



**MEETING NOTICE
CITY OF PAGE
CITY COUNCIL**

**CITY COUNCIL REGULAR MEETING
CITY HALL, 697 VISTA AVE
PAGE, ARIZONA**

**OCTOBER 23, 2024
5:30 P.M.**

NOTICE OF PUBLIC MEETING AND AGENDA

Page City Council may discuss and take action on any item listed on the agenda.

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Mayor Bill Diak

Vice Mayor John Kocjan

Councilor Steven Kidman

Councilor Kenna Hettinger

Councilor David Auge

Councilor Mike Farrow

Councilor Richard Leightner

5. PRIORITY LIST

1. Discussion and possible action by the City Council pertaining to the City Council Strategic Priorities
None
2. Discussion and possible action by the City Council pertaining to the City Councilors Individual
Priorities
None

6. MINUTES

1. City Council Regular Meeting Minutes for October 9, 2024
2. Joint Special Meeting with Page Utility Enterprises Minutes for October 2, 2024

7. CONSENT AGENDA

The Consent Portion of the Agenda is a means of expediting routine matters. All items approved will be done by one undebatable motion passed unanimously. Any item may be removed for debate on request of any member of Council. Items removed from the Consent Portion become the first items of business of the Regular Agenda.

1. INFORMATION

- a.** Monthly Cash Allocation Comparison - August 2024
- b.** Substance Abuse Task Force Minutes - August 28, 2024

2. MISCELLANEOUS ACTIONS

- a.** Resignation - Matthew Lasslo - Substance Abuse Task Force

8. PUBLIC HEARINGS

- 1.** Public Hearing for Multi-Parcel Citywide Zone Change Case #ZON 24-002

9. HEAR FROM THE CITIZENS

Members of the public may address the City Council on any topic within the Council's jurisdiction; subject to reasonable time, place, and manner restrictions. The City Council cannot discuss or take legal action on any matters during the Call to the Public, unless the matters are properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the Council may respond to criticism made by those who have addressed the Council, may ask Staff to review a matter, or may ask that a matter be put on a future agenda. If you wish to address the Council at tonight's meeting, please raise your hand, and you will be recognized and asked to come to the podium to provide your name and address. Please limit your remarks to three (3) minutes.

10. REPORTS AND ANNOUNCEMENTS

- 1. MAYOR'S REPORTS AND ANNOUNCEMENTS**
 - a.** Rural Transportation Summit update
- 2. CITY MANAGER'S CURRENT EVENTS SUMMARY**

11. BOARDS AND COMMISSIONS

1. Reports on the most recent Board meetings by Board Liaisons (The most recent Board Agendas can be found on the City of Page website <https://cityofpage.org/government/public-meetings/>):

Planning and Zoning Commission - Councilor Steven Kidman
Page Utility Enterprises (PUE) Board - Vice Mayor Kocjan
Page Public Library Board - Councilor Michael Farrow
Substance Abuse Task Force - Councilor David Auge
Page Parks and Recreation Board - Councilor Kenna Hettinger
Page Public Safety Personnel Retirement Board - Mayor Diak
Economic Development Advisory Board - Councilor Richard Leightner
Youth Advisory Commission - As assigned

12. UNFINISHED BUSINESS

1. Fifth (5th) Amendment to the Purchase Agreement for Trout Development

13. NEW BUSINESS

1. Presentation for a proposed future development in Block 17
2. Ordinance No. 734-24 Amending the zoning district designations of ten (10) city owned parcels
3. Right of Way Access Agreement with Broadbent

14. BID AWARDS

None

15. DEPARTMENTS

None

16. EXECUTIVE SESSIONS

1. EXECUTIVE SESSION
Pursuant to A.R.S. § 38-431.03 (A)(7) the City Council may vote to go into Executive Session for the purpose of discussions regarding negotiations for the purchase, sale, or lease of real property.
Potential future development of Block 17
2. EXECUTIVE SESSION
Pursuant to A.R.S. § 38-431.03 (A)(7) the City Council may vote to go into Executive Session for the purpose of discussions regarding negotiations for the purchase, sale, or lease of real property.
Potential Land Sale of a Portion of Parcel #80220005A

ADJOURN

FOR YOUR INFORMATION

Next Regular Meeting Wednesday, November 13, 2024 at 5:30 p.m.

Pursuant to A.R. S. 38.431.02, notice is hereby given to the members of the City Council and to the general public that the Page City Council will hold a meeting open to the public. Supporting documents and Staff reports, which were furnished to the City Council, with this agenda, are available for review at www.cityofpage.org or at the City Clerk's Office. Council Members of the City of Page City Council will attend either in person or by technological means. City Council may vote to go into Executive Session for the purpose of obtaining legal advice from the City Attorney on any item listed on the agenda, pursuant to A.R.S. 38-431.03 (A)(3). City Council may modify the agenda order, if necessary. This agenda may be subject to change up to 24 hours prior to the meeting.

Persons with disabilities should call the City Clerk's Office, at 928-645-4205 for program and services information and accessibility.

NOTICE TO PARENTS: Parents and legal guardians have the right to consent before the City of Page makes a video or voice recording of a minor child A.R.S. §1-602.A.9. City Council meetings are audio and video recorded. Parents or guardians may either submit a written consent to the City Clerk's Office, or by allowing a minor to be present and/or participate in the meeting, parents or guardians waive this right.

If you would like to receive City Council agendas via email, please send your email address to cityclerk@pageaz.gov or call 928-645-4205.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following places:
City Hall Bulletin Board located at 697 Vista Avenue, Page, Arizona, Justice Building Bulletin Board located at 547 Vista Avenue, Page, Arizona, U. S. Post Office Lobby located at 44 Sixth Avenue, Page, Arizona, on the ____ day of _____, 2024, at ____ p.m. in accordance with the statement filed by the City of Page City Council with the City Clerk.

CITY OF PAGE

By: _____
CITY CLERK'S OFFICE

PRIORITY LIST 5.1.

City Council Regular Agenda

Meeting Date: 10/23/2024

Title: Council Strategic Priorities FY 23-27

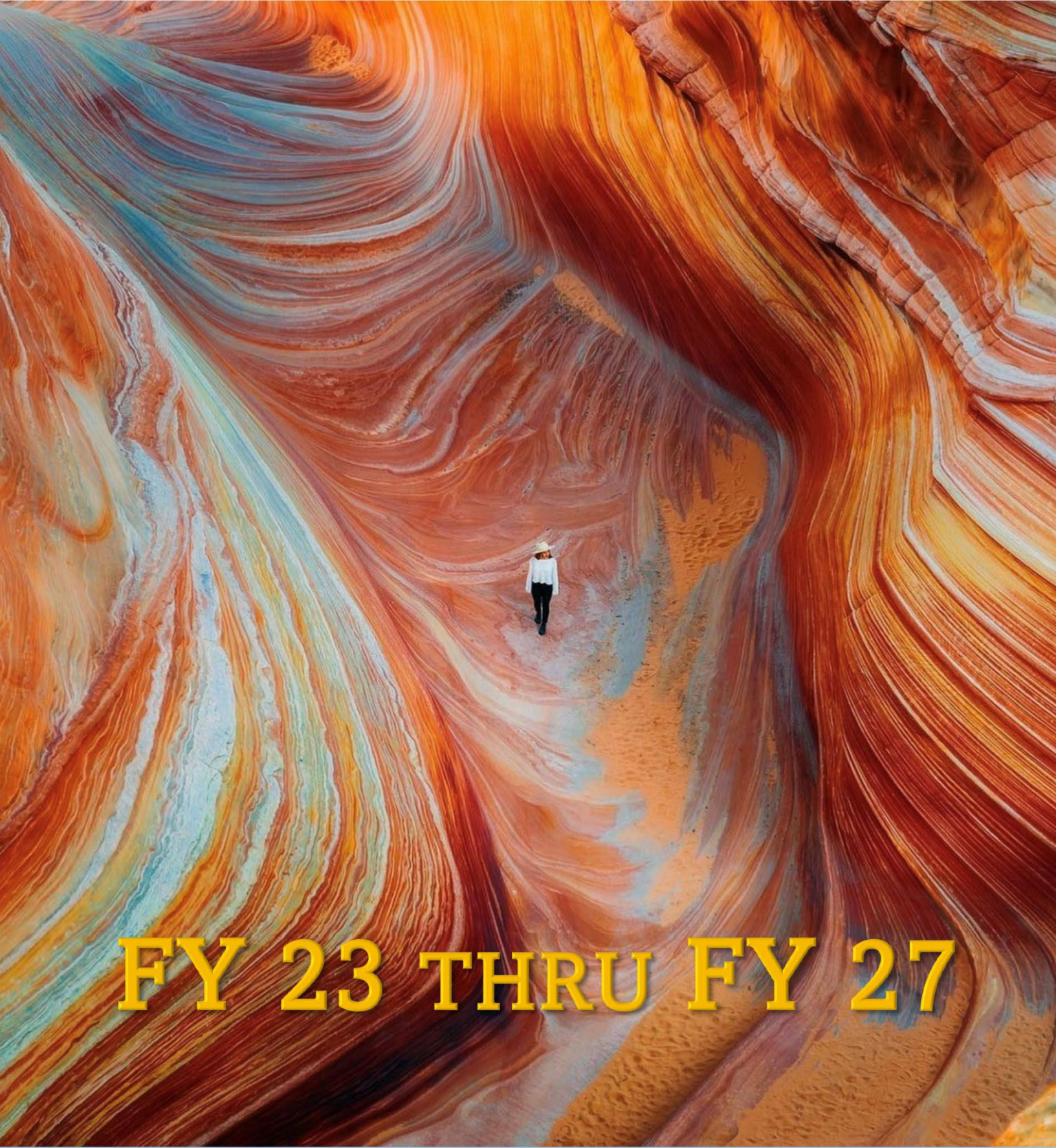
Presented by:

Subject:

Discussion and possible action by the City Council pertaining to the City Council Strategic Priorities
None

Attachments

FY23-27 City Council Strategic Priorities



FY 23 THRU FY 27



STRATEGIC
CITY COUNCIL PRIORITIES



Page City Council



Dave Auge



William Diak, Mayor



Brian Carey



John Kocjan, Vice Mayor



Richard Leightner



Kenna Hettinger



Mike Farrow



VISION & VALUES

VISION

The City of Page shines as an eco-tourism destination and gateway to the world-renowned Grand Circle of National Parks. Page is a welcoming and family-friendly community that prioritizes education, respects cultural diversity, and preserves the scenic environment. This vibrant and active city is fiscally responsible and provides a diverse economy that offers housing, healthcare, and employment opportunities, as well as entertainment, dining, and recreational choices for residents and tourists of any age.

VALUES

- Teamwork and Collaboration
- Accountability, Transparency, and Proactive Communication
- Fiscal Responsibility
- Integrity
- Customer Service
- Continued Strategic Planning



OBJECTIVE CRITERIA

Objective Criteria for Decision Making

- Is it in the best interest of the community and stakeholders?
- Does it align with our goals and priorities?
- Is it achievable and sustainable?
- Is it financially viable?
- Is it legal?
- Is it fair?
- Is it safe and secure?

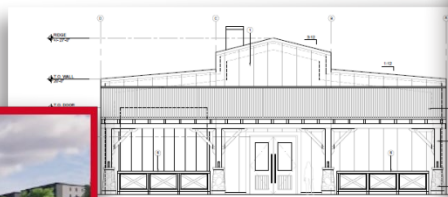


COMMUNITY DEVELOPMENT

A pleasant environment is a source of pride for its residents and an important component of the quality of life in an area. Community aesthetics take on an economic meaning, encouraging tourism and business recruitment. Community Development is a process by which local decision-makers and residents work together to leverage resources to increase business development and job opportunities; and attract capital to improve the physical, social and environmental conditions in the community.

Goals: Implement economic development processes that assist in the development of a strong local economy; protect neighborhoods from blighting and deteriorating conditions that have a negative impact on area property values; and encourage residents and business owner's efforts to maintain the physical environment through standards set in local ordinances.

- Objective 1.1** Continue partnership and communication with stakeholders regarding streetscape development from Vista Avenue to South Navajo Drive. Budget and implement downtown streetscape that will establish design as well as strategies and policies for development and identify implementation costs associated with development enhancement programs.
- Objective 1.2** Establish a revitalization plan for the central business district (Block 17).
- Objective 1.3** Identify City-owned properties that support medium and/or high density affordable housing and develop a plan to ensure infrastructure is available to these developable properties. Actively market to attract developers for affordable apartments, condominiums, and single-family homes.
- Objective 1.4** Foster development of moderately priced housing to accommodate workforce needs. Work with potential grant sources and community housing organizations to explore housing alternative and incentivize housing development.
- Objective 1.5** Promote and encourage attractive neighborhoods through City services, enforcement techniques, and compliance with City codes and regulations.
- Objective 1.6** Continue supporting the Arizona League of Cities and Towns on the issues related to vacation home rentals through representation with the legislature. Utilize Arizona State Law SB1168 by adopting an ordinance to regulate vacation home rentals.

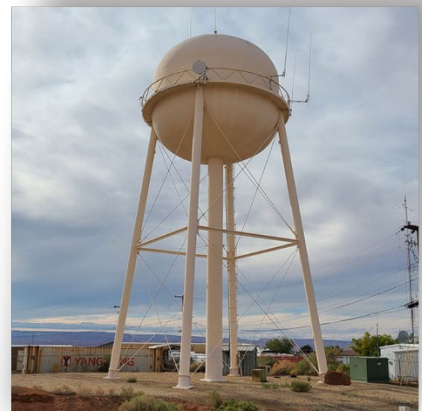


FISCAL STABILITY

The City is committed to maintaining fiscal stability to ensure the delivery of high-quality services. This requires an efficient transparent financial system, accurate and reliable forecasting of revenues, and control of expenses.

Goal: Operate in a fiscally prudent manner, assuring the most efficient expenditure of public funds.

- Objective 2.1** Explore alternative funding mechanisms to support infrastructure and future economic development project funding.
- Objective 2.2** Continue implementation of a 5-year Capital Improvement Program that balances the costs of planned capital expenses with realistic allocation of available resources.
- Objective 2.3** Continue financial forecasts that allow the City to annually identify future revenue and expenditure trends and prepare plans to address problems in a timely fashion.
- Objective 2.4** The Page Utility Enterprises Board has identified Water, Sewer, and Garbage Utility reserve levels to stabilize rates. The board will make rate recommendations to the City Council.
- Objective 2.5** Page Utility Enterprises (PUE) staff will continue long-term financial will make rate recommendations to the City Council.
- Objective 2.6** Begin planning for the future of waste collection and recycling for the City of Page.
- Objective 2.7** Evaluate current City Emergency Fund cap.

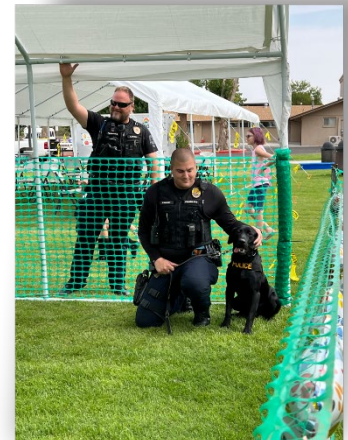


HIGH PERFORMING ORGANIZATION

The City of Page strives to develop a high performing organization through continuous system and process improvements; the commitment to make time to do the “work of leadership”; and the encouragement of City employees to exercise their leadership and talents at every level of the organization.

Goal: To create an environment that supports transparency, communication, collaboration, teamwork, and high performing employees. Enable the City to recruit, retain and compete for talent, and ensure retention of institutional knowledge. Develop a functional Emergency Operation Plan to ensure a resilient organization.

- Objective 3.1** Recruit and retain a skilled workforce through training and skills development, utilizing most recent trends and best practices. Conduct a salary structure review.
- Objective 3.2** Continue to improve methods used by the City to communicate proactively and openly. Implement an event bulletin board and emergency event messaging.
- Objective 3.3** Update City website to keep content relevant and current for customer satisfaction, and optimize the use of technology to drive efficiency, productivity, and service.
- Objective 3.4** Review and implement necessary security measures throughout City-owned public facilities.
- Objective 3.5** Promote community involvement through the recruitment, retention, and engagement of volunteers and the support of local organizations and partners.
- Objective 3.6** Create a process to evaluate Council appointed positions.

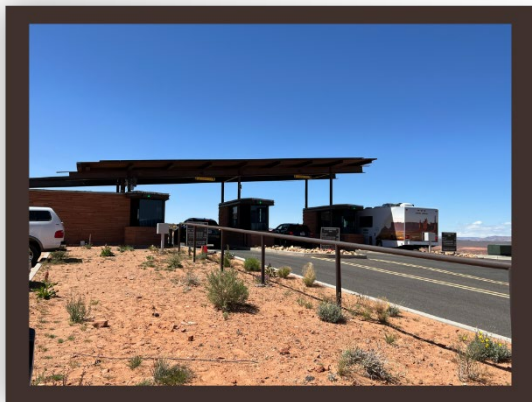


IMPROVING INFRASTRUCTURE

The City Council is committed to maintaining and improving public infrastructure and City facilities to preserve both the physical character and livability of the community.

Goal: Maintain and improve critical City infrastructure, including streets, sidewalks, parks, trails, facilities, and utilities to support economic growth and improve quality of life in Page.

- Objective 4.1** Strategically invest and support updating City facilities, including technology, and equipment.
- Objective 4.2** Pursue the funding to implement a plan to provide a redundant water supply to meet City needs.
- Objective 4.3** Maintain a Pavement Management Program (PMP) to ensure the preservation of roadway surfaces.
- Objective 4.4** Explore alternatives for a north fire station.
- Objective 4.5** Implement the recommendations from the Carollo Water Study for water and sewer utilities to ensure financial stability and prepare for growth.
- Objective 4.6** Identify locations for and project the costs of converting overhead primary electric infrastructure to underground.
- Objective 4.7** Review design and identify funding to move forward with Phase 3 of Horseshoe Bend development.
- Objective 4.8** Implement a Master Plan for expansion and improvements to the airport.



QUALITY OF LIFE

The City strives to enhance the overall quality of life for our residents and visitors by offering high quality recreation and leisure activities and improving parks, trails, streetscape and open spaces in Page.

Goal: Maximize resources that enhance the quality of life for our residents and visitors.

Objective 5.1 Plan, design and implement community programs to enhance the quality of life in the City of Page.

Objective 5.2 Research and pursue grant opportunities to enhance recreation programs
Objective 5.3 Evaluate components of the Parks Master Plan and determine priority list.

Objective 5.4 Foster, implement and educate to allow the development of a plan for events, farmers market, public market, arts, and activities in partnership with local not-for-profits/community groups.

Objective 5.5 Establish a committee for planning a 50th City anniversary celebration in 2025.

Objective 5.6 Identify funding and construct a recreational facility that includes an aquatic center.



PRIORITY LIST 5.2.

City Council Regular Agenda

Meeting Date: 10/23/2024

Title: Councilor Individual Priorities

Presented by:

Subject:

Discussion and possible action by the City Council pertaining to the City Councilors Individual Priorities
None

Attachments

Individual Priorities

PRIORITIES
CITY OF PAGE
BY
BILL DIAK

FY 2021-2022

Fiscal Responsibility

- Use resources wisely
- Always look for new revenue opportunities
- Foster accountability
- Plan for the long-term economic future
- Finish Horseshoe Bend Phase 3 to maximize revenue and visitor experience

Address Community Housing Needs

- Young families
- Low Income
- Seasonal
- Mid-Range

Infrastructure

- Pavement Management
- Future needs for development
- Water allocations and redundancy
- Infrastructure to match Master Plan

Downtown Streetscape and Revitalization

- Central Business District as well as Uptown area
- Walkable, tree lined, benches

Be proactive to Community wants

- i.e. make a plan to fund a swimming pool in 2-years

**PRIORITIES
CITY OF PAGE
by
Vice Mayor John Kocjan**

2013/2014

- 1) Secure a revenue stream to service bond debt load.
- 2) Increase water allocation
- 3) Infrastructure improvements

David Auge

Vision and Council Priorities:

- Integrity, Accountability and Transparency in all phases to our citizens and city staff.
- Fiscal Responsibility in future Budgets and spending requests brought to council
 - We must work with and support our City Manager and Department Heads on review and approval of spending requests with an eye on a realistic budget for 2021-2022 and forward so we continue with the fiscal responsibility that has been established.
- Responsive and accurate replies to citizen requests and inquiries and council input from city staff.
- City Zoning Project completed ASAP
- Strategic Planning
 - Revitalization of our downtown thru the streetscape project and driving business opportunities not just in Block 17 but elsewhere.
 - Tourism is our current and future for Page. To drive tourism we must continue enhancing the our downtown, not just in type of business but of curb appeal. The east side of LP Boulevard needs benches, shrubbery
 - Revenue opportunity at Horseshoe Bend to take advantage of its worldwide popularity thru Phase 3 building and completion. This will enhance Sales Tax revenue which will help drive continued enhancement of our parks, bike and hiking trails, and golf course for recreation, relaxation and special events for our citizens and tourist-based economy.
 - We continue to have a housing challenge for medium and low income and seasonal individuals and families. Help developers by having accurate parcel zoning and infrastructure plans in place that are conducive to timely development.
 - Continue to work with city staff on review and update of our 5-year plan to complement and guide future budgets for capital spend for needed projects and equipment as well as infrastructure needs including streets, water and sewer, and power.

