CITY OF PRESCOTT

City of Prescott
City Council - Voting Meeting

April 25, 2023 | 3:00 PM
201 N Montezuma Street
City Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. **CALL TO ORDER**
Mayor Goode called the meeting to order at 3:06 p.m.

2. **INTRODUCTIONS / ANNOUNCEMENTS**
Mayor Pro Tem Montoya congratulated the city's Budget & Finance Department on their recent award from the Government Finance Officers Association (GFOA). GFOA stated that recipients have improved budgeting processes and provide an example to other agencies throughout America. The current fiscal year budget document is available on the city website. He added that beginning Friday, April 28 the Whiskey Off Road Cycling Event will begin with many events. The city has posted street closures on the website and the Cortez Street location of city hall will close at 4:00 p.m. on Friday due to road closures.

3. **INVOCATION - Pastor Dan Hurlbert with Prescott United Methodist**

4. **PLEDGE OF ALLEGIANCE - Mayor Goode**

5. **ROLL CALL**
Phil Goode - Mayor
Brandon Montoya - Mayor Pro Tem
Connie Cantelme - Councilwoman
Eric Moore - Councilman
Cathey Rusing - Councilmember
Steve Sischka - Councilman
Clark Tenney - Councilman

6. **PROCLAMATIONS**

   A. 125th Anniversary of the Rough Riders - May 4th
   Mayor Goode presented the Proclamation.

   Chris Lamberton, Commander of the Scottish American Military Society, thanked Mayor Goode and discussed the event that will take place next week at the Bucky O'Neill Monument.

7. **OPEN CALL TO THE PUBLIC**

A. Steven Sidlovsky addressed Council regarding personhood status for the City of Prescott.

B. Reina Yoss addressed Council regarding personhood status for the City of Prescott.

C. Andria Gregory addressed Council regarding personhood status for the City of Prescott.

D. Jack Kemplin addressed Council regarding personhood status for the City of Prescott.

E. Kathleen Clark addressed Council regarding Fire access for properties for sale in the Ranch and the issues with previously "lax" building codes.

8. CONSENT AGENDA

MOTION BY COUNCILMAN MOORE TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.G.; SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

A. Approval of Meeting Minutes from the April 11, 2023 Executive Session, the April 11, 2023 Study Session, and the April 11, 2023 Voting Meeting.

B. Approval of Appointment of Members to the Workforce Housing Committee.

C. Adoption of Resolution No. 2023-1848 Approving the Council Policy Regarding Contracts with Public Officers & Employees of the City.

D. Approval of City Contract No. 2023-185 with San Tan Ford for the Purchase of One (1) 2022 Ford F250 Crew Cab 4x2 Long Bed Pickup Truck Using State Cooperative Contract No. CTR059323 in the Amount of $48,746.93. Funding is Available in the Streets Fund.

E. Approval of Multiple Contracts for Vehicle Purchases as Follows: 1) City Contract No. 2023-184 with Peoria Ford for the Purchase of One (1) 2022 Ford F550 Supercab Truck, in the Amount of $67,315.37; and 2) City Contract No. 2023-190 with Sun Country Equipment for the Purchase of One (1) Stahl Utility Service Body Using City of Tempe Cooperative Contract No. T21-002-02 in the Amount of $22,247.93. Funding is Available in the Streets Fund.

F. Approval of City Contract No. 2023-191 with Balar Equipment for the Purchase of One (1) Vacon V350H/100 Combo on a Freightliner 114SD Chassis in the Amount of $534,328.25 Utilizing the Sourcewell Cooperative Procurement Contract No. 101221. Funding is Available in the Streets Fund.

G. Approval of City Contract No. 2015-193A6, an Amendment to City Contract No. 2015-193 with Civiltec Engineering Inc. for the Zone 24/27 Water Pipeline Project in the Amount of $59,174.00. Funding is Available in the Water and Wastewater Funds.

