



# ACTION ITEM LIST

The AIL is intended to comply with the requirements of A.R.S. § 38-431.01.E regarding the posting on the City website within 3 days of a statement of legal actions taken at the City Council meeting held on August 13, 2024 at 4:30 p.m.

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

**PUBLIC FORUM:** Julie Richard, Sedona (Sedona Arts Center), spoke regarding the status of the Art Mural restoration efforts. She stated the Sedona Arts Center recently received a large grant for an entrepreneurial development program. She invited all to the next opening and the Myrna Harrison Exhibit on October 6th.

AB #	TOPIC	COUNCIL ACTION	STAFF	
<b>CONSENT ITEMS</b> <b>3a - 3g</b> Vote: 7-0 (Kinsella/ Fultz)		Minutes - July 09, 2024 City Council Special Meeting - Executive Session. Minutes - July 09, 2024 City Council Regular Meeting. Minutes - July 10, 2024 City Council Special Meeting.	Approved July 09, 2024 Special City Council Meeting- Executive Session Minutes. Approved July 09, 2024 Special City Council Meeting Minutes. Approved July 10, 2024 Regular City Council Meeting Minutes.	Cook/ Garner
	AB 3093	Approval of award of a Professional Services Agreement with Carollo Engineers for design services for the WWRP Facility Plan in the amount of \$250,000.	Approved the Professional Services Agreement with Carollo Engineers for design services for the WWRP Facility Plan in an amount not-to-exceed \$250,000.	Holland
	AB 3094	Approval of a recommendation regarding an application for a New Series 12 Restaurant Liquor License for Costa Modern Latin Cuisine, located at 150 SR 179, STE #9, Sedona, AZ (File # 23678964).	Recommended approval of a new Series 12 Restaurant Liquor License for Costa Modern Latin Cuisine, located at 150 SR 179, STE #9, Sedona, AZ (File# 23678964).	Cook/Garner
	AB 3100	Approval of a recommendation regarding an application for a new Series 12 Restaurant Liquor License for Nicks West Side located at 2920 W HWY 89A, Sedona, AZ (File# 23664461).	Recommended approval of a new Series 12 Restaurant Liquor License for Nicks West Side located at 2920 W HWY 89A, Sedona, AZ (File# 23664461).	Cook/Garner
	AB 3104	Approval of a recommendation regarding an application for an interim Series 12 Restaurant Liquor License for Sound Bites Grill, located at 101 N HWY 89A, #F29, Sedona, AZ (File# 23682070).	Recommended approval of a new Series 12 Restaurant Liquor License for Sound Bites Grill, located at 101 N HWY 89A, #F29, Sedona, AZ (File# 23682070).	Cook/Garner
	AB 3096	1) Approve acceptance of the FFY 2024 FTA 5311 Grant award in the amount of \$155,000. 2) Approve the expenditure of \$51,900 which is included in the FY2025 budget as the city's local share to satisfy the conditions of the grant. 3) Direct staff to apply all stated FTA grant and local funding for only approved activities as specified within the grant.	1) Approved acceptance of the FFY 2024 FTA 5311 Grant award in the amount of \$155,000. 2) Approved the expenditure of \$51,900 which is included in the FY2025 Budget as the city's local share to satisfy the conditions of the grant. 3) Directed staff to apply all stated FTA grant and local funding for only approved activities as specified within the grant.	Weber/ Kamarata
	AB 3103	Approval of change order to Questica Budget Software in relation to CIP IT-01 Citywide Business Software.	Approved of change order to Questica Budget Software in relation to CIP IT-01 Citywide Business Software.	

	AB 3102	Approval of additional fiscal year contract with Tourism Economics for tourism data platform software in amount not-to-exceed \$57,000	Approved additional fiscal year contract with Tourism Economics for tourism data platform software in amount not-to-exceed \$57,000.	Browne
<b>3k</b> AB# 3105, was pulled off Consent Items by Councilor Furman	AB 3105	Approval of a Contract Change Order with Banicki Construction, Inc for the Pedestrian Crossing at Oak Creek Project in the amount of \$201,938.	Approved Contract Change Order #9 with J Banicki Construction, Inc. in the approximate amount of \$201,938.  Vote: 7-0 (Furman/Kinsella)	Welch/ Harris
<b>REGULAR BUSINESS</b>	AB 3089	Public Hearing/possible action regarding a request for the Sedona City Council to take administrative action to extend or remove the schedule for development or take legislative action to cause the property to revert to its former zoning classifications. The property is currently zoned PD (Planned Development) - The Preserve at Oak Creek Condominiums and is located on both sides of N State Route 89A in the area generally surrounding the Owenby Way Roundabout. APN 401-08-002A; 401-08-006A; 401-09-001A; 401-09-001B; 401-09-001C; 401-13-059; 401-14-015; 401-14-016; 401-14-017; 401-14-064; 401-14-065; 401-14-075A; 401-14-163; 401-14-164. Case Number: PZ24-00008 (ZC) Applicant: Dutchman's Cove, LLC Owner: Axys Capital Total Return Fund, LLC.	Opened Public Hearing at 5:56 p.m.  The following spoke in favor of item 8a: Heiner Zacher, Sedona, Joe Huff, Sedona, Nicolas Pigati, Clarkdale, Lew Hoyt, Sedona, Joe Franquero, Phoenix, Christina Hemingson, Deborah Waldvogel, Sedona, Sedona, Joetta Winer, Sedona, Patrick Schweiss, Sedona, Mike Wise, Sedona,  Gabriel Browne, Sedona, asked a question regarding the proposal adjacent to Ownby Way.  Joe Huff left prior to his turn to speak.  Closed Public Hearing at 6:20 p.m.  Moved to approve Ordinance No. 2024-02, case number PZ 24-00008 (ZC), reverting the zoning of the property identified herein from PD (Planned Development) to CO (Commercial), RS-35 (Single Family Residential), and RM-2 (Multifamily Residential), based on conformance with the 2018 LDC conversion chart and the requirements for reversionary rezoning of A.R.S. § 9-462.01(E) and LDC § 8.6(B)(3)(g)(2).  Vote: 7-0 (Kinsella/Williamson)	Meyer/ Mertes
	AB 3071	Public hearing #1/discussion on the Land Use Assumptions and Infrastructure Improvement Plan (IIP) developed by consultant Tischler/Bise, Inc. as required by A.R.S. § 9-463.05 for the City of Sedona to adopt updated Development Impact Fees.	Public Hearing only, no action taken.	Spickard
	AB 3072	Public hearing/possible action regarding adoption of a Resolution and Ordinance updating the City of Sedona's Fee Schedule to reflect a 3.6% Wastewater rate increase, effective October 2024.	Opened Public Hearing at 7:58 p.m.  The following spoke against the wastewater rate increase in Thunder Mountain Ranch: Donna Foreman, Sedona, Glenn Mann, Sedona, Patricia Corral, Sedona.  Kate Mauldi, Oracle AZ, spoke regarding the rate structure and usage.	Stanley/ McGann