Richard Leightner

Council Priorities

- Review, amend (if required), and approve General Plan Land Use Map and the Code of Ordinances Zoning Map to include establishment & allocation of both affordable and market based housing....and permanently establish Parks in the Parks Master Plan, including Heritage Funded location(s) and city adopted area's (both formally accepted/assigned and future planned).
- Plan and fund infrastructure where possible as incentive for developers on recognized area's identified as Medium and/or High Density development and actively market for affordable housing.
- Complete and work with business resources and interested organizations/residents on the implementation of Downtown Streetscape Redevelopment Plan....as budget and possible grant funding allows.
- Work with the Grand Circle Artists Alliance in getting set-up for open-air marketing & music.
- Work with all organizations in Page & the surrounding area to help plan and bring tourism to activities centered here.
- Continue to plan and develop the Horseshoe Bend area as a major income source for the city.
- Attract light industry to area's marketable for such use and streamline the application & approval process. PROMOTE ECONOMIC DEVELOPMENT in the Industrial Park and maybe even partner with Navajo Nation entities in order to do so.
- Support and provide provisions for staffing the Page Police & Fire Department, and make provisions for needed equipment. Also foster good relationships with all area Law Enforcement agencies
- Establish better working/partnering relationships between Council and City Departments and provide an avenue for citizens to Q & A our actions....which leads me into the last (but certainly not least) action item/priority.
- We need to foster/improve communication between the City and Citizens...by being more visible and accessible both via social media, website(s), and local media through on-air programing, and daily/weekly updates on websites & social media outlets.
- I agree whole-heartedly with Councilor Lee's points on increasing public outreach by manning a booth at ALL major occasions & festivities in the area providing current information on upcoming/important events, developments, etc. and answering questions (or directing people to where they can find answers).

Council Priorities

City of Page

By

Mike Farrow

- I) Smart and Balanced Growth of Page**
 - a. Enhance our infrastructure for Business Growth for Tomorrow and Beyond
 - b. Alignment of Business and City pursuits for future successes
 - c. Leverage City and Business Capabilities and Services for Page Citizens
 - d. Support efforts for a strong vision and objectives for Page citizens, businesses and services for balanced growth
- II) Community Engagement and Involvement**
 - a. Enhance communications to businesses and citizens
 - i. Frequent, relevant, timely and concise sharing of activities, situations, issues and challenges
 - b. Encourage, advertise, promote and challenge engagement and involvement in committees, task forces and work groups
 - i. Create more engagement opportunities
 - ii. Create more empowerment through education, orientations, mentoring, and training meetings
 - c. Encourage and support education, seminars and participation in training for enhancing engagement, and involvement programs for City employees, Council Members, work groups and task forces
- III) Page Safety and Security**
 - a. Establish, publish and maintain a City's Emergency Operations Plan
 - i. Involve mutual aid of City, County, State and Regional Services

- ii. Establish and maintain a regular EOP meeting, training and table top exercises
 - b. Establish and maintain a robust “Best in Class” Active Shooter Program for City, our critical infrastructure, schools, places of business, recreation and churches
 - i. Establish and maintain a community integration effort of Threat Management to stay ahead of threat concerns
 - c. Be actively involved and support our first responder services of Law Enforcement and Fire/Rescue Services and understand and assist in the challenges in supporting our first responders, citizens and visitors.
 - d. Identify and support Mental Health initiatives
- IV) Enhance Youth Opportunities**
- a. Our youth is our future and our opportunity to create structured learning cycles for their advancement.
 - b. Determine and provide greater trade skill learning opportunities
 - c. Empower our youth to support safe schools and choices
 - d. Provide more opportunities for youth to be involved in city and business pursuits
 - e. Continue to support enhanced structured and recreational activities
 - f. Be active and support our City’s Substance Abuse Task Force

Do what's right. Integrity is core to our success

I will lead by example - give it my best and expect the best from others

I will treat others as I wish to be treated

City Council Regular Agenda

Meeting Date: 10/23/2024

Title: City Council Regular Meeting Minutes - October 9, 2024

Presented by:

Subject:

City Council Regular Meeting Minutes for October 9, 2024

Attachments

Council Minutes - 10/09/2024



PAGE CITY COUNCIL REGULAR MEETING MINUTES October 9, 2024

A Regular Meeting of the Page City Council was held at 5:30 p.m. on the 9th day of October 2024, in the Council Chambers at City Hall in Page, Arizona. Mayor Bill Diak presided. Vice Mayor John Kocjan, and Councilors David Auge, Mike Farrow, Kenna Hettinger, and Steven Kidman were present. Richard Leightner was excused. There was a moment of meditation. Councilor Kidman led the Pledge of Allegiance.

Mayor Diak called the meeting to order.

Staff members present: City Manager, Darren Coldwell; City Attorney, Joshua Smith; IT Director, Kane Scott; Police Chief, Tim Lange; Lake Powell National Golf Course Clubhouse Manager, Jake Hunter; Management Analyst, Robin Crowther; Deputy City Clerks, Jennifer Lange; and City Clerk Cindy Scott.

PRIORITY LIST

Discussion and possible action by the City Council pertaining to the City Council Strategic Priorities
None.

Discussion and possible action by the City Council pertaining to the City Councilors individual priorities
None.

MINUTES

City Council Regular Meeting on August 21, 2024

City Council Regular Meeting on September 11, 2024

City Council Regular Meeting on September 25, 2024

Motion made by Vice Mayor Kocjan to approve the Minutes. The motion was seconded by Councilor Hettinger and passed unanimously upon a vote.

CONSENT AGENDA

INFORMATION

Economic Development Advisory Board Meeting Minutes – May 28, 2024

Economic Development Advisory Board Meeting Minutes – August 20, 2024

Library Advisory Board Meeting Minutes – August 15, 2024

Planning and Zoning Commission Meeting Minutes – August 6, 2024

Page City Council Regular Meeting – October 9, 2024

MISCELLANEOUS ACTIONS

None.

Motion made by Vice Mayor Kocjan to approve the Consent Agenda. The motion was seconded by Councilor Auge and passed unanimously upon a vote.

PUBLIC HEARINGS

None scheduled.

HEAR FROM THE CITIZENS

Residents Ken Sichi, Corey Ekstrand, and Eric Stanfield addressed the City Council.

REPORTS AND ANNOUNCEMENTS

MAYOR'S REPORTS AND ANNOUNCEMENTS

None.

CITY MANAGER'S CURRENT EVENTS SUMMARY

City Manager Coldwell provided information about the new roundabout construction and road closures as a result, a zero-tolerance speed zone that has been implemented in residential areas and near schools, and that early voting started and City Hall is a voting center.

Police Chief, Tim Lange spoke about the zero tolerance speed zones.

Mayor Diak commented about the roundabout and road closures.

BOARDS AND COMMISSIONS

Discussion by the City Council pertaining to reports on board meetings by Board Liaisons
Councilor Hettinger, Vice Mayor Kocjan, and Councilor Kidman gave updates.

Discussion by the City Council pertaining to an appointment to the Youth Advisory Commission

Motion made by Mayor Diak to approve the appointment of Lily Crim to the Youth Advisory Commission for a term ending June 30, 2026. The motion was seconded by Councilor Auge.

Councilor Auge commented.

Motion passed unanimously upon a vote.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Discussion and possible action by the City Council pertaining to a presentation by Coconino County about Proposition 482

Page City Council Regular Meeting – October 9, 2024

Kim Musselman from Coconino County presented information about Proposition 482.

Proclamation – US Navy 249th Birthday

City Clerk read the proclamation in its entirety.

Motion was made by Vice Mayor Kocjan to approve the Proclamation in recognition of the US Navy's 249th Birthday. The motion was seconded by Councilor Kidman and passed unanimously upon a vote.

Proclamation – Cities and Towns Week 2024

City Clerk read the proclamation in its entirety.

Motion was made by Mayor Diak to approve the Proclamation in recognition of Cities and Towns Week 2024. The motion was seconded by Councilor Auge and passed unanimously upon a vote.

Discussion and possible action pertaining to Councilmember Liaison Job Description

Motion was made by Councilor Hettinger to adopt the Council Liaison Job Description with the spelling correction to Merriam Webster. The motion was seconded by Councilor Auge.

Councilor Hettinger commented.

Motion passed unanimously upon a vote.

Discussion and possible action by the City Council pertaining to a special event liquor license for Grand Circle Arts Alliance

Motion was made by Mayor Diak to approve the special event liquor license for Grand Circle Arts Alliance. The motion was seconded by Vice Mayor Kocjan and passed unanimously upon a vote.

Mayor Diak commented.

Discussion and possible action by the City Council pertaining to bringing the PERA Building/Recreation Center up to code

Vice Mayor Kocjan explained that he asked for this item to be on the agenda to provide information to the public about the progress.

Mayor Diak commented that staff was given direction in previous meetings.

City Manager provided an update on the progress.

There was discussion.

Councilor Hettinger asked the City Manager to give regular updates on the progress of this project.

Page City Council Regular Meeting – October 9, 2024

BID AWARDS

Discussion and possible action by the City Council pertaining to the Lake Powell National Golf Course Design-Build Range Amenities

Lake Powell National Golf Course Clubhouse Manager, Jake Hunter described the project.

City Manager Coldwell provided additional information.

There was discussion.

Motion was made by Councilor Farrow to award the bid to Cover the Tees. The motion was seconded by Councilor Auge.

Councilor Farrow commented.

Discussion continued.

Motion passed unanimously upon a vote.

DEPARTMENTS

None.

EXECUTIVE SESSIONS

Motion was made by Councilor Kidman to enter Executive Session consecutively for four (4) Executive Session items and remain in the room after a brief break at 6:41p.m. The motion was seconded by Councilor Farrow.

Councilor Hettinger recused herself from Executive Session 16.1.

Motion passed unanimously upon a vote.

Mayor reconvened the Regular City Council meeting at 9:02 p.m.

EXECUTIVE SESSION

Pursuant to A.R.S. § 38-431.03 (A)(1) The City Council may vote to go into Executive Session for the purpose of discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee, or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee, or employee to determine whether the discussion or consideration should occur at a public meeting.

City of Page – City Magistrate, Andrew Hettinger Annual Review

Page City Council Regular Meeting – October 9, 2024

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City of Page – City Manager, Darren Coldwell Annual Review

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City of Page – City Attorney, Joshua Smith Annual Review

EXECUTIVE SESSION

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City of Page – City Clerk, Cindy Scott Annual Review

Motion was made by Councilor Hettinger to direct the Mayor to move forward as discussed in the sessions with the status change forms, and authorize the Mayor to sign the contracts. The motion was seconded by Councilor Farrow and passed unanimously upon a vote.

ADJOURN

The meeting was adjourned at 9:04 p.m.

Cindy Scott
City Clerk

William R. Diak
Mayor

CERTIFICATION

Page City Council Regular Meeting – October 9, 2024

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the City Council Regular Meeting, held on the _____ day of ____, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2024

Cindy Scott
City Clerk

City Council Regular Agenda

Meeting Date: 10/23/2024

Title: Joint Special Meeting with Page Utility Enterprises Minutes - October 2, 2024

Presented by:

Subject:

Joint Special Meeting with Page Utility Enterprises Minutes for October 2, 2024

Attachments

Joint Meeting Minutes - 10/02/2024



**PAGE CITY COUNCIL
JOINT SPECIAL MEETING WITH PAGE UTILITY ENTERPRISES MINUTES
October 2, 2024**

A Joint Special Meeting of the Page City Council with Page Utility Enterprises (PUE) was held at 5:30 p.m. on the 2nd day of October 2024, in the Council Chambers at City Hall in Page, Arizona. Mayor William Diak presided. Vice Mayor John Kocjan, and Councilors David Auge, Richard Leightner, Mike Farrow, Kenna Hettinger, and Steven Kidman were present. There was a moment of meditation. Mayor Diak led the Pledge of Allegiance.

Mayor Diak called the meeting to order.

PUE Board Chair Fernando called the meeting to order.

PUE Board Members present: Chair Tony Ferrando and Members Jeff Jones, Alan Nelson, Tom Geiger, and Charles Straub. City Council Liaison John Kocjan was present.

Staff members present: City Manager, Darren Coldwell; City Attorney, Joshua Smith; IT Director, Kane Scott; Page Utility Enterprises General Manager, Bryan Hill; Police Chief, Tim Lange; Executive Secretary, Donna Roberts; Deputy City Clerk, Jennifer Lange; and City Clerk Cindy Scott.

NEW BUSINESS

Discussion and possible action by the City Council pertaining to the Page Utility Enterprises Redundant Water Supply Coordination

PUE General Manager, Bryan Hill gave the history of the water supply efforts that have been made to date. He introduced Richard Humphreys from Carollo Engineers, who did a water study that is provided in the packet. Jeff Jones spoke about the challenges of getting approvals to move forward.

Mr. Hill asked if City Council would be willing to help get federal approval for this project.

Mayor Diak asked Mr. Hill to explain some of the documentation in the packet.

There was discussion.

Priorities were discussed.

Mayor Diak expressed that education of Council is important and brings this high priority item into vision for Councilmembers. Mayor suggested that meetings happen more often to keep everyone informed.

Mr. Hill and City Manager Coldwell given direction to contact Sustainability Partners and bring the information back to Council.

Chairman Ferrando suggested that the Board meets and discusses quarterly dates for

Page City Council Joint Special Meeting with PUE – October 2, 2024

joint meetings and then the Executive Secretary coordinates with the City Clerk.

ADJOURN

The meeting was adjourned by Mayor Diak and Chair Ferrando at 6:54 p.m.

Cindy Scott
City Clerk

William R. Diak
Mayor

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the City Council Joint Special Meeting with PUE, held on the 2nd day of October 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 23rd day of October
2024

Cindy Scott
City Clerk

CONSENT AGENDA 7.1. a.

City Council Regular Agenda

Meeting Date: 10/23/2024

Title: Monthly Cash Allocation Comparison - August 2024

Presented by:

Subject:

Monthly Cash Allocation Comparison - August 2024

Attachments

Report

CITY OF PAGE

MONTHLY CASH ALLOCATION COMPARISON

			Jul-24	Aug-24
01-1110200		LGIP - GENERAL SAVINGS ACCT	18,176,749.85	17,154,906.27
01-1110250		US BANK - GENERAL SAVINGS ACCT	8,631,258.16	8,711,467.36
01-1110350		XPRESS DEPOSIT ACCOUNT	25.00	1,000.00
01-1110700		BMO CASH A/P CHKNG (COMBINED)	2,948,823.47	3,509,021.07
01-1110800		BMO CASH P/R CHKNG (COMBINED)	715,511.17	459,933.22
12-1110600		EMERG RESERVE-U.S. BANK ACCT	11,649,131.63	11,757,386.81
15-1120300		LGIP - HURF SAVINGS ACCT	1,548,290.14	1,639,556.69
32-1120500		BMO JCEF SAVINGS ACCOUNT	11,147.16	11,482.25
45-1110700		HSB CHECKING ACCOUNT	6,845,040.84	7,310,719.84
45-1110800		HSB INVESTMENT ACCT-US BANK	4,157,633.97	4,196,262.49
72-1120800		BMO -FIRE PENSION SAVINGS	25,573.38	29,088.03
72-1121100		FIRE PENSION-INVESTMENT ACCT	575,478.57	585,497.60

55,284,663.34

55,366,321.63

FUND			Jul-24	Aug-24
10		ALLOCATION TO GENERAL FUND	27,409,020.53	27,509,756.26
12		ALLOCATION TO EMERGENCY RES FUND	11,350,367.17	11,458,622.35
15		ALLOCATION TO HIGHWAY USER FUND	1,560,241.79	856,224.72
16		ALLOCATION TO SUBSTANCE ABUSE FUND	38,342.89	38,525.02
20		ALLOCATION TO DEBT SERVICE FUND	0.00	0.00
25		ALLOCATION TO MISCELLANEOUS GRANTS	293,481.57	309,014.80
32		ALLOCATION TO JCEF FUND	10,851.17	11,130.68
33		ALLOCATION TO MAGISTRATE COURT IMP FUND	11,272.81	12,760.45
34		ALLOCATION TO FILL THE GAP FUND	2,812.45	2,812.45
36		ALLOCATION TO DONATION FUND	36,461.12	46,267.32
40		ALLOCATION TO CAPITAL PROJECTS FUND	8,231,340.79	8,179,473.15
45		ALLOCATION TO HORSESHOE BEND FUND	3,151,613.49	3,640,257.08
46		ALLOCATION TO AIRPORT FUND	2,666,121.57	2,837,943.63
48		ALLOCATION TO LAND FUND	0.00	0.00
50		ALLOCATION TO PAGE UTILITY ENTERPRISES	-1,926.90	-6,193.58
51		ALLOCATION TO WATER FUND	-1,436.37	-4,230.63
52		ALLOCATION TO SEWER FUND	0.00	-951.14
55		ALLOCATION TO GOLF FUND	-391,624.30	-449,523.27
57		ALLOCATION TO CEMETERY FUND	347,772.36	336,893.25
72		ALLOCATION TO FIRE PENSION FUND	567,131.00	581,259.68

55,281,843.14

55,360,042.22

CONSENT AGENDA 7. 1. b.

City Council Regular Agenda

Meeting Date: 10/23/2024

Title: Substance Abuse Task Force Minutes - August 28, 2024

Presented by:

Subject:

Substance Abuse Task Force Minutes - August 28, 2024

Attachments

SATF Minutes 08/28/2024



**SUBSTANCE ABUSE TASK FORCE
REGULAR MEETING MINUTES
August 28, 2024**

A Regular Substance Abuse Task Force Meeting was held at 5:30 p.m. on August 28, 2024, at Page City Hall in Page, Arizona. Chair Matthew Lasslo, Member Camila Adams, Member Ricky Cottrell, and Member Michael Barnes were present. Member Brittany Hansen and Member Christopher Hansen were unexcused. Council Liaison David Auge was not present.

Staff members present: Staff Liaison

CALL TO ORDER

Chair Matthew Lasslo called the meeting to order at 5:31 p.m.

MINUTES

Regular Substance Abuse Task Force Meeting – July 17, 2024

A motion was made by Member Michael Barnes to approve the minute, Member Camila Adams seconded the motion, and it passed unanimously.

HEAR FROM THE CITIZENS

No citizen addressed the Substance Abuse Task Force.

COMMUNICATIONS

Discussion only from Page Police Department on criminal activities involving substance abuse
Police Chief Tim Lange shared substance abuse incidents.

Discussion only from Page Magistrate Court updates on Drug Court and its participants
Page Magistrate Andrew Hettinger shared updates on Drug Court.

Discussion only from Encompass about any updates on their substance abuse programs
Chair Matthew Lasslo shared updates on the substance abuse programs.

Discussion only from Canyonlands Healthcare about the medicated assisted treatment and counseling programs
No Discussion – not present.

Discussion only from Catholic Charities on their community re-entry program
No Discussion – not present.

UNFINISHED BUSINESS

Discussion and Possible Action by the Substance Abuse Task Force on the ease and visibility of location information on the City's web page
Discussion and continued to the next meeting.

Substance Abuse Task Force – August 28, 2024

NEW BUSINESS

None

ADJOURN

Chair Lasslo adjourned the meeting at 6:19 P.M.

10/16/24 *Anthony Hanson*

Date/Name

CONSENT AGENDA 7.2. a.

City Council Regular Agenda

Meeting Date: 10/23/2024

Title: Resignation - Matthew Lasslo - Substance Abuse Task Force

Presented by:

Subject:

Resignation - Matthew Lasslo - Substance Abuse Task Force

Attachments

Resignation

Norena Hudson

From: Matthew Lasslo <matthew.lasslo@creekvalleyhc.com>
Sent: Friday, October 04, 2024 3:59 PM
To: Norena Hudson
Subject: satf resignation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to submit my resignation effective october 1, 2024 as i have moved out of the area and am no longer eligible. thanks for the opportunity to serve, adn thanks for all your help throughout the process.
sincerely
Matt Lasslo



**CITY OF PAGE
REQUEST FOR COUNCIL ACTION**

PUBLIC HEARINGS 8.1.

