

AGENDA

4:30 P.M.

CITY OF SEDONA, CITY COUNCIL MEETING

TUESDAY, APRIL 10, 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 - March 21, 2018 City Council Special Meeting. 
- b. Minutes - March 27, 2018 City Council Regular Meeting. 
- c. Minutes - March 28, 2018 City Council Special Meeting. 
- d. AB 2358 Approval of the donation of one bronze sculpture from Friends of Jack Jamesen Memorial Park, Jill Galea, Chairman, to be placed within Jack Jamesen Memorial Park. 
- e. AB 2361 Approval of a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Sunday, April 29, 2018 from 3:00 p.m. to 6:00 p.m. located at the Sedona Hub, 525B Posse Grounds Road, Sedona, AZ. 
- f. AB 2362 Approval of recommendation regarding an interim and new Series 12 Restaurant Liquor License for Steakhouse 89 located at 2620 W. HWY 89-A, Sedona, AZ (Job #10194). 
- g. AB 2329 Approval of a resolution adopting revised Planning and Zoning Commission Operating Rules and Procedures. 

4. APPOINTMENTS - Swearing in of New Councilor, Jessica Williamson.




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 2359 **Presentation/public hearing** concerning whether the City of Sedona should extend the Alternative Expenditure Limitation – Home Rule Option with regard to the City Budget. This is the first of two public hearings and this issue would be placed on the August 28, 2018 ballot for voter approval. 
- b. AB 2365 **Public hearing/discussion/possible action** regarding a resolution and ordinance amending the Sedona Sign Ordinance, Sedona Land Development Code, Article 11, Sign Regulations, clarifying that signs may be placed in the Arizona Department of Transportation's (ADOT) right-of-way with proper approval and permits from ADOT. 
- c. AB 2336 **Discussion/possible action** regarding proposed state legislation and its potential impact on the City of Sedona. 
- d. **Reports/discussion** on Council assignments.
- e. **Discussion/possible action** on future meeting/agenda items.

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.

Page 2, City Council Meeting Agenda Continued

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
Special City Council Meeting
Schnebly Conference Room, Sedona City Hall,
104 Roadrunner Drive, Sedona, Arizona
Wednesday, March 21, 2018, 4:00 p.m.**

This meeting was relocated from the Finance Conference Room to the Schnebly Conference Room to accommodate more people.

1. Call to Order/Moment of Silence

Mayor Moriarty called the meeting to order at 4:00 p.m.

2. Roll Call

Roll Call: Mayor Sandy Moriarty, Vice Mayor John Martinez, Councilor John Currivan, Councilor Scott Jablow, Councilor Tom Lamkin, Councilor Jon Thompson.

Staff in attendance: City Attorney Robert Pickels, Jr., City Clerk Susan Irvine

3. Special Business

a. Interview with candidate for City Council. Candidate to be interviewed is:

- i. 4:00 p.m. Michael K. Ward.

Council conducted an interview with Michael K. Ward.

Interview only. No action taken.

4. Adjournment

Mayor Moriarty adjourned the meeting at 4:47 p.m.

I certify that the above are the true and correct actions of the Special City Council Meeting held on March 21, 2018.

Susan L. Irvine, CMC, City Clerk

Date

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Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, March 27, 2018, 4:30 p.m.

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

Mayor Moriarty called the meeting to order at 4:32 p.m.

2. Roll Call

Roll Call: Mayor Sandy Moriarty, Vice Mayor John Martinez, Councilor John Currivan, Councilor Scott Jablow, Councilor Tom Lamkin, Councilor Jon Thompson.

Staff Present: City Manager Justin Clifton, Assistant City Manager Karen Osburn, City Attorney Robert Pickels, Jr., Associate City Attorney Rob Pollock, Director of Community Development Audree Juhlin, Public Works Director & City Engineer Andy Dickey, Engineering Supervisor Stephen Craver, Associate Engineer Bob Welch, Chief of Police David McGill, IT Network Engineer Michael Reid, Parks & Recreation Manager Rachel Murdoch, Administrative & Recreation Assistant Aaron Day, Deputy City Clerk Valerie Webber, City Clerk Susan Irvine.

3. Consent Items

- a. **Minutes - March 6, 2018 City Council Special Meeting - Council Retreat.**
- b. **Minutes - March 13, 2018 City Council Special Meeting.**
- c. **Minutes - March 13, 2018 City Council Regular Meeting.**
- d. **Approval of Proclamation, Welcome Home Vietnam Veterans Day, March 29, 2018.**
- e. **Approval of Proclamation, Fair Housing Month, April 2018.**
- f. **Approval of Proclamation, Annual Start by Believing Day, April 4, 2018.**
- g. **AB 2354 Approval of a Special Event Liquor License for Rotary Club of Sedona Charitable Fund for the annual Chili Cook-Off event scheduled for Saturday, May 5, 2018 from 11:00 a.m. to 5:00 p.m. located at Tlaquepaque, 336 State Route 179, Sedona, AZ.**
- h. **AB 2356 Approval of a resolution authorizing an Intergovernmental Agreement between the City of Sedona and Yavapai County for construction of the Dry Creek Road Overlay Project.**
- i. **AB 2357 Approval of the use of contingency funds for cost reimbursement to Stratton Restoration, LLC for the replacement of the courtyard concrete in the amount not to exceed \$115,000.**
- j. **AB 2360 Approval of a Special Event Liquor License for Rotary Club of Sedona Red Rocks for the annual Food Truck Festival scheduled for Saturday, April 14, 2018 from 9:00 a.m. to 8:00 p.m. located at Posse Grounds Park, 525 Posse Grounds Road, Sedona, AZ.**

Motion: Councilor Lamkin moved to approve consent items 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i and 3j. 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 Thompson stated that KSB will be hosting their annual Native Plant Workshop on April 7th from 8:30 a.m. to 2:15 p.m. at West Sedona School. On April 9th, there will be a Healthy Brain Community Forum at the Creative Life Center from 8:00 a.m. to 12:00 p.m. Following this event, the speakers, Drs. Dean and Ayesha Sherzai will host a discussion on their book "The Alzheimer's Solution" at the Sedona Public Library from 3:00 to 4:30 p.m. Justin Clifton introduced and welcomed the following new members of City staff: Deputy City Clerk Valerie Webber, IT Network Engineer Michael Reid, and Administrative & Recreation Assistant Aaron Day. Vice Mayor Martinez advised that the Celebration of Spring is on March 31st from 9:00 a.m. to 12:00 p.m. at Posse Grounds Park, and the cost is \$5 for children.

