



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, JUNE 14, 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

Jessica Hall, Councilwoman

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 - Rabbi Julie Kozlow Temple Brith Shalom**
- 4. PLEDGE OF ALLEGIANCE - Councilman Sischka**
- 5. ROLL CALL**
- 6. PRESENTATIONS**
 - A. Swearing in - City Attorney Joseph Young**
 - B. APS Fire Mitigation Annual Update**
 - C. Catholic Charities Homeless Presentation**
- 7. PROCLAMATIONS**
 - A. PTSD Awareness Month - June 2022**
 - B. Flag Day - June 14**

C. Junior Bonner Week - June 28-July 4

8. 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*

9. 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 9.A. through 9.I.

- A. Approval of Minutes from the May 17, 2022 Budget Workshop, the May 24, 2022 Executive Session, the May 24, 2022 Study Session and the May 24, 2022 Voting Meeting.
- B. Approval of Multiple On-Call Contracts for Operated Hauling Services in the Amount of \$50,000.00 Each as Follows: 1) City Contract No. 2022-210 with Asphalt Paving & Supply, Inc.; 2) City Contract No. 2022-211 with BLA Trucking Inc.; and 3) City Contract No. 2022-212 with Fann Contracting, Inc. Funding is Available in the Streets, Water and Wastewater Funds.
- C. Adoption of Resolution 2022-1822 Approving City Contract No. 2022-220 an Intergovernmental Agreement with City of Glendale to Utilize Their AZ Tax Central Application. Funding is Available in the General Fund.
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 CITY OF GLENDALE (CITY OF PRESCOTT CONTRACT NO. 2022-220) FOR PARTICIPATION AND USE OF THE CITY OF GLENDALE'S TAX APPLICATION ("TAX APP"); AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE
- D. Approval of City Contract No. 2022-223 with Exerplay for the Purchase and Installation of Playground Equipment at Pepper Tree Park Using 1GPA Contract No. 18-04P-03 in the Amount of \$54,341.44. Funding is Available in Risk Management Fund.

- E. Approval of City Contract No. 2022-224 with American Fence Company of Arizona for Transfer Station Fence Improvements Utilizing State Contract # CTR045278, in the Amount of \$41,500.00. Funding Is Available in the Solid Waste Fund.
- F. Approval City Contract No. 2022-181 with Tyler Technologies for Annual Support and Licensing of the MUNIS Financial System in the Amount of \$159,901.08. Funding is Available in Various City Funds.
- G. Approval of City Contract No. 2022-225 with Sadie Sarti Design Company in an Amount not to Exceed \$41,000 for Web Design and Consultation Professional Services. Funding is Available in the IT Budget.
- H. Approval of City Contract No. 2022-168A3, an Amendment to City Contract No. 2022-168 for Airspace Analysis Work Under the On-Call Planning & Environmental Services Contract with Dibble in an Amount not to Exceed \$30,589. Funding is Available in the Airport Fund.
- I. Conflict Waiver with Snell & Wilmer Law Firm for Legal Representation with SAFE (Strategic Academic Flight Education) Complex.

10. LIQUOR LICENSES

- A. Public Hearing and Consideration for a New Series 14 Club Liquor License Application from Theresa June Rose, Applicant, for Fraternal Order of Eagles. Location: 530 S Montezuma Street.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 196366 for a new Series 14 Club liquor license application for Fraternal Order of Eagles. Location: 530 S Montezuma Street

11. REGULAR AGENDA

- A. Legislative Update.