City Council Regular Agenda

Meeting Date: 10/23/2024

Brief Title: Public Hearing for Multi-Parcel Citywide Zone Change Case #ZON 24-002

Presented by: Zach Montgomery, Planning Director

Department: City Clerk

Action: Other

RECOMMENDED ACTION:

Mayor to open the public hearing

Mayor to close the public hearing

BACKGROUND:

See attached

ALTERNATIVES CONSIDERED:

N/A

ADVISORY BOARD / COMMISSION ACTION:

N/A

Attachments

Zone Change ZON 24-002

STAFF REPORT
FINAL CITYWIDE ZONE CHANGE REQUEST
FOR 10 NEW CITY-OWNED PARCELS



P & Z Commission Meeting Date: October 1, 2024 @ 5:30 P.M.
City Council Meeting Date: October 23, 2024 @ 5:30 P.M.
Staff Report Prepared by: Zach Montgomery, City Planning & Zoning Director
Case Number & Title: #ZON 24-002 – Zone Change 10 New City-Owned Parcels

Applicant Information:

Applicant:

City of Page, Arizona
697 Vista Avenue, Page, AZ 86040

Representative(s):

Zach Montgomery, c/o the City of Page Arizona
City Planning & Zoning Director

Property Description & Location:

This is a request to assign the zoning designations to the 10 Newly Created Parcels that were created from portions of the following 13 existing parcels, and to also change those existing and obsolete zoning designations to zoning designations which contain Development Standards and which also align with the Land Uses assigned to those newly created parcels as adopted by the approval of the 2040 General Plan–Future Land Use Map (FLUM), as listed below:

1. Portion of Parcel #80114009 from Planned Development (PD) to Hillside Residential Special District (HRSD) Zoning.
2. Portion of Parcel #80104015A from Planned Development (PD) to Hillside Residential Special District (HRSD) Zoning.
3. Portion of Parcel #80218011J from Future Development (FD) to Multi-Family Residential (RM) Zoning.
4. Portion of Parcel #80219003 from Future Development (FD) to Multi-Family Residential (RM) Zoning.
5. Portion of Parcel #80215001 from Future Development (FD) to Community Commercial (C-2) Zoning.
6. Portion of Parcel #80216009J from Planned Development (PD) to Community Commercial (C-2) Zoning.
7. Portion of Parcel #80217002 from Future Development (FD) to Community Commercial (C-2) Zoning.
8. Portion of Parcel #80216009J from Planned Development (PD) to Multi-Family Residential (RM) Zoning.
9. Portion of Parcel #80210020S from Future Development (FD) & PD Business Park (PDBP) to Business Park (BP) Zoning.
10. Portion of Parcel #80220005A from Future Development (FD) & PD Industrial (PDI) to Business Park (BP) Zoning.
11. Portion of Parcel #80220005A from Future Development (FD) to Community Commercial (C-2) Zoning.
12. Portion of Parcel #80220005A from Planned Development Commercial (PDC) to Community Commercial (C-2) Zoning.
13. Portion of Parcel #80110001L from Future Development (FD) to Airport Residential Special District (ARSD) Zoning.

The Survey Plats, Legal Descriptions, Land Uses, Zoning & Notice Maps for New Parcels are located in the EXHIBITS.

Addresses: None of the 13 Existing Parcels nor the 10 Newly Created Parcels have been assigned an E-911 address.

Applicant(s) Request:

The 10 newly created parcels that were created from the 13 existing parcels listed above were preapproved for the zoning designations being requested in this Staff Report by the Planning and Zoning Commission and City Council after one-on-one meetings with each City Councilor, and after 12 public meetings, workshops and/or town halls where these newly created parcels, and their future zoning, were all discussed in detail, and by final approval/adoption of the **2040 General Plan-Future Land Use Map (FLUM)**, which authorized Staff to get these 10 new parcels created. These new parcels were all created during 2023 and 2024 by the Rosenberg & Associates Engineering firm, while working directly with the County Assessor's Office and the Director. This zoning request case is now being held simply to assign each of these 10 newly created parcels the zoning designations previously approved through the final approval/adoption of the FLUM and General Plan, so that the Zoning designation for these newly created parcels aligns appropriately with the Land Uses shown on the FLUM.

Current Land Use Designation:

The approved/adopted **Future Land Use Map (FLUM)** shows the **Land Use designations** for each of the subject parcels and the **zoning designations being requested** which will align appropriately with those **Land Uses**, as shown below.

- 1) The **Land Use designation** for Portions of Parcel numbers #80114009 and #80104015A, shown as **Parcels 1 & 2** on the above list is **"Mixed-Use"** which allows for Residential and/or Commercial zoning, where **Hillside Residential Special District (HRSD)** zoning is requested for this new parcel, which was created as **NEW PARCEL #80104015B**. (72.93 Acres+/-)

- 2) The **Land Use designation** for Portions of Parcel numbers #80218011J and #80219003, shown as **Parcels 3 & 4** on the above list is **“Multi-Family Residential”** which allows for high-density Residential zoning, where **Multi-Family Residential (RM)** zoning is requested for this new parcel, which was created as [NEW PARCEL #80218011K](#). (110.75 Acres+/-)
- 3) The **Land Use designation** for a Portion of Parcel number #80216009J, shown as **Parcel 5** on the above list is **“Business Commerce”** which allows for Commercial and Business zoning, where **Community Commercial (C-2)** zoning is requested for this new parcel, which was created as [NEW PARCEL #80216009K](#). (30.70 Acres+/-)
- 4) The **Land Use designation** for a Portion of Parcel number #80216009J, shown as **Parcel 6** on the above list is **“Business Commerce”** which allows for Commercial and Business zoning, where **Community Commercial (C-2)** zoning is requested for this new parcel, which was created as [NEW PARCEL #80216009L](#). (20.93 Acres+/-)
- 5) The **Land Use designation** for Portions of Parcel numbers #80216009J, #80215001 and #80217002, shown as **Parcel 7** on the above list is **“Mixed-Use”** which allows for Residential and/or Commercial zoning, where **Community Commercial (C-2)** zoning is requested for this new parcel, which was created as [NEW PARCEL #80216009M](#). (89.18 Acres+/-)
- 6) The **Land Use designation** for a Portion of Parcel number #80216009J, shown as **Parcel 8** on the above list is **“Multi-Family Residential”** which allows for high-density Residential zoning, where **Multi-Family Residential (RM)** zoning is requested for this new parcel, which was created as [NEW PARCEL #80216009N](#). (114.04 Acres+/-)
- 7) The **Land Use designation** for Portions of Parcel numbers #80210020S and #80220005A, shown as **Parcels 9 & 10** on the above list is **“Employment”** which allows for the Business Park and Industrial zoning, where **Business Park (BP)** zoning is requested for this new parcel, which was created as [NEW PARCEL #80210020T](#). (193.26 Acres+/-)
- 8) The **Land Use designation** for a Portion of Parcel number #80220005A, shown as **Parcel 11** on the above list is **“Business Commerce”** which allows for Commercial and Business zoning, where **Community Commercial (C-2)** zoning is requested for this new parcel, which was created as [NEW PARCEL #80220005B](#). (85.48 Acres+/-)
- 9) The **Land Use designation** for a Portion of Parcel number #80220005A, shown as **Parcel 12** on the above list is **“Business Commerce”** which allows for Commercial and Business zoning, where **Community Commercial (C-2)** zoning is requested for this new parcel, which was created as [NEW PARCEL #80220005C](#). (75.39 Acres+/-)
- 10) The **Land Use designation** for a Portion of Parcel number #80110001L, shown as **Parcel 13** on the above list is **“Airport Residential”** which allows for Airport Residential zoning, where **Airport Residential Special District (ARSD)** zoning is requested for this new parcel, which was created as [NEW PARCEL #80110001N](#). (149.08 Acres+/-)

Land Use Definitions: The **Land Uses** referenced above are further defined in more detail below:

Mixed-Use denotes live, work and play areas that include a vibrant array of uses with destination locations. These uses may include, but are not limited to, entertainment, research and development and school campuses, employment complexes, hotels and resorts, residential, and places that draw tourists while contributing to the overall livability of the community.

Multi-Family Residential denotes areas primarily comprised of multi-family units, such as apartments or condominiums at more than 6-du/ac, as well as non-residential, integrated land uses that support multi-family functions and contribute to livability, such as churches, schools and parks.

Business Commerce denotes areas with commercial development. Uses should have access to major roads and public transit that connect to neighborhood and multifamily areas, yet also benefit from walkability.

Employment denotes areas of development dominated by employment opportunities that contribute to the overall local and regional economies. These may include industrial uses, such as warehouses and manufacturing facilities, as well as business and/or Industrial parks. Industrial uses should be buffered and/or separated from existing and/or planned residential uses. Uses in the Employment areas should have vehicular access to major arterials.

Airport Residential denotes a specific portion of the focus area that supports larger-lot airport and runway accessible single-family residential only. (This includes homes built with aircraft hangars attached for personal use only.)

Current/Existing Zoning District Classification that are being requested to be changed:

The Official Zoning Map classifies the 13 existing parcels with the following Obsolete Zoning that is listed below:

1. Four **Planned Development (PD)** Parcels #80114009, #80104015A and two (2) from #80216009J for 207.90 Acres±; and,
2. Eight **Future Development (FD)** Parcels, #80218011J, #80219003, #80215001, #80217002, #80210020S, #80110001L and two from #80220005A for a total of 733.30 Acres±; and,
3. One each **Planned Development Business Park (PDBP)** (Part of existing parcel #80210020S), **Planned Development Industrial (PDI)** and **Planned Development Commercial (PDC)** (Both Parts of existing parcel #80220005A).

****Total Acreage for the Portions of 13 existing and 10 New Parcels included in this Zone Change Request = 941.20****

The Zoning Code requires properties with (PD), (FD), (PDBP), (PDI) or (PDC) zoning designations, which “don’t” have Development Standards, to undergo a zone change to appropriately align with the designated Land Use of the property, and to have an official zoning designation that does contain Development Standards, so that the property can be developed.

Proposed/Requested Zoning District Classifications & Definitions:

The City is authorized to change the zoning of it’s property, where this request is to change the zoning of “Portions” of:

- ✓ Two (2) Parcels, #80114009 and #80104015A to **Hillside Residential Special District (HRSD)** zoning, to create a total of **72.93 Acres+/- of New Single-Family Residential Zoning**; and,
- ✓ Three (3) Parcels, #80218011J, #80219003 and #80216009J to **Multi-Family Residential (RM)** zoning, to create a total of **224.25 Acres+/- of New Multi-Family Residential Zoning**; and,
- ✓ Three (3) Parcels, #80215001, #80216009J, #80217002 and Two (2) Parcels from #80220005A to **Community Commercial (C-2)** zoning, to create a total of **301.68 Acres+/- of New Community Commercial Zoning**; and,
- ✓ Two (2) Parcels, #80210020S and #80220005A to **Business Park (BP)** zoning, to create a total of **193.26 Acres+/- of New Business and/or Industrial Park Zoning**; and,
- ✓ One (1) Parcel #80110001L to **Airport Residential Special District (ARSD)** zoning, to create a total of **149.08 Acres+/- of New Airport Single-Family Residential Zoning** for airport housing w/attached or detached Hangars.

TOTAL ACRES TO BE REZONED WITH THIS MULTI-PARCEL ZONE CHANGE REQUEST = 941.20

The **Hillside Residential Special District (HRSD)** Zoning District is intended to allow for very high-profile, very low density single-family residential developments, with conventional site-built homes, along one of the most prominent hillsides in the city, where aesthetics is the highest priority.

The **Airport Residential Special District (ARSD)** Zoning District is intended to allow for very low density single-family residential developments, with conventional site-built homes, with attached or detached airplane hangars, next to the Page Municipal Airport, while protecting scenic vistas.

The **Multi-Family Residential (RM)** Zoning District is intended to allow for the broadest range of multi-family residential types and is intended for locations closer to primary intensity generators, such as large commercial developments, and to serve as a buffer zone between commercial and lower density residential. This district requires connections to higher volume roadways and all public utilities. Provisions for various modes of travel and pedestrian linkages are also critical.

Development Standards for all the above listed Residential Zoning Districts are as shown below:

Table 2.2-2: Residential District Development Standards

	Zoning District	Density, Maximum (dwelling units/gross acre)	Lot Dimensions, minimum		Setbacks			Lot Coverage, maximum (%)	Building Height, maximum (feet)
			Lot size	Lot Width	Front (feet)	Side (feet)	Rear (feet)		
Residential	Hillside Residential (HRSD)	--	1 Acre	150 FT.	25	25	25	20%	35
	Airport Residential (ARSD)	--	1 Acre	150 FT.	25	25	25	20%	35
	Multi-Family (RM)	12 (min)	7,000 S.F.	-	20	15	15	50%	35

The **Community Commercial (C-2)** Zoning District is intended to provide a range of general commercial needs, such as: major business groupings; regional size shopping centers; retail sales and personal, professional and business services, excluding business parks, that meet the daily demands of the overall larger community and traveling public. This district may also act as a transition between high-density, centrally located commercial activities customarily found in the Central Business District, and multi-family residential districts. Businesses in this district require high visibility, maintain sufficient parking, are buffered from residential neighborhoods, and are predominantly located in commercial strips or nodes on major highways and arterials.

The **Business Park (BP)** Zoning District is intended to provide sites for a range of business research and business park uses, including office and administrative uses, designed to be conducted wholly within enclosed buildings. Light manufacturing uses conducted wholly indoors that complement the business or research park use that are free from nuisance factors may be permitted if pertinent to the primary use. This district encourages the development of attractive buildings in a campus type setting on landscaped sites which may be close to residential areas.

Development Standards for the Community Commercial (C-2) & Business Park (BP) Zoning Districts are as shown below:

Zoning District		Business Park (BP)	Community Commercial (C-2)
Lot Dimensions, minimum	Lot width (feet)	60	--
Setbacks, minimum	Front, (feet)	20	20
	Side, (feet)	15	15
	Side, (feet) Adjacent to Residential	30	20
	Rear, (feet)	15	20
	Rear, (feet) Adjacent to Residential	30	30
Lot Coverage, maximum (%)		50%	50%
Building Height, maximum (feet)		30	35

Staff Review:

- ✓ Approval of this Multi-Parcel Zone Change request would eliminate approximately 941.20 Acres of city property that is currently zoned with an **Obsolete Zoning Designation**, such as **Planned Development (PD)**, **Future Development (FD)**, **Planned Development Business Park (PDBP)**, **Planned Development Commercial (PDC)** and **Planned Development Industrial (PDI) Zoning** to change that obsolete zoning to a Zoning District which has Development Standards, making the 10 newly created parcels ready for immediate development, and stopping potential buyers from having to go through that process, **which has previously stopped numerous new commercial developments.**
- ✓ Changing the zoning of these undeveloped parcels is the first step to set us up for success, **where the next step is to provide utilities to these parcels to make them more marketable for sale and development when the National Economy rebounds**, to bring in the **much-needed housing** and ancillary developments that support housing, citywide.
- ✓ Approval of this Zone Change request can add many new commercial businesses currently missing in the Page Market, which will significantly reduce the excessive “**Commercial Financial Leakage**” we lose each day when our residents must go to other communities to spend their money to buy items that are currently not available in the Page Market.
- ✓ Approval of this Zone Change request can drastically improve the opportunity to allow many new commercial businesses to be added to the Page Market, **where their future retail sales can add significantly to the City’s Tax Base.**

Findings of Fact and Conclusions of Law:

1. The requested zoning for portions of the 13 city-owned subject parcels aligns appropriately with the **Land Use** designations assigned to these subject parcels, as shown in the **PAGE 2040 GENERAL PLAN - Future Land Use Map (FLUM)**, where these 10-newly created parcels were approved by the approval/adoption of the GENERAL PLAN and FLUM after **one-on-one meetings with each Councilor and 12 Public Meetings, Workshops and/or Town Halls** were held to allow **public input**.
2. The requested zone change for the portions of the 13 existing and 10-newly created subject parcels adhere to the **City Zoning Codes, Chapter 152, Section 090 Amendments to Zoning Map**, and the nationally accepted APA Planning and Zoning Practices and Principles.
3. Approval of this requested zone change is the first step to allow these 10-newly created parcels to then receive the utilities needed for development, so that once the economy improves, we’ll be well positioned to add the much-needed housing for our residents and future employees, while also reducing our overall Commercial Leakage and adding to the City’s Tax Base.

Public Comments & Neighborhood Meeting Summary:

As of the date of the posting of this agenda packet, 9/25/2024, no comments or letters were received ‘for’ or ‘against’ this case.

Required Neighborhood Meeting: As required by City Zoning Codes, the City hosted the required Neighborhood Meeting at City Hall at 5:30 P.M. on **Monday, September 16, 2024**, and nobody from the public attended the meeting.

Planning & Zoning Commission Public Hearing was held on **October 1, 2024**, at City Hall and three (3) residents attended. The attending residents asked multiple questions which were answered by the Planning Director, and when this rezone case was heard under New Business, this citywide zone change case was approved unanimously by all five (5) commissioners present.

A Special 2nd Neighborhood Meeting was requested by the area property owners regarding **New Parcel 80104015B** which was held at 9:00 A.M. on **Wednesday, 10/9/2024**, at 390 Clubhouse Drive and 11 property owners attended. Questions were asked by the attending property owners, and they were answered by the Planning Director, Zach Montgomery.

Staff Recommendation:

Staff recommends the Planning and Zoning Commission recommend City Council Approve this Final Citywide Zone Change request to properly zone the 10-newly created parcels that were approved to be created through the adoption of the **Page 2040 General Plan–Future Land Use Map (FLUM)**, which were created from portions of the 13 existing parcels which all contained Obsolete Zoning Designations, to their requested and developable zoning designations, which do contain the required Development Standards, making them ready for development, as further described in detail herein, and with the below Staff recommended “*Condition of Approval*”.

Possible Motions:

MOTION TO APPROVE: Based on the findings of fact and conclusions of law provided in the Staff Report, I move to recommend City Council Approve Zone Change Case #ZON 24-002, to change the current undevelopable zoning district designations of the portions of the 13 existing subject parcels that were used to create the 10-Newly Created Parcels with the developable zoning district designations as listed and shown below:

1. **Portions of Parcels #80114009 & #80104015A** to create **Parcel #80104015B**, zoned as **Hillside Residential S.D.**; and,
2. **Portions of Parcels #80218011J & #80219003** to create **Parcel #80218011K**, zoned as **Multi-Family Residential**; and,
3. **Portion of Parcel #80215001** to create **Parcel #80216009K**, to be zoned as **Community Commercial**; and,
4. **Portion of Parcel #80216009J** to create **Parcel #80216009L**, to be zoned as **Community Commercial**; and,
5. **Portion of Parcel #80217002** to create **Parcel #80216009M**, to be zoned as **Community Commercial**; and,
6. **Portion of Parcel #80216009J** to create **Parcel #80216009N**, to be zoned as **Multi-Family Residential**; and,
7. **Portions of Parcels #80210020S & #80220005A** to create **Parcel #80210020T**, zoned as **Business Park District**; and,
8. **Portion of Parcel #80220005A** to create **Parcel #80220005B**, zoned as **Community Commercial**; and,
9. **Portion of Parcel #80220005A** to create **Parcel #80220005C**, zoned as **Community Commercial**; and,
10. **Portion of Parcel #80110001L** to create **Parcel #80110001N**, zoned as **Airport Residential Special District**; and
to include the Staff recommended Condition(s) of Approval listed below.

