



CITY COUNCIL VOTING MEETING

VOTING MEETING MINUTES

TUESDAY, AUGUST 9, 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

Vacant Seat
Steve Sischka, Councilman
Clark Tenney, Councilman

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL VOTING MEETING HELD ON AUGUST 9, 2022, IN THE 201 S. CORTEZ STREET PRESCOTT, AZ 86303 CITY COUNCIL CHAMBERS.

1. CALL TO ORDER

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

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Rusing stated that this month is the 50th Anniversary of the Caborca Sister City Program. She thanked the committee for their dedication to the organization and said that the Gala Ball will be Saturday, Sept. 17th at the Adult Center.

She added that the application process is still open for the City Council Vacancy, filing deadline is 5 pm Wednesday, August 10th and Council will review applications on Tuesday, August 16 with finalist interviews on Tuesday, August 23rd.

3. INVOCATION - Matt Kottman with Solid Rock Christian Fellowship

4. PLEDGE OF ALLEGIANCE - Councilman Montoya

5. ROLL CALL

Phil Goode	Mayor
Cathey Rusing	Mayor Pro Tem
Brandon Montoya	Councilman
Eric Moore	Councilman
Steve Sischka	Councilman
Clark Tenney	Councilman

6. PRESENTATIONS

A. ADEQ Voluntary Environmental Stewardship Program Award - Granite Creek Cleanup Project

Due to the inclement weather the presentation has been postponed to the Tuesday, September 13 meeting.

7. OPEN CALL TO THE PUBLIC

Richard Tupek – resident of Walker addressed Council regarding APS Project on Walker Road and wants to know if the City Council did approve this project and if not where to go for additional information.

Mayor Goode responded that Council is only responsible for the boundaries of the City of Prescott and they cannot help and recommended that Mr. Tupek contact Darla Deville at APS.

8. 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.

MOTION BY COUNCILMAN MONTTOYA MOVED TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.I.; SECONDED BY MAYOR PRO TEM RUSING: PASSED [6 – 0].

- A. Approval of Minutes from the July 19, 2022 Joint Council-Planning & Zoning Commission Meeting, the July 26, 2022 Executive Session, the July 26, 2022 Study Session and the July 26, 2022 Voting Meeting.
- B. Approval of City Contract No. 2023-018 for the Purchase of One (1) Cat Forklift from Naumann/Hobbs using the Sourcewell Contract No. 091520-MCF in the Amount of \$46,099.19. Funding is Available in the Fleet Services Budget.
- C. Approval of City Contract No. 2023-008 a Memorandum of Understanding Between the Prescott Police Department and the United States Marshals Service to Provide Personnel & Case Referrals for Violent Fugitives on the Part of the Prescott Police Department in Exchange for Investigation Services of Referred Cases and Overtime Reimbursement for Personnel Assigned to Work with United States Marshals Service Regional Fugitive Taskforce.
- D. Adoption of Resolution No. 2022-1837 Approving City Contract No. 2023-030 an Updated Mutual Aid Compact with the State of Arizona and the Arizona Department of Emergency and Military Affairs.
- E. Approval of City Contract No. 2023-021 with 139Fire to Provide On-Site Aircraft Rescue Firefighting Training for Maintenance of Annual Certifications in the Amount of \$27,304.20. Funding is Available in the Airport Suppression Fund.

- F. Adoption of Resolution No. 2022-1834, Approving City Contract No. 2023-016, an Intergovernmental Agreement with the Yavapai County Flood Control District for Reimbursement of Design & Construction Costs Related to Various Drainage Improvement Projects in the City of Prescott for FY2023.
- G. Approval of CSP22-001, a Comprehensive Sign Plan for the Prescott Center for the Arts located at 222 N Marina Street. Property Owner: Prescott Fine Arts Association. Applicant: Morgan Sign/Signtific LLC.
- H. Approval for the City of Prescott Police Department to Apply for Various FY23 Grant Funding Opportunities.
- I. Approval of City Contract No. 2023-029 with FX Tactical LLC for the Purchase of Budgeted Duty Equipment and Uniforms Using State Contract ADOC 18-192870 in the Estimated Amount of \$48,000 During FY23. Funding is Available in the Police Department Budget.

9. CONSENT ORDINANCE

- A. Adoption of Ordinance No. 2022-1806 Authorizing the Acceptance of a Public Water Line Easement Agreement from CBH Properties Prescott, LLC.

