



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, JUNE 22, 2021, 3:30 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

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 to be read by the Clerk may be submitted through the City website: [Speaker Request Form](#)

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS / ANNOUNCEMENTS**
- 3. INVOCATION - Pastor Kendra Hobson with St. Luke Ebony Christian Church**
- 4. PLEDGE OF ALLEGIANCE - Councilman Sischka**
- 5. ROLL CALL**
- 6. PROCLAMATIONS**
 - A. 2021 Rodeo Week: July 28th - July 4th**
- 7. PRESENTATIONS**
 - A. Presentation from Prescott Frontier Days - 2020 Rodeo Recap & 2021 Rodeo Preview**
- 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.

Recommended Action: MOVE to approve Consent Agenda Items 8.A. through 8.I.

- A. Approval of Minutes from the June 8, 2021 Executive Session, the June 8, 2021 Study Session, and the June 8, 2021 Voting Meeting.
- B. Fiscal Year 2022 Contracts and Pay Adjustments for Two Council Appointees: City Clerk and City Manager.
- C. Adoption of Resolution No. 2021-1780 Approving City Contract No. 2021-180 a Memorandum of Understanding with Prevent Child Abuse Arizona, dba Yavapai Family Advocacy Center, for Information Sharing and Use of Resources.
- D. Approval of City Contract No. 2021-177 with Salt Works, in an Amount not to Exceed \$70,000.00 Annually. Funding is Available in the Wastewater Fund.
- E. Approval of City Contract No. 2021-183 in the Amount of \$48,925 for the Purchase of Fire Department Personal Protective Equipment (Turnouts) from L.N. Curtis and Sons using NPPGov Contract No. PS20060 Pricing. Funding is Available in the Fire Department Fund.
- F. Adoption of Resolution No. 2021-1782 Updating the City's Pension Funding Policy.
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ADOPTING AN UPDATED PENSION FUNDING POLICY
- G. Adoption of Resolution No. 2021-1775 Declaring a Natural Gas Franchise Utility Agreement Beneficial to the City and Calling a Utility Franchise Election to be Held on November 2, 2021.

A RESOLUTION OF THE COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, CALLING A UTILITY FRANCHISE ELECTION TO BE HELD ON NOVEMBER 2, 2021, IN CONJUNCTION WITH THE CITY'S GENERAL ELECTION, DECLARING A GAS FRANCHISE BENEFICIAL TO THE CITY OF PRESCOTT; DESIGNATING THE TEXT OF A QUESTION AUTHORIZING THE CITY OF PRESCOTT TO ENTER INTO A FRANCHISE AGREEMENT IN FULL, TO BE VOTED ON BY THE QUALIFIED ELECTORS OF THE CITY OF PRESCOTT, PURSUANT TO THE CONSTITUTION AND LAWS OF THE STATE OF ARIZONA AND THE CHARTER OF THE CITY OF PRESCOTT

- H. Approval of Night Work by Technology Construction Associated with Work Approved with City Contract No. 2021-108 for State Route 69 16" Water Pipeline Project.
- I. Adoption of Resolution No. 2021-1784 Approving City Contract No. 2011-447A4, an Amendment to City Contract No. 2011-447 an Intergovernmental Agreement with Yavapai

College for the Joint use of Facilities.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, APPROVING A FOURTH AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT WITH THE YAVAPAI COUNTY COMMUNITY COLLEGE DISTRICT FOR JOINT USE OF CITY AND COLLEGE FACILITIES

9. CONSENT ORDINANCE

Recommended Action: MOVE to adopt Consent Ordinance Item 9.A.

- A. Adoption of Ordinance No. 2021-1765 Authorizing the Acceptance of a Public Utility Easement Agreement from Gregory and Ginger Mahan.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A PUBLIC UTILITY EASEMENT AGREEMENT FROM GREGORY AND GINGER MAHAN, AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE

10. AED PUBLIC HEARINGS

- A. Public Hearing for Annexation (**ANX18-004**), Master Plan (**MPA18-002**) and Rezoning (**PLN18-018**) for Properties Generally Located East of Prescott Regional Airport and North of SR 89A. Parcels:103-01-028F, 103-01-028G, 103-01-015, 103-01-021G, 103-01-014 (Partial),103-01-052V for the Area Known as AED North.

Recommended Action: MOVE to close the Public Hearing.

