

Yavapai County

The last six months in review



COVID-19 Relief Funding (ARPA Funding)

- Yavapai County will receive \$45.6 million in American Rescue Plan Act Coronavirus Local Fiscal Recovery Funds
- On August 4, 2021, the Board of Supervisors approved tentative allocation of funding to:
 - Broadband infrastructure - \$20M
 - Water & Sewer Infrastructure - \$10M
 - Health Department Pandemic Response - 5.6M
 - County Projects (building HVAC, etc.) - 7M
 - Contingency - \$3M (to be allocated as ARPA programs are implemented depending on need)

County Employee Compensation, Classification and Benefits Study

- Yavapai County, like many organizations throughout the Country, is struggling with personnel turnover and vacancies in critical positions that provide services to our constituents.
- Evergreen Solutions LLC, was hired as a consultant to conduct a market salary and benefits survey, and develop strategic positioning recommendations for our workforce.
- This study is scheduled to be completed in May 2022.

Criminal Justice Center & Co-located Mental Health Services Project

- The new Yavapai County Criminal Justice Center located in Prescott will include a 152-bed booking and holding facility that will be securely connected with two Superior courtrooms, an inpatient behavioral health evaluation center, and the co-located “Connections Center” community services facility.
- The innovative Connections Center is designed to connect those charged with crimes or individuals suffering from mental health issues with community services that helps to sustain their ability to live in the community.
- Project completion is scheduled for October 2022.

2/8/22

Citizens Victory – SB 1377

www.azleg.gov/legtext/55leg/1R/bills/sb1377s.pdf

SB 1377 off-highway vehicles; fund

Senate Appropriations Committee





HURF FY21 Distribution

SB 1377 gives approx. 1.3 Million dollars more to fund OHV Issues

- ▶ Game and Fish Department- \$455,000
- ▶ Land Department- \$195,000
- ▶ Parks Board- \$650,000



GardenPro



25 °C / 77 °F

09/20/2021 09:26:14 AM



Yavapai County 2022 Legislative Proposal

Off Highway Vehicles (OHVs)

