

AGENDA



4:30 P.M.

CITY COUNCIL MEETING

TUESDAY, APRIL 11, 2023

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

THE MEETING CAN BE VIEWED
LIVE ON THE CITY'S WEBSITE AT
WWW.SEDONAAZ.GOV OR ON
CABLE CHANNEL 4.

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.
- No disruptive behavior or profane language will be allowed.

PROCEDURES:

- 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.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE/ROLL CALL

2. MOMENT OF ART

3. CONSENT ITEMS - APPROVE

LINK TO DOCUMENT =

- a. Minutes - March 28, 2023 City Council Special Meeting - Executive Session.
- b. Minutes - March 28, 2023 City Council Regular Meeting.
- c. Minutes - March 29, 2023 City Council Special Meeting.
- d. AB 2909 Approval of award of construction contract in an amount not to exceed \$849,425.00 for the SD-03 Improvements to Back O' Beyond Road Low Water Crossing Project.
- e. Approval of Sexual Assault Awareness Month Proclamation, April 2023.
- f. Approval of Stand With Me, Be Drug Free Week Proclamation, April 9-15, 2023.

4. APPOINTMENTS - None.

5. SUMMARY OF CURRENT EVENTS BY MAYOR/COUNCILORS/CITY MANAGER

6. PUBLIC FORUM

(This is the time for the public to comment on matters not listed on the agenda. The City Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.)

7. PROCLAMATIONS, RECOGNITIONS & AWARDS

- a. Sexual Assault Awareness Month, April 2023.
- b. Stand With Me, Be Drug Free Week, April 9-15, 2023.

8. REGULAR BUSINESS

- a. AB 2927 **Presentation/discussion/possible action** regarding a Resolution in support of Upper Verde River Wild & Scenic River Designation.
- b. AB 2936 **Discussion/possible action** regarding an Ordinance amending the Sedona City Code Title 6 (Animals) by adding a new Chapter 6.15 (Outdoor Feeding and Protection of Wildlife).
- c. AB 2378 **Discussion/possible action** regarding the Sedona in Motion transportation program, and approval of a Construction Contract for the SR 179 Pedestrian Crossing at Oak Creek Project to J. Banicki Construction, Inc., in an amount not to exceed \$3,461,567.15.
- d. AB 2861 **Discussion/possible direction/action** regarding proposed State legislation, short-term rental legislation and State budget and their potential impact on the City of Sedona.
- e. AB 2937 **Discussion/possible action** regarding ideas for possible resolutions for consideration by League of Arizona Cities and Towns' Policy Committees. Including discussion of a City OHV ordinance.
- f. **Reports/discussion** regarding Council assignments.
- g. **Discussion/possible action** regarding future meeting/agenda items.

CITY COUNCIL CHAMBERS
102 ROADRUNNER DRIVE, SEDONA, AZ

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



Page 2, City Council Meeting Agenda Continued

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.

10. ADJOURNMENT

Posted: 4/6/2023

By: DJ

JoAnne Cook, 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.

NOTICE TO PARENTS AND LEGAL GUARDIANS: Parents and legal guardians have the right to consent before the City of Sedona makes a video or voice recording of a minor child, pursuant to A.R.S. § 1-602(A)(9). The Sedona City Council meetings are recorded and may be viewed on the City of Sedona website. If you permit your child to attend/participate in a televised City Council meeting, a recording will be made. You may exercise your right not to consent by not allowing your child to attend/participate in 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
Sedona City Hall, Council Executive Chamber
102 Roadrunner Drive, Sedona, Arizona
Tuesday, March 28, 2023, 3:00 p.m.**

1. Call to Order

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

2. Roll Call

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 item: City Manager Karen Osburn, and City Clerk JoAnne Cook.

3. Special Business

Motion: Vice Mayor Ploog moved to enter into Executive Session at 3:01 p.m. Seconded by Councilor Williamson. Motion carried unanimously with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, and Williamson) and zero (0) opposed.

JoAnne Cook gave the admonition.

- a. Discussion and consultation regarding personnel matters, specifically to discuss City Manager Karen Osburn's annual evaluation. This matter is brought in executive session pursuant to A.R.S. 38-431.03(A)(1).**

Discussion took place with City Manager regarding performance and goals and objectives.

Reconvened in open session at 4:18 p.m.

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

Motion: Councilor Kinsella moved to increase the City Manager's base salary by 6%. Seconded by Jessica Williamson. Motion carried unanimously with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, and Williamson) and zero (0) opposed.

4. Adjournment

Mayor Jablow adjourned the meeting at 4:19 p.m.

I certify that the above are the true and correct actions of the Special City Council Meeting held on March 28, 2023.

JoAnne Cook, CMC, City Clerk

Date

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, March 28, 2023, 4:30 p.m.

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

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 Karen Osburn, Deputy City Manager Joanne Keene, Assistant City Manager/Director of Public Works Andy Dickey, City Attorney Kurt Christianson, Police Chief Foley, Housing Manager Shannon Boone (via Teams), Parks & Recreation Manager Dawn Norman, Executive Assistant to the City Manager Jill Adams, Deputy City Clerk Marcy Garner, and City Clerk JoAnne Cook.

2. City's Vision

The City's Vision Statement was played.

3. Consent Items

- a. **Minutes - March 14, 2023 City Council Special Meeting - Executive Session.**
- b. **Minutes - March 14, 2023 City Council Regular Meeting.**
- c. **Minutes - March 15, 2023 City Council Special Meeting.**
- d. **AB 2925 Approval of a recommendation regarding an application for a Series 7 Beer and Wine Bar Liquor License for Sedona Beer Company located at 465 Jordan Road, Ste 1-7, Sedona, AZ (File# 229282).**
- e. **AB 2929 Approval of Resolutions authorizing the execution of Intergovernmental Agreements (IGA) between the City of Sedona and the Sedona-Oak Creek Unified School District No. 9 for: 1) Operation and Maintenance of the Sedona Community Swimming Pool and 2) Use of Facilities.**

Motion: Vice Mayor Ploog moved to approve consent items 3a-3e. **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 Kinsella advised the Sedona Community Center won the Yavapai County Golden Plate Award for food safety. Councilor Furman said Keep Sedona Beautiful will have its Annual Awards of Excellence Ceremony on Wednesday, April 19th from 4:00 – 6:00 p.m. Councilor Williamson said the Sedona Recycle Center is in need of volunteers and encouraged anyone interested in being a goodwill ambassador for efficient and responsible recycling to reach out to the Center. Vice Mayor Ploog acknowledged Parks

and Recreation Manager Dawn Norman and announced that her last day with the City is Thursday and said that she will be missed; and , the Sedona Stumble 5K and 10K will be held this Saturday at Posse Grounds, registration is open through March 31st; the 13th Annual Celebration of Spring is on Saturday, April 8th from 9:00 a.m. – 1:00 p.m., the Egg Hunt is free and there is an entry fee of \$5; Storytime in the Park is on Wednesdays at 10:00 a.m. at Sunset Park, it's free and geared to ages four through eight years old; Pickleball Organized Play is on Mondays, Tuesdays, Thursdays, Fridays, and Sundays, the schedule can be found at www.sedonaaz.gov; Yappy Hour is on Thursdays from 9 – 10 a.m.; Open Gym is on Tuesdays and Thursdays from 7:00 – 9:00 p.m. at the West Sedona School, the fee is \$2; and, tennis lessons are offered on Mondays or Wednesdays at Posse Grounds Park tennis courts. Mayor Jablow advised the new Forest Supervisor is Aaron May Mayville. Mayor Jablow stated he met with Chairwoman of the Yavapai Apache Nation Tanya Lewis about a month ago; Mayor he, Vice Mayor Ploog, Councilor Fultz, and Karen Osburn recently met with Director of Arizona Department of Transportation Jennifer Toth and discussed OHVs on the roads; he and Vice Mayor Ploog recently met with the US Department of Transportation in Washington D.C. via Zoom; and he, Councilor Fultz, and Karen Osburn met with representatives from Polaris.

6. Public Forum

Opened to public at 4:42 p.m.

Mark Tenbrook, Sedona, spoke regarding transparency and public engagement and information posted on the City's webpage. He suggested all committees calendars, agendas, and minutes be posted on the City's website. He thanked Robert Weber for posting the Transportation Committee information on the City's website.

Jessica Sierra, Sedona, spoke, commented on the importance of having a dark sky community. She urged Council to have the grandfathered properties be required to comply with the Dark Sky Ordinance.

Brought back to Council at 4:46 p.m.

7. Proclamations, Recognitions & Awards – None.

8. Regular Business

a. AB 2933 Presentation/discussion by Executive Director Marjorie Harris of the Sedona Community Center to provide an update to the City Council on the Community Center's activities, accomplishments, and general service provision to the community.

Presentation by Marjorie Harris. She invited all to participate in their volunteer program.

Questions and comments from Council.

Presentation and discussion only, no action taken.

Item 8c was moved up prior to 8b during meeting.

b. AB 2920 Discussion/possible action regarding approving a Settlement

Agreement with Tlaq Partners, LLC to acquire necessary right-of-way and to resolve other claims for the SR179 Pedestrian Crossing at Oak Creek.

Presentation by Kurt Christianson.

Questions and comments from Council.

Opened to the public at 5:58 p.m.

Rob Smith, Sedona, spoke against the project.

Brought back to Council at 6:01 p.m.

Questions and comments from Council.

Motion: Councilor Kinsella moved to approve the Settlement Agreement with Tlaquepaque to acquire necessary right-of-way and to resolve other claims for the Pedestrian Crossing at Oak Creek Project. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

Break at 6:10 p.m. Reconvened at 6:32 p.m.

Item 8c was moved up prior to item 8b during meeting.

- c. AB 2934 Discussion/possible action regarding the approval of a Resolution approving a Land Lease Option Agreement and a \$300,000 financial contribution in the form of a loan to The Villas on Shelby, LLC, for a Low-Income Housing Tax Credit (LIHTC) application at 2250 Shelby Drive.**

Presentation by Shannon Boone, Bonnie Harbage and Matt Shoemacher of HS Development Partners.

Questions and comments from Council.

Motion: Vice Mayor Ploog moved to approve Resolution 2023-10 related to the application by Villas on Shelby LLC for competitive 9% tax credits and approve the associated land lease Option Agreement and \$300,000 financial contribution in the form of a loan to the project. Seconded by Councilor Williamson. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

Break at 8:10 p.m. Reconvened at 8:15 p.m.

- d. AB 2931 Discussion/possible action regarding proposed amendments to the Sedona City Council Rules of Procedures and Policies.**

Presentation by Kurt Christianson.

Questions and comments from Council.

Opened to the public at 7:54 p.m.

The following voiced concerns with the constitutionality of first amendment rights within the proposed changes with clapping and other forms of expression: Jim Kapsales, Sedona, Janet Johnson, Yavapai County, and Jessica Sierra, Sedona,

Brought back to Council at 8:01 p.m.

Motion: Councilor Williamson moved to approve the amendments to the City Council Rules of Procedure and Policies as shown on Exhibit A and as amended during the meeting. Seconded by Councilor Fultz. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Williamson) and zero (0) opposed).

For the record Councilor Kinsella objected to the proposed amendment to Rule 6.3R1a.

- e. AB 2861 Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation and State budget and their potential impact on the City of Sedona.**

Presentation by Joanne Keene.

By majority consensus, Council agreed to oppose SB 1278.

By consensus, Council agreed to oppose HB 2536.

By majority consensus, Council agreed to support SB 1585.

- f. Reports/discussion regarding Council assignments – None.**
- g. Discussion regarding ideas for future meeting/agenda items**

Mayor advised tomorrow's meeting starts at 2:00 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 Jablow adjourned the meeting at 8:41 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on March 28, 2023.

JoAnne Cook, CMC, City Clerk

Date

**Action Minutes
Special City Council Meeting
City Council Chambers, Sedona City Hall
102 Roadrunner Drive, Sedona, Arizona
Wednesday, March 29, 2023, 2:00 p.m.**

1. Call to Order

Mayor Jablow called the meeting to order at 2:01 p.m.

2. Roll Call

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

Staff in attendance: City Manager Karen Osburn, Deputy City Manager Joanne Keene, City Attorney Kurt Christianson, Deputy City Clerk Marcy Garner, City Clerk JoAnne Cook.

