



City of Prescott

City Council - Study Session

April 23, 2024 | 1:00 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 **Study Session** 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 Live Meetings](#)

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

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION**
 - A. Presentation & Discussion Regarding the Big Chino Water Ranch Cost Update and Pipeline Alignment Evaluation.
 - B. Presentation & Discussion Regarding Possible City Code Updates as Follows: 1) Addition of Sanction Authority to City Hearing Officers (City Code 1-14-8); 2) Use of Recreational Vehicles for Habitation Purposes During the Construction of a Residence (Land Development Code 6.2.4); 3) Amendments to the City's Parking Code to Allow Enforcement of Posted Parking Signs (City Code 9-1-7(A)); and 4) Initial Discussions of an Ordinance to Limit Heavy Truck Traffic on City Roads.
4. **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 4/18/24 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



TO: MAYOR AND CITY COUNCIL
AGENDA: April 23 Study Session
DATE: April 23, 2024
DEPT: Public Works
ITEM #: 3.A
SUBJECT: Presentation & Discussion Regarding the Big Chino Water Ranch Cost Update and Pipeline Alignment Evaluation.

ITEM SUMMARY

Staff will provide a presentation on the cost estimate update and alternative pipeline alignment evaluation for Big Chino Water Ranch Well Field and Pipeline Infrastructure.

BACKGROUND

On July 11, 2023, Council approved updating the cost estimate for the Big Chino Water Ranch Well Field and Pipeline Infrastructure, which was last updated in 2010. The design plans for the well field and the pipeline infrastructure were originally completed by Civiltec Engineering Inc. and Black and Veatch Corporation respectively. The City contracted with both engineering firms to update the cost estimates for their respective components of the project. Cost estimates were updated based on current material and labor costs, code revisions, and technological advances. In addition, the cost estimates were revised to remove components of the original cost estimate that were previously constructed, such as improvements to the Chino Valley Water Production Facility.

In addition to the updated cost for the project, a pipeline alignment evaluation was performed to determine the most advantageous route from the Big Chino Well Field to State Route 89. An evaluation of quantitative and qualitative factors was performed through alignment optimization workshops facilitated by Black and Veatch Corporation, which included City of Prescott and Town of Prescott Valley staff.

FINANCIAL IMPACT

None at this time.

RECOMMENDED ACTION

This item is for discussion only. No formal action will be taken.

ATTACHMENTS

None



TO: MAYOR AND CITY COUNCIL
AGENDA: April 23 Study Session
DATE: April 23, 2024
DEPT: Legal
ITEM #: 3.B
SUBJECT: Presentation & Discussion Regarding Possible City Code Updates as Follows: 1) Addition of Sanction Authority to City Hearing Officers (City Code 1-14-8); 2) Use of Recreational Vehicles for Habitation Purposes During the Construction of a Residence (Land Development Code 6.2.4); 3) Amendments to the City's Parking Code to Allow Enforcement of Posted Parking Signs (City Code 9-1-7(A)); and 4) Initial Discussions of an Ordinance to Limit Heavy Truck Traffic on City Roads.

ITEM SUMMARY

As part of an ongoing effort to review and update the Prescott City Code, staff is seeking direction regarding four potential ordinances:

- 1) Addition of sanction authority to City hearing officers (City Code 1-14-8). Council has previously approved an ordinance creating a hearing officer process to expedite code enforcement proceedings. Staff has hired a hearing officer and are preparing to start regular hearings on May 1. However, one portion of the Code was not previously updated to reflect the use of hearing officers. An update to City Code 1-14-8 would allow either the City Court or the Hearing Officer to issue applicable sanctions or penalties in all cases. The current code language only allows the Hearing Officer to issue sanctions and penalties under the City's property maintenance code.
- 2) Use of recreational vehicles for habitation purposes during the construction of a residence (Land Development Code 6.2.4). During discussions to update the City's camping ordinance in 2023, Council expressed the desire to allow property owners to place a recreational vehicle or camp trailer on their property while a home was under construction. The proposed update would allow such use.
- 3) Amendments to the City's parking code to allow enforcement of posted parking signs (City Code 9-1-7(A)). City of Prescott Police Department has requested a review and possible update to the City's Parking Code. The City's current parking code does not allow for enforcement of parking signs except for in certain circumstances. Initially, the Department determined that certain parking areas within the City were not appropriate for back-in parking, and will present how the proposed ordinance change would allow the Department to enforce restrictions on back-in parking, along with other changes that allow for better parking enforcement throughout the City.
- 4) Initial discussions of an ordinance to limit heavy truck traffic on City roads. Following news that certain City roads will be used for an increasing number of heavy trucks for mining and other uses, several Council members have requested a discussion regarding possible limits on the number of such trucks that may use City roads so as to protect these streets and City assets.

BACKGROUND

Council and City staff have been actively working to update the City Code to ensure compliance with applicable laws, and address emerging issues to the City. Staff is seeking direction from Council regarding these matters, but no formal action will be taken.

FINANCIAL IMPACT

There are no financial impacts at this time.

