

# AGENDA

# 4:30 P.M.

CITY OF SEDONA, CITY COUNCIL MEETING

TUESDAY, OCTOBER 11, 2016

## 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. 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](http://www.SedonaAZ.gov)

## 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.

### PROCEDURES:

- Fill out a "Comment Card" and deliver it to the City Clerk.
- When recognized, use the podium/microphone.
- State your:
  1. Name and
  2. City of Residence
- Limit comments to **3 MINUTES**.
- Submit written comments to the City Clerk.

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

## 2. CITY'S VISION/MOMENT OF ART

## 3. CONSENT ITEMS - APPROVE

LINK TO DOCUMENT = 

- a. Minutes - September 27, 2016 City Council Regular Meeting. 
- b. Approval of Proclamation, Domestic Violence Awareness Month, October 2016. 
- c. Approval of Proclamation, Veterans History Project Day, October 22, 2016. 
- d. Approval of Proclamation, Mitzvah (Good Deed) Day, November 6, 2016. 
- e. AB 2163 Approval of a recommendation regarding a Liquor License Acquisition of Control application for the Series 11 Hotel/Motel Liquor License for Sedona Rouge LLC/Reds, 2250 West State Route 89A, Sedona, AZ (License #11133017). 
- f. AB 2164 Approval of a Special Event Liquor License for a Democrats of the Red Rocks event scheduled for Tuesday, November 8, 2016, located at the Hub, 525 Posse Ground Road, Sedona, AZ. 
- g. AB 2165 Approval of a Special Event Liquor License for a Red Earth Theatre event scheduled for Saturday, November 5, 2016 located at the Sedona Hub, 525-B Posse Grounds Road, Sedona, AZ. 

## 4. APPOINTMENTS

- a. AB 2166 **Discussion/possible action** regarding the appointment of commissioners to the Planning and Zoning Commission. 

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

## 6. PUBLIC FORUM

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

## 7. PROCLAMATIONS, RECOGNITIONS & AWARDS

- a. Presentation of Proclamation, Domestic Violence Awareness Month, October 2016.
- b. Presentation of Proclamation, Veterans History Project Day, October 22, 2016.
- c. Presentation of Proclamation, Mitzvah (Good Deed) Day, November 6, 2016.

## 8. REGULAR BUSINESS

- a. AB 2173 **Presentation/discussion** from Coconino Community College regarding information about the College's proposed property tax override that will be voted on by Coconino County voters on November 8, 2016. 
- b. AB 2131 **Discussion/possible direction** regarding Docket E-01345A-16-0036, the rate case filed with the Arizona Corporation Commission by Arizona Public Service on June 1, 2016. 

CITY COUNCIL CHAMBERS  
102 ROADRUNNER DRIVE, SEDONA, AZ

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

## Page 2, City Council Meeting Agenda Continued

- c. AB 2170 **Public hearing/discussion/possible action** regarding a resolution and ordinance amending the Sedona City Code, Chapter 5, relating to Short-Term Rental Regulations. 
- d. **Reports/discussion** on Council assignments.
- e. **Discussion/possible action** on future meeting/agenda items.

## 9. EXECUTIVE SESSION

If an Executive Session is necessary, it will be held in the Vultee Conference Room at 106 Roadrunner Drive. 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: \_\_\_\_\_

By: \_\_\_\_\_

Susan L. Irvine, CMC  
City Clerk

Note: Pursuant to A.R.S. § 38-431.02(B) notice is hereby given to the members of the City Council and to the general public that the Council will hold the above open meeting. Members of the City Council will attend either in person or by telephone, video, or internet communications. The Council may vote to go into executive session on any agenda item, pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney. Because various other commissions, committees and/or boards may speak at Council meetings, notice is also given that four or more members of these other City commissions, boards, or committees may be in attendance.

A copy of the packet with material 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](http://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.

CITY COUNCIL CHAMBERS  
102 ROADRUNNER DRIVE, SEDONA, AZ

**Action Minutes  
Regular City Council Meeting  
City Council Chambers, Sedona City Hall,  
102 Roadrunner Drive, Sedona, Arizona  
Tuesday, September 27, 2016, 4:30 p.m.**

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

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

**Roll Call:** Mayor Sandy Moriarty, Vice Mayor John Martinez, Councilor Scott Jablow, Councilor Tom Lamkin, Councilor Jon Thompson, Councilor Jessica Williamson.

**Staff Present:** City Manager Justin Clifton, Assistant City Manager Karen Osburn, City Attorney Robert Pickels, Jr., Public Works Director/City Engineer Andy Dickey, Associate Engineer David Peck, City Clerk Susan Irvine.

**2. City's Vision**

A video of the City's vision was played.

**3. Consent Items**

- a. **Minutes - September 13, 2016 City Council Regular Meeting.**
- b. **Minutes - September 14, 2016 City Council Special Meeting.**
- c. **AB 2162 Approval of recommendation regarding a new Series 18 In-State Craft Distillery Liquor License for Redwall Distillery located at 2130 Shelby Drive, Sedona, AZ (License #18133002).**

**Motion: Vice Mayor Martinez moved to approve consent items 3a, 3b, and 3c. Seconded by Councilor Thompson. Vote: Motion carried unanimously with six (6) in favor and zero (0) opposed.**

**4. Appointments - None.**

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

Vice Mayor Martinez stated that the Verde Valley Coalition Against Human Trafficking is hosting a meeting on Thursday, September 29<sup>th</sup>, at the Sedona Public Library at 6:00 p.m. with an update on what they are doing to help. They are also having a fundraiser on Wednesday, October 5<sup>th</sup>, from 7:00 to 9:00 p.m. at Javelina Leap. The cost is \$25 per ticket and you can contact Vice Mayor Martinez by phone or email for tickets. Councilor Williamson stated that there will be two school board candidate forums in the upcoming week but was uncertain as to the dates and times. She encouraged everyone to check on them and attend. Mayor Moriarty advised that the Sedona Winefest was held last weekend and was a wonderful event.

**6. Public Forum – None.**

**7. Proclamations, Recognitions, and Awards - None.**

**8. Regular Business**

- a. **AB 2159 Presentation/discussion with Dr. Clint Ewell, Vice President for Finance and Administrative Services, regarding a general countywide update on Yavapai College.**

Presentation by Yavapai College employees Dr. Clint Ewell, Vice President for Finance and Administrative Services and Heather Mulcaire, Director of Early College Programs and Recruitment. Additional presentation by Al Filardo, Yavapai College District Governing Board Member for District 3.

Questions from Council.

Opened to the public at 5:26 p.m.

Joel Staadecker, Sedona, advocated for an independent community college in the Verde Valley. He feels that Yavapai College is oppressive and cheats the Verde Valley out of programs, facilities, and funding. The 3 governing board members from the Prescott region control all decisions of the Governing Board. He pled with the Council to become engaged in this critical issue.

Ernie Strauch, Sedona, stated that he was shocked and stunned by the decision of the Yavapai College Governing Board to suspend the Verde Valley Board Advisory Committee (VVBAC). He stated that the only reason for the suspension was to change the focus to other outlying, underserved areas of the county. He encouraged the City Council to continue to follow up and request strongly that the VVBAC be reinstated.

Paul Chevalier, Sedona, spoke about the Yavapai College culinary program. He stated that Sedona pays approximately \$6 million in taxes to the college. The committee for the culinary program spoke about having 4 kitchens: commercial, teaching, baking, and chocolate; however, there are only 2 kitchens planned which are designed to serve dual purposes. The current plan is to have 5,000 square feet devoted to culinary and 10,000 square feet devoted to hospitality and OLLI. He suggested that a culinary institute could be built as a separate building for the current \$5.5 million budget. He asked the Council to urge the college administration to examine his suggestion.

Carol Landauer, Sedona, spoke about the architecture of the Sedona campus which she feels is a work of art. She asked that Yavapai College reconsider enclosing the circular part of the campus which will destroy the work of art.

Ruth Marie Wicks, Clarkdale, congratulated the City Council for their efforts in probing and obtaining answers from Yavapai College. She encouraged them to continue questioning the amount of money spent, staffing, and programs for the Verde Valley.

Brought back to Council at 5:40 p.m.

Questions and comments from Council.

**Presentation and discussion only.**

**Break at 6:01 p.m. Reconvened at 6:16 p.m.**

**b. AB 2161 Discussion/possible action regarding use of contingency funds for Carrol Canyon Wash bank protection emergency work occurring at 2280 Shelby Drive (Sedona Recycles Center).**

Presentation by Andy Dickey.

Questions from Council.

Opened to the public at 6:24 p.m.

Doug Copp, Sedona, president of Sedona Recycles, spoke in favor of this agenda item. These repairs are imperative to the future of the Sedona Recycles facility and operations. The damaged section of the building has been demolished and temporarily repaired.

Brought back to Council at 6:26 p.m.

Comments from Council.

**Motion: Councilor Jablow moved to approve the use of contingency funds for the Carrol Canyon Wash bank protection emergency work needed at 2280 Shelby Drive (Sedona Recycles Center). Seconded by Councilor Lamkin. Vote: Motion carried unanimously with six (6) in favor and zero (0) opposed.**

- c. **Reports/discussion on Council assignments – None.**
- d. **Discussion/possible action on future meeting/agenda items**

Councilor Thompson stated that he will be attending the Arizona Energy Futures Conference on October 7<sup>th</sup> in Tempe and inquired if anyone else on Council or staff was planning to attend. Mayor Moriarty advised that the next City Council meeting is on October 11<sup>th</sup>.

## **9. Executive Session**

**Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:**

- a. **To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).**
- b. **Return to open session. Discussion/possible action on executive session items.**

No Executive Session was held.

## **10. Adjournment**

Mayor Moriarty adjourned the meeting at 6:29 p.m. without objection.

**I certify that the above are the true and correct actions of the Regular City Council Meeting held on September 27, 2016.**

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Susan L. Irvine, CMC, City Clerk

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Date

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## City of Sedona Proclamation Request Form

<b>Full Name of Contact Person</b>	Interim Chief Ron Wheeler
<b>Contact Phone Number</b>	928-203-5170
<b>Contact Mailing Address</b>	100 Roadrunner Drive
<b>Contact Email Address</b>	RWheeler@sedonaaz.gov
<b>Group, Organization, Activity or Event Being Recognized</b> (Please make sure you provide complete and current information about the group or event)	Domestic Violence Awareness Month
<b>Website Address</b> (if applicable)	
<b>Name of the sponsor(s) of the Proclamation</b> (2 Council members or the City Manager)	Justin Clifton
<b>What is the proclaimed day, days, week or month?</b> (e.g. 10/11/12, October 11-17, 2012, October 2012)	Month of October
<b>Would you like to attend a Council meeting for formal presentation of the Proclamation or would you like to pick it up?</b>	<input checked="" type="checkbox"/> Presentation at Meeting <input type="checkbox"/> Pick up Proclamation
<b>If you would like the Proclamation presented at a Council meeting, please provide the full name and contact information (phone number and email address) of the party who will accept it on behalf of the group.</b>	Representatives from Verde Valley Sanctuary

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

Domestic Violence Awareness Month (DVAM) evolved from the "Day of Unity" held in October 1981 and conceived by the National Coalition Against Domestic Violence. The intent was to connect advocates across the nation who were working to end violence against women and their children. The Day of Unity soon became an entire week devoted to a range of activities conducted at the local, state, and national level. The activities conducted were as varied and diverse as the program sponsors but had common themes:

- Mourning those who have died because of domestic violence
- Celebrating those who have survived
- Connecting those who work to end violence

These three themes remain a key focus of DVAM events today. In October 1987, the first Domestic Violence Awareness Month was observed. That same year marks the initiation of the first national domestic violence toll-free hotline. In 1989, the U.S. Congress passed Public Law 101-112 designating October of that year as National Domestic Violence Awareness Month. Such legislation has passed every year since with NCADV providing key leadership in this effort.

