



AGENDA

**PRESCOTT CITY COUNCIL
REGULAR VOTING AND SPECIAL MEETING
Tuesday, June 23, 2015
3:00 PM**

**Council Chambers
201 South Cortez Street
Prescott, Arizona 86303
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its **Regular Voting and Special Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02. One or more members of the Council may be attending this meeting through the use of a technological device.

- ◆ **CALL TO ORDER**
- ◆ **INTRODUCTIONS**
- ◆ **INVOCATION** Rabbi Adele Plotkin
Temple Beit Torah
- ◆ **PLEDGE OF ALLEGIANCE** Councilman Blair
- ◆ **ROLL CALL**

MAYOR AND CITY COUNCIL

Mayor Kuykendall	
Mayor Pro Tem Kuknyo	Councilman Lamerson
Councilman Arnold	Councilman Lazzell
Councilman Blair	Councilwoman Wilcox

- ◆ **ANNOUNCEMENTS**
- ◆ **PROCLAMATION**

A. Proclaiming June 29 - July 5, 2015, as the World's Oldest Rodeo week

I. CONSENT AGENDA

CONSENT ITEMS I.A. – I.F. LISTED BELOW MAY BE ENACTED BY ONE

MOTION. ANY ITEM MAY BE REMOVED AND DISCUSSED IF A COUNCILMEMBER SO REQUESTS.

- A. Approval of minutes for City Council meetings held on April 14, 2015
- B. Approval of City Contract No. 2015-211 with Prescott Newspapers, Inc., for annual legal advertising services
- C. Adoption of Resolution No. 4300-1509 accepting a Water Quality Implementation Grant from the Arizona Department of Environmental Quality for the Prescott Rodeo Grounds Runoff and Sediment Control project in the amount of \$90,000.00
- D. Adoption of Ordinance No. 4944-1482 authorizing a Third Amendment to the Facilities Use Agreement between the City of Prescott and the Prescott Chamber of Commerce regarding property at the Rodeo Grounds (City Contract No. 2012-227A3)

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING A THIRD AMENDMENT TO FACILITIES USE AGREEMENT NO. 2012-227 BETWEEN THE CITY OF PRESCOTT AND THE PRESCOTT CHAMBER OF COMMERCE AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.

- E. Adoption of Ordinance No. 4945-1483 authorizing a Third Amendment to the Lease Agreement between the City of Prescott and the Head Start Division of the Northern Arizona Council of Governments (NACOG) regarding property at the Rodeo Grounds (City Contract No. 2012-228A3)

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING A THIRD AMENDMENT TO LEASE AGREEMENT NO. 2012-228 BETWEEN THE CITY OF PRESCOTT AND THE HEAD START DIVISION OF THE NORTHERN ARIZONA COUNCIL OF GOVERNMENTS AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.

- F. Adoption of Resolution No. 4292-1501 approving City Contract No. 2015-151, a Memorandum of Understanding (MOU) with the Southwest Border Transaction Record Analysis Center (TRAC) for law enforcement purposes

RECOMMENDED ACTION: MOVE to approve Consent Agenda Items

I.A.-I.F.

II. REGULAR AGENDA

- A. Public hearing and consideration of an application for a new Series 12 Liquor Restaurant License from Rexford Jason Moffett, applicant for Bill's Grill, located at 333 South Montezuma Street

RECOMMENDED ACTION: (1) MOVE to close the Public Hearing; and (2) MOVE to approve/deny/make no recommendation for Liquor License Application No.12133622, for a Series 12 Restaurant license, for Bill's Grill, located at 333 South Montezuma Street.

- B. Public Hearing and consideration of two (2) applications for acquisition of control of Series 9 Liquor Store with Sampling liquor licenses by Andrea Dahlman Lewkowitz, applicant for Safeway, Inc., located at 450 White Spar Road; and Safeway, Inc., located at 1044 Willow Creek Road

RECOMMENDED ACTION: (separate motions): (1) MOVE to close the Public Hearing; and (2) MOVE to approve/protest the Acquisition of Control Liquor License Application No. 09130019 with Sampling, for Safeway #274, at 450 White Spar Road; and (3) MOVE to approve/protest the Acquisition of Control Liquor License Application No. 09130023 with Sampling, for Safeway #245, at 1044 Willow Creek Road.

