

AGENDA



4:30 P.M.

CITY COUNCIL MEETING

TUESDAY, JUNE 10, 2025

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

2. ROLL CALL/MOMENT OF ART

3. CONSENT ITEMS - APPROVE

LINK TO DOCUMENT =

- a. Minutes - May 13, 2025 City Council Special Meeting - Executive Session.
- b. Minutes - May 13, 2025 City Council Regular Meeting.
- c. AB 3227 Approval of the City's Chief Fiscal Officer (CFO) Designation Resolution Amendment to fiscal year 2024 – retroactively changing the CFO from Cherie White to Barbara Whitehorn.

4. APPOINTMENTS - None

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

- a. Executive Session Report.

6. PUBLIC FORUM

(This is the time for the public to comment on any issue within the jurisdiction of City Council 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 - None.

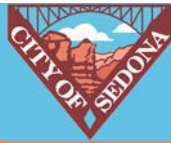
8. REGULAR BUSINESS

- a. AB 3223 Discussion/possible direction regarding adoption of an Ordinance amending Sedona City Code Chapter 3.10 Claims and Demands Against the City (First Public Meeting).
- b. AB 3224 Discussion/possible direction regarding adoption of an Ordinance amending Sedona City Code Chapter 3.05 Purchasing (First Public Meeting).
- c. AB 3111 Discussion/possible action regarding the award of a Construction Contract for the Dry Creek Road Shared-Use Pathway Improvements Project, Gringo Road to White Bear Road, to the contractor Doege Development LLC, in an amount not to exceed \$1,930,259.00.
- d. AB 3188 Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation, lobbying efforts, and State budget and their potential impact on the City of Sedona.
- e. AB 3066 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.

AGENDA



4:30 P.M.

CITY COUNCIL MEETING

TUESDAY, JUNE 10, 2025

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 a quorum of 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.

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: 6/02/25

By: DJ

JoAnne Cook, CMC, City Clerk

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 Chambers
102 Roadrunner Drive, Sedona, Arizona
Tuesday, May 13, 2025, 3:30 p.m.**

1. Call to Order

Mayor Jablow called the meeting to order at 3:30 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 Derek Pfaff.

Staff Present item: City Manager Anette Spickard, City Attorney Kurt Christianson, and Deputy City Clerk Marcy Garner.

3. Executive Session

Motion: Councilor Kinsella moved to enter into Executive Session at 3:32 p.m. Seconded by Councilor Dunn. Motion carried with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Dunn, Kinsella, and Pfaff) and zero (0) opposed.

Marcy Garner gave the admonition.

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

Anette Spickard and Marcy Garner left the meeting at 3:54 p.m.

Reconvened in open session at 4:27 p.m., continued in executive session after the 4:30 p.m. regular meeting.

Returned to executive session at 5:40 p.m.

Kurt Christianson entered the meeting at 5:50 p.m. and left the meeting at 5:53 p.m.

Anette Spickard entered the meeting at 6:12 p.m.

Kurt Christianson entered the meeting at 6:40 p.m.

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

Reconvened in open session at 6:43 p.m.

Motion: Councilor Kinsella moved to approve a 5% merit increase for the city manager, effective next pay cycle. Seconded by Councilor Fultz. Motion carried with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Dunn, Kinsella, and Pfaff) and zero (0) opposed.

4. Adjournment

Mayor Jablow adjourned the meeting at 6:44 p.m. without objection.

I certify that the above are the true and correct actions of the Special City Council Meeting held on May 13, 2025.

Marcy Garner, Deputy City Clerk

Date

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, May 13, 2025, 4:30 p.m.

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

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

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

Staff Present: City Manager Anette Spickard, Deputy City Manager Andy Dickey, City Attorney Kurt Christianson, Police Chief Stephanie Foley, Executive Assistant to the Police Chief Jessica Bryson, Director of Wastewater Roxanne Holland, Special Initiatives Coordinator Kegn Moorcroft, Arts & Culture Specialist Nancy Lattanzi, and Deputy City Clerk Marcy Garner.

2. Roll Call

3. Consent Items

- a. **Minutes - April 22, 2025 City Council Special Meeting - Executive Session.**
- b. **Minutes - April 22, 2025 City Council Regular Meeting.**

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

4. Appointments

- a. **AB 3216 Discussion/possible action regarding the appointment of our first Senior Poet Laureate and Youth Poet Laureate to serve a two-year term promoting and elevating literary arts in the City of Sedona in collaboration with Community Library Sedona.**

Motion: Councilor Kinsella moved to approve the appointment of Gary Every as the 2025 Senior Poet Laureate and Anya Blue Lior as the 2025 Youth Poet Laureate, to serve a two-year term promoting and elevating the literary arts in the City of Sedona in collaboration with Community Library Sedona. Seconded by Vice Mayor Ploog. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Pfaff) and zero (0) opposed.

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

Councilor Dunn shared details about an upcoming family-friendly event at the Community Library in Sedona on Saturday, May 17, 2025. This free event will feature art, music, and opportunities for connection with the local community.

Councilor Kinsella recognized the organization, Volunteer Sedona, which is hosting a

Volunteer Expo on Wednesday, May 14th, from 1 PM to 4 PM at The HUB at Posse Grounds Park. This event will feature over 39 organizations offering a wide range of volunteer opportunities.

Vice Mayor Ploog shared that she and Mayor Jablow attended an event hosted by the McCain Institute on May 2, 2025. The event welcomed Arizona State University Political Science students along with several U.S. Senators, including both senators from Arizona. Mayor Jablow was honored to be invited to speak for the second year.

Mayor Jablow recognized National Police Week, observed from May 11 to 17, 2025, as a time to honor the service and sacrifice of peace officers across the country.

Mayor Jablow recognized Memorial Day, observed on Monday, May 26, as a time to remember and honor military personnel who died while serving our country.

Mayor Jablow shared that he, along with David Key, President and CEO of the Sedona Chamber of Commerce, attended the first Sedona Sculpture Symposium. Mayor Jablow was honored to speak at this event.

Mayor Jablow announced that on May 12, the city held a ribbon cutting ceremony to celebrate the completion of the Forest Road extension. He thanked city staff for their hard work over the years in bringing this project to completion.

a. Executive Session Report

Mayor Jablow advised that Council will reconvene in executive session to continue the May 13, 2025 Special City Council Meeting after the regular meeting is adjourned.

6. Public Forum

Opened to the public at 5:00 p.m.

No public comments were heard.

Brought back to City Council at 5:00 p.m.

7. Proclamations, Recognitions & Awards - None.

8. Regular Business

a. AB 3124 Discussion/possible action for approval of a Linking Agreement with KEAR Civil Corporation for the construction of the Northview Sewer Line Replacement Project in an amount not-to-exceed \$593,920.

Presentation by Roxanne Holland.

Questions and comments from Council.

Motion: Councilor Fultz moved to approve the Linking Agreement with KEAR Civil Corporation for the construction of the Northview Sewer Line Replacement Project in an amount not-to-exceed \$593,920. Seconded by Councilor Dunn. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Pfaff) and zero (0) opposed.

b. AB 3146 Discussion/possible action for approval of a Resolution authorizing an Intergovernmental Agreement for Construction and Administration of

Emergency Siren System between Coconino County (AZ) and the City of Sedona.

Presentation by Jessica Bryson, Chief Foley, and Acting Director of the Coconino County Department of Emergency Management Tim Carter.

Questions and comments from City Council.

Motion: Councilor Kinsella moved to approve Resolution 2025-06, authorizing an Intergovernmental Agreement for Construction and Administration of an Emergency Siren System between Coconino County (AZ) and the City of Sedona. Seconded by Vice Mayor Ploog. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Pfaff) and zero (0) opposed.

- c. AB 3213 Discussion/possible action regarding adoption of an Ordinance amending Sedona City Code Section 2.10.040 Powers and duties of the mayor.**

Presentation by Kurt Christianson.

Questions and comments from City Council.

Motion: Councilor Kinsella moved to adopt Ordinance No. 2025-05, amending Sedona City Code Sections 2.10.040 (Powers and duties of the mayor) as amended. Seconded by Councilor Furman. Vote: Motion passed with seven (7) in favor (Jablow, Ploog, Dunn, Fultz, Furman, Kinsella, Pfaff) and zero (0) opposed.

- d. AB 3188 Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation, lobbying efforts, and State budget and their potential impact on the City of Sedona.**

Presentation by Kurt Christianson.

Question and comments from City Council.

- e. AB 3066 Discussion/possible action regarding future meeting/agenda items.**

Mayor Jablow advised that Council will reconvene in executive session to continue the May 13, 2025 Special City Council Meeting.

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 held.

10. Adjournment

Mayor Jablow adjourned the meeting at 5:37 p.m. without objection.

I certify that the above are the true and correct actions of the Regular City Council Meeting held on May 13, 2025.

Marcy Garner, Deputy City Clerk

Date



**CITY COUNCIL
AGENDA BILL**

**AB 3227
June 10, 2025
Consent Items**

Agenda Item: 3c

Proposed Action & Subject: Approval of the City's Chief Fiscal Officer (CFO) Designation Resolution Amendment to fiscal year 2024 – retroactively changing the CFO from Cherie White to Barbara Whitehorn.

Department	Finance
Time to Present	N/A
Total Time for Item	N/A
Other Council Meetings	N/A
Exhibits	Exhibit A CFO Designation Resolution

Finance Approval	Reviewed 05/28/25 BGW	
City Attorney Approval	Reviewed 6/2/25 KWC	Expenditure Required
		\$ N/A
City Manager's Recommendation	Recommend approval ABS 6/2/25	Amount Budgeted
		\$ N/A
		Account No. (Description)

SUMMARY STATEMENT

Background: A.R.S. §41-1279.07(E) requires each county, city, town, and community college district to annually provide to the Arizona Auditor General by July 31 the name of the Chief Fiscal Officer (CFO) the governing body designates to officially submit each year's annual expenditure limitation report (AELR) on the governing body's behalf. The current year is the fiscal year the entity is operating in on July 31. Anette Spickard was designated as CFO for FY25 on July 9, 2024, and was replaced with Barbara Whitehorn on November 26, 2024.

Councils must present and act upon the resolution annually at a council meeting and submit the signed resolution to the Arizona Auditor General office with the electronic CFO designation form.

The City of Sedona had previously designated former Director of Financial Services Cherie White as the CFO for FY24. Per the Auditor General's Office, the City's designated CFO must be the same individual who signs the final AELR that is formally issued and submitted to the office of the Auditor General. Because Cherie White separated from the City in May 2024, Barbara Whitehorn, who was hired as the Director of Financial Services in September 2024 and designated as the CFO in November 2024, signed the City's 2024 AELR. The office of the Auditor General contacted the Financial Services Department and said that even though

Whitehorn was not an employee during FY24, they require that she be retroactively designated as CFO for FY24 for them to accept the City's AELR.

The designation of CFO is specifically for the submittal of the AELR, which always takes place in the following fiscal year.

City and town councils (councils) must use the Auditor General's resolution template to document their annual CFO designation and may not delegate the responsibility of designating the CFO.

The designation of the FY26 CFO will be on the June 24, 2025 Council agenda.

Exhibit A, CFO Designation Resolution, will be submitted to the Arizona office of the Auditor General upon designation of the City's Chief Fiscal Officer for FY24 by City Council, review by the City Manager, attestation by the City Clerk and approval as to form by the City Attorney.

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

Board/Commission Recommendation: ☐Applicable - ☒Not Applicable

Alternative(s): Appoint other city staff as the CFO for the FY24 AELR and reissue the fiscal year 2024 AELR.

MOTION

I move to: designate Barbara Whitehorn, Director of Financial Services, as the City's Chief Fiscal Officer to officially submit the FY24 annual expenditure limitation report (AELR) on the governing body's behalf.

RESOLUTION NO. Click or tap here to enter text.

A RESOLUTION OF THE CITY OF Sedona, ARIZONA MAYOR AND COMMON COUNCIL, DESIGNATING THE CHIEF FISCAL OFFICER FOR OFFICIALLY SUBMITTING THE FISCAL YEAR 2024 EXPENDITURE LIMITATION REPORT TO THE ARIZONA AUDITOR GENERAL

RECITALS:

WHEREAS, A.R.S. §41-1279.07(E) requires each county, city, town, and community college district to annually provide to the Arizona Auditor General by July 31 the name of the Chief Fiscal Officer the governing body designated to officially submit the current year's annual expenditure limitation report (AELR) on the governing body's behalf; and

WHEREAS, the City of Sedona Mayor and Council desires to designate Barbara Whitehorn, as the City's Chief Fiscal Officer.

