A” attached hereto and incorporated by this reference (“the Property”), from Rural Residential (RR) and Estate Residential (ER) zones to the Highway Commercial (HC) and Public Facilities (PF) zones and adding the Resource Protection Overlay (RPO) zone to APNs 112-10-036, 112-10-037, and 112-05-125 for the purpose of being developed with a regional hospital, ambulatory care center, and associated open space and civic space; and

WHEREAS, NAH conducted neighborhood meetings on January 6, 2022, January 18, 2022, and October 10, 2022 to discuss the proposed Concept Zoning Map Amendment with the surrounding community, as required by Section 10-20.50.40 of the Flagstaff Zoning Code; and

WHEREAS, the Planning and Zoning Commission has formally considered the proposed Concept Zoning Map Amendment application, following proper notice and a hearing on March 22, 2023, and April 12, 2023, and has recommended denial of the requested Zoning Map Amendment application; and

WHEREAS, the Council finds that NAH has complied with all application requirements set forth in Chapter 10-20 of the Flagstaff Zoning Code; and

WHEREAS, the Council has considered the recommendations of the Planning and Zoning Commission; and

WHEREAS, the Council has read and considered the staff reports prepared by the Planning & Development Services staff and all attachments to those reports, NAH’s application, the narrative provided by NAH, and all statements made by NAH and its representatives or agents during the presentation to Council, and the Council finds that the proposed Concept Zoning Map Amendment, subject to the conditions set forth below, meets the findings required by Section 10-20.50.040(F)(1)(a) of the Flagstaff Zoning Code.

ENACTMENTS:

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

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. The amendment requested in the application is consistent with and conforms to the goals of the General Plan.

SECTION 3. The amendment requested in the application will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, and will add to the public good as described in the General Plan.

SECTION 4. The affected site is physically suitable in terms of location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities to ensure that the amendment requested in the application will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Zoning Map designation for the Property is hereby amended from the Rural Residential (RR) and Estate Residential (ER) zones to the Highway Commercial (HC) and Public Facilities (PF) zones as set forth in Exhibit A attached hereto and incorporated by reference, and APNs 112-10-036, 112-10-037, and 112-05-125 are added to the Resource Protection Overlay (RPO).

SECTION 6. That the Zoning Map Amendment be further conditioned upon NAH's satisfaction of the following conditions:

CONDITIONS:

1. The subject property shall be developed in substantial conformance with the approved Specific Plan and concept zoning plan (included in the Specific Plan) and combined project narrative including but not limited to the density and intensity and general layout except as modified herein.
2. All intersections shall be designed and constructed as "protected intersections" for enhanced bicycle and pedestrian safety as feasible subject to the City Engineer's approval.
3. Foundation landscaping may be located further than 25 feet from the building to comply with Firewise landscaping requirements as recommended by the Wildfire Mitigation Analysis.
4. To mitigate the proposed building placement, a 60-foot front landscape buffer from Beulah Boulevard shall be provided with the intent of preserving as many mature Ponderosa Pine trees as possible.
5. All other requirements of the Zoning Code and other City codes, ordinances, and regulations shall be met by the proposed development as amended within the NAH Health Village Phase 1 Specific Plan.
6. All terms, conditions, and restrictions detailed within the "NAH Health Village Development Agreement" must be fully satisfied.
7. If the property is rezoned, and the applicant fails to obtain final Civil Plan approval within two (2) years of the effective date of the rezoning ordinance, then the City may schedule a public hearing before the City Council for the purpose of causing the zoning on the Property to revert to the former classification of Rural Residential (RR) and Estate Residential (ER) in accordance with A.R.S. § 9-462.01.

SECTION 7. That City staff is hereby authorized to take such other and further measures and actions as are necessary and appropriate to carry out the terms, provisions, and intents of this Ordinance.

SECTION 8. If any section, subsection, sentence, clause, phrase, or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 9. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 6th day of June, 2023.

/s/ Becky Daggett
MAYOR

ATTEST:

/s/ Stacy Saltzburg
CITY CLERK

APPROVED AS TO FORM:

/s/ Christina Rubalcava for
CITY ATTORNEY

Exhibits:
Legal Description

FULL TEXT OF BALLOT

QUESTION NO. 20 (Proposition 480)

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

OFFICIAL TITLE: A Measure Referred to the People by Referendum No. 01-2023 Relating to Ordinance No. 2023-11: An Ordinance of the City Council of Flagstaff, amending the Flagstaff Zoning Map to rezone approximately 98.39 acres of real property from Rural Residential (40.47 acres) and Estate Residential (57.92 acres) to Highway Commercial (63.18 acres) and Public Facilities (35.21 acres) and adding the Resource Protection Overlay to APN 112-10-036, 112-10-037, and 112-05-125 generally located at 1120 W Purple Sage Trail.

DESCRIPTIVE TITLE: Consideration of Ordinance 2023-11 amending the Flagstaff Zoning Map to rezone approximately 98.39 acres of real property from Rural Residential (40.47 acres) and Estate Residential (57.92 acres) to Highway Commercial (63.18 acres) and Public Facilities (35.21 acres) and adding the Resource Protection Overlay to APN 112-10-036, 112-10-037, and 112-05-125 generally located at 1120 W Purple Sage Trail.

