



CITY COUNCIL VOTING MEETING

VOTING MEETING MINUTES

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

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL VOTING MEETING HELD ON JANUARY 11, 2022, IN THE 201 S. CORTEZ STREET PRESCOTT, AZ 86303 CITY COUNCIL CHAMBERS.

1. CALL TO ORDER

Mayor Goode called the meeting to order at 3:07 p.m.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem wished everyone a happy new year, there is much to look forward to and we will have a very productive year. She also added that the city is in need for volunteers for current openings on various Boards Commissions and Committees and invited people interested in going to city website to submit an application. Acker Trust is now accepting grant applications, deadline is March 12th.

Mayor Goode recognized resident Mr. John Gunby who was recently inducted into the AZ Golf Hall of Fame Committee.

3. INVOCATION - Pastor Matt Kottman with Solid Rock Christian Fellowship

4. PLEDGE OF ALLEGIANCE - Councilwoman Hall

5. ROLL CALL

Phil Goode	Mayor
Cathey Rusing	Mayor Pro Tem
Jessica Hall	Councilwoman
Brandon Montoya	Councilman
Eric Moore	Councilman – Attended Virtually
Steve Sischka	Councilman
Clark Tenney	Councilman

6. PROCLAMATIONS

A. Prescott School Choice Week

Councilman Sischka presented the Proclamation.

B. Martin Luther King Jr. Day

Mayor Pro Tem Rusing presented the Proclamation.

7. OPEN CALL TO THE PUBLIC

a. Rod Luecke – Street Safety

Mr. Luecke addressed Council regarding excessive speed near his neighborhood off Smoke Tree Lane. There have been many incidents with dangerous situations for pedestrians and he would like to request a temporary presence of a traffic officer in the area and speed limit signs be posted on each end of the street.

b. K. Greg Murray – Climate Risk Assessment Support

Mr. Murray addressed Council regarding commission of a climate vulnerability assessment for the city of Prescott. Need to look at climate change impacts on the natural environment, built environment and citizens. Protect our natural beauty.

c. Sedona Ortega – Protect Campaign

Ms. Ortega addressed Council as a Prescott native who has seen the community grow over time. Must prepare for the worst to enjoy the best and need to conduct a climate needs assessment for our area. Young people of this community care deeply about this issue.

d. Kaia Hayes – Protect Campaign

Ms. Hayes addressed Council asking for clarification regarding civic engagement through BCCs. There is some confusion regarding a deadline for submission.

City Clerk Sarah Siep responded that applications are currently being accepted for Boards, Commissions and Committees with terms ending in March 2022 and must be filed by Friday, January 14th. However, she added, citizens may submit an application at any time to be kept on file for a period of one year for any future vacancies.

e. Yvonne Dorman – Fire Risk in Neighborhood

Ms. Dorman addressed Council regarding water and sewer services in her area which is on the outskirts of town. They are currently under review to her understanding. She would like Council to consider the safety of her area with regard to Fire and water and sewer connections.

8. CONSENT AGENDA

MOTION BY COUNCILMAN SISCHKA TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.D. EXCLUDING ITEM 8.C.; SECONDED BY COUNCILMAN MONTOYA: PASSED [7 – 0].

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.

This item was pulled from the Consent Agenda for further discussion.

Mayor Pro Tem Rusing asked for clarification regarding the communities involved in this project and if they are all within city limits.

Public Works Director Craig Dotseth responded that this is for the purchase of the product to do the work and added that this is a general vicinity map of the main part of the city where the work will be done. Work will be done on the city streets that require it.

Councilman Montoya asked if there is a plan in place regarding rotation of improvements to streets.

Mr. Dotseth stated there is a Pavement Management Program that drives how work is done, where and what. Taken by each fiscal year and dividing up what is needed.

MOTION BY MAYOR PRO TEM RUSING TO APPROVE ITEM 8.C.; SECONDED BY COUNCILMAN MONTOYA: PASSED [7 – 0].

- 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

- A. Adoption of Ordinance No. 2022-1786 Authorizing the Acceptance of a Public Utility Easement Agreement from DV Phase 1 Borrower, LLC.

MOTION BY COUNCILMAN TENNEY TO ADOPT ORDINANCE NO. 2022-1786; SECONDED BY COUNCILMAN MONTOYA: PASSED [7 – 0].

10. REGULAR AGENDA

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

Deputy City Manager Tyler Goodman provided a presentation to Council regarding the 2022 Legislative Session which began yesterday. Will present the agenda for this year to get guidance from Council on how to proceed.