WHEREAS, Entities must submit an updated form and documentation for any changes in the individuals designated to file the AELR.

ENACTMENTS:

NOW THEREFORE BE IT RESOLVED BY THE CITY OF Sedona MAYOR AND COUNCIL as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. Barbara Whitehorn is hereby designated as the City's Chief Fiscal Officer for purposes of submitting the fiscal year 2024 AELR to the Arizona Auditor General on the governing body's behalf.

PASSED AND ADOPTED by the City of Sedona, Arizona Mayor and Council, this 10th day of June, 2025.

Attested to:

Scott Jablow, Mayor

JoAnne Cook, City Clerk

Reviewed by:

Approved as to form:

Anette Spickard, City Manager

Kurt Christianson, City Attorney



**CITY COUNCIL
AGENDA BILL**

**AB 3223
June 10, 2025
Regular Business**

Agenda Item: 8a

Proposed Action & Subject: Discussion/possible direction regarding approval of an Ordinance amending Sedona City Code Chapter 3.10 Claims and Demands Against the City (First Public Meeting).

Department City Attorney's Office

Time to Present 5 mins

Total Time for Item 60 mins

Other Council Meetings N/A

Exhibits A. Ordinance
B. 2025 Amendments to SCC 3.10 Redline

Finance Approval	Reviewed 05/28/25 BGW	
City Attorney Approval	Reviewed 6/2/25 KWC	Expenditure Required
		\$ 0
City Manager's Recommendation	Recommend approval ABS 06/02/25	Amount Budgeted
		\$ 0
		Account No. (Description)

SUMMARY STATEMENT

Background:

Staff is seeking Council's approval of revisions to the Sedona City Code Chapter 3.10, Claims and Demands Against the City. The intent of the revisions is to provide clarity and allow flexibility in resolving claims, demands, and lawsuits.

A summary of the major proposed revisions is as follows:

- Adds authority for the City Manager to settle claims, disputes, and lawsuits filed by the City, including those made in connection with easement and property acquisitions or condemnation actions (all condemnation actions have to first be approved by City Council by Resolution).
- Adds authority for the City Manager to file a lien against real property for unpaid civil penalties, abatement costs, and any other costs owed to the city in connection with the real property.
- Clarifies authority for the City Council to settle claims, disputes, and lawsuits brought by or against the city, including claims involving the Sedona Land Development Code.

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

Board/Commission Recommendation: ☐ Applicable - ☒ Not Applicable

Alternative(s): Council could not approve the proposed ordinance.

MOTION

I move to: For discussion and direction only. (First Public Meeting)

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, DECLARING THE DOCUMENT TITLED “2025 AMENDMENTS TO SCC CHAPTER 3.10, CLAIMS AND DEMANDS AGAINST THE CITY” AS A PUBLIC RECORD, ADOPTING THE SAME BY REFERENCE, AND AMENDING THE SEDONA CITY CODE AS SET FORTH THEREIN; PROVIDING FOR SEVERABILITY, AND REPEAL OF CONFLICTING ORDINANCES.

WHEREAS, the City deems it necessary to adopt certain amendments to Sedona City Code Chapter 3.10, Claims and Demands Against the City, in the best interests of the City.

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

Section 1. Adoption. That certain document titled the “2025 Amendments to SCC Chapter 3.10, Claims and Demands Against the City” (“SCC 3.10 Amendment”), of which one paper copy and one electronic copy are maintained, in compliance with A.R.S. § 44-701, on file in the office of the City Clerk as required by A.R.S. § 9-802, and available for public use and inspection during normal business hours, is hereby declared to be a public record and said copies thereof are hereby ordered to remain on file with the City Clerk. The Sedona City Code Chapter 3.10 (Claims and Demands Against the City) is hereby amended as set forth in the SCC 3.10 Amendment, which is hereby referred to, adopted, and made a part hereof as if fully set forth herein.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance or any part of the SCC 3.10 Amendment adopted herein is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 3. Repeal. All other Code provisions, ordinances, parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict as of the effective date hereof.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this ____ day of _____, 2025.

Scott M. Jablow, Mayor

ATTEST:

JoAnne Cook, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney

Chapter 3.10

CLAIMS, ~~AND DEMANDS, LAWSUITS, AND LIENS AGAINST THE CITY~~

Sections:

- 3.10.010 In General.**
- 3.10.020 Claim filing procedures.**
- 3.10.030 Alternative dispute resolution.**
- 3.10.040 Authority of the city manager to settle claims and file liens.**
- 3.10.050 Authority of the city council to settle claims.**

3.10.010 In General.

This chapter is intended to set forth the process, ~~and~~ settlement, ~~and lien~~ authority of designated city representatives ~~in settlement~~ of any monetary ~~or non-monetary~~ claims, ~~or~~ disputes, ~~or lawsuits~~ brought ~~by or~~ against the city. ~~The provisions of this chapter incorporate and supersede the provisions of Ordinances 95-20 and 97-05.~~ [Code 2006 § 3-7-1. Ord. 99-04, 3-9-1999; Ord. 2017-03 § 1, 2-14-2017; Res. 2017-07 Exh. A, 2-14-2017].

3.10.020 Claim filing procedures.

A. A person or legal entity that believes they have a claim for monetary damages against the city shall serve a notice of claim in accordance with A.R.S. Section 12-821.01.

B. Upon receipt of a statutorily compliant notice of claim, the city attorney will determine if a response is appropriate along with the form and substance in which any such response shall be communicated to a claimant. [Code 2006 § 3-7-2. Ord. 99-04, 3-9-1999; Ord. 2017-03 § 1, 2-14-2017; Res. 2017-07 Exh. A, 2-14-2017].

Exhibit A "2025 Amendments to SCC Chapter 3.10, Claims and Demands Against the City"

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3.10.030 Alternative dispute resolution.

- A. For any claim against the city other than a breach of contract or claims for additional cost or time relative to the performance of any contract for which the contractual remedy has not been exhausted, and compulsory arbitration is not required, the city attorney shall determine whether may determine that the process of alternative dispute resolution (ADR) should be employed, and which ADR mechanism should be utilized. in which case the city attorney shall acknowledge, in writing to the claimant, receipt of the notice of claim and, if applicable, provide ~~give notice of the ADR mechanism to be utilized. that the alternative dispute resolution procedures must be complied with. The city attorney shall then refer the claim to either the city volunteer mediation service, a private mediation service, or the State Attorney General's Mediation Office. The city attorney may also stipulate with the claimant to use any other alternative dispute resolution mechanism.~~
- B. The mediation service, to which the city attorney refers the claim ~~is referred~~, shall set a mediation meeting at a time convenient to the parties, but no later than 60 days of the receipt of referral from the city. Written notice of the mediation hearing date shall be provided to both parties and to the claimant by first class mail.
- C. The parties shall meet at the appointed time as scheduled. The city shall be represented by a person with knowledge and understanding concerning the claim.
- D. Any agreement developed during the mediation shall be submitted to the city manager who may, in histheir discretion, consummate a final settlement of the claim if it falls within the parameters of histheir settlement authority as set forth in SCC [3.10.040](#), or if not, the proposed settlement agreement shall be submitted to the city council for approval.
- E. Upon agreement of the parties, mediation may be continued for more than one session if the need exists.
- F. The mediator shall issue a written final decision or notice of disposition at the conclusion of the mediation, including, in the event the parties do not reach agreement in resolving the claim, notice that the claim is unresolved and is, therefore, presented to the city for action pursuant to A.R.S. Section [12-821.01](#) ~~(A) and (E). The time frame set out in A.R.S. Section 12-821.01 for giving notice of a potential claim and initiating suit shall run from the date a final decision or notice of~~

Exhibit A "2025 Amendments to SCC Chapter 3.10, Claims and Demands Against the City"

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~~disposition is issued at the conclusion of mediation.~~ In the event the parties are not able to agree to a resolution of the dispute during mediation, the claimant may proceed as provided for in A.R.S. Section [12-821.01](#). [Code 2006 § 3-7-3. Ord. 99-04, 3-9-1999; Ord. 2017-03 § 1, 2-14-2017; Res. 2017-07 Exh. A, 2-14-2017].

3.10.040 Authority of the city manager to settle claims and file liens.

A. The city manager is authorized to negotiate and settle claims, ~~and~~ disputes, and lawsuits brought by or against the city, its officers, appointees and employees, subject to the following conditions:

1. The city manager or the city manager's designated representative has made a thorough investigation regarding questions of liability and damages and has determined a reasonable dollar value of the claim.
2. The claim and any proposed settlement has been reviewed and approved by the city attorney.
3. The settlement is conditioned upon an appropriate written release by the claimant or defendant as applicable in favor of the city, its officers, appointees and employees.

B. The settlement authority of the city manager is limited in the following respects:

1. For claims which have been submitted to the city's insurance carrier, the city manager is authorized to pay any deductible assessed by the insurance carrier, contingent upon the review and approval of the city attorney.
2. The city manager is authorized to settle any claims, disputes, or lawsuits made in connection with easement and property acquisitions or condemnation actions ~~claims in an amount~~ not to exceed \$25,000, contingent upon for settlement of claims or disputes made in connection with easement and property acquisitions or condemnation actions. Such settlements shall be ~~the~~ reviewed and approved ~~of by~~ the city engineer and the city attorney.

Exhibit A "2025 Amendments to SCC Chapter 3.10, Claims and Demands Against the City"

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3. For any other claims ~~brought by or~~ presented to the city, including but not limited to claims for bodily injury, property damage or claims in settlement of personnel actions, the city manager shall have authority to settle such claims for an amount not to exceed \$25,000, contingent upon the review and approval of the city attorney.

4. The city manager or ~~his~~their designee may process workers' compensation claims in accordance with the Arizona workers' compensation law, A.R.S. Section [23-901](#) et seq., and the provisions of the city personnel manual.

C. ~~The city manager is authorized to file a lien with the county recorder's office against real property for unpaid civil penalties, abatement costs, and any other costs owed to the city in connection with the real property if the property owner fails to pay the city within thirty (30) days after the monetary sum is due. Once the monetary sum owed is paid in full to the city, the city manager shall file a lien release with the county recorder's office. All other claims, which cannot be resolved within the parameters set forth above, will be submitted to the city council for review and approval or denial.~~

D. The city manager will submit, to the city council, a periodic report of all claims settled pursuant to subsection [\(B\)](#) of this section. [Code 2006 § 3-7-4. Ord. 99-04, 3-9-1999; Ord. 2006-14, 7-11-2006; Ord. 2017-03 § 1, 2-14-2017; Res. 2017-07 Exh. A, 2-14-2017].

3.10.050 Authority of the city council to settle claims.

A. ~~The city council has authority to settle all claims, disputes, and lawsuits brought by or against the city, its officers, appointees and employees, including claims involving the Sedona Land Development Code, which are not resolved within the parameters set forth in set forth in SCC 3.10.040.~~



**CITY COUNCIL
AGENDA BILL**

**AB 3224
June 10, 2025
Regular Business**

Agenda Item: 8b

Proposed Action & Subject: Discussion/possible direction regarding approval of an Ordinance amending Sedona City Code Chapter 3.05 Purchasing (First Public Meeting).

Department City Attorney's Office/Finance, Ian Coubrough

Time to Present 15 mins

Total Time for Item 60 mins

Other Council Meetings N/A

Exhibits
A. Ordinance
B. 2025 Amendments to SCC 3.05 Redline
C. 2025 Amendments to SCC 3.05 Clean

Finance Approval	Reviewed 05/28/25 BGW	
City Attorney Approval	Reviewed 6/2/25 KWC	Expenditure Required
		\$ 0
City Manager's Recommendation	Recommend approval ABS 06/02/25	Amount Budgeted
		\$ 0
		Account No. (Description)

SUMMARY STATEMENT

Background:

Other than minor amendments in 2008 and 2014, the Sedona City Code (SCC) Chapter 3.05, Purchasing, has not been updated since 2007. The Arizona State Legislature has amended the procurement requirements for construction projects numerous times since then and the proposed amendments align the city code with the current construction requirements placed on cities.

