

AGENDA



4:30 P.M.

CITY COUNCIL MEETING

TUESDAY, OCTOBER 12, 2021

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. For additional information on pulling a Consent Item, please contact the City Clerk's Office staff, preferably in advance of the Call to Order. 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:

- It is strongly encouraged that public input on agenda items be submitted by sending an email to the City Clerk at sirvine@sedonaz.gov in advance of the 4:30 p.m. Call To Order.
- 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.

DUE TO CONTINUED PRECAUTIONS RELATED TO COVID-19, SEATING FOR THE PUBLIC WITHIN THE COUNCIL CHAMBERS IS LIMITED. THOSE WISHING TO COMMENT ON SCHEDULED AGENDA ITEMS MAY BE ASKED TO WAIT OUTDOORS OR IN AN ALTERNATE LOCATION IF THERE IS NOT ADEQUATE SEATING IN COUNCIL CHAMBERS. **COMMENTS IN ADVANCE OF THE 4:30 P.M. CALL TO ORDER ARE STRONGLY ENCOURAGED BY SENDING AN EMAIL TO [SIRVINE@SEDONAAZ.GOV](mailto:sirvine@sedonaz.gov) AND WILL BE MADE PART OF THE OFFICIAL MEETING RECORD.** THE MEETING CAN BE VIEWED LIVE ON THE CITY'S WEBSITE AT WWW.SEDONAAZ.GOV OR ON CABLE CHANNEL 4.

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 =

- Minutes - September 28, 2021 City Council Regular Meeting.
- Minutes - September 29, 2021 City Council Special Meeting.
- Approval of Proclamation, Sedona Kindness Day, November 13, 2021.
- AB 2725 Approval of a recommendation regarding an application for a Series 7 Beer and Wine Bar Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File #159582).
- AB 2728 Approval of a recommendation regarding an application for a Series 12 Restaurant Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File# 156473).
- AB 2729 Approval of a recommendation regarding an application for a Series 10 Beer and Wine Store Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File# 156543).
- AB 2730 Approval of a recommendation regarding an application for a Series 10 Beer and Wine Store Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File# 159589).
- AB 2735 Approval of a Real Estate Purchase and Sale Agreement with Dr. Farshid Paydar to purchase the right-of-way property and easements needed for the Forest Road Extension Project on two of Dr. Paydar's residential parcels (APN 401-38-011B and 401-38-011D).

4. APPOINTMENTS - None.

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

- Presentation of Proclamation, Sedona Kindness Day, November 13, 2021.




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

8. REGULAR BUSINESS

- a. AB 2719 **Discussion/possible direction** regarding initiating the process for the 10-year review and update of the Sedona Community Plan. 
- b. AB 2378 **Discussion/possible direction** regarding the Sedona in Motion transportation program including selection of the branding for transit. 
- c. AB 2571 **Discussion/possible direction** regarding issues surrounding the COVID-19 pandemic and the City's response. 
- d. **Reports/discussion** regarding Council assignments.
- e. **Discussion/possible action** regarding future meeting/agenda items.

9. EXECUTIVE SESSION

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

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

10. ADJOURNMENT

Posted: 10/07/2021

By: DJ

Susan L. Irvine, CMC
City Clerk

Note: Pursuant to A.R.S. § 38-431.02 notice is hereby given to the members of the City Council and to the general public that the 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 materials 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

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.

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, September 28, 2021, 4:30 p.m.

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

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

Council Present: Mayor Sandy Moriarty, Vice Mayor Scott Jablow, Councilor Kathy Kinsella, Councilor Tom Lamkin, Councilor Holli Ploog, Councilor Jon Thompson, Councilor Jessica Williamson.

Staff Present: City Manager Karen Osburn, Deputy City Manager Joanne Keene, City Attorney Kurt Christianson, Director of Financial Services Cherie Wright, Director of Public Works/City Engineer Andy Dickey, Associate Engineer Bob Welch, City Clerk Susan Irvine.

2. City's Vision

The City's Vision was read by Councilor Thompson.

3. Consent Items

- a. **Minutes - September 14, 2021 City Council Special Meeting - Executive Session.**
- b. **Minutes - September 14, 2021 City Council Regular Meeting.**
- c. **Minutes - September 15, 2021 City Council Special Meeting.**
- d. **AB 2722 Approval of a recommendation regarding a Liquor License Agent Change/Acquisition of Control application for the Series 3 In State Microbrewery Liquor License for Oak Creek Brewing Co, 2050 Yavapai Drive, Sedona, AZ (File #158274).**
- e. **AB 2723 Approval of a recommendation regarding a Liquor License Agent Change/Acquisition of Control application for the Series 7 Beer and Wine Bar Liquor License for Oak Creek Brewing Co, 2050 Yavapai Drive, Sedona, AZ (File #158273).**
- f. **AB 2732 Approval of a Resolution approving the form of the lease/purchase agreement with Zions Bancorporation, N.A., Salt Lake City, Utah and authorizing the execution and delivery thereof.**

Motion: Councilor Kinsella moved to approve consent items 3a, 3b, 3c, 3d, 3e, and 3f. Seconded by Vice Mayor Jablow. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, Williamson) and zero (0) opposed.

4. Appointments – None.

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

Vice Mayor Jablow advised that the Uptown Halloween Trick or Treat has been cancelled and replaced with Trunk or Treat at the Posse Grounds Park upper softball field from 5:00 to 7:00 p.m. Parks & Recreation also has the following events taking place: registration

for Coed Youth Grasshopper Basketball for grades 1-6 opens on October 8th; Music Morning with Annette the 1st and 3rd Thursdays 9:00 a.m. at Sunset Park; Story Time in the Park on Wednesdays 9:00 a.m. at Sunset Park; and Yappy Hour on Thursdays at 9:00 a.m. at Posse Grounds Park. Councilor Lamkin advised that the Park Rangers are looking for volunteers, said it is lots of fun, and you can apply at the City. A volunteer appreciation luncheon was held yesterday as a drive-through event.

6. Public Forum – None.

7. Proclamations, Recognitions, and Awards – None.

8. Regular Business

a. AB 2464 Public hearing/discussion/possible action regarding: 1) an Ordinance adopting proposed new wastewater capacity fees in accordance with A.R.S. § 9-511.01, and 2) a Resolution and Ordinance amending Title 13, Division I, Chapter 13.15 of the Sedona City Code (Wastewater).

Presentation by Cherie Wright, and Willdan Consultants Pat Walker and Kevin Burnett.

Questions from Council.

Opened the public hearing at 4:58 p.m.

No comments were received.

Closed the public hearing and brought back to Council at 4:58 p.m.

Motion: After 1st reading, Councilor Williamson moved to approve Ordinance No. 2021-06, setting new wastewater capacity fee charges. Seconded by Councilor Kinsella. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, Williamson) and zero (0) opposed.

Motion: Councilor Williamson moved to approve Resolution No. 2021-23, creating a public record entitled “2021 Amendments to Chapter 13.15 of the Sedona City Code, (Wastewater)”. Seconded by Councilor Kinsella. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, Williamson) and zero (0) opposed.

Motion: After 1st reading, Councilor Williamson moved to approve Ordinance No. 2021-07, amending Chapter 13.15 Connections to Wastewater System of the Sedona City Code (Wastewater), and approving changes in the City’s wastewater rates and rate structure all as set forth in the exhibits attached to said ordinance. Seconded by Councilor Kinsella. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, Williamson) and zero (0) opposed.

b. AB 2706 Presentation/discussion with Yavapai College President Dr. Lisa Rhine regarding a general update on activities and plans of the College.

Presentation by Yavapai College President Dr. Lisa Rhine, Governing Board Chair Deb McCasland, Vice President of Community Relations and Student Affairs Rodney Jenkins.

Questions and comments from Council.

Presentation and discussion only. No action taken.

Break at 6:15 p.m. Reconvened at 6:32 p.m.

Item 8d was discussed prior to item 8c in consideration of staff in attendance.

- d. **AB 2733 Discussion/possible action regarding approval of a Resolution establishing the need and public purpose for right-of-way and easements necessary for the Forest Road Extension Project.**

Presentation by Andy Dickey, Bob Welch, and Kurt Christianson.

Questions and comments from Council.

Motion: Councilor Ploog moved to approve Resolution 2021-24 establishing the need and public purpose for property acquisition and related easements for the installation and maintenance of the Forest Road Extension Project and authorize in advance formal condemnation proceedings if the necessary property and easements cannot be obtained by informal negotiations as amended. Seconded by Councilor Thompson. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, Williamson) and zero (0) opposed.

- c. **AB 2727 Discussion/possible action regarding legislative advocacy related to short-term rentals and their impact on Sedona including possible engagement of a lobbyist and authorization of possible transfer of contingency funds of up to \$75,000.**

Presentation by Joanne Keene and Karen Osburn.

Questions and comments from Council.

Motion: Councilor Kinsella moved to approve a budget transfer of \$75,000 from the contingency account to professional services to cover the potential cost of a private lobbyist subject to City Manager approval and approval of a written contract by the City Attorney. Seconded by Councilor Ploog. Further discussion by Council. Councilor Thompson stated that he came in supporting this item but changed his mind based on the Mayor's comments. Councilor Lamkin stated that he was torn on the item but based on the Mayor's comments was convinced it would not have an impact. Councilor Williamson stated that she does not feel that a vote in favor of this item is undercutting the Mayor who has done astonishing work on this over the years. Mayor Moriarty stated that she wanted to correct the assumption that this was not a priority of the League of Arizona Cities and Towns because it is on their list and has been for years. **Vote: Motion carried with four (4) in favor (Jablow, Kinsella, Ploog, Williamson) and three (3) opposed (Moriarty, Lamkin, Thompson).**

- e. **AB 2705 Discussion/possible action regarding approval of a revised statement related to the statewide congressional and legislative redistricting process and alternatives.**

Presentation by Joanne Keene.

