

Title VI Implementation Plan

Rural Public Transit Program FFY2020 Funding Cycle

City of Sedona 2020



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Web Address: www.sedonaaz.gov

Para Información en Español: Victor Estrada, Right-of-Way Specialist, (928) 204-7800

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Executive Summary

The City of Sedona (“City”) is a municipality in Arizona that was incorporated in 1988, has a current population of approximately 10,000, and has over 3 million visitors annually. 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.

The City does not currently have a transit system in place, nor does it currently receive 5311 funds. The FFY 2020 cycle is the City’s first application for 5311 funds. The 5311 funds will be used for administrative and planning purposes for implementation of the transit plan recently completed by the City. The plan will provide effective transit services across multiple jurisdictions within the greater Sedona area and Oak Creek Canyon.

Given there is not currently an operating transit system in Sedona, this Title VI implementation plan represents certification by the City of Sedona that the policies and procedures listed in this plan will be fully developed and implemented as part of the planning and administrative processes over the next two years. The City acknowledges that audits and inspections by the ADOT Civil Rights Office (CRO) will be conducted to verify the City’s compliance with the Title VI Plan that will be fully developed during implementation.

Phase I of the anticipated transit system, while not in place at this time, is anticipated to establish three core routes throughout the City of Sedona and the Village of Oak Creek (Unincorporated Yavapai County) as well as trailhead shuttles. The three core routes will converge at a transit hub for transfers and connect with the existing Verde Lynx and Cottonwood Area Transit (CAT) systems. Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA) has also been part of the recent planning effort as it pertains to connecting a Sedona system with Flagstaff Mountain Line and beyond.

Additionally Verde Valley Caregivers, a local nonprofit providing transportation services, has been involved in the planning processes and opportunities for synergy with their services and the paratransit component of the future Sedona system and the economies of scale to be achieved by working with an established operator, have been identified and will be pursued.

Further, local employers through coordination with the Sedona Chamber of Commerce have also been involved in the planning stages and have expressed an interest in supporting the system financially and otherwise due to their workforce transportation needs. Given the high cost of housing in Sedona the majority of the local workforce live elsewhere and need to commute from outside the City.

Throughout the implementation process, the City will collaborate with other organizations to support them in their transportation needs, including transportation for the elderly, the disabled, and non-drivers of all ages.

What type of program fund(s) did you apply for?

- 5310
- 5311
- Other (please explain) _____

Type of Funding Requests? (Check all that apply)

- Vehicle Funds
 - Operating Funds
- Other (please explain) **Administrative and Planning Funds**

Is your agency receiving direct funds from FTA?

- If yes, please attach a copy of your FTA letter of approval of Title VI Plan.
- No

Non Discrimination Notice to the Public

Notifying the Public of Rights Under Title VI and ADA City of Sedona

City of Sedona operates its programs and services without regard to race, color, national origin or disability in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA). Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the **City of Sedona**.

For more information on the **City of Sedona's** civil rights program, and the procedures to file a complaint, contact **Megan McRae, Management Analyst, (928) 203-5199; email mmcrae@sedonaaz.gov**; or visit our administrative office at **102 Roadrunner Drive, Sedona, AZ 86336**. For more information, visit **www.sedonaaz.gov**.

Complaints may be filed directly with the Arizona Department of Transportation (**ADOT**) **Civil Rights Office**. ATTN: Title VI Program Coordinator 206 S. 17TH Ave MD 155A RM: 183 Phoenix AZ, 85007 or with the Federal Transit Administration (**FTA**). ATTN: Title VI Program Coordinator, 1200 New Jersey Ave., SE Washington DC 20590.

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Non Discrimination Notice to the Public - Spanish

Aviso Público Sobre los Derechos Bajo el Título VI Y ADA City of Sedona

City of Sedona (y sus subcontratistas, si cualquiera) asegura cumplir con el Título VI de la Ley de los Derechos Civiles de 1964, Sección 504 de la Ley de Rehabilitación de 1973 y La Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA). El nivel y la calidad de servicios de transporte serán proveídos sin consideración a su raza, color, país de origen, o discapacidad.

Para obtener más información sobre el programa de Derechos Civiles de **City of Sedona**, y los procedimientos para presentar una queja, contacte **Megan McRae, Management Analyst (928) 203-5199, (TTY N/A)**; o visite nuestra oficina administrativa en **102 Roadrunner Drive, Sedona, AZ 86336**. Para obtener más información, visite **www.sedonaaz.gov**

Una queja puede ser presentada con la oficina de Derechos Civiles del Departamento de Transporte de Arizona (**ADOT**). Atención: Title VI Program Manager, 206 S. 17th Ave MD 155A Phoenix AZ, 85007 o con la Administración Federal de Transporte (**FTA**). Atención: Title VI Coordinator, 1200 New Jersey Ave., SE Washington DC 20590

The City does not operate a transit system or receive 5311 funds currently. Therefore, this Title VI Implementation Plan will be fully developed concurrently during the planning and administrative phase proposed in the 5311 application.