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

As stated in the Presidential Proclamation "Safeguarding and opening doors of opportunity for every American will remain a driving focus for our country -- and we know that crimes like domestic violence inhibit our Nation from reaching its fullest potential. This month, let us once again pledge our unwavering support to those in need and recognize the advocates, victim service providers, and organizations who work tirelessly to extend hope and healing to survivors and victims every day. "

The health, safety, and welfare of the community is a priority throughout the Sedona Community Plan. It is our goal to coordinate a community effort that will put a stop to this heinous crime.

On October 3rd Governor Ducey will light the State Capitol purple as a symbol of Arizona's dedication to ending domestic violence. Purple ribbons will be passed out as a symbol of support to end domestic violence.

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

*Office of the Mayor  
City of Sedona, Arizona*



**Proclamation  
Domestic Violence Awareness Month  
October 2016**

WHEREAS, domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; and

WHEREAS, domestic violence is widespread and affects over four million Americans each year; and

WHEREAS, one in three Americans have witnessed an incident of domestic violence; and

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims.

NOW, THEREFORE, I, SANDY MORIARTY, MAYOR OF THE CITY OF SEDONA, ARIZONA, ON BEHALF OF THE SEDONA CITY COUNCIL, do hereby proclaim October 2016, as Domestic Violence Awareness Month in the City of Sedona and call on all citizens to recognize this important issue.

Issued this 11<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
Sandra J. Moriarty, Mayor

ATTEST:

\_\_\_\_\_  
Susan L. Irvine, CMC, City Clerk

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## City of Sedona Proclamation Request Form

<b>Full Name of Contact Person</b>	Jolene Pierson
<b>Contact Phone Number</b>	928-282-7999
<b>Contact Mailing Address</b>	3330 Chimney Rock Lane, Sedona, AZ 86336
<b>Contact Email Address</b>	<a href="mailto:jpierson@commspeed.net">jpierson@commspeed.net</a>
<b>Group, Organization, Activity or Event Being Recognized</b> (Please make sure you provide complete and current information about the group or event)	Veterans History Project, Sedona Public Library
<b>Website Address</b> (if applicable)	
<b>Name of the sponsor(s) of the Proclamation</b> (2 Council members or the City Manager)	Mayor Sandy Moriarty Vice-Mayor John Martinez
<b>What is the proclaimed day, days, week or month?</b> (e.g. 10/11/12, October 11-17, 2012, October 2012)	October 22, 2016
<b>Would you like to attend a Council meeting for formal presentation of the Proclamation or would you like to pick it up?</b>	<input type="checkbox"/> Presentation at Meeting <input type="checkbox"/> Pick up Proclamation
<b>If you would like the Proclamation presented at a Council meeting, please provide the full name and contact information (phone number and email address) of the party who will accept it on behalf of the group.</b>	Please see contact information above

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

Founding date - October, 2000 By U.S. Congress

The Sedona Public Library is an official partner in the Veterans History Project of the Library of Congress, American Folklife Center. The Project collects, records, and preserves the oral histories of U. S. military veterans who served during a time of conflict. Civilians who worked in support of our military during these times are also included.

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

The local Veterans History Project volunteers host an annual luncheon to thank and to honor local Project participants. This years' luncheon will be held on October 22, 2016. (While we honor and thank all veterans, the luncheon is limited to invited guests.)

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

*Office of the Mayor  
City of Sedona, Arizona*



**Proclamation  
Veterans History Project Day  
October 22, 2016**

WHEREAS, the Sedona Public Library is an official partner with the American Folklife Center of the Library of Congress in the Veterans History Project; and

WHEREAS, the Veterans History Project collects, preserves, and makes accessible the personal accounts of American war veterans; and

WHEREAS, local Sedona veterans have benefited and will continue to benefit from this opportunity; and

WHEREAS, the volunteers of the Sedona Public Library's Veterans History Project will host a midday event on October 22, 2016 to honor and thank participants.

NOW, THEREFORE, I, SANDY MORIARTY, MAYOR OF THE CITY OF SEDONA, ARIZONA, ON BEHALF OF THE SEDONA CITY COUNCIL, do hereby proclaim October 22, 2016 as Veterans History Project Day in Sedona.

Issued this 11<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
Sandra J. Moriarty, Mayor

ATTEST:

\_\_\_\_\_  
Susan L. Irvine, CMC, City Clerk

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## City of Sedona Proclamation Request Form

<b>Full Name of Contact Person</b>	Barbara Litrell
<b>Contact Phone Number</b>	649-0135
<b>Contact Mailing Address</b>	↗ blitrell@aol.com
<b>Contact Email Address</b>	↘ 75 Lolomi Dr Sedona 86336
<b>Group, Organization, Activity or Event Being Recognized</b> (Please make sure you provide complete and current information about the group or event)	Mitzvah Day 2016
<b>Website Address</b> (if applicable)	www.mitzvahday Sedona 2016.com
<b>Name of the sponsor(s) of the Proclamation</b> (2 Council members or the City Manager)	Mayor Moriarty John Martinez (I think) & did approve
<b>What is the proclaimed day, days, week or month?</b> (e.g. 10/11/12, October 11-17, 2012, October 2012)	Sunday Nov 6
<b>Would you like to attend a Council meeting for formal presentation of the Proclamation or would you like to pick it up?</b>	<input checked="" type="checkbox"/> Presentation at Meeting <input type="checkbox"/> Pick up Proclamation
<b>If you would like the Proclamation presented at a Council meeting, please provide the full name and contact information (phone number and email address) of the party who will accept it on behalf of the group.</b>	Barbara Litrell SAA

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

Mitzvah Day is celebrating its 10<sup>th</sup> yr  
as a day of community service to  
organizations & individuals in Sedona &  
Verde Valley. Goal is 350 volunteers  
completing 50 projects—

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

Builds community  
Encourages volunteerism  
Small town character  
Caring community

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

Office of the Mayor  
City of Sedona, Arizona



Proclamation  
Mitzvah (Good Deed) Day  
November 6, 2016

WHEREAS, individuals and non-profit organizations in Sedona need help beyond what their means and current structures provide; and

WHEREAS, volunteerism is the willingness of people to serve others without being motivated by their own financial gain; and

WHEREAS, "Mitzvah," the Hebrew word for "Commandment," has come to express acts of human kindness; and

WHEREAS, since Mitzvah Day began in 2007, over 400 projects have been completed and an average of 250 volunteers per year have contributed over 11,000 hours of community service; and

WHEREAS, Mitzvah Day helps organizations attract new volunteers for work during the year; and

WHEREAS, this day of service represents a significant value to the individuals and organizations of Sedona; and

WHEREAS, 2016 is the 10th Anniversary of Mitzvah Day in our community.

**NOW, THEREFORE, I, SANDY MORIARTY, MAYOR OF THE CITY OF SEDONA, ARIZONA, ON BEHALF OF THE SEDONA CITY COUNCIL, in recognition of the important role of service in the community do hereby proclaim **Sunday, November 6, 2016, as Mitzvah (Good Deed) Day – a spirit led day of community service to individuals and organizations in Sedona and the Verde Valley** and urge all citizens to recognize the outstanding work of volunteers and to support these efforts by volunteering for one of the many projects designed to care for one another, the community, and the planet.**

Issued this 11<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
Sandra J. Moriarty, Mayor

ATTEST:

\_\_\_\_\_  
Susan L. Irvine, CMC, City Clerk

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**CITY COUNCIL  
AGENDA BILL**

**AB 2163  
October 11, 2016  
Consent Items**

**Agenda Item: 3e**

**Proposed Action & Subject:** Approval of a recommendation regarding a Liquor License Acquisition of Control application for the Series 11 Hotel/Motel Liquor License for Sedona Rouge LLC/Reds, 2250 West State Route 89A, Sedona, AZ (License #11133017).

<b>Department</b>	City Clerk
<b>Time to Present</b>	N/A
<b>Total Time for Item</b>	
<b>Other Council Meetings</b>	N/A
<b>Exhibits</b>	Liquor License Application is available for review in the City Clerk's office.

City Attorney Approval	Reviewed 10/3/16 RLP	<b>Expenditure Required</b>
		\$ 0
City Manager's Recommendation	Approve Liquor License Acquisition of Control for Sedona Rouge, LLC/ Reds.	<b>Amount Budgeted</b>
		\$ 0
		Account No. N/A (Description)
		Finance Approval <input checked="" type="checkbox"/>

**SUMMARY STATEMENT**

**Background:** State liquor laws require Sedona's City Council to forward a recommendation for approval or denial of applications for liquor licenses.

Edwin Conway and Sedona Rouge LLC have submitted a Liquor License application for an acquisition of control for the Reds located at 2250 West State Route 89A, Sedona, AZ (License #11133017). This is required by Arizona Department of Liquor Licenses and Control if a person other than those persons originally licensed acquires control over a license or licensee. The responsible person is required to file this notice within thirty business days after the acquisition of control and include a list of officers, directors, or other controlling persons. Sedona Rouge LLC had a change in members, and as a result, the structure is different than it was in the existing liquor license. There are no changes to Reds, with the exception of the change in the responsible persons for the liquor license.

On receipt of notice of an acquisition of control, the State forwards the notice to the local governing body. The local governing body may protest the acquisition of control within sixty days based on the capability, reliability, and qualification of the person(s) acquiring control.

If the Director of the Arizona Department of Liquor Licenses and Control does not receive any protests, the Director may protest the acquisition of control or approve the acquisition of control based on the capability, reliability, and qualification of the person(s) acquiring control. Any protest shall be set for a hearing before the State hearing board. Any transfer shall be approved or disapproved within one hundred five days of the filing of the notice of acquisition of control. The person(s) who has acquired control of a license or licensee has the burden of an original application at the hearing, and the board shall make its determination pursuant to Section 4 202 and this section with respect to capability, reliability and qualification.

Community Development, Finance, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application and did not note any objections regarding its approval. Staff requests that the City Council recommend that this application be approved.

**Community Plan Consistent:** Yes - No - Not Applicable

**Board/Commission Recommendation:** Applicable - Not Applicable

**Alternative(s):** Do not recommend approval of the Liquor License Acquisition of Control application for the Series 11 Hotel/Motel Liquor License for Sedona Rouge LLC/Reds, 2250 West State Route 89A, Sedona, AZ (License #11133017).

#### **MOTION**

**I move to:** recommend approval of the Liquor License Acquisition of Control application for the Series 11 Hotel/Motel Liquor License for Sedona Rouge LLC/Reds, 2250 West State Route 89A, Sedona, AZ (License #11133017).



**CITY COUNCIL  
AGENDA BILL**

**AB 2164  
October 11, 2016  
Consent Items**

**Agenda Item:** 3f  
**Proposed Action & Subject:** Approval of a Special Event Liquor License for a Democrats of the Red Rocks event scheduled for Tuesday, November 8, 2016, located at the Hub, 525 Posse Ground Road, Sedona, AZ.

<b>Department</b>	City Clerk
<b>Time to Present</b>	N/A
<b>Total Time for Item</b>	
<b>Other Council Meetings</b>	N/A
<b>Exhibits</b>	Liquor License Application is available for review in the City Clerk's office.

City Attorney Approval	Reviewed 10/3/16 RLP	<b>Expenditure Required</b>	\$ 0
City Manager's Recommendation	Approve Special Event Liquor License for Democrats of the Red Rocks event.	<b>Amount Budgeted</b>	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

**SUMMARY STATEMENT**

**Background:** State liquor laws require the City of Sedona's governing body to approve or disapprove applications for a Special Event Liquor License [A.R.S. § 4-203.02.A].

Democrats of the Red Rocks have submitted an application for a Special Event Liquor License for an event where they will monitor election results. This event is scheduled for Tuesday, November 8, 2016, from 7:00 to 10:00 p.m. at the Sedona Hub, 525-B Posse Ground Road, Sedona, AZ.

Attendees will enter through a controlled entrance to the event and those over 21 years of age will have their hands stamped so that they may purchase wine or beer. Consumption of alcoholic beverages, along with entrances and exits will be monitored by volunteers.

Community Development, Finance, Parks & Recreation, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application and did not note any objections regarding its approval. Staff recommends that the City Council approve this application.

