

AGENDA



4:30 P.M.

CITY COUNCIL MEETING

REVISED

TUESDAY, NOVEMBER 9, 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@sedonaaaz.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@sedonaaaz.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 - October 26, 2021 City Council Special Meeting - Executive Session.
- Minutes - October 26, 2021 City Council Regular Meeting.
- Minutes - October 27, 2021 City Council Special Meeting.
- Approval of Proclamation, Small Business Saturday, November 27, 2021.
- AB 2745 Approval of Award of a Construction Contract for the SR179 Sewer Main Upsize - Phase II project to Standard Construction Company, Inc. in an amount not-to-exceed \$873,336.
- AB 2746 Approval of a Resolution authorizing entering into the One Arizona Distribution of Opioid Settlement Funds Agreement between the City of Sedona and State of Arizona and its participating counties, cities, and towns establishing the distribution framework for opioid settlement funds throughout the state and two subsequent settlement agreements with opioid distributors and manufacturers.

4. APPOINTMENTS

- AB 2739 **Discussion/possible action** regarding the reappointment of Planning & Zoning Commissioners.

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 certificates to Citizen's Academy graduates.





CITY COUNCIL CHAMBERS
102 ROADRUNNER DRIVE, SEDONA, AZ

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



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8. REGULAR BUSINESS

- a. AB 2743 **Discussion/possible direction** regarding Arizona League of Cities and Towns legislative activity including proposed short-term rental regulations and direction for the City's legislative advocate. 
- b. AB 2747 **Public hearing/discussion/possible action** regarding a Resolution and Ordinance amending the City Tax Code Article IV to permanently increase the City Transaction Privilege Tax from 3% to 3.5% by removing the previous 10-year (2018-2028) sunset from the .5% tax increase. The one-half percent (0.5%) permanent increase will be dedicated to transportation purposes, including the implementation of a transit system in Sedona. 
- c. AB 2742 **Discussion/possible action** regarding a Resolution and Ordinance amending the Sedona City Code Title 8 (Health and Safety) by repealing Chapter 8.25 (Sound Regulations – Sound Control) and replacing it with Chapter 8.25 (Noise Regulations). 
- d. AB 2571 **Discussion/possible direction** regarding issues surrounding the COVID-19 pandemic and the City's response. 
- e. **Reports/discussion** regarding Council assignments.
- f. **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: [11/04/2021](#)

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
Special City Council Meeting
Vultee Conference Room, Sedona City Hall,
106 Roadrunner Drive, Sedona, Arizona
Tuesday, October 26, 2021, 3:30 p.m.**

1. Call to Order

Mayor Moriarty called the meeting to order at 3:30 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 tardy and excused.

Staff in attendance: City Manager Karen Osburn, Deputy City Manager Joanne Keene, City Attorney Kurt Christianson, City Clerk Susan Irvine.

3. Special Business

Motion: Councilor Williamson moved to enter into Executive Session at 3:31 p.m. Seconded by Councilor Kinsella. Vote: Motion carried unanimously with six (6) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Williamson) and zero (0) opposed.

- a. **Discussion and consultation to consider its position and instruct its attorneys and designated representatives regarding contract negotiations and negotiations for the purchase, sale, or lease of real property located at 15 Cultural Park Place. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(4) & (7).**

Councilor Thompson arrived at 3:59 p.m.

Reconvened in open session at 4:00 p.m.

- b. **Return to open session. Discussion/possible action regarding executive session items.**

No action taken.

4. Adjournment

Mayor Moriarty adjourned the meeting at 4:00 p.m.

I certify that the above are the true and correct actions of the Special City Council Meeting held on October 27, 2021.

Susan L. Irvine, CMC, City Clerk

Date

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, October 26, 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, Public Works Director/City Engineer Andy Dickey, Facilities Maintenance Manager Larry Farhat, Parks & Recreation Manager Dawn Norman, Director of Community Development Jess McNeely, Planning Manager Cari Meyer, Principal Planner Cynthia Lovely, City Clerk Susan Irvine.

2. City's Vision

The City's Vision was read by Councilor Thompson.

3. Consent Items

- a. **Minutes - October 5, 2021 City Council Special Meeting - Executive Session.**
- b. **Minutes - October 12, 2021 City Council Regular Meeting.**
- c. **Approval of Proclamation, Yavapai Big Brothers Big Sisters 50th Anniversary, December 31, 2021.**
- d. **AB 2736 Approval of: 1. a lease purchase of two police hybrid vehicles from Peoria Ford in the approximate amount of \$126,800, plus interest, via the Arizona State Cooperative Purchasing Contract; and 2. 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 Williamson moved to approve consent items 3a, 3b, 3c, and 3d. Seconded by Councilor Thompson. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, Williamson) and zero (0) opposed.

4. Appointments

- a. **AB 2741 Discussion/possible action regarding appointment of Paul Schlegel as Magistrate Judge and approval of a two-year contract.**

Presentation by Kurt Christianson.

Motion: Councilor Williamson moved to approve the appointment of Paul Schlegel as Magistrate Judge for the City of Sedona and approve the two-year employment contract, subject to approval by the City Attorney. 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.

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

Councilor Kinsella stated that there is a presentation and book signing for “Shadow Chasing in Sedona” by Diann Kincaid on November 4th at 10:00 a.m. at the Sedona Heritage Museum. Vice Mayor Jablow advised that Trunk or Treat will take place at the Posse Grounds Park lower softball field on October 31st from 5:00 to 7:00 p.m. Parks & Recreation also has the following events taking place: Pumpkin Drop at the Posse Grounds Park parking lot on November 1st from 9:00 to 11:00 a.m. and 4:00 to 6:00 p.m. and November 8th from 4:00 to 6:00 p.m., and registration for Coed Youth Grasshopper Basketball for grades 1-6 online through November 11th. There are many more events and programs which can be found on the City’s website under Parks & Recreation.

6. Public Forum

Tamara Van Gorden, Sedona, spoke about the lack of police officers and asked that the City hire more as she would like to see more of a presence.

John Martinez, Sedona, spoke about the 2021 Verde Valley Sinfonietta season and upcoming events which take place at the Sedona Performing Arts Center. Information and tickets can be found at www.VVSinfonietta.org.

7. Proclamations, Recognitions, and Awards

a. Presentation of Proclamation, Yavapai Big Brothers Big Sisters 50th Anniversary, December 31, 2021.

Mayor Moriarty read the Proclamation and presented it to Erin Mabery. Ms. Mabery thanked the Council for their recognition and spoke about the Yavapai Big Brothers Big Sisters program and their anniversary.

8. Regular Business

a. AB 2731 Discussion/possible action regarding approval of a Linking Agreement, through Mohave Cooperative, with Play It Safe Playgrounds, Inc. for the Shade Structures and Playground Replacement Project at Posse Grounds Park in an amount not to exceed \$434,470.24.

Presentation by Andy Dickey, Dawn Norman, and Larry Farhat.

Questions and comments from Council.

Motion: Councilor Williamson moved to approve a Linking Agreement, through Mohave Cooperative, with Play It Safe Playgrounds, Inc. for the Shade Structures and Playground Replacement Project at Posse Grounds Park in an amount not to exceed \$434,470.24, subject to approval by the City Attorney’s office. 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.

b. AB 2714 Discussion/possible action regarding regulation of Off-Highway Vehicles within the Sedona City limits and the surrounding area.

Presentation by Kurt Christianson, Cari Meyer, and Karen Osburn. Amy Tinderholt, District Ranger with the Red Rock Ranger District, Keith Brekhus, staffer for U.S. Representative Tom O'Halleran, and Candace Carr Strauss President and CEO of the Sedona Chamber of Commerce and Tourism Bureau also presented on this item.

Questions from Council.

Jerry Hartleben answered questions from Council.

Opened to the public at 7:00 p.m.

The following spoke regarding this item: DeAnna Bindley*, Sedona, Janet Johnson, Sedona, John Hobson, Village of Oak Creek, Guy Lamunyon, Sedona, Dustin Ross, Sedona, Craig Swanson, Sedona, Shaeri Richards**, Sedona, Frank Matthews, Sedona, Kate Joy***, Sedona, Lauren Broberg, Sedona, Nena Barlow, Clarkdale, James Curry, Sedona, Dale Casey, Sedona, Birgit Lowenstein, Sedona, Julie Friess, Sedona.

The following deferred their speaking times to speakers listed above: Mark Chelak*, Sedona, Ron Khosla**, Sedona, Janet Hartleben**, Sedona, Kathryn Khosla**, Sedona, Dominique Olszer**, Sedona, Christine Adams**, Sedona, Lauren Olszer**, Sedona, Bailey Coughlin***, Sedona.

Brought back to Council at 8:13 p.m.

Further questions and comments from Council.

Motion: Councilor Ploog moved to approve the letter to the USFS requesting their consideration of a limited entry permit system for motorized use trails in the greater Sedona area. Seconded by Councilor Williamson. Councilor Thompson offered a friendly amendment to add to the letter that: "The City is eager to consider how we might encourage and support this progress in the future, including financially." to the final paragraph before the last sentence. Councilors Ploog and Williamson accepted the amendment. Further discussion by Council. Vote: Motion carried unanimously with seven (7) in favor (Moriarty, Jablow, Kinsella, Lamkin, Ploog, Thompson, Williamson) and zero (0) opposed.

Break at 8:23 p.m. Reconvened at 8:41 p.m.

- c. **AB 2737 Discussion/possible action regarding approval of a Resolution authorizing the City of Sedona to enter into a Development Agreement with Son Silver West Gallery, Inc., in order to describe and regulate the existing retail business being conducted by Son Silver West pursuant to a conditional use permit (CUP 92-3) approved by the City on September 15, 1992 which allowed a legal nonconforming commercial art gallery and to resolve ongoing litigation.**

Presentation by Kurt Christianson, Cari Meyer, and Karen Osburn. Attorney Buzz Slavin, Rio Robson, and Bill Robson also presented on behalf of Son Silver West, Inc. and the Robsons.

Questions and comments from Council.

Motion: Councilor Thompson moved to enter into Executive Session to discuss legal advice with the City Attorney related to the Son Silver West Development Agreement at 10:02 p.m. Seconded by Vice Mayor Jablow. Vote: Motion carried with

five (5) in favor (Jablow, Kinsella, Lamkin, Ploog, Thompson) and two (2) opposed (Moriarty, Williamson).

Break at 10:02 p.m. Reconvened in Executive Session in the Vultee Conference Room at 10:08 p.m.

Break at 10:44 p.m. Reconvened in open session in Council Chambers at 10:48 p.m.

Further comments from Council.

By majority consensus, Council agreed that the borders and measurements were not an issue, but they wanted further negotiation on the Development Agreement including the penalties, notice provisions, out of country exceptions, specific individual contact (Rio Cody Robson), and fine structure. They also requested an Executive Session to review the Development Agreement prior to bringing it back to Council for consideration.

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

No presentation was given.

e. Reports/discussion regarding Council assignments

Councilor Lamkin stated that NAMWA admitted Arizona Water Company as a member which will result in lower dues for the City next year.

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

Mayor Moriarty advised that there is a Council meeting tomorrow at 3:00 p.m.

9. Executive Session

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

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

No Executive Session was held.

10. Adjournment

Mayor Moriarty adjourned the meeting at 10:57 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on October 26, 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, October 27, 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 Jon Thompson, Councilor Jessica Williamson.

Staff Present: City Manager Karen Osburn, Deputy City Manager Joanne Keene, City Attorney Kurt Christianson, Sedona Police Chief Charles Husted, Deputy City Clerk Cherise Fullbright.

3. Special Business

a. AB 2734 Discussion/possible direction regarding the Emergency Operations Plan for the City of Sedona.

Presentation by Joanne Keene, Karen Osburn, Sedona Police Chief Charles Husted, Coconino County Emergency Management Director Wes Dison, Coconino County Operations Commander Gerrit Boeck, Yavapai County Sheriff's Office Lieutenant John Johnson, and Sedona District Fire Chief Jon Trautwein.

Opened to the public at 5:39 p.m.

The following spoke regarding this item: Jennifer Farnsworth, Sedona.

Brought back to Council at 5:43 p.m.

Questions and comments from Council.

By majority consensus, Council expressed support for the updates being made to the Emergency Operations Plan for the City of Sedona. Council directed staff to work with the City's partners to determine their willingness to engage additional emergency preparedness efforts, then potentially add those items to the annual discussion of Council priorities for consideration as a decision package in next year's budget.

b. AB 2705 Discussion/possible action regarding the statewide Congressional and Legislative redistricting process and alternatives.

Presentation by Joanne Keene.

Questions and comments from Council.

Motion: Councilor Thompson moved to authorize the Mayor to sign a statement supporting the proposed redistricting maps drafted by Coconino County for submission to the Independent Redistricting Commission. 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.

c. Discussion/possible action regarding future meetings/agenda items - None.

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 6:03 p.m. without objection.

I certify that the above are the true and correct actions of the Special City Council Meeting held on October 27, 2021.

Cherise Fullbright, Deputy City Clerk

Date



City of Sedona Proclamation Request Form

Full Name of Contact Person	Pam Woo
Contact Phone Number	415-434-4314
Contact Mailing Address	PO Box 31279, San Francisco, CA 94131
Contact Email Address	pwoo@wipp.org
Group, Organization, Activity or Event Being Recognized (Please make sure you provide complete and current information about the group or event)	<p>Women Impacting Public Policy (WIPP) and the Small Business Saturday Coalition are asking you to please renew mayoral support for Small Business Saturday, the national effort to drive consumers to shop at local, independently-owned businesses on the Saturday after Thanksgiving, November 27, 2021.</p> <p>Specifically, we request that your office issue a 2021 proclamation promoting Small Business Saturday in Sedona. As a supporting community, you will be listed on the ShopSmall.com website.</p>
Website Address (if applicable)	http://www.shopsmall.com/supporters
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)	November 27, 2021
Would you like to attend a Council meeting for formal presentation of the Proclamation or would you like to pick it up?	<input type="checkbox"/> Presentation at Meeting <input type="checkbox"/> Pick up Proclamation
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.

The Small Business Saturday Coalition was founded in 2011 with a goal of creating and growing a coalition of local, state, and national organizations to promote Shop Small and Small Business Saturday, a program dedicated to backing a diverse range of local businesses that help create jobs, boost the economy, and help enhance neighborhoods around the country.

In 2020, 700+ mayors and city officials joined together to support Small Business Saturday. Below are some highlights from last year:

U.S. shoppers who shopped at independent retailers and restaurants on Small Business Saturday reported spending a record high total of an estimated \$19.8 billion.

97% of shoppers recognize the impact they can make by shopping small, and 85% of them also encouraged friend and family to do so, too.

56% of Small Business Saturday shoppers reported they shopped online with a small business on the day, an increase from 43% in 2019.

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?

Demonstrates commitment to the communities in which we live

Creates goodwill within the communities

When we support small businesses, jobs are created and local communities preserve their unique culture

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
Small Business Saturday, November 27, 2021

WHEREAS, the government of Sedona, Arizona celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS, according to the United States Small Business Administration, there are 31.7 million small businesses in the United States that represent 99.7% of all firms with paid employees and are responsible for 65.1% of net new jobs created from 2000 to 2019; and

WHEREAS, small businesses employ 47.1% of the employees in the private sector in the United States, 88% of U.S. consumers feel a personal commitment to support small businesses in the wake of the pandemic, and 92% of small business owners have pivoted the way they do business to stay open during the pandemic; and

WHEREAS, 97% of Small Business Saturday® shoppers recognize the impact they can make by shopping small and 85% of them also encouraged friends and family to do so too; and

WHEREAS, 56% of shoppers reported they shopped online with a small business on Small Business Saturday in 2020; and more than 50% of consumers who reported shopping small endorsed a local business on social media or shopped at a local business because of a social media recommendation; and

WHEREAS, Sedona, Arizona supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, I, SANDY MORIARTY, MAYOR OF THE CITY OF SEDONA, ARIZONA, ON BEHALF OF THE SEDONA CITY COUNCIL, do hereby proclaim November 27, 2021 as Small Business Saturday® and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Issued this 9th day of November, 2021.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk



**CITY COUNCIL
AGENDA BILL**

**AB 2745
November 9, 2021
Consent Items**

Agenda Item: 3e
Proposed Action & Subject: Approval of Award of a Construction Contract for the SR179 Sewer Main Upsize – Phase II project to Standard Construction Company, Inc. in an amount not-to-exceed \$873,336.

Department	Wastewater
Time to Present	N/A
Total Time for Item	
Other Council Meetings	AB 2509 – July 23, 2019 AB 2547 – December 10, 2019 AB 2574 – April 28, 2020
Exhibits	A. Construction Contract

City Attorney Approval	Reviewed 11/2/2021 KWC	Expenditure Required	
		\$	873,336
City Manager's Recommendation	Approve the Construction Contract with Standard Construction Company, Inc. for the SR179 Sewer Main Upsize – Phase II Project in an amount not-to-exceed \$873,336.	Amount Budgeted	
		\$	500,000 (Construction)
		Account No. (Description)	59-5252-89-6850 WW SR179 Sewer Main Replacement
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Staff is requesting City Council approval for award of a Construction Contract for the SR179 Sewer Main Upsize – Phase II project with Standard Construction Company, Inc., in the amount of \$873,336. This project is considered an essential project to add needed capacity to a portion of the sewer main in SR179.

Background:

- The scope of work for the original SR179 Sewer Main Replacement project included replacing 1,750 feet of 8-inch sewer main with 12-inch sewer main along SR179 and replacing approximately 700 feet of deteriorated 12-inch sewer line located adjacent to SR179 under the pedestrian bridge crossing Oak Creek.
- A Construction Manager at Risk contract with Kinney Construction, LLC (KCS) was approved at the December 10, 2019 Council meeting.
- KCS began construction in April 2020 and was allowed 90 days to complete the work.

- KCS experienced numerous delays and setbacks, including multiple sewer spills. Therefore, in December 2020 the City and KCS mutually agreed to terminate the CMAR contract.
- Phase II will complete the project by installing the remaining 365 feet of 12-inch sewer main and replacing the existing sewer under the pedestrian bridge.

Construction Contracting

- Phase II was advertised for bid in September 2021 and two contractors submitted bids on October 25, 2021. The results of the bid are shown in the table below:

	Standard Construction Company, Inc.	J. Banicki Construction, Inc.
Base Bid Amount	\$869,605	\$1,362,639
Bid Alternate 1	\$1	\$75,000
Bid Alternate 2	\$3,730	-\$74,600
Total Bid Proposal Value	\$873,336	\$1,363,039

- Bid Alternate 1 includes a provision for night work. It is recommended to award Bid Alternate 1, as it is likely ADOT will require some of the work to occur during overnight hours to minimize impact to traffic operations. The night work will also help minimize disruption to area residents and businesses.
- Bid Alternate 2 includes a provision to abandon a portion of the existing sewer main in place, rather than removing. The benefits to abandoning in place are to reduce impacts to traffic control and reduce time and ease of constructability. It is recommended to award Bid Alternate 2.
- Standard Construction Company, Inc. has extensive experience in underground utility work and has recently completed several projects for Wastewater Operations that included bypass pumping. The projects were completed on time, within budget, and with satisfactory results.
- The low bid is over the budgeted amount of \$500,000. It is believed this is due to a general increase in pricing being seen in this industry as well as knowledge of the struggles from the first phase of this project. Budget was developed based on pricing from the first phase.
- Staff proposes using anticipated savings from other projects as follows:

	Budget*	Anticipated FY22 Costs	Difference
SR179 Sewer Replacement	\$518,500	\$902,375	-\$383,875

*Total project budget; including design, construction and contingencies

	Budget	Anticipated FY22 Costs	Anticipated Savings
Brewer Road Force Main Valve Replacements	\$100,000	\$60,000	\$40,000
Reservoir Liner Replacement	\$1,050,000	\$700,000	\$350,000
Total Anticipated Savings			\$390,000

Approaches to Construction

- Standard Construction will work to secure necessary encroachment permits from ADOT in November-December 2021.
- Construction will begin in January 2022. The construction contract allows 60 days for construction.
- A combination of daytime and overnight work will be proposed to ADOT during the permitting process. Ultimately, the approval of when work will be allowed and traffic control strategies are under the regulations of ADOT.
- Sewer bypass operations will be used to avoid interruption to service. The bypass system will be monitored 24-7 and will have redundancy to ensure that a catastrophic failure of the bypass system does not occur.
- Connection of service lines will be done overnight, during non-business hours to avoid interruption.
- The City has contracted with BetaPR for public relations and communication to nearby residents, coordination with impacted businesses, and regular updates to the general public.

Community Plan Consistent: Yes - No - Not Applicable

Approval of this item will support one of the Six Major Outcomes of the Sedona Community Plan related to Environmental Protection. The project is also consistent with the Community Plans sustainability goal of Environmental Stewardship.

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

This project is consistent with Goal 1.1 of the 2020 Municipal Sustainability Plan to prepare for an adapt to climate change by ensuring City assets, infrastructure and services are resilient.

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Council could elect not to approve the construction contract; however, this action would have the effect of either further delaying, or preventing, the project from moving forward resulting in continued capacity deficiencies in the system and increasing the likelihood of sewage overflows. Sewage overflows would have a notable effect on the environment, cause an increase in operational costs and allocation of resources for site cleanup and decontamination, prompt permit violation notice(s) and correction directive(s) from ADEQ, and lead to negative public opinion.

MOTION

I move to: approve the Construction Contract with Standard Construction Company, Inc. for the SR179 Sewer Main Upsize – Phase II Project in an amount not-to-exceed \$873,336 subject to approval of the written contract by the City Attorney’s Office.

EXHIBIT A

CONSTRUCTION CONTRACT

THIS CONSTRUCTION CONTRACT ("Contract"), is made and entered into this ____ day of _____, 20____ ("Effective Date") by and between the City of Sedona, Arizona, an Arizona municipal corporation, hereinafter called the "City", and **Standard Construction Company, Inc.**, hereinafter called the "Contractor." City and Contractor may individually be referred to as Party and collectively referred to as Parties.

RECITALS

WHEREAS, the City has caused contract documents to be prepared and issued a solicitation for the construction of the **SR179 Sewer Main Upsize Phase II Project (the "Project")**, City of Sedona, Arizona, as described therein; and

WHEREAS, the Contractor is ready, willing and able to perform the proposed work in accordance with the terms of the Contract; and

WHEREAS, the Contractor, as will appear by reference to the minutes of the proceedings of the City Council was duly awarded the work.

AGREEMENT

NOW, THEREFORE, the parties hereto hereby stipulate, covenant and agree as follows:

1. CONTRACTOR'S SERVICES.

- A. The Contractor promises and agrees to and with the City that it shall perform everything required to be performed and shall provide and furnish all the labor, materials, necessary tools, expendable equipment, and all utility and transportation services required to perform and complete in a workmanlike manner all of the work required in connection with construction of the Project all in strict accordance with the Specifications and Drawings, including any and all Addenda, and in strict compliance with the Contractor's Proposal and all other Contract Documents, including General Conditions, which are a part of the Contract; and the Contractor shall do everything required by this Contract and the other documents constituting a part thereof to the City's satisfaction.
- B. All work covered by this Contract shall be done in accordance with the latest and best accepted practices of the trades involved. The Contractor shall use only skilled craftsmen experienced in their respective trades to prepare the materials and to perform the work.
- C. No failure of the Owner during the progress of the work to discover or reject materials or work not in accordance with this Contract shall be deemed an acceptance of, or a waiver of, defects in work or materials. No payment shall be

construed to be an acceptance of work or materials, which are not strictly in accordance with the Contract.

2. **COMPENSATION.** The Contractor agrees to perform all of the work described above in accordance with the Contract Documents and comply with the terms therein for the Contract price of **\$873,336**, subject to increase or decrease in accordance with the Contract Documents, and the Bid Schedule set forth therein; and the City agrees to pay the Contract price in accordance with the Bid Schedule for the performance of the work described herein in accordance with the Contract Documents.
3. **INCORPORATION OF CONTRACT DOCUMENTS.** The Contractor and the City agree that the terms, conditions, and covenants of the Contract are set forth in the Contract and in the Contract Documents, Plans and Technical Specifications, and the Drawings numbered 1-8, all defined as the Contract Documents, and by this reference made a part hereof as if fully set forth herein. The Contractor and the City agree that each will be bound by all terms and conditions of all of the Plans and Technical Specifications, and Contract Documents, as if the same were fully set forth herein, and hereby incorporate all of the foregoing into this Agreement.
4. **COMPLIANCE WITH ALL LAWS.** The Contractor shall abide by all the laws of the United States of America, State of Arizona, Coconino/Yavapai Counties, and the City of Sedona, including a requirement that Contractor obtain an annual Sedona Business License for every year that they do business with Sedona or within the City limits.
5. **WORKERS' COMPENSATION.** The Contractor shall carry Workers' Compensation Insurance and require all Subcontractors to carry Workers' Compensation Insurance as required by the Law of the State of Arizona, and all other insurance as set forth in the General Conditions.
6. **NONDISCRIMINATION:** Contractor, its agents, employees, and subcontractors, shall not discriminate in any employment policy or practice. "Discrimination" means to exclude individuals from an opportunity or participation in any activity or to accord different or unequal treatment in the context of a similar situation to similarly situated individuals because of race, color, gender, gender identity, sexual orientation, religion, national origin or ancestry, marital status, familial status, age, disability, or veteran status. (Ordinance 2015-10 (2015)).
7. **TERM/TERMINATION:**
 - A. The term of this Contract is one year and begins on the Effective Date and ends one year later unless sooner terminated in accordance with the Contract Documents. The City and Contractor may mutually agree to extend the Agreement for up to one additional year or portions thereof.
 - B. Work under this Contract shall commence on the date specified in the written Notice to

Proceed from the City to the Contractor. Upon receipt of said Notice, the Contractor shall diligently and continuously prosecute and complete all work under this Contract within the time specified on page A-2.

8. CONTRACT DOCUMENTS: The Contract Document consist of the following component parts, all of which are a part of this Contract whether herein set out verbatim, or attached hereto:

Advertisement for Bids
Information for and Instructions to Bidders
Bid Proposal and Bid Guaranty Bond
Contract (this document)
Change Orders
Addenda
Performance Bond, Labor and Material Payment Bond
Special Conditions
General Conditions
Technical Specifications
Notice of Award
Notice to Proceed
Plans and Drawings
Design Reports
Standard Specifications
Insurance Certificates
Participation in Boycott of Israel

The above named documents are essential parts of the Contract, and a requirement occurring in one is as binding as though occurring in all. They are intended to be complementary and to describe and provide for a complete work. In case of discrepancy, the order of precedence is as follows:

1. Change Orders
2. Contract (this document), including addenda
3. Payment and Performance Bonds
4. Advertisement for Bids
5. Information for and Instructions to Bidders
6. Notice of Award
7. Notice to Proceed
8. Special Conditions
9. Bid Proposal
10. Technical Specifications
11. Plans and Drawings
12. General Conditions
13. Bid Guaranty Bond
14. Standard Specifications

In the event there is a conflict between any of the above listed documents, the provision of the document with the lower numerical value shall govern those documents with a higher numerical value. Within a category, the last in time is first in precedence.

The Contractor shall not take advantage of any apparent error or omission in the Plans or Specifications. In the event the Contractor discovers such an error or omission, he shall immediately notify the City. The City will then make such corrections and interpretations as may be deemed necessary for fulfilling the intent of the Plans and Specifications.

9. CONTRACTOR REPRESENTATIONS: As part of the inducement for City to enter into this Agreement, Contractor makes the following representations:
 - A. Contractor has familiarized himself with the nature and extent of the Contract Documents, work, locality, and with all local conditions and federal, state and local laws, ordinances, rules and regulations that in any manner may affect cost, progress, or performance of the work.
 - B. Contractor has studied carefully all reports of investigations and tests of subsurface and latent physical conditions at the site or those reports that otherwise may affect cost, progress or performance of the work, which were utilized by Design Engineer in the preparation of the Drawings and Specifications and which have been identified in the Contract Documents.
 - C. Contractor has made or caused to be made examinations, investigations and tests, and studies of such reports and related data as he deems necessary for the performance of the work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents; and no additional examinations, investigations, tests, reports or similar data are or will be required by Contractor for such purposes.
 - D. Contractor has correlated the results of all such observations, examinations, investigations, tests, reports and data with the terms and conditions of the Contract Documents.
 - E. **Contractor has given the City Engineer written notice of all conflicts, errors or discrepancies that he has discovered in the Contract Documents** and the written resolution thereof by City Engineer is acceptable to Contractor.
 - F. Contractor has attended mandatory pre-bid meetings and walk-throughs.
11. MISCELLANEOUS.
 - A. No assignment by a party hereto of any rights under or interest in the Contract Documents will be binding on another party hereto without the written consent of the

party sought to be bound; and specifically but without limitation, monies that may become due and monies that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

- B. City and Contractor each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, and its partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.
- C. Pursuant to Arizona Revised Statutes Section 38-511, the provisions of which are incorporated by reference as if fully set forth herein, all parties are hereby given notice that this Agreement is subject to cancellation by the City if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract or Contract Documents on behalf of the City is, at any time while the Contract or Contract Document or any extension thereof is in effect, an employee or agent of any other party to the Contract or Contract Documents in any capacity or a consultant to any other party to the Contract or Contract Documents with respect to the subject matter of the Contract or Contract Documents.
- D. During the performance of this Agreement, Contractor may also be under contract with the City for performance of work on other projects. A breach in the performance of any of Contractor's obligations under this Agreement shall constitute a breach of Contractor's obligations under any other agreement with the City and the breach by Contractor under other agreement with the City shall also constitute a breach of Contractor's obligations under this Agreement. The City may offset any amounts owed by Contractor under any such other agreement from any amounts owed to Contractor under this Agreement.
- E. This Agreement shall be governed by and enforced using the law of the State of Arizona. The parties agree that any judicial action brought to enforce the terms or conditions of this Agreement shall be brought in a court of competent jurisdiction in Yavapai County, Arizona. 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.
- F. The Contract Documents constitute the entire Agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement which shall be deemed an original on the date first above written.