- 1. Oppose Preemption of Local Authority

2. Preserve Local Funding
3. 2022 City Objectives

Continue state budget appropriations for the Hotshots – city will seek to maintain this \$1 million per year in state's base budget until remaining \$4 million is paid

- b. Tourism Marketing Authority – city will support legislation allowing for the creation of Tourism Marketing Authority (likely won't be dropped this session but will keep an eye on it)
- Expediting Water Adjudication Issues – city will evaluate the effectiveness and use of the money allocated to the Administrative Office of Courts to expedite the review of pending water adjudication issues
- c. Concept of Regional Park in Prescott – city will work with stakeholders to pursue the preservation of Glassford Hill and potential creation of a regional park

Mayor Goode emphasized the importance of keeping an eye on legislation and bills as they are pushed through the session.

This item was for discussion only, no formal action was taken.

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

Deputy City Manager Tyler Goodman provided a presentation to Council regarding the proposal received in October. Recommendation based on Charter and rules it is unnecessary to work with them to see what the city can get for property. Recommend rejecting the sole bid and move forward with listing on Loopnet/placing signage on building/release invitation for bids closing Feb. 10th for the property.

Councilman Montoya asked if anyone is precluded from submitting a bid for these types of things.

Mr. Goodman stated that nobody is precluded from submitting a bid and it is open to anyone, local/national/international. Have asked if they have a specific plan, they provide that but it is not necessary.

Councilwoman Hall asked if there is any indication about the bids we might be receiving.

Mr. Goodman commented that once the request is published it can be shared with anyone, he has also received some inquiries specific to the property because it has been discussed.

Mayor Pro Tem Rusing commented that this property is on McCormick but backs to Founding Fathers and the Hilton Garden Inn.

MOTION BY MAYOR PRO TEM RUSING TO REJECT BID PERTAINING TO THE REAL ESTATE MARKETING AND BROKERAGE SERVICES RFP; SECONDED BY COUNCILMAN TENNEY: PASSED [7 – 0].

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

Community Development Director Bryn Stotler provided a presentation regarding the amendment and CDBG process. Prescott is a HUD funded entitlement community which is based on population metrics, funded in \$240,000-\$250,000 annual amount per year. Funding goes to construction, public service and administration of the program. Applicants may be non-profits, for profits or government entities and Council has oversight of the annual action plan/approval of five-year consolidated plan, bid process outcomes, confirming actions of the Citizens Advisory Committee. Primary objective is to develop viable communities principally for low and moderate income persons through the provision of decent housing, suitable living environment and economic opportunity. Low income is a scale for low to moderate income.

CDBG/Community Development Coordinator Michelle Chavez continued the presentation regarding the amendments to the action plan. Each year the city receives application that the Citizens Advisory Committee reviews and approves, action plan is reviewed and approved by Council and then sent to HUD. Anytime funds are added or a project is removed an amendment has to be done. Boys & Girls Club was awarded funds in 2020 and 2021, the bids came in higher for the warming kitchen and so the Club would like to combine the grants that were already approved (NOT adding any additional funds) so the project can be completed. Combination of grants will allow them to move forward with construction of Boys & Girls Club warming kitchen.

Councilman Montoya asked if there was public comment on this item.

Ms. Chavez responded that there was not.

Mayor Goode commented that this a bureaucratic approval process to combine two years in order to fund the project.

Ms. Chavez confirmed. Combining the projects to fund the kitchen and will remove the bathroom from the 2021 plan year. She added that there have been delays and additional costs due to the pandemic and supply chain issues.

Councilman Sischka asked what a warming kitchen is.

Ms. Chavez responded that there is a warming stove rather than a gas/hooked in electric.

Boys & Girls Club Director Nicole Kennedy confirmed and responded that this helps the organization get away from commercial kitchen requirements and have more countertop appliances for working with the kids.

City Attorney Matt Podracky commented that this is a public hearing and asked if anyone has comments on this.

**MOTION BY COUNCILMAN TENNEY TO CLOSE THE PUBLIC HEARING;
SECONDED BY MAYOR PRO TEM RUSING: PASSED [7 – 0].**

**MOTION BY COUNCILMAN TENNEY TO APPROVE A SUBSTANTIAL
AMENDMENT TO THE 2020 AND 2021 ANNUAL ACTION PLAN;
SECONDED BY COUNCILMAN MONTOYA: PASSED [7 – 0].**

- 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.

**MOTION BY COUNCILMAN TENNEY TO ACCEPT BID; SECONDED BY MAYOR PRO
TEM RUSING: PASSED [7 – 0].**

- 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.

Utilities Manager Eric Bay provided a presentation to Council regarding the project which will replace water system in Rocky Dells neighborhood. Small neighborhood west of downtown Prescott, Thumb Butte Road and in the neighborhood. There have been breaks in the area and it is at the end of its service life, this is past due and will be a good project.