Presented by Yavapai County Supervisors

Donna Michaels, Ph.D., District 3

and

Harry Oberg, District 1

Revised February 14, 2022



Labor Day Weekend 2021

2 OHV rollovers – 4 seriously injured

1 helicopter transport to the hospital

3 ambulance transports

**FS 135 /
FH 3**





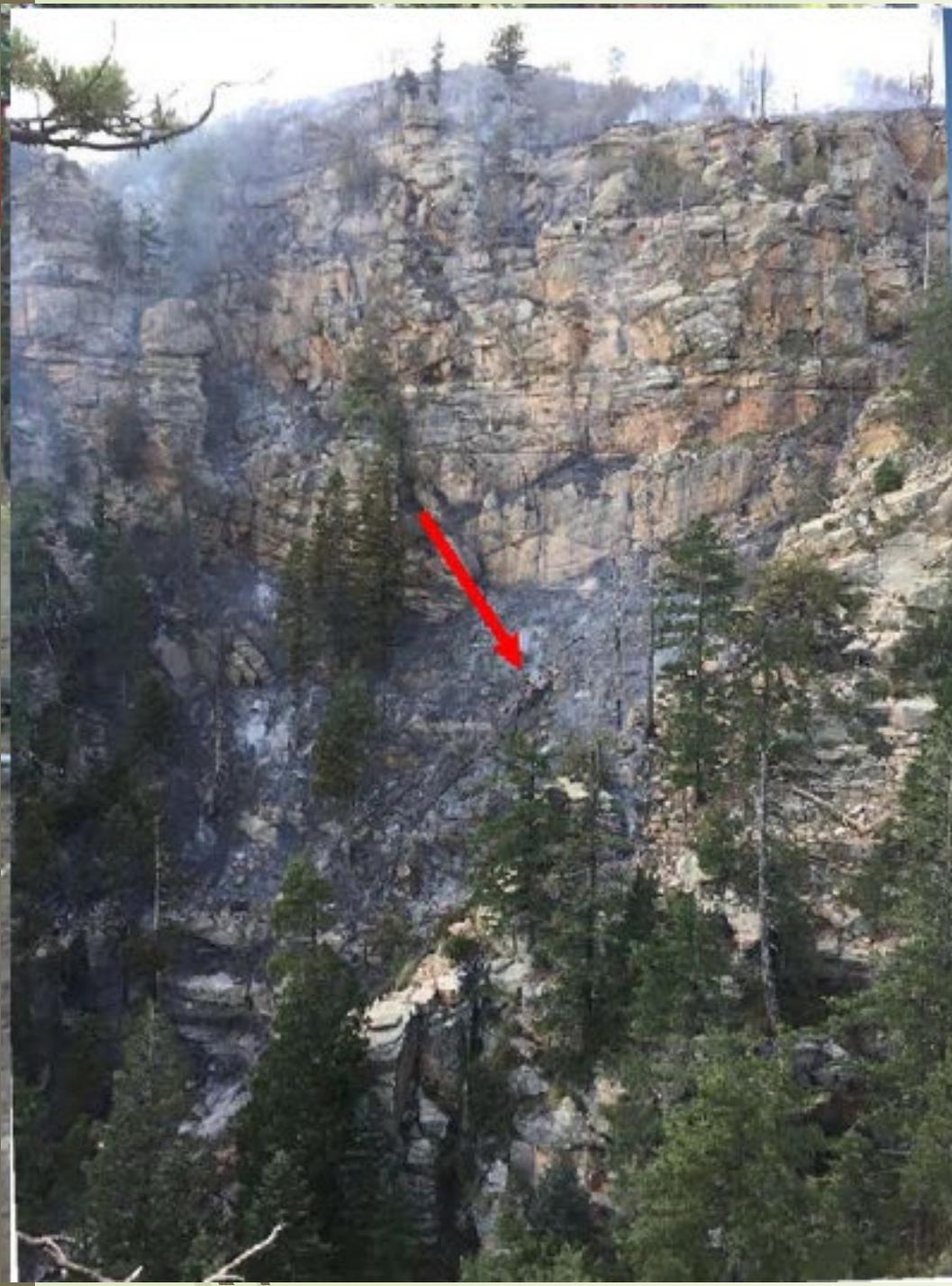
Blue Ridge

(fatality 2020)



Blue Ridge

(fatality 2018)



Specific Neighborhood(s) Impact

Former Mayor Rob Adams, City of Sedona

Letter dated January 2022

- “Many Sedona citizens have become increasingly alarmed by the onslaught of commercial and non-commercial OHV’s on the highways and in the neighborhoods of Sedona... The areas of Broken Arrow, Soldiers Pass, Schnebly Road and the Dry Creek area bear the burden of the OHV traffic... This is in **clear conflict** with specific language in **Amendment 12** and the **2018 Coconino Forest Plan**, as outlined later in this narrative.”

- According to the Coconino Forest Service Plan - Commercial Uses page 206-242: *“Modify commercial activities as needed to address resident concerns for safety and to minimize disturbance from commercial activities that access National Forest lands through neighborhoods.”*

“There has been **no noticeable reduction** in commercial OHV traffic in the Broken Arrow neighborhood. In fact, when other forest roads were closed during the summer of 2021 due to heavy rains, commercial traffic was intentionally re-directed to Broken Arrow.”

- “Much of the **action that has been taken by the Forest Service appears to be focused on accommodating the OHV use** in the forests **rather than mitigating the impacts** that the OHVs create.”

Statements of concern from Jurisdictions *

Sandra J. Moriarty, City of Sedona Mayor

Letter dated November 2, 2021

- ▶ “The Sedona Mayor and City Council, on behalf of concerned residents both within City limits and in the nearby rural communities, are **requesting that the USFS implement a limited entry permit system** for motorized use trails in the greater Sedona area...
- ▶ This unregulated traffic **has created substantial environmental damage, health and public safety issues**, high fire danger from dead trees, potential harm to the precious heritage sites, and general nuisance issues with residential neighborhoods, such as noise, trash, and odor emissions. **The current situation is unsustainable** and must be corrected.”

** All letters from jurisdictions are available with Yavapai County Administrator, Phil Bourdon.*



Laura Jo West, Coconino National Forest Supervisor

letter dated July 21, 2021

- “The Forest Service [and other jurisdictions]...have been fielding concerns about **speeding, reckless driving, driving off trail/road, ...dust and noise**, and natural resource damage to our fragile desert environment and rangeland resources.
- **I would like to avoid a closure of OHV routes...however if we are unable to address these issues...I will take action to close access...”**



Amy Tinderholt, Coconino District Ranger

letter dated September 23, 2021

- “Red Rock Ranger District has witnessed **increased Traffic** and Off-highway vehicle recreation... over the **last decade**.
- Public and stakeholder concerns:...**use, speed, reckless driving, dust, illegal operation, resource damage, accidents...**”



Todd Willard for Dale Deiter, Prescott National Forest Supervisor

letter dated September 23, 2021

- “There has been a marked increase in **larger size UTV’s** during the past handful of years.
- Many issues relate to **large groups** (ten or more) UTV’s that often travel at **higher rates of speed...**”



Prescott National Forest News Release dated September 24, 2021

Closure to begin on **October 3, 2021**

- Implementation of a temporary **2-year Camping and Motor Vehicle Use closure** for the area near Perkinsville Bridge on the Chino Valley Ranger District

AZGF Primary OHV Management Issues

Public Safety

- Helmets
- Speed (newer machines capable of high speeds)
- Riding double, accidents



Education - Know before you go (new folks in the Forest)

Cross Country Travel and Wildlife/Range Habitat Damage

- Road proliferation and widening
- Damage to wet, fragile soils
- Damage to livestock tanks, meadow habitats