STAFF RECOMMENDED CONDITION(S) OF APPROVAL:

1. *Approval of this zone change does not also approve any site or building construction plans, nor does it authorize any site or building development or construction to take place on any of the 10 subject parcels. As a result, the civil site construction and architectural building plans for all 10 subject parcels must first be reviewed and approved by the City Site Plan Review Committee and Chief Building Official respectively, before any building permits for construction of the site or structures can be issued, and before any construction may commence, in accordance with all applicable city adopted Subdivision, Planning, Zoning, Development and Building Codes in effect at the time of plan submittals, to include, but not be limited to any outside agency reviews and permits from the ADOT, WAPA, ADEQ and/or any other outside agencies with jurisdiction, as required.*

MOTION TO DENY: I move to recommend City Council Deny Zone Change Case #ZON 24-002, **based on the following:**

- END OF REPORT -

EXHIBITS

EXHIBITS A – Survey Plats & Legal Descriptions for all Newly Created Parcels

EXHIBITS B – Future Land Use Maps (FLUM) Showing Existing Land Uses for all Newly Created Parcels

EXHIBITS C – Official Zoning Map Showing Current Zoning Designations for all Newly Created Parcels

EXHIBITS D – 300-Foot Notification Maps and Addresses for all Property Owners within Notification Area

- END OF EXHIBITS -

Survey Plats & Legal Descriptions for Newly Created Parcels #80220005(B) & (C)
(Both New Parcels were created from Portions of Parcel #80220005A)

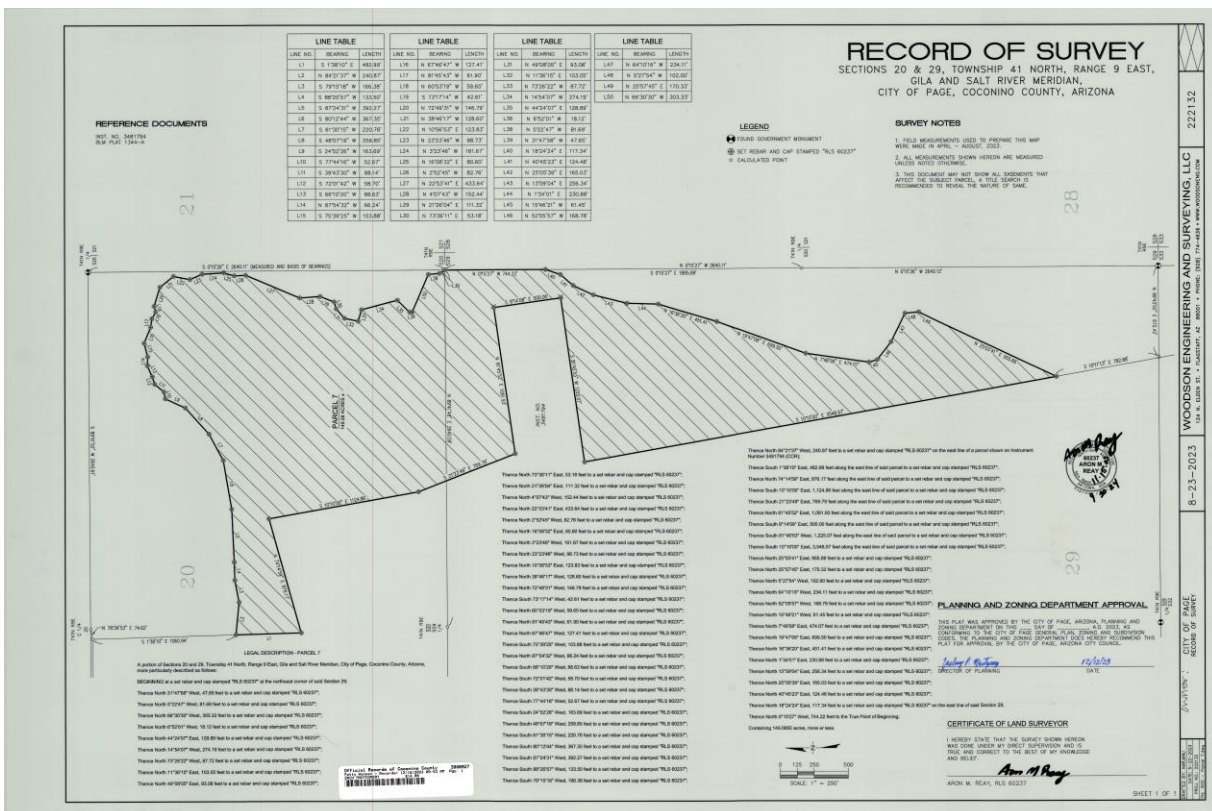
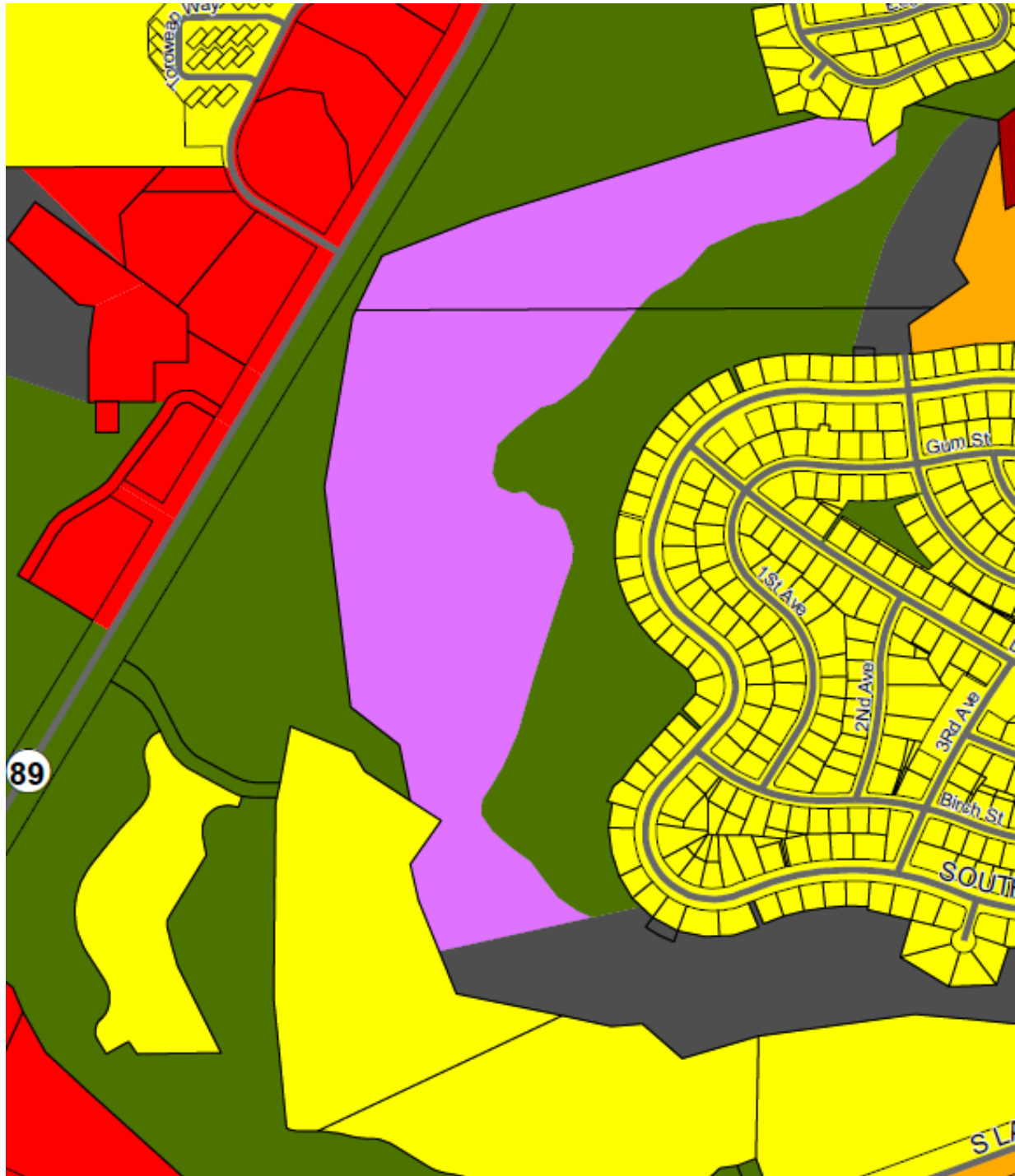


EXHIBIT B

FUTURE LAND USE MAP - Showing Existing Land Use for Newly Created Parcel
Newly Created Parcel #80104015(B) to be Hillside Residential Special District (HRSD) Zoning
(Created from Portions of Parcels #80114009 & #80104015A)



EXISTING LAND USE(S)

 Mixed-Use

(Residential and/or Commercial Land Uses)

EXHIBIT B - Continued

FUTURE LAND USE MAP - Showing Existing Land Uses for Newly Created Parcels

Newly Created Parcel #80218011(K) to be Multi-Family Residential (RM) Zoning

And the Newly Created Parcel #80210020(T) to be Business Park (BK) Zoning

(Created from Portions of Parcels #80218011J, #80219003, #80210020S & #80220005A)



EXISTING LAND USE(S)



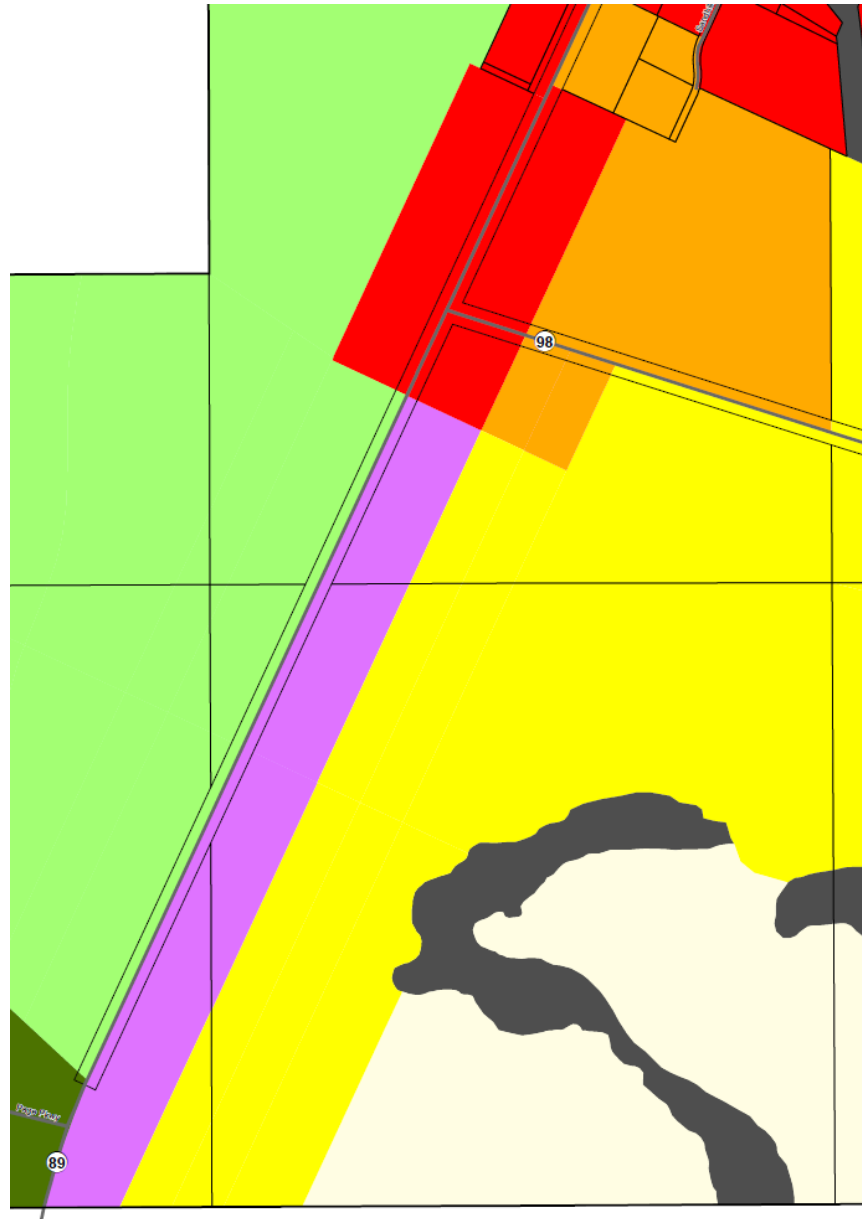
Multi-Family Residential



Employment

EXHIBIT B - Continued

FUTURE LAND USE MAP - Showing Existing Land Uses for Newly Created Parcels
Newly Created Parcels #80216009(K) (L) & (M) to be Community Commercial (C-2) Zoning
And the Newly Created Parcel #80216009(N) to be Multi-Family Residential (RM) Zoning
(Created from Portions of Parcels #80215001, #80216009J & #80217002)



EXISTING LAND USE(S)

 Multi-Family Residential

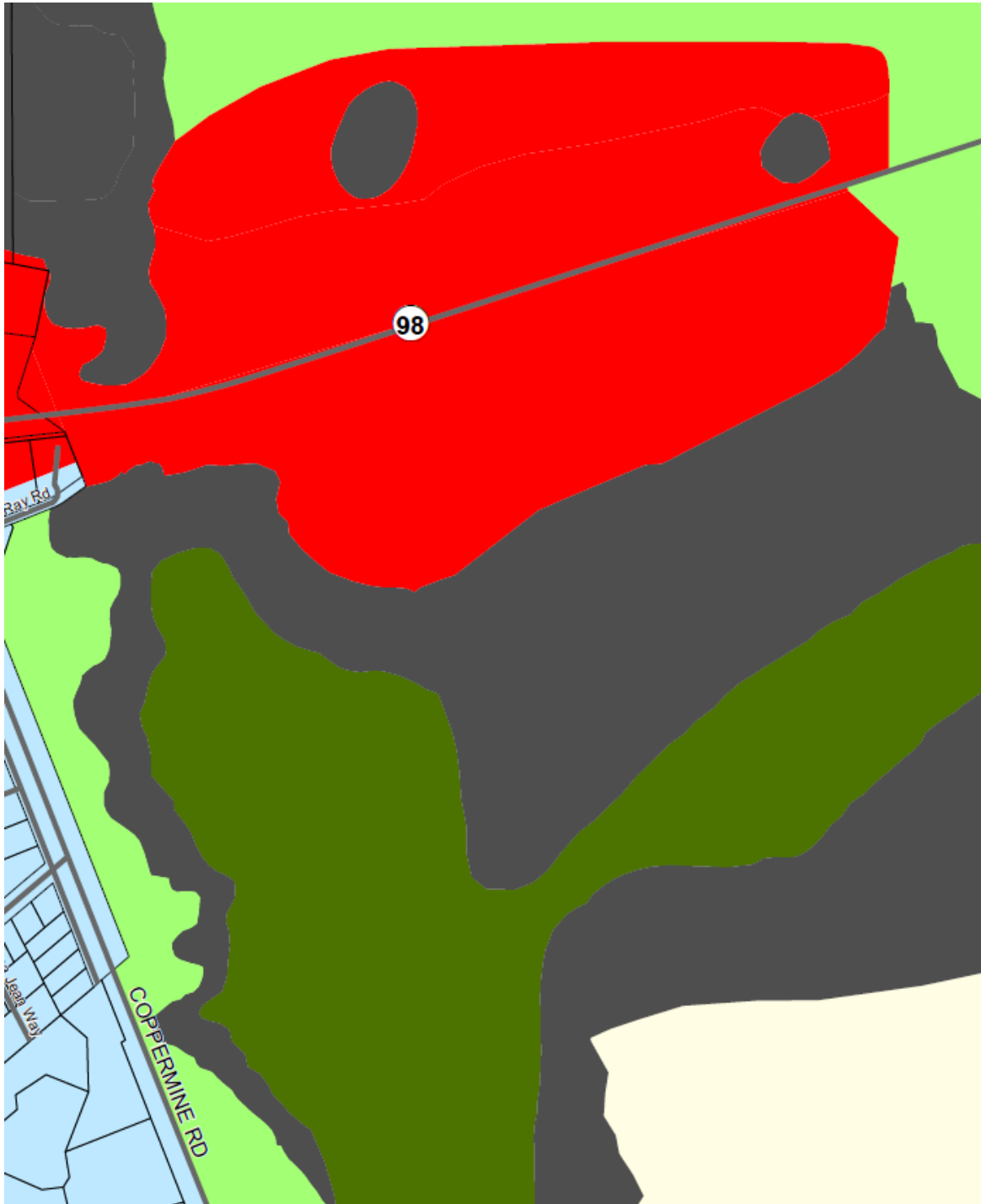
 Business Commerce

 Mixed-Use

(Residential and/or Commercial Land Uses)

EXHIBIT B - Continued

FUTURE LAND USE MAP - Showing Existing Land Uses for Newly Created Parcels
Newly Created Parcels #80220005(B) & (C) to be Community Commercial (C-2) Zoning
(Created from Portions of Parcel #80220005A)

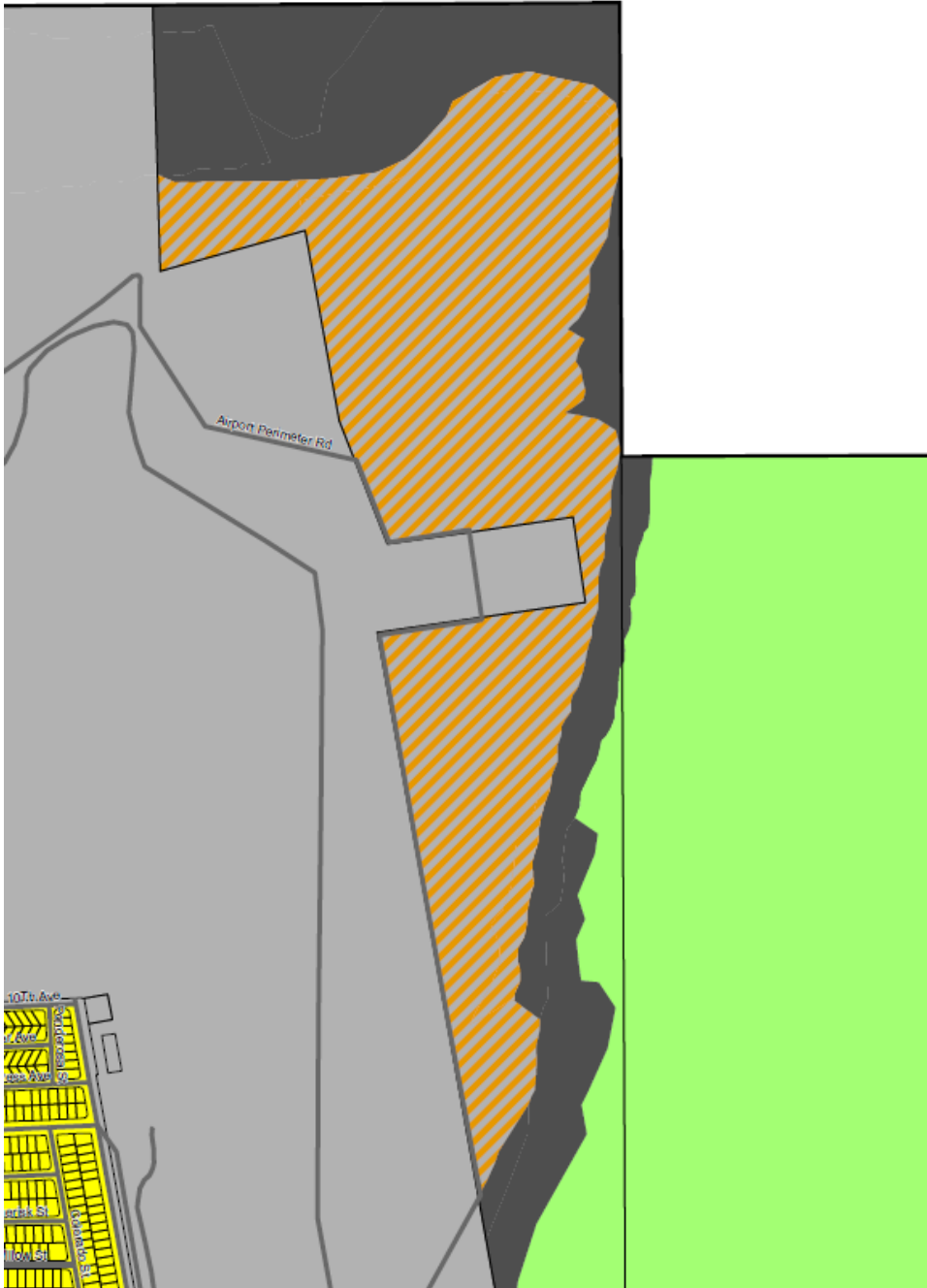


EXISTING LAND USE(S)

Business Commerce

EXHIBIT B - Continued

**FUTURE LAND USE MAP - Showing Existing Land Use for Newly Created Parcel
Newly Created Parcel #80110001(N) to be Airport Residential Special District (ARSD) Zoning
(Created from a Portion of Parcel #80110001L)**



EXISTING LAND USE(S)



Airport Residential

EXHIBIT C

ZONING MAP - Showing Current Zoning for Newly Created Parcels

Newly Created Parcel #80104015(B) to be Hillside Residential Special District (HRSD) Zoning
(Created from Portions of Parcels #80114009 & #80104015A)