CITY: City of Sedona, Arizona

BY: _____

NAME: _____

TITLE: _____

ATTEST:

BY: _____

Susan L. Irvine, City Clerk

APPROVED AS TO LEGAL FORM:

BY: _____

Kurt W. Christianson, City Attorney

CONTRACTOR: Standard Construction Company, Inc.

BY: _____

NAME: _____

TITLE: _____

DATE: _____



**CITY COUNCIL
AGENDA BILL**

**AB 2746
November 9, 2021
Consent Items**

Agenda Item: 3f

Proposed Action & Subject: Approval of a Resolution authorizing entering into the One Arizona Distribution of Opioid Settlement Funds Agreement between the City of Sedona and State of Arizona and its participating counties, cities, and towns establishing the distribution framework for opioid settlement funds throughout the state and two subsequent settlement agreements with opioid distributors and manufacturers.

Department Legal

Time to Present N/A

Total Time for Item

Other Council Meetings December 8, 2020

Exhibits A. Resolution
B. One Arizona Distribution of Opioid Settlement Funds Agreement

City Attorney Approval	Reviewed 11/2/2021	Expenditure Required	
		\$	0
City Manager's Recommendation	Approve the Resolution authorizing the City to enter into the One Arizona Distribution of Opioid Settlement Funds Agreement.	Amount Budgeted	
		\$	0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background:

The City has potential claims against the manufacturers, distributors, marketers, and dispensaries responsible for the excessive distribution of opioids to the public. Last year, the State of Arizona, all 15 counties, and 90 of the 91 cities and towns agreed to the One Arizona Opioid Settlement Memorandum of Understanding. The State is now requesting Arizona counties and municipalities enter into the One Arizona Distribution of Opioid Settlement Funds Agreement ("Settlement Agreement") to approve distribution of fund from two proposed final settlements.

The first is a global settlement with three opioid distributors—McKesson, AmerisourceBergen, and Cardinal ("the Distributors Settlement"). The second is with opioid manufacturer Johnson & Johnson ("the J&J Settlement"). If these settlements are finalized, Arizona will receive up to \$549 million from the settlements, with the monies to be used for opioid treatment, prevention, and education. If a unanimous agreement is not reached, each county, city, and town is

guaranteed a minimum percentage share of the settlement fund. Sedona's guaranteed portion of the settlement fund is set at 4.09% of all funds issued to Coconino County governments. Settlement funds must be used for the opioid abatement strategies which includes increasing training, availability and distribution of naloxone and other drugs that treat overdoses for first responders, and education for law enforcement regarding appropriate practices and precautions when dealing with fentanyl or other drugs.

Community Plan Consistent: Yes - No - Not Applicable

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

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): City Council can choose not to participate in the Settlement in which case, the City will receive none of the settlement funds.

MOTION

I move to: adopt Resolution No. 2021-___, a Resolution of the Mayor and Council of the City of Sedona, Arizona, authorizing the City Attorney to enter into the One Arizona Opioid Settlement Funds Agreement and individual settlement agreements with opioid manufacturers and distributors.

RESOLUTION NO. 2021 - ____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, AUTHORIZING THE CITY TO ENTER INTO THE ONE ARIZONA OPIOID SETTLEMENT FUNDS AGREEMENT REGARDING DISTRIBUTION OF OPIOID RELATED SETTLEMENT FUNDS.

WHEREAS, the City of Sedona seeks to receive funds from any collective settlements made with the State of Arizona and its participating counties, cities, and towns and opioid defendants and that such settlement funds be distributed according to the One Arizona Opioid Settlement Funds Agreement.

BE IT RESOLVED BY THE MAYOR AND THE COUNCIL OF THE CITY OF SEDONA, ARIZONA, as follows:

The City of Sedona, through its Mayor and Council, hereby approves the One Arizona Opioid Settlement Funds Agreement (“Settlement”) authorizing the City to receive and expend opioid settlement funds pursuant to the Settlement and authorizes and directs the City Attorney to execute the Agreement and any other settlement agreements and documents necessary to carry out the purpose of this Resolution.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona this 9th day of November, 2021.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney

ONE ARIZONA DISTRIBUTION OF OPIOID SETTLEMENT FUNDS AGREEMENT

General Principles

- The people of the State of Arizona and Arizona communities have been harmed by the opioid epidemic, which was caused by entities within the Pharmaceutical Supply Chain.
- The State of Arizona, *ex rel.* Mark Brnovich, Attorney General (the “State”), and certain Participating Local Governments are separately engaged in litigation seeking to hold the Pharmaceutical Supply Chain Participants accountable for the damage they caused.
- The State and the Participating Local Governments share a common desire to abate and alleviate the impacts of the Pharmaceutical Supply Chain Participants’ misconduct throughout the State of Arizona.
- The State and the Participating Local Governments previously entered into the One Arizona Opioid Settlement Memorandum of Understanding for the purpose of jointly approaching Settlement negotiations with the Pharmaceutical Supply Chain Participants.
- The State and the Participating Local Governments now enter into this One Arizona Distribution of Opioid Settlement Funds Agreement (“Agreement”) to establish binding terms for the distribution and spending of funds from Settlements with the Pharmaceutical Supply Chain Participants.

A. Definitions

As used in this Agreement:

1. “Approved Purpose(s)” shall mean those uses identified in the agreed Opioid Abatement Strategies attached as Exhibit A.
2. “Contingency Fee Fund” shall mean a sub fund established in a Settlement for the purpose of paying contingency fees, such as the Attorney Fee Fund described in Section I.V of the Settlement with the Settling Distributors and the sub fund of the Attorney Fee Fund described in Section II.D of the Settlement with J&J.¹
3. “J&J” shall mean Johnson & Johnson, Janssen Pharmaceuticals, Inc., OrthoMcNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.
4. “Litigation” means existing or potential legal claims against Pharmaceutical Supply Chain Participants seeking to hold them accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance relating to the unlawful manufacture, marketing, promotion, distribution, or dispensing of prescription opioids.

¹ Text of both settlements available at <https://nationalopioidsettlement.com>.

5. "Opioid Funds" shall mean monetary amounts obtained through a Settlement as defined in this Agreement.
6. "Participating Local Government(s)" shall mean all counties, cities, and towns within the geographic boundaries of the State that have chosen to sign on to this Agreement and each applicable Settlement. The Participating Local Governments may be referred to separately in this Agreement as "Participating Counties" and "Participating Cities and Towns" (or "Participating Cities or Towns," as appropriate).
7. "Parties" shall mean the State and the Participating Local Governments.
8. "Pharmaceutical Supply Chain" shall mean the process and channels through which licit opioids are manufactured, marketed, promoted, distributed, or dispensed.
9. "Pharmaceutical Supply Chain Participant" shall mean any entity that engages in or has engaged in the manufacture, marketing, promotion, distribution, or dispensing of licit opioids.
10. "Settlement" shall mean the negotiated resolution of legal or equitable claims against a Pharmaceutical Supply Chain Participant when that resolution has been jointly entered into by the State and the Participating Local Government and approved as final by a court of competent jurisdiction.
11. "Settling Distributors" shall mean McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation.
12. "Trustee" shall mean either (1) an independent trustee who shall be responsible for the ministerial task of releasing the Opioid Funds that are in trust as authorized herein and accounting for all payments into or out of the trust, or (2) a settlement fund administrator, in the event that the Settlement includes a fund administrator. In either case, the Trustee will distribute funds in accordance with this Agreement.

B. Intrastate Regions

1. The State of Arizona will be divided into regions, each of which will be referred to as a "Region" and will consist of: (1) a single Participating County and all of its Participating Cities and Towns; or (2) all of the Participating Cities and Towns within a non-Participating County. If there is only one Participating City or Town within a non-Participating County, that single Participating City or Town will still constitute a Region. Two or more Regions may at their discretion form a group ("Multicounty Region"). Regions that do not choose to form a Multicounty Region will be their own Region. Participating Cities and Towns within a non-Participating County may not form a Region with Participating Cities and Towns in another county.
2. The LG Share funds described in Section C(1) will be distributed to each Region according to the percentages set forth in Exhibit B. The Regional allocation model uses three equally weighted factors: (1) the amount of opioids shipped to the Region; (2) the number of opioid deaths that occurred in that Region; and (3) the number of people who suffer opioid use disorder in that Region. In the event any county does not participate in this Agreement, that

county's percentage share shall be reallocated proportionally amongst the Participating Counties by applying this same methodology to only the Participating Counties.

3. In single-county Regions, that county's health department will serve as the lead agency responsible for distributing the LG Share funds. That health department, acting as the lead agency, shall consult with the cities and towns in the county regarding distribution of the LG Share funds.
4. For each Multicounty Region, an advisory council shall be formed from the Participating Local Governments in the Multicounty Region to distribute the collective LG Share funds. Each advisory council shall include at least three Participating Local Government representatives, not all of whom may reside in the same county. Each advisory council shall consult with the Participating Local Governments in the Multicounty Region regarding distribution of the collective LG Share funds.
5. For each Region consisting of the Participating Cities and Towns within a non-Participating County, an advisory council shall be formed from the Participating Cities and Towns in the Region to distribute the LG Share funds. Each advisory council shall include at least three representatives from the Participating Cities and Towns in the Region, or a representative from each Participating City and Town if the Region consists of fewer than three Participating Cities and Towns. In no event may more than one individual represent the same city or town. To the extent any Participating Cities or Towns in the Region are not represented on the advisory council, the advisory council shall consult with the non-represented Participating Cities and Towns regarding distribution of the collective LG Share funds.

C. Allocation of Settlement Proceeds

1. All Opioid Funds shall be divided with 44% to the State ("State Share") and 56% to the Participating Local Governments ("LG Share").²
2. All Opioid Funds, except those allocated to payment of counsel and litigation expenses as set forth in Section E, shall be utilized in a manner consistent with the Approved Purposes definition. Compliance with this requirement shall be verified through reporting, as set out in Section F.
3. Each LG Share will be distributed to each Region or Multicounty Region as set forth in Section B(2). Participating Counties and their constituent Participating Cities and Towns may distribute the funds allocated to the Region or Multicounty Region amongst themselves in any manner they choose. If a county and its cities and towns cannot agree on how to allocate the funds, the default allocation in Exhibit C will apply. The default allocation formula uses historical federal data showing how each county and the cities and towns within it have made opioids-related expenditures in the past. If a county or any cities or towns within a Region or Multicounty Region do not sign on to this Agreement and each

² This Agreement assumes that any opioid settlement for Native American Tribes and Third-Party Payors, including municipal insurance pools, will be dealt with separately.

Settlement, and if the Participating Local Governments in the Region or Multicounty Region cannot agree on how to allocate the funds from that Settlement amongst themselves, the funds shall be reallocated proportionally by applying this same methodology to only the Participating Local Governments in the Region or Multicounty Region.

4. If the LG Share for a given Participating Local Government is less than \$500, then that amount will instead be distributed to the Region or Multicounty Region in which the Participating Local Government is located to allow practical application of the abatement remedy. If the county did not sign on to the Settlement as defined herein, the funds will be reallocated to the State Share.
5. The State Share shall be paid by check or wire transfer directly to the State through the Trustee, who shall hold the funds in trust, or as otherwise required by a Settlement for the benefit of the State, to be timely distributed as set forth in C(1) herein. The LG Share shall be paid by check or wire transfer directly to the Regions or Multicounty Regions through the Trustee, who shall hold the funds in trust, or as otherwise required by a Settlement for the benefit of the Participating Local Governments, to be timely distributed as set forth in B(2), C(1), C(3), and C(4) herein.
6. The State Share shall be used only for (1) Approved Purposes within the State or (2) grants to organizations for Approved Purposes within the State.
7. The LG Share shall be used only for (1) Approved Purposes by Participating Local Governments within a Region or Multicounty Region or (2) grants to organizations for Approved Purposes within a Region or Multicounty Region.
8. The State will endeavor to prioritize up to 30% of the State Share for opioid education and advertising related to awareness, addiction, or treatment; Department of Corrections and related prison and jail opioid uses; and opioid interdiction and abatement on Arizona's southern border, including grants to assist with the building, remodeling and/or operation of centers for treatment, drug testing, medication-assisted treatment services, probation, job training, and/or counseling services, among other programs.
9. If the federal Center for Medicare and Medicaid Services ("CMS") disallows any federal funding for the State's Medicaid programs pursuant to 42 U.S.C. § 1396b as a consequence of sums received pursuant to resolution of any Litigation with Pharmaceutical Supply Chain Participants, or otherwise seeks to recover sums it regards as the federal share of any Settlement, the amount recovered by CMS shall first be paid from the total amount of Opioid Funds available to the Parties under that Settlement and the distribution to the State and Participating Local Governments shall thereafter be made from the remaining funds.
10. The Parties acknowledge and agree that any Settlement may require Participating Local Governments to release all their claims against the settling Pharmaceutical Supply Chain Participants to receive Opioid Funds. The Parties further acknowledge and agree based on the terms of any such national Settlement, a Participating Local Government will not receive funds through this Agreement until it has complied with all requirements set forth

in that national Settlement to release its claims. This Agreement is not a promise by any Party that any Settlement (including any Settlement resolved through bankruptcy) will be finalized or executed.

D. Participation of Cities and Towns

1. By signing on to the Agreement and any Settlement, a Participating County will receive 60% of its available LG Share for that Settlement when distribution under that Settlement occurs. Any such Participating County will receive up to an additional 40% of its available LG Share for that Settlement by securing the participation of its constituent cities and towns as signatories to this Agreement and that Settlement when distribution under that Settlement occurs. The sliding scale attached as Exhibit D will determine the share of funds available to the Participating County.³
2. If a Participating County does not achieve 100% participation of its cities and towns within the period of time required in a Settlement document for subdivision participation, the remaining portions of the LG Share that were otherwise available to the Participating County will be reallocated to (i) the State Share and (ii) the LG Share for the Participating Counties which have achieved 100% participation of their cities and towns in accordance with the percentages described in Sections B(2), C(1), and C(3), and set forth in Exhibits B and C.

E. Payment of Counsel and Litigation Expenses

1. The Parties anticipate that any Settlement will provide for the payment of all or a portion of the fees and litigation expenses of certain state and local governments.
2. If the court in *In Re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) or if a Settlement establishes a common benefit fund or similar device to compensate attorneys for services rendered and expenses incurred that have benefited plaintiffs generally in the litigation (the “Common Benefit Fund”), and requires certain governmental plaintiffs to pay a share of their recoveries from defendants into the Common Benefit Fund as a “tax,” then the Participating Local Governments shall first seek to have the settling defendants pay the “tax.” If the settling defendants do not agree to pay the “tax,” then the “tax” shall be paid from the LG Share prior to allocation and distribution of funds to the Participating Local Governments.⁴

³ Population allocation of cities and towns within counties will be derived from the population data included in any national Settlement. If such data is not included in the respective national Settlement, then population allocation will be determined from those cities and towns listed in Exhibit C. The data in Exhibit C is derived from the U.S. Census Estimate (July 1, 2019).

⁴ This paragraph shall not apply to the Settlement with the Settling Distributors or the Settlement with J&J.

3. Any governmental entity that seeks attorneys' fees and expenses from the Litigation shall seek those fees and expenses first from the national Settlement.⁵ In addition, the Parties agree that the Participating Local Governments will create a supplemental attorney's fees and costs fund (the "Backstop Fund").
4. In the event that any Settlement imposes additional limitations or obligations on the payment of counsel and litigation expenses, those limitations and obligations take precedence over this Agreement.
5. The Backstop Fund is to be used to compensate counsel for Participating Local Governments that filed opioid lawsuits by September 1, 2020 ("Litigating Participating Local Governments"). Payments out of the Backstop Fund shall be determined by a committee consisting of one representative from each of the Litigating Participating Local Governments (the "Opioid Fee and Expense Committee").
6. The amount of the Backstop Fund shall be determined as follows: From any national Settlement, the funds in the Backstop Fund shall equal 14.25% of the LG Share for that Settlement. No portion of the State Share shall be used for the Backstop Fund or in any other way to fund any Participating Local Government's attorney's fees and costs. If required to do so by any Settlement, Participating Local Governments must report to the national Settlement Fund Administrator regarding contributions to, or payments from, the Backstop Fund.
7. The maximum percentage of any contingency fee agreement permitted for compensation shall be 25% of the portion of the LG Share attributable to the Litigating Participating Local Government that is a party to the contingency fee agreement, plus expenses attributable to that Litigating Participating Local Government, unless a Settlement or other court order imposes a lower limitation on contingency fees. Under no circumstances may counsel collect more for its work on behalf of a Litigating Participating Local Government than it would under its contingency agreement with that Litigating Participating Local Government.
8. Payments to counsel for Participating Local Governments shall be made from the Backstop Fund in the same percentages and over the same period of time as the national Contingency Fee Fund for each settlement. The Attorneys' Fees and Costs schedule for the Settling Distributors is listed in Exhibit R §(II)(S)(1) of the Settlement with the Settling

⁵ The State retained outside counsel in the Purdue litigation and if it is unable to secure payment of attorneys' fees and expenses from the bankruptcy proceedings in an amount sufficient to compensate outside counsel consistent with the terms of the State's contract with that outside counsel, any remaining attorneys' fees and expenses related to the representation of the State will first be paid directly from the total amount of Opioid Funds available to the Parties under that Settlement, up to the agreed amount in the outside counsel contract, and the distribution to the State and Participating Local Governments shall thereafter be made from the remaining funds.

Distributors.⁶ The Attorneys' Fees and Costs schedule for J&J is listed in Exhibit R §(II)(A)(1) of the Settlement with J&J.⁷ For future Settlements with other defendants in the Pharmaceutical Supply Chain, any necessary payments to counsel for Participating Local Governments shall be made from the Backstop Fund in the same percentages and over the same periods of time as the fee funds for those Settlements, if applicable, subject to the limitations set forth in this Agreement set forth in paragraph E(7) above.

9. Any funds remaining in the Backstop Fund in excess of the amounts needed to cover private counsel's representation agreements shall revert to the Participating Local Governments according to the percentages set forth in Exhibits B and C, to be used for Approved Purposes as set forth herein and in Exhibit A.

F. Compliance Reporting and Accountability

1. If the State and Participating Local Governments use a Trustee for purposes of distributing funds pursuant to any Settlement, the Trustee shall be requested to provide timely an up-to-date accounting of payments into or out of any trust established to hold such funds and/or its subaccounts upon written request of the State or a Participating Local Government.
2. The State, Regions, and Participating Local Governments may object to an allocation or expenditure of Opioid Funds solely on the basis that the allocation or expenditure at issue (1) is inconsistent with provision C(1) hereof with respect to the amount of the State Share or LG Share; (2) is inconsistent with an agreed-upon allocation, or the default allocations in Exhibits B and C, as contemplated by Section C(3); or (3) violates the limitations set forth in F(3) with respect to compensation of the Trustee. The objector shall have the right to bring that objection within two years of the date of its discovery to a superior court in Maricopa County, Arizona.
3. In the event that the State and Participating Local Governments use a Trustee, compensation for Trustee's expenses of fund administration may be paid out of the Opioid Funds for reasonable expenses; provided that, reasonable expenses do not exceed the administrative expenses allowed under the terms of the relevant Settlement.
4. The Parties shall maintain, for a period of at least five years, records of abatement expenditures and documents underlying those expenditures, so that it can be verified that funds are being or have been utilized in a manner consistent with the Approved Purposes definition. This requirement supersedes any shorter period of time specified in any applicable document retention or destruction policy.
5. At least annually, by July 31 of each year, each Region or Multicounty Region shall provide to the State a report detailing for the preceding fiscal year (1) the amount of the LG Share received by each Participating Local Government within the Region or Multicounty Region, (2) the allocation of any awards approved (listing the recipient, the amount awarded, the program to be funded, and disbursement terms), and (3) the amounts

⁶ Text of settlement available at <https://nationalopioidsettlement.com>.

⁷ Text of settlement available at <https://nationalopioidsettlement.com>.

disbursed on approved allocations. In order to facilitate this reporting, each Participating Local Government within a Region or Multicounty Region shall provide information necessary to meet these reporting obligations to a delegate(s) selected by the Region or Multicounty Region to provide its annual report to the State. Any Participating Local Government shall also comply with any reporting requirements imposed by any Settlement.

6. No later than September 30 of each year, the State shall publish on its website a report detailing for the preceding fiscal year (1) the amount of the State Share received, (2) the allocation of any awards approved (listing the recipient, the amount awarded, the program to be funded, and disbursement terms), and (3) the amounts disbursed on approved allocations. In addition, the State shall publish on its website the reports described in F(5) above. The State shall also comply with any reporting requirements imposed by any Settlement.
7. If it appears to the State, a Region, or a Multicounty Region that the State or another Region or Multicounty Region is using or has used Settlement funds for non-Approved Purposes, the State, Region, or Multicounty Region may on written request seek and obtain the documentation underlying the report(s) described in F(5) or F(6), as applicable, including documentation described in F(4). The State, Region, or Multicounty Region receiving such request shall have 14 days to provide the requested information. The requesting party and the State, Region, or Multicounty Region receiving such request may extend the time period for compliance with the request only upon mutual agreement.
8. Following a request made pursuant to F(7) and when it appears that LG Share funds are being or have been spent on non-Approved Purposes, the State may seek and obtain in an action in a court of competent jurisdiction in Maricopa County, Arizona an injunction prohibiting the Region or Multicounty Region from spending LG Share funds on non-Approved Purposes and requiring the Region or Multicounty Region to return the monies that it spent on non-Approved Purposes after notice as is required by the rules of civil procedure. So long as the action is pending, distribution of LG Share funds to the Region or Multicounty Region temporarily will be suspended. Once the action is resolved, the suspended payments will resume, less any amounts that were ordered returned but have not been returned by the time the action is resolved.
9. Following a request made pursuant to F(7) and when it appears to at least eight Participating Counties that have signed on to this Agreement and a subsequent Settlement that the State Share funds are being or have been spent on non-Approved Purposes, the Participating Counties may seek and obtain in an action in a superior court of Maricopa County, Arizona an injunction prohibiting the State from spending State Share funds on non-Approved Purposes and requiring the State to return the monies it spent on non-Approved Purposes after notice as is required by the rules of civil procedure. So long as the action is pending, distribution of State Share funds to the State temporarily will be suspended. Once the action is resolved, the suspended payments will resume, less any monies that were ordered returned but have not been returned by the time the action is resolved.

10. In an action brought pursuant to F(8) or F(9), attorney's fees and costs shall not be recoverable.

G. Settlement Negotiations

1. The State and the Participating Local Governments agree to inform each other in advance of any negotiations relating to an Arizona-only settlement with a Pharmaceutical Supply Chain Participant that includes both the State and the Participating Local Governments and shall provide each other the opportunity to participate in all such negotiations.
2. The State and the Participating Local Governments further agree to keep each other reasonably informed of all other global settlement negotiations with Pharmaceutical Supply Chain Participants. Neither this provision, nor any other, shall be construed to state or imply that either the State or the Participating Local Governments (collectively, the "Arizona Parties") are unauthorized to engage in settlement negotiations with Pharmaceutical Supply Chain Participants without prior consent or contemporaneous participation of the other, or that either party is entitled to participate as an active or direct participant in settlement negotiations with the other. Rather, while the State's and the Participating Local Government's efforts to achieve worthwhile settlements are to be collaborative, incremental stages need not be so.
3. The State or any Participating Local Government may withdraw from coordinated Settlement discussions detailed in this Section upon 10 business days' written notice to the other Arizona Parties and counsel for any affected Pharmaceutical Supply Chain Participant. The withdrawal of any Arizona Party releases the remaining Arizona Parties from the restrictions and obligations in this Section.
4. The obligations in this Section shall not affect any Party's right to proceed with trial or, within 30 days of the date upon which a trial involving that Party's claims against a specific Pharmaceutical Supply Chain Participant is scheduled to begin, reach a case-specific resolution with that particular Pharmaceutical Supply Chain Participant.

H. Amendments

1. The Parties agree to make such amendments as necessary to implement the intent of this Agreement.

One Arizona Distribution of Opioid Settlement Funds Agreement ACCEPTED by the undersigned and executed this _____ day of _____, 2021.

ARIZONA ATTORNEY GENERAL

Mark Brnovich

APACHE COUNTY

APACHE COUNTY

EAGER TOWN

By: _____

By: _____

Its: _____

Its: _____

SPRINGERVILLE TOWN

ST JOHNS CITY

By: _____

By: _____

Its: _____

Its: _____

COCHISE COUNTY

COCHISE COUNTY

BENSON CITY

By: _____

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BISBEE CITY

DOUGLAS CITY

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HUACHUCA CITY TOWN

SIERRA VISTA CITY

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TOMBSTONE CITY

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COCONINO COUNTY

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FREDONIA TOWN

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PARKER TOWN

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MOHAVE COUNTY

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BULLHEAD CITY

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COLORADO CITY TOWN

KINGMAN CITY

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LAKE HAVASU CITY

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NAVAJO COUNTY

NAVAJO COUNTY

HOLBROOK CITY

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PINETOP-LAKESIDE TOWN

SHOW LOW CITY

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SNOWFLAKE TOWN

TAYLOR TOWN

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WINSLOW CITY

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PIMA COUNTY

PIMA COUNTY

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ORO VALLEY TOWN

SAHUARITA TOWN

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SOUTH TUCSON CITY

TUCSON CITY

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PINAL COUNTY

PINAL COUNTY

CASA GRANDE CITY

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NOGALES CITY

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PATAGONIA TOWN

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YAVAPAI COUNTY

YAVAPAI COUNTY

CAMP VERDE TOWN

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CHINO VALLEY TOWN

CLARKDALE TOWN

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COTTONWOOD CITY

DEWEY-HUMBOLDT TOWN

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JEROME TOWN

PRESCOTT CITY

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PRESCOTT VALLEY TOWN

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YUMA COUNTY

YUMA COUNTY

SAN LUIS CITY

By: _____

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SOMERTON CITY

WELLTON TOWN

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By: _____

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YUMA CITY

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Its: _____

Exhibit A

OPIOID ABATEMENT STRATEGIES

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions, co-usage, and/or co-addiction through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including all forms of Medication-Assisted Treatment (MAT) approved by the U.S. Food and Drug Administration.
2. Support and reimburse services that include the full American Society of Addiction Medicine (ASAM) continuum of care for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including but not limited to:
 - a. Medication-Assisted Treatment (MAT);
 - b. Abstinence-based treatment;
 - c. Treatment, recovery, or other services provided by states, subdivisions, community health centers; non-for-profit providers; or for-profit providers;
 - d. Treatment by providers that focus on OUD treatment as well as treatment by providers that offer OUD treatment along with treatment for other SUD/MH conditions, co-usage, and/or co-addiction; or
 - e. Evidence-informed residential services programs, as noted below.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (OTPs) to assure evidence-based, evidence-informed, or promising practices such as adequate methadone dosing.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction and for persons who have experienced an opioid overdose.
6. Support treatment of mental health trauma resulting from the traumatic experiences of the opioid user (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose

or overdose fatality), and training of health care personnel to identify and address such trauma.

7. Support detoxification (detox) and withdrawal management services for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including medical detox, referral to treatment, or connections to other services or supports.
8. Support training on MAT for health care providers, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
10. Provide fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (DATA 2000) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
12. Support the dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service-Opioids web-based training curriculum and motivational interviewing.
13. Support the development and dissemination of new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication-Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in treatment for and recovery from OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Provide the full continuum of care of recovery services for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including supportive housing, residential treatment, medical detox services, peer support services and counseling, community navigators, case management, and connections to community-based services.
2. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.

3. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including supportive housing, recovery housing, housing assistance programs, or training for housing providers.
4. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
5. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
6. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
7. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
8. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to manage the opioid user in the family.
9. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to current and recovering opioid users, including reducing stigma.
10. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED (CONNECTIONS TO CARE)

Provide connections to care for people who have – or are at risk of developing – OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Support Screening, Brief Intervention and Referral to Treatment (SBIRT) programs to reduce the transition from use to disorders.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.