**Community Plan Consistent:** Yes - No - Not Applicable

**Board/Commission Recommendation:** Applicable - Not Applicable

**Alternative(s):** do not approve a Special Event Liquor License for a Democrats of the Red Rocks event scheduled for Tuesday, November 8, 2016 from 7:00 to 10:00 p.m. at the Sedona Hub, 525-B Posse Ground Road, Sedona, AZ.

**MOTION**

**I move to:** approve a Special Event Liquor License for a Democrats of the Red Rocks event scheduled for Tuesday, November 8, 2016 from 7:00 to 10:00 p.m. at the Sedona Hub, 525-B Posse Ground Road, Sedona, AZ.



**CITY COUNCIL  
AGENDA BILL**

**AB 2165  
October 11, 2016  
Consent Items**

**Agenda Item:** 3g  
**Proposed Action & Subject:** Approval of a Special Event Liquor License for a Red Earth Theatre event scheduled for Saturday, November 5, 2016 located at the Sedona Hub, 525-B Posse Grounds Road, Sedona, AZ.

<b>Department</b>	City Clerk
<b>Time to Present</b>	N/A
<b>Total Time for Item</b>	
<b>Other Council Meetings</b>	N/A
<b>Exhibits</b>	Liquor License Application is available for review in the City Clerk's office.

City Attorney Approval	Reviewed 10/3/16 RLP	<b>Expenditure Required</b>
		\$ 0
City Manager's Recommendation	Approve Special Event Liquor License for Red Earth Theatre.	<b>Amount Budgeted</b>
		\$ 0
		Account No. N/A (Description)
		Finance <input checked="" type="checkbox"/> Approval

**SUMMARY STATEMENT**

**Background:** State liquor laws require the City of Sedona's governing body to approve or disapprove applications for a Special Event Liquor License [A.R.S. § 4-203.02.A].

Red Earth Theatre has submitted an application for a Special Event Liquor License for a nightclub style adult dance party fundraiser for Red Earth Theatre and the Hub beginning with an outdoor firedancing performance at the Skatepark. This event is scheduled for Saturday, November 5, 2016, from 6:00 p.m. to 12:00 a.m. (midnight) at the Sedona Hub, 525-B Posse Grounds Road, Sedona, AZ.

Attendees will enter through a controlled entrance to the event and those over 21 years of age will have their hands stamped so that they may purchase wine or beer. Consumption of alcoholic beverages, along with entrances and exits will be monitored by volunteers.

Community Development, Finance, Parks & Recreation, the Sedona Police Department (SPD), and Sedona Fire District (SFD) have conducted a review of the application and did

not note any objections regarding its approval. Staff recommends that the City Council approve this application.

**Community Plan Consistent:** Yes - No - Not Applicable

**Board/Commission Recommendation:** Applicable - Not Applicable

**Alternative(s):** do not approve a Special Event Liquor License for a Red Earth Theatre event scheduled for Saturday, November 5, 2016 from 6:00 p.m. to 12:00 a.m. (midnight) at the Sedona Hub, 525-B Posse Grounds Road, Sedona, AZ.

**MOTION**

**I move to:** approve a Special Event Liquor License for a Red Earth Theatre event scheduled for Saturday, November 5, 2016 from 6:00 p.m. to 12:00 a.m. (midnight) at the Sedona Hub, 525-B Posse Grounds Road, Sedona, AZ.



**CITY COUNCIL  
AGENDA BILL**

**AB 2166  
October 11, 2016  
Appointments**

**Agenda Item:** 4a  
**Proposed Action & Subject:** Discussion/possible action regarding the appointment of commissioners to the Planning and Zoning Commission.

<b>Department</b>	City Clerk
<b>Time to Present</b>	2 minutes
<b>Total Time for Item</b>	5 minutes
<b>Other Council Meetings</b>	N/A
<b>Exhibits</b>	A. Applications

City Attorney Approval	Reviewed 10/3/16 RLP	<b>Expenditure Required</b>	\$ 0
City Manager's Recommendation	Reappoint Eric Brandt and Kathy Levin to the Planning and Zoning Commission.	<b>Amount Budgeted</b>	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

**SUMMARY STATEMENT**

**Background:** The Planning and Zoning Selection Committee advertised seeking applicants to fill two (2) seats on the Planning and Zoning Commission on August 8, 2016. The Clerk's office received two (2) applications to fill the vacancies created by Commissioner Kathy Levin and Eric Brandt whose terms are set to expire on October 31, 2016.

The Selection Committee made up of Mayor Sandy Moriarty and Planning and Zoning Commission Chair Marty Losoff interviewed the applicants on September 21, 2016. The Selection Committee unanimously recommended reappointing Eric Brandt and Kathy Levin to seats on the Planning and Zoning Commission, each for a three-year term beginning November 1, 2016.

**Community Plan Compliant:**  Yes -  No -  Not Applicable

**Board/Commission Recommendation:**  Applicable -  Not Applicable

**Alternative(s):** Council may request that the vacancies be reposted.

**MOTION**

**I move to:** reappoint Eric Brandt and Kathy Levin to seats on the Planning and Zoning Commission with terms beginning November 1, 2016 and ending October 31, 2019 or until a successor is appointed, whichever is later.

**From:** Kathy Levin <levin@esedona.net>  
**To:** Audree Juhlin <AJuhlin@sedonaaz.gov>  
**CC:** <eba3617@gmail.com>, Donna Puckett <DPuckett@sedonaaz.gov>, JoAnne Cook ...  
**Date:** 8/3/2016 11:24 AM  
**Subject:** Re: P&Z Term Expiration

Yes, I would like to be re-considered for re-appointment. The company and food is so good, I'd miss it all.

Kathy

----- Original Message -----

**From:** Audree Juhlin <AJuhlin@sedonaaz.gov>  
**To:** Kathy Levin <Levin@esedona.net>, eba3617@gmail.com  
**Cc:** Donna Puckett <DPuckett@sedonaaz.gov>, JoAnne Cook <JCook@sedonaaz.gov>, Marty Losoff <MLosoff@sedonaaz.gov>, Warren Campbell <WCampbell@sedonaaz.gov>  
**Sent:** Wed, 03 Aug 2016 13:54:39 -0400 (EDT)  
**Subject:** P&Z Term Expiration

Hi Kathy and Eric,

I hope you are enjoying this cool rainy weather as much as we are!

And like the rains which come around every so often, so do Commission terms. Unfortunately, your terms are expiring at the end of October. As such we are posting a notice that the City is accepting applications to serve on P&Z. If, and I hope you are, interested in re-applying, please respond with an email indicating as much and we can pull your previous application. If you think anything has changed on your last application, please let me know and we can update it accordingly. This way we don't have to waste paper and your time by requiring you to complete another application.

If you have any questions, please let me know!

Thanks!

Audree

Audree Juhlin, Director  
Community Development Department  
(928) 204-7107

Sedona City Hall is open for business Monday through Thursday from 7 a.m. to 6 p.m. and closed on Fridays. The Municipal Court and Wastewater system maintenance remain on a Monday through Friday, 8 a.m. to 5 p.m. schedule. Police and maintenance services are not impacted.

RECEIVED

AUG 08 2016

CITY OF SEDONA  
CITY CLERK'S OFFICE

*Re-applied*



Received  
SEP 20 2013  
CITY OF SEDONA  
CITY CLERK'S OFFICE

# PLANNING & ZONING COMMISSION APPLICATION

**Thank you for your interest in serving on  
the City of Sedona Planning and Zoning Commission**

**Before You Begin.** Please read the following instructions carefully before filling out your application – type or print clearly in ink only. A resume is not required, but you are encouraged to submit one. However, you must complete all questions and furnish all requested information. If an item does not apply to you, or if there is no information to be given write in the letters “NA” for “Not Applicable”. Return your completed application to the City Clerk’s Office at 102 Roadrunner Drive. Applications will be forwarded to the Mayor and City Council for evaluation and appointment.

**All information submitted in this application is public information and subject to disclosure in response to a public records request.**

YOUR NAME: Kathleen M. Levin

ADDRESS: [Redacted] Sedona AZ. 86336  
(Street No P.O. Boxes) (City) (State) (Zip)

MAILING ADDRESS (if different): \_\_\_\_\_

PHONE: Home [Redacted] Work: \_\_\_\_\_ Message Phone: [Redacted]

E-MAIL ADDRESS: levin@esedona.net

Sedona residency is a requirement to serve on the Planning and Zoning Commission. Do you live within the incorporated boundaries of the City of Sedona? Yes (X) No ( ) If so, for how many years? 27

Have you previously been appointed to any position by the City of Sedona? Yes (X) No ( ) If so, what and for what length of term? Planning & Zoning Commission  
Two year term

In answering the following questions, if more space is required, please attach a separate sheet of paper. See attached.

Resume included.

2. 2a

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

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2b

What skills do you feel you possess that would enable you to help to achieve consensus on issues?

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2c

What are your perceptions of the duties, responsibilities and role of the Planning and Zoning Commission?

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2d

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc?

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3a What do you feel are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

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3b What do you hope to accomplish as a Planning and Zoning Commission member?

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3c If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

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3d Have you read the Sedona Community Plan, Land Development Code or the Design Review Manual?

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3e Explain the differences between the Sedona Community Plan, the Land Development Code and the Design Review Manual.

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4a As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

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4b If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

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Thank you for your interest to serve on the Planning and Zoning Commission. Please return your completed application to the City Clerk's office located at 102 Roadrunner Drive, Sedona Arizona. If you have questions about the application and selection process the City Clerk's office is glad to assist you, please call 282-3113. For questions about the Planning and Zoning Commission, please contact the Community Development Department at 282-1154.

**Kathleen M. Levin**  
**Planning & Zoning Application Commission Responses**

**Question 2a**

I have a B.A. in Sociology, an M.A. in Sociology (Planning) and a Paralegal degree. I have worked in regional and city planning for 13 years (NACOG and the City of Sedona). I also served on the first Sedona Planning and Zoning Commission from 1988-90. My relevant employment experiences include working with city staff, the public, volunteer commissions and citizens committees on housing, transportation, historic preservation, general plans and in the review of current development projects. I have served on many non-profit boards and I have lived in Sedona for 37 years (my maternal grandparents retired here in 1956). See attached resume.

**Question 2b**

I am a team player by nature, analytical, methodical, and dependable.

**Question 2c**

The P&Z has the responsibility to deliberate and consider for approval new development projects, conditional use permits, amendments to the Community Plan, revisions to the Land Development Code, and review of Specific Plans that are presented to the Commission.

**Question 2d**

My employment with the City of Sedona involved the review of current development projects and the preparation of staff reports for their consistency with the Community Plan. This entailed the review of applicant submissions including letters of intent, blueprints, site plans, economic analyses, and traffic impact studies. I was also responsible for preparing revisions to the Land Development Code ("Code") and two complete re-codifications of the Code.

**Question 3a**

This is an exciting time for the City of Sedona because the new Community Plan is moving toward a public vote in March 2014 and development is picking up after the great recession. I don't see "issues" so much as I see upcoming opportunities to 1) encourage development in keeping with the citizens' stated vision for Sedona as expressed in the new Community Plan and 2) participate in the creation of "Specific Plans" for key areas in Sedona.

**Kathleen M. Levin**  
**Planning & Zoning Commission Application Responses**  
**Page 2**

**Question 3b**

My goal as a commissioner is to be well informed, well prepared and able to articulate the city's regulations, policies, and the new Community Plan vision. I have no personal agenda.

**Question 3c**

Yes

**Question 3d**

Yes

**Question 3e**

The Sedona Community Plan articulates a "vision" for our community and serves as a guide for future growth, the development of more "Specific Plans" and the city's capital improvement plan. The Land Development Code is a set of land use and zoning regulations that help implement the Plan. As part of the Land Development Code, the Design Review Manual establishes design standards for buildings, siting, orientation, landscaping, massing and lighting.

**Question 4a**

My decisions will be based on an understanding of the material provided by applicants, staff's analysis and recommendations on the proposal/issue, and the comments of other commissioners and the public. I will apply my knowledge and experience to the deliberation as well.

**Question 4b**

The role of a commissioner is to review and approve projects that meet or exceed the expectations of the Community Plan and applicable zoning codes. If I had a reservation or question about the project, I would first raise it in a commission work session. Beyond that, I might also meet with the staff person responsible for the project and/or the Director of Community and Economic Development for clarification.

