



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, JULY 26, 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

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 - Pastor Paul Clemens with Calvary Chapel of Prescott**
4. **PLEDGE OF ALLEGIANCE - Mayor Pro Tem Rusing**
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.I.

- A. Approval of Minutes from the July 12, 2022 Executive Session and the July 12, 2022 Voting Meeting.
- B. Fiscal Year 2023 Contract for the City Manager.
- C. Adoption of Resolution No. 2022-1831, Designating the City of Prescott Tourism Office as the Official Destination Marketing Organization (DMO) 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

- D. Approval of City Contract No. 2017-064A11, an Amendment to City Contract No. 2017-064 with Fann Contracting for Solid Waste Hauling Services. Funding Is Available in the Solid Waste Fund.
- E. Adoption of Resolution No. 2022-1832 Designating Mark Woodfill as the Chief Fiscal Officer for Submitting the Fiscal Year 2023 Expenditures Limitation Report to the Arizona Auditor General.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DESIGNATING THE CHIEF FISCAL OFFICER FOR OFFICIALLY SUBMITTING THE FISCAL YEAR 2023 EXPENDITURE LIMITATION REPORT TO THE ARIZONA AUDITOR GENERAL

- F. Approval of City Contract No. 2023-014 with Bingham Equipment Company for the Purchase of a Kubota L606HSTC Tractor using Sourcewell Contract 2399248 in the Amount of \$70,792.07. Funding is Available in the Park Maintenance Capital Improvement Budget.
- G. Approval of City Contract No. 2023-015 Between the Prescott Public Library and the Yavapai County School Superintendent for the Provision of E-Rate Services in the Amount of \$6,000 Over Three Years. Funding is Available in the Library Fund.

- H. Adoption of Resolution No. 2022-1833 Designating Mayor Phil Goode as the Person Authorized to Sign Documents on Behalf of the City of Prescott with the Yavapai County Education Services Agency to Provide E-Rate Services for the Prescott Public Library.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DESIGNATING THE PRESCOTT CITY MAYOR AS THE AUTHORIZED INDIVIDUAL TO SIGN AGREEMENTS ON BEHALF OF THE CITY RELATING TO AN AGREEMENT FOR E-RATE SERVICES WITH YAVAPAI COUNTY; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE

- I. Adoption of Resolution No. 2022-1836, Approving City Contract No. 2023-017 an Intergovernmental Agreement with the Prescott Unified School District (PUSD) for School Resource Officer Services. The City's Portion is \$24,400 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 2022-2023 SCHOOL YEAR; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE

8. REGULAR AGENDA

- A. Adoption of Resolution No. 2022-1828 Approving the Updated Council Rules of Procedure.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, RESCINDING CITY OF PRESCOTT RESOLUTION NO. 4415-1624 IN ITS ENTIRETY AND ADOPTING NEW RESOLUTION NO. 2022-1828 CREATING THE "PRESCOTT CITY COUNCIL RULES OF PROCEDURE"

Recommended Action: MOVE to adopt Resolution No. 2022-1828

- B. Approval of Process for Filling a City Council Vacancy.

Recommended Action: 1) MOVE to approve filling the vacancy by either: A. Appointing for the unexpired term (through November 2025) or B. Appointing until the 2023 Primary Election for a "short term" Election; and 2) MOVE to approve the timeline presented by staff for the application filing period and interviews for filling the upcoming City Council Vacancy.

- C. Adoption of Resolution No. 2022-1835 Establishing the General Plan Review Committee and a Policy Regarding Public Participation Plan for the Adoption of the City's General Plan.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ESTABLISHING THE GENERAL PLAN REVIEW COMMITTEE AND COUNCIL'S POLICY REGARDING PUBLIC PARTICIPATION PLAN FOR THE ADOPTION OF THE CITY'S GENERAL PLAN

Recommended Action: 1) MOVE to adopt Resolution No. 2022-1835; and 2) MOVE to approve the General Plan 2025 Update Public Participation Plan Implementation Schedule

- D. Approval of Payment to Municipal Firefighters Cancer Reimbursement Fund (MFCR) Per A.R.S. Title 23, Chapter 11 in the Amount of \$120,520.28. Funding is Available in the General Fund.

Recommended Action: MOVE to approve payment to MFCR

- E. Approval of MP22-001 & PLN22-001 a Master Plan and Preliminary Plat of Granite Dells Estates Phases 6, 7 and 8 Comprising 199 Acres, 371 Lots and 94 Acres of Open Space. Location: APN 103-04-009Z. Zoning: SF-9 (PAD). Owner: Granite Dells Estates Properties II, Inc.

Recommended Action: 1) MOVE to approve MP22-001; and 2) MOVE to approve PLN22-001

- F. Approval of SITE22-001, a Site Plan Review for Cortez Circle Apartments to Demolish Eight (8) Apartment Units, Clubhouse and Pool & Build Ninety (90) New Units for a Total of 120 Dwelling Units, New Clubhouse and Pool on Approximately 6.76 Acres. Zoning: BG (Business General) and MF-H (Multi-Family- High Density). Location: 301 S Cortez Street. Property Owner: Cortez Circle Development LLC; Applicant: Stroh Architects INC.

Recommended Action: MOVE to approve SITE22-001 as submitted

- G. Water Service Application No. WSA21-025, Submitted by Stroh Architecture, Inc., on Behalf of Property Owner Cortez Circle Properties, LLC. Location: APNs 109-15-015B and 109-15-015C, 6.82 Total Acres, Located in Township 13 North, Range 2 West, Section 4, SE¼.

Recommended Action: MOVE to approve or deny WSA21-025

- H. Approval of City Contract No. 2023-004 for the Purchase of a New 2022 Bobcat T4 V2 Skid Steer Loader Pursuant to the AZ Procurement Portal Contract #ADSP018-202735 in the Amount of \$135,104.79. Funding Is Available in the Streets Fund.

Recommended Action: MOVE to approve City Contract No. 2023-004

- I. Approval of a Contribution for Arizona's Christmas City in the Amount of \$50,000. Funding is Available Through Transient Occupancy (Bed) Tax Funds.

Recommended Action: MOVE to approve contribution for Arizona's Christmas in the amount of \$50,000.00

- J. Approval of City Contract No. 2023-007 a Memorandum of Understanding Between the

Prescott Police Department and Spectrum Healthcare Group Allowing for a Solo Response to Mental Health Situations on the Part of Spectrum Healthcare Group & Confidentiality of Patient Records in Accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPPA) on the Part of the Prescott Police Department.

Recommended Action: MOVE to approve City Contract No. 2023-007

- K. Approval of City Contract No. 2023-020 with Titan Power for Mechanical, Electrical, Rigging, Concrete, and General Installation Services Using State of Arizona Contract No. ADSP018-176583 Pricing, in an Amount not to Exceed \$316,667.59. Funding is Available in the IT Fund.

Recommended Action: MOVE to approve City Contract No. 2023-020

9. 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