CITY OF PRESCOTT

City of Prescott
City Council - Study Session

June 13, 2023 | 1:00 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 1:00 p.m.

2. **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

3. **DISCUSSION**

A. Presentation from the Mayor's Charter Review Commission Regarding Proposed Amendments for the 2023 General Election Ballot.
City Manager Katie Gregory provided an introduction and background regarding the ongoing work of the Mayor's Charter Review Commission and introduced Commission Chair Charlie Arnold to review the proposed amendments.

Chair Arnold provided a presentation and reviewed all of the proposed Charter Amendments from the group.

Mayor Pro Tem Montoya asked about the proposed amendments to Article IX, Section 3 and the Commission's recommendation that a person be a resident for three years rather than two years in order to run for Council.

Chair Arnold responded that there was some back and forth discussion but the ultimate determination from the majority of the group was three years would give a potential candidate a deeper understanding of the community.

Councilwoman Canteme commented that they should own a property in order to run for Council.

City Attorney Joseph Young responded that this has been addressed, and ownership is not an established criterion for voting or running for office, nor can it be.

Mayor Pro Tem Montoya asked about proposed amendments to Article II, Section 8 and how the increase proposed for Council's stipend was determined

by the Commission.

Chair Arnold responded that the Commission reviewed other "like sized" charter communities and addressed inflation in order to determine an acceptable increase in their view.

Ms. Gregory stated that in times of budget reduction, if that occurs in the future, she would be concerned about the increase being included in the Charter. If a change to employee compensation were to take place, this wouldn't be impacted and she feels that is unfair. Her preference would be to have the language tied more commensurately with the employee increases or changes.

Councilman Tenney commented that he would also have misgivings regarding this issue, so he would be in favor of tying it to the employee increases annually as well.

Councilmember Rusing concurred.

Chair Arnold stated that the group was trying to take out any question marks and, if it could be tied to the employee increases and that would be the preference staff can make those revisions.

Ms. Gregory stated that there could be language regarding reviewing every other year or something along those lines.

City Clerk Sarah Siep said that could be updated in advance of the June 27, 2023 Voting Meeting if that is the consensus of Council.

Mayor Goode stated that only two members of Council object and that doesn't cover the balance of Council.

Council and staff discussion regarding Article II, Section 11 and how the language was selected to define meeting days.

Mr. Young added that there is precedence within other policies to address the attendance in a different way if the Council chooses to and added that "may" should be added to the emergency situation section rather than "will".

Mayor Pro Tem Montoya stated that he likes the idea of Mr. Young's suggestion and feels that a percentage makes more sense than a specific number of days or number of meetings.

Councilmember Rusing said that administrative removal of an elected official can be dangerous.

Councilman Tenney asked for clarification that if the vacancy occurs more than 90 days before the petition filing deadline there would only be one option to the Council. He stated that he is concerned about this Council sending something to the voters that would tie the hand of future Councils.

Chair Arnold confirmed.

Councilman Moore asked about proposed amendments to Article II, Section 18 and if there should be anything included in the provision that would limit the ability of someone to abuse this opportunity in a manner similar to the recent update to the Open Call to the Public.

Chair Arnold said that the discussion was that this might limit a citizens ability to address their elected officials.

Mayor Pro Tem Montoya stated that the word "petition" in this case doesn't necessarily require them to go out and collect signatures.

Chair Arnold confirmed.

Mr. Young added that it would also be beneficial for staff to come up with administrative ways to address what is included in the Charter.

Councilman Tenney commented that he is concerned about what "petition" means and what "acted upon" means. These could be issues of what responsibility Council legally has to act on something.

Mr. Young said that the only reasonable expectation would be that it is included in an Agenda and voted upon.

Mayor Goode commented that this addresses the responsibility of elected officials to listen to constituents and if someone abuses that, then it would be addressed.

Councilwoman Cantelme asked if it would be beneficial to include a definition of the word "abusive" included in the section.

Mr. Young said that would be up to the Council. Staff could do so to some extent administratively, but that could also pose problems. It could be included in the provision of the Charter if necessary.

Mayor Pro Tem Montoya commented that the Council recently had an individual who has abused the Open Call to the Public process, but that is part of running a representative government and he feels that erring on the side of allowing the public to bring something to the Council is paramount. Policies and procedures can create limitations in how this is addressed but still allow people to address this issue.

Mr. Young concurred and added that depending on the context of the petition, staff could include on an Agenda as a consent item which would address the potential abuse issue as well.

Chair Arnold confirmed that the reason this was brought up was the issue of time for staff to address the issues that are brought forward to the staff. He added that whether they are a citizen of the city of Prescott could also be considered. This is

more about the functionality of the process.

Councilman Sischka commented that he is concerned about the words "acted upon" and provided an example of a second amendment discussion that was brought up but was already included in the constitution, so why would the Council have to vote on that.

Mr. Young responded that under the existing language it would require a vote.

Mayor Pro Tem Montoya asked about proposed amendments for Article VI, Section 15 and if there is any concern regarding updating the amount of time now and if it would be a problem in the future.

Finance Director Mark Woodfill clarified that a new request for proposals every five years would be the requirement and the language staff suggested is the recommendation from the GFO so he has no concerns about these recommended changes.

Following introduction of proposed revisions to Article VIII, Section 13 Mr. Young stated that he would like to remove the last sentence of the Section or make it permissive rather than "shall not".

Chair Arnold said the Commission would be supportive of that in order to not create additional restrictions while still protecting the City.

