CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING MINUTES

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	Cathey Rusing, Councilmember
Steve Blair, Councilman	Steve Sischka, Councilman
Phil Goode, Councilman	Clark Tenney, Councilman

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL VOTING MEETING HELD ON JUNE 22, 2021, IN THE 201 S. CORTEZ STREET PRESCOTT, AZ 86303 CITY COUNCIL CHAMBERS.

1. CALL TO ORDER

Mayor Mengarelli called the meeting to order at 3:37 p.m.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Scholl welcomed former Councilwoman Mary Ann Suttles and Rodeo staff to the meeting. She wished everyone a Happy Rodeo Week and a safe and happy 4th of July.

3. INVOCATION - Pastor Kendra Hobson with St. Luke Ebony Christian Church

4. PLEDGE OF ALLEGIANCE - Councilman Sischka

5. ROLL CALL

Greg Mengarelli	Mayor
Alexa Scholl	Mayor Pro Tem
Steve Blair	Councilman
Phil Goode	Councilman
Cathey Rusing	Councilmember
Steve Sischka	Councilman
Clark Tenney	Councilman

6. PROCLAMATIONS

A. 2021 Rodeo Week: July 28th - July 4th

Mayor Mengarelli presented the Proclamation.

7. PRESENTATIONS

A. Presentation from Prescott Frontier Days - 2020 Rodeo Recap & 2021 Rodeo Preview

Prescott Frontier Days Board President Chris Graff provided a presentation to Council regarding the history of the PFD and introduced new General Manager Jim Dewey Brown.

This is the 134th Year of the Rodeo and Mr. Brown said he is happy to be home for it. He hopes to bring many new events for the Rodeo.

Mr. Graff added that World's Oldest Rodeo has been voted True West Best of the Rest 6 Years in a Row. In 2020 due to the pandemic they did experience a loss of $408,136 in ticket sales, but was televised all eight performances which helped. Currently have three sell outs for this year's Rodeo and will be televised this year as well. 742 cowboys and cowgirls entered for the 2021 Rodeo.

8. CONSENT AGENDA

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.H., EXLUDING ITEMS 8.B. AND 8.F.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

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.

This Item was pulled from the Consent Agenda for further discussion.

Councilman Goode commented that much of the pay adjustments included in the new contracts are moving these positions into a more effective and accurate market position in order maintain and retain as well as recruit highly qualified staff for these positions in the future.

MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 8.B.; SECONDED BY COUNCILMAN GOODE: PASSED [7 – 0].

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.

This Item was pulled from the Consent Agenda for further discussion.

Councilmember Rusing commented that she wanted to emphasis Council's commitment to Fire and Police and payoff of their pensions as quickly as possible.

Finance Director Mark Woodfill responded that the state requires adoption of this Resolution each year to update the policy for the current unfunded liability. This should be paid off by 2025.

MOTION BY COUNCILMAN SISCHKA TO ADOPT ITEM 8.F.; SECONDED BY MAYOR PRO TEM SCHOLL: PASSED [7 – 0].

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.

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.

This Item was pulled from the Consent Agenda for further discussion.

Councilman Goode pointed out a typo in the date of recital 2 which needs to be changed from 2025 to 2015.

City Attorney Jon Paladini responded that staff will revise.

MOTION BY COUNCILMAN SISCHKA TO ADOPT ITEM 8.I. WITH REVISIONS; SECONDED BY COUNCILMAN BLAIR: PASSED [7 – 0].

9. CONSENT ORDINANCE

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT CONSENT ORDINANCE ITEM 9.A.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

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

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.

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.

Planning Director George Worley provided a presentation regarding the proposed Annexations.

Regulations:

* Local (City Charter & Prop 400)
  - Required for annexations of 250 acres or more
  - Requires a 60-day public review and comment period held after the Planning & Zoning Commission vote on master plans (began 9/15/20 and ended 11/1/20)
  - Presentation of comments was made to Council on 11/17/20
  - Requires a 6 of 7 Councilmember vote for approval
  - All effluent from annexed areas must go toward permanent recharge of the acquifer
* State (ARS 9-471 et seq.)
  - Public Hearing must be held to comply with ARS 9-471.A.3
  - Following public hearing Council may choose to act on the annexations and related requests
  - Should annexation and rezoning actions be approved they will become effective 30 days following the approval date

Overview of Annexations:

* 1658 acres in the North
* 858 acres in the South

* Roadway access point – Granite Dells Parkway interchange, future crossing at Granite Creek
* South Master Plan – covered in DA for usage in K&L parcels, Zoning SPC
* North Master Plan – vitally important due to airport, access to residential and commercial development are from granite dells pkwy interchange
* Master plans will be voted on in conjunction with DA and Annexation.
* Zoning aligns with the master plan.