A **YES** vote shall have the effect of approving Ordinance No. 2023-11 amending the Flagstaff Zoning Map to rezone approximately 98.39 acres of real property from Rural Residential (40.47 acres) and Estate Residential (57.92 acres) to Highway Commercial (63.18 acres) and Public Facilities (35.21 acres) and adding the Resource Protection Overlay to APN 112-10-036, 112-10-037, and 112-05-125 generally located at 1120 W Purple Sage Trail.

YES

A **NO** vote shall have the effect of not approving Ordinance No. 2023-11 amending the Flagstaff Zoning Map to rezone approximately 98.39 acres of real property from Rural Residential (40.47 acres) and Estate Residential (57.92 acres) to Highway Commercial (63.18 acres) and Public Facilities (35.21 acres) and adding the Resource Protection Overlay to APN 112-10-036, 112-10-037, and 112-05-125 generally located at 1120 W Purple Sage Trail.

NO

ARGUMENTS FOR PROPOSITION NO. 480

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We need a new hospital; quality healthcare is critical to the health of the community. My family have visited the emergency room of our current hospital many times over the 35 years we have lived here. The wait times have increased over the years due to the growth of the community. Specialty care needs have increased due to advances in technology, emergency room sizes have increased due to advances in high tech to the point that this 50+ year old hospital needs expanded.

The current location can not be expanded due to Beaver and San Francisco streets dividing the current location. It is unrealistic to think we can ever expand the current location due to many factors including: topography, roads, total acreage needed for a modern hospital, costs to tear down and rebuild, time needed to tear down and rebuild and run a hospital at the same time, height limits, zoning issues (current hospital is zoned for high density residential only), traffic issues going through downtown with ambulance and many other location and site constraints.

If you think we need a new hospital, or will need one in the next few years, now is the time to support this major effort. If the hospital project fails it may be too late to ever find another suitable location due to our very limited supply of large parcels in the region.

Please vote yes.

Ken Berkhoff
Flagstaff, Arizona

Building the Health and Wellness Village facility will benefit all of us in many ways.

- A new facility will better serve the homeless, Native American, and the underserved populations of the area.
- There is great need for a next generation, state-of-the-art health care facility, hosting modern equipment and technology.
- This new facility will create essential jobs and draw much needed health care professionals to the area.
- The new hospital's design is intended to be environmentally friendly and provide open space, trails, and outdoor exercise facilities to augment the new hospital's services.
- When built on now open ground, Flagstaff residents will be able to avoid congested downtown streets to access their health care.
- The existing facility will struggle to keep pace with the projected doubling of the area population; causing patients to experience more lengthy wait times and, in many cases, be turned away all together.
- Once vacated, the existing Flagstaff Medical Center campus could potentially be turned into affordable/ workforce housing, or a community center for the area.
- The entire project will be privately funded, with no cost to Flagstaff taxpayers. Furthermore, the project would boost tax revenue for the city, enabling it fund other important programs.
- The hospital leadership has been very transparent having spent more than 3 years planning the new complex, working with city planners and community organizers to gather input and arrive at consensus.

At the end of the day one must ask, if the positive advantages outweigh the negatives and will this new facility serve the greater good? I feel it most certainly will and urge the community to vote **YES** for the Health and Wellness Village project.

Rick and Darlene Rokosz
Cottonwood, Arizona

As a Flagstaff resident since 1974 I have seen major changes in Flagstaff and northern Arizona. Northern Arizona Healthcare has continued to anticipate the growth and planned most effectively in meeting the needs of our expanding populations.

Proposition 480 allows the hospital to continue to do so with the development of a new expanded hospital, ambulatory care center, parking and public open space. Increasing patient rooms from 240 to 400, providing all single rooms, eliminating transporting patients from various hospital floors for services, providing appropriate

spaces for increased medical technology, eliminating parking unavailability and congestion will be some of the major positive changes with the new development AND fewer patient diversions to Phoenix.

Health care and its delivery have changed and doing so constantly – we can't be in a "catch up" or "should have, could have" environment for the next 50 years. It is critical we invest in the future now so we never look back!

I strongly support Proposition 480.

Molly Munger
Flagstaff, AZ 86004

As a general manager for Findlay Automotive in Flagstaff, healthcare has become an important topic to our 130+ employees. We've recently had a number of employees face significant health challenges. Through their experiences I've learned our local hospital is operating well beyond its limits.

Long wait times or the unavailability of specialty care has forced a number of our employees to drive to Phoenix for the healthcare they need. In 2022 NAH deferred more than 5,600 patients to hospitals outside of northern Arizona because they were unable to accommodate their needs. Forcing ill people to drive for two, three, four hours or more for healthcare isn't good for anyone – not our employees, our community or the environment.

Healthcare has changed dramatically since our hospital was built fifty years ago. Advancements in cancer treatments, surgery techniques and medicine itself have evolved exponentially, and our current hospital is simply obsolete. Remodeling it is not feasible, as it would require closing down for extended periods and turning patients away. We need a modern facility capable of meeting our needs today and in the future.

