

**Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, May 14, 2024, 4:30 p.m.**

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

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

Council Present: Mayor Scott Jablow, Vice Mayor Holli Ploog, Councilor Melissa Dunn, Councilor Brian Fultz, Councilor Pete Furman, Councilor Kathy Kinsella, and Councilor Jessica Williamson.

Staff Present: City Manager Anette Spickard, Deputy City Manager Andy Dickey, City Attorney Kurt Christianson, Assistant City Attorney Monique Cody, Communication and Tourism Director Laruen Browne, Special Initiatives Coordinator Kegn Moorcroft, Marketing Manager Rob MacMullan, Property Evidence Technician Larry Woodruff, Assistant Director of Public Works Sandy Phillips, Facilities Manager Larry Farhat, Associate Engineer Bob Welch, Jean McGann Interim Director of Financial Services, Accounting Manager Renee Stanley, Sustainability Manager Bryce Beck, Assistant Project Manager Gillian Arnold, Planning Manager Cari Meyer, Director of Engineering/Public Works Kurt Harris, Associate Engineer Bob Welch, Community Development Director Steve Mertes, Police Chief Stephanie Foley, Deputy Police Chief Ryan Kwitkin, Assistant Engineer Hanako Ueda, Parks & Recreation Manager Josh Frewin, Sustainability Coordinator Zach Schwarz, Budget and Financial Analyst Sterling West, Jack Ross Community Services Aide, Deputy City Clerk Marcy Garner, and City Clerk JoAnne Cook.

2. Roll Call/Moment of Art

Anette Spickard stated that May is National Photography Month and introduced Photographer Terry Shoulders. Terry shared a PowerPoint presentation that showcased his work.

3. Consent Items

- a. **Minutes - April 17 & 18, 2024 City Council Special Meeting.**
- b. **Minutes - April 23, 2024 City Council Special Meeting - Executive Session.**
- c. **Minutes - April 23, 2024 City Council Regular Meeting.**
- d. **Minutes - April 24, 2024 City Council Special Meeting.**
- e. **Approval of Proclamation, Memorial Day, May 27, 2024.**
- f. **AB 3047 Approval of Pickle Ball Court Construction Contract to Hope Construction, LLC. in an amount not-to-exceed \$1,598,975.10.**
- g. **AB 3053 Approval of a Resolution authorizing the execution of an Intergovernmental Agreement (IGA) between the City of Sedona and Arizona Department of Transportation regarding the design of Brewer Road Shared Use Path in the approximate amount \$129,578.**
- h. **AB 3056 Approval to increase the DVA contract by \$150,000 to account for**

the Summer Stewardship Destination Marketing Campaign.

Item 3f AB 3047 was pulled from Consent Items by Councilor Kinsella.

Motion: Councilor Williamson moved to approve consent items 3a, 3b, 3c, 3d, 3e, 3g, and 3h. Seconded by Councilor Kinsella. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed.

Sandy Phillips, Larry Farhat, and Josh Frewin gave an update on item 3f AB 3047 and answered questions from Council.

Motion: Councilor Kinsella moved to approve the construction contract with Hope Construction LLC for the Pickleball Courts at Posse Ground Park in an amount not-to-exceed \$1,598,975.10, subject to approval of a written contract by the City Attorney's Office. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed.

4. Appointments - None.

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

Councilor Dunn stated the League of AZ Cities and Towns' Transportation Committee met to discuss whether or not a proposal for legislation of a tax may be placed on EVs for charging per kilowatt-hour. Councilor Fultz said that NACOG discussed the increase of the use of transit in the Verde Valley. Vice Mayor Ploog announced that the Sister Cities of Sedona will be holding a brunch on Sunday at 10:00 a.m. at the Mary Fisher Theater, all interested need to RSVP in advance. For members there is no cost, for non-members the cost is \$10. She advised that Canmore approved the Friendship Agreement with the Sedona Sister Cities. Councilor Furman stated two proposals were approved by the League of AZ Cities and Towns' PSMAC Committee, a Neurodivergent Identification Program and Entity Immunity idea. Anette Spickard stated she, Mayor Jablow and Chief Foley attended a meeting on April 30th sponsored by Yavapai County regarding a project to consider the consolidation of all the 911 centers in Yavapai County. She said the City of Sedona is participating, however, not championing the project. Mayor Jablow stated he attended the Verde Valley Leadership Group. He said he and Vice Mayor Ploog attended the McCain Foundation Institute and the Sedona Forum. Councilor Williamson spoke regarding the possibility of Yavapai College increasing property tax by 3.4% after last year's increase of 5%.

6. Public Forum

Opened to the public at 5:02 p.m.

Michael Johnson, Sedona, spoke regarding signage at Indian Cliffs Rd. & Hwy 179 and thanked Council for authorizing the yard waste pick up.

Brought back to Council at 5:04 p.m.

7. Proclamations, Recognitions & Awards

a. Proclamation, 156th Anniversary of Memorial Day, May 27, 2024.

Mayor Jablow presented the proclamation to Sedona Area Veteran & Community Outreach President Jack Ross. Jack thanked Council for their support.

