

SHELBY DRIVE ROADWAY IMPROVEMENTS PROJECT



Sunset Live/Work CFA



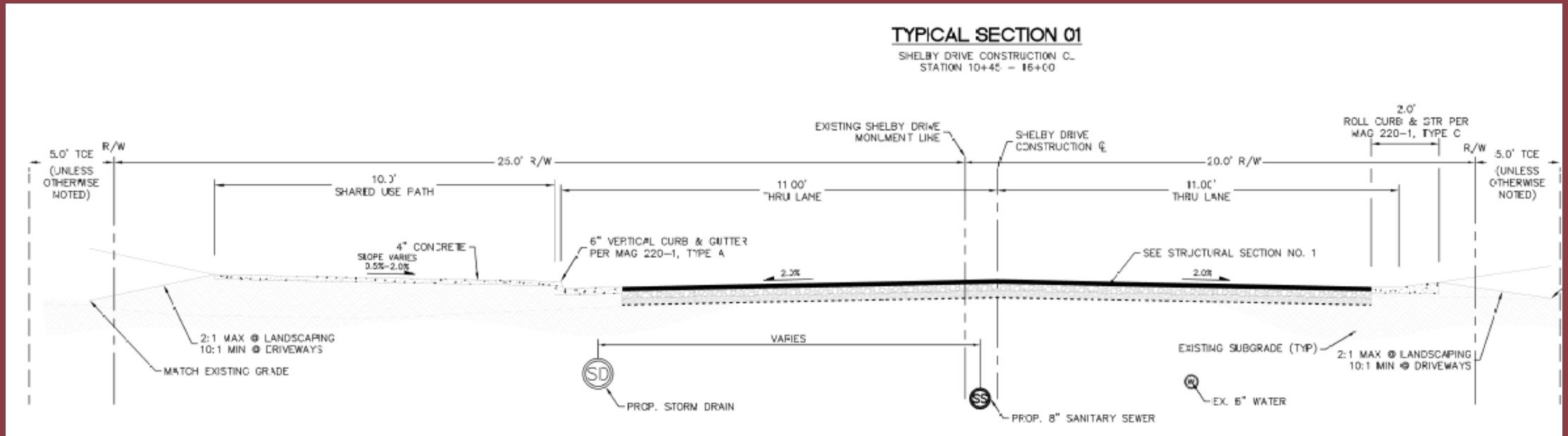
Property Acquisition

- New 50' ROW required (narrower in some areas)
- One property acquired through quit-claim deed
- Ratification signatures required from 13 other property owners
- Approval of minor plat amendment



Project Improvements

- Pavement
- SUP
- Curb & Gutter
- Sewer
- Drainage



Procurement

- Advertised for bids in December 2020
- Opened bids on February 3, 2021
- KCS recommended rejection as not responsible
- Standard recommended rejection as unresponsive
- EMC has done an excellent job on numerous projects for the City of Sedona over the years. A few of these projects are listed below:
 - Posse Grounds Southwest Improvements Project
 - AAA Industrial Park Drainage Project
 - Uptown Roadway Improvements Project

BIDDER, (OFFICE LOCATION)	BID AMOUNT
ENGINEER'S ESTIMATE	\$1,644,300.00
KINNEY CONSTRUCTION SERVICES (FLAGSTAFF, AZ)	\$1,672,775.00
STANDARD CONSTRUCTION (AVONDALE, AZ)	\$1,724,951.60
EAGLE MOUNTAIN CONSTRUCTION (FLAGSTAFF, AZ)	\$1,839,300.00
FANN CONTRACTING (PRESCOTT, AZ)	\$1,943,520.50
TIFFANY CONSTRUCTION (SEDONA, AZ)	\$2,016,336.00
J. BANICKI CONSTRUCTION (PHOENIX, AZ)	\$2,092,179.80
COMBS CONSTRUCTION (PHOENIX, AZ)	\$2,296,940.70



Schedule

- Notice to Proceed, expected April 26, 2020
- Anticipate about 6 months for construction (October completion)

Budget

- \$1.6M budgeted for construction in FY 21
- Requesting \$300,000 new appropriation with FY 22 budget



Sewer

- Original expectation was to provide sewer deferral
 - More accurate to identify as a “dry sewer” due to lack of urgency
 - Leave 1’ gap from property line
 - Sewer availability when applying for a wastewater connection permit
- Sewer connection subsidized by grant - connect when necessary for development of properties in the area, or septic failing





REPORT

Office of the Sedona City Attorney

TO: Mayor and City Council

CC: Justin Clifton, City Manager

FROM: Kurt Christianson, City Attorney

DATE: March 8, 2021

SUBJECT: Arizona Legislative Update

The following is a summary of legislative activity occurring in the Arizona State Legislature that may have an impact on the City of Sedona. This is not an exhaustive list.

General Information:

The 1st Regular Session of the 55th Arizona State Legislature began on January 11, 2021. The Senate Bill introduction deadline was Monday, February 1, 2021. The House Bill introduction deadline was Monday, February 8, 2021. Ultimately 818 bills were introduced in the Senate and 890 bills in the House for a total of **1,708**.

Friday, March 26, 2021, is the last day to hear bills in a committee of the opposite chamber.

LEAGUE RESOLUTIONS:

HB 2481 Short-Term Rentals; Enforcement; Penalties (SUPPORTS) (SUPPORTS)

This bill would remove the current prohibition (from the old SB1350) that prohibits cities from restricting or regulating short-term rentals based on their classification, and instead allow cities to regulate short-term rentals by adopting and enforcing “reasonable residential use and zoning ordinances.” It also requires the owner of a short-term rental to obtain and maintain a license or register the short-term rental with the city.

The City of Sedona, along with the municipalities of Chandler, El Mirage, Flagstaff, Fountain Hills, Gilbert, Glendale, Goodyear, Lake Havasu, Maricopa, Mesa, Paradise Valley, Peoria, Phoenix, Prescott, Scottsdale, Surprise, Tempe, and Yuma support the bill along with the County Supervisors Association of Arizona.

Passed the House Government & Elections Committee on 8-5. Awaiting hearing in the House Rules Committee. The League is meeting with the STR industry and discussing some amendments.

HB 2562 Tax Credit; Affordable Housing (Cobb) (SUPPORTS) (SUPPORTS)

This bill would establish an affordable housing tax credit and an affordable housing premium tax credit for qualified projects that would be set at 50% of the amount of the low-income federal tax credit allowed.

Passed the House Appropriations Committee 12-1. Passed House Rules Committee 8-0. House COW approved on 2-18-21. Per League, Bill is unlikely to get a third reading.

HB 2400 Municipal Ordinances; Posting (Osborne) (SUPPORTS)

Municipal ordinances imposing a penalty, fine, forfeiture or other punishment are required to be posted at city or town hall or in one public place within the municipality, and on the municipality's website, instead of being required to be posted in three or more public places within the municipality.

Passed House, 59-0. Passed the Senate Government Committee.

SB1420 (HB2458) Consular Identification; Validity, Biometric Verification (SUPPORTS)

This bill would require school districts, charter schools, community colleges and universities to accept consular identification cards as valid form of residency in the state or identification.

Passed House and Senate. Signed by the Governor on 3/5/2021.

BILLS OF INTEREST:

SB 1379 Vacation Rentals; Short-Term Rentals; Enforcement (Mesnard) (OPPOSES)
(OPPOSES)

Amended to remove the occupancy limits. Restricts cities to \$1,000 fines for every thirty days the owner fails to provide emergency contact information. The Senate First Read was January 26, 2021 and it was assigned and passed Senate Commerce Committee on February 3, 2021.

Among others, Expedia and AirBnB are for. The City of Sedona along with the municipalities of Paradise Valley, Scottsdale, Fountain Hills, and Surprise are against the bill. The Goldwater Institute is also opposed.

Passed Senate 27-3. Transmitted to the House, awaiting committee assignment.

