



City of Prescott

City Council - Voting Meeting

November 28, 2023 | 4:00 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 - Pastor Dan Hurlbert with Prescott United Methodist**
4. **POSTING OF COLORS BY MEMBERS OF THE AMERICAN LEGION & PLEDGE OF ALLEGIANCE BY MAYOR GOODE**
5. **ROLL CALL**
6. **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

7. **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 7.A. through 7.G.

- A. Approval of Meeting Minutes from the November 7, 2023 Executive Session, the November 7 Special Meeting, the November 14, 2023 Study Session, and the November 14, 2023 Voting Meeting.
- B. Approval of the Official Canvass of the City of Prescott General Election Held on November 7, 2023.
- C. Approval of Request to Apply for a WIFA Water Conservation Fund Grant.
- D. Approval of City Contract No. 2024-133 with Peoria Ford for the Purchase of a Replacement 2023 Ford Police Responder F150 & Upfitting of Emergency Equipment from American Emergency Products in an Amount not to Exceed \$95,000. Funding is Available in the Risk Management Internal Service Fund.
- E. Approval of City Contract No. 2024-139 for the Purchase of One (1) Bosch Crash Data Recorder (CDR) Tool with a Premium Tool Kit in the Amount of \$50,949. Funding is Available Through Accepted Grant Funds.
- F. Approval of City Contract No. 2023-208A1, an Amendment to City Contract No. 2023-208 with Cactus Asphalt for the FY24 Willow Creek Joint Repair Project in an Amount not to Exceed \$915,702.00, Utilizing the City's Job Order Contract. Funding is Budgeted and Available in the Streets Fund.
- G. Approval of Settlement Agreement Related to PFAS/PFOS Chemical Manufacturer Litigation.

8. CONSENT ORDINANCE - MOVE to adopt Consent Ordinance Item 8.A.

- A. Adoption of Ordinance No. 2023-1851 Approving the Granting of a Twenty-foot (20') Water Easement to the City.
AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A PUBLIC UTILITY EASEMENT AGREEMENTS FROM DEO IUVANTE, LLC AND OTTMANN STORAGE PROPERTIES, LLC, AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE

9. LIQUOR LICENSE

- A. Public Hearing and Consideration for an Acquisition of Control Series 12 Restaurant Liquor License Application from Joanne Karen Feinstein, Applicant, for Red Robin Prescott. Location: 3055 Gateway Boulevard.
Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 260985 for an acquisition of control Series 12 Restaurant liquor license application for Red Robin Prescott. Location: 3055 Gateway Boulevard

10. REGULAR AGENDA

- A. Approval of City Contract No. 2024-110 with IXOM Watercare, Inc. for the Watson Lake Aerators Project in the Amount of \$275,864.00. Funding is Budgeted and Available in the Aquifer Protection Fund.
Recommended Action: MOVE to approve City Contract No. 2024-110
- B. Adoption of Ordinance No. 2023-1846 to Complete the Annexation of 1.67 Acres in Northwest Prescott and Establishing Initial City Zoning as RE-2 Acre (Rural 2

Acre).

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF PRESCOTT BY ANNEXING APPROXIMATELY 1.67 ACRES OF RESIDENTIALLY ZONED LAND (R1L-70), GENERALLY LOCATED WEST OF WILLOW CREEK ROAD AND NORTH OF THE JAMES LANE EXTENSION AND SOUTH OF THE FUTURE JENNA LANE, IN YAVAPAI COUNTY, ARIZONA, INTO THE CITY OF PRESCOTT AND ASSIGNING A ZONING CLASSIFICATION THERETO
Recommended Action: MOVE to adopt Ordinance No. 2023-1846

- C. Approval of PLN23-003 a Preliminary Plat of South Ranch II Unit 4, at Deep Well Ranch, a 200 Unit Subdivision on an Approximate 31.4 Acre Parcel Generally Located at the Northwest Corner of the Future Jenna Lane and Future James Lane. Site Zoning: SPC (Specially Planned Community). Property Owner: James Deep Well Ranches #1 LLC. Applicant: Gammage & Burnham.
Recommended Action: MOVE to approve PLN23-003

- D. **SITE23-007 & WSA23-040:** Approval of a Site Plan Review for a 90-Unit Apartment Complex on Approximately 2.98 Acres (4 Parcels) and Water Service Agreement for 11.78 Acre Feet per Year (AFY). Zoning: BG (Business General). Property Owner: Lakeview Plaza LLC. Applicant: Michael Taylor Architects Inc. Location: APNs 106-20-506A, 507A, 508 and 509, 3111 Lakeview Plaza Lane.
Recommended Action: 1) MOVE to approve SITE23-007, per the site plan submitted; and 2) MOVE to approve WSA23-040

- E. **SITE23-008 & WSA23-036:** Approval of a Site Plan Review for a 110-Room Hotel on Approximately 3-Acres of a 10-Acre Parcel & Water Service Agreement for 11.44 Acre Feet per Year (AFY). Zoning: BR (Business General). Property Owner: Espire AZ LLC. Applicant: Sport Hotel Development LLC. Location: APN 103-20-598J, 3400 Gateway Blvd.
Recommended Action: 1) MOVE to recommend approval of SITE23-008, per the site plan submitted; and 2) MOVE to approve WSA23-036

11. PRESENTATION TO OUTGOING MEMBERS OF COUNCIL

- A. Recognition & Presentation to Outgoing Councilmen Steve Sischka and Clark Tenney.

12. SWEARING IN OF NEWLY ELECTED MEMBERS OF PRESCOTT CITY COUNCIL

- A. Incoming Members of Council Will Be Sworn In As Follows:
1. Mayor Phil Goode
2. Councilmembers Connie Cantelme, Lois Fruhwirth, Ted Gambogi and Cathey Rusing

13. CALL TO ORDER & ORGANIZATION OF NEW COUNCIL

- A. **ROLL CALL**
Mayor Phil Goode
Councilwoman Connie Cantelme
Councilwoman Lois Fruhwirth
Councilman Ted Gambogi
Councilman Brandon Montoya
Councilman Eric Moore
Councilmember Cathey Rusing

14. REGULAR AGENDA FOR NEW COUNCIL

- A. Appointment of Mayor Pro Tem.

Recommended Action: MOVE to nominate and designate a Mayor Pro Tem to serve through November 2024.

- B. Appointment of Members for the Council Subcommittee on Water Issues.

Recommended Action: MOVE to nominate three members of Council to serve two-year terms (ending in December 2025) on the Subcommittee on Water Issues

- C. Approval of the 2024 Council Calendar.

Recommended Action: MOVE to approve the 2024 Council Calendar setting meetings for City Council & The Council Subcommittee on Water Issues

15. 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 11/22/23 at 10:00 a.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Sarah M. Siep

Sarah M. Siep, City Clerk