Obviously an undertaking of this size is complex, and requires a great deal of planning and cooperation between public and private entities. I'm pragmatic enough to realize that no plan will please everyone. But I've met with NAH leadership and I'm confident they've done their homework, listened to the community and are committed to meeting or exceeding the healthcare needs of our community today, and into the future.

The quality of healthcare for this region - and everyone who calls it home - is what's at stake. I'm urging you to consider the importance of our community's healthcare needs and vote for yes on this vital investment in Flagstaff's future.

Brian Landauer
Flagstaff, Arizona

We strongly support Proposition No. 480. We trust the decision of the leaders of Northern Arizona Healthcare to create the new medical center not only for our community, but for the entire northern Arizona region now and for future years. We have a moral duty to consider the wellbeing of future generations. Flagstaff population is projected to double by 2050. NAH (formerly FMC) has well served the healthcare needs of this community since 1936. In 1938 Dr R. O Raymond acquired land for the construction of the Flagstaff Hospital in a land exchange. He was not only a Dr, but also a philanthropist. During that long history the institution has committed to provide quality care to all, right here in Flagstaff. It provides more than \$ 100 million annually in donated care to those who cannot afford to pay. In most cases we do not have to travel to Phoenix to receive care in a healing environment near to our families and friends. The new facility will provide easy access for all patients in the region, single rooms for all, spacious halls, efficient modern work space for equipment and services, for hospital staff not only for surgery and ICU as well as needs for all patients and families. The present campus has expanded exponentially during the nearly 90 years. This expansion cannot continue in its present location.

Health and wellness can only be achieved in a healing environment which the new state-of-the-art facility will provide. As 55-year residents of this community, we urge you to vote YES on Proposition No. 480.

Sam and Marjorie McClanahan
Flagstaff, Arizona

As director of the Northern Arizona Healthcare Children's Health Center. As the population of Northern Arizona continues to grow, so does the need for pediatric services.

The Children's Health Center serves over 16,000 patients per year with diverse needs and diagnosis. Our multidisciplinary and collaborative approach allows for children and their families to get the care that they need in a one-stop shop close to home. From our Inspire program focused on disease prevention and childhood obesity reduction through education in nutrition and exercise, to our Safe Child program working with law enforcement and family advocates to help children who have experienced trauma, we strive to serve every pediatric patient.

But we can't offer all services in our current facility, which means many families who already drive 2-3 hours to reach Flagstaff must drive an additional 2.5 hours to reach the Phoenix area for more complex care. And that's usually multiple trips to diagnose, treat and follow up on a specific care need.

The new hospital will provide a significant expansion in pediatric services for the next several decades. It will enable us to perform full services for outpatient, inpatient and surgical services that children desperately need in northern Arizona. With additional state-of-the-art technology, we will be able to recruit the best pediatric specialists from around the country so families can stay close to home. We also will expand services for therapy, audiology, nutrition and social work. Many of these services currently have a 2-3 month wait due to our limited space and provider access.

NAH's mission is improving health, healing people. To do so, we need a state-of-the-art facility to provide the care and services that are long overdue and desperately needed by the people who call this home.

Keith Garrison
Flagstaff, Arizona

I am a Cardiac Anesthesiologist and I've been practicing in Flagstaff for the past seven years. I chose to live and work in this community because it's almost unheard of for a small, mountain town to have a world-class hospital. Flagstaff Medical Center provides a level of service and access to specialty care that's only found in large cities. This directly benefits the residents of Flagstaff and the entire Northern Arizona community.

I strongly encourage you to support the new NAH Health and Wellness Village. Modern medical equipment and treatment options require a purpose-built facility that can offer cutting-edge healthcare to our community. The current campus is undersized, outdated, and unable to meet these needs. We're regularly forced to delay, cancel, or transfer patients because of physical space constraints. No amount of reconfiguration, remodeling, or redevelopment can fix this. It's time to move forward with the new campus and build a healthcare system that makes Flagstaff proud. Please join me in supporting Northern Arizona Healthcare and keeping Flagstaff healthy!

Adam Weiss
Flagstaff, Arizona

Citizens of Flagstaff: Proposition No. 480 (Referendum No. 01-2023) is before you to approve or disapprove Ordinance No. 2023-11, which amends the Flagstaff Zoning Map (approved by your City Council) for the specific purpose of the described property being developed by Northern Arizona Healthcare (NAH) for a regional hospital, ambulatory care center (the “outpatient” care model), with associated open space and civic space. To approve, vote **YES**. Why? To be frank... because I can’t, and what happens in Flagstaff affects what happens or does not happen throughout the entire service area of the Northern Arizona Healthcare (NAH) system. Note the word “system” and consider the impact on it should this project be rejected, only to continue the status quo at the Flagstaff Medical Center campus, where costly inefficiencies in its physical plant and other facilities are beyond any expectation of being altered, upgraded, modified, renovated, retrofitted, or in any other manner salvaged for current, let alone future, state-of-the-art healthcare. Note also, have heard it said something like this, NAH is cutting its “roots” by moving to the “outskirts of town”, abandoning its “community”! As a citizen of Cottonwood, Arizona, I am as much a member of that community as any of the so called “core city” members, and to deny/delay the future, by failing to join similar multiple major current and upcoming health-related construction projects in the Valley of the Sun and others elsewhere in the state, only perpetuates the operational inefficiencies and resultant undue financial constraints in/from Flagstaff that impact every other component of the NAH system, wherever those facilities and programs are located, or in the future will be found, throughout the “high country” service area. This is not acceptable! Vote **YES** on Proposition 480.