4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Support training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
6. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, or persons who have experienced an opioid overdose, into community treatment or recovery services through a bridge clinic or similar approach.
7. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction or persons that have experienced an opioid overdose.
8. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
9. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction or to persons who have experienced an opioid overdose.
10. Provide funding for peer navigators, recovery coaches, care coordinators, or care managers that offer assistance to persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction or to persons who have experienced on opioid overdose.
11. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
12. Develop and support best practices on addressing OUD in the workplace.
13. Support assistance programs for health care providers with OUD.
14. Engage non-profits and the faith community as a system to support outreach for treatment.
15. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
16. Create or support intake and call centers to facilitate education and access to treatment, prevention, and recovery services for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.

17. Develop or support a National Treatment Availability Clearinghouse – a multistate/nationally accessible database whereby health care providers can list locations for currently available in-patient and out-patient OUD treatment services that are accessible on a real-time basis by persons who seek treatment.

D. ADDRESS THE NEEDS OF CRIMINAL-JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction who are involved – or are at risk of becoming involved – in the criminal justice system through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Support pre-arrest or post-arrest diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including established strategies such as:
 - a. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (PAARI);
 - b. Active outreach strategies such as the Drug Abuse Response Team (DART) model;
 - c. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 - d. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (LEAD) model;
 - e. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative;
 - f. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise and to reduce perceived barriers associated with law enforcement 911 responses; or
 - g. County prosecution diversion programs, including diversion officer salary, only for counties with a population of 50,000 or less. Any diversion services in matters involving opioids must include drug testing, monitoring, or treatment.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts for persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, but only if these courts provide referrals to evidence-informed treatment, including MAT.

4. Provide evidence-informed treatment, including MAT, recovery support, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction who are leaving jail or prison have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (CTI), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal-justice-involved persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, and the needs of their families, including babies with neonatal abstinence syndrome, through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Support evidence-based, evidence-informed, or promising treatment, including MAT, recovery services and supports, and prevention services for pregnant women – or women who could become pregnant – who have OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Provide training for obstetricians or other healthcare personnel that work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
3. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with Neonatal Abstinence Syndrome get referred to appropriate services and receive a plan of safe care.
4. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.

5. Offer enhanced family supports and home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, including but not limited to parent skills training.
6. Support for Children’s Services – Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
2. Academic counter-detailing to educate prescribers on appropriate opioid prescribing.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Support enhancements or improvements to Prescription Drug Monitoring Programs (PDMPs), including but not limited to improvements that:
 - a. Increase the number of prescribers using PDMPs;
 - b. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs or by improving the interface that prescribers use to access PDMP data, or both; or
 - c. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD.
6. Development and implementation of a national PDMP – Fund development of a multistate/national PDMP that permits information sharing while providing appropriate safeguards on sharing of private health information, including but not limited to:
 - a. Integration of PDMP data with electronic health records, overdose episodes, and decision support tools for health care providers relating to OUD.

- b. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database.
7. Increase electronic prescribing to prevent diversion or forgery.
8. Educate Dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Corrective advertising or affirmative public education campaigns based on evidence.
2. Public education relating to drug disposal.
3. Drug take-back disposal or destruction programs.
4. Fund community anti-drug coalitions that engage in drug prevention efforts.
5. Support community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction – including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA).
6. Engage non-profits and faith-based communities as systems to support prevention.
7. Support evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
8. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
9. Support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
10. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
11. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses or other school staff, to

address mental health needs in young people that (when not properly addressed) increase the risk of opioid or other drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Increase availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, opioid users, families and friends of opioid users, schools, community navigators and outreach workers, drug offenders upon release from jail/prison, or other members of the general public.
2. Provision by public health entities of free naloxone to anyone in the community, including but not limited to provision of intra-nasal naloxone in settings where other options are not available or allowed.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, and other members of the general public.
4. Enable school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expand, improve, or develop data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educate first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Expand access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
10. Support mobile units that offer or provide referrals to treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
11. Provide training in treatment and recovery strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction.
12. Support screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items C8, D1 through D7, H1, H3, and H8, support the following:

1. Current and future law enforcement expenditures relating to the opioid epidemic.
2. Educate law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, and coordination to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Community regional planning to identify goals for reducing harms related to the opioid epidemic, to identify areas and populations with the greatest needs for treatment intervention services, or to support other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A government dashboard to track key opioid-related indicators and supports as identified through collaborative community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to in various items above, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.

2. Invest in infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
5. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g. Hawaii HOPE and Dakota 24/7).
6. Research on expanded modalities such as prescription methadone that can expand access to MAT.

Exhibit B

Exhibit B

Allocation to Arizona Counties/Regions

County/Region	Percentage of LG Share
APACHE	0.690%
COCHISE	1.855%
COCONINO	1.688%
GILA	1.142%
GRAHAM	0.719%
GREENLEE	0.090%
LA PAZ	0.301%
MARICOPA	57.930%
MOHAVE	4.898%
NAVAJO	1.535%
PIMA	18.647%
PINAL	3.836%
SANTA CRUZ	0.370%
YAVAPAI	4.291%
YUMA	2.008%

Exhibit C

Exhibit C

Government Name	County Name	State Name	Government Type	Census ID	Intra-county Allocation (%) Based on Past Spending
APACHE COUNTY					
APACHE COUNTY	Apache County	ARIZONA	County	3100100100000	56.63%
EAGAR TOWN	Apache County	ARIZONA	City	3200100100000	20.66%
SPRINGERVILLE TOWN	Apache County	ARIZONA	City	3200100300000	10.73%
ST JOHNS CITY	Apache County	ARIZONA	City	3200100200000	11.98%
COCHISE COUNTY					
COCHISE COUNTY	Cochise County	ARIZONA	County	3100200200000	63.47%
BENSON CITY	Cochise County	ARIZONA	City	3200200100000	3.52%
BISBEE CITY	Cochise County	ARIZONA	City	3200200200000	3.47%
DOUGLAS CITY	Cochise County	ARIZONA	City	3200200300000	8.44%
HUACHUCA CITY TOWN	Cochise County	ARIZONA	City	3200250100000	0.91%
SIERRA VISTA CITY	Cochise County	ARIZONA	City	3200200400000	16.63%
TOMBSTONE CITY	Cochise County	ARIZONA	City	3200200500000	1.16%
WILLCOX CITY	Cochise County	ARIZONA	City	3200200600000	2.39%
COCONINO COUNTY					
COCONINO COUNTY	Coconino County	ARIZONA	County	3100300300000	71.16%
FLAGSTAFF CITY	Coconino County	ARIZONA	City	3200300100000	18.45%
FREDONIA TOWN	Coconino County	ARIZONA	City	3200300300000	0.31%
PAGE CITY	Coconino County	ARIZONA	City	3200390100000	3.41%
SEDONA CITY	Coconino County	ARIZONA	City	3201340200000	4.09%
TUSAYAN TOWN	Coconino County	ARIZONA	City	3200310100000	0.67%
WILLIAMS CITY	Coconino County	ARIZONA	City	3200300200000	1.92%
GILA COUNTY					
GILA COUNTY	Gila County	ARIZONA	County	3100400400000	68.13%
GLOBE CITY	Gila County	ARIZONA	City	3200400100000	10.23%

HAYDEN TOWN	Gila County	ARIZONA	City	3200450100000	2.31%
MIAMI TOWN	Gila County	ARIZONA	City	3200400200000	2.71%
PAYSON TOWN	Gila County	ARIZONA	City	3200490100000	16.17%
STAR VALLEY TOWN	Gila County	ARIZONA	City	3200410100000	0.35%
WINKELMAN TOWN	Gila County	ARIZONA	City	3200400300000	0.10%
GRAHAM COUNTY					
GRAHAM COUNTY	Graham County	ARIZONA	County	3100500500000	62.26%
PIMA TOWN	Graham County	ARIZONA	City	3200500100000	2.22%
SAFFORD CITY	Graham County	ARIZONA	City	3200500200000	26.83%
THATCHER TOWN	Graham County	ARIZONA	City	3200500300000	8.68%
GREENLEE COUNTY					
GREENLEE COUNTY	Greenlee County	ARIZONA	County	3100600600000	88.29%
CLIFTON TOWN	Greenlee County	ARIZONA	City	3200600100000	11.43%
DUNCAN TOWN	Greenlee County	ARIZONA	City	3200600200000	0.28%
LA PAZ COUNTY					
LA PAZ COUNTY	La Paz County	ARIZONA	County	3101501500000	88.71%
PARKER TOWN	La Paz County	ARIZONA	City	3201560100000	5.19%
QUARTZSITE TOWN	La Paz County	ARIZONA	City	3201540100000	6.11%
MARICOPA COUNTY					
MARICOPA COUNTY	Maricopa County	ARIZONA	County	3100700700000	51.53%
APACHE JUNCTION CITY	Maricopa County	ARIZONA	City	3201160100000	0.38%
AVONDALE CITY	Maricopa County	ARIZONA	City	3200700100000	0.98%
BUCKEYE TOWN	Maricopa County	ARIZONA	City	3200700200000	0.46%
CAREFREE TOWN	Maricopa County	ARIZONA	City	3200740100000	0.04%
CAVE CREEK TOWN	Maricopa County	ARIZONA	City	3200740200000	0.06%
CHANDLER CITY	Maricopa County	ARIZONA	City	3200700300000	2.86%
EL MIRAGE CITY	Maricopa County	ARIZONA	City	3200700400000	0.39%
FOUNTAIN HILLS TOWN	Maricopa County	ARIZONA	City	3200740400000	0.17%
GILA BEND TOWN	Maricopa County	ARIZONA	City	3200770100000	0.03%

GILBERT TOWN	Maricopa County	ARIZONA	City	3200700500000	1.71%
GLENDALE CITY	Maricopa County	ARIZONA	City	3200700600000	2.63%
GOODYEAR CITY	Maricopa County	ARIZONA	City	3200700700000	0.76%
GUADALUPE TOWN	Maricopa County	ARIZONA	City	3200790100000	0.00%
LITCHFIELD PARK CITY	Maricopa County	ARIZONA	City	3200740300000	0.04%
MESA CITY	Maricopa County	ARIZONA	City	3200700800000	6.06%
PARADISE VALLEY TOWN	Maricopa County	ARIZONA	City	3200750100000	0.34%
PEORIA CITY	Maricopa County	ARIZONA	City	3200700900000	1.51%
PHOENIX CITY	Maricopa County	ARIZONA	City	3200701000000	21.28%
QUEEN CREEK TOWN	Maricopa County	ARIZONA	City	3200740500000	0.11%
SCOTTSDALE CITY	Maricopa County	ARIZONA	City	3200701100000	3.99%
SURPRISE CITY	Maricopa County	ARIZONA	City	3200750200000	0.98%
TEMPE CITY	Maricopa County	ARIZONA	City	3200701200000	3.27%
TOLLESON CITY	Maricopa County	ARIZONA	City	3200701300000	0.27%
WICKENBURG TOWN	Maricopa County	ARIZONA	City	3200701400000	0.10%
YOUNGTOWN TOWN	Maricopa County	ARIZONA	City	3200750300000	0.05%
MOHAVE COUNTY					
MOHAVE COUNTY	Mohave County	ARIZONA	County	3100800800000	62.51%
BULLHEAD CITY CITY	Mohave County	ARIZONA	City	3200840100000	13.10%
COLORADO CITY TOWN	Mohave County	ARIZONA	City	3200840200000	0.61%
KINGMAN CITY	Mohave County	ARIZONA	City	3200800100000	9.91%
LAKE HAVASU CITY CITY	Mohave County	ARIZONA	City	3200860100000	13.87%
NAVAJO COUNTY					
NAVAJO COUNTY	Navajo County	ARIZONA	County	3100900900000	70.29%
HOLBROOK CITY	Navajo County	ARIZONA	City	3200900100000	3.75%
PINETOP-LAKESIDE TOWN	Navajo County	ARIZONA	City	3200940100000	4.75%
SHOW LOW CITY	Navajo County	ARIZONA	City	3200900200000	9.39%
SNOWFLAKE TOWN	Navajo County	ARIZONA	City	3200900300000	2.94%
TAYLOR TOWN	Navajo County	ARIZONA	City	3200980100000	2.68%

WINSLOW CITY	Navajo County	ARIZONA	City	3200900400000	6.19%
PIMA COUNTY					
PIMA COUNTY	Pima County	ARIZONA	County	3101001000000	72.19%
MARANA TOWN	Pima County	ARIZONA	City	3201090200000	2.06%
ORO VALLEY TOWN	Pima County	ARIZONA	City	3201090100000	1.72%
SAHUARITA TOWN	Pima County	ARIZONA	City	3201020100000	0.81%
SOUTH TUCSON CITY	Pima County	ARIZONA	City	3201000100000	0.31%
TUCSON CITY	Pima County	ARIZONA	City	3201000200000	22.91%
PINAL COUNTY					
PINAL COUNTY	Pinal County	ARIZONA	County	3101101100000	53.01%
CASA GRANDE CITY	Pinal County	ARIZONA	City	3201100100000	5.54%
COOLIDGE CITY	Pinal County	ARIZONA	City	3201100200000	1.68%
ELOY CITY	Pinal County	ARIZONA	City	3201100300000	34.98%
FLORENCE TOWN	Pinal County	ARIZONA	City	3201100400000	1.19%
KEARNY TOWN	Pinal County	ARIZONA	City	3201150100000	0.28%
MAMMOTH TOWN	Pinal County	ARIZONA	City	3201150200000	0.16%
MARICOPA CITY	Pinal County	ARIZONA	City	3201110100000	2.73%
SUPERIOR TOWN	Pinal County	ARIZONA	City	3201190100000	0.44%
SANTA CRUZ COUNTY					
SANTA CRUZ COUNTY	Santa Cruz County	ARIZONA	County	3101201200000	76.78%
NOGALES CITY	Santa Cruz County	ARIZONA	City	3201200100000	22.55%
PATAGONIA TOWN	Santa Cruz County	ARIZONA	City	3201200200000	0.67%
YAVAPAI COUNTY					
YAVAPAI COUNTY	Yavapai County	ARIZONA	County	3101301300000	69.31%
CAMP VERDE TOWN	Yavapai County	ARIZONA	City	3201340100000	0.97%
CHINO VALLEY TOWN	Yavapai County	ARIZONA	City	3201380100000	0.68%
CLARKDALE TOWN	Yavapai County	ARIZONA	City	3201350100000	0.72%
COTTONWOOD CITY	Yavapai County	ARIZONA	City	3201350200000	4.89%

DEWEY-HUMBOLDT TOWN	Yavapai County	ARIZONA	City	3201310100000	1.54%
JEROME TOWN	Yavapai County	ARIZONA	City	3201300100000	0.03%
PRESCOTT CITY	Yavapai County	ARIZONA	City	3201300200000	13.79%
PRESCOTT VALLEY TOWN	Yavapai County	ARIZONA	City	3201360100000	8.09%
YUMA COUNTY					
YUMA COUNTY	Yuma County	ARIZONA	County	3101401400000	66.03%
SAN LUIS CITY	Yuma County	ARIZONA	City	3201460100000	4.80%
SOMERTON CITY	Yuma County	ARIZONA	City	3201400200000	2.24%
WELLTON TOWN	Yuma County	ARIZONA	City	3201480100000	0.61%
YUMA CITY	Yuma County	ARIZONA	City	3201400300000	26.32%

Exhibit D

Exhibit D	
Percent Participation of Cities	Award
0	0%
5	2%
10	4%
15	6%
20	8%
25	10%
30	12%
35	14%
40	16%
45	18%
50	20%
55	22%
60	24%
65	26%
70	28%
75	30%
80	32%
85	34%
90	36%
95	38%
100	40%



**CITY COUNCIL
AGENDA BILL**

**AB 2739
November 9, 2021
Appointments**

Agenda Item: 4a
Proposed Action & Subject: Discussion/possible action regarding the reappointment of Planning & Zoning Commissioners.

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

City Attorney Approval	Reviewed 11/2/2021 KWC	Expenditure Required	
		\$	0
City Manager's Recommendation	N/A	Amount Budgeted	
		\$	0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: The Planning & Zoning Commission advertised seeking applicants to fill three (3) open seats on the Commission with an application deadline of September 23, 2021. The vacancy is the result of three current member terms approaching expiration. A total of eight (8) applications were received for the vacancy, including the three incumbents.

The Selection Committee, made up of Mayor Sandy Moriarty, Vice Mayor Scott Jablow, and Chair Kathy Levin, interviewed the applicants on October 26, 2021 and unanimously recommended the reappointment of George Braam, Peter Furman, and Charlotte Hosseini to seats on the Planning & Zoning Commission. The terms will begin immediately and end October 31, 2024 or until a successor is appointed, whichever is later.

Community Plan Consistent: Yes - No - Not Applicable

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

Board/Commission Recommendation: Applicable - Not Applicable

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

MOTION

I move to: reappoint George Braam, Peter Furman, and Charlotte Hosseini to seats on the Planning & Zoning Commission with terms beginning immediately and ending October 31, 2024 or until a successor is appointed, whichever is later.



RECEIVED

RECEIVED

SEP 08 2021

SEP 09 2019

PLANNING AND ZONING COMMISSION APPLICATION

CITY OF SEDONA CITY CLERK'S OFFICE

Re-Applied.

READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE FILLING OUT YOUR APPLICATION – TYPE OR PRINT CLEARLY IN INK ONLY.

All requested information must be furnished. If an item does not apply to you, or if there is no information to be given, write in the letters "N/A" for "Not Applicable".

A RESUME MAY BE SUBMITTED, HOWEVER, YOU MUST COMPLETE ALL INFORMATION REQUESTED ON THE APPLICATION.

Resume Attached: Yes No

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

APPLICANT'S NAME: Peter J. Furman

MAILING ADDRESS: [Redacted] (Street or P.O. Box) (City) (State) (Zip)

HOME ADDRESS: [Redacted] (Street or P.O. Box) (City) (State) (Zip)

PHONE: Home: [Redacted] Work: [Redacted] Cellular: [Redacted]

EMAIL: [Redacted]

Are there any days you will not be available for an interview?
9/20/19 - 9/29/19

Sedona residency is a requirement to serve on the Planning and Zoning Commission. Do you live within the incorporated boundaries of the City of Sedona? Yes No

If so, for how many years? 1.5 years

Have you previously been appointed by the City of Sedona to any position or commission/board other than the one for which you are currently applying?

Yes No If so, for which board/commission and for what length of term?

PSPRS until 7/31/2022. ELOWG until January 2020

In answering the following questions, if more space is required, please attach a separate sheet of paper.

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

I am an engineer by training (MS, Mechanical Engineering from University of Illinois). In addition to working as an engineer for many years, I served as Chief of Staff to the San Jose, CA Mayor from 2007-2014. I am experienced and comfortable reading and understanding complex technical information and in reading public reports. I am familiar with planning and zoning issues, having been involved in many items during my San Jose years.

What skills do you believe you possess that would enable you to help to achieve consensus on issues?

I approach problems by reading and listening as much as possible to learn the issues, enabling a positive contribution to the conversation. I am perceived by people as being trustworthy and respectful to team members.

What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

P&Z Commission members are there as representatives of the community and work to advise the City Council on planning and zoning issues. They must understand and apply the zoning code and the intent expressed in the general plan.

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc.?

As Chief of Staff to the San Jose, CA Mayor, I supervised staff members who's duties included tracking the San Jose P&Z Commission. I understand the jobs/housing balance needs of development projects. I've worked with community groups who were concerned about traffic, parking, density, property values, environmental, and other issues related to development projects. I have read and understand zoning regulations and worked with staff and mayor/council on changes/updates to the San Jose General Plan and it's zoning regulations.

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

Sedona is currently facing issues regarding Short Term Rentals, traffic, and workforce housing. In-fill development brings particular challenges. Environmental/sustainability goals are becoming more important to residents. Acknowledging and balancing the benefits/costs from our robust tourism economy is becoming increasingly important.

What do you hope to accomplish as a Planning and Zoning Commission member?

I will strive to become known as a thoughtful and insightful member of the P&Z Commission. I am interested in helping Sedona move forward in solving issues with Short Term Rentals, Workforce Housing, tourism related traffic issues, walkability, and sustainability.

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

Yes

Have you read the Sedona Community Plan, Land Development Code, or the Design Review Manual?

Yes

Explain the differences between the Sedona Community Plan, the Land Development Code, and the Design Review Manual.

The Sedona Community Plan is Sedona's General Plan, as required by State law. It is the expression of the community's goals and policies for future growth and development. The State of Arizona requires communities to have a long-range general plan that is updated every 10 years. State law also requires a community to have zoning ordinances that further clarify the plans aspirations. These zoning ordinances are incorporated in Sedona's Land Development Code. Sedona's Design Review Manual give further specificity and supports the LDC including submittal requirements, design guidelines, and technical engineering standards.

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

I will read the staff reports, refer to the Community Plan and applicable zoning codes, ask clarifying questions, make a site visit if needed, participate in the P&Z discussions and will follow the Community Plan and zoning regulations in making a decision.

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

I will follow the Community Plan and applicable zoning codes.

Thank you for your interest in serving on the Planning and Zoning Commission. Please return your completed application to the City Clerk's office located at 102 Roadrunner Drive, Sedona Arizona. If you have questions about the application and selection process the City Clerk's office is glad to assist you, please call 282-3113. For questions about the Planning and Zoning Commission, please contact the Community Development Department at 282-1154.

PETER J. FURMAN

Sedona, AZ 86336

PROFESSIONAL EXPERIENCE

Retired

Jul 2016 - Present

- Appointed in August 2018 to a four year term as the public member on the Sedona Public Safety Personnel Retirement Board
- Appointed in August 2019 to the Sedona Expenditure Limitations Options Working Group. Authorized by City Council to explore budget setting options for the City of Sedona
- Qualified for and participated in the US National Senior Olympics for cycling in 2017, 2019

Executive Director of Retirement Security Initiative (RSI)

Jan 2014 - Jun 2016

RSI is a 501(c)4 formed to advocate for public sector pension reform.

- RSI was formed to create a platform for former San Jose Mayor Chuck Reed and former Utah State Senator Dan Liljenquist to continue their advocacy at the national, state, regional, and local levels for fair and sustainable public sector pension reform
- Established legal entity, recruited three prominent and nationally known public figures to serve on the Board of Directors, authored business plan and marketing materials, created business name, logo, website, and secured multi-year funding
- Coordinated and supported the consulting activities of Mayor Reed and Senator Liljenquist
- Led search for and recruited a permanent CEO for RSI

Chief of Staff, Office of the Mayor, San Jose California

Jan 2007 - Dec 2014

San Jose is the 10th largest city in the USA, and the 3rd largest in California, and is often referred to as the Capital of Silicon Valley

- Reporting directly to San Jose Mayor Chuck Reed and responsible for daily operations of the office
- Manage and supervise a team of 20 (five senior-level, eleven entry- or mid-level analysts, four unionized administrative professionals)
- Maintained working knowledge of the legal, policy, and political dimensions of a wide variety of issues; including budget and tax, job creation, housing and social services, public safety
- Responsible for setting annual direction for \$3B annual budget (capital, general, and special funds) including an \$900M General Fund
- Leadership role for specific policy initiatives: open government practices, fiscal reform, reorganizing the San Jose Redevelopment Agency, revising card club regulations, medical marijuana land use and operating regulations

Campaign to Elect Chuck Reed for San Jose Mayor

Nov 2005 – Dec 2006

Served a variety of roles including fundraising, event coordination, debate preparation and rehearsal, policy research, campaign material preparation

Director of Sales and Marketing, AeroMet Corporation

Jan 2005 – Sep 2005

AeroMet Corp. – Minneapolis, MN. A seven year old advanced technology company making Titanium aircraft parts using a laser additive manufacturing process

- Brought in to help parent company (MTS Systems) analyze business potential and make a decision whether to continue operations
- Created an investment plan to shift company from R&D to profitable manufacturing
- Refocused the marketing and sales strategy to address strategic opportunities
- Designed and implemented an opportunity management and reporting system
- Won a \$570K production contract, the company's first non-R&D order

President and CEO, Appteric Technologies Inc.

May 2004 – Jan 2005

Appteric Inc. – San Jose, CA. A start-up manufacturers’ representative and service bureau for high-value, high-tech capital equipment products for advanced manufacturing and physical testing. Specialists with complex, highly technical products and technologies whose presentation requires a deep and superior knowledge of material sciences processes and behaviors

- Created business concept and recruited business partner
- Established legal entity (S-Corp), authored business plan and marketing materials, created business name and logo
- Product lines included nanoindentation (materials property characterization on nano-scale), friction stir welding (aircraft grade aluminum, rivetless, joining process), titanium additive laser vapor

Director of Product Strategy, MTS Systems Corporation

2003-2004

MTS Systems Corporation – Minneapolis, MN. A pioneer in precision force and motion control, MTS provides products that determine the mechanical behavior of materials, products and structures. These solutions include computer-based testing and simulation systems, modeling and testing software, and consulting services. Highly technical and complex sales that require detailed customer interaction and typically have a long sales cycle.

- Leader of the LPO Initiative, a key business initiative to rationalize existing offerings and develop new product platforms that leverage common modules; expected results include increased speed to market with more flexible, affordable solutions
- Defined initiative strategy, engaged key executives and managers in setting a multi-generational plan to implement modularization across multiple markets and product lines
- Led cross-functional Core Team comprising Sales, Marketing, Product Management, Engineering, Manufacturing, Purchasing, Service, and Finance for initial modularization effort
- Developed a comprehensive communication strategy with targeted staff-level and company-wide presentations and intranet information site
- Secured \$4M funding for Phase I project
- Senior management role, reported to Executive Vice President

Senior Account Manager, MTS Systems Corporation

2000-2003

Only U.S. Account Manager responsible for entire MTS product line in multiple market segments (Ground Vehicles, Aerospace, Materials)

- Far exceeded sales plan in two consecutive years (176% in FY02, 137% in FY03)
- Met 2004 sales goals (largest in company) in first six months of FY04 before being promoted to new position
- Key Account Manager for Boeing, Lockheed Martin, Cessna, and Alcoa
- Closed MTS’ first sale to Boeing Integrated Defense Systems (St. Louis) structural test lab, fulfilling the Boeing account strategy I conceived and initiated 12 years earlier as Market Niche Manager
- Awarded Sales Engineer of the Year in 2002, 2003

Outdoor Educator, Multiple Organizations

1999-2000

Senior Program Manager, MTS Systems Corporation

1995-1999

Product Manager, MTS Systems Corporation

1993-1995

Aerospace Market Niche Manager, MTS Systems Corporation, Aerospace Division

1991-1993

Applications Engineer, MTS Corporation, Vehicle Dynamics Division

1989-1991

Applications Engineer, MTS Corporation, Modeling, Analysis and Design Division

1988-1989

Advanced Analytical Methods Engineer, Garrett Turbine (Phoenix, Arizona)

1985-1988

EDUCATION

- M.S. Mechanical Engineering (Fatigue and Fracture Behavior of Materials), University of Illinois, Urbana, 1985
- B.S. General Engineering, University of Illinois, Urbana (minor in Engineering Administration), 1982

Cherise Fullbright

From: Susan Irvine
Sent: Monday, September 13, 2021 7:56 AM
To: Pete Furman
Cc: Kathy Levin2; Cherise Fullbright
Subject: RE: P&Z Commission Term

Thank you for your comments Pete. We will include them with your old application.

Susan

From: Pete Furman [REDACTED]
Sent: Thursday, September 9, 2021 10:22 AM
To: Susan Irvine <S Irvine@sedonaaz.gov>
Cc: Kathy Levin2 [REDACTED]
Subject: P&Z Commission Term

Susan,

It's my understanding that I do not need to fill out a form to reapply for a term on the Planning and Zoning Commission, nor submit an application. Yea! But I'd like to submit a few thoughts for the record.

It's been an honor and a pleasure serving on the P&Z Commission since November 2019. I have really enjoyed working with our chairperson and my fellow commissioners. I feel each of us takes the position seriously, prepares for meetings well, listens to staff, the applicants, to the public, and to each other. I'm also impressed with the respectfulness and quality of dialog we practice. I'd like to think that I exhibit these traits, as it's certainly my goal to do so.

In my original application I remarked "I will strive to become known as a thoughtful and insightful member of the P&Z Commission". I have tried to live up to that promise and hope you, staff, and my fellow commissioners think that is so. Regardless, I will continue to strive for that goal if appointed for a second term.

Sincerely,

-Pete Furman
[REDACTED]

RECEIVED

MAR 29 2018

SEP 08 2021

CITY OF SEDONA
CITY CLERK'S OFFICE



PLANNING AND ZONING COMMISSION APPLICATION

CITY CLERK'S OFFICE

Re Applied.

**READ THE FOLLOWING INSTRUCTIONS CAREFULLY
BEFORE FILLING OUT YOUR APPLICATION – TYPE OR PRINT CLEARLY
IN INK ONLY.**

All requested information must be furnished. If an item does not apply to you, or if there is no information to be given, write in the letters "N/A" for "Not Applicable".