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

- B. Adoption of Resolution No. 2022-1823 Approving Transfer of Certain Fiscal Year 2022 Budget Appropriations.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, APPROVING THE TRANSFER OF UNENCUMBERED APPROPRIATIONS BETWEEN VARIOUS DEPARTMENTS AND FUNDS IN THE FISCAL YEAR 2022 BUDGET

Recommended Action: MOVE to adopt Resolution No. 2022-1823

- C. Adoption of Resolution No. 2022-1824 Adopting the Tentative Budget for Fiscal Year 2023, and Setting the Public Hearing for the Final Budget, Expenditure Limitation and Tax Levies for the City of Prescott.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ADOPTING A TENTATIVE BUDGET, ADOPTING THE ESTIMATED AMOUNTS REQUIRED TO MEET THE PUBLIC EXPENSES FOR THE CITY OF PRESCOTT FOR THE FISCAL YEAR 2023, AUTHORIZING AND DIRECTING PUBLICATION OF STATEMENTS AND SCHEDULES OF THE TENTATIVE BUDGET, TOGETHER WITH NOTICE OF HEARING ON SAID BUDGET AND NOTICE OF DATE OF FINAL ADOPTION OF SAID BUDGET, AND NOTICE OF DATE OF ESTABLISHMENT OF THE EXPENDITURE LIMITATION, AND NOTICE OF THE DATE FOR FIXING A TAX LEVY

Recommended Action: MOVE to adopt Resolution No. 2022-1824

- D. Adoption of Ordinance No. 2022-1789 and Resolution No. 2022-1809 Amending Prescott City Code, Chapter 8-2, Right of Way and Adding Pavement Restoration Fees.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE VIII, CHAPTER 8-2 (“CITY RIGHT-OF-WAY”), AND ADDING NEW SECTIONS 8-2-10 (“CONSTRUCTION AND RELOCATION OF FACILITIES”), 8-2-11 (“PAVEMENT CUTS IN NEW STREETS”), 8-2-12 (“PAVEMENT RESTORATION FEE”), 8-2-13 (“INSPECTION OF WORK”), 8-2-14 (“CEASE AND DESIST ORDERS”), AND ADDING SEVERANCE AND PENALTY PROVISIONS

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 “CHAPTER 8-2: CITY RIGHT-OF-WAY”

Recommended Action: 1) MOVE to adopt Ordinance No. 2022-1789; and 2) MOVE to adopt Resolution No. 2022-1809

- E. Adoption of Resolution No. 2022-1825, Approving City Contract No. 2022-222 an Intergovernmental Agreement with Yavapai County for the Pioneer Parkway and Commerce Drive Roundabout Intersection Improvement Project in the Amount of \$750,000. Funding is Available in the Streets Fund.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT (“CITY”) TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (“IGA”) (CITY CONTRACT NO. 2022-222) WITH YAVAPAI COUNTY (“COUNTY”) FOR FINANCIAL CONTRIBUTIONS TO THE COUNTY FOR FISCAL YEAR 2023, AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE

Recommended Action: 1) MOVE to adopt Resolution No. 2022-1825; and 2) MOVE to approve City Contract 2022-222

- F. Approval of City Contract 2017-024A7, an Amendment to City Contract No. 2017-024, with Fann Environmental, LLC, for Construction Rehabilitation of Production Well No. 3 Chino Valley, in the Amount of \$2,584,585.00. Funding Is Available in the Water Fund.

Recommended Action: MOVE to approve City Contract No. 2017-024A7

- G. Approval of City Contract No. 2022-221 with MSW Consultants to Conduct a Solid Waste Rate Study, in the Amount of \$34,980.00. Funding is Available in the Solid Waste Fund.

Recommended Action: MOVE to approve City Contract No. 2022-221

- H. Adoption of Ordinance No. 2022-1802, a Request for a Rezoning from RE-2Acre (Rural Estate 2 Acre) to Business General (BG) to Allow for an Indoor Self-Storage Facility on Parcel No. 106-02-052C Located at 5900 Willow Creek Road. Property Owner: Granite Property Investments LLC. Applicant: Granite Basin Engineering.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING OF CERTAIN PROPERTY WITHIN THE CITY OF PRESCOTT GENERALLY LOCATED ON THE SOUTHWEST CORNER OF PINION OAKS DRIVE AND WILLOW CREEK ROAD FROM RESIDENTIAL RURAL ESTATE 2 ACRE (RE-2 ACRE) ZONING DISTRICT TO BUSINESS GENERAL (BG) ZONING DISTRICT

Recommended Action: MOVE to adopt Ordinance No. 2022-1802 in substantial conformance with the submitted site plan

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