6. Public Forum

Terri Frankel, Sedona, gave information on the History of the Soldier event at Fort Verde State Park in Camp Verde on April 7th and 8th. She also stated that there will be a fundraiser on Saturday, April 7th, at Enchantment Resort called "Back the Blue" to raise money for a K-9 and police sculpture.

Linda Damita, Sedona, advised that she and her business partner, Nathan Trujillo, submitted a proposal to Justin Clifton about the Hub and Barbara's Park Pavilion. She stated that they would like to be involved in any discussions about changes at the venues including sound, lighting, and operations.

7. Proclamations, Recognitions, and Awards

a. Presentation of Proclamation, Welcome Home Vietnam Veterans Day, March 29, 2018.

Mayor Moriarty read the Proclamation and presented it to Ed Uzumeckis. Dr. Uzumeckis thanked the Council for the recognition and reviewed the upcoming activities related to this event.

b. Presentation of Proclamation, Annual Start by Believing Day, April 4, 2018.

Mayor Moriarty read the Proclamation and presented it to Yavapai College Chief of Police Jerry Monahan. Chief Monahan thanked the Council for the recognition and stressed the importance of supporting victims of sexual assault.

8. Regular Business

a. AB 2343 Presentation/discussion regarding a general countywide update from Yavapai College.

Presentation by Yavapai College Executive Dean/Campus Executive Officer for Verde Valley Campus Dr. James Perey.

Questions and comments from Council.

Presentation and discussion only. No action taken.

Break at 5:54 p.m. Reconvened at 6:14 p.m.

b. AB 2355 Discussion/possible action regarding the approval of award of a professional services contract for the Uptown Roadway Improvements Project to Kimley-Horn and Associates, Inc. in an amount not to exceed

\$367,868, and a general update of the Sedona in Motion transportation program.

Presentation by Stephen Craver, Justin Clifton, Andy Dickey, and Bob Welch.

Questions from Council.

Opened to the public at 7:05 p.m.

The following spoke on this item: Jim Mager, Sedona, and Gail Digate, Sedona.

Brought back to Council at 7:09 p.m.

Further questions from Council.

Motion: Councilor Lamkin moved to approve the award of a professional services contract for the Uptown Roadway Improvements project to Kimley-Horn and Associates, Inc., in an amount not to exceed \$367,868, subject to approval of a written contract by the City Attorney's office. Seconded by Councilor Jablow. Vote: Motion carried unanimously with six (6) in favor and zero (0) opposed.

c. AB 2336 Discussion/possible action regarding proposed state legislation and its potential impact on the City of Sedona.

Presentation by Robert Pickels, Jr.

Questions and comments from Council.

d. Reports/discussion on Council assignments.

Councilor Currivan advised that the Sedona Community Center won the Golden Plate Award for the second year in a row.

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

Mayor Moriarty stated that there is a special meeting tomorrow at 1:00 p.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 7:26 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on March 27, 2018.

Susan L. Irvine, CMC, City Clerk

Date

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**Action Minutes
Special City Council Meeting
Vultee Conference Room, Sedona City Hall,
106 Roadrunner Drive, Sedona, Arizona
Wednesday, March 28, 2018, 1:00 p.m.**

1. Call to Order/Moment of Silence

Mayor Moriarty called the meeting to order at 1:00 p.m.

2. Roll Call

Roll Call: Mayor Sandy Moriarty, Vice Mayor John Martinez, Councilor John Currivan, Councilor Scott Jablow, Councilor Tom Lamkin, Councilor Jon Thompson.

Staff in attendance: City Attorney Robert Pickels, Jr., Deputy City Clerk Valerie Webber, City Clerk Susan Irvine

Break at 1:02 p.m. Reconvened at 1:15 p.m.

3. Special Business

a. Interviews with candidates for City Council. Candidates to be interviewed are:

- i. 1:15 p.m. Janice Howes Hudson

Council conducted an interview with Janice Howes Hudson.

- ii. 2:00 p.m. Jessica Williamson

Council conducted an interview with Jessica Williamson.

Break at 2:23 p.m. Reconvened at 2:45 p.m.

- iii. 2:45 p.m. James Curry

Council conducted an interview with James Curry.

Interviews only. No action taken.

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:

b. Deliberation regarding candidates interviewed to fill the City Council vacancy. This matter is brought in executive session pursuant to A.R.S. 38-431.03(A)(1).

Motion: Vice Mayor Martinez moved to enter into Executive Session at 3:03 p.m. Seconded by Councilor Lamkin. Vote: Motion carried unanimously with six (6) in favor and zero (0) opposed.

Return to open session.

c. AB 2363 Discussion/possible action on selection and appointment of a person to fill the City Council vacancy.

Motion: Councilor Lamkin moved to appoint Jessica Williamson to fill the City Council vacancy until the individual elected during the Fall 2018 election cycle to

fill the remaining two years of Councilor Vernier's term is sworn in to office. Seconded by Councilor Thompson. Vote: Motion carried with four (2) in favor and two (2) opposed. Vice Mayor Martinez and Councilor Currivan opposed.

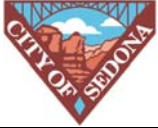
4. Adjournment

Mayor Moriarty adjourned the meeting at 3:43 p.m.

I certify that the above are the true and correct actions of the Special City Council Meeting held on March 28, 2018.

