

AGENDA

4:30 P.M.

CITY OF SEDONA, CITY COUNCIL MEETING

TUESDAY, JANUARY 9, 2018

NOTES:

- Public Forum:
Comments are generally limited to **3 minutes**.
- Consent Items:
Items listed under Consent Items have been distributed to Council Members in advance for study and will be enacted by one motion. Any member of the Council, staff or the public may remove an item from the Consent Items for discussion. Items removed from the Consent Items may be acted upon before proceeding to the next agenda item.
- Meeting room is wheelchair accessible. American Disabilities Act (ADA) accommodations are available upon request. Please phone 928-282-3113 at least two (2) business days in advance.
- City Council Meeting Agenda Packets are available on the City's website at:

www.SedonaAZ.gov

GUIDELINES FOR PUBLIC COMMENT

PURPOSE:

- To allow the public to provide input to the City Council on a particular subject scheduled on the agenda.
- This is not a question/answer session.

PROCEDURES:

- Fill out a "Comment Card" and deliver it to the City Clerk.
- When recognized, use the podium/microphone.
- State your:
 1. Name and
 2. City of Residence
- Limit comments to **3 MINUTES**.
- Submit written comments to the City Clerk.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE/ROLL CALL


2. CITY'S VISION/MOMENT OF ART

3. CONSENT ITEMS - APPROVE

LINK TO DOCUMENT = 

- a. Minutes - December 12, 2017 City Council Regular Meeting. 
- b. Minutes - December 13, 2017 City Council Special Meeting. 
- c. Minutes - December 14, 2017 City Council Special Meeting. 
- d. AB 2322 Approval of a Special Event Liquor License for Red RockAppella for a concert and fundraiser scheduled for Saturday, February 17, 2018, from 1:00 to 8:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ. 
- e. AB 2323 Approval of a Special Event Liquor License for Rotary Club of Sedona Red Rocks for a beer tent in the finish line festival area of the Sedona Marathon scheduled for Saturday, February 3, 2018, from 8:00 a.m. to 5:00 p.m. on Navoti Drive, Sedona, AZ. 
- f. AB 2324 Approval of a Special Event Liquor License for Red Earth Theatre for an art show closing and dance party scheduled for Friday, January 26, 2018, from 7:00 to 10:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ. 
- g. AB 2327 Approval of a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Tuesday, February 13, 2018, from 5:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ. 
- h. AB 2328 Approval of a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Friday, February 16, 2018, from 6:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ. 

4. APPOINTMENTS

- a. AB 2330 Discussion/possible action regarding the reappointment of members to the Personnel Board. 



5. SUMMARY OF CURRENT EVENTS BY MAYOR/COUNCILORS/CITY MANAGER

6. PUBLIC FORUM

(This is the time for the public to comment on matters not listed on the agenda. The City Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.)

7. PROCLAMATIONS, RECOGNITIONS & AWARDS - None.



8. REGULAR BUSINESS

- a. AB 2307 Presentation regarding the possible extension of the Yavapai County 1/4 cent jail tax. 
- b. AB 2331 Public hearing/discussion/possible action regarding a resolution and ordinance amending the City Tax Code Article IV to temporarily increase the City's Transaction Privilege Tax by .5%, and to dedicate those tax receipts to transportation projects and related administrative and operating expenses. 

CITY COUNCIL CHAMBERS
102 ROADRUNNER DRIVE, SEDONA, AZ

The mission of the City of Sedona government is to provide exemplary municipal services that are consistent with our values, history, culture and unique beauty.

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- c. AB 2329 **Discussion/possible action** regarding proposed changes to the Planning and Zoning Commission's Operating Rules and Procedures. 
- d. AB 2321 **Discussion/possible action** regarding a resolution and ordinance amending the Sedona City Code, Chapter 5, relating to Short Term Rental Regulations. 
- e. **Reports/discussion** on Council assignments.
- f. **Discussion/possible action** on future meeting/agenda items.

9. EXECUTIVE SESSION

If an Executive Session is necessary, it will be held in the Vultee Conference Room at 106 Roadrunner Drive. Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:

- a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).
- b. Return to open session. Discussion/possible action on executive session items.

10. ADJOURNMENT

Posted: _____

By: _____

Susan L. Irvine, CMC
City Clerk

Note: Pursuant to A.R.S. § 38-431.02(B) notice is hereby given to the members of the City Council and to the general public that the Council will hold the above open meeting. Members of the City Council will attend either in person or by telephone, video, or internet communications. The Council may vote to go into executive session on any agenda item, pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney. Because various other commissions, committees and/or boards may speak at Council meetings, notice is also given that four or more members of these other City commissions, boards, or committees may be in attendance.

A copy of the packet with material relating to the agenda items is typically available for review by the public in the Clerk's office after 1:00 p.m. the Thursday prior to the Council meeting and on the City's website at www.SedonaAZ.gov. The Council Chambers is accessible to people with disabilities, in compliance with the Federal 504 and ADA laws. Those with needs for special typeface print, may request these at the Clerk's Office. All requests should be made **forty-eight hours** prior to the meeting.

CITY COUNCIL CHAMBERS
102 ROADRUNNER DRIVE, SEDONA, AZ

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, December 12, 2017, 4:30 p.m.

1. Call to Order/Pledge of Allegiance/Moment of Silence/Roll Call

Mayor Moriarty called the meeting to order at 4:30 p.m.

Roll Call: Mayor Sandy Moriarty, Vice Mayor Martinez, Councilor John Currivan, Councilor Scott Jablow, Councilor Tom Lamkin, and Councilor Jon Thompson. Councilor Joe Vernier was absent and excused.

Staff Present: City Manager Justin Clifton, Assistant City Manager Karen Osburn, City Attorney Robert Pickels, Jr., Associate City Attorney Robert Pollock, Director of Community Development Audree Juhlin, Senior Planner Cari Meyer, Senior Planner Mike Raber, Director of Public Works and City Engineer Andy Dickey, Associate Engineer James Crowley, Assistant Engineer Ryan Mortillaro, Commander Ron Bayne, Arts and Culture Coordinator Nancy Lattanzi, City Clerk Susan Irvine.

2. City's Vision/Moment of Art

A video of the City's Vision was played.

Nancy Lattanzi introduced Mary Helsapple, a local artist whose paintings are currently on display in the Council Chambers. Ms. Helsapple spoke about her paintings and the process behind creating her artwork.

3. Consent Items

- a. **Minutes - November 28, 2017 City Council Regular Meeting.**
- b. **Minutes - November 29, 2017 City Council Special Meeting - Executive Session.**
- c. **Minutes - November 29, 2017 City Council Special Meeting.**
- d. **Approval of Proclamation, Civil Air Patrol Week, December 11-17, 2017.**
- e. **AB 2318 Approval of recommendation regarding a new Series 12 Restaurant Liquor License application for Outlaw Grille located at 255 N SR 89A, Sedona, AZ (License #12033445).**
- f. **AB 2296 Approval of an Extension of Premises for Sedona Divine Olive Oils located at 270 N. State Route 89A, #5, Sedona, AZ (License #10033232).**
- g. **AB 2325 Approval of a Resolution opposing cuts to federal funding for economic and community development, human services, community action, housing, and infrastructure investment programs.**

Motion: Vice Mayor Martinez moved to approve consent items 3a, 3b, 3c, 3d, 3e, 3f, and 3g. Seconded by Councilor Thompson. Vote: Motion carried unanimously with six (6) in favor and zero (0) opposed.

4. Appointments – None.

5. Summary of Current Events by Mayor/Councilors/City Manager

Councilor Jablow stated that the Breakfast with Santa event last weekend was excellent and commended staff for their hard work. Vice Mayor Martinez advised that Sedona

Northern Lights will take place on Thursday, Friday, and Saturday at 6:00, 7:00, 8:00, and 9:00 p.m. in Uptown. He encouraged everyone to attend this premiere event and observe the light show. Mayor Moriarty stated that there is a new exhibit at the Sedona Heritage Museum which opened last week. This past weekend was also the Loving Bowls event and the Luminarias at Tlaquepaque. A Sweet Stroll event is upcoming on December 16th at Tlaquepaque.

6. Public Forum

Don Fries, Sedona, Healthy World Sedona Co-Founder, stated that the Health & Nutrition Conference will take place on January 18th and 19th at L'Auberge. This will be followed by Vegfest on January 20th and 21st at the Sedona Performing Arts Center where they will celebrate the joys and tastes of plant based living. More information can be obtained at their website, healthyworldsedona.com.

7. Proclamations, Recognitions, and Awards

a. Presentation of Proclamation, Civil Air Patrol Week, December 11-17, 2017.

Mayor Moriarty read the proclamation and presented it to Major Victor La Sala. He thanked the City Council for the proclamation and provided information on the Civil Air Patrol.

8. Regular Business

a. AB 2319 Public hearing/discussion/possible action regarding a request for approval of a Zone Change from C-2 (General Commercial) to RM-3 (High Density Multifamily Residential) and Development Agreement to allow for the development of a 45 unit apartment complex. The property is located at 3285 W State Route 89A, at the southeastern corner of the intersection of W State Route 89A and Pinon Drive. APN: 408-11-086A Applicant: Keith Holben, MK Company, Inc. Case Number: PZ17-00009 (ZC, DA).

Presentation by Cari Meyer, Audree Juhlin, applicant Keith Holben, and project architect Brian Anderson.

Questions from Council.

Break at 6:00 p.m. Reconvened at 6:15 p.m.

Opened the public hearing at 6:16 p.m.

The following spoke on this item: Jenn Thompson, Sedona, Marcia Carey Caldwell, Sedona, Linda Martinez, Sedona, Cheryl Barron, Sedona, Ron Martinez, Sedona, and Christine McCabe, Sedona.

Brought back to Council at 6:31 p.m.

Further questions and comments from Council.

Closed the public hearing at 6:49 p.m.

Motion: Councilor Thompson moved to approve Resolution No. 2017-31, creating a public record entitled "PZ 17-00009 Pinon/89A Apartments, Zoning Map, Legal Description and Conditions of Approval". Seconded by Councilor Jablow. Vote: Motion carried unanimously with six (6) in favor and zero (0) opposed.

Motion: After 1st reading, Councilor Thompson moved to approve Ordinance No. 2017-09 regarding Case Number PZ 17-00009 (ZC), rezoning the property identified herein from its present designation of C-2 (General Commercial) to RM-3 (High Density Multifamily Residential), based on conformance with the requirements for approval of a zone change, consistency and conformance with the Community Plan and subject to all applicable ordinance requirements. Seconded by Councilor Jablow. Vote: Motion carried unanimously with six (6) in favor and zero (0) opposed.

Motion: Councilor Thompson moved to approve Resolution No. 2017-32 as amended authorizing the Development Agreement between the City of Sedona and Pinon Lofts, LLC. Seconded by Councilor Jablow. Vote: Motion carried unanimously with six (6) in favor and zero (0) opposed.

b. Reports/discussion on Council assignments

Councilor Jablow stated that directors for the Airport Board have changed effective in January.

c. Discussion/possible action on future meeting/agenda items

Mayor Moriarty advised that there a work session tomorrow at 3:00 p.m. and a budget retreat on Thursday beginning at 8:30 a.m.

9. Executive Session

Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:

- a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).**
- b. Return to open session. Discussion/possible action on executive session items.**

No Executive Session was held.

10. Adjournment

Mayor Moriarty adjourned the meeting at 6:57 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on December 12, 2017.