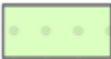
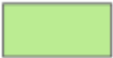
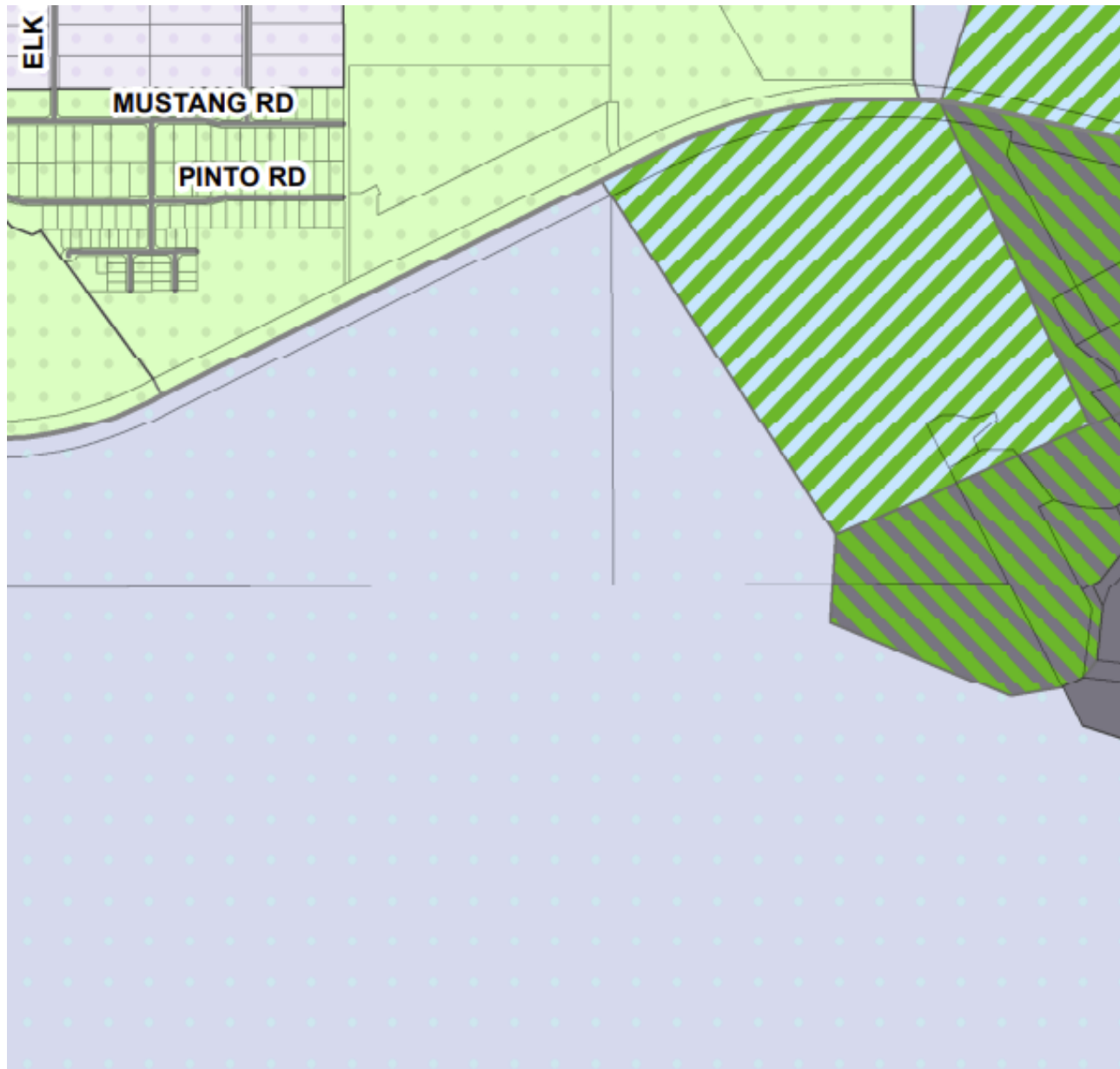
- | | | |
|---|------|--|
|  | PD | Planned Development District |
|  | PDR | Planned Development Residential District |
|  | PDGC | Planned Development Golf Course District |
|  | R1-8 | Single-Family Residential 8,000 |
|  | R1-7 | Single-Family Residential 7,000 |

EXHIBIT C - Continued

ZONING MAP - Showing Current Zoning for Newly Created Parcels

Newly Created Parcel #80218011(K) to be Multi-Family Residential (RM) Zoning
And the Newly Created Parcel #80210020(T) to be Business Park (BP) Zoning

(Created from Portions of Parcels #80218011J, #80219003, #80210020S & #80220005A)



 PD Planned Development District

 FD Future Development District

 PDBP Planned Development Business Park

 PDI Planned Development Industrial

EXHIBIT C - Continued

ZONING MAP - Showing Current Zoning for Newly Created Parcels

Newly Created Parcels #80216009(K)(L)&(M) to be Community Commercial (C-2) Zoning
And the Newly Created Parcel #80216009(N) to be Multi-Family Residential (RM) Zoning
(Created from Portions of Parcels #80215001, #80216009J & #80217002)



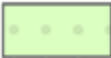
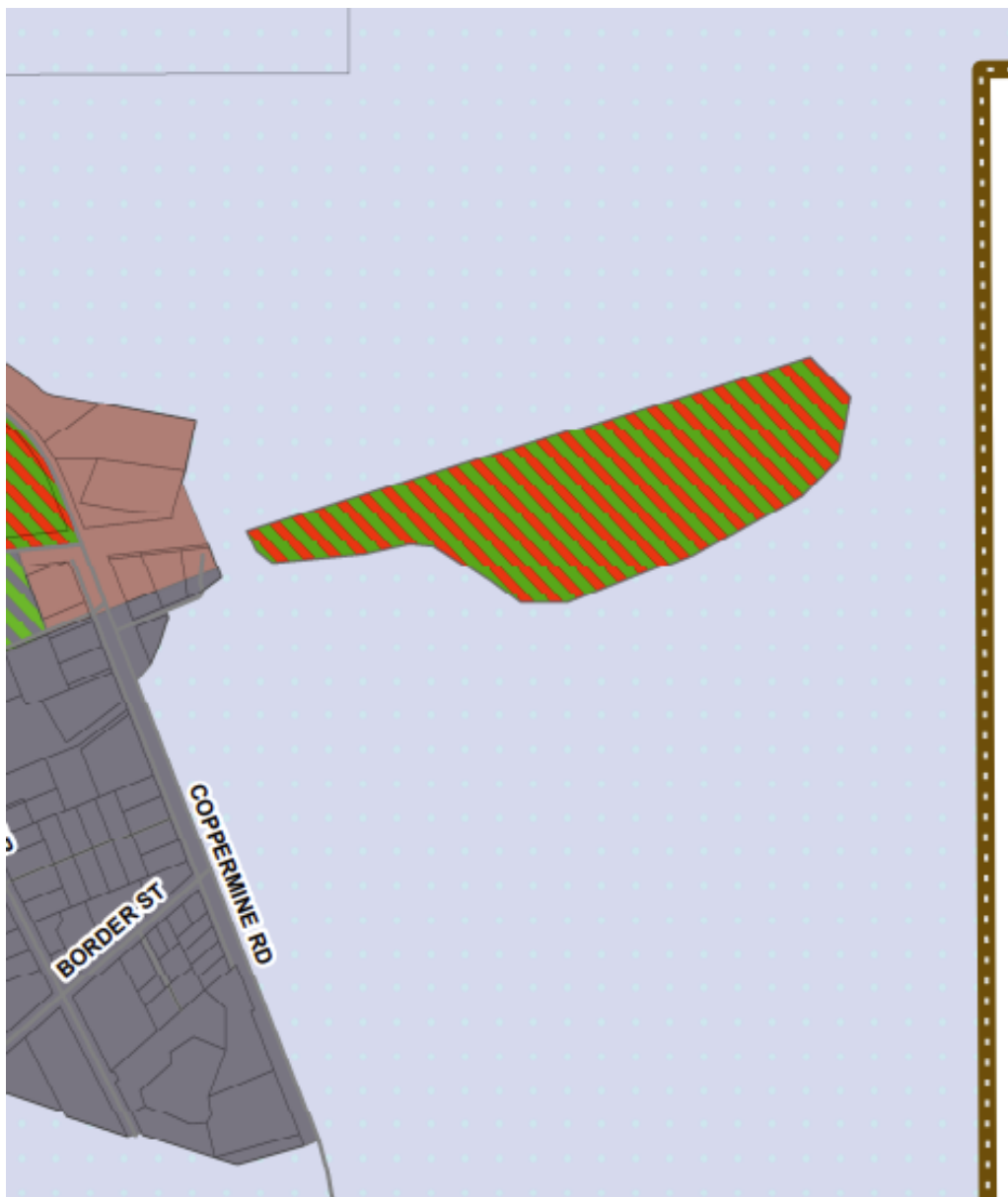
- | | | |
|---|----|------------------------------|
|  | PD | Planned Development District |
|  | FD | Future Development District |

EXHIBIT C - Continued

ZONING MAP - Showing Current Zoning for Newly Created Parcels

Newly Created Parcels #80220005(B) & (C) to be Community Commercial (C-2) Zoning
(Created from Portions of Parcel #80220005A)



 FD Future Development District

 PDC Planned Development Commercial

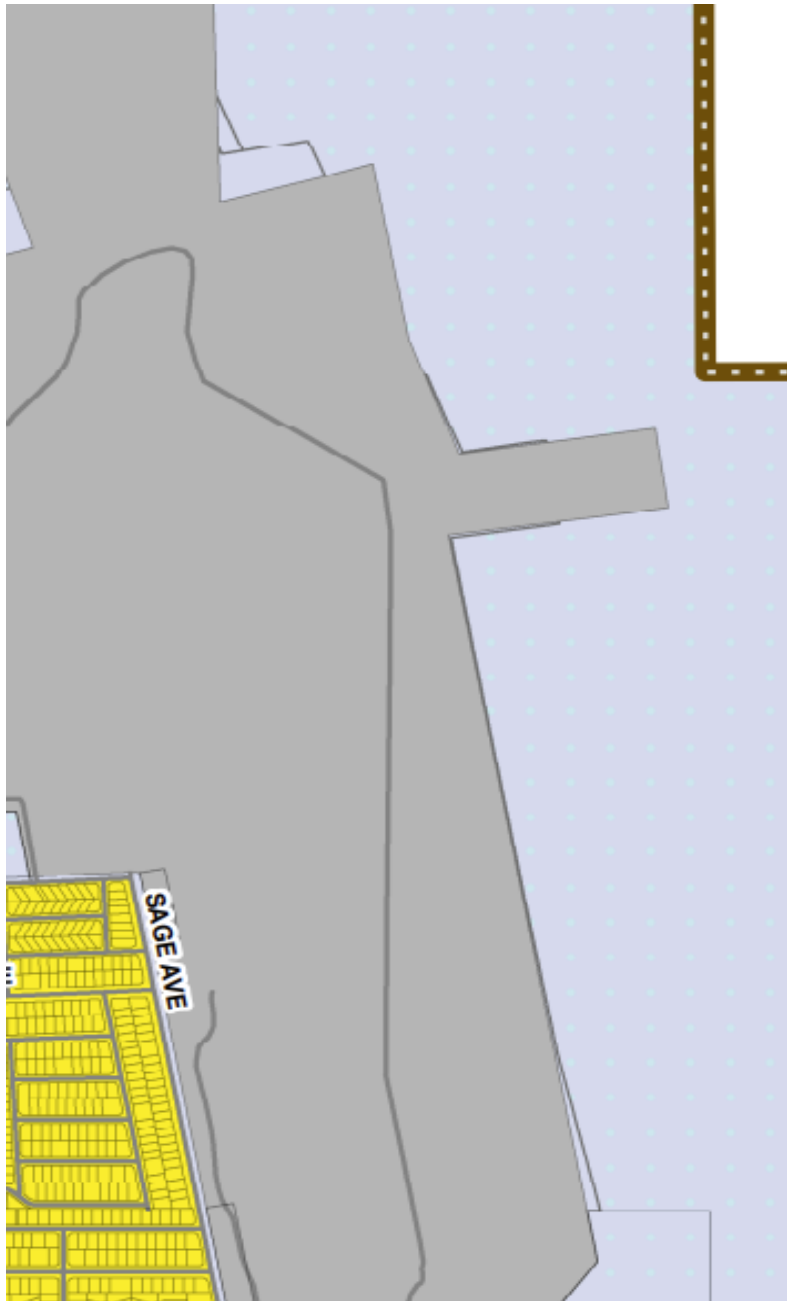
 IP Industrial Park

 SC Service Commercial

EXHIBIT C - Continued

ZONING MAP - Showing Current Zoning for Newly Created Parcels

Newly Created Parcel #80110001(N) to be Airport Residential Special District (ARSD) Zoning
(Created from a Portion of Parcel #80110001L)



FD Future Development District

AP Airport Property

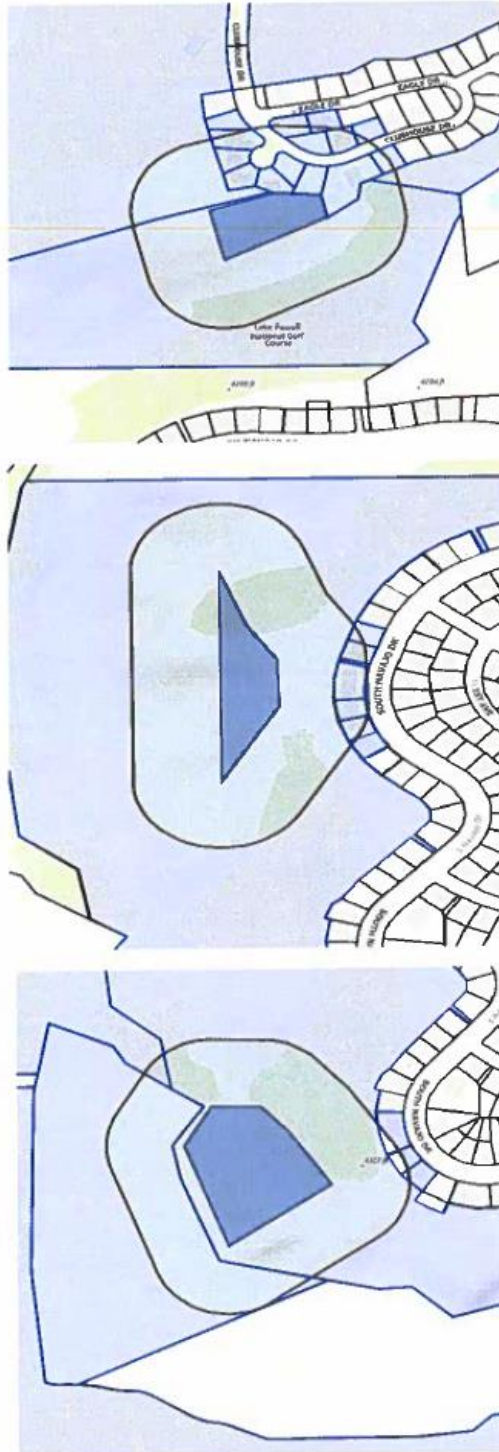
R1-5 Single-Family Residential 5,000

EXHIBIT D

***(All Property Addresses and 300-Foot Notification Areas of all Subject
Parcels Generated by the Coconino County Parcel Map Addressing Tool)***

***Only the below three Portions of the Newly Created Parcel #80104015(B) are shown since
only those portions of that new parcel are within 300-feet of any privately owned property.***

300-Foot Notification Maps for Newly Created Parcel #80104015(B)



ADDRESSES FOR NOTIFICATION FOR PARCEL #80104015(B) NEXT PAGE.

Property Owners Notified for Newly Created Parcel #80104015(B)

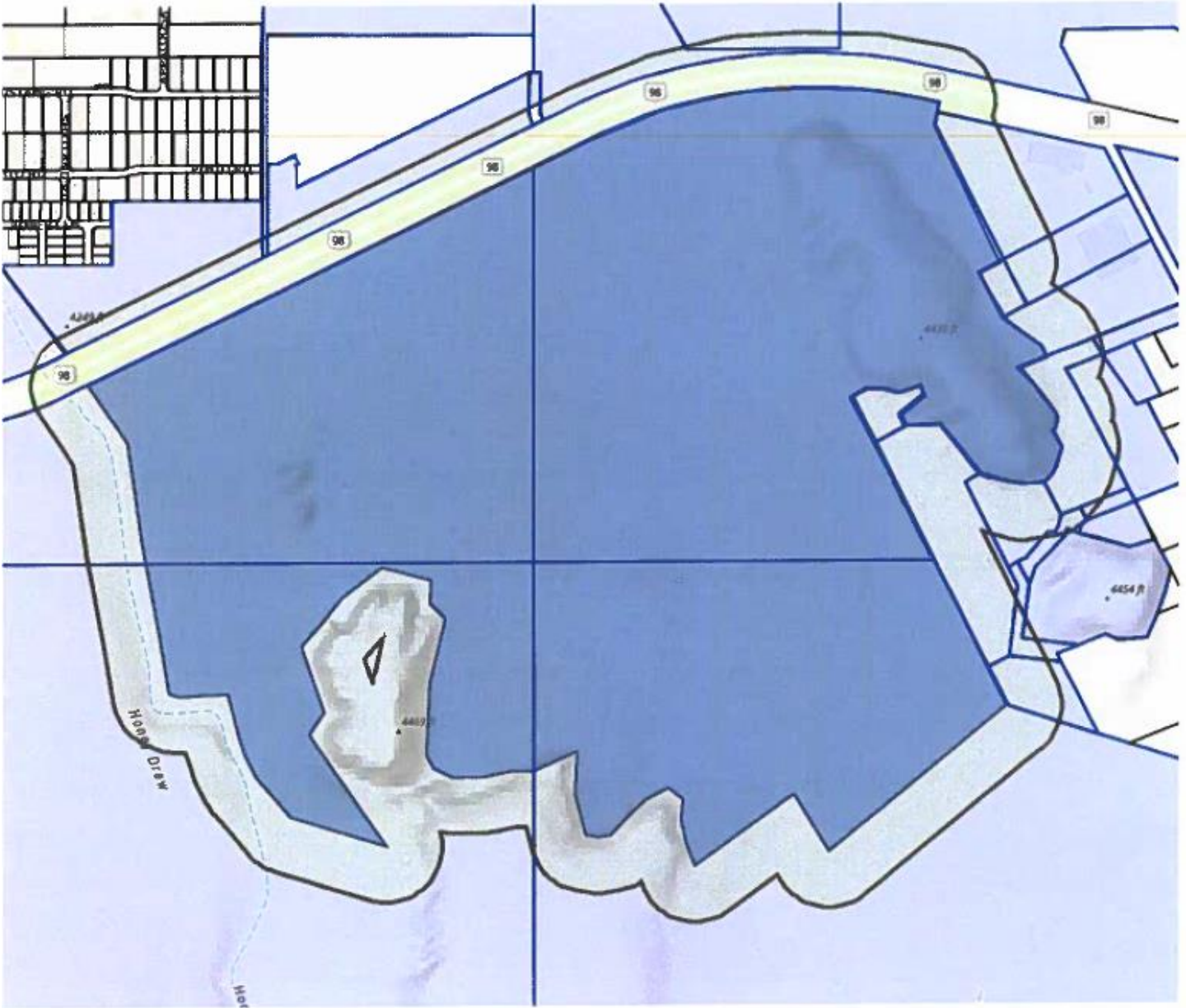
APN	SITUS	SITUS_CITY		SITUS_ZIP
80116006	364 IRONWOOD CT 	PAGE 	AZ	86040
80116003	380 CLUBHOUSE DR 	PAGE 	AZ	86040
80116032	350 CLUBHOUSE DR 	PAGE 	AZ	86040
80114010	400 CLUBHOUSE DR 	PAGE 	AZ	86040
80116033	350 EAGLE DR 	PAGE 	AZ	86040
80116011	340 CLUBHOUSE DR 	PAGE 	AZ	86040
80116004	374 IRONWOOD CT 	PAGE 	AZ	86040
80116009A	344 CLUBHOUSE DR 	PAGE 	AZ	86040
80116036	341 CLUBHOUSE DR 	PAGE 	AZ	86040
80116007	360 IRONWOOD CT 	PAGE 	AZ	86040
80116031	376 EAGLE DR 	PAGE 	AZ	86040
80116002	 	PAGE 	AZ	86040
80116008	350 CLUBHOUSE DR 	PAGE 	AZ	86040
80114009	 	PAGE 	AZ	86040
80116034	345 CLUBHOUSE DR 	PAGE 	AZ	86040
80116005	370 IRONWOOD CT 	PAGE 	AZ	86040

