



# CITY COUNCIL VOTING MEETING MEETING

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## VOTING MEETING AGENDA

**TUESDAY, FEBRUARY 22, 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

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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 from Rabbi Elie Filler with Chabad of Prescott**
- 4. PLEDGE OF ALLEGIANCE - Councilman Sischka**
- 5. ROLL CALL**
- 6. PROCLAMATIONS**
  - A. John Mrgudich Centennial Celebration - March 1st**
- 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.E.***

- A. Approval of Minutes from the February 8, 2022 Executive Session, the February 8, 2022 Study Session and the February 8, 2022 Voting Meeting.
- B. Approval of City Contract No. 2022-151 for the Purchase of a Replacement Generator for Prescott Regional Communications Center (PRCC) in the Amount of \$54,504.00 Including Applicable Taxes using Sourcewell Contract 120617-CAT. Funding is Available in the PRCC Budget.
- C. Approval of City Contract No. 2019-222A1, an Amendment to City Contract 2019-222 with Test America Laboratories, Inc. to Assign Eurofins Environment Testing, LLC as Affiliate Company for Water and Wastewater Analytical Services. Funding is Available in the Water and Wastewater Funds.
- D. Approval of City Contract No. 2022-155 with Amer-X Security for Building Safety Enhancements to the Police Department in the Amount of \$197,000 using State Contract No. CTR056375. Funding is Available in the General Fund.
- E. Approval of City Contract No. 2022-150 for the Purchase of Residential Garbage and Recycle Containers from Rehrig Pacific Company using Sourcewell Contract No. 041521-REH in the Amount of \$330,000.00 Annually. Funding is Available in the Solid Waste Fund.

## **9. LIQUOR LICENSES**

- A. Public Hearing and Consideration for an Acquisition of Control Series 12 Restaurant Liquor License Application from Scott Allen Butler, Applicant, for Rosatis. Location: 207 W Willis Street.

***Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 175748 for an acquisition of control Series 12 Restaurant liquor license for Rosatis. Location: 207 W Willis Street***

## **10. REGULAR AGENDA**

### **A. Legislative Update.**

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

### **B. Adoption of Ordinances for Public Trail Easements in the Granite Creek Corridor as Follows: 1) Ordinance No. 2022-1792 with Prescott Unified School District No. 1; and 2) Ordinance No. 2022-1793 with Rusing Properties.**

#### **Ordinance No. 2022-1792**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A PUBLIC TRAIL EASEMENT, FROM PRESCOTT UNIFIED SCHOOL DISTRICT NO. 1 AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE**

#### **Ordinance No. 2022-1793**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A PUBLIC TRAIL EASEMENT, FROM RUSING PROPERTIES AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE**

***Recommended Action: 1) MOVE to adopt Ordinance No. 2022-1792; and 2) MOVE to adopt Ordinance No. 2022-1793***

### **C. Approval of FNP21-006, the Final Plat of Granite Dells Estates Phase 5.**

***Recommended Action: MOVE to approve FNP21-006***

### **D. Water Service Application No. WSA21-019, Submitted by Granite Dells Estates Properties, Inc., Prescott. Location: APN 103-04-009X, Comprising 98.87 Acres, in Township 14 North, Range 01 West, Section 6, SE ¼ and SW ¼, in Part.**

***Recommended Action: MOVE to approve or deny WSA21-019***

### **E. Approval of City Contract 2019-161A6, an Amendment to City Contract No. 2019-161 with Fann Environmental/Fann Contracting Joint Venture, for Construction Manager at Risk Services to Construct the Intermediate Pump Station and Site Infrastructure, in an Amount not to Exceed \$14,160,643.55; and Approval of City Contract No. 2019-160A3 with Water Works Engineers for Post Design Services for the Intermediate Pump Station Construction Project in an Amount not to Exceed \$1,318,993.00. Funding is Available in the Water Fund.**

***Recommended Action: 1) MOVE to approve City Contract No. 2019-161A6; and 2) MOVE to approve City Contract No. 2019-160A3.***

- F. Approval of City Contract No. 2022-154 Proposal for Continued Ephemeral Stream-flow Monitoring Within the Big Chino Sub-basin with Salt River Valley 154154 Water Users' Association and Salt River Project Agricultural Improvement and Power District (SRP) in the Amount of \$157,735.00

***Recommended Action: MOVE to approve City Contract No. 2022-154***

- G. Approval of City Contract No. 2022-152 with FCI Constructors for the Northeastern Stair Tower Replacement in the Amount of \$523,374.00 using the City of El Mirage Contract No. PW19-JOC03. Funding is Available in the General Fund Capital Budget.

***Recommended Action: MOVE to approve City Contract No. 2022-152***

- H. Adoption of Ordinance 2022-1790 Amending Prescott City Code, Chapter 9-1-7(A) and Adding a New Subparagraph to Chapter 9-1-7(E) Specific to Methods of Parking and Enforcement.

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT YAVAPAI COUNTY, ARIZONA, AMENDING TITLE IX ("TRAFFIC REGULATIONS"), CHAPTER 9-1 ("PRESCOTT TRAFFIC CODE"), SECTION 7, ("METHODS OF PARKING"), BY REVISING 9-1-7(A) AND ADDING A NEW SECTION 9-1-7(E); ADDING A SEVERANCE CLAUSE; AND ADDING A PENALTY CLAUSE**

***Recommended Action: MOVE to adopt Ordinance 2022-1790***

- I. Approval of FNP21-001, the Final Plat for Ridge View Subdivision Located at Gateway Boulevard and State Route 69, a 25-lot Subdivision. Location: APN 103-20-570K and 103-20-570K; Site Zoning: Business Regional (BR).

***Recommended Action: MOVE to approve FNP21-001***

- J. Approval of RVP22-001, a Revision of Plat to Reconfigure Lots and Add Un-subdivided Land to the North End of Block 6; Abandonment of Approximately 266 Square Feet of Right-of Way; and the Dedication of Approximately 123 Square Feet of Right-of-Way. Location: APNs 113-10-001, 113-10-002, 113-10-003, and a Portion of 113-10-057; Site Zoning: Industrial Light (IL).

***Recommended Action: MOVE to approve RVP22-001***

## **11. 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](http://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