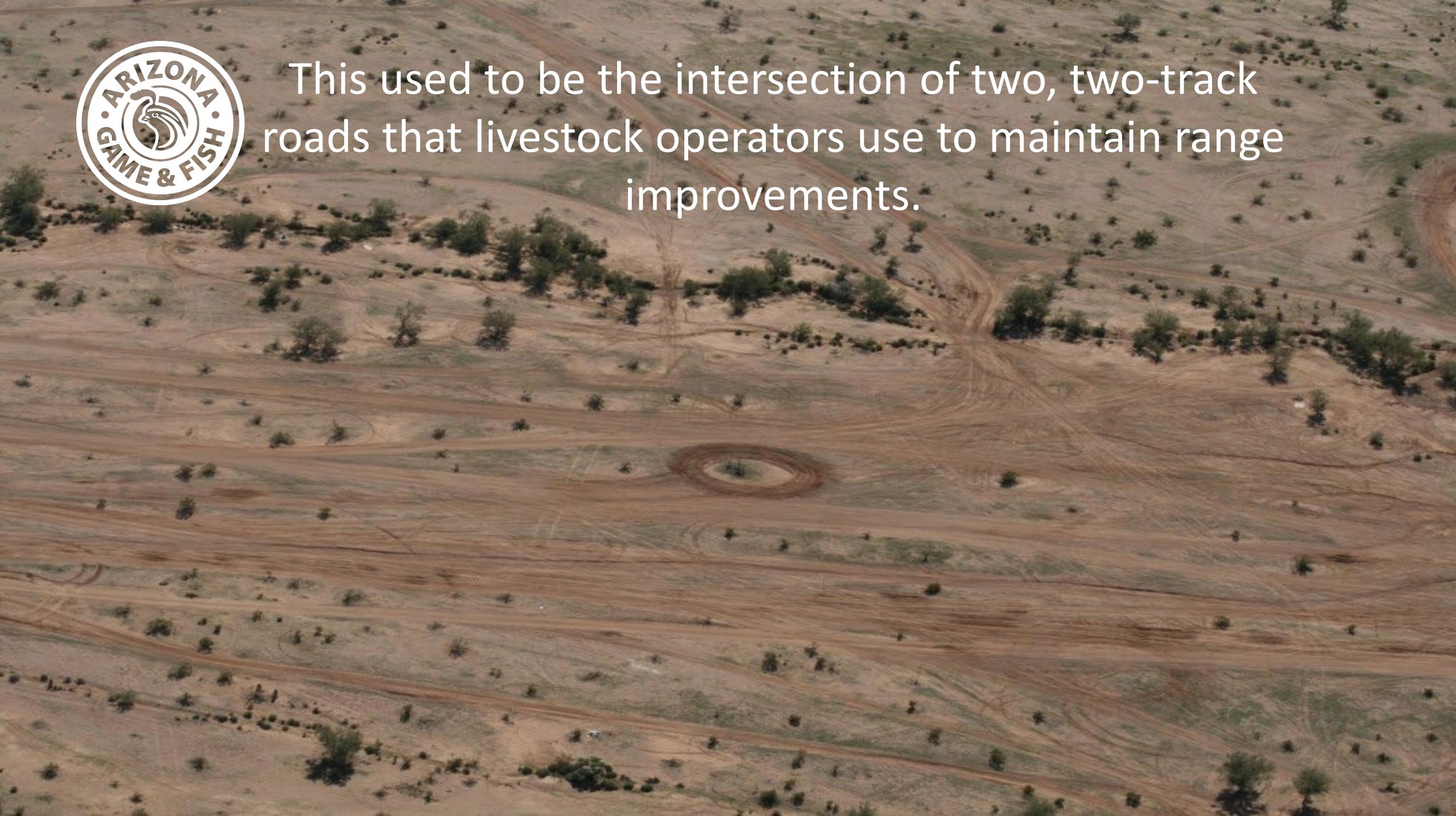
Increase in OHV use, limited resources to manage that use

- **347%** increase since 1998

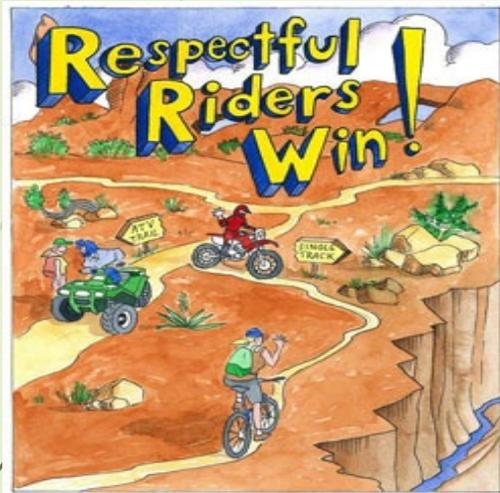




This used to be the intersection of two, two-track roads that livestock operators use to maintain range improvements.



Three Goals Yavapai County hopes to achieve



1. Education

2. Enforcement

3. Engineering



Jurisdictional Partners statements



U.S. FOREST SERVICE
Caring for the land and serving people

United States Department of Agriculture



Laura Jo West, Coconino National Forest Supervisor, “County Supervisor Michaels has **convened a working group** comprised of these agencies, stakeholders, and residents **to collaborate** to address these issues.”