**MOTION BY COUNCILMAN MONTOYA TO ADOPT CONSENT ORDINANCE ITEM 9.A.;
SECONDED BY MAYOR PRO TEM RUSING: PASSED [6 – 0].**

10. REGULAR AGENDA

- A. Approval of City Contract No. 2023-019 for the Purchase of Three (3) Cat 420XE-07 Backhoes from Empire Machinery Using City of Tucson RFP #161534 in the Amount of \$421,014.81. Funding is Available in the Streets, Water and General Fund.

Deputy Recreation Services Director Tim Legler provided a presentation to Council regarding the purchase of vehicles. This past spring staff reviewed the existing city vehicles and created a list of needs, these are part of that list. Haven't replaced a backhoe in approximately 19 years and they are necessary for a great deal of services the city provides and they are shared throughout Departments. Pricing includes the trading in of old vehicles with some going to auction as well.

Councilman Montoya asked if staff knows what the city is likely to get at auction.

Mr. Legler responded estimates are as follows:

- * Streets \$26,000
- * Water department \$23,500
- * Parks \$9,000

Mayor Goode commented that it seems too fiscally impactful to replace these all at once, some should have been put in a previous year budget for cost savings.

Mayor Pro Tem Rusing asked if there would be any issue with obtaining the backhoes.

Mr. Legler responded should have them by the first of the year.

Member of the public Mike Heffley addressed Council and asked if they can have two in this year's budget and one in next year budget.

Finance Director Mark Woodfill responded that fiscal year in through June 30, 2023 which is too far off.

MOTION BY MAYOR PRO TEM RUSING TO APPROVE ITEM 10.A.; SECONDED BY COUNCILMAN MONTTOYA: PASSED [6 – 0].

- B. Adoption of Resolution No. 2022-1838 Updating the Council's Policy for the Formation of Community Facilities Districts.

Finance Director Mark Woodfill provided a presentation to Council regarding CFDs which were put into law for the benefit of the developers who use them in a variety of ways to offset costs up front. Policy was from 1995 and there have been significant changes so staff worked with legal and outside bond counsel. This policy gives the Council authority to make decisions within the law and highlights the issues that staff thought were important to address, particularly things that are unique to specific communities.

City Attorney Joseph Young reiterated how out of date the former policy was and feels this update will benefit the city.

Mayor Goode asked if this makes the bonding more likely to be provided.

Mr. Woodfill responded that this gives the city authority to know whether a CFD should be formed, they are a separate political agency from the city so they would be responsible for the bonds anyway. Have done two CFDs in the past which had significant interest rates for many years but that is common.

Mayor Pro Tem Rusing commented that this sounds more like a housekeeping chore.

Mr. Young responded that it was outdated, but they also added additional provisions for versatility for the Council.

Mayor Goode said he feels this is beneficial.

MOTION BY MAYOR PRO TEM RUSING TO ADOPT ITEM 10.B.; SECONDED BY COUNCILMAN SISCHKA: PASSED [6 – 0].

- C. Adoption of Resolution No. 2022-1839 Committing an Additional \$6,840,000 of Fund Balance in the Streets Special Revenue Fund for Acquisition of Open Space.

Finance Director Mark Woodfill provided a presentation to Council regarding the tax fund for the maintenance of streets/or to purchase open space. There was no percentage listed as to what would go to either side a majority has gone to street maintenance over the years but there have been large open space purchases as well. This fund balance commitment will cover a large purchase which staff has been working on for several years.

Councilman Tenney asked how much was brought in over the 15-year period of the tax.

Mr. Woodfill responded approximately \$187,500,000 and that a majority of that went to streets. This purchase will bring the total to approximately \$27 million to open space and will pretty much do away with that fund balance. Tax already existed for streets and the vote was to allow it to also be spent on open space and extended it for a few years as well.

Councilman Moore asked for clarification on the transfer of funds in this amount and if it would negatively impact any streets projects.

Mr. Woodfill said this is a commitment to spend that amount of money to open space acquisitions, adding that even with this taken into account, there were sufficient streets funds for the next five years of projects, which is looked into during the budget year.

Mayor Pro Tem Rusing said she is thrilled that this is coming full circle.

MOTION BY COUNCILMAN MONTTOYA TO ADOPT ITEM 10.C.; SECONDED BY COUNCILMAN MOORE: PASSED [6 – 0].

- D. Adoption of Ordinance No. 2022-1807 Approving City Contract No. 2023-024 Authorizing the Purchase of Real Property from Sundog Ranch a General Partnership; and Adoption of Ordinance No. 2022-1808 Approving City Contract No. 2023-025 Authorizing the Purchase of Real Property from the Seaver Living Trust Both for the Purpose of Natural Open Space in the Granite Dells.

Recreation Services Director Joe Baynes provided a presentation to Council regarding the proposed Ordinances and land purchase.