SB 1257 State Liquor Board; Membership (Mesnard) (SUPPORTS)

This bill would require one member of the State Liquor Board to be a currently elected municipal official.

Passed the Senate 29-0. Assigned to the House Commerce Committee on 3/1/2021.

HB 2317/SB 1752 Community Facilities Districts (SUPPORTS)

This bill would allow the largest private property owner in a proposed CFD to appoint two permanent, nonvoting board members and would make it easier to obtain insurance on CFDs.

Passed House. Passed Senate Finance Committee. Senate Rules Committee hearing on 3/8/21.

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**HB 2248 / SB 1175 Corporation Commission; Electric Generation Resources**  
**(Griffin/Kerr) (OPPOSES)**

Amended to now state that public service corporations must derive at least 15% of kilowatt sales from renewable energy resources by December 21, 2025 but still prohibits the ACC from adopting or enforcing any policy that increases or decreases that percentage. "Renewable energy resources" mean solar, wind, biomass, geothermal and hydroelectric. ACC already set a 15% percent goal in 2006. State likely already produces about 13-15% of its energy from renewable energy resources.

Passed House, 31-28 on 3/3/21. Retained in Senate COW.

**HB 2152 Police; Camera Recordings; Required Redactions (Kavanagh)**

This bill would require law enforcement agencies to redact faces or identifiable body parts of persons in private locations, persons in a state of undress, or victims. Does not apply if the person provides a written waiver.

Passed the House. Transmitted to Senate and referred to the Senate Judiciary committee.

**SB 1333 Law Enforcement Budget; Reduction; Certification** (Gowan) (OPPOSES)

These three bills would all limit a city's ability to reduce a law enforcement agency's budget by any amount, to a certain percentage reduction, or to any disproportionate reduction when compared to other city departments.

SB1333 passed the Senate Appropriations Committee 6-4 and was found proper for consideration by the Senate Rules Committee.

**HB 2108 Telecommunications; Public Highways; Use; Fees** (Weninger) (OPPOSES)

This bill would prohibit the city from requiring a telecommunications corporation to pay an annual fee for underground facilities that are used for a small cell wireless facility. This is different from all other underground utilities that use public highways.

Passed the House Commerce Committee on January 19, 2021, 6-4. Passed the House Rules Committee 8-0. Retained on House COW calendar and most likely dead for this session.

**HB 2049 Eminent Domain; Existing Contracts** (Weninger) (OPPOSES)

This bill would require the city, when exercising the right of eminent domain to acquire a public utility business or enterprise, to assume all existing assets and contractual obligations associated with providing current and future utility service in the certificate of convenience and necessity that is being condemned, unless all the parties to the contractual obligation agree otherwise. This could cause the city to violate the Gift Clause or prevent the city from condemning the utility.

Passed House 34-24. Passed Senate Government Committee 5-3.

**HB 2295 Law Enforcement Officers; Database; Rules** (Payne) (OPPOSES)

This bill would require prosecuting agencies, including the Sedona City Attorney's Office, to notify a law enforcement officer at least 10 days prior to placing the officer's name in a Rule 15.1 database (Brady list). It would also prohibit a law enforcement agency from taking any disciplinary actions based solely on the placement of officer's name in the database.

Passed House. Transmitted to the Senate 3/4/21.

**SB 1409 Zoning Ordinances; Property Rights; Costs** (Peterson) (OPPOSES) (OPPOSES)

SB1409, as amended, now requires any legislative body of a municipality to This bill and the language now reads "BEFORE ADOPTING ANY ZONING ORDINANCE OR ZONING ORDINANCE TEXT AMENDMENT OF GENERAL APPLICABILITY, THE LEGISLATIVE BODY OF A MUNICIPALITY SHALL CONSIDER THE PROBABLE IMPACT OF THE PROPOSED ZONING ORDINANCE OR TEXT AMENDMENT ON THE COST TO CONSTRUCT HOUSING FOR SALE OR RENT." There is no longer a requirement that the municipality create a report, provide any documentation, commentary, or discussion on the impact of zoning ordinances.

SB1409 passed Senate 16-14 with amendment. Transmitted to the House for committee assignment.

**HB2716 Licensing; Building Permits; Temporary Permits (Griffin) (OPPOSES) (OPPOSES)**

HB2716 was amended to clarify that it only requires municipalities to issue a building permit on single-family dwellings within 7 days after an administratively complete (meets all setback requirements and has the appropriate construction documents) application submission is received if the municipality has approved construction documents. If a permit is not timely issued, then developers can begin operation on a temporary permit.

Held and is likely dead.

**HB2804 Public Meetings; Executive Sessions (Pingerelli) (OPPOSES) (OPPOSES)**

This bill limits the reason a public body can hold an executive session in order to receive legal advice only for the reasons already in statute that allow public bodies to enter an executive session. This does not allow flexibility for unforeseen circumstances as seen by the COVID-19 pandemic or for a city/town council to receive legal advice on issues that are relevant but may not be an issue that is before the council. The sponsor may offer an amendment to address these concerns but, as the bill stands, the League is signed in opposed.

Passed House, 31-29. Transmitted to the Senate on 3/5/21.

**SB1121 Marijuana; Security; Social Equity Licenses (OPPOSES) (OPPOSES)**

A striker amendment to SB1121 (relating to marijuana, security, social equity license) was filed on 2/17/21, which may impact a city's ability to prohibit stand-alone recreational marijuana dispensaries that receive one of the 26 marijuana establishment licenses under the state's social equity program (even a city that adopted an ordinance to prohibit stand-alone recreational dispensaries).

Senate Research Staff's summary of the bill, says the intent is to "require a city, town or county to allow at least one marijuana establishment whose license is issued as a part of the Program to operate within its jurisdiction, subject to the same ordinances and rules that apply to nonprofit medical marijuana dispensaries." This change would contradict the authority granted to cities and towns under the Smart and Safe Arizona Act, which specifically authorizes cities and towns to limit or prohibit marijuana establishments and/or marijuana testing facilities. A.R.S. 36-2857(A)(2) and (3).

It originally failed in the Senate Appropriations Committee, 5-5, but later passed on reconsideration, 6-4. Passed Senate Rules.

Please contact me if you have any questions or if you are aware of proposed legislation that should be added to this list.