3. Special Business

- a. **AB 2935 Presentation/discussion/possible direction regarding the Fiscal Year 2023 (FY23) program of work and budget for the contract for services between the Sedona Chamber of Commerce and Tourism Bureau (SCC&TB) and the City of Sedona. SCC&TB will provide an update on the progress, accomplishments and key performance indicators for the various programs, projects and initiatives being pursued as part of the current fiscal year work program.**

Presentation by Sedona Chamber of Commerce and Tourism Bureau Michelle Conway. Questions and comments from Council.

Presentation and discussion only.

Break at 4:20 p.m. Reconvened at 4:33 p.m.

Additional questions and comments from Council.

- b. **AB 2930 Discussion/possible direction regarding the recommendations of a citizen-led effort to develop a municipal vision, guiding principles and goals for sustainable tourism management.**

Presentation by Bob Pifke and Ann Kelley.

Questions and comments from Council.

Opened to the public at 5:40 p.m.

Richard Kepple, Sedona, commended Council for being willing to consider using a different approach and encouraged them to continue to utilize community professionals.

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

Additional questions and comments from Council.

- 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.

None.

5. Adjournment

Mayor Jablow adjourned the meeting at 5:58 p.m.

I certify that the above are the true and correct actions of the Special City Council Meeting held on March 29, 2023.

JoAnne Cook, CMC, City Clerk

Date



**CITY COUNCIL
AGENDA BILL**

**AB 2909
April 11, 2023
Consent Agenda**

Agenda Item: 3d

Proposed Action & Subject: Approval of award of construction contract in an amount not to exceed \$849,425.00 for the SD-03 Improvements to Back O' Beyond Road Low Water Crossing Project.

Department	Public Works
Time to Present	N/A
Total Time for Item	N/A
Other Council Meetings	None
Exhibits	A. Construction Contract

City Attorney Approval	Reviewed 4/3/23 KWC	Expenditure Required	
		\$	849,425
		Amount Budgeted FY23	
		\$	750,000 (FY23 portion)
		Account No. (Description)	22-5320-89-68B6 (Construction) SD-03 Improvements to Back O' Beyond Road Low Water Crossing Project 22-5320-89-68B6 \$99,425 New Appropriation FY24
City Manager's Recommendation	Approve award of the construction contract with J. Banicki Construction Inc. for the SD-03 Back O' Beyond Low Water Crossing Improvements Project in an amount not to exceed \$849,425.00 subject to approval of the written contract by the City Attorney's Office.	Finance Approval	☒

SUMMARY STATEMENT

Staff is requesting City Council approval of a construction contract with J. Banicki Construction Inc. in the amount of \$849,425 for the SD-03 Improvements to Back O' Beyond Road Low Water Crossing Project. The scope of work for this project includes installation of a 3' rise by 12' span concrete box culvert to divert water under the public roadway.

Background: During significant storm events, the at-grade wash crossing of Back O' Beyond Road would often be covered with water, isolating and restricting travel by residents and visitors to the Cathedral Rock Trailhead. This project developed the design and probable costs to improve public road ingress and egress for the public in this area.

This project was escalated in priority due to public safety and cost of maintaining this crossing when rainfall events occurred. Excessive debris, soil and rock would need to be removed from this crossing after significant rain events.

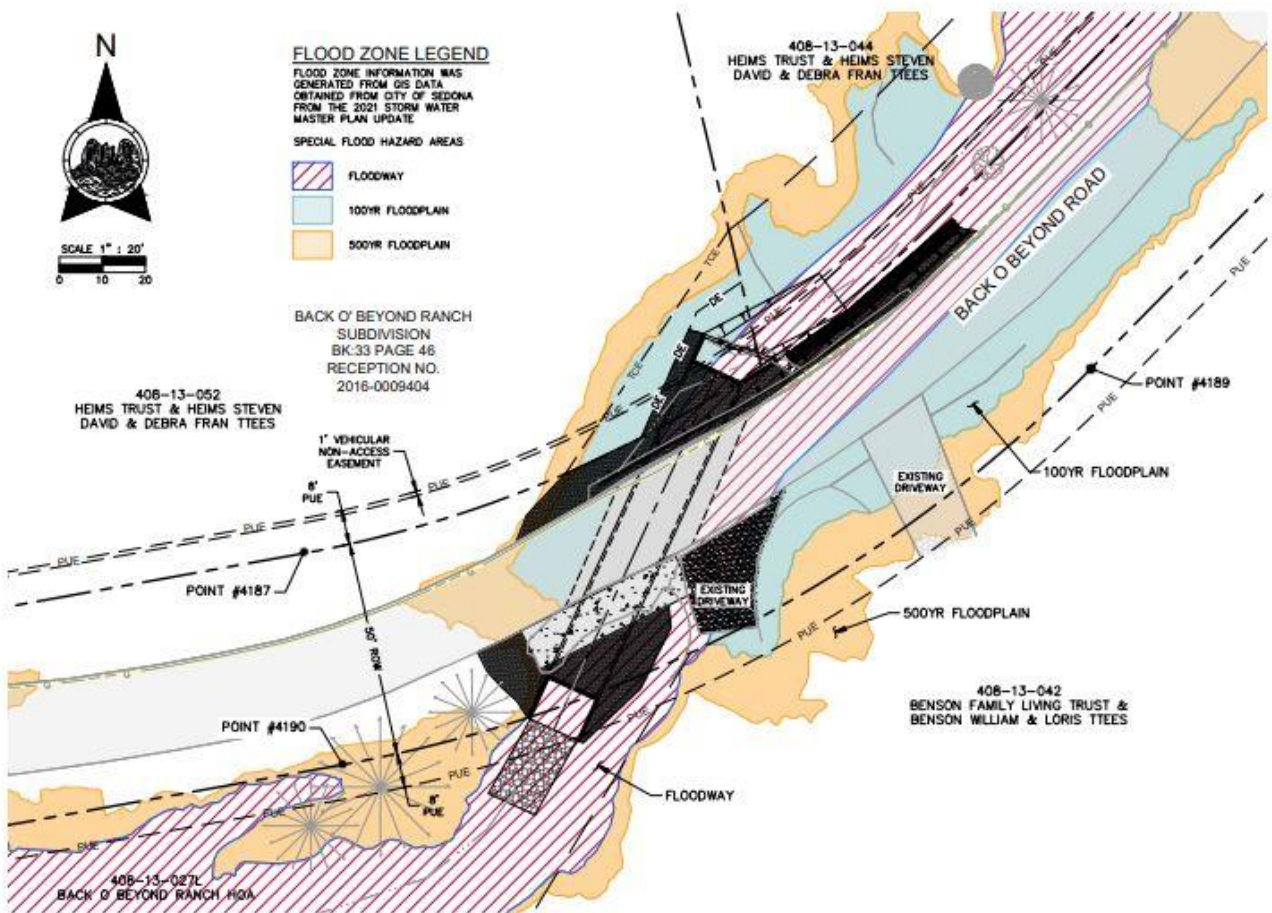
October 2022:



Roadway Improvements:

The contract for Back O' Beyond Low Water Crossing Project includes:

- A 3' rise by 12' span box culvert with drop inlet under the roadway.
- Rip rap lined drainage channel at each end of the box culvert.
- Gabion wall along the north side of the project to help divert water into the box culvert.
- A 40' section of Shared Use Path on the south side of the roadway to integrate into any future SUP projects.
- Railing along the headwalls to protect pedestrians.



Project Area Outreach Efforts:

- Back O' Beyond Ranch HOA was notified of tentative schedule during design, and we will begin schedule coordination with the residents and contractor prior to start of construction.
- BetaPr will assist the City with resident outreach during the project.

Schedule and Access:

- The construction timeframe is set at 123 days and is anticipated to begin in late April 2023 and be complete by late August 2023.
- One Permanent Drainage Easement was approved by the Back O' Beyond Ranch HOA and the residents at 85 Scenic Drive. (Back O' Beyond runs along the south side of their property).
- One Temporary Construction Easement was also approved to allow access to the north side of the project.
- Throughout the construction period, it will be the contractor's responsibility to coordinate directly with owners/residents regarding impacts to property access.

Procurement Method:

City staff put the project out to public bid.

Sealed Bid:

This construction contract was advertised for bids beginning March 1, 2023. Bids were opened on March 28, 2023. Two bids were received. They are listed as follows:

Bidder, (Office Location)	Base Bid
J. BANICKI CONSTRUCTION (Phoenix, AZ)	\$849,425.00
STANDARD CONSTRUCTION (Avondale, AZ)	\$1,045,565.00

The low bid by J. Banicki Construction exceeded our budget by \$119,820. This company has previously completed satisfactory work within the City of Sedona. Staff has researched their references and licenses and have found no reason to not award the contract. Staff is recommending award of the J. Banicki Construction bid in the amount of \$849,425.00.

Budget

- The amount remaining in budget for the project is \$746,519 and will be funded from the FY23 SD-03 construction budget.
- The IGA with Yavapai County Flood Control District allows up to \$387,000 in drainage improvements. Only \$300,000 was included in the budget. Leaves \$87,000 available in funds for the project to reduce the amount of capital reserves needed.
- The remaining \$99,425 balance of the project's cost will be added in the FY24 budget.

Although the low bid exceeds the project budget, staff believes the low bid is good, it is reflective of the current bid environment, and no errors were found in the bid.

Climate Action Plan/Sustainability Consistent: ☒ Yes

In the Climate Action Plan, transportation related desired actions included bike/pedestrian infrastructure, and reduced congestion. Identified strategies include developing and maintaining a safe, convenient, and effective system for walking, biking and other active forms of transportation. This project addresses those desired actions and strategies.

Board/Commission Recommendation: ☒ Not Applicable

Alternative(s): Not approving this project will result in the current low water crossing condition on Back O' Beyond. During heavy rain events that overflow the road, residents and visitors will continue to be isolated. Excessive cleaning and maintenance of the area will continue to be a burden on the City of Sedona for years to come.

MOTION

I move to: approve award of the construction contract with J. Banicki Construction Inc., for the SD-03 Back O' Beyond Low Water Crossing Improvements Project in an amount not to exceed \$849,425.00 subject to approval of the written contract by the City Attorney's Office.

THIS CONTRACT, made and entered into this ____ day of _____, 2023 by and between the City of Sedona, Arizona, hereinafter called the "Owner", and _____, hereinafter called the "Contractor."

WITNESSETH:

WHEREAS, the City has caused Contract Documents to be prepared for the construction of the **SD-03 Back O' Beyond Low Water Crossing Improvements Project**, City of Sedona, Arizona, as described therein; and

WHEREAS, the Contractor has offered 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.

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

1. 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, 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.
2. 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 initial estimated Contract price of **\$849,425.00**, 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 Prices in accordance with the Bid Schedule for the performance of the work described herein in accordance with the Contract Documents.
3. The Contractor and the City agree that the terms, conditions, and covenants of the Contract are set forth in the Contract Documents and the Plans and Technical Specifications, and the Drawings numbered 1 through 5, all defined as the Contract Documents, and by this reference made a part hereof as if fully set forth herein.
4. 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.
5. 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.

6. 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.
7. 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)).
8. 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.
9. 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

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 Owner. The City will then make such corrections and interpretations as may be deemed necessary for fulfilling the intent of the Plans and Specifications.

10. 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. 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.
12. 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.
13. 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: _____

(SEAL)

ATTEST:

BY: _____

NAME: _____

CONTRACTOR:

BY: _____

NAME: _____

TITLE: _____

(SEAL)

ATTEST:

BY: _____

NAME: _____

APPROVED AS TO LEGAL FORM:

BY: _____

(City Attorney)

DATE: _____



City of Sedona Proclamation Request Form

Full Name of Contact Person	Tracey McConnell
Contact Phone Number	(928) 925-4020
Contact Mailing Address	PO Box 595, Sedona AZ 86339
Contact Email Address	tracey@verdevalleysanctuary.org
Group, Organization, Activity or Event Being Recognized (Please make sure you provide complete and current information about the group or event)	Verde Valley Sanctuary
Website Address (if applicable)	https://verdevalleysanctuary.org/
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)	April is National Sexual Assault Awareness Month
Would you like to attend a Council meeting for formal presentation of the Proclamation or would you like to pick it up?	Presentation at Meeting 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.	Tracey McConnell (928) 282-2755 tracey@verdevalleysanctuary.org

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

The Verde Valley Sanctuary (VVS) began 30 years ago as a grassroots organization of women who were concerned about domestic violence in our community. The original group of volunteers began taking crisis calls in their homes and transporting victims of abuse to the nearest shelters 50+ miles away in Flagstaff, Prescott, and Phoenix. Thanks to generous donations from the community, VVS opened the first domestic violence shelter in the Verde Valley region in 1994 with a leased modular home that slept six. Since then, VVS has strategically expanded and now offers comprehensive services for survivors of domestic and sexual violence in both residential and community based formats.