Questions and comments from Council.

Motion: Councilor Kinsella moved to approve the revised redistricting values statement to submit to the Independent Redistricting Commission as amended. Seconded by Councilor Thompson. Vote: Motion carried unanimously with seven

(7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, Williamson) and zero (0) opposed.

f. AB 2571 Discussion/possible direction regarding issues surrounding the COVID-19 pandemic and the City's response.

Presentation by Karen Osburn.

Questions and comments from Council.

Presentation and discussion only. No action taken.

g. Reports/discussion regarding Council assignments

Councilor Williamson advised that you can support the Sedona Public Library by ordering the Overdue Brew at the Sedona Brewing Company. Councilor Lamkin stated that the Coconino Plateau Watershed toured the Perrin Ranch north of Williams to see what they were doing related to water conservation. Councilor Thompson advised that Sedona Recycles was able to find a vendor for rigid plastic and Styrofoam and also got their truck fixed.

h. Discussion/possible action regarding future meeting/agenda items.

Mayor Moriarty advised that there is a special meeting tomorrow at 3:00 p.m. Councilor Williamson asked when the second half of the discussion regarding sewer rates was going to take place, and Karen Osburn stated that it would not be any time soon.

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 8:40 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on September 28, 2021.

Susan L. Irvine, CMC, City Clerk

Date

**Action Minutes
Special City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Wednesday, September 29, 2021, 3:00 p.m.**

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

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

2. Roll Call

Council Present: Mayor Sandy Moriarty, Vice Mayor Scott Jablow, Councilor Kathy Kinsella, Councilor Tom Lamkin, Councilor Holli Ploog, Councilor Jessica Williamson. Councilor Jon Thompson was absent and excused.

Staff Present: City Manager Karen Osburn, Deputy City Manager Joanne Keene, City Attorney Kurt Christianson, Director of Community Development Jess McNeely, Planning Manager Cari Meyer, Assistant Engineer Hanako Ueda, Deputy City Clerk Cherise Fullbright.

3. Special Business

- a. **AB 2718 Public re-hearing/discussion/possible action regarding a remand from the Coconino County Superior Court of an appeal to the Sedona City Council of the Planning and Zoning Commission's approval, with conditions, of a conditional use permit for the Arizona Water Company Water Tank Facility located at 55 Bell Rock Trail.**

Presentation by Arizona Water Company Division Manager John Snickers, Water Works Engineers Design Engineer John Matta, Cari Meyer, Hanako Ueda, and Kurt Christianson.

Opened the public hearing at 3:18 p.m.

The following spoke regarding this item: Larry Kane, Sedona, Kevin Brackin, Sedona.

Closed the public hearing and brought back to Council at 3:25 p.m.

Rebuttal by Arizona Water Company Division Manager John Snickers.

Questions and comments from Council.

Motion: Councilor Ploog moved to adopt Resolution 2021-25, explaining and again granting, with conditions, case number PZ17-00001 (CUP, DEV), Arizona Water Company Water Tank and Booster Facility at 55 Bell Rock Trail, to allow for a new public utility and public service substation, water tank, and pumping plant based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings and applicable Land Development Code and Community Plan requirements, including LDC Sections 402.06, 402.08, 605.01 and 605.02, and the conditions as amended by the Planning and Zoning Commission. Seconded by Councilor Williamson. Vote: Motion carried unanimously with six (6) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Williamson) and zero (0) opposed.

- b. **Discussion/possible action regarding future meetings/agenda items.**

4. 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.

5. Adjournment

Mayor Moriarty adjourned the meeting at 4:25 p.m. without objection.

I certify that the above are the true and correct actions of the Special City Council Meeting held on September 29, 2021.

Cherise Fullbright, Deputy City Clerk

Date



City of Sedona Proclamation Request Form

Full Name of Contact Person	
Contact Phone Number	
Contact Mailing Address	
Contact Email Address	
Group, Organization, Activity or Event Being Recognized (Please make sure you provide complete and current information about the group or event)	
Website Address (if applicable)	
Name of the sponsor(s) of the Proclamation (2 Council members or the City Manager)	
What is the proclaimed day, days, week or month? (e.g. 10/11/12, October 11-17, 2012, October 2012)	
Would you like to attend a Council meeting for formal presentation of the Proclamation or would you like to pick it up?	<p style="text-align: center;">Presentation at Meeting</p> <p style="text-align: center;">Pick up Proclamation</p>
If you would like the Proclamation presented at a Council meeting, please provide the full name and contact information (phone number and email address) of the party who will accept it on behalf of the group.	

Provide information about the organization/event including a mission statement, founding date, location and achievements.

Please explain why this Proclamation and any events accompanying it are important to the Community and are consistent with the City's vision statement and Community Plan goals. What is the clear reason for the Proclamation and why are you requesting this honor? What activities/events are planned around this Proclamation and how do you plan to promote this to the community?

Please include a draft of the proposed Proclamation with this request, preferably a Word file in electronic format.

*Office of the Mayor
City of Sedona, Arizona*



**Proclamation
Sedona Kindness Day
November 13, 2021**

WHEREAS, "Kindness gives birth to kindness"- Sophocles; and

WHEREAS, "Kindness is the language the deaf can hear and the blind can see"- Mark Twain; and

WHEREAS, "Deeds of kindness are equal in weight to all the commandments"- The Talmud; and

WHEREAS, kindness is a fundamental part of the human condition which bridges the divides of race, religion, politics, and gender; and

WHEREAS, in 1998, World Kindness Day was introduced by the World Kindness Movement, to highlight good deeds in all communities, focusing on the positive power and the common thread of kindness that binds us; and

WHEREAS, a group of Sedona citizens formed SedonaKind to help spread kindness and encourage acts of kindness locally and around the world, and to urge all citizens to create their own acts of kindness, to pay it forward, and to match the magic and transformative powers of our Red Rocks with the kindness of all the citizens who live here.

NOW, THEREFORE, I, SANDY MORIARTY, MAYOR OF THE CITY OF SEDONA, ARIZONA, ON BEHALF OF THE SEDONA CITY COUNCIL, in recognition of the historical value and the international commitment to observing a day to celebrate kindness, do hereby proclaim Saturday, November 13, 2021 as Sedona Kindness Day and encourage all citizens of Sedona to acknowledge and take to heart the statement by Seneca "Wherever there is a human being, there is an opportunity to be kind".

Issued this 12th day of October, 2021.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk



**CITY COUNCIL
AGENDA BILL**

**AB 2725
October 12, 2021
Consent Items**

Agenda Item: 3d
Proposed Action & Subject: Approval of a recommendation regarding an application for a Series 7 Beer and Wine Bar Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File #159582).

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 10/05/21 KWC	Expenditure Required	
		\$	0
City Manager's Recommendation	Recommend approval of a new Series 7 Beer and Wine Bar Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ.	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 received an application for a new Series 7 Beer and Wine Bar Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File #159582). The application is available for review and inspection in the City Clerk's office or by email.

A Series 7 Liquor License (Beer and Wine Bar) is transferable from person to person and/or location to location within the same county and allows the holder both on- & off-sale retail privileges. This license allows a beer and wine bar retailer to sell and serve beer and wine (no other spirituous liquors), primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. A retailer with off-sale ("To Go") privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. The Beer and Wine Bar (Series 7) liquor license may fill and sell "growlers".

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

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Recommend denial of a new Series 7 Beer and Wine Bar Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File #159582). Reasons for a recommendation of denial would need to be specified.

MOTION

I move to: recommend approval of a new Series 7 Beer and Wine Bar Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File #159582).



**CITY COUNCIL
AGENDA BILL**

**AB 2728
October 12, 2021
Consent Items**

Agenda Item: 3e
Proposed Action & Subject: Approval of a recommendation regarding an application for a Series 12 Restaurant Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File #156473).

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 10/05/21 KWC	Expenditure Required	
		\$	0
City Manager's Recommendation	Recommend approval of a new Series 12 Restaurant Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ.	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 a Series 12 Restaurant Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File #156473). The liquor license application is available for review and inspection in the City Clerk's office or by email.

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 City Clerk's Office, 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

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Recommend denial of a new Series 12 Restaurant Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File #156473). Reasons for a recommendation of denial would need to be specified.

MOTION

I move to: recommend approval of a new Series 12 Restaurant Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File #156473).



**CITY COUNCIL
AGENDA BILL**

**AB 2729
October 12, 2021
Consent Items**

Agenda Item: 3f

Proposed Action & Subject: Approval of a recommendation regarding an application for a Series 10 Beer and Wine Store Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File #156543).

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 10/05/21 KWC	Expenditure Required	
		\$	0
City Manager's Recommendation	Recommend approval of a new Series 10 Beer & Wine Store Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ.	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 received an application for a new Series 10 Beer and Wine Store Liquor for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File #156543). The application is available for review and inspection in the City Clerk's office or by email.