Susan Irvine, CMC, City Clerk

Date

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**Action Minutes
Special City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Wednesday, December 13, 2017, 3:00 p.m.**

1. Call to Order/Pledge of Allegiance/Moment of Silence

Mayor Moriarty called the meeting to order at 3:00 p.m.

2. Roll Call

Roll Call: Mayor Sandy Moriarty, Vice Mayor John Martinez, Councilor John Currivan, Councilor Scott Jablow, Councilor Tom Lamkin, and Councilor Jon Thompson. Councilor Joe Vernier was absent and excused.

Staff Present: City Manager Justin Clifton, Assistant City Manager Karen Osburn, City Attorney Robert Pickels, Jr., Associate City Attorney Robert Pollock, Director of Public Works and City Engineer Andy Dickey, Director of Community Development Audree Juhlin, Right of Way Specialist Victor Estrada, Deputy City Clerk JoAnne Cook.

3. Special Business

- a. AB 2287 Discussion/possible direction regarding amendments to the Wireless Communications Facilities Ordinance, Sedona Land Development Code, Article 17, to be consistent with changes in federal and state regulations; and the review and consideration of a draft Wireless Communications Master Plan.**

Introduction by Karen Osburn. Presentation by Karen Osburn, Justin Clifton, Susan Rabold, Project Manager CityScape Consultants, Inc., and Anthony Lepore, Esq., Partner CityScape Consultants, Inc.

Questions and comments from Council.

Council agreed that another work session is needed to consider this item.

4. Discussion/possible action on future meeting/agenda items

Mayor Moriarty advised that there is a meeting tomorrow at 8:30 a.m.

5. Executive Session

Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:

- a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).**
b. Return to open session. Discussion/possible action on executive session items.

No Executive Session was held.

6. Adjournment

Mayor Moriarty adjourned the meeting at 6:20 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on December 13, 2017.

JoAnne Cook, Deputy City Clerk

Date

Action Minutes
Special City Council Meeting/Budget Retreat
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Thursday, December 14, 2017, 8:30 a.m.

1. Call to Order, Pledge of Allegiance, & Moment of Silence

Mayor Moriarty called the meeting to order at 8:30 a.m.

2. Roll Call

Roll Call: Mayor Sandy Moriarty, Vice Mayor John Martinez, Councilor John Currivan, Councilor Scott Jablow, Councilor Tom Lamkin, and Councilor Jon Thompson. Councilor Joe Vernier was absent and excused.

Staff in attendance: City Manager Justin Clifton, Assistant City Manager Karen Osburn, City Attorney Robert Pickels, Jr., Director of Finance Cherie Wright, Budget & Accounting Supervisor Jessica Tucker, Director of Community Development Audree Juhlin, Public Works Director & City Engineer Andy Dickey, Wastewater Manager Roxanne Holland, City Clerk Susan Irvine.

Citizen's Budget Work Group members who were present at the meeting included Charlotte Hosseini, Anne Khoury, Holli Ploog, and Jessica Williamson.

3. Special Business

Cherie Wright introduced the new Budget & Accounting Supervisor Jessica Tucker.

a. Discussion/possible direction on the following:

i. Budget Calendar

Presentation by Cherie Wright.

ii. Budget Process

Presentation by Cherie Wright.

Questions from Council.

iii. Long-Range Forecasts

Presentation by Cherie Wright and Justin Clifton.

Questions and comments from Council.

Break at 10:12 a.m. Reconvened at 10:27 a.m.

Continuation of presentation with additional questions and comments from Council.

Break at 11:55 a.m. Reconvened at 12:36 p.m.

Continuation of presentation with additional questions and comments from Council.

iv. Council Priorities

Presentation by Justin Clifton.

Questions and comments from Council.

Opened to the public at 2:43 p.m.

The following spoke on this item: Jessica Williamson, Sedona.

Brought back to Council at 2:46 p.m.

Additional questions and comments from Council.

Reopened to the public at 2:52 p.m.

The following spoke on this item: Ron Martinez, Sedona.

Brought back to Council at 2:54 p.m.

Additional questions and comments from Council.

By majority consensus, Council directed staff to propose a line item amount for capital projects; bring forward decision packages and ideas related to housing (affordability/diversity) and environmental sustainability; to move short-term vacation rentals to a higher priority; and to keep the Dells CFA as a low priority.

4. Adjournment

Mayor Moriarty adjourned the meeting at 3:37 p.m.

I certify that the above are the true and correct actions of the Special City Council Retreat held on December 14, 2017.

Susan L. Irvine, CMC, City Clerk

Date



**CITY COUNCIL
AGENDA BILL**

**AB 2322
January 9, 2018
Consent Items**

Agenda Item: 3d
Proposed Action & Subject: Approval of a Special Event Liquor License for Red RockAppella for a concert and fundraiser scheduled for Saturday, February 17, 2018, from 1:00 to 8:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

Department	City Clerk
Time to Present	N/A
Total Time for Item	
Other Council Meetings	N/A
Exhibits	Special Event Liquor License Application is available for review in the City Clerk's office.

City Attorney Approval	Reviewed 01/02/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Approve a Special Event Liquor License for Red RockAppella.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: State liquor laws require the City of Sedona's governing body to approve or disapprove applications for a Special Event Liquor License [A.R.S. § 4-203.02.A].

Red RockAppella has submitted an application for a Special Event Liquor License for a concert and fundraiser that is scheduled for February 17, 2018, from 1:00 to 8:00 p.m. at The Sedona Hub, 525B Posse grounds Road, Sedona, AZ.

A Special Event Liquor License is a temporary, non-transferable, liquor license with retail privileges that allows a political or non-profit entity to sell and serve spirituous liquor for consumption on the premises where the spirituous liquor is sold, and only for the period authorized on the license. The applicant for a special event license must fill out a special event application and file the application with the local governing body where the special event is to take place, for approval or disapproval. If the application is approved by the local governing body, and the event meets the requirements for granting the license, the director may issue a special event license to the qualifying organization. Qualifying organizations will be granted a special event license for no more than ten (10) days in a calendar year. Events

must be held on consecutive days and at the same location or additional licenses will be required. The license is automatically terminated upon closing of the last day of the event or the expiration of the license, whichever occurs first. The qualified organization must receive at least twenty-five percent (25%) of the gross revenues of the special events.

Community Development, Finance, Parks and Recreation, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application. No objections were noted.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Do not approve a Special Event Liquor License for Red RockAppella for a concert and fundraiser scheduled for Saturday, February 17, 2018, from 1:00 to 8:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

MOTION

I move to: approve a Special Event Liquor License for Red RockAppella for a concert and fundraiser scheduled for Saturday, February 17, 2018, from 1:00 to 8:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.



**CITY COUNCIL
AGENDA BILL**

**AB 2323
January 9, 2018
Consent Items**

Agenda Item: 3e
Proposed Action & Subject: Approval of a Special Event Liquor License for Rotary Club of Sedona Red Rocks for a beer tent in the finish line festival area of the Sedona Marathon scheduled for Saturday, February 3, 2018, from 8:00 a.m. to 5:00 p.m. on Navoti Drive, Sedona, AZ.

Department	City Clerk
Time to Present	N/A
Total Time for Item	
Other Council Meetings	N/A
Exhibits	Special Event Liquor License Application is available for review in the City Clerk's office.

City Attorney Approval	Reviewed 01/02/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Approve a Special Event Liquor License for Rotary Club of Sedona Red Rocks for the Marathon event.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: State liquor laws require the City of Sedona's governing body to approve or disapprove applications for a Special Event Liquor License [A.R.S. § 4-203.02.A].

Rotary Club of Sedona Red Rocks has submitted an application for a Special Event Liquor License for a beer tent in the finish line festival area of the Sedona Sedona Marathon that is scheduled for February 3, 2018, from 8:00 a.m. to 5:00 p.m. on Navoti Drive, Sedona, AZ.

A Special Event Liquor License is a temporary, non-transferable, liquor license with retail privileges that allows a political or non-profit entity to sell and serve spirituous liquor for consumption on the premises where the spirituous liquor is sold, and only for the period authorized on the license. The applicant for a special event license must fill out a special event application and file the application with the local governing body where the special event is to take place, for approval or disapproval. If the application is approved by the local governing body, and the event meets the requirements for granting the license, the director may issue a special event license to the qualifying organization. Qualifying organizations will

be granted a special event license for no more than ten (10) days in a calendar year. Events must be held on consecutive days and at the same location or additional licenses will be required. The license is automatically terminated upon closing of the last day of the event or the expiration of the license, whichever occurs first. The qualified organization must receive at least twenty-five percent (25%) of the gross revenues of the special events.

Community Development, Finance, Parks and Recreation, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application. No objections were noted.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Do not approve a Special Event Liquor License for Rotary Club of Sedona Red Rocks for a beer tent in the finish line festival area of the Sedona Marathon scheduled for Saturday, February 3, 2018, from 8:00 a.m. to 5:00 p.m. on Navoti Drive, Sedona, AZ.

MOTION

I move to: approve a Special Event Liquor License for Rotary Club of Sedona Red Rocks for a beer tent in the finish line festival area of the Sedona Marathon scheduled for Saturday, February 3, 2018, from 8:00 a.m. to 5:00 p.m. on Navoti Drive, Sedona, AZ.



**CITY COUNCIL
AGENDA BILL**

**AB 2324
January 9, 2018
Consent Items**

Agenda Item: 3f
Proposed Action & Subject: Approval of a Special Event Liquor License for Red Earth Theatre for an art show closing and dance party scheduled for Friday, January 26, 2018, from 7:00 to 10:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

Department	City Clerk
Time to Present	N/A
Total Time for Item	
Other Council Meetings	N/A
Exhibits	Special Event Liquor License Application is available for review in the City Clerk's office.

City Attorney Approval	Reviewed 01/02/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Approve a Special Event Liquor License for Red Earth Theatre.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: State liquor laws require the City of Sedona's governing body to approve or disapprove applications for a Special Event Liquor License [A.R.S. § 4-203.02.A].

Red Earth Theatre has submitted an application for a Special Event Liquor License for an art show closing and dance party that is scheduled for January 26, 2018, from 7:00 p.m. to 10:00 p.m. at The Sedona Hub, 525B Posse grounds Road, Sedona, AZ.

A Special Event Liquor License is a temporary, non-transferable, liquor license with retail privileges that allows a political or non-profit entity to sell and serve spirituous liquor for consumption on the premises where the spirituous liquor is sold, and only for the period authorized on the license. The applicant for a special event license must fill out a special event application and file the application with the local governing body where the special event is to take place, for approval or disapproval. If the application is approved by the local governing body, and the event meets the requirements for granting the license, the director may issue a special event license to the qualifying organization. Qualifying organizations will be granted a special event license for no more than ten (10) days in a calendar year. Events

must be held on consecutive days and at the same location or additional licenses will be required. The license is automatically terminated upon closing of the last day of the event or the expiration of the license, whichever occurs first. The qualified organization must receive at least twenty-five percent (25%) of the gross revenues of the special events.

Community Development, Finance, Parks and Recreation, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application. No objections were noted.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Do not approve a Special Event Liquor License for Red Earth Theatre for an art show closing and dance party scheduled for Friday, January 26, 2018, from 7:00 to 10:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

MOTION

I move to: approve a Special Event Liquor License for Red Earth Theatre for an art show closing and dance party scheduled for Friday, January 26, 2018, from 7:00 to 10:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.