Amy Tinderholdt, Coconino National Forest District Ranger, “We have appreciated your leadership to **encourage collaboration** among the Forest Service, residents, ranchers, stakeholders, Yavapai County Sherriff’s Office, Arizona Game and Fish Department and local municipalities **to assess concerns** related to impacts of increased vehicle and off-highway vehicle (OHV) traffic **on forest roads, trails and areas.**”



Todd Willard for Dale Deiter, Prescott National Forest Supervisor, “We appreciate the **coordination and attention to Off Highway Vehicle (OHV) management** on the Prescott National Forest.

Supporters of YC Legislative Proposal



Chelsea McGuire, "AZFB appreciates your leadership on this issue!"

Mike Gannuscio, President ACGA, "This proposal is important to ACGA specifically because many of our members have the same concerns and issues with OHV that are damaging their lands as well."

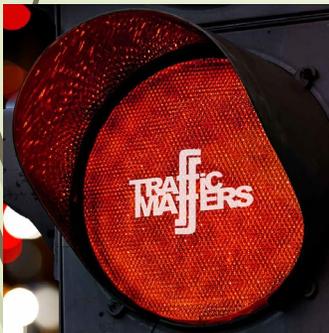


Supporters of YC Legislative Proposal



Dustin & Becky Ross, 3rd Generation Ranchers in the Verde Valley, “Since taking office, Supervisor Donna Michaels has worked tirelessly to protect Verde Valley residents and natural resources. That dedication to constituents is something we’ve never experienced before.”

Rob Adams, former Mayor of Sedona, “Thank you Supervisor Michaels for working to increase the stewardship of our public lands.”



Marcie Ellis, Committee Chairwomen Oak Creek Traffic Matters, “I and am delighted the County is taking leadership...anything that can be done to minimize the impacts of OHVs will have our wholehearted support.”



To join our coalition please call our office

Supervisor Donna Michaels – (928) 649-6227
Donna.Michaels@yavapaiaz.gov

Supervisor Harry Oberg – (928) 771-3206
Harry.Oberg@yavapaiaz.gov



Thank you for considering YC Legislative Proposal

Supervisor Donna Michaels, Ph.D., District 3
Supervisor Harry Oberg, District 1

Video credit goes to Deanna Bindley...Thank you for your diligence in obtaining photos and videos of the OHV misuse in unincorporated Yavapai County.

CHAPEL ROAD SHARED USE PATH -

CONSTRUCTION CONTRACT APPROVAL



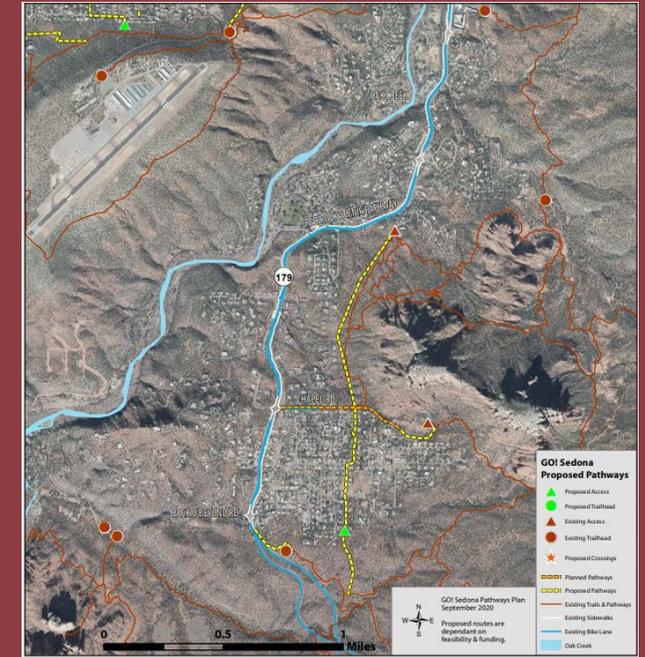
History

- Pedestrian/bicyclists in road lane
- Issues with buses since 2001
- Parking issues along Chapel



City Effort - Update

- Sedona in Motion (SIM),
- Get Outside (GO) Sedona
- Transit
- Shared Use Path Projects
 - Dry Creek Road Shared Use Path (SUP)
 - Thunder Mountain/Sanborn SUP
 - Soldiers Pass Road SUP
 - Pinon Drive SUP
 - Navoti Drive to Dry Creek Road SUP
 - Schnebly Hill Road SUP
 - Shelby Drive
 - Southwest Drive SUP
 - Sunset Park SUP
 - SR 179