A Series 10 Liquor License (Beer and Wine) is a non-transferable, off-sale retail privileges liquor license that allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery.

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

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Recommend denial of a new Series 10 Beer and Wine Store Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File #156543). Reasons for a recommendation of denial would need to be specified.

MOTION

I move to: recommend approval of a new Series 10 Beer & Wine Store Liquor License for Vespa Cafe located at 1350 W Highway 89A, #22, Sedona, AZ (File #156543).



**CITY COUNCIL
AGENDA BILL**

**AB 2730
October 12, 2021
Consent Items**

Agenda Item: 3g

Proposed Action & Subject: Approval of a recommendation regarding an application for a Series 10 Beer and Wine Store Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File #159589).

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 10/05/21 KWC	Expenditure Required	
		\$	0
City Manager's Recommendation	Recommend approval of a new Series 10 Beer & Wine Store Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ.	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 received an application for a new Series 10 Beer and Wine Store Liquor for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File #159589). The application is available for review and inspection in the City Clerk's office or by email.

A Series 10 Liquor License (Beer and Wine) is a non-transferable, off-sale retail privileges liquor license that allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery.

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

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Recommend denial of a new Series 10 Beer and Wine Store Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File #159589). Reasons for a recommendation of denial would need to be specified.

MOTION

I move to: recommend approval of a new Series 10 Beer & Wine Store Liquor License for The Art of Wine located at 101 N Hwy 89A, B-9, Sedona, AZ (File #159589).



**CITY COUNCIL
AGENDA BILL**

**AB 2735
October 12, 2021
Consent Items**

Agenda Item: 3h
Proposed Action & Subject: Approval of a Real Estate Purchase and Sale Agreement with Dr. Farshid Paydar to purchase the right-of-way property and easements needed for the Forest Road Extension Project on two of Dr. Paydar’s residential parcels (APN 401-38-011B and 401-38-011D).

Department	City Attorney
Time to Present	N/A
Total Time for Item	
Other Council Meetings	September 28, 2021
Exhibits	A. Agreement

City Attorney Approval	Reviewed 10/05/21 KWC	Expenditure Required	
		\$	216,683
City Manager’s Recommendation	Approve the Purchase and Sale Agreement with Farshid Paydar for the purchase of the right-of-way property and easements needed for the Forest Road Extension Project.	Amount Budgeted	
		\$	1,600,000 (land acquisition portion)
		Account No. (Description)	22/48-5320-89-6872 (Forest Rd Connection – CIP Fund & DIF Fund)
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background:

The new portion of Forest Road will connect with SR 89A west of the post office. The street will include a shared-use bike/walk pathway. A 2018 survey of Uptown residents found 78 percent supported building the extension. It will allow Uptown residents to bypass the two roundabouts at Brewer/Ranger roads and the Y and serve as an additional ingress/egress route for emergency responders and emergency evacuation. There is currently only one ingress/egress route between Uptown Sedona and the rest of the City.

Public Works is currently advertising the Project for bid by the end of September and bringing the recommended award of the contract to City Council on November 23, 2021. Construction is planned to begin in December and to take roughly one year. Depending on the start of construction, the new road is expected to open by January 2023.

In all, 11 parcels, owned by 9 separate entities/individuals, are directly affected by the Project. Dr. Farshid Paydar owns three of the affected parcels. On March 25, 2021, the City provided

letters offering to purchase the necessary right-of-way and easement portions of his property according to the appraised amounts. Dr. Paydar rejected those offers as being too low. The City commissioned an additional appraisal and extended new offers on September 2, 2021 in the amount of \$216,283. Dr. Paydar accepted the offers for his two residential parcels resulting in the Real Estate Purchase and Sale Agreement attached as Exhibit A to this Agenda Bill. This Agreement secures the necessary property from two of the 11 parcels (APN 401-38-011B and 401-38-011D). Negotiations with Dr. Paydar are ongoing concerning the property needed from Dr. Paydar's commercial property.

As part of the Agreement, Dr. Paydar will provide the City with two Warranty Deeds for the needed right-of-way, a Permanent Slope and Drainage Easement for Parcel No. 401-38-011B, and a Permanent Slope Easement for Parcel No. 401-38-011D. Title and escrow services for the transaction will be provided by Empire West Title Company with the closing to occur no later than October 28, 2021.

Community Plan Consistent: Yes - No - Not Applicable

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s):

MOTION

I move to: approve the Real Estate Purchase and Sale Agreement with Farshid Paydar for the purchase of the right-of-way property and easements needed for the Forest Road Extension Project in the amount of \$216,683, subject to approval of the City Attorney.

REAL ESTATE PURCHASE AND SALE AGREEMENT

SELLER: Farshid Paydar, a married man, as his sole and separate property.

BUYER: City of Sedona, an Arizona municipal Corporation

ESCROW AGENCY: Empire West Title Agency

PROPERTY: Portions of Real Property located near Forest Road (APN# 401-38-011B and 401-38-011D) as more fully described in Exhibits A-D.

This Real Estate Purchase and Sale Agreement ("Agreement") is made and entered into by and between the **City of Sedona**, an Arizona municipal corporation ("Buyer") and **Farshid Paydar** ("Seller"), upon the date signed below (the "Effective Date").

RECITALS:

Whereas, Seller is the owner of two (2) separate parcels of real property on Forest Road in the City of Sedona known as Coconino County Assessor's Parcel Nos. 401-38-011B, more fully described on Docket 2063, Page 729-733, records of Coconino County, Arizona and 401-38-011D, more fully described in Docket 2063, Page 729 records of Coconino County, Arizona; and

Whereas, Buyer desires to purchase a portion of each parcel for right of way purposes (the "ROW Acquisitions") legally described in Exhibit "A" ("Warranty Deed APN 401-38-011B") and Exhibit "B" ("Warranty Deed APN 401-38-011D"), both Exhibits are incorporated herein by this reference; and

Whereas, Buyer also desires to purchase easements, on each parcel (the "Easements") and legally described in Exhibit "C" ("Permanent Slope and Drainage Easement APN 401-38-011B") and Exhibit "D" ("Permanent Slope Easement APN 401-38-011D"), both Exhibits are incorporated herein by this reference; and

Whereas, jointly the ROW Acquisitions and the Easements, as legally described in Exhibits A-D, shall be called, the "Property"; and

Whereas, Seller desires to sell the Property to Buyer and Buyer agrees to purchase the Property in accordance with the terms and conditions set forth herein for a public purpose.

AGREEMENT:

Now, therefore in consideration of the mutual terms and conditions set forth herein, the parties agree as follows:

1. **Incorporation of Recitals.** The parties agree the Recitals set forth above are accurate and are hereby incorporated as part of this Agreement.

2. **Sale of Property.** Seller agrees to sell the Property to Buyer and Buyer agrees to purchase the Property from Seller upon the terms and conditions set forth herein.

3. **Purchase Price.** The Purchase Price for the Property shall be \$216,683.00 to be paid in full upon the Close of Escrow.

4. **Escrow Agent and Title Report.**

(a) Buyer and Seller agree to employ Empire West Title Company as the Escrow Agent to handle the Escrow.

(b) Seller agrees to provide Buyer with a standard owner's title policy for the Property in the Escrow Agent's standard coverage form and to pay the cost to record a Warranty Deeds and Easements in favor of Buyer in the form of Exhibits A-D. Buyer shall pay for any extended form of title insurance coverage as determined and requested by Buyer.

(c) Immediately following the Effective Date, Seller shall instruct the Escrow Agent to deliver to Buyer, at Seller's expense, if any: (i) a preliminary title report for a standard coverage owner's policy of title insurance for the Property setting forth the current status of title ("Title Report"); (ii) copies of all items appearing as exceptions to title insurance coverage; and (iii) an estimate of the additional charges required by Escrow Agent to upgrade the title insurance coverage to an extended form.

(d) Seller agrees Buyer shall be entitled to object to any matters disclosed by the Title Report, by delivering written notice of objection (a "Title Objection Notice") to Seller and Escrow Agent no later than five (5) days from Buyer's receipt of the Title Report. Any Title Objection Notice delivered by Buyer shall specify in reasonable detail any matter to which Buyer objects (the "Title Objection(s)"). If Escrow Agent subsequently issues any amendment to the Title Report disclosing any additional title matters, changes in the legal description, or additional requirements of Buyer, or if any revision to a survey procured by Buyer discloses any additional matter(s) affecting the Property, then Buyer shall be entitled to object to any such newly discovered matter by delivering a Title Objection Notice to Seller and Escrow Agent on or before five (5) business days after Escrow Agent has delivered to Buyer the amendment to the Title Report and any Schedule B items, if applicable (or Buyer has received the revision to a survey). If Buyer fails to deliver a Title Objection Notice objecting to any matter set forth in the Title Report or any survey (or any subsequent amendment thereto) within the time period required under this Section 4(d), Buyer shall be deemed to have approved the matter as of the last day of that time period. All matters to which Buyer has not objected to are referred to in this Agreement as the "Permitted Exceptions."