Although specific legislative requirements and purchasing thresholds exist for state agencies and counties for non-construction procurement, no such legislative thresholds exist for cities. A city-wide Contracts and Procurement Liaison committee was formed to discuss and recommend revisions to the Purchasing Chapter. This committee proposes updating the SCC 3.05 purchasing thresholds which were last updated in 2007 by:

1. Increasing City Manager approval for purchases and contracts from \$100,000 to \$150,000.
2. Increasing the formal solicitation threshold for goods and services from \$100,000 to \$150,000.

3. Increasing Department head authority to purchase goods and services without three written price quotes from \$10,000 to \$25,000.

4. Increasing City Manager amendment approval authority for contracts previously approved by Council from \$75,000 to \$100,000, or up to 10 percent of the original contract cost, whichever is greater.

As reference, the City of Phoenix threshold for Council approval for goods and services is currently \$250,000 (which is also their threshold for formal solicitations). And City of Flagstaff does not require written price quotes for purchases of goods and services of less than \$25,000.

Other proposed revisions to SCC 3.05 are consistent with current best practices for procurement and intended to ensure that all purchases provide the best value for the City.

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

Board/Commission Recommendation: ☐ Applicable - ☒ Not Applicable

Alternative(s): Council could not approve the proposed ordinance.

MOTION

I move to: For discussion and direction only. (First Public Meeting)

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, DECLARING THE DOCUMENT TITLED “2025 AMENDMENTS TO SEDONA CITY CODE CHAPTER 3.05 PURCHASING” AS A PUBLIC RECORD, ADOPTING THE SAME BY REFERENCE, AND AMENDING THE SEDONA CITY CODE AS SET FORTH THEREIN; PROVIDING FOR SEVERABILITY, AND REPEAL OF CONFLICTING ORDINANCES.

WHEREAS, the City deems it necessary to adopt certain amendments to Sedona City Code Chapter 3.05, Purchasing, in the best interests of the City.

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

Section 1. Adoption. That certain document titled the “2025 Amendments to Sedona City Code Chapter 3.05 Purchasing” (“SCC 3.05 Amendment”), of which one paper copy and one electronic copy are maintained, in compliance with A.R.S. § 44-701, on file in the office of the City Clerk as required by A.R.S. § 9-802, and available for public use and inspection during normal business hours, is hereby declared to be a public record and said copies thereof are hereby ordered to remain on file with the City Clerk. The Sedona City Code Chapter 3.05 (Purchasing) is hereby amended as set forth in the SCC 3.05 Amendment, which is hereby referred to, adopted, and made a part hereof as if fully set forth herein.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance or any part of the SCC 3.05 Amendment adopted herein is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 3. Repeal. All other Code provisions, ordinances, parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict as of the effective date hereof.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this ____ day of _____, 2025.

Scott M. Jablow, Mayor

ATTEST:

JoAnne Cook, CMC, City Clerk

APPROVED AS TO FORM:

Kurt W. Christianson, City Attorney

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Chapter 3.05 PURCHASING

Sections:

- ~~3.05.010~~ **Definitions.**
- ~~3.05.0210~~ **In General.**
- ~~3.05.030~~ **Purchasing Thresholds and Approvals.**
- ~~3.05.040~~ **Contract Amendments (Change Orders).**
- ~~3.05.0520~~ **Exceptions to SCC 3.05.0310.**
- ~~3.05.0630~~ **Formal SolicitationsBidding.**
- ~~3.05.040~~ **Determination of lowest responsible bidder.**
- ~~3.05.0750~~ **Performance bond.**
- ~~3.05.0680~~ **Emergency purchases.**
- ~~3.05.070~~ **Professional services.**
- ~~3.05.0980~~ **Surplus supplies and equipment.**
- ~~3.05.1090~~ **Signatures on checks.**

3.05.010 Definitions.

For purposes of this chapter, the following words or phrases shall have the following meanings:

“Construction” means the process of building, altering, repairing, improving or demolishing any public structure or building or other public improvements of any kind to any public real property, but does not include the routine operation, routine repair or routine maintenance of existing facilities, structures, buildings or real property.

“Construction Professional Services” means design services provided by an individual or firm that is registered with the state board of technical registration pursuant to Title 32, Chapter 1, Arizona Revised Statutes, including architect services, engineer services, landscape architect

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services, assayer services, geologist services and land surveying services and any combination of those services.

“Cooperative Purchasing Agreement” means a cooperative contract between a vendor, consultant, or contractor and a political subdivision, state agency or department, or nonprofit corporation created for cooperative purchasing purposes and the contract was awarded through a competitive process where multiple offers were received and documentation is available to substantiate the award, including bidder’s list, evaluation factors, bid tabulation, and basis for cooperative contract award.

“Goods” means tangible items, including supplies, equipment, materials, and articles or subjects of commerce of any character, other than real property, regardless of lifespan.

“Procurement Officer” means the individual appointed by the City who is authorized act as a purchasing agent of the City pursuant to this chapter of the City Code and the Procurement Manual.

“Professional Services” means those services rendered by a person or persons engaging in a recognized discipline that necessarily requires advanced training and specialized knowledge to perform and typically result from the predominant use of intellectual skills rather than physical skills, including but not limited to financial services, consulting services, public relations, and marketing services.

“Services” means those services unrelated to a construction project rendered by a person or persons that do not require advanced training and specialized knowledge to perform, including but not limited landscape services, cleaning services, vehicle maintenance and repair, painting, and skilled trades such as plumbers and electricians.

3.05.0210 In General.

The city manager, or ~~their~~^{his} designee(s), and the procurement officer shall be the purchasing agents for the city and shall prepare and maintain the Procurement Manual which may be

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modified or changed from time to time with the city manager’s approval, with the current version prevailing over any prior version.

No purchases or contracts for goods, services, professional services, construction, or construction professional services or materials of any kind or description, for which payment is to be made from any funds of the city, shall be made by the purchasing agents, or any officer, employee or agent of the city, except in the manner set forth in this chapter and pursuant to the Procurement Manual.

Unless in conflict with the particular provisions of this chapter, the principles of law and equity, including the uniform commercial code of Arizona, the common law of contracts as applied in Arizona and law relative to agency, fraud, misrepresentation, duress, coercion and mistake supplement the provisions of this chapter.

The following are excluded from this chapter:

- i. Intergovernmental agreements entered into pursuant to Section 11-952, Arizona Revised Statutes;
- ii. Any process used to award grants and grant funds by or through the City;
- iii. Legal services, including the services of attorneys, expert witnesses, legal advisors, investigators or consultants hired by the city attorney;
- iv. Petroleum, fuels or energy purchases authorized by the council;
- v. Development agreements entered into pursuant to Section 9-511.01, Arizona Revised Statutes.

3.05.030 Purchasing Thresholds and Approvals.

The following threshold levels and approval requirements apply to all purchases using city funds and apply to the entire sum of the purchase or contract, including all applicable taxes and fees. Purchases and contracts shall not be artificially divided or fragmented to circumvent these threshold levels and approval requirements.

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A. Approval Requirements.

- i. The department head or their designee may approve all purchases or contracts costing less than \$50,000.
- ii. City manager approval is required on all purchases or contracts costing between \$50,000 and \$150,000.
- iii. Council approval is required for all purchases and contracts over \$150,000.
- iv. All contracts require City Attorney approval as to form.

B. Goods or Services Under \$2510,000. Whenever any contemplated purchase or contract for goods or services, ~~as those terms are defined in SCC 3.05.010, supplies or materials~~ is for the sum of less than \$2510,000, the department head or ~~their~~ designee may ~~purchase order~~ the item ~~pursuant to the Procurement Manual as needed without obtaining three written price quotes. The department head or their designee shall use reasonable judgment in making purchases or awarding contracts for \$25,000 or less and in determining that the cost provides the best value to the city, bidding. If the price of supplies or materials made with or containing recycled products is within five percent of the price of materials not made with or containing recycled products, the department head or designee may give preference to and purchase the supplies or materials made with or containing recycled products, so long as quality or performance are not compromised by such purchasing preference.~~

CB. Goods or Services Between \$25,000 and Ten Thousand One Dollars to \$150,000 Inclusive. Whenever any contemplated purchase or contract for goods or services, ~~as those terms are defined in SCC 3.05.010, supplies or materials~~ is for the sum of at least \$2510,0001 but not more than \$150,000, the department head or ~~their~~ designee shall ~~let contracts by~~ obtaining at least three written ~~price quotations.~~ The department head or ~~their~~ designee may then ~~purchase the item pursuant to the Procurement Manual from the entity providing the best value to the city, award the purchase or contract of service to the lowest responsible supplier. Dividing invoices on a single purchase so each invoice is less than \$50,000 is prohibited. Notice of SCC 3.05.040(G), purchase preference for supplies or materials made with or containing recycled products, shall be placed in or otherwise made a part of all city solicitations for informal bids or written price quotations.~~

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~~DC. Goods or Services Fifty Thousand One Dollars to \$150,000 or More. Whenever any contemplated purchase or contract for goods or services, as those terms are defined in SCC 3.05.010, ~~supplies or materials~~ is for the sum of \$50,001 to \$150,000 or more, the department head or their designee shall coordinate with the procurement officer to issue a formal solicitation pursuant to SCC 3.05.060 and the Procurement Manual. ~~written request for bid to at least three vendors, if possible. The notice herein required shall include a general description of the articles to be purchased or services to be performed and the time and place for opening bids. Notice of SCC 3.05.040(G), bid preference for supplies or materials made with or containing recycled products, shall be placed in or otherwise made a part of all city bid notices and solicitations. If only one responsive quotation is received, the buyer may initiate a second solicitation. Once all bids are received, the city manager shall make the final approval. If he or she determines that the price is fair and reasonable, the purchase may be made from a single responding vendor. City manager approval is required on all purchases or contracts for services, supplies or materials costing \$50,001 to \$100,000.~~~~

~~ED. Professional Services Under \$150,000. Whenever any contemplated contract for professional services, as that term is defined in SCC 3.05.010, is for the sum of less than \$150,000, the department head or their designee may direct select the consultant or contractor using reasonable judgment in the selection and in determining that the cost provides the best value to the city.~~

~~F. Professional Services \$150,000 or More. Whenever any contemplated contract for professional services, as that term is defined in SCC 3.05.010, is for the sum of \$150,000 or more, the department head or their designee shall coordinate with the procurement officer to issue a formal solicitation pursuant to SCC 3.05.060 and the Procurement Manual.~~

~~G. Construction Professional Services Under \$500,000. Whenever any contemplated contract for construction professional services, as that term is defined in SCC 3.05.010, is for the sum of less than \$500,000, the department head or their designee may:~~

~~i. Direct select the consultant or contractor using reasonable judgment in the selection and in determining that the cost provides the best value to the city; or~~

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- ii. Coordinate with the procurement officer to issue a formal solicitation pursuant to SCC 3.05.060 and the Procurement Manual; or
- iii. Coordinate with the procurement officer to issue a procurement in the manner prescribed in Title 34, Chapter 6, Arizona Revised Statutes; or
- iv. Coordinate with the procurement officer to solicit for public competition pursuant to Section 34-103, Arizona Revised Statutes.

H. *Construction Professional Services \$500,000 or More.* Whenever any contemplated contract for construction professional services, as that term is defined in SCC 3.05.010, is for the sum of \$500,000 or more, the department head or their designee shall coordinate with the procurement officer to issue a formal solicitation pursuant to Title 34, Arizona Revised Statutes.

~~I. *Products, Construction Projects and General Services over \$100,000.*~~ Whenever any contract for construction, as that term is defined in SCC 3.05.010, is contemplated, the department head or their designee shall coordinate with the procurement officer to determine whether the construction project cost meets the applicable bidding threshold pursuant to Title 34, Arizona Revised Statutes.

If the construction project cost meets the applicable Title 34 bidding threshold, the department head or their designee shall coordinate with the procurement officer to issue a formal solicitation pursuant to Title 34, Arizona Revised Statutes.

