



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, APRIL 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

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 - Pastor Dan Hurlbert with Prescott United Methodist**
4. **PLEDGE OF ALLEGIANCE - Councilwoman Hall**
5. **ROLL CALL**
6. **PROCLAMATIONS**
 - A. **Fair Housing Month - April 2022**
7. **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***

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.J.

- A. Approval of Minutes from the April 12, 2022 Executive Session, the April 12, 2022 Study Session and the April 12, 2022 Voting Meeting.
- B. Approval of City Contract No. 2015-004A4, an Amendment to City Contract No. 2015-004 with Matrix New World Engineering for City Shop UST Mobile Dual Phase Extraction (DPE) Treatment Project in the Amount of \$70,000. Funding is Available in the Streets, Water and Wastewater Funds.
- C. Approval of Multiple Contracts for Supply and/or Delivery of Asphalt, Concrete, Rock, Dirt and Sand as Follows: 1) City Contract No. 2022-185 to Asphalt Paving & Supply, Inc.; and 2) City Contract No. 2022-186 to Vulcan Materials Company; and 3) City Contract No. 2022-191 to Arrowhead Mining and Material in an Amount not to Exceed \$200,000.00 Each Annually. Funding is Available in the Streets, Water, and Wastewater Funds.
- D. Approval of City Contract No. 2022-178 with Arizona Department of Water Resources (ADWR), Accepting Grant Funds in the Amount of \$10,000 for the Redesign of the City's Water Conservation Webpage.
- E. Approval of Multiple Contracts for the Purchase of Calcium Hypochlorite Tablets as Follows: 1) City Contract No. 2022-193 with Hill Brothers Chemical Company in an Amount not to Exceed \$160,000 Annually for a Period of Two Years; and 2) City Contract No. 2022-194 with Applied Products Group in the Amount of \$20,000 for Applied Products. Funding is Available in the Water Fund.
- F. Approval to Auction Items at Surplus Auction with Harris Auction.
- G. Approval of Appointment of Branden Nunez, Human Resources Director, to the Yavapai Combined Trust Board in Place of Retiring Director Joyce Lira.

- H. Approval of Acceptance of a Certified Local Government Pass-through Grant with no City Match for \$12,000 to be Used for the Historic Preservation Master Plan Update Project.
- I. Approval of City Contract No. 2022-198 with JC Cullen Incorporated DBA Niles Radio for Radio Equipment in an Amount Not To Exceed \$41,554.11 Using State of Arizona Contract No. CTR046831 Pricing. Funding is Available in the IT Budget.
- J. Adoption of Resolution No. 2022-1816, Approving City Contract No. 2022-196 an Intergovernmental Agreement Between the Phoenix Police Department and the Prescott Police Department for Access to the Department of Justice Internet Crimes Against Children Grant.

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 PHOENIX POLICE DEPARTMENT TO ALLOW THE CITY OF PRESCOTT ACCESS TO THE DEPARTMENT OF JUSTICE INTERNET CRIMES AGAINST CHILDREN GRANT TO EXPIRE 2027, AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE

9. REGULAR AGENDA

- A. Legislative Update.

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

- B. Adoption of Resolution No. 2022-1812 Setting the Policy for Contracts with City Officials and City Employees for 2022-2023.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ADOPTING A COUNCIL POLICY REGARDING CONTRACTS WITH THE CITY BY PUBLIC OFFICERS AND EMPLOYEES OF THE CITY

Recommended Action: MOVE to adopt Resolution No. 2022-1812

- C. Approval of City Contract No. 2022-197, an Employment Contract with New City Attorney.

Recommended Action: MOVE to approve City Contract No. 2022-197

- D. Approval of City Contract No. 2022-200 with Titan Power for IT Data Center Electrical and HVAC Engineering, Equipment, and Installation in an Amount not to Exceed \$404,426.08 Using State of Arizona Contract No. ADSP018-176583 Pricing. Funding is Available in the IT Fund.

Recommended Action: MOVE to approve City Contract No. 2022-200

- E. Public Hearing Regarding the City of Prescott Draft 2022 CDBG Annual Action Plan to 1) Accept CDBG Entitlement Funds from the US Department of Housing & Urban Development (HUD) for the Approximate Amount of \$251,857; 2) Approve the 2022 CDBG Annual Action Plan and Authorize Staff Submittal to HUD, and 3). Close the Public Hearing.