Lee K. Worthen
Cottonwood, Arizona

As a long time Flagstaff resident, born at Flagstaff Medical Center in 1976, I have watched the hospital grow and provide many amazing and high quality services for our community. The proposed ambulatory care center and hospital are the next step forward. They mean more services for my family, children and my parents, who continue to be active members of the Flagstaff community.

As a registered nurse working at Flagstaff Medical Center in the Special Care Nursery, I am so excited NAH will be able to provide a Level III Neonatal Intensive Care Unit for the families of all Northern Arizona. The new hospital will have private rooms for our neonatal patients and their families – something not available at our current hospital.

Many have never experienced the overwhelming concern and uncertainty of having your baby in the Special Care Nursery. While privacy and more individualized care may seem like buzzwords, they have an actual meaning for us to add to our ability to provide the best care possible. The textbook answer is that private rooms will allow parents and families to stay, sleep, and be much more involved in providing care for their baby. This support for the entire family has been shown to improve neonatal outcomes and decrease the hospital length of stay. Families are more prepared to take their babies home, feeling confident in the care they can provide on their own.

The reality is that our hospital is old and outdated. There is no space on the current hospital campus to expand and provide for our patients and families what the new hospital can provide. Please give us the opportunity to provide a healing atmosphere that will positively impact care, patient outcomes, and family experiences and is desperately needed for our community.

Please support the new hospital.

Jeanne Wiles
Flagstaff, Arizona

We ask for your support and your YES vote on Proposition 480 because a new hospital enables us to continue to provide you the highest-quality health care close to home.

In the past year, Northern Arizona Healthcare's two hospitals have been repeatedly ranked best in state by the Arizona Department of Health Services for the lowest rate of patient infections. Both hospitals were two of only five in Arizona this year to earn an A from Leapfrog Group for providing safe, high-quality patient care. We are successful at these measures because we have a fabulous, committed team of people who care about their patients and their community.

But many of those caregivers at Flagstaff Medical Center work in sub-optimal spaces. The Emergency Department is overcrowded and people frequently wait hours to be seen. Our new hospital will be designed for better efficiency and shorter wait times.

Patients often must have a roommate, which goes against today's medical standards. In the new hospital, every room will be single occupancy with space for visitors.

The new hospital will be constructed entirely with private funding, and will generate enough in city taxes to pay for infrastructure improvements. It will eliminate thousands of trips to Phoenix per year for patients who we just don't have the space to care for today.

The current FMC will be repurposed after we move, and affordable housing is one of the likely possibilities. We will go through a public input process to hear city residents on how the land can continue to serve the region.

There are a lot of facts about the new hospital being misstated in this campaign. Visit www.nahealth.com/expansion to learn the truth about our plans.

Please vote Yes on Prop 480 so we can build a new hospital for Flagstaff, the hospital you deserve.

David R. Cheney, MBA, FACHE
President and CEO
Northern Arizona Healthcare
Flagstaff, Arizona

Tyffany Laurano, MSN, RN
Chief Nursing Officer
Northern Arizona Healthcare
Flagstaff, Arizona

I support Proposition 480 and will be voting yes on this important City of Flagstaff measure.

Northern Arizona Healthcare serves the entire northern Arizona region, comprised of some 800,000 people. The City of Flagstaff is only part of this greater regional community. It's critical that we have a reliable, accommodating healthcare infrastructure in place not only to serve the existing population but also to be prepared for future growth and the ever evolving standard of care.

Already, Flagstaff Medical Center is at capacity and the problems of overcrowding are only going to get worse if we don't act. Longer wait times at emergency rooms, doubling up of patients in rooms, not enough space to handle an influx of patients at any given time, and yes, the challenge of parking.

A YES vote on Prop 480 provides the capability to provide state of the art healthcare to our regional community and retain world class healthcare providers that choose to practice at NAH. We're incredibly fortunate to have amazing healthcare here today, and standing still is moving backwards. I ask for your fellow YES vote to pass Prop 480. Thank you.

Steve Vargas
Flagstaff, Arizona

I support Proposition 480. The northern Arizona region deserves a new hospital that can meet the needs of a growing population.

The Flagstaff Medical Center is over 50 years old and, while the medical staff and nursing care have been great, the facility hasn't been able to keep up with the needs of our growing community.

My husband and I spent 11 hours there on Friday August 4th. I came in as the wife of a patient, not the Medical Surgical Telemetry Director. I watched the emergency department be deluged with multiple traumas by ambulance and air. I watched an intoxicated patient in one area while a teen was brought in after an overdose. I saw a woman who repeatedly vomited and an elderly couple waiting to be seen. A man with a spider bite. Another with chest pain. It was an endless stream of patients with staff doing their best to provide exceptional care in spite of challenges with physical capacity.