If the construction project cost does not meet the applicable Title 34 bidding threshold, the department head or their designee may:

- i. Coordinate with the procurement officer to voluntarily issue a solicitation in the manner prescribed in Title 34, Arizona Revised Statutes, or
- ii. For construction projects for the sum of less than \$25,000, direct select the contractor using reasonable judgment in the selection and in determining that the cost provides the best value to the city.
- iii. For construction projects for the sum of at least \$25,000 but not more than \$150,000, obtain at least three written price quotes and select the contractor providing the best value to the city.
- iv. For construction projects for the sum of \$150,000 or more, coordinate with the procurement officer to issue a formal solicitation pursuant to SCC 3.05.060.

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~~No contract of \$100,000 or more for budgeted products, construction projects and general services shall be let, except by the city council. Whenever any contemplated purchase or contract is for the sum of \$100,000 or more, the city manager shall present the bids to the council for approval and advise the council of the advantages or disadvantages of the contract and bid proposal.~~

~~E. Zero Dollars to \$100,000 for Street and Drainage Maintenance, Repair and Improvement.~~ Notwithstanding subsections (B), (C) and (D) of this section, whenever any contemplated purchase or contract for services of work to be done for the purpose of street and drainage maintenance, repair and improvement is for a sum of up to \$100,000, the city shall obtain a written bid for the work to be done, and the city manager may then award a contract; provided, that:

- ~~1. The project does not require plans and specifications to be prepared by a civil engineer registered in the state of Arizona pursuant to the requirements of A.R.S. Titles 32 and 34.~~
- ~~2. The cumulative mileage of work to be done during one fiscal year does not exceed one mile (24-foot width) for paving projects or four miles (24-foot width) for chip seal projects.~~
- ~~3. The project requirements shall not be artificially divided or fragmented so as to circumvent the limitations or requirements of this chapter.~~ [Code 2006 § 3-4-1. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2005-15, 11-22-2005; Ord. 2007-19, 12-11-2007].

3.05.040 Contract Amendments (Change Orders).

~~F. Contract Amendments (Change Orders).~~ The city manager may authorize amendments (change orders) to any contracts ~~for purchases of services, supplies or materials previously~~ approved by the council for up to an accumulative amount of 10 percent of the original contract cost or ~~\$75~~100,000, whichever is greater. For change orders over the accumulative amount of 10 percent of the original contract or ~~\$75~~100,000, the city manager shall present the amendment to the council for approval.

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~~G. *Direct Appointment of Professional Services.* Regarding the procurement of professional services as described in SCC 3.05.070, the following approval levels will apply:~~

- ~~1. For unbudgeted consulting services over \$25,000, excluding the procurement of legal services, no contract shall be let except by the city council.~~
- ~~2. For professional services under \$50,000 the department head or designee may order the service as needed without bidding.~~
- ~~3. For professional services from \$50,001 to \$100,000 the city manager shall make the final approval without bidding.~~
- ~~4. For professional services \$100,000 or more no contract shall be let, except by the city council. Whenever any contemplated purchase or contract for professional services is for the sum of \$100,000 or more, the city manager shall present the contract to the council for approval and advise the council of the advantages or disadvantages of the contract. [Code 2006 § 3-4-1. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2005-15, 11-22-2005; Ord. 2007-19, 12-11-2007].~~

3.05.0520 Exceptions to SCC 3.05.0310.

~~The procurements below are exempt from the purchasing thresholds found in SCC 3.05.030. These procurements are subject to the approval requirements in SCC 3.05.030.A.~~

A. ~~*Competition Impracticable, Exclusive Service.* When the city manager or procurement officer determines that a procurement requirement exists for goods, services, professional services, or construction which makes compliance with this chapter impracticable, unnecessary or contrary to the public interest, In the event that there is only one firm, company or individual capable of providing a particular service or commodity, and such services or commodities cannot be secured from other persons or companies, the procurementsuch services or commodities may be securedmade pursuant to the Procurement Manual without obtaining three written price quotes or issuing a formal solicitation. bidding.~~ Departments must have documented

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competition impracticable approval from the city manager or procurement officer prior to purchase that documents the unusual or unique situation that justifies the competition impracticable need.

B. *Used Equipment.* Upon recommendation of the department head or their designee, the city manager or procurement officer may waive the bid procedures with respect to the purchase of used equipment and the procurement is made pursuant to the Procurement Manual.

C. *Cooperative Purchasing.* When the city manager or procurement officer determines that a procurement requirement exists that may be procured by linking to a Cooperative Purchasing Agreement, the procurement may be made pursuant to the Procurement Manual without obtaining three written price quotes or issuing a formal solicitation if the cost is determined to be fair and reasonable and provides the best value to the city.

~~In the event of a purchase made by, through or with the U.S. government, state of Arizona or its political subdivisions, or any other state cooperatives, purchase or award of such contracts for services or materials may be made without the bidding process in SCC 3.05.010. Such purchases would require the following approval:~~

- ~~1. Items under \$100,000 inclusive must be approved by the city manager.~~
- ~~2. Items \$100,000 or over must be approved by the city council.~~
- ~~3. Contract number and backup be provided.~~

~~D. Professional services as described in SCC 3.05.070.~~

~~E. Notwithstanding any other provision of this chapter, in the event any purchase or contract falls within the definitions for limitations of A.R.S. Section 34-201 et seq., as amended, the provisions, requirements and specifications of the relevant portions of the Arizona Revised Statutes shall supersede this chapter and control any such bidding procedures.~~

~~F. Procurement of design and construction services in accordance with the provisions of A.R.S. Section 34-602, as they currently exist or as they may be amended in the future, is permitted. The use of any method of construction procurement, except the traditional, "design-bid-build"~~

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~~method, shall be initiated only after approval by the city manager authorizing the use of such a procurement method for a specific project.~~ [Code 2006 § 3-4-2. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2004-06, 10-12-2004; Ord. 2005-11, 9-27-2005; Ord. 2005-15, 11-22-2005; Ord. 2007-14, 8-14-2007; Ord. 2007-19, 12-11-2007; Ord. 2008-08, 8-12-2008; Ord. 2014-11 § 1, 7-8-2014].

3.05.0630 Formal SolicitationsBidding.

~~The department and all parties interested in contracting with the city shall follow the procedure set forth in this section in relation to all bids~~A. *Formal competitive method.* Formal solicitations required under SCC [3.05.0310](#)(C). ~~will be solicited by the procurement officer using one of the following formal competitive methods:~~

- i. *Competitive sealed bidding;*
- ii. *Multi-step competitive sealed bidding;*
- iii. *Competitive sealed proposals; or*
- iv. *Qualifications based selection.*

AB. *Selection of formal competitive method.* The department head or their designee and the procurement officer will determine which formal solicitation method will provide the best value to the city. ~~All notices and solicitation of bids shall state the date, time and place for bid opening.~~

BC. *Evaluation criteria.* The department head or their designee and the procurement officer will determine the appropriate evaluation criteria for each formal solicitation. Examples of evaluation criteria may include such factors as: past performance; experience; references; financial, management and technical capability; quality and performance of goods or services; and cost. ~~All bids shall be submitted sealed to the soliciting department and shall be identified as bids on the front of the envelope.~~

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~~C. All bids shall be opened on the date, time and place stated in the request for bid, unless such bids are required to be opened at a city council meeting in accordance with A.R.S. Section 34-201.~~

D. Authority to reject. The city shall have the authority to reject any and all, or any parts of, submittals in response to a formal solicitation bids and parts of all bids and to issue a new formal solicitation, readvertise or resolicit bids. [Code 2006 § 3-4-3. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].

~~3.05.040 — Determination of lowest responsible bidder.~~

~~Unless the council, city manager or department head or designee exercise the right of rejection as provided by SCC 3.05.030, the purchase or contract shall be made with the lowest responsible bidder for the entire purchase or contract or for any part thereof. In determining the lowest responsible bidder, the following shall be considered:~~

~~A. The ability, capacity and skill of the bidder to perform the contract or provide the service required.~~

~~B. Whether the bidder can perform the contract or provide the services promptly or within the specified time, without delay or interference.~~

~~C. The quality of performance of previous contracts.~~

~~D. The previous and existing compliance by the bidder with laws and ordinances of the city.~~

~~E. The financial resources and ability of the bidder to perform the contract.~~

~~F. The quality, availability and adaptability of the supplies, services or materials.~~

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~~G. If the price of supplies or materials made with or containing recycled products is within five percent of the price of materials not made with or containing recycled products, the department head or designee may give preference to and purchase the supplies or materials made with or containing recycled products so long as quality or performance are not compromised by such purchasing preference. [Code 2006 § 3-4-4, Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].~~

3.05.0570 Performance bond.

~~The city manager or procurement officer may require Aa~~ performance bond, in cash or otherwise, for such amount as may be deemed sufficient to secure the execution of the contract in the best interest of the city. [Code 2006 § 3-4-5. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].

3.05.0680 Emergency purchases.

In case of an emergency as defined in SCC [2.10.040](#), which requires immediate purchase of supplies or services and when time is of the essence, the city manager, procurement officer, and mayor shall be empowered to purchase or secure services or materials without complying with the procedures of this chapter. A full report in writing of the circumstances of any emergency purchase shall be filed by the purchasing agent with the city council at its next meeting. [Code 2006 § 3-4-6. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].

~~3.05.070 Professional services.~~

~~Unless required by the city council, bidding and other requirements of this chapter shall not apply to professional services. Such services shall include, but not be limited to, the following:~~

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~~physicians, attorneys, engineers, architects, and similar professions. [Code 2006 § 3-4-7. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].~~

3.05.0890 Surplus supplies and equipment.

All departments and offices shall submit to the financial services department at such time, and in such form as that office shall prescribe, reports showing all supplies and equipment which are no longer used or have become obsolete or worn out. Each department shall have the authority to sell all supplies and equipment which cannot be used or which have become unsuitable for city use, or to exchange the same for, or trade in the same for new supplies and equipment, ~~pursuant to the Procurement Manual, in accordance with applicable state statutes and the city's auction policy.~~ [Code 2006 § 3-4-8. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].

3.05.10090 Signatures on checks.

All checks for expenditures of city monies shall bear two signatures of either the city manager, ~~deputy city manager,~~ city clerk, mayor, vice mayor, or City Finance Director or designee. [Code 2006 § 3-4-9. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].

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Chapter 3.05

PURCHASING

Sections:

- 3.05.010 Definitions.**
- 3.05.020 In General.**
- 3.05.030 Purchasing Thresholds and Approvals.**
- 3.05.040 Contract Amendments (Change Orders).**
- 3.05.050 Exceptions to SCC 3.05.030.**
- 3.05.060 Formal Solicitations.**
- 3.05.070 Performance bond.**
- 3.05.080 Emergency purchases.**
- 3.05.090 Surplus supplies and equipment.**
- 3.05.100 Signatures on checks.**

3.05.010 Definitions.

For purposes of this chapter, the following words or phrases shall have the following meanings:

“Construction” means the process of building, altering, repairing, improving or demolishing any public structure or building or other public improvements of any kind to any public real property, but does not include the routine operation, routine repair or routine maintenance of existing facilities, structures, buildings or real property.

“Construction Professional Services” means design services provided by an individual or firm that is registered with the state board of technical registration pursuant to Title 32, Chapter 1, Arizona Revised Statutes, including architect services, engineer services, landscape architect services, assayer services, geologist services and land surveying services and any combination of those services.

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“Cooperative Purchasing Agreement” means a cooperative contract between a vendor, consultant, or contractor and a political subdivision, state agency or department, or nonprofit corporation created for cooperative purchasing purposes and the contract was awarded through a competitive process where multiple offers were received and documentation is available to substantiate the award, including bidder’s list, evaluation factors, bid tabulation, and basis for cooperative contract award.

“Goods” means tangible items, including supplies, equipment, materials, and articles or subjects of commerce of any character, other than real property, regardless of lifespan.

“Procurement Officer” means the individual appointed by the City who is authorized act as a purchasing agent of the City pursuant to this chapter of the City Code and the Procurement Manual.

“Professional Services” means those services rendered by a person or persons engaging in a recognized discipline that necessarily requires advanced training and specialized knowledge to perform and typically result from the predominant use of intellectual skills rather than physical skills, including but not limited to financial services, consulting services, public relations, and marketing services.

“Services” means those services unrelated to a construction project rendered by a person or persons that do not require advanced training and specialized knowledge to perform, including but not limited landscape services, cleaning services, vehicle maintenance and repair, painting, and skilled trades such as plumbers and electricians.

