



City of Prescott

City Council - Voting Meeting

December 19, 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 - Pastor Scott Savage with Prescott Cornerstone Church**
4. **PLEDGE OF ALLEGIANCE - Councilwoman Fruhwirth**
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.F.

- A. Approval of the January 2024 to June 2024 Residential & Non-Residential Water Budgets in Accordance with the 2022 Water Management Policy.
- B. Approval of Appointment of Members to the Civic Enhancement Committee and the Workforce Housing Committee; and Approval of Appointment of Chair and Vice Chair for the Civic Enhancement Committee.
- C. Approval of Four (4) Contracts for Supply and/or Delivery of Asphalt, Concrete, Dirt & Sand as Follows: 1) City Contract No. 2024-147 with Asphalt Paving & Supply, Inc. in an Amount not to Exceed \$400,000.00 Per Fiscal Year; 2) City Contract No. 2024-148 with Arrowhead Mining and Material, in an Amount not to Exceed \$50,000.00 Per Fiscal Year; 3) City Contract No. 2024-149 with Material Delivery Inc. DBA MDI Rock in an Amount not to Exceed \$50,000.00 Per Fiscal Year; and 4) City Contract No. 2024-150 With Vulcan Materials Company in an Amount not to Exceed \$200,000.00 Per Fiscal Year. Funding is Budgeted & Available in the Streets, Water and Wastewater Funds.
- D. Approval of City Contract No. 2024-079 with Metering Services, Inc. for Installation of Meters for the Automatic Meter-reading Infrastructure Project (AMI) in an Amount not to Exceed \$3,500,000 Over the Next Five Fiscal Years. Funding is Budgeted and Available Through Grant Funding and Water Budget.
- E. Approval of City Contract No. 2023-226A2, an Amendment to City Contract No. 2023-226 with Dukes Root Control in an Amount not to Exceed \$25,000. Funding is Budgeted and Available Through the Wastewater Fund.
- F. Adoption of the 2023 Yavapai County Multi-Jurisdictional Hazard Mitigation Plan.

8. CONSENT ORDINANCE

Recommended Action: MOVE to adopt Consent Ordinance Item 8.A.

- A. Adoption of Ordinance No. 2023-1850 Granting a Public Utility Easement for the Prescott Life Church Water Main Extension in Accordance with Permit ENG2109-027.

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 METCALF FAMILY TRUST DATED APRIL 8, 1996, AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE

9. REGULAR AGENDA

- A. Adoption of Ordinance No. 2023-1852 Approving a Settlement Agreement and Purchase and Sale Agreement Between the City of Prescott and Chamberlain Development LLC for Approximately 76.3 Acres of Real Property Near Prescott Regional Airport - Ernest A. Love Field.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA AUTHORIZING THE PURCHASE OF APPROXIMATELY 76.3 ACRES OF REAL PROPERTY FROM CDC

**PRESCOTT LLC AND CHAMBERLAIN DEVELOPMENT LLC NEAR
PRESCOTT REGIONAL AIRPORT - ERNEST A. LOVE FIELD
Recommended Action: MOVE to adopt Ordinance No. 2023-1852**

- B. Discussion & Possible Action Related to the Employment of the City Manager, and Possible Approval of a Settlement Agreement.

Recommended Action: MOVE to approve a Settlement Agreement related to dispute resolution between the City and City Manager

10. 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 12/14/23 at 11:00 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