**CITY COUNCIL
AGENDA BILL**

**AB 2327
January 9, 2018
Consent Items**

Agenda Item: 3g
Proposed Action & Subject: Approval of a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Tuesday, February 13, 2018, from 5:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

Department	City Clerk
Time to Present	N/A
Total Time for Item	
Other Council Meetings	N/A
Exhibits	Special Event Liquor License Application is available for review in the City Clerk's office.

City Attorney Approval	Reviewed 01/02/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Approve a Special Event Liquor License for Red Earth Theatre.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: State liquor laws require the City of Sedona's governing body to approve or disapprove applications for a Special Event Liquor License [A.R.S. § 4-203.02.A].

Red Earth Theatre has submitted an application for a Special Event Liquor License for a concert that is scheduled for February 13, 2018, from 5:00 to 9:00 p.m. at The Hub, 525B Posse Grounds Road, Sedona, AZ.

A Special Event Liquor License is a temporary, non-transferable, liquor license with retail privileges that allows a political or non-profit entity to sell and serve spirituous liquor for consumption on the premises where the spirituous liquor is sold, and only for the period authorized on the license. The applicant for a special event license must fill out a special event application and file the application with the local governing body where the special event is to take place, for approval or disapproval. If the application is approved by the local governing body, and the event meets the requirements for granting the license, the director may issue a special event license to the qualifying organization. Qualifying organizations will be granted a special event license for no more than ten (10) days in a calendar year. Events

must be held on consecutive days and at the same location or additional licenses will be required. The license is automatically terminated upon closing of the last day of the event or the expiration of the license, whichever occurs first. The qualified organization must receive at least twenty-five percent (25%) of the gross revenues of the special events.

Community Development, Finance, Parks and Recreation, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application. No objections were noted.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Do not approve a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Tuesday, February 13, 2018, from 5:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

MOTION

I move to: approve a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Tuesday, February 13, 2018, from 5:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.



**CITY COUNCIL
AGENDA BILL**

**AB 2328
January 9, 2018
Consent Items**

Agenda Item: 3h
Proposed Action & Subject: Approval of a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Friday, February 16, 2018, from 6:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

Department	City Clerk
Time to Present	N/A
Total Time for Item	
Other Council Meetings	N/A
Exhibits	Special Event Liquor License Application is available for review in the City Clerk's office.

City Attorney Approval	Reviewed 01/01/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Approve a Special Event Liquor License for Red Earth Theatre.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: State liquor laws require the City of Sedona's governing body to approve or disapprove applications for a Special Event Liquor License [A.R.S. § 4-203.02.A].

Red Earth Theatre has submitted an application for a Special Event Liquor License for a concert that is scheduled for February 16, 2018, from 6:00 to 9:00 p.m. at The Hub, 525B Posse Grounds Road, Sedona, AZ.

A Special Event Liquor License is a temporary, non-transferable, liquor license with retail privileges that allows a political or non-profit entity to sell and serve spirituous liquor for consumption on the premises where the spirituous liquor is sold, and only for the period authorized on the license. The applicant for a special event license must fill out a special event application and file the application with the local governing body where the special event is to take place, for approval or disapproval. If the application is approved by the local governing body, and the event meets the requirements for granting the license, the director may issue a special event license to the qualifying organization. Qualifying organizations will be granted a special event license for no more than ten (10) days in a calendar year. Events

must be held on consecutive days and at the same location or additional licenses will be required. The license is automatically terminated upon closing of the last day of the event or the expiration of the license, whichever occurs first. The qualified organization must receive at least twenty-five percent (25%) of the gross revenues of the special events.

Community Development, Finance, Parks and Recreation, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application. No objections were noted.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Do not approve a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Friday, February 16, 2018, from 6:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

MOTION

I move to: approve a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Friday, February 16, 2018, from 6:00 to 9:00 p.m. at The Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.



**CITY COUNCIL
AGENDA BILL**

**AB 2330
January 9, 2018
Appointments**

Agenda Item: 4a
Proposed Action & Subject: Discussion/possible action regarding the reappointment of members to the Personnel Board.

Department	City Clerk
Time to Present	2 minutes
Total Time for Item	5 minutes
Other Council Meetings	N/A
Exhibits	A. Applications

City Attorney Approval	Reviewed 01/02/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Reappoint three members to the Personnel Board.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: The Personnel Board advertised seeking applicants to fill three (3) open seats on the Board with an application deadline of November 30, 2017. The Board terms are three-year terms. The terms of Noel Marquis, Kathryn Losoff, and Kenneth Jepson expired October 31, 2017. A total of four eligible (4) applications were received, including those of current Board members, Noel Marquis, Kathryn Losoff, and Kenneth Jepson. The other applicant withdrew his application upon learning that the incumbents had reapplied.

The Selection Committee made up of Mayor Sandy Moriarty and Vice-Mayor John Martinez reviewed the applications and recommended the reappointment of Noel Marquis, Kathryn Losoff, and Kenneth Jepson to seats on the Personnel Board with terms beginning immediately and ending October 31, 2020 or until successors are appointed, whichever is later.

Community Plan Compliant: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Council may request that the vacancies to be reposted.

MOTION

I move to: appoint Noel Marquis, Kathryn Losoff, and Kenneth Jepson to seats on the Personnel Board with terms beginning immediately and ending October 31, 2020 or until a successor is appointed, whichever is later.

JoAnne Cook - Personnel Board

RECEIVED

From: Ken & Jill Jepson <[REDACTED]>
To: Brenda Tammarine <btammarine@sedonaaz.gov>
Date: 11/27/2017 6:09 PM
Subject: Personnel Board

NOV 28 2017
CITY OF SEDONA
CITY CLERK'S OFFICE

Brenda,

I am interested in staying on the Personnel Board.

Ken Jepson

Re-applied
to serve another
term

RECEIVED
NOV 28 2017

Received
SEP 09 2014
CITY OF SEDONA
CITY CLERK'S OFFICE



CITY OF SEDONA
CITY CLERK'S OFFICE

PERSONNEL BOARD APPLICATION

*We could not do our jobs without the help of our volunteers
and we thank you for your interest in serving on the
City of Sedona's Personnel Board.*

NAME: KENNETH R. JEPSON

ADDRESS: [REDACTED]

SEDONA, AZ 86336

PHONE: [REDACTED] **EMAIL ADDRESS:** [REDACTED]

1. Do you live within the incorporated boundaries of the City of Sedona?

Yes (X) No ()

2. If you live outside the incorporated boundaries of the City of Sedona, are you employed, own a business, or have substantial ties (e.g. own property) within the incorporated boundaries of the City of Sedona?

Yes () No ()

3. Have you previously been appointed to any board or commission by the City of Sedona?

Yes (X) No () **If yes, what and for what length of term?**

PERSONNEL BOARD 7 YEARS

WATER CONSERVATION BOARD 6 MONTHS (UNTIL BOARD DISBANDED)

**Personnel Board Application
Background Information for
Kenneth Jepson**

I retired from the Bay Area Rapid District. BART is a multi-county public transportation agency.

As the Data Center manager, I had responsibility for both hourly and salaried employees. Our mission was to provide computing services to other departments. I was also on the team that negotiated contract with the employee unions.

I was also the Vice President of the Supervisory and Professional Association, wherein I was on the team that negotiated terms of Association contracts with the District. I worked with our members, and various other department managers, in resolving personnel issues that arose. As a manager, and at the same time, an officer in the employee association, I sat on both sides of the table in dealing with employee discipline.

I served three years as a member of the Water Department Advisory Board, reporting to the City Council of the City of Pleasant Hill, CA. This Board advised the City Council on such matters as setting water service rates, and general guidelines for the operation of the Water Department.

While living in Sedona, I have been volunteering with the Food Bank, Canyon Moon Theatre, Water Conservation Advisory Board, Chamber of Commerce Visitor Center, and the Police Department.

JoAnne Cook - Re: Personnel Board Renewal

From: Brenda Tammarine
To: JoAnne Cook
Date: 11/16/2017 2:43 PM
Subject: Re: Personnel Board Renewal

RECEIVED

NOV 16 2017

CITY OF SEDONA
CITY CLERK'S OFFICE

FYI

:)

>>> Kappy Losoff <[REDACTED]> 11/16/2017 2:42 PM >>>

Hi Brenda,

Of course I would like to remain on the Board. It is to your great credit that we seldom need to meet, but " just in case" I would continue to enjoy the experience.

Friends,
Kappy Losoff

Get [Outlook for iOS](#)

From: Brenda Tammarine <BTammarine@sedonaaz.gov>
Sent: Thursday, November 16, 2017 2:36:14 PM
To: KappyLosoff [REDACTED]
Subject: Personnel Board Renewal

Hi Kappy,

Your Personnel Board assignment is up for renewal and we would love to have you back on (even though we never meet!).

If you are still interested in maintaining your seat, please send me an email of your interest.

Thanks!
Brenda

we applied to serve another term

RECEIVED

NOV 20 2017

CITY OF SEDONA
CITY CLERK'S OFFICE

PERSONNEL BOARD APPLICATION

Received
SEP 04 2014
CITY OF SEDONA
CITY CLERK'S OFFICE



*We could not do our jobs without the help of our volunteers
and we thank you for your interest in serving on the
City of Sedona's Personnel Board.*

NAME: Kathryn Losoff (Kappy)

ADDRESS: [Redacted]
Sedona, Az 86336

PHONE: [Redacted] EMAIL ADDRESS: [Redacted]

1. Do you live within the incorporated boundaries of the City of Sedona?

Yes (✓) No ()

2. If you live outside the incorporated boundaries of the City of Sedona, are you employed, own a business, or have substantial ties (e.g. own property) within the incorporated boundaries of the City of Sedona?

Yes () No ()

3. Have you previously been appointed to any board or commission by the City of Sedona?

Yes (✓) No () If yes, what and for what length of term?

I have served on the Personnel Board for
3 terms, and been elected Chairman during
this period.

4. Please tell us how your experiences would best qualify you for an appointment on the City of Sedona's Personnel Board.

During my active work life, I was V.P. of Human Resources / Support Services at at 3440 bed hospital in Aurora, Illinois I reached that position after a previous period of Director of Personnel, where I developed and implemented an Employee Appeal Committee to handle grievances expressed by employees related to suspension or termination of employment, prejudice or sexual harassment.

I have great respect for working men and women as well as the need for fair and unbiased personnel policies in any organization.

I am able to listen objectively and make recommendations based on written evidence and personal testimony in an appeal situation.

Thank you for considering me.

Please return your completed application and optional resume to the City Clerk's office located at 102 Roadrunner Drive, Sedona, Arizona 86336.

If you have questions about the application and selection process please call 928-282-3113.

For questions about the Personnel Board, please contact Human Resources at 928-203-5189.

All information submitted in this application is public information and subject to disclosure in response to a public records request.

KATHRYN STEWART LOSOFF

████████████████████
SEDONA, AZ 86336
████████████████████

EMAIL: ████████████████████

OBJECTIVE: To serve in a volunteer capacity in civic and/or community service organizations.

EMPLOYMENT HISTORY: PROVENA MERCY CENTER HOSPITAL, Aurora, Illinois,
1990- 2000 – VICE PRESIDENT, HUMAN RESOURCE & SUPPORT SERVICES
Duties involved directing all Human Resource functions, as well as being administratively responsible for the departments of Education, Development, Public Relations, Volunteers, Food Service, Environmental Services, Engineering, Laboratory and Occupational health. Member of 6 person Executive Team which ensured overall quality of healthcare delivered at our 340 bed hospital.

1986-1990 – VICE PRESIDENT, HUMAN RESOURCES
Duties involved directing all HR functions, including employment, employee relations, compensation, risk management, labor relations, benefits and payroll.

