

AGENDA

**PRESCOTT CITY COUNCIL
STUDY SESSION
Tuesday, September 3, 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** Elder O'Neil, Church of Jesus Christ of Latter Day Saints
- ◆ **PLEDGE OF ALLEGIANCE** Councilman Carlow
- ◆ **ROLL CALL**

MAYOR AND CITY COUNCIL

Mayor Kuykendall

Councilman Arnold

Councilman Blair

Councilman Carlow

Councilman Kuknyo

Councilman Lamerson

Councilman Scamardo

I. PROCLAMATIONS

- A. "The Week of September 22-28, 2013 as Employer Support of the Guard and Reserve Week"
- B. "Constitution Week"
- C. "Patriotism Week" September 9-14
- D. "National Recovery Month"
- E. "Start by Believing"

II. DISCUSSION ITEMS

- A. Presentation - Acknowledgment of award from the Arizona Chapter of

the American Public Works Association for the South Mount Vernon Avenue street improvement project

- B. Public hearing for request to annex and rezone ± 497 acres, including portions of APNs 102-02-004A, 102-02-004B, 102-03-008, 102-03-008A, 102-04-001A, 102-04-001B, 102-01-002A, 102-01-002B, and 102-01-213Q (ANX13-002; Owner: James Deep Well Ranches #1 and City of Prescott) and adoption of a definition of hospital into the Land Development Code (LDC 13-003)
- C. Approval of purchase of 1,440 ea. 65 gallon and 456 ea. 95 gallon residential containers from Otto Environmental using Houston-Galveston Area Council (HGAC) contract pricing in an amount not to exceed \$91,350.00.

III. 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



COUNCIL AGENDA MEMO

MEETING DATES/TYPES: STUDY SESSION 9-03-13
VOTING SESSION N/A

DEPARTMENT: Public Works

RECOMMENDED AGENDA CATEGORY: Regular: X Consent:

AGENDA ITEM: Presentation - Acknowledgment of award from the Arizona Chapter of the American Public Works Association for the South Mount Vernon Avenue street improvement project

Approved By:

Date:

Director:	Nietupski, Mark	
City Manager:	McConnell, Craig	

Item Summary

In 2004 the need for infrastructure improvements along South Mount Vernon Avenue was identified. The existing sanitary sewer main was deteriorated and water distribution system deficient and undersized. The street consisted of WPA-era concrete pavement with existing concrete curbs and gutters deteriorated beyond repair. Driveway entrances were generally dilapidated along with sidewalks and handicap ramps that were not ADA compliant.

Protection and preservation of historic features in the South Mount Vernon Historic District were important in gaining neighborhood consensus and support for the project. There were historical horse-head hitching posts as well as hitching rings embedded in the old concrete and historic streetlights to be restored. The neighborhood is one of the most visible and beautiful in the City due to its parkways and tree-lined street.

The project design engineer, Shepard-Wesnitzer, City of Prescott, and community stakeholders partnered for reconstruction of the deteriorated infrastructure while preserving the character of the neighborhood and the historical features that were important to the residents.

On May 8, 2012, the Council awarded a \$5.8 million construction contract to Fann Contracting, Inc., for the combined South Mount Vernon/Senator Highway Reconstruction Project of which \$2.6 million was for the South Mount Vernon Avenue segment. Construction began later that month and was substantially completed by Halloween, which is a popular annual event on the street. Minor follow up items were completed later

Agenda Item: Presentation - Acknowledgment of award from the Arizona Chapter of American Public Works Association for the South Mount Vernon Avenue street improvement project.

that fall and the final rubberized Asphalt Concrete Friction Course placed in April 2013.

On August 6, 2013, at their annual meeting, the Arizona Chapter of the American Public Works Association recognized the South Mount Vernon project as the 2013 Public Works Project of the Year in the category of Small Cities/Rural Communities: Transportation.