3.05.020 In General.

The city manager, or their designee, and the procurement officer shall be the purchasing agents for the city and shall prepare and maintain the Procurement Manual which may be modified or

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changed from time to time with the city manager’s approval, with the current version prevailing over any prior version.

No purchases or contracts for goods, services, professional services, construction, or construction professional services of any kind or description, for which payment is to be made from any funds of the city, shall be made by the purchasing agents, or any officer, employee or agent of the city, except in the manner set forth in this chapter and pursuant to the Procurement Manual.

Unless in conflict with the particular provisions of this chapter, the principles of law and equity, including the uniform commercial code of Arizona, the common law of contracts as applied in Arizona and law relative to agency, fraud, misrepresentation, duress, coercion and mistake supplement the provisions of this chapter.

The following are excluded from this chapter:

- i. Intergovernmental agreements entered into pursuant to Section 11-952, Arizona Revised Statutes;
- ii. Any process used to award grants and grant funds by or through the City;
- iii. Legal services, including the services of attorneys, expert witnesses, legal advisors, investigators or consultants hired by the city attorney;
- iv. Petroleum, fuels or energy purchases authorized by the council;
- v. Development agreements entered into pursuant to Section 9-511.01, Arizona Revised Statutes.

3.05.030 Purchasing Thresholds and Approvals.

The following threshold levels and approval requirements apply to all purchases using city funds and apply to the entire sum of the purchase or contract, including all applicable taxes and fees. Purchases and contracts shall not be artificially divided or fragmented to circumvent these threshold levels and approval requirements.

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A. *Approval Requirements.*

- i. The department head or their designee may approve all purchases or contracts costing less than \$50,000.
- ii. City manager approval is required on all purchases or contracts costing between \$50,000 and \$150,000.
- iii. Council approval is required for all purchases and contracts over \$150,000.
- iv. All contracts require City Attorney approval as to form.

B. *Goods or Services Under \$25,000.* Whenever any contemplated purchase or contract for goods or services, as those terms are defined in SCC 3.05.010, is for the sum of less than \$25,000, the department head or their designee may purchase the item pursuant to the Procurement Manual without obtaining three written price quotes. The department head or their designee shall use reasonable judgment in making purchases or awarding contracts for \$25,000 or less and in determining that the cost provides the best value to the city.

C. *Goods or Services Between \$25,000 and \$150,000.* Whenever any contemplated purchase or contract for goods or services, as those terms are defined in SCC 3.05.010, is for the sum of at least \$25,000 but not more than \$150,000, the department head or their designee shall obtain at least three written price quotes. The department head or their designee may then purchase the item pursuant to the Procurement Manual from the entity providing the best value to the city.

D. *Goods or Services \$150,000 or More.* Whenever any contemplated purchase or contract for goods or services, as those terms are defined in SCC 3.05.010, is for the sum of \$150,000 or more, the department head or their designee shall coordinate with the procurement officer to issue a formal solicitation pursuant to SCC 3.05.060 and the Procurement Manual.

E. *Professional Services Under \$150,000.* Whenever any contemplated contract for professional services, as that term is defined in SCC 3.05.010, is for the sum of less than \$150,000, the department head or their designee may direct select the consultant or contractor using reasonable judgment in the selection and in determining that the cost provides the best value to the city.

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F. *Professional Services \$150,000 or More.* Whenever any contemplated contract for professional services, as that term is defined in SCC 3.05.010, is for the sum of \$150,000 or more, the department head or their designee shall coordinate with the procurement officer to issue a formal solicitation pursuant to SCC 3.05.060 and the Procurement Manual.

G. *Construction Professional Services Under \$500,000.* Whenever any contemplated contract for construction professional services, as that term is defined in SCC 3.05.010, is for the sum of less than \$500,000, the department head or their designee may:

- i. Direct select the consultant or contractor using reasonable judgment in the selection and in determining that the cost provides the best value to the city; or
- ii. Coordinate with the procurement officer to issue a formal solicitation pursuant to SCC 3.05.060 and the Procurement Manual; or
- iii. Coordinate with the procurement officer to issue a procurement in the manner prescribed in Title 34, Chapter 6, Arizona Revised Statutes; or
- iv. Coordinate with the procurement officer to solicit for public competition pursuant to Section 34-103, Arizona Revised Statutes.

H. *Construction Professional Services \$500,000 or More.* Whenever any contemplated contract for construction professional services, as that term is defined in SCC 3.05.010, is for the sum of \$500,000 or more, the department head or their designee shall coordinate with the procurement officer to issue a formal solicitation pursuant to Title 34, Arizona Revised Statutes.

I. *Construction.* Whenever any contract for construction, as that term is defined in SCC 3.05.010, is contemplated, the department head or their designee shall coordinate with the procurement officer to determine whether the construction project cost meets the applicable bidding threshold pursuant to Title 34, Arizona Revised Statutes.

If the construction project cost meets the applicable Title 34 bidding threshold, the department head or their designee shall coordinate with the procurement officer to issue a formal solicitation pursuant to Title 34, Arizona Revised Statutes.

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If the construction project cost does not meet the applicable Title 34 bidding threshold, the department head or their designee may:

- i. Coordinate with the procurement officer to voluntarily issue a solicitation in the manner prescribed in Title 34, Arizona Revised Statutes, or
- ii. For construction projects for the sum of less than \$25,000, direct select the contractor using reasonable judgment in the selection and in determining that the cost provides the best value to the city.
- iii. For construction projects for the sum of at least \$25,000 but not more than \$150,000, obtain at least three written price quotes and select the contractor providing the best value to the city.
- iv. For construction projects for the sum of \$150,000 or more, coordinate with the procurement officer to issue a formal solicitation pursuant to SCC 3.05.060.

[Code 2006 § 3-4-1. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2005-15, 11-22-2005; Ord. 2007-19, 12-11-2007].

3.05.040 Contract Amendments (Change Orders).

The city manager may authorize amendments (change orders) to any contracts previously approved by the council for up to an accumulative amount of 10 percent of the original contract cost or \$100,000, whichever is greater. For change orders over the accumulative amount of 10 percent of the original contract or \$100,000, the city manager shall present the amendment to the council for approval.

[Code 2006 § 3-4-1. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2005-15, 11-22-2005; Ord. 2007-19, 12-11-2007].

3.05.050 Exceptions to SCC 3.05.030.

The procurements below are exempt from the purchasing thresholds found in SCC 3.05.030. These procurements are subject to the approval requirements in SCC 3.05.030.A.

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A. *Competition Impracticable*. When the city manager or procurement officer determines that a procurement requirement exists for goods, services, professional services, or construction which makes compliance with this chapter impracticable, unnecessary or contrary to the public interest, the procurement may be made pursuant to the Procurement Manual without obtaining three written price quotes or issuing a formal solicitation. Departments must have documented competition impracticable approval from the city manager or procurement officer prior to purchase that documents the unusual or unique situation that justifies the competition impracticable need.

B. *Used Equipment*. Upon recommendation of the department head or their designee, the city manager or procurement officer may waive the bid procedures with respect to the purchase of used equipment and the procurement is made pursuant to the Procurement Manual.

C. *Cooperative Purchasing*. When the city manager or procurement officer determines that a procurement requirement exists that may be procured by linking to a Cooperative Purchasing Agreement, the procurement may be made pursuant to the Procurement Manual without obtaining three written price quotes or issuing a formal solicitation if the cost is determined to be fair and reasonable and provides the best value to the city.

[Code 2006 § 3-4-2. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2004-06, 10-12-2004; Ord. 2005-11, 9-27-2005; Ord. 2005-15, 11-22-2005; Ord. 2007-14, 8-14-2007; Ord. 2007-19, 12-11-2007; Ord. 2008-08, 8-12-2008; Ord. 2014-11 § 1, 7-8-2014].

3.05.060 Formal Solicitations.

A. *Formal competitive method*. Formal solicitations required under SCC [3.05.030](#) will be solicited by the procurement officer using one of the following formal competitive methods:

- i. Competitive sealed bidding;
- ii. Multi-step competitive sealed bidding;
- iii. Competitive sealed proposals; or
- iv. Qualifications based selection.

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B. *Selection of formal competitive method.* The department head or their designee and the procurement officer will determine which formal solicitation method will provide the best value to the city.

C. *Evaluation criteria.* The department head or their designee and the procurement officer will determine the appropriate evaluation criteria for each formal solicitation. Examples of evaluation criteria may include such factors as: past performance; experience; references; financial, management and technical capability; quality and performance of goods or services; and cost.

D. *Authority to reject.* The city shall have the authority to reject any and all, or any parts of, submittals in response to a formal solicitation and to issue a new formal solicitation. [Code 2006 § 3-4-3. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].

3.05.070 Performance bond.

The city manager or procurement officer may require a performance bond, in cash or otherwise, for such amount as may be deemed sufficient to secure the execution of the contract in the best interest of the city. [Code 2006 § 3-4-5. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].

3.05.080 Emergency purchases.

In case of an emergency as defined in SCC [2.10.040](#), which requires immediate purchase of supplies or services and when time is of the essence, the city manager and procurement officer shall be empowered to purchase or secure services or materials without complying with the procedures of this chapter. A full report in writing of the circumstances of any emergency purchase shall be filed by the purchasing agent with the city council at its next meeting. [Code 2006 § 3-4-6. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].

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3.05.090 Surplus supplies and equipment.

All departments and offices shall submit to the financial services department at such time, and in such form as that office shall prescribe, reports showing all supplies and equipment which are no longer used or have become obsolete or worn out. Each department shall have the authority to sell all supplies and equipment which cannot be used or which have become unsuitable for city use, or to exchange the same for, or trade in the same for new supplies and equipment, pursuant to the Procurement Manual. [Code 2006 § 3-4-8. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].

3.05.100 Signatures on checks.

All checks for expenditures of city monies shall bear two signatures of either the city manager, deputy city manager, city clerk, mayor, vice mayor, or designee. [Code 2006 § 3-4-9. Ord. 98-10, 5-12-1998; Res. 98-27; Ord. 2005-11, 9-27-2005; Ord. 2007-19, 12-11-2007].



**CITY COUNCIL
AGENDA BILL**

**AB 3111
June 10, 2025
Regular Business**

Agenda Item: 8c

Proposed Action & Subject: Discussion/possible action regarding the award of a Construction Contract for the Dry Creek Road Shared-Use Pathway Improvements Project, Gringo Road to White Bear Road, to the contractor Doege Development LLC, in an amount not to exceed \$1,930,259.00.

Department Public Works/Sandy Phillips

Time to Present 5 Minutes

Total Time for Item 10 Minutes

Other Council Meetings Sept 24, 2024

Exhibits
A. Construction Contract
B. Project Map
C. Power Point

Finance Approval	Reviewed 05/28/25 BGW		
City Attorney Approval	Reviewed 6/2/25 KWC	Expenditure Required	
City Manager's Recommendation	Recommend approval ABS 6/2/25	\$	1,930,259.00
		Amount Budgeted	
		\$	1,887,578.00
		Account No. (Description)	22-5320-89-68C3 (Construction) SIM-11m Dry Creek Road Shared Use Path \$1,500,000 requested in FY26 \$387,578 available in FY25 for Dry Creek Rd Improvements
SUMMARY STATEMENT			

Staff is requesting City Council approval of a construction contract with Doege Development LLC (the contractor) in the amount of \$1,930,259.00 for the Dry Creek Road Shared-Use Pathway Improvements Project, from Gringo Road to the White Bear Road intersection. The

project is located on the west side of Dry Creek Road and runs approximately 3,960 feet. The scope of work includes a concrete pathway on the southern portion and a compacted decomposed granite shared use path on the northern portion. Pavers will be installed for driveway crossings, street crosswalks will be striped, and other miscellaneous improvements will be completed as shown in the construction plans and described in the specifications.