**EDUCATION**

**Northern Arizona University, Flagstaff, Arizona**  
Masters of Arts, Applied Sociology (Planning) May 1981

**Philadelphia Institute of Paralegal Training, Philadelphia, PA**  
Paralegal Degree in Litigation June 1972

**Allegheny College, Meadville, PA**  
Bachelor of Arts, Sociology March 1972

**PUBLICATIONS**

As Associate Planner for the City of Sedona, prepared brochures, website, and all collateral material related to the update to the Community Plan and for the Historic Preservation Commission

As Wish Coordinator for the Make-A-Wish Foundation of Northern Arizona, prepared volunteer training manual, board training modules in fund-raising and board recruitment

As head of the Sedona Montessori School, responsible for all external publications, including the Parent Handbook and school brochure

As Director of Development of the Verde Valley School, responsible for all publications related to student recruitment, annual fund, capital campaign, and alumni relations

As Community Planner for NACOG, responsible for wide range of studies, surveys, grants, comprehensive plans on land use, economic development, housing and transit

**EMPLOYMENT**

**City of Sedona, Arizona, Sedona, Arizona**  
Department of Community Development  
Associate Planner, Long Range Planning Division November 2004 – 2012 (Retired)

**Primary Responsibilities**

- Principal responsibility for citizen engagement and public outreach materials for the update to the Sedona Community Plan
- Provide research, evaluation and update of ordinances and amendments related to the Land Development Code.
- Assist in the initiation, management and coordination of special projects and studies pertaining to long-range community development issues and activities
- Prepare staff reports for new development projects
- Serve as staff liaison to the Historic Preservation Commission

**Make-a-Wish Foundation of No. Arizona, Sedona, Arizona**  
Wish Coordinator, May 1997- May 2004 Part-time  
Interim Executive Director, August-November, 2001

Responsible for all program services. Design and execute medical outreach and volunteer training programs. Research and prepare grant applications. Fulfill public speaking engagements with large and small businesses and organizations. As interim Executive Director, supervise staff of two, conduct board training, and manage all operations of chapter office affiliated with the largest wish-granting charity in the world.

**Levin & Associates, Sedona, Arizona 1994-1997**  
Private consulting offering grant-writing and technical assistance to non-profit boards

Prepared successfully competitive federal and state government funded grants totaling \$1.2 million for the following clients: Sedona Cultural Park, Sedona-Red Rock High School, and Coconino County in cooperation with Northern Arizona University. Acted as the liaison for the Sedona Academy with N.A.U. and supervised the research effort

and preparation of the Background Report for the Sedona Forum XIII on Youth.

**Sedona Montessori School**, Sedona, Arizona 1989 -1993  
Administrator

Responsible for the administration of non-profit, tuition based independent school operation for (3) pre-primary, elementary, after-school and summer programs. Managed the teaching staff of 12, and responsible for community relations, fund-raising, publications, marketing, student recruitment, compliance with all state and federal agencies.

**Verde Valley School**, Sedona, Arizona 1983-1988  
Director of Development and Assistant Headmaster

Responsible for fund-raising (\$150K annual fund and \$1 million capital campaign), alumni relations, external publications, publicity, and event planning on and off campus for independent tuition-based boarding and day college-preparatory high school. Supervised staff of two and 100 volunteers nationwide. Assumed the role of the Headmaster in his absence. Publications included semi-annual newsletter, annual fund appeals, capital campaign booklet, and alumni events. Traveled extensively within the U.S. for fund-raising and alumnae events.

**Northern Arizona Council of Governments**, Flagstaff, Arizona 1978-1983  
Community and Regional Planner

Provided technical assistance in the areas of housing rehabilitation, planning and zoning, transit and economic development on a regional level and to the towns of Williams and Holbrook, and Apache County. Oversaw regional multi-million dollar H.U.D. Community Development Block Grant program for the five northern Arizona counties.

**Coconino County Planning Department**, Flagstaff, Arizona June-September, 1978  
Planning Assistant for graduate internship

**Vermont Department of Social Welfare and Vermont Community Action**  
White River Junction, Vermont 1976-1977  
Social Worker

**Gifford Hospital**, Randolph, Vermont 1974-1976  
Out Patient X-Ray and Laboratory Department Clerk

**Richard Burstein, Esq.**, Randolph, Vermont 1974-1977  
Paralegal

**Clapp & Eisenberg, Esqs.**, Newark, New Jersey 1972-1974  
Paralegal

**ACTIVITIES**

- \* Verde Valley Voices member (current)
- \* Sedona Arts Center, board member (current)
- \* Volunteer for the Make-A-Wish Foundation of Arizona
- \* St. Andrew's Episcopal Church Vestry member
- \* The Orme School Senior Class Annual Fund Chairperson
- \* Flagstaff Arts and Leadership Academy, Board of Trustees
- \* Sedona Academy, board member
- \* Yavapai County Community Foundation, affiliate of the Arizona Community Foundation, board member
- \* Verde Valley Sanctuary, founding board member and chairman
- \* City of Sedona Planning and Zoning Commission member (appointed)
- \* Citizens for Incorporation of Sedona, chairman of boundary committee
- \* Sedona Youth Activity Program, founding board member
- \* Sedona Historical Society, board member
- \* Sedona Sanitary District, board member and chairman (elected)
- \* ADEQ Unique Waterway for Oak Creek committee member
- \* Sedona Inter-Agency Working Group member
- \* Sedona-Red Rock Taxpayers Association board member

**JoAnne Cook - Re: P&Z Term Expiration**

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**From:** Marty Losoff <mlosoff@sedonaaz.gov>  
**To:** Eric Brandt  
**Date:** 8/4/2016 8:57 AM  
**Subject:** Re: P&Z Term Expiration  
**Cc:** Audree Juhlin; Donna Puckett; JoAnne Cook; Warren Campbell

---

I'm glad you are willing to "re-up". We all make for a good team. Marty

On Aug 3, 2016, at 12:03 PM, Eric Brandt <[eba3617@gmail.com](mailto:eba3617@gmail.com)> wrote:

Hi Audree,

not one-and-done, nor two-and-through, please consider me for a third term!

Thanks, Eric

[www.BrandtArchitect.com](http://www.BrandtArchitect.com)

[REDACTED]  
[REDACTED]  
Sedona AZ 86336

On Wed, Aug 3, 2016 at 10:54 AM, Audree Juhlin <[AJuhlin@sedonaaz.gov](mailto:AJuhlin@sedonaaz.gov)> wrote:

Hi Kathy and Eric,

I hope you are enjoying this cool rainy weather as much as we are!

And like the rains which come around every so often, so do Commission terms. Unfortunately, your terms are expiring at the end of October. As such we are posting a notice that the City is accepting applications to serve on P&Z. If, and I hope you are, interested in re-applying, please respond with an email indicating as much and we can pull your previous application. If you think anything has changed on your last application, please let me know and we can update it accordingly. This way we don't have to waste paper and your time by requiring you to complete another application.

If you have any questions, please let me know!

Thanks!

Audree

RECEIVED

AUG 08 2016

CITY OF SEDONA  
CITY CLERK'S OFFICE

Re-applied



# PLANNING & ZONING COMMISSION APPLICATION

**Thank you for your interest in serving on  
the City of Sedona Planning and Zoning Commission**

**Before You Begin.** Please read the following instructions carefully before filling out your application – type or print clearly in ink only. A resume is not required, but you are encouraged to submit one. However, you must complete all questions and furnish all requested information. If an item does not apply to you, or if there is no information to be given write in the letters "NA" for "Not Applicable". Return your completed application to the City Clerk's Office at 102 Roadrunner Drive. Applications will be forwarded to the Mayor and City Council for evaluation and appointment.

**All information submitted in this application is public information and subject to disclosure in response to a public records request.**

YOUR NAME: ERIC BRANDT

ADDRESS: [REDACTED] SEDONA 86336  
(Street No P.O. Boxes) (City) (State) (Zip)

MAILING ADDRESS (if different): \_\_\_\_\_

PHONE: Home [REDACTED] Work: [REDACTED] Message Phone: [REDACTED]

E-MAIL ADDRESS: ERIC@BRANDTARCHITECT.COM

Sedona residency is a requirement to serve on the Planning and Zoning Commission. Do you live within the incorporated boundaries of the City of Sedona? Yes (X) No ( ) If so, for how many years? 15

Have you previously been appointed to any position by the City of Sedona? Yes (X) No ( ) If so, what and for what length of term? PTZ, 3 YR

In answering the following questions, if more space is required, please attach a separate sheet of paper.

Qualifications – Please indicate your qualifications, experiences, employment history, etc. that you feel are relevant and qualify you for this appointment.

MEMBER OF SEDONA P&Z - 3 YEARS  
MEMBER OF HISTORIC. AND ARCH. REVIEW COMMITTEE OF <sup>EE</sup> ~~THE~~  
TULLAHSEE COLORADO 5 YEARS  
REGISTERED ARCHITECT SINCE 1995  
DEGREE IN CONSTRUCTION MANAGEMENT COLORADO ST. U. 1980  
<sup>RADO</sup>

What skills do you feel you possess that would enable you to help to achieve consensus on issues?

ABILITY TO UNDERSTAND FROM PERSONAL  
EXPERIENCE THE MULTIPLE SIDES OF  
A DEVELOPMENT ISSUE

What are your perceptions of the duties, responsibilities and role of the Planning and Zoning Commission?

REPRESENT THE BEST INTERESTS OF THE  
CITIZENS OF SEDONA USING THE <sup>COMMUNITY</sup> PLAN,  
CODES AND GUIDELINES (DESIGN REVIEW MANUAL)

What experience and special skills would you bring that would demonstrate an understanding of the potential impacts, both positive and negative, of land development, i.e., environment, aesthetics, economics, transportation, storm-water/drainage, parking, etc?

ALL OF MY EXPERIENCE AS LISTED  
AT THE TOP OF THIS PAGE

What do you feel are the major land use and/or planning issues facing the Planning and Zoning Commission and the City at this time?

~~EXISTING~~  
SUBURBAN ZONING VS. SOCIAL INTERACTION  
AND TRANSPORTATION DEFICIENCIES

What do you hope to accomplish as a Planning and Zoning Commission member?

HELP  
CREATE A MORE SUSTAINABLE, VITAL CITY  
THAT IS ATTRACTIVE TO VISITORS AND  
CITIZENS

If appointed to the Planning and Zoning Commission, are you willing to serve the full term of the appointment?

YES

Have you read the Sedona Community Plan, Land Development Code or the Design Review Manual?

ALL  
PARTIONS  
PARTIONS OF 2002, ALL OF PROPOSED

Explain the differences between the Sedona Community Plan, the Land Development Code and the Design Review Manual.

PLAN - VISION, GOALS, IMPLEMENTATION STRATEGIES  
CODE - REGULATIONS  
MANUAL - ENSURES APPROPRIATE CONSTRUCTION: TO  
BE COMPATIBLE WITH THE NATURAL AND  
BUILT ENVIRONMENTS

As a Planning and Zoning Commissioner, how will you make your decisions about a proposal or planning issue?

USING THE COMMUNITY PLAN, L.D.C. AND  
DESIGN REVIEW MANUALS, THEN LISTENING  
AND UNDERSTANDING ALL SIDES OF A PROPOSAL.

If you are appointed as a Planning and Zoning Commissioner and you are faced with a proposal that is supported by the Community Plan and applicable zoning codes, but you have reservations or do not personally support the proposal, what would you do?

REVIEW PROPOSAL WITH CURRENT PLAN AND  
CODES, THEN ~~CONSIDER~~ HELP TO UPDATE  
THE PLAN AND CODES TO MORE ALIGN WITH  
PERSONAL GOALS

Thank you for your interest to serve on the Planning and Zoning Commission. Please return your completed application to the City Clerk's office located at 102 Roadrunner Drive, Sedona Arizona. If you have questions about the application and selection process the City Clerk's office is glad to assist you, please call 282-3113. For questions about the Planning and Zoning Commission, please contact the Community Development Department at 282-1154.