H. Approval of City Contract No. 2023-195 with CompuNet Incorporated for Cybersecurity Software in an Amount not to Exceed $57,717.12. Funding is

Available in the IT Budget.
This Item was pulled from the Consent Agenda for further discussion.

Councilmember Rusing commented that her email was recently hacked and fake emails sent out so she would like to know how this contract will address that.

IT Director Nate Keegan responded that the firewall will address those issues and more.

Mayor Pro Tem Montoya commented that he sent a screenshot of an email and a text message that he received during hack and asked staff to address how that happens. He also asked if it is possible that this change could this impact legitimate inquiries coming through as well.

Mr. Keegan responded that often these hacks are automated, and will look at contacts and then send those out as well so that is how emails and text messages are received. He added that there is always a danger to cybersecurity depending on how we crack down on things, so there has to be balance, but staff will work on insuring that happens.

MOTION BY MAYOR PRO TEM MONTOYA TO APPROVE CITY CONTRACT NO. 2023-195; SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

I. Approval of City Contract No. 2023-194 with Centralquare Technologies for Community Development Software Support & Maintenance Using TIPS Contract #220105 in an Amount Not to Exceed $197,097.70. Funding is Available in Various Funds.
This Item was pulled from the Consent Agenda for further discussion.

Councilmember Rusing commented that she would like more information due to cost of this item and she asked if it has improved processes.

IT Director Nate Keegan responded that this is the same software the Community Development Department has been using, but software evolves and changes over time, particularly with cloud software options, so this is a necessary next step in the software.

Interim Community Development Director Chelsea Walton added that the software has given the department the ability to turn around permits faster. Members of the building community still say not quite quick enough, but one huge benefit is that processes are not duplicated and applicants can see review comments in real time.

MOTION BY COUNCILMAN TENNEY TO APPROVE CITY CONTRACT NO. 2023-194; SECONDED BY MAYOR PRO TEM MONTOYA: PASSED (7 - 0)

9. CONSENT ORDINANCE

MOTION BY COUNCILMAN TENNEY TO ADOPT CONSENT ORDINANCE ITEMS 9.A. AND 9.B.; SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

A. Adoption of Ordinance No. 2023-1827 Authorizing the Sale of City Real Property to Montezuma Heights Investors, LLC.

Councilman Moore commented that he is not opposed to this Ordinance, but he has a question about the project because he doesn't recall it coming through.

Interim Community Development Director Chelsea Walton responded that Montezuma Heights had a lot of challenges initially and that caused the gap between when it came to the Planning & Zoning Commission and when the Ordinance is coming to Council for approval. This will establish a right of way to address steep curves where Montezuma turns into Whipple where area is not usable.

Mayor Goode stated that there is a steep slope of rock and right-of-way has no function for use of the city, so developer can maintain upper portion of slope for their development.

B. Adoption of Ordinance No. 2023-1828 Authorizing the Granting of a Utility Easement to Arizona Public Service Company.

10. LIQUOR LICENSE

A. Public Hearing and Consideration for a New Series 10 Beer & Wine Store Liquor License Application from Eric Lyon Burton, Applicant, for The Betsy. Location: 211 N. Granite Street.

The applicant was present and addressed Council regarding the additional liquor license series for the location across from Founding Fathers.

MOTION BY COUNCILMEMBER RUSING TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

MOTION BY COUNCILMEMBER RUSING TO APPROVE ITEM 10.A.; SECONDED BY COUNCILMAN SISCHKA: PASSED (7-0)

11. REGULAR AGENDA

A. Legislative Update.

Interim City Manager Tyler Goodman provided a brief update to Council regarding the ongoing legislative session. He stated that the main focus for the moment is replacing the expelled member, so staff continues to await information on the budget process but outside of that there is no real update.

This item was for discussion only. No formal action was taken.