(e) If Buyer timely delivers a Title Objection Notice, then Seller shall notify Buyer on or before the date that is five (5) days after Seller's receipt of the Title

Objection Notice that either (i) the Title Objection(s) have been removed from the Title Report by Escrow Agent such that the Title Objection(s) no longer affects or encumbers the Property or any portion thereof, and in such event, the Closing shall go forward as provided for in this Agreement, or (ii) Seller irrevocably commits prior to Closing to cause Escrow Agent to remove objectionable items from the Title Report such that the Title Objection(s) no longer affect or encumber the Property or any portion thereof, and in such event, the Closing shall go forward as provided for in this Agreement, or (iii) Seller is unable or unwilling to have the Title Objection(s) removed. If Seller fails to provide such notice to Buyer within the time period required under this Section 4(e), it shall be deemed that Seller is unwilling to cure the Title Objection(s). If Seller timely notifies Buyer (or fails to notify Buyer within the time period) that it is unable or unwilling to have the Title Objection(s) removed or is otherwise unable or unwilling to cure the Title Objection(s) to Buyer's satisfaction, then Buyer, by delivering written notice to Seller no later than five (5) days following Seller's notice to Buyer and Escrow Agent (or the date set as the deadline for Seller to deliver such notice to Buyer and Escrow Agent) in accordance with this Section 4(e), may elect either: (A) as Buyer's sole remedy hereunder, to terminate this Agreement and receive the entire sums deposited with the Escrow Agent (and any interest earned thereon) and thereafter the parties shall have no further rights or obligations under this Agreement except those rights which specifically survive termination; or (B) waive such objections and take title as it then is (subject to, and the Closing is expressly conditioned upon, removal of any other Title Objection(s) that Seller has agreed to cause to be removed from the Title Report and/or cured as provided hereinabove), in which event all title Objection(s) not removed from the Title Report and cured as provided above will thenceforth be deemed Permitted Exceptions; and this Agreement shall remain in full force and effect. The failure by Buyer to timely elect either clause (A) or (B) above shall be deemed Buyer's election to proceed with clause (A) above.

(f) Notwithstanding anything to the contrary contained in this Agreement, at or before the Close of Escrow, and without the need for Buyer to object to same in its Title Objection Notice, Seller shall remove all financing encumbrances; mechanics', materialmen's and supplier's liens; judgment liens; federal or state income or sales tax liens; and lis pendens without cost to Buyer. Seller may not allow additional liens or encumbrances to be placed upon the Property after the Effective Date. The Purchase Price proceeds shall first be applied by Escrow Agent to pay off any and all financing encumbrances or any of the foregoing liens before any remaining Purchase Price proceeds are released to Seller on the Closing.

(g) Buyer's obligation to purchase the Property, to pay the Purchase Price therefore, and otherwise to close the Escrow is subject to Title Insurer being unconditionally committed to issue at the Close of Escrow to Buyer, as the insured, a standard owner's title policy and any requested extended coverage owner's policy of title insurance for the Property (with no exception for mechanics' liens or similar encumbrances) in the amount of the Purchase Price, subject to only the Permitted Exceptions with such title endorsements as Buyer shall require (the "Title Policy"). Seller and Buyer shall each execute, acknowledge (if applicable), and/or deliver to Escrow Agent prior to the date of the Closing, any documents pertaining to Seller or Buyer, as applicable,

or matters relating to the Property required by Escrow Agent as a condition to the issuance of the Title Policy.

(h) Buyer and Seller each agree to pay on, or before, the Close of Escrow to the Escrow Agent one-half of the standard closing costs and escrow fees for a commercial real estate transaction as determined by the Escrow Agent. Buyer and Seller shall timely execute or provide any documentation required by the Escrow Agent to close the sale and purchase of the Property.

(i) This Agreement may be supplemented by the printed Escrow Instructions to which it is attached and shall be construed together with the Escrow Instructions as a single document; in the event of any inconsistency between any provision in this Agreement and a provision in the Escrow Instructions, the provision in this Agreement shall prevail. Upon the execution of the Escrow Instructions and this Agreement by Seller and Buyer, the same shall constitute a binding contract between Seller and Buyer for the purchase and sale of the Property.

5. Survey, Engineering, Inspection and Due Diligence. Seller agrees that prior to the Closing, Buyer may conduct and complete any additional inspections or tests of the Property and conduct any other due diligence of the Property, without limitation, which Buyer determines is necessary for Buyer's intended use of the Property for industrial/commercial development (the "Inspection Period"). Buyer agrees to pay for any additional inspections, tests and due diligence of the Property Buyer desires to procure in its discretion. Buyer shall be responsible to restore the Property to its original condition upon the completion of any additional inspection, test, or other due diligence of the Property. If during the Inspection Period, Buyer determines in its sole discretion that any survey, inspection, test, or other due diligence of the Property is unacceptable for Buyer's intended use, Buyer may, upon written notice to Seller and the Escrow Agent, terminate this Agreement, but subject to the right to Seller's equal contribution for the payment of any surveys, engineering or related work previously agreed to by the parties completed as of such date as to the Property.

6. Close of Escrow. Buyer and Seller agree to the Close of Escrow upon Buyer's acceptance of the Closing Conditions set forth in Section 7 ("Closing" or "Close of Escrow"), in any event, not later than October 28, 2021.

7. Closing Conditions. Seller and Buyer agree Buyer's obligation to purchase the Property is contingent upon Buyer's approval of, and the occurrence of, each of the following conditions:

(a) Buyer and Seller agree that no commission shall be paid.

Seller agrees that in the event any of the foregoing conditions are not satisfied on or before the Close of Escrow, other than conditions subsequent, Buyer may upon written notice to Seller elect to immediately terminate this Agreement and shall be entitled to a refund of the Earnest Money Deposit from the Escrow Agent upon providing a copy of such written notice to the Escrow Agent.

8. Seller's Representations. Seller represents the following to Buyer:

(a) Seller has not received notice of any pending condemnation or similar proceeding affecting the Property or any portion thereof, and Seller, to the best of its knowledge, is not aware of any threatened condemnation or similar proceedings affecting the Property or any portion thereof.

(b) To the best of Seller's actual knowledge, the Property is not in violation, nor has it been or is it currently under investigation for a violation of any federal, state or local law, ordinance or regulation including, without limitation, any relating to environmental conditions, in, at, on, under or about the Property including, but not limited to, soil and ground water conditions and that neither Seller nor, to the best of Seller's actual knowledge, any third party has used, generated, manufactured stored or disposed in, at, on, under or about the Property or transported to or from the Property any hazardous waste, toxic substances or related materials except in accordance with applicable law; and, to the best of Seller's actual knowledge, there is not now nor has there even been on or in the Property underground storage tanks or surface impoundments, any asbestos-containing materials or any polychlorinated biphenyls used in hydraulic oils, electric transformers or other equipment.

(c) There are no attachments, assignments for the benefit of creditors, receiverships, conservatorships, or voluntary or involuntary proceedings in bankruptcy pending against Seller.

(d) Seller has not previously taken any action and will not take any action, which would cause any lien or claim of lien to be made against the Property under the mechanics' and materialman's lien laws of the State of Arizona.

(e) Seller has not received any notifications from any governmental authority having jurisdiction over the Property requiring any work to be done on the Property or alleging any violation of law with respect to the Property.

(f) Seller has no actual knowledge of any claims, administrative actions or lawsuits pending or threatened against the Property.

(g) Seller has no actual knowledge of any parties in adverse possession of the Property or of any prescriptive rights or unrecorded easements upon or across the Property, or any portion thereof.

(h) Seller is not aware of any agreements or leases relating to the Property other than those identified as "Closing Conditions" in Section 7 herein.

(i) Seller represents that to the best of its actual knowledge, any documents, information and records provided by Seller to Buyer in connection with the transaction contemplated herein contain true and accurate information.

(j) Seller is not required to obtain the approval or consent of any other person or entity to execute this Agreement or to perform Seller's obligations under this Agreement.

9. Buyer's Representations. Buyer represents the following to Seller:

(a) Buyer has full authority to execute this Agreement.

(b) Buyer is not aware of any adverse actions against Buyer that would limit or impair Buyer's right to perform its obligations under this Agreement or upon the Close of Escrow.

10. Survival of Representations. The representations of Seller and Buyer as set forth in Sections 8 and 9 shall survive the Close of Escrow and shall not merge with the Warranty Deeds or Easements.

11. Real Estate Brokerage. Buyer and Seller affirm neither party has contracted with, retained or otherwise employed a real estate broker relative to this Agreement. Buyer and Seller agree if any real estate broker asserts or claims the payment of a real estate commission or fees relative to this Agreement the party who contracted with such broker shall be responsible for the payment of such commission or fees and shall forever defend, indemnify and hold harmless the other party from such claim.

12. Title. Seller agrees to transfer the title to the Property to Buyer upon the Close of Escrow by Warranty Deed and Easement, in a form substantially similar to those in Exhibits A-D, without any exceptions or encumbrances, subject only to the usual printed exceptions and exclusions contained in such title insurance policies, to the matters shown on the Title Report or any Amended Title Report approved in writing or waived by Buyer.

13. Taxes and Assessments. All real and personal property taxes and any assessments against the Property shall be pro-rated through the Close of Escrow.

14. Closing Documents.

(a) Seller's Closing Documents. By the Close of Escrow, Seller shall deposit with the Escrow Agent the following documents for delivery to Buyer at the Close of Escrow, each of which shall have been duly executed and, where appropriate, acknowledged:

- i. Warranty Deed APN 401-38-011B, Warranty Deed APN 401-38-011D, Permanent Slope and Drainage Easement APN 401-38-011B and Permanent Slope Easement APN 401-38-011D for the Property substantially in the form attached in Exhibits A-D;
- ii. An Affidavit of Value for the Property as required by law;
- iii. The standard owner's title policy required;
- iv. The Non-Foreign Affidavit as required;

- v. Such other documents as may be necessary or appropriate to transfer and convey the Property to Buyer and to otherwise consummate this transaction in accordance with the terms of this Agreement.