# ERIC BRANDT ARCHITECT

ERIC@BRANDTARCHITECT.COM

SEDONA ARIZONA 86336

**BIOGRAPHY** Eric John Brandt

**ARCHITECTURAL  
REGISTRATION** State of Colorado since 1995  
State of Arizona since 1997

**EDUCATION** Colorado State University, Fort Collins, Colorado  
Bachelor of Science, Construction Management Degree  
Graduated 1984

**PROFESSIONAL  
EXPERIENCE** Principal, Eric Brandt Architect,  
Sedona Arizona and Telluride Colorado offices,  
Telluride office 1995 to 2002  
Sedona office 1997 to present, structure features solar hot water,  
photovoltaic electric, and geothermal heating and cooling since 2010

Apprentice and Associate Architect, Greenbank and Associates,  
Telluride, Colorado, 1985 to 1995

General Contractor for three personal residences, all in Telluride,  
Colorado, 1986, 1990, 1994

**COMMUNITY  
SERVICE** Sedona Planning and Zoning Commissioner appointed February 2011

Member of Hwy 179 Design Advisory Panel, Sedona 2004

Member of Trail Resource Access Coalition (TRACS), Sedona  
1997 to present

Member of Telluride Streetscape Task Force  
1996 to 1997

Member of Telluride Historic and Architectural Review Commission  
(HARC), 1987-1992. Chairman, 1991-1992

**SPECIAL  
INTERESTS** Backcountry exploring, mountain biking, skiing  
Married to Diane Hoffman, 1992

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**CITY COUNCIL  
AGENDA BILL**

**AB 2173  
October 11, 2016  
Regular Business**

**Agenda Item: 8a**  
**Proposed Action & Subject:** Presentation/discussion from Coconino Community College regarding information about the College’s proposed property tax override that will be voted on by Coconino County voters on November 8, 2016.

<b>Department</b>	City Clerk’s Office
<b>Time to Present</b>	10 minutes
<b>Total Time for Item</b>	30 minutes
<b>Other Council Meetings</b>	N/A
<b>Exhibits</b>	A. PowerPoint B. Informational Flier on Proposition 410 C. FAQ Document on Proposition 410

City Attorney Approval	Reviewed 10/3/16 RLP	<b>Expenditure Required</b>
		\$ 0
City Manager’s Recommendation	For presentation and discussion only.	<b>Amount Budgeted</b>
		\$ 0
		Account No. N/A (Description)
		Finance <input checked="" type="checkbox"/> Approval

**SUMMARY STATEMENT**

**Background:** A representative from Coconino Community College will give an update on the College’s proposed property tax override that will be voted on by Coconino County voters in November 2016.

The Coconino County Community College District seeks voter approval to enact a property tax override for a period of seven years beginning in 2019. If approved, an additional property tax of \$3,000,000 per year for seven years will be levied to support the College.

**Community Plan Compliant:** Yes - No - Not Applicable

**Board/Commission Recommendation:** Applicable - Not Applicable

**Alternative(s):** N/A

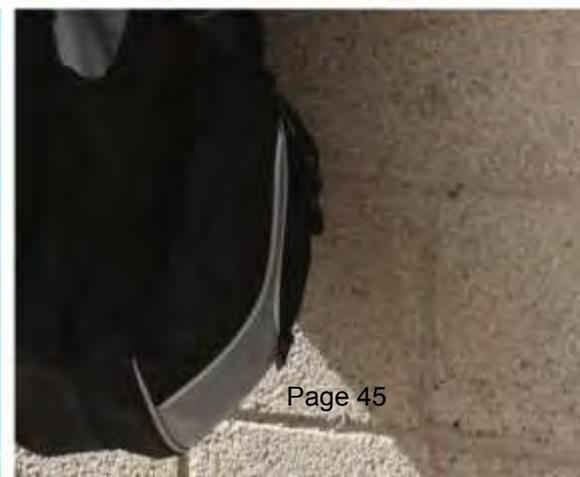
**MOTION**

**I move to:** for presentation and discussion only. No action required.

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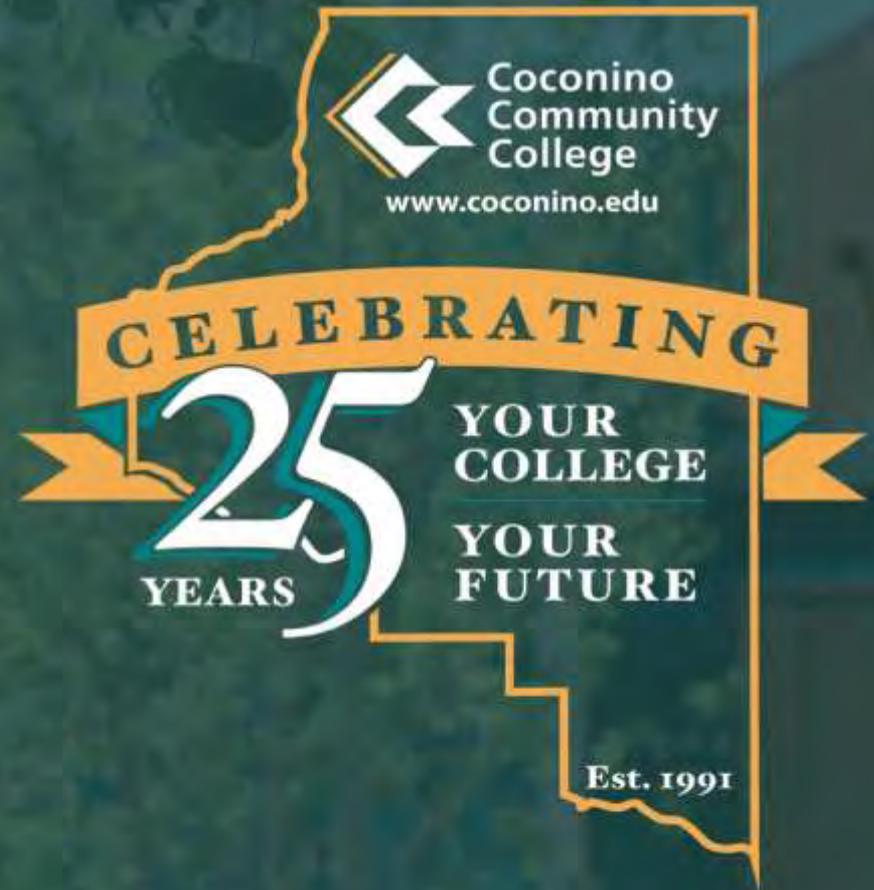


# EDUCATIONAL OUTREACH



# VISION AND MISSION

LEADING OUR  
COMMUNITIES  
IN LIFELONG  
LEARNING



# COCONINO COMMUNITY COLLEGE



**TRAINING  
WORKERS**



**TRANSITIONING  
STUDENTS**



**STRENGTHENING  
THE ECONOMY**

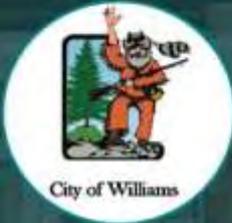


**LIFELONG  
LEARNING**



Coconino  
Community  
College

# PARTNERS



AND MANY MORE...

# EDUCATIONAL INSTITUTIONS

WORKING WITH COCONINO COMMUNITY COLLEGE



# THE CHALLENGE



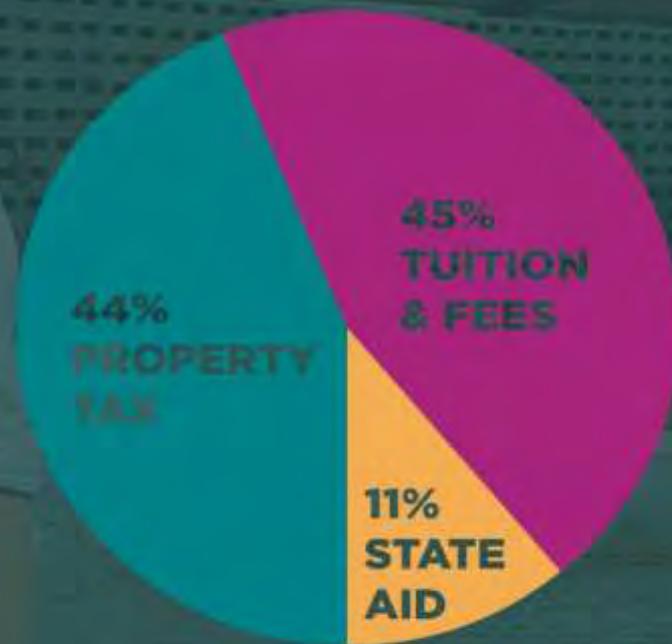
# COCONINO COMMUNITY COLLEGE

## FUNDING SOURCES

### FY17 PRIMARY FUNDING SOURCES

#### KEY

- PROPERTY TAX 44%
- TUITION & FEES 45%
- STATE AID 11%



# COCONINO COMMUNITY COLLEGE

## STATE FUNDING DECLINE



# COCONINO COMMUNITY COLLEGE

## TUITION INCREASES

**ANNUAL STUDENT TUITION (30 CREDIT HOURS)**



# COCONINO COMMUNITY COLLEGE

## STATE FUNDING DECLINE & TUITION INCREASES



# COCONINO COMMUNITY COLLEGE

## ARIZONA COMMUNITY COLLEGE TUITION & FEES COMPARISON

**FY 17 ANNUAL TUITION BY DISTRICT (30 CREDIT HOURS)**



# COCONINO COMMUNITY COLLEGE

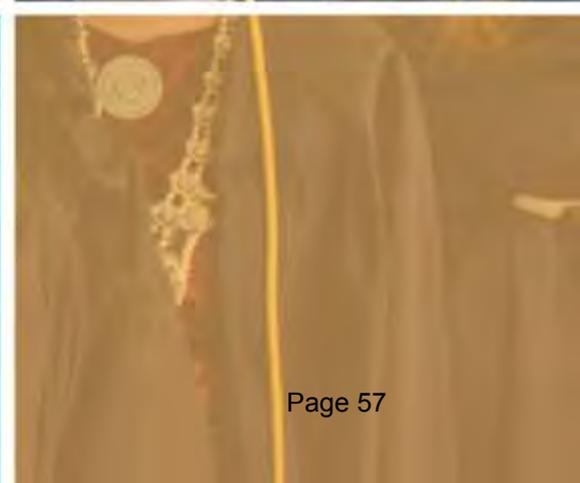
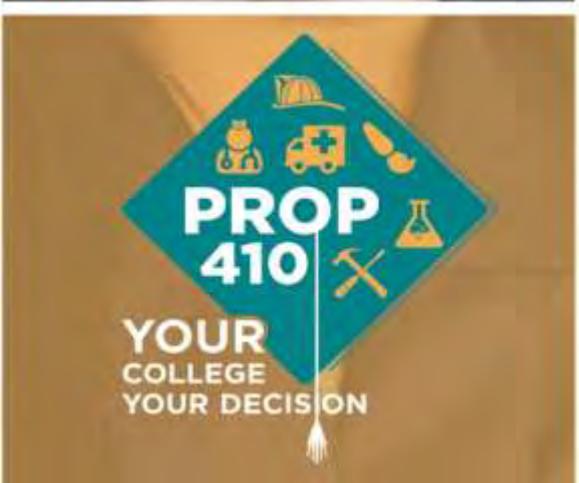
## ARIZONA COMMUNITY COLLEGE TAX RATE COMPARISON