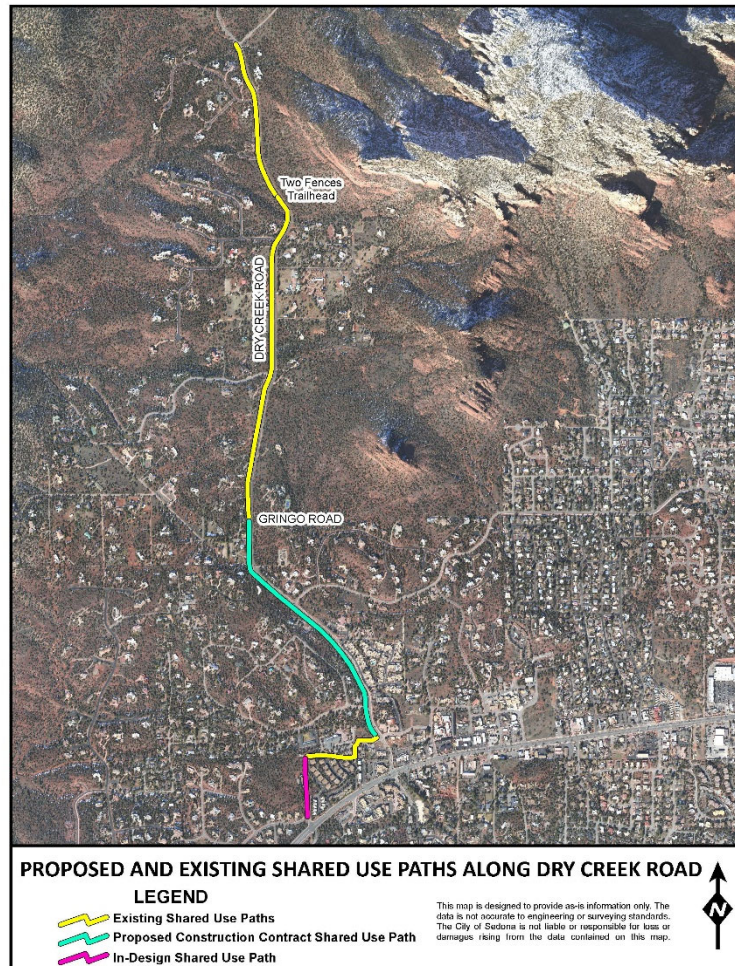


Figure 1: Extents of Project on Dry Creek Road

Background:

The 2018 Transportation Master Plan, Strategy 11, Walking and Bicycling Facilities, indicates these improvements collectively encourage use of alternative modes of travel in Sedona, and support a park-once culture where visitors and residents are encouraged to leave their vehicles at their place of lodging/residence. For a measurable impact on traffic congestion, shared use path connections will be required.

Over the past 25 years, many plans have supported the increased availability of bicycle and pedestrian routes. These plans include the following:

- 1994 Red Rock Pathways Plan
- 1996 Trails and Urban Pathways Plan 007 Sedona Bicycle Plan
- 2017 Community Survey
- 2018 Transportation Master Plan (Strategy 11)
- FY2020/2021 Budget Survey

- 2020 GO Sedona, Trails and Pathways Master Plan Update

By investing in bicycle and pedestrian infrastructure, the City of Sedona is demonstrating a commitment to providing safe and convenient alternatives (or “active”) transportation options. In addition, accessibility to active transportation infrastructure encourages healthier lifestyles.

This project addresses residents’ concerns for the safety of visitors walking down the roadway, where vehicles parked along the roadway at times impede the travel lane. The concern is also highlighted by the high level of distracted driving and excessive speeds within the area. This project has a matrix rating of ‘imperative (must-do)’.

Project Description:

The proposed shared use pathway will pick up at Gringo Road with a decomposed granite pathway on the west side of Dry Creek Road.



Figure 2: Standing on end of Dry Creek SUP II, looking south.

The right-of-way in this area is only 66 feet in width from 100 feet just to the north. Due to this decrease in right-of-way width, drainage issues and existing utilities, the roadway centerline will be shifted 3 to 4 ft to the east. Additional pavement will be added on the east side of Dry Creek

for a length of 1,021 feet to make the transition smooth, meet design criteria as well as maintain the bike lane and vehicle travel lane widths. See cross-section below.

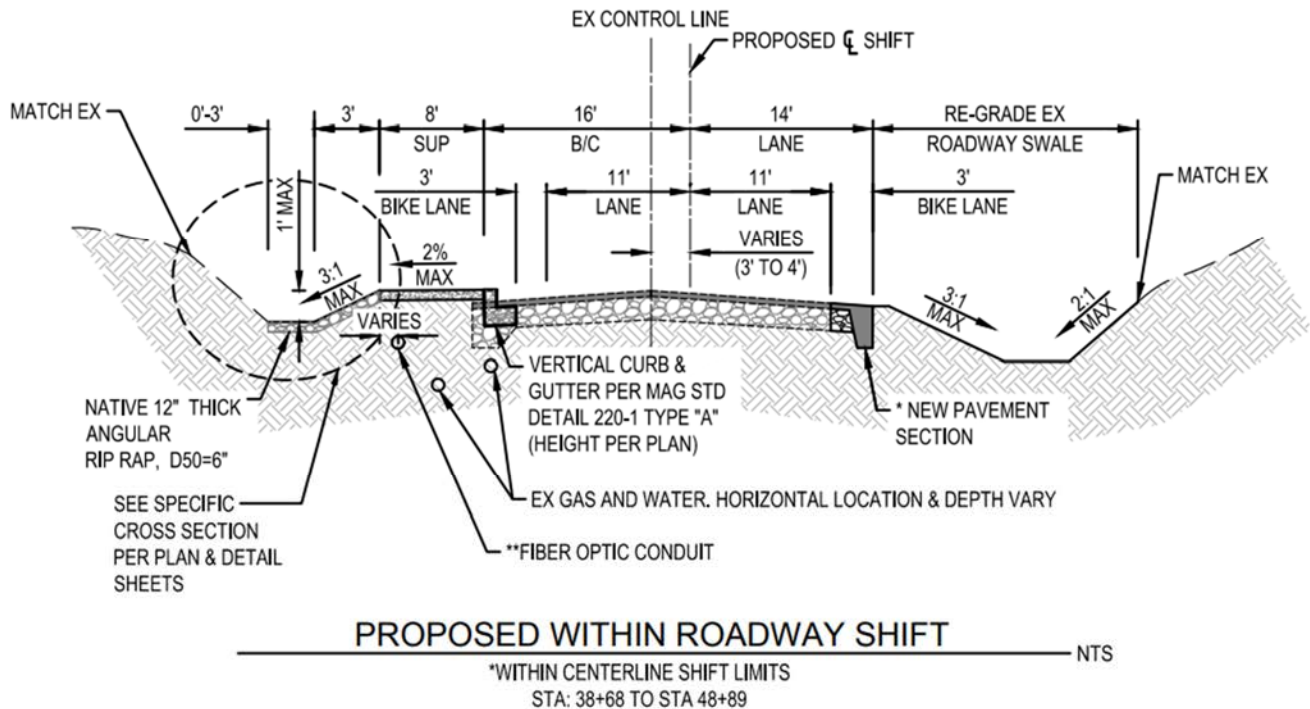


Figure 3: Proposed roadway cross-section

During the pre-bid meeting, it was emphasized to the potential bidders that the road closures should be minimized as much as possible with the request to have both lanes open when workers are not on site.

This project will also be adding fiber conduit under the shared use pathway and pull boxes to minimize impact to the neighborhood and travel way in the future when Broadband projects occur.

The intersection at Kachina Drive will be improved. The left turn lane, from Dry Creek Road onto Kachina will be installed. The intersection of White Bear Road and Dry Creek Road will also be modified and improved as a part of this project.

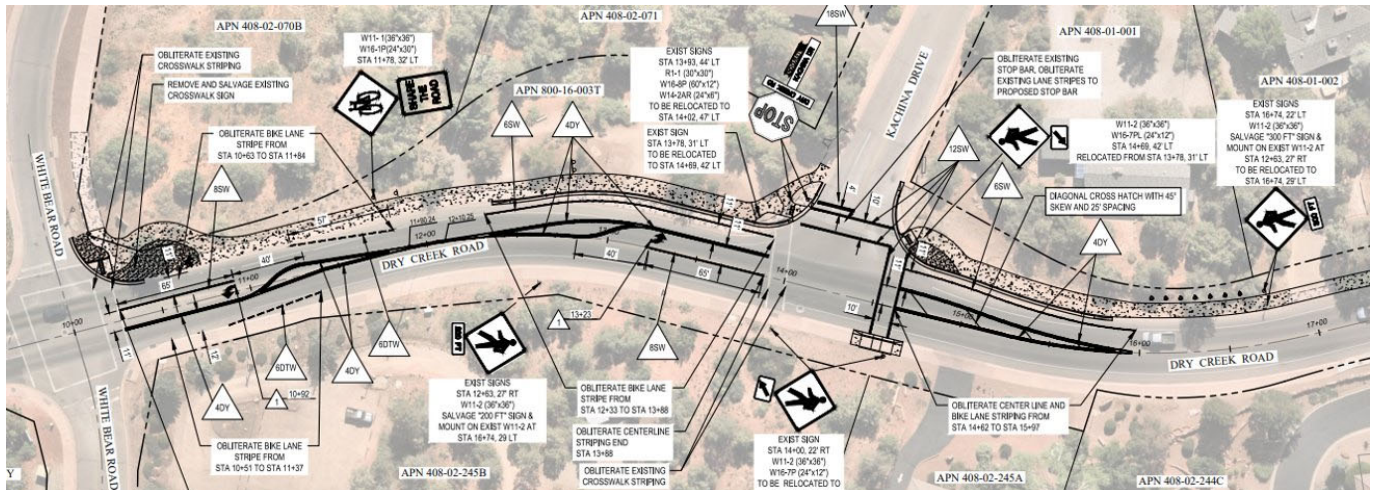


Figure 4: Plan view of proposed new striping at Kachina Drive and White Bear Road

Project Area Outreach Efforts:

- As work has been underway on Phases I and II of this shared use pathway, residents often stop to discuss the project with staff, and staff have scheduled meetings with residents onsite as well.
- Meetings have also been scheduled with property owners at their residence to discuss the project.
- Additional public outreach continues via email distribution and updates to the project website.

Schedule and Access:

- The construction timeframe is set at 213 days and is anticipated to begin in July 2025 and be completed by early March 2026.
- Five (5) permanent easements or additional rights-of-way are necessary to construct this project.
- Throughout the construction period, the contractor is required to coordinate directly with owners/residents regarding impacts to property access. This is expected to be minimal.
- During the project, access will be maintained with periodic one lane traffic operations.

Procurement Method:

This project contract was processed through our Procurement Team utilizing Bonfire Software.

Sealed Bid:

This construction contract was advertised for bids beginning April 2, 2024. A non-mandatory pre-bid meeting was held on April 17th, 2024 to make sure the contractors were aware of the traffic on Dry Creek Road. Bids were opened on April 30, 2025. Four bids were received. They are listed as follows:

Bidder, (Office Location)	Bid
DOEGE DEVELOPMENT, LLC (Phoenix, AZ)	\$1,930,259.00
STANDARD CONSTRUCTION COMPANY, INC (Avondale, AZ)	\$2,720,194.50
SUMMIT CONSTRUCTION COMPANY (Flagstaff, AZ)	\$2,345,658.20
TIFFANY CONSTRUCTION (Sedona, AZ)	\$2,148,057.00

The bid documents state: "The successful bidder will be determined based on the lowest responsive and responsible Proposal. The City of Sedona, Arizona reserves the right (A.R.S. § 34-221) to reject any or all Proposals, to waive or not to waive any informalities, or irregularities in the Proposals received, and to accept a Proposal which in its judgment best serves the interests of the City."

Staff is recommending award of the contract to Doege Development LLC in the amount of \$1,930,259.00. The submitted bid met all requirements, and staff has researched their references and licenses and have found no reason to not award the contract. While Doege Development LLC. has not completed work with the city previously, staff feels awarding this bid is in the best interest of the City.

Budget

- Some added project costs are due to adding improvements and restriping of both the Kachina and White Bear intersections with Dry Creek.
- Available project budget in FY25 is just under \$390K.
- The project budget in FY26 is \$1,500,000.
- Additional funding to cover remaining contract cost will be utilized from available savings in the FY26 capital improvement program from other projects. Staff believes the bid is responsive and responsible, is reflective of the current bid environment, and no errors were found within.