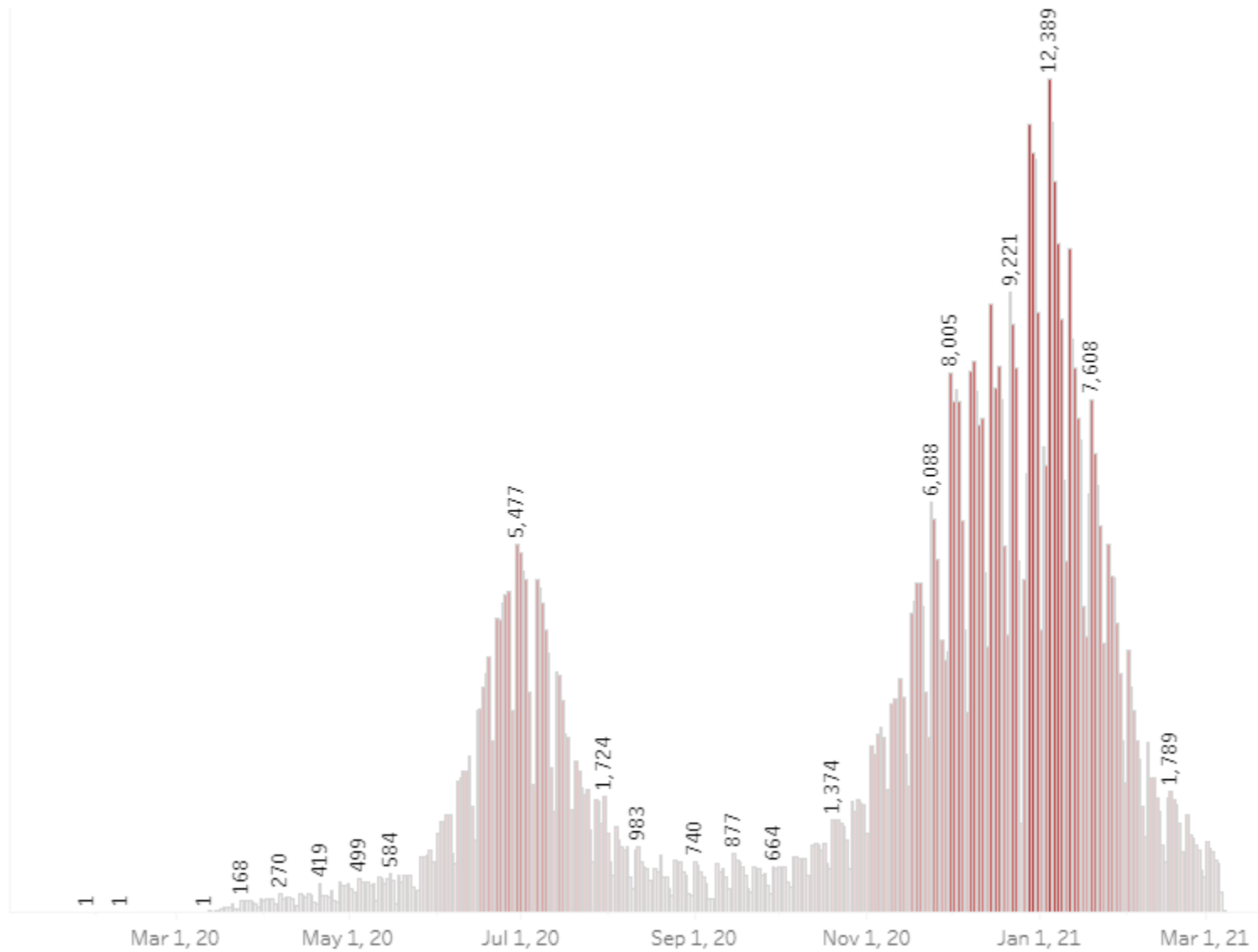
# COVID-19 Update

Sedona City Council Meeting

3/09/21

Prepared by Justin Clifton, City Manager



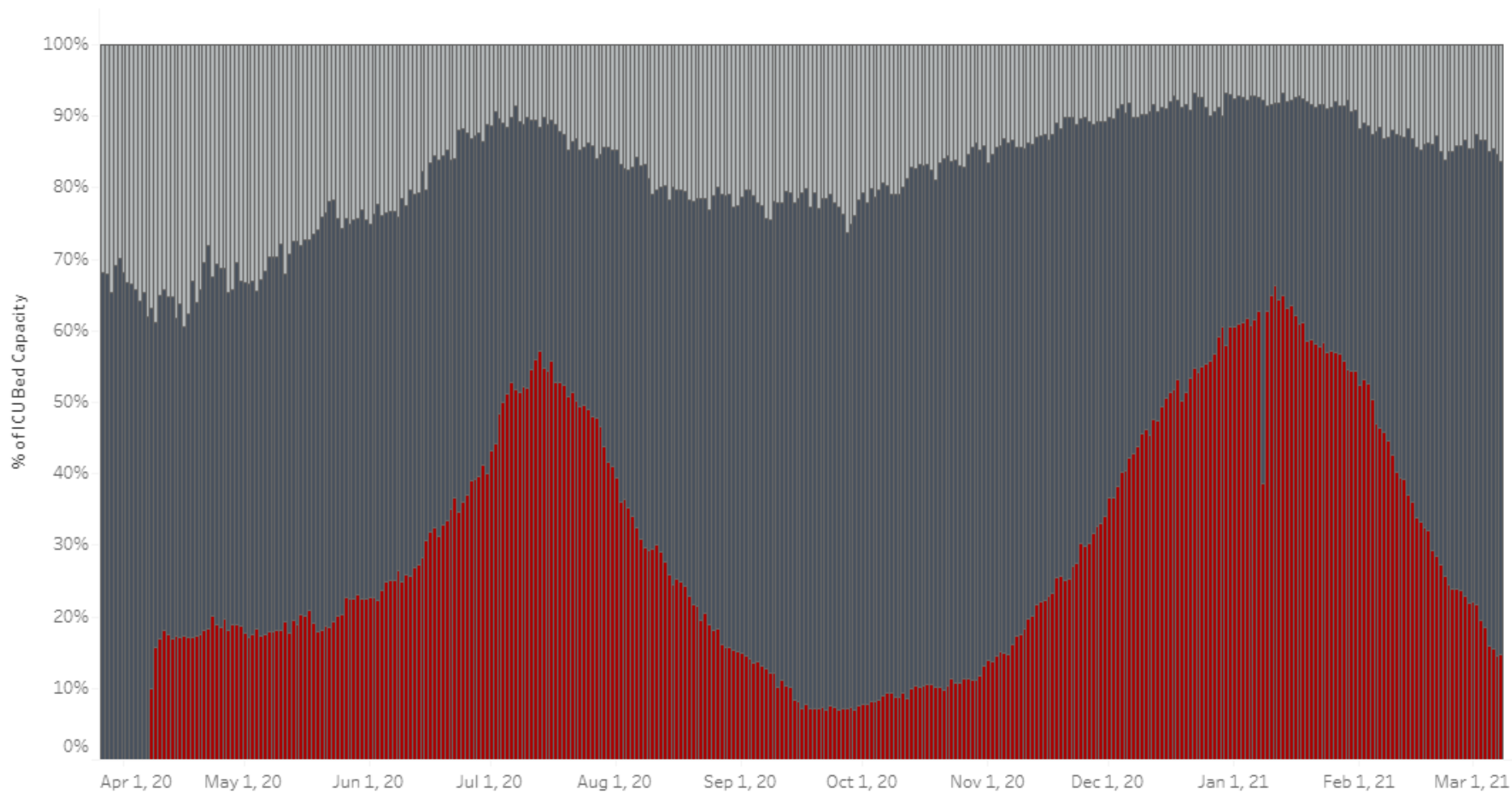


\*Illnesses in the last 4-7 days may not be reported yet

<https://www.azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/covid-19/dashboards/index.php>



- Adult Intensive Care Unit Beds Available
- Adult Intensive Care Beds in Use by Non-COVID Patients
- Adult Intensive Care Beds in Use by COVID Patients