Susan L. Irvine, CMC, City Clerk

Date



**CITY COUNCIL
AGENDA BILL**

**AB 2358
April 10, 2018
Consent Items**

Agenda Item: 3d
Proposed Action & Subject: Approval of the donation of one bronze sculpture from Friends of Jack Jamesen Memorial Park, Jill Galea, Chairman, to be placed within Jack Jamesen Memorial Park.

Department	Parks and Recreation
Time to Present	N/A
Total Time for Item	
Other Council Meetings	June 13, 2017
Exhibits	A. Donation Agreement B. Artist Biography C. Map of location

City Attorney Approval	Reviewed 4/3/18 RLP	Expenditure Required
		\$ 0
City Manager's Recommendation	Approve the donation of a bronze sculpture for Jack Jamesen Park.	Amount Budgeted
		\$ 0
		Account No. N/A (Description)
		Finance Approval <input checked="" type="checkbox"/>

SUMMARY STATEMENT

The Friends of Jack Jamesen Memorial Park (Friends) are interested in improving the park with the addition of a third bronze sculpture.

Background: The Friends of Jack Jamesen Memorial Park (Friends) are interested in donating one bronze sculpture to be located within Jack Jamesen Memorial Park. According to the Friends, it was the initial intent of this pocket park to create a sculpture garden and was designed with “separate featured themed areas to highlight our dedicated citizens.” The Friends are proposing the donation of a 77” bronze *Athena’s Prayer* created by artist James N. Muir. A Biography of the artist can be found in Exhibit B. According to the original design of the park, there is still room for three more sculptures. The artwork in question will be located according to the map in Exhibit C. The Friends are responsible for the installation of each sculpture. There is no anticipated cost to the City. The estimated value of this piece of art is \$80,000.

It is the goal of the Friends to donate a total of six pieces of art to this park. This will be the fourth if it is approved.

Community Plan Consistent: Yes - No - Not Applicable

Arts, Key Issues: Need to enhance Sedona's role as an important arts community. There are two primary components of arts in Sedona: visual arts and performing arts. Both are key ingredients in defining and sustaining Sedona's regional, national and international appeal.

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Approve a different location within Jack Jamesen Memorial Park.

MOTION

I move to: approve the acceptance of the donation of one sculpture to be located at Jack Jamesen Memorial Park.



**Agreement Between
City of Sedona
and
Friends of Jack Jamesen Memorial Park
for donation**

THIS AGREEMENT, entered into this 10th day of April, 2018 is by and between the City of Sedona (the “City”), a municipal corporation, and Friends of Jack Jamesen Memorial Park (the “Donor”), Jill Galea, Chairman, 44 Stutz Bearcat, Sedona, AZ 86336.

WHEREAS, the Donor and the City recognize the importance of park facilities and amenities;
and

WHEREAS, the Donor has offered to donate up to six bronze sculptures.

NOW, THEREFORE, the City and the Donor, for the consideration and under the described conditions and obligations, hereinafter set forth and agree as follows:

Section 1. The donation, known as *Athena’s Prayer*, as described below, is donated in its entirety to the citizens of Sedona to be hereafter owned by the City of Sedona and managed on behalf of the citizens by the Department of Parks and Recreation.

Section 2. Description: *Athena’s Prayer*. This item is a 77” high by 43” wide bronze statue. The appearance is that of a military uniformed woman staring into the sky. The artist is James N. Muir.
Park or Facility: Jack Jamesen Memorial Park
Location: On the east side of the existing walkway near the north entrance of the Military Service Park
Additional information: The bronze will be placed on a concrete base that is 43” in diameter.

Section 3. The City reserves the right to move/remove and/or retire the said donations following cessation of a five-year period. The five-year period shall commence upon the date entered into and indicated above.

Section 4. **Maintenance**
The City shall be responsible for maintenance of the item, including any reasonable repairs, and will have the discretion to not replace and/or repair the donation, if it is deemed damaged beyond reasonable repair and/or replacement, suffers repeated vandalism, and/or expires prior to cessation of the five-year period. Maintenance or replacement of the item will be at the City’s sole discretion.

Section 5. **Term**
The initial term of this agreement shall be five years. Following cessation of the five-year period, the City may treat the donation, as it would any other City property similar in nature.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their duly authorized officials.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth above.

By:
Sandra J. Moriarty, Mayor
City of Sedona
102 Roadrunner Drive
Sedona, Arizona 86336

By:
Jill Galea, Chairman
Friends of Jack Jamesen Memorial Park
44 Stutz Bearcat
Sedona, AZ 86336

ATTEST:
Sedona City Clerk

Susan L. Irvine, CMC

Approved as to form:
Sedona City Attorney

Robert L. Pickels, Jr.

Date: _____, 2018

Exhibit B

“ALLEGORICAL ARTIST” JAMES N. MUIR

James N. Muir was born in Indianapolis, Indiana 1945. He attended the United States Military Academy at West Point for one and a half years and completed his B.S. Degree at Indiana University in 1970, while also having served six years in both the U.S. Army and Air Force. His professional art career as a sculptor began in Sedona, Arizona 1980 where he has continued to be a full-time professional artist for over three decades. He owned his own bronze casting foundry, Seraph M Fine Art Bronze, from 1982 to 1988 in Sedona, Arizona. He has completed over 100 sculptures to date, with over 60 life-size and monumental sculptures placed in public locations across the country and abroad.

Allegorical Art is a term Muir uses to describe his art as being filled with symbolic meaning. Bridging the centuries from his historical military subjects to today's social, political and spiritual commentary, his sculptures speak eloquently of Duty, Honor, Courage, and Justice, but above all, of Truth and the ultimate triumph of the Human Spirit. He has built upon the recognition gained initially as an historical military sculptor to create an ever-expanding array of artistic commentary exemplifying the highest qualities of man.

