



# **CITY COUNCIL VOTING MEETING MEETING**

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## **VOTING MEETING AGENDA**

**TUESDAY, JULY 27, 2021, 3:00 PM**

201 S. Cortez Street

Prescott, AZ 86303

City Council Chambers

Greg Mengarelli, Mayor

Alexa Scholl, Mayor Pro Tem

Steve Blair, Councilman

Phil Goode, Councilman

Cathey Rusing, Councilmember

Steve Sischka, Councilman

Clark Tenney, Councilman

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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](#)

Members of the public who wish to submit comments to Council related to items on the posted agenda may do so through the City website: [Public Comment Form](#)

**This Agenda was Ameded at 1:00 p.m. on Monday, July 26, 2021 to add Item 10.J.**

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS / ANNOUNCEMENTS**
- 3. INVOCATION - Pastor Dennis Baker with Mt. Vernon Church of Christ.**
- 4. PLEDGE OF ALLEGIANCE - Mayor Mengarelli**
- 5. ROLL CALL**
- 6. PROCLAMATIONS**
  - A. Child Support Awareness Month - August 2021**
- 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.G.***

- A. Approval of Minutes from the July 13, 2021 Executive Session, the July 13, 2021 Special Voting Meeting, the July 13, 2021 Voting Meeting and the July 20, 2021 Executive Session.
- B. Adoption of Resolution No. 2021-1787 Designating the Prescott Office of Tourism as the Official Destination Marketing Organization for the City of Prescott.  
**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DECLARING THE PRESCOTT OFFICE OF TOURISM AS THE OFFICIAL DESTINATION MARKETING ORGANIZATION FOR THE CITY OF PRESCOTT**
- C. Approval of Payment to Yavapai Family Advocacy Center in the Amount of \$32,617 for FY22 for Support Services to the Prescott Police Department. Funding is Available in the General Fund.
- D. Adoption of Resolution No. 2021-1788, Approving City Contract No. 2022-016 an Intergovernmental Agreement with the Prescott Unified School District for School Resource Officer Services. The City's Portion is \$23,000 with Funding Available in the General Fund and a 75% Contribution from PUSD.

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE PRESCOTT UNIFIED SCHOOL DISTRICT FOR PROVIDING SCHOOL RESOURCE OFFICER SERVICES TO PRESCOTT HIGH SCHOOL FOR THE 2021-2022 SCHOOL YEAR; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE**

- E. Approval of City Contract No. 2022-017 for the Purchase of a Mechanical Broom Sweeper from Nescon LLC, Using Maricopa County Contract No. 190170-S Pricing in the Amount of \$295,096.75. Funding is Available in the Streets Fund.
- F. Approval of City Contract No. 2022-018 for the Purchase of a 2022 Caterpillar Vibratory Roller from Empire CAT Using the Tucson Cooperative Purchasing Agreement RFP No. 161534 in the Amount of \$75,435.84. Funding is Available in the Street Fund.
- G. Approval of SUP21-002, a Special Use Permit to Allow for an Intermediate Pump Station on an Approximate 11 Acre Parcel Zoned SPC in the Deep Well Ranch Master Plan Area. APN: 800-11-062Q; Property Owner: City of Prescott; Applicant: Brandi Tamura.

## **8. CONSENT ORDINANCE**

- A. Adoption of Ordinance No. 2021-1766 Amending City Code Chapter 7-4-25 (C-D)

Municipal Solid Waste Fees, and Adoption of Resolution No. 2021-1781 Declaring Chapter 7-4-25 (C-D) Municipal Solid Waste Fees, as a Public Record.

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE VII, CHAPTER 7-4, SECTION 25**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA DECLARING AS A PUBLIC RECORD THE DOCUMENT FILED WITH THE CITY CLERK ENTITLED "7-4-25 (C-D) MUNICIPAL SOLID WASTE FEES"**

***Recommended Action: 1) MOVE to adopt Ordinance No. 2021-1766; and 2) MOVE to adopt Resolution No. 2021-1781***

## **9. LIQUOR LICENSES**

- A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Angel Ivan Marin, Applicant, for Spicy Streats. Location: 1201 Iron Springs Rd #12-13.

***Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 144172 for a new Series 12 Restaurant liquor license for Spicy Streats. Location: 1201 Iron Springs Rd #12-13***

## **10. REGULAR AGENDA**

- A. Approval of Appointment of Matt Podracky as Interim City Attorney and Discussion Regarding Future City Attorney Recruitment.

***Recommended Action: MOVE to appoint Matt Podracky Interim City Attorney***

- B. Update on Renovations at New City Hall and Approval of City Contract No. 2022-012 with Michael Taylor Architects, Inc. for Architectural Design Services for the New City Hall Located at 201 North Montezuma in the Amount of \$127,050, Using the 1Government Procurement Alliance Contract (1GPA). Funding is Available in the General Fund.

***Recommended Action: MOVE to approve City Contract No. 2022-012***

- C. Adoption of Resolution No. 2021-1789 Authorizing the Cancellation of City Contract No. 02-026 a Development Agreement With 1800 Iron Springs Land, LLC.

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY TO CANCEL A DEVELOPMENT AGREEMENT (CITY CONTRACT NO. 02-267) WITH 1800 IRON SPRINGS LAND, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, BY: MEYERS INVESTMENTS LIMITED PARTNERSHIP; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE**

***Recommended Action: MOVE to adopt Resolution No. 2021-1789***

- D. Approval of City Contract 2021-178 for the Purchase and Installation of New Console

Furniture for Prescott Regional Communications Center in the Amount of \$300,000, Using Cooperative Purchase Agreement No. EC07-20 with HGACBuy. Funding is Available in Various Funds.

***Recommended Action: MOVE to approve City Contract No. 2021-178***

- E. Approval of City Contract No. 2022-001 with Lyon Engineering & Surveying, Inc. for the Airport Ruger Road Sewer Trunk Main Upsizing Project in the Amount of \$327,215.00. Funding is Available in the Wastewater Fund.

***Recommended Action: MOVE to Approve City Contract No. 2022-001.***

- F. Approval of City Contract No. 2022-009, with Combs Construction Company, Inc. for the West Ramp Pavement Maintenance Project in the Amount of \$283,486.78. Funding is Available in the Airport Fund.

***Recommended Action: MOVE to approve City Contract No. 2022-009***

- G. Approval of City Contract No. 2021-006A1, an Amendment to City Contract No. 2021-006 with Asphalt Paving & Supply in the Amount of \$180,965.78 for Emergency Procurement Repairs at the Prescott Regional Airport - Ernest A. Love Field. Funding is Available Through FAA Grant Funds.

***Recommended Action: MOVE to approve City Contract No. 2021-006A1***

- H. Approval of Funds for Future Purchase of Vehicles and Equipment for Public Works in an Amount not to Exceed \$435,000. Funding is Available in the Solid Waste, Streets and Wastewater Funds.

***Recommended Action: MOVE to approve funding for future purchase of vehicles and equipment for Public Works***

- I. Approval of Water Service Application No. WSA21-007: Submitted by Stroh Architecture, Inc., Prescott, on Behalf of Platinum Equities, Great Neck, NY. Located at 3079 E State Route 69, APN 103-20-600M, Comprised of 4.08 Acres, in the SE¼, NW¼, SW¼, S31, T14N, R01W.

***Recommended Action: MOVE to approve WSA 21-007***

- J. Approval of Water Service Application No. WSA21-010: Submitted by Jason Hersker on Behalf of Capital Development Group, Phoenix, and Owner 1800 Iron Springs Land, LLC. Located on 28+/- Acres on APNs 115-10-006, 115-10-007, and 115-10-159B, in the NE1/4 of the NE1/4, S30, T14N, R02W.

***Recommended Action: MOVE to approve WSA21-010.***

## **11. 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](http://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