Our mission is to provide safety, services, and comfort to survivors of domestic and sexual violence. Our locations are in Cottonwood, Sedona and Camp Verde. In Fiscal Year 2021/2022, VVS provided services to nearly 1,500 survivors of domestic violence and sexual assault. VVS also provided over 300 prevention education presentations to over 2,100 youth.

Free Services: Pet-Friendly Emergency Shelter 24/7/365; Transitional Housing w/Match Savings Program; Lay Legal Advocacy Center; Community Based Advocacy; Youth Violence Prevention Education; Crisis Hotline 24/7/365 (928) 634-2511; Public Outreach and Awareness.

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?

Sexual assault, at its core, is a devastating abuse of power — one that affects people of every age, race, sex, gender identity, sexual orientation, national origin, socioeconomic background, and religion. It is critical for each of us to stand up and acknowledge this issue, improve the laws and services available to survivors, and to change the culture and attitudes that allow this violence to proliferate. Sexual assault can be a life-changing trauma for far too many of our neighbors, colleagues, family, and friends. Ways to show your support:

- 1) Learn about sexual assault - and how you can support a survivor. Visit verdevalleysanctuary.org
- 2) Use Social Media – During the month of April, use your voice and any platform you have to help end sexual assault. Like Verde Valley Sanctuary's Facebook page.
- 3) Start by Believing - End victim shaming.
- 4) Intervene as a Bystander - Step in when you see harmful behaviors.
- 5) Talk to your friends - about this issue and what you can do to prevent sexual assault.
- 6) Advocate - for legislation that supports survivors.
- 7) Incorporate policies and practices - that support violence prevention.
- 8) Maintain strong survivor services - making it clear that sexual violence is not tolerated. Verde Valley Sanctuary is the sole provider of services in the Verde Valley for victims of domestic violence and sexual assault.
- 9) Support the work of the Verde Valley Sanctuary - Shop, donate, volunteer.



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
SEXUAL ASSAULT AWARENESS MONTH
April, 2023**

IT'S TIME ... TO TALK ABOUT IT! CONNECT. RESPECT. PREVENT SEXUAL VIOLENCE.

It's time ... to speak up! Sexual Assault Awareness Month Proclamation.

WHEREAS, Sexual Assault Awareness Month is intended to draw attention to the fact that sexual violence is widespread and has public health implications for every community member of the City of Sedona; and

WHEREAS, the City of Sedona shares a critical concern for the victims of sexual violence and a desire to support the needs for justice and healing; and

WHEREAS, Rape, sexual assault, and sexual harassment impact our community as seen by statistics indicating that 1 in 2 women, 1 in 4 men, and 1 in 2 transgender individuals have experienced contact sexual violence in their lifetime (The National Intimate Partner and Sexual Violence Survey, 2018; US Trans Survey, 2015); and

WHEREAS, We must work together to educate our community about what can be done to prevent sexual assault and how to support survivors; and

WHEREAS, Staff and volunteers of anti-violence programs at Verde Valley Sanctuary encourage every person to speak out when witnessing acts of violence however small and support victims of sexual violence; and

WHEREAS, With leadership, dedication, and encouragement, there is compelling evidence that we can be successful in reducing sexual violence in the City of Sedona through prevention education, increased awareness, and holding perpetrators who commit acts of violence responsible for their actions; and

WHEREAS, the City of Sedona strongly supports the efforts of national, state, and local partners, and of every citizen to actively engage in public and private efforts, including conversations about what sexual violence is, how to prevent it, how to help survivors connect with services, and how every segment of our society can work together to better address sexual violence.

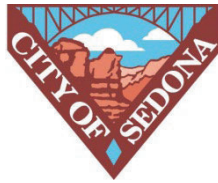
NOW THEREFORE I, SCOTT JABLOW, MAYOR OF THE CITY OF SEDONA, ARIZONA, ON BEHALF OF THE SEDONA CITY COUNCIL, do hereby proclaim April 11, 2023 as "Sexual Assault Awareness Month" in the City of Sedona.

Issued this 11th day of April, 2023.

Scott M. Jablow, Mayor

ATTEST:

JoAnne Cook, CMC, City Clerk



City of Sedona Proclamation Request Form

Full Name of Contact Person	Kelly Lee
Contact Phone Number	602-309-1121
Contact Mailing Address	8056 East Valley Road, Suite B, Prescott
Contact Email Address	klee@matforceaz.org
Group, Organization, Activity or Event Being Recognized (Please make sure you provide complete and current information about the group or event)	MATFORCE, the Yavapai County Substance Abuse Coalition, has proclaimed April 9-15th as Stand With Me Be Drug Free Week. This is an annual event to honor the majority of people who choose to not use drugs. This is an opportunity to share with our children and the community that the majority of people do not use drugs and make healthy choices for themselves and their families.
Website Address (if applicable)	matforceaz.org
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)	April 9-15.
Would you like to attend a Council meeting for formal presentation of the Proclamation or would you like to pick it up?	Presentation at Meeting 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.	Kelly Lee MATFORCE Program Manager 602-309-1121

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

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

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

**Office of the Mayor
City of Sedona, Arizona**



**STAND WITH ME, BE DRUG FREE WEEK
April 9-15, 2023**

WHEREAS, MATFORCE has proclaimed April 9 – 15, 2023 to be Stand With Me, Be Drug Free Week; and

WHEREAS, the City of Sedona: embraces a vision of a healthy, vibrant, and strong community for children, youth, families and people of all ages; and celebrates the fact that a majority of people do not abuse drugs and alcohol; and

WHEREAS, the City of Sedona: recognizes that youth prevention is essential based on the fact that 9 of 10 people who struggle with substance use disorders began using substances as a teenager; and

WHEREAS, knowing that families are adversely affected by illegal drug use, including work problems, legal problems, mental health problems, physical illness, addiction, accidents, accidental death, economic loss, child abuse, destruction of families, driving while impaired, and crimes against persons and property; and

WHEREAS, the City of Sedona would like to commend and pay tribute to all of its citizens who choose to be free of illegal drug use.

NOW, THEREFORE, I, SCOTT JABLOW, MAYOR OF THE CITY OF SEDONA, ARIZONA, ON BEHALF OF THE SEDONA CITY COUNCIL, do proclaim April 9-15, 2023 as Stand With Me, Be Drug Free Week in Sedona.

Issued this 11th day of April, 2023.

Scott M. Jablow, Mayor

ATTEST:

JoAnne Cook, CMC, City Clerk



CITY COUNCIL AGENDA BILL

AB 2927
April 11, 2023
Regular Business

Agenda Item: 8a

Proposed Action & Subject: Presentation/Discussion/Possible action regarding a Resolution in support of Upper Verde River Wild & Scenic River Designation.

Department	City Council
Time to Present	15 minutes
Total Time for Item	30 minutes
Other Council Meetings	NA
Exhibits	Exh. A Power Point Exh. B FAQ Exh. C Flyer Exh. D Resolution

City Attorney Approval	Reviewed 4/3/23 KWC	Expenditure Required
		\$ N/A
City Manager's Recommendation	NA	Amount Budgeted
		\$ N/A
		Account No. (Description)
		Finance Approval ☒

SUMMARY STATEMENT

Background:

This item was brought forward for consideration by Councilor Furman with the support of Mayor Jablow.

Friends of the Verde River, acting in partnership with a broad coalition of supporters, requests support from the City of Sedona for the designation of the Upper Verde River, including Sycamore Creek and a section of Granite Creek, as a Wild and Scenic River. This designation requires an act of Congress and local support is key to success. Thus far, local cities and towns that have signed on as supporters include the Town of Camp Verde, City of Cottonwood, Town of Clarkdale, City of Prescott, and Town of Prescott Valley. There are additional supporters listed on the website <https://www.wildverderiver.org/supporters/>

The Resolution of Support is attached as Exhibit A.

If signed into law, the designation would include 44.5 river miles of the Upper Verde from its headwaters in Chino Valley to the Town of Clarkdale, 28 river miles of Sycamore Creek, and 1.6 river miles of Granite Creek. As the designation would also include riverside lands, about

23,710 acres of land and 74.1 river miles would be added to the Wild and Scenic Rivers system.

If successful, the Upper Verde, Sycamore Creek, and a portion of Granite Creek would join the only other two Wild and Scenic Rivers in Arizona. Current Arizona Wild and Scenic Rivers are Fossil Creek, 16.8 river miles from its headwaters to its confluence with the Verde River, and the lower Verde River, 40.5 river miles below the Town of Camp Verde within the Mazatzal Wilderness.

Justification:

"The Verde River is an extraordinary ribbon of life through the heart of Arizona. The Upper Verde – extending from east of Paulden to the town of Clarkdale – is one of the most clean, healthy, economically important, and culturally significant free-flowing rivers remaining in Arizona.

The Upper Verde River provides:

- Important habitat for fish, wildlife, and birds
- A wide range of recreation opportunities including hunting, fishing, hiking, swimming, birding, paddling, horseback riding, and a scenic railway
- Stunning geology, scenery, and cultural sites
- Clean water for downstream users – farms and ranches, cities, and Indigenous communities." From the website www.wildverderiver.org

Strategic Vision

This request supports Sedona's vision: "Sedona is a community that nurtures connections between people, encourages health and active lifestyles, and supports a diverse and prosperous economy, with priority given to the protection of the environment."

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

Board/Commission Recommendation: ☐Applicable - ☒Not Applicable

Alternative(s): None

MOTION

I move to: approve Resolution 2023-__ in support of Upper Verde River Wild & Scenic River Designation.



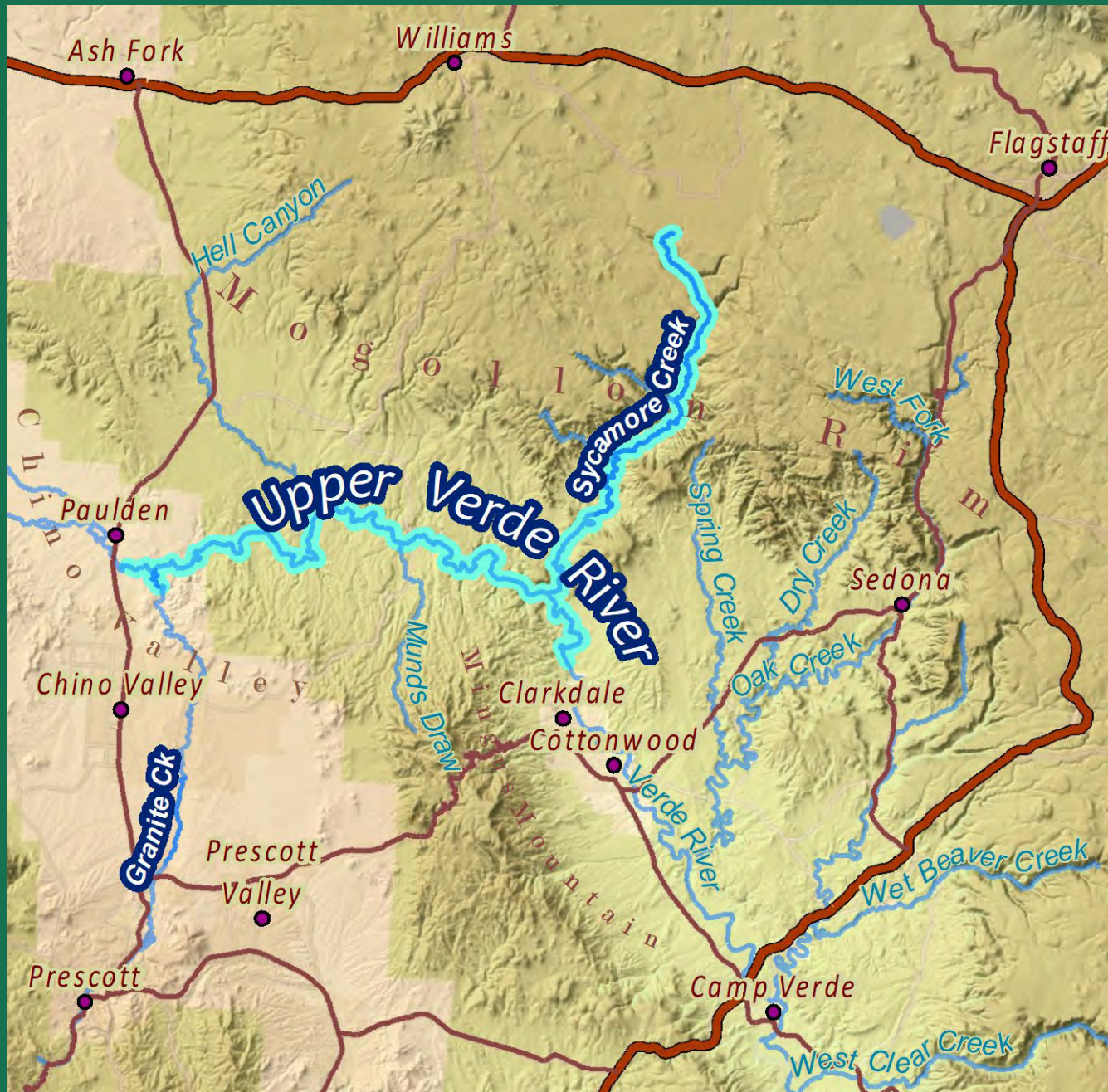
Upper Verde Wild and Scenic River





Coalition Members

- Local Businesses
- Yavapai Apache Nation
- Non-profits



Proposed Reaches for Designation

- Upper Verde: 44 miles
- Granite Creek: 2 miles
- Sycamore Creek: 30 miles
- Total: 76 river miles
- ~24,000 acres riverside lands



