



**CITY COUNCIL
AGENDA BILL**

**AB 1108
October 12, 2010
Regular Business**

Agenda Item: 10d
Proposed Action & Subject: Discussion and possible direction/action regarding a citizen participation and education process for consideration of a route transfer for SR89A.

Department	City Manager – Tim Ernster
Time to present	15 minutes
Other Council Meetings	N/A
Exhibits	N/A

City Attorney Approval	Reviewed 10/4/10. M. Goimarac	Expenditure Required	\$ 2,500.00 - \$20,000.00
City Manager's Recommendation	Discuss the citizen participation and education process for consideration of a route transfer of SR89A and provide staff direction or take action	Amount Budgeted	\$ 300,000*
		Account No. (Description)	10-5245-15-261 General Fund Spendable Contingency
		Finance Approval	<input checked="" type="checkbox"/> * approximately \$50,000 of these funds have already been allocated to the consultant study.

SUMMARY STATEMENT

Background: At its August 10th Special City Council meeting, the City Council approved a resolution authorizing staff to negotiate with the Arizona Department of Transportation (ADOT) for a possible route transfer of SR89A. Council also authorized a contract with CivTech Engineering to evaluate alternative pedestrian, bicycle and vehicle safety improvements on SR89A in lieu of continuous roadway lighting. The draft consultant study will be completed in mid-November. The City negotiating team has been meeting with the ADOT team since August, and negotiations most likely will continue until mid-November.

Councilor Mike Ward requested this item so that City Council can discuss the components of a citizen participation and education process regarding the possible route transfer.

The list of activities and timeline below are only suggestions for the process. Staff is suggesting that some or all of the following components could be included in a citizen participation and education process:

- 1) November 10. Public presentation of the status of the ADOT route transfer negotiations at the City Council work session.** Negotiations should be almost

completed by November 9, and the plan would be to make a detailed presentation on the status of the negotiations, including what is being offered by ADOT for the route transfer.

- 2) **November 10 - January 15.** Information regarding the negotiations with ADOT would be posted on the City's website and distributed to media outlets.
- 3) **November 23. Public presentation of the findings of the CivTech Engineering study.** Representatives of CivTech would present their findings to City Council regarding SR89A. These findings would include the review of the ADOT Route Transfer Study, and the analysis of the costs of alternative traffic safety improvements for daytime and nighttime vehicular, pedestrian and bicycle safety that meet national traffic standards.
- 4) **November 23 – January 15.** Results of CivTech Engineering analysis would be posted on the City's website.
- 5) **November 29 – December 13.** A route transfer opinion feedback questionnaire could be posted on the City's website soliciting feedback from citizens regarding the findings of the route transfer negotiations and the CivTech Engineering analysis. The City may also want to consider contracting with an opinion survey firm for a formal statistically valid survey to determine community support for a route transfer. The estimated cost of this type of survey is approximately \$15,000. There should be sufficient time to conduct the survey prior to the City Council making a formal decision.
- 6) **December 1.** First community-wide listening session with all council members present would be held in the Council Chambers on the possible route transfer study.
- 7) **December 8.** Second community-wide listening session with all council members present would be held in the Council Chambers.
- 8) **December 15.** City Council work session held in the council chambers for discussion and direction to review the results of the citizen survey, and the information from listening sessions.
- 9) **January 11.** City Council meets to vote on the route transfer.
- 10) **January 12.** ADOT formally notified of the outcome of the City Council's decision

Throughout the process, staff would circulate press releases to the local media outlets. Additionally, the topic of City Talk Columns for October and November could address the possible route transfer. Given the importance of this decision, staff is supportive of a comprehensive approach to soliciting feedback from the community and informing and educating the public about the possible route transfer.

ADOT has informed staff that if the City Council takes formal action to approve a route transfer by January 15, but the final agreement is not yet complete. There is flexibility in the January 15 deadline to complete the final details of the formal agreement.

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): The City Council could add or delete additional steps in the citizen participation and education process and can also change the suggested dates for specific activities.

MOTION

The City Council could either provide general direction to staff or make a formal motion.

I MOVE TO: Direct staff to take the following steps to implement a citizen participation and information process regarding a possible route transfer of SR89A and fund any associated costs from the General Fund Operating Contingency:

(List specific steps)

Action Minutes
Regular City Council Meeting
City Council Chambers, Sedona City Hall,
102 Roadrunner Drive, Sedona, Arizona
Tuesday, October 12, 2010, 4:30 p.m.

1. Call to Order/Pledge of Allegiance - Reading of City's Vision Statement:
Mayor Adams called the meeting to order at 4:30 p.m. Councilor Rayner read the City's Vision Statement.