Once completed and approved, the above notices will be posted at the following locations: online, in the public areas of the agency's/transit provider's offices, as well as at stations and stops, and on transit vehicles when the system is operational.

Non Discrimination ADA/Title VI Complaint Procedures

These procedures provide guidance for all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA) as they relate to any program or activity that is administered by **City of Sedona** including consultants, contractors and vendors. Intimidation or retaliation as a result of a complaint is prohibited by law. In addition to these procedures, complainants reserve the right to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints at the lowest possible level.

- (1) Any person who believes he and/or she has been discriminated against on the basis of race, color, national origin, or disability may file a Discrimination complaint by completing and submitting the agency's Title VI Complaint Form.
- (2) Formal complaints must be filed within **180** calendar days of the last date of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.
- (3) Complaints must be in writing and signed by the complainant(s) and must include the complainant(s) name, address and phone number. The ADA/Title VI contact person will assist the complainant with documenting the issues if necessary.
- (4) Allegations received by fax or e-mail will be acknowledged and processed, once the identity of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or email transmittal for the complaint to be processed.
- (5) Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return for processing.
- (6) Once submitted, the **City of Sedona** will review the complaint form to determine jurisdiction. All complaints will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the **City of Sedona** or submitted to the State or Federal authority for guidance.

- (7) **City of Sedona** will notify the ADOT Civil Rights Office of ALL Discrimination complaints within 72 hours via telephone at 602-712-8946; or email at civilrightsoffice@azdot.gov.
- (8) **City of Sedona** has **30** business days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has 30 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within **30** business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
- (9) After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Discrimination violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.
- (10) A copy of either the closure letter or LOF must be also be submitted to ADOT within **72** hours of that decision. Letters may be submitted by hardcopy or email.
- (11) A complainant dissatisfied with **City of Sedona** decision may file a complaint with the Arizona Department of Transportation (**ADOT**) or the Federal Transit Administration (**FTA**) offices of Civil Rights: **ADOT**: ATTN ADA/Title VI Program Coordinator 206 S. 17TH Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA**: Attention Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590.
- (12) A copy of these procedures will be posted online at: www.sedonaaz.gov.

If information is needed in another language, contact **(928) 203-5199**. *Para información en Español llame: **Victor Estrada, Right-of-Way Specialist, (928) 204-7800**

Discrimination ADA/Title VI Complaint Form

Section I:		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?	<input type="checkbox"/> Large Print	<input type="checkbox"/> Audio Tape
	<input type="checkbox"/> TDD	<input type="checkbox"/> Other
Section II:		
Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes*	<input type="checkbox"/> No
<i>*If you answered "yes" to this question, go to Section III.</i>		
If not, please supply the name and relationship of the person for whom you are complaining.		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Section III:		
I believe the discrimination I experienced was based on (check all that apply):		
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin <input type="checkbox"/> Disability
Date of Alleged Discrimination (Month, Day, Year): _____		
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.		

Section VI:		
Have you previously filed a Discrimination Complaint with this agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If yes, please provide any reference information regarding your previous complaint.

Section V:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

Federal Agency: _____

Federal Court: _____ State Agency: _____

State Court: _____ Local Agency: _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:

Telephone:

Section VI:

Name of agency complaint is against:

Name of person complaint is against:

Title:

Location:

Telephone Number (if available):

You may attach any written materials or other information that you think is relevant to your complaint. Your signature and date are **required** below:

Signature

Date

Please submit this form in person at the address below, or mail this form to:

City of Sedona
Megan McRae, Management Analyst
102 Roadrunner Drive, Sedona, AZ 86336
(928) 203-5199
mmcrae@sedonaaz.gov

A copy of this form will be posted online at www.sedonaaz.gov.

Discrimination ADA/Title VI Investigations, Complaints, and Lawsuits

This form will be submitted annually. If no investigations, lawsuits, or complaints were filed, a blank form will be submitted.

City of Sedona has not had any ADA nor Title VI Discrimination complaints, investigations, or lawsuits in **2019**.

Complainant	Date (Month, Day, Year)	Basis of Complaint (Race, Color, National Origin or Disability)	Summary of Allegation	Status	Action(s) Taken	Final Findings?
Investigations						
1)						
2)						
Lawsuits						
1)						
2)						
Complaints						
1)						
2)						

Public Participation Plan

The City does not operate a transit system or receive 5311 funds currently. Therefore, this Title VI Implementation Plan will be fully developed concurrently during the planning and administrative phase proposed in the 5311 application. Once completed, the City will execute the Public Participation Plan described in this section.

The City's commitment to public participation is demonstrated in the process undertaken for the development of the City's transit plan. Community input was sought through a variety of methods. A survey questionnaire and focus groups were used to obtain feedback from residents and employers. Visitor intercept interviews were conducted. Three community meetings were held.

The City of Sedona will continue to engage the public in its planning and decision-making processes, as well as its marketing and outreach activities. The public will be invited to participate in the process whether through public meetings or surveys.