Wild and Scenic Rivers Act: Overview

- Highest form of federal protection for rivers
- Protects free-flowing rivers with significant values
- Currently, designated in two ways:
 - Congressional
 - State
- National Wild and Scenic Rivers System *(to date)*
 - 226 river segments comprising 13,413 river miles across 41 states and the Commonwealth of Puerto Rico

The Wild and Scenic Rivers Act: River Protections

Preserves free-flowing
character (e.g.,
prevents large dams)

Ensures water
quality is
maintained or
enhanced

Protects a set of
outstanding
values unique to
each river

Creates a junior,
federally reserved
water right

Requires the
development of a
Comprehensive River
Management Plan



Outstanding Values:



Building community support

- Community meetings
- Business support



Approach Arizona
Congressional delegation
in Spring 2023



Continued outreach and
collaboration to draft legislation



Introduce Upper Verde Wild
and Scenic legislation

Does your business belong on this list? Become a supporter today!

Cody Lundin, Aboriginal Living Skills, Prescott	Herbal Wisdom Institute, Dewey	Rancho Tres Brisas Cattle Ranch, Camp Verde
Absolute Bikes, Sedona	High Gear Bicycles, Prescott	Raven Cafe, Prescott
Acklin Brothers Construction, Prescott	Hike Shack, Prescott	Raven Productions & Sound Studio, Prescott
Acklin Properties, Inc., Prescott	Ian Russell Gallery of Fine Art, Prescott	Red Rock Treks, Sedona
Arizona Field Optics, Prescott	Immersion Resole, Prescott	Rusing Medical Properties LLC, Prescott
Arts Prescott Gallery, Prescott	Iron Clad Bicycles, Prescott	Rusing Square/Rusing Properties, Prescott
Bikesmith Cyclery, Prescott	Jay's Bird Barn, Prescott	Smelter Town Brewery, Clarkdale
Cambium Wealth and Legacy Strategies, Camp Verde, Cottonwood, and Prescott	Julie Ann's Bakery, Inc., Prescott	Soul Ride Bike Shop, Prescott
Camp Grounds Tea & Coffee, Prescott	Kindred Spirit Jewelry, Prescott	Square Root Vineyard Vacation Rentals, Cornville
Cantlon Computer Consulting, Chino Valley and Prescott	Lifestyles of Arizona Real Estate, Broker Erica Woolsey, Sedona	The Cactus Pad AirBnB, LLC, Cottonwood
Chambers Realty Group, Camp Verde	Mile High Photos LLC, Prescott	The Melting Point Glass Blowing, Sedona
Chateau Tumbleweed Winery and Tasting Room, Clarkdale	Natural History Institute, Prescott	VineBuds Vineyard Specialists, Verde Valley
Children's Garden Preschool, Prescott	Ogg's Hogan, Prescott	Virgin Cheese, Clarkdale
Clarkdale Kayak Company, Clarkdale	Old Sage Book Shop, Prescott	Visiting Angels of Northern Arizona, Prescott
Dancing Skeleton Foods, Prescott	Old Town Red Rooster Café, Cottonwood	
Deppeana Group, Prescott	Origins Bed & Breakfast, Cottonwood	
First Class Charter & Tours, Sedona	Park Hotel, Clarkdale	
	Peregrine Book Company, Prescott	



The Upper Verde remains a refuge for wildlife and a sanctuary for people to enjoy and appreciate.



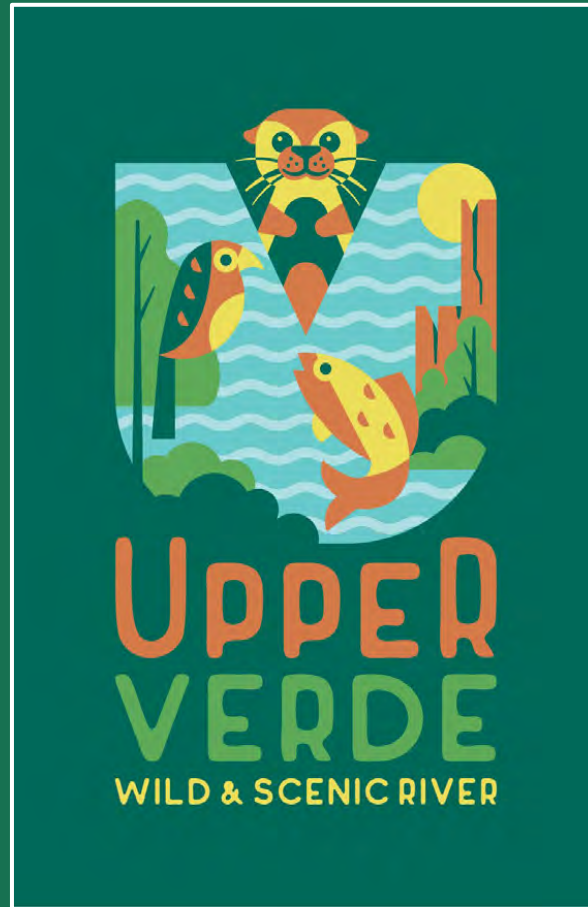
**UPPER
VERDE**
WILD & SCENIC RIVER

**Support the
designation of the
Upper Verde Wild
and Scenic River!**

www.wildverderiver.org



We welcome your
feedback and questions!



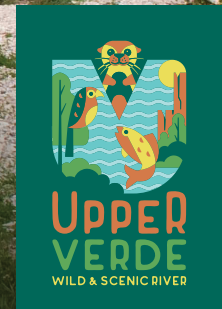
Possible ways to be involved and next steps:

- Support letters/resolutions
- Community meetings
- Outstandingly Remarkable Values description





Frequently Asked Questions about the Wild and Scenic Rivers Act



WHY DID CONGRESS PASS THE WILD AND SCENIC RIVERS ACT?

Congress passed the Wild and Scenic Rivers Act at the height of the modern dam-building era in order to ensure that the construction of new dams on rivers is balanced with the protection of select freeflowing rivers that possess nationally significant values. This landmark law is the highest form of protection for rivers in the United States. In the words of Congress: "It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

HOW DOES THE WILD AND SCENIC RIVERS ACT PROTECT RIVERS?

The Wild and Scenic Rivers Act protects rivers in five major ways:

- It bans new federally-licensed dams and harmful water development projects.
- It ensures water quality is maintained and, where possible, enhanced.
- It protects each river's outstanding values (e.g., scenery, culture, wildlife, recreation, etc.).
- It creates a junior, federally-reserved water right for the minimum flow necessary to maintain a river's outstanding values.
- It requires the development of a Comprehensive River Management Plan to guide management along designated rivers for a period of 10-20 years.

HOW MANY RIVERS ARE IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM?

As of March 2019, the National Wild and Scenic Rivers System includes 226 river segments comprising 13,413 river miles across 41 states and the Commonwealth of Puerto Rico. This is less than one half of one percent of rivers in the United States. By comparison, more than 90,000 dams across the country have modified over 700,000 miles, or about 17% of U.S. rivers. The top six states in terms of Wild and Scenic river mileage are Alaska (3,210 miles), California (1,971 miles), Oregon (1,839 miles), Idaho (890 miles), Michigan (625 miles), and Wyoming (408 miles). Arizona has 57.3 miles designated as Wild and Scenic, which is less than 1/10th of 1% of the state's total river miles.

HOW ARE RIVERS ADDED TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM?

Typically, a river becomes designated Wild and Scenic first by being categorized as “eligible” for designation by the federal land management agency that oversees it, although Congress has designated many rivers that were not previously found eligible for protection. Any section of river that is free-flowing and possesses one or more “outstandingly remarkable values” (ORVs) can be found eligible for Wild and Scenic protection. Rivers can be added to the National Wild and Scenic Rivers System in one of two ways. The most common way is for Congress to pass legislation that is signed into law by the President. The less traditional way is for the Governor of a state to petition the Secretary of the Interior to add a river to the system, but that is only allowed in states that have their own state-protected river systems.

HOW WIDE ARE WILD AND SCENIC RIVER CORRIDORS?

Wild and Scenic corridor boundaries are established to protect a river’s free-flowing condition, water quality, and the outstanding values for which it was designated. Generally, the corridor averages 320 acres per mile, which if applied uniformly along the entire designated segment, is a quarter-mile (1,320 feet) from the ordinary high water mark on each side of the river. Boundaries may be wider or narrower but are not to exceed the 320 acre average per mile without approval by Congress.

DOES THE WILD AND SCENIC RIVERS ACT RESTRICT DEVELOPMENT ON PRIVATE LANDS WITHIN DESIGNATED RIVER CORRIDORS?

No. Under the Act, the federal government has no authority to regulate or zone private lands. Land use controls on private lands are solely a matter of state and local zoning. Although the Act includes provisions encouraging the protection of river values through state and local land use planning, there are no binding provisions on local governments. In the absence of state or local river protection provisions, the federal government may seek to protect values by providing technical assistance, entering into agreements with landowners and/or through easements, exchanges, or the purchase of private lands.

IS LIVESTOCK GRAZING ALLOWED IN WILD AND SCENIC RIVER CORRIDORS?

Generally, livestock grazing and related infrastructure are not affected by Wild and Scenic designation, with the caveat that agricultural practices cannot significantly harm ORVs. Practices similar in nature and intensity to those present in the river corridor at the time of designation are fine.

ARE MOTORIZED VEHICLES ALLOWED IN WILD AND SCENIC RIVER CORRIDORS?

Unlike the Wilderness Act, the Wild and Scenic Rivers Act does not prohibit the use of motorized vehicles on land or on water within designated river corridors. In fact, several of the most well-known Wild and Scenic rivers in the country allow jet boating (e.g., Rogue, Snake, and Salmon rivers).

HOW DOES WILD AND SCENIC DESIGNATION AFFECT PUBLIC ACCESS TO RIVERS FOR FISHING, HUNTING, CAMPING, AND OTHER FORMS OF RECREATION?

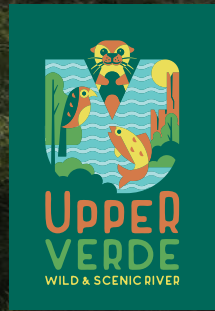
Wild and Scenic designation neither limits the public from accessing public lands within designated river corridors nor opens private lands to public access. Designation has no effect on fishing and hunting, as those activities are regulated under state laws. Where hunting and fishing were allowed prior to designation, they may continue.

HOW DOES WILD AND SCENIC DESIGNATION AFFECT WATER RIGHTS?

Wild and Scenic designation has no effect on existing valid water rights or interstate water compacts. In prior appropriation states such as those in the West, any new Wild and Scenic water rights claimed under state law would have a priority date as of the river’s date of designation by Congress and would be considered junior to existing water rights.

To learn more about the Wild and Scenic Rivers Act and the National Wild and Scenic Rivers System, visit www.rivers.gov. To view a more comprehensive list of questions and answers about the Wild and Scenic Rivers Act, visit <https://www.rivers.gov/documents/q-a.pdf>

Together, we can keep the Upper Verde Wild!