Mayor Pro Tem Rusing asked if streets will be repaved after water main replacement.

Mr. Bay said the trenching will be done and then chip seal will be done throughout the neighborhood.

**MOTION BY COUNCILMAN SISCHKA TO APPROVE CITY CONTRACT NO. 2022-138;
SECONDED BY COUNCILMAN MONTOYA: PASSED [7 – 0].**

**MOTION BY COUNCILMAN SISCHKATO APPROVE CITY CONTRACT NO. 2022-140;
SECONDED BY COUNCILMAN MONTOYA: PASSED [7 – 0].**

- 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.

Airport Director Robin Sobotta provided a presentation to Council regarding the ground lease assignments for fixed based operations (FBO) at Prescott Regional Airport. FBO engage in commercial aviation activities on airport property and provide an important service to aircraft users.

Airport Services Manager Kristi Miller continued the presentation regarding the work staff has been doing to get to this point. The first contract is for the facility itself.

Current FBO Facility:

- * 7.175 acre ground lease
- * 25-year term with 10-year option (approved in 2008)
- * Conveyance fee of 3% of sales price
- * Annual CPI adjustment of 3-5%
- * \$4.1 million improvements requirement

Current FBO Fuel Farm:

- * 1.235 acre ground lease
- * 25-year term with 10-year option (approved in 2008)

Amendments – FBO Facility:

- * 25-year term with 10-year option (contingent on completing all development)
- * Development – 60,000 square foot aircraft ramp; 20,000 square foot vehicular parking within 2 years; and 20,000 square foot corporate hangar within five years
- * Rent – improved facilities rate for 10-year option
- * Leasehold expansion ass 2.728 acres for a total of 9.898 acres

Amendments – FBO Fuel Farm:

- * 25-year term with 10-year option
- * Sale achievement target removed
- * Continuity clause and minimal operating standards added

Dr. Sobotta continued with an introduction of Cutter staff and added that they are the oldest operating FBO in the world.

President of Cutter Aviation Will Cutter addressed Council regarding their 94 year old family business that has over 300 employees. Half of business is selling airplanes the other half is servicing those airplanes.

Councilwoman Hall commented that she is excited to have Cutter in Prescott, they are a great business with an excellent reputation.

Mayor Goode welcomed Cutter to Prescott and commented that having a company like Cutter while we expand our airport is a wonderful partnership.

Ms. Miller added that this was discussed with the Airport Advisory Committee and hanger tenants in October and it was very well attended.

Mr. Podracky asked staff to speak to the performance standards of the improvements and the 3% conveyance fee.

Dr. Sobotta said the increase will be seen in monthly revenue. Improvements will help allow larger aircraft, the additional parking and hangar addition with 28-foot door for storage of larger aircraft all must be completed within 5 years or the option for 10 years cannot be exercised.

Mayor Goode thanked Legend Aviation for their support over the last several years.

MOTION BY COUNCILWOMAN HALL TO APPROVE CITY CONTRACT NO. 2008-067AS01; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

MOTION BY COUNCILWOMAN HALL TO APPROVE CITY CONTRACT NO. 2008-067A2; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

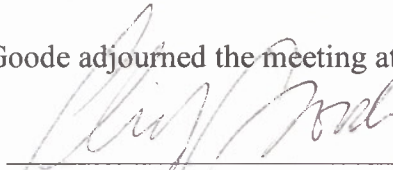
MOTION BY COUNCILWOMAN HALL TO APPROVE CITY CONTRACT NO. 2008-179AS01; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

MOTION BY COUNCILWOMAN HALL TO APROVE CITY CONTRACT NO. 2008-179A2; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0]

11. ADJOURNMENT

Quote: "There can be no truer principle than this, that every individual of the community has an equal right to the protection of government." - Alexander Hamilton

There being no further business, Mayor Goode adjourned the meeting at 4:37 p.m.



PHILIP R. GOODE, Mayor

ATTEST:

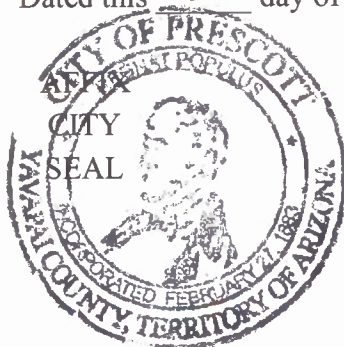


SARAH M. SIEP, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Voting Meeting of the City Council Voting Meeting of the City of Prescott, Arizona held on January 11, 2022. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 27th day of January, 2022.





Sarah M. Siep, City Clerk