1978 – 1986 – DIRECTOR OF PERSONNEL
Duties involved recruitment and retention, policy interpretation, monitoring and reducing unemployment costs, administration of employee pension program and other related activities

Prior to 1978 – Personnel Assistant Positions for Western Electric Company and for St. Clare's Hospital, Denville, New Jersey

EDUCATION: NORTH CENTRAL COLLEGE, Naperville, Illinois- B.S., Business Administration
AURORA UNIVERSITY, Aurora, Illinois – Master's Level courses in Labor Relations, Finance, Economics, Computer Technology and Marketing.
Continuing Education credits from the American College of Hospital Executives, the American Society for Hospital Personnel Administration.

PROFESSIONAL
& COMMUNITY
ACTIVITIES

In Sedona:

Chairperson, Personnel Relations Board, City of Sedona, 2005-2014.

Current Board Secretary; Benefactors of Red Rock State Park; Membership chairperson, hike leader and environmental education resource to visitors.

Former Patient Volunteer and Office Assistance, RTA Hospice. Tutor in Literacy Program, 2003-2005.

In Illinois:

Campaign Leader in the United Way Campaign of Aurora, Illinois. Executive Board Member, Fox Valley Hospice.

Chairman of the Older Adult Board of Family Counseling.

Board member of the Aurora YWCA and the Fox Valley Symphony.

Guest speaker at Aurora University on Human Resource issues.

Book reviewer for suburban newspaper, The Aurora Beacon.

Editor of not-for-profit newsletters.

References Available on Request

JoAnne Cook - Re: Personnel Board

From: Brenda Tammarine
To: JoAnne Cook
Date: 11/16/2017 6:22 PM
Subject: Re: Personnel Board

RECEIVED

NOV 20 2017

CITY OF SEDONA
CITY CLERK'S OFFICE

>>> <nrmrquis@[REDACTED]> 11/16/2017 6:21 PM >>>

Dear Brenda: I'm very interested. Thanks for asking...Noel Marquis

---- Brenda Tammarine <BTammarine@sedonaaz.gov> wrote:

> Hi Mr. Marquis,

>

> Your Personnel Board assignment is up for renewal and we would love to have you back on (even though we never meet!).

>

> If you are still interested in maintaining your seat, please send me an email of your interest.

>

> Thanks!

> Brenda

>

>

>

>

> Brenda Tammarine

>

> Human Resources Manager

> City of Sedona

> 102 Roadrunner Dr.

> Sedona, AZ 86336

> 928-203-5189 o

> 928-282-1394 f

> 928-300-5956 c

> www.SedonaAZ.gov

>

> Be a fan on Facebook: www.Facebook.com/CityofSedonaAZ

>

>

>

>

> Sedona City Hall is open for business Monday through Thursday from 7 a.m. to 6 p.m. and closed on Fridays. The Wastewater system maintenance remain on a Monday through Friday, 8 a.m. to 5 p.m. schedule. Police and maintenance services are not impacted.

Re-applied to serve another term

RECEIVED

NOV 20 2017

CITY OF SEDONA
CITY CLERK'S OFFICE

Received
SEP 04 2014
CITY OF SEDONA
CITY CLERK'S OFFICE



PERSONNEL BOARD APPLICATION

We could not do our jobs without the help of our volunteers and we thank you for your interest in serving on the City of Sedona's Personnel Board.

NAME: NOEL MARQUIS

ADDRESS:



PHONE: Home:



Cellular:



EMAIL ADDRESS:



1. Do you live within the incorporated boundaries of the City of Sedona?

Yes No

2. If you live outside the incorporated boundaries of the City of Sedona, are you employed, own a business, or have substantial ties (e.g. own property) within the incorporated boundaries of the City of Sedona?

Yes No

3. Have you previously been appointed to any board or commission by the City of Sedona?

Yes No If yes, what and for what length of term?

PERSONNEL BOARD - 3, 3 YEAR TERMS

4. Please tell us how your experiences would best qualify you for an appointment on the City of Sedona's Personnel Board.

I was a human resources manager in a manufacturing setting for 25 years (1974-1999). I "retired" from Alcoa in 1999 to accept a teaching and coaching position at Oak Creek Ranch School here in the Verde Valley. That is what brought me to Sedona. During my time in Sedona I have served on the Personnel Board for nine years. In addition I have been a volunteer policeman since June, 2011.

Please return your completed application and optional resume to the City Clerk's office located at 102 Roadrunner Drive, Sedona, Arizona 86336.

If you have questions about the application and selection process please call 928-282-3113.

For questions about the Personnel Board, please contact Human Resources at 928-203-5189.

All information submitted in this application is public information and subject to disclosure in response to a public records request.



**CITY COUNCIL
AGENDA BILL**

**AB 2307
January 9, 2018
Regular Business**

Agenda Item: 8a
Proposed Action & Subject: Presentation regarding the possible extension of the Yavapai County 1/4 cent jail tax.

Department	City Manager
Time to Present	15 minutes
Total Time for Item	30 minutes
Other Council Meetings	N/A
Exhibits	A. PowerPoint Presentation

City Attorney Approval	Reviewed 01/02/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	N/A	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: Phil Bourdon, Yavapai County Administrator, will present regarding the ¼ cent sales tax that funds nearly half of the Yavapai County Jail System. The County will be seeking voter approval to extend this current sales tax for another 20 years.

A PowerPoint presentation with additional information is included with this agenda bill.

Community Plan Compliant: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): None.

MOTION

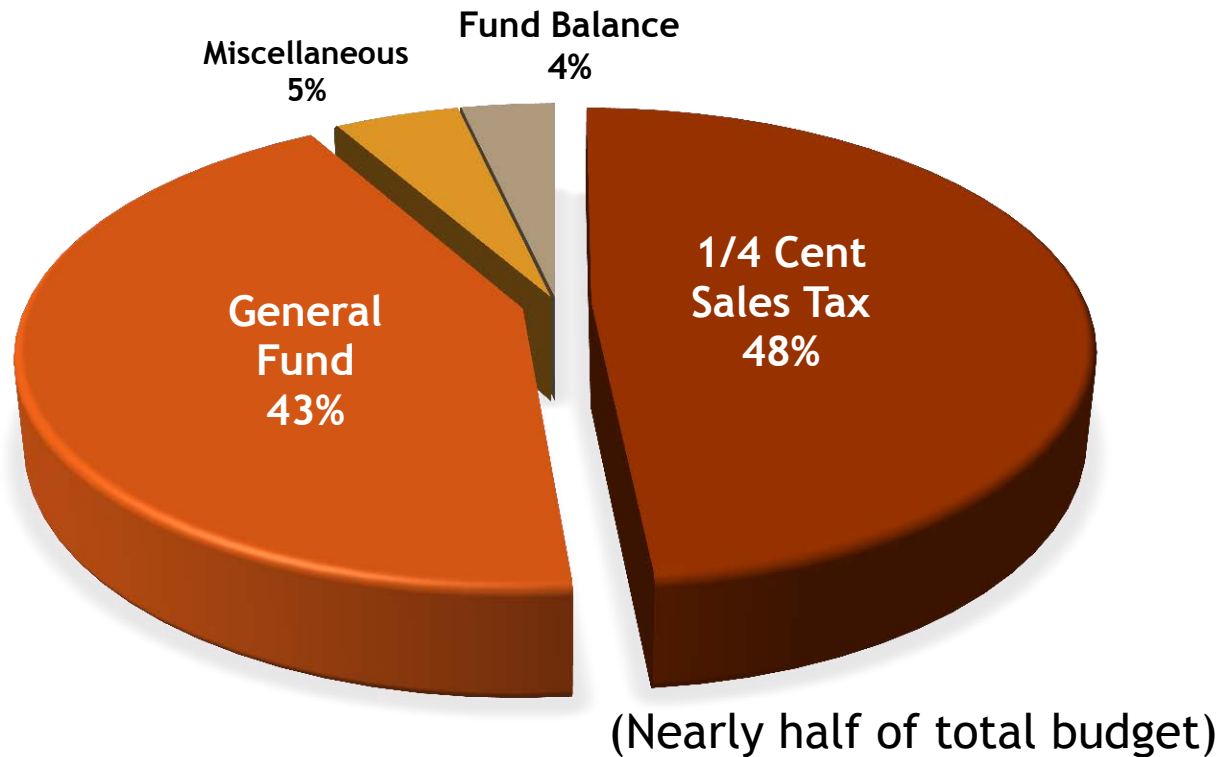
I move to: presentation only. No action required.

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Funding the Jail District

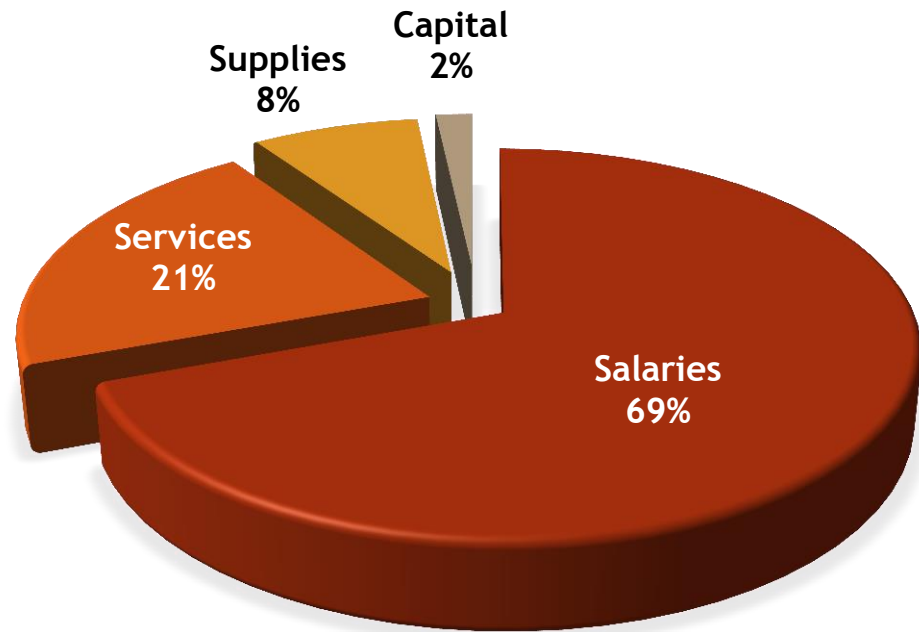
Where is the funding coming from?

- 48% - 1/4 cent sales tax
- 43% - General fund
- 5% - Miscellaneous
- 4% - Fund balance



Where is the funding going?

- 69% - Officers & Support Staff
- 21% - Services
- 8% - Supplies
- 2% - Capital



History of Jail District

- 1999

- Jail District formed

- 2000



- Voters approve ¼ cent sales tax for 20 years

- Relieved cities and towns of charges for inmates

- 2020

- ¼ Cent sales tax expires -
vote required to renew funding for jail operations

What does the ¼ cent mean to you?

Continuing current sales tax requires voter approval



\$4.00 sale = 1 penny tax

Programs in place to cut costs and increase efficiency in Jail Operations

- Pre-arrest mental health diversion strategies
- Early Disposition Court (EDC)
- Pre-trial release and diversion programs
- Coordinated release program
- Behavioral Health Unit
- Veterans Courts
- 287g Program
- Privatization of jail medical services
- Use of less costly civilian staff and volunteers
- Inmate “Co-pay” programs

March 13th, 2018 – Vote by Mail Election

- Yavapai County Board of Supervisors asking voters to renew existing $\frac{1}{4}$ cent sales tax for an additional 20 years.
- February 14th, 2018 Ballots mailed to registered voters.