8. Regular Business

- a. AB 3057 Discussion/possible action regarding the approval of a Construction Manager at Risk (CMAR), Construction Services contract for the Uptown Sedona Parking Garage Project with McCarthy Building Companies, Inc. in an amount not-to-exceed \$17,545,098; and discussion/possible action regarding the approval of a Contract Amendment with Gabor Lorant Architects, Inc in the amount of \$154,070.00 for additional professional services associated with design of the Uptown Sedona Parking Garage.**

Andy introduced the item and team members. Presentation by Bob Welch, Kurt Harris, and Andy Dickey, Principal and Owner of Gabor Lorant Architects, Inc. Jan Lorant, Sr. Estimator McCarthy Building Companies, Inc. Tejkaran Chawla and Sr. Project Manager Jason Schroeder.

Available to answer questions from Council: Vice President of Operations, Arizona McCarthy Building Companies, Inc. Sean Slawson and Project Director Nicholas Pearce, and Bryce Beck.

Comments and questions from Council.

Break at 6:44 p.m. Reconvened at 6:51 p.m.

Opened to the public at 6:52 p.m.

The following spoke in opposition of the item:

Sean Smith, Sedona, Mark TenBroek, Sedona, Joseph Zani, Sedona, Avrum Cohen, Sedona, Jen Farnsworth, Sedona.

Richard Deeter, Sedona, left before his time to speak and indicated that he opposed the item.

The following spoke in favor of the item:

Donna Helfrich, Cornville, employee of Pink Jeep Tours spoke on behalf of Pink Jeep Tours, Steve Segner, Sedona, Alisha Hansen, Yavapai County and uptown business owner, Eben Hartzenberg, Yavapai County and uptown business owner, Michele Kosteki, Clarkdale and CEO of the Chamber of Commerce, Colm O'Brian spoke on behalf of L'Auberge de Sedona, Sedona, Mike Wise, Sedona, Jesse Alexander, Flagstaff and Uptown business owner and spoke on behalf of Canyon Portal, John Martinez, Sedona.

Cheryl Barron, Sedona, left prior to her time to speak and indicated that she was in favor of the item.

Brought back to Council at 7:26 p.m.

Comments and questions from Council.

Break at 8:17 p.m. Reconvened at 8:37 p.m.

Comments and questions from Council.

Opened to public at 10:39 p.m.

Brought back to Council at 10:40 p.m.

39 Staff Recommended Motion 1 (CMAR, Construction Services Contract):

Motion: Councilor Williamson made an incomplete motion that was not seconded. The motion failed.

Motion: Councilor Williamson moved to approve award of a Construction Manager At Risk, Construction Services contract for the Uptown Sedona Parking Garage project to McCarthy Building Companies, Inc. in an amount not-to-exceed \$17,545,098 subject to approval of a written contract by the City Procurement Officer and City Attorney's office. Seconded by Councilor Furman. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed.

Staff Recommended Motion 2 (Amendment #4, Professional Services Agreement):

Motion: Councilor Williamson moved to grant the City Manager authorization to approve Amendment #4 to the Professional Services Agreement with Gabor Lorant Architects, Inc. in the amount of 154,070.00 for additional professional services associated with design of the Uptown Sedona Parking Garage. Seconded by Councilor Furman. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed.

b. AB 3046 Discussion/possible direction regarding the Parking Garage Financing Plan.

By majority consensus, Council direct staff to bring a Resolution for Option B along with a spreadsheet showing the structure of the debt with a cushion to the June 11, 2024 Council meeting.

Presentation by Mark Reader, Managing Director and Jack Leeper of Stifel/Public Finance.

Comments and questions from Council.

Opened to the public at 10:08 p.m.

Mark TenBroek, Sedona, spoke in opposition of this item.

Jesse Alexander, Flagstaff and Uptown business owner, left prior to his turn to speak and indicated he was in favor of this item.

Brought back to Council at 10:11 p.m.

Comments and questions from Council.

Opened to public at 10:19 p.m.

Stephen Cook, Sedona, stressed the need to have employee parking in the garage and urged Council to consider the idea.

Brought back to Council at 10:21 p.m.

- c. **AB 3052 Discussion/possible action regarding ideas for possible resolutions for consideration by League of Arizona Cities and Towns' Policy Committees as part of the League's legislative agenda for 2025.**

Presentation by Kurt Christianson.

Comments and questions from Council.

Motion: Vice Mayor Ploog moved to submit the proposed amendment to A.R.S. 28-627(E) regarding unarmed Police Aides to the League of Arizona Cities and Town for further consideration as part of the League's 2025 legislative policy agenda as amended. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed.

- d. **AB 3027 Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation and State budget and their potential impact on the City of Sedona.**

Discussion only, no direction given.

- e. **Discussion/possible action regarding future meeting/agenda items.**

Councilor Kinsella requested a future meeting to discuss the bypass road matter. Her request was supported by Councilor Furman, Mayor Jablow, and Vice Mayor Ploog. Mayor Jablow advised there is no Work Session tomorrow.

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 Jablow adjourned the meeting at 11:02 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on May 14, 2024.


JoAnne Cook, CMC, City Clerk

5/14/2024
Date