As an agency applying to receive federal financial assistance, the City of Sedona intends to evaluate and include the community outreach efforts and activities below that are deemed most impactful for our community to engage minority and Limited English Proficient populations during the Title VI Implementation Plan process.

- Creation and distribution of agency brochures
- Creation and placement of public announcements through newspapers, fliers, or radio
- Post the Nondiscrimination Public Notices to the following locations:
 - Within transportation vehicles
 - Pick up and drop off stations
 - Lobby of agency
- Partner with other local agencies to advertise services provided
- Host public information meetings and or hearings
- Add public interactive content to the agency's webpage for the public e.g. social media, to communicate schedule changes or activities
- Update agency documents/publications to make them more user-friendly e.g. comment forms or agency brochures

Below is the public notice posted regarding the City's intent to apply for FTA Rural Public Transportation Program funds, authorized under 49 U.S.C. Section 5311, for Administration and Planning for a new transit system in Sedona.

This notice was posted on the front page of the City's website for over two (2) weeks. The date of the meeting was five days after the second week the notice was published.

Federal Transit Authority (FTA) Formula Grants for Rural Area Program (Section 5311)
Public Notice

Public notice is hereby made that the City of Sedona is applying for FTA Rural Public Transportation Program funds, authorized under 49 U.S.C. Section 5311, for Administration and Planning for a new transit system in Sedona.

The funds will be used towards planning and implementation activities for the future implementation of public transit services. The project is expected to be financed by FTA Section 5311 Rural Program public transportation funds, with additional matching funds to be provided by the City of Sedona. The total federal share for operating and planning funds over two years is expected to be \$320,000.

The City of Sedona will ensure that the level and quality of any future transportation services will be provided without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act of 1964 and with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

Comments on the proposed project are invited from the general public, private bus and taxi companies, other public transportation providers and human service agencies. **A public meeting will be held on February 10, 2020 at 4:30 pm in the Vultee Conference Room at Sedona City Hall.** Interested parties may also comment on the project or obtain more details about the project by writing to:

Karen Osburn, Assistant City Manager
City of Sedona
102 Roadrunner Drive, Sedona, AZ 86336
(928) 203-5067
kosburn@sedonaaz.gov

Human service agencies that receive assistance from other Federal agencies for non-emergency transportation services are encouraged to participate and coordinate in the planning, design and delivery of transportation services.

Limited English Proficiency Plan

The City does not operate a transit system or receive 5311 funds currently. Therefore, this Title VI Implementation Plan will be fully developed concurrently during the planning and administrative phase proposed in the 5311 application. Once completed, the City will execute the Limited English Proficiency Plan described in this section.

The City of Sedona will develop a Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to City of Sedona services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan will detail procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training to staff, notification to LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining the City of Sedona's extent of obligation to provide LEP services, the City of Sedona will undertake a U.S. Department of Transportation four-factor LEP analysis which will consider the following:

- 1) The number or proportion of LEP persons eligible in the City of Sedona service area who may be served or likely to encounter by City of Sedona program, activities, or services;

LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER	Sedona, Arizona	
	Estimate	Margin of Error
Total:	9,865	+/-133
Speak only English	7,997	+/-630
Spanish or Spanish Creole:	1,163	+/-525
Speak English "very well"	612	+/-296
Speak English less than "very well"	551	+/-301
Italian:	69	+/-60
Speak English "very well"	37	+/-35
Speak English less than "very well"	32	+/-48
German:	172	+/-129
Speak English "very well"	139	+/-122
Speak English less than "very well"	33	+/-37
Scandinavian languages:	16	+/-31
Speak English "very well"	8	+/-16
Speak English less than "very well"	8	+/-15
Chinese:	44	+/-54
Speak English "very well"	15	+/-21
Speak English less than "very well"	29	+/-50
African languages:	21	+/-33
Speak English "very well"	0	+/-19
Speak English less than "very well"	21	+/-33

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

- 2) The frequency with which LEP individuals come in contact with City of Sedona services;

City of Sedona staff will estimate the frequency with which office staff, dispatchers and drivers will have, or could have, contact with LEP persons once the transit system is implemented.

- 3) The nature and importance of the program, activities or services provided by the City of Sedona to the LEP population.

As an agency that will provide public transportation for Sedona, the City will participate heavily in public community outreach and strive to meet the needs of its client base to make sure that all segments of the population, including LEP persons, have the opportunity to be provided public transit.

The City of Sedona will have an organized advisory council that will offer suggestions and/or observations about transit service.

Transit-related information will be available in Spanish and posted on all buses. This information will include fares, policies, schedules, and courtesy rules.

Denial or delay of access to services or information provided by the City of Sedona would not have life-threatening implications for a LEP individual. It is also believed that denial or delay of access to services or information provided by the City of Sedona would not have serious implications on an LEP individual, in comparison to services such as health, emergency transportation, water, sewer, fire protection, police protection and other emergency services provided by other local governments or organizations.