Background:

- * In May 2000 voters approved sales tax increase dedicated to streets projects and open space acquisitions
- * Since that time the city has been strategically acquiring open space
- * In 2009 Council adopted the Open Space Master Plan that identified the Storm Ranch property as "highly desirable for preservation"
- * To date the city has purchased just under 400 acres in the Granite Dells at a cost of \$13,395,000
- * Average cost per acre to date has been \$33,583
- * Storm Ranch (Stundog) was homesteaded in 1926
- * Since that time the family has been actively ranching

- * In 2003 the city purchased 33.28 acres of the Ranch to protect the shoreline of Watson Lake
- * In 2005 a large portion of the approximately 1000-acre ranch was sold to private developers for a residential subdivision
- * In 2018 the city successfully acquired 160 acres of the Ranch and subsequently constructed the Storm Ranch Trail System
- * On November 9, 2021 Council entered into a letter of intent to purchase the remainder of the Ranch

Values Criteria for Open Space:

- * Recreational
- * Scenic
- * Ecological
- * Pre-historic
- * Historic
- * Cultural
- * Economic
- * Strategic Connectivity

Councilman Tenney thanked staff and both families for the work they have done over the years, and the working relationship they have developed. Very excited about this, it is spectacular land/the prime piece of open space left in Prescott.

Summary of Deal Points/Sundog Ranch Partnership:

- * City will purchase property contained in APN 103-04-005 at \$20,000/acre for 78.97 acres
- * City will purchase the property contained in APN 103-04-007F at \$25,000/acre for 222.60 acres
- * City will pay for all closing costs and survey
- * City will work with Sundog Ranch to provide appropriate language and location for educational signage memorializing the Storm family ranching history
- * City and Sundog Ranch have mutually agreed on a trail plan
- * City will allow Sundog Ranch to continue cattle grazing operations on the purchased property, AZ Administrative Code 12-5-705 shall apply to this property and carrying capacity must be adhered to
- * Purchase price is \$7,144,400 plus closing costs and survey

Summary of Deal Points/Seaver Living Trust:

- * City will purchase the two acres, single family home, guest house, outbuildings and water well contained in APNs 103-04-006 and 103-04-007B at a cost of \$1,300,000
- * City will grant a non-transferable life estate on the property in order for the grantees to continue to live on the property until their passing
- * Grantees will pay for utilities and general maintenance during the term of the life estate
- * Grantees will carry renters insurance on their personal property

Councilman Montoya echoed Councilman Tenney's comments, this took a great deal of dedication and time of staff. This is a valuable asset to our city.

Mayor Pro Tem Rusing thanked Mr. Baynes, Council and the public. She said this is a wonderful thing and feels we are one step closer to the dream of a regional park.

Councilman Moore asked about the homestead and what the plan would be once the city obtains control of them. He reiterated the need for funding mechanisms for these types of things in the future.

Mr. Baynes responded there could be a number of options, but it needs to be managed carefully. It is a unique piece of property with historic features out there.

Councilman Sischka thanked the family and Mr. Baynes for his work on this, there have been a lot of twists and turns on this over the years and it is great to see it all come to fruition.

Councilman Tenney asked about the trail plans for buffering around the private residents.

Mr. Baynes confirmed, staff has tried to remain respectful and keep their privacy intact as much as possible, can be added to in the future.

Councilman Moore asked about 1000 acres sold to a developer in 2005 and if there would be any development there in the future.

Mr. Baynes responded that he is unsure of where they are at in the process. Staff has worked with them on trail alignments but that is all he is aware of.

Mayor Goode thanked Mr. Baynes for his work on this over the years, there are different families and stakeholders involved which requires trust and patience. This is clearly a strategic acquisition; we are establishing this area as a premier ecotourism location.

Member of the public Ruth Anne Norris addressed Council regarding her support of these two Ordinances. Granite Dells Preservation Foundation has been working with the public and all other organizations to get to this point where a regional park is actually feasible. She thanked staff and the families for all of their work on this, it was a lot of patience and dedication. This is important habitat for wildlife in the area.

Member of the public Dottie Morris addressed Council regarding having lived here for the last 25 years and what a gift this is for the preservation of the Dells. It is so unique, and she thanked everyone for their support of this purchase. Granite Dells Preservation Foundation will do whatever they can to make the community aware of this important feature for the area.

Member of the public Tom Rusing addressed Council as President of Save the Dells and stated that this is an important day for the organization which formed five years ago and how much closer they are to the creation of a regional park and preserve. Thanked the families in particular, this is a special day. Read a written comment from Save the Dells.