2. Roll Call: Mayor Rob Adams, Vice Mayor Cliff Hamilton, Councilor Mark DiNunzio, Councilor Barbara Litrell, Councilor Dan McIlroy Councilor Dennis Rayner, Councilor Mike Ward,

Staff: City Manager Tim Ernster, Assistant City Manager Alison Zelms, City Attorney Mike Goimarac, Community Development Director John O'Brien, Senior Planner Long-Range Planning Mike Raber, Associate Planner Kathy Levin, Senior Planner Current Planning Nick Gioello, Director of Public Works Charles Mosley, Assistant City Engineer Andy Dickey, Police Chief Ray Cota, Communications Manager Ginger Wolstencroft, Development Services Supervisor Jim Windham, Code Enforcement Officer John Eagan, City Clerk Randy Reed

3. Consent Calendar - Approve

- a. Minutes - Sept. 28, 2010, City Council Joint Meeting with Board of Adjustment.
- b. Minutes – Sept. 28, 2010, City Council Regular Meeting.
- c. Minutes – Sept. 29, 2010, City Council Special Meeting.
- d. **AB 1094 Approval of a final plat amendment to amend the shape of the building envelope for lot 32 in the Casa Contenta subdivision -case number Sub2010-2.**
- e. **AB 1098 Approval of an application for a new Series 11 Hotel/Motel Liquor License and Interim permit for the Los Abridados Resort & Spa located at 160 Portal Lane, License # 11033042.**
- f. **AB 1099 Approval of an application for a new Series 12 Restaurant Liquor License for the “Thai Palace Uptown” Restaurant located at 260 Van Deren Road, License # 12033291.**

Motion: Vice Mayor Hamilton moved to approve the consent calendar. Seconded by Councilor Rayner. Vote: Motion carries unanimously with seven (7) in favor and zero (0) opposed.

4. Appointments: None

5. Community Plan Update-Report/Discussion – See Regular Business AB 1101

6. Summary of Current Events

Councilor Litrell; on October 6th in Flagstaff attended a gathering called Celebrate Coconino County; it was a positive look at Coconino County. Later on October 6th was the NACOG Office on Aging held their annual conference.

Mayor Adams; on Thursday, September 30th he attended state parks discussion at Library. Saturday October 2nd was Jazz on the Rocks, somewhere between 1,800 and 2,000 people attended. Also, on October 2nd was the “walk a hound lose a pound” event, thanks to Parks & Recreation for putting that on. Also held on October 2nd Sedona Book Festival, Councilor Litrell recounted the events of the Book Festival.

On October 14th the Spirit of Sedona awards will be held at the Hyatt. October 19th will be the Mayor’s Lunch at Shugrue’s Hillside Grill.

7. Reports/Discussion on Council Assignments

Reports were given by Councilor Rayner, Councilor Ward, and Mayor Adams.

8. Public Forum

Cynthia Tuck, Sedona, owner of Ageless Pages book store requested the Council look into allowing her permission to hang a banner announcing her new business for two months or when other banners are removed.

Mayor Adams requested staff send out information to the Council regarding the issues regarding Banners.

Ann Fabricant, Sedona, President of the Owners Association of Tlaquepaque expressed her support of the request from Ageless Pages to hang their banner promoting their business.

9. Awards & Proclamations

a. Proclamation declaring Mondays in Sedona “Meatless Mondays”

After Council discussion it was agreed and noted by Mayor Adams that with four council members not supporting the proclamation, it would not be read.

10. Regular Business

a. AB 1091 Discussion/possible action regarding award of qualifying funds to major arts organizations and approval of contracts associated therewith.

Presentation by: Chair of Arts and Culture Commission, Pat Reed.

The Council discussed the need to revisit the guidelines. Mayor Adams recommended forming a committee to evaluate the guidelines.

After Council Discussion:

Motion: Mayor Adams moved to approve the Arts & Culture Commission recommendation to award Qualifying Funds of \$25,000 to Sedona Arts Center and Sedona International Film Festival, \$20,000 to Sedona Arts Festival, and \$17,000 to Chamber Music Sedona, and authorize the City Manager to enter into the associated contracts with these organizations. Seconded by Councilor Rayner. Vote: Motion carries with six (6) in favor and one (1) opposed. (Vice Mayor Hamilton dissenting)

b. AB 1101 Discussion/possible action on the draft scope for the Citizens Steering Committee for the Community Plan update.

Presentation by: Mike Raber

Took to the Public at 5:56 P.M.

Elemer Magaziner recommended a language change from public participation to public engagement

John Thompson, spoke regarding some potential perceived inconsistencies with the bullet points of the Citizens Steering Committee Draft Scope.

Brought back to Council at 6:05 P.M.

After Council Discussion:

Directed staff to take the draft scope to the committee for their review and return to Council for follow-up and approval.

Break 6:15-6:26 p.m.

c. AB 1051 Discussion/possible action on the award of the Construction Bid, Contract for the Air/Solar Drying Beds Project to Gantry Constructors Inc., in the amount of \$1,098,000 and Award of a Professional Services Contract for Construction Services to Carollo Engineers in the amount of \$69,198

Presentation by: Charles Mosley, Director of Public Works

After Council Discussion:

Motion: Councilor DiNunzio moved to approve award of a professional services contract to Carollo Engineers, for the construction service for the Air/Solar Biosolids Drying Beds Project in the amount of \$69,198, subject to final review and approval of a written contract by the City Attorney's office. Seconded by Councilor Ward. Vote: Motion carries unanimously with seven (7) in favor and zero (0) opposed.