- 4) The resources available to City of Sedona and overall costs to provide LEP assistance.

The City of Sedona will provide a statement in Spanish and for additional languages specific to the LEP community make up that will be included in all public outreach notices. Every effort will be made to provide vital information to LEP individuals in the language requested.

Safe Harbor Provision for written translations

The City of Sedona will comply with the Safe Harbor Provision. With respect to Title VI information, the following will be made available in Spanish upon approval CRO approval:

- (1) Non Discrimination Notice
- (2) Discrimination Complaint Procedures
- (3) Discrimination Complaint Form

In addition, we intend to plan our marketing efforts (including using translated materials) in a manner that reaches each LEP group. Vital documents will include the following:

- (1) Notices of free language assistance for persons with LEP
- (2) Notice of Non-Discrimination and Reasonable Accommodation
- (3) Outreach Materials
- (4) Bus Schedules
- (5) Route Changes
- (6) Public Hearings

Non-elected Committees Membership Table

Subrecipients who select the membership of transit-related, non-elected planning boards, advisory councils, or committees must provide a table depicting the membership of those organizations broken down by race. Subrecipients also must include a description of the efforts made to encourage participation of minorities on these boards, councils, and committees.

City of Sedona does **not** select the membership of any transit-related committees, planning boards, or advisory councils.

The City does not currently have a transit system in place, nor does it currently receive 5311 funds. The FFY 2020 cycle is the City's first application for 5311 funds. The 5311 funds will be used for administrative and planning purposes for implementation of the transit plan recently completed by the City.

No transit-related committee, planning board, or advisory council current exists. The City acknowledges and will conform with these selection requirements during the formation of committees related to the planned transit system.

Monitoring for Subrecipient Title VI Compliance

Describe how you monitor your subrecipients. This can be through site visits, submissions of Title VI Plans annually, or training and surveys.

City of Sedona does not monitor subrecipients for Title VI compliance.

The City does not operate a transit system or receive 5311 funds currently and therefore does not currently monitor subrecipients for Title VI compliance.

Title VI Equity Analysis

A subrecipient planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may, as a result of the construction, be displaced from their homes or businesses. “Facilities” in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.

There are many steps involved in the planning process prior to the actual construction of a facility. It is during these planning phases that attention needs to be paid to equity and non-discrimination through equity analysis. The Title VI Equity Analysis must be done before the selection of the preferred site.

Note: Even if facility construction is financed with non-FTA funds, if the subrecipient organization receives any FTA dollars, it must comply with this requirement.

City of Sedona has no current or anticipated plans to develop new transit facilities covered by these requirements

The City does not currently have a transit system in place, nor does it currently receive 5311 funds. The FFY 2020 cycle is the City’s first application for 5311 funds. The 5311 funds will be used for administrative and planning purposes for implementation of the transit plan recently completed by the City.

No acquisition of land or construction of facilities as described above is planned related to our application for administrative and planning funds. The City acknowledges and will conform with these facility construction requirements as they relate to the planned transit system.

Fixed Route Transit Provider Analysis

Fixed Route: Public transit service (other than by aircraft) provided on a repetitive, fixed-schedule basis along a specific route, with vehicles stopping to pick up passengers.

A subrecipient providing fixed route service, as defined above, must determine the distribution of transit amenities or the vehicle assignments for each mode in a non-discriminatory manner. The subrecipient must develop policies to ensure service is not distributed on the basis of race, color, or national origin.

Effective practices to fulfill the Service Standards requirements include developing written policies covering each of the following service indicators: (can be expressed in writing or in table format – see Circular Appendix G & H pp. 87-91)

City of Sedona is not a Fixed Route Transit Provider

The City does not currently have a transit system in place, nor does it currently receive 5311 funds. The FFY 2020 cycle is the City's first application for 5311 funds. The 5311 funds will be used for administrative and planning purposes for implementation of the transit plan recently completed by the City.

No fixed route transit currently exists. The City acknowledges and will conform with Service Standard requirements as they relate to the planned transit system.

Title VI Implementation Plan

Rural Public Transit Program FFY2020 Funding Cycle

City of Sedona 2020



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City of Sedona (y sus subcontratistas, si cualquiera) asegura cumplir con el Título VI de la Ley de los Derechos Civiles de 1964, Sección 504 de la Ley de Rehabilitación de 1973 y La Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA). El nivel y la calidad de servicios de transporte serán proveídos sin consideración a su raza, color, país de origen, o discapacidad.

Para obtener más información sobre el programa de Derechos Civiles de **City of Sedona**, y los procedimientos para presentar una queja, contacte **Megan McRae, Management Analyst (928) 203-5199, (TTY N/A)**; o visite nuestra oficina administrativa en **102 Roadrunner Drive, Sedona, AZ 86336**. Para obtener más información, visite **www.sedonaaz.gov**

Una queja puede ser presentada con la oficina de Derechos Civiles del Departamento de Transporte de Arizona (**ADOT**). Atención: Title VI Program Manager, 206 S. 17th Ave MD 155A Phoenix AZ, 85007 o con la Administración Federal de Transporte (**FTA**). Atención: Title VI Coordinator, 1200 New Jersey Ave., SE Washington DC 20590

The City does not operate a transit system or receive 5311 funds currently. Therefore, this Title VI Implementation Plan will be fully developed concurrently during the planning and administrative phase proposed in the 5311 application.