(b) **Buyer's Closing Documents.** On, or before, the Close of Escrow, Buyer shall deposit with the Escrow Agent the following documents for delivery to Seller at the Close of Escrow, each of which shall have been duly executed and, where appropriate, acknowledged:

- i. An Affidavit of Value for the Property as required by law;
- ii. The Non-Foreign Affidavit as required;
- iii. Appropriate evidence of due authorization and proper formation of Buyer;
- iv. Such additional extended coverage and endorsements as requested by Buyer, at Buyer's expense; and
- v. Such other documents and monies as may be necessary or appropriate to transfer and convey the Property to Buyer and to otherwise consummate this transaction in accordance with the terms of this Agreement.

15. Possession; No Assumption of Seller's Liabilities. Upon Close of Escrow, Seller shall vacate the Property and deliver possession to Buyer. Buyer is acquiring only the Property from Seller and is not the successor of Seller. Buyer does not assume, agree to pay, or indemnify Seller or any other person against any liability, obligation, or expense of Seller.

16. Seller's Default. In the event Seller fails to perform upon the Close of Escrow, and if Buyer is not otherwise in default under any term or provision of this Agreement, Buyer may elect to proceed with any remedy available to Buyer under Arizona law, including, but not limited to an action for specific performance.

17. Buyer's Default. In the event Buyer fails to perform upon the Close of Escrow, and if Seller is not otherwise in default under any term or provision of this Agreement, Seller may elect to proceed with any remedy available to Seller under Arizona law, including, but not limited to an action for specific performance.

18. Notices.

(a) Notices shall be in writing and shall be given by personal or air courier service delivery to a responsible person, by telephone facsimile, by email, or by deposit in the United States mail, certified mail, return receipt requested, postage prepaid. Notices shall be delivered or addressed to Seller and Buyer at the following or at such other address as a party may designate to the other in writing:

Seller:
Farshid Paydar
410 Arroyo Pinion Dr.
Sedona, Arizona 86336

Buyer:
City of Sedona
c/o City Attorney
102 Roadrunner Dr.
Sedona, Arizona 86336

With a copy to:

Gina Miller, Branch Manager, Sr. Escrow Officer
Empire West Title Agency
3000 West State Route 89A, Suite 2000
Sedona, Arizona 86336
gmillier@ewtaz.com

The date notice is deemed to have been given, received and become effective shall be the date on which the notice is delivered, if notice is given by personal or air courier service delivery or by telephone facsimile, or two (2) days following the date of deposit in the mail, if the notice is sent through the United States mail; and

(b) Copies of all notices shall also be given to Escrow Agent by regular mail.

19. Further Documentation. Each party agrees in good faith to execute such further or additional documents as may be necessary or appropriate to fully carry out the intent and purpose of this Agreement.

20. Governing Law. Seller and Buyer agree this Agreement shall be interpreted under the laws of the State of Arizona and not elsewhere.

21. Attorney's Fees. If either party commences an action to enforce any term or condition of this Agreement, the prevailing party to such action shall be entitled to recover a reasonable additional sum as and for its attorneys' fees and costs, said sum to be fixed by a court of competent jurisdiction.

22. Jurisdiction; Venue; Waiver of Jury Trial. Any action to enforce or interpret any provision of this Agreement shall be commenced and completed in the Superior Court of the State of Arizona in and for the County of Coconino and not elsewhere. Each party specifically submits itself to the jurisdiction of said Court and waives any objection to venue. Both parties hereby waive any right to a jury trial which they may otherwise have in the event of litigation arising out of this Agreement or the subject matter thereof and consent to a trial to the court.

23. Waiver. The waiver by any party hereto of any right granted to it hereunder shall not be deemed to be a waiver of any other right granted hereunder, nor shall the same be deemed to be a waiver of a subsequent right obtained by reason of the continuation of any matter previously waived.

24. Time is of the Essence. Time is of the essence of this Agreement and each provision hereof.

25. Entire Agreement. This document constitutes the entire agreement between the parties and may not be amended or otherwise modified except by the express written agreement of the parties.

26. Drafts Not an Offer. The submission of a draft of this Agreement by one party to another is not intended by either party to be an offer to enter into a legally binding contract with respect to the purchase and sale of the Property. The parties will not be legally bound in any manner with respect to a purchase and sale of the Property unless and until each of Seller and Buyer have duly executed this Agreement and the Parties have delivered that fully executed Agreement to Escrow Agent.

27. Counterpart and Facsimile Signatures. This Agreement may be executed in any number of counterparts all of which shall be deemed to constitute one and the same instrument, and each of which shall be deemed an original hereof. Signatures transmitted by facsimile shall be deemed to be originals.

28. Binding on Heirs. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

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

SELLER:

Farshid Paydar

By: _____

Date: _____

BUYER:

City of Sedona

By: _____
Sandra J. Moriarty, Mayor

Date: _____

ATTEST:

By: _____
Susan L. Irvine, City Clerk

APPROVED AS TO FORM:

By: _____
Kurt W. Christianson, City Attorney

EXHIBIT "A"
Warranty Deed APN 401-38-011B with Legal Description

(see attached)

EXHIBIT "B"
Warranty Deed APN 401-38-011D with Legal Description
(see attached)

EXHIBIT "C"
**Permanent Slope and Drainage Easement APN 401-38-011B with Legal
Description**

(see attached)

EXHIBIT "D"
Permanent Slope Easement APN 401-38-011D with Legal Description
(see attached)



**CITY COUNCIL
AGENDA BILL**

**AB 2719
October 12, 2021
Regular Business**

Agenda Item: 8a
Proposed Action & Subject: Discussion/possible direction regarding initiating the process for the 10-year review and update of the Sedona Community Plan.

Department	Community Development
Time to Present	10 Minutes
Total Time for Item	45 Minutes
Other Council Meetings	N/A
Exhibits	N/A

City Attorney Approval	Reviewed 10/05/21 KWC	Expenditure Required	
		\$	110,290 (estimated costs in addition to staff time – FY22 portion = \$66,570 FY23 portion = \$39,220 FY24 portion = \$4,500)
City Manager’s Recommendation	Discussion and direction only.	Amount Budgeted	
		\$	66,570 (FY22 portion)
		Account No. (Description)	10-6310-67-xxxx 6011 (Temp Wages) 6125 (FICA) 6130 (ASRS Retirement) 6136 (Workers Comp) 6210 (Printing/Office Supplies) 6212 (Postage) 6405 (Professional Services) 6511 (Advertising)
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

This agenda item provides for discussion/possible action to initiate the process to update the Sedona Community Plan in compliance with Arizona State Statutes and to address issues and changes since the last Community Plan update in 2013.

The Sedona Community Plan [Community Plan | City of Sedona \(sedonaaz.gov\)](http://sedonaaz.gov) is the City’s general plan required by state law and lays the groundwork for the future of the City and management of its growth. The Plan contains development policies, recommendations for development regulations, specific planning projects, and priorities for capital needs. Although

the Community Plan is not an ordinance, zone changes, zoning ordinances and regulations must be consistent with and conform to the Community Plan. Arizona state law requires general plans for cities and towns to be either re-adopted or updated at least every 10 years. The Sedona Community Plan was last updated in 2013. The 10-year anniversary of the last Community Plan update will be in late 2023. Staff recommends that the Community Plan update process be initiated now in order to meet the statutory 10-year timeframe.

Background:

1991 Plan. When Sedona incorporated in 1988, the highest immediate priority was to adopt its first general plan. The City retained two consulting firms in a combined joint venture to prepare the Plan over a two-year period. It was the public participation process, however, that was most significant, involving hundreds of Sedona's citizens in formulating the Plan, resulting in its adoption in November 1991. All subsequent versions of the Community Plan have been done "in-house" and not with consultants.

1998 Plan. The Community Plan was first updated in 1998, following the year-long work of a Citizens Growth Advisory Committee, resulting in several new land use policy recommendations.

2002 Plan. In early 2001, the City began updating the Community Plan once again to address key community issues and to comply with the new state legislation known as "Growing Smarter". This new legislation required cities and towns with a population of 10,000 or more or a growth rate of more than 2% per year to include a number of new Plan elements and, for the first time, required citizens to vote to ratify the City Council's adoption of the Plan. The newly updated Plan was adopted by the City Council in December 2002 and voted on by Sedona's citizens in May 2003.

2013 Plan. In March 2010, the City Council initiated the most recent state-mandated Community Plan update. At that time and over the next several months, the planning process and public outreach were proceeding in a similar manner as the 1998 and 2002 Community Plan updates, including outside contract assistance with meeting facilitation and outreach in the 2002 effort. However, in response to initial community feedback and the Council's emphasis on citizen involvement, the planning process was expanded to include a Citizens Steering Committee and a focus on revisiting the community's vision for Sedona, rather than on a basic plan update. This included a public participation effort more like the original approach in 1989-1991. This most recent Community Plan (our current plan) was adopted in November 2013 and voted on in March 2014.