Muir's early interest in history and the military was reinforced by his experiences as a West Point cadet and to which he also attributes the cementing of his personal “Code of Honor.” Muir's ever-deeper involvement with horses, and his continuing quest for spiritual Truth, led him to Arizona in 1979 for the freedom and inspiration of the great American West. He ultimately settled in Sedona, Arizona and there embarked on a full-time career in sculpting, initially specializing in historical subjects. In 1990 he began to expand his work to include contemporary subjects and accepting commissions in life-size and monumental.

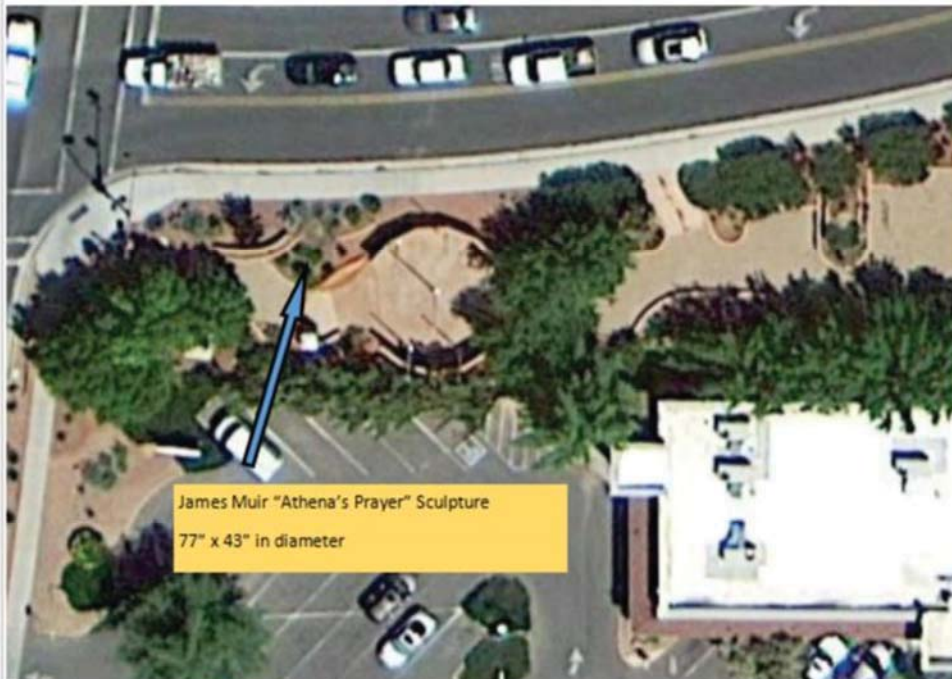
His meticulous attention to detail, coupled with an insightful grasp of the human experience resulted in exquisitely crafted and poignant bronzes. He quickly gained the acclaim of collectors around the country. Some of the public collections Muir's work resides include: West Point Military Academy in New York, U.S. Cavalry Museum at Fort Riley, Booth Museum in Georgia, Birkenau Museum at Auschwitz, St. Louis University, Gettysburg Battlefield Museum, Pearce Western Art Museum, Sons of The American Revolution Headquarters, University of Arizona, NRA Headquarters, Palmerton Borough Park, Atlanta Historical Society, Paul Harvey News Broadcasting Headquarters, George W. Bush Presidential Library/Museum, Scottsdale Healthcare Hospitals, and some of the most prominent private collections in America.

One long term goal realized, was Muir's first book, “Lanterns Along the Path”, published in 2004 with a second printing in 2005. The book was chosen to be offered nationwide by Barnes & Noble. A labor of love, Muir spent nearly seven years writing the book that showcases many of his sculptures with a flowing narrative which addresses the

spirit of the human journey. The book was recognized as its own work of art: Muir received the “2004 Pinnacle Book Achievement Award” in the Inspirational Category.

Recent commissions include a 30-foot-high Crucifix and Christ sculpture for Chapel of The Holy Cross in Sedona, Arizona, a monumental Confederate piece “The Last Horseman” for Martinsburg, West Virginia, and the 25-foot-high monument for Texas A&M University, symbolizing their 6 Core Values.

In keeping with his deep spiritual convictions and social consciousness, Muir’s sculptural and philanthropic works reflect the critical nature of the times in which we live. Whether historical or contemporary, “The golden thread that ties it all together is still his never-ending quest for the essence of life - for Truth in its purest form.”



The sculpture will site on a 43" diameter 4" slab with a thicken 18" x 18" center with 2 layers #3 rebar each way at 12" spacing. The sculpture will be attached as follows: Drill and epoxy 4 ALL Thread 1/2" bolts—Imbedding 8 inches. Bolt patter per sculpture base and template.

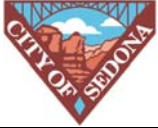
ATHENA'S PRAYER" by James N. Muir

"Athena" is the classical goddess, not only of War but also of Wisdom. A modern Athena, just returned from Battle with the enemies of America, helmet held protecting her heart, looks heavenward in Prayer.

She symbolizes the feminine "prudence" to war.

It begs the enigmatic question of what is her Prayer – the answer to be supplied by the viewer, as a catharsis for helping to heal the individual, and very personal, "wounds of war." This is a tribute to all the women who have served in America's Armed Forces.

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**CITY COUNCIL
AGENDA BILL**

**AB 2361
April 10, 2018
Consent Items**

Agenda Item: 3e

Proposed Action & Subject: Approval of a Special Event Liquor License for Red Earth Theatre for a concert scheduled for Sunday, April 29, 2018 from 3:00 p.m. to 6:00 p.m. located 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 4/3/18 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 License for a concert scheduled for Sunday, April 29, 2018 from 3:00 p.m. to 6:00 p.m. located at the Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

A Special Event Liquor License is a temporary, non-transferable, on-sale retail privileges liquor license that allows a charitable, civic, fraternal, political or religious organization to sell and serve spirituous liquor for consumption only 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 request a special event application from the State and file the application with the governing body of the city or town, or Board of Supervisors of an unincorporated area of a county, where the special event is to take place, for approval or disapproval. If the application is approved by the local authority, and the event meets the requirements for granting the license, the director will 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): Deny approval of a Special Event License License for Red Earth Theatre for a concert scheduled for Sunday, April 29, 2018 from 3:00 p.m. to 6:00 p.m. located at the Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.