### FY 17 TAX RATE





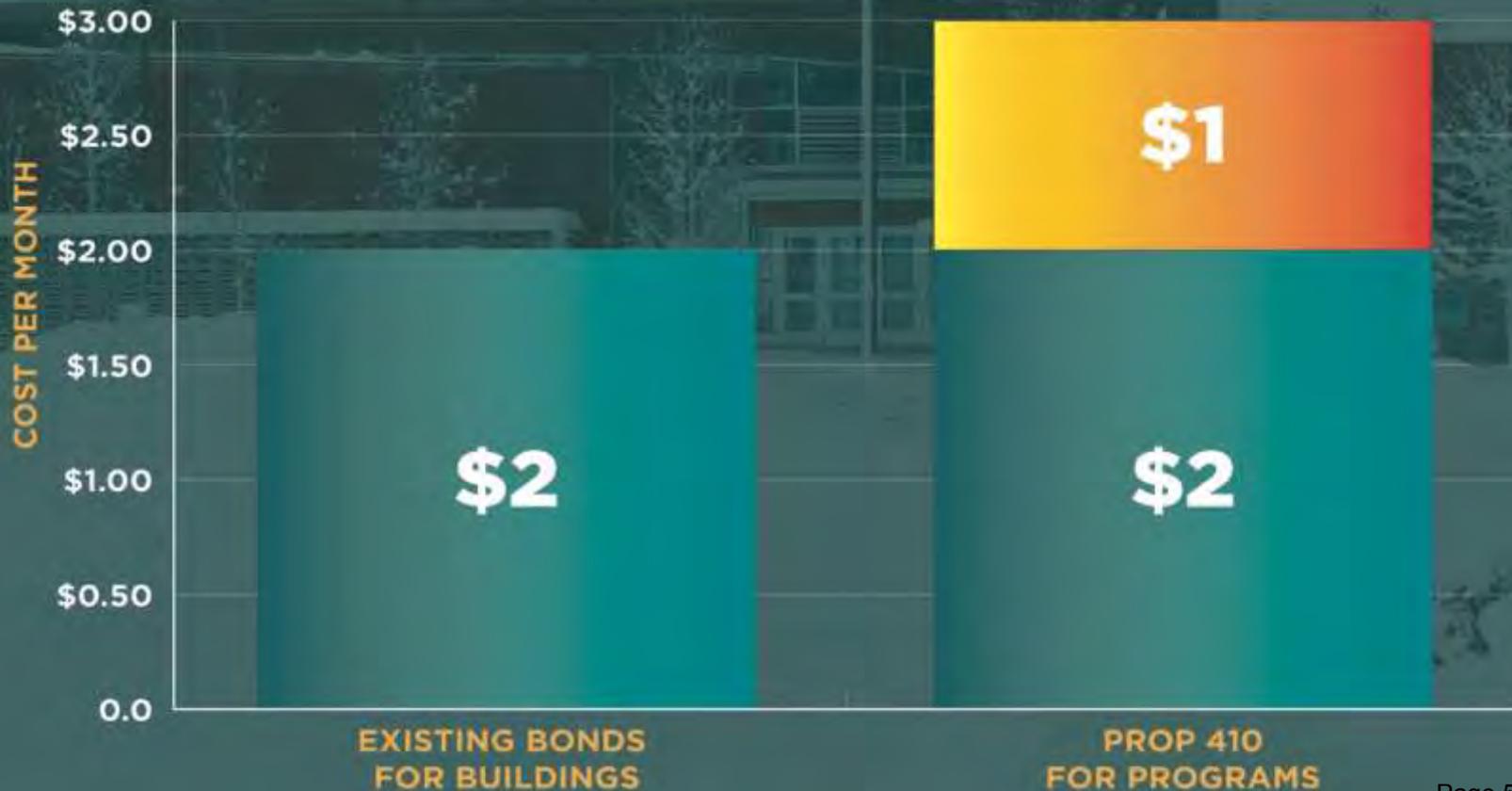
# WHAT WE COULD DO



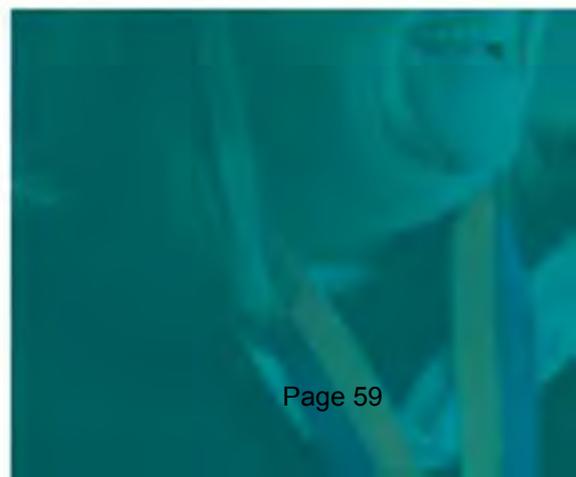
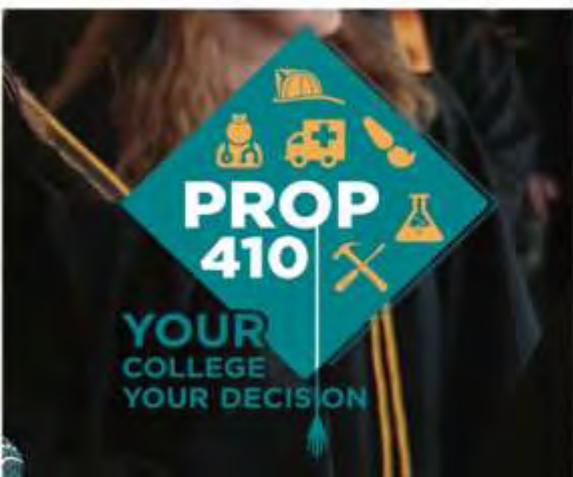
# COCONINO COMMUNITY COLLEGE

\$1/MONTH INCREASE OVER CURRENT PROPERTY TAX BILL

## MONTHLY TAX FOR AVERAGE HOUSEHOLD



# THE OUTCOME



# COCONINO COMMUNITY COLLEGE

IMPACTS TO PAGE

**INCREASE AVAILABILITY OF CURRENT  
AND NEW COURSES WITH AN EXPANDED  
FACULTY/STAFF AT THE PAGE INSTRUCTIONAL SITE.**



# COCONINO COMMUNITY COLLEGE

WHAT THE OVERRIDE WOULD HELP FUND

COCONINO COMMUNITY COLLEGE  
TO UNIVERSITY

HIGH SCHOOL TO  
COCONINO COMMUNITY COLLEGE

EXPANDING  
PROGRAMS  
THROUGHOUT  
ALL OF  
COCONINO COUNTY

LIFELONG  
LEARNING  
OPPORTUNITIES

JOB TRAINING  
FOR COUNTY  
RESIDENTS

MEETING THE  
NEEDS OF LOCAL  
EMPLOYERS

MORE TRAINING  
FOR VETERANS

NEW  
WORKFORCE  
PROGRAMS

# COCONINO COMMUNITY COLLEGE

SERVING ALL OF COCONINO COUNTY



- **CCC Campuses**
- **CCC Instructional Site**
- **CCC Service Sites**
- **County-wide Online Services**



**COCONINO COMMUNITY COLLEGE**  
IMPORTANT ELECTION INFORMATION

**PROP**  
**410**

COCONINO COMMUNITY COLLEGE  
OVERRIDE FOR PROGRAMS

[WWW.COCONINO.EDU/PROP410](http://WWW.COCONINO.EDU/PROP410)



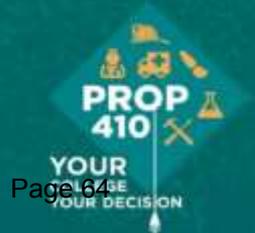
# COCONINO COMMUNITY COLLEGE

IMPORTANT ELECTION DATES

OCTOBER 10, 2016  
*LAST DAY TO REGISTER TO VOTE*

ELECTION DAY  
**VOTE**  
NOVEMBER 8, 2016

[WWW.COCONINO.AZ.GOV/ELECTIONS](http://WWW.COCONINO.AZ.GOV/ELECTIONS)



**THANK**



**YOU**

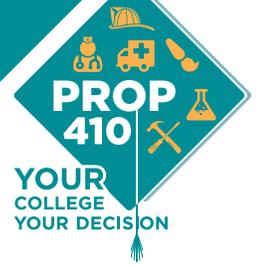


**Coconino  
Community  
College**

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# CCC Property Tax Budget Override

## Proposition 410: Your College, Your Decision



### District Governing Board seeks to train students for jobs with November Ballot initiative

After careful consideration, the Governing Board of Coconino Community College voted unanimously to ask voters whether or not they would support a property tax increase to fund the College. Before making their decision, the Board heard from hundreds of residents, business owners, students and parents. The additional funds, if approved by voters, will be used for the following purposes:

- To create new programs that would train local students for jobs such as automotive repair, manufacturing, and the construction trades;
- To assist veterans preparing for local jobs;
- To help high school graduates transition to college successfully;
- To enhance current programs at the College, including additional hiring of full-time instructors.

*“We have been listening to our communities. We’ve heard the needs and are developing solutions. That is why the Board voted unanimously to ask voters whether they support a modest tax increase for the College.”*

Patricia Garcia  
Chair, College Governing Board

### Did You Know?

- 75% of all of the College’s full-time students are from Coconino County.
- Today the College serves approximately 7,500 different students every year. This is far more than the 500 anticipated in 1991!
- A student attending CCC for two years before transferring to a university can save the average family more than \$15,000.

*“The College faculty and staff have been working hard to research the costs of new programs. We’re also working with community partners to learn how to creatively offer these programs as affordably as possible.”*

Dr. Nat White  
College Governing Board Member



### What Will It Cost? An Additional \$1.00 per month for an average home in Coconino County

- In 1999, a voter-approved 20-year bond began for \$2 million per year. The cost is about \$2.00 per month for an average home in Coconino County (approximately \$200,000 in assessed value).

- The bond was used to build Campuses to serve students in Coconino County. The bond will be paid in full in 2019.

- The District Governing Board, through Proposition 410, is asking voters to consider extending and repurposing the \$2 million for seven more years for programs that would train county residents for better jobs.
- Prop 410 also proposes to increase the amount by \$1 million that would add about \$1.00 per month for an average home.
- If approved the new \$3 million property tax would not begin until 2019 and would increase the average homeowner’s tax bill by \$1.00 per month.



### Community & Education Partnerships

City of Flagstaff  
City of Williams  
City of Page  
Northern Arizona Intergovernmental  
Public Transportation Authority  
Findlay Toyota  
Navajo Generating Station  
Goodwill of Northern Arizona

Miramonte Homes  
Arizona Community Foundation of  
Flagstaff  
Sunwest Bank  
Arizona Public Service  
Antelope Point Marina  
Northern Arizona University  
Flagstaff Unified School District

Williams Unified School District  
Page Unified School District  
Coconino Association for Vocations,  
Industry, and Technology (CAVIAT)  
Dual Enrollment  
AZ Programs of Study  
Career Technical Education  
& Many More



# Frequently Asked Questions

## Regarding Proposition 410

### Why does the College need additional funding through an override?

- The College’s revenue sources are tightly controlled by state law. Its Governing Board has determined that the amounts currently allowed, with voter approval, provide insufficient revenues for the College.
- Employers across the County have asked the College to create and expand programs that train people for local jobs in Coconino County such as automotive repair, manufacturing, and construction management.
- The additional money will also fund programs and services to assist Veterans wanting to apply the skills learned in the military as they transition to civilian employment.
- Additionally, the College will hire more full-time instructors with a minimum master’s level degree to meet the growing demand for high school transition to college and from community college to universities.

### How much would it cost me?

- An average homeowner (based on assessed value) in Coconino County would pay about an additional \$1.00 per month over the current property tax amount.
- The additional money will come from an increase in property taxes paid by all property owners in Coconino County.

### Why doesn’t the College have enough money to meet its needs?

- The State has cut support for the College by more than \$1.3 million per year.
- The College’s Governing Board has raised tuition over the years to the point that it is now the highest of any community college in Arizona.
- The College’s primary property tax rate is 72% lower than the average rate for all other community colleges in the state. (See chart below.)

### How much additional money will the override raise, and how long will it last?

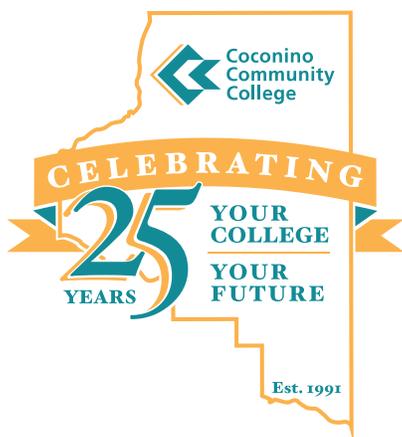
- The override would collect \$3 million dollars annually for 7 years beginning in 2019.