B. Update Regarding the Mayor's Charter Review Commission.

City Clerk Sarah Siep provided an update regarding the Commission's review of Council comments following the April 11 Study Session. She stated that a number of revisions will be incorporated into the proposal, while some will not and Council will receive a final Study Session presentation at the June 13 Study Session. Additionally, Ms. Siep stated that staff neglected to include a proposed revision in the April 11 Study Session presentation materials related to the City

Manager contract, but Chairman Arnold will cover that during the June 13 Study Session.

Councilman Moore asked staff for clarification regarding the continuing open call to the public comments on a Personhood addition to the City Charter and whether that would be considered.

Ms. Siep responded that she has followed up with Mr. Sidlovsky a number of times regarding the fact that the Commission has concluded its review of priority Charter Amendments for this election cycle and they would not be considering a personhood addition. She added that should there be a desire for a future addition or discussion, members of the Commission would contact Mr. Sidlovsky to let him know.

Mayor Goode added that the Commission has selected over a dozen items that are high priority for this cycle and will look at potential future items as well.

Councilmember Rusing commended the Mayor for forming this Committee to tackle this issue.

Councilman Moore reiterated that it is important for people to know that there is a process related to all of this, and many issues are national and not city issues.

This item was for discussion only. No formal action was taken.

C. Approval of Request for Re-Naming Granite Dells No Name Creek to "Elisabeth Creek".

City Clerk Sarah Siep provided a brief update to Council regarding the request to rename No Name Creek to Elisabeth Creek. Following an April Study Session presentation the public comment period was opened for 30-days and one comment was received during that time.

Mayor Pro Tem Montoya asked staff to address any potential updates to signage in the area.

Recreation Services Director Joe Baynes responded that there will be signage along the Peavine Trail near the Creek pending Council's approval and he has been working with the Ruffner family on verbiage.

Councilmember Rusing said she is thrilled to see the policy in action.

Councilwoman Cantelme recognized the Ruffner family that was present in the audience and commented on how much Elisabeth loved the city.

Member of the Public Joanne Oellers, Chair of Save the Dells, addressed Council regarding this win-win situation in re-naming of the creek. Mrs. Ruffner did fantastic work to gain support for open space here in Prescott and she encouraged everyone to continue the tradition.

Member of the public Dottie Morris addressed Council regarding Mrs. Ruffner's dedication to the community. She added that The Granite Dells Foundation has been working on the submission of paperwork so that all state maps will reflect the update of the name of the creek.

Members of the Ruffner family addressed the Council and thanked them for their consideration of this item and how important it is for their family.

MOTION BY COUNCILMEMBER RUSING TO APPROVE ITEM 11.C.; SECONDED BY COUNCILMAN MOORE: PASSED (7 - 0)

D. SITE23-002 & WSA23-005: Site Plan Review and Water Service Application for an 18-unit Apartment Complex on Approximately 0.98 Acres. Zoning: MF-M (Multi-Family Medium Density). Property Owner: VSCK Investments LLC. Applicant: Stroh Architecture, Inc. Location: APN 111-11-131, 836 Valley Street.
Community Planner Tammy Dewitt provided a presentation to Council regarding the Site Plan Review and Water Service Agreement. Code requirements have been met for parking and the new water policy requires Council approval of both items. She provided an overview of the location and the project site plan, and added that both the Planning & Zoning Commission and Water Issues Subcommittee have reviewed and unanimously recommended approval.

Architect Doug Stroh was present and addressed the Council regarding the infill project. He stated they did a similar project for the same client a few years ago which has been very good for the area.

Mayor Goode commented that he is very supportive of this type of infill development. It makes sense to be able to do these projects.

Councilwoman Cantelme asked if this will be considered workforce housing.

Mr. Stroh responded that it is market value.

MOTION BY COUNCILMAN SISCHKA TO APPROVE SITE23-002; SECONDED BY MAYOR PRO TEM MONTOYA: PASSED (7 - 0)

MOTION BY COUNCILMAN SISCHKA TO APPROVE WSA23-005; SECONDED BY COUNCILMEMBER RUSING: PASSED (7-0)

E. Approval of City Contract Nos. 2024-001 Through 2024-032 for Thirty-two (32) Professional Services Agreements for On-Call Services Contracts for FY2024-2029. Funding When Needed is Available in the Capital Improvements Project Budgets Approved Annually.
Public Works Deputy Director Gwen Rowitsch provided a presentation to the Council regarding the on-call professional services contracts.