City Attorney Jon Paladini stated that Items A and B could be combined and public hearings for both North and South Annexations closed at the same time.

Member of the public Tom Rusing addressed Council regarding the formality of opening and closing the public hearing and asked what the schedule is for the upcoming public meetings.

Mayor Mengarelli commented that there will be a Study Session on June 29th and a Special Voting Meeting with time for additional public comment on July 13th.

Member of the public D. Carter LaBarge addressed Council regarding the ongoing redlines and the need to continue the public comment period.

Mr. Worley confirmed that closing the hearing doesn't close public comment, staff and Council will continue to hear comments.

Member of the public Bonnie McMinn addressed Council regarding the letter she sent to Council following the June 15 meeting and the public comments sent that were not read during the meeting. She asked how will Council rectify that.

Mayor Mengarelli responded that they can be posted on the city website.

Councilman Blair commented that Council asked that the comments be summarized, staff was following Council direction on that.

Councilmember Rusing clarified that the public hearing is a legal formality and is not a point of return for the annexation.

MOTION BY COUNCILMAN SISCHKA TO CLOSE THE PUBLIC HEARINGS FOR ITEMS 10.A. AND 10.B.; SECONDED BY COUNCILMAN BLAIR: PASSED [7 – 0].

11. REGULAR AGENDA

A. Legislative Update.

Assistant to the City Manager Tyler Goodman provided a presentation to Council regarding the ongoing legislative session and state budget negotiations. As it currently stands, the budget will increase shared revenues to cities from 15% to 18%, with the 18% to begin one year earlier than the tax cuts.

Councilman Goode commented that getting the shared revenue increase will allow cities to be held harmless which is a good thing.

Mr. Goodman also commented that HB2893 and SB1821 are moving forward and impose a risk to cities by allowing a legislator to file a claim against any city, town or county if they believe the governing body violates state law. This was unexpected, but as the budget is the current focus these will likely move forward.

City Attorney Jon Paladini added that this came out of a complaint against City of Phoenix Police Department and allows the legislature to reach into our HR policies and replaces the city attorney's office that reviews things for legality.

This item was for discussion only, no formal action was 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.

Utilities Manager Eric Bay provided a presentation to Council regarding the project. This is a shorter but difficult portion of the main that will address capacity and infrastructure issues. Fann Contracting has done tremendous work for trunk mains in the past.

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE CITY CONTRACT NO. 2021-181; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE CITY CONTRACT NO. 2021-182; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE NIGHT WORK; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

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.

Public Works Director Craig Dotseth provided a presentation to Council regarding the project. In 2017 the city entered into an IGA with parties to share design costs, the bulk of which was carried by CYMPO. Original share was $150,000 but as design has continued there were additional utilities identified which lead to additional surveys and TCEs and right-of-way acquisitions leading to additional costs. $116,500 in additional contributions.

Mayor Mengarelli said this is a long time coming will be glad to see it done.

Councilmember Rusing asked if this project will include improvements to the wildlife corridor under the road.

Mr. Dotseth responded that this was identified but would come at a very large cost and determined that the funding was not available. Additionally the areas have been identified by State Lands as possible development areas.

Councilman Tenney asked how the total cost for the city compares to other design services of this type.

Mr. Dotseth responded that it runs in line with similar projects, and added that CYMPO will be at over $900,000.

Councilman Goode added that this issue has been debated and discussed at length, there were some unanticipated additional expenses that didn't get properly calculated in. This will be expansion and add safety enhancements to the area with the addition of a median.

MOTION BY COUNCILMAN SISCHKA TO ADOPT ITEM 11.E.; SECONDED BY MAYOR PRO TEM SCHOLL: PASSED [7 – 0].