- C. Adoption of Resolution No. 4301-1510 approving an amended joint funding agreement with the United States Geological Survey (USGS), for aquifer storage and data collection within the Big Chino Sub-Basin (City Contract No. 2014-160A1)

RECOMMENDED ACTION: MOVE to adopt Resolution No. 4301-1510.

- D. Public Hearing for a proposed change of land use for property at 903 Green Lane; adoption of Resolution No. 4298-1507 amending the 2003 General Plan Land Use Map, Willow Creek Corridor Study, and Land Use Plan Zoning Discussion Map; and adoption of Ordinance No. 4946-1484 amending the zoning from Single-Family-18 (SF-18) to Residential Office (RO). [Property owner: Catherine Miller Hahn Living Trust. Applicant/Agent: Michael Taylor, Architect. APN is 116-06-060B, 0.54 acre.]

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING

OF CERTAIN PROPERTY WITHIN THE CITY OF PRESCOTT GENERALLY LOCATED AT 903 GREEN LANE, FROM SINGLE-FAMILY 18 (SF-18), ZONING DISTRICT TO RESIDENTIAL OFFICE (RO) ZONING DISTRICT.

RECOMMENDED ACTION: MOVE to adopt Resolution No. 4298-1507 and Ordinance No. 4946-1484.

- E. Preliminary Plat, SP-9846, extension request for Mason's Ridge [Property owner: Rex and Lucy Mason, Site APN: 105-03-010A, Lot area: 9.69 Acres, Zoning SF-18]

RECOMMENDED ACTION: MOVE to approve an eight (8) year extension of the Preliminary Plat for Mason's Ridge to July 31, 2023.

- F. Approval of Annual Support and Licensing Agreement with Tyler Technologies in the amount of \$110,443.00 for the MUNIS financial system (Various City Funds)

RECOMMENDED ACTION: MOVE to approve the annual Support and Licensing Agreement with Tyler Technologies in the amount of \$110,443.00, and authorize City staff to execute all necessary related documents.

- G. Approval of Amendment No. 1 to City Contract No. 2015-080A1 with SCS Engineers for Phase II design services for the Sundog Transfer Station Floor Slab Remediation Project in the amount of \$34,675.00 (Solid Waste Fund)

RECOMMENDED ACTION: MOVE to approve Amendment No. 1 to City Contract No. 2015-080A1 with SCS Engineers for Phase II design services for the Sundog Transfer Station Floor Slab Remediation Project in the amount of \$34,675.00.

- H. Adoption of Resolution No. 4295-1504 approving City Contract No. 2015-196, an Intergovernmental Agreement with Groom Creek Fire District providing for fire apparatus maintenance services and repairs, and the sale of City Fire Apparatus No. 910

RECOMMENDED ACTION: MOVE to adopt Resolution No. 4295-1504.

- I. Approval of: 1) acceptance of Federal Aviation Administration 95% funding grant in the amount of \$380,000.00 for an Aircraft Rescue and Fire Fighting (ARFF) vehicle; 2) acceptance of Arizona Department of Transportation 2.5% funding grant in the amount of \$10,000.00 for the vehicle; 3) purchase of a Rosenbauer Airwolf Class 3 ARFF vehicle from Rosenbauer Minnesota, LLC, in the amount of \$343,519.34 (City Contract No. 2015-209); and 4) authorization of the Mayor and City Staff to execute all necessary documents to effectuate the foregoing items

RECOMMENDED ACTION: MOVE to: 1) accept the FAA 95% funding grant in the amount of \$380,000.00 for the ARFF vehicle; 2) accept the ADOT 2.5% funding grant in the amount of \$10,000.00 for the vehicle; 3) approve the purchase of a Rosenbauer Airwolf Class 3 ARFF vehicle from Rosenbauer Minnesota, LLC, in the amount of \$343,519.34 (City Contract No. 2015-209); and 4) authorize the Mayor and City Staff to execute all necessary documents to effectuate the foregoing items.