2021-2023 Community Plan Update

One of the key reasons to periodically re-evaluate our Community Plan is to address changing conditions and priorities. One significant change since the last Community Plan update is Sedona's year-round population. In 2000, Sedona's population was 10,192. By 2010 it had declined to 10,031 and is now 9,684 according to the 2020 census. Since our population is now under 10,000 and our growth rate is less than 2%, this Community Plan update will not require an election to ratify the City Council's adoption of the updated Community Plan.

The 2010-14 community planning effort involved an extensive committee and citizen-driven process focused on the community vision and goals that resulted in a completely new Community Plan. This Community Plan update will review the overall vision but may focus more on the key issues and conditions that have changed since the last Community Plan

update. Staff anticipates spending the first year or so of the 2021-23 Community Plan update process:

- Helping the community understand the vision themes of the current Community Plan and what has been implemented since the last update.
- Understanding the key issues.
- Researching background data and understanding what has changed since the last update.

The second year will be devoted to preparing the Draft Plan and the public hearing process.



Staff also anticipates regular updates to the Planning and Zoning Commission and City Council on the Plan update process. This general planning process is preliminary and is intended to remain flexible as more detail and specific timeframes are expected to be added.

Communication and Outreach:

As currently envisioned, communication will center on a wide range of outreach techniques including mailers, communitywide meetings, meetings with community organizations, a working group, focus groups, a website, e-mail updates on social media, press releases, and Planning and Zoning Commission and City Council meetings.

During the first phase of the update, a website would be created to both present information and provide for public comment. Residents would read about the process, engage with other residents and staff, submit comments and sign up for updates. Some type of questionnaire or survey could be employed early in the process. At least one Citywide mailing and communitywide meeting would be anticipated during this phase to explain the purpose of the update, the planning process, and engage participants to help identify the main community issues that will be the focus of the update. Focus groups would be created to discuss and provide input on specific topical areas. Focus groups can potentially involve a large number of citizens over several topical areas.

During the later phases of the Plan update, many of these outreach techniques would continue to be employed with feedback on specific draft documents also solicited.

Staff is suggesting that a Working Group be formed comprised of a small group of citizens, including those from the City's Citizen Engagement data base, to provide feedback to staff on the Community Plan outreach process and community issues during the development of the Plan update. This working group would be appointed by the City Manager and would operate by consensus, not by formal votes.

Community Plan Elements:

Since Sedona's population is now below 10,000, by state law, only two Plan Elements are required: Land Use and Circulation. During this update, staff proposes consolidation and streamlining of the current Plan elements since many elements are not required. This could result in a more focused, succinct, and meaningful Plan. The following are Plan elements that are required and those in the current Community Plan.

Elements Required by State Law (and included in the Community Plan)

- Land Use
- Circulation

Additional Elements in Current Community Plan (not required)

- Housing and Growth (combined with Land Use)
- Environment
- Water Resources (included under Environment)
- Parks, Recreation and Open Space
- Economic Development
- Community
- Cost of Development

Statutory requirements for public participation/notification

- The City Council must adopt written procedures to provide effective, early, and continuous public participation. Staff will be proposing updated written procedures for Council consideration by the end of the year.
- The City must consult and provide opportunity for comment from:
 - Public Officials and Agencies
 - Yavapai and Coconino Counties
 - School Districts
 - Northern Arizona Council of Governments
 - US Forest Service
 - State Land Department
 - Other appropriate jurisdictions
 - Public utilities
 - Civic, educational, professional and other organizations
 - Property owners
 - Citizens in general
- 60-Day Review – At least 60 days prior to the public notice for a public hearing with the Planning and Zoning Commission, the proposed Plan shall be sent to the Planning and Zoning Commission and City Council and to the following for review and comment:
 - Coconino and Yavapai Counties

- Northern Arizona Council of Governments
- Arizona Commerce Authority
- Arizona Department of Water Resources
- Anyone requesting a copy
- Notice of Public Hearing (Both Planning and Zoning Commission and City Council)
 - 15 to 30-day notice in the newspaper
 - Any other manner deemed appropriate (e.g., The City requires a ¼-page newspaper ad and a Citywide notice mailed to all residents and property owners).

Possible Community Issues to be Addressed

- Short-term rentals and impact on housing opportunities and sense of community
- Workforce retention impacted by lack of housing
- Need for affordable housing
- Traffic congestion and alternative transportation
- Visitation Impacts
- Lodging growth
- Climate change and sustainability

Some Topical Areas to Re-evaluate in the Community Plan

- Housing Density and clarification
- Lodging Area Limits
- Updates based on plans/studies (e.g., Climate Action Plan)
- Consolidation of goals and actions
- Re-evaluation of Major Amendment criteria
- Approach for CFA's and clarification of Specific Plan adoption process
- Re-visiting Planned Area designations

Community Plan Consistent: Yes - No - Not Applicable

The update of the Community Plan is consistent with the Implementation Chapter (Chapter 9) of the Community Plan.

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Although not applicable for this meeting, the update of the Community Plan is expected to address sustainability as a key topical area.

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): N/A

MOTION

I move to: for discussion and direction only.



**CITY COUNCIL
AGENDA BILL**

**AB 2378
October 12, 2021
Regular Business**

Agenda Item: 8b
Proposed Action & Subject: Discussion/possible direction regarding the Sedona in Motion transportation program including selection of the branding for transit.

Department	Public Works Department
Time to Present	30 minutes
Total Time for Item	2 hours
Other Council Meetings	March 27, 2018; June 13, 2018; August 15, 2018; December 11, 2018; March 27, 2019; May 29, 2019; July 23, 2019; October 22, 2019; February 11, 2020; June 24, 2020; October 14, 2020; February 24, 2021; June 9, 2021
Exhibits	N/A

City Attorney Approval	Reviewed 10/05/21 KWC	Expenditure Required	
		\$	N/A
City Manager's Recommendation	Discussion and direction only.	Amount Budgeted	
		\$	N/A
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

The January 2018 City of Sedona Transportation Master Plan (TMP) evaluated Citywide transportation needs and concluded with a set of recommended strategies to address congestion and mobility needs of residents, visitors, and commuters. These strategies have been developed into a system of capital improvement projects that collectively have been identified and promoted as the Sedona In Motion (SIM) program. The SIM program is a multi-modal transportation initiative embracing Sedona's community values for improved traffic flow, community connections, business and tourism connections, economic vitality and diversity, environmental stewardship, walkability, and sense of place.

Public Participation:

There are many ways for the public to participate in the development of SIM projects. Citizens can post comments to the SIM section of the City's website [here](#). Citizens can also submit written comments directly to City Council members on the City's website [here](#). Written comments are given equal consideration to those submitted in person during meetings. Citizens can also speak during comment periods that occur at almost all posted public

meetings and can engage with Councilors in multiple ways at any point in time. Councilors are prohibited by law from discussing City business amongst themselves outside of a scheduled public meeting; meaning Council meetings are the only opportunity for Council as a body to deliberate. That is why the focus at these meetings is on discussions of the City Council body. The projects are listed in the order that they are expected to be presented to Council.

Public participation throughout the TMP and SIM project development has been a primary focus. Some recent outreach efforts include:

- Nearly 5,600 engagements via survey responses, public meetings, open houses, shared use path mailers, and news coverage between spring 2016 and now.
- 626 subscribers to SIM email update list
- 180 letters sent to residents north of the Owenby Way extension – October 2019
- 42 Monday Morning Meetups for SIM-1
- 510 responses on the budget survey that asked about SIM topics
- 4100 people reached with Facebook post on May 2021 SIM video update
- Individual meetings as appropriate for key projects and project stakeholders throughout project design development
- Shared Use Path Mailers:
 - 56 addresses for Sunset Drive
 - 1235 addresses for Sanborn-Thunder Mountain
 - 350 addresses for Soldiers Pass

Background:

SIM-7/8 Enhanced Transit Service

Staff remains optimistic that the trailhead shuttles can be deployed in early March 2022; however, several elements still need to come to fruition which are discussed in detail below.

Given the funding delay for the Microtransit vehicles (see 5339 Grant update below) and the five-month lead time due to manufacturing delays on these vehicles, the Microtransit service will likely be delayed into next summer.

- Trailhead Shuttle Park & Ride Locations: The City staff has identified two potential “park & ride” locations for trailhead shuttle access to serve the SR 89A and SR 79 corridors. Staff is currently engaged in negotiations to lease those sites.
- Trailhead Shuttle Vehicles: The five new Hybrid vehicles for the trailhead shuttle service have been ordered and scheduled for delivery in late December or early January.
- RFP for Purchased Transportation Services: The RFP seeking qualified firms to operate the Trailhead Shuttles and Microtransit services closed on Friday, October 8, 2021. The responsive bids are currently being evaluated and scored. Staff intends to have this matter before the City Council in November to seek approval for a final contract award.
- RFP for ITS Infrastructure: The RFP to procure the Intelligent Transportation Systems (ITS) software platform required to manage the services will be published in mid-October. In December, staff plans to take this before the City Council to seek approval for a final contract award.
- Passenger Fares: Staff is working with the Northern Arizona Council of Governments (NACOG) to analyze passenger fares and farebox recovery ratios for transit properties located within Northern Arizona. This effort will better inform staff as it develops proposals for the City Council to consider when establishing passenger fare policy for the new City transit services.