Important Points to Remember

- Proposal Extends Current $\frac{1}{4}$ Cent Sales Tax
- Taxes remain the same
- Jail safety and efficiency maintained

Questions and Answers



www.YavapaiJail.com

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**CITY COUNCIL
AGENDA BILL**

**AB 2331
January 9, 2018
Regular Business**

Agenda Item: 8b
Proposed Action & Subject: Public hearing/discussion/possible action regarding a resolution and ordinance amending the City Tax Code Article IV to temporarily increase the City's Transaction Privilege Tax by 0.5%, and to dedicate those tax receipts to transportation projects and related administrative and operating expenses.

Department	City Manager
Time to Present	10 minutes
Total Time for Item	30 minutes
Other Council Meetings	September 13, 2017 September 27, 2017 October 10, 2017
Exhibits	A. Resolution B. Ordinance

City Attorney Approval	Reviewed 01/02/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Approve a resolution and ordinance amending the City Tax Code to temporarily increase TPT by 0.5%.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: On September 13 and 27, 2017, Council began a discussion of funding sources for capital improvements, specifically those transportation related projects identified in the Transportation Master Plan (TMP). The City's Financial Sustainability Citizen Workgroup recommended a one cent (one percent) dedicated sales tax for 10 years to fund the various transportation related projects. The City Council preferred to implement a lower tax, and focus on the highest priority/highest impact projects.

On October 10, 2017, the City Council took formal action to direct staff to prepare an ordinance to amend the City Tax Code to provide for an increase to the transaction privilege tax in the amount of ½ percent for a period of 10 years, dedicated to transportation related projects, services, and administration and to prepare all necessary notices and reports.

In accordance with A.R.S § 42-6053 requirements, a notice of intent to increase the tax was posted to the City's website on October 11, 2017, in the Red Rock News on December 22, 2017, and has been posted at City Hall since December 21, 2017.

The purpose of this meeting is to hold a public hearing and for the Council to consider formal adoption of the proposed sales tax increase. If approved, the new tax would be effective March 1, 2018.

Community Plan Compliant: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s):

MOTION

I move to: approve Resolution No. 2018-___, creating a public record for the terms of proposed amendments to City Tax Code Article IV (privilege taxes).

After First Reading:

I move to: approve Ordinance No. 2018-___, amending the City Tax Code Article IV by temporarily increasing the privilege tax from three percent (3%) to three and one-half percent (3.5%) for a period not to exceed ten years, and to dedicate use of said increased tax proceeds towards transportation projects and related administrative and operating expenses.

RESOLUTION NO. 2018-__

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA,
ARIZONA, ESTABLISHING AS A PUBLIC RECORD THE TERMS OF PROPOSED
AMENDMENTS TO CITY TAX CODE ARTICLE IV (PRIVILEGE TAXES).**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA, that the terms set forth in that document attached hereto as Exhibit A and entitled "2018 Amendments to City Tax Code Privilege Tax Provisions" constitute a public record to be incorporated by reference into Ordinance No. 2018-__.

At least one (1) paper copy and one (1) electronic copy of this public record shall be kept in the office of the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona this 9th Day of January, 2018.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney

EXHIBIT A

2018 Amendments to the City Tax Code Privilege Tax Provisions

The tax rate in each of the following sections of the City tax code, Article IV, is increased from three percent (3%) to three and one-half percent (3.5%) for a period of ten (10) years:

Section 410 Amusements, exhibitions, and similar activities.

Section 415 Construction contracting: construction contractors.

Section 416 Construction contracting: speculative builders.

Section 417 Construction contracting: owner-builders who are not speculative builders.

Section 425 Job printing.

Section 427 Manufactured buildings.

Section 430 Timbering and other extraction.

Section 435 Publishing and periodicals distribution.

Section 444 Hotels.

Section 445 Rental, leasing, and licensing for use of real property.

Section 450 Rental, leasing, or licensing for use of tangible personal property.

Section 455 Restaurants and bars.

Section 460 Retail sales: measure of tax; burden of proof; exclusions.

Section 470 Telecommunication services.

Section 475 Transporting for hire.

Section 480 Utility services.

The changes to the tax rate contained in this resolution are dedicated to transportation projects and related administrative and operational costs.

ORDINANCE NO. 2018-__

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE CITY TAX CODE ARTICLE IV RELATING TO PRIVILEGE TAX; TEMPORARILY INCREASING THE PRIVILEGE TAX FROM THREE PERCENT (3%) TO THREE AND ONE-HALF PERCENT (3.5%); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ANY ORDINANCE OR PARTS OF ORDINANCES OR CODE PROVISIONS IN CONFLICT HEREWITH.

WHEREAS, it is the intention of the City Council to amend the City Tax Code to provide for a temporary increase in the privilege tax for transportation related projects.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA AS FOLLOWS:

Section 1. Amendment of Article IV of the City Tax Code (Privilege Taxes)

Article IV of the City Tax Code is hereby amended by incorporating by reference those changes set forth in that public record entitled "2018 Amendments to the City Tax Code Privilege Tax Provisions" and established as a public record by Resolution No. 2018-__.

The tax rate in each of the aforementioned sections of the City Tax Code is increased from three percent (3%) to three and one-half percent (3.5%) for a period of ten (10) years beginning on the effective date of this ordinance.

The increase is dedicated to transportation projects and related administrative and operational costs.

Section 2. Savings Clause

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 any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 3. Repeal

All other code provisions, ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 9th day of January, 2018.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney



**CITY COUNCIL
AGENDA BILL**

**AB 2329
January 9, 2018
Regular Business**

Agenda Item: 8c
Proposed Action & Subject: Discussion/possible action regarding proposed changes to the Planning and Zoning Commission’s Operating Rules and Procedures.

Department	Community Development
Time to Present	10 minutes
Total Time for Item	30 minutes
Other Council Meetings	N/A
Exhibits	A. Proposed Changes to Operating Rules and Procedures B. Proposed Resolution

City Attorney Approval	Reviewed 01/02/18 RLP	Expenditure Required
		\$ 0
		Amount Budgeted
		\$ 0
City Manager’s Recommendation	Approve proposed changes to the P&Z Operating Rules and Procedures.	Account No. N/A (Description)
		Finance <input checked="" type="checkbox"/> Approval

SUMMARY STATEMENT

Background: The City Council formed the Planning and Zoning Commission (Commission) by ordinance in 1988 and authorized the Commission to “promulgate rules of procedure to govern its conduct and function, subject to the approval of the Council.” The Planning and Zoning Commission’s Operating Rules and Procedures (Rules) were adopted in 1988 and amended in 1989 and 1991. The intent of these Rules is to assist the Commission in the conduct of meetings to ensure an effective, efficient, and orderly process regarding the review and consideration of planning and land use matters. The Rules contain Articles dealing with the Commission’s organization, meetings, order of business, advisors, and conduct of members. Some of the Rules are mandated by Arizona State Law; however, there is flexibility for some of the provisions.

Proposed Amendments:

The Commission’s Rules have not been updated since 1991. Staff is proposing amendments to ensure they are up-to-date, address current issues, and are as clear as possible. Staff has reviewed the Commission’s current Rules, analyzed how Planning Commissions in other jurisdictions operate, and is now proposing changes to the Commission’s Rules for

consideration. The changes include housekeeping matters, clarifying provisions, and a modified meeting schedule. The following is a summary of the proposed amendments:

- Article 1 (Membership) emphasizes the importance of attendance and grounds for removal.
- Article 2 (Officers) provides for the annual election of Chair and Vice-Chair.
- Articles 3 (Chair) and 4 (Vice-Chair) outlines the basic duties.
- Article 5 (Community Development Director) outlines basic duties of staff.
- Article 6 (Legal Counsel) provides flexibility in the attendance of legal counsel and reinforces that Commission shall act in accordance with the legal opinions provided by the City Attorney or designee.
- Article 7 (Other Advisors) allows the Commission to consult with other staff or consultants.
- Article 8 (Creation of Committees) provides for the creation of Committees.
- Article 9 (Meetings) emphasizes compliance with regulations and policies, addresses meeting schedule and locations.
- Article 10 (Quorum and Voting) emphasizes the need for a quorum and outlines voting procedures.
- Article 11 (Agenda) provides direction on agenda content.
- Article 12 (Public Comment) outlines the process for public comment.
- Article 13 (Minutes and Records) provides for the keeping of minutes and official records of Commission findings, decisions, and other official actions.
- Article 14 (Conduct of Members) states that Commissioners are to follow the provisions of the Commission Handbook, City provisions, and Arizona State Law.
- Article 15 (Hearing of Applications) provides the format for consideration of land use and zoning applications.
- Article 16 (Instruments of Commission Action) defines instruments for the Commission to conduct its work.
- Article 17 (Amendments) provides direction on amending the Rules.
- Article 18 (Severability) provides standard language if any portion of the Rules is determined to be legally invalid.

Meeting Schedule:

In addition to housekeeping and minor changes, the most significant change relates to the Commission's meeting schedule (Article 9). The Commission's current schedule includes the requirement to hold regular meetings on the first and third Tuesdays of the month and to hold work sessions on the Thursday prior to the Tuesday meetings to address questions, comments, requests for additional information, and concerns regarding agenda items for that Tuesday's meeting. Based on this schedule, the Commission has regularly scheduled meetings 48 out of 52 weeks per year, excluding special meetings, and site visits. Several issues associated with this schedule have been identified and include:

- Significant impacts on Commissioners' personal time. The current schedule requires a considerable commitment.
- Attendance/Quorum. Attendance and quorum issues have been problematic in the past, particularly around holidays and the summer months (vacations), because most weeks have the potential for a Commission meeting.

- Vacancies. When recruiting to fill vacancies, potential applicants often decide not to apply once they understand the number and frequency of meetings. This results in multiple attempts to recruit new members.
- Staff time. A significant amount of time is involved in preparing for meetings, including posting agendas, preparing staff reports/meeting materials, presentations and minutes.

Staff reviewed other jurisdictions’ operating rules and evaluated several different schedule practices. Other Arizona Planning Commission schedules vary from jurisdiction to jurisdiction. It appears most jurisdictions have the ability to call a special meeting or work session and some only meet once per month, including larger jurisdictions, such as Tucson, Gilbert, and Mesa, while others meet twice a month. Several included a work session 30-60 minutes prior to the regular meeting. However, no jurisdictions surveyed meet four times per month like Sedona’s Planning and Zoning Commission. It is interesting to note that most of these jurisdictions are much larger in population and most likely have more business to address. The following table summarizes other jurisdictions meeting schedules.

Agency	Meeting Schedule	Time
Avondale	3 rd Thursday	6:00 pm
Cottonwood	3 rd Monday	6:00 pm
Chandler	1 st and 3 rd Wednesday	5:30 pm
Casa Grande	1 st Thursday	6:00 pm
Eloy	3 rd Wednesday	7:00 pm
Fountain Hills	2 nd and 4 th Thursday	6:30 pm
Gilbert	1 st Wednesday	5:00 pm (Work Session) 6:00 pm (Regular)
Mesa	3 rd Wednesday	3:30 (Work Session) 4:00 pm (Regular meeting)
Scottsdale	2 nd and 4 th Wednesday	4:30 pm (Work Session) 5:00 pm (Regular meeting)
Show Low	2 nd and 4 th Tuesday	7:00 pm
Snowflake	1 st and 3 rd Tuesday	7:00 pm
Surprise	1 st and 3 rd Thursday	6:00 pm
Tucson	1 st Wednesday	6:00 pm

As a result of this research and to address the issues identified above, Staff recommends that the Commission reduce the number of meetings per year by combining regular meetings and work sessions on the same day. Under this recommendation, the Commission would still meet on the first and third Tuesday of the month; however, if a work session is necessary, it would be scheduled in advance of the 5:30 p.m. regular meeting.