- J. Approval of: 1) acceptance of an FAA 95% funding grant in the amount of \$3,539,500.00; 2) acceptance of an Arizona Department of Transportation 2.5% funding grant in the amount of \$93,144.73; 3) award of City Contract No. 2015-207 for electrical improvements at the Prescott Municipal Airport (PRC) to Rural Electric, Inc., in the amount of \$2,858,192.80; 4) Authorization of Services No. 9 for construction phase services by Dibble Engineering in an amount not to exceed \$352,599.00 (City Contract No. 2014-029A9); and 5) night work for the electrical improvements project

RECOMMENDED ACTION: MOVE to: 1) accept the FAA 95% funding grant in the amount of \$3,539,500.00 for the electrical improvement project at the Prescott Municipal Airport; 2) accept the ADOT 2.5% funding grant in the amount of \$93,144.73 for the project; 3) award City Contract No. 2015-207 to Rural Electric, Inc., in the amount of \$2,858,192.80; 4) approve Authorization of Services No. 9 under City Contract No. 2014-029A9 with Dibble Engineering for construction phase services in an amount not to exceed \$352,599.00; 5) authorize the performance of night work for the project; and 6) authorize the Mayor and City Staff to execute all necessary documents to effectuate the foregoing items.

- K. Award of City Contract No. 2015-210 to Shephard-Wesnitzer, Inc., for engineering services for the S. Marina Street Pavement and Utility Upgrade Project in an amount not to exceed \$129,140.00

RECOMMENDED ACTION: MOVE to award City Contract No. 2015-

210 to Shephard-Wesnitzer, Inc., for engineering services for the S. Marina Street Pavement and Utility Upgrade Project in an amount not to exceed \$129,140.00.

- L. Award of City Contract No. 2015-206 to Granite Basin Engineering, Inc., to provide engineering services for the Penn Avenue/Eastwood Drive Improvements Project in an amount not to exceed \$477,620.00

RECOMMENDED ACTION: MOVE to award City Contract No. 2015-206 to Granite Basin Engineering, Inc., to provide engineering services for the Penn Avenue/Eastwood Drive Improvements Project in an amount not to exceed \$477,620.00.

- M. Public Hearing for the FY 2016 Budget, Expenditure Limitation, and Tax Levies; at Special Meeting Adoption of Resolution No. 4303-1512 adopting the Final FY 2016 Budget, Expenditure Limitation, City Job Roster, Five Year Capital Plan, and Identification of Unfunded Capital Projects

***RECOMMENDED ACTION: Recommended Action:
Regular Meeting: MOVE to close the Public Hearing.
Special Meeting: MOVE to adopt Resolution No. 4303-1512.***

III. ADJOURNMENT

SPECIAL MEETING

- A. Call to Order
- B. Adoption of Resolution No. 4303-1512 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DETERMINING AND ADOPTING FINAL ESTIMATES OF PROPOSED EXPENDITURES FOR FISCAL YEAR 2016, DECLARING THAT THE SAME SHALL CONSTITUTE THE BUDGET FOR THE CITY OF PRESCOTT FOR SAID FISCAL YEAR, ESTABLISHING THE EXPENDITURE LIMITATION, APPROVING AND UPDATING THE JOB ROSTER FOR THE CITY OF PRESCOTT, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2017 THROUGH 2021, AND SETTING FORTH ITS DETERMINATION AS TO UNFUNDED CAPITAL AND OTHER UNFUNDED BUDGETARY REQUESTS

RECOMMENDED ACTION: MOVE to adopt Resolution No. 4303-1512.

C. Adjournment

EXECUTIVE SESSION

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:

- (i) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (ii) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (iii) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (iv) 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));
- (v) 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));
- (vi) 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));
- (vii) 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)).

Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. §38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless City Council takes a legal action at a properly noticed open meeting to approve of such expenditures prior to incurring any such obligation or indebtedness. A.R.S. §38-431.07(A)(B).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on _____ at _____ m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Dana R. DeLong, CMC, City Clerk