



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, JANUARY 10, 2023, 3:00 PM

201 S. Cortez Street

Prescott, AZ 86303

City Council Chambers

Phil Goode, Mayor

Brandon Montoya, Mayor Pro Tem

Connie Cantelme, Councilwoman

Eric Moore, Councilman

Cathey Rusing, 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](#)

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

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS / ANNOUNCEMENTS**
- 3. INVOCATION - Pastor Scott Savage with Prescott Cornerstone Church**
- 4. PLEDGE OF ALLEGIANCE - Mayor Goode**
- 5. ROLL CALL**
- 6. PROCLAMATIONS**
 - A. Martin Luther King Jr. Day of Service - January 16, 2023**
 - B. U.S. Vets Prescott 20th Anniversary - January 16, 2023**
- 7. PRESENTATIONS**
 - A. Update from Staff Regarding Public Safety Personnel Retirement System (PSPRS) & Arizona State Retirement System (ASRS)**
- 8. 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*

9. 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 9.A. through 9.J.

- A. Approval of Minutes from the November 29, 2022 Strategic Plan Workshop, the December 13, 2022 Executive Session, the December 13, 2022 Study Session, the December 13, 2022 Voting Meeting, the December 20, 2022 Executive Session, the December 20, 2022 Study Session and the December 20, 2022 Voting Meeting.
- B. Approval of City Contract No. 2023-125 with the Yavapai-Prescott Indian Tribe for Distribution of Annual Gaming Funds to Local Non-Profits.
- C. Approval of City Contract No. 2023-126 for Repairs to the Exterior Doors at Antelope Hills Golf Course Club House Located at 1 Perkins Drive using City of Prescott Job Order Contracting No. 2023-068 with Ridgeline Builders LLC. in an Amount not to Exceed \$28,123.78. Funding is Available in the Facilities Maintenance Budget.
- D. Approval of City Contract No. 2023-134 for the Purchase and Installation of New Office Furniture in Various Locations at the Prescott Police Department Building from WIST Business Supplies & Equipment utilizing Arizona State Contract ADSP018-211706 in the Amount of \$41,545.65. Funding is Available in the General Fund.
- E. Approval of City Contract No. 2022-168A8, an Amendment to City Contract No. 2022-168 with Dibble for Planning & Environmental Services at Prescott Regional Airport in an Amount not to Exceed \$34,068.00. Funding is Available in the Airport Fund.
- F. Approval of City Contract No. 2023-131 with Turf Tank for the Purchase of One (1) Turf Tank GPS Paint Robot in the Amount of \$43,500.00. Funding is Available in the Park

Maintenance Budget.

- G. Approval of City Contract No. 2023-132 with HACI Mechanical for HVAC Repairs at Prescott Public Library Using Cooperative Purchasing 1GPA Contract #22-14PV-02 in the Amount of \$91,811.17. Funding is Available in the Facilities Maintenance Budget.
- H. Approval of City Contract No. 2022-197A1, an Amendment to City Contract No. 2022-197 with City Attorney Joseph Young.
- I. Approval of City Contract No. 2019-169A1, an Amendment to City Contract No. 2019-169 with Mountain Bike America LLC to Continue Planning, Organizing, Promoting & Operating the Whiskey Off-Road Mountain Bike Event. Funding is Available Through Transient Occupancy (Bed) Tax Funds.
- J. Approval of City Contract No. 2023-121 with Judge Mitch Padilla for City Judge Services and Pay Adjustment.

10. LIQUOR LICENSES

- A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Le Qi Chen, Applicant, for WZ Poke and Ramen Restaurant. Location: 258 N Lee Boulevard.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 217925 for new Series 12 Restaurant liquor license application for WZ Poke and Ramen Restaurant. Location: 258 N Lee Boulevard

- B. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Keven Steven Ayala Carillo, Applicant, for The Waffle Iron. Location: 420 E Sheldon Street.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 214984 for new Series 12 Restaurant liquor license application for The Waffle Iron. Location: 420 E Sheldon 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. Approval City Contract No. 2023-130 with Prescott Downtown Partnership for the Annual Summer Concert Series & Flower Basket Program and Donation. Funding is Available Through Transient Occupancy (Bed) Tax Funding.

Recommended Action: MOVE to approve Contract No. 2023-130

- C. Adoption of Resolution No. 2023-1845 & Ordinance No. 2023-1818 Updating the City's Procurement Code with Changes Discussed at the November 22, 2022 City Council Study Session.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE PRESCOTT CITY CODE BY AMENDING CITY CODE TITLE I, CHAPTER 1, SECTION 27, BY ADOPTING THE PUBLIC RECORD DOCUMENT GENERALLY ENTITLED "CITY CODE, TITLE I, CHAPTER 1, SECTION 27, CITY OF PRESCOTT PROCUREMENT CODE"

Recommended Action: 1) MOVE to adopt Resolution 2023-1845; and 2) MOVE to adopt Ordinance No. 2023-1818

- D. Adoption of Ordinance No. 2023-1819, a Request for a Rezoning from SF-9 (Single Family) to MF-M (Multifamily - Medium Density) to Allow for Two (2) Duplex Type Single Family Homes (Total of Four Dwelling Units) on APNs 107-14-058 and 107-14-059. Location: 607 and 608 Maricopa Drive. Property Owner: Tran Le Family Trust. Applicant: Distinctive Home and Architecture.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING OF CERTAIN PROPERTY WITHIN THE CITY OF PRESCOTT GENERALLY LOCATED AT 607 AND 609 MARICOPA DRIVE FROM RESIDENTIAL SINGLE FAMILY (SF-9) ZONING DISTRICT TO MULTI-FAMILY- MEDIUM DENSITY (MF-M) ZONING DISTRICT

Recommended Action: MOVE to adopt Ordinance No. 2023-1819 with development to be in substantial conformance with the submitted site plan.

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