



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, JANUARY 11, 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 Matt Kottman with Solid Rock Christian Fellowship**
4. **PLEDGE OF ALLEGIANCE - Councilwoman Hall**
5. **ROLL CALL**
6. **PROCLAMATIONS**
 - A. **Prescott School Choice Week**
 - B. **Martin Luther King Jr. Day**

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.D.

- A. Approval of Minutes from the December 21, 2021 Executive Session, the December 21, 2021 Study Session and the December 21, 2021 Voting Meeting.
- B. Approval of Multiple Contracts for BioSolids Hauling and Disposal Services as Follows: 1) City Contract No. 2022-136 to Waste Management, Inc. in the Amount of \$450,000 Annually; and 2) City Contract No. 2022-137 to Salt River Environmental, Inc. in the Amount of \$100,000 Annually. Funding is Available in Wastewater Fund.
- C. Approval of City Contract No. 2022-141 to Superior Supply Inc., for Crack Seal Material in the Amount of \$262,191.51. Funding is Available in the Streets Fund.
- D. Approval of City Contract No. 2019-069A31, an Amendment to City Contract No. 2019-069 with Dibble Engineering for On-Call Engineering Services at Prescott Regional Airport - Ernest A. Love Field in an Amount not to Exceed \$99,753.00. Funding is Available in the Airport Fund.

9. CONSENT ORDINANCE

Recommended Action: MOVE to adopt Consent Ordinance Item 9.A.

- A. Adoption of Ordinance No. 2022-1786 Authorizing the Acceptance of a Public Utility Easement Agreement from DV Phase 1 Borrower, 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 DV PHASE 1 BORROWER LLC, AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE

10. REGULAR AGENDA

- A. Discussion and Approval of the 2022 Legislative Agenda.

Recommended Action: MOVE to approve the 2022 Legislative Agenda

- B. Discussion and Approval of the Bid Pertaining to the Real Estate Marketing and Brokerage Services RFP.

Recommended Action: MOVE to approve or reject the bid for the Real Estate Marketing and Brokerage Services RFP

- C. Public Hearing Regarding a Substantial Amendment to the 2020 and 2021 CDBG Annual Action Plans.

Recommended Action: 1) MOVE to Close the Public Hearing; and 2) MOVE to approve substantial amendment to the PY20 and PY21 CDBG Annual Action Plans

- D. Approval of Acceptance of Bid from ALR Construction Management LLC for the Renovation of the Warming Kitchen at the Boys & Girls Club of Central AZ (BGCCAZ) as Part of the Approved 2021 CDBG Annual Action Plan in the Amount of \$59,936.

Recommended Action: MOVE to approve acceptance of bid from ALR Construction Management LLC

- E. Approval of City Contract No. 2022-138 to Asphalt Paving & Supply, Inc. for the Rocky Dells Water Main Replacement Project, in the Amount of \$1,555,555.55; and Approval of City Contract No. 2022-140 with Kimley-Horn for Post Design Services in the Amount of \$57,840.00. Funding is Available in the Water Fund.

Recommended Action: 1) MOVE to approve City Contract No. 2022-138, and 2) MOVE to approve City Contract No. 2022-140

- F. Approval of Multiple Items for the Assignment of Two Airport Ground Leases and Subsequent Amendments at Prescott Regional Airport as Follows: 1) Approval of City Contract No. 2008-067AS01, a Consent to Assignment of Lease from Prescott Aviation Land, LLC to Cutter Aviation Prescott, LLC; 2) Approval of City Contract No. 2008-067A2, an Amendment to City Contract No. 2008-067, for Certain Changes; 3) Approval of City Contract No. 2008-179AS01, a Consent to Assignment of Lease from Prescott Aviation Fuel LLC to Cutter Aviation Prescott, LLC; and 4) Approval of City Contract No. 2008-179A2, an Amendment to City Contract No. 2008-179, for Certain Changes.

Recommended Action: 1) MOVE to approve City Contract No. 2008-067AS01; 2) MOVE to approve City Contract No. 2008-067A2; 3) MOVE to approve City Contract No. 2008-179AS01; and 4) MOVE to approve City Contract No. 2008-179A2

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

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