MOTION

I move to: approve the Special Event License License for Red Earth Theatre for a concert scheduled for Sunday, April 29, 2018 from 3:00 p.m. to 6:00 p.m. located at the Sedona Hub, 525B Posse Grounds Road, Sedona, AZ.



**CITY COUNCIL
AGENDA BILL**

**AB 2362
April 10, 2018
Consent Items**

Agenda Item: 3f
Proposed Action & Subject: Approval of recommendation regarding an interim and new Series 12 Restaurant Liquor License for Steakhouse 89 located at 2620 W. HWY 89-A, Sedona, AZ (Job #10194).

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

City Attorney Approval	Reviewed 4/3/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	Approve an interim Series 12 Restaurant Liquor License for Steakhouse 89.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: State liquor laws require Sedona's City Council to forward a recommendation for approval or denial of applications for liquor licenses.

The City has received an application for an Interim Permit and new Series 12 Restaurant Liquor License for Steakhouse 89 located at 2620 W. HWY 89-A, Sedona, AZ (Job #10194). The liquor license application is available for review and inspection in the City Clerk's office or by email. This is necessary due to a change in ownership of the business.

A Series 12 Liquor License is a non-transferable, on-sale retail privileges liquor license that allows the holder of a restaurant license to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement may result in revocation of the license.

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

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Recommend denial of an interim and new Series 12 Restaurant Liquor License for Steakhouse 89 located at 2620 W. HWY 89-A, Sedona, AZ (Job #10194).

MOTION

I move to: recommend approval of an interim and new Series 12 Restaurant Liquor License for Steakhouse 89 located at 2620 W. HWY 89-A, Sedona, AZ (Job #10194).



**CITY COUNCIL
AGENDA BILL**

**AB 2329
April 10, 2018
Consent Items**

Agenda Item: 3g
Proposed Action & Subject: Approval of a resolution adopting revised Planning and Zoning Commission Operating Rules and Procedures.

Department	Community Development
Time to Present	N/A
Total Time for Item	
Other Council Meetings	January 9, 2018
Exhibits	A. Planning and Zoning Commission’s Operating Rules and Procedures

City Attorney Approval	Reviewed 4/3/18 RLP	Expenditure Required
		\$ 0
City Manager’s Recommendation	Approve new Planning and Zoning Commission Operating Rules and Procedures.	Amount Budgeted
		\$ 0
		Account No. N/A (Description)
		Finance <input checked="" type="checkbox"/> Approval

SUMMARY STATEMENT

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

On January 9, 2018, City Council considered the Commission’s recommended Rules. At this meeting, several Councilors proposed additional language changes. However, before taking action on the Rules, Council felt it was important to have the Commission review the suggested language changes before taking final action.

On March 6, 2018, the Planning and Zoning Commission discussed the additional language changes and incorporated many of the suggested changes to their Rules, in a unanimous vote (6-0). Exhibit A provides a redline version of the document as recommended by the Commission.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

On March 6, 2018, the Planning and Zoning unanimously recommended approval of their Operating Rules and Procedures.

Alternative(s):

MOTION

I move to: approve Resolution 2018-___ adopting the Planning and Zoning Commission's Operating Rules and Procedures.

RESOLUTION NO. ~~1988-36~~ 2018-XX

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 ~~o~~ 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 unexcused meetings during a 12-month period or the number of meetings necessary to be efficient in their duties as determined by the City Council; or,~~
- 1.2.2 ~~A Member may also be removed by the City Council at any time for inefficiency, neglect of duty or malfeasance.~~
- 1.3 ~~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: ChairpersonChair

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

~~3.2~~ The ~~Chairperson-Chair~~ 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.~~

~~3.3~~ 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-ChairpersonChair

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

~~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 SecretaryCommunity Development Director

~~5.1~~ The ~~Executive Secretary to the Commission shall be the Director of~~ Community Development Director (hereinafter called SecretaryDirector); ~~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 purchase vouchers prior to their submittal to the City Manager.~~

Article 6: Legal Counsel

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

Article 9: Meetings

9.1 All meetings shall be held in full compliance with the provisions of Arizona Open Meeting Law, 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 direction 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~~ Chair, 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 be 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 The Director, in consultation with the Chair, may cancel the meeting 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 unless otherwise specified.

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. During the course of any meeting, the Chairperson may change the order of agenda items to avoid inconvenience or delays to the public. The agenda for each regular and special meeting, except for executive sessions and work study sessions, shall consist of the following:~~

~~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. In consultation with the Chair, the Director will determine if the item is appropriate for Commission discussion.~~

~~11.3 During the course of any meeting, the Chair 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 sessions, shall consist of the following:~~

~~Verification of notice, e~~Call to order, pledge of allegiance, roll call.

~~11.2: Approval of minutes of previous meeting (s)~~

~~Announcements & Summary of Current Events by Commissioners & Staff~~

~~11.3: Correspondence.~~

~~11.4: 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 datesagenda 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 to before~~ the Commission upon being recognized by the ~~Chairperson~~ Chair.
- 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~~ Chair ~~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, the general Commission handbook, and the Planning and Zoning Commission's handbook as well as the Commission's Operating Rules and Procedures and any other applicable regulation or provision.
- 14.2 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.

- 14.2:3 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.
- 14.3:4 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 ~~Director~~Secretary, 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.
- 14.45 ~~Appearance before Council:~~ Members shall not appear to speak before the City Council on Commission matters unless the Commission has given their consent, unless explicitly invited by the Council, or directed by a majority vote of members, to do so.
- 14.56 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~~
- ~~g.~~ Close public participation.
- ~~h.~~ ~~Additional d~~Discussion and additional questions by Commission.
- ~~i.~~ Open for a motion.
- ~~j.~~ 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 11~~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.
- ~~1716.5~~ Resolutions ~~passed or other official actions approving or denying an~~ Agenda items.

