



AGENDA

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
Tuesday, April 28, 2015
3:00 PM**

**Council Chambers
201 South Cortez Street
Prescott, Arizona 86303
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its **Regular Voting Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02. One or more members of the Council may be attending this meeting through the use of a technological device.

- ◆ **CALL TO ORDER**
- ◆ **INTRODUCTIONS**
- ◆ **INVOCATION** Unity Church of Prescott
- ◆ **PLEDGE OF ALLEGIANCE** Councilman Arnold
- ◆ **ROLL CALL**

MAYOR AND CITY COUNCIL

Mayor Kuykendall	
Mayor Pro Tem Kuknyo	Councilman Lamerson
Councilman Arnold	Councilman Lazzell
Councilman Blair	Councilwoman Wilcox

- ◆ **ANNOUNCEMENTS**
- ◆ **PRESENTATIONS**

- A. Yavapai College Update presented by Steve Walker, Vice President for College Advancement/Foundation

I. CONSENT AGENDA

CONSENT ITEMS I.A. – I.G. LISTED BELOW MAY BE ENACTED BY ONE MOTION. ANY ITEM MAY BE REMOVED AND DISCUSSED IF A

COUNCILMEMBER SO REQUESTS.

- A. Approval of minutes for City Council meetings held on March 24, 2015
- B. Purchase of six (6) ea. portable data collecting computers and equipment from PCS Mobile using National Intergovernmental Purchasing Alliance pricing (Contract No. NIPA CNR-0450-V37t-120471) in the total amount of \$20,510.66
- C. Adoption of Resolution No. 4290-1499 approving an Intergovernmental Agreement (IGA) with the City of Glendale to provide law enforcement and security services during National Football League (NFL) games and certain other major events (City Contract No. 2015-047)
- D. Acceptance of grant funding in the amount of \$3,000.00 from the Governor's Office of Highway Safety for safety belt and child safety seat enforcement
- E. Adoption of Ordinance No. 4933-1471 authorizing acceptance of a water easement dedication from KW Prescott, LLC

ORDINANCE NO. 4933-1471 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A WATER EASEMENT DEDICATION FROM KW PRESCOTT, LLC, AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID EASEMENT DEDICATION.

- F. Approval of purchase of ammonium lignin sulfonate from CYC-Seeds, LLC, in an amount not to exceed \$20,000.00 (Streets and Open Space Fund)
- G. Approval of rental of concrete barriers on a weekly basis from Howe Precast Concrete Barriers, Inc., in an amount not to exceed \$17,850.00 (Streets and Open Space Fund)

RECOMMENDED ACTION: MOVE to approve Consent Agenda Items I.A.-I.G.

II. LIQUOR LICENSE CONSENT AGENDA

- A. Application for a Series 15 Special Event Liquor License

Prescott Creeks
Prescott College Crossroads Center, 220 Grove Street

Applicant: Paula E. Cooperrider
City Application No. 15-0011S
Date/Time of Event: May 22, 2015, 4:00 pm - 7:00 pm

The application has been reviewed and determined to be in compliance with City requirements

B. Application for a Series 15 Special Event Liquor License

Sharlot Hall Historical Society of Arizona
Sharlot Hall Museum, 415 West Gurley Street
Applicant: Nancy L. Hans
City Application No. 15-0008S
Date/Time of Event: May 16, 2015, 3:00 pm - 11:59 pm

The application has been reviewed and determined to be in compliance with City requirements

C. Application for a Series 15 Special Event Liquor License

Fraternal Order of Eagles #3600
Mile High Middle School Football Field, 300 S. Granite St.
Applicant: Steven Randolph Gottlieb
City Application No. 15-0004S
Date/Time of Event: May 30 - 31, 2015, 10:00 am - 10:00 pm

The application has been reviewed and determined to be in compliance with City requirements.

RECOMMENDED ACTION: MOVE to forward special event liquor license applications A, B, and C to the Arizona State Liquor Board with a recommendation of approval/denial.

III. REGULAR AGENDA

- A. Public hearing and consideration of a new liquor license application for a Series 14, Private Club License, from Andrea Dahlman Lewkowicz, applicant for Capital Canyon Club, located at 2060 Golf Club Lane

RECOMMENDED ACTION: (1) MOVE to close the Public Hearing; and (2) MOVE to approve/deny/make no recommendation for Liquor License Application No. 14133012, for a Series 14 Private Club license, for Capital Canyon Club, located at 2060 Golf Club

Lane.