The award was presented to the City of Prescott, Fann Contracting, Inc., and Shepard-Wesnitzer, to recognize and commemorate the efforts of all involved in this successful project.

Attachments

1. APWA Public Works Project of the Year Award

Recommended Action: None - presentation.



2013

PUBLIC WORKS PROJECT OF THE YEAR

Small Cities/Rural Communities
Transportation



Presented for
South Mount Vernon Avenue Improvements

Presented to
City of Prescott
Fann Contracting, Inc., Primary Contractor
Shephard – Wesnitzer, Inc., Primary Consultant

A handwritten signature in black ink, appearing to read "Jennifer L. Adams".

Jennifer L. Adams
President, Arizona Chapter



MEETING DATES/TYPES: STUDY SESSION 9-03-13
VOTING SESSION 9-10-13

DEPARTMENT: Community Development

RECOMMENDED AGENDA CATEGORY: Regular: X Consent: ____

AGENDA ITEM: Public hearing for request to annex and rezone 497 ± acres, including portions of APNs 102-02-004A, 102-02-004B, 102-03-008, 102-03-008A, 102-04-001A, 102-04-001B, 102-01-002A, 102-01-002B, and 102-01-213Q (ANX13-002; Owner: James Deep Well Ranches #1 and City of Prescott) and adoption of a definition of hospital into the Land Development Code (LDC 13-003)

Approved By:

Date:

Director:	Guice, Tom	
City Manager:	McConnell, Craig	

Item Summary

This is a City-initiated annexation and rezoning of 497 ± acres in Yavapai County, located north of the Prescott Municipal Airport (Attachment 1). The property is bounded on the west by State Route 89 and on the east and south by the Prescott Airport. It is currently vacant. This annexation is subject to the Procedural Pre-Annexation Agreement (City Contract No. 2010-086 A1, as amended), between the City and James Deep Well Ranches, which set forth mutual understandings for future annexations in the vicinity of the airport.

The annexation is subject to Proposition 400, since it is greater than 250 acres in size. Requirements of Proposition 400 (Article 1, Section 4, City of Prescott Charter; Council Resolution No. 3735) are as follows:

- Master Plan showing proposed uses and locations, boundaries of the site, and significant natural features affecting development
- A 60-day public comment period following the Planning and Zoning Commission's vote on the Master Plan and prior to the Council voting on the annexation
- All effluent generated by development in the annexed area shall be used for permanent (aquifer) recharge

A major component of the proposed Master Plan is the development of a new campus for the Yavapai Regional Medical Center (YRMC) in the northernmost portion of the area (Attachment 2), including a hospital and associated facilities. Shown also on the

Agenda Item: Public hearing for request to annex and rezone 497 ± acres, including portions of APNs 102-02-004A, 102-02-004B, 102-03-008, 102-03-008A, 102-04-001A, 102-04-001B, 102-01-002A, 102-01-002B, and 102-01-213Q (ANX13-002; Owner: James Deep Well Ranches #1 and City of Prescott) and adoption of a definition of hospital into the Land Development Code (LDC 13-003)

Master Plan are proposed rights-of-way and locations for access from State Route 89. In association with the Master Plan, the Land Development Code is proposed to be revised to include a definition of hospital, as follows:

An institution providing health services for inpatient, medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, emergency care departments, and ambulance and heliport facilities which are integral parts of the overall facility. Heliport facilities shall comply with the provisions of Section 2.4.4.

A rezoning to commercial (Business Regional) and industrial (Industrial Light) zoning districts is proposed to allow for the development and proposed uses shown on the Master Plan (Attachment 3). The General Plan Land Use Map designates this area as appropriate for commercial and industrial development. The proposed rezoning to Industrial Light and Business Regional zoning districts is compatible with the General Plan and the Airport Specific Area Plan land use designations for that area.

Background

The Prescott General Plan, adopted in 2003, is the guide for land use and related decisions