- B. Public Hearing for Annexation (**ANX18-005**), Master Plan (**MPA18-003**) and Rezoning (**PLN18-019**) for Properties Generally Located East of SR 89, South and West of Granite Dells Estates and Northeast of Watson Lake. Parcels: 103-04-002D, 103-04-003A, 103-04-003Q, 103-04-004A, 103-04-004C, 103-04-010B, 103-04-011, 106-01-001, 106-01-001A, 106-10-001 (Partial), 106-10-001A, 103-04-807, 103-04-012A, 103-04-012C. 103-04-012D, 103-04-012E, 103-04-012F, 800-11-096K, 800-11-096H, 800-11-096J, 800-11-054M & 800-29-001H Known as AED South.

Recommended Action:

MOVE to close the public hearing.

11. REGULAR AGENDA

- A. Legislative Update.

Recommended Action: This item is for discussion only, no formal action will be taken.

- B. Approval of City Contract No. 2021-181 with Fann Contracting, Inc. for Construction of the Sundog Trunk Main Phase C2 Project in an Amount not to Exceed \$4,245,056.00; and Approval of City Contract No. 2021-182 with Lyon Engineering in an Amount not to Exceed \$146,866.00 for Post Design and Engineering Services; and Approval of Night Work. Funding is Available in the Water and Wastewater Funds.

Recommended Action: 1) MOVE to approve City Contract No. 2021-181; 2) MOVE to approve City Contract No. 2021-182; and 3) MOVE to approve Night Work

- C. Adoption of Resolution No. 2021-1738, Approving City Contract No. 2017-365A2 an Amendment to the Intergovernmental Agreement between the City of Prescott, Yavapai County, YCFCD, CYMPO and the State of Arizona Department of Transportation for the Design of the SR 69 Widening Project Between Prescott Lakes Parkway and the Yavapai-Prescott Indian Tribe Reservation Boundary.

ADOPT RESOLUTION NO. 2021-1738 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT ("CITY") TO ENTER INTO AMENDMENT NO. 2 TO AN INTERGOVERNMENTAL AGREEMENT ("IGA") (CITY CONTRACT NO. 2017-365) WITH THE STATE OF ARIZONA, THROUGH THE ARIZONA DEPARTMENT OF TRANSPORTATION ("ADOT"), YAVAPAI COUNTY (COUTY"), YAVAPAI COUNTY FLOOD CONTROL DISTRICT ("DISTRICT") AND CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION ("CYMPO") SPECIFYING UPDATED FUNDING PROVISIONS OF THE IGA; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE

Recommended Action: MOVE to adopt Resolution No. 2021-1738.

- D. Approval of Contract No. 2017-246A2, an Amendment to City Contract No. 2017-246 with Golder Associates, Inc., in the amount of \$241,959.00. Funding is Available in the Water Fund.

Recommended Action: MOVE to approve Contract No. 2017-246A.

- E. Approval of City Contract No. 2019-161A3, an Amendment to City Contract No. 2019-161 with Fann Environmental/Fann Contracting JV for the Intermediate Pump Station Off-Site Water Main Extension Phase 2 Project in the Amount of \$3,221,346.94. Funding is Available in the Water Fund.

Recommended Action: MOVE to approve City Contract No. 2019-161A3.

- F. Public Hearing for the FY2022 Budget, Expenditure Limitation, and Tax Levies, and at a Special Meeting Adoption of Resolution No. 2021-1779 Adopting the Final FY2022 Budget, and Expenditure Limitation.

Recommended Action: MOVE to close the public hearing

Mayor Mengarelli will recess the Regular Meeting at the conclusion of the Public Hearing and convene

a Special Meeting per A.R.S. 42-17105 to determine and adopt estimates of proposed expenditures for the purposes stated in the publish proposal.

PURSUANT TO A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE PRESCOTT CITY COUNCIL AND TO THE GENERAL PUBLIC THAT THE COUNCIL OF THE CITY OF PRESCOTT, ARIZONA WILL HOLD A SPECIAL MEETING OPEN TO THE PUBLIC.

- A. CALL TO ORDER
- B. ROLL CALL
- C. BUSINESS

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DETERMINING AND ADOPTING FINAL ESTIMATES OF PROPOSED EXPENDITURES FOR FISCAL YEAR 2022, DECLARING THAT THE SAME SHALL CONSTITUTE THE BUDGET FOR THE CITY OF PRESCOTT FOR SAID FISCAL YEAR, ESTABLISHING THE EXPENDITURE LIMITATION, AND APPROVING AND UPDATING THE JOB ROSTER FOR THE CITY OF PRESCOTT

Recommended Action: MOVE to adopt Resolution No. 2021-1779

- D. ADJOURNMENT OF SPECIAL MEETING
- E. REGULAR VOTING MEETING RECONVENED

12. 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