



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, MARCH 23, 2021, 3:00 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**

Rev Chris Christy with St. Luke's Episcopal Church

- 4. PLEDGE OF ALLEGIANCE**

Councilman Sischka

- 5. ROLL CALL**
- 6. PROCLAMATIONS**

A. National Vietnam War Veterans Day - March 29th

B. National Service Recognition Day - April 6th

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.I.

- A. Approval of Minutes from the March 9, 2021 Executive Session, the March 9, 2021 Study Session, and the March 9, 2021 Voting Meeting.
- B. Approval of City Contract No. 2021-140 with ePlus Technology Incorporated for Endpoint Detection and Response Software in a Three Year Amount not to Exceed \$50,823.29 using NCPA Contract Number 01-97 Pricing. Funding is Available in the Software Fund.
- C. Approval of Water Service Agreement Application No. WSA21-001. Applicant: Dana Fonseca on Behalf of Property Owner NCC Prescott LLC. Location: APNs 114-01-025A, 114-01-035E, 114-01-036B, 114-01-038A, 114-01-038B, 114-02-085, and 114-02-092A, for a Total of 3.45 Acres, at 401 North Pleasant Street (T14N, R02W, Section 34, SW¼).
- D. Approval of City Contract No. 2021-139 with Harris Auction for Sale of Items at Surplus Auction.
- E. Approval of City Contract No. 2021-062A1, an Amendment to City Contract No. 2021-062, for the Purchase of Waterworks Materials from Core & Main LP in the Amount of \$200,000 for FY21. Funding is Available in the Water Fund.
- F. Approval of City Contract No. 2019-069A21, an Amendment to City Contract No. 2019-069 with Dibble Engineering for Additional Construction & Inspection Expenses Related to the Taxiway-C Relocation Project, in an Amount not to Exceed \$67,503.00. Funding is Available through Received Grant Funds.
- G. Approval of CSP21-001, a Comprehensive Sign Plan for Calvary Prescott Chapel Located at 2313 E State Route 69. Property Owner: Calvary Chapel of Prescott; Applicant: Lance Pelton of Core Displays; APN: 112-05-024H
- H. Approval of PLN20-004 a Preliminary Plat for Westwood Subdivision, Phases 6 and 7 (Deep Well Ranch 1.48) Located West of Willow Creek Road and North of the Westwood Subdivision. Site Zoning: Special Planned Community (SPC); Property Owner: Dorn Homes; Applicant: Lyon Engineering, Scott Lyon; APN: 102-19-001D, 102-04-001T and 102-19-001C.

- I. Approval of Removal of Member from the Industrial Development Authority Board.

8. CONSENT ORDINANCE

Recommended Action: MOVE to adopt Consent Ordinance Items 8.A. and 8.B.

- A. Adoption of Ordinance No. 2021-1749 Authorizing the Acceptance of a Public Drainage Easement Agreement from Pronghorn Land L.L.C.

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

- B. Adoption of Ordinance No. 2021-1748 Authorizing the Abandonment of Unused Portions of Willow Creek Road Right-of-Way.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF RIGHT OF WAY TO PRONGHORN LAND LLC AND TO CHAMBERLAIN DEVELOPMENT PRESCOTT LLC, RESERVING AN EASEMENT FOR EXISTING PUBLIC UTILITIES ACROSS THE ENTIRE AREA OF ABANDONMENT AND RESERVING EASEMENT AREAS FOR PUBLIC DRAINAGE AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ABANDONMENT

Recommended Action: MOVE to adopt Ordinance No. 2021-1748

9. REGULAR AGENDA

- A. Second Public Hearing and Adoption of Resolution No. 2021-1769 for Alternative Expenditure Limit "Home Rule" Ballot Proposition.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, PROPOSING AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to adopt Resolution No. 2021-1769

- B. Approval of City Contract No. 2021-145 Accepting an Arizona Department of Transportation Grant for the Runway 3L/21R Lighting and Signage Project at Prescott Regional Airport - Ernest A. Love Field.

Recommended Action: MOVE to approve City Contract No. 2021-145

- C. Approval of City Contract No. 2021-143, a with Prescott Downtown Partnership for Downtown Management.

Recommended Action: MOVE to approve City Contract No. 2021-143

D. Discussion and Possible Action Regarding the City of Prescott Temporary Parklet Program.

Recommended Action: 1) MOVE to select and approve a date for sunset of current temporary program, OR 2) MOVE to continue temporary program

E. 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

Sarah M. Siep, City Clerk