MOTION BY MAYOR PRO TEM RUSING TO ADOPT ORDINANCE NO. 2022-1807;SECONDED BY COUNCILMAN SISCHKA: PASSED [6 – 0].

MOTION BY MAYOR PRO TEM RUSING TO ADOPT ORDINANCE NO. 2022-1808; SECONDED BY COUNCILMAN SISCHKA: PASSED [6 – 0].

- E. Approval of Multiple Items Related to Phase 3 of the Taxiway C Relocation Construction Project at Prescott Regional Airport as Follows: 1) Approval and Acceptance of Federal Aviation Administration Grant 3-04-0030-053-2022 in the Amount of \$7,404,300; 2) Approval of City Contract No. 2019-069A35, an Amendment to City Contract No. 2019-069 with Dibble for Construction Administration Services, in an Amount Not to Exceed \$593,855; 3) Approval of City Contract No. 2023-028 with Fann Contracting in an Amount not to Exceed \$7,194,000 for Project Construction; 4) Approval and Acceptance of Arizona Department of Transportation Grant for their 2.5% Project Share of \$194,850; 5) Approval of the City's 2.5% Project Share for \$194,850; and 6) Approval of Night Work.

Airport Director Robin Sobotta provided a presentation regarding the Taxiway C Relocation Project which is a three-phase project alongside the commercial runway. Total cost of the phase is \$7.74 million, and all phases together is more than the total cost of the Airport Terminal. State and local split the balance not paid by the FAA. Will move forward in the next few months with a break in winter and expected to be completed in the next fiscal year.

Mayor Pro Tem Rusing commented that this project is the culmination of efforts to increase airport traffic safety and make it more efficient by avoiding “hotspots”.

Dr. Sobotta confirmed that this will eliminate two of the three identified by the FAA.

Mayor Goode commented that this is another example of the efforts made to protect the airport and align with the expectations of the FAA for continued grant funding.

MOTION BY MAYOR PRO TEM RUSING TO APPROVE FAA GRANT 3-04-0030-053-2022 IN THE AMOUNT OF \$7,404,300; SECONDED BY COUNCILMAN SISCHKA: PASSED [6 – 0].

MOTION BY COUNCILMAN SISCHKA TO APPROVE CITY CONTRACT NO. 2019-069A35; SECONDED BY COUNCILMAN MONTTOYA: PASSED [6 – 0].

MOTION BY COUNCILMAN MOORE TO APPROVE CITY CONTRACT NO. 2023-028; SECONDED BY COUNCILMAN SISCHKA: PASSED [6 – 0].

MOTION BY COUNCILMAN TENNEY TO APPROVE ACCEPTANCE OF AZ DEPARTMENT OF TRANSPORTATION GRANT FOR THEIR 2.5% PROJECT SHARE OF \$194,850; SECONDED BY COUNCILMAN MONTTOYA: PASSED [6 – 0].

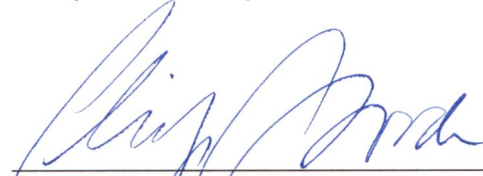
MOTION BY COUNCILMAN MOORE TO APPROVE THE CITY'S 2.5% PROJECT SHARE FOR \$194,850; SECONDED BY MAYOR PRO TEM RUSING: PASSED [6 – 0].

MOTION BY COUNCILMAN MONTTOYA TO APPROVE NIGHT WORK; SECONDED BY COUNCILMAN SISCHKA: PASSED [6 – 0].

11. ADJOURNMENT

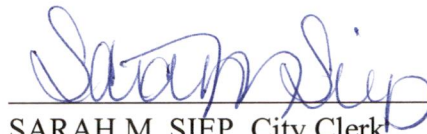
Quote: "The issue today is the same as it has been throughout history, whether man shall be allowed to govern himself or to be ruled by a small elite" - Thomas Jefferson

There being no further business to discuss, Mayor Goode adjourned the meeting at 4:08 p.m.



PHILIP R. GOODE, Mayor

ATTEST:



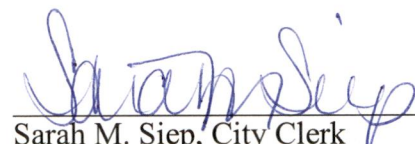
SARAH M. SIEP, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Voting Meeting of the City Council Voting Meeting of the City of Prescott, Arizona held on August 9, 2022. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 25 day of August, 2022.





Sarah M. Siep, City Clerk