This recommendation addresses the issues as follows:

- Reduces the number of scheduled meetings by half, from 48 to 24 per year.
- Significantly increases the number of “off-weeks” by increasing the number of weeks where a meeting is not scheduled from 4 to 28 per year.
- Fewer meetings should result in more predictable attendance and better ensure a quorum.
- Requires less Staff support time with less meetings per year.

- Less meetings per year translates to a more realistic time commitment which should increase interest of citizens to serve on the Commission.

Additional considerations include:

- Agendas may be full and can result in longer meetings.
- Additional meetings can be scheduled if necessary for both regular business and work session items.

Additionally, staff determined that this recommendation is consistent with the number of meetings held historically. Staff does not believe this recommendation will have any significant impact on the management of work items and efficiency of the Commission. In 2016, 25 of the 48 regularly-scheduled meetings were canceled due to several factors and in 2017, 28 of the 48 regularly-scheduled meetings were canceled. While some of the meetings were canceled due to holiday and vacation schedules, many were canceled due to a lack of a quorum and the timing of projects ready for the Commission’s consideration.

Summary

Staff is recommending a number of amendments to the Commission’s Operating Rules and Procedures. A redlined draft, illustrating each change, is provided in Exhibit A for your review and consideration.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

At their December 5, 2017 meeting, the Planning and Zoning Commission discussed, made minor modifications, and, in a unanimous vote (5-0) recommended approval of the proposed amendments to their Operating Rules and Procedures.

Alternative(s): N/A

MOTION

I move to: approve Resolution 2018-__ amending the City of Sedona Planning and Zoning Commission Operating Rules and Procedures.

~~RESOLUTION NO. 1988-36~~2017—~~Exhibit A~~

CITY OF SEDONA
PLANNING AND ZONING COMMISSION
OPERATING RULES AND PROCEDURES

Be it resolved that pursuant to City of Sedona Ordinance 88-6, the Planning and Zoning Commission of the City of Sedona (hereinafter called the Commission) adopts the following amended ~~e~~Operating Rules and Procedures as its by-laws to govern its conduct and function.

Article 1: Membership

1.1 Each member of the Commission (~~hereinafter called~~ Member) shall be selected and shall serve as provided in City of Sedona Ordinance 88-6, Section 2. ~~The membership term year shall commence on July 1 and end on June 30.~~

1.2 Because the participation of all Members is necessary to carry out the duties of the Commission in the best interest of the citizens of Sedona, consistent attendance by the Members is of the utmost importance. For this reason, and pursuant to Section 2(D) of Ordinance 88-6, a member may be removed at any time by the City Council for:

1.2.1 Failure to attend three successive unexcused meetings or the number of meetings necessary to be efficient in their duties as determined by the City Council.

1.2.2 A Member may also be removed by the City Council at any time for inefficiency, neglect of duty, or malfeasance.

~~4.41.3~~ Removal by City Council may be without the necessity of a hearing or notice and such action shall be final.

Article 2: Officers

2.1 A Chair and Vice-Chair shall be elected annually from among the Commission's membership at the first regular meeting in January and at such other times as these offices may become vacant.

2.2 The Vice-Chair shall serve in the absence of the Chair. In the absence of both the Chair and Vice-Chair, the Commission shall elect an Acting Chair.

~~The officers of the Commission shall consist of a Chairperson and Vice-Chairperson who shall be elected by the Commission from among its members at the first meeting in July, to serve from that time until June 30 of the following year, or until their respective successors are elected. A vacancy occurring in an office shall be filled by an election held at any regular meeting or at a special meeting called for that purpose.~~

~~In the absence of the Chairperson and the Vice-Chairperson at any meeting for which a quorum is present, the Members present shall elect one of their number to act as Chairperson Pro Tempore for that meeting.~~

Article 3: Chairperson

3.1 The Chairperson shall preside at all public hearings and other meetings of the Commission, and decide points of order or procedure.

3.2 The Chairperson is a voting member and shall have the right to make and second motions, but shall not initiate or second motions unless he relinquishes the Chair.

3.3 The Chairperson may appoint committees to perform such duties as may be deemed necessary

3.4: ~~He~~The Chair shall work with the Director to coordinate the work of the Commission and shall perform all other duties required by law, ordinance and these Operating Rules and Procedures.

Article 4: Vice-Chairperson

4.1 The Vice-Chairperson shall perform all duties of the Chairperson in the absence of the Chairperson.

4.2 If the Chair vacates the office before completing his/her term, the Vice-Chair will assume the office and serve the remainder of the term. A new Vice-Chair will then be elected at the next regularly scheduled meeting.

Article 5: ~~Executive Secretary~~Community Development Director

5.1 The ~~Executive Secretary to the Commission shall be the Director of~~ Community Development Director (~~hereinafter called~~ Secretary~~Director~~). ~~The Secretary~~ or his/her designee shall attend all Commission meetings; shall attend to official correspondence of the Commission; shall cause written minutes to be kept of all meetings; shall maintain files of official records, findings and decisions of the Commission and its rules and regulations; shall supervise clerical work and technical preparations necessary to disposition of business before the Commission; and shall perform

all other duties required by law, Ordinance and these Operating Rules and Procedures.

5.2 The ~~Secretary~~Director shall approve all Commission expenses and purchases ~~on vouchers prior to their submittal to the City Manager.~~

Article 6: Legal Counsel

6.1 The Commission shall be advised by ~~an the City a~~Attorney or his/her designee who shall act as its Legal Counsel and attend all its meetings ~~as necessary, unless excused by the Chairperson.~~

6.2 The Commission shall act in accordance with ~~rulings by opinions of~~ its Legal Counsel regarding points of law.

6.3 Except in the case of Executive Sessions, advice of Counsel shall be recorded in the minutes of the meeting before disposition of any question of law or matter requiring legal interpretation or advice.

Article 7: Other Advisors

7.1 The Commission may request any department head, officer of the City, or any consultant retained by the City to attend any Commission meeting as appropriate.

Article 8: Creation of Committees

8.1 A Committee of not more than three Members may be created by the Chair~~person~~, or by a majority vote of the Commission, to study a report on planning and zoning matters and make recommendations to the Commission.

8.2 Meetings of committees shall be properly noticed, agendized and appropriate minutes taken.~~any committee recommendation must be ratified by the Commission.~~

8.3 Any committee shall be formed for a specific time period after which it shall dissolve, unless extended by the Chair~~person~~ or by vote of the Commission.

Article 9: Meetings

9.1 All meetings shall be held in full compliance with the provisions of ~~the Arizona~~ the Arizona Open Meeting Law, the City Council Rules of Procedure and Policies, the Commission's Handbook, the Commission's Operating Rules and Procedures and any other applicable regulation or provision.

9.2 Regular meetings of the Commission shall be held scheduled on the first and third Tuesday of each month; ~~commencing~~ at 5:30 p.m.

or at a time set in advance so as to ensure reasonable public notice and participation.

9.3 Such meetings shall be held in the City Council Chambers or at such place as the Commission may otherwise direct on its notices. ~~The purpose of the first regular meeting of each month shall be to review and act upon new development proposals; the second regular meeting shall be devoted primarily to long-range planning issues. If the normal date for such meetings falls on a holiday or election day, the meeting may be rescheduled.~~

9.4 Work Sessions may be held on the first and third Tuesday of each month at 3:30 pm or at a time set in advance so as to ensure reasonable public notice. Such meetings shall be held in the City Council Chambers or at such place as the Commission may otherwise direct on its notices. Work Sessions are intended to address Commission questions, comments, and requests for additional information.

9.25 Special meetings may be called by the Chairperson, the Director or by three or more Members, subject to legal requirements. The reason(s) for calling any special meeting shall be stated at the time of notification.

9.36 At regular and special ~~public~~ meetings of the Commission, Robert's Rules of Order (revised) shall, to the extent practical, be observed except where they may conflict with other provisions of the Commission's Operating Rules and Procedures, or with any City ordinance, provision or Arizona statute.

9.47 All meetings and hearings of the Commission shall be open to the public; except that the Commission may hold executive sessions for the purposes and under the conditions set forth in ARS §38-431.02 and Amendments thereto.

~~9.5:—The Commission shall hold a work-study session at 3:30 p.m. on the Thursday preceding its regularly-scheduled Tuesday public meetings to address questions, comments, requests for additional information, and concerns regarding agenda items for that meeting. In the event there is a need to change the day and time of work-study sessions, such action may occur only upon approval by a majority vote of the Commission. In all cases such sessions shall be properly noticed and shall be open to the public, but the public shall not participate unless specifically requested to do so by the Chairperson. No formal vote nor commitment shall be made at such sessions. If the agenda for a work-study session does not involve an Applicant's items, and the items agendized do not call for additional discussion or information, the meeting may be cancelled at the Chairperson's discretion.~~

- ~~9.6: No public meeting or executive session of the Commission shall be held with less than 24 hours notice to all Members and to the public, with an agenda posted in accordance with state law.~~
- ~~9.7: Any meeting may be recessed and resumed with less than 24 hours notice if proper public notice was given for the initial session and if, prior to recessing, notice is publicly given as to the resumption of the meeting. In the latter case, every reasonable effort shall be made to advise the public.~~
- 9.8 The Commission may approve, conditionally approve, deny or continue any item on its agenda. In the event an applicant is not present, the Commission may or may not decide to continue the item until the applicant is present.
- 9.9 In the event that any Commission meeting lasts more than four hours, it may be continued to a time and place certain by a vote of the Commission.
- 9.10 Any requests for continuance received after legal notice for public hearing has been given shall be acted on by the Commission at the noticed hearing. Any request for continuance received by staff less than five business days prior to the noticed hearing date shall not be approved by the Commission unless extenuating circumstances are found to exist.
- ~~9.11 A regular meeting may be canceled due to a lack of substantive agenda items to be addressed, meeting location scheduling conflicts, emergency conditions, inclement weather, or other acts of nature beyond the City's control.~~
- ~~9.12 The Commission may table an agenda item until a later date to enable additional public comment to be heard, a site visit, or for other good cause by an affirmative vote of a majority of the Members present.~~

Article 10: Quorum and Voting

- ~~10.1 A minimum of four Members shall constitute a quorum of the Commission for all meetings and work sessions. A majority of the current membership of the Commission shall constitute a quorum and a quorum shall be required to conduct business of the Commission.~~ If a quorum cannot be obtained, the names of members present shall be recorded and the meeting shall be rescheduled.
- 10.2 Any vote may be taken by a voice vote and a show of hands. If the vote is not unanimous, a roll call vote shall be taken.

- 10.3 ~~No Member present may abstain from voting unless (a) that Member was absent during all or a portion of a hearing on a subject, or (b) because a conflict of office, or (c) a conflict of interest exists according to Arizona Revised Statutes §38-501 to 38-511. In the latter case, Article 14.1 and 14.2 of these Rules and Procedures shall be observed.~~
- 10.4 Any motion for approval which fails to carry shall be considered a denial of the proposal. However, any action may be reconsidered if a motion to reconsider, made by a member who voted in the affirmative, is passed. Any motion for denial which fails to carry shall not be considered an approval of the proposal. When a motion for denial fails, a positive motion or a motion for approval must be made and considered for any official action. Official actions shall be accomplished only by an affirmative vote of a majority of members present.