**A RESUME MAY BE SUBMITTED, HOWEVER, YOU MUST COMPLETE ALL
INFORMATION REQUESTED ON THE APPLICATION.**

Resume Attached: Yes No

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

APPLICANT'S NAME: George Braam

MAILING ADDRESS: [Redacted]
(Street or P.O. Box) (City) (State) (Zip)

HOME ADDRESS: [Redacted]
(Street or P.O. Box) (City) (State) (Zip)

PHONE: Home: _____ Work: _____ Cellular: [Redacted]

EMAIL: [Redacted]

Are there any days you will not be available for an interview?

Generally not

Sedona residency is a requirement to serve on the Planning and Zoning Commission.

Do you live within the incorporated boundaries of the City of Sedona? Yes No

If so, for how many years? 3 Years

Have you previously been appointed by the City of Sedona to any position or commission/board other than the one for which you are currently applying?

Yes No If so, for which board/commission and for what length of term?

In answering the following questions, if more space is required, please attach a separate sheet of paper.

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

While I am new to Sedona, I have been a visitor for twenty years. I am a professional engineer with over 40 years of experience in municipal matters. While I have planning, design and construction of over \$200 million of public improvements. My emphasis is water - potable, wastewater, storm water and flood control. I plan to be an engaged citizen of Sedona for decades to come.

What skills do you believe you possess that would enable you to help to achieve consensus on issues?

As part of my civil engineering career I ran a professional consulting firm with as many as 50 people for nearly 20 years. I worked with all levels of my staff in developing consensus in projects, work relationships and company goals and initiatives. In addition, I have worked with various Local, State and Federal agencies when I have worked on resolution of issues. My personality has always focused on people skills and conflict resolution.

What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

I would participate with a seven member Commission for a three year appointment and participate in monthly meetings and work sessions. I would develop recommendations to the City Council on updates to the Community Plan updates, Land Development Code updates, property zoning changes and subdivision updates. Further, I would use my expertise and knowledge of City codes and ordinance to provide guidance to the City Council on planning issues.

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc.?

During my 40 year plus civil engineering career I worked with dozens of Communities and governmental agencies on infrastructure improvements. I worked as a designer, construction administrator, manager and company principal. I have been involved in all areas identified above, with expertise in water related projects. My expertise lead to developing solutions for complex infrastructure problems. I also functioned as a permit reviewer for developments in numerous Communities. I also worked with land developers that required negotiations with local communities.

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

The City and its citizens have a responsibility to maintain the highest level of stewardship for the beauty of Sedona. Sustainable growth must be maintained while providing reasonable economic opportunities. Resolution of inherent conflicts between resident, businesses and the tourism industry are crucial. A few critical issues include traffic control, safety of resident and travelers, runoff and flood control. In context of climate change, sustainable solutions to development challenges in Sedona must be identified.

What do you hope to accomplish as a Planning and Zoning Commission member?

As a new member, I would first listen to Citizens and Commission members. As I understand the process and current issues, I would share my professional expertise and advice. My municipal and engineering expertise would provide the Commission new insights. I would hope to become a trusted member of the Commission and a valued adviser for the City of Sedona.

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

Yes I understand that this is a three year term and I am willing to fully participate for the full term of this appointment.

Have you read the Sedona Community Plan, Land Development Code, or the Design Review Manual?

Yes I have

Explain the differences between the Sedona Community Plan, the Land Development Code, and the Design Review Manual.

The Community Plan is the vision of the Community. It functions as a guide for the future.

The Land Development Code is the standard for new development in Sedona as established by Ordinance.

The Design Review Manual is part of the Land Development Code and it provides guidance in how to apply details of the LDC.

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

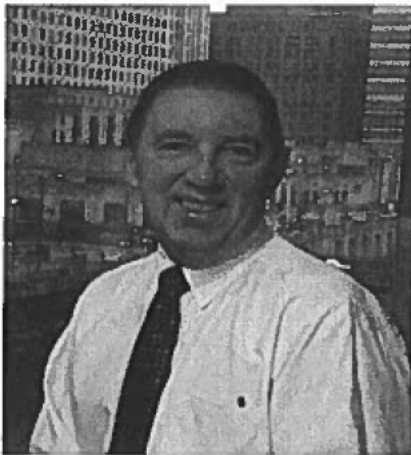
I would study the plan and the facts. I would speak with others that might have historical perspectives for the site. I would walk a site and the surrounding neighborhood. I would listen to others. I would ask probing questions and look for answers or solutions that would make a plan better for Sedona. Ultimately, if a plan is within the plan and zoning code I would approve

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

A project is supported by the Community Plan and it meets zoning requirements that is positive. My profession and skills give me insights that others may not have. If I still have reservations for health, safety, or environmental reasons I would push for a negotiated modified plan to improve the plan. Ultimately if it becomes a better plan, and others on the Commission and within the Community support the plan, I would not be an obstructionist.

Thank you for your interest in serving on the Planning and Zoning Commission. Please return your completed application to the City Clerk's office located at 102 Roadrunner Drive, Sedona Arizona. If you have questions about the application and selection process the City Clerk's office is glad to assist you, please call 282-3113. For questions about the Planning and Zoning Commission, please contact the Community Development Department at 282-1154.

George A. Braam, PE



Senior Manager, Water Resources

Mr. Braam has 44 years of experience in civil engineering, environmental, and construction management. His civil engineering experience has included projects in harbors and ports, aviation, infrastructure improvements, transportation, parks and recreation, water resources/drainage, construction management and environmental. His progressive experience has included design, permitting, construction management and project management for projects ranging in size from several hundred thousand to tens of millions of dollars. As President of a mid-size consulting practice for 25 years, he is well versed in business finances, client management, proposal preparation, personnel management and mentoring, company operations, and human resources.

Project Specific Experience

Below is a representation of project experience.

Areas of Expertise

Water Resources

- Flood Control
- Drainage
- Wetlands
- Golf Courses

Municipal Engineering

- Sewer and Water Infrastructure
- Local Roads
- Infiltration/ Inflow Studies
- Sewer Rehabilitation
- Pump Stations

Ports/ Maritime / Coastal

- Small Boat / Recreation
- Port Authorities
- Dredging/ Earthwork / Grading
- Shore Protection
- Homeland Security
- Corp of Engineers/ Permitting

Water/Wastewater/Environmental Aviation

Construction Management/Project Management

Years of Experience

With AECOM/URS: 6 Years
Kudrna and Associates: 25 Years
Epstein : 2 Years
RJN Environmental: 8 Years
IEPA: 3 Years

Education

MBA/1988/Keller Graduate School of
Management
BS/Civil Engineering/1974/University of
Illinois

Registration/Certification

1978/PE/Illinois/062-37599
2016 Arizona 61917

Water Resources

Armstrong Park Flood Control- Du Page County (Carol Stream).

Functioned as project director for \$12 million flood control project that included earthmoving, siphon and piping, pump station, wetlands, permitting and restoration.

Illinois International Port District - Harborside International Marina and Golf Course - Chicago, Illinois.

Provided program management, engineering and construction management for a 450-acre, 36-hole golf course at Lake Calumet. Work included:

- Development and coordination of multiple bid packages.
- Drainage and detention systems.
- Earthwork and placement of wastewater sludge.
- Site utilities and irrigation, roadways, lighting and parking lots.
- Permitting and wetland mitigation.
- Coordination of all golf and building features.
- Performed preliminary engineering for associated marina

development (that was not constructed).

CITGO- Lemont, Illinois- Project Manager for a drainage analysis for a 700 acres refinery site. The study evaluated the impact of off-site drainage and options for diversion and conveyance.

Muskingum Conservation District, Ohio. Assist in dredging master planning. Review and provide guidance on selection of contractors.

Streams Lake Dredging - Wheaton, Illinois. Project Manager for surveying, sediment characterization studies and dredging plan development to improve the capacity and quality of 5-acre Streams Lake.

Joliet Correctional Facility, Joliet Illinois- Illinois Capital Development Board. Analysis and design of stormwater improvements for flood mitigation associated with overflows from nearby quarry.

Village of Lisle - Drainage Way 4 - Lisle, IL. Principal-in-Charge for the final design and acquisition of construction permits for the improvement of Drainage Way No. 4 in the Village of Lisle.

DuPage County DEC – Du Page County IL –Project manager for work for the Department of Environmental Concerns, including permit reviews, drainage investigations, flood studies and topographic studies. Also included was an internal study to review stormwater permitting within the Du Page County Building Department

Pleasantdale Subdivision, Unincorporated DuPage County.

Master planning and design for the sewer improvements for this 400-acre subdivision. Design of sewer improvements including 8,200 feet of sewer ranging in size from 36-inches to 72-inches in diameter, and a 100-acre-foot detention structure.

On Call Drainage Investigations, Du Page County, IL – Du Page County Department of Public Works –Principal in Charge for On-Call professional engineering assistance for project design, modeling, surveying and permitting assistance for various locations within Du Page County.

Thunderhawk Golf Course -Lake County Forest Preserve District - Beach Park, Illinois

Principal-in-Charge for engineering design services for the development of a 230 acre site into an 18-hole golf course. Project scope included streambank stabilization, pond excavation, flood plain and wetland mitigation.

Mount Emblem Cemetery and Mausoleum - Elmhurst, Illinois.

Principal-in-Charge of Master Plan development for the site including two design options for shoreline stabilization of Lake Emblem and Addison Creek within Mount Emblem Cemetery.

Municipal

North Main Street, Wheaton, IL – Principal-in-Charge for design and construction administration of 6,800 lineal feet of North Main Street reconstruction for the City of Wheaton. Work included lane reductions, lighting, sewer and water system improvements, new signals, and landscape improvements.

Village of Westmont, Permit Reviews. Westmont, IL - Performed private sector development reviews for Village of Westmont in coordination with the Village Building Department.

Glen Ellyn Roadway Projects - Principal-in-Charge. Functioned as Senior Project Manager and Principal-In-Charge on nine projects over the past 20 years for the Village of Glen Ellyn. Projects included resurfacing and reconstruction on Main Street, Park Boulevard, Sunset and Turner Court, Hill Street and Elm Geneva Roads. All projects included infrastructure features, landscape restoration traffic control and varying degrees of staging.

Midwest Road Reconstruction, DuPage County, IL - DuPage County Division of Transportation .

Principal-in Charge for surveying, and design for the widening and reconstruction of Midwest Road. Included new storm sewers and drainage structures, stormwater detention facilities, widening of existing pavement south of 35th Street and full reconstruction north of 35th Street, bicycle path construction, landscaping and pavement markings.

Village of Clarendon Hills, Permit Reviews. Clarendon Hills, IL-Principal-in-Charge for performing residential and commercial development reviews for single family homes and private developments within Clarendon Hills with focus on compliance with the Du Page County Stormwater Ordinance.

Village of Hinsdale, Permit Reviews. Hinsdale, IL- Principal-in-Charge for performing residential and commercial development reviews within Hinsdale. Permit reviews were done to assure compliance in both Cook and DuPage Counties, including the Metropolitan Water Reclamation District of Greater Chicago.

Ports/ Maritime/ Coastal

North Point Marina – Winthrop Harbor, Illinois.

Provided project management, design and construction of the 140 acre, \$36 million North Point Marina from conceptual design through start-up for the Illinois Department of Conservation. Work included:

- Project Design and Program Management- Start to Finish
- Wetland enhancements and trails
- Landside features.
- Dredging and earthwork.
- Site utilities, roadways, lighting and parking lots.
- Access control and all site and landscaping features.
- Coordinated other disciplines in design and construction of breakwaters, marina and all site features.

Illinois International Port District (IIPD) - Port of Chicago.

Provided general professional engineering services for twenty five years on all port related activities for 3,000 acres at the Port of Chicago. Activities included:

- Design and management of capital improvements and coordination of maintenance including.
- Assist on site environmental remediation and hydrogeological evaluations
- Participation in Green Marine Activities
- Utility and infrastructure management.
- Dredging and navigation management.
- Dock wall geotechnical investigations, repairs and rehabilitation (see below).
- Coordination of environmental remediation.
- Coordination and implementation of State and Federal grants.
- Coordination with tenants and lessees.
- Coordination with City, State and Federal Agencies.
- Attendance and participation at Staff and Board levels.

Iroquois Landing Dockwall. (IIPD)-Port of Chicago.

Performed investigations to identify, document and assess deficiencies associated with 100 year old, 3,000 foot long bulkhead. This work included landside and waterside investigations, geotechnical studies, ground penetrating radar studies, and topographic and bathymetric surveys. Plans, specifications and permit applications were prepared for reconstruction of the wall. Assistance included preparation of State and Tiger grant documents to secure project funding. Estimated project costs for full wall replacement: \$15-\$20 million.

Illinois International Port District - Harborside International Marina and Golf Course - Chicago, Illinois.

Provided program management, engineering and construction management for a 450-acre, 36-hole golf course at Lake Calumet. Work included:

- Development and coordination of multiple bid packages.
- Earthwork and placement of wastewater sludge.
- Site utilities and irrigation, roadways, lighting and parking lots.
- Permitting and wetland mitigation.
- Coordination of all golf and building features.
- Performed preliminary engineering for associated marina development (that was not constructed).

Calumet Harbor Confined Disposal Facility - Chicago, Illinois.

Functioned as stakeholder representative in Corp of Engineers siting and design of new Chicago area CDF.

IIPD Security Plan- Chicago Illinois.

Provided engineering services for security plan for all of port properties through Homeland Security Grants. .
Work included:

- Conceptual Perimeter Security Design.
- Prequalification and selection of Security Provider.
- Development of multiple Bid Packages.
- Construction of fencing, cameras, gates and transmission towers.
- Construction of guard posts and command control center.

Indiana Marina Investigation - Northwest Indiana.

Performed study that examined socio-economic, coastal and site characteristics for recreational marina sites in East Chicago, Hammond, Gary, Portage and Michigan City Indiana along the southern shoreline of Lake Michigan.

Fox Waterway Agency – Chain O’ Lakes Dredging - McHenry, Illinois.

Functioned as District Engineer. Developed strategic plan identifying 55 potential dredge disposal sites along the Fox River and Chain O’ Lakes. Prepare annual dredging plans for Agency.

Fox Bay Marina – McHenry, Illinois.

Managed and designed conceptual plans for marina and residential development along the Fox River.

Water /Wastewater / Environmental

LaGrange Highlands Sanitary District – District Engineer. Functioned as District Engineer for over twenty-five years on all matters related to the sanitary sewer and water distribution systems for the LaGrange Highlands Sanitary District. Water work includes construction of a new 500,000 gallon elevated tank.

Fieldview Sanitary Sewer Design-Du Page County Department of Public Works. Project manager for developing preliminary design plan and profiles for sanitary sewers to a 60 acre subdivision served by failing septic systems in unincorporated DuPage County near Winfield, Illinois.

Flowerfield Subdivision (near Lombard Illinois), Unincorporated DuPage County- Developed master plan for sanitary sewer and potable water in a 60 acre subdivision with failing septic fields and wells. Work performed as a special service area assessment project.

Relocation of Oil/Water Separator No. 2, O’Hare International Airport-Design of a new oil/water separator, one-half mile of 144-inch diameter pipe to convey stormwater runoff to the separator was required. The outfall structure to Lake O’Hare was also designed.

Water Main Extension, Wheaton, IL - Project manager for three water main extension projects for the City of Wheaton. The projects totaled approximately 11,000 feet of new watermain along Butterfield Road (Rt. 56), under Roosevelt Road (Rt. 38) and throughout the neighborhoods.

Shapiro Health Center, Kankakee, Illinois–Principal-in-Charge for design and construction of a full water system distribution rehabilitation for this 100 year old, 400 acre campus under a Capital Development Board contract.

Facility Plans for Various Communities in Suburban Chicago – Prepare 20 year projections for wastewater use in St Charles and Geneva, Illinois as well as three rural communities. Work included development of schematic drawing for projected plant expansion.

Infiltration/Inflow (I/I) Reports. Project Manager and Coordination for I/I Studies for multiple sanitary sewer systems in Chicago areas including the communities of St. Charles, Geneva, Elk Grove Village, Des Plaines, Winnetka, Northfield, Libertyville and La Grange Highlands Sanitary District. Projects ranged from

I/I Analysis to Sewer System Evaluation Surveys to full Rehabilitation and Relief Sewer Plans and Specifications. Prepared annual sewer system rehabilitation reports as required by the MWRDGC.

Various Industrial Sites, Environmental Protection Engineer (IEPA). Perform compliance and operation and maintenance visits for industrial facilities in a Cook and Will Counties in Illinois. Facilities included Mobile Oil, Caterpillar, Stepan Chemical, Amoco Chemical, and Union Oil. The inspections were performed to sample discharges, verify permit compliance, and provide technical assistance to the industrial wastewater treatment or pre-treatment facilities.

Aviation

O'Hare Modernization Program - UPRR Central, Irving Park Road and Bensenville Ditch Relocations, Chicago, IL - CDOA –Project principal for preparation of contract plans and specifications for the relocation of Bensenville Ditch. The relocated ditch alignment was designed as a combination of a 4,400 foot open channel.

O'Hare International Airport – Project principal for two multi-year task order contracts with Department of Aviation including the following tasks.

- **World Gateway Program Drainage and Sewer Study** –Drainage and sewer studies in the central, east and northeast areas of O'Hare International Airport and prepared a capacity, conditions, and recommendations report.
- **Runway 4R-22L Rehabilitation** - Runway rehabilitation included: bituminous overlay, replacement of centerline lighting fixtures and cabling, and replacement of runway edge lighting and signage.
- **Sewer Flow Monitoring** - Flow monitoring at 12 locations to confirm sewer quantities, distribution of flow, potential I/I and to check capacities of laterals and interceptors.
- **Evaluate Erosion Control Plans** - Reviewed NPDES permits and drainage and erosion control structures at O' Hare Airport and prepared a recommendations report future improvements.
- **Shoreline Protection at Meigs Field** - Completed shoreline assessment studies and recommendations report for shore protection plan.
- **Monumentation Survey, O'Hare International Airport, Chicago, Illinois** Reset 85 and replace horizontal and vertical control monuments.
- **Survey of Southeast Services Area, O'Hare International Airport** Professional land surveying services of the Southeast Services Area: approximately 25 acres.
- **OMP Acquisition Lands** – Surveying of land parcels northwest and southwest of airport for acquisition (for Ricondo and Associates)
- **Guardhouse No. 2 Roadway, Sewer and Water Service Improvements** - Roadway geometric modifications: roadway widening, grass medians with curb and gutter.

Midway International Airport –

Project principal for work at Midway Airport under Task Order Contract. Work included surveying services as required for topographic services as required for design and construction, surveying for accident reconstruction, flight plain obstructions for Southwest Airlines, and re-monumentation of survey markers at airport.

Southwest Airlines Cargo Facility Midway Airport, Chicago, IL - Shapiro Associates –Project principal for civil engineering services for the conversion of an aircraft hangar into a cargo facility.

O'Hare International Airport – ODP 660 Inner/Outer Taxiway, Chicago, Illinois. Manage the pavement design, drainage, utility relocations, and lighting associated with this taxiway expansion at O'Hare International Airport

Construction Management

Functioned as Project Manager or Project Director for the following projects and identified in the above listing:

- Project Manager for City of St. Charles Sanitary Sewer Rehabilitation Program.
- Project Manager for Wisconsin Steel demolition and environmental remediation for the US DECA.
- Project Manager for North Point Marina – Winthrop Harbor, Illinois
- Project Director for IIPD - Harborside International Marina and Golf Course - Chicago, Illinois.
- Project Director- Thunderhawk Golf Course -Lake County FPD - Beach Park, Illinois
- Project Director for Armstrong Park Flood Control- Du Page County (Carl Stream).

Professional Societies/Affiliates

American Society of Civil Engineers

Society of Military Engineers

American Public Works Association

Publications

Braam, G., "Harborside Golf - Transformation of a Chicago Landscape", Green Tech (Green Marine), 2011.

Contributor to Kudrna, F., "Harborside International Golf and Marina Facility", ASCE, Conference on Water Resources Planning, 1998.

Braam, G. and Jansen, W., "North Point Marina", ASCE- World Marina, 1991.

Braam, G. and Nogaj, R., "Selection of Optimum Storm Frequency for Sewer Studies", WPCF (WEF), 1982.

Chronology

2012-2017 AECOM/URS Corporation

1986-2011: Kudrna & Associates

1984-1986: Epstein Civil Engineering, Chicago, IL

1977-1984: RJN Environmental Associates, Wheaton, IL

1974-1977: Illinois Environmental Protection Agency, Maywood, IL

Contact via email at [REDACTED] or phone at [REDACTED]

Address is [REDACTED]

Cherise Fullbright

From: George Braam [REDACTED]
Sent: Tuesday, September 21, 2021 1:55 PM
To: Cherise Fullbright; Kathy Levin2; Cari Meyer
Subject: Planning and Zoning Commission / Braam

Hello Ms Fulbright.

I am interested in applying for the next term as Planning and Zoning Commissioner. I understand that my application from last time will suffice. If you need anything else from me, please let me know.

George Braam
[REDACTED]
[REDACTED]

Sent from my iPad



PLANNING AND ZONING COMMISSION APPLICATION

CITY CLERK'S OFFICE
CITY CLERK'S OFFICE
Re Applied

RECEIVED
SEP 10 2018
RECEIVED
SEP 08 2021
CITY OF SEDONA
CITY CLERK'S OFFICE

**READ THE FOLLOWING INSTRUCTIONS CAREFULLY
BEFORE FILLING OUT YOUR APPLICATION – TYPE OR PRINT CLEARLY
IN INK ONLY.**

All requested information must be furnished. If an item does not apply to you, or if there is no information to be given, write in the letters "N/A" for "Not Applicable".

**A RESUME MAY BE SUBMITTED, HOWEVER, YOU MUST COMPLETE ALL
INFORMATION REQUESTED ON THE APPLICATION.**

Resume Attached: Yes No

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

APPLICANT'S NAME: Charlotte Hosseini

MAILING ADDRESS: [Redacted]
(Street or P.O. Box) (City) (State) (Zip)

HOME ADDRESS: [Redacted]
(Street or P.O. Box) (City) (State) (Zip)

PHONE: Home: N/A Work: N/A Cellular: [Redacted]

EMAIL: [Redacted]

Are there any days you will not be available for an interview?

Not specific days

Sedona residency is a requirement to serve on the Planning and Zoning Commission.

Do you live within the incorporated boundaries of the City of Sedona? Yes No

If so, for how many years? 4 +

Have you previously been appointed by the City of Sedona to any position or commission/board other than the one for which you are currently applying?

Yes No If so, for which board/commission and for what length of term?

Board of Adjustment for approximately 6 months in 2016 until the Board was dissolved

In answering the following questions, if more space is required, please attach a separate sheet of paper.

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

Please see attached

What skills do you believe you possess that would enable you to help to achieve consensus on issues?

Please see attached

What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

Please see attached

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc.?

Please see attached

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

Please see attached

Application Page 2

What do you hope to accomplish as a Planning and Zoning Commission member?

Please see attached

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

Please see attached

Have you read the Sedona Community Plan, Land Development Code, or the Design Review Manual?

Please see attached

Explain the differences between the Sedona Community Plan, the Land Development Code, and the Design Review Manual.

Please see attached

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

Please see attached

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

Please see attached

Charlotte Hosseini
Planning and Zoning Commission Application
9/10/2018

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

My professional work experience has, for the most part, been with the State of Arizona, particularly in the areas of budget and administration of the infrastructure of state government. This included capital budgets, risk management, accounting, personnel and benefits, and the administrative rule making process. I have significant experience in rule writing, application of rules as well as the legislative process itself, including interpretation and application of statutes. My experience with the City of Sedona includes the Citizens Academy, three years on the Citizen's Budget Review work group and participation in a one-time Long Term Revenue work group. In addition, I served briefly as a Board of Adjustment member until the Board was dissolved. I believe I have gained understanding of the range of factors affecting decision making at the city level, and the practical impact of those decisions in the daily life of Sedona.

What skills do you believe you possess that would enable you to help to achieve consensus on issues?

I believe I am a good listener and analyst. Applying both of these to almost any issue can result in clarification of the issue at hand and, generally, some basis for agreement. Once an issue or sub-issue is agreed upon, it becomes easier to build upon that towards a general consensus. I also think I can look at various sides of an issue analytically and without emotion and make decisions for the general good even if I do not share the particular position.

What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

My understanding of the role of the Planning and Zoning Commission is to provide, through its range of citizen members, a public review process for the community development functions of rezoning, conditional use permits, development and design review, amendments to the Community Plan, subdivision plat applications and ordinance adoption. Most of these decisions serve as recommendations to the City Council for its final decision, but some (development review, conditional use) appear to be final in nature. The powers and duties are codified by city ordinance. I believe it is the responsibility of the Planning and Zoning Commission to adhere in its decisions to the vision laid out in the Community Plan, which is itself a citizen-based document. I understand there is a significant amount of involvement in changes made to the Land Development Code, Building and Sign Codes and Community Plan itself.

Charlotte Hosseini
Planning and Zoning Commission Application
9/10/2018

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc.?

I have lived in Sedona (part-time) since 2010 and (full-time) since 2014. In this time, and through many visits to Sedona in earlier years, I have seen the growth of the city and witnessed the improvements that land development can make. Sensitive development can improve the everyday life of residents and it does not just happen by itself. It is easy to just be reactive to current needs and much more difficult to be proactive in assessing longer term undefined needs. I am involved through volunteer activities with a variety of communities in Sedona and I believe these contacts have given me insights into the needs and wants of a range of Sedonans. I have no special skills in construction, architecture or engineering myself but I have worked with many contractors, architects and engineers over the years to gain an appreciation of the factors that are considered in making the final best design and budgetary decisions for projects.

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

Given the relatively small portion of Sedona left to be built out, it seems like a major issue would be shaping, to the degree possible, remaining development to attain the greatest benefits to the city of Sedona, both residents and visitors. Coordinating the economic development and community development functions of the city should be important from the perspective of the Commission. Understanding the roles and sometimes competing interests of historic preservation, environmental impacts and commercial development are very important in the Community Plan and, therefore, to the Commission. Keeping codes updated given the pace of technology changes and shifts in public sentiment also seems as if it would be a challenge for the Commission and the City.

What do you hope to accomplish as a Planning and Zoning Commission member?

I hope to be a part of decision making that guides the city towards the best possible use of its resources and makes Sedona a place that residents and visitors can enjoy for the future.

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

Yes

Charlotte Hosseini
Planning and Zoning Commission Application
9/10/2018

Have you read the Sedona Community Plan, Land Development Code, or the Design Review Manual?

Yes

Explain the differences between the Sedona Community Plan, the Land Development Code, and the Design Review Manual.

The above documents are listed in increasing order of specificity. The Sedona Community Plan is a broad, participatory document which is renewed approximately every 10 years. It summarizes a vision of what is important to Sedonans in terms of livability, respect for the environment and other measures. It should drive policy and budget but does not compel. The Land Development Code (LDC) and Design Review Manual (DRM) are adopted legislation and the DRM is actually Article 10 of the LDC.

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

Do my homework. Understand the request itself and the various portions of the above documents that shape the decision-making. Understand what staff's recommendation addresses and what possibly it does not. Look for precedent. Look at consequences of approval, delays, modifications to approval or disapproval and weigh them.

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

That is a good question. My understanding is that the Commission assesses and refers most of its decisions to the City Council for final approval. City Council is the policy setting body and presumably is the group that can make exceptions. I am not completely clear at this point as to what discretion the Commission has or does not have. I am comfortable expressing reservations about a project if there is a basis for it but I would not expect to vote against a proposal simply because I might not personally support it.

Thank you for your interest in serving on the Planning and Zoning Commission. Please return your completed application to the City Clerk's office located at 102 Roadrunner Drive, Sedona Arizona. If you have questions about the application and selection process the City Clerk's office is glad to assist you, please call 282-3113. For questions about the Planning and Zoning Commission, please contact the Community Development Department at 282-1154.

Cherise Fullbright

From: Charlotte Hosseini [REDACTED]
Sent: Thursday, September 9, 2021 3:53 PM
To: Cherise Fullbright
Subject: Reapplying for P & Z

Hi Cherise,

Thank you for making it so easy to re-apply for P & Z! I understand you are just reusing our prior applications. Can't get much easier than that. Do you know if we will re-interview?

Thanks,
Charlotte Hosseini

RECEIVED

SEP 09 2021

RECEIVED

CITY OF SEDONA

PLANNING AND ZONING COMMISSION APPLICATION 2021

CITY OF SEDONA
CITY CLERK'S OFFICE



**READ THE FOLLOWING INSTRUCTIONS CAREFULLY
BEFORE FILLING OUT YOUR APPLICATION – TYPE OR PRINT CLEARLY
IN INK ONLY.**

All requested information must be furnished. If an item does not apply to you, or if there is no information to be given, write in the letters "N/A" for "Not Applicable".

**A RESUME MAY BE SUBMITTED, HOWEVER, YOU MUST COMPLETE ALL
INFORMATION REQUESTED ON THE APPLICATION.**

Resume Attached: Yes No

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

Daniel Rawlins

APPLICANT'S NAME: _____

MAILING ADDRESS: _____

(Street or P.O. Box) (City) (State) (Zip)

Same

HOME ADDRESS: _____

(Street or P.O. Box) (City) (State) (Zip)

PHONE: Home: _____

Work: _____

Cellular: _____

EMAIL: _____

Are there any days you will not be available for an interview?