I sat in the waiting room after my husband was taken back, unable to sit with him due to lack of space. When I finally joined him, he was in a recliner with 5 other patients in a common room. It was the only way to triage less acute patients from the more critical ones coming in.

The limitations of the current Flagstaff Medical Center not only result in long wait times, but require patients to be directed to other care facilities in other cities. The new replacement hospital that will be built if Proposition 480 passes will provide enough care capacity for the region now and for decades into the future.

Louann E. Mace
Flagstaff, Arizona

The Northern Arizona Association of REALTORS® supports the Northern Arizona Health and Wellness Village's proposed rezoning and development. As REALTORS®, we prioritize improving our community by safeguarding private property rights, enhancing housing accessibility, and endorsing endeavors that enhance our clients' and community members' quality of life.

The Health and Wellness Village's responsible development and expanded healthcare services will have significant positive impacts. It will generate substantial local revenue, contributing to Flagstaff's economy and creating valuable job opportunities for its residents. Additionally, the inclusion of residential housing within the village will address the pressing need for more housing units, particularly for the city's workforce that Flagstaff continually faces. The potential redevelopment of the existing campus to incorporate residential units further amplifies this initiative's appeal by utilizing existing infrastructure efficiently.

Considering Flagstaff's projected growth in the coming years, access to expanded healthcare facilities and increased residential housing options are crucial priorities. The Health and Wellness Village aligns perfectly with these goals, offering a promising path for Flagstaff to grow responsibly and sustainably.

Northern Arizona Association of REALTORS®
Jessica Garard, President / Cody Bauer, President-Elect
Flagstaff, Arizona

Proposition 480 asks Flagstaff voters to allow Northern Arizona Healthcare to invest private money (not taxpayer dollars) to build a new hospital on land the city designated 10 years ago for development. The facts are compelling. The main building at Flagstaff Medical Center is 40 years old. Other parts of the hospital are decades older than that. Healthcare is an intensely technology driven field, and the old hospital no longer enables our skilled doctors and nurses to deliver the quality of healthcare we deserve and should demand. The old hospital cannot be economically renovated, nor can it be replaced in its current location without catastrophic disruption.

The new hospital has been in the works more than two years since applications were filed in 2021. From then to now, the applications are available online for anyone to read. This project was transparent and thoroughly vetted by our city planners. Dozens of community meetings occurred, including one-on-one meetings with community groups concerned about environmental impacts. Our city council, zoning commission and heritage preservation commission met for a combined 10 public hearings. The council we elected to make these decisions voted 6-0 in favor.

The new hospital is a generational investment of private dollars by our local nonprofit – a hospital built to LEEDS Gold sustainability standards, using 50% less energy and 75% less fossil fuels than the old hospital, open space larger than Foxglenn Park, \$50 million in new roads taking hospital traffic out of downtown, \$7 million in funding for the fire department, miles of new FUTS trails, and a community driven plan for redevelopment of the old campus to ensure it remains a vital benefit in the future of our community. These are just some of a long list of benefits, not to mention – it's a hospital! Please vote YES.

Yes on 480 Committee

Whitney Cunningham, Chairperson / Trevor Kortsen, Treasurer
Flagstaff, Arizona

The Chamber Board of Directors has voted to support construction of a new hospital in Flagstaff and urges voters to vote YES on Prop 480.

The existing Flagstaff Medical Center has served us well, but it has reached capacity and we have grave concerns about how it currently operates including the very public wait times for the emergency room, no single-occupancy ICU rooms and the very sad story of having to vent COVID19 air out of ICU rooms with make-shift duct work.

Additionally, every year Flagstaff Medical Center has to send nearly 6,000 patients to other facilities due to the lack of space to care for patients. The population of northern Arizona is projected to double by 2050 which will add tremendous stress to an already burdened healthcare system.

A larger, new, state-of-the-art level one trauma and ambulatory care center is proposed with this rezoning and much needed. We are grateful the new hospital construction will be privately funded with no cost to Flagstaff taxpayers, and urge citizens to vote YES on Proposition 480.

Flagstaff residents deserve and value local healthcare when urgently needed and should not have to travel out of the area for healthcare.

Julie Pastrick, Pres/CEO Greater Flagstaff Chamber of Commerce
On Behalf of the Greater Flagstaff Chamber Board of Directors

I support Prop 480.

Flagstaff Medical Center, run by Northern Arizona Healthcare, has run its course in its current state. While, NAH does its very best to manage the volume of patients they receive daily, It was woefully ill equipped to manage the demands of. the pandemic, it is too small and too antiquated to handle Flagstaff, much less the entire region of northern Arizona. It has been reported that emergency department wait times can be as long as six hours! Can you imagine taking a loved one to the emergency department for treatment and being told you have to wait for six hours? I can. It is exhausting and terrifying and frustrating. The new Medical center and village will be a welcomed and much needed addition to our community and our Northern AZ neighbors, and this is just one or many examples as to why an updated and larger level one trauma center is essential to our region.

As it stands, the hospital has to turn away over 6,000 patients per year and must direct them to other hospitals. Imagine if you were one of the patients that were turned away. That could be a life-ending turn of events for you and your family.