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

In the Climate Action Plan, transportation related desired actions includes 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: ☒Applicable - ☐Not Applicable

Alternative(s): Council could not approve the contract. Not approving this contract would result in:

- Not moving forward with a project that creates a more walkable and bike-able community as supported in many plans and citizen surveys.

- Continued distracted drivers and excessive speeding along Dry Creek Road, without the improvements proposed to address this included in the project.
- Pedestrians and cyclists will not have a separate and safe facility for travel through this corridor.

MOTION

I move to: approve the award of the construction contract with Doege Development LLC for the Dry Creek Road Shared-Use Pathway Improvements Project, Gringo Road to White Bear Road, in an amount not-to-exceed \$1,930,259.00, subject to approval of the written contract by the City Attorney's Office.

CONSTRUCTION CONTRACT

THIS CONTRACT, made and entered into this ____ day of _____, 2025 by and between the City of Sedona, Arizona, an Arizona municipal corporation, hereinafter called the "City", and **Doege Development LLC**, hereinafter called the "Contractor."

WITNESSETH:

WHEREAS, the City has caused Contract Documents to be prepared for the construction of the SIM-11m Dry Creek SUP Gringo to White Bear 25-10IFB (**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 \$1,930,259.00, 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 16 dated 3/18/2025, 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: DOEGE DEVELOPMENT LLC

BY: _____

NAME: _____

TITLE: _____

(SEAL)

ATTEST:

BY: _____

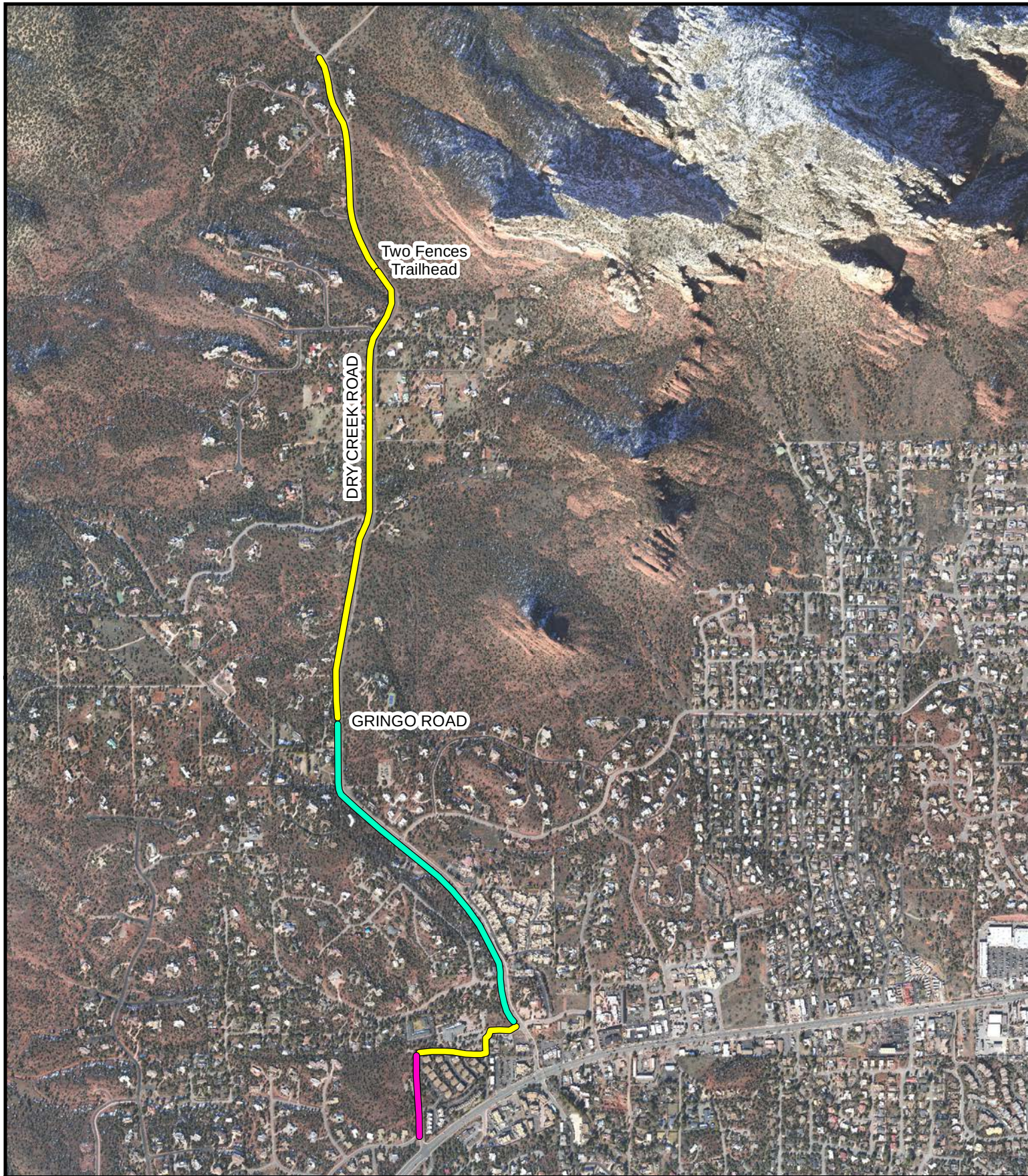
NAME: _____

APPROVED AS TO LEGAL FORM:

BY: _____

(City Attorney)

DATE: _____



PROPOSED AND EXISTING SHARED USE PATHS ALONG DRY CREEK ROAD

LEGEND

-  Existing Shared Use Paths
-  Proposed Construction Contract Shared Use Path
-  In-Design Shared Use Path

This map is designed to provide as-is information only. The data is not accurate to engineering or surveying standards. The City of Sedona is not liable or responsible for loss or damages rising from the data contained on this map.



**DRY CREEK ROAD
SHARED USE PATHWAY
Gringo Road to White Bear Road**

**CONSTRUCTION
CONTRACT APPROVAL**



History

- Distracted Drivers
- Excessive speeding
- Pedestrian/bicyclists in road lane



City Effort - Update

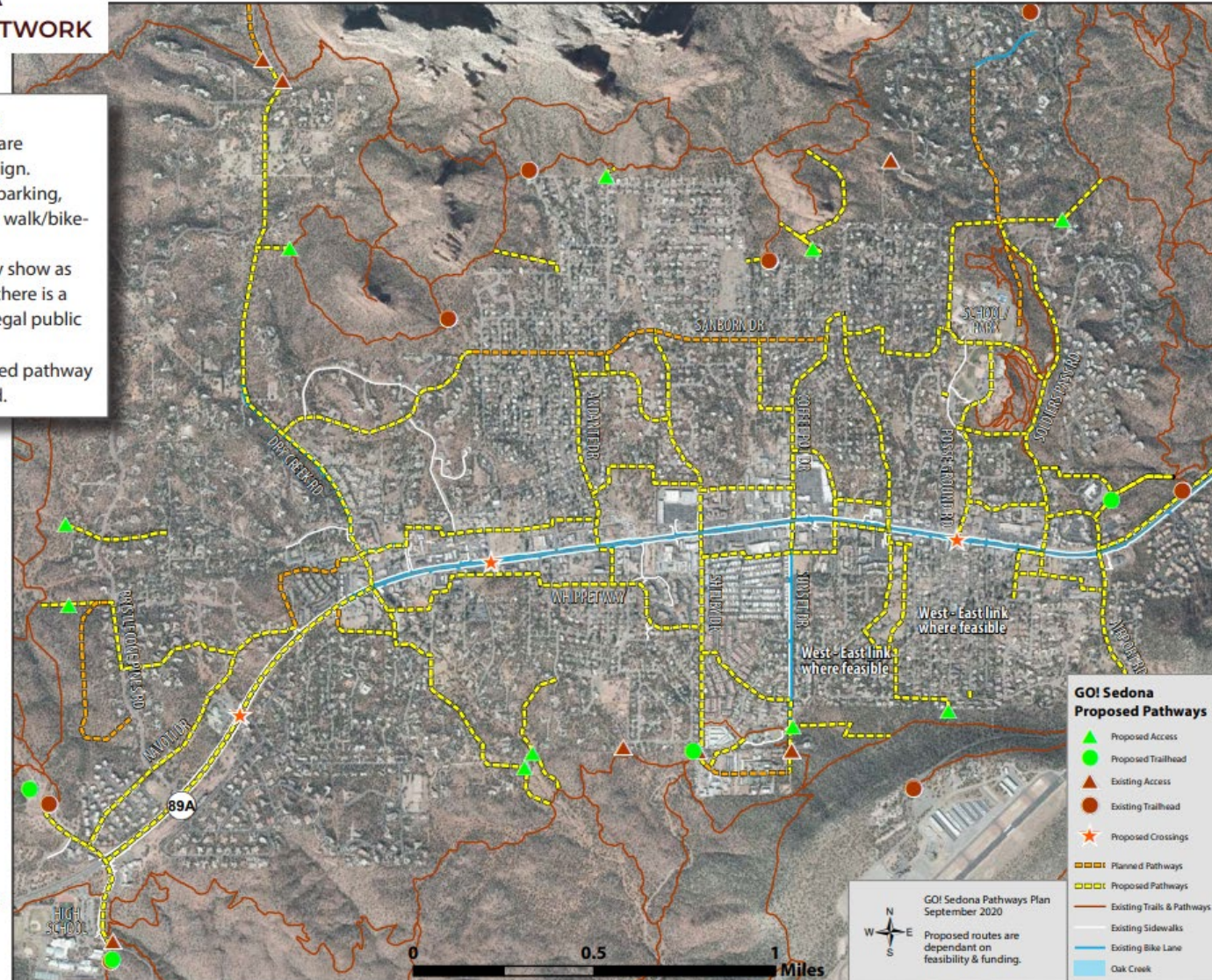
- Sedona in Motion (SIM),
- Get Outside (GO) Sedona
- Transit
- Shared Use Path Projects
 - Dry Creek Road Shared Use Path Ph1 (SUP)
 - Thunder Mountain/Sanborn SUP
 - Soldiers Pass Road SUP
 - Pinon Drive SUP
 - Navoti Drive to Dry Creek Road SUP
 - Shelby Drive
 - Sunset Park SUP
 - SR 179
 - Pedestrian Crossing @ Oak Creek
 - Chapel Road SUP
 - Hillside Vista SUP
 - Uptown SUP
 - Ranger Station Park
 - Brewer Road SUP (FY27)
 - Andante Road SUP (FY26)

WEST SEDONA PATHWAYS NETWORK

Notes on the legend:

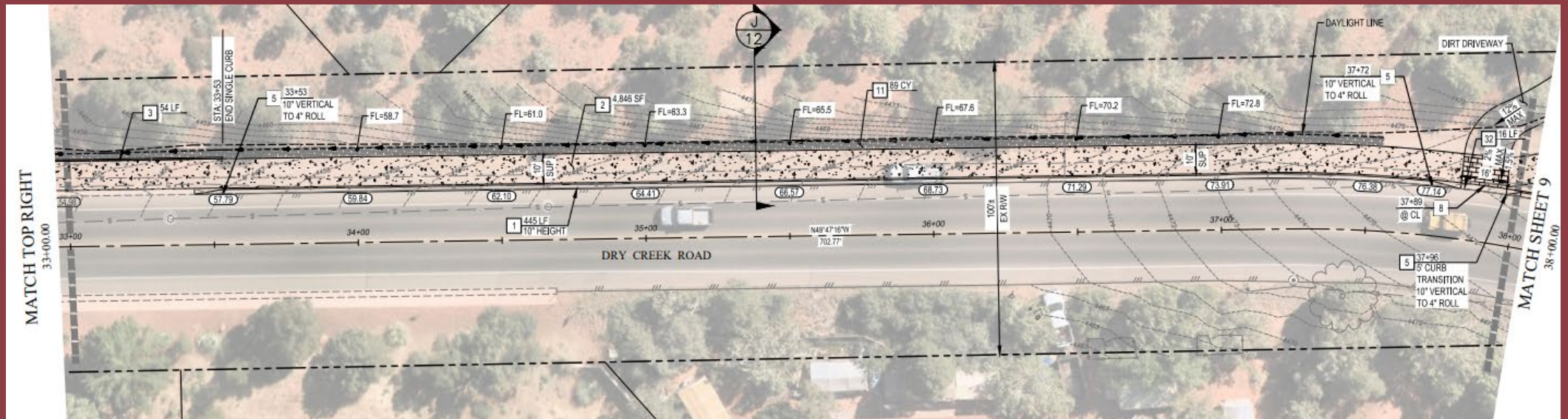
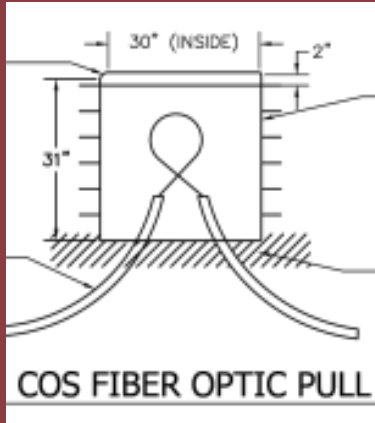
- Planned pathways are underway or in design.
- Trailhead includes parking, whereas "Access" is walk/bike-in.
- Existing access may show as "Proposed" where there is a need to establish legal public access.
- The type of proposed pathway is to be determined.