APN	SITUS	SITUS_CITY		SITUS_ZIP
80013092	S 	PAGE 	AZ	86040
80013095	42 SOUTH NAVAJO DR 	PAGE 	AZ	86040
80013093	24 SOUTH NAVAJO DR 	PAGE 	AZ	86040
80013096	48 SOUTH NAVAJO DR 	PAGE 	AZ	86040
80104015A	 	PAGE 	AZ	86040
80013094	30 SOUTH NAVAJO DR 	PAGE 	AZ	86040
80013097	54 SOUTH NAVAJO DR 	PAGE 	AZ	86040

APN	SITUS	SITUS_CITY		SITUS_ZIP
80114010	400 CLUBHOUSE DR 	PAGE 	AZ	86040
80114003	 	PAGE 	AZ	86040
80014088C	142 SOUTH NAVAJO DR 	PAGE 	AZ	86040
80014066A	150 SOUTH NAVAJO DR 	PAGE 	AZ	86040
80104015A	 	PAGE 	AZ	86040
80014089	162 SOUTH NAVAJO DR 	PAGE 	AZ	86040

EXHIBIT D - Continued

**300-Foot Notification Map for the two (2) Newly Created Parcels of:
#80218011(K) and #80210020(T)**



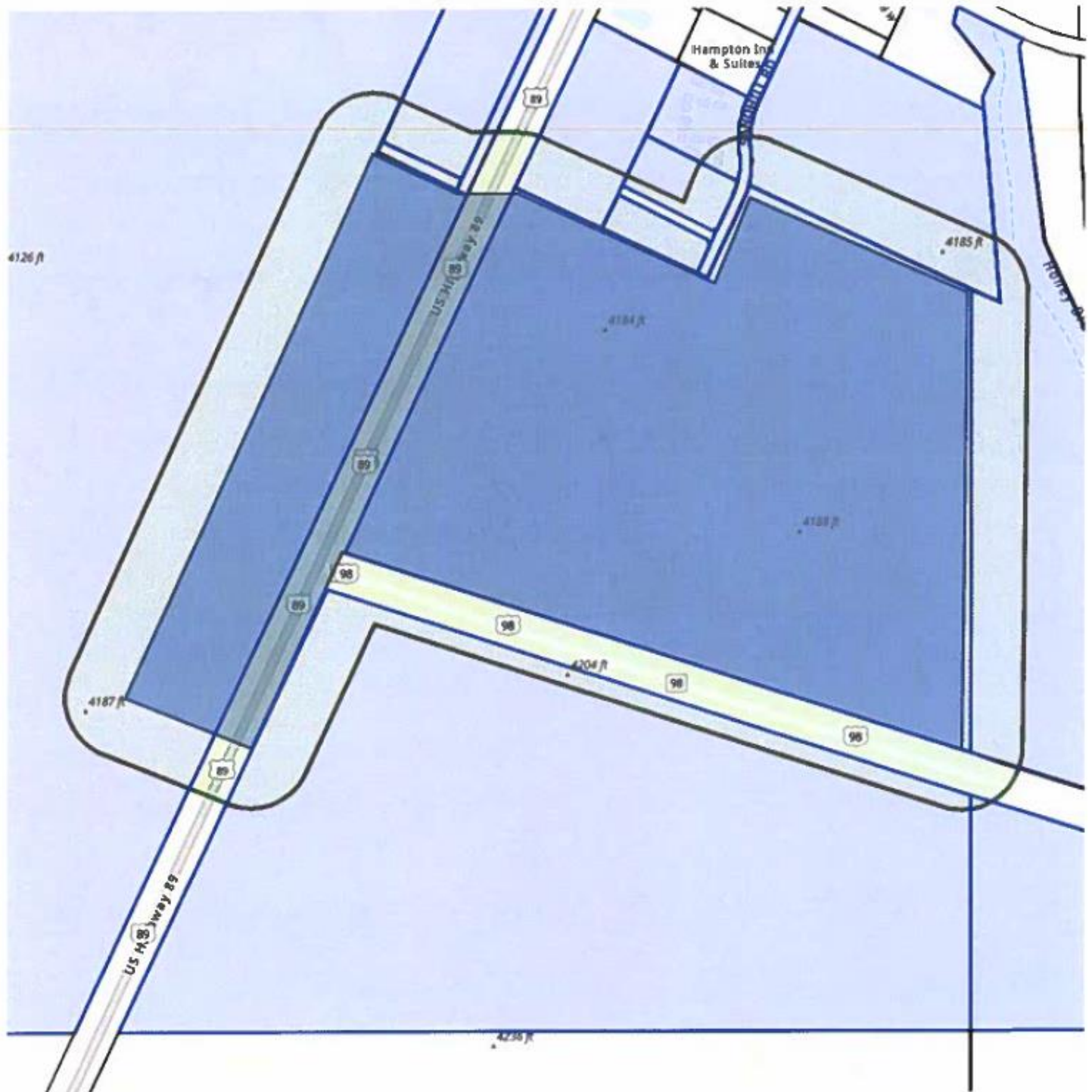
ADDRESSES FOR NOTIFICATION FOR PARCELS #80218011(k) & #80210020(T) NEXT PAGE.

Property Owners Notified for Newly Created Parcels #80218011(K) & #80210020(T)

APN	SITUS	SITUS_CITY		SITUS_ZIP
80212042	 	PAGE 	AZ	86040
80210007S	1950 INDUSTRIAL DR 	PAGE 	AZ	86040
80220005A	 	PAGE 	AZ	86040
80218011C	N 	PAGE 	AZ	86040
80212040B	 	PAGE 	AZ	86040
80210018	 	PAGE 	AZ	86040
80212019	 	PAGE 	AZ	86040
80210020J	 	PAGE 	AZ	86040
80210007T	2010 Industrial DR 	PAGE 	AZ	86040
80212040C	 	PAGE 	AZ	86040
80212035	 	PAGE 	AZ	86040
80210020S	 	 	AZ	
80212039	N 	PAGE 	AZ	86040
80212043	 	PAGE 	AZ	86040
80218011J	649 HAUL RD 	PAGE 	AZ	86040
80212044	 	PAGE 	AZ	86040
80212034B	N 	PAGE 	AZ	86040
80212040A	 	PAGE 	AZ	86040
80210017	 	PAGE 	AZ	86040
80210011	 	PAGE 	AZ	86040
80218011E	 	PAGE 	AZ	86040
80219003	 	PAGE 	AZ	86040
80212041	 	PAGE 	AZ	86040
80218009B	 	PAGE 	AZ	86040
80212034A	N 	PAGE 	AZ	86040

EXHIBIT D - Continued

300-Foot Notification Map for the four (4) Newly Created Parcels of: #80216009(K) (L) (M) & (N)



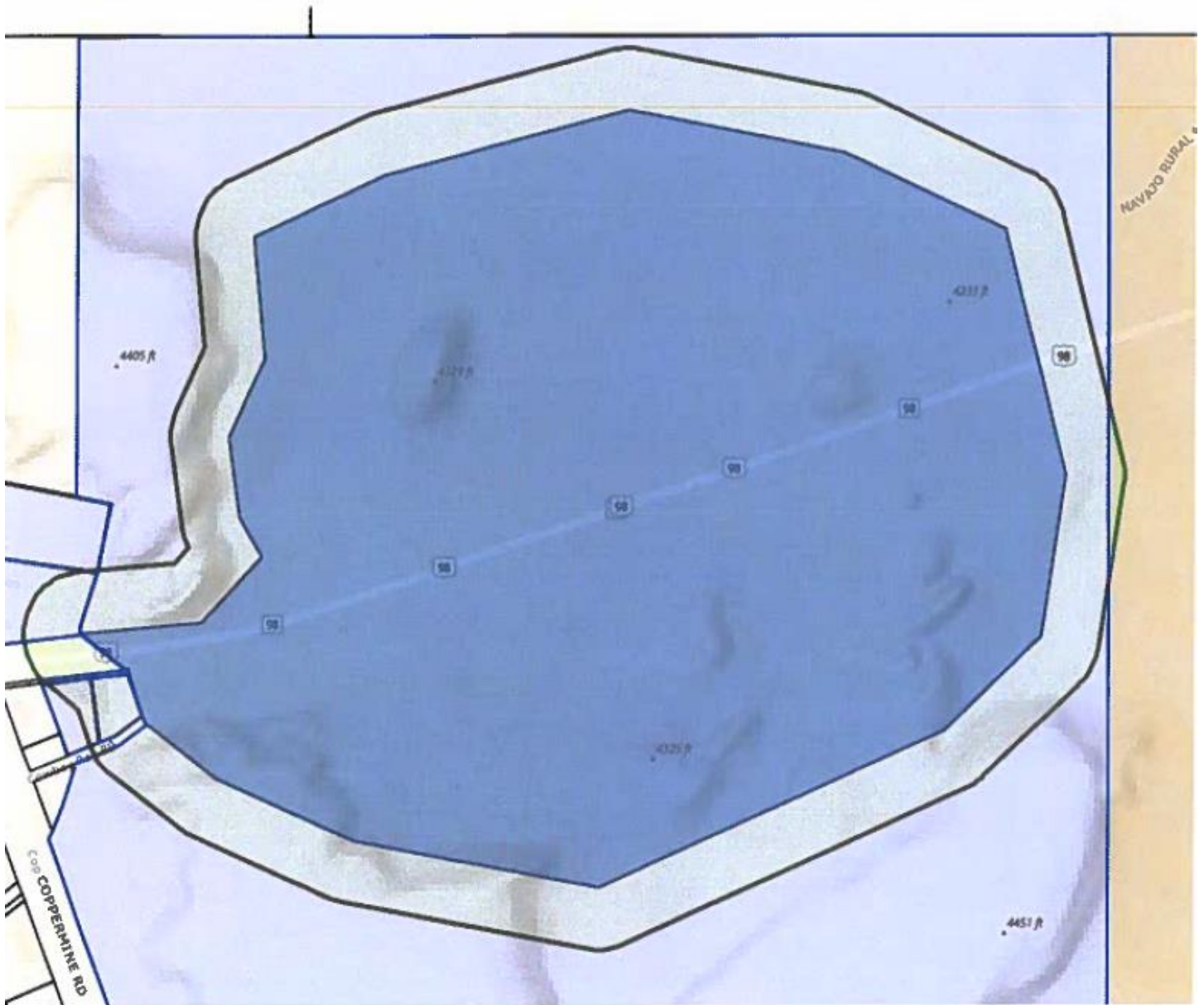
ADDRESSES FOR NOTIFICATION FOR PARCELS #80216009(K) (L) (M) & (N) NEXT PAGE.

Property Owners Notified for Newly Created Parcels #80216009(K) (L) (M) & (N)

APN	SITUS	SITUS_CITY	SITUS_ZIP
80216011		PAGE	AZ 86040
80216013F		PAGE	AZ 86040
80216009J		PAGE	AZ 86040
80218011J	649 HAUL RD	PAGE	AZ 86040
80216012		PAGE	AZ 86040
80216017		PAGE	AZ 86040
80216013B		PAGE	AZ 86040
80216010		PAGE	AZ 86040
80216013E		PAGE	AZ 86040
80216018		PAGE	AZ 86040
80216013C	300 SANDHILL RD	PAGE	AZ 86040

EXHIBIT D - Continued

300-Foot Notification Maps for Newly Created Parcels #8020005(B) & (C)



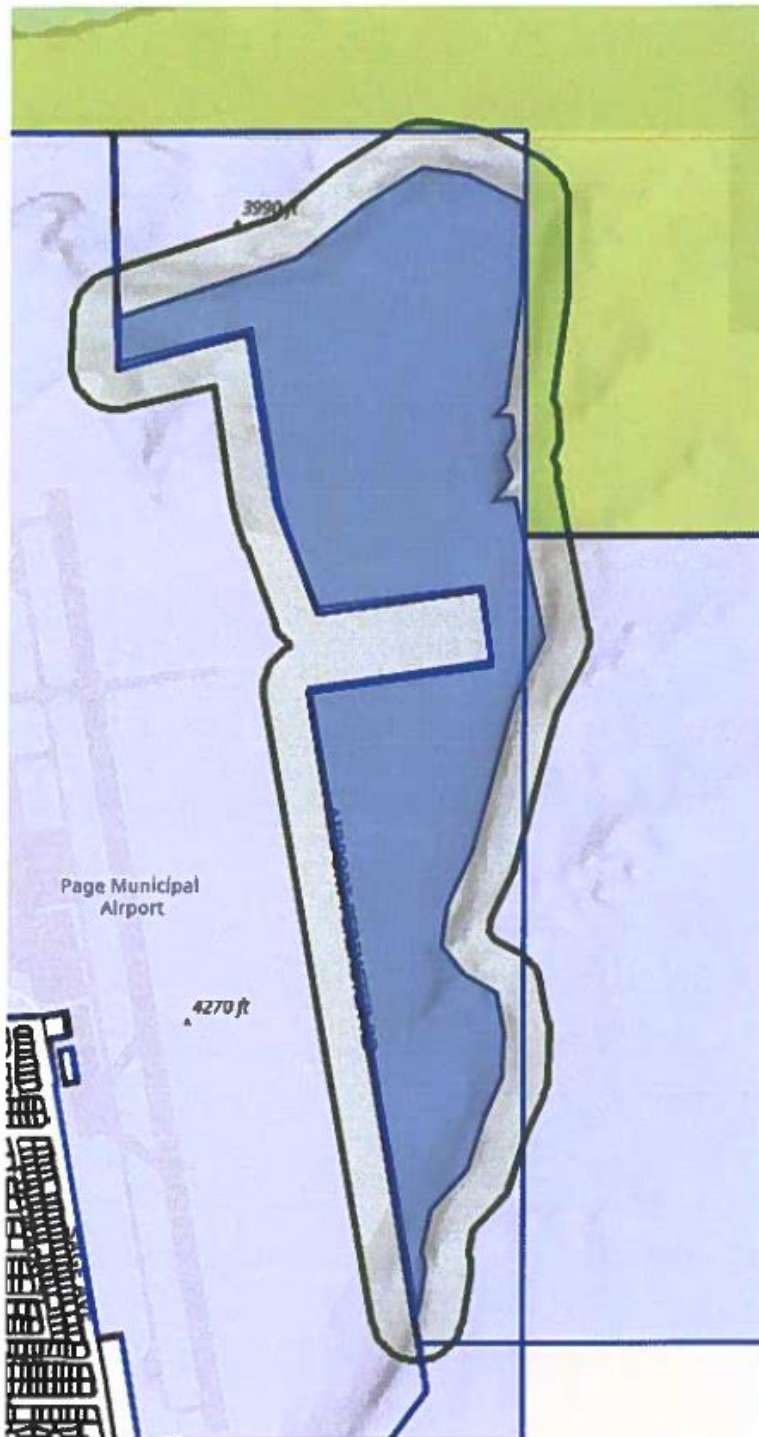
ADDRESSES FOR NOTIFICATION FOR PARCELS #8020005(B) & (C) NEXT PAGE.

Property Owners Notified for Newly Created Parcels #80200005(B) & (C)

APN	SITUS	SITUS_CITY		SITUS_ZIP
80220005A		PAGE	AZ	86040
80210014A	294 COWBOY RAY RD	PAGE	AZ	86040
80210019	1253 COPPERMINE RD	PAGE	AZ	86040
80210014B	290 COWBOY RAY RD	PAGE	AZ	86040
80210002A	1501 COPPERMINE RD	PAGE	AZ	86040
80210015		PAGE	AZ	86040

EXHIBIT D - Continued

300-Foot Notification Maps for Newly Created Parcels #80110001(N)



ADDRESSES FOR NOTIFICATION FOR PARCELS #80110001(N) NEXT PAGE.

Property Owners Notified for Newly Created Parcel #80110001(N)

APN	SITUS	SITUS_CITY		SITUS_ZIP
80109012		PAGE	AZ	86040
80107003D	814 AQUA AVE	PAGE	AZ	86040
80110001L		PAGE	AZ	86040
80110001M	238 10TH AVE	PAGE	AZ	86040

- END -

REPORTS & ANNOUNCEMENTS 10.1. a.

City Council Regular Agenda

Meeting Date: 10/23/2024

Title: Rural Transportation Summit update

Presented by:

Subject:

Rural Transportation Summit update

City Council Regular Agenda

Meeting Date: 10/23/2024

Title: Board Liaisons Report

Presented by:

Subject:

Reports on the most recent Board meetings by Board Liaisons (The most recent Board Agendas can be found on the City of Page website <https://cityofpage.org/government/public-meetings/>):

Planning and Zoning Commission - Councilor Steven Kidman

Page Utility Enterprises (PUE) Board - Vice Mayor Kocjan

Page Public Library Board - Councilor Michael Farrow

Substance Abuse Task Force - Councilor David Auge

Page Parks and Recreation Board - Councilor Kenna Hettinger

Page Public Safety Personnel Retirement Board - Mayor Diak

Economic Development Advisory Board - Councilor Richard Leightner

Youth Advisory Commission - As assigned



**CITY OF PAGE
REQUEST FOR COUNCIL ACTION**

UNFINISHED BUSINESS 12.1.

City Council Regular Agenda

Meeting Date: 10/23/2024
Brief Title: 5th Amendment to Purchase Agreement - Trout Development
Presented by: Josh Smith, City Attorney
Department: City Attorney
Action: Motion

RECOMMENDED ACTION:

Move to approve the 5th Amendment to the Purchase Agreement with Trout Development and authorize the Mayor to sign the amendment.

BACKGROUND:

Trout Development is preparing to begin construction and development of Phase 1 of the Colt Springs residential housing subdivision. In order to ensure that some of the residential units are available for affordable housing, the developer has agreed to place deed restrictions on 20 of the 40 lots, requiring that the lots be either owner occupied or used as long-term rentals. The deed restrictions would be in place until at least January 2028. In exchange, the city will provide roadway, curb, gutter, and sidewalk within the city right-of-way in an amount not to exceed \$600,000.

In addition, given the deed restrictions, the developer has requested that the city extend the purchase option period from 24 months to 36 months in order to give him more time to meet the sales/development threshold requirements prior to exercising his option to purchase Phase 2.

This amendment covers both items.

ALTERNATIVES CONSIDERED:

N/A

ADVISORY BOARD / COMMISSION ACTION:

N/A

Fiscal Impact

Fiscal Year: 24-25

Budget Impact:

Expense of up to \$600,000.

Attachments

Agreement

FIFTH AMENDMENT TO AGREEMENT FOR THE PURCHASE OF REAL ESTATE

This Amendment is effective the 23rd day of October, 2024, by and between the City of Page, a municipal corporation organized and existing under the laws of the State of Arizona (the “Seller”), and Trout Land Development, LLC (hereinafter “Buyer”).

RECITALS

Whereas, the parties entered into an Agreement for the Purchase of Real Estate (“Agreement”) on or about the 27th day of October, 2021; and

Whereas, the parties now desire to amend the Agreement a fifth time as set forth herein.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

AGREEMENT

1. Incorporation by Reference. Except as outlined herein, the original Agreement for the Purchase of Real Estate, entered into by the parties on or about October 27, 2021, and all written amendments, are hereby incorporated by reference into this Fifth Amendment. The parties hereto agree to be bound by all terms, conditions, covenants, and obligations in said Agreement and amendments as if each were again fully set forth verbatim herein.
2. Section 15 “Option to Purchase” subsection “Purchase Options 2-5” of the Agreement is hereby amended to modify the option period for all purchase options from twenty-four (24) months to thirty-six (36) months.
3. The parties further agree that in exchange for the Buyer placing deed restrictions upon twenty (20) of the lots to be developed in Phase 1 that restrict the dwellings constructed upon said (20) lots to long-term rental or owner-occupied properties, that the Seller shall construct certain public infrastructure within Seller’s right-of way, said infrastructure consisting of the roads, curb, gutter, and sidewalk as further described below.
 - a. For the purposes of this Amendment, “long-term rental” shall be defined as a property that shall not be offered or advertised for rent nor rented to any person, entity, or group for a period of less than six (6) continuous months duration. “Long-term rental” specifically prohibits any use as a short-term rental.