I believe we can and should do better for our community. Allowing the proposed new healthcare facility to be built will only create a stronger and healthier community for Flagstaff and our Northern AZ neighbors.

DeAnn Engelthaler
Flagstaff, Arizona

ARGUMENTS AGAINST PROPOSITION NO. 480

The “for” and “against” arguments were reproduced exactly as submitted and were not edited for spelling, grammar, or punctuation. These arguments represent the opinions of the authors and have not been checked for accuracy of content.

Please vote “NO” on this proposed re-zoning. This re-zoning of 98 acres of forest on the outskirts of town and the eventual build-out of this proposed 272-acre, billion-dollar development goes against Flagstaff’s Regional Plan in many ways and is not in the best interest of Flagstaff. This re-zoning was voted down by Flagstaff’s Planning & Zoning Commission. City Council ignored the P&Z recommendation as well as our Regional Plan’s goals of limiting sprawl and reaching net zero emissions by 2030. Your “NO” vote will help to encourage NAH to renovate their existing hospital. This would keep the heart of our city intact, reduce carbon pollution, and limit sprawl.

Dr. Stefan Sommer
Northern Arizona Climate Change Alliance
Flagstaff, Arizona

With regard to Proposition 480, there has been considerable failure to communicate by NAH. Flagstaff citizens should not be swayed by half-truths (the TOTAL cost and who pays), the non-transparent evaluation process. Do not be swayed by the lack of inclusion and the attempt to stop Flagstaff citizens from voting on this crucial, town degradation via mega-development. Vote NO on proposition 480.

Robert L. Sanford Jr.
Flagstaff, Arizona

As a citizen of the County, I am writing to urge a NO vote on Prop 480. We cannot vote on this important issue and yet, must live with the result. As a 30 year resident of Doney Park, I have seen the tremendous growth of Flagstaff into a spread out Urban area. Daily I hear ambulances headed to someone in distress. Do you realize how far Doney Park, Townsend Winona and Timberline are from Fort Tuthill area? Not to mention the many accidents that occur on Hwy. 89. Please consider the reasons you moved here or stayed here in the first place. Current zoning allows NAH to anchor a development of 285 homes, with amenities, that few locals will be able to afford. The hospital complex will only add more congestion and continue to ruin our mountain town.

Please vote NO on Prop 480!

Carole Naille
Flagstaff, Arizona

Flagstaff must upgrade its ailing healthcare infrastructure and services. What we currently offer the region will become increasingly inadequate over time. But NAH does not need to start over on 175 acres of forest far from Flagstaff's core. Almost all hospitals evolve in place. Moving our centralized hospital to a peripheral location without a clear, written understanding for how the old site and downtown will fare is a textbook example of sprawl and represents a collective failure. Our sustainable option is to modernize our hospital in place.

Relocation will encumber Flagstaff taxpayers with massive, sudden expenses, budgetary entanglements, and opportunity costs. Smart growth encourages development to pay for itself. Yet NAH has declared their lack of intent to financially support the bus line and public safety upgrades they're necessitating. This decision will have profound impacts on more vulnerable individuals, who require public transportation and hospital services the most. Moreover, the new hospital would result in 53,000 additional vehicles per day on Beulah, according to our city's Traffic Impact Analysis, hobbling our city's Climate Action objectives.

NAH tried and failed to secure nearly \$500 million in debt commitments from Yavapai County. Now they're in limbo with Coconino County. What if they fail again? Will the City of Flagstaff be asked to issue debt? Our community cannot risk ignoring this possibility.

Shiny new objects are exciting and alluring. But the value of a brand-new medical campus cannot be infinitely applied against the massive, induced costs. A hospital move may benefit regional neighbors, but it will be the Flagstaff rate payers who are left with extra burdens. Through increased taxes and less money for other priorities, Flagstaff residents will shoulder a bill they can ill afford, for a product we could achieve by modernizing in place, as almost all other hospitals do.

Austin Aslan
Flagstaff Vice Mayor
Flagstaff, Arizona

I am a longtime resident of Coconino County and I urge you to vote NO on Prop 480. This is an important issue that affects all of us in Flagstaff, Coconino County and the region. However, as a County resident only, I cannot vote on the referendum. Many can, so express your opinion and consider voting NO on Prop 480.

Living on the West side of Flagstaff near Hwy 180 for many years, I have seen the town grow bigger. Snow players, hikers, Grand Canyon travelers, students, Native Americans, local and regional residents (and myself) all use Flagstaff's facilities, including our Hospital, located in Flagstaff.

Do we need a large medical city with traffic, roads, costs, taxes, and housing, out on South Hwy 17? No. We can update our own Hospital with \$millions instead of \$billions for something south of town.

Please vote NO on Prop 480.

Victoria Granade
Flagstaff, Arizona

I urge you to vote NO on Proposition 480.

I don't believe that Northern Arizona Healthcare's (NAH) plan to move the hospital out of downtown Flagstaff adjacent to Fort Tuthill and also build a huge commercial development is in the public interest and welfare.