Yes. See Attached.

Sedona residency is a requirement to serve on the Planning and Zoning Commission.

Do you live within the incorporated boundaries of the City of Sedona? Yes No

1

If so, for how many years? _____

Have you previously been appointed by the City of Sedona to any position or commission/board other than the one for which you are currently applying?

Yes No If so, for which board/commission and for what length of term?

Both boxes are checked because this fillable form does not work. See attached.

In answering the following questions, if more space is required, please attach a separate sheet of paper.

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

See Attached

What skills do you believe you possess that would enable you to help to achieve consensus on issues?

See Attached

What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

See attached

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc.?

See attached

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

See Attached

What do you hope to accomplish as a Planning and Zoning Commission member?
See Attached

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?
Yes.

Have you read the Sedona Community Plan, Land Development Code, or the Design Review Manual?
Yes. See Attached

Explain the differences between the Sedona Community Plan, the Land Development Code, and the Design Review Manual.
See Attached.

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?
See Attached.

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?
See Attached.

Thank you for your interest in serving on the Planning and Zoning Commission. Please return your completed application to the City Clerk's office located at 102 Roadrunner Drive, Sedona Arizona. If you have questions about the application and selection process the City Clerk's office is glad to assist you, please call 282-3113. For questions about the Planning and Zoning Commission, please contact the Community Development Department at 282-1154.

Attachment to:

**City of Sedona
Planning and Zoning Commission Application**

Applicant's Name: Daniel D. Rawlins RA, DBIA

Mailing & Home Address: [REDACTED]
Sedona, AZ 86336

Telephone: [REDACTED] cellular

E-Mail: [REDACTED]

Are there any days you will not be available for an interview?

I am semi-retired from a career as an Architect. My wife and I conduct a consulting business from our home office. Much of our business is still in Indiana, where we lived for 42 years prior to relocating to Sedona. For the most part, I am able to control my schedule and business trips around the Planning and Zoning Schedule of Meetings.

At the time this application process is announced, I have the following prior commitments through the remainder of 2021:

- September 17-23: In California as an instructor for DBIA
- October 29 – November 5: At DBIA National Conference in Denver, CO
- November 17-30: In Indiana for family Thanksgiving gathering.

I could possibly be available for an online (zoom) interview if it needed to be scheduled in one of those windows.

Sedona residency is a requirement to serve on the Planning and Zoning Commission.

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

Yes

Please note that the check-boxes on the City of Sedona application form do not work properly. Checking a box in one question changes the response in a checkbox for another question

If so, for how many years?

One Year. We moved to Sedona full time in September 2020. The home in which we now reside is a family home. My grandparents built it in 1964 and lived there until 1985. My parents lived there from 1985 to 2015. The family used it as a vacation home from 2015 until we moved here permanently.

I have been coming to Sedona on a regular basis since 1964.

Have you previously been appointed by the City of Sedona to any position or commission / board other than the one for which you are currently applying?

No.

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

Education: Master of Architecture | University of Illinois (1978)
Foreign Study: U.P.A. 3 | Ecole des Beaux Arts
Versailles, France (1975-1976)
Bachelor of Science – Architectural Studies
University of Illinois (1976)
Ongoing professional continuing education to
maintain professional registration and improve my
skills. (1978 to Present)

Professional Certification: Registered Architect (Indiana)
Certified Design-Build Professional (DBIA) by Design-
Build Institute of America

Employment History: 2020 – Present
The Rawlins Group, LLC
Principal | Owner
*A consulting company formed in 2020 for an after-retirement encore career. We
provide Owner's Representative and Design-Build Criteria Development*
www.TheRawlinsGroup.com
2017 -2020
K2M Design, Inc.
Principal | Project Manager (Retired 2020)
Indianapolis, Indiana
1989-2017
InterDesign
Principal | Project Manager (K2M acquired InterDesign)
Indianapolis, Indiana
1978-1989
James Architects & Engineers, Inc.
Head of Design | Project Manager
Indianapolis, Indiana
1977
Wigen, Tincknell & Associates
Graduate Architect
Saginaw, Michigan
1975-1976
Wood & Burd Associates
Student Intern
Columbus, Indiana

Affiliations:

The Rawlins Group, LLC is a DBIA Industry Partner.

I serve DBIA as one of their professional education instructors and co-chaired the National Tools and Resources Task Force. I am the author or co-author of several DBIA Publications and continuing education courses.

My wife, Sharon and I are members of Wayside Bible Chapel in Sedona.

Relevant Experience:

With over 45 years serving as an Architect working primarily on public sector and commercial projects, I have attended and participated in more public meetings of Planning & Zoning Commissions, Boards of Public Works and Safety, Historical Preservation Commissions, School Boards, Storm-Water Drainage Boards and Technical Advisory Committees than I care to count.

I have read and applied building, codes, zoning ordinances, development standards and other legal regulations on numerous projects of various types and scales.

I served on the Board of BRAG, Binford Redevelopment and Growth, a LISC neighborhood organization serving the northeast corner of Indianapolis, IN. I also helped BRAG write three successful grant applications.

My Curriculum Vitae is attached

What skills do you believe you possess that would enable you to help achieve consensus on issues?

First, I listen with respect for understanding. Secondly, I do my homework and come to a working comprehension of the issues before I speak. Third, I can remain patiently persistent to seek group consensus.

My entire career has been spent in planning building projects in the public sector. I have developed and honed skills to take projects from inception to reality with diverse groups of stakeholders. I have worked through issues with NIMBYs, Neighborhood Associations, and special interest groups. Consensus building in the public forum has marked my career.

What are your perceptions of the duties, responsibilities and role of the Planning and Zoning Commission?

The Planning and Zoning Commission exists to review proposed building development in the City of Sedona for compliance with the Zoning Ordinance, Community Plan, Land Development Code and Design Standards. It also exists to carefully review and

act upon applications for special exceptions, variances or other interpretations of the regulations.

The Planning and Zoning Commission also has responsibilities to review and update ordinances, community plan documents and other development standards as may be appropriate.

The Planning and Zoning Commission is an appointed public body that conducts regular public meetings. Members are expected to be in attendance, be prepared for the agenda of the meeting and conduct themselves in a responsible, professional, ethical manner.

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e. environment, aesthetics, economics, transportation, storm-water drainage, parking, etc.

Again, with over 4 decades of planning public facilities, I have encountered all of the planning issues identified in the question above. See my attached resume for the depth and breadth of my professional experience.

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

Responsible development in an environmentally unique and special area will always be a key planning and land use issue.

The City of Sedona is working actively to address key issues of traffic congestion, lack of affordable housing and responsible commercial development.

I am impressed by the Sedona in Motion traffic plan and the positive results of the segments of the plan that have thus far been implemented. I wish the scope of the plan was enlarged to include the region, and would work for interlocal cooperation to more comprehensively address area traffic issues.

What do you hope to accomplish as a Planning and Zoning Commission member?

I want to be a contributing member of my new community of Sedona. I have been enjoying this wonderful place for nearly 60 years. I am able to live here because of the legacy left by my grandparents and parents.

We plan to live out our retirement here, and leave the legacy of our home and this community to our children and grandchildren.

My father, Roderick K. Rawlins, Jr. served on the Sedona Board of Adjustments from 1990-1991, and on the Planning and Zoning Commission from 1991-1994. We often had lively discussions about the planning issues in Sedona and the particular projects that came before those entities during his tenure. We did not always agree, but enjoyed debating the "sticky issues."

I also want to build solid relationships and friendships through community involvement.

I would hope to play a part in seeing Sedona continue to be responsibly developed and improved as a community.

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment.

Yes.

Have you read the Sedona Community Plan, Land Development Code or the Design Review Manual?

Yes. I have read all three documents, plus others.

Explain the differences between the Sedona Community Plan, the Land Development Code and the Design Review Manual.

Sedona Community Plan: The Plan defines and proposes the desired conditions for the future of the City of Sedona. It is a guide for planning responsible and positive future growth of the community. Its principles will guide the Planning and Zoning Commission in making decisions, but it will not regulate growth. It also serves to provide guidance and communicate the community's vision for growth to its citizens, businesses, property owners, developers and visitors. The plan is required for all cities and towns in Arizona, and the Commission has a responsibility to keep it current and up to date.

Land Development Code: This is the local zoning ordinance. It exists to promote public health, safety and welfare by providing reasonable controls for the development and use of land in Sedona. It is also intended to protect the rights of property owners. It should reflect the values of the Community Plan.

Design Review Manual: A manual that supports the Land Development Code by explaining the process for submitting an improvement for approval, design guidelines and technical engineering standards. The information within this manual lived inside the Land Development Code until 2018, when it was consolidated into this manual to make it more user-friendly.

It has three parts:

- **Administration:** How to submit a development application and the process for review and approval.
- **Design:** Explains the reasoning behind the preferred design principles that are found in the Land Development Code
- **Engineering:** Specific minimum standards for grading, storm water management, street design, driveway design and parking areas.

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

First, I will strive to come to each meeting, and come prepared. I will carefully read any agenda packet information, including for each hearing: the petition, pertinent ordinance information, staff opinion and any submitted testimony. I will probably drive by the project site. If the agenda item is about a planning issue, I will read the meeting packet material, and follow up before the meeting with staff if I have any questions or concerns, so my understanding is complete heading into a meeting. I also ensure staff has a heads up and ability to address issues prior to the meeting.

In the meeting, I will listen carefully and ask questions with the purpose of achieving clarity and an equality of understanding among Commission members. When it comes to a vote on a petition, I will consider the facts of the case as they relate to the requirements of standards and ordinances, and vote as I believe is the correct response for the Community. I will state why I voted the way I did. I will respect and abide by the decision of the Commission.

Outside of the public meetings of the Commission, I will be a private citizen and would not use my standing on the Commission for any other purpose. I would only be a Commissioner when the Board is in Session.

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do.

Initially, I would be proactive, not reactive.

One reason I might not personally support a proposal might be that, while the proposal is in alignment with the Community Plan and zoning codes, I believe the plan or the code is flawed. As the Commission reviews plan amendments and updates, I would strive to see that the content of those documents are reasonable and supportable. As I serve on the Commission, if I see the potential for undesirable outcomes in the plan or codes, I will advocate for improvement and vote accordingly.

Another circumstance would be where I personally do not support a proposal, even if staff believes it meets the plan and ordinances. I will advocate for conditions to be placed on the approval that would address my concern; and express those issues to staff and other Commissioners prior to the meeting. If necessary, I would make a motion to place such conditions upon any such approval. If my motion passed, I would vote for the proposal. If my motion failed, and I became convinced the proposal still met the plan and ordinance, I would also vote in favor of the proposal. If I was in disagreement as to whether the proposal was in compliance with the plan and ordinance, I would vote against the proposal.

In all circumstances, I would respectfully abide by and support the decision of the Commission.



Resume:

Daniel D. Rawlins, RA, DBIA
Principal | Sr. Project Manager
Design Criteria Developer

Mr. Rawlins is a registered Architect and Certified Design-Build Professional with over 4 decades of experience in the design and program management of a variety of facility types, including Civic and Cultural, Community Justice, K-12 and Higher Education. He is a nationally recognized thought leader in the field of Design-Build project delivery and has been involved in hundreds of Design-Build projects, collectively valued at over one billion dollars. He has been involved in all aspects of Design-Build delivery, serving as Owner, Design Criteria Developer and as Design Architect within Design-Build Teams.

Education: **Bachelor of Science in Architectural Studies** with honors 1976
University of Illinois at Urbana-Champaign

Foreign Study 1975-1976
UPA 3, Ecole des Beaux Arts | Versailles, France

Master of Architecture with high honors 1978
University of Illinois at Urbana-Champaign

Registration: **Registered Architect** Indiana AR000034124

Work History: **The Rawlins Group, LLC** Present
Indianapolis, Indiana | Sedona, Arizona
Principal | Sr. Project Manager | Design Criteria Developer
InterDesign | K2M Design 1989-2020
Indianapolis, Indiana
Principal | Sr. Project Manager | Design Criteria Developer
(K2M Design acquired InterDesign in 2017)
James Architects & Engineers, Inc. 1978-1989
Indianapolis, Indiana
Sr. Project Manager | Head of Design

Affiliations: **Design-Build Institute of America (DBIA)**
Certified Design-Build Professional
National Continuing Educational Program Faculty
Co-Chair, DBIA National Tools and Resources Work Group
Great Lakes Region Board of Directors | Treasurer

Engineering Ministries, International
Center 4 Learning Environments

Significant Projects: **As Design Criteria Developer:**

Elkhart County | PMSI
Law Enforcement Center | 2007
Juvenile Detention Center | (Suspended)
New Courts Facility | 2020

Purdue University | PMSI
HPN/EAB Demolition | 2014
McCutcheon Hall North Tower | 2015
McCutcheon Hall South Tower | 2016

City of Rensselaer, Indiana
Police Department Headquarters | 2017

Fort Wayne – Allen County
Airport Authority
New FBO Terminal | 2015

Warren County, Ohio
Probate and Juvenile Courts | 2017

Castleview Baptist Church | PMSI
Sanctuary Reconstruction | 2006

Tipton County | PMSI
County Jail | 2018

City of Rushville, Indiana
City Administrative Offices | 2017

U.S. Bureau of Reclamation
Boulder City, NV | 2011

City of Westfield, Indiana | Cripe
Fire Station No. 81 | 2021

Daniel D. Rawlins, RA, DBIA
Resume Significant Projects, Continued

As Design Criteria Developer

Adams Central Schools
K-12 Campus Renovation | 2010

Beech Grove City Schools
Applied Sciences Academy | 2012
Performing Arts Center | 2015
Early Childhood Center | 2020

Crawfordsville School Corporation
New Middle School | 2012

Goshen Community Schools
Wind Power Project | 2010
Goshen Community Center | 2013
Goshen H.S. Remodeling | 2014
Goshen M.S. Remodeling | 2014
Natatorium Addition | 2014
Goshen H.S. Reroof | 2015

Lake Ridge New Tech Schools
Lake Ridge HS Outdoor Athletics
2015

MSD of Warren County
Wind Power Project | 2010

New Albany – Floyd County Consolidated School Corporation
New Albany HS Natatorium | 2008
Wind Power Project | 2010
Fiber-Optic District WAN | 2011

North Adams School Corporation
New Elementary School | 2016
North Adams MS Renovation | 2016
North Adams HS Renovation | 2016

Avon Community School Corporation
Intermediate School East | 2017
Avon MS South | 2020
Hickory ES | 2020
Maple ES | 2020
Pine Tree ES | 2020
White Oak ES | 2020
Avon High School | 2021

Bloomfield School District
Campus Master Plan | 2013
Outdoor Recreation Facilities | 2013

Clarksville Community Schools
New Technology School | 2013

Fort Wayne Community Schools
Bloomingdale Elementary | 2013
Harris Elementary | 2013
Lakeside Middle School | 2018

Linton-Stockton School Corporation
Linton-Stockton HS Outdoor Athletics | 2015

Monroe-Gregg School District
Monrovia HS Performing Arts | 2016

New Prairie United School Corporation
Olive Township E.S. | 2016
Prairie View E.S. | 2016
Rolling Prairie E.S. | 2016
New Prairie M.S. | 2016
New Prairie H.S. | 2016

North Newton School Corporation
Wind Power Project | 2011
CPF Projects | 2012
CPF Projects | 2013
HS Cafeteria Renovation | 2017
Natatorium Renovation | 2020
Solar Energy Project | 2020

Blackford County Schools
Jr. High School Remodeling | 2017
Auxiliary Gymnasium | 2017

Bluffton-Harrison Metropolitan School District
Bluffton ES Remodel | 2016

Eastern Howard School Corporation
Extracurricular Activities Facilities | 2021

Hamilton Southeastern Schools
New Jr. High School | 2010
HSE Freshman Center | 2010
HSE HS Expansion | 2013
Fishers HS Expansion | 2013
Security & Access Control | 2014

MSD of New Durham Township
Capital Improvement Projects
2013-2014

Mooresville Consolidated School Corporation
Mooresville HS Renovation | 2012
Mooresville HS QZAB | 2013
Paul Hadley MS QZAB | 2013
Mooresville HS Softball | 2015
Mooresville HS Baseball | 2016
Mooresville Transportation | 2018
Mooresville HS Soccer | 2019
Mooresville Activities Center | 2020

Noblesville School Corporation
Educational Services Center | 2012
Noblesville HS Expansion | 2014
Middle School East | 2014

Northwestern (Howard) School Corporation
Wind Power Project | 2011
HS Science Remodel | 2016
HS Outdoor Athletics | 2017

Daniel D. Rawlins, RA, DBIA

Resume Significant Projects, Continued

As Design Criteria Developer

Paoli Community Schools
Outdoor Athletics | 2014

South Vermillion Community School Corporation
HS Science Renovation | 2015
HS Auditorium Renovation | 2016
Soccer Complex | 2017
Auxiliary Gymnasium | 2018

Tippecanoe Valley School Corporation
Wind Power Project | 2011

West Central School Corporation
Wind Power Project | 2011

Shenandoah School Corporation
Phase 3 Expansion | 2012
Phase 4 Expansion | 2013
HS Outdoor Athletics | 2016

Southwestern Jefferson County Community School Corporation
Community Activities Center | 2014

Tri-Township Consolidated School Corporation
Classroom Addition | 2014
Administration Suite | 2015
High School Addition | 2020

South Adams Schools
New Pre-K – 8th Grade Bldg. | 2007
HS Renovation Phase 1 | 2016
HS Renovation Phase 2 | 2017
ES Addition | 2021

Taylor Community School Corporation
Community Center | 2019

Warsaw Community School Corporation
Tennis Court Replacement | 2021
Warsaw H.S. Addition | 2021

As Architect on a Design-Build Team

Indianapolis – Marion County
Community Justice Campus
Marion County Jail and Sheriff's Office | 2018 - 2020

German-American Club
Clubhouse | 1978

Fairbanks
Recovery Center and Hope Academy Charter High School | 2007

As Instructor for DBIA National Continuing Education Programs

Course Author / Co-Author

Core Course: Post Award – *Executing the Delivery of Design-Build Projects*
Owner's Course: Performance Requirements: - *The Key to Effective RFP's*
Elective Course: Design Management Fundamentals
Elective Course: Working With an Owner Advisor
Design-Build Done Right Primer: *What is Design-Build?*
Design-Build Done Right Primer: *Choosing a Delivery Method*

Mr. Rawlins has been teaching DBIA Certification Workshops and Elective Courses for DBIA in cities across the country for over a decade and has conducted over 120 such classes

In-House Programs

Ball State University
California Polytechnic University
California State University at Long Beach
Indiana State University
Greater Winnipeg Water District
Korte Construction
Lawrence Berkley Laboratories
Los Angeles World Airports
Los Angeles Unified School District
Miami Dade County Wastewater District
National Oceanic and Atmosphere Administration
Oklahoma Military Department
Pankow Builders
Purdue University
ProCraft Construction
Sharp Healthcare
Swinerton Builders
University of Denver
US Bureau of Land Management
US Food and Drug Administration
US Veterans Administration

Daniel D. Rawlins, RA, DBIA

Resume Significant Projects, Continued

As Architect for other forms of project delivery

Civic | Commercial

Indianapolis Zoo | New Zoo
Hillenbrand Industries | Corporate Headquarters
Castleton United Methodist Church | Sanctuary
East 91st Street Christian Church | Life Center
New Horizons Youth Ministries | Headquarters
IU Credit Union | Branch
Central Bank and Trust | Addition/Remodel
Batesville Casket Co. | Headquarters
Crooked Stick Golf Club | Clubhouse Renovation
Oakwood | Retreat Center
Joliet Christian Youth Center | Addition
Erle City Mission
Immanuel United Church of Christ
Sedona Christian Fellowship
Boys and Girls Club of Indianapolis

Secondary Education

Franklin Community High School
Center Grove High School
Owen Valley High School
Plymouth High School
Logansport Community High School
Manchester Community High School
Wapahani High School
Vincennes Lincoln High School
Tecumseh Jr./Sr. High School
Northfield Jr./Sr. High School
Southwood Jr./Sr. High School
Custer Baker Middle School
Wabash High School
Lincoln Middle School | Logansport IN
Raymond Park Middle School
Lincoln Jr. High School | Cambridge City IN
Columbia Middle School | Logansport IN
Triton Middle School
Southmont Jr. High School
LaVille Jr./Sr. High School
Mt. Vernon High School

Elementary Education

Creekside Elementary School
Northwood Elementary School
Menominee Elementary School
McCormick's Creek Elementary School
Landis Elementary School
Western Wayne Elementary School
Brookview Elementary School
Liberty Park Elementary School
Hinkle Creek Elementary School

Higher Education

Huntington University
Purdue University
IUPUI
Marian University
Geneva College
Spring Arbor University
Purdue University
Franklin College
Butler University
Indiana University

Elementary Education

Hazel Dell Elementary School
Gosport Elementary School
Patrickburg Elementary School
Lakeside Elementary School
Brook Park Elementary School
LaFontaine Elementary School
Southwood Elementary School
Metro North Elementary School
Franklin Elementary School
Union Elementary School
Lapel Elementary School
Frankton Elementary School
Hope Elementary School
Walnut Elementary School
New Market Elementary School
Klondike Elementary School
East Ridge Elementary School
Sunny Heights Elementary School
Grassy Creek Elementary School
Hawthorne Elementary School
Heather Hills Elementary School
Lowell Elementary School
Moorhead Elementary School
Pleasant Run Elementary Schools
LaVille Elementary School
Selma Elementary School
Jac-Cen-Del Elementary School
Central Elementary School
Hailman Elementary School
Indian Trail Elementary School
Florence Fay Elementary School
William A. Bell Elementary School

Daniel D. Rawlins, RA, DBIA

Resume Significant Projects, Continued

As Architect for other forms of project delivery

Public School Support Facilities

Franklin Community School Corporation
Transportation Center

Noblesville Schools | Transportation Center

Historic Preservation | Adaptive Reuse

Old Main Hall | Franklin College
Forrester Center | Huntington University
Friends Center | Earlham College
City Center | Rushville, Indiana
Opera House | Lewisville, Indiana
Huddleston Farmstead | Dublin, Indiana
Winchester Library | Winchester, Indiana
Warsaw Library | Warsaw, Indiana
Lebanon Library | Lebanon, Indiana

Facilities Studies | Master Plans

Rushville Community Schools
Spencer-Owen Community Schools
Franklin Community School Corporation
MSD of Warren Township
Frankton-Lapel Community School Corporation
Logansport Community School Corporation
South Montgomery Community School Corporation
Indianapolis Zoo
Boys and Girls Clubs of Indianapolis
Spring Arbor University
Huntington University
Butler University
St. Joseph College
Indiana Wesleyan University

SEP 22 2021

CITY OF SEDONA
CITY CLERK'S OFFICE



PLANNING AND ZONING COMMISSION APPLICATION

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IN INK ONLY.

All requested information must be furnished. If an item does not apply to you, or if there is no information to be given, write in the letters "N/A" for "Not Applicable".

A RESUME MAY BE SUBMITTED, HOWEVER, YOU MUST COMPLETE ALL
INFORMATION REQUESTED ON THE APPLICATION.

Resume Attached: Yes No

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

APPLICANT'S NAME: **ELLEN TAYLOR**

MAILING ADDRESS: [REDACTED]
(Street or P.O. Box) (City) (State) (Zip)

HOME ADDRESS: [REDACTED]
(Street or P.O. Box) (City) (State) (Zip)

PHONE: Home: [REDACTED] Work: [REDACTED] Cellular: [REDACTED]

EMAIL: [REDACTED]

Are there any days you will not be available for an interview?

NO

Sedona residency is a requirement to serve on the Planning and Zoning Commission.

Do you live within the incorporated boundaries of the City of Sedona? Yes No

If so, for how many years? 4

Have you previously been appointed by the City of Sedona to any position or
commission/board other than the one for which you are currently applying?

Yes No If so, for which board/commission and for what length of term?

In answering the following questions, if more space is required, please attach a separate sheet
of paper.

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

I have built over 60 apartment, condo and commercial buildings for myself and my investors. I purchased the land, designed the projects, obtained the permits and zoning changes when necessary, supervised all aspects of construction, staffed the buildings and managed them as ongoing rentals. I was the Project Manager on new construction of a 3300 unit apartment complex. My duties included working with municipalities to ensure compliance in all aspects of the project, buy-out all contracts, schedule the construction on the job, handle HR issues and enforce life safety protocols. I was responsible for coordinating and running the project smoothly, safely and as peacefully as possible. I am a licensed General Contractor in California.

What skills do you believe you possess that would enable you to help to achieve consensus on issues?

I know how to listen. You can't assess a situation if you don't know all the facts. You have to be open minded, accessible and quiet in order to pick up on it. More information provides more opportunity to find common ground. I suppose I could be called a "people person". I genuinely enjoy getting others point of view. I don't always have to be right. I was President of the Art Students League of New York. 2500 passionate and vocal New York artists studied there everyday. They were not shy. It tested my ability to understand the reasons for their demands and occasionally rage. I've developed an empathy for people who are afraid of change.

Acknowledging that fear helps promote calm and collaboration - both necessary for progress

What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

I see a large part of the P&Z's role as an advisory commission to the City Council. It's job is to provide the Council with impartial and as complete as possible analysis of the intended and unintended consequences of proposals brought before the city. This is done by assessing the compliance of the proposals to the LDC, the SCP, the DRM, the CFA's and special zoning districts among other factors. Knowledge of historical decisions helps maintain consistency and protects our city from litigation. New ideas should be vetted carefully as to not open the floodgates of inappropriate proposals. The P&Z members are stewards of Sedona. Hopefully they keep in mind the historical reasons why people moved here as they set the course of the future of Sedona.

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc.?

My extensive background with land development has sensitized me to the impact of development on all the factors listed above. I took them into consideration every time I built a building. On the other hand I am an avid hiker and nature lover. I'm totally in love with the beauty surrounding Sedona. I'm aware that this area was considered to be a National Park many years ago. It's splendor is worthy of that designation. I see both sides of the coin. People are living here and that is not going to change. I believe I have a global view that can be valuable in making decisions on how people live here. I respect the environment and I respect people's rights to live here in relative peace and comfort.

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

TRAFFIC: How much more development can Sedona take before we hit total gridlock. How does the P&Z handle new proposals that would have made perfect sense several decades ago but now would just add to the congestion and misery of the people who live here as well as the visitors trying to navigate our roads? Whose rights come first - the developers that are complying with zoning laws or the people trying to drive here. **VIEWS:** There is a reason most HOA's do not enforce view protection. It's very difficult to do and opens a can of worms about who is blocking who's views. That said, Sedona is about views and the public deserves to see the wonderful red rocks from public roadways, parks and attractions. **RESOURCES:** Although relatively few people live here compared to those who just visit, a great impact is made on water resources, waste removal,

Application Page 2

What do you hope to accomplish as a Planning and Zoning Commission member?

One shining light in the last rough year was my experience at the Citizens Academy. It was delightful! I was so impressed with the dedication and knowledge of the people working for and with the city of Sedona. I really wanted to be a part of this inspiring community. I would like to play a part in guiding Sedona through a rough time into calmer waters. It would be an honor to contribute my knowledge and experience to enhance the P&Z's formidable task of handling development proposals here.

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

Yes.

Have you read the Sedona Community Plan, Land Development Code, or the Design Review Manual?

Yes

Explain the differences between the Sedona Community Plan, the Land Development Code, and the Design Review Manual.

The LDC is a document that lays out the codes for development in Sedona. It includes elements from the SCP and the DRM. The SCP is a product of government and citizen input that addresses future growth geared to ensuring good quality of life for Sedona's residents. The DRM establishes a protocol for developers to submit their applications for development. It addresses design preferences and regulations as well as grading, drainage, street and driveway engineering.

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

I will carefully read all material given to me from the staff at the city. I will develop a list of questions and concerns about the proposal or issue. I will attempt to have those questions answered. I will listen to the community's and fellow P&Z member's points of view. I will refer to the LDC, SCP, DRM, CFA's and any other guiding documents from the city to see if the project or issue complies.

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

If I my reservations are based on my view that the intent of the Community Plan, zoning codes, environmental and traffic studies etc is not being upheld and I can point to specific conditions that support my belief, I would probably vote against it.

Thank you for your interest in serving on the Planning and Zoning Commission. Please return your completed application to the City Clerk's office located at 102 Roadrunner Drive, Sedona Arizona. If you have questions about the application and selection process the City Clerk's office is glad to assist you, please call 282-3113. For questions about the Planning and Zoning Commission, please contact the Community Development Department at 282-1154.

Susan Irvine

From: Ellen [REDACTED]
Sent: Wednesday, September 22, 2021 2:47 PM
To: Susan Irvine
Subject: Re: Planning and Zoning Application

Thank you.

I have been a resident of the City of Sedona for 4 years. For some reason Acrobat kept toggling the check mark over to the No box for residency. Embarrassing and drove me nuts!