Motion: Councilor DiNunzio moved to approve award of a construction contract to Gantry Constructors Inc, based upon its bid for the construction of Air/Solar Biosolids Drying Beds for Option B in the amount of \$1,098,000, subject to final review and approval of a written contract by the City Attorney's office. Seconded by Councilor Ward. Vote: Motion carries unanimously with seven (7) in favor and zero (0) opposed.

d. AB 1108 Discussion and possible direction/action regarding a citizen participation and education process for consideration of a route transfer for SR89A.

Presentation by: Tim Ernster, City Manager

Took it to the Public at 6:59 P.M.

Nicholas Papas, Sedona, spoke regarding a survey of businesses he conducted regarding the ADOT continuous lighting project.

Terry Nash, Sedona, spoke regarding the survey and is hopeful the council can use the information.

Juliette Colangelo, Sedona, presented a "Frequently Asked Questions" paper to the Council and requested Council and Staff provide answers to the questions so the information could be provided to Sedona businesses and residents.

Doug Blackwell, Sedona, noted it was very easy to come up with safety statistics. Also noted he believed an informed public was essential.

Brought back to Council at 7:19 P.M.

Councilor DiNunzio noted that the order of taking information to the public should begin when the CivTech report is completed.

Councilor Litrell, stated she really liked the Frequently Asked Question's, and thought that should be prepared,

Tim Ernster, ADOT will want something from Council by January 15, 2011 specifically stating whether the city will or will not accept a route transfer.

Mayor Adams, wanted to make sure the council has time to digest the information.

Vice Mayor Hamilton, noted he liked the concept of a public opinion survey but it would need to be completed after an extensive public education process.

Councilor Rayner, noted the discussion is very important but this is a bad time of year for this given the holiday season and he questioned whether ADOT might be willing to push the drop dead date back.

Councilor Litrell noted that ADOT would like to do several route transfers throughout the state and they should be working with the city to create a success story.

Councilor Ward noted the Council will be in the position to make a fact based decision.

Mayor Adams suggested there is consensus to accumulate the information, get it to council, let the council digest it and then begin the public process. The Council is legitimately concerned about the process

Vice Mayor Hamilton, stated that if we have a ball park public plan of how to proceed that we can give to ADOT it looks like 30 days from January 15, 2011 would allow the council to do that.

Tim Ernster suggested proposing to ADOT up to 60 days.

Mayor Adams recommended a minimum of 60 days.

Tim Ernster read back to the council the direction the council provided staff. On or about November 23, 2010 would bring back CivTech Engineering Study, have a public presentation on status of negotiations with ADOT, and also be a presentation on availability of Federal and State funding for projects on SR 89A. Between that date and January 1, 2011 the information would be sent to the public via various sources. From January 1, 2011 until the end of January would be the opportunity to receive public feedback through listening session or other tools, surveys then would have a target date of February to make a decision. Will ask ADOT for 60 days rather than 30 days to give a little bit of flexibility.

AB 1061 Discussion/possible action on a resolution and ordinance adopting new City Code Article 10-5 related to the prohibition of the use of fireworks in the City limits.

Presentation by: Mike Goimarac, City Attorney

Vice Mayor Hamilton suggested putting the signs at the place of display and keep it at ¾ block print.

Michael Goimarac, noted that as he understood it there was unanimous consent on changing section 10-5-3 last sentence to read to “these signs shall be placed in each area where fireworks are displayed for sale.”

After Council Discussion:

Motion: Councilor Litrell moved to adopt Resolution No. 2010-29 thereby creating a public record setting forth the terms of Proposed City Code Article 10-5 (Fireworks) as amended. Seconded by Vice Mayor Hamilton. Vote: Motion carries unanimously with seven (7) in favor and zero (0) opposed.

After First Reading:

Motion: Councilor Litrell moved to adopt Ordinance 2010-15 amending the Sedona City Code by creating Article 10-5, concerning regulation of the use of fireworks within the City limits. Seconded by Councilor Ward. Vote: Motion carries unanimously with seven (7) in favor and zero (0) opposed.

e. Future Meeting/Agenda Items; Discussion Possible Action
Work session scheduled for October 13, 2010 at 5:00 P.M.

11. 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:

To consult with legal counsel for advice on matters listed on this agenda per A.R.S. §38-431.03(A)(3)

Return to open session. Discussion/possible action on executive session items.

12. Adjournment: Mayor Adams adjourned the meeting at 8:23 p.m. without objection

I certify that the above are the true and correct actions of the Regular City Council Meeting held on October 12, 2010.

Randy Reed, CMC, City Clerk

Date