NAH's claim that it can't renovate its existing campus is disingenuous. In 2019, it was feasible. In fact, on January 25, 2019, the Arizona Daily Sun ran a news article that said that NAH had allocated \$300 million to facility renovation, with most of it occurring at the Flagstaff Medical Center, as part of its New Era Strategic

Plan. The article also said that the certificate holders, who are influential, civic minded citizens would be integral in ensuring the strategy is implemented over time. Then NAH president Flo Spyrow said NAH should bring its services more to the community than centralized locations and that they need to be accessible and convenient to our communities. The first phase of the 2019 plan included, among other things, redesigning inpatient facilities to create all private rooms and expanded care areas.

NAH completely abandoned this plan and the certificate holders because they want to go into the real estate development business, which is far from its non- profit mission of delivering healthcare. Further, abandoning the existing campus will not be good for Flagstaff's economy and all of the healthcare providers and other businesses who have built their operations in the area to be close to the hospital.

NAH has forgotten its healthcare mission and has instead gotten swept up in the idea of spending \$800 MILLION to become a real estate developer. Please don't buy into this misguided project. NAH knows it can renovate its existing campus.

Al White
Former Flagstaff Vice-Mayor and
Councilmember from 2000-2012
Flagstaff, Arizona

I am encouraging the citizens of Flagstaff to vote "NO" on Proposition 480 denying Northern Arizona Healthcare the zoning change necessary to build their preposterous Health and Wellness Village. This development will at build out will include retail, hotel, restaurants, grocery, and office buildings. NAH is deliberately misleading the population that the current hospital is an aged decrepit facility. This is false. Only the west tower is 50 years. The east campus opened in 1987 (36 yrs), ER and outpatient surgery 1997 (26 yrs), Woman & Infant Center 2001 (22yrs), expanded surgical and OR tower 2003 (20yrs). In 2019 NAH had a plan for renovating FMC, WMC, Camp Verde and Sedona clinics called the "New Era Strategic Plan for \$JOO million. The NAH Administration should abandon their Health Village, update their existing facilities, and address the endemic staffing issues and lack of services that are rife throughout their system. The communities served by NAH need high quality acute care facilities and not a Wealth Village. NAH Should focus on their core mission of healthcare and stay out of the development business. There is no question that NAH is ailing, but the Health and Wellness Village is the wrong diagnosis, and the wrong prescription. Please vote NO on 4-8-0!

Todd J. Matthews
Flagstaff, Arizona

Flagstaff has to get this right! We are without alternatives to FMC for hospital care in our city. For decades our hospital administration (the Board of Directors) was comprised of local medical professionals, astute business people, civic leaders and a group of "certificate holders" who acted as "stockholders" of the not for profit corporation.

That model provided a significant segment of our citizens with active participation in the workings of the hospital. That scenario has changed.

The power of the certificate holders has been stripped away leaving the Board to operate with autonomy while answering only to themselves. The "Board" decides who will serve, who will fill vacancies and who will act in any Executive capacity for the Board. All without input or oversight from any outsiders!

This Board controls hundreds of millions of dollars earmarked for health care in the greater Flagstaff area and, evidently, is ready to spend it while shunning any input from our citizens. While the complete lack of outside review is disturbing, of more concern is the Board's decision that they are competent real estate developers

capable of effectively administering, and paying for, the development of what arguably is Flagstaff's largest and most important development of property in recent history. Failure of this development would be devastating and long lasting. It is hard to trust an organization with this Board's recent history of resignations and replacement of Executive Directors (twice)--within the last couple of years. When questions have been asked of the Board regarding this proposed development, the default answer appears to be "trust us".

People, they are spending your health dollars! Allowing them to do so is akin to allowing the person who burned your house down to tell you what it was worth --- not good business! Vote No.

William Preston
Flagstaff, Arizona

Vote NO on Proposition 480

The reasons for a NO vote on Proposition 480 are numerous. Northern Arizona Healthcare (NAH) applied for a zoning change under the guise that a new facility would ensure better healthcare. This is a bogus claim. They convinced the City Council that quality healthcare will only be available if we have a new facility. NAH has systematically cut services and medical staff for no other reason than to make us believe that only a new hospital will correct those issues. The truth is that they have abundant unused space in various buildings. One of those buildings is now on the market for millions below what they paid for it.

NAH administration and its Board of Directors are attempting to convince the community that a new hospital will erase years of bad management. They have wrecked what was once a very good hospital. They are currently losing money in a hospital that was financially sound for over 60 years. NAH claims that they are out of space. Not true. They are out of people. They do not have the staff for all the beds. Throwing money at a systemic problem will not solve it.

We believe that the community has been deceived by NAH. There is no need for a new hospital or a Healthcare Village that will cost over a BILLION dollars. There is a need for competent administration that can assess our priorities and a community-based Board of Directors who will act in the best interests of the citizens. This is your money and your hospital--take command. Vote No on prop 480.