Sent from my iPad

On Sep 22, 2021, at 2:17 PM, Susan Irvine <S Irvine@sedonaaz.gov> wrote:

Thank you for the application. We will follow up with you after the deadline.

Susan L. Irvine, CMC
City Clerk

City Clerk's Office
102 Roadrunner Drive, Sedona, AZ 86336-3710
sirvine@sedonaaz.gov
(928) 282-3113

<image001.jpg>

*City office hours are Monday-Thursday 7 a.m.- 6 p.m.
Public Safety 24/7*

***City Hall is open to the public from 7:30 a.m. to 3:00 p.m., Monday - Thursday.
Appointments are also available between 7:00 and 7:30 a.m. & 3:00 and 6:00 p.m.
Monday – Thursday if you cannot make it during the public hours.
All business that can be conducted virtually is strongly encouraged.***

From: Ellen [REDACTED]
Sent: Wednesday, September 22, 2021 2:05 PM
To: City Clerks Dept <CityClerksDept@sedonaaz.gov>
Subject: Planning and Zoning Application

Hello.

Attached please find my application for the P&Z.

Would you mind acknowledging that you've received this as the due date is tomorrow and I've had an earlier email kicked back to me. I'd like to make sure it reaches the right department.

Thanks,

Ellen Taylor

Sent from my iPad



RECEIVED

SEP 22 2021

PLANNING AND ZONING COMMISSION APPLICATION

CITY OF SEDONA

READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE FILLING OUT YOUR APPLICATION – TYPE OR PRINT CLEARLY IN INK ONLY.

All requested information must be furnished. If an item does not apply to you, or if there is no information to be given, write in the letters "N/A" for "Not Applicable".

A RESUME MAY BE SUBMITTED, HOWEVER, YOU MUST COMPLETE ALL INFORMATION REQUESTED ON THE APPLICATION.

Resume Attached: Yes No

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

APPLICANT'S NAME: Brian Fultz

MAILING ADDRESS: [Redacted]
(Street or P.O. Box) (City) (State) (Zip)

HOME ADDRESS: [Redacted]
(Street or P.O. Box) (City) (State) (Zip)

PHONE: Home: N/A Work: N/A Cellular: [Redacted]

EMAIL: [Redacted]

Are there any days you will not be available for an interview?
No

Sedona residency is a requirement to serve on the Planning and Zoning Commission.
Do you live within the incorporated boundaries of the City of Sedona? Yes No

If so, for how many years? 2/12

Have you previously been appointed by the City of Sedona to any position or commission/board other than the one for which you are currently applying?

Yes No If so, for which board/commission and for what length of term?

My answer to this question is No, but there is a glitch in this form.

In answering the following questions, if more space is required, please attach a separate sheet of paper.

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

See Separate Sheet.

What skills do you believe you possess that would enable you to help to achieve consensus on issues?

I have been told that I am a good listener, a patient one. In addition, I believe I ask good questions. Part of my leadership and communication style is to frame an issue or decision, and then re-frame as needed, taking into account what I have heard including the answers to my questions. I think I am skilled at facilitating and bringing people back to the task at hand and striving to use facts, as opposed to emotion, to drive towards decisions. Additionally, I have a very high tolerance for change, which means I do not look at every decision as my way or the highway. I believe that is big-picture thinking, and it is what I enjoy and thrive on.

What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

See Separate Sheet.

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc.?

I have had past work experience going back to the beginning of my career with General Electric where I had responsibility over an on-site industrial waste processing facility with particularly sensitivity as it related to water and drainage. In my work with Recall Inc., I had responsibility for over 50 facilities in the US and Canada and had involvement in building out new facilities where impact on the environment, aesthetics, transportation, storm-water/drainage, parking, and so on were all part of the development process. I have a very strong quantitative and analytical background (I am originally a degreed aeronautical and astronautical engineer from Purdue and have an MBA from The University of Chicago) and can handle economic modeling and analysis.

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

See Separate Sheet.

What do you hope to accomplish as a Planning and Zoning Commission member?

I hope to contribute to a fact-based, non-emotional, big-picture environment of decision making. I got out of engineering because I found that the science could be conquered by applying a discrete set of rules that always held, which became less challenging to me over time. However, trying to accomplish something significant through a group of people, like making important decisions, is a great challenge because even though there are many theories about how people should think when making decisions, the reality is that we are gloriously inconsistent in adhering to those theories. So working with people and their idiosyncrasies to try to drive towards consensus is a worthy challenge in my book!

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

Yes.

Have you read the Sedona Community Plan, Land Development Code, or the Design Review Manual?

Yes, I have reviewed all three documents.

Explain the differences between the Sedona Community Plan, the Land Development Code, and the Design Review Manual.

The Sedona Community Plan is the plan assembled with significant community input that creates a vision for Sedona and must be updated every 10 years. It serves as the vision for future growth and development. The Land Development Code is the specific set of rules enacted that are intended to ensure that land use decisions are consistent or supporting of the Community Plan. Changes to the Community Plan could result in necessary changes to the Land Development Code. The Design Review Manual is a more recent addition to the city land use content and provides additional detail in support of the Land Development Code.

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

See Separate Sheet.

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

My understanding of property owners' rights is that applications that adhere to the Community Plan and applicable zoning codes must be approved irrespective of how I personally feel about the application. So in that case, I would vote for approval. I wouldn't be opposed to communicating to the applicant that there might be some voluntary actions they might want to consider that the community might appreciate. But to be clear, I would vote to approve the application if it is compliant to the Community Plan and applicable zoning codes.

Thank you for your interest in serving on the Planning and Zoning Commission. Please return your completed application to the City Clerk's office located at 102 Roadrunner Drive, Sedona Arizona. If you have questions about the application and selection process the City Clerk's office is glad to assist you, please call 282-3113. For questions about the Planning and Zoning Commission, please contact the Community Development Department at 282-1154.

BRIAN FULTZ – PLANNING & ZONING APPLICATION

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

In my career, I have over 30 years of high stakes decision making or voicing of recommendations. I've been part of multi-billion dollar entities like General Electric and understand the professionalism and high performance culture that go along with that environment. At the same time, I've been a small business owner for the last 15+ years and appreciate the plight of trying to hire and retain workers in the current environment. My undergraduate engineering background developed my analytical skills while my graduate studies in business developed my strategic management and organizational behavior capabilities. I have over 20 years community experience leading small groups and am a highly proficient facilitator and leader of small groups. The subsequent question concerning experience with land planning and applications will further highlight my qualifications for this appointment. Last, I'm currently a participant in the Sedona Citizen's Academy to help me gain additional insight into the workings of the city.

Note: While my wife and I have only resided in Sedona since the beginning of July this year, we have owned our home here (as a long term rental) for 17 years, so I have far more familiarity with the city and its concerns than what might otherwise be expected for such a short resident tenure here.

What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

I believe that the P&Z Commission is tasked in some instances with decision making and other instances with making recommendations to City Council as it relates to applications from residents and businesses concerning land use in the city. As I've read through the Sedona Community Plan, the Land Development Code, and the Design Manual, I'm grateful to know that P&Z receives input from city staff concerning the aforementioned applications' compliance with these documents. My sense is that when applications comply with these city documents, there shouldn't be a great deal of turmoil associated with P&Z decisions. I understand that in reality there is always the potential for turmoil, particularly if the public doesn't understand the implications of compliant applications. However, where I sense a great deal of the difficult work lies is in evaluation of applications that involve variances, re-zoning, and community plan amendment. That's where P&Z needs to be deliberative about what is best in the long term for all of Sedona when it faces these types of decisions.

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

I believe all the challenges that Sedona faces currently are interrelated and can't be looked at completely separately. That said, I believe workforce/affordable housing is likely at the top of the list as far as P&Z is concerned. The recent Jordan Lofts project application certainly points to a great deal of community energy being expended concerning this issue. When I think about what is best for Sedona long term, I have read research that shows that a healthy community has all socio-economic strata present and that having families with children present, so that there is a stable and viable school system should be important to all residents, even to empty nesters and retirees. Long term, property values of

BRIAN FULTZ – PLANNING & ZONING APPLICATION

residents will suffer if the school system collapses. And I understand that many residents may agree with my assertion but not want a high-density development near their residence. Therein lies the challenge with making big picture decisions. And a couple of the closely interrelated issues that tie to affordable housing (assuming it is achieved via high density development) from the Community Plan include Circulation (always a concern in every community!) and Land Use (the Harmony aspect from the plan).

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

As previously mentioned, I will be grateful for input from city staff in reviewing particular issues. Then I will look at the facts of the situation and seek to eliminate emotion or personal preference. I will listen and ask questions, and I envision using a pros/cons approach in note taking to help me seek out a decision that is in the best interest of the city. I certainly want to engage fellow P&Z Commission members and seek to have influence where appropriate to drive, hopefully, towards a consensus decision.

Brian W. Fultz

Sedona, AZ 86336 ~ [REDACTED] ~ [REDACTED] ~ [REDACTED]

STRATEGY, INNOVATION, AND ENTREPRENEURIAL SPIRIT

An Accomplished Leader in Innovation and Profitable Growth Thrives in Changing Environments with Significant Uncertainty

Action-oriented executive with hands-on senior-level management experience. Passionate innovator with a unique blend of interpersonal and analytic savvy. Strong personal interaction skills with the ability to drive consensus while effectively handling conflict. Expertise in new product/service innovation from market research to business case preparation and launch. Spearheaded numerous employer-recognized analytics-based strategies for new and repositioned products and services.

- Human Capital Management
- Strategic Planning
- Startup & New Business Creation
- Competitive / Market Intelligence
- Executive Facilitation
- Cross-Functional Team Leadership
- Profit & Loss Management
- Software / Technology Strategy Consulting

PROFESSIONAL EXPERIENCE

PEAK INNOVATION, LLC – Alpharetta, GA

2008 – Present

CEO/Founder

Provides strategic marketing and sales consultation in the areas of Software & Technology Product Management, Competitive Intelligence, Open Innovation, New Product/Service Development, Digital Marketing, and more.

- Clients range from start-ups to the Fortune 250 in numerous industries including human capital management (HCM), big data, health IT, consumer products, industrial products, and more.
- Provide notable expertise in SaaS / cloud strategy, primary & secondary research, innovation project / program management, executive brainstorming & facilitation, and corporate strategy.
- Projects for Boards and CXO level along with Sales, Marketing, and Product Management executives lead to enhanced differentiation, price leadership, and market competitiveness.
- Serve in an executive role for sales, account management, and consulting at firm.

VENADAR, LLC – Atlanta, GA

2008

Vice President, Client Services

Leader for execution of Open Innovation process by team of research and negotiating professionals throughout client and deal lifecycle.

- Led activity for five diverse Fortune 500 clients in consumer and industrial products.
- Developed strategic recommendations for clients by synthesizing research, analysis, and negotiation progress completing two acquisitions in consumer product categories.

RECALL, INC – Atlanta, GA

2001 – 2005

Senior Director, Secure Destruction Services, 2003 – 2005

North American Marketing P&L leader for \$85 million division providing document destruction services for clients ranging from small businesses to Fortune 50 enterprises. (New Category Manager Role)

- Determined North American business strategy involving customer targeting, service offering definitions, and pricing.
- Relationship manager for company's largest account at \$6M annual revenue.
- Key negotiator in national account agreements.
- Led strategic planning process including allocation of \$7M annual capital budget.

Director, Secure Destruction Services, 2001 – 2003

Operational P&L leader of over 500 employees in more than 50 markets in North America for a business that grew from zero revenue to \$85M in two years via a "roll-up" acquisition strategy.

- Led operating initiatives that resulted in 400 basis point improvement in operating profit.
- Drove improvements of 30% in operator productivity & 20% in logistics efficiency year over year.
- Created Key Performance Indicator (KPI) measurement system.
- Participated in and approved over 20 acquisitions.
- Developed formal integration model to support acquisition strategy.
- Played key thought leadership role in development of global standard operating procedures and resultant technology platform requirements.
- Reshaped roles, expectations, and accountability of management staff.

iXL JAPAN, K.K. – Tokyo, Japan

1999 – 2000

General Manager

Held P&L responsibility as country manager and led all aspects of iXL's technology, creative, and strategy consulting services start-up company in Tokyo, Japan.

- Created iXL Japan business plan and gained CEO approval to launch company's first permanent presence in Asia-Pacific region.
- Played lead role in sales activity resulting in approximately \$10M annual revenue run rate at end of first year.
- Developed blue-chip client portfolio including customers in financial services, technology, media and broadband, telecom, manufacturing, and travel.

iXL, INC – Atlanta, GA

1998 – 1999

Senior Manager, Financial Services Strategy Consulting

Led business development activities including opportunity identification and proposal, sales closure, relationship management, and engagement activity for financial services clients.

- Became the group's online brokerage subject matter expert.

ACCENTURE (formerly ANDERSEN CONSULTING STRATEGIC SERVICES), Atlanta, GA

1997 – 1998

Senior Strategy Consultant

Led team and individual project engagements.

- Developed expertise in electronic commerce, new product/service development, and marketing and sales strategies from engagements for consumer products and financial services companies.

ADDITIONAL EXPERIENCE

GENERAL ELECTRIC COMPANY, INC

Financial Consultant — GE Appliances, Louisville, KY

- Assumed newly created role and led cross-functional teams on strategic business projects spanning entire business unit.
- Received award for development of Trade Payables program resulting in \$70M annual increase in cash flow.

Process Improvement Engineer – GE Appliances, Louisville, KY

- Developed and led cross-functional process improvement teams that drove production line productivity.
- Utilized Kaizen, Lean, and statistics tools (later to become part of GE's Six Sigma program).

Financial Management Program, Louisville, KY

- Became first non-Finance employee to enroll and complete program.
- Graduated from a 2-year skill-building curriculum in multiple Finance disciplines.
- Capstone project resulted in first formal private label branding strategy for GE Appliances.

Manufacturing Management Program, Xenia, OH and Milwaukee, WI

- Completed a 2-year, highly selective management training program in both high-volume (GE Appliances) and high technology (GE Aircraft Engine) business units.
- Graduated from a 1-year skill-building curriculum focused on leadership, managerial decision making, project management, communication skills, process improvement and problem solving.

OTHER BUSINESS OWNERSHIP

RESTORATION HOLDINGS, LLC – Alpharetta, GA

2013 – Present

Franchise Partner in 4 "Sir Grout" Franchises

Co-Owner for franchises in Dallas Fort Worth; Southwest Florida; Tampa; Washington, DC.

SDG PARTNERS, INC – Orlando, FL

2006 – 2015

Franchise Partner of "1-800-GOT-JUNK?" Franchise

Co-Owner for Orlando, FL franchise.

EDUCATION

THE UNIVERSITY OF CHICAGO BOOTH SCHOOL OF BUSINESS, Chicago, IL

Master of Business Administration – Strategic Management and Organizational & Managerial Behavior

PURDUE UNIVERSITY, West Lafayette, IN

Bachelor of Science, with Distinction – Aeronautical & Astronautical Engineering



PLANNING AND ZONING COMMISSION APPLICATION

READ THE FOLLOWING INSTRUCTIONS CAREFULLY
BEFORE FILLING OUT YOUR APPLICATION – TYPE OR PRINT CLEARLY
IN INK ONLY.

All requested information must be furnished. If an item does not apply to you, or if there is no information to be given, write in the letters "N/A" for "Not Applicable".

A RESUME MAY BE SUBMITTED, HOWEVER, YOU MUST COMPLETE ALL
INFORMATION REQUESTED ON THE APPLICATION.

Resume Attached: Yes No

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

APPLICANT'S NAME: Harry William Danilevics

MAILING ADDRESS: _____
(Street or P.O. Box) (City) (State) (Zip)

HOME ADDRESS: _____
(Street or P.O. Box) (City) (State) (Zip)

PHONE: Home: _____ Work: _____ Cellular: _____

EMAIL: _____

Are there any days you will not be available for an interview?

I am fully available to interview

Sedona residency is a requirement to serve on the Planning and Zoning Commission.

Do you live within the incorporated boundaries of the City of Sedona? Yes No

If so, for how many years? 5

Have you previously been appointed by the City of Sedona to any position or
commission/board other than the one for which you are currently applying?

Yes No If so, for which board/commission and for what length of term?

Historic Preservation Commission, 1 year, 2015-2016

In answering the following questions, if more space is required, please attach a separate sheet
of paper.

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

As an Arizonan, I have a unique appreciation for Sedona as my actual home. Since 2015, I have been actively involved in matters like the National Monument movement, development of the Ranger Station Park while on the HPC, and I've applied to City Council vacancies. I worked with a large HOA management company in Gilbert, AZ in 2018 creating a digital platform for community members and passed the AZ Real Estate License exam in 2019. Since then I've been developing a database of all Sedona area resources.

What skills do you believe you possess that would enable you to help to achieve consensus on issues?

Strong analytic skills and a well rounded ability to read, write, and articulate complex matters simply. When it comes to digital proficiency, I attended an all digital high school so software systems and processes are something that comes natural and easy, like the MLS, GIS maps (all of which I've had and posted on my walls for time to study), and how the city disseminates data and news releases. I've personally followed the professional developments of the City of Sedona for the last 6 years and am well aware of our budget and expenses, having attended numerous meetings in person and online.

What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

The duty of a P&Z Commissioner is to understand the current zones as best as possible and to get up to date and informed on the past and current projects underway. Then that understanding and expertise is demonstrated by making recommendations and reviewing amendments, changes, or use of land within the city limits. With a perspective on the future growth of Sedona and how short-term rentals are effecting the current living conditions of citizens, it is a more important position now than ever, especially given the fact that the city attorney asked for recommendations yesterday on how we may as a city be able to get a grasp on this issue.

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc.?

As a Millennial, my focus is on how the City of Sedona can be a livable city for the duration of my entire life, not just for 20-25 years out, which puts me at an age younger than most on the City Council today. I'm confident that my private education institutionally and personally have led me to understanding how sustainability can be integrated here in Sedona while respecting what has come before and where we can take our city with the revenue streams we have already. I've graduated from both the Sedona Citizen's Academy and the Sedona Police Citizen's Academy in 2016 and have continued to remain informed by following the progress as posted online.

What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

Figuring out a way to get the short-term rentals under control from a planning and zoning perspective so that the City of Sedona can maintain its population and work-force with 5,263 people retiring soon according to the recently published economy overview data report. Having places for workers to live, or helping transport networks get established to places like Flagstaff where they could live is integral to the city's future. It would be great to figure out a way to have the commercially operating Airbnb's receive a commercial zoning classification just to show how the neighborhoods have been effected even if it comes with zero regulation or enforcement initially.

What do you hope to accomplish as a Planning and Zoning Commission member?

Ideally, it would be great to accomplish a work force housing plan, zone, and actual project under construction by 2024 so that additional units for the working population can be secured. Getting a parking garage or hub set up in the Uptown area and the development of Ranger Station Park seems like a great opportunity to develop around the Y more of a centralized transport hub area, possibly with more commercial zone opportunities nearby. Helping developers see the opportunity of work force housing and communicating with the residents will take a much more transparent approach than has been utilized and my expertise with social media and outreach will be beneficial to creating collaboration amongst the varying groups involved.

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

Yes, absolutely!

Have you read the Sedona Community Plan, Land Development Code, or the Design Review Manual?

Yes, as a Citizen, as a HPC Commissioner, and as a prospective Sedona City Council candidate, I have.

Explain the differences between the Sedona Community Plan, the Land Development Code, and the Design Review Manual.

The LDC helps to maintain the image, appeal, and natural feel that Sedona was created with and wishes to keep preserved throughout development and expansion efforts by residents, developers and newcomers alike. The SCP is why, how, and what the city wishes to see moving forward into the future and serves as the guide posts to stay on the intended course of action that we as citizens and city staff have all mostly agreed to, based on our 6 major outcomes and encompassing our sustainability themes. The DRM is more specific recommendations on actual development design principles and why as it supports the LDC.

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

First off, I will actually read the content presented before me about what's being discussed, researched, and proposed in full. Second, I will communicate with all City Staff and Councilors as much as possible and to the extent required. Third, I will present the information that's shareable with the Sedona public in a manner that encourages feedback and ideas. Then I will do my duty to make the decision in front of me with confidence and progress forward.

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

It would be my duty to learn as much as possible around the reservation that manifested and counsel others as to what the positives are and how the negatives can be addressed while still supporting the Community Plan and zoning codes. Discussing this reservation with the other commissioners and city staff, possibly the general public if necessary, and then listening, but ultimately going with what I have learned to be the best choice at that time.

Thank you for your interest in serving on the Planning and Zoning Commission. Please return your completed application to the City Clerk's office located at 102 Roadrunner Drive, Sedona Arizona. If you have questions about the application and selection process the City Clerk's office is glad to assist you, please call 282-3113. For questions about the Planning and Zoning Commission, please contact the Community Development Department at 282-1154.

Harry William Danilevics

Sedona, Arizona • [REDACTED] • [REDACTED]

QUALIFICATIONS SUMMARY

- Outstanding articulation, communication, and persistence skills with the ability to easily adapt and learn.
- Great combination of leadership, customer service, sales, and operations background.
- Strong software, real estate, and local City of Sedona and surrounding area knowledge.
- Born and raised Arizonan, been actively immersed in Sedona for 6+ years while lifelong visiting.

PROFESSIONAL EXPERIENCE

Gateway Cottage Wellness Center

Sedona, AZ

Wellness Coordinator

August 2021 – Present

- Primarily responsible for front desk duties such as answering phones, responding to emails, booking appointments, responding to walk-ins, handling payment, and ensuring clients choose the correct practitioner through informing them of the services and offerings of each.

Proport

Sedona, AZ

Co-Founder, President

March 2020 – Present

- Event reporting software time stamped and mapped on an open-source blockchain, including transparent information relay to responsible parties. Currently in the VVREO Moonshot Program for October 15-16, 2021 at Yavapai College.

Private In-Home Eldercare

Sedona, AZ

Caretaker

April 2021 – Present

- Assisting 84 year old Dana Paul Ross through his dental extractions, radiation therapy, surgeries around my work schedule with yard work, gardening, grocery store runs, food preparation, cleaning, inside tasks, camaraderie, and other various assignments.

Conscious Meals

Sedona, AZ

Food Preparation

November 2020 – Present

- Promoting Sedona's newest Organic, Vegan, Gluten/Soy-Free meal offerings prepared from scratch in house that's ready to grab and go as well as being freshly made at the restaurant.
- Learning the necessary processes and preparations in order to understand how to store, prepare, and serve Vegan meals for the Sedona vegan community.
- Cold line food prep, Sedona & Flagstaff Farmers Market representative, promotion developer.

Pink Jeep Tours

Sedona, AZ

Customer Service Representative

January 2020 – June 2020

- Self-funded personal startup operations through maximizing the learning opportunity of the Pink proprietary Gantt system for assigning guides with customers' needs for experiencing the "You Gotta Do It" Pink Jeep ride of their lives in Sedona.

Accelerate Estonia

Tallinn, Estonia

Moonshot Hackathon Participant

October 2019

- Pitched the final ID 2.0/ ONE ID which was a unified digital identity platform sharing otherwise inaccessible information between stakeholders of banks, governments and private sector service providers.

Neighborhoody

Gilbert, AZ

Business Development Consultant

June 2018 – December 2018

- Strategized, organized, and developed deployment processes for releasing software catered to the 80,000 existing home ownership association clients to transact their payments and communication operations digitally through the platform.

Hari AI, LLC

Scottsdale, AZ

Founder

January 2018 – June 2018

- Designed a mobile application that aggregated and prioritized the mass of communications received across a diverse array of platforms.
- Winner of TechStars Startup Weekend Phoenix 2018 and proceeded to participate in the Founders Institute program.

Harry William Danilevics

Sedona, Arizona • [REDACTED] • [REDACTED]

Blue Sky Farms, LLC

Market Associate

Litchfield Park, AZ

November 2017 – April 2018

- Unloaded, set up, and sold the organically grown local produce at the Downtown Phoenix and Downtown Scottsdale Farmers Markets on Saturday's. Learned about the seasonal crops best grown in the Valley and what inventory the public was interested in depending on location.

The Doughnut Peddler, LLC

Asset Strategist

Chandler, AZ

March 2017 – October 2017

- Deep dived into every company occupation to gain a fully encompassing understanding of all business operations and responsibilities as we scaled from one state to nine across the U.S.
- Directly trained new hire drivers and managers in Los Angeles, Charlotte, Columbia, Chattanooga and was in preparation for Orlando and Houston.
- Tasked with designing an asset management & tracking program to save the company unnecessary expenses while meeting national standards.
- Researched and was preparing external licensing deals for proprietary software Traximize.

Red Mountain Recovery, LLC

Housing Manager

Sedona, AZ

October 2016 – March 2017

- Passionately and empathetically assisted fellow members of the millennial generation address and overcome their personal issues in a mindful way to help them relaunch their lives.
- Promoted initially from Mentor to Lead Mentor, then to Men's Housing Coordinator, and finally to overall Housing Manager while implementing a technological accountability system for clients.
- Handled the operations of the entire Residential Program when the Directors were absent during the weekends, responsible for 28+ adult clients and 3-4 other staff members on at any time.

Sedona Main Street Program

Executive Assistant

Sedona, AZ

August 2016 – October 2016

- Personally assisted Wendy Jones, the new Executive Director, to manage organizational turnover after the previous Executive Director's retirement after 17 years.
- Gained access to social media accounts and scheduled posts for planned events, updated outreach information for uptown businesses, attended new openings, developed strategy for success until the City Council discontinued funding and shut down the program.

ChocolaTree Organic Oasis

Catering Staff, Marketplace Manager

Sedona, AZ

May 2015 & June 2018

- Catered the 2015 Illuminate Film Festival and began training to be a server upon initial arrival to the Sedona area.
- Trained and learned the entire ChocolaTree back end and warehouse operations, facilitated packaging and shipping to distributors and online orders

Aspiring Business Development, LLC

Interim Chief Operations Officer

Scottsdale, AZ

June 2015-September 2015

- Re-organized continued company operations for Derma Biologics, LLC including the development plan, personnel management, capital fundraising, business expenses, production, distribution, marketing, and Internet presence.
- Organized startup company operations, prepared documents and presented for investment opportunities.

Harry William Danilevics

Sedona, Arizona

Smart Armor, Areté Group, LLC
Business Development

Tempe, AZ

September 2014 – April 2016

- Implemented modern technological processes for startup operations of the Executive Team including communications protocol, scheduling, cloud storage and operations, website development and management, social media advertising, mobile application testing, customer polling and feedback.
- Conducted market research, produced marketing material, contacted licensing partners, drafted presentations, managed the Kickstarter campaign for the SmartPack, and assisted in launching the Smart Cube project successfully funded on IndieGoGo by 749% of initial intent.
- Attended most Executive meetings to ensure prepared and proper presentation of company status, future intentions, and product development.

Parchment, Inc.
Member Support Specialist

Scottsdale, AZ

June 2014 – September 2014

- Operated and managed a complex back-end software system facilitating Transcript order fulfillment, spoke with educational administrators, educated users about the product, addressment of customer concerns, and relay of active issues to the executive team.

Dani Enterprises, LLC.
Human Catalyst

Scottsdale, AZ

January 2014 – February 2016

- Professional Investment vehicle for startup equity earned through contracted participation with Smart Armor, Derma Biologics and consulting in Sedona for ChocolaTree Organic Oasis, Sun Silver West, Sedona Hot Yoga, Arizona Liberty, Sedona Pure Living Expo and more.

Xchange, LLC
Co-Founder

Scottsdale, AZ

January 2014 – July 2014

- Corresponding with Columbia Business School's Launching New Ventures class directed by the Entrepreneurship Director Dave Lerner I applied the principles taught in class to launch the Xchange mobile application.
- Xchange served as a social operating system that delivered smooth arrangements, reminders & completions of communications to maximize and enhance the contact management experience over the short and long term.

Lane Office, LLC
Executive Assistant

New York City, NY

May 2012 – September 2013

- Supported the President & CEO of a \$50M company land his largest deal in history (furnishing the One World Trade Center) while managing strategic personal & confidential business assignments for the President including scheduling calendar agenda items and meetings, managing subcontractor assignments and tasks, assisting in travel arrangements and transportation, handling electronic and tangible communications, organizing financial accounts and statements, and facilitating personal family obligations.
- Participated in the successful day-to-day interactions of the President by being a contributing member in meetings, conducting client calls, preparing business presentations, assisting in the negotiations of deals, and coordinating employee management.

Columbia University
Associate for Admissions Department

New York City, NY

December 2011 – November 2013

- Directly assisted Admissions Director's with prospective students by confidentially opening and organizing applications, handling financial documents, and consulting with department staff.