RECOGNITION AS A WILD AND SCENIC RIVER WILL:

- Ensure clean water keeps flowing downstream to towns, cities, and farms
- Conserve scenery, fish and wildlife habitat, and cultural sites
- Assure access for recreation, hunting, fishing, and traditional uses
- Protect the free-flowing character of the river as it is today
- Protect uses of private property, water rights, and existing grazing permits
- Provide more resources for monitoring and management
- Create opportunities for public involvement in river management
- Keep the river clean, healthy, and free-flowing for future generations!



FOR MORE INFORMATION ON HOW YOU CAN SUPPORT: WWW.WILDVERDERIVER.ORG

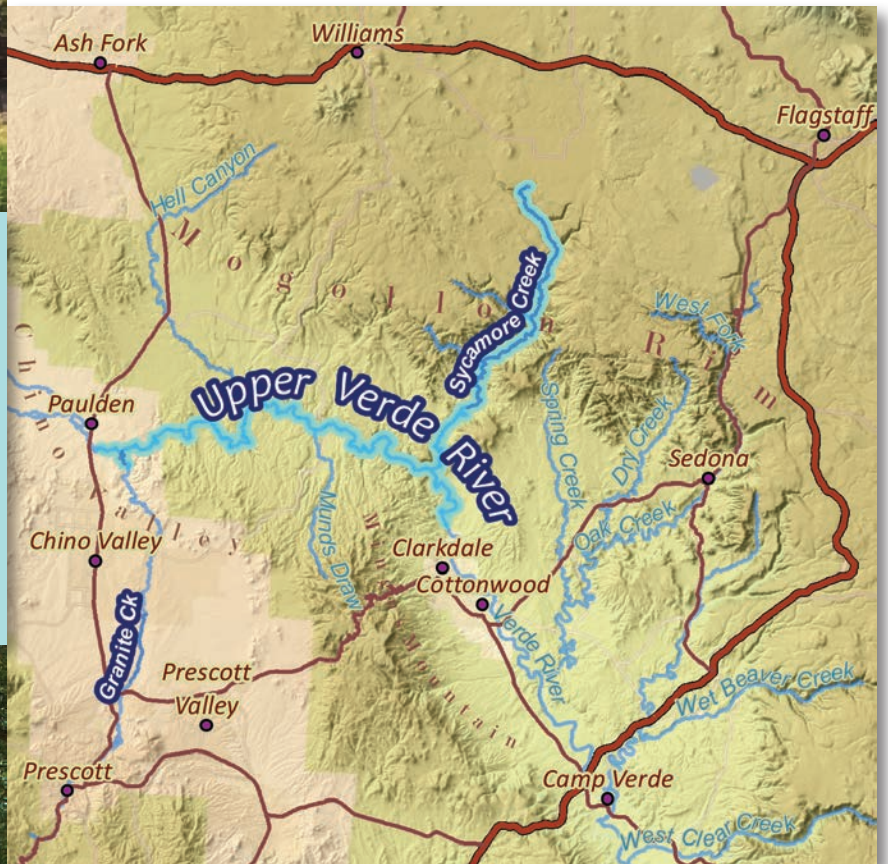


The Verde River is an extraordinary ribbon of life through the heart of Arizona. The Upper Verde - extending from east of Paulden to the town of Clarkdale - is one of the most clean, healthy, economically important, and culturally significant free-flowing rivers remaining in Arizona.



THE UPPER VERDE RIVER PROVIDES:

- Important habitat for fish, wildlife, and birds
- A wide range of recreation opportunities including hunting, fishing, hiking, swimming, birding, paddling, horseback riding, and a scenic railway
- Stunning geology and scenery
- Clean water for downstream users - farms and ranches, cities, and Indigenous communities



Rivers are the lifeblood of Arizona's desert landscapes but most have been lost, destroyed, or degraded.

Today, the Upper Verde River faces unprecedented threats from drought, diminished flow, pollution, unmanaged recreation, and invasive species.

Thankfully, the Upper Verde remains a refuge for wildlife and a sanctuary for people to enjoy and appreciate.

LET'S KEEP THE UPPER VERDE WILD!

WWW.WILDVERDERIVER.ORG

RESOLUTION NO. 2023-__
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,
ARIZONA, SUPPORTING WILD AND SCENIC PROTECTION FOR THE
UPPER VERDE RIVER AND ITS TRIBUTARIES.

WHEREAS, The Upper Verde River and its tributaries, located between the Verde headwaters and the Town of Clarkdale in central Arizona in the Prescott and Coconino National Forests, is an important and unique public resource that provides numerous benefits to the human and natural communities; and

WHEREAS, Central Arizona is one of the most rapidly growing areas in the United States, and increasing urbanization pressures threaten the natural wild character and environment that makes the area special and valuable; and

WHEREAS, the protection of The Upper Verde River and its tributaries as a National Wild and Scenic River will help to protect and restore Indigenous communities' ancestral lands and cultural history in the watershed; and

WHEREAS, the Upper Verde River and its tributaries provide vital habitat for Arizona wildlife, including 18 species protected by the Endangered Species Act, and is an outstanding refuge for native fish; and

WHEREAS, Arizona recreational tourism is a growing \$20 billion industry bringing revenue from outside Arizona and creating numerous jobs; and

WHEREAS, the Upper Verde Wild and Scenic River will protect and improve recreational opportunities for hunting, fishing, camping, birding, hiking and other recreational activities; and

WHEREAS, Wild and Scenic designation does not affect existing, higher priority water rights;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, hereby requests the United States Congress pass legislation to designate the Upper Verde and its critical tributaries as a "*Wild and Scenic River*" in order to permanently protect this unique place for present and future generations. Copies of this resolution shall be sent to the United States Arizona Congressional Legislators and select key Legislators at the appropriate time.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 11th day of April, 2023.

Scott M. Jablow, Mayor

ATTEST:

JoAnne Cook, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney



CITY COUNCIL AGENDA BILL

AB 2936
April 11, 2023
Regular Business

Agenda Item: 8b

Proposed Action & Subject: Discussion/possible action regarding an Ordinance amending the Sedona City Code Title 6 (Animals) by adding a new Chapter 6.15 (Outdoor Feeding and Protection of Wildlife).

Department Police Department / Code Enforcement

Time to Present 15 minutes

Total Time for Item 60 minutes

Other Council Meetings February 14, 2023

Exhibits A. Draft Ordinance

City Attorney Approval	Reviewed 4/3/23 KWC	Expenditure Required
		\$ 0
City Manager's Recommendation	Approve proposed amendments to Sedona City Code relating to Animals.	Amount Budgeted
		\$ 0
		Account No. N/A (Description)
		Finance ☒ Approval

SUMMARY STATEMENT

Background:

The purpose of Chapter 6.15 is to regulate the feeding of wildlife in an effort to protect the welfare and safety of the public and wildlife. This chapter does not pertain to common domestic household pets such as dogs, cats, and others.

Feeding wildlife can attract animals that are not accustomed to interacting with humans, which can result in damage to property, bites or attacks, and may be an annoyance to property owners. The intentional, negligent, or reckless placing or storing of edible material or garbage contributes to these issues and the frequency of wildlife/human contact. AZ Game & Fish Department presented to the City Council on February 14, 2023, as part of a work session discussion of these issues.

In 2022, the Sedona Police Department received two reports of people bitten by javelina, both of which were a result of the animals going after food and the people approaching being close. The Arizona Game & Fish Department (AZGFD) received two additional javelina bite reports during 2022 as well, which also were a result of people feeding animals and being too close to them. As a result of wildlife bites to two people in one neighborhood, AZGFD removed and

relocated a herd of 19 javelina in December 2022. There continues to be issues with javelina in the neighborhood.

According to AZGFD, most wildlife problems result from human behaviors that create an opportunity for wildlife, such as feeding, and the animals take advantage of those opportunities, which leads to wildlife/human confrontations. Feeding wildlife is not always healthy for the animals as well as leading to negative encounters with people. When people feed wildlife, the wildlife can become accustomed to and dependent on humans and lose their natural fear of people, which may lead to animals becoming unpredictable and aggressive. When feeding wildlife, people may be put at a greater risk of being bitten, scratched, or attacked. Feeding wildlife can also expose pets and domesticated animals to attacks and injuries from encounters.

The proposed ordinance is intended to limit the feeding of wildlife to safe, accepted practices for placing of food for birds and squirrels to minimize the opportunity for wildlife to have access to the food and limit negative wildlife encounters.

The highlights of the proposed ordinance are:

- Definitions for “feeding” and “wildlife” to plainly explain what applies to this section.
- Clearly states that, “It is unlawful for any person to intentionally, knowingly or recklessly feed wildlife or to attract wildlife.”
- Provides exemptions and guidelines for safe and responsible feeding of birds and squirrels.
- Provides exemptions for feeding of horses and domestic animals, such as dogs, cats, and other domesticated pets.
- Outlines who can enforce violations of the ordinance.
- Stipulates penalties for violations of the ordinance.

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: adopt Ordinance No. 2023-__ an ordinance of the Mayor and Council of the City of Sedona, Arizona adopting amendments to the Sedona City Code Title 6 (Animals) by adding a new Chapter 6.15 (Outdoor Feeding and Protection of Wildlife).

ORDINANCE NO. 2023-____

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, ADOPTING AN AMENDMENT TO THE CITY CODE TITLE 6 (ANIMALS) BY ADDING CHAPTER 6.15 (OUTDOOR FEEDING AND PROTECTION OF WILDLIFE); PROVIDING FOR PENALTIES, A SAVINGS CLAUSE, AND FOR REPEAL OF CONFLICTING ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, feeding wildlife may attract uncontrollable numbers of animals which may result in damage to property and irritation to surrounding property owners; and

WHEREAS, uneaten food may attract rodents, insects, and other pests, thereby increasing the potential transmission of disease to other animals and humans; and

WHEREAS, various residents have been recently injured in attacks from wildlife being feed; and

WHEREAS the City deems it necessary to adopt certain regulations regarding the feeding of wildlife to protect the health, safety, and welfare of the City residents.

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

Section 1. Amendment of Sedona City Code Title 6 (Animals)

Title 6 (Animals) of the City Code of the City of Sedona is hereby amended by adding the following Chapter:

Chapter 6.15 - OUTDOOR FEEDING AND PROTECTION OF WILDLIFE

6.15.010 - Definitions.

In this chapter unless the context otherwise requires:

"Attracting" or "to attract" means placing edible material in a location likely to entice wildlife to the source of the edible material.

"Edible material" means any human or animal food, food by-product, animal carcasses, salt, organic material, refuse, garbage or water.

"Feeding" or "to feed" means placing edible material in a location where it can be consumed by wildlife.

"Public employees" means any federal, state, county or City employees.

"Wildlife" means bears, javelina, deer, elk, coyotes, bobcats, or/and mountain lions.

6.15.020 - Feeding or Attracting Wildlife Prohibited.

It is unlawful for any person to intentionally, knowingly or recklessly feed wildlife or to attract wildlife.

6.15.030 - Applicability.

This chapter applies to all areas within the Sedona City limits.

6.15.040 - Exceptions.

This chapter does not apply to:

- A. Public employees, or their authorized agents, acting pursuant to A.R.S. Title 17 or Game and Fish Commission rule or order or acting within the scope of their authority for public safety or wildlife management purposes.
- B. Edible material located in a residence, closed vehicle, fully enclosed storage structure, or in a closed trash container.
- C. Normal agricultural or livestock operational practices or any person feeding their own horses or domestic animals.
- D. Seeds, nectar, and other material for birds or squirrels placed specifically for attracting wild birds and/or tree squirrels at least four (4) feet above the ground or in such a manner as to make it inaccessible to other wildlife.
- E. Water features such as fountains, ponds, birdbaths or similar structures where the primary purpose is decorative or ornamental.
- F. Growing plants or parts of growing plants, including gardens and fruit bearing trees or plants and the parts of those plants that may have fallen to the ground.
- G. Compost piles that are fully contained and made inaccessible to wildlife.
- H. Hand feeding of ducks or waterfowl on lakes, ponds, or creeks.

6.15.050 - Limitations to Exceptions.

The exceptions do not apply to any person who knows or has reason to know that an activity is attracting wildlife other than birds or tree squirrels. To avoid a violation, a person shall modify placement of any edible material, immediately cease the activity, or take such actions as the situation may require.

6.15.060 - Enforcement.

An Arizona Game and Fish officer, animal control officer, City Code Enforcement Officer, or any AZPOST certified peace officer may issue a written warning or citation for the violation of this chapter.