Article 11: Agenda

~~The Chairperson shall call for the preparation of the agenda for each meeting. Any Commission member, Council member, the Secretary or his designee, or member of the public may request items to be placed on the agenda. The Chairperson in cooperation with the staff, shall determine priorities of agenda items requested.~~

11.1 All agendas shall be prepared by the Director for each meeting of the Commission.

11.2 If a Member wants to place an item on the agenda for discussion, it must be related to the powers and duties of the Commission. The Member shall contact the Director for consultation with the Director and the Chair. The Chair and the Director shall determine if the item is appropriate for Commission discussion.

11.3 During the course of any meeting, the Chairperson may change the order of agenda items to avoid inconvenience or delays to the public.

11.4 The agenda for each regular and special meeting, except for executive sessions and work-study sessions, shall consist of the following:

~~41.1: Verification of notice, c~~Call to order, pledge of allegiance, roll call.

~~41.2: Approval of minutes of previous meeting (s)~~

~~41.3: Announcements & Summary of Current Events by Commissioners & Staff Correspondence.~~

~~41.4: Announcements and Director's report.~~

- ~~11.5: Public Forum: citizens may address the Commission on non-agenda items according to rules announced by the Chairperson.~~
- ~~11.6: Consent Agenda.~~
- 11.7: Agenda items.
- ~~11.8: Future meeting~~Future meeting dates agenda items.
- 11.9: Adjournment.

Article 12: Public Comment

- 12.1 The public is encouraged to submit written statements for the record; such statements shall be kept with the minutes of the meeting at which time they are received.
- 12.2 Any person present at a Commission meeting, other than a work-study session or executive session, may address the Commission on any matter ~~of concern before to~~ the Commission upon being recognized by the Chairperson.
- 12.3 Persons shall not address the Commission on any agenda item or present evidence without first having filled out an information card and presented same to the ~~Secretary~~Director.
- 12.4 ~~Persons claiming to represent groups or organizations shall present documentation or petitions to that effect before being recognized.~~ Time limits and other restrictions may be imposed by the Chairperson after review of the agenda and an estimate of the duration of the meeting.
- 12.5 The Chairperson shall ~~may~~ require that comments be pertinent and non-repetitive, and that decorum be maintained.

Article 13: Minutes and Records

- 13.1 The ~~Secretary Director or his/her designee~~ shall keep official written minutes of all meetings, and maintain an audio~~tape~~ recording of all meetings ~~as backup for seven years in accordance with State laws.~~
- 13.2 The minutes shall show the vote of each Member on every Commission action, or if a Member fails to vote shall so indicate and show the reason for such failure to vote.
- 13.3 ~~Insofar as possible, m~~Members shall advise the ~~Secretary Director or his/her designee~~ of any changes or corrections in the minutes, so they can be recorded before the meeting. Simple errors in spelling, punctuation, etc. may be corrected at any time as long as no change in meaning or substance is involved.
- 13.4 Other official records, including Commission findings, decisions and other official actions, shall also be maintained by the ~~Secretary~~Director as required by state law.

Article 14: Conduct of Members

- 14.1 ~~Commission Members shall follow the provisions of the Arizona Open Meeting Law, City Council Rules of Procedure and Policies, the Commission's Handbook, as well as the Commission's Operating Rules and Procedures and any other applicable regulation or provision.~~ Conflict of Interest: Commission Members shall abide by the provisions of Arizona Revised Statutes §38-501 to 38-511. When a Member determines that he has a conflict of interest, he shall declare such conflict, refrain from discussion or voting on the matter, and step down from the dais until completion of the item.
- ~~14.2: Conflict of Office: If a Member has been elected or appointed to another public office, and a conflict of office emerges in the Commission's deliberation of specific matters, the member shall declare such conflict for the record. The Member may then participate in discussions of the matter, but shall abstain from voting on the matter.~~
- 14.3: Ex-parte contracts: (a) Whenever any party initiates contact with a Member regarding a filed application, the Member shall refer that party to the staff. (b) Whenever an external contact persists in offering information, the Member shall report the information, identity of the source, and date of the contact to the Commission for inclusion in its formal record. (c) Written information transmitted to a Member shall be forwarded directly to the staff for review and incorporation into its report. (d) Members may seek information from ~~other Members,~~ the Secretary/Director, the Legal Counsel, or staff prior to a meeting, but no Member shall discuss any application with any other party prior to the hearing or express any bias, prejudice, or individual opinion on proper judgment of the application prior to its hearing and determination.
- 14.42 ~~Appearance before Council:~~ Members shall not appear to speak before the City Council on Commission matters unless explicitly invited by the Council, or directed by a majority vote of ~~members~~Members, to do so.
- 14.5 ~~Representation by Members: No Member shall represent an applicant or an appellant before the Commission or the Council on matters related to Commission business.~~

Article 15: Hearing of Applications

Public hearings shall be guided by the following format:

- a. Staff presentation and recommendation.

- b. Questions to staff by Commission.
- c. Applicant presentation.
- d. Questions to the Applicant by~~from~~ Commission.
- e. Open to questions or comments from the public regarding that agenda item. ~~in support of proposal.~~
- ~~f. Open to questions or comments from public in opposition to proposal~~
- gf. Close public participation.
- hg. ~~Additional d~~Discussion and additional questions by Commission.
- ih. Open for a motion.
- ji. Discussion of motion by Commission.
- kj. Vote on motion.

Article 16: Consent Agenda

~~— In order to expedite action on routine and non-controversial items where applicant and staff are in agreement and no public comment has been received, such items may be grouped on a Consent Agenda to be considered by the Commission as a single item. If any debate or discussion other than simple clarifications should be required, or upon the request of any Member, an item may be removed from the Consent Agenda to be considered individually following consideration of the Consent Agenda.~~

Article 1716: Instruments of Commission Action

The instruments by which the Commission shall officially report its work include:

- 1716.1 Official notice of meetings as provided by ~~Article 9 of~~ these Operating Rules and Procedures and required by Arizona ~~law~~Law.
- 1716.2 Agenda of meetings as described in ~~Article 14~~the Commission's Operating Rules and Procedures and required by Arizona Law.
- 1716.3 Staff reports prepared by the Director.
- 1716.4 Minutes of meetings as described in ~~Article 13~~Arizona Law.
- ~~17.65~~ Resolutions passed on aAgenda items approved.

Article 1817: Amendments

These Commission or the Director may recommend to City Council amendments to these Operating Rules and Procedures ~~may be amended~~ at any regular or special meeting by affirmative vote of four or more Members. Recommended amendments are subject to final approval by the City Council.

Article 18: Severability

These Operating Rules and Procedures are declared to be severable. If any article or portion thereof is for any reason held to be legally invalid, such holding shall not affect the validity of remaining portions.

Adopted: P&Z Commission – Sept. 6, 1988 – By CC – R1988-36, 1988
Revised: R1989-32, November 1, 1989
Revised: R1991-05, February 20, 1991

RESOLUTION NO. 2018-__

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, AMENDING THE PLANNING & ZONING COMMISSION OPERATING
RULES AND PROCEDURES.**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA that the Planning & Zoning Commission Operating Rules and Procedures are hereby amended as set forth in that document attached hereto as Exhibit A and entitled "City of Sedona Planning and Zoning Commission Operating Rules and Procedures".

PASSED AND ADOPTED this 9th day of January, 2018 by the Mayor and Council of the City of Sedona, Arizona.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney

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**CITY COUNCIL
AGENDA BILL**

**AB 2321
January 9, 2018
Regular Business**

Agenda Item: 8d
Proposed Action & Subject: Discussion/possible action regarding a resolution and ordinance amending the Sedona City Code, Chapter 5, relating to Short Term Rental Regulations.

Department	Legal
Time to Present	5 Minutes
Total Time for Item	15 Minutes
Other Council Meetings	N/A
Exhibits	A. Letter from Goldwater Institute B. Resolution C. Proposed Changes with Track Changes D. Ordinance

City Attorney Approval	Reviewed 01/02/18 RLP	Expenditure Required
		\$ 0
City Manager's Recommendation	Approve a resolution and ordinance amending Chapter 5 of the City Code.	Amount Budgeted
		\$ 0
		Account No. N/A (Description)
		Finance <input checked="" type="checkbox"/> Approval

SUMMARY STATEMENT

Background: From 1995 until 2016, the City of Sedona, by ordinance, prohibited the rental of residential properties for less than thirty (30) days. In 2008, Chapter 5 of the Sedona City Code was amended to proscribe and identify penalties for various activities related to the rental of residential properties for less than thirty (30) days.

During the 2016 Arizona State Legislative Session, Senate Bill 1350 (SB 1350) was introduced with the intent of requiring those actively engaging in the rental of residential properties within the State to collect and remit transaction privilege taxes to the State and municipalities where the activity was occurring. An Amendment to SB 1350 was adopted which had the effect of preempting local jurisdictions from enacting ordinances prohibiting the rental of residential properties for less than thirty (30) days. SB 1350, as amended, was passed by both houses of the Legislature and signed into law by the Governor to become effective on January 1, 2017.

SB 1350 continues to allow local jurisdictions to regulate short term rentals for the protection of the public's health and safety so long as any ordinance is applied in the same manner as other residential properties generally.

On October 11, 2016, the City of Sedona amended Chapter 5 of the Sedona City Code to provide a regulatory structure for the legal use of short-term rentals. One of the components was the requirement of a business license for short-term rentals, vacation rentals, and transient lodging establishments which are obligated to remit transaction privilege taxes to the City.

On November 13, 2017, the City of Sedona received a letter from the Goldwater Institute in which it was suggested that the City's business license requirement for short-term rentals was discriminatory because no such license is required for residential rentals (long-term) generally. The letter also reminds the City of the potential for legal action under A.R.S. § 41-194.01 (SB 1487) which could result in the loss of state shared revenues to the City.

Following several discussions with the Goldwater Institute, it was proposed that the short-term rental ordinance be amended to eliminate the requirement of a business license for short-term or vacation rentals. However, the requirement of a business license for transient lodging establishments, which by definition would include residential properties used as short-term or vacation rentals, would remain in effect. The Goldwater Institute agreed that this revision would be satisfactory to resolve their concern about discrimination against residential rental property owners.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s):

MOTION

I move to: approve Resolution No. 2018-___, a Resolution of the Mayor and Council of the City of Sedona, Arizona, establishing as a public record the terms of proposed amendments to the City Code Chapter 5.25.010 (Short Term Rental Regulation).

After first reading:

I move to: approve Ordinance No. 2018-___, an Ordinance of the City of Sedona, Arizona, amending the City Code Chapter 5.25.010 (Short Term Rental Regulation); providing for a savings clause; and providing for repeal of any Ordinance or parts of Ordinances or Code provisions in conflict herewith.



November 13, 2017

Via U.S. Mail and E-mail

Mayor Sandy Moriarty
City of Sedona
102 Roadrunner Drive
Sedona, Arizona 86336

Re: A.R.S. § 9-500.38

Dear Mayor Moriarty:

I am writing out of concern that the City of Sedona is violating A.R.S. § 9-500.38 (enacted as S.B. 1350 in 2016), which prohibits local governments from imposing any restrictions on vacation rental units based solely on their classification, use, or occupancy. In other words, cities may not impose on vacation rental properties or short-term rentals any rule that does not apply to all other residential properties. The only exception is that local governments may impose rules that are “narrowly tailored” to protect public health and safety in ways the statute specifies.