Recommended Action: 1) MOVE to accept CDBG Entitlement Funds in the approximate amount of \$251,857 from HUD; 2) Approve the 2022 CDBG Annual Action Plan and authorize staff submittal to HUD, and 3). Close the Public Hearing.

- F. Approval of City Contract No. 2022-175 with Fann Contracting, Inc. for the Penn Avenue / Eastwood Drive Improvements Project in the Amount of \$10,947,777. Funding is Available in the Streets, Water, Wastewater and Yavapai County Flood Control District Funds.

Recommended Action: MOVE to approve City Contract No. 2022-175

- G. Approval of Multiple Contracts for Chino Valley Tank Coating as Follows: 1) Approval of City Contract No. 2022-187 to Professional Piping Systems, LLC for the Surface Preparation and Coating of the 5MG Chino West Tank Project in the Amount of \$946,550.00; and 2) Approval of City Contract No. 2022-188 with RFI Consultants LLC for Hold Point Coating Inspection Services in the Amount of \$32,148.00. Funding is Available in the Water Fund.

Recommended Action: 1) MOVE to approve City Contract No. 2022-187, and 2) MOVE to approve City Contract No. 2022-188

- H. Approval of City Contract No. 2017-064A10, an Amendment to City Contract No. 2017-064 with Fann Contracting for Solid Waste Hauling Services in the Amount of \$1,200,000.00 Annually. Funding is Available in the Solid Waste Fund.

Recommended Action: MOVE to approve City Contract No. 2017-064A10

- I. Approval of Multiple Contracts Associated with the Airport Ruger Road Sewer Trunk Main Project as Follows: 1) Approval of City Contract No. 2022-189 to Fann Contracting, Inc. for the Upsizing Phase 1 Project in the Amount of \$3,122,697.00; and 2) Approval of City Contract 2022-001A1, an Amendment to City Contract 2022-001 with Lyon Engineering & Surveying Inc. for Post Design Services in the Amount of \$121,560.00. Funding is Available in the Wastewater Fund.

Recommended Action: 1) MOVE to approve City Contract No. 2022-189; and 2) MOVE to approve City Contract No. 2022-001A1

- J. Approval of City Contract No. 2022-157A1, an Amendment to City Contract No. 2022-157 with Fann Contracting, Inc. for the FY22 Pavement Rehabilitation Project Phase 2 in an Amount not to Exceed \$325,000.00. Funding is Available in the Street Fund.

Recommended Action: MOVE to approve City Contract No. 2022-157A1

- K. Adoption of Resolution No. 2022-1818, Adopting the 2022 City Water Management Policy; 2) Setting the Water Use Estimates for Calendar Year 2022 from the Water Resource Management Model (*Policy 3*); 3) Approving a Water Budget for Residential Uses from January 1, 2022 to June 30, 2022 and from July 1, 2022 to December 31, 2022 (*Policy 12*) ; and 4) Approving a Water Budget for Non-Residential Uses from January 1, 2022 to June 30,

2022 and from July 1, 2022 to December 31, 2022. (*Policy 13*).

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ADOPTING A CITY COUNCIL POLICY FOR WATER MANAGEMENT CONTAINED IN THE “2022 WATER MANAGEMENT POLICY”

Recommended Action: 1) MOVE to adopt Resolution No. 2022-1818; 2) MOVE to set the 2022 Water Use Estimates as follows:

Single family residential = 0.17 AFY per dwelling unit, Multi-family residential = 0.12 AFY per dwelling unit, Landscaping = 1.5 AFY per 1 acre; 3) MOVE to set the residential water budget for January 1, 2022 to June 30, 2022 and July 1, 2022 to December 31, 2022 at 25 AF for each period; and 4) MOVE to set the non-residential water budget for January 1, 2022 to June 30, 2022 and July 1, 2022 to December 31, 2022 at 25 AF for each period

- L. Adoption of Ordinance No. 2022-1787 Amending City Code Section 2-1-8.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE II, CHAPTER 2-1, SECTION 8, SUBSECTIONS (B) & (C); AND ADDING A SEVERANCE PROVISION

Recommended Action: MOVE to adopt Ordinance No. 2022-1787

10. 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