D. Approval of Contract No. 2017-246A3, 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.

Water Resources Analyst Leslie Graser provided a presentation to Council regarding the modeling project that is located in the Big Chino Sub-basin. This has been a significant investment by Prescott, Prescott Valley and SRP as a $5.6 million project. The modeling is just a portion of the total project. No additional funds are being requested this is all part of contributions that have already been made. Ultimately the project will lead to the development of a 3-D groundwater flow model.

Councilman Sischka asked what the original project completion date was supposed to be.

Ms. Graser responded that it should have been in December 2020, however there have been contract amendments extending that timeline and now the completion date will be July 15, 2022. This will be the completion and report date.

Councilman Goode asked for confirmation that the model will be complete and defensible at the same time.

Ms. Graser confirmed.

Councilmember Rusing asked if the model will study the entire Chino Valley Water Ranch Basin and what the cap of the amount of water to be pumped from the Big Chino is.

Mr. Graser responded that the model will cover the entire sub-basin and added that the maximum on pumping is approximately 8,500 acre feet.

Councilman Tenney commented that he is in favor of the modeling but asked if there is any option to the contrary.

Ms. Graser said the contract would have to end and the project would stop where it's at and would have to begin again. Groundwater modeling is difficult.

MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 11.D.; SECONDED BY MAYOR MENGARELLI: PASSED [7 – 0].

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.

Utility Manager Eric Bay provided a presentation to Council regarding the project which has been done in multiple phases. Phase 1 covered the water production facility which is under construction and moving along well; Phase 2 is the intermediate pump station which has water mains in the ground and ready to serve water once tied into city system. 100% design is done on the intermediate station and they are now moving to GMP. This portion is very important and includes the horizontal water main installation that ties Phase 1 installations into intermediate pump station and creates construction access to the site.

Councilmember Rusing asked about the purpose of the infrastructure.

Mr. Bay said this will serve every resident of Prescott to some degree, and will take the water currently pumped from Chino Valley production facilities and pushed to site on Willow Creek Rd then distributed and give it an intermediate stop off point. This will result in cost savings for the city and will more efficiently service in Prescott, particularly North Prescott as development in the area continues.

Public Works Direct Craig Dotseth added that major suppliers for the city with transmission, pump station and more are capital improvement projects for the city and are included in the IIMP which result in development impact fees so the city has been collecting funds for this project with those fees.

Councilman Goode asked if this will help with pressure issues in Pinion Oaks and surrounding areas.

Mr. Bay stated that it will, adding that the booster station will modify the pressure in that area. City wide benefit with this project.

Mr. Dotseth added that this will be a more efficient means to pump.

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE ITEM 11.E.; SECONDED BY COUNCILMAN TENNEY: PASSED [7 – 0].

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.

Finance Director Mark Woodfill provided a presentation with an overview of the budget process and added that the property tax levy will be brought back at the July 13 meeting.

MOTION BY MAYOR PRO TEM SCHOLL TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

Mayor Mengarelli recessed the Voting Meeting at 5:20 p.m.

Mayor Mengarelli called the Special Meeting to order at 5:20 p.m.

Roll Call
Greg Mengarelli Mayor
Alexa Scholl Mayor Pro Tem
Steve Blair Councilman
Phil Goode Councilman
Cathey Rusing Councilmember
Steve Sischka Councilman
Clark Tenney Councilman

Business

Resolution No. 2020-1779 - 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 Updated the Job Roster for the City of Prescott

Finance Director Mark Woodfill informed Council that adoption of this Resolution will adopt the FY2022 budget and job roster.

MOTION BY COUNCILMAN TENNEY TO ADOPT RESOLUTION NO. 2021-1779; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 - 0].

Mayor Mengarelli adjourned the Special Meeting 5:21 p.m. and reconvened the Voting Meeting.

12. ADJOURNMENT

Quote: "Courage is being scared to death and saddling up anyway." - John Wayne

There being no further business to discuss, Mayor Mengarelli adjourned the meeting at 5:21 p.m.

GREG MENGARELLI, 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 June 22, 2021. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 14th day of July, 2021.

AFFIX
CITY
SEAL

Sarah M. Siep, City Clerk