<u>Procurement Process:</u>
* Direct Selection - technical registrant without the requirement of advertising
* Request for Proposal (RFP) or Notice Inviting Bids - solicitation that announces a project, describes it and solicits bids from qualified contractors requiring costs for specific line items
* Request for Statement of Qualifications (RSOQ) - solicitation for information related to the qualifications of a firm or person for a specific type of professional

service

<u>Why On-all Professional Services Contracts:</u>
* Contracts are awarded based on demonstrated competence and qualifications through process
* Firms are pre-qualified saving 2-4 months of time
* Firms may be qualified in more than one category
* City can have several pre-qualified firms in each category
* Firms on the on-call list do not have a guarantee of work
* Per the National Institute of Governmental Purchasing, it is recommended that governmental agencies have a list of prequalified companies

<u>How do they Get on The On-Call List:</u>
* Follow AZ revised statutes and write RSOQ
* Publish in paper and on city website
* Publicly open sealed RSOQ documents received by due date
* Selection committee (4-5 members with knowledge of category) scores based on the selection criteria/relative weight of criteria specific to RSOQ
* Scores are tabulated to identify 3-5 firms
* Letters go out to all who submitted qualifications
* Council awards contracts with recommendation of annual award amount based on number of categories
* Process for RSOQ procurement takes approximately 2-3 months
* Qualified firms remain on the list for three years with up to two 1-year renewals (firms can choose not to renew)

<u>How are Firms Chosen:</u>
* Identify a task and review firms within a category
* Chose the firm with the most relevant experience in that category and provide scope of work
* Discuss scope/staff availability/schedule
* Receive a quote from a firm based on the scope provided
* Verify that the pricing is fair and reasonable
* If the city and firm cannot come to terms on fees, the city can terminate negotiations and move onto the next qualified firm in that category and repeat
* Once the city terminates negotiations with a firm for their task order the city cannot revisit pricing with that firm

Councilwoman Cantelme asked how the pricing is verified and who does it.

Ms. Rowitsch responded that there is a running bid tabulation and they have comparable statistics they use as well.

Councilmember Rusing asked if this method is also used for emergency project situations.

Ms. Rowitsch stated that at times these are used for those purposes, however that is not always the case. She continued by saying that in the last five years all 19 categories were utilized for on-call services and 26 of the 42 firms on the on-call list. In the five-year period, $4.5 million was spent with 145 tasks.

Capital Program Manager Tim Sherwood discussed some examples of past projects in which on-call contracts were used:
* Alta Surveys (W Parcel)
* Private Development Plan Review
* Equestrian Way
* Cliff Rose Mill & Pavement
* Prescott Library Sidewalk Improvements and American Legion Sidewalk Project
* Dexter Neighborhood Drainage Design
* Public Relations

Councilmember Rusing asked if the PFAS testing would be utilized through this as well.

Ms. Rowitsch responded that the city has a lab it utilizes for most of these types of issues, and it would likely not fall within a Professional Service Agreement like this.

MOTION BY MAYOR PRO TEM MONTOYA TO APPROVE ITEM 11.E.; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)

12. ADJOURNMENT

Quote: "We don't have inflation because people are living too well, we have inflation because the government is living too well." - Ronald Reagan

There being no further business to discuss, Mayor Goode adjourned the meeting at 4:56 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 April 25, 2023. I further certify the meeting was duly called and held and that a quorum was present.

Sarah M. Siep, City Clerk

CITY OF PRESCOTT REGNAT POPULUS INCORPORATED FEBRUARY 22, 1883 YAVAPAI COUNTY, TERRITORY OF ARIZONA