Article 1817: Amendments

~~These~~The 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 a majority vote of ~~four or more~~its Members. If, following presentation discussion of proposed amendments to these Operating Rules and Procedures, the Commission declines to make an affirmative recommendation to City Council, the Director may nonetheless forward those amendments to City Council for consideration. 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
Revised: R2018-XX, XXX XX, 2018



**CITY COUNCIL
AGENDA BILL**

**AB 2359
April 10, 2018
Regular Business**

Agenda Item: 8a

Proposed Action & Subject: Presentation/public hearing concerning whether the City of Sedona should extend the Alternative Expenditure Limitation – Home Rule Option with regard to the City Budget. This is the first of two public hearings and this issue would be placed on the August 28, 2018 ballot for voter approval.

Department	City Manager’s Office/Finance Department
Time to Present	15 minutes
Total Time for Item	1 hour
Other Council Meetings	N/A
Exhibits	A. PowerPoint Presentation

City Attorney Approval	Reviewed 4/3/18 RLP	Expenditure Required	
		\$ 0	
City Manager’s Recommendation	Hold a public hearing concerning whether the City of Sedona should extend the Alternative Expenditure Limitation – Home Rule Option regarding the local approval of the Annual Budget.	Amount Budgeted	
		\$ 0	
		Account No. (Description)	This will be budgeted as part of the election costs anticipated for fiscal year 2019.
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: The purpose of this item is to meet the necessary requirements to place the continuation of the Home Rule Option, also known as Alternative Expenditure Limitation, on the ballot for the August 28, 2018 election.

This hearing, and a subsequent hearing on April 24, 2018, are required to place the continuation of Home Rule on the ballot. The City Council will determine by resolution at a special meeting on April 24th whether to place the Home Rule Option on the ballot. Approval of that resolution requires a supermajority, or two-thirds majority, vote of the Council. The Home Rule Option would then be voted on by the public at the August 28, 2018 election.

The City has operated under the Home Rule Option (Alternative Expenditure Limitation) for 22 years. The voters last approved the alternative expenditure limitation in August 2014. Under the State Constitution, Article IX, § 20, Home Rule must be placed on the ballot every four years.

Approval of Home Rule allows the City to continue to set its budget locally. Home Rule gives the City local control for use of the funds it receives through the taxes and fees; instead of limiting expenditures to the state-imposed expenditure limitation based on population and expenditures during the 1979/1980 fiscal year, adjusted for growth and inflation.

Home Rule does not authorize any new taxes, nor does the state-imposed limitation reduce the City's capacity to collect revenue such as taxes. It only reduces the ability to expend revenue being collected by the City. If Home Rule is not passed, this would result in the City's inability to expend revenues collected to support existing levels of operations and City services. The City would be required to reduce or eliminate programs, services, and capital projects to comply with the state-imposed expenditure limitation. 79 of the 91 cities and towns (87%) in Arizona operate under an alternative to the state's expenditure limitation.

If the resolution is approved to place the continuation of the Home Rule Option (Alternative Expenditure Limitation) on the ballot, any person, group or organization can submit an argument supporting or opposing the Home Rule-Alternative Expenditure Limitation Option. These arguments will be published in the publicity pamphlet for the election. Arguments must be filed with the Sedona City Clerk by May 30, 2018 to be included. The argument may not exceed two hundred (200) words in length.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Not Applicable.

MOTION

I move to: presentation and public hearing only. No action is necessary at this meeting.

PUBLIC HEARING FOR THE PROPOSED
EXTENSION OF THE ALTERNATIVE
EXPENDITURE LIMITATION
(HOME RULE OPTION)



City Council Meeting
April 10, 2018

Background - What is the State-Imposed Expenditure Limitation?

- In 1980, Arizona voters approved a tax reform package that placed an expenditure limitation on all cities and towns
 - Also allows local voters to override those limits
- Expenditures from fiscal year 1979-80 used as a baseline, then adjusted by inflation and estimated population growth each year
- Not included in the limit:
 - Bond Proceeds/Debt Service
 - Intergovernmental Revenue
 - Highway Users Revenue Funds (HURF) funds
 - Grants
- City may spend only a certain amount regardless of available local revenues or local needs

What is Home Rule?

- Alternative to the state imposed expenditure limitation
- Provides the City ability to determine its own expenditures each year based on a budget set locally
- City Council, with input from community, sets budget level based on
 - estimated revenues available
 - service level demands
 - community wants/needs
 - necessary infrastructure improvements
- Allows the City to expend the revenues it receives to provide services to residents
- Allows the City to make choices that best fit local conditions
- Does not impose, nor give City authority to impose, new taxes or fees
- Does not reduce existing taxes or fees or limit the ability to collect existing revenue sources
- City must continue to balance its budget each year

Challenges

- Population based formula does not consider visitor population and other commercial growth
- Does not account for new sources of local revenue
 - New utilities
 - Increased bed and sales tax rates
 - New sources of revenue, ex.) paid parking
- Not adjusted for additional services provided as a result of citizen and visitor demand, ex.) transportation sales tax
- Revenue collected above the limit would remain unavailable for a minimum of two years
- City of Sedona wasn't incorporated in 1980
 - In its first year the City wasn't providing breadth of services it does now
- Would result in significant service level reductions

Estimated 2019-2020 Expenditure Limitation Impact

	FY20 projected shortfall based on FY18 budget
Estimated FY 2019-2020 State-Imposed Expenditure Limitation	\$13,453,972
Estimated City Exemptions	\$9,861,596
Estimated FY 2019-2020 total allowable expenditures under state limit	\$23,315,568
Adopted Budget FY 2017-2018	(\$47,752,118)
Amount above Expenditure limit for FY 2019- 2020	(\$24,436,550)
Percent Difference	51%

More on Home Rule

- Most recently approved by voters in August 2014
- Must be approved by the voters and renewed every 4 years
- Sedona has been operating under Home Rule since 1996 – last 22 years
- 79 of 91 other cities/towns have adopted an alternative to the state-imposed expenditure limit (87% of all AZ cities and towns)
- Public Hearings, April 10, 2018 and April 24, 2018
- 4/24 public hearing will be followed by City Council vote to consider putting the AEL on the ballot
- August 28, 2018 election date
- Supporting and opposing arguments may be submitted to include in the publicity pamphlet - due to City Clerk by May 30, 2018



Questions?

