



City of Prescott

City Council - Voting Meeting

November 5, 2024 | 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 - Julie Kozlow with Or Atid Jewish Community**
4. **PLEDGE OF ALLEGIANCE - Councilman Moore**
5. **ROLL CALL**
6. **PRESENTATIONS**
 - A. Presentation & Recognition of Citizens Academy Graduates
 - B. Presentation from the Friends of Jersey Lilly Regarding the Annual Courthouse Lighting Fundraising Efforts

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.C.

- A. Approval of Meeting Minutes from the October 22, 2024 Study Session and the October 22, 2024 Voting Meeting.
- B. Approval of Appointment of Members to the Industrial Development Authority Board and Tourism Advisory Committee.
- C. Approval of City Contract No. 2025-096 with Capital Canyon Club, LLC, for the Purchase of Wastewater from the City of Prescott.

9. CONSENT ORDINANCE - MOVE to adopt Consent Ordinance Item 9.A.

- A. Adoption of Ordinance No. 2024-1878 Authorizing the Purchase of 131-Acres for \$917,000 & Receipt of an Additional 270-Acres of Donated Property from Arizona Eco Development and Approval of City Contract No. 2025-103 a Purchase and Sale Agreement. Such Purchase and Donation was Agreed to by the Parties Pursuant to a Development Agreement Approved July 13, 2021.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE PURCHASE OF APPROXIMATELY 131 ACRES OF REAL PROPERTY FROM ARIZONA ECO DEVELOPMENT, ALONG WITH ACCEPTANCE OF DONATION OF AN ADDITIONAL 240 ACRES, PURSUANT TO A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND ARIZONA ECO DEVELOPMENT, NEAR THE PRESCOTT REGIONAL AIRPORT-ERNEST A. LOVE FIELD

10. REGULAR AGENDA

- A. Discussion, Consideration and Possible Action Regarding a Petition Received by the Council at the October 8, 2024 Voting Meeting and Submitted by Bonnie McMinn & Ralph Hess.
Recommended Action: MOVE to deny the Ordinance submitted by Petitioners McMinn & Hess
- B. Presentation, Discussion & Possible Action Regarding Adoption of Resolution No. 2024-1907 Revising the City's Art Donation Policy.
Recommended Action: 1) MOVE to adopt Resolution No. 2024-1907 and update the city's Art Donation Policy, or 2) MOVE to deny Resolution No. 2024-1907 and rescind the city's Art Donation Policy
- C. Approval of Multiple Contracts for the Zone 41 Mingus Pump Station, Tank & Pipeline Project as Follows: 1) City Contract No. 2025-081 with Technology Construction, Inc. for Construction in the Amount of \$10,147,605.50; and 2) City Contract No. 2018-219A10, an Amendment to City Contract No. 2018-219 with Brown and Caldwell for Post Design Services in the Amount of \$559,546.00. Funding is Budgeted & Available in the Water Fund.
Recommended Action: 1) MOVE to approve City Contract No. 2025-081, and 2) MOVE to approve City Contract No. 2018-219A10
- D. Approval of City Contract No. 2024-121A2, an Amendment to City Contract No. 2024-121 with Danson Construction LLC for Guaranteed Maximum Price

(GMP)#2 to Construct Phase 3 of the Streets Division Administration Building in an Amount not to Exceed \$4,606,616.00. Funding is Budgeted & Available in the Streets Fund.

Recommended Action: MOVE to approve City Contract No. 2024-121A2

- E. Adoption of Ordinance No. 2024-1877 Approving LDC24-001 a Proposed Amendment to the Land Development Code Affecting Accessory Dwelling Units.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE CITY OF PRESCOTT'S LAND DEVELOPMENT CODE SECTION 2.5.6/GUEST QUARTERS TO ALLOW FOR ACCESSORY DWELLING UNITS (ADUS) TO BE RENTED LONG-TERM SUBJECT TO REQUIREMENTS LISTED WITHIN ARTICLE 2.5.6; ADDITION OF DEFINITION FOR ADUS UNDER LDC TABLE 11.2.5/GENERAL TERMS

Recommended Action: MOVE to adopt Ordinance No. 2024-1877

11. 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 10/31/24 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