Figure 4. West Sedona Proposed Pathway Network



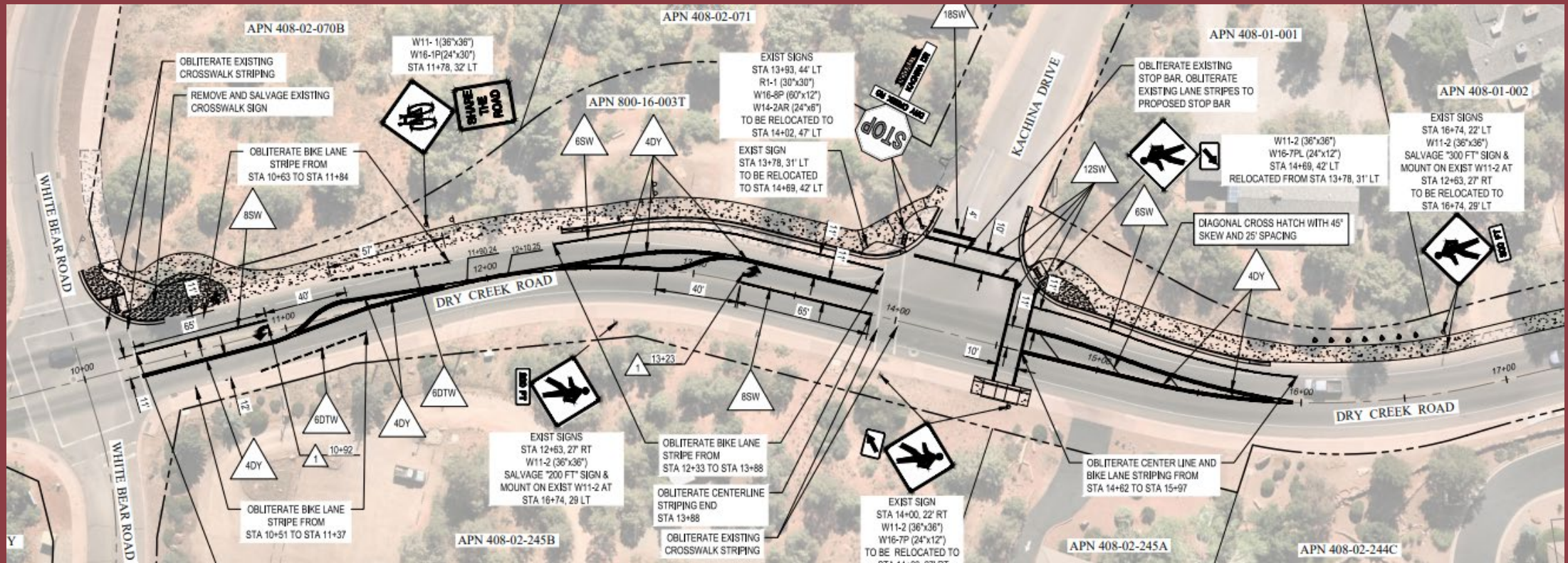
Project

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



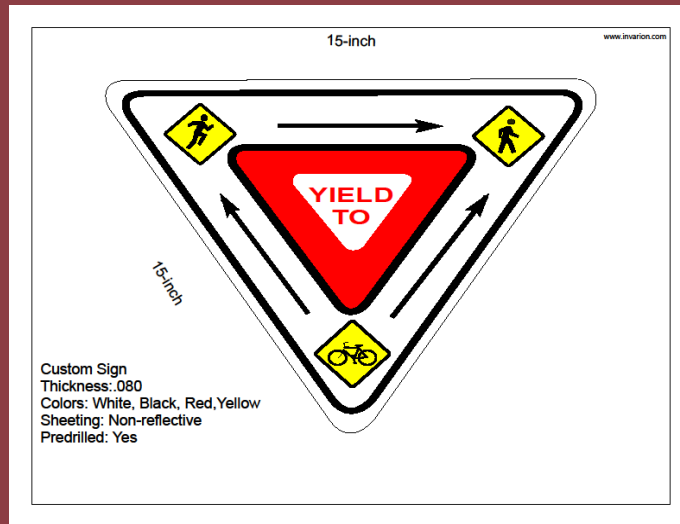
Project

- White Bear Intersection re-striped
- Kachina Drive Intersection re-striped



Schedule

- Notice to Proceed June 2025
- Begin construction July 2025
- Construction complete March 2026





**CITY COUNCIL
AGENDA BILL**

**AB 3188
June 10, 2025
Regular Business**

Agenda Item: 8d

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

Department	City Attorney/ Kurt Christianson
Time to Present	15 Minutes
Total Time for Item	30 Minutes
Other Council Meetings	February 11, 2025; February 25, 2025; March 11, 2025; March 25, 2025; April 8, 2025; April 22, 2025, May13, 2025, May 27, 2025
Exhibits	None

Finance Approval	Reviewed 5/27/25 BGW	Expenditure Required \$ N/A
City Attorney Approval	Reviewed 5/27/25 KWC	
City Manager's Recommendation	Reviewed 5/27/25 ABS	Amount Budgeted \$ N/A Account No. N/A (Description)

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 3066
June 10, 2025
Regular Business**

Agenda Item: 8e

Proposed Action & Subject: Discussion/possible action regarding future meeting/agenda items.

Department City Manager

Time to Present 2 Minutes

Total Time for Item 5 Minutes

Other Council Meetings Included in City Council regular meeting agenda packets as of May 14, 2024

Exhibits A. Future Agenda Items

Finance Approval	Reviewed 05/27/25 BGW	
City Attorney Approval	Reviewed 5/27/25 KWC	Expenditure Required
		\$ N/A
City Manager's Recommendation	Reviewed 5/27/25 ABS	Amount Budgeted
		\$ N/A
		Account No. N/A (Description)

SUMMARY STATEMENT

Background: Council requested a document showing future agenda items be added to the Council packet going forward. Attached as Exh. A is the Future Agenda Items document for review and discussion, and possible direction purposes.

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 only.

Date	Day	Time	Type	Topic	Agenda Section	Requestor	Estimated Total Time
6/24/2025	Tuesday	2:00 p.m.	Special Meeting				
				Discussion and consideration of the judicial mid-year evaluation and other terms of employment of City Magistrate Paul Schlegel including expectations and goal setting and discussion with the City Attorney for legal advice. This matter is brought in executive session pursuant to A.R.S. § 38-431.03(A)(1&3).	Exec Session	Council	1 hour
6/24/2025	Tuesday	3:00 p.m.	CFD	Resolution adopting the Community Facilities District Budget for Fiscal Year 2025-26.	Special	Whitehorn	15 min
6/24/2025	Tuesday	4:00 p.m.	Special Meeting				
				AB 3156 Public hearing/discussion/possible action regarding approval of a Resolution adopting the City of Sedona's Budget for Fiscal Year 2025-26.	Special	Whitehorn	30 min
6/24/2025	Tuesday	4:00 p.m.	Regular Meeting				
				AB 3128 Approval of a purchase agreement for APN 401-64-006A,490 E. Sedona Vista Drive in an amount of \$70,000.	Consent	Harris	NA
				AB 3217 Discussion / possible action regarding an Ordinance adopting amendments to Sedona City Code Chapter 6 Animals by adopting a new Chapter 6.20 Wild or Exotic Animal Display or Performance.	Consent	Christianson	NA
				AB 3229 Approval of a Final Plat for Navajo Lofts, to create 60 separate condominium units (30 duplexes) on approximately 4.5 acres. The subject property is zoned Commercial (CO) and is located at 10 Navajo Drive. APN: 408-24-536B. Case Number: PZ24-00004 (SUB) Applicant: MK Company (Keith Holben)	Consent	Mertes	NA
				AB 3228 Approval of a Resolution appointing the City of Sedona Finance Director as Chief Financial Officer of the City for the purpose of submitting the annual expenditure limitation report to the Arizona Auditor General's Officer.	Consent	Whitehorn	NA

				AB 3188 Discussion/possible direction/action regarding proposed State legislation, short-term rental legislation, lobbying efforts, and State budget and their potential impact on the City of Sedona.	Regular	Christianson	10 min
				AB 3066 Discussion/possible action regarding future meeting items.	Regular	Spickard	5 min
6/25/2025	Wednesday	3:00 p.m.	Special Meeting				
				AB 3225 Presentation/discussion/possible direction regarding the transit program update and services, including: ridership, grant funding, the Sedona Transit Implementation Plan, and capital planning efforts including the proposed Transit Operations and Maintenance Facility	Regular	Wagner/Dickey	120 min
7/8/2025	Tuesday	4:30 p.m.	Regular Meeting				
				AB 3207 Discussion/possible action regarding approval of the Small Grant Review Committee recommendations for the fiscal year 2026 small grants program in the amount of \$350,000.	Regular	Turk	45 min
				AB 3226 Presentation/discussion regarding an Greater Sedona Recreation Collaborative (GSRC) Update by Alex Schlueter, Red Rock District Ranger and citizen members of the GSRC.	Regular	Hall	30 min
				AB 3222 Discussion/possible action regarding approval of a Resolution for a Development Agreement with Dutchman's Cove, LLC and Axys Capital Total Return Fund, LLC regarding the canopy walk on the proposed Ambiente Creekside property.	Regular	Christianson	30 min
				AB 3133 Discussion/possible action regarding approval of PT-04B SR179 Park and Ride Construction Contract in the amount of \$XXXXXXX.	Regular	Hall	15 min
				AB 3230 Discussion/Possible Action regarding approval of eligibility criteria and application process for Large Grants Program	Regular	Spickard	1 hour
				AB 3066 Discussion/possible action regarding future meeting items.	Regular	Spickard	5 min
7/9/2025	Wednesday	3:00 p.m.	Special Meeting				

				AB 3172 Discussion/possible direction regarding the WWRP Facility Plan on PFAS treatment, and possible options for reclaimed water delivery and Advanced Water Purification.	Special	Holland	120 min
8/12/2025	Tuesday	4:30 p.m.	Regular Meeting				
				AB 3187 Discussion/possible action regarding approval of a contract for software purchase, with xxxxxxx, in the amount of \$xxxxx.	Regular	Dickey	30 min
				AB 3066 Discussion/possible action regarding future meeting items.	Regular	Spickard	5 min
8/13/2025	Wednesday	3:00 p.m.	Special Meeting				
				TBD			
8/26/2025	Tuesday	4:30 p.m.	Regular Meeting				
				AB 3066 Discussion/possible action regarding future meeting items.	Regular	Spickard	5 min
8/27/2025	Wednesday	3:00 p.m.	Special Meeting				
				AB 3206 Discussion/possible direction regarding the Draft Western Gateway Master Plan.	Special	Meyer	120 min
9/9/2025	Tuesday	4:30 p.m.	Regular Meeting				
				TBD			
9/10/2025	Wednesday	2:00 p.m.	Special Meeting				
				AB 3135 Discussion/possible action regarding the Sedona in Motion transportation program.	Special	Harris	120 min
9/23/2025	Tuesday	4:30 p.m.	Regular Meeting				
				AB 3151 Discussion/possible action regarding approval of a construction contract with XXXXXXXXXXXXXXXX, for the Improvements at Ranger Station / Interior Restoration of House and Barn Project, in the amount of \$XXXXXXXX.	Regular	Phillips	30 min