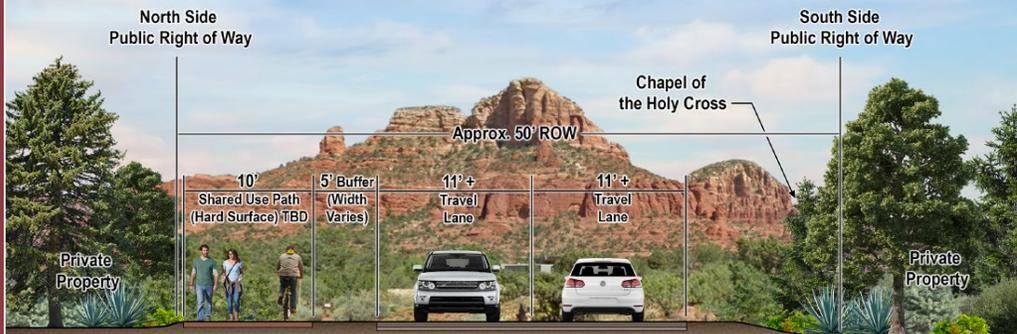


Project

- Safety
- Walkability
- Bikeability
- Signs
- Connectivity
- Experience

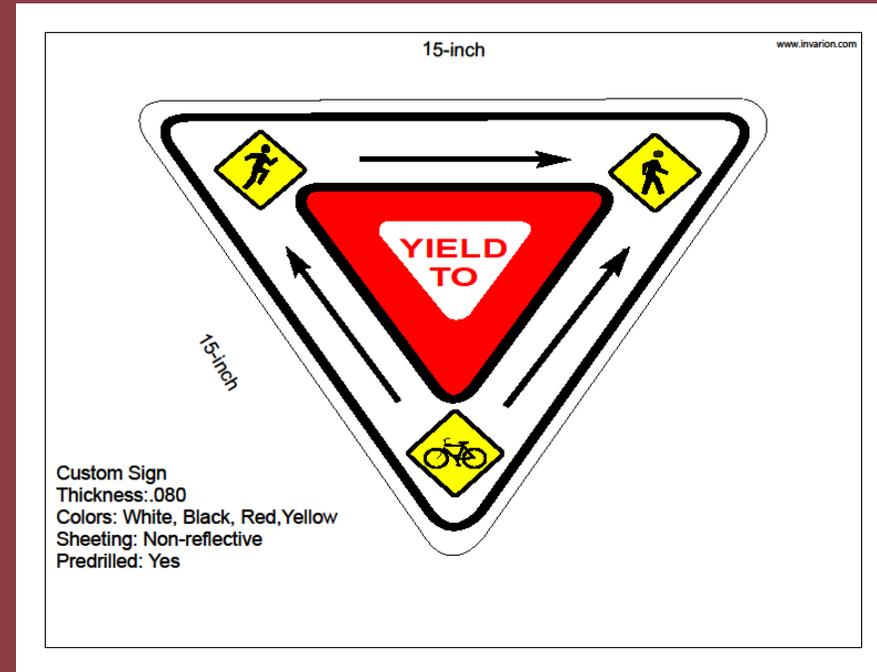


Chapel Road Shared Use Path and Parking Improvements



Schedule

- Design Completed June 2020
- Bid for construction/select contractor Jan – Feb 2022
- Begin construction around March-April 2022 (block parking)
- Construction complete end of summer 2022



SIM-5B Forest Road Connection

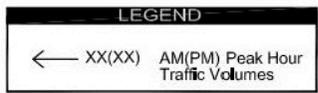
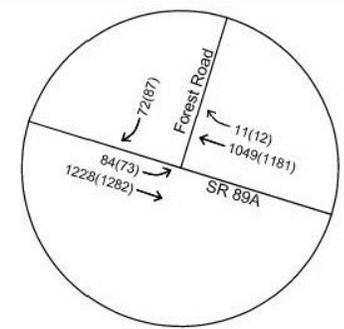
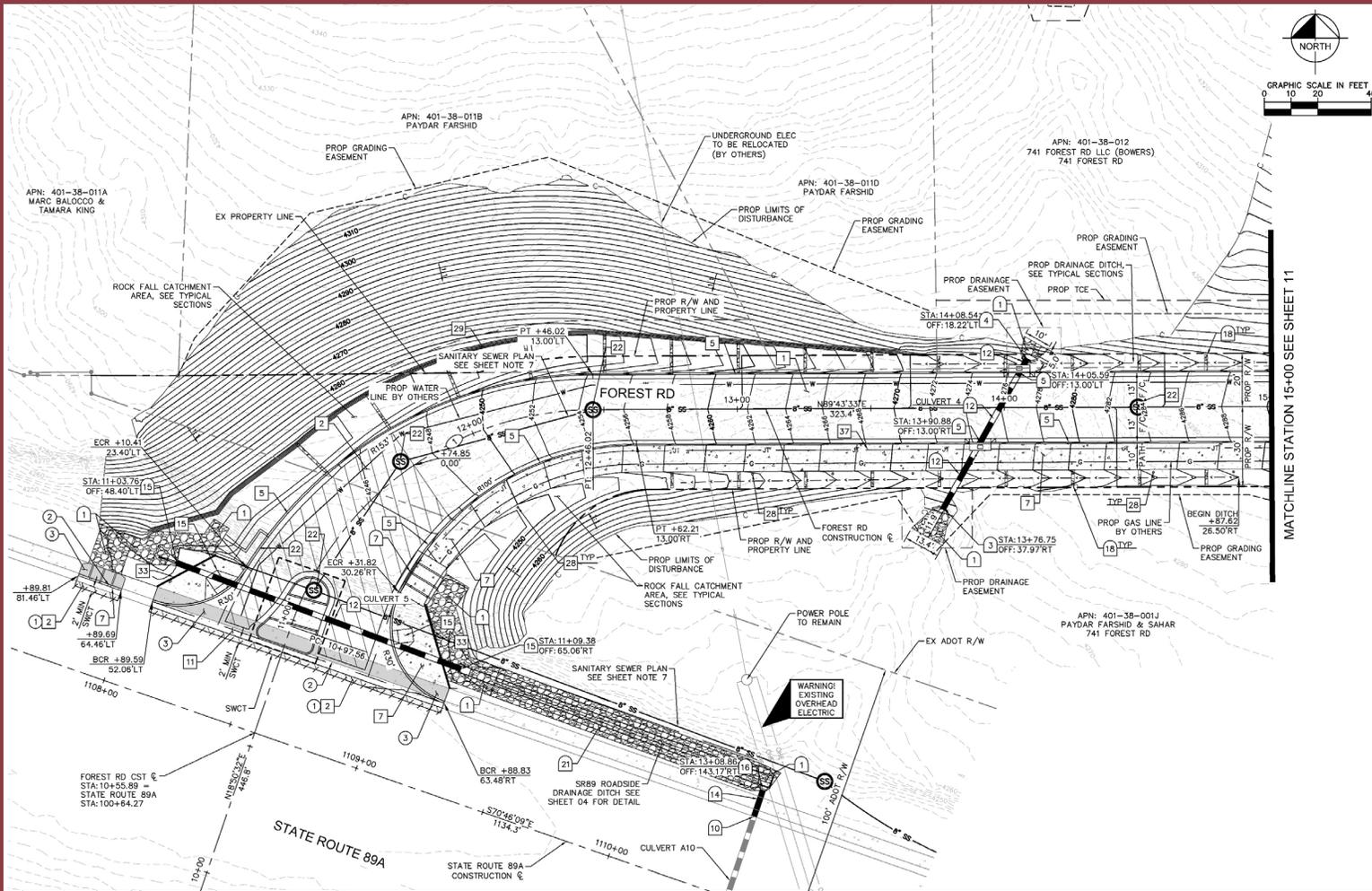