William F. Garbarino
Flagstaff, Arizona

Joe Nackard
Flagstaff, Arizona

Please vote "NO" on this proposed re-zoning. This re-zoning of 98.39 acres of forest on the outskirts of town for a sprawling commercial development goes against Flagstaff's Regional Plan in many ways and is not in the best interest of Flagstaff. This re-zoning was voted down by Flagstaff's Planning & Zoning Commission. The City Council ignored the P&Z recommendation as well as our Regional Plan's goals of limiting sprawl and reaching net zero emissions by 2030. Your "NO" vote will help to encourage NAH to renovate their hospital while respecting our priorities for preserving Flagstaff's beauty and sustainability. Your "NO" vote could keep the heart of our city intact, reduce carbon footprint, and limit sprawl.

NAH claims that it cannot renovate the existing hospital. Yet, their 2019 "New Era Strategic Plan" specifically called for expanding and renovating FMC as well as Verde Valley Medical Center and clinics in Camp Verde and Sedona, all for \$300 million. The original plan included updating all hospital rooms at FMC to be private and increasing the number of hospital beds. Then property development companies secretly got involved and the plan changed to a "Health and Wellness Village" with grocery stores, hotels, restaurants, convention halls, research buildings, and 315 houses, now for an estimated cost of \$865 million. Flagstaff Community First believes that NAH should focus on health care and stay out of the property development business.

The ultimate cost to the taxpayers is still not clear because of NAH's lack of transparency. Additionally, the financial viability of the entire project is in question. We believe that an open and honest assessment of Flagstaff's healthcare status and where investment in facilities is truly needed should be conducted by an independent committee. Say 'NO' to 4-8-0.

Flagstaff Community First Political Action Committee
Douglas Mapel, Chairperson / Erica Berk Mapel, Treasurer
Flagstaff, Arizona

NO ON PROPOSITION 480

There are numerous reasons to oppose Proposition 480; many people have legitimate concerns about the negative impacts of this project.

These include harm to the environment, changes to traffic patterns and increased infrastructure costs.

I believe we do not need a new hospital and the Board of Directors have intentionally misled the citizens of our community.

This is what we get when a non-community-based Board of Directors makes decisions in secrecy with no oversight.

Please return this hospital to the Community and refocus on Quality Healthcare.

VOTE NO ON 480

William – Billy – Weldon
Flagstaff, Arizona

As an ex-Board member of Northern Arizona Healthcare (NAH). I urge you to vote **NO** on Proposition 480.

Moving the hospital to NAH's proposed Healthcare Village site. is a bad idea. The new hospital and Healthcare Village will disrupt and transform Flagstaff for the worse. Traffic flows will change. Helicopter flight paths will be altered. Access to the new healthcare facilities will take longer for many in the city. NAH has talked about building a Healthcare Village for more than 4 years. But the trend in healthcare today is to build smaller hospitals or purpose-built health care facilities, not "Healthcare Villages."

NAH has said that building at its current location will cost infinitely more and take much longer. But the Health Village Economic Impact Analysis submitted by NAH states that the new Health Village, "Construction expenditures are projected at \$1.08 billion over 23 years." This is too much and too long for any construction project.

According to NAH's own audited financial statements, found on the Arizona Department Health Services website, they lost money last year. How can NAH afford to build and operate a new hospital and medical office building, run the current hospital (as care transitions to the new campus), AND pay for the debt that will be used to partially fund the construction of the Healthcare Village? All this in the face of lower payments from Medicare and health insurance carriers. NAH's main source of revenue.

NAH should rethink modernizing its facilities. They should consider bringing construction costs down to an affordable level and keep the hospital at its current location. NAH has abundant

land on the current campus and adjacent on MacMillan Mesa. Planned correctly, with community input, and financial oversight, NAH can have more modern facilities.

We don't need a "Healthcare Village."

Mike Martinell
Flagstaff, Arizona

F3 recommends a NO vote on Proposition 480. A NO vote will overturn Council's decision to rezone 98.39 acres, enabling Northern Arizona Healthcare (NAH) to vacate its campus on Hospital Hill and build a new complex adjacent to Fort Tuthill.

NAH has failed to adequately explain why the existing hospital cannot be renovated. The centerpiece of NAH's own 2019 Strategic Plan was the renovation of its hospital facilities in Flagstaff and the Verde Valley. No explanation has been given for why this plan was abandoned.

Nationally, the vast majority of hospitals choose to renovate. The cost is substantially less than building new and advances in technology have made renovation more feasible than ever. A 2021 Hospital Construction Survey reported that "hospitals continue to focus primarily on renovation versus new construction and outpatient versus inpatient projects." Renovation is also the most environmentally responsible choice: the greenest hospital is a renovated hospital.

Abandoning the existing hospital campus will seriously disrupt Flagstaff's urban core, impacting adjacent neighborhoods and medical practices, many of which will have to move to the new location. It is likely that the hospital campus and surrounding medical offices will remain vacant for years. This is the classic pattern of urban sprawl: hollowing out the center in order to develop the edge. It is exactly what our Regional Plan has discouraged for years.

It is also likely that building a new \$800M medical complex will result in an increase in health care and insurance costs, already among the highest in Arizona. It is certain that it will burden Flagstaff taxpayers with the costs of a new fire house and bus line and long-term maintenance of infrastructure.

For all these reasons, Friends of Flagstaff's Future urges a No vote on 480.

Friends of Flagstaff's Future
Susie Garretson, President / Marcus Ford, Vice-President
Flagstaff, Arizona

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