Sedona Ordinance 2016-06 conflicts with this rule. It requires owners who offer their homes as short-term rentals to obtain a business license, but does not impose the same requirement on homeowners who offer their homes as long-term rentals. This requirement is not only discriminatory, in violation of the law, but it is also not “narrowly tailored” to protect public safety, as required by A.R.S. § 9-500.38(b). For a law to be “narrowly tailored” means that it is carefully designed to impose restrictions in proportion to the government’s goal—that is, it does not go beyond what is necessary to achieve the desired objective, and does not contain irrational or arbitrary exceptions. See *Salib v. City of Mesa*, 212 Ariz. 446, 452, 133 P.3d 756, 762 (Ct. App. 2006); *Bennett v. Brownlow*, 208 Ariz. 79, 86, 90 P.3d 1245, 1252 (Ct. App. 2004).

Cities often do require licensure for revenue-generating activities to facilitate tax payments, and it may be reasonable to require homeowners to provide their contact information to the city in case of emergency. But requiring only owners who offer homes as short-term rentals to obtain a business license before being permitted to rent goes beyond what is necessary to achieve the city’s desired objective. And because A.R.S. § 9-500.38(B)(1) specifically allows the city to collect a “designation of an emergency point of contact” from owners who offer homes as short-term rentals, there is no need for the city to use a business-license requirement to accomplish that objective. If Sedona’s goal is to obtain emergency contact information, that goal can be achieved simply by requiring those homeowners to complete a designation of emergency

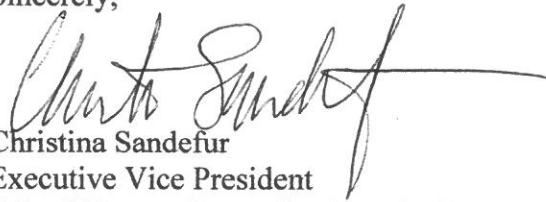
contact form. Please note also that A.R.S. §§ 9-1301 and 9-1304 expressly forbid the city from imposing a business license requirement on rental properties.

Ordinance 2016-06 plainly violates these laws. Failure to comply with A.R.S. § 9-500.38 could subject Sedona to legal action, and, under A.R.S. § 41-194.01, state shared monies may be withheld from Sedona for failing to comply with state law.

If we can be of any assistance in complying with A.R.S. § 9-500.38, we would be happy to do so. Please do not hesitate to call or email me if you have any questions.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Christina Sandefur", with a long horizontal line extending to the right.

Christina Sandefur
Executive Vice President
Scharf-Norton Center for Constitutional Litigation
at the Goldwater Institute

cc: Vice Mayor John Martinez
Councilor John Currivan
Councilor Scott Jablow
Councilor Tom Lamkin
Councilor Jon Thompson
Councilor Joe Vernier
City Attorney Robert L. Pickels, Jr.

RESOLUTION NO. 2018-__

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, ESTABLISHING AS A PUBLIC RECORD THE TERMS OF PROPOSED
AMENDMENTS TO CITY CODE CHAPTER 5.25.010
(SHORT TERM RENTAL REGULATION).**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA that the terms set forth in that document attached hereto as Exhibit A and entitled "2018 Amendments to City Code Short Term Rental Regulation Provisions" constitute a public record to be incorporated by reference into Ordinance No. 2018-__.

At least one (1) paper copy and one (1) electronic copy of this public record shall be kept in the office of the City Clerk for public use and inspection.

PASSED AND ADOPTED this 9th day of January, 2018 by the Mayor and Council of the City of Sedona, Arizona.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney

Exhibit A

2018 Amendments to the City Code Short Term Rental Provisions

Chapter 5.25 SHORT-TERM RENTAL REGULATION

Sections:

- [5.25.010](#) Title.
- [5.25.020](#) Findings and purpose.
- [5.25.030](#) Definitions.
- [5.25.040](#) Business license requirement.
- [5.25.050](#) Emergency contact.
- [5.25.060](#) Use regulations.

5.25.010 Title.

This chapter shall be known as the city of Sedona short-term rental regulation chapter. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-1].

5.25.020 Findings and purpose.

The city of Sedona is committed to maintaining its small-town character, scenic beauty, and natural resources that are the foundation of its economic strength and quality of life. (Sedona Community Plan, Section 9.2, Recommendations Goal 1.0.) The purpose of this chapter is to safeguard the public health and safety of the residents of Sedona and their visitors and guests while preserving the residential character of neighborhoods, minimizing nuisances, and providing equity with other residential and commercial uses. Therefore, in an attempt to further promote the aims and goals of the Sedona Community Plan, the city does hereby adopt the following provisions in an attempt to protect the public's health and safety in residential neighborhoods. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-2].

5.25.030 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Emergency point of contact" means the identity and a 24-hour telephone number for the person, enterprise, or agency who is the owner, proprietor, or representative of a short-term rental or transient lodging establishment.

"Transient lodging" means the business of operating for occupancy by transients a hotel or motel, including an inn, tourist home or house, dude ranch, resort, campground, studio or bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house

trailer at a fixed location, or other similar structure, and also including a space, lot, or slab that is occupied or intended or designed for occupancy by transients in a mobile home or trailer furnished by them for such occupancy.

“Vacation rental” or “short-term rental” means any individually or collectively owned single-family or one-to four-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under A.R.S. § [42-12001](#). “Vacation rental” and “short-term rental” do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center, or another similar use. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-3].

5.25.040 Business license requirement.

Every transient lodging establishment located within the jurisdictional boundaries of the city of Sedona or which is obligated to remit transaction privilege taxes for the transient lodging activity in the city of Sedona shall obtain a city of Sedona business license as required pursuant to Chapter [5.05](#) SCC. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-4].

5.25.050 Emergency contact.

For every short-term rental, vacation rental, or transient lodging establishment within the City of Sedona, the owner shall provide to the City Finance Department the designation of an emergency point of contact on a form provided which shall include a current, valid telephone number at which an immediate, 24-hour response may be obtained to address an accident, medical emergency, natural disaster, law enforcement response, or other serious incident that requires immediate attention at the premises on which the short-term rental, vacation rental, or transient lodging activity is occurring. The emergency contact information shall be posted in a prominent and visible location inside the short-term rental, vacation rental, or transient lodging establishment. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-5].

5.25.060 Use regulations.

The Sedona Land Development Code district regulations shall be applied to a short-term rental, vacation rental, or transient lodging establishment in the same manner as other property classified under A.R.S. §§ [42-12003](#) and [42-12004](#). The use of any short-term rental, vacation rental, or transient lodging establishment in any single-family residential district shall be limited to the uses identified in the Sedona Land Development Code for that particular single-family residential zoning district. [Ord. 2008-01, 1-22-08; Ord. 2015-09 § 1, 6-23-15; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-6].

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Chapter 5.25 SHORT-TERM RENTAL REGULATION

Sections:

- [5.25.010](#) Title.
- [5.25.020](#) Findings and purpose.
- [5.25.030](#) Definitions.
- [5.25.040](#) Business license requirement.
- [5.25.050](#) Emergency contact.
- [5.25.060](#) Use regulations.

5.25.010 Title.

This chapter shall be known as the city of Sedona short-term rental regulation chapter. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-1].

5.25.020 Findings and purpose.

The city of Sedona is committed to maintaining its small-town character, scenic beauty, and natural resources that are the foundation of its economic strength and quality of life. (Sedona Community Plan, Section 9.2, Recommendations Goal 1.0.) The purpose of this chapter is to safeguard the public health and safety of the residents of Sedona and their visitors and guests while preserving the residential character of neighborhoods, minimizing nuisances, and providing equity with other residential and commercial uses. Therefore, in an attempt to further promote the aims and goals of the Sedona Community Plan, the city does hereby adopt the following provisions in an attempt to protect the public's health and safety in residential neighborhoods. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-2].

5.25.030 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Emergency point of contact" means the identity and a 24-hour telephone number for the person, enterprise, or agency who is the owner, proprietor, or representative of a short-term rental or transient lodging establishment.

"Transient lodging" means the business of operating for occupancy by transients a hotel or motel, including an inn, tourist home or house, dude ranch, resort, campground, studio or bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure, and also including a space, lot, or slab that is occupied or intended or designed for occupancy by transients in a mobile home or trailer furnished by them for such occupancy.

"Vacation rental" or "short-term rental" means any individually or collectively owned single-family or one-to four-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under A.R.S. § [42-12001](#). "Vacation rental" and "short-term rental" do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center, or another similar use. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-3].

5.25.040 Business license requirement.

Every ~~short term rental, vacation rental, or~~ transient lodging establishment located within the jurisdictional boundaries of the city of Sedona or which is obligated to remit transaction privilege taxes for the ~~operation of a short term rental, vacation rental, or~~ transient lodging activity in the city of Sedona shall obtain a city of Sedona business license as required pursuant to Chapter [5.05](#) SCC. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-4].

5.25.050 Emergency contact.

~~An application for a city of Sedona business license f~~For every short-term rental, vacation rental, or transient lodging establishment within the City of Sedona, the owner shall provide to the City Finance Department ~~be accompanied by~~ the designation of an emergency point of contact on a form provided which shall include a current, valid telephone number at which an immediate, 24-hour response may be obtained to address an accident, medical emergency, natural disaster, law enforcement response, or other serious incident that requires immediate attention at the premises on which the short-term rental, vacation rental, or transient lodging activity is occurring. The emergency contact information shall be posted in a prominent and visible location inside the short-term rental, vacation rental, or transient lodging establishment. [Ord. 2008-01, 1-22-08; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-5].

5.25.060 Use regulations.

The Sedona Land Development Code district regulations shall be applied to a short-term rental, vacation rental, or transient lodging establishment in the same manner as other property classified under A.R.S. §§ [42-12003](#) and [42-12004](#). The use of any short-term rental, vacation rental, or transient lodging establishment in any single-family residential district shall be limited to the uses identified in the Sedona Land Development Code for that particular single-family residential zoning district. [Ord. 2008-01, 1-22-08; Ord. 2015-09 § 1, 6-23-15; Ord. 2016-06 § 1, 10-11-2016 (Res. 2016-29 Exh. A, 10-11-2016); Ord. 2016-12 § 1, 12-13-2016 (Res. 2016-37 (Exh. A), 12-13-2016). Code 2006 § 8-4-6].

ORDINANCE NO. 2018-__

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE CITY CODE CHAPTER 5.25.010 (SHORT TERM RENTAL REGULATION); PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR REPEAL OF ANY ORDINANCE OR PARTS OF ORDINANCES OR CODE PROVISIONS IN CONFLICT HEREWITH.

WHEREAS, it is the intention of the City Council to provide further clarity and ease of administration of those provisions set forth in Chapter 5.25.010 relating to the rental of residential properties for less than thirty (30) days.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA AS FOLLOWS:

Section 1. Amendment of Chapter 5.25.010 (Short Term Rental Regulation)

Chapter 5.25.010 of the Sedona City Code is hereby amended by incorporating by reference those changes set forth in that public record entitled “*2018 Amendments to the City Code Short Term Rental Regulation*” and established as a public record by Resolution No. 2018-__ as though said provisions are fully set forth herein.

Section 2. Savings Clause

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 any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

Section 3. Repeal

All other code provisions, ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona, this 9th day of January, 2018.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Robert L. Pickels, Jr., City Attorney