- b. "Owner-occupied" shall be defined as the primary residence of a person that holds title to the property. For duplexes, only one side of the property must be owner-occupied to satisfy this requirement.
 - c. The deed restrictions referenced in Section 3 shall be placed upon the lots identified in Exhibit A as lots 59-66 and 79-90 of Phase 1. The deed restrictions shall not expire prior to January 1, 2028.
 - d. The roadways to be constructed by the Seller are identified in Exhibit A as Tiffanee Way, Jodie Way, Red River Way, and Slavens Way. The curb, gutter, and sidewalk shall be constructed adjacent to said roadways and all improvements shall be constructed in accordance with all City of Page rules, regulations, and applicable codes. The parties agree that Seller will immediately advertise for bid said improvements and that the maximum amount that Seller will pay for infrastructure to be paid by Seller is \$600,000.00 ("Maximum Payment"). In the event that the bids or actual construction costs for the roadways, curb, gutter, and sidewalk exceed \$600,000.00, Buyer agrees to timely pay the difference between the actual construction costs and the Seller's Maximum Payment. The parties will work together in good faith to coordinate construction activities and Seller will keep Buyer informed of the infrastructure costs, including notifying Buyer of any expected overages, or in the event that the Seller provided infrastructure actual construction costs will exceed the Maximum Payment.
- 4. The provisions of Sections 3 shall survive the termination or expiration of the Agreement.
 - 5. In the event that either party breaches the provisions of this 5th Amendment, either party may: enforce specific performance of this 5th Amendment or, if the remedy of specific performance is not available, bring an action against the other party for all actual damages incurred.

IN WITNESS WHEREOF, the parties hereto have entered into this Amendment on the date indicated above.

CITY OF PAGE

TROUT LAND DEVELOPMENT, LLC

BY: _____
Mayor

Jacob Burton

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney



**CITY OF PAGE
REQUEST FOR COUNCIL ACTION**

NEW BUSINESS 13.1.

City Council Regular Agenda

Meeting Date: 10/23/2024
Brief Title: Presentation of Potential Development in Block 17
Presented by: Darren Coldwell, City Manager
Department: City Manager
Action: Other

RECOMMENDED ACTION:

TBD

BACKGROUND:

The City of Page has been looking for a developer who would be willing to invest in the community for long-term rentals. Espiritu Loci and Caliberco have partnered with Zennihome for a future development in Block 17. This facility will be three stories high and range from a studio to three-bedroom apartments. This will be targeted toward the working class of Page and will not be classified as a Section 8 facility.

ALTERNATIVES CONSIDERED:

N/A

ADVISORY BOARD / COMMISSION ACTION:

N/A

Fiscal Impact

Fiscal Year: 2024
Amount Requested: N/A
Line Item(s): N/A
Budget Impact:
There will be no fiscal impact to the city.



**CITY OF PAGE
REQUEST FOR COUNCIL ACTION**

NEW BUSINESS 13.2.

City Council Regular Agenda

Meeting Date: 10/23/2024

Brief Title: Multi-Parcel Zone Change Request Case #ZON 24-002

Presented by: Zach Montgomery, Planning Director

Department: Planning and Zoning

Action: Ordinance

RECOMMENDED ACTION:

Clerk to introduce Ordinance No. 734-24 by title only.

Move to adopt Ordinance 734-24.

BACKGROUND:

Final Citywide Zone Change Request to apply appropriate zoning to the 10 newly created parcels approved unanimously by City Council with the approval and adoption of the Page 2040 General Plan - Future Land Use Map in December of 2022, and with the City Council unanimous approval to fund the professional engineering firm to create these 10 newly created parcels. This zone change case will apply the appropriate zoning to these 10 newly created parcels, as called for in the Page 2040 General Plan - Future Land Use Map (FLUM).

ALTERNATIVES CONSIDERED:

N/A

ADVISORY BOARD / COMMISSION ACTION:

At their regular meeting on October 1, 2024, the City of Page Planning and Zoning Commission voted unanimously to recommend the City Council Approve Zone Change Case #ZON 24-002, to apply the appropriate zoning designations to the 10 newly created parcels presented in the Staff Report, and include the one (1) Staff and Planning and Zoning Commission Condition of Approval.

Fiscal Impact

Budget Impact:

N/A

Attachments

Ordinance No. 734-24

ORDINANCE NO. 734-24

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, AMENDING THE ZONING DISTRICT DESIGNATIONS OF TEN (10) CITY OWNED PARCELS TO: HILLSIDE RESIDENTIAL SPECIAL DISTRICT (HRSD) ZONING FOR PARCEL 80104015(B); AIRPORT RESIDENTIAL SPECIAL DISTRICT (ARSD) ZONING FOR PARCEL 80110001(N); MULTI-FAMILY RESIDENTIAL (RM) ZONING FOR PARCELS 80218011(K) AND 80216009(N); COMMUNITY COMMERCIAL (C-2) ZONING FOR PARCELS 80220005(B) & (C), AND 80216009(K) (L) & (M); AND BUSINESS PARK (BP) ZONING FOR PARCEL 80210020(T).

WHEREAS, the City of Page Planning and Zoning Commission held a public hearing on Zoning Case No. ZON 24-002 on October 1, 2024, to consider amending the obsolete zoning designation of ten (10) parcels as set forth herein,

WHEREAS, due and proper notice of such public hearing before the City of Page Planning and Zoning Commission was given in the time, form, substance and manner provided by law; and

WHEREAS, the City of Page Planning and Zoning Commission has unanimously recommended the adoption of Zoning Case No. ZON 24-002 as aforesaid; and

WHEREAS, the Mayor and City Council have determined that the zoning district amendments conform to the City of Page 2040 General Plan and Land Uses shown on the Future Land Use Map (FLUM), and after considering the individual property rights and personal liberties of the residents of the City, and the probable impact and cost savings of the proposed zoning on the cost to develop said parcels by changing the zoning of the proposed parcels to make them all ready for development, desire to accept the recommendation of the City of Page Planning and Zoning Commission and zone Parcel 80104015(B) to Hillside Residential Special District (HRSD) zoning; and, Parcel 80110001(N) to Airport Residential Special District (ARSD) zoning; and, Parcels 80218011(K) and 80216009(N) to Multi-Family Residential (RM) zoning; and, 80220005(B) & (C) and 80216009(K) (L) & (M) to Community Commercial (C-2) zoning; and, Parcel 80210020(T) to Business Park (BP) zoning.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, as follows:

Section 1. The zoning designation of Parcel 80104015B, approximately 72.93 acres (±), as described in Exhibit A which is incorporated herein by reference, is hereby amended from Planned Development (PD) to Hillside Residential Special District (HRSD).

Section 2. The zoning designation of Parcel 80218011K, approximately 110.75 acres (±), as described in Exhibit B which is incorporated herein by reference, is hereby amended from Future Development (FD) to Multi-Family Residential (RM).

Section 3. The zoning designation of Parcel 80210020T, approximately 193.26 acres (±), as described in Exhibit C which is incorporated herein by reference, is hereby amended from Future Development (FD), Planned Development Business Park (PDBP) & Planned Development Industrial (PDI) to Business Park (BP).

Section 4. The zoning designation of Parcels 80216009K, 80216009L & 80216009M, approximately 140.81 acres (±), as described in Exhibit D which is incorporated herein by reference, are hereby amended from Planned Development (PD) & Future Development (FD) to Community Commercial (C-2).

Section 5. The zoning designation of Parcel 80216009N, approximately 114.04 acres (±), as described in Exhibit D which is incorporated herein by reference, is hereby amended from Planned Development (PD) to Multi-Family Residential (RM).

Section 6. The zoning designation of Parcels 80220005B & 80220005C, approximately 160.87 total acres (±), as described in Exhibit E which is incorporated herein by reference, are hereby amended from Future Development (FD) & Planned Development Commercial (PDC) to Community Commercial (C-2).

Section 7. The zoning designation of Parcel 80110001N, approximately 149.08 acres (±), as described in Exhibit F which is incorporated herein by reference, is hereby amended from Future Development (FD) to Airport Residential Special District (ARSD).

Section 8. All development shall be in accordance with all relevant City Zoning, Subdivision, Building, Fire and Life Safety and Development codes.

Section 9. That the City of Page Zoning Map is hereby amended to reflect the zoning designation change.

Section 10. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed, effective thirty (30) days from the adoption hereof.

Section 11. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA this 23rd day of October, 2024, by the following vote:

Ayes	_____
Nays	_____
Abstentions	_____
Absent	_____

CITY OF PAGE

By _____
Mayor

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

CITY ATTORNEY

EXHIBITS ON FILE AT THE PAGE CITY CLERK’S OFFICE:
697 Vista Ave., Page, AZ

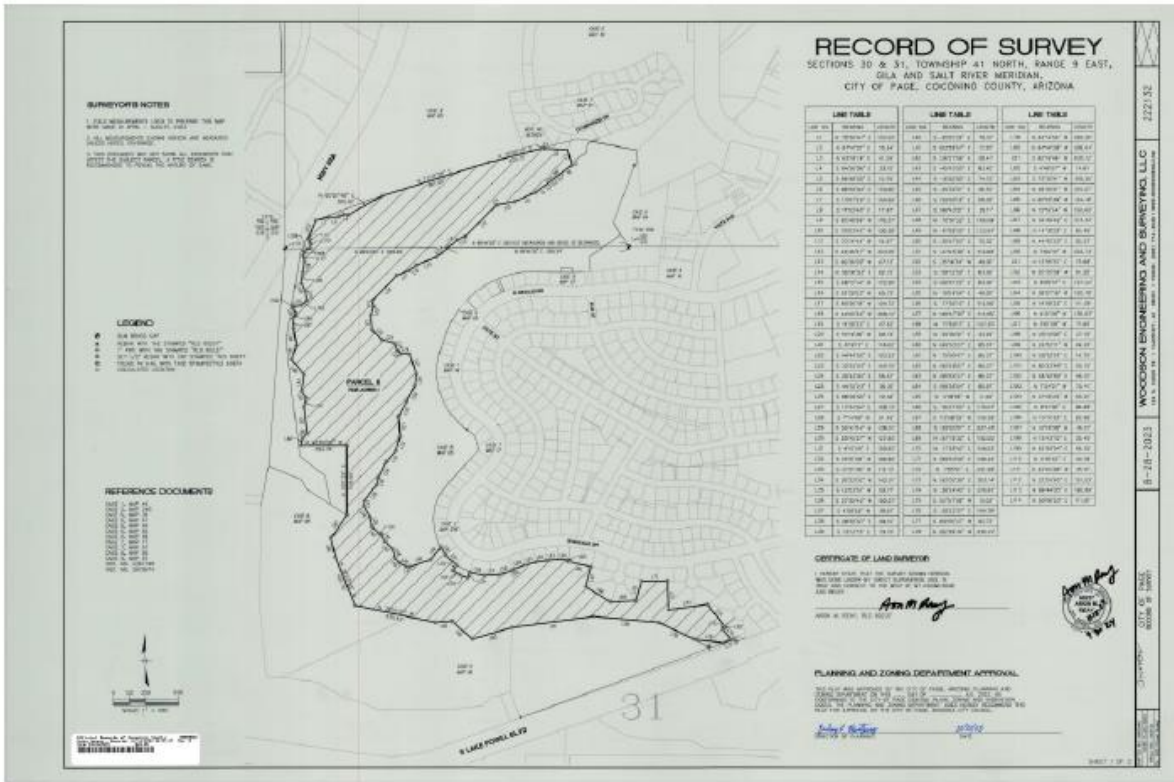
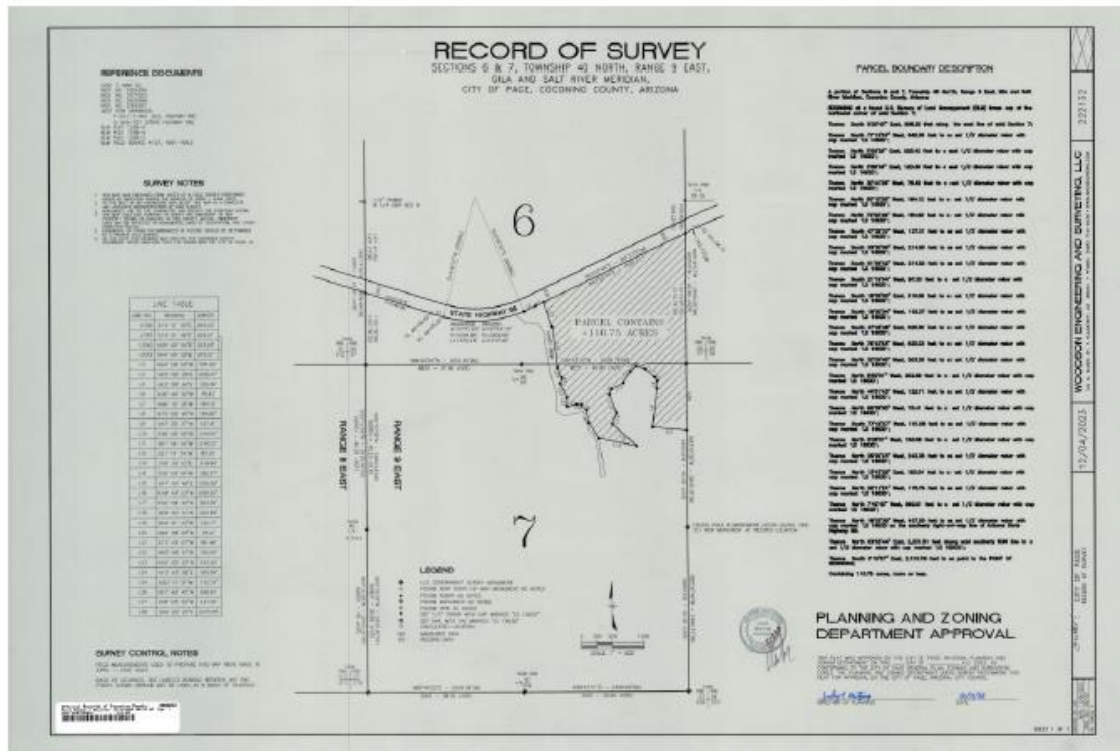


EXHIBIT B

Survey Plat & Legal Description for Newly Created Parcel #80218011K



RECORD OF SURVEY
SECTION 5 & 8, TOWNSHIP 40 NORTH, RANGE 5 EAST,
CLAY AND SALT RIVER MERIDIAN,
CITY OF PADE, COCONINO COUNTY, ARIZONA

LINE TABLE

LINE NO.	BEARING	DISTANCE	AREA
1	N 89° 00' 00" E	100.00	100.00
2	S 89° 00' 00" E	100.00	100.00
3	S 89° 00' 00" E	100.00	100.00
4	S 89° 00' 00" E	100.00	100.00
5	S 89° 00' 00" E	100.00	100.00
6	S 89° 00' 00" E	100.00	100.00
7	S 89° 00' 00" E	100.00	100.00
8	S 89° 00' 00" E	100.00	100.00
9	S 89° 00' 00" E	100.00	100.00
10	S 89° 00' 00" E	100.00	100.00
11	S 89° 00' 00" E	100.00	100.00
12	S 89° 00' 00" E	100.00	100.00
13	S 89° 00' 00" E	100.00	100.00
14	S 89° 00' 00" E	100.00	100.00
15	S 89° 00' 00" E	100.00	100.00
16	S 89° 00' 00" E	100.00	100.00
17	S 89° 00' 00" E	100.00	100.00
18	S 89° 00' 00" E	100.00	100.00
19	S 89° 00' 00" E	100.00	100.00
20	S 89° 00' 00" E	100.00	100.00
21	S 89° 00' 00" E	100.00	100.00
22	S 89° 00' 00" E	100.00	100.00
23	S 89° 00' 00" E	100.00	100.00
24	S 89° 00' 00" E	100.00	100.00
25	S 89° 00' 00" E	100.00	100.00
26	S 89° 00' 00" E	100.00	100.00
27	S 89° 00' 00" E	100.00	100.00
28	S 89° 00' 00" E	100.00	100.00
29	S 89° 00' 00" E	100.00	100.00
30	S 89° 00' 00" E	100.00	100.00
31	S 89° 00' 00" E	100.00	100.00
32	S 89° 00' 00" E	100.00	100.00
33	S 89° 00' 00" E	100.00	100.00
34	S 89° 00' 00" E	100.00	100.00
35	S 89° 00' 00" E	100.00	100.00
36	S 89° 00' 00" E	100.00	100.00
37	S 89° 00' 00" E	100.00	100.00
38	S 89° 00' 00" E	100.00	100.00
39	S 89° 00' 00" E	100.00	100.00
40	S 89° 00' 00" E	100.00	100.00
41	S 89° 00' 00" E	100.00	100.00
42	S 89° 00' 00" E	100.00	100.00
43	S 89° 00' 00" E	100.00	100.00
44	S 89° 00' 00" E	100.00	100.00
45	S 89° 00' 00" E	100.00	100.00
46	S 89° 00' 00" E	100.00	100.00
47	S 89° 00' 00" E	100.00	100.00
48	S 89° 00' 00" E	100.00	100.00
49	S 89° 00' 00" E	100.00	100.00
50	S 89° 00' 00" E	100.00	100.00
51	S 89° 00' 00" E	100.00	100.00
52	S 89° 00' 00" E	100.00	100.00
53	S 89° 00' 00" E	100.00	100.00
54	S 89° 00' 00" E	100.00	100.00
55	S 89° 00' 00" E	100.00	100.00
56	S 89° 00' 00" E	100.00	100.00
57	S 89° 00' 00" E	100.00	100.00
58	S 89° 00' 00" E	100.00	100.00
59	S 89° 00' 00" E	100.00	100.00
60	S 89° 00' 00" E	100.00	100.00
61	S 89° 00' 00" E	100.00	100.00
62	S 89° 00' 00" E	100.00	100.00
63	S 89° 00' 00" E	100.00	100.00
64	S 89° 00' 00" E	100.00	100.00
65	S 89° 00' 00" E	100.00	100.00
66	S 89° 00' 00" E	100.00	100.00
67	S 89° 00' 00" E	100.00	100.00
68	S 89° 00' 00" E	100.00	100.00
69	S 89° 00' 00" E	100.00	100.00
70	S 89° 00' 00" E	100.00	100.00
71	S 89° 00' 00" E	100.00	100.00
72	S 89° 00' 00" E	100.00	100.00
73	S 89° 00' 00" E	100.00	100.00
74	S 89° 00' 00" E	100.00	100.00
75	S 89° 00' 00" E	100.00	100.00
76	S 89° 00' 00" E	100.00	100

Survey Plats & Legal Description for Newly Created Parcel #80220005(B) & (C)

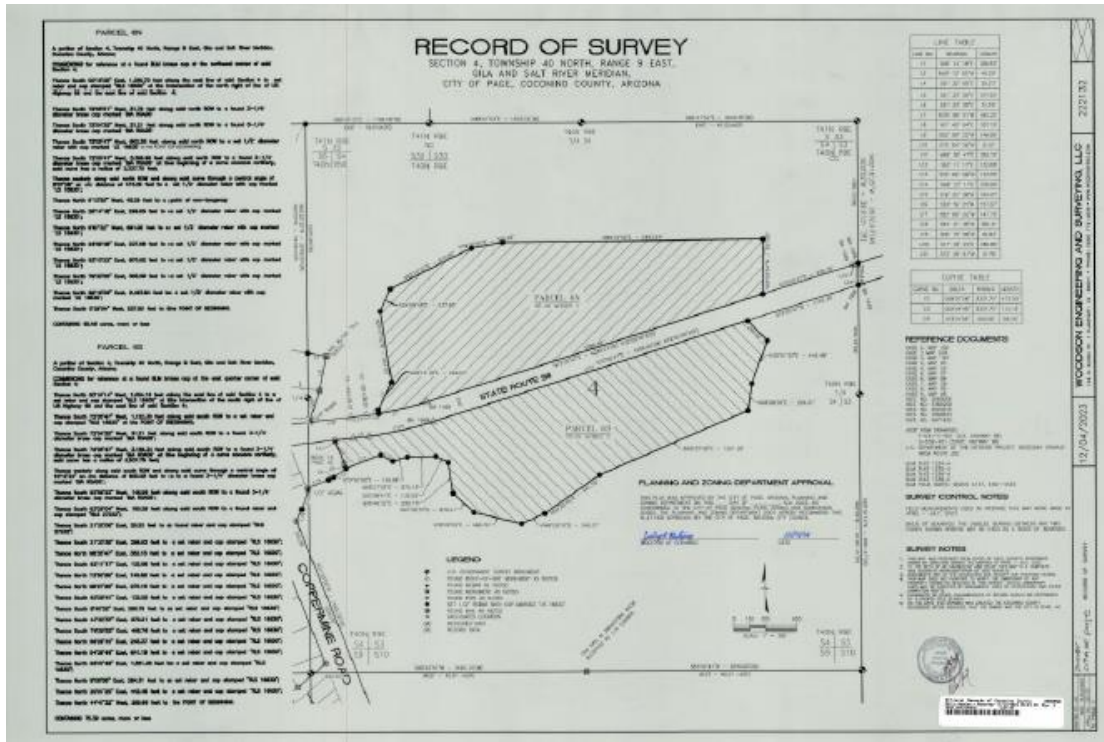
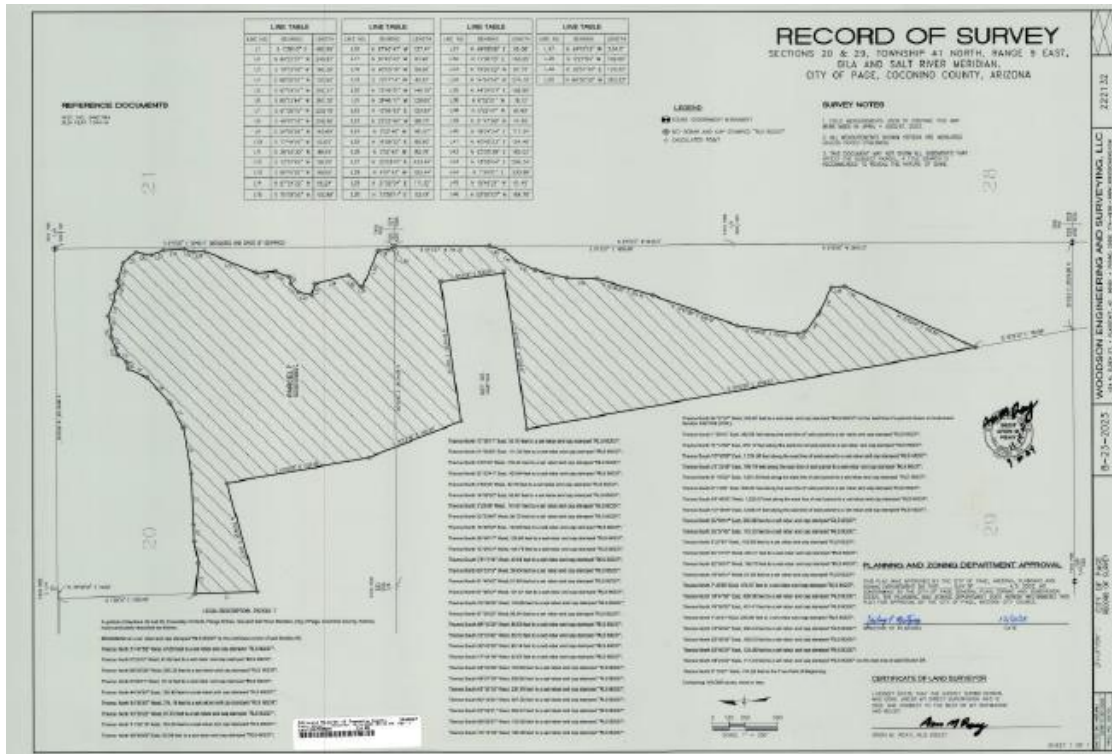


EXHIBIT F

Survey Plat & Legal Description for Newly Created Parcel #80110001N





**CITY OF PAGE
REQUEST FOR COUNCIL ACTION**

NEW BUSINESS 13.3.

