



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, SEPTEMBER 27, 2022, 3:00 PM

201 S. Cortez Street
Prescott, AZ 86303
City Council Chambers

Phil Goode, Mayor

Cathey Rusing, Mayor Pro Tem

Brandon Montoya, Councilman

Eric Moore, Councilman

Connie Cantelme, Councilwoman

Steve Sischka, Councilman

Clark Tenney, Councilman

The following Agenda will be considered by the Prescott **City Council Voting Meeting** at its **Voting Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of the meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02. One or more members of the Council may be attending the meeting through the use of a technological device.

Viewing & Participation

This meeting may be viewed on Channel 64, Facebook Live or on the City's website: [Live Prescott City Council Videos](#)

Or via Zoom by registering in advance: [Zoom Registration Link](#)

Public comments for Council may be submitted through the City website: [Public Comment Form](#)

1. **CALL TO ORDER**
2. **INTRODUCTIONS / ANNOUNCEMENTS**
3. **INVOCATION - Rich Stoffan with Pinerock Camp**
4. **PLEDGE OF ALLEGIANCE - Councilman Sischka**
5. **ROLL CALL**
6. **OPEN CALL TO THE PUBLIC**

The City of Prescott welcomes public engagement and residents may comment & address Council on matters NOT included on the Agenda during the Call to the Public. Please complete a green speaker card and submit it to the City Clerk prior to the meeting being convened. Speakers are limited to four (4) minutes, and the Call to the Public will be limited to forty (40) minutes in total.

Please Note: Pursuant to A.R.S. §38-431.01(H), members of the Council may NOT discuss

items that are not specifically identified on the Agenda and, therefore, interaction will be limited to the following:

- 1) Responding to criticism*
- 2) Requests to staff to investigate & report on the matter*
- 3) Request that the matter be scheduled on a future agenda*

7. CONSENT AGENDA

Items listed on the Consent Agenda may be enacted by one motion and one vote. If discussion is required by members of the governing body, the item will be removed from the Consent Agenda and will be considered separately.

Recommended Action: MOVE to approve Consent Agenda Items 7.A. through 7.H.

- A. Approval of Minutes from the September 6, 2022 Special Executive Session, the September 13, 2022 Executive Session, the September 13, 2022 Study Session and the September 13, 2022 Voting Meeting.
- B. Approval of Appointments of Members to the Pedestrian, Bicycle & Traffic Advisory Committee.
- C. Approval of City Contract No. 2023-031 to Superior Supply Inc. for the City's Annual Crack Sealing Maintenance Program to Supply Crack Seal Materials in an Amount not to Exceed \$200,000.00. Funding is Available in the Streets Fund.
- D. Approval of City Contract No. 2023-052 with Desert Mountain Corporation for the Supply & Delivery of Solid De-Icer Materials in the Amount of \$50,000.00. Funding Is Available in the Streets Fund.
- E. Approval of City Contract No. 2023-059 for the Purchase and Installation of Four (4) HVAC Units from HACI Services LLC. using Yavapai College Job Order Contract No. 21-328 in the Amount of \$54,511.55. Funding is Available in the Risk Management Fund.
- F. Approval to Auction Items at Surplus Auction with Harris Auction.
- G. Approval of City Contract No. 2023-050 for the Purchase of Ten (10) Irrigation Controllers Using Mohave Contract #19K-SITE1-1213 in the Amount of \$59,196.27. Funding is Available in the Park Maintenance Budget.
- H. Approval of City Contract No. 2023-066 a Settlement & Mutual Release Agreement Between HTH Charitable Foundations, Inc. and the City of Prescott.

8. CONSENT ORDINANCE

Recommended Action: MOVE to adopt Consent Agenda Item 8.A.

- A. Adoption of Ordinance No. 2022-1812 Authorizing the Sale of Real Property to Delaware Bay Properties LLC.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE SALE OF REAL PROPERTY TO DELAWARE BAY PROPERTIES LLC; RESCINDING PRIOR CITY OF PRESCOTT ORDINANCE NO. 2022-1795, DUE TO AN ERROR IN THE PURCHASING PARTY'S LEGAL NAME; AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID SALE

9. REGULAR AGENDA

- A. Adoption of Ordinance No. 2022-1814 Authorizing Debt Issuance Through the Water Infrastructure Finance Authority of Arizona (WIFA) for the Intermediate Pump Station, and Declaring an Emergency.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, ARIZONA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA FROM ITS DRINKING WATER REVOLVING FUND PROGRAM; DELEGATING THE DETERMINATION OF CERTAIN MATTERS RELATING THERETO TO THE BUDGET/FINANCE DIRECTOR OF THE CITY; PROVIDING FOR THE TRANSFER OF CERTAIN MONEYS AND MAKING CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT THERETO; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY SUCH LOAN AGREEMENT AND THIS ORDINANCE; AND DECLARING AN EMERGENCY

Recommended Action: MOVE to adopt Ordinance No. 2022-1814

- B. Approval of City Contract No. 2023-039 with Pavement Restoration Inc. for the FY23 Pavement Preservation Rejuvenation Phase 1 Project in an Amount not to Exceed \$200,000.00. Funding is Available in the Streets Fund.

Recommended Action: MOVE to approve City Contract No. 2023-039

- C. Approval of City Contract No. 2023-056 with Asphalt Paving & Supply, Inc., for the Slaughterhouse Gulch Sewer Crossing Project in the Amount of \$996,996.96. Funding Is Available in the Wastewater Fund.

Recommended Action: MOVE to approve City Contract No. 2023-056

- D. Approval of City Contract No. 2023-061 with WaterWorks Engineers, LLC, for a Study, Design Concept Report, and Alternatives Analysis for the Remediation of PFAS and Arsenic from City Potable Water Supplies in the Amount of \$96,090.00. Funding Is Available in the Water Fund.

Recommended Action: MOVE to approve City Contract No. 2023-061

- E. Approval of Contract No. 2023-064 with Asphalt Paving & Supply, Inc. for the Granite Creek Corridor Master Plan Improvements Project in the Amount of \$3,003,266.00. Funding is Available in Various Funds.

Recommended Action: MOVE to approve Contract No. 2023-064

10. ADJOURNMENT

EXECUTIVE SESSION

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 72 hours advanced notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 777-1272 to request an accommodation to participate in this public meeting. Prescott TDD number is (928) 445-6811. Additionally, free public relay service is available from Arizona Relay Service at 1-800-367-8939 and more information at www.azrelay.org

Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. §38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless City Council takes a legal action at a properly noticed open meeting to approve of such expenditures prior to incurring any such obligation or indebtedness. A.R.S. §38-431.07(A)(B).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on _____ at _____ m. in accordance with the statement filed by the Prescott City Council with the City Clerk



Sarah M. Siep, City Clerk