6.15.070 - Separate Offenses.

Each violation pursuant to this chapter shall constitute a separate offense and each day a violation remains unabated may constitute a separate offense.

6.15.080 - Penalties.

- A. Upon a first violation of this chapter, an officer shall issue a written warning and provide the person with wildlife educational materials.
- B. If there is a violation of this chapter and the person has previously been issued a warning within ninety (90) days from the date a warning was issued, the new violation is a civil offense punishable by a fine not to exceed one hundred fifty dollars (\$150.00), plus any other penalties, assessments or surcharges authorized by law.
- C. If there is a violation of this chapter and the person has previously been convicted within one hundred eighty (180) days of violating this chapter, the new violation is a civil offense

punishable by a fine not less than one hundred fifty dollars (\$150.00) and not more than five hundred dollars (\$500.00), plus any other penalties, assessments or surcharges authorized by law.

- D. If there is a violation of this chapter and the person has previously been convicted two (2) or more times of violating this chapter, the new violation is a class three misdemeanor, plus any other penalties, assessments or surcharges authorized by law.

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.

Section 4. Effective Date

The effective date of this Ordinance shall be 30 days following adoption by the City Council.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 11th day of April, 2023.

Scott M. Jablow, Mayor

ATTEST:

JoAnne Cook, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney



CITY COUNCIL AGENDA BILL

AB 2378
April 11, 2023
Regular Agenda

Agenda Item: 8c

Proposed Action & Subject: Discussion/possible action regarding the Sedona in Motion transportation program, and approval of a Construction Contract for the SR 179 Pedestrian Crossing at Oak Creek Project to J. Banicki Construction, Inc., in an amount not to exceed \$3,461,567.15.

Department Public Works Department

Time to Present 30 minutes

Total Time for Item 90 minutes

Other Council Meetings March 27, 2018, June 13, 2018, August 15, 2018, December 11, 2018, March 27, 2019, May 29, 2019, July 23, 2019, October 22, 2019, February 11, 2020, June 24, 2020; October 14, 2020, February 24, 2021, June 9, 2021, October 12, 2021, January 25, 2022, May 11, 2022

Exhibits A. Construction Contract

City Attorney Approval	Reviewed 4/3/23 KWC	Expenditure Required	
			\$ 3,461,567.15
City Manager's Recommendation	Approve award of the construction contract with J. Banicki Construction, Inc for the SR 179 Pedestrian Crossing at Oak Creek Project in an amount not to exceed \$3,461,567.15, for the base bid and Bid Alternative Item 1, subject to approval of the written contract by the City Attorney's Office.	Amount Budgeted	
			\$ 2,271,280 (FY23 budgeted amount – additional \$1,190,287.15 to be added in FY24 budget process)
		Account No. (Description)	22-5320-89-6894 \$250K (Construction) SIM-4c Pedestrian Crossing at Oak Creek – FY23 Remainder-\$3,211,567 (Construction) SIM-4c Pedestrian Crossing at Oak Creek-FY24
		Finance Approval	☒

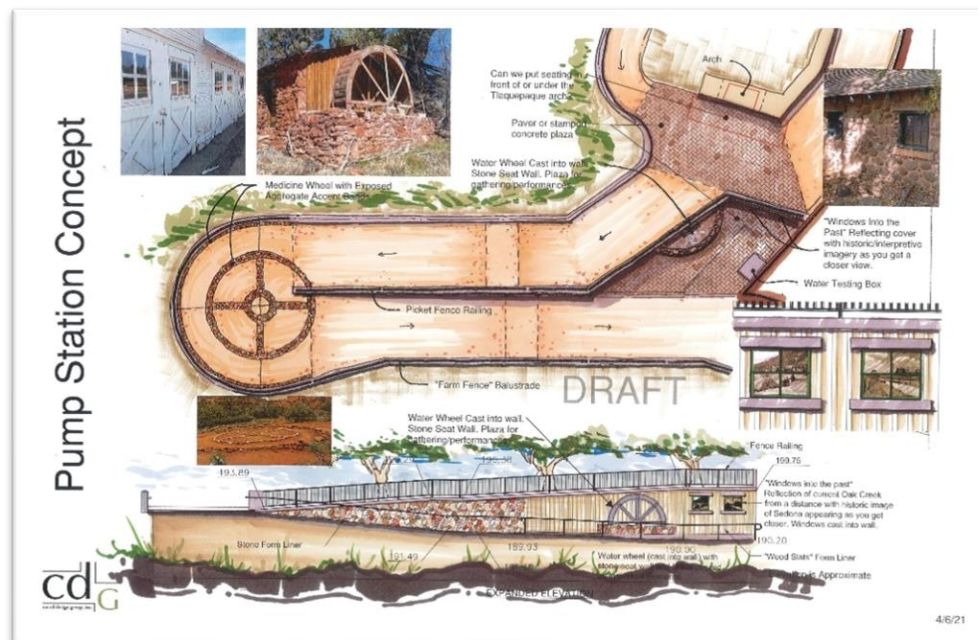
SUMMARY STATEMENT

The January 2018 City of Sedona Transportation Master Plan (TMP) evaluated Citywide transportation needs and concluded with a set of recommended strategies to address

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

Background:

Please note, the order of projects listed below is based on the order staff expects to present project updates during the council meeting.



The following is a summary table of the bidders and bid proposal amounts from the second bid.

	1	2	3
	J. Banicki Construction, Inc 4720 E Cotton Gin Loop, Ste 240 Phoenix, AZ 85040	Meridian Engineering Company 3855 N Business Center Dr. Tucson, AZ 85705	Standard Construction Company, Inc 810 Western Avenue Avondale, AZ 85323
Total Base Bid	\$3,305,076.40	\$4,369,837.00	\$5,741,808.00
Alternative Bid Item 1	\$156,490.75	\$199,575.00	\$180,900.00
Combined Total Bid	\$3,461,567.15	\$4,569,412.00	\$5,922,708.00

The Base Bid amount represents the core infrastructure of the pathway and majority of the construction, while the alternative Bid Item work represents hardscape features associated with the water wheel and small plaza area containing windows on the past.

As demonstrated in the summary table above the lowest responsible and responsive bid was received from J. Banicki Construction, Inc. Accordingly, staff recommends award of a construction contract with J. Banicki Construction, Inc inclusive of Alternative Bid Item 1 for a combined total construction contract value of \$3,461,567.15.

Schedule:

The construction timeframe for the project is 270 calendar days. Assuming a construction start date on/or about early May 2023 the anticipated completion is February 2024.

Budget:

It is anticipated that approximately \$250,000.00 will be expended on construction in this fiscal year 2023 and the remaining \$3,211,567 will be expended in fiscal year 2024 (FY24). The current project construction budget for FY23 is \$2,271,280, accordingly, an additional fund appropriation of at least \$1,190,287.15 for FY24, along with the carryover of FY23 budget, will be necessary to fund the construction contract value of \$3,461,567.15.

SIM-3A Uptown Parking Garage

Project design for Uptown Parking Garage was initiated on January 13, 2021, with the architectural firm Gabor Lorant Architects. Since that time the project has progressed through Concept Design, Schematic Design (30% complete), Design Development (60% complete) and currently resides at the Semi-final Development (90%) phase. Further design development and construction management of the project is on hold pending completion of an Uptown Parking Alternatives Analysis and Site Selection study.

The Uptown Parking Alternatives Analysis and Site Selection (UPAASS) study was recently initiated with Kimley-Horn and Associates, the first task being the Parking Inventory and Occupancy Update. The first round of inventory and occupancy data collection occurred on March 12th and 13th (drone occupancy surveys) and March 15th and 16th (boots on the ground survey).



Schedule:

The study is anticipated to take six months and should be complete September/October 2023.

SIM-5B Forest Road Connection



Design is complete and construction on the project is in process. Right-of-way and easement acquisitions continue to be in process, though nearing completion. Current construction efforts are focused on completing relocation of existing minor utilities to allow progress of construction.

The public relations firm of BetaPR is providing public involvement efforts including, notification flyers, newsletters, mailings, eNews, newspaper

advertisements, project hotline, Web Page, etc. for the duration of the construction. To sign up for regular project updates send a request to news@forestroadconnection.com . The Project Hotline for questions or additional information is (928) 852-4164.

Schedule:

Construction is currently projected to be completed by April 2024.

SIM-5C Los Abrigados / Brewer Road Connection This project established a connection from the Los Abrigados property through the City owned Ranger Station property to Brewer Road. Los Abrigados contributed \$75,000 to the project. The project was completed on August 22, 2022. Use of the connection occurred very quickly, with Los Abrigados traffic now connecting directly to Brewer Road, no longer needing to enter traffic on SR 179, when traveling north of the resort.



SIM-5D Ranger Road / Brewer Road Intersection & Ranger Extension This project includes improving the existing Ranger Road/Brewer Road intersection and extension of Ranger Road to the proposed Transit Hub location. The improvement of SR 179 has routed additional traffic onto Ranger and Brewer Roads. Also, traffic volumes are nearing the capacity of the Y Intersection. The current traffic conditions are not adequate for present traffic and are in need of upgrading. Without improvement, future increases in traffic would create safety issues, render the intersection ineffective, and create added congestion at adjacent intersections. The intent of the improvements would be to improve the efficiency of the intersection and accommodate potential transit improvements via a Ranger Road extension. The study is complete with the preferred alternative shown below to be the 5-legged roundabout (RAB) selected. The design is 60% complete with additional SUP connectivity concept under consideration. The design contract will be negotiated and presented to council later this fall.

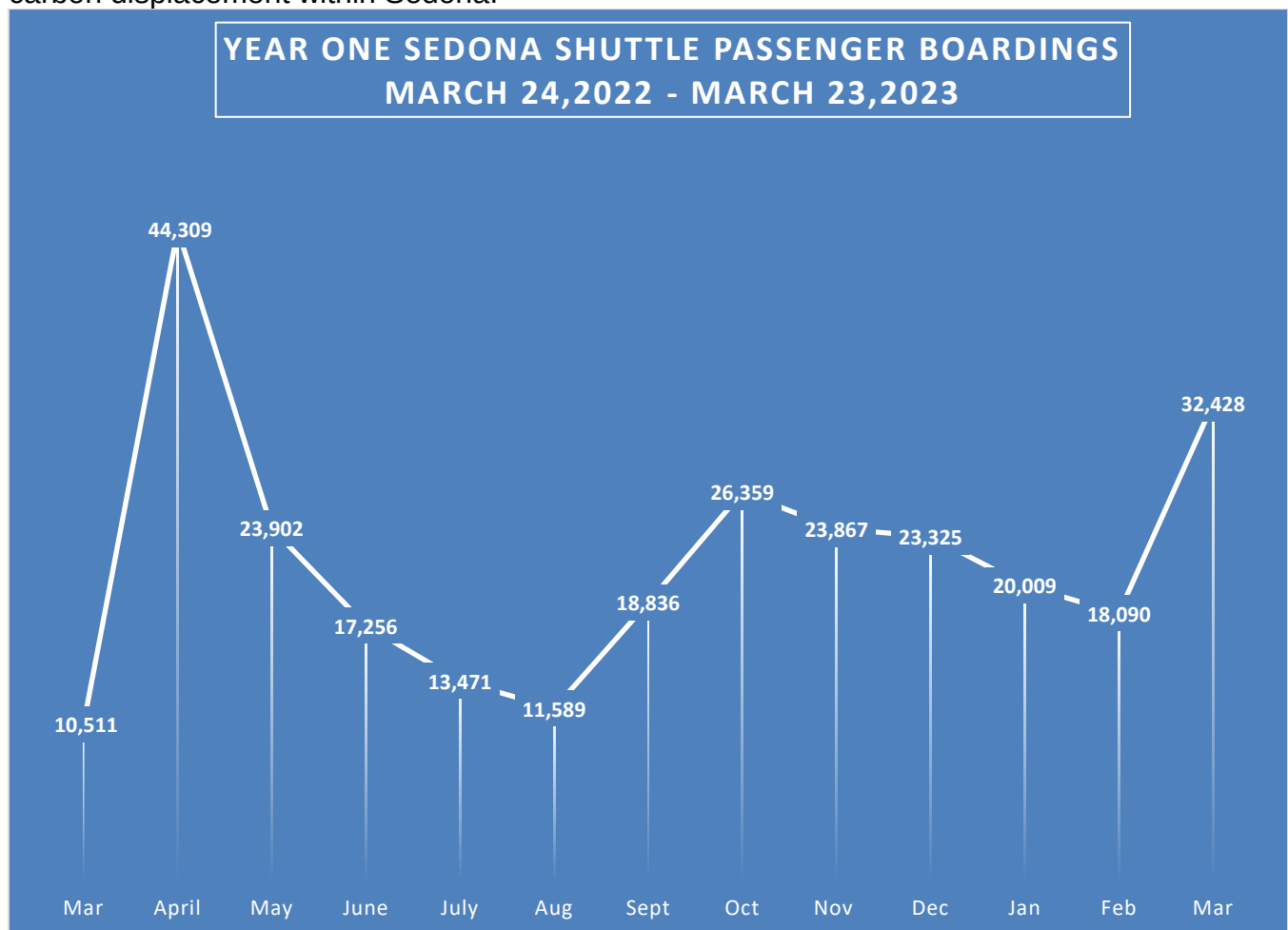


SIM-7/8 Enhanced Transit Service

Shuttles:

March 23, 2023, marked the one-year anniversary of the Sedona Shuttle service (March 24, 2022 – March 23, 2023). The shuttles logged 283,952 passenger boardings – providing 222 days of actual service. Despite the seasonal variations in passenger boardings, the shuttles averaged 35.5 passengers per hour during the first year of operation, which far exceeds the productivity of most rural transit agencies within Arizona as well as some urban systems.