← 225 = down 49%  
from 2/23

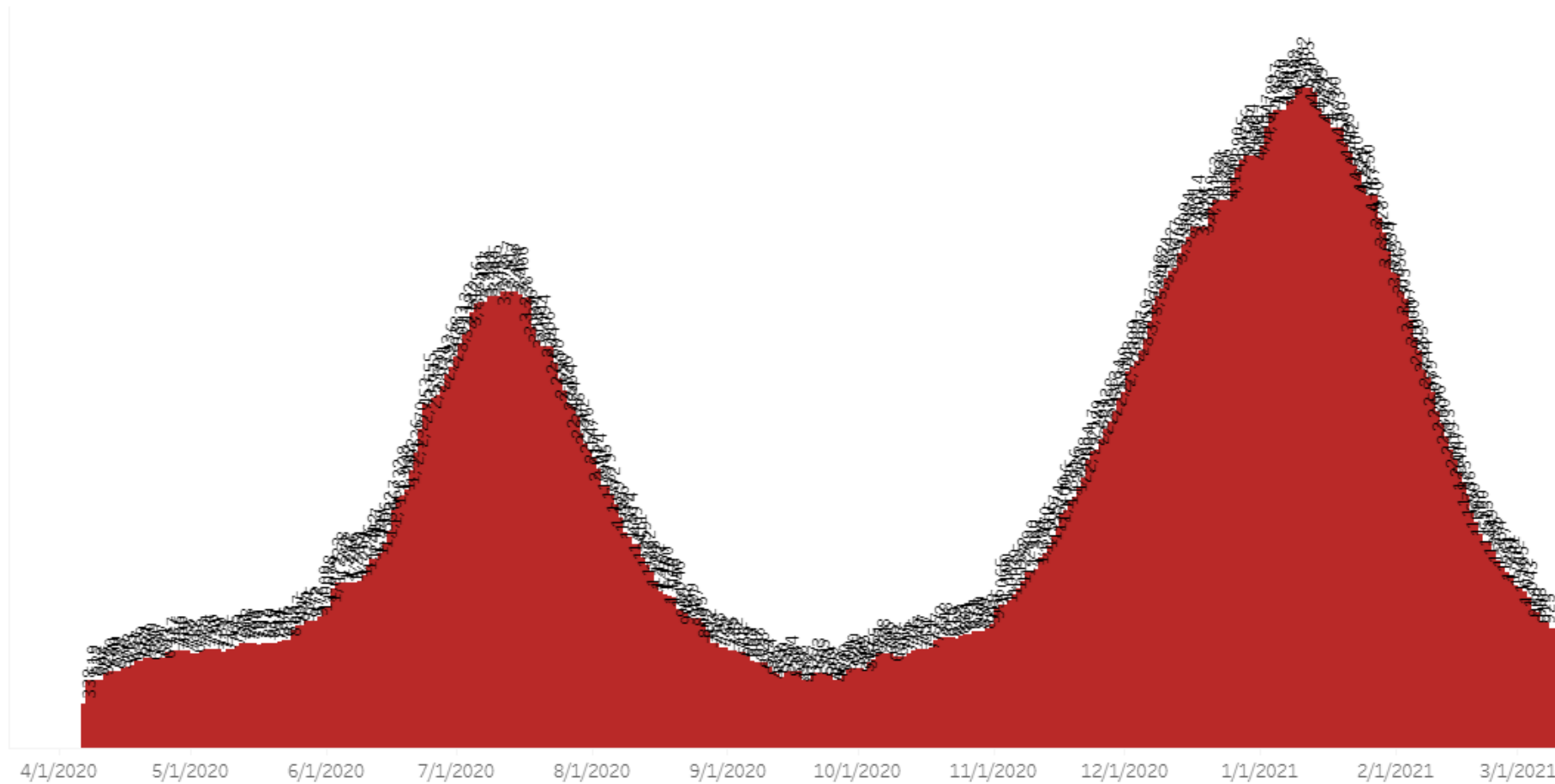
\* COVID Use of ICU Beds not reported until 4/10

<https://www.azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/covid-19/dashboards/index.php>



Number of Positive or Suspected **Inpatient COVID-19 Patients**

Hover over the icon to get more information on the data in this dashboard.



925 down 38% from 2/23

Date Updated: 3/8/2021

Large decreases or increases may be due to differences in self reporting

<https://www.azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/covid-19/dashboards/index.php>

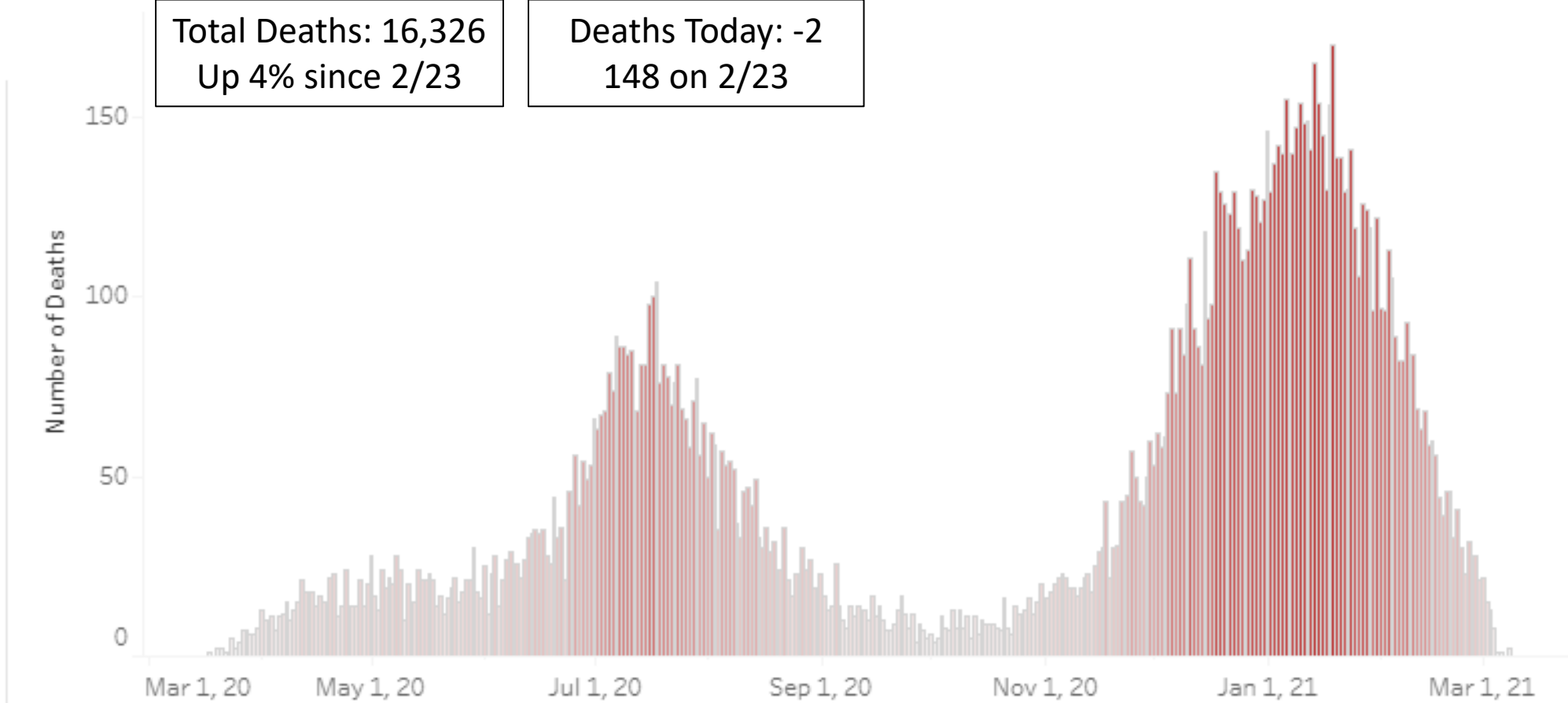




# COVID-19 Deaths by Date of Death

Total Deaths: 16,326  
Up 4% since 2/23

Deaths Today: -2  
148 on 2/23



Recent deaths may not be reported yet. Cases missing the date of death are excluded from the graph above, but are included in all other numbers.

<https://www.azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/covid-19/dashboards/index.php>