Once completed and approved, the above notices will be posted at the following locations: online, in the public areas of the agency's/transit provider's offices, as well as at stations and stops, and on transit vehicles when the system is operational.

Non Discrimination ADA/Title VI Complaint Procedures

These procedures provide guidance for all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA) as they relate to any program or activity that is administered by **City of Sedona** including consultants, contractors and vendors. Intimidation or retaliation as a result of a complaint is prohibited by law. In addition to these procedures, complainants reserve the right to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints at the lowest possible level.

- (1) Any person who believes he and/or she has been discriminated against on the basis of race, color, national origin, or disability may file a Discrimination complaint by completing and submitting the agency's Title VI Complaint Form.
- (2) Formal complaints must be filed within **180** calendar days of the last date of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.
- (3) Complaints must be in writing and signed by the complainant(s) and must include the complainant(s) name, address and phone number. The ADA/Title VI contact person will assist the complainant with documenting the issues if necessary.
- (4) Allegations received by fax or e-mail will be acknowledged and processed, once the identity of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or email transmittal for the complaint to be processed.
- (5) Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return for processing.
- (6) Once submitted, the **City of Sedona** will review the complaint form to determine jurisdiction. All complaints will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the **City of Sedona** or submitted to the State or Federal authority for guidance.

- (7) **City of Sedona** will notify the ADOT Civil Rights Office of ALL Discrimination complaints within 72 hours via telephone at 602-712-8946; or email at civilrightsoffice@azdot.gov.
- (8) **City of Sedona** has **30** business days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has 30 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within **30** business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
- (9) After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Discrimination violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.
- (10) A copy of either the closure letter or LOF must be also be submitted to ADOT within **72** hours of that decision. Letters may be submitted by hardcopy or email.
- (11) A complainant dissatisfied with **City of Sedona** decision may file a complaint with the Arizona Department of Transportation (**ADOT**) or the Federal Transit Administration (**FTA**) offices of Civil Rights: **ADOT**: ATTN ADA/Title VI Program Coordinator 206 S. 17TH Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA**: Attention Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590.
- (12) A copy of these procedures will be posted online at: www.sedonaaz.gov.

If information is needed in another language, contact **(928) 203-5199**. *Para información en Español llame: **Victor Estrada, Right-of-Way Specialist, (928) 204-7800**

Discrimination ADA/Title VI Complaint Form

Section I:		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?	<input type="checkbox"/> Large Print	<input type="checkbox"/> Audio Tape
	<input type="checkbox"/> TDD	<input type="checkbox"/> Other
Section II:		
Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes*	<input type="checkbox"/> No
<i>*If you answered "yes" to this question, go to Section III.</i>		
If not, please supply the name and relationship of the person for whom you are complaining.		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Section III:		
I believe the discrimination I experienced was based on (check all that apply):		
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin <input type="checkbox"/> Disability
Date of Alleged Discrimination (Month, Day, Year): _____		
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.		

Section VI:		
Have you previously filed a Discrimination Complaint with this agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If yes, please provide any reference information regarding your previous complaint.

Section V:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

Federal Agency: _____

Federal Court: _____ State Agency: _____

State Court: _____ Local Agency: _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:

Telephone:

Section VI:

Name of agency complaint is against:

Name of person complaint is against:

Title:

Location:

Telephone Number (if available):

You may attach any written materials or other information that you think is relevant to your complaint.

Your signature and date are **required** below:

Signature

Date

Please submit this form in person at the address below, or mail this form to:

City of Sedona

Megan McRae, Management Analyst

102 Roadrunner Drive, Sedona, AZ 86336

(928) 203-5199

mmcrae@sedonaaz.gov

A copy of this form will be posted online at **www.sedonaaz.gov**.

Discrimination ADA/Title VI Investigations, Complaints, and Lawsuits

This form will be submitted annually. If no investigations, lawsuits, or complaints were filed, a blank form will be submitted.

City of Sedona has not had any ADA nor Title VI Discrimination complaints, investigations, or lawsuits in **2019**.

Complainant	Date (Month, Day, Year)	Basis of Complaint (Race, Color, National Origin or Disability)	Summary of Allegation	Status	Action(s) Taken	Final Findings?
Investigations						
1)						
2)						
Lawsuits						
1)						
2)						
Complaints						
1)						
2)						

Public Participation Plan

The City does not operate a transit system or receive 5311 funds currently. Therefore, this Title VI Implementation Plan will be fully developed concurrently during the planning and administrative phase proposed in the 5311 application. Once completed, the City will execute the Public Participation Plan described in this section.