Figure 3 – 2025 Traffic Volumes

2025 LEVEL OF SERVICE ANALYSIS
 Table 2 summarizes the 2025 LOS results. Delay is rounded to the nearest whole second. LOS analysis worksheets are included in an attachment.

Table 2 – 2025 LOS Analysis Summary

Peak Hour	SB Forest Road			NB SR 89A (Eastbound)			SB SR89A (Westbound)		
	L	T	R	L	T	R	L	T	R
AM Peak			B/14	B/12	-		-	-	
PM Peak			C/16	B/13	-		-	-	



SIM-5B Forest Road Connection



BIDDER	1 STANDARD CONSTRUCTION COMPANY	2 FANN CONTRACTING
Bidder's Address	810 E Western Ave Avondale, AZ 85323	6725 Generation Lane Prescott, AZ 86301
Total Bid (Base) Amount As Read	\$ 7,502,642.00	\$ 8,017,560.00
Total Bid (Base+Alt. A) Amount As Read	\$ 10,391,153.00	\$ 9,096,678.00
Total Bid (Base+Alt. B) Amount As Read	\$ 11,325,178.00	\$ 9,744,984.00
Total Bid (Alt. C) Amount As Read	\$ 2,965,030.00	\$ 1,586,575.00
Total Bid (Alt. D) Amount As Read	\$ 100,700.00	\$ 90,100.00
Total Bid (Alt. E) Amount As Read	\$ 593,000.00	\$ 200,000.00





REPORT

Office of the City Manager

TO: Mayor and City Council

CC: Karen Osburn, City Manager

FROM: Joanne Keene, Deputy City Manager

DATE: February 22, 2022

SUBJECT: Arizona Legislative Update

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

General Information:

The 2nd Regular Session of the 55th Arizona State Legislature began on January 10, 2022. The Senate Bill introduction deadline was Monday, January 31, 2022. The House Bill introduction deadline was Monday, February 7, 2022.

February 18, 2022, was the last day to hear bills in their own Chamber (unless it's the Appropriations Committees). Friday, March 25, 2022, is the last day to hear bills in a committee of the opposite chamber.

BILLS OF INTEREST

HB 2099 municipalities; membership dues; limit (Cobb) (OPPOSE) (OPPOSE)

Requires that an organization whose membership is majority cities and towns to ensure their dues provide the largest city to pay the same rate per capita as the smallest cities. The result of this bill would impose more of a financial burden on the largest cities.

The League is asking cities, particularly rural cities, to oppose this legislation.

Passed out of House Committee of the Whole on February 3, 2022.

SB 1133 schools; cities; all mail prohibited (Rogers). (OPPOSE) (OPPOSE)

Prohibits cities, towns, and school districts from conducting all-mail ballot elections beginning January 2023.

Heard in Senate Government and passed 4-3. Also referred to Senate Education.

HB 2316 misconduct involving weapons; public places (Kavanaugh) (OPPOSE) (OPPOSE)

A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment or at a public event. Some exceptions, including for public establishments or events that are a "secured facility" (defined), that are the licensed premises of a liquor licensee, that are a judicial department or law enforcement agency, that are an educational institution, and that are a vehicle or craft.

