



City of Prescott

City Council - Voting Meeting

September 12, 2023 | 3:00 PM
201 N Montezuma Street
City Council Chambers, 3rd Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Prescott City Council** 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: [City of Prescott Public Portal](#)

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

1. **CALL TO ORDER**
2. **INTRODUCTIONS / ANNOUNCEMENTS**
3. **INVOCATION - Lynda Bennett with the Church of Jesus Christ of Latter-day Saints Groom Creek Ward**
4. **PLEDGE OF ALLEGIANCE - Councilwoman Cantelme**
5. **ROLL CALL**
6. **PROCLAMATIONS**

- A. Team Ani Noquisi Day - September 12
- B. Constitution Week 2023 - September 17-23
- C. Prescott Highland Games & Celtic Faire Week - September 18-26

7. **OPEN CALL TO THE PUBLIC**

The City of Prescott welcomes public engagement and residents may comment & address Council regarding matters NOT included on the posted 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 with the following stipulations:

- Citizens will be limited to addressing Council on the same topic only four (4) times in total
- If a topic has been addressed more than five times by different speakers, the Mayor may limit future discussion on this topic
- Topics of a primarily national concern may be limited at the discretion of the Mayor

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 Meeting Minutes from the August 22, 2023 Study Session and the August 22, 2023 Voting Meeting.
- B. Adoption of Resolution No. 2023-1865 Establishing the Civic Enhancement Committee by Dissolving and Combining the Functions of the Acker Trust Board, the Art in Public Places Committee, the Library Advisory Board and the Parks & Recreation Advisory Board.
- C. Approval of Appointment of Thomas Hutchison as One of Two Planning & Zoning Commission Members to the General Plan Review Committee, Replacing Councilman Elect Ted Gambogi.
- D. Approval of City Contract No. 2024-074 with Pavement Restoration Inc., for the FY24 Pavement Rejuvenation Phase 1 Project in the Amount of \$229,853.83. Funding is Budgeted and Available in the Streets Fund.

9. **CONSENT ORDINANCE**

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

- A. Adoption of Ordinance No. 2023-1839 Accepting a Public Utility Easement from Both Prescott College and WSH Hospitality, 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 PRESCOTT COLLEGE INC AND WSH HOSPITALITY, LLC, AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE

10. **LIQUOR LICENSE**

- A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Vitalina Alcantar, Applicant, for Mi Tierra Mexicana. Location: 1317 E. Gurley Street.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 249910 for a new Series 12 Restaurant liquor license application for Mi Tierra Mexicana. Location: 1317 E. Gurley Street

- B. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Amanda Mae Adam, Applicant, for Bear & Dragon. Location: 334 S Montezuma Street.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 252839 for a new Series 12 Restaurant liquor license application for Bear & Dragon. Location: 334 S Montezuma Street

11. **REGULAR AGENDA**

- A. Adoption of Resolution No. 2023-1867 Accepting a Surface Water Improvement Grant from the Arizona Department of Environmental Quality (ADEQ), in the Amount of \$98,338.00.
Recommended Action: MOVE to adopt Resolution No. 2023-1867
- B. Approval of City Contract No. 2024-064 with CLM Earthmovers, LLC for the Garden & Western Sewer and Street Improvement Project in the Amount of \$1,480,248.85. Funding is Budgeted and Available in the Streets & Wastewater Funds.
Recommended Action: MOVE to approve City Contract No. 2024-064
- C. Approval of City Contract No. 2024-072 with Civiltec Engineering Inc. for Design of the Hornet Drive Drainage Improvements, Phase 2, in an Amount not to Exceed \$71,242.00. Funding is Budgeted and Available from the Yavapai County Flood Control District Intergovernmental Agreement for FY24.
Recommended Action: MOVE to approve City Contract No. 2024-072
- D. Approval of City Contract No. 2024-073 with CLM Earthmovers, LLC, for the FY23 Miscellaneous Concrete Repairs Phase 2 Project in the Amount of \$648,302.25. Funding is Budgeted and Available in the Streets Fund.
Recommended Action: MOVE to approve City Contract No. 2024-073
- E. Approval of PLN23-001, a Preliminary Plat of Luxelocker Condo Storage Facility at Deep Well Ranch, a 126 Unit Subdivision on an Approximate 6.8 Acre Parcel Located on the Southeast Corner of the Intersection of N State Route 89 and Deep Well Ranch Road. Site Zoning: SPC (Specially Planned Community). Property Owner: Prescott Storage Partners LLC. Applicant: Lyon Engineering. Location: APN 102-08-057F.
Recommended Action: MOVE to approve PLN23-001

12. ADJOURNMENT

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)).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 9/12/23 at 11:00 a.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

A handwritten signature in cursive script, reading "Sarah M. Siep".

Sarah M. Siep, City Clerk