The City's commitment to public participation is demonstrated in the process undertaken for the development of the City's transit plan. Community input was sought through a variety of methods. A survey questionnaire and focus groups were used to obtain feedback from residents and employers. Visitor intercept interviews were conducted. Three community meetings were held.

The City of Sedona will continue to engage the public in its planning and decision-making processes, as well as its marketing and outreach activities. The public will be invited to participate in the process whether through public meetings or surveys.

As an agency applying to receive federal financial assistance, the City of Sedona intends to evaluate and include the community outreach efforts and activities below that are deemed most impactful for our community to engage minority and Limited English Proficient populations during the Title VI Implementation Plan process.

- Creation and distribution of agency brochures
- Creation and placement of public announcements through newspapers, fliers, or radio
- Post the Nondiscrimination Public Notices to the following locations:
 - Within transportation vehicles
 - Pick up and drop off stations
 - Lobby of agency
- Partner with other local agencies to advertise services provided
- Host public information meetings and or hearings
- Add public interactive content to the agency's webpage for the public e.g. social media, to communicate schedule changes or activities
- Update agency documents/publications to make them more user-friendly e.g. comment forms or agency brochures

Below is the public notice posted regarding the City's intent to apply for FTA Rural Public Transportation Program funds, authorized under 49 U.S.C. Section 5311, for Administration and Planning for a new transit system in Sedona.

This notice was posted on the front page of the City's website for over two (2) weeks. The date of the meeting was five days after the second week the notice was published.

Federal Transit Authority (FTA) Formula Grants for Rural Area Program (Section 5311)
Public Notice

Public notice is hereby made that the City of Sedona is applying for FTA Rural Public Transportation Program funds, authorized under 49 U.S.C. Section 5311, for Administration and Planning for a new transit system in Sedona.

The funds will be used towards planning and implementation activities for the future implementation of public transit services. The project is expected to be financed by FTA Section 5311 Rural Program public transportation funds, with additional matching funds to be provided by the City of Sedona. The total federal share for operating and planning funds over two years is expected to be \$320,000.

The City of Sedona will ensure that the level and quality of any future transportation services will be provided without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act of 1964 and with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

Comments on the proposed project are invited from the general public, private bus and taxi companies, other public transportation providers and human service agencies. **A public meeting will be held on February 10, 2020 at 4:30 pm in the Vultee Conference Room at Sedona City Hall.** Interested parties may also comment on the project or obtain more details about the project by writing to:

Karen Osburn, Assistant City Manager
City of Sedona
102 Roadrunner Drive, Sedona, AZ 86336
(928) 203-5067
kosburn@sedonaaz.gov

Human service agencies that receive assistance from other Federal agencies for non-emergency transportation services are encouraged to participate and coordinate in the planning, design and delivery of transportation services.

Limited English Proficiency Plan

The City does not operate a transit system or receive 5311 funds currently. Therefore, this Title VI Implementation Plan will be fully developed concurrently during the planning and administrative phase proposed in the 5311 application. Once completed, the City will execute the Limited English Proficiency Plan described in this section.

The City of Sedona will develop a Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to City of Sedona services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan will detail procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training to staff, notification to LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining the City of Sedona's extent of obligation to provide LEP services, the City of Sedona will undertake a U.S. Department of Transportation four-factor LEP analysis which will consider the following:

- 1) The number or proportion of LEP persons eligible in the City of Sedona service area who may be served or likely to encounter by City of Sedona program, activities, or services;

LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER	Sedona, Arizona	
	Estimate	Margin of Error
Total:	9,865	+/-133
Speak only English	7,997	+/-630
Spanish or Spanish Creole:	1,163	+/-525
Speak English "very well"	612	+/-296
Speak English less than "very well"	551	+/-301
Italian:	69	+/-60
Speak English "very well"	37	+/-35
Speak English less than "very well"	32	+/-48
German:	172	+/-129
Speak English "very well"	139	+/-122
Speak English less than "very well"	33	+/-37
Scandinavian languages:	16	+/-31
Speak English "very well"	8	+/-16
Speak English less than "very well"	8	+/-15
Chinese:	44	+/-54
Speak English "very well"	15	+/-21
Speak English less than "very well"	29	+/-50
African languages:	21	+/-33
Speak English "very well"	0	+/-19
Speak English less than "very well"	21	+/-33

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

- 2) The frequency with which LEP individuals come in contact with City of Sedona services;

City of Sedona staff will estimate the frequency with which office staff, dispatchers and drivers will have, or could have, contact with LEP persons once the transit system is implemented.

- 3) The nature and importance of the program, activities or services provided by the City of Sedona to the LEP population.

As an agency that will provide public transportation for Sedona, the City will participate heavily in public community outreach and strive to meet the needs of its client base to make sure that all segments of the population, including LEP persons, have the opportunity to be provided public transit.

The City of Sedona will have an organized advisory council that will offer suggestions and/or observations about transit service.