## AZ Changes in Total Deaths

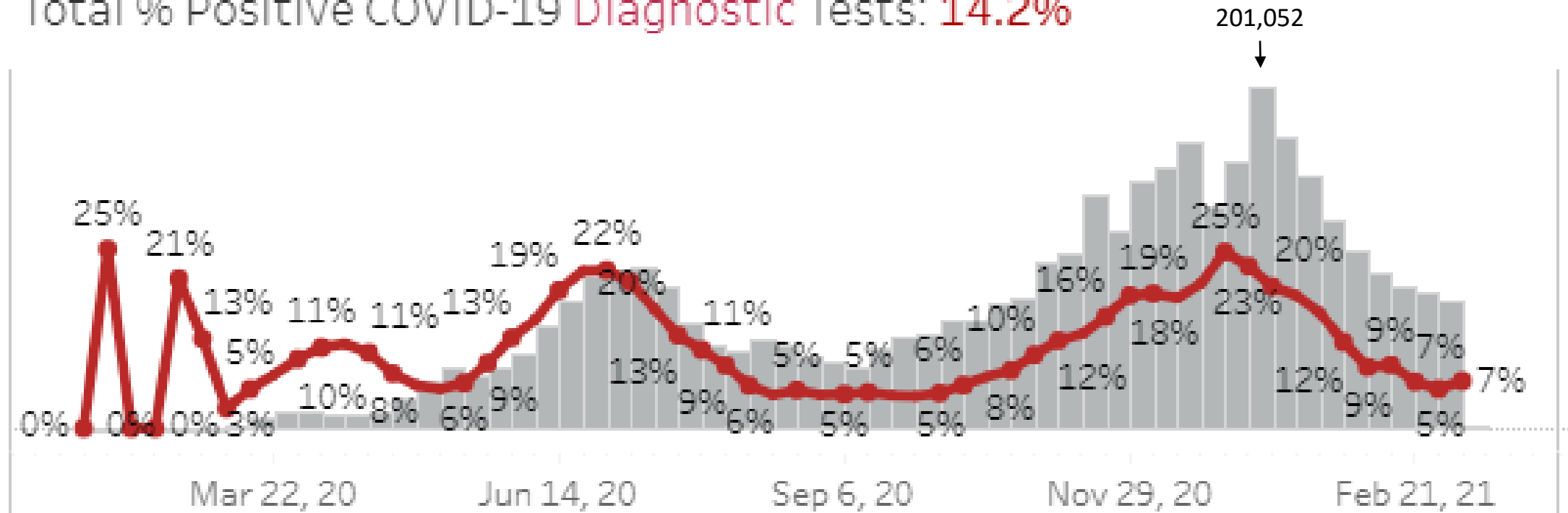
| Date  | Total Deaths | Change | Deaths/day |
|-------|--------------|--------|------------|
| 8/11  | 4,199        |        |            |
| 9/8   | 5,221        | +1,022 | 36.5       |
| 10/13 | 5,767        | +546   | 26         |
| 10/27 | 5,891        | +124   | 8.9        |
| 11/10 | 6,192        | +301   | 21.5       |
| 11/24 | 6,515        | +323   | 23         |
| 12/8  | 6,973        | +458   | 32.7       |
| 1/12  | 10,482       | +3,509 | 100.3      |
| 1/26  | 12,448       | +1,966 | 140.4      |
| 2/9   | 14,286       | +1,838 | 131        |
| 2/23  | 15,650       | +1,364 | 97.4       |
| 3/9   | 16,326       | +676   | 32.2       |

Data pulled from City Council reports 8/11 through 3/9



# AZ Tests and Percent Positive

Total % Positive COVID-19 Diagnostic Tests: 14.2%



# Local Data

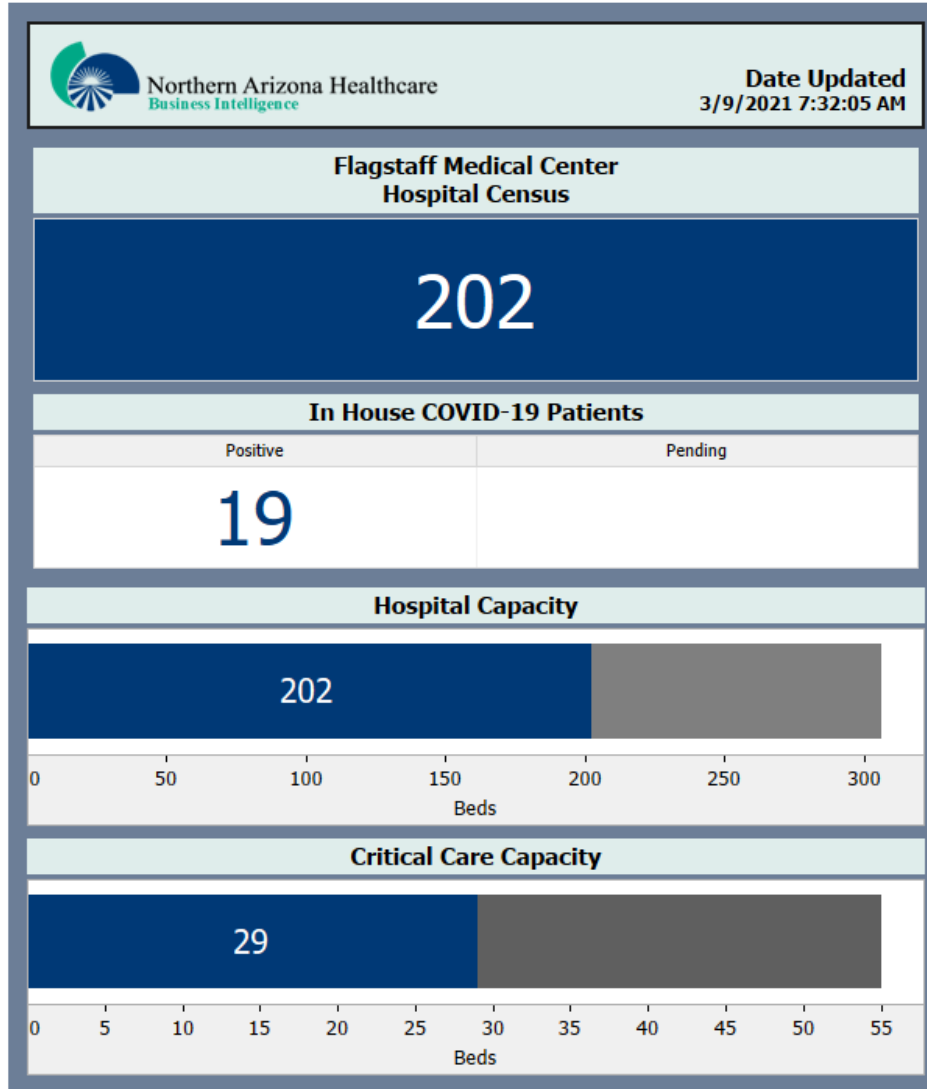
- **Coconino:** Cases as of 3/9: 16,600 - up from 16,130 on 2/23 (+2%)
- **Yavapai:** Total cases as of 3/9: 17,645 - up from 17,461 on 2/23 (+1%)
- **Greater Sedona:** Total cases as of 3/9: 1,152 - up from 1,137 on 2/23 (+1%)

| # of Cases | Date  | Days After | # of Cases | Date  | Days After |
|------------|-------|------------|------------|-------|------------|
| 500+       | 6/24  | 97         | 5,500+     | 11/30 | 0          |
| 1000+      | 7/10  | 16         | 6,000+     | 12/3  | 4          |
| 1500+      | 7/23  | 13         | 6,500+     | 12/7  | 4          |
| 2000+      | 8/10  | 18         | 7,000+     | 12/8  | 1          |
| 2500+      | 9/27  | 47         | 11,000+    | 12/29 |            |
| 3000+      | 10/30 | 33         | 12,000+    | 1/4   | 6          |
| 3500+      | 11/13 | 14         | 13,000+    | 1/7   | 3          |
| 4000+      | 11/19 | 6          | 14,000+    | 1/12  | 5          |
| 4500+      | 11/23 | 4          | 15,000+    | 1/19  | 7          |
| 5,000      | 11/30 | 7          | 16,000+    | 1/26  | 7          |
|            |       |            | -17,000    | 2/16  | 21         |