Passed out of House Government and Elections on February 2, 2022. Amendment adopted to exempt entities who operate Federal reclamation facilities.

Passed the House on third read by a vote of 31-28-1.

SB1275 fireworks; use; overnight hours; prohibition (Mesnard) (SUPPORT) (SUPPORT)

Counties and municipalities are authorized to prohibit the use of permissible consumer fireworks between the hours of 11PM and 8AM, except between 11PM on December 31 through 1AM on January 1, and between 11PM on July 4 through 1AM on July 5.

Passed out of Senate Commerce on February 3, 2022. Passed on third read by a vote of 23-6-1.

SB 1198 local governments; lobbying; prohibition (Peterson) (OPPOSE) (OPPOSE)

Prohibits any city, county, town, special district or school district from entering into a contract or other agreement with a person or entity for lobbying services.

Passed out of Senate Government by a vote of 4-3.

SB 1035 political subdivisions; lobbying; prohibitions (Rogers) (OPPOSE)

Prohibits any city, county, town, special district or school district from entering into a contract or other agreement with a person or entity for lobbying services.

Referred to Senate Government.

HB 2125 electronic smoking devices; retail licensing (Udall) (SUPPORT) (SUPPORT)

It is unlawful for a person to sell, give or furnish a tobacco product to a person who is under the minimum age of sale for tobacco products as set by the Federal Food, Drug, and Cosmetic Act, instead of for a person to sell or furnish tobacco products to minors. For the purposes this prohibition and statutes regulating tobacco sales, the definition of "tobacco products" is expanded to include any product containing, made of or derived from tobacco or nicotine and that is intended for human consumption, and to include an "electronic smoking device" (defined) and any substance that may be aerosolized or vaporized by the device, whether or not it contains nicotine, and any component, part, or accessory that is used in the consumption of these products. Beginning January 1, 2024, a retail

tobacco vendor is prohibited from distributing tobacco products in Arizona without a valid tobacco retail sales license from DHS. DHS is required to establish fees for licenses. Licensing requirements are specified. Licenses are nontransferable and are valid for two years. Establishes civil penalties for selling tobacco products without a license. Mo

Passed out of House Health and Human Services by a vote of 9-0 and out of House Rules by a vote of 8-0.

HB 2107/SB 1048 emergency powers; business closure; repeal (Biasiucci) (OPPOSE) (OPPOSE)

The list of emergency powers of mayors of incorporated municipalities and chairmen of county boards of supervisors is modified to remove the authority to order the closing of any business.

SB 1048 passed out of Senate Government on January 31, 2022.

HB 2107 passed out of the House on February 17 by a vote of 31-28.

HB 2674 municipal zoning; by right housing (Kaiser/Chavez) (now S/E housing supply study committee) (OPPOSE) (OPPOSE)

Being labeled an affordable housing bill, but it has the opposite effect. The bill establishes "by right housing" rights with zero obligation to make the units affordable. For example, multifamily developments would be allowed "by right" in any existing agricultural district, single-family residential district, commercial districts, and all districts supporting single-family dwellings, commercial uses, or mixed uses in the general plan. This could include multifamily buildings up to 75 feet in some areas. Single-family and two-family units would be allowed "by right" anywhere except industrial lots.

Additionally, *eight single-family structures per acre* and *12 two-family structures per acre* would be allowed "by right" on all agricultural and single-family lots. Multifamily developers could ignore zoning districts, zoning codes, design standards, and adopted building codes. Multifamily projects would be approved *administratively* with no public process. Residents would have zero notice and no opportunity to learn about the project or provide comments. No rezoning or general plan amendment would be required. The bill would also remove planning commissions from the process and strip local councils of their zoning authority.

A striker for HB2674 was adopted in House Appropriations on February 21. The strike-everything amendment will establish a 10-member study committee, consisting of legislators, city representatives, and representatives from the development industry. The charge of the committee is to review data regarding housing supply and access, assess housing supply throughout the state, and compile an outline of potential legislation. It also contains an appropriation of \$300K, which is intended to hire an outside consultant/economist to study Arizona's housing needs. This striker will replace the underlying bill, which received strong opposition, not only from the League and cities and towns, but from a wide range of stakeholders from across the state.

HB 2375 urban revenue sharing; public safety (Cobb) (OPPOSE) (OPPOSE)

This would preempt cities and towns from using urban revenue sharing for anything other than public safety. This is an issue for those cities and towns that contract out their public safety services. The

league was ready to testify in opposition, however the bill was held to make an amendment which the league has not seen yet. The League is asking Cities and Towns to oppose this legislation due to the impact on local control.

Held in House Ways and Means on February 2, 2022.

SB 1446 Municipalities; housing developments; repeal (Rogers) (OPPOSE)

SB 1446 would prevent cities from being able to work with developers to create affordable housing projects. A number of current strategies would be eliminated under this bill.

Held in Senate Government.

HB2624/HCR2028 minimum law enforcement expenditure amount (Blackman) (OPPOSE)

The two bills would carry a question at the next general election to amend the constitution to determine a minimum law enforcement expenditure amount for counties and municipalities. Cities, towns and counties would be penalized for funding below the minimum.