Transit-related information will be available in Spanish and posted on all buses. This information will include fares, policies, schedules, and courtesy rules.

Denial or delay of access to services or information provided by the City of Sedona would not have life-threatening implications for a LEP individual. It is also believed that denial or delay of access to services or information provided by the City of Sedona would not have serious implications on an LEP individual, in comparison to services such as health, emergency transportation, water, sewer, fire protection, police protection and other emergency services provided by other local governments or organizations.

- 4) The resources available to City of Sedona and overall costs to provide LEP assistance.

The City of Sedona will provide a statement in Spanish and for additional languages specific to the LEP community make up that will be included in all public outreach notices. Every effort will be made to provide vital information to LEP individuals in the language requested.

Safe Harbor Provision for written translations

The City of Sedona will comply with the Safe Harbor Provision. With respect to Title VI information, the following will be made available in Spanish upon approval CRO approval:

- (1) Non Discrimination Notice
- (2) Discrimination Complaint Procedures
- (3) Discrimination Complaint Form

In addition, we intend to plan our marketing efforts (including using translated materials) in a manner that reaches each LEP group. Vital documents will include the following:

- (1) Notices of free language assistance for persons with LEP
- (2) Notice of Non-Discrimination and Reasonable Accommodation
- (3) Outreach Materials
- (4) Bus Schedules
- (5) Route Changes
- (6) Public Hearings

Non-elected Committees Membership Table

Subrecipients who select the membership of transit-related, non-elected planning boards, advisory councils, or committees must provide a table depicting the membership of those organizations broken down by race. Subrecipients also must include a description of the efforts made to encourage participation of minorities on these boards, councils, and committees.

City of Sedona does **not** select the membership of any transit-related committees, planning boards, or advisory councils.

The City does not currently have a transit system in place, nor does it currently receive 5311 funds. The FFY 2020 cycle is the City's first application for 5311 funds. The 5311 funds will be used for administrative and planning purposes for implementation of the transit plan recently completed by the City.

No transit-related committee, planning board, or advisory council current exists. The City acknowledges and will conform with these selection requirements during the formation of committees related to the planned transit system.

Monitoring for Subrecipient Title VI Compliance

Describe how you monitor your subrecipients. This can be through site visits, submissions of Title VI Plans annually, or training and surveys.

City of Sedona does not monitor subrecipients for Title VI compliance.

The City does not operate a transit system or receive 5311 funds currently and therefore does not currently monitor subrecipients for Title VI compliance.

Title VI Equity Analysis

A subrecipient planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may, as a result of the construction, be displaced from their homes or businesses. “Facilities” in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.

There are many steps involved in the planning process prior to the actual construction of a facility. It is during these planning phases that attention needs to be paid to equity and non-discrimination through equity analysis. The Title VI Equity Analysis must be done before the selection of the preferred site.

Note: Even if facility construction is financed with non-FTA funds, if the subrecipient organization receives any FTA dollars, it must comply with this requirement.

City of Sedona has no current or anticipated plans to develop new transit facilities covered by these requirements

The City does not currently have a transit system in place, nor does it currently receive 5311 funds. The FFY 2020 cycle is the City’s first application for 5311 funds. The 5311 funds will be used for administrative and planning purposes for implementation of the transit plan recently completed by the City.

No acquisition of land or construction of facilities as described above is planned related to our application for administrative and planning funds. The City acknowledges and will conform with these facility construction requirements as they relate to the planned transit system.

Fixed Route Transit Provider Analysis

Fixed Route: Public transit service (other than by aircraft) provided on a repetitive, fixed-schedule basis along a specific route, with vehicles stopping to pick up passengers.

A subrecipient providing fixed route service, as defined above, must determine the distribution of transit amenities or the vehicle assignments for each mode in a non-discriminatory manner. The subrecipient must develop policies to ensure service is not distributed on the basis of race, color, or national origin.

Effective practices to fulfill the Service Standards requirements include developing written policies covering each of the following service indicators: (can be expressed in writing or in table format – see Circular Appendix G & H pp. 87-91)

City of Sedona is not a Fixed Route Transit Provider

The City does not currently have a transit system in place, nor does it currently receive 5311 funds. The FFY 2020 cycle is the City's first application for 5311 funds. The 5311 funds will be used for administrative and planning purposes for implementation of the transit plan recently completed by the City.

No fixed route transit currently exists. The City acknowledges and will conform with Service Standard requirements as they relate to the planned transit system.

Board Approval for the Title VI Plan

The Title VI Implementation was approved by the Sedona City Council on September 8, 2020 as documented in the following pages.



ACTION ITEM LIST

The AIL is intended to comply with the requirements of A.R.S. § 38-431.01.E regarding the posting on the City website within 3 days of a statement of legal actions taken at the City Council meeting held on September 8, 2020 at 4:30 p.m.

COUNCIL ATTENDANCE: All present.