### For what will the additional money be used?

The additional money will be used to train people for jobs; help Veterans apply the skills learned in the military and learn new skills for local jobs; and to support continued quality instruction at the College. Some of the specific programs and related costs being discussed include:

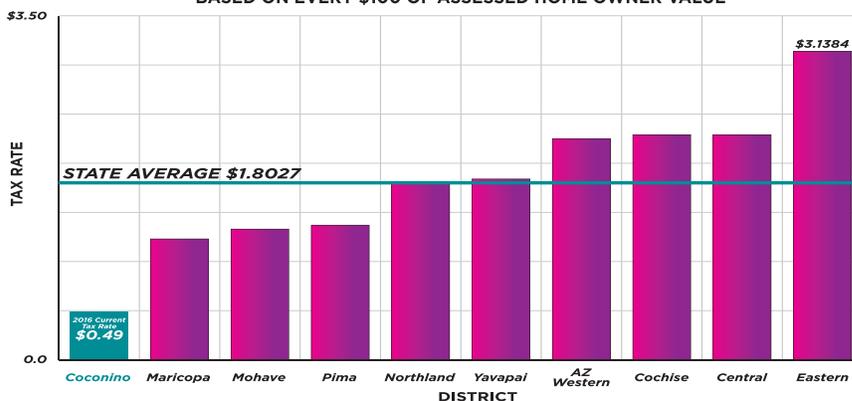
- Expanded Construction and Nursing programs;
- Additional courses with an expanded faculty/staff at the Page Instructional Site;
- Contract training with local employers for rapid training, such as a short-term course in Coding, Customer Service, Computer Applications, etc.;
- New “Short Certificates” – Rapid work retraining programs; and
- Other new programs based on community input, such as Automotive Repair, Manufacturing, Community Education, and Maintenance to meet the needs of employers in new areas.

**In compliance with state law, all of the additional funds must be used for the purposes stated in the election ballot.**



For more information visit,  
[www.coconino.edu/prop410](http://www.coconino.edu/prop410)

ARIZONA FY17 COMMUNITY COLLEGE TAX RATE COMPARISON  
 BASED ON EVERY \$100 OF ASSESSED HOME OWNER VALUE



**Don't Forget To Vote Prop 410 | Nov. 8, 2016**

### Why doesn't the College just raise tuition or ask the voters to pass a sales tax instead of a property tax?

- Coconino Community College now has the highest tuition of any community college in the state.
- Currently the College's tuition is approximately \$500.00 per year higher than the average tuition across the state. Coconino County high school graduates and others are leaving the community to seek lower tuition rates at other community colleges around the state.
- The Arizona state law prohibits community colleges from collecting sales taxes.

### How has the College grown over 25 years?

- Coconino Community College was founded in 1991.
- At the time it was not expected to serve more than 500 full-time enrolled students.
- The College had 1,000 students enroll in the first year.
- The College has experienced continuing growth to its current level of over 7,500 students per year.
- The College provides training for local county residents in the health and safety fields, which include firefighters, EMTs, nurses, allied health workers, correction officers, and other law enforcement personnel.
- It is estimated that a student going to the College for two years before transferring to the University can save the average family over \$15,000.
- The College offers nearly 50 different degrees and certificates.
- According to data gathered through Coconino Community College's Institutional Research Department, 75% of all of the College's full time students are from Coconino County.
- Currently there are over 1,800 students participating in the CCC2NAU program. Many others choose not to participate in the CCC2NAU program but still transfer their credits.



### Does the College partner with other educational organizations?

Yes, the College has many educational partners through dual enrollment programs at high schools, joint facility use agreements, and articulated curricula that help students move from high school to the College and, in some cases, on to university studies. Here is a partial list of the College's educational partners:

- Arizona Programs of Study
- Coconino Association for Vocations, Industry & Technology (CAVIAT)
- Coconino High School
- Flagstaff High School
- Flagstaff Unified School District
- Fredonia High School
- Ganado High School
- Grand Canyon Schools
- Greyhills Academy High School
- Northern Arizona University
- Page High School
- Raymond Educational Foundation
- Summit High School
- Tuba City High School
- Williams High School
- Williams Unified School District, and many others.



## Frequently Asked Questions

### Regarding The Coconino Community College Nov. 8 Election

#### Why does CCC need additional funding through an override?

- The College's revenue sources are tightly controlled by state law. Its Governing Board has determined that the amounts currently allowed, with voter approval, provide insufficient revenues for the College.
- Employers across the County have asked the College to create and expand training programs that train people for local jobs such as automotive repair, manufacturing, construction management and other jobs in Coconino County.
- The additional money will also fund programs and services to assist Veterans wanting to apply the skills learned in the military as they transition to civilian employment.
- Additionally, the College will hire more full-time instructors with a minimum master's level degree to meet the growing demand for high school transition to college and from community college to universities.

#### How would the additional money be used?

The additional money will be used to train people for jobs such as automotive repair, manufacturing, construction trades, and other jobs in Coconino County; fund programs and services to assist Veterans wanting to apply the skills learned in the military as they transition to civilian employment; and to support the continued offering of quality instruction. Some of the specific programs and related costs being discussed include:

- Expanded Construction and Nursing programs;
- Additional courses with an expanded faculty/staff at the Page Instructional Site;
- Contract training with local employers for rapid training, such as a short-term course in Coding, Customer Service, Computer Applications, etc.;
- New "Short Certificates" – Rapid work retraining programs; and
- Other new programs based on community input, such as Automotive Repair, Manufacturing, Community Education, and Maintenance to meet the needs of employers in new areas.

*In compliance with state law, all of the additional funds must be used for the purposes stated in the election ballot.*

#### How much additional money will the override raise and how long will it last?

- The total amount of additional money from the override will be \$3 million dollars annually for 7 years beginning in 2019. That amount will not increase regardless of changes in property values. That will increase an average homeowner's property taxes by about \$1.00 per month over the amount they are currently paying, based on assessed home values in Coconino County.

**When will the new property tax begin?**

- The new property tax will begin in tax year 2019 after the final payment on the voter approved 20 year bonds that built the College's campuses. The tax will continue for 7 years.

**How much would it cost me?**

- An average homeowner (based on assessed value) in Coconino County would pay about an additional \$1.00 per month over the current property tax amount.
- The additional money will come from an increase in property taxes paid by all property owners in Coconino County.



**What will it cost? An additional \$1.00 per month for an average home in Coconino County.**

- In 1999, a voter-approved 20-year bond began for \$2 million per year. The cost is about \$2.00 per month for an average home in Coconino County (approximately \$200,000 in assessed value).
- The bond was used to build Campuses to serve students in Coconino County. The bond will be paid in full in 2019.
- The District Governing Board through Proposition 410 is asking voters whether to extend and repurpose the \$2 million for seven more years for programs that would train county residents for better jobs.
- Prop 410 also proposes to increase the amount by \$1 million that would add about \$1.00 per month for an average home.
- If approved the new property tax would not begin until 2019 and would increase the average homeowner's tax bill by \$1.00 per month.

**What has Coconino Community College done to cut costs?**

For several years, the College has been cutting costs and taking steps to increase other revenues. Among other actions, the College:

- Eliminated Community & Corporate Learning;
- Reduced services and offerings at Page site;
- Reduced the Nursing Program from 40 graduates per year to 20;
- Eliminated the Music and Dance classes;
- Eliminated the Early Childhood Education Certificate and Education Degree;
- Eliminated 40 positions at the College;
- Raised tuition such that it is now the highest in the state;
- Eliminated discounts for students taking more courses per semester;
- Established differential tuition for high cost programs;
- Established a credit card fee;
- Established a no show fee;
- Increased parking fees

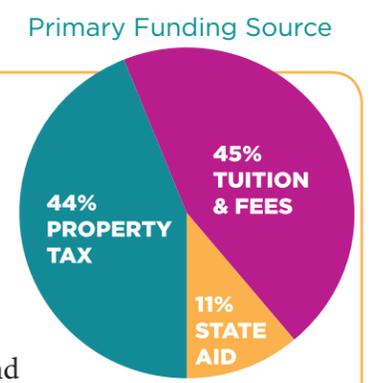
**How has funding for the College changed over the years?**

- State aid has declined over the years from about 40% of general fund costs to about 11% now.
- Annual property taxes are tightly limited by the Arizona Constitution.
- The College's Governing Board has repeatedly raised tuition to make up for the reductions in State Aid.
- A voter approved property tax increase is the only other option for raising dollars needed to create new programs and expand existing programs at the College.

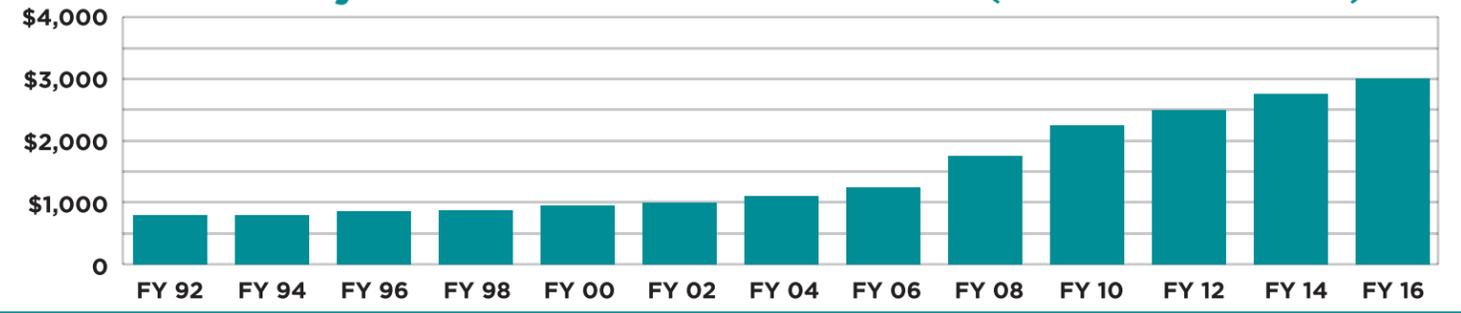
**Why doesn't the College have enough money to meet its needs?**

The College has three primary funding sources:

- Student Tuition and Fees, that fund about 45% of costs;
- State Aid, that funds about 11% of costs; and
- Property Taxes, that fund about 44% of the costs of the College's general fund.
- The College's property tax rate is 72% lower than the average rate for all other community colleges in the state.
- The College's property tax level is strictly limited by the Arizona constitution, unless the voters approve an override.
- State Aid is determined by the State Legislature in the annual budget process and the College cannot increase the amount.
- State support has declined from about 40% of the College's general fund to about 11%.
- The College's Governing Board has raised tuition over the years to the point that it is now the highest of any community college in Arizona.



**History of Annual Student Tuition (30 credit hours)**





**CITY COUNCIL  
AGENDA BILL**

**AB 2131  
October 11, 2016  
Regular Business**

**Agenda Item: 8b**

**Proposed Action & Subject:** Discussion/possible direction regarding Docket E-01345A-16-0036, the rate case filed with the Arizona Corporation Commission by Arizona Public Service on June 1, 2016.

<b>Department</b>	Legal
<b>Time to Present</b>	30 Minutes
<b>Total Time for Item</b>	90 Minutes
<b>Other Council Meetings</b>	June 28, 2016, September 13, 2016
<b>Exhibits</b>	N/A

City Attorney Approval	Reviewed 10/3/16 RLP	<b>Expenditure Required</b>
		\$ 0
City Manager's Recommendation	Discussion and direction regarding the APS rate case.	<b>Amount Budgeted</b>
		\$ 0
		Account No. N/A (Description)
		Finance Approval <input checked="" type="checkbox"/>

**SUMMARY STATEMENT**

**Background:** Arizona Public Service (APS) has filed a rate case with the Arizona Corporation Commission (Commission) which addresses both demand charges for residential customers and the net metering program for rooftop solar customers.

