



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, APRIL 13, 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

Dennis Baker with Mt. Vernon Church of Christ

4. PLEDGE OF ALLEGIANCE

Councilman Tenney

5. ROLL CALL

6. PROCLAMATIONS

A. National Public Safety Telecommunicators Week: April 11th -April 17th

B. Earth Week 2021: April 17th - April 24th

B. Prescott Unified School District Excellence in Education Day: April 23rd

7. 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 7.A. through 7.G.

- A. Approval of Minutes from the March 16, 2021 Executive Session, the March 23, 2021 1 pm Executive Session, the March 23, 2021 2:30 pm Executive Session and the March 23, 2021 Voting Meeting.
- B. Adoption of Resolution No. 2021-1772 Providing Notice of the August 3, 2021 Primary Election and the November 2, 2021 General Election.
- C. Approval of City Contract No. 2021-141 for the Purchase of UAS (Unmanned Aerial Systems) Enhancement Systems for SWAT in the Amount of \$39,552.05. Funding Available from Approved Grant Funds from Arizona Department of Homeland Security, the Fire Department Fund and RICO Funding.
- D. Approval of WSA20-007 a Water Service Agreement Application with Chamberlain Development Prescott for APN 102-20-001G, a 12.2 Acre Parcel. Location: T15N, R02W, Section 35, NW 1/4, NE 1/4, NE 1/4 at the Southwest Corner of Willow Creek Road and Warrior Way.
- E. Approval of City Contract No. 2021-142 with Vicente Landscaping for Improvements to the Pioneer Park Pickleball Court in the Amount of \$28,668.23. Funding is Available in the Recreation Services Fund.
- F. Approval of City Contract No. 2021-150 with Precision Concrete Cutting for the FY21 Sidewalk Trip Hazard Elimination Project, in an Amount not to Exceed \$50,000.00. Funding is Available in the Streets Fund.
- G. Approval of City Contract Nos. 2021-122, 2021-123, 2021-124, 2021-127, 2021-128, 2021-130, 2021-131 and 2021-136 for Eight (8) OEM and Aftermarket Parts Replacement Contracts from Various State Agencies.

8. CONSENT ORDINANCE

Recommended Action: MOVE to adopt Consent Ordinance Items 8.A. through 8.C.

- A. Adoption of Ordinance No. 2021-1750 Authorizing the Acceptance of a Public Sewer Easement Agreement from Granite Dells Estates II, LLC.
AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A PUBLIC SEWER EASEMENT AGREEMENT FROM GRANITE DELLS ESTATES II, LLC, AND AUTHORIZING THE MAYOR

AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE.

- B. Adoption of Ordinance No. 2021-1751 Authorizing the Acceptance of a Public Utility Easement Agreement from 1212 Warrior Way, LLC.

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 1212 WARRIOR WAY, LLC, AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE

- C. Adoption of Ordinance No. 2021-1752 Authorizing the Acceptance of a Public Sewer Easement from Chamberlain Development Prescott LLC.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A PUBLIC SEWER EASEMENT AGREEMENT FROM CHAMBERLAIN DEVELOPMENT PRESCOTT, L.L.C., AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE

9. REGULAR AGENDA

- A. Approval of City Contract No. 2021-157 With Heart & Soul Marketing in the Amount of \$70,000 Annually for a Multimedia Marketing and Advertising Campaign. Funding is Available in General Fund.

Recommended Action: MOVE to approve City Contract No. 2021-157

- B. Approval of City Contracts for the Intermediate Pump Station Off-Site Water Main Extension Phase I Project as Follows: 1) City Contract No. 2021-153 with Fann Contracting, Inc in the Amount of \$696,969.69; and 2) City Contract No. 2021-154 with Lyon Engineering for Post Design Services in an Amount not to Exceed \$91,615. Funding is Available in the Water Fund.

Recommended Action: 1) MOVE to approve City Contract No. 2021-153 to Fann Contracting, Inc.; and 2) MOVE to approve City Contract No. 2021-154 to Lyon Engineering.

- C. Approval of City Contract No. 2021-147 with Asphalt Paving & Supply, Inc., for the FY21 Pavement Reconstruction Project in the Amount of \$879,379.79. Funding is Available in the Streets Fund.

Recommended Action: MOVE to approve City Contract No. 2021-147.

- D. Approval of City Contract No. 2021-148 with Asphalt Paving & Supply, Inc., for the FY21 Pavement Rehabilitation Project in the Amount of \$2,096,096.96. Funding is Available in the Streets Fund.

Recommended Action: MOVE to approve City Contract No. 2021-148

- E. Public Hearing and Adoption of Annexation & Rezoning Ordinances and General Plan Resolution for the Prescott Regional Wellness Center. Owner: Hojat Askari MD & Doyer, Inc.; APN: 106-02-009K; County Zoning: R1L-35 Residential.

ORDINANCE NO. 2021-1753 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF PRESCOTT BY ANNEXING APPROXIMATELY 20 ACRES OF RESIDENTIALLY ZONED LAND (R1L-35), GENERALLY LOCATED NORTH OF THE INTERSECTION OF WHISPERING ROCK ROAD AND WILLOW CREEK ROAD IN YAVAPAI COUNTY, ARIZONA, INTO THE CITY OF PRESCOTT AND ASSIGNING A ZONING CLASSIFICATION THERETO

RESOLUTION NO. 2021-1770 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, APPROVING THE MINOR AMENDMENT TO THE CITY OF PRESCOTT GENERAL PLAN FUTURE LAND USE MAP CHANGING THE EXISTING RESIDENTIAL DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED NORTH OF THE INTERSECTION OF WHISPERING ROCK AND WILLOW CREEK ROAD; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE

ORDINANCE NO. 2021-1754 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 NORTH OF THE INTERSECTION OF WHISPERING ROCK ROAD AND WILLOW CREEK ROAD FROM RESIDENTIAL SINGLE FAMILY (SF-35) ZONING DISTRICT TO BUSINESS GENERAL (BG) ZONING DISTRICT

Recommended Action: 1) MOVE to close the Public Hearing; 2) MOVE to adopt Ordinance No. 2021-1753; 3) MOVE to adopt Resolution No. 2021-1770; and 4) MOVE to adopt Ordinance No. 2021-1754

- F. Adoption of Ordinance No. 2021-1755 and Resolution No. 2021-1771 Authorizing the Purchase of Certain Real Property at 201 N. Montezuma Street and Authorizing a 10-Year, 1.5% Internal Loan from the City's Investment Pool in the Amount of \$10,000,000.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY FROM ARMA VISTA PROPERTIES, LLC, AN ARIZONA LIMITED LIABILITY COMPANY GENERALLY DESCRIBED AS THE NATIONAL BANK BUILDING LOCATED AT 201 N. MONTEZUMA STREET, PRESCOTT, ARIZONA AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID PURCHASE.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT FINANCE DIRECTOR TO ENTER INTO A TEN (10) YEAR, ONE AND HALF PERCENT (1.5%) INTERNAL LOAN FROM THE CITY'S INVESTMENT POOL; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.

Recommended Action: 1) MOVE to adopt Ordinance No. 2021-1755; and 2) MOVE to adopt Resolution No. 2021-1771

- G. Legislative Update.

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

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