



AGENDA

**PRESCOTT CITY COUNCIL
STUDY SESSION
Tuesday, September 17, 2013
3:00 PM**

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

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 this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

◆ **CALL TO ORDER**

◆ **INVOCATION** Deacon Kimball Arnold, St. Luke's Episcopal Church

◆ **PLEDGE** Mayor Kuykendall

◆ **ROLL CALL**

MAYOR AND CITY COUNCIL

Mayor Kuykendall

Councilman Arnold

Councilman Blair

Councilman Carlow

Councilman Kuknyo

Councilman Lamerson

Councilman Scamardo

◆ **ANNOUNCEMENTS**

I. DISCUSSION ITEMS

A. Adoption of Ordinance No. 4866-1404 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE X, LAND DEVELOPMENT CODE, OF THE PRESCOTT CITY CODE BY PROVIDING FOR CHANGES TO TABLE 2.3, SECTIONS 2.4.7 THROUGH 2.4.53, TABLE 6.2.3, SECTION 11.1.3, AND TABLE 11.2.5; PROVIDING A PROCESS ESTABLISHING DEFENSES FOR LEGAL NONCONFORMING USES; ESTABLISHING PENALTIES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY; and, adopt Resolution No. 4197-1406, declaring Ordinance No. 4866-1404 a public record and declaring an emergency.

B. Adoption of Resolution No. 4196-1405 approving an Intergovernmental

Agreement between Yavapai College and the City of Prescott for the Northern Arizona Regional Training Academy (City Contract No. 2014-042)

- C. Approval of purchase and installation of high density shelving for the Police Department Property and Evidence Section from Interior Solutions using State contract pricing in the amount of \$52,273.25 (City Contract No. 2014-044)
- D. Approval of Acker Trust Board grants for Fiscal Year 2014
- E. Authorization of Centrisys Corporation to perform on-site preventive maintenance and repairs to the centrifuge at the Airport Water Reclamation Facility in a net additional amount not to exceed \$15,775.00 (City Contract No. 2014-046).
- F. Award of bid and contract for the Airport Well No. 3 Equipping Project to Fann Environmental L.L.C., in the amount of \$2,831,730.00.
- G. Approval of a Professional Services Agreement, City Contract No. 2014-029, with Dibble Engineering to provide project design and construction management services in support of Airport Capital Improvement Projects.
- H. Request of the Adult Center of Prescott, Inc. for amendment of the facility lease to permit acquisition of a liquor license.
- I. Determine Consent Agenda for September 24, 2013 Voting Meeting.

II. 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.

Lynn Mulhall, City Clerk