Open Public Hearing

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**CITY COUNCIL
AGENDA BILL**

**AB 2365
April 10, 2018
Regular Business**

Agenda Item: 8b
Proposed Action & Subject: Public hearing/discussion/possible action regarding a resolution and ordinance amending the Sedona Sign Ordinance, Sedona Land Development Code, Article 11, Sign Regulations, clarifying that signs may be placed in the Arizona Department of Transportation's (ADOT) right-of-way with proper approval and permits from ADOT.

Department	Community Development
Time to Present	5 minutes
Total Time for Item	15 minutes
Other Council Meetings	February 27, 2018
Exhibits	A. Sign Code, Proposed Language B. Resolution C. Ordinance

City Attorney Approval	Reviewed 4/3/18 RLP	Expenditure Required
		\$ 0
City Manager's Recommendation	Approve revisions to the City Sign Code.	Amount Budgeted
		\$ 0
		Account No. N/A (Description)
		Finance Approval <input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: At the February 27, 2018 meeting, Council discussed the City's sign regulations in regards to the placement and enforcement of illegally placed off-premise signs along SR89A and SR179. Council concluded that the newly adopted sign regulations are not clear as they relate to the placement and enforcement of illegal signs in state right-of-way and directed staff to draft clarifying language. As a result, staff is proposing the following amendment to the sign regulations:

1114, Temporary Signs

1114.01, Standards for Temporary Signs, new item:

“F. State Right-of-Way. Signs shall not be placed in ADOT right-of-way, traffic medians, public sidewalks, or bicycle paths unless properly permitted in accordance with applicable state law.”

1114.02.A.5 Temporary Signs, Residential Districts, delete the following language:

“5. Signs shall not be placed so as to create a traffic hazard, as determined by city staff. ~~Signs shall not be placed in ADOT right-of-way, traffic medians, public sidewalks, or bicycle paths.~~”

Staff believes these two proposed amendments provide the clarification that allows for the City to enforce illegally placed off-premise signs in ADOT right-of-way.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s):

MOTION

I move to: approve Resolution 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 Sedona Land Development Code Section 1114 (Temporary Signs).

After 1st reading:

I move to: approve Ordinance 2018-___, an Ordinance of the City of Sedona, Arizona, amending the Land Development Code, Section 1114 (Temporary Signs); providing for a savings clause; and providing for repeal of any ordinance or parts of ordinances or code provisions in conflict herewith.

1114 Temporary signs.

1114.01 Standards for Temporary Signs.

A. Design standards related to color, font styles, and items of information are not applicable for temporary signs.

B. Sign Area. Sign area shall include the entire sign, including background and text.

C. Sign Location. Signs shall be located so as not to create a hazard for pedestrian or vehicular traffic.

D. Sign Installation. Temporary signs shall be installed in such a way that ensures they do not create a safety hazard.

E. Sign Illumination. Illumination of temporary signs is prohibited.

F. State Right-of-Way. Signs shall not be placed in ADOT right-of-way, traffic medians, public sidewalks, or bicycle paths unless properly permitted in accordance with applicable state law.

1114.02 The following regulations shall apply to the specific temporary signs as indicated and subject to the issuance of a temporary sign permit:

A. Temporary Signs, Residential Districts.

1. Up to 4 temporary signs may be placed either on the owner's property or off site for the purpose of directing the public when the property owner is opening the property to the public for a residential or nonprofit activity (e.g., real estate open house, garage/yard sale, estate sale), subject to the following:

a. Maximum of 1 sign may be located on site.

b. Maximum of 3 signs may be located off site, with no more than 1 sign per turning movement.

c. Signs may be displayed a maximum of 12 times per year.

2. Signs may be displayed between the hours of 7:00 a.m. and 8:00 p.m.

3. Signs shall not exceed 3 square feet in area and 3 feet in height.

4. Signs shall not be illuminated.

5. Signs shall not be placed so as to create a traffic hazard, as determined by city staff.
~~Signs shall not be placed in ADOT right-of-way, traffic medians, public sidewalks, or bicycle paths.~~
6. Signs may be placed in City of Sedona right-of-way in residential districts, but shall not be attached to any trees, fences, utility poles, light posts, street signs, or any other public facility located within city right-of-way.
7. Signs shall have sufficient weight and durability to withstand wind gusts, storms, and other weather elements.
8. Signs shall not be made of flimsy or unstable materials such as cardboard boxes, poster board, or paper.
9. Signs shall not have attachments, including, but not limited to, balloons, ribbons, loudspeakers, etc.
10. Signs may be placed on privately owned property within residential districts with the written permission of the property owner.
11. Accepting payment or any form of compensation for the placement of off-premises signs is prohibited.
12. Temporary signs in residential districts shall be used only for wayfinding purposes.
13. Violations are subject to any and all adopted fees and enforcement policies and regulations.

B. Temporary Signs, Commercial Districts.

1. Temporary signs are allowed in commercial districts subject to the limitations of this section.
2. Temporary signs in commercial districts may be displayed on site 5 times per year for a maximum of 5 consecutive days each time.
3. New businesses shall be permitted to display 1 temporary sign for a maximum of 30 days. This 30-day period shall not start prior to issuance of a tenant occupancy permit and shall not extend beyond installation of the permanent sign for the business or 30 days after issuance of a certificate of occupancy, whichever is sooner.
4. Temporary business signs shall not exceed 20 square feet in area.