City staff is working with the Chamber of commerce and their transit marketing consultant to publish a “year-one report card” on the shuttle service. The report will include ridership, testimonials from residents, law enforcement, NACOG, and the city’s Sustainability Manager discussing the impacts of the shuttle system on public safety, traffic / parking congestion, and carbon displacement within Sedona.



On March 1, 2023, the new West SR 89A Park and Ride became fully operational and the Line 11 (Dry Creek Vista / Mescal) was redeployed from the Posse Grounds Park to the new park & ride.

Comparing the average daily passenger boardings for the 2022 / 2023 spring break seasons, the data suggests that moving the Route 11 from Posse Grounds Park to the new park & ride

has improved the productivity for both routes 11 and 12 serving Dry Creek Vista (from Posse Grounds):

Period	Line 11	Line 12
Spring Break 22	109	153
Spring Break 23	196	201
Variance	79.82%	31.37%

Staff continues to work with the USFS and the Yavapai County Public Works department to impose additional parking restrictions along the unincorporated section of Dry Creek Road to Boynton Pass Rd.

This measure is being pursued in an effort to improved public safety along that section of Dry Creek Rd while further increasing productivity on the Line 11 serving the Dry Creek Vista and Mescal trailheads.

Sedona Shuttle Connect (Microtransit Demand Response Service):

Vehicle Update: On January 10, 2023, the Council approved staff to purchase three (3) Microtransit vehicles through Creative Bus Sales from the Arizona State Cooperative Purchasing Contract. Council also approved an additional \$214,199 to fund the city's local share of the FTA 5339 Grant award for the purchase of two (2) additional Microtransit vehicles.

The vehicle order was finalized and submitted on February 2, 2023, and at that time staff was notified that the Original Equipment Manufacturer (OEM) had projected a preliminary delivery date of late August or early September. Staff is anticipating that a final build schedule will be available in the coming weeks, which will firm up the delivery date, and ultimately determine the launch date of the Sedona Shuttle Connect service.

Microtransit Passenger fare policy: Both the required Federal and State public comment period(s) for the proposed Sedona Shuttle Connect passenger fare policy closed on January 9, 2023. While that process yielded very few public comments; additional comments have been accepted by staff as per the city's policy and practice. Staff will have this matter back before the council for final action in the coming months.

Transit Maintenance & Operations Facility:

The site selection and NEPA analysis has been completed. Staff has finalized the draft RFQ to solicit a firm to begin the design and engineering of the facility, which has been sent to ADOT and FTA Region 9 for review prior to publishing the procurement.



It is anticipated that the final design and engineering of the facility will be completed in June of 2024 and construction could begin in October of 2024 - funding permitting.

RIDE Exchange:

The conceptual design of the RIDE Exchange will be completed in FY23; however, final design & engineering will be delayed pending future decisions regarding transit operations.



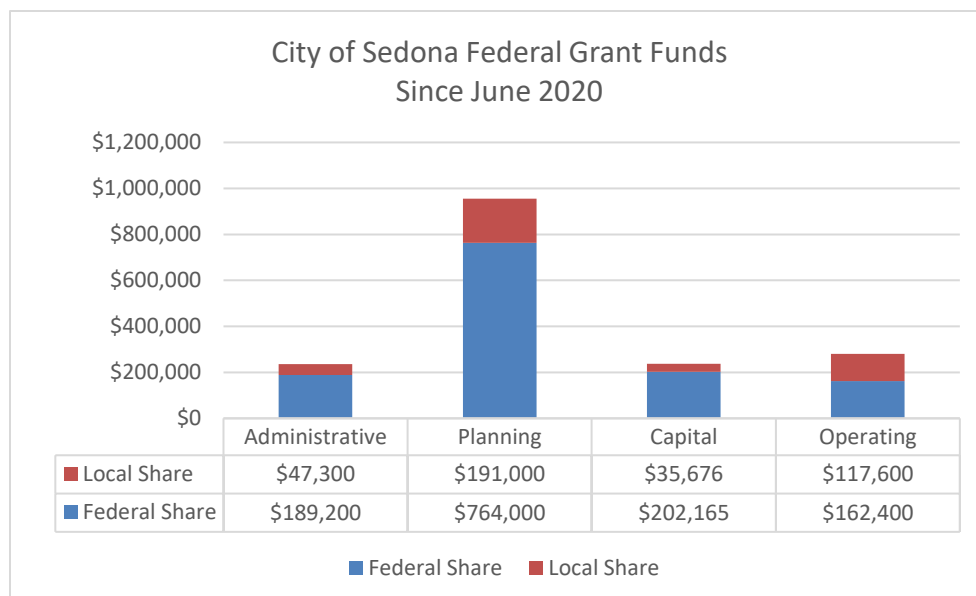
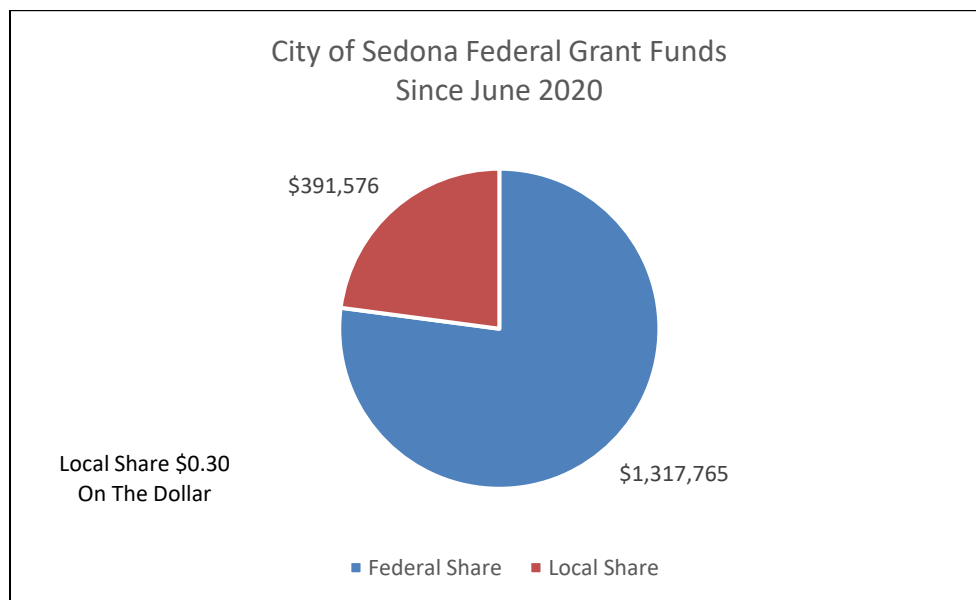
FTA Grants Update:

On February 8, 2023, ADOT issued a preliminary FTA 5339 grant award to the city for \$720,000 for the design and engineering of the planned transit maintenance and operations facility.

Since June of 2020 the city has received over \$1.7 million in FTA transit grant funding, which includes this most recent award. These funds have been allocated for administrative, planning,

capital, and operating expenses for the development of the city's transit system. By leveraging its local dollars, the city's local share will equal approximately 30% of that total amount.

Staff is continuing to pursue additional Federal and State grant opportunities to further reduce the city's local subsidy for transit related activities.



Sedona Transit Advisory Committee:

The Sedona Transit Advisory Committee (STAC) continues to meet monthly to review the city's transit programs – providing recommendations through staff to the City Manager's Office.

Additional information about the STAC's membership, bylaws, meeting dates, agendas, and meeting minutes can be found at <https://sedonashuttle.com/transit-advisory-committee/>

SIM-1B, Uptown Northbound Improvements This project comprises of two separate efforts to reduce traffic congestion in Uptown. The primary effort design is 100% complete with additional survey needed to include a stairway from SUP to L'Auberge. Land acquisition is being negotiated between adjacent resorts. The addition of two northbound lanes between Forest Road and the Jordan Road roundabout and widening and improving the adjacent sidewalk to convert to a Shared Use Path (SUP). Public Outreach is ongoing with visiting adjacent businesses and scheduled events to begin this spring, with project advertising for construction to follow this summer.

A minor component of this project includes replacing the existing curb loading zone north of midblock with a dedicated right turn lane at Amara Lane. This work is substantially complete and is funded through a cost sharing/development agreement. Completion items are some incidental AC repairs and final striping. Continue to remind adjacent businesses to direct deliveries trucks elsewhere. If NOT successful, no parking signage (time restrictions) with enforcement will be implemented.

SIM-5A Portal Lane / Brewer Road Connection The intent of this improvement is to reduce traffic congestion along SR179 by directing vehicles from the Tlaquepaque parking lot to exit out to Brewer Road for West Sedona or Uptown destinations. Currently, a bridge over Soldiers Wash is the best alternative selection with concurrence from the Tlaquepaque partners to increase parking and traffic flow efficiencies. The parking lot redesign is complete and details of the bridge, and where the connection will align with Brewer Road is included in the Brewer Road / Ranger Road 5 – legged Roundabout project (60% complete).

SIM-6, Neighborhood Street Connections Neighborhood connections were put on hold in 2018. However, as of the 2020 City Council retreat, Council has requested that neighborhood connections be reevaluated with the primary focus on neighborhoods with single points of ingress and egress. This reevaluation has been on hold until Public Works has available staff time to pursue this effort, but the following question was included in the FY24 citizen budget survey and resulted in over 2/3 of respondents expressing opposition to the development of new vehicular connections:

The need for more neighborhood street connections is included in the City of Sedona's Transportation Master Plan and is also included in the emergency evacuation planning efforts. In the past, this initiative has been put on pause but with current concerns for increased safety and for resident convenience, the City would like to revisit resident interest. Do you support additional street connections in your neighborhood?

Yes 31.2%
No 68.8%

SIM-10 West Sedona Signal Improvements At the urging of City staff, the ADOT Northcentral district has begun evaluating the performance of signals in West Sedona. Based on vehicular volumes at the Coffee Pot and Rodeo intersections, ADOT is considering removing one of the crosswalks on SR 89A at each intersection, which would increase green time on SR 89A by 20 seconds on each cycle. This project has been on hold and staff is awaiting further information from ADOT.



SIM-11 Bicycle and Pedestrian Improvements These projects focus on improvements that can make walking and bicycling safer, more convenient, and more comfortable. The improvements we are currently pursuing begin the path toward a more bike-friendly and walkable Sedona. The GO Sedona master-planning effort has also been completed. This plan is a blueprint for making Sedona a more walkable and bikeable community over the next 10 years, detailing what improvements the community wants to see and identifying the priority projects to complete. Collectively, the vision for these paths is to brand them as the Sedona Trails & Pathways System or ST&PS.

Completed Projects:



Bicycle Green Lanes



Dry Creek SUP



Chapel Road SUP



Hillside Vista Estates SUP



Posse Ground/Soldiers Pass SUP



Sunset Drive SUP



Shelby Drive SUP



Thunder Mountain /Sanborn Dr SUP

There are now 4.5 miles of new ST&PS complete. Visit www.sedonaaz.gov/stps for more information on the ST&PS.

