



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, FEBRUARY 14, 2023, 3:00 PM

201 S. Cortez Street

Prescott, AZ 86303

City Council Chambers

Phil Goode, Mayor

Brandon Montoya, Mayor Pro Tem

Cathey Rusing, Councilwoman

Connie Cantelme, Councilwoman

Steve Sischka, Councilman

Eric Moore, 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](#)

Public comments for Council may be submitted through the City website: [Public Comment Form](#)

1. **CALL TO ORDER**
2. **INTRODUCTIONS / ANNOUNCEMENTS**
3. **INVOCATION - Reverend Philip A. Shaw with St. Luke's Episcopal Parish**
4. **PLEDGE OF ALLEGIANCE - Councilwoman Cantelme**
5. **ROLL CALL**
6. **PRESENTATIONS**
 - A. **Recognition of Outgoing City Manager Michael Lamar.**
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.K.

- A. Approval of Minutes from the January 24, 2023 Executive Session, the January 24, 2023 Study Session, the January 24, 2023 Voting Meeting, and the January 26, 2023 Workshop Meeting.
- B. Approval of Appointments of Members to the Airport Advisory Committee, the Board of Adjustment, the Building Safety Advisory & Appeals Board, the Planning & Zoning Commission, the Prescott Preservation Commission and the Tourism Advisory Committee.
- C. Adoption of Resolution No. 2023-1846 Providing Notice of the August 1, 2023 Primary Election and the November 7, 2023 General Election.
- D. Approval of City Contract 2023-150 with ESRI Incorporated for a Three-Year GIS Enterprise Licensing Agreement in an Amount not to Exceed \$42,100 Per Year Using State of Arizona Contract No. ADSP015-097108 Pricing. Funding is Available in the IT Budget.
- E. Approval of City Contract No. 2022-168A9, an Amendment to City Contract No. 2022-168 with Dibble for On-Call Planning & Engineering Services at Prescott Regional Airport - Ernest A. Love Field to Prepare an Airport Concessions (ACDBE) Program & Update the Disadvantage Business Enterprise (DBE) Program in an Amount not to Exceed \$89,825.00. Funding is Available in the Airport Fund.
- F. Approval of City Contract No. 2005-293A3, an Amendment to City Contract No. 2005-293 with Waste Management for Solid Waste Disposal Services to Reflect Updated Annual Disposed Tonnage. Funding is Available in the Solid Waste Fund.
- G. Approval of City Contract No. 2017-064A12, an Amendment to City Contract No. 2017-064 with Fann Contracting for Solid Waste Hauling Services to Reflect Updated Annual Hauled Tonnage. Funding is Available in the Solid Waste Fund.

- H. Approval of an Amendment to the Intergovernmental Agreement (IGA) Between the City of Prescott and Yavapai County for the Prescott Area Regional Landfill, to Terminate the 1991 IGA to Procure a City of Prescott Regional Landfill Site by Mutual Agreement.
- I. Approval of City Contract No. 2023-100 a Professional Services Agreement with CivicPlus LLC for Agenda and Meeting Management Software in Total Amount of \$34,146 for Two Years. Funding is Available in the City Clerk Department Fund.
- J. Approval of Opioid Settlement Disbursements.
- K. Approval of Multiple Contracts for the City Wide Water Main Replacement Project as Follows: 1) City Contract No. 2023-143 with Kimley Horn for Design Services for Phase 1 in the Amount of \$136,430.00; and 2) City Contract No. 2023-144 with Kimley Horn for Design Services for Phase 2 in the Amount of \$191,015.00. Funding Available in the Water Fund.

9. CONSENT ORDINANCE

Recommended Action: MOVE to adopt Consent Ordinance Items 9.A. and 9.B.

- A. Adoption of Ordinance No. 2023-1822 Authorizing the Purchase and Acceptance of a Public Trail Easement from The Salvation Army in the Amount of \$16,988.00 Plus Escrow Fees. Funding is Available in the Wastewater Fund.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE PURCHASE AND ACCEPTANCE OF A PUBLIC TRAIL EASEMENT, FROM THE SALVATION ARMY, A CALIFORNIA CORPORATION AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID PURCHASE AND ACCEPTANCE

- B. Adoption of Ordinance No. 2023-1823 Authorizing the Granting of a Utility Easement to Arizona Public Service Company.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE GRANTING OF A UTILITY EASEMENT TO ARIZONA PUBLIC SERVICE COMPANY, AN ARIZONA CORPORATION AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID EASEMENT

10. LIQUOR LICENSES

- A. Public Hearing and Consideration for a New Series 07 Beer and Wine Liquor License Application from Eric Lyon Burton, Applicant, for Betsy's. Location: 211 N Granite Street.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 216467 for new Series 07

Beer and Wine liquor license application for Betsy's. Location: 211 N Granite Street.

11. REGULAR AGENDA

- A. Update Regarding the Mayor's Charter Review Commission.

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

- B. Legislative Update.

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

- C. Approval of City Contract No. 2022-168A11, an Amendment to City Contract No. 2022-168 with Dibble for Planning & Environmental Services - Land Acquisition Support Services (Appraisals) in the Vicinity of Prescott Regional Airport - Ernest A. Love Field in an Amount not to Exceed \$107,051.00 Funding is Available in the Airport Fund.

Recommended Action: MOVE to approve City Contract No. 2022-168A11

12. 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