City Council Regular Agenda

Meeting Date: 10/23/2024
Brief Title: Right of Way Access Agreement - Broadbent
Presented by: Josh Smith, City Attorney
Department: City Attorney
Action: Motion

RECOMMENDED ACTION:

Move to approve the Environmental Access Agreement with Broadbent & Associates and Joe Singh and authorize the Mayor to sign the agreement.

BACKGROUND:

Joe Singh is the owner of 3 gas monitoring wells located in the City right of way. Broadbent must access those wells to perform testing and submit results to ADEQ. This agreement grants access to both parties for the purpose of maintenance, monitoring, and removal.

ALTERNATIVES CONSIDERED:

N/A

ADVISORY BOARD / COMMISSION ACTION:

N/A

Fiscal Impact

Fiscal Year: 24-25
Budget Impact:
\$500

Attachments

Agreement

ENVIRONMENTAL ACCESS AGREEMENT

This Environmental Access Agreement (“Access Agreement”) is entered into and becomes effective on October __, 2024 (“Effective Date”), by and between the City of Page, an Arizona municipal corporation (“Grantor”), Joe Singh (“Well Owner”), and Broadbent & Associates (“Grantee”). Grantor, Well Owner, and Grantee are referred to herein individually as a “Party” and together as the “Parties.”

RECITALS

- A. **WHEREAS**, Well Owner has installed three (3) groundwater monitoring wells, MW-8, MW-9, and MW-10, in Grantor’s rights-of-way in the locations depicted in Exhibit A, and the Grantor desires to grant Well Owner and Grantee access to the right-of-way for purposes of the work as described herein; and
- B. **WHEREAS**, the Parties agree that Well Owner and Grantee shall have access to the rights-of-way located on Lake Powell Boulevard and on South Navajo Drive, Page, Arizona for the purpose of monitoring, sampling, maintenance and the decommissioning and abandonment of the three (3) existing groundwater monitoring wells.
- C. **WHEREAS**, The Parties desire to state the terms upon which Well Owner, Grantee and their contractors may enter upon and use the ROW.

AGREEMENT

Now, therefore, the Parties agree as follows:

- 1. Recitals. The Recitals and Exhibit are incorporated into and made a material part of this Access Agreement.
- 2. Warranty of Ownership. Grantor is the only owner of, and holds equitable and legal title to, and has possession of the ROW. Grantor has the authority to enter into this Access Agreement.
- 3. Grant of Right of Access. Grantor grants to Well Owner and Grantee and their contractors the right to enter on, use, and occupy the ROW for the purpose of conducting the work outlined in this Agreement and for no other purpose whatsoever. This Access Agreement is intended and shall be construed as a license; not an easement. The Parties agree that this Access Agreement does not create any partnership, joint venture, business enterprise, agency, or similar relationship between Grantee, Well Owner, and Grantor. If access to the ROW is restricted, Grantor will have any entry gate or door opened at Well Owner or Grantee’s request. Grantee and Well Owner shall bear the cost of all of their work.

4. Compensation. In consideration for this grant of access, Grantee shall pay to Grantor Five Hundred Dollars (\$500) within ten calendar days of the Effective Date of this Access Agreement.
5. Grant of Right to Sample Grantee Well. Grantee grants to Grantor the right to access and sample all wells installed as part of its work. Grantor shall use reasonable efforts to give Grantee at least two (2) weeks prior notice of the sampling event. Grantor shall ensure that all sampling events are conducted in compliance with all applicable federal, state, and local laws, rules, and regulations, including the acquisition of any permits required for road closures.
6. Collection of Split Samples. The Parties shall be given the opportunity to collect split samples during the other Party's sampling event of all wells. Should either Party choose to collect split samples, such Party shall bring its own sample bottles and shall be responsible for sample preservation, chain of custody, transport of the samples to a laboratory for analysis, and all associated analysis costs.
7. Duty of Care. The Parties may use the ROW to an extent not inconsistent with this Access Agreement. Well Owner and Grantee shall use reasonable efforts not to hinder or interfere with any permitted activity conducted in the ROW by Grantor. Well Owner and Grantee shall not damage or tamper with any equipment, utilities, or other things located on the ROW without Grantor's prior consent except as specifically permitted herein.
8. Notice of Activities. Well Owner or Grantee shall give Grantor at least two (2) weeks prior notice of the work that it intends to conduct in the ROW. Well Owner or Grantee shall ensure that all work is conducted in compliance with all applicable federal, state, and local laws, rules, and regulations.
9. Notices Required Under This Access Agreement. Any notice provided for herein or otherwise required to be given hereunder if given by telephone shall be deemed effective at the time the telephone call is received, or if given in writing, when personally served or three (3) days after mailing by certified or registered United States mail, return receipt requested, postage prepaid, or by facsimile machine, with transmission and receipt confirmed, or by nationally recognized overnight delivery service, addressed as follows:

To Grantor: City Attorney
P.O. Box 1180
Page, Arizona 86040
Attention: City Attorney
Telephone: (928) 645-8861
Facsimile: (928) 645-4250

To Grantee: Broadbent & Associates
8 W. Pacific Avenue

Henderson, NV 89015

Well Owner: Joe Singh

Wherever used in this Access Agreement, “days” means calendar days, excluding Saturdays, Sundays, and legal holidays.

If either Party changes its telephone number or mailing address for purposes of notice under this Access Agreement, written notice of the change shall be promptly given to the other Party.

10. Reports. A Party who collects samples and conducts analysis pursuant to this Access Agreement agrees to provide the other Party if requested, free of charge, a copy of the results of such analysis within two (2) weeks of receipt of the results.
11. Insurance. While this Access Agreement is in effect, Grantee shall maintain insurance. Well Owner or its contractors shall also maintain insurance in the amounts and coverages required of Grantee below.

Grantee, at its own expense, shall purchase and maintain the herein stipulated minimum insurance with companies duly licensed and subject to legal process within the State of Arizona, possessing a current A.M. Best, Inc. Rating of A- or better.

All insurance required herein shall be maintained in full force and effect until all work or services required to be performed under the terms of this Access Agreement are satisfactorily completed; failure to do so may, at the sole discretion of Grantor, constitute a material breach of this Access Agreement.

Grantee’s insurance shall be primary insurance in regard to the Grantor, and any insurance or self-insurance maintained by Grantor shall not contribute to it. The insurance policies shall contain a waiver of transfer rights of recovery (subrogation) against Grantor, its agents, officers, officials and employees for any claims arising out of Grantee’s acts, errors, mistakes, omissions, work or services. The Grantor shall be named as an additional insured.

Prior to commencing work or services under this Access Agreement, Grantee shall furnish the Grantor with Certificates of insurance, or formal endorsements as required by this Access Agreement, issued by Grantee’s

insurer(s), as evidence that policies providing the required coverage, conditions and limits required herein are in full force and effect.

If a policy does expire during the life of this Access Agreement, a renewal certificate must be sent to Grantor fifteen days prior to the expiration date. Insurance required herein shall not expire, be cancelled, or materially changed without thirty (30) days written notice to Grantor.

The Grantee shall carry at all times the following insurance coverage:

Comprehensive Commercial General Liability:

Limits: Combined single Limit Bodily Injury/Property damage - not less than \$2,000,000.

Automobile Liability:

Combined Single Limit Per Accident for Bodily Injury and Property Damage - not less than \$1,000,000.

Workers' Compensation:

The Grantee shall carry Workers' Compensation insurance to cover obligations imposed by federal and state statutes having jurisdiction over the Grantee's employees engaged in the performance of the work or services; and, Employer's Liability insurance of not less than \$100,000 for each accident, \$100,000 disease for each employee, and \$500,000 disease policy limit.

In case any work is contracted or subcontracted, this Access Agreement will require the contractor or subcontractor to provide Workers' Compensation and Employer's Liability to at least the same extent as required of this Grantee.

12. Indemnity. Well Owner and Grantee agree that they will indemnify and hold Grantor harmless from and against any claims, demands, actions, suits, judgments, losses, damages, costs or expenses incurred as a result of personal injury, ROW damage, civil penalties or fines to the extent proximately caused in whole or in part by the negligent acts or omissions of Well Owner or Grantee or their authorized contractors and employees in conducting the work. However, this indemnity and hold harmless obligation shall not apply to any such claims, demands, actions, suits, judgments, losses, damages, costs, or expenses to the extent caused by the negligence or willful misconduct of Grantor. This indemnity is expressly conditioned on the following:

- (a) In the event Grantor shall identify any matter to which this indemnity may apply or receive a notice or claim from any third party of such matter, it shall immediately, and in every case within

forty-five (45) days of said notice or claim, notify Well Owner and Grantee in writing of such matter.

- (b) Grantor shall cooperate with Well Owner and Grantee by allowing Well Owner and Grantee, their agents, representatives, contractors and consultants prompt and ready access to the ROW for the purpose of investigating any matter to which this indemnity may apply. Grantor shall provide Well Owner and Grantee with copies of all investigative reports, data, or other information in any form which Grantor, its consultants or attorneys may have pertaining to any such matter, upon request of Well Owner or Grantee.
13. Permits. Well Owner or Grantee shall obtain any permit and pay any fee that is required to conduct any work under this Access Agreement.
14. Restoration of the Property. Well Owner or Grantee at its own cost shall promptly repair any material damage it causes to the ROW related to a well or any of their work. Within five (5) calendar days of receiving written notice sent by Grantor that maintenance and/or repairs are required at a well location, Well Owner or Grantee will conduct such maintenance and/or repairs at their own cost. Within three (3) calendar days of completing the maintenance and/or repairs, Well Owner or Grantee will provide Grantor with documentation of said maintenance and/or repairs being completed. Should Well Owner or Grantee fail or refuse to conduct the maintenance and/or repairs as required herein, Grantor, at its discretion, may conduct the maintenance and/or repairs. Within five (5) calendar days of receipt of an invoice from Grantor, Well Owner or Grantee shall fully reimburse Grantor for all costs and fees incurred in conducting the maintenance and/or repairs.

Well Owner Grantee may abandon any well it installed or installs on the ROW. However, prior to abandonment of any well, Grantor will be given thirty (30) days' notice with an option to take ownership of the well. If Grantor does not notify Well Owner or Grantee of its intent to take ownership of the well within thirty (30) days, then such abandonment shall be conducted by Well Owner or Grantee in accordance with Arizona Department of Water Resources' rules for well abandonment and any and all other local, state or federal rules and regulations.

For wells located outside of an easement, such abandonment shall be conducted by the Well Owner or Grantee in accordance with local, state, and federal rules and regulations and the Arizona Department of Water Resources' rules for well abandonment by "removal;" but, at the discretion of Grantor, at a minimum Well Owner or Grantee will remove the well casing, pipes and ancillary equipment installed within the top 20 feet from ground surface. Upon abandonment, for all wells and underground pipes permitted by Grantor to remain on the ROW, such wells and underground pipes shall be in a condition that does not interfere with pedestrian or vehicular traffic on the ROW.

15. Well Abandonment at Termination of the Agreement. Thirty days prior to the termination of the Access Agreement, Well Owner or Grantee will offer ownership of any remaining wells on the ROW to the Grantor. If Grantor does not accept ownership within the thirty days, Well Owner or Grantee will abandon said wells pursuant to paragraph 14 above.
16. Transfer of Well to Grantor. Should Grantor request to take ownership of well(s) pursuant to Paragraphs 14 and 15 above, as consideration for Grantor's grant of an access license under this Access Agreement, Well Owner or Grantee agrees to identify and transfer legal title to Grantor of well(s). Legal title to the well(s) shall be transferred to Grantor by quit claim deed, or other appropriate instrument, that may be recorded in the county where the ROW is located. The transfer of ownership of the identified well(s) to Grantor will be in "as is" condition with no warranties express, or implied, as to the condition of the well or suitability of the well for any specific purpose or use. Ownership of the well(s) shall not be transferred to Grantor unless and until Well Owner or Grantee determines that the well(s) is (are) no longer needed for the work as described herein.
17. No Admission of Liability. By entering into this Access Agreement, Grantor does not admit any liability for any contamination on the ROW or in the groundwater thereunder.
18. Cancellation. This Access Agreement may be canceled pursuant to A.R.S. § 38-511.
19. Compliance with Government Requirements. Well Owner and Grantee warrant compliance with all Federal immigration laws and regulations relating to employees and subcontractors and warrant their compliance with A.R.S. § 41-4401, incorporated herein by reference, including the E-verify program. A breach of this provision shall be deemed a material breach of the Access Agreement and is subject to penalties up to and including termination of the Access Agreement. Grantor retains the legal right to inspect the papers of Well Owner or Grantee or any subcontractor employee who works under the Access Agreement to ensure compliance with this provision.
20. Certification. Pursuant to A.R.S. §35-394, incorporated herein by reference, Well Owner and Grantee certify that they do not currently, and agree for the duration of the Access Agreement that they will not, use:
 - (a) The forced labor of ethnic Uyghurs in the People's Republic of China.
 - (b) Any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China.

(c) Any contractors, subcontractors or suppliers that use the forced labor or any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China.

If Well Owner or Grantee become aware during the term of the Access Agreement that they are not in compliance with the written certification, they shall notify Grantor within five business days after becoming aware of the noncompliance. If Well Owner or Grantee does not provide Grantor with a written certification that they have remedied the noncompliance within one hundred eighty days after notifying the Grantor of the noncompliance, the Access Agreement terminates.

21. Default. If any Party defaults under this Access Agreement and the default continues for more than ten (10) days after the effective date of written notice stating the specific nature of the default, then the other Party may treat the default as a material breach of this Access Agreement and may exercise any remedy available to it under any local, state and federal law, rule, and regulation. Notwithstanding the foregoing, if Well Owner or Grantee determines that its default should not or cannot be cured within the ten-day notice period, then the default shall be deemed cured if Well Owner or Grantee commences efforts to cure the default within the ten-day notice period.
22. Dispute Resolution. To the extent required by A.R.S. § 12-1518(B), the Parties shall resolve any breach or dispute arising out of this Access Agreement by arbitration. Proper venue for any civil action, proceeding, or arbitration arising out of this Access Agreement shall be Coconino County, Arizona.
23. Governing Law. This Access Agreement shall be interpreted and enforced according to the laws of the State of Arizona.
24. Entire Agreement. This Access Agreement expresses the entire agreement of the Parties. No modification of this Access Agreement is valid or enforceable unless the terms of the modification are in writing and signed by the Parties.
25. Successors and Assigns. This Access Agreement binds and inures to the benefit of the Parties and their agents, heirs, successors, assigns, transferees, executors, and personal representatives.
26. Reservation of Rights. Notwithstanding any provision of this Access Agreement, Grantor retains all access rights and all other rights and remedies provided under any applicable law, statute, rule, and regulation.
27. Effective Date. This Access Agreement is effective on the date stated in the first paragraph of this Access Agreement.
28. Term and Termination. This Access Agreement shall continue for a period of three (3) years from the Effective Date. Thereafter, Well Owner and Grantee may

elect to renew this Access Agreement for up to two (2) additional years upon written request to Grantor no less than thirty (30) days before expiration. Any further requests for extension requires the prior written consent of Grantor and a written amendment to this Access Agreement.

- 29. Miscellaneous. The Parties agree that neither is relying on any promise, agreement, or representation made by the other Party except as stated in this Access Agreement.

- 30. Counterparts. This Access Agreement may be signed in counterparts, each of which shall be treated as an original but which, when taken together, shall constitute one and the same Instrument.

CITY OF PAGE,
An Arizona municipal corporation, Grantor

BROADBENT & ASSOCIATES,
Grantee

By: _____
Mayor

By: _____

Date: _____

Date: _____

WELL OWNER,

Date: _____

APPROVED AS TO FORM:

By: _____
Joshua Smith
City Attorney

ATTEST

By: _____
Cindy Scott
City Clerk

This aerial map displays a residential neighborhood with several monitoring wells. The wells are labeled as follows:

- MW-1** through **MW-8**: Located in the central and upper-left portions of the map.
- PMW-9** through **PMW-11**: Located in the lower-left, lower-right, and upper-right portions of the map.

Concentric circles centered on **MW-2** indicate distances of 100, 1,000, and 10,000 feet. A dashed line labeled "0.10" is also present, likely representing a specific contour or boundary.

PMW-9

0.10

0.10

Prepared by: CP Reviewed by: CC Date: 3-21-24

(November 14, 2023)

Page, Arizona
Project No. 23-01-148-201

2



**CITY OF PAGE
REQUEST FOR COUNCIL ACTION**

EXECUTIVE SESSIONS 16.1.

City Council Regular Agenda

Meeting Date: 10/23/2024
Brief Title: Discussion of Block 17 Development
Presented by: Darren Coldwell, City Manager
Department: City Manager
Action: Motion

RECOMMENDED ACTION:

TBD

BACKGROUND:

N/A

ALTERNATIVES CONSIDERED:

N/A

ADVISORY BOARD / COMMISSION ACTION:

N/A

Fiscal Impact

Fiscal Year: 2024
Amount Requested: N/A
Line Item(s): N/A
Budget Impact:
There is no fiscal impact.



**CITY OF PAGE
REQUEST FOR COUNCIL ACTION**

EXECUTIVE SESSIONS 16.2.

City Council Regular Agenda

Meeting Date: 10/23/2024

Brief Title: Potential Land Sale of a Portion of Parcel No. 80220005A

Presented by: Josh Smith, City Attorney

Department: City Clerk

Action: Other

RECOMMENDED ACTION:

TBD

BACKGROUND:

Confidential

ALTERNATIVES CONSIDERED:

N/A

ADVISORY BOARD / COMMISSION ACTION:

N/A

Attachments