- B. Public hearing and consideration of a new liquor license application for a Series 12, Restaurant License, from Erica Lynn Parker, applicant for Two Mamas Gourmet Pizza, located at 221 North Cortez Street

RECOMMENDED ACTION: (1) MOVE to close the Public Hearing; and (2) MOVE to approve/deny/make no recommendation for Liquor License Application No.12133616, for a Series 12 Restaurant license, for Two Mamas Gourmet Pizza, located at 221 North Cortez Street.

- C. Final Plat FP15-003 for “Touchmark at the Ranch PAD” [Owner: Touchmark at the Ranch, LLC, 5150 SW Griffith Drive, Beaverton, Oregon 97005]

RECOMMENDED ACTION: MOVE to approve FP15-003, the Final Plat of “Touchmark at the Ranch”, a Planned Area Development.

- D. Award of City Contract No. 2015-169 for the Prescott Area Shelter Services (PASS) Phase II Family Shelter Renovation Project at 337 N. Rush Street to Copper Sun Construction, LLC, in the total amount of \$56,830.00, to include Bid Alternate 1

RECOMMENDED ACTION: MOVE to award City Contract No.2015-169 to Copper Sun Construction, LLC, in the total amount of \$56,830.00, for the Base Bid and Bid Alternate 1.

- E. Adoption of Resolution No. 4284-1493 providing for centralization of wastewater treatment for system capital planning

RECOMMENDED ACTION: MOVE to adopt Resolution No. 4284-1493.

- F. Award of City Contract No. 2015-158 for the FY 2015 Pavement Rehabilitation Project to Asphalt Paving & Supply, Inc., in the amount of \$2,039,609.20

RECOMMENDED ACTION: MOVE to award City Contract No. 2015-158 for the FY 2015 Pavement Rehabilitation Project to Asphalt Paving & Supply, Inc, in the amount of \$2,039,609.20.

- G. Award of City Contract No. 2015-155 with AZTEC Engineering Group, Inc., for engineering services for the Darby Creek Way Reconstruction Project in an amount not to exceed \$25,682.00

RECOMMENDED ACTION: MOVE to award City Contract No. 2015-155 to AZTEC Engineering Group, Inc., for engineering services for the Darby Creek Way Reconstruction Project in an amount not to exceed \$25,682.00.

- H. Adoption of Ordinance No. 4938-1476 calling a special election to be held August 25, 2015, to vote on a transaction privilege tax dedicated to the payment of the City's liability to the Arizona Public Safety Personnel Retirement System

RECOMMENDED ACTION: MOVE to adopt Ordinance No. 4938-1476, referring to the August 25, 2015, election ballot a measure providing for a sales tax increment of _____% and duration of _____ years to pay off the City of Prescott's PSPRS liability.

- I. Adoption of Ordinance No. 4937-1475 calling a special election to be held August 25, 2015, to vote on a transaction privilege tax of 0.08% dedicated to open space purposes, taking effect on January 1, 2016, and ending on December 31, 2035

VERSION 1

ORDINANCE NO. 4937-1475 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, PLACING ON THE AUGUST 25, 2015, ELECTION BALLOT THE QUESTION OF ADOPTING A TRANSACTION PRIVILEGE TAX OF EIGHT ONE-HUNDREDTHS OF ONE PERCENT (0.08%), THE REVENUE OF WHICH SHALL BE DEDICATED TO THE ACQUISITION, MAINTENANCE, AND IMPROVEMENT OF OPEN SPACE, INCLUDING LAKES AND WATERSHEDS, BY THE CITY, TAKING EFFECT ON JANUARY 1, 2016, AND ENDING ON DECEMBER 31, 2035.

VERSION 2

ORDINANCE NO. 4937-1475 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, PLACING ON THE AUGUST 25, 2015, ELECTION BALLOT THE QUESTION OF ADOPTING A TRANSACTION PRIVILEGE TAX OF EIGHT ONE-HUNDREDTHS OF ONE PERCENT (0.08%), THE REVENUE OF WHICH SHALL BE DEDICATED TO THE ACQUISITION AND MAINTENANCE OF OPEN SPACE BY THE CITY, TAKING EFFECT ON JANUARY 1, 2016, AND ENDING ON DECEMBER 31, 2035; AND CREATING AN OPEN SPACE ADVISORY COMMISSION FOR THE DURATION OF SAID TAX.

RECOMMENDED ACTION: Council's pleasure:

either (a) Adopt Ordinance No. 4937-1475 Version 1 or Version 2
or (b) Do not adopt Ordinance No. 4937-1475.

- J. FY 16 and Subsequent Budgets - Council discussion, direction, and possible action

RECOMMENDED ACTION: As determined by Council.

IV. 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:

- (i) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (ii) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (iii) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (iv) 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));
- (v) 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));
- (vi) 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));
- (vii) 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)).

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.