Councilmember Rusing said the occurrence of the appraisal is confusing. She asked if the option is exercised would the property then be purchased at the price it was appraised for when the lease was entered into no matter how long ago that was.

Chair Arnold confirmed and added that if the city enters into a 20-year lease and it is appraised at $3.9 million, both parties are entering into the agreement with the expectation of the sale being at the price that the agreement is done.

Ms. Gregory confirmed that removal of the last sentence would be appropriate as well.

Council consensus to remove the last sentence language and update the language regarding it pertaining to all provisions of Section 12.

Ms. Siep confirmed that staff will update and revise.

Chair Arnold thanked staff and the Commission members for their work thus far on this project.

Council and staff discussion regarding potential issues with the updating of requiring residency for three years and therefore limiting citizens to be at least 21 years old in order to run for Council.

Councilman Tenney suggested "qualified electors of the city" and have been

residents of the city for at least three years might address that issue.

Ms. Siep stated that staff can address that issue and reconvene the Commission if they are available prior to the vote on June 27 to make the recommended changes that Council reached consensus on.

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

B. Discussion and Presentation of the Fire Adaptive Community Framework & the Forestry Health and Risk Reduction Program.

City Manager Katie Gregory provided an introduction regarding the Fire Adaptive Community Framework and Forestry Health & Risk Reduction Program.

Fire Chief Holger Durre recognized attendees AZ State Forester Tom Torres, AZ State Fire Management Officer John Truit, AZ Division of Forestry and Fire Management Division Chief Darryl Willis, Prescott National Forest Acting Fire Staff Officer Aaron Hulbert, Prescott National Forest District Ranger Sarah Clawson and Yavapai Firewise Board Member Shirley Howell. He stated that the purpose of this discussion and these concepts is to shift the mindset regarding wildfire preparedness. No single stakeholder can adequately prepare for the impacts of a wildfire, so cooperation and organization are important. Prescott is located in an area that has a higher than average exposure to wildfire and other similar communities have experienced large fires with varying results.

<u>The Wheel of Fire Adaptive Communities:</u>
* 10 components - public health, prevention, regulations/policy/plans, infrastructure/business, recovery, safety/evacuation, wildfire response, resident mitigation, partnerships/community engagement, and landscape treatment
* Broad Stakeholder network

<u>Proposed Solutions:</u>
* Develop a city focused multi-year fuels treatment plan
* Increase the community stakeholders that are actively engaged in ongoing preparedness
* Collaborate on cross-departmental wildfire related programs
* Shift the community's mindset from focusing on prevention and response alone to one of adaptation
* Partnering with the private sector and regulatory entities
* Shaping a comprehensive message providing purposeful outreach

<u>Forestry Health & Risk Reduction Program:</u>
* Objectives - to mitigate wildfire risk to the community and natural resources by conducting strategic fuel reduction projects; to mitigate costs related to these projects by seeking grant funding that aligns with the efforts of local/state/federal partners; partner with community organizations on wildfire risk reduction through risk-informed strategic planning; provide resources for land management responsibilities on city-owned open space
* Secondary Objectives - maintain or enhance native plant and animal habitats to support the enjoyment of natural areas, diversify and expand the capabilities of city resources related to forestry and fuels, and provide community-wide programs related to brush cleanup and chipping services for residents pending

resource availability

Fire Department Leadership:
* Wildfire Risk Management Supervisor
* Grants Administrator
*Supervise, coordinate and manage fire department employees engaged in wildfire risk reduction planning and coordination
* Develop a multi-year fuels treatment plan that coordinates the needs of open space, grant-funded projects and partnerships with the state and USFS
* Oversee the application and management of grant-funded projects in coordination with Recreation Services
* Document and track the accomplishment of strategic objectives related to prescribed fire implementation, risk reduction efforts and related planning

Recreation Services Department Role:
* Forestry Crew Coordinator, Forestry Crew Squad Bosses and Forestry Crew
*Supervise, coordinate, and manage the City of Prescott Forestry program, including determining crew composition
* Implement projects that support a multi-year fuels treatment plan that coordinates open space needs, grant-funded projects and partners with the state and USFS
* Purchase and maintain all necessary tools and equipment to effectively perform the work of the forestry crew and meet grant requirements

Councilman Moore asked if these positions would be year round in Recreation Services.

Recreation Services Director Joe Baynes confirmed. He added that the department has the resources and equipment to help address these issues that the community is facing.

Mayor Goode thanked Chief Durre for focusing on these issues and thinking proactively about addressing future problems.

Councilwoman Cantelme asked how we are going to market these issues.

Chief Durre responded that working with the Forest Service and other groups they will be able to release media and getting the message out through a variety of means.

Councilmember Rusing commented on how impressed she has been with Chief Durre's intergovernmental cooperation in the community since he started.

Councilman Moore commented that sometimes the fuel reduction can be viewed as unnatural and asked if there is a way of addressing things more natural to keep the canopy open, etc.

Chief Durre responded that this is not his area of expertise outside of the fact that Grants have specific requirements.

Prescott National Forest District Ranger Sarah Clawson addressed Council and added that on the Prescott National Forest side they are trying to create resilient eco systems and there is a restoration component associated with that. She also acknowledged that while that approach is taken, they also take a slightly heavier handed approach to immediately surrounding communities at risk for a safe and effective response. The best balanced approach is what these groups look at in planning for the future.

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

4. ADJOURNMENT

There being no further business to discuss, Mayor Goode adjourned the meeting at 2:52 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 June 13, 2023. I further certify the meeting was duly called and held and that a quorum was present.

Sarah M. Siep, City Clerk