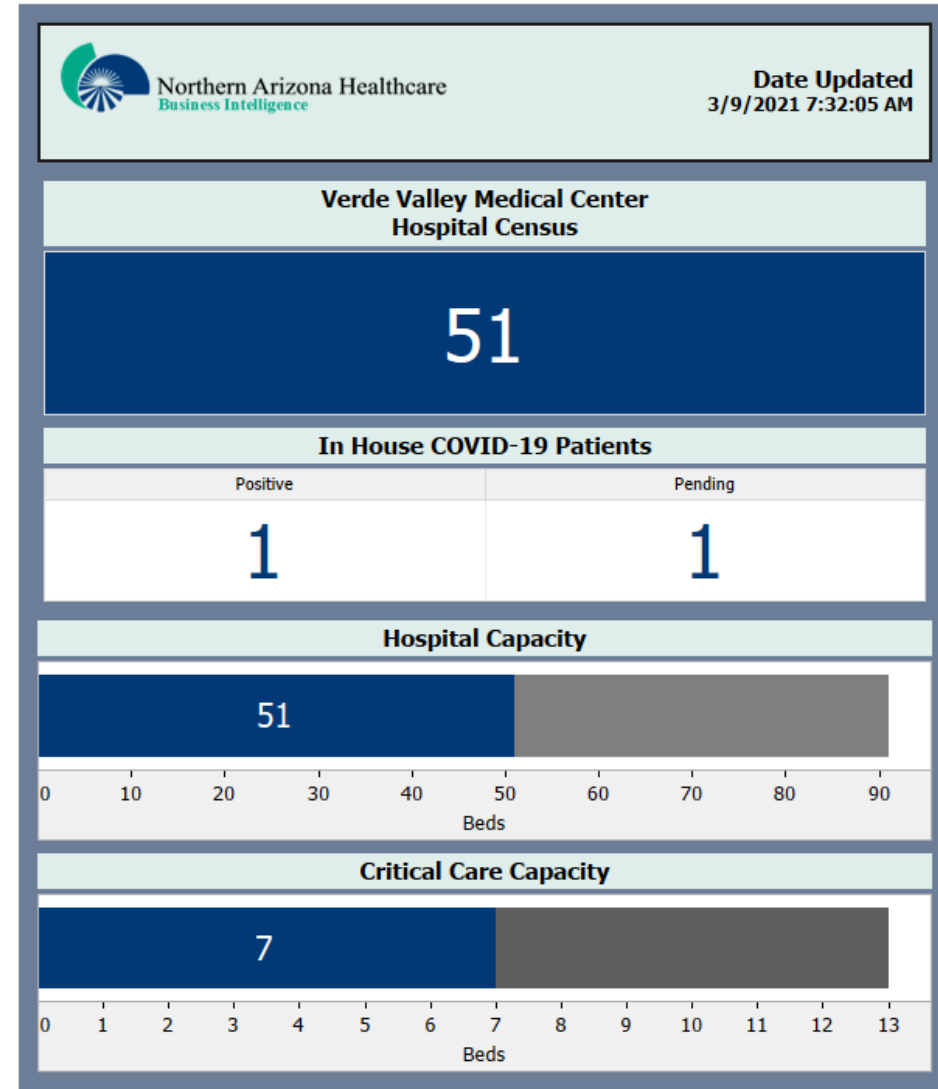


# Local Hospital Data

## Flagstaff Medical Center



## Verde Valley Medical Center



## CDC definitions of transmission:

**Minimal Community Spread:** Evidence of isolated cases or limited community transmission, case investigations underway; no evidence of exposure in large communal setting.

**Moderate Community Spread:** Sustained transmission with high likelihood or confirmed exposure within communal settings and potential for rapid increase in cases.

**Substantial Community Spread:** Large scale, controlled community transmission, including communal settings (e.g., schools, workplaces).

## ADHS definitions/ benchmarks of community transmission:

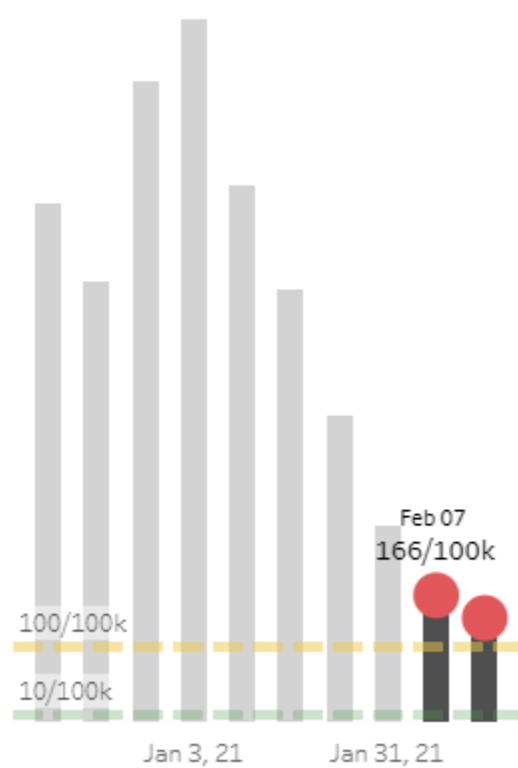
| BENCHMARKS         | Minimal           | Moderate             | Substantial        |
|--------------------|-------------------|----------------------|--------------------|
| CASES              | <10 cases/100,000 | 10-100 cases/100,000 | >100 cases/100,000 |
| PERCENT POSITIVITY | <5%               | 5-10%                | ≥10%               |
| COVID LIKE ILLNESS | <5%               | 5-10%                | >10%               |



Showing data for **All Counties**

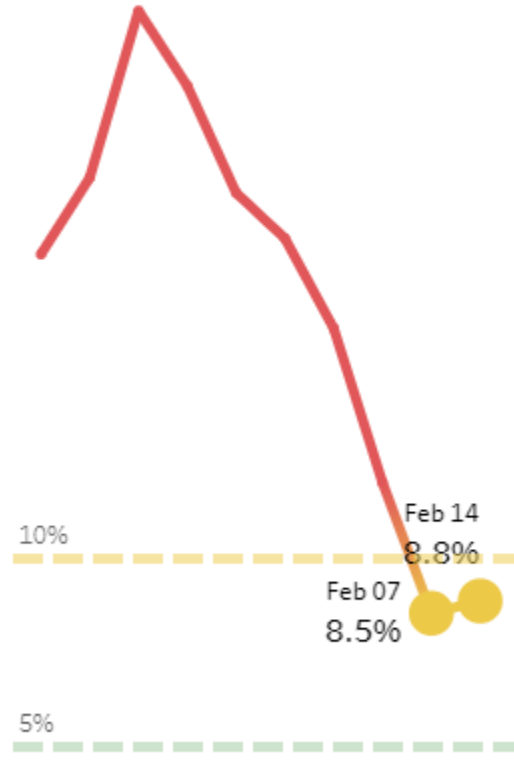
Business Reopening Status: **Substantial**

1) Cases per 100,000 individuals

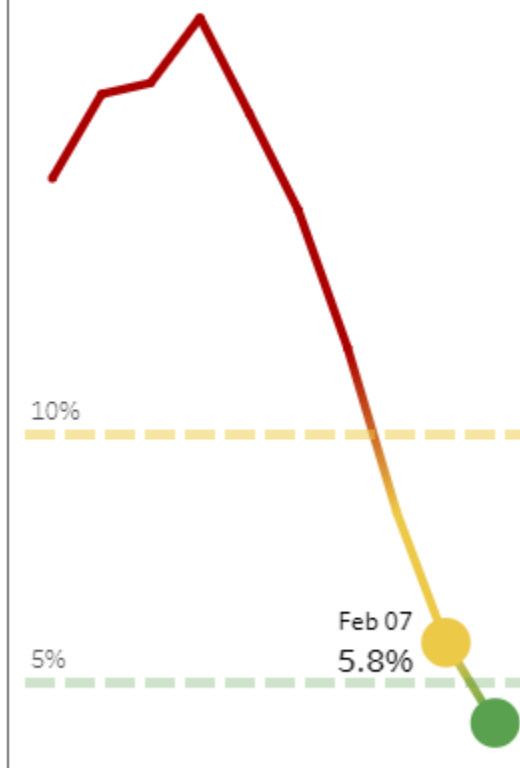


Date Updated: 3/4/2021

2) Percent positivity



3) Hospital visits for COVID-like illnesses in the region



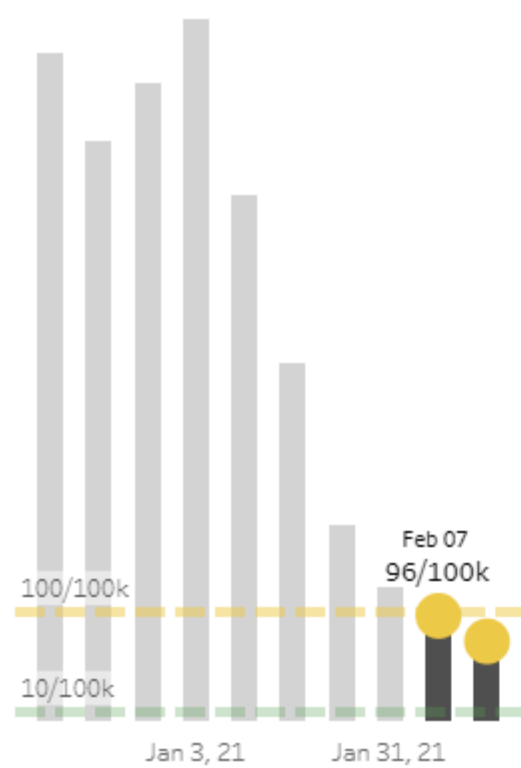
<https://azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/index.php#novel-coronavirus-community>