Harry William Danilevics

Sedona, Arizona

EDUCATION

Arizona School of Real Estate & Business

Scottsdale, AZ

License: Real Estate Agent

Jan-Feb 2019

Columbia University, Columbia College

New York, NY

Bachelors of Arts: Philosophy

2010- 2014

Scholarships: Vera B. David Scholarship 2012-2013, 2013-2014

Varsity Athletics: Men's Track & Field 2010-2011

Coursework: Principles of Economics; Calculus I, II, III; Symbolic Logic; Launching New Ventures (CBS)

Employment: Athletics Department (*Event Staff* '10-'11), West Elm (*Sales Associate* '11), Nanny ('11-'13)

Brophy College Preparatory

Phoenix, AZ

Advanced Coursework: AP Calculus AB, AP Calculus BC, Economics

2006- 2010

Varsity Athletics: Track & Field ('10 AZ State Champion 300m hurdles), Varsity Football ('08 AZ State Champions & JV Quarterback)

Employment: Anthem Community Center (*lifeguard* '06-'07), Scottsdale Lifetime Fitness (*lifeguard* '07-'10), Red Robin (*Host* '10)

Community Service: Calc Club, Horses Help, St. Vincent de Paul

LEADERSHIP, COMMUNITY, & VOLUNTEER ACTIVITIES

City of Sedona City Council

Sedona, AZ

City Councilor Applicant

January 2016- June 2016

- Successfully collected 200 signatures and articulated community perspective to thousands.
- Full participation in the Sedona Citizen's Police Academy and Sedona Citizen's Academy.

City of Sedona Historic Preservation Commission

Sedona, AZ

Commissioner

October 2015- November 2016

- Youngest ever activist ensuring preservation of Sedona's historic, archaeological, and cultural heritage.
- Lobbied for the inclusion of a community garden in the development of the new Ranger Station city park.

SKILLS & INTERESTS

Microsoft Office (Excel, Word, PowerPoint), Macintosh OS, CRM, Professional UI/UX, Database, Social Media Research, Problem Solving, Answer Seeking, Team & Project Management, Scheduling, Communication Protocols
Hiking, Mindfulness, Meditation, Success Visualization, Planning.



RECEIVED

SEP 21 2021

PLANNING AND ZONING COMMISSION APPLICATION
CITY OF SEDONA
CITY CLERK'S OFFICE

READ THE FOLLOWING INSTRUCTIONS CAREFULLY
BEFORE FILLING OUT YOUR APPLICATION – TYPE OR PRINT CLEARLY
IN INK ONLY.

All requested information must be furnished. If an item does not apply to you, or if there is no information to be given, write in the letters "N/A" for "Not Applicable".

A RESUME MAY BE SUBMITTED, HOWEVER, YOU MUST COMPLETE ALL INFORMATION REQUESTED ON THE APPLICATION.

Resume Attached: Yes No

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

APPLICANT'S NAME: JON MAETERLINCK SPERA

MAILING ADDRESS: [REDACTED]
(Street or P.O. Box) (City) (State) (Zip)

HOME ADDRESS: [REDACTED]
(Street or P.O. Box) (City) (State) (Zip)

PHONE: Home: _____ Work: _____ Cellular: [REDACTED]

EMAIL: [REDACTED]

Are there any days you will not be available for an interview?

No

Sedona residency is a requirement to serve on the Planning and Zoning Commission.

Do you live within the incorporated boundaries of the City of Sedona? Yes No

If so, for how many years? 11

Have you previously been appointed by the City of Sedona to any position or commission/board other than the one for which you are currently applying?

Yes No If so, for which board/commission and for what length of term?

In answering the following questions, if more space is required, please attach a separate sheet of paper.

PLANNING AND ZONING COMMISSION APPLICATION

#1. QUALIFICATIONS – PLEASE indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

Jesuit liberal arts education with degrees in Philosophy, Theology, and Psychology. Five years teaching in secondary education. Employment with a major university (Southern Methodist), a large regional commercial bank (MBank), an international communications training company (Communispond, Inc.), and a major domestic and international airline (American Airlines). Twenty-seven years operating my own Organizational Effectiveness & Leadership Development consulting practice (jmspartners, inc.).

#2. What skills do you believe you possess that would enable you to help to achieve consensus on issues?

Ability to read, write, and think critically. Ability to construct a logical, fact-based and evidence-supported position. Ability and willingness to listen to disparate positions to gain additional insight into the issue. Can integrate and present multiple ideas in a coherent, doable, and accountable plan for action. Ability to facilitate open and honest conversations. Ability and willingness to ask probing questions, specific questions, and to persist until the facts are established and acknowledged. Demonstrated ethical courage to challenge the status quo in order to influence others to choose a thoughtful and comprehensive solution that adheres to established standards and achieves the “greater common good.” Demonstrated skill at helping others to “close the gap between intention and action” – I built a profitable consulting practice on these talents and skills for nearly 30 years.

#3. What are your perceptions of the duties, responsibilities, and role of the Planning and Zoning Commission?

A P&Z Commissioner must have a working knowledge of the guiding documents (Community Plan, Land Development Code, and any others that may pertain) which provide the broad framework for decision-making. A Commissioner must prepare in advance for each meeting by reading and making appropriate notes in preparation for discussion. A Commissioner must be available to attend scheduled meetings for public hearings and study sessions, as may be required to obtain pertinent facts, opinions, and divergent viewpoints so that a responsible and defensible vote can be cast. A Commissioner must evaluate the pros and cons that may (or may not) be evident in a petitioner’s request in light of the prevailing documents. In addition, A P&Z Commissioner should be both courageous and humble enough to seek additional information, ask questions to gain personal knowledge of the issue, and be open to creative ways to achieve common good outcomes. Finally, the Commission itself operates in an advisory role to the City Council.

#4. What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc.?

My experience as an Organizational Effectiveness & Leadership Development consultant with assignments at the Senior Leadership Team level with a diverse set of client organizations over 2 ½ decades has informed me about the operational complexities, political nuances, and dynamic change required to remain relevant and competitive. Whether it is **Pharma** (McKesson, Owens & Minor), **Energy** (ARCO, Shell), **Retail** (PETCO), **Finance** (American Express, ING), **Transportation** (Alstom), **Government** (City of Phoenix Transit, Neighborhood Services; Mesa-Gateway Airport), **Insurance** (Fireman's Fund, AIG), **Hospitality** (Garden Fresh, Yum!, TGI Friday's), **Utilities** (Tucson Electric), **Tech** (Hewlett-Packard, Honeywell, Intuit, Northern Telecom), or **Education** (ASU, University of Phoenix), what's common to all these organizations (my clients over the years) is the work of managing people, ideas, money, materials, time, priorities, safety, innovation, communications, government regulations, legal, and many more interdependent activities to a common goal. All are important and are best coordinated from a planful and comprehensive 'big picture' perspective and commitment to accountability for performance. Further, these elements are constantly changing, requiring frequent adaptation and new approaches.

I've been an active member and leader in Home Owners' Associations in Dallas (1), Phoenix (2), and in Sedona (1). I have a long-standing personal interest and hands-on involvement in neighborhood improvement efforts.

#5. What do you believe are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

Sedona is now an attractive location for many developers and others to explore as a place to expand their operations. Consequently, the City of Sedona is being – and will continue to be – inundated with proposals for new hotels, spas, wellness centers, residential subdivisions, apartments and so forth. With this 'gold rush' influx, the major issue facing P&Z and the City is *"What sort of place do we want Sedona to be when we grow up (i.e., when we are 100% built out)?"*

Since the creation of the existing Community Plan a decade ago, significant shifts in residents' awareness and sensitivity to myriad issues such as environmental protection and maintaining a hometown feel (among others) are increasingly front and center. The community vision and plans need an update. The City also needs to explicitly acknowledge and commit to respecting and addressing the concerns, ideas, and interests of its residents. That focus has been almost entirely displaced by the City's focus on tourists/visitors in the past decade.

There are a host of important, and in some cases, competing issues: Conservation vs. Development; Resident-focused hometown community feel vs. Visitor-focused infrastructure

and amenities; Preservation of virgin open spaces vs. Construction of human-made destinations. Sedona's growth raises complex issues that must be considered as an interdependent *big picture system*. These issues – including environment, aesthetics, transportation, employment and more – comprise a web of physical infrastructure and city services that contribute to the attractiveness, livability, and long-term viability of any modern city. Possible unintended consequences of a decision in one area – in the absence of a *systems viewpoint* – can potentially derail the trajectory of the vision citizens have for their city.

It is a crucial function of P&Z Commissioners to hold all these issues in balance and to view every decision as impacting – positively or negatively – the realization of the community's expressed and updated vision. In sum, P&Z Commissioners are crucial to supporting a *systems perspective* so that the City makes the best decisions for its future.

#6. What do you hope to accomplish as a Planning and Zoning Commission member?

1. To influence prudent decisions for the long-term desirability and livability of our community. Putting our residents' vision and needs in first position; followed by those of our important tourists. After all, Sedona's Community Plan is the voice of the resident community. The resident voice is and must remain the predominant one.
2. To serve as a prepared, inquisitive, thoughtful, and hospitable member of the Commission.
3. To demonstrate a dogged determination to remain faithful to the existing guiding documents . . . and, when and where appropriate, to advocate for sensible revisions.

#7. If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

Yes, unless I become incapacitated, die, or am elected as a Councilor or Mayor.

#8. Have you read the Sedona Community Plan, Land Development Code?

Yes.

#9. Explain the differences between the Sedona Community Plan and the Land Development Code.

1. Sedona Community Plan

- Required by Arizona state law every 10 years
- Up for review/revision/edit in 2022
- Requires resident input through public hearings, etc.
- Several "required elements" must be included

- It's an aspirational document that expresses residents' "ideal" state for their "built-out" city
- Calls out and lists priorities to be addressed in the near-term
- A giant 'blueprint' reflecting our best communal thinking for what we want to do with our not-yet-developed land within our city limits

2. Land Development Code

- A voluminous document compiled by multiple agencies at a national level and subsequently made available to be used within local municipalities to guide development activities to ensure "best practice" guidelines are incorporated into mostly NEW development projects
- This document is 'customized' for local usage according to the unique characteristics and needs of the local municipality
- It is a complex and highly detailed document that serves as a manual MOSTLY for developers, engineers, and city professionals to ensure compliance with the standards set forth for new construction, remodeling and refurbishment projects, and more
- Spells out the technical specs for land development – building envelopes, set-backs, height and color, materials, etc.
- While Sedona's LDC has been revised in June 2021, it remains, in my opinion, critically silent on building and maintenance issues that would guide residential property owners in "built-out" Sedona about their property improvement/change activities regarding lighting, fencing, paint and roof color, landscaping and much more

3. Design Review Manual

- N/A. In 2018 LDC revision, this document's contents were incorporated into the LDC.

#10. As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

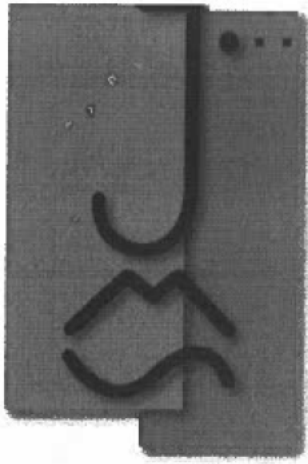
1. I will carefully review the materials presented by petitioner(s) in advance.
2. I will pursue answers to questions I may have about what's presented to ensure understanding.
3. I will evaluate each proposal in light of the contents (expressed or implied) of the LDC and Community Plan.
4. I will engage in discussion with my P&Z colleagues seeking their understanding of the specific proposals(s) and any other information they may possess that may provide a fuller context for decision-making.
5. I will be flexible and reasonable during presentations, review meetings, and discussions.
6. In those cases where significant citizen input is received, I shall take such input into full consideration.
7. Decisions that support the 'greater common good' shall prevail over individual concerns.

#11. If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

1. Acknowledge that the proposal is, in fact, supported/allowed by The Community Plan and applicable zoning codes
2. State my vote against the proposal *along with my rationale for this decision*
3. Request that the code or other guiding document that supports this proposal (and others which likely may follow) be re-examined, clarified, or revised to better adhere to our citizens' vision for their hometown


jon Maeterlinck Spera

Resume Attached



jmspartners

jon Maeterlinck Spera, Principal

Having worked for more than a decade in several large organizations, jon Spera pursued an entrepreneurial path by founding **jmspartners** in Dallas, Texas, in 1988. **jmspartners** provides expertise in **Leadership Development** and **Organizational Effectiveness** to Fortune 1000 Companies.

jon has nearly thirty years diverse organizational experience, including functional unit staff management and leadership responsibilities. He brings a unique and unrivaled background to his consulting practice. Before starting **jmspartners** jon held professional positions with Southern Methodist University, Mercantile National Bank of Dallas, Communispond, Inc., and American Airlines.

jon was educated and formed in the Jesuit tradition -- renowned for coupling *critical thinking* and *decisive action* -- and lived as a Jesuit himself for eight years. jon attended Loyola University in New Orleans and holds degrees in psychology and philosophy from the Jesuit liberal arts college, Spring Hill, in Mobile, Alabama. His early work experience began in secondary education and marketing and fundraising.

He possesses an extensive background in management development and executive coaching, which have been the core focus of his work since 1983.

As an engaging practitioner, **provocative, insightful, practical, and motivating** are among the words frequently used by his clients to describe jon's dynamic style, distinctive methods and the high energy he incorporates into his leadership development and organizational effectiveness assignments.

Since founding **jmspartners**, jon has influenced scores of leaders from diverse, well-known national and global organizations like American Express, McKesson, Honeywell, Tucson Electric, PETCO, Hewlett-Packard, TGI Friday's, Alstom Transport, ASU Foundation, and AIG.

jon is exceptionally effective working one-to-one with executives, as well as on assignments influencing entire organizations.

As an original and eclectic thinker who extracts novel and transferable lessons from a broad range of disciplines, he integrates fresh points-of-view and leading organizational development practices with the urgency of today's headlines.

jon is a talented coach who views his primary contribution as *"helping clients close the gap between intention and action."*



**CITY COUNCIL
AGENDA BILL**

**AB 2743
November 9, 2021
Regular Business**

Agenda Item: 8a

Proposed Action & Subject: Discussion/possible direction regarding Arizona League of Cities and Towns legislative activity including proposed short-term rental regulations and direction for the City’s legislative advocate.

Department	City Manager/City Attorney
Time to Present	10 minutes
Total Time for Item	90 minutes
Other Council Meetings	September 28, 2021
Exhibits	A. A.R.S. § 9-500.39 B. Draft Short Term Rental Legislation C. Legislative Advocate Biographies

City Attorney Approval	Reviewed 11/2/2021 KWC	Expenditure Required	
		\$	0
City Manager’s Recommendation	For discussion and direction only.	Amount Budgeted	
		\$	0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background:

The Arizona League of Cities and Towns reconvened its Short-Term Rental (STR) workgroup, composed of staff from interested cities and towns, in preparation for the upcoming legislative session. Its first meeting was held on October 13, 2021 to discuss legislative proposals. Staff will provide an update on those efforts.

Staff will also introduce the legislative advocate firm that will be working for the City of Sedona in the 2022 Arizona Legislative session. The firm that has been retained is Policy Development Group (PDG), specifically Paul Senseman, Kathy Senseman, and Todd Baughman. Their biographies are attached as Exhibit C.

Council will be provided with an opportunity to meet with the legislative advocate and learn about strategies leading into the Legislative session.

Exhibit A is the current state statute on STRs. Exhibit B contains the City's STR draft legislation as provided to the League.

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: for discussion and direction only.

9-500.39. Limits on regulation of vacation rentals and short-term rentals; state preemption; definitions

A. A city or town may not prohibit vacation rentals or short-term rentals.

B. A city or town may not restrict the use of or regulate vacation rentals or short-term rentals based on their classification, use or occupancy except as provided in this section. A city or town may regulate vacation rentals or short-term rentals for the following purposes:

1. Protecting the public's health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation or traffic control, solid or hazardous waste and pollution control, and designation of an emergency point of contact, if the city or town demonstrates that the rule or regulation is for the primary purpose of protecting the public's health and safety.

2. Adopting and enforcing residential use and zoning ordinances, including ordinances related to noise, protection of welfare, property maintenance and other nuisance issues, if the ordinance is applied in the same manner as other property classified under sections 42-12003 and 42-12004.

3. Limiting or prohibiting the use of a vacation rental or short-term rental for the purposes of housing sex offenders, operating or maintaining a sober living home, selling illegal drugs, liquor control or pornography, obscenity, nude or topless dancing and other adult-oriented businesses.

4. Requiring the owner of a vacation rental or short-term rental to provide the city or town with contact information for the owner or the owner's designee who is responsible for responding to complaints in a timely manner in person, over the phone or by email at any time of day before offering for rent or renting the vacation rental or short-term rental.

C. Within thirty days after a verified violation, a city or town shall notify the department of revenue and the owner of the vacation rental or short-term rental of the verified violation of the city's or town's applicable laws, regulations or ordinances and, if the owner of the vacation rental or short-term rental received the verified violation, whether the city or town imposed a civil penalty on the owner of the vacation rental or short-term rental and the amount of the civil penalty, if assessed. If multiple verified violations arise out of the same response to an incident at a vacation rental or short-term rental, those verified violations are considered one verified violation for the purpose of assessing civil penalties pursuant to section 42-1125.02, subsection B.

D. If the owner of a vacation rental or short-term rental has provided contact information to a city or town pursuant to subsection B, paragraph 4 of this section and if the city or town issues a citation for a violation of the city's or town's applicable laws, regulations or ordinances or a state law that occurred on the owner's vacation rental or short-term rental property, the city or town shall make a reasonable attempt to notify the owner or the owner's designee of the citation within seven business days after the citation is issued using the contact information provided pursuant to subsection B, paragraph 4 of this section. If the owner of a vacation rental or short-term rental has not provided contact information pursuant to subsection B, paragraph 4 of this section, the city or town is not required to provide such notice.

E. This section does not exempt an owner of a residential rental property, as defined in section 33-1901, from maintaining with the assessor of the county in which the property is located information required under title 33, chapter 17, article 1.

F. A vacation rental or short-term rental may not be used for nonresidential uses, including for a special event that would otherwise require a permit or license pursuant to a city or town ordinance or a state law or rule or for a retail, restaurant, banquet space or other similar use.

G. For the purposes of this section:

1. "Transient" has the same meaning prescribed in section 42-5070.

2. "Vacation rental" or "short-term rental" means any individually or collectively owned single-family or one-to-four-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under section 42-12001. Vacation rental and short-term rental do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center or another similar use.
3. "Verified violation" means a finding of guilt or civil responsibility for violating any state law or local ordinance relating to a purpose prescribed in subsection B or F of this section that has been finally adjudicated.

A.R.S. § 9-500.39

§ 9-500.39. Limits on regulation of vacation rentals and short-term rentals; state preemption; definitions

A. A city or town may not prohibit vacation rentals or short-term rentals.

B. A city or town may regulate vacation rentals or short-term rentals AS FOLLOWS:

1. TO PROTECT the public's health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation or traffic control, solid or hazardous waste and pollution control, and designation of an emergency point of contact, if the city or town demonstrates that the rule or regulation is for the primary purpose of protecting the public's health and safety.

2. TO ADOPT and ENFORCE ordinances related to noise, protection of welfare, property maintenance and other nuisance issues, if the ordinance is applied in the same manner as other property classified under §§ 42-12003 and 42-12004.

3. TO LIMIT or PROHIBIT the use of a vacation rental or short-term rental for the purposes of housing sex offenders, operating or maintaining a sober living home, selling illegal drugs, liquor control or pornography, obscenity, nude or topless dancing and other adult-oriented businesses.

4. TO REQUIRE the owner of a vacation rental or short-term rental to provide the city or town with contact information for the owner or the owner's designee who is responsible for responding to complaints in a timely manner in person, over the phone or by email at any time of day before offering for rent or renting the vacation rental or short-term rental.

5. TO ADOPT AND ENFORCE REASONABLE RESIDENTIAL USE AND ZONING ORDINANCES, INCLUDING DENSITY LIMITATIONS OF VACATION RENTALS OR SHORT-TERM RENTALS TO NO LESS THAN FIVE PERCENT OF HOMES IN EACH RESIDENTIAL ZONE, SUBDIVISION, NEIGHBORHOOD, OR CENSUS TRACT.

6. TO REQUIRE THE OWNER OF A VACATION RENTAL OR SHORT-TERM RENTAL TO OBTAIN A PERMIT, LICENSE OR REGISTER THE VACATION RENTAL OR SHORT-TERM RENTAL WITH THE CITY OR TOWN.

C. Within thirty days after a verified violation, a city or town shall notify the department of revenue and the owner of the vacation rental or short-term rental of the verified violation of the city's or town's applicable laws, regulations or ordinances and, if the owner of the vacation rental or short-term rental received the verified violation, whether the city or town imposed a civil penalty on the owner of the vacation rental or short-term rental and the amount of the civil penalty, if assessed. If multiple verified violations arise out of the same response to an incident at a vacation rental or short-term rental, those verified violations are considered one verified violation for the purpose of assessing civil penalties pursuant to § 42-1125.02, subsection B.

D. If the owner of a vacation rental or short-term rental has provided contact information to a city or town pursuant to subsection B, paragraph 4 of this section and if the city or town issues a citation for a violation of the city's or town's applicable laws, regulations or ordinances or a state law that occurred on the owner's vacation rental or short-term rental property, the city or town shall make a reasonable attempt to notify the owner or the owner's designee of the citation within seven business days after the citation is issued using the contact information provided pursuant to subsection B, paragraph 4 of this section. If the owner of a vacation rental or short-term rental has not provided contact information pursuant to subsection B, paragraph 4 of this section, the city or town is not required to provide such notice.

E. This section does not exempt an owner of a residential rental property, as defined in § 33-1901, from maintaining with the assessor of the county in which the property is located information required under title 33, chapter 17, article 1.¹

F. A vacation rental or short-term rental may not be used for nonresidential uses, including for a special event that would

otherwise require a permit or license pursuant to a city or town ordinance or a state law or rule or for a retail, restaurant, banquet space or other similar use.

G. VACATION RENTAL OR SHORT-TERM RENTALS ARE DISTINGUISHED FROM RESIDENTIAL RENTALS, AS DEFINED IN § 9-1301(10), AND SHALL BE SUBJECT TO REGULATION IN THE SAME MANNER AS TRANSIENT LODGING ACTIVITIES DESCRIBED IN § 42-5070.

H. For the purposes of this section:

1. “Transient” has the same meaning prescribed in § 42-5070.
2. “Vacation rental” or “short-term rental” means any individually or collectively owned single-family or one-to-four-family house or dwelling unit, or any unit or group of units in a condominium or cooperative, that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under § 42-12001. Vacation rental and short-term rental do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center or another similar use.
3. “Verified violation” means a finding of guilt or civil responsibility for violating any state law or local ordinance relating to a purpose prescribed in subsection B or F of this section that has been finally adjudicated.

Credits

Added as § 9-500.38 by Laws 2016, Ch. 208, § 1, eff. Jan. 1, 2017. Renumbered as § 9-500.39. Amended by Laws 2018, Ch. 194, § 1; Laws 2019, Ch. 240, § 1; Laws 2020, Ch. 43, § 1.

Policy Development Group - Biographies

Paul Senseman



Since joining PDG in 2003, Paul has been recognized by colleagues as one of the most respected public affairs experts in Arizona. Paul and his wife, PDG's Kathy Senseman, made history as the first people ever voted by professional colleagues to win "Best of the Capitol" awards individually and then again as a single unit. Paul's distinguished resume and affable personality give him a broad base of strong relationships and respected credibility across Arizona, and his keen knowledge of a wide range of public policy, strategic acumen, and familiarity with critical media messaging maximize results for our clients. In addition to lobbying elected officials and department policymakers at state and local governments, Paul has significant experience in a variety of regulatory matters and crisis communications, as well as grassroots and grassroots strategy development. He brings extensive strategic, political and managerial experience to our clients at the local, state and federal levels.

A fourth-generation resident of Peoria, Paul received a Bachelor of Science from Arizona State University. He began his professional political career in the Phoenix office of U.S. Senator John McCain and went on to serve in a variety of positions on the Arizona legislative leadership staff, reporting to three House Speakers and ultimately becoming Chief of Staff of the Arizona House of Representatives. Paul rejoined PDG in January 2011 after serving two years as Deputy Chief of Staff for Communications for Arizona Governor Janice K. Brewer.

Paul is active in a variety of organizations. He is a current member and past Chairman of the Board of Directors for the Phoenix Rescue Mission, a nonprofit committed to serving those experiencing addiction and homelessness. Paul was appointed by Governor Brewer to the Arizona Commission on Appellate Court Appointments and was similarly appointed and reappointed by Governor Doug Ducey to the Maricopa County Trial Court Commission. Paul was also appointed and reappointed by the Chief Justice of the Arizona Supreme Court to the State Bar Board of Governors. Paul participates in forums with the Arizona Center for Civic Leadership at the Flinn Foundation and annually in the selection committee for the Gabe Zimmerman Public Service Award through the Center for the Future of Arizona. Previously, Paul was Chairman of the Board of the ASU West Alumni Association and Honorary Commander of the 309th Fighter Squadron at Luke Air Force Base.

Kathy Senseman



Kathy joined PDG in 2009 and spearheads the firm's legislative and regulatory efforts on behalf of our clients. She was named the 'Best Female Lobbyist' by the Arizona Capitol Times in 2011 and in 2014, she and her husband Paul were named the 'Power Couple' of the year by the Arizona Capitol Times. Kathy's start-to-finish knowledge of the legislative process coupled with her keen ability to navigate complex and dynamic situations have made her one of Arizona's most effective and admired lobbyists. She advises and assists clients with regulatory matters at various agencies, municipalities, and at the Arizona Corporation Commission. Kathy started her career in the California legislature working as policy staff in the Assembly and Senate. During her time in California she ran several high-profile legislative races. Upon moving to Arizona, she took the helm of the Fiscal Accountability and Reform Efforts Committee (FARE). This organization was a product of the Arizona Chamber of Commerce and the then Phoenix 40. Its focus was fiscal accountability and budget reform measures at the state capitol. Following her tenure there, she joined Southwest Gas where she headed up many of the company's key state and local government affairs initiatives for ten years before joining PDG.

Kathy is currently an Executive Committee Member on the Board of Wildfire (formerly the Arizona Community Action Association) and serves as the Chair of the Home Energy Assistance Fund (HEAF). In 2012, she was appointed by the Governor and received Senate confirmation to serve on the State Charter School Board where she served for seven years, three of those as President. Kathy is also a past Chairman of the Board for the Challenger Space Center. She is a graduate of Pitzer College in Claremont, CA. In March of 2019, she was inducted into Pomona-Pitzer's athletic hall of fame.

Todd Baughman



Todd joined PDG in 2007 and serves as a lobbyist and strategist for our clients at the State level. He carries a genuine passion for the political process and the people involved. In addition to being the lead lobbyist for several clients, Todd assists with the firm's legislative efforts and coordinates the day-to-day legislative agenda for our clients. He also actively participates in non-legislative efforts involving public involvement and campaign initiatives.

Originally educated and trained as an accountant, Todd worked in the financial services industry doing tax, audit, and public accounting for several years before entering the world of politics as U.S. Senator Jon Kyl's deputy campaign treasurer. There he managed the budget for the campaign and actively participated in political efforts. Following the campaign, Todd worked with The Free Enterprise Club for a short time before joining PDG.

Todd graduated from The Master's University with a degree in business administration and accounting.



**CITY COUNCIL
AGENDA BILL**

**AB 2747
November 9, 2021
Regular Business**

Agenda Item: 8b
Proposed Action & Subject: Public hearing/discussion/possible action regarding a Resolution and Ordinance amending the City Tax Code Article IV to permanently increase the City Transaction Privilege Tax from 3% to 3.5% by removing the previous 10-year (2018-2028) sunset from the .5% tax increase. The one-half percent (0.5%) permanent increase will be dedicated to transportation purposes, including the implementation of a transit system in Sedona.

Department	City Manager's Office
Time to Present	5 minutes
Total Time for Item	30 minutes
Other Council Meetings	June 26, 2018, April 10, 2019, October 23, 2019, March 11, 2020, August 11, 2020, February 4, 2021, May 11, 2021
Exhibits	A. Resolution B. Ordinance

City Attorney Approval	Reviewed 11/2/2021 KWC	Expenditure Required	
		\$	0
City Manager's Recommendation	Approve a resolution and ordinance to permanently increase the City Transaction Privilege Tax from 3% to 3.5% by removing the previous 10-year (2018-2028) sunset from the .5% tax increase and dedicate the .5% to transportation purposes, including the implementation of a transit system in Sedona.	Amount Budgeted	
		\$	0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: The City of Sedona Transportation Master Plan (TMP) includes a series of recommended strategies to address traffic congestion and mobility needs of residents, visitors,

and commuters. Two TMP strategies focused on the implementation of local transit services. In June 2018, LSC Transportation Consultants, Inc. was hired by the City to further develop these strategies and facilitate the creation of an implementation plan for a transit system to serve the greater Sedona area including destinations throughout Oak Creek Canyon.