- Marketing, Service Branding, Public Facing Materials, & Wayfinding Signage: City staff continues to work with the Sedona Chamber of Commerce and Tourism Bureau and their consultant to develop the transit service branding, street signage, and related public-facing materials for the City’s public transit program(s). As part of this update, staff will present two initial transit branding concepts (see below) to the City Council for their consideration. Based on City Council feedback, staff will move forward with the preferred concept for all transit vehicles.

First concept

This design uses the same color scheme of the SIM wayfinding signage effort but also creates a distinguishable transit brand in and of itself, which staff appreciated, with the logo featuring sun, rocks, water, and land elements:

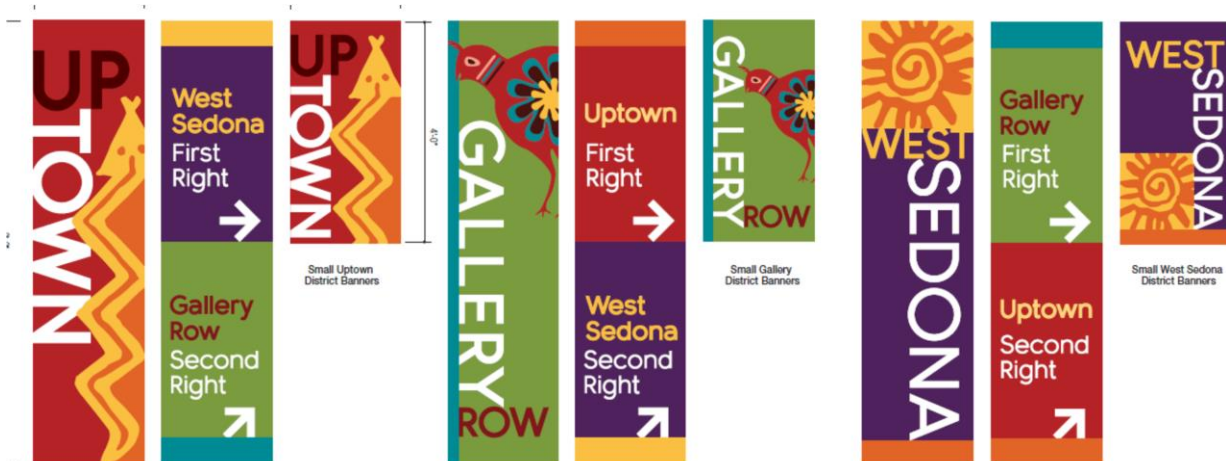


Second concept

Design two is a direct continuation of the SIM wayfinding signage effort, using the same colors and imagery:



As a reminder, here is an example of the wayfinding signage:



- Federal Transit Administration (FTA) 5339 Grant: The Arizona Department of Transportation (ADOT) has issued a preliminary award for two microtransit vehicles to the City; however, the vehicles will not be funded until January. The City's original grant application was for five vehicles. As modeling has demonstrated that two vehicles are not adequate to operate the service, City staff is working with the Finance Department to explore the feasibility for the city to purchase three additional vehicles for this service. Staff will return to the City Council with a recommendation on this matter in December.

ADOT has notified the City that the final design of the transit maintenance and operations facility project is not eligible for funding at this time. ADOT requires that the following be completed before applying for FTA funding:

- The City must complete a site selection and Environmental Justice analysis, with subsequent ADOT & FTA review and approval.
- A National Environmental Policy Act (NEPA) analysis for the approved site selected also must be completed which also requires ADOT & FTA review and approval.

This information was not disclosed in ADOT's grant application workbook, which they acknowledged and are correcting. Staff shall continue to work with ADOT and the FTA to move this project forward.

SIM-1B, Uptown Northbound Improvements

While southbound congestion has drastically improved with the completion of SIM-1A, northbound delays continue to be an issue. At the February 24, 2021 Council meeting staff was directed to move forward with a study to do further data collection, modeling, and analysis to identify strategies that will help alleviate northbound congestion. Part of the scope is to update the overall traffic model to include expected improvements for Transit, the Pedestrian Crossing at Tlaquepaque, a new roundabout at Forest Road, and an extension of Ranger Road that were not originally included in the modeling done for the TMP. Extensive data collection including aerial drone footage was collected on March 20, 2021. The consultant has calibrated the existing conditions model to replicate actual volumes and travel times that were observed on that day. Staff expects to have a draft of the recommendations memo in early October and will present those findings at the Council meeting. Some of what will be included in those recommendations are adding a northbound lane on SR 89A before the Forest Road intersection, which would then continue and merge before the Jordan Road roundabout, and also a dedicated right turn lane on northbound SR 89A for Amara Lane.

SIM-5A Portal Lane / Brewer Road Connection

The intent of these improvements is to require vehicles that enter the parking lot to exit out to Brewer Road and provide signage for vehicles coming from the south side of Soldier Wash to use that exit if their destination is West Sedona or Uptown. Initially the intent was to connect to Ranger Road through the Tlaquepaque parking lot, but, after reviewing all options with feedback from Tlaquepaque partners, we are now pursuing the idea of a bridge over Soldier Wash that would connect to Brewer Road. We have received feedback from Tlaquepaque related to the initial concept and we are currently reviewing that along with our consultant.

SIM-5C Los Abrigados / Brewer Road Connection

Staff is also now coordinating with Los Abrigados to provide a connection from their property through the City owned Ranger Station property to Brewer Road. Staff presented the project

to the Historical Preservation Commission and the Planning and Zoning Commission to obtain additional public input. The design is now complete, and staff is working to finalize a cost-share agreement with Los Abrigados prior to advertising for construction.

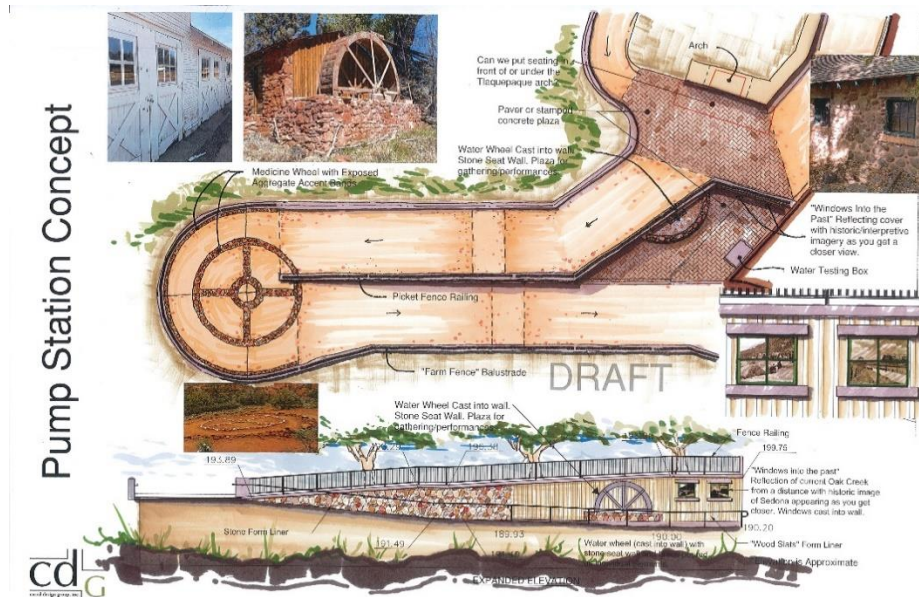
SIM-4A, Y Roundabout Modernization

Modeling and analysis of the two-month testing of the directional signing and turn restrictions did not indicate enough of a benefit to continue moving forward with the project as previously scoped. As a result, the proposal to put a slip lane from SR 89A from West Sedona to southbound SR 179 through the ADOT property will not be pursued, no lanes will be added or changed, and there will be no encroachment on private property. The project has been modified to focus on modernization enhancements to the roundabout and adjacent roadway including signing, striping, and pavement rehabilitation to improve safety and the efficiency of the roundabout operations. Staff will continue to look for ways to improve efficiency in this area in the future, as it is a known bottleneck during congested times. An amendment to the existing IGA was approved by Council on April 27, 2021 to reflect the revised scope and cost contribution. The construction contract was awarded to Asphalt Paving & Supply at the August State Transportation Board meeting, and construction started on September 7, 2021. The contractor began with concrete replacement at crosswalk ramps and driveways, and paving is expected to occur starting the night of October 3rd and continuing through October 15th. All paving will be night work to reduce impacts to the traveling public.

SIM-4C Pedestrian Crossing at Oak Creek

The design contract for this project was approved by Council on September 24, 2019. Following a temporary suspension of design activities to access impacts of the pedestrian pathway on existing

Sycamore trees, the design, reinitiated in March, recently reached the 90% completion milestone, which includes recent added design considerations to the existing at-grade crossing. 90% design plans are currently under review by City staff, utility agencies, and ADOT. Final plans and specifications for construction bidding are anticipated by the end of December 2021.