Showing data for **Yavapai County** (Northern Region)

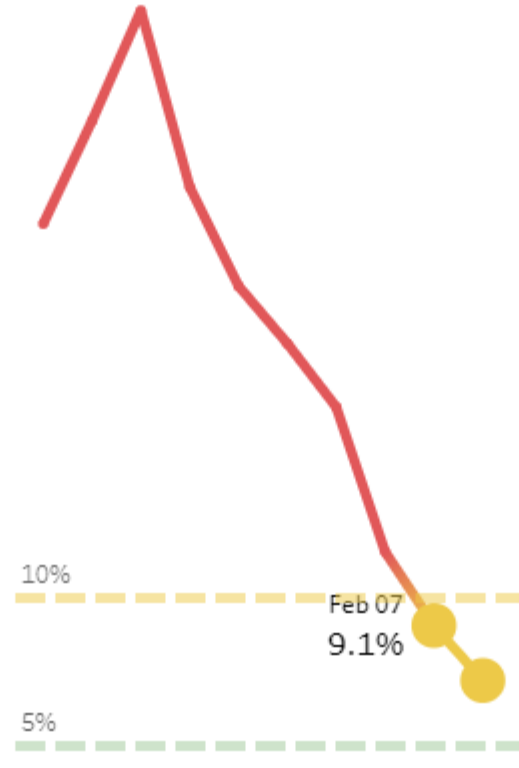
Business Reopening Status: **Moderate**

1) Cases per 100,000 individuals

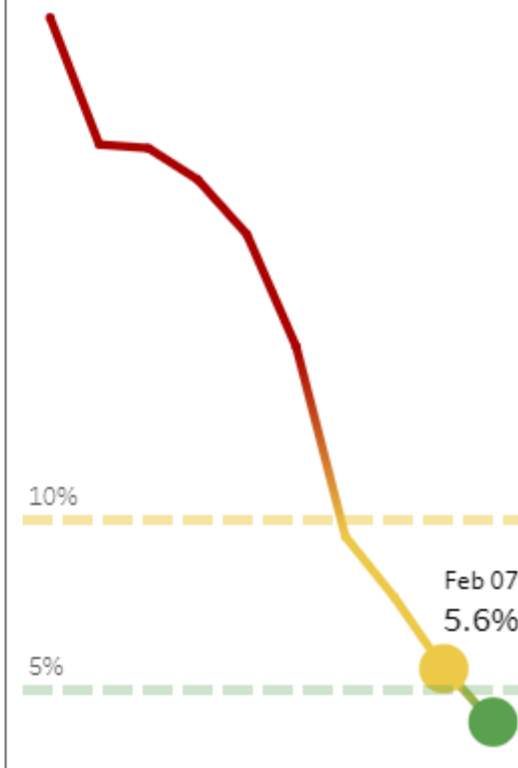


Date Updated: 3/4/2021

2) Percent positivity



3) Hospital visits for COVID-like illnesses in the region



<https://azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/index.php#novel-coronavirus-community>

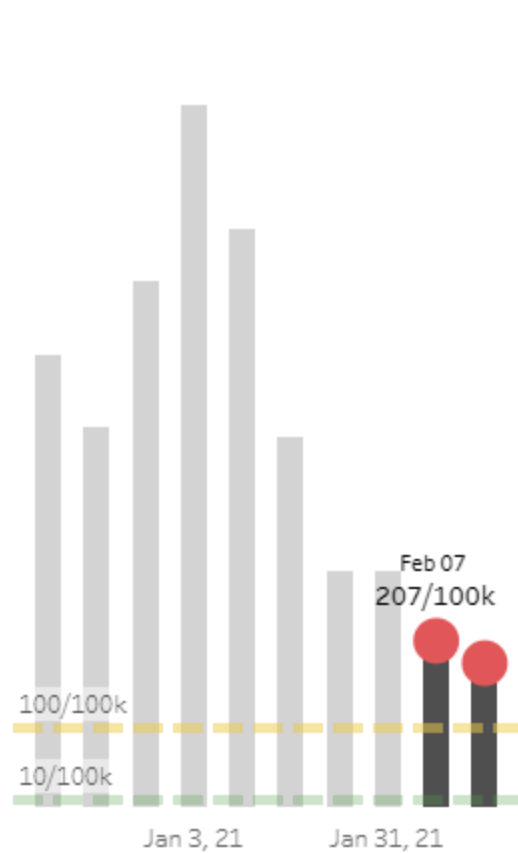




Showing data for **Coconino County** (Northern Region)

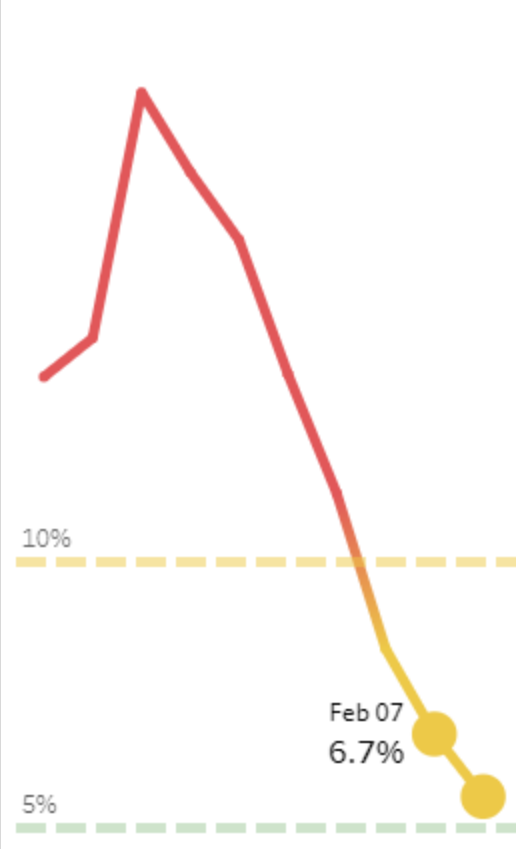
Business Reopening Status: **Substantial**

1) Cases per 100,000 individuals

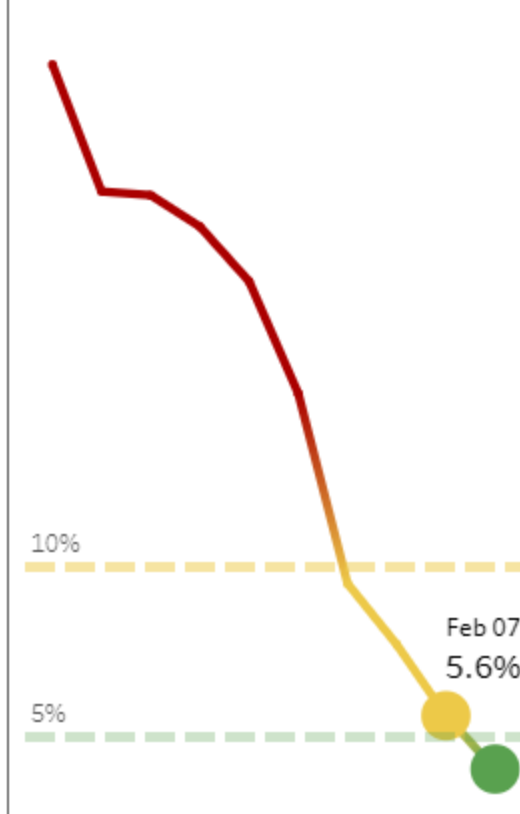


Date Updated: 3/4/2021

2) Percent positivity



3) Hospital visits for COVID-like illnesses in the region



<https://azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/index.php#novel-coronavirus-community>



# Gov Ducey Issues Executive Order# 21-05

- Based on reduced transmission and increased vaccination:
- Occupancy limits expire
- Allows local jurisdictions to continue mask mandates
- Maintains limits on large gatherings
- Maintains general guidelines for physical distancing, masks, hygiene, etc.