RECOMMENDED ACTION

This item is for discussion only. No formal action will be taken.

ATTACHMENTS

1. 6.2.4 Code Changes to allow for RV Parking
2. 9-1-7 ORDINANCE amendment
3. 1-14-8 Appearance-Hearing Officer revision

Change to Land Development Code 6.2.4 to add an exception allowing use of RV while building a home:

6.2.4 / General Requirements

A. Use of Off-Street Parking Areas, Commercial Sites

Required off-street parking areas for commercial sites are to be used solely for the parking of licensed motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, motorhomes, campers, mobile homes, or building materials, except for special events that may be approved by the Community Development Director.

B. Use of Off-Street Parking Areas, Residential

1. Recreational vehicles, motor homes, utility trailers, camp trailers, boats and similar equipment that is allowed to be stored on residentially zoned property in accordance requirements of Sec. [2.5.9](#), RV, motor homes and Similar Storage, shall not be used for sleeping or habitation purposes.

EXCEPTION: For residential properties, when a single-family home is being constructed, the owner of the property may park and occupy one recreational vehicle or camp trailer (RV) on the property where construction is occurring, provided that the location is depicted on the approved building site-plan, that the RV is placed after the issuance of the home construction permit, that the location provides a minimum setback from property lines of 3 feet and minimum clearance of 3 feet on the entry side of the RV for emergency access. Power generators shall be placed to minimize noise and fume impacts to adjacent properties. Sanitary conditions must be maintained at all times and no sanitary waste may be deposited on the site at any time. This exception shall only run with the valid building permit. Within thirty (30) calendar days of withdrawal, expiration or final completion of the permit, the RV shall be removed from the site or shall be made to comply with the requirements of 6.2.4.B.

2. No trailer of any type in excess of 40 feet in length shall be located on residential property unless screened from surrounding properties in accordance with City Code Section [7.5.2](#) DEFINITIONS - "Screened Area - Exterior".

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING PRESCOTT CITY CODE TITLE IX, CHAPTER 9-1, SECTION 7, SUBSECTION (A), ("9-1-7(A)", METHODS OF PARKING.

RECITALS:

WHEREAS, Arizona Revised Statute §9-137 authorizes each city incorporated pursuant to Title 9, Article 1, with all the powers, duties, rights and privileges granted to cities under the laws and constitution of this state; and,

WHEREAS, Arizona Revised Statute §9-499.01 vests charter cities with all the powers of incorporated towns as set forth in Title 9 as well as all powers vested in them pursuant to their respective charters; and,

WHEREAS, Article VII, Section 5 of the Prescott City Charter grants Prescott City Council the authority to adopt a code or amend or repeal any ordinance; and,

WHEREAS, Article XIII, Section 8 of the Prescott City Charter grants Prescott City Council the plenary powers to enact and make all proper and necessary ordinances, resolutions and orders to carry out and give effect to the express, as well as the implied powers granted in the City Charter to thereby protect and safeguard the rights, interests, safety, morality, health and welfare of the City and its inhabitants; and,

WHEREAS, it is in the best interest of the City of Prescott to amend the Prescott City Code and amend Section 9-1-7(A) regarding methods of parking.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT, Section 9-1-7(A) of the Prescott City Code shall be deleted in its entirety:

~~(A) Standing or Parking Close to Curb, Parking Block or Parking Stall Line. Except as otherwise provided in this chapter, every vehicle stopped or parked upon a roadway, City parking lot, or other City owned or leased property where there are adjacent curbs, parking block or parking stall line shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within eighteen inches (18") of the right hand curb, parking block or parking stall line. Where angle parking is required, every vehicle stopped or parked upon a roadway shall be so stopped or~~

~~parked with the right front wheel within eighteen inches (18") of the right-hand curb, parking block or parking stall line. (Ord. 1136, 4-12-76)~~

SECTION 2. THAT, a new section 9-1-7(A) shall replace the deleted section 9-1-7(A) as follows:

(A) Except as otherwise provided in this chapter, every vehicle stopped or parked upon any roadway, alleyway, City parking garage, City parking lot, or other City owned or leased property shall park in the following manner:

1. Where there are adjacent curbs, vehicles must be stopped or parked with the right-hand wheels of such vehicle parallel to and within eighteen inches (18") of the right-hand curb.
2. Where there is a parking block, parking curb, parking stop, or other parking barrier installed at the head of a parking stall, a vehicle parking head in must be so stopped or parked with the front wheels of such vehicle within eighteen inches (18") of the parking block, curb, stop, or barrier.
3. Where there is no parking block, parking curb, parking stop, or other parking barrier, the perpendicular parking stall line at the head of a parking stall will indicate the furthest point where a vehicle may stop or park within a parking stall. A vehicle parking head in must be stopped or parked with the front wheels of such vehicle within eighteen inches (18") of the perpendicular stall line.
4. Where backing into a stall is not prohibited, the rear-most portion of the vehicle shall not extend beyond a perpendicular parking stall line or any other parking barrier at the head of a parking stall. Except as otherwise prohibited in this chapter, vehicles backing into a stall may park beyond a parking block, curb, or stop.
5. The front-most or rear-most portion of a vehicle shall not extend beyond the entrance or head of a parking stall if doing so would obstruct the safe movement of vehicles, bicycles, pedestrians, or any portion of a pedestrian walkway, bike way, or other parking stall. The entrance of a parking stall is denoted by the beginning of a parallel parking stall line or by perpendicular dashed lines at the stall entrance.
6. Where angle parking is required, every vehicle must be stopped or parked head in and with the right front wheel positioned within eighteen inches (18") of the parking block, parking curb, parking stop, perpendicular parking stall line, or other parking barrier installed at the head of a parking stall. Angle parking is defined as any angle not perpendicular to the lane, way, or path.
7. Parking on a parking block, curb, stop, or barrier is prohibited.
8. All vehicles shall stop or park in obedience to official signs.
9. Where marked with lines on the ground shall stop or park in such a position that a vehicle shall be entirely within the space designated by such lines or markings.

10. Obstruction of any portion of a sidewalk, official pedestrian way, or officially designated bicycle way is prohibited.
11. Obstructing any portion of driveway or otherwise identified vehicular access is prohibited.

SECTION 3. PENALTY PROVISION. That those existing penalties provided in Prescott City Code 9-1-17(A) apply to any violation of this new section 9-1-7(A). Those penalties are as follows:

Any violation of or failure or refusal to do or perform any act required by this traffic code shall also constitute a civil traffic violation. Civil traffic violations are subject to the provisions of title 28, chapter 6, article 21, Arizona Revised Statutes, and amendments thereto. Sanctions for civil traffic violations shall be determined by the city magistrate, not to exceed the maximum civil sanctions as set forth in section 1-3-2 of this code. Each day that a violation continues shall be a separate offense.

SECTION 4. SEVERANCE CLAUSE: The provisions of this Ordinance and the Code and Code Amendments it incorporates are hereby declared to be severable; and, if any section, sentence, clause or phrase of this Ordinance, or any Code and Code Amendments that it incorporates shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance and the Code and Code Amendments it incorporates, but shall remain in effect, it being the legislative intent that this Ordinance and the Code and Code Amendments it incorporates shall stand, notwithstanding the invalidity of any part thereof.

PASSED and ADOPTED by the Mayor and Council of the City of Prescott, Arizona, on this _____ day of _____, 2024.

PHILIP R. GOODE, Mayor

ATTEST:

APPROVED AS TO FORM:

SARAH M. SIEP
City Clerk

JOSEPH D. YOUNG
City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
County of Yavapai) ss.

I, the undersigned Sarah Siep, being the duly appointed, qualified City Clerk of the City of Prescott, Yavapai County, Arizona, certify that the foregoing Ordinance No. _____ is a true, correct and accurate copy of Ordinance No. _____ passed and adopted at a Voting Meeting of the Council of the City of Prescott, Yavapai County, Arizona, held on the _____ day of _____ 2024, at which a quorum was present and, by a _____ vote, _____ voted in favor of said ordinance.

Given under my hand and sealed this _____ day of _____, 2024.

Seal

City Clerk

1-14-8 APPEARANCE; PAYMENT BY MAIL:

(D) At the conclusion of the hearing, if the Hearing Officer or the City Court, whichever is applicable, finds the defendant to be in violation of any provision in this chapter, the City Court **and/or the Hearing Officer** shall issue sanctions in accordance with Section 1-3-2 **of this Code, and any other applicable sanctions or penalties allowed by this Code.** (Ord. 4995-1533, 10-11-2016; Ord. 2023-1840, 9-26-2023)

Currently posted in our Code is the below:

1-14-8 APPEARANCE; PAYMENT BY MAIL:

(A) The defendant shall appear in person before the Hearing Officer or the City Court, whichever is applicable, on the date and time specified in the citation and shall either admit or deny the allegations contained in the citation. Or, the defendant may proceed as provided in subsection (B) of this section. If the defendant admits the allegations, the Hearing Officer or the City Court, whichever is applicable, shall immediately enter judgment against the defendant and shall impose the appropriate sanction. If the defendant denies the allegations contained in the citation, the Hearing Officer or the City Court, whichever is applicable, shall set a date for a hearing of the matter.

(B) The defendant may admit the allegations in the citation and pay the default amount indicated by mailing the citation together with a check or money order made payable to the City of Prescott. If payment is not received by the appearance date indicated on the citation, a default judgment will be entered.

(C) Any defendant appearing before a Hearing Officer or the City Court and denying the allegations as provided in subsection (A) of this section shall be deemed to have waived any objection to service of the citation, unless such objection is affirmatively raised by the defendant at the time of the first appearance in relation to the citation.

(D) At the conclusion of the hearing, if the Hearing Officer or the City Court, whichever is applicable, finds the defendant to be in violation of any provision in this chapter, the City Court shall issue sanctions in accordance with Section [1-3-2](#). (Ord. 4995-1533, 10-11-2016; Ord. 2023-1840, 9-26-2023)