PUBLIC FORUM: Tony Priore, Sedona, requested a meeting regarding the community pool and the use by organized teams which lessens the access for community members. He requested that the City hire 4 permanent lifeguards for the pool or use something like Indeed to recruit lifeguards. He stated that he is willing to volunteer for Parks & Recreation in any capacity that might be useful.

AB #	TOPIC	COUNCIL ACTION	STAFF
CONSENT ITEMS Vote: 7-0 (Williamson/Martinez)	Minutes - August 11, 2020 City Council Special Meeting - Executive Session. Minutes - August 11, 2020 City Council Special Meeting. Minutes - August 11, 2020 City Council Regular Meeting. Minutes - August 24, 2020 City Council Special Meeting. Approval of Proclamation, Constitution Week, September 17-23, 2020.	Approved the August 11, 2020 City Council Special Meeting - Executive Session Minutes. Approved the August 11, 2020 City Council Special Meeting Minutes. Approved the August 11, 2020 City Council Regular Meeting Minutes. Approved the August 24, 2020 City Council Special Meeting Minutes. Approved the Proclamation, Constitution Week, September 17-23, 2020.	Irvine
AB 2601	Approval of a recommendation regarding an application for a Series 12 Restaurant Liquor License for Hilltop Deli located at 2655 W State Route 89A, Sedona, AZ (File #114915).	Recommended approval of a new Series 12 Restaurant Liquor License for Hilltop Deli located at 2655 W State Route 89A, Sedona, AZ (File #114915).	Fullbright
AB 2605	Approval of FTA Title VI Implementation Plan and ADA Policy required to receive 5311 ADOT funds in the Rural Public Transit Program FFY2020 Funding Cycle.	Approved the FTA Title VI Implementation Plan and ADA Policy required to receive 5311 ADOT funds in the Rural Public Transit Program FFY2020 Funding Cycle, subject to approval by the City Attorney.	McRae
AB 2607	Approval of a resolution authorizing an Intergovernmental Agreement between the City of Sedona and the Arizona Department of Transportation, replacing the IGA originally approved through Resolution 2016-24, for the Sanborn Drive – Thunder Mountain Road Overlay Project.	Approved Resolution No. 2020-14 authorizing the execution of an Intergovernmental Agreement between the City of Sedona and the Arizona Department of Transportation for the Sanborn Drive - Thunder Mountain Road Overlay Project.	Craver

	AB 2551	Approval of a Resolution authorizing two (2) separate Real Estate Purchase and Sale Agreements for the City of Sedona to purchase the properties located at 215 W. State Route 89A (APN 401-38-001L), 65 Brewer Rd. (APN 401-38-002B), a portion of 121 Brewer Rd. (APN 401-38-013E) and a privately owned section of the Brewer Rd. right-of-way, all located in Coconino County, City of Sedona, Arizona, for the combined sum of \$947,500 for potential use as a roadway connection, transit hub, or other suitable public purpose.	Approved Resolution 2020-15 authorizing the Real Estate Purchase and Sale Agreements for the City of Sedona to purchase the properties located at 215 W. State Route 89A (APN 401-38-001L), 65 Brewer Rd. (APN 401-38-002B), 0.7 acres within 121 Brewer Rd. (APN 401-38-013E), and a privately owned section of Brewer Road, all located in Sedona, Arizona, for the sum of \$947,500.	Osburn
REGULAR BUSINESS	AB 2602	Public hearing/discussion/possible action regarding the approval of a Resolution and Ordinance amending the text of the Sedona Land Development Code (LDC). The proposed text amendments include typographical and clerical corrections, changes for clarity, elimination of redundancies and other more substantive revisions to better reflect the intent of the LDC and goals of the Sedona Community Plan. Case Number: PZ 20-00004 (LDC Revisions).	Held a public hearing, and the following spoke: Luke Sefton, Sedona. Approved Resolution 2020-16, establishing as a public record, "Exhibit A – Sedona LDC Corrections/Clarification/Other revisions – September 8, 2020" as revised. Vote: 7-0 (Williamson/Chisholm) After 1 st reading, approved Ordinance 2020-04, consistent with the approval criteria in Section 8.6.C.4. of the LDC, amending the LDC, adopting by reference that document known as "Exhibit A – Sedona LDC Corrections/Clarification/Other Revisions – September 8, 2020" as revised, providing for a savings clause and repealing all ordinances or parts of ordinances or code provisions in conflict herewith. Vote: 7-0 (Williamson/Chisholm)	Raber
	AB 2571	Discussion/possible direction regarding issues surrounding the COVID-19 pandemic and the City's response.	Presentation and discussion only.	Clifton

FUTURE AGENDA ITEMS: Councilor Chisholm requested an agenda item to discuss building security issues in an Executive Session, and Councilors Currivan and Jablow supported this request. This will take place in early October so the Chief of Police can attend. Councilor Jablow requested an agenda item for all of Council to receive the daily police report and Justin requested that this be discussed at the Council retreat in January.

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.

ADJOURNMENT: The meeting was adjourned at 7:54 p.m.