# Yavapai County Vaccinations

**Covid-19 Hotline: (928)442-5103**

SPECIFIC DATES FOR EACH PHASE HAVE NOT BEEN ESTABLISHED AT THIS TIME. ESTIMATES BELOW MAY CHANGE DUE TO AVAILABLE VACCINE SUPPLY.

*Note: click your specific priority group below to see how to sign up to receive the vaccine.*

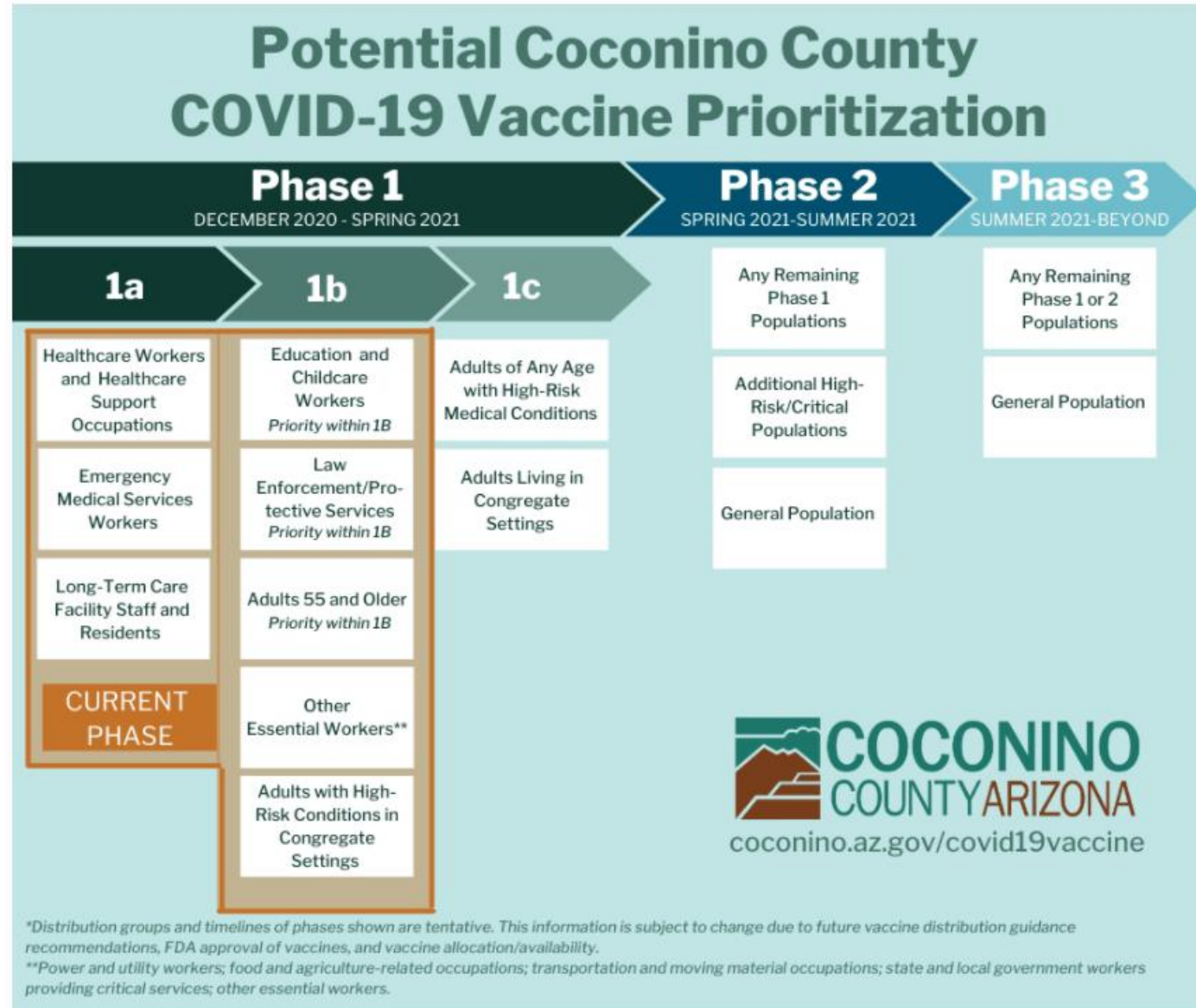
| Phase 1                                             |                                                         |                                                     |
|-----------------------------------------------------|---------------------------------------------------------|-----------------------------------------------------|
| 1A                                                  | 1B                                                      | 1C                                                  |
| 97% Complete<br>as of 2/26/2021                     | <b>CURRENT PHASE</b><br>30% Complete<br>as of 2/26/2021 | PHASE BEGINS<br>Spring 2021                         |
| Healthcare Workers & Healthcare Support Occupations | Education & Childcare Workers                           | Adults of Any Age with High-Risk Medical Conditions |
| Emergency Medical Services Workers                  | Protective Services Occupations                         | Adults Living in Congregate Settings                |
| Long-Term Care Facility Staff & Residents           | Adults 65 and Older                                     |                                                     |
|                                                     | Essential Services/Critical Industry Workers            |                                                     |
|                                                     | Adults with High-Risk Conditions in Congregate Settings |                                                     |

| Phase 2                                   |
|-------------------------------------------|
| PHASE BEGINS<br>Late Spring/Summer 2021   |
| Any Remaining Phase 1 Populations         |
| Additional High-Risk/Critical Populations |
| General Population                        |

| Phase 3                                |
|----------------------------------------|
| PHASE BEGINS<br>Summer 2021            |
| Any Remaining Phase 1 or 2 Populations |
| General Population                     |



**Coconino County Moves to Include Those 55 and Older in Phase 1b**



# Latest Trends

- Vaccine clinics operating and potentially expanding
  - <https://www.yavapai.us/chs/Home/COVID-19/Vaccine>
  - <https://www.coconino.az.gov/2547/Vaccine-Info>
  - <https://podvaccine.azdhs.gov/>
- Johnson & Johnson vaccine approved
  - <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/different-vaccines/janssen.html>
- CDC relaxes guidelines for fully vaccinated people
  - <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>
- Vaccinations reach 18% of US population
  - <https://www.npr.org/sections/health-shots/2021/01/28/960901166/how-is-the-covid-19-vaccination-campaign-going-in-your-state>

Data from Yavapai and Coconino Counties indicate 26+ deaths in greater Sedona



# Community Support

- Winter campaign has ended
- Some ad campaigns target masks and other safety protocols
- Hotel Occupancy remains showing signs of decline
- Weekly occupancy around 59% for the last 4 weeks
  - Approximately 15.8% below normal for the last 4 weeks
  - Average Daily Rate (ADR) is more about 10.4% above previous year for the last 4 weeks
- No new direct financial support to community organizations



# City Finances and Operations

- December sales tax up 14%
- Year to date sales tax up 12%
- Continuing limited open hours 8-12 Monday through Thursday
- Financial outlook: optimistic



# Questions?