On March 11, 2020, City staff presented a final draft financial plan for transit as well as options for Council to consider regarding how the City might fund its anticipated share of the capital and ongoing operational costs for a future transit system. The financial plan synopsis assumed the pursuit of federal transit grant funding for both operating and capital, and contributions from both Yavapai and Coconino Counties towards a portion of the services planned to serve the unincorporated county areas. The City of Sedona contribution to operating the system was the lion's share and estimated between \$4-5 million annually. At that time Council gave direction to staff to conduct an additional public survey to assess community willingness to fund a future system, specifically interest in extending the ½ cent transportation sales tax beyond the initial ten-year approval and dedicating it to funding transit. That survey would have been issued mid-March but did not occur due to the COVID-19 pandemic.

On August 11, 2020, the Council directed staff to proceed with acceptance of a Federal Transit Administration (FTA) grant award towards the hiring of a transit administrator position and supplementary consulting services for transit implementation work. Since the acceptance of the FTA grant award, the City successfully filled the transit administrator position with Robert Weber in January 2021.

Council further directed staff to explore a permanent extension of the ½ cent transportation sales tax to be used for implementation of a transit system in Sedona and to obtain citizen input at the appropriate time. Further, on February 4, 2021, as part of the priority setting at the annual retreat, Council reinforced the desire to implement a transit system. Council also reviewed various survey results that demonstrated community interest in transit and in extending the transportation sales tax beyond 2028 to support future transit needs. The implementation of transit and the pursuit of the transportation sales tax extension as a funding source to support it, were established as high priority policy items.

On May 11, 2021, Council authorized staff to: a) prepare a notice of intent to permanently extend the transportation related project sales tax increase adopted January 9, 2018 by Ordinance 2018-01 to fund implementation of a transit system in Sedona; b) comply with the public posting requirements for a tax increase and modification to the model city tax code; and c) schedule public hearings for consideration of the sales tax increase and model city tax code modification.

The public posting requirements for a tax increase and modification to the model city tax code were met by posting to the City's website on August 30, 2021 for 60 days and publishing the notice and public hearing information in the local newspaper on October 22, 2021.

A significant body of survey results and other input obtained over the course of the last several years support the community's interest in both transit and the extension of the dedicated sales tax to fund transit services. Those results are contained in the May 11, 2021 agenda bill accessed [here](#).

As was also discussed during the May 11th meeting, a dedicated local tax would allow for leveraging of significant federal grant funds (up to 90 cents on the dollar for projects like zero-emission bus technology) that would otherwise be unavailable. There has been a positive trend toward increasing federal support for local transit programs that have a dedicated local revenue

stream. Based on FY22 sales tax revenue projections, the ½ cent tax would generate approximately \$4 million per year.

Community Plan Consistent: Yes - No - Not Applicable

The Circulation Chapter of the Community Plan (page 57) cites goals including reducing dependency on single-occupancy vehicles, providing for safe and smooth traffic flow, coordinating land use and transportation planning and systems, and making the most efficient use of the circulation system for long-term community benefit.

Some additional consistencies with Community Plan goals include:

- Environmental Stewardship: Transit will help conserve natural resources associated with wasteful vehicle operations due to congested travel time.
- Improved Traffic Flow: The project may reduce congestion and travel times and improve vehicle and pedestrian safety.

Board/Commission Recommendation: Applicable - Not Applicable

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

The Climate Action Plan Transportation & Land Use action items include public transit investments to include the development of a comprehensive, citywide transit and shuttle system that serves residents, visitors and employees.

Alternative(s):

MOTION

I move to: approve Resolution No. 2021-___, creating a public record for the terms of proposed amendments to City Tax Code Article IV (privilege taxes).

After First Reading:

I move to: approve Ordinance No. 2021-___, amending the City Tax Code Article IV to permanently increase the City Transaction Privilege Tax from 3% to 3.5% by removing the previous 10-year (2018-2028) sunset from the .5% tax increase. The one-half percent (0.5%) permanent increase on March 1, 2028, will be dedicated to transportation purposes, including the implementation of a transit system in Sedona.

RESOLUTION NO. 2021-__

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

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA, that the terms set forth in that document attached hereto as Exhibit A and entitled "March 1, 2028 Amendments to the City Tax Code Privilege Tax Provisions" constitute a public record to be incorporated by reference into Ordinance No. 2021-__.

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

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona this 9th Day of November, 2021.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney

EXHIBIT A

March 1, 2028 Amendments to the City Tax Code Privilege Tax Provisions

The tax rate in each of the following sections of the City tax code, currently set at three and one-half percent (3.5%) and of which one-half percent (.5%) is due to expire in February 2028, will permanently remain at three and one-half percent (3.5%):

Section 8-410 Amusements, exhibitions, and similar activities.

Section 8-415 Construction contracting: construction contractors.

Section 8-416 Construction contracting: speculative builders.

Section 8-417 Construction contracting: owner-builders who are not speculative builders.

Section 8-425 Job printing.

Section 8-427 Manufactured buildings.

Section 8-430 Timbering and other extraction.

Section 8-435 Publishing and periodicals distribution.

Section 8-444 Hotels.

Section 8-445 Rental, leasing, and licensing for use of real property.

Section 8-450 Rental, leasing, or licensing for use of tangible personal property.

Section 8-455 Restaurants and bars.

Section 8-460 Retail sales: measure of tax; burden of proof; exclusions.

Section 8-470 Telecommunication services.

Section 8-475 Transporting for hire.

Section 8-480 Utility services.

Section 8-610 Use tax: imposition of tax; presumption.

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

ORDINANCE NO. 2021-__

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE CITY TAX CODE ARTICLE IV RELATING TO PRIVILEGE TAX; PERMANENTLY INCREASING THE PRIVILEGE TAX FROM THREE PERCENT (3%) TO THREE AND ONE-HALF PERCENT (3.5%) EFFECTIVE MARCH 1, 2028, BY REMOVING THE PREVIOUS TEN (10) YEAR SUNSET FROM THE ONE-HALF PERCENT (.5%); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL OF ANY ORDINANCE OR PARTS OF ORDINANCES OR CODE PROVISIONS IN CONFLICT HEREWITH.

WHEREAS, the City Council amended the City Tax Code in January 2018 to provide for a ten-year temporary increase in the privilege tax for transportation related projects; and

WHEREAS, it is now the intention of the City Council to make that increase permanent, to continue to fund the ongoing operations of a transit system and transportation related projects.

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

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

Article IV of the City Tax Code is hereby amended by incorporating by reference those changes set forth in that public record entitled "March 1, 2028 Amendments to the City Tax Code Privilege Tax Provisions" and established as a public record by Resolution No. 2021-__.

The tax rate in each of the aforementioned sections of the City Tax Code is permanently increased from three percent (3%) to three and one-half percent (3.5%) effective March 1, 2028 when it was previously set to expire.

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

Section 2. Savings Clause

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 3. Repeal

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

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 9th day of November, 2021.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney



**CITY COUNCIL
AGENDA BILL**

**AB 2742
November 9, 2021
Regular Business**

Agenda Item: 8c

Proposed Action & Subject: Discussion/possible action regarding a Resolution and Ordinance amending the Sedona City Code Title 8 (Health and Safety) by repealing Chapter 8.25 (Sound Regulations – Sound Control) and replacing it with Chapter 8.25 (Noise Regulations).

Department	Code Enforcement/City Attorney’s Office
Time to Present	15 minutes
Total Time for Item	90 minutes
Other Council Meetings	N/A
Exhibits	A. Proposed Resolution creating a public record of a new Chapter 8.25 of the Sedona City Code B. Proposed Ordinance repealing and replacing Chapter 8.25 of the Sedona City Code

City Attorney Approval	Reviewed 11/2/2021 KWC	Expenditure Required	
		\$	0
City Manager’s Recommendation	Approve, by Resolution and Ordinance, replacement of Chapter 8.25 (Sound Regulations – Sound Control) related to noise regulations.	Amount Budgeted	
		\$	0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

SUMMARY STATEMENT

Background: The purpose of Chapter 8.25 of the Sedona City Code is to prohibit unnecessary, excessive, and offensive noises which, at certain levels, are nuisances detrimental to the health, safety, and welfare of the citizens.

The current City Code (<https://sedona.municipal.codes/SCC/8.25>) is based on a sound regulation ordinance adopted from a jurisdiction in New Jersey and contains language and requirements for certification of sound control officers that is not consistent with the standard practices for noise ordinance enforcement in Arizona. The certification requirements require sound control officers to attend an initial one-week certification training followed by a re-certification course every five years which the City changed in or around 2018 from an annual recertification requirement. The training is only held in New Jersey which requires travel expense for our employees. In 2017, the Community Development Director had a survey conducted of other cities and towns in Arizona which found Sedona was the only city requiring certification of sound control officers. In researching a revision to our ordinance, an unofficial

survey was conducted of 14 Arizona city and county jurisdictions, of which none have a certification requirement to enforce noise ordinance violations. Based on the current City Code, a police officer is not qualified to use a sound meter to determine a noise violation which hinders the ability of the Police Department to investigate noise disturbances. The language of the current code is cumbersome and difficult to navigate which causes confusion when determining how and when to apply the regulations.

The proposed ordinance is used by at least two other cities and removes the certification requirement of sound control officers. Some of the highlights of the proposed regulations include:

- Clearly describes how sound meter level readings are to be taken to determine violations of allowable noise levels
- Streamlines the allowable noise levels section by defining maximum levels in residential, commercial, and industrial areas
- Sets limits on special noise sources including motor vehicles, engine braking on commercial vehicles, car stereos, and amplified music
- Sets timeframes for construction noise and provides for a process requiring a permit for special construction work times
- Creates a section regarding noise in residential areas that allows for a “reasonable person” standard for better enforcement capabilities by the Police Department
- Provides remedies for habitual offenders by enhanced penalties for repeated violations

The noise decibel levels and timeframes for prohibited noise levels remain the same as in the current code but are more clearly explained. Enforcement of unnecessary noise in residential areas will be an easier burden of proof for the Police Department and Code Enforcement to meet and provide for better enforcement without being an unreasonable standard for the community to follow to be able to enjoy normal functions and activities.

Community Plan Consistent: Yes - No - Not Applicable

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

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): Council could keep the existing code in place which is cumbersome and difficult to enforce.

MOTION

I move to: approve Resolution No. 2021-____, establishing as a public record the proposed amendment to Sedona City Code Chapter 8.25 entitled “2021 Amendments to Sedona City Code Chapter 8.25 (Noise Regulations).”

(After First Reading)

I move to: adopt Ordinance No. 2021-____, an ordinance of the City of Sedona, Arizona repealing and replacing the Sedona City Code Chapter 8.25; providing for a savings clause; and providing for repeal of any conflicting ordinances.

RESOLUTION NO. 2021-__

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, ESTABLISHING AS A PUBLIC RECORD CHANGES TO SEDONA CITY
CODE CHAPTER 8.25 (SOUND REGULATIONS – SOUND CONTROL).**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA that the changes to Sedona City Code Chapter 8.25 (Sound Regulations – Sound Control) as set forth in Exhibit A, *“2021 Amendments to Chapter 8.25 (Noise Regulations) of the Sedona City Code,”* constitutes a public record to be adopted by reference pursuant to A.R.S. § 9-802.

One paper copy and one electronic copy of this public record shall be filed in the office of the City Clerk and kept available for public use and inspection.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona this 9th day of November, 2021

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney

Exhibit A
“2021 Amendments to Sedona City Code Chapter 8.25 (Noise Regulations)”

Chapter 8.25
NOISE REGULATIONS

Sections:

- 8.25.010** Declaration policy.
- 8.25.020** Definitions.
- 8.25.030** Noise.
- 8.25.040** Special noise sources.
- 8.25.050** Construction of buildings and projects.
- 8.25.060** Unnecessary noise in residential areas.
- 8.25.070** Penalties.

8.25.010 Declaration policy.

It is hereby declared to be the policy of the City of Sedona to prohibit unnecessary, excessive and offensive noises from all sources subject to its police power. At certain levels, noises are nuisances detrimental to the health, safety and welfare of the citizenry, and in the public interest, such noise shall be systematically proscribed.

8.25.020 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“A-weighted scale” means the total sound level of all noise as measured with a sound level meter using the A-weighting network. The unit is the dB(A).

“Commercial area” means an area located within a Commercial zoning district (CO), Lodging district (L), Mixed-Use Office district (M2), Mixed-Use Activity Center district (M3), or Community Facilities (CF) pursuant to the city Land Development Code or public right-of-way.

“Community noise standards” means the noise standards set forth in section 8.25.030(C).

“Decibel (dB)” means a sound pressure that is 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, 2×10^{-5} newton/meter².

“Emergency work” means any work performed to prevent or alleviate physical trauma or property damage threatened or caused by an emergency which has resulted or may result in a disruption of service and which is necessary to restore property to a safe condition following a public calamity or work required to protect the health, safety or welfare of persons or property or work by private or public utilities when restoring utility service.

“Frequency” of a function periodic in time shall mean the reciprocal of the primitive period. The unit is the hertz and shall be specified.

“Impulse noise” means a noise of short duration, usually less than one second, with an abrupt onset and rapid decay.

“Industrial area” means an area located within a light industrial zoning district (IN) pursuant to the city Land Development Code.

“Motor vehicles” means any self-propelled device in, upon, or by which any person or property is, or may be, transported within the city, including but not limited to, licensed or unlicensed vehicles, automobiles, off-highway vehicles, minibikes, go-carts, motorized skateboards, and motorcycles.

“Non-residential area” shall include any area located within a commercial area, industrial area or other area not zoned as a single-family residential zoning district or multi-family residential zoning district pursuant to the city Land Development Code.

“Period” of a periodic quantity shall mean the smallest increment of time for which the function repeats itself.

“Periodic quantity” means oscillating quantity, the values of which recur for equal increments of time.

“Person” means an individual, firm, association, partnership, joint venture or corporation. For the purpose of section 8.25.060, person shall also include an owner of property, tenant, lessee, manager, agent, or other person entitled to lawfully possess (or who claims lawful possession of) such property at the time of the offense.

“Pure tone noise” means any noise that is distinctly audible as a single pitch (frequency) or set of pitches as determined by the enforcement officer.

“Residential area” means an area located within a single-family residential or multi-family residential zoning district pursuant to the city Land Development Code.

“Sound level (noise level)” in decibels (dB) is the sound measured with the A-weighting and slow response by a sound level meter.

“Sound level meter” means an instrument including a microphone, an amplifier, an output meter, and frequency weighting networks used to measure sound levels which satisfies the pertinent requirements

in American National Standard Specifications for Sound Level Meters S1.4-1983 or the most recent revision thereof.

8.25.030 Noise

(A) *Exemptions.* The following uses and activities shall be exempt from noise level regulations in this section, but may be subject to other city regulations, including but not limited to the regulations in the Land Development Code:

- (1) The operation of air-conditioning, pool or spa equipment when it is properly functioning in accordance with manufacturer's specifications;
- (2) The operation of power tools and lawn maintenance equipment in a commercial area or industrial area, or over 250 feet of a residential property line when operated on commercial or industrial property, between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, or between the hours of 9:00 a.m. and 6:00 p.m. on weekends or federal holidays. All engine-driven equipment used in these activities shall be operated with a muffler or noise-reducing equipment in accordance with manufacturer's specifications. The operation of power tools and lawn maintenance equipment, excluding emergency work, in commercial or industrial areas at all other times shall be subject to the community noise standards;
- (3) The operation of power tools and lawn maintenance equipment in a residential area between 7:00 a.m. and 8:00 p.m., but only if said equipment is properly functioning with all mufflers and noise-reducing equipment in accordance with manufacturer's specifications. The operation of lawn maintenance equipment in residential areas at all other times shall be subject to the community noise standards;
- (4) Non-amplified noises resulting from the activities such as those planned for school, governmental or community groups or duly authorized by such groups;
- (5) Noises of safety signals, warning and alarm devices, emergency generators, storm warning sirens, emergency pressure relief valves or horns and the authorized testing of such equipment;
- (6) Noises resulting from emergency work as defined in section 8.25.020;
- (7) Noises of church chimes;
- (8) Noises created by aircraft;
- (9) Public or utility owned or operated stationary mechanical equipment so long as such equipment is properly functioning pursuant to manufacturer's specifications;
- (10) Road and street noise generated from the normal operation of traffic except as regulated herein, or any emergency or safety warning devices, such as, but not limited to, vehicle horns or back-up beepers;

(11) Work by or on behalf of the city, the state, or the federal government, between the hours of 8:00 p.m. and 7:00 a.m., when public welfare and convenience renders it impractical to perform the work between 7:00 a.m. and 8:00 p.m.;

(12) Special events for which a permit has been obtained from the city, so long as said event is conducted in compliance with the terms and conditions of the permit;

(13) Sound from any mobile garbage collection vehicle;

(14) Noises from permissible consumer fireworks and their use as defined in SCC 8.50 except between the hours of 12:30 a.m. and 7:00 a.m.

(B) *Measurement criteria.* For the purpose of enforcement of the provisions of this section, noise level shall be measured on the A-weighted scale with a sound level meter. The meter shall be set for slow response speed, except that for impulse noises or rapidly varying sound levels, fast response speed may be used. Prior to measurement, the meter shall be verified, and adjusted according to the manufacturer's specifications by means of an acoustical calibrator.

(C) *Allowable noise levels.*

(1) It is unlawful for any person to create any noise which would cause the noise level measured from any location at or within the property line of the complainant's property to exceed the following community noise standards for more than 15 minutes in commercial areas and industrial areas and for more than five minutes in residential areas:

Table I. Community Noise Standards

Zone	Time	Noise Standard Maximum dB(A)
Residential area	10:00 p.m.—7:00 a.m.	50
	7:00 a.m. – 10:00 p.m.	60
Commercial area	10:00 p.m. – 7:00 a.m.	65
	7:00 a.m. – 10:00 p.m.	65
Industrial area	10:00 p.m. – 7:00 a.m.	65
	7:00 a.m. – 10:00 p.m.	70

(2) If the measurement location is on a boundary between two zoning districts, the lower noise standard shall apply.

8.25.040 Special noise sources.

(A) *Power plant equipment.* It is unlawful for the noise level of power plant equipment during normal operation to exceed the industrial community noise standards set forth in section 8.25.030.

(B) *Sound trucks; loudspeakers; other sound amplifiers.* It is unlawful to play, operate or use any device known as a sound truck, loudspeaker or sound amplifier, radio or phonograph with a loudspeaker or sound amplifier or any instrument of any kind or character which emits loud and raucous noises from any vehicle.

(C) *Motor vehicles.*

(1) *Vehicle repair.* It shall be unlawful for any person within any residential area of the city to repair, rebuild or test any motor vehicle (between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day) in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance.

(2) *Motor vehicle mufflers.* It is unlawful for any person to operate a motor vehicle which shall not at all times be equipped with a muffler upon the exhaust thereof in good working order and in constant operation to prevent excessive or unusual noise, and it is unlawful for any person operating any motor vehicle to use a cutout, bypass or similar muffler elimination appliance.

(3) *Braking devices.* It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within the city any compression release or other engine braking device designed to aid in the braking or deceleration of any vehicle which results in noise in excess of that which would otherwise be produced from such vehicle without such braking device. The provisions of this subsection do not apply to public safety vehicles.

(4) *Vehicle operation.* Except as authorized by law, no person shall operate either a motor vehicle or combination of vehicles at any time or under any condition of grade, load, acceleration or deceleration in such a manner as to exceed the following noise limit of the category of motor vehicle based on a distance of 50 feet from the center of the lane or travel within the speed limits specified in the following table:

	Speed Limit of 35 mph or less	Speed Limit of More Than 35 mph
(i) Any motor vehicle with a manufacturer's gross vehicle weight rating of 6,000 pounds or more, any combination of vehicles towed by such motor vehicle, and any motorcycle other than a motor-driven cycle (moped)	88 dB(A)	92 dB(A)

(ii) Any other motor vehicle and any combination of vehicles towed by such motor vehicles	82 dB(A)	86 dB(A)
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(D) *Schools, churches and hospitals.* It shall be unlawful for any person to create any noise on any street, sidewalk or public place adjacent to any school, institution of learning or church while the same is in use or adjacent to any hospital, which noise unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital; provided that conspicuous signs are displayed in such streets, sidewalk or public place indicating the presence of a school, church or hospital.

(E) *Burglar alarms.* An exterior burglar alarm of a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five minutes for continuous airborne sound and 15 minutes for impulsive sound after it has been activated. At all times, the limits of the applicable community noise standards set forth in section 8.25.030 do not apply.

(F) *Animals.* Domesticated or caged nonfarm animals may not bark, squeal, crow, howl or make any other such noises for more than five minutes if continuous or more than 15 minutes if intermittent. At all times, the limits of the applicable community noise standards set forth in section 8.25.030 do not apply.

(G) *Specific acts prohibited.*

(1) The playing of any radio, stereo, player, or other sound device, including, but not limited to “boom boxes” or other devices for reproduction or amplification of sound, from a public street, public property or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet or greater in any direction between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., such equipment shall not be operated in such a manner that it is plainly audible at a distance of 25 feet in any direction.

(2) The playing of any musical instrument, including, but not limited to guitar, keyboard, drums or other musical instrument, from a public street, public property or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet or greater in any direction between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound from such equipment shall not be plainly audible by any person other than the operator.

8.25.050 Construction of buildings and projects.

(A) *General provisions.* It shall be unlawful for any person to pour concrete or perform construction work in the city, except within the time periods specified herein; at all other times the limits of the applicable community noise standards set forth in section 8.25.030 shall apply. As used in this section,

"construction work" shall include (1) operating construction-related equipment, (2) performing outside construction work, (3) performing outside repair work on buildings, structures or projects and (4) operating a pile driver, power shovel, pneumatic hammer, derrick, power hoist or other construction-type device.

(B) *Start/stop times.*

(1) *Concrete.* For the delivery, placement and finishing of concrete and stucco, concrete mixing trucks may be idled, between the hours of 6:00 a.m. and 9:00 p.m. Monday through Saturday or at such other times as authorized by permit. During the period from May 1st through September 30th of each year such work may begin one-half hour before sunrise.

(2) *All other construction; residential zones in or within 250 feet.* All other construction work shall not begin prior to 6:00 a.m. and must stop by 9:00 p.m. Monday through Saturday in or within 250 feet of a residential zone.

(3) *Commercial and industrial zones.* Construction work in commercial and industrial zones not within 250 feet of a residential zone shall not begin prior to 5:00 a.m. and must stop by 9:00 p.m. Monday through Saturday or it may be conducted at such times as authorized by permit.

(C) *Permit.* Construction work may be conducted at different times than otherwise permitted herein if, upon written application, a permit is obtained from the Community Development department. In granting such permit, the director of the Community Development department shall consider: whether construction noise in the vicinity of the proposed work site would be less objectionable at night than during the daytime because of the different population levels or different neighborhood activities; whether obstruction and interference with traffic, particularly on streets of major importance, would be less objectionable at night than during the daytime; whether the kind of work to be performed emits noises at such a low level as to not cause significant disturbance of the reasonable peaceful enjoyment of the surrounding neighbors in the vicinity of the work site; whether the neighborhood of the proposed work site is primarily residential in character wherein sleep would be disturbed; whether great economic hardship would occur if the work were spread over a longer time; whether the work will abate or prevent hazard to life or property; and whether the proposed early morning or night work is in the general public interest. The director shall prescribe such conditions, working times, types of construction equipment to be used and permissible noise emissions as the director deems appropriate in the public interest. No permit shall be required to perform emergency work necessary to restore property to a safe condition following a public calamity, work required to protect the health, safety or welfare of persons or property or work by private or public utilities when restoring utility service.

(D) *Revocation of permits; appeal.* The director may revoke any permit granted hereunder upon complaints based upon substantial evidence that the construction work causes significant disturbance of the reasonable peaceful enjoyment of the surrounding neighbors in the vicinity of the work site. Any person aggrieved by the granting of a permit or the refusal to grant a permit by the city manager or authorized representative may appeal the decision to the city council who shall hear such appeal at the next regularly scheduled meeting of the city council.

(E) *Stop orders.* Whenever any work on a construction project is in violation of the provisions of this section, the director may order the construction project stopped by notice in writing served on any persons responsible for the project, and any such persons shall forthwith stop work on the project until a permit is obtained.

8.25.060 Unnecessary noise in residential areas.

(A) Notwithstanding any other provision of this chapter, and in addition thereto, it shall be unlawful in residential areas for any person without justification to make or continue, or cause or permit to be made or continued, any unnecessary, excessive or offensive noise, which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person residing in the area.

(B) Notwithstanding any other provision of this chapter, and in addition thereto, it shall be unlawful in residential areas for any person without justification to yell, shout, make unreasonably loud and disturbing noise, or allow any such noises to occur on one's property, between the hours of 9:00 p.m. and 7:00 a.m., or at any time so as to disturb the quiet, comfort, or repose of a reasonable person of ordinary sensitivity. "Unreasonably loud and disturbing noise" means any noise of such character, intensity or duration as to be detrimental to the life or health or well-being of any individual in a residential area, or as to disturb the public peace and quiet of an individual in a residential area. This subsection applies only to those situations where the disturbance is not a result of the content of the communication, but due to the volume, duration, location, timing or other factors not based on content.

(C) The factors that will be considered in determining whether a violation of the provisions of this section exists will include, but not be limited to, the following:

- (1) The volume of noise;
- (2) The intensity of the noise;
- (3) Whether the nature of the noise is usual or unusual;
- (4) Whether the origin of the noise is natural or unnatural;
- (5) The volume and intensity of the background noise, if any;
- (6) The proximity of the noise to residential sleeping facilities;
- (7) The nature and zoning of the area within which the noise emanates;
- (8) The density of the inhabitation of the area within which the noise emanates;
- (9) The time of the day or night the noise occurs;
- (10) The duration of the noise;
- (11) Whether the noise is recurrent, intermittent or constant;

- (12) Whether the noise is produced by a commercial or noncommercial activity;
- (13) Whether it is a pure tone noise;
- (14) Whether it is an impulse noise.

(D) The evidence that may be considered in determining whether a violation of the provisions of this section exists may include any of the following evidence: officer observations, witness statement, photograph, video recording, audio recording, data from a noise app, noise nuisance log, and any other type of evidence as determined by the officer.

8.25.070 Penalties.

(A) *Violations of sections 8.25.030, 8.25.040, and 8.25.050.*

(1) *Civil violations.* Any person who violates section 8.25.030, section 8.25.040, or section 8.25.050 shall be subject, upon order of a court, to a civil penalty of not more than \$2,500 for each offense, and each day during which the violation continues shall constitute a separate offense.

(2) *Habitual offender.* A habitual offender is a person who commits a violation of this chapter after previously having been found responsible for committing three or more civil violations of this chapter within a 24-month period, whether by admission, by payment of the fine, by default or by judgment after hearing. A habitual offender shall be guilty of a criminal class 1 misdemeanor complaint in the city municipal court against habitual offenders who violate this chapter. For purposes of calculating the 24-month period under this paragraph, the dates of the commission of the offenses are the determining factor.

a. For habitual offenders, upon conviction of a violation of this chapter, the court may impose a sentence of incarceration not to exceed six months in jail; or a fine not to exceed \$2,500.00, exclusive of penalty assessments prescribed by law; or both. The court shall order a person who has been convicted of violation of this chapter to pay a fine of not less than \$500.00 for each count upon which a conviction has been obtained.

b. Every action or proceeding under this chapter shall be commenced and prosecuted in accordance with the laws of the state relating to criminal misdemeanors and the state rules of criminal procedure.

c. Habitual offenders shall not be eligible for a Temporary Use Permit per the Sedona Land Development Code 8.4(D) for six months after the third violation within 24 months and each subsequent violation.

(B) *Violations of section 8.25.060 regarding unnecessary noise in residential areas.*

Criminal penalty. Any person found guilty of violating section 8.25.060 of this chapter shall be guilty of a class 1 misdemeanor and, upon conviction thereof, shall be punished by a fine not to

exceed \$2,500 or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues is a separate offense punishable as set forth herein or by civil sanction.

(C) *Enforcement.* The police chief and his/her designees, including code enforcement officers as applicable, shall have the authority to enforce the noise regulations contained in this chapter. Nothing in this chapter shall prevent obtaining voluntary compliance by way of warning, notice or education.

(D) *Severability.* If any provision or portion of a provision of this chapter is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

ORDINANCE NO. 2021-___

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, REPEALING CITY CODE CHAPTER 8.25 (SOUND REGULATIONS – SOUND CONTROL AND REPLACING IT WITH CITY CODE CHAPTER 8.25 (NOISE REGULATIONS); PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, as follows:

Section 1. Amendment of Chapter 8.25

Chapter 8.25 (Sound Regulations – Sound Control) of the City Code of the City of Sedona is hereby repealed and replaced by incorporating by reference those changes set forth in that public record entitled “2021 Amendments to Sedona City Code Chapter 8.25 (Noise Regulations)” and established as a public record by Resolution No. 2021-___ as though said provisions are fully set forth herein.

Section 2. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

Section 3. Repeal

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

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 9th day of November, 2021.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney



**CITY COUNCIL
AGENDA BILL**

**AB 2571
November 9, 2021
Regular Business**

Agenda Item: 8d

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, October 12, 2021, October 26, 2021

Exhibits None

City Attorney Approval	Reviewed 11/02/21 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.