APS wants the Commission to approve a new rate structure with three demand charge rates — R-1, R-2, and R-3. The new rates would include the higher fixed charges, lower volumetric rates, and the demand charge. In Docket E-01345A-16-0036, APS is seeking changes to residential customers' rates, shifting nearly all of them to one of three demand charge options, accompanied by a lower per-kWh volumetric charge. Under the rate plan, net metering credits for rooftop solar would fall from the retail rate, presently \$0.128/kWh, to an avoided cost rate of \$0.0299/kWh. Customers who have already installed rooftop solar and those who install before July 1, 2017, would be "grandfathered" and allowed to keep the retail rate credit for the full life of their solar arrays.<sup>1</sup> The rate case also proposes implementing news fees meant to recover costs associated with manual meter reading for those who have opted out of smart meters.

<sup>1</sup> Source: [Top Utility Storage Weekly Newsletter](#), June 7, 2016.

The City of Sedona had previously intervened in rate case E-01345A-13-0069 which related to the potential “Opt-Out Service Schedule” for the implementation of the APS Smart Metering program. In that intervention, several groups of APS customers, including the City of Sedona, raised concerns about the health effects of smart meters. An opt-out tariff was approved by the Commission on December 18, 2014. However, following applications for rehearing, the Commission rescinded its previous decision and deferred any final decision on the opt-out tariff until “the full spectrum of information that is included in a general rate case” could be considered.

The Commission, therefore, has effectively consolidated the opt-out issue related to smart metering with the latest rate case regarding demand charges and net metering. By virtue of the City of Sedona’s intervention in the opt-out tariff case, the City is automatically considered an intervenor as a carry-forward into the new demand rate/net metering case.

At the September 13, 2016 meeting Council heard from Rick Romain with Technology Coordinators, Kris Mayes, a former Arizona Corporation Commissioner and solar industry advocate and numerous members of the public. APS representatives were in the room and addressed a couple of points raised at the meeting.

The purpose of this follow up meeting is to have APS representatives and Rick Romain continue to provide context to better understand the impact the rate case may have on rate payers (including current and future solar users).

Key questions to be addressed:

- Is it true that this is the first known electric utility in the US to apply the demand charge concept to all residential customers?
- Have the impacts of demand charges like the one proposed by APS been studied in other areas where they’ve been used?
- Why not propose a tiered rate structure that charges a higher rate for every hour of peak energy used as opposed to the current demand charge concept that creates a higher rate for the entire month if a certain peak hour threshold is passed?
- What do you expect will be the impact to residential energy generation such as solar?
- Is there any evidence concerning the percentage of residential customers that change energy consumption behavior based on the introduction of demand charges?
- How do residents track energy use to determine how close they are to the threshold for a demand charge?
- How exactly does the grandfathering of existing rates for solar customers work?
- How are fees for opting out of smart meters justified?
- Does Council want to pursue citizen input on this matter?
- How does Council wish to proceed on this issue?

**Community Plan Consistent:** Yes - No - Not Applicable

**Board/Commission Recommendation:** Applicable - Not Applicable

**Alternative(s):**

**MOTION**

**I move to:** for discussion and possible direction only.

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**CITY COUNCIL  
AGENDA BILL**

**AB 2170  
October 11, 2016  
Regular Business**

**Agenda Item: 8c**

**Proposed Action & Subject:** Public hearing/discussion/possible action regarding a resolution and ordinance amending the Sedona City Code, Chapter 5, relating to Short-Term Rental Regulations.

**Department** Legal  
**Time to Present** 10 Minutes  
**Total Time for Item** 30 Minutes  
**Other Council Meetings** N/A  
**Exhibits** A. Resolution  
 B. Ordinance

City Attorney Approval	Reviewed 10/3/16 RLP	<b>Expenditure Required</b>	\$ 0
City Manager's Recommendation	Approve resolution and ordinance amending Chapter 5 of the Sedona City Code relating to Short Term Vacation Rental Regulations.	<b>Amount Budgeted</b>	\$ 0
		Account No. (Description)	N/A
		Finance Approval	<input checked="" type="checkbox"/>

**SUMMARY STATEMENT**

**Background:**

Since 1995, the City of Sedona has, by ordinance, prohibited the rental of residential properties for less than thirty (30) days. In 2008, Chapter 5 of the Sedona City Code was amended to proscribe and identify penalties for various activities related to the rental of residential properties for less than thirty (30) days.

During the 2016 Arizona State Legislative Session, Senate Bill 1350 (SB 1350) was introduced with the intent of requiring those actively engaging in the rental of residential properties within the State to collect and remit transaction privilege taxes to the State and municipalities where the activity was occurring. An Amendment to SB 1350 was adopted which had the effect of preempting local jurisdictions from enacting ordinances prohibiting the rental of residential properties for less than thirty (30) days. SB 1350, as amended, was passed by both houses of the Legislature and signed into law by the Governor to become effective on January 1, 2017.

SB 1350 continues to allow local jurisdictions to regulate short-term rentals for the protection of the public's health and safety so long as any ordinance is applied in the same manner as other residential properties generally.

The proposed amendments to Chapter 5 relating to short-term rentals will adapt the Sedona City Code to the restrictions imposed by SB 1350, while continuing to regulate the activity as is in the best interest of Sedona residents with respect to health, safety and welfare.

**Community Plan Consistent:** Yes - No - Not Applicable

**Board/Commission Recommendation:** Applicable - Not Applicable

**Alternative(s):** None.

## **MOTION**

**I move to:** approve Resolution No. 2016-\_\_\_, a Resolution of the Mayor and Council of the City of Arizona, establishing as a public record the terms of proposed amendments to the City Code Chapter 5.25 (2016 Short-Term Rental Regulation Provisions).

*After first reading:*

**I move to:** approve Ordinance No. 2016-\_\_\_, an Ordinance of the City of Sedona, Arizona, amending the City Code Chapter 5.25 (Short Term Rental Regulation); providing for a savings clause; and providing for repeal of any Ordinance or parts of Ordinances or Code provisions in conflict herewith.

**RESOLUTION NO. 2016-\_\_**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA,  
ARIZONA, ESTABLISHING AS A PUBLIC RECORD THE TERMS OF PROPOSED  
AMENDMENTS TO CITY CODE CHAPTER 5.25 (SHORT-TERM RENTAL  
REGULATION).**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA that the terms set forth in that document attached hereto as Exhibit A and entitled "2016 Amendments to City Code Short-Term Rental Regulation Provisions" constitute a public record to be incorporated by reference into Ordinance No. 2016-\_\_.

At least one (1) paper copy and one (1) electronic copy of this public record shall be kept in the office of the City Clerk for public use and inspection.

PASSED AND ADOPTED this 11<sup>th</sup> day of October, 2016 by the Mayor and Council of the City of Sedona, Arizona.

\_\_\_\_\_  
Sandra J. Moriarty, Mayor

ATTEST:

\_\_\_\_\_  
Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Robert Pickels, Jr., City Attorney

**Exhibit A**  
**2016 Amendments to the City Code Short-Term Rental Regulation Provisions**

**Chapter 5.25**  
**SHORT-TERM RENTAL REGULATION**

Sections:

- 5.25.010 Title.
- 5.25.020 Findings and Purpose.
- 5.25.030 Definitions.
- 5.25.040 Business License Requirement.
- 5.25.050 Emergency Contact.
- 5.25.060 Use Regulations.

**5.25.010 Title.**

This chapter shall be known as the city of Sedona Short-Term Rental Regulation chapter. [Ord. 2016-\_\_\_. Code 2008 § 5.25.010. Code 2006 § 8-4-1].

**5.25.020 Findings and Purpose.**

The City of Sedona is committed to maintaining its small-town character, scenic beauty, and natural resources that are the foundation of its economic strength and quality of life. (Sedona Community Plan, Section 9.2, Recommendations Goal 1.0.) The purpose of this chapter is to safeguard the public health and safety of the residents of Sedona and their visitors and guests while preserving the residential character of neighborhoods, minimizing nuisances, and providing equity with other residential and commercial uses. Therefore, in an attempt to further promote the aims and goals of the Sedona Community Plan, the City does hereby adopt the following provisions in an attempt to protect the public's health and safety in residential neighborhoods. [Ord. 2016-\_\_\_. Code 2008 § 5.25.010. Code 2006 § 8-4-2].

**5.25.030 Definitions.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Vacation Rental” or “Short-Term Rental” means any individually or collectively owned single-family or one-to-four-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under A.R.S. § 42-12001. Vacation Rental and Short-Term Rental do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center, or another similar use.

“Transient Lodging” means the business of operating for occupancy by transients, a hotel or motel, including an inn, tourist home or house, dude ranch, resort, campground, studio or bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar

structure, and also including a space, lot, or slab that is occupied or intended or designed for occupancy by transients in a mobile home or trailer furnished by them for such occupancy.

“Emergency Point of Contact” means the identity and a 24-hour telephone number for the person, enterprise, or agency who is the owner, proprietor, or representative of a Short-Term Rental or Transient Lodging establishment. [Ord. 2016-\_\_\_; Code 2008 § 5.25.010. Code 2006 § 8-4-1].

#### **5.25.040 Business License Requirement.**

Every Short-Term Rental, Vacation Rental, or Transient Lodging establishment located within the jurisdictional boundaries of the City of Sedona or which is obligated to remit transaction privilege taxes for the operation of a Short-Term Rental, Vacation Rental, or Transient Lodging activity in the City of Sedona shall obtain a City of Sedona business license as required pursuant to Chapter 5.05 of the Sedona City Code. [Ord. 2016-\_\_\_; Code 2008 § 5.25.010. Code 2006 § 8-4-1].

#### **5.25.050 Emergency Contact.**

An application for a City of Sedona business license for every Short-Term Rental, Vacation Rental, or Transient Lodging establishment shall be accompanied by the designation of an Emergency Point of Contact on a form provided which shall include a current, valid telephone number at which an immediate, 24-hour response may be obtained to address an accident, medical emergency, natural disaster, law enforcement response, or other serious incident that requires immediate attention at the premises on which the Short-Term Rental, Vacation Rental, or Transient Lodging activity is occurring. The Emergency contact information shall be posted in a prominent and visible location both inside and outside the front entrance at the Short-Term Rental, Vacation Rental, or Transient Lodging establishment. [Ord. 2016-\_\_\_; Code 2008 § 5.25.010. Code 2006 § 8-4-1].

#### **5.25.060 Use Regulations.**

The Sedona Land Development Code District Regulations shall be applied to a Short-Term Rental, Vacation Rental, or Transient Lodging establishment in the same manner as other property classified under A.R.S. §§ 42-12003 and 42-12004. The use of any Short-Term Rental, Vacation Rental, or Transient Lodging establishment in any single-family residential district shall be limited to the uses identified in the Sedona Land Development Code for that particular single-family residential zoning district. [Ord. 2016-\_\_\_; Code 2008 § 5.25.010. Code 2006 § 8-4-1].

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**ORDINANCE NO. 2016-\_\_**

**AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE CITY CODE CHAPTER 5.25 (SHORT-TERM RENTAL REGULATION); PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR REPEAL OF ANY ORDINANCE OR PARTS OF ORDINANCES OR CODE PROVISIONS IN CONFLICT HEREWITH.**

**WHEREAS**, it is the intention of the City Council to provide further clarity and ease of administration of those provisions set forth in Chapter 5.25 relating to the rental of residential properties for less than thirty (30) days.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA AS FOLLOWS:

Section 1. Amendment of Chapter 5.25 (Short-Term Rental Regulation)

Chapter 5.25 of the Sedona City Code is hereby amended by incorporating by reference those changes set forth in that public record entitled “2016 Amendments to the City Code Short-Term Rental Regulation Provisions” and established as a public record by Resolution No. 2016-\_\_ as though said provisions are fully set forth herein.

Section 2. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

Section 3. Repeal

All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona, this 11<sup>th</sup> day of October, 2016.

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Sandra J. Moriarty, Mayor

ATTEST:

\_\_\_\_\_  
Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

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Robert Pickels, Jr., City Attorney