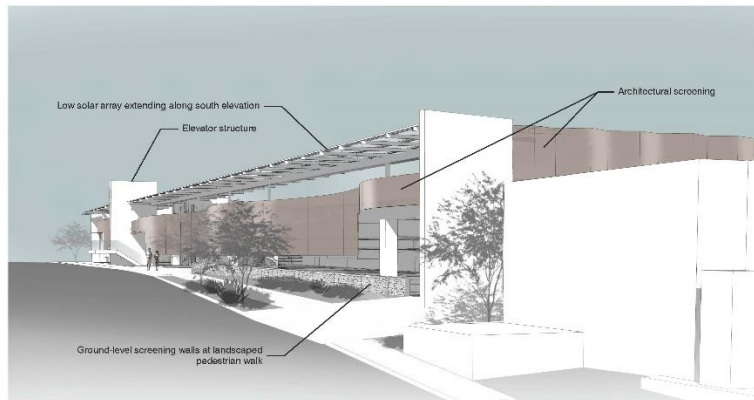
SIM-3A Uptown Parking Garage

Project design for Uptown Parking Garage was initiated on January 13, 2021 with the architectural firm Gabor Lorant Architects. Since that time, the project has progressed through Concept Design and Schematic Design (30% complete). Overall timeline for project design is a little over a year to complete (May 2022). A publicly accessible website, managed by the

architect, has been setup to provide general design information at the following location: <https://uptownsedonagarage.com/>.

The project CMAR, McCarthy Building Companies, Inc., joined the project team in June of this year and is actively engaged in design phase services, such as value engineering, drawing review, budget evaluation/cost control, constructability assessment, construction logistics and means/methods, and other areas of the project's construction. Construction on the project is anticipated to start in July of 2022 and be completed June/July of 2023.

Public outreach continues on the project. At this stage of the design, one public outreach meeting has been conducted; two stakeholder meetings held; and a P&Z public hearing, as well as a City Council hearing held for a Major Community Plan amendment and rezoning of the project site. Additional outreach also includes two neighborhood letter updates; monthly project updates to the City of Sedona website; quarterly updates to the Uptown Parking Committee; and routine updates to the project specific website. Future project outreach includes a public information meeting; 3 additional stakeholder meetings; additional neighborhood letter notifications, and perfunctory outreach as a part of City Planning approval.



Forest Road Perspective - Single-story Concept



SIM-5B Forest Road Connection

Design of the project is 100% complete. Updated and 2nd appraisals of property for right-of-way and/or easements have been completed. Right-of-way and easement acquisitions are in process and as recently granted by City Council includes authority

for condemnation. Sealed bidding for construction was initiated on September 22, 2021 and is anticipated to close on October 18th. A construction start date is anticipated on or about December 1, 2021 and completion of the construction is anticipated by mid-January 2023.

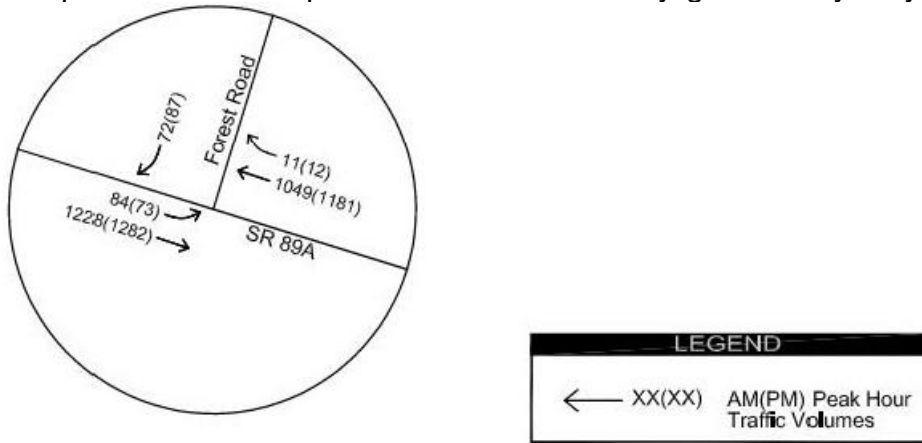


Figure 3 – 2025 Traffic Volumes

SIM-11 Bicycle and Pedestrian Improvements

These projects focus on improvements that can make walking and bicycling safer, more convenient, and more comfortable. The improvements we are currently pursuing begin the path toward a more bike-friendly and walkable Sedona. The GO Sedona master-planning effort has also been completed. This plan will be a blueprint for making Sedona a more walkable and bikeable community over the next 10 years, detailing what improvements the community wants to see and identifying the priority projects to complete. Collectively, the vision for these paths is to brand them as the Sedona Trails & Pathways System or ST&PS.

We have completed the Shared Use Paths on the Sanborn/Thunder Mountain Road and Sunset Drive projects and have seen significant pedestrian and bicycle traffic increase on these. There are several projects under way that include Shared Use Paths: Dry Creek Road; Shelby Drive, and the Posse Ground Parking/Soldiers Pass Road. Other shared use pathway projects, such as: Chapel Road; Navoti Drive to Dry Creek Road; and Pinon Drive are mostly complete relative to design and pending construction as budgets permit. In addition, we have recently completed the installation of bicycle green lanes at right turn transition zones on SR 89A in West Sedona. This is the first green lane application on ADOT right-of-way in the entire state.



SIM-10 West Sedona Signal Improvements

At the urging of City staff, the ADOT Northcentral District has begun evaluating the performance of signals in West Sedona. Based on vehicular volumes at the Coffee Pot and Rodeo intersections, ADOT is considering removing one of the crosswalks on SR 89A at each intersection, which would increase green time on SR 89A by 20 seconds on each cycle. This project has been on hold and staff is awaiting further information from ADOT.

SIM-12, Traveler Information

ADOT has been displaying travel times to Sedona on the I-17 corridor since December 2018. Staff continues to engage ADOT to ensure that the information provided to travelers is meaningful and accomplishes the objectives of the City. The data source for the ADOT signs has been compared with the City's data, and it is accurate within a couple minutes. Staff is continuing to monitor data and is in process of analyzing what effect the signage may have. ADOT has submitted a proposal for additional infrastructure that is included in Governor Ducey's rural broadband initiative. The proposal includes fiber-optic improvements and several dynamic message sign (DMS) boards along I-17 as well as additional cameras and wrong-way detection. ADOT is awaiting information on budget/revenue impacts before these projects may proceed. If/when this is approved, the City will coordinate to discuss options for using and locating a DMS board closer to the SR 260 intersection for northbound motorists. Staff anticipates submitting an encroachment permit to ADOT in early October for the new sign location to help expedite the process.

Cameras have been installed along SR 179 near Tlaquepaque and at midblock in Uptown to monitor current traffic conditions. The City Information Technology Department is working on how to make the camera photos publicly viewable. Staff is pursuing other locations for cameras as well.

SIM-6, Neighborhood Street Connections

Neighborhood connections were put on hold in 2018. However, as of the 2020 City Council retreat, Council has requested that neighborhood connections be reevaluated with the primary focus on neighborhoods with single points of ingress and egress. This reevaluation has been on hold until Public Works has available staff time to pursue this effort.

Community Plan Consistent: Yes - No - Not Applicable

The Sedona In Motion program in general supports the six Vision Themes of the Sedona Community Plan.

- Environmental Stewardship: Conserves natural resources associated with wasteful vehicle operations due to congested travel time.
- Community Connections: Supports community connections through its emphases on public participation and involvement during design development and indirectly by improving mobility between gathering place in Uptown Sedona.
- Improved Traffic Flow: Reduces congestion and travel times and improves vehicle and pedestrian safety.
- Walkability: Reduces vehicle and pedestrian conflicts improving walkability and safety.
- Economic Diversity: Improves local resident and visitor access through multimodal transportation options and connections.
- Sense of Place: 1% of project expenditures will go towards the development of arts, cultural, or heritage. Projects will be built consistent with local codes and with intention on preserving or complimenting the natural and scenic beauty of Sedona.

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Strategies such as Transit and ST&PS aim to remove vehicles from our roadways and reduce vehicle emissions. Various other strategies reduce travel times which minimizes wasteful vehicle operations.

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): N/A

MOTION

I move to: for discussion/possible direction only.



**CITY COUNCIL
AGENDA BILL**

**AB 2571
October 12, 2021
Regular Business**

Agenda Item: 8c
Proposed Action & Subject: Discussion/possible direction regarding issues surrounding the COVID-19 pandemic and the City's response.

Department	City Manager
Time to Present	10 minutes
Total Time for Item	15 minutes
Other Council Meetings	March 24, 2020, April 14, 2020, April 28, 2020, May 12, 2020, May 26, 2020, June 9, 2020, June 23, 2020, July 14, 2020, July 28, 2020, August 11, 2020, September 8, 2020, September 22, 2020, October 13, 2020, October 27, 2020, November 10, 2020, November 24, 2020, December 9, 2020, January 12, 2021, January 26, 2021, February 9, 2021, February 23, 2021, March 9, 2021, March 23, 2021, April 13, 2021, April 27, 2021, May 11, 2021, May 25, 2021, June 8, 2021, June 22, 2021, July 13, 2021, July 27, 2021, August 10, 2021, September 14, 2021, September 28, 2021
Exhibits	None

City Attorney Approval	Reviewed 10/05/21 KWC	Expenditure Required	
		\$	0
City Manager's Recommendation	For discussion and possible direction only.	Amount Budgeted	
		\$	0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: This item was added to ensure opportunity to discuss the latest updates with the COVID-19 pandemic and the City's response.

The City continues regular communication with state and county health departments, hospitals, other healthcare providers, emergency responders, emergency managers, and policy experts.

During the meeting staff will present up-to-date information on COVID-19 related data, regulatory changes, and news on City finances.

Community Plan Consistent: Yes - No - Not Applicable

Climate Action Plan/Sustainability Consistent: Yes - No - Not Applicable

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): N/A

MOTION

I move to: for discussion and possible direction only.