The League is requesting cities and towns to sign in due to the removal of local decision making on budgetary decisions.

Passed out of Military Affairs and Public Safety on February 14 by a vote of 11-4. Retained on the House calendar.

SB 1148 vehicle sale price; VLT (Ugenti-Rita) (OPPOSE)

The bill would lower state and local HURF revenues and other county funds dedicated to road and highway repairs, along with reducing the general fund revenues of county and city governments, all of which ultimately either necessitate reduced road maintenance and local service reductions or tax increases on other goods or property to make up for the shortfall.

The revenue loss would be the difference between MSRP and the "actual sales price" of each vehicle sold in any given year. Sales of used cars, private party sales, and cars brought into Arizona by people moving to the state could potentially cause much more significant negative VLT impacts.

Referred to Senate Appropriations.

HB 2276 state law; violation; schools; universities (Fillmore) (OPPOSE)

HB2276 will, among other provisions, expand SB1487 claims that could be filed against cities and towns to include written policies, rules and regulations. The bill requires a 60-day notice to the city or town before a SB1487 claim can be filed with the attorney general. This is a major expansion of the SB1487 claim process.

Passed out of House Government by a vote of 7-6.

SHORT-TERM RENTAL LEGISLATION

SB 1168 vacation rentals; short-term rentals; enforcement (Mesnard) (NEUTRAL)

SB 1168 is the companion bill to Rep. Kaiser's HB 2234. The legislation would increase penalties for not providing contact information to the cities, among some other small fixes. The League is neutral on the bill and hopes to work with the sponsor to include more meaningful tools in the legislation.

This is the industry legislation (Expedia and AirBnB) from last session. Last session, Sedona opposed along with the municipalities of Paradise Valley, Scottsdale, Fountain Hills, and Surprise. The Goldwater Institute also opposed.

Passed out of Senate Commerce on February 9, 2022 by a vote of 8-0-1.

SB 1026 vacation rentals; short-term rentals (Rogers); repeal; HB 2069 vacation rentals; short-term rentals; repeal (Blackman) (SUPPORT)

Repeals ARS 9-500.39 (SB 1350). Adds civil penalties who fail to comply with requirement to hold a TPT license \$500 for first offense, \$1,000 for second offense.

SB 1108 – online lodging; regulation; property classification (Mendez)

Repeals statutes prohibiting municipalities and counties from prohibiting vacation rentals or short-term rentals and limiting the restrictions that municipalities and counties may place on those rentals to a list of specified purposes. Real and personal property and improvements that are used for residential purposes, that are solely leased or rented to lodgers for periods of less than thirty days and that are valued at full cash value are classified as class one property, instead of class four property, for property tax purposes.

HB 2207 online home sharing; repeal (Butler)

Repeals statutes prohibiting municipalities and counties from prohibiting vacation rentals or short-term rentals and limiting the restrictions that municipalities and counties may place on those rentals to a list of specified purposes. Repeals the online lodging marketplace transaction privilege tax classification, and the requirement for online lodging marketplaces to register with the Department of Revenue for payment of transaction privilege taxes on online lodging transactions. Repeals the requirement for online lodging operators to have a current transaction privilege tax license and related civil penalties for noncompliance. Repeals the Joint Legislative Study Committee on Transient Lodging.

HB 2321 short-term rentals; property classification (Kavanagh) (SUPPORT)

Changes property tax classification for short-term rentals. This is the County-supported legislation with the effort being lead by the Arizona Associate of Counties and the County Assessors.

HB 2234 vacation rentals; short-term rentals; enforcement. (Kaiser) (NEUTRAL)

(House companion to SB 1168).

Passed out of House Commerce on February 15 by a vote of 10-0.

HB 2625 vacation rentals; short-term rentals; regulations (Biasiucci) (SUPPORT) (SUPPORT)

The list of purposes for which counties and municipalities are permitted to regulate vacation rentals and short-term rentals is expanded to include requiring the owner to provide contact information for the owner or the owner's designee to all property owners within 300 feet of the vacation rental or short-term rental property, requiring the owner to display a sign attached to the property near the front door that contains a local 24-hour emergency contact number, and requiring the owner to obtain and maintain a local regulatory permit or license before offering the property for rent.

Passed out of House Appropriations on February 16 by a vote of 10-3.

HB 2663 short-term rentals; vacation rentals; licensing (Kavanaugh) (SUPPORT) (SUPPORT)

Requires owners to obtain a local permit or license, addresses the proliferation of short-term rentals and treats short-term rentals as transient lodging.

Passed out of House Government and Elections by a vote of 7-4-2.

HB 2711 vacation rentals; short-term rentals; restrictions (Barton) (SUPPORT) (SUPPORT)

The bill allows a city or town with a population of less than 17,000:

- To require an STR owner to maintain a permit or license issued by the city or town.
- To limit the number of STRs based a percentage of total residentially zoned buildings or structures in the city/town (no specific % referenced).
- Regulate STRs in the same manner as transient lodging activities.

Passed out of House Land, Agriculture and Rural Affairs on February 14 by a vote of 10-1.

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