Projects Under Construction:

- Forest Road SUP
- Navoti Dr to Dry Creek Rd SUP (substantially complete)
- Dry Creek Road – Two-Fences to SR 89A SUP
- Pedestrian Crossing on Oak Creek (pending contract approval)

Projects Under Design:

- Harmony
- SR 179 – ST&PS Signing and Striping (under review by ADOT)

On September 22, 2022, a public outreach effort was held for the Dry Creek Road – Two-Fences to SR 89A SUP, at the Sedona Public Library. Two hundred and forty-three invitation letters were sent to nearby properties. Thirteen stakeholders attended. Staff presented the right-of-way survey information and a rendering of how the trail might look. Only 4 residents completed the form indicating which side they preferred the path and this was split. The recurring concern was speed. Staff is recommending moving ahead with the path on the west side of Dry Creek from Two Fences to Thunder Mountain Road and installing speed tables.

SIM-12, Traveler Information ADOT Project #F0515 is 60% complete for plans, specifications, and estimate (PS&E) development to install the Dynamic Message Sign (DMS). Located on

the northbound I17, milepost 285.1, that is just north of General Crook Trail onramp. The 95% design and environmental clearance is scheduled for mid-June, 2023. This DMS is one of five other locations from Sunset Point to Flagstaff. Construction bids are to be advertised in December 2023. The DMA will display travel times to Sedona allowing travelers to choose SR 89A via SR 260 versus SR 179 prior to the Camp Verde exit. The goal is to reduce congestion by actively informing and allowing motorists to decide what route to travel with current travel time estimations. This DMS location is possible by the State's rural broadband initiative (Digital Highways to the Digital Deserts).

In addition, traffic cameras have been installed along SR 179 near Tlaquepaque and Uptown that are used by staff to monitor traffic, weather, creek flows and TCA's. Currently two locations are being designed and scheduled for installation at the intersection of SR89 - Forest Road and Tip Top Lane. These additional cameras will have features to allow photo stills like ADOT AZ511 system accessed through the City's Website for the public viewing. The City Information Technology Department is working on how to make the camera photos publicly viewable. Staff is pursuing other locations for cameras as well. The city is continuing to monitor ongoing travel time information to gauge congestion frequency/duration, and gauge benefits of completed projects. In the meantime, all motorists are encouraged to use AZ511.gov for traffic and travel time information. Plan your trip, so you don't trip up your plan.

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

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

Board/Commission Recommendation: ☐Applicable - ☒Not Applicable

Alternative(s): N/A

MOTION

I move to: approve award of the construction contract with J. Banicki Construction, Inc., for the SR 179 Pedestrian Crossing at Oak Creek Project in an amount not to exceed \$3,461,567.15, for the base bid and Bid Alternative Item 1, subject to approval of the written contract by the City Attorney's Office.

CONSTRUCTION CONTRACT

THIS CONTRACT, made and entered into this ____ day of _____, 20____ by and between the City of Sedona, Arizona, an Arizona municipal corporation, hereinafter called the "City", and **J. Banicki Construction, Inc.**, hereinafter called the "Contractor."

WITNESSETH:

WHEREAS, the City has caused Contract Documents to be prepared for the construction of the SR 179 Pedestrian Crossing at Oak Creek (**the "Project"**), City of Sedona, Arizona, as described therein; and

WHEREAS, the Contractor has offered 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.

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

1. 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, 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.
2. 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 initial estimated Contract price of \$3,461,567.15, 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 Prices in accordance with the Bid Schedule for the performance of the work described herein in accordance with the Contract Documents.
3. The Contractor and the City agree that the terms, conditions, and covenants of the Contract are set forth in the Contract Documents and the Plans and Technical Specifications, and the Drawings numbered 1 through 45, all defined as the Contract Documents, and by this reference made a part hereof as if fully set forth herein.
4. 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.
5. 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.

6. 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.
7. 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)).
8. As applicable, Contractor certifies and agrees it is not currently engaged in and for the duration of the Agreement will not engage in a boycott of Israel, as that term is defined in A.R.S. §35-393 and will not use forced labor or goods or services produced by forced labor of ethnic Uyghurs in the People's Republic of China (PRC) or any contractors, subcontractors or suppliers that use forced labor or goods or services produced by forced labor of ethnic Uyghurs in the PRC as provided by A.R.S. §35-394.
9. 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.
10. 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

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.

11. 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.
12. 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.
13. City and Contractor each bind 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.
14. 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.
15. Every payment obligation of the City under this Agreement is conditioned upon the availability of funds appropriated or allocated for payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the City at the end of the period for which funds are available. No liability shall accrue to the City in the event this provision is exercised, and City shall not be obligated or liable for any future payments or for any damages resulting from termination under this provision.
16. 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.

17. 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: _____

(SEAL)

ATTEST:

BY: _____

NAME: _____

CONTRACTOR: J. Banicki Construction, Inc

BY: _____

NAME: Mike Abraham

TITLE: President

(SEAL)

ATTEST:

BY: _____

NAME: _____

APPROVED AS TO LEGAL FORM:

BY: _____

(City Attorney)

DATE: _____



CITY COUNCIL AGENDA BILL

AB 2861
March 28, 2023
Regular Business

Agenda Item: 8d

Proposed Action & Subject: Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation and State budget and their potential impact on the City of Sedona.

Department City Manager

Time to Present 15 Minutes

Total Time for Item 45 Minutes

Other Council Meetings January 24, 2023; February 14, 2023; February 28, 2023; March 14, 2023; March 28, 2023

Exhibits None

City Attorney Approval	Reviewed 4/3/23 KWC	Expenditure Required
		\$ N/A
City Manager's Recommendation	For discussion and direction only.	Amount Budgeted
		\$ N/A
		Account No. N/A (Description)
		Finance ☒ Approval

SUMMARY STATEMENT

Background: During the course of the State Legislative Session, many bills are introduced that have a potential impact on the City of Sedona. The League of Arizona Cities and Towns, the City's legislative advocate and City staff routinely monitor bills of interest as they progress through the legislative process.

This item is scheduled to provide a summary update on relevant bills and the proposed State budget, to answer questions that the City Council may have regarding any individual bill or the budget, and to consider the need for the City Council to take a formal position in support or opposition of any particular bill.

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

Board/Commission Recommendation: ☐ Applicable - ☒ Not Applicable

Alternative(s): None

MOTION

I move to: for presentation and direction purposes only.



CITY COUNCIL AGENDA BILL

AB 2937
April 11, 2023
Regular Business

Agenda Item: 8e

Proposed Action & Subject: Discussion/possible action regarding ideas for possible resolutions for consideration by League of Arizona Cities and Towns' Policy Committees. Including discussion of a City OHV ordinance.

Department City Manager's Office

Time to Present 10 Minutes

Total Time for Item 30 Minutes

Other Council Meetings N/A

Exhibits A. League Policy Committee and Resolutions Process
Overview and Proposal to Further Restrict OHVs on Roadways

City Attorney Approval	Reviewed 4/3/23 KWC	Expenditure Required	
		\$	0
City Manager's Recommendation	Advance the OHV proposal to the League for further consideration.	Amount Budgeted	
		\$	0
		Account No. (Description)	N/A
		Finance Approval	☒

SUMMARY STATEMENT

Background: Each year, the League of Arizona Cities and Towns (League) seeks suggestions from municipalities for legislative proposals for the forthcoming legislative session. Councilors have been asked to provide ideas for items they feel the League should consider. These will be forwarded to the appropriate League Policy Committee for review and consideration.

The five (5) Policy Committees are: 1) Budget, Finance and Economic Development (BFED); 2) General Administration, Human Resources and Elections (GAHRE); 3) Transportation Infrastructure and Public Works (TIPW); 4) Public Safety, Military Affairs and the Courts (PSMAC); and 5) Neighborhoods, Sustainability and Quality of Life (NSQL). Each Policy Committee meets on an as-needed basis when there are issues brought forward by Committee members for discussion. The Policy Committees ultimately vote on whether to move any proposal forward for consideration at the Annual Conference.

The purpose of this item is to discuss items suggested by City of Sedona Councilors to determine if they should be sent on to the League for further consideration.

One proposal was received by Mayor Jablow pertaining to the imposition of further restrictions at the state level to Off Highway Vehicle (OHV) on public roadways. The proposal, along with an overview of the policy committees and resolutions process, is attached as part of Exhibit A.

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

Board/Commission Recommendation: ☐ Applicable - ☒ Not Applicable

Alternative(s): N/A

MOTION

I move to: approve the resolution promoting further restrictions to OHV use on Arizona roadways and submit to the League of Arizona Cities and Town for further consideration as part of the League's 2024 legislative policy agenda.

League of Arizona Cities and Towns Policy Committees and Resolutions Process Overview

2023

Overview

The Policy Committee framework was established to give city and town elected officials and staff the opportunity to provide direction and expertise on proposed policy issues that come to the League. After submitted policy issues are discussed and vetted in the appropriate policy committee, they may become a League Resolution, be referred for further study or they may have a non-legislative solution.

Issues must be submitted by the deadlines set forth each year. This gives the committee members and League staff ample time to study the issues and formulate solutions. If the committee recommends that the issue should be developed into a League Resolution, the issue must be provided to all cities and towns before the League Annual Conference in August/September so that individual cities and towns may consider them prior to the Resolutions Committee Meeting. To adhere to this schedule, all policy issues must be submitted no later than a week before the policy committees meet.

Policy Committee Membership

The Policy Committee chairs are members of the Executive Committee and are selected by the President of the League. The chairs will select their membership based on applications. Municipal elected officials and staff are eligible to apply for a position on a Policy Committee by submitting their interest to: resolutions@azleague.org. In addition, an individual city or town may have only one vote on each committee; and only elected officials can vote on the direction of the policy issue. Staff may participate in the discussion and offer their expertise but cannot vote on the proposal. Committee membership is for one year, but members may re-apply to a committee for another term.

Submission of Policy Issues

Cities and towns may submit policy issues any time of the year. The Policy Committee to which the issue is assigned will decide if the issue becomes a formal resolution. The Vice President of the League assigns policy submissions to one or more policy committees. ***To submit your policy issue, please use the special form provided by the League below. The deadline to submit any policies for the May meetings is Friday, April 21, 2023. The deadline for the June meetings is Friday, May 26, 2023.***

Policy Committee Actions

Policy Committees will meet in May and June. The meetings are open for anyone to attend, however only one elected official from each city on that committee may vote. The committee may choose to advance the policy submission as a formal resolution, assign the submission to further study, or propose a non-legislative solution. Outside experts may be invited to provide additional input. The sponsoring city or town is responsible to present their case for their submission at the policy committee.

Each chair shall prepare a report of their activities and the formal resolutions to the full Resolutions Committee as a part of the Annual Conference packet. In addition, each Committee Chair shall provide a verbal report to the Resolutions Committee. ***Only resolutions put forward by the Policy Committees will be voted on at the Resolutions Committee during the Annual Conference.***

Resolutions Committee

Each member city or town shall receive a Resolutions Packet in preparation for the Annual Conference and shall have a seat at the committee with either the mayor or a council member as their voting representative. The Policy Committee chairs shall provide their reports and the Resolutions Chair shall facilitate the meeting. The sponsoring city/town may be called upon to provide additional information on a Resolution. Resolutions adopted at the Resolutions Committee will be forwarded to the Annual Business Meeting for formal ratification.

Municipal Policy Statement

The adopted resolutions become the basis of the Municipal Policy Statement, the League's legislative priorities for the following legislative session. The statement is used to educate legislators on the League's highest priorities for that year.

Policy Issue Submittal Form

Please use this form to submit your policy issue. The issue will be vetted by the relevant Policy Committee, and may become a formal Resolution, or may go on for further discussion with a non-legislative solution.

Guidelines

There are two types of resolutions:

- 1) Statements requesting a specific action, such as requesting that the Legislature enact a statute relating to a zoning issue.
- 2) Statements of general policy direction, such as supporting increases for transportation funding.

The resolutions process is designed for issues that impact a broad cross section of cities and towns. Single city/town issues are not generally part of the League's overall agenda.

Policy Issue

Please state the problem or issue.

According to the US DOT, non-DOT approved tires should not be driven on paved streets and highways. No OHV tires are DOT approved and thus, they are not safe to be used on paved roads. Similarly, the individual OHV manufacturers' operator manuals state that OHVs are not designed or safe to be used on paved roads, in part because of the tires.

Please state the solution you are promoting for your issue.

For safety reasons, sponsor legislation to require OHVs use DOT approved tires or eliminate OHVs from our streets and highways in Arizona and require them to be transported by trailer on paved roads.