5. Temporary signs shall be attached to the building of the business of which they are advertising.

a. Temporary signs may be freestanding if the overall height does not exceed 8 feet.

b. When attached to the building, temporary signs shall not be mounted higher than the eave line or top of the parapet wall of the building and no portion of the sign shall extend beyond the ends of the wall to which it is attached.

6. Temporary off-premises signs in commercial districts are prohibited except for temporary wayfinding signs for nonprofit or residential activities which are permitted, subject to the conditions in subsection [1114.02\(A\)](#) of this section (Temporary Signs, Residential Districts), for nonprofit or residential activities occurring adjacent to commercial districts.

7. The following signs may be permitted through a temporary sign permit:

a. Flag-mounted signs;

b. Banners;

c. Pennants;

d. Streamers;

e. Balloons;

f. Inflatable signs;

g. Costumed characters;

h. Sandwich board or A-frame signs.

C. Site Development Signs.

1. One on-premises site development sign may be allowed for each development project.

2. A site development sign may be displayed upon the issuance of a building permit for the project and shall be removed prior to the issuance of a certificate of occupancy or the abandonment of the project, whichever shall first occur.

3. Any site development sign shall not exceed 20 square feet in area and shall not exceed 8 feet in height.

[Ord. 2017-06 § 1, 9-26-2017 (Res. 2017-20 (Exh. A), 9-26-2017). Formerly 1111].

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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 SEDONA LAND DEVELOPMENT CODE SECTION 1114
(TEMPORARY SIGNS).**

WHEREAS, a need exists to clarify the language in our City sign ordinance that signs may be placed in the Arizona Department of Transportation's ("ADOT") right-of-way.

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 (TEMPORARY SIGNS)" 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 10th day of April, 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 Sedona Land Development Code (TEMPORARY SIGNS)

1114 Temporary signs.

1114.01 Standards for Temporary Signs.

A. Design standards related to color, font styles, and items of information are not applicable for temporary signs.

B. Sign Area. Sign area shall include the entire sign, including background and text.

C. Sign Location. Signs shall be located so as not to create a hazard for pedestrian or vehicular traffic.

D. Sign Installation. Temporary signs shall be installed in such a way that ensures they do not create a safety hazard.

E. Sign Illumination. Illumination of temporary signs is prohibited.

F. State Right-of-Way. Signs shall not be placed in ADOT right-of-way, traffic medians, public sidewalks, or bicycle paths unless properly permitted in accordance with applicable state law.

1114.02 The following regulations shall apply to the specific temporary signs as indicated and subject to the issuance of a temporary sign permit:

A. Temporary Signs, Residential Districts.

1. Up to 4 temporary signs may be placed either on the owner's property or off site for the purpose of directing the public when the property owner is opening the property to the public for a residential or nonprofit activity (e.g., real estate open house, garage/yard sale, estate sale), subject to the following:

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2. Signs may be displayed between the hours of 7:00 a.m. and 8:00 p.m.

3. Signs shall not exceed 3 square feet in area and 3 feet in height.

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5. Signs shall not be placed so as to create a traffic hazard, as determined by city staff.
6. Signs may be placed in City of Sedona right-of-way in residential districts, but shall not be attached to any trees, fences, utility poles, light posts, street signs, or any other public facility located within city right-of-way.
7. Signs shall have sufficient weight and durability to withstand wind gusts, storms, and other weather elements.
8. Signs shall not be made of flimsy or unstable materials such as cardboard boxes, poster board, or paper.
9. Signs shall not have attachments, including, but not limited to, balloons, ribbons, loudspeakers, etc.
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3. Any site development sign shall not exceed 20 square feet in area and shall not exceed 8 feet in height.

[Ord. 2017-06 § 1, 9-26-2017 (Res. 2017-20 (Exh. A), 9-26-2017). Formerly 1111].

ORDINANCE NO. 2018-__

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE SEDONA LAND DEVELOPMENT CODE, SECTION 1114 (TEMPORARY SIGNS); 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 Sedona Land Development Code, Section 1114 relating to temporary signs in the Arizona Department of Transportation's ("ADOT") right-of-way.

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

Section 1. Amendment of Section 1114 (TEMPORARY SIGNS)

Section 1114 of the Sedona Land Development Code is hereby amended by incorporating by reference those changes set forth in that public record entitled "2018 Amendments to the Sedona Land Development Code (TEMPORARY SIGNS)" 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 10th day of April, 2018.

Sandra J. Moriarty, Mayor

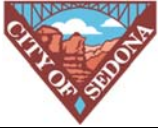
ATTEST:

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 2336
April 10, 2018
Regular Business**

Agenda Item: 8c
Proposed Action & Subject: Discussion/possible action regarding proposed State legislation and its potential impact on the City of Sedona.

Department	Legal
Time to Present	10 Minutes
Total Time for Item	30 Minutes
Other Council Meetings	January 23, 2018, February 13, 2018, February 27, 2018, March 13, 2018, March 27, 2018
Exhibits	None

City Attorney Approval	Reviewed 4/3/18 RLP	Expenditure Required	\$ 0
City Manager's Recommendation	None.	Amount Budgeted	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: During the course of the State Legislative Session, many bills are introduced that have a potential impact on the City of Sedona. The Arizona League of Cities and Towns and City staff routinely monitor bills of interest as they progress through the legislative process.

This item is scheduled in order to provide a summary update on relevant bills, to answer questions that the City Council may have in regard to any individual bill and to consider the need for the City Council to take a formal position in support or opposition of any particular bill.

On January 23, 2018, Council agreed by majority consensus to continue to allow staff and the Mayor to weigh in on issues at the Legislature on behalf of the City through the same process established on February 11, 2014. Council will be notified via email of issues on which the City takes a position. Such a practice is a very effective method of ensuring appropriate City involvement with legislative issues.

Community Plan Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s):

MOTION

I move to: for informational purposes only, unless there is a preference to take a position on a particular bill.