			<p>Ronald Rovey, Sedona, spoke against the increase at his commercial property.</p> <p>Closed Public Hearing at 8:12 p.m.</p> <p>Approved Resolution No. 2024-18, creating a public record entitled "Exhibit A - Proposed Changes to the Sedona Consolidated Fee Schedule, Finance, Wastewater Rates".</p> <p>Vote: 7-0 (Williamson/Furman)</p> <p>Approved Ordinance No. 2024-03, adopting by reference that document known as "Exhibit A - Proposed Changes to the Sedona Consolidated Fee Schedule, Finance, Wastewater Rates" reflecting a 3.6% Wastewater rate increase, effective October 2024, providing for a savings clause, and repealing all ordinances or parts of ordinances or code provisions in conflict herewith.</p> <p>Vote: 7-0 (Williamson/Dunn)</p>	
AB 3081	Public hearing/possible action regarding proposed revisions to the Sedona Land Development Code. The proposed revisions include revisions to the Urban Agriculture Section (LDC Section 3.4.D(2)) to comply with recently adopted state legislation and a change to purpose statements of the M1 and M2 districts (LDC Sections 2.11.A & 2.12.A) to accurately reflect the permitted uses. Case Number: PZ24-00007 (LDC) Applicant: City of Sedona.	<p>Opened Public Hearing at 9:54 p.m.</p> <p>No public comments heard.</p> <p>Closed Public Hearing at 9:54 p.m.</p> <p>Approved Resolution 2024-19 establishing as a public record "Exhibit A – August 13, 2024 Proposed Land Development Code Revisions".</p> <p>Approved Ordinance 2024-04 consistent with the approval criteria in Section 8.6.C(4) of the LDC, amending the LDC, adopting by reference that document known as "Exhibit A – August 13, 2024 Proposed Land Development Code Revisions", providing for a savings clause, and repealing all ordinances or parts of ordinances or code provisions in conflict herewith. Seconded by Councilor Dunn.</p> <p>Vote: 7-0 (Williamson/Dunn)</p>	Meyer/ Mertes	
AB 3075	Discussion/possible action regarding approval of the Small Grant Review Committee recommendations for the fiscal year 2025 small grants program in the amount of \$350,000.	<p>By majority consensus, Council requested the Bridge Group reach out to the community to recruit new members.</p> <p>Approved the Small Grants Review Committee Fiscal Year 2025 recommendations in the total amount of \$350,000 as itemized in Agenda Bill 3075, Exhibit A, and subject to approval by the City Attorney's Office of a Small Grants Agreement with each grantee.</p> <p>Vote: 7-0 (Ploog/Kinsella)</p>	Arthur/ Spickard	

	AB 3060	Discussion/possible action regarding a Resolution approving the canvass of the City's Primary Election held on July 30, 2024.	Approved Resolution No. 2024-20, a Resolution of the Mayor and Council of the City of Sedona, Arizona declaring and adopting the results of the Primary Election held on July 30, 2024.  Vote: 7-0 (Ploog/Fultz)	Cook
	AB 3066	Discussion/possible action regarding future meeting/agenda items.	Councilor Kinsella requested a detailed discussion regarding the closure of the Tlaquepaque pedestrian crossing HWY179 during the next SIM update. Councilor Fultz supported her request.	Spickard
<p>EXECUTIVE SESSION: Moved to hold an executive session per agenda item 9a for legal advice with the city attorney regarding agenda item 8a, the reversion of the Preserve at Oak Creek at 6:21 p.m. Vote: 7-0 (Ploog/Williamson).</p> <p>Entered into executive session at 6:30 p.m.</p> <p>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:</p> <ul style="list-style-type: none"> <li>a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).</li> <li>b. Return to open session. Discussion/possible action on executive session items.</li> </ul> <p>Reconvened at 6:56 p.m.</p>				
<p>ADJOURNMENT: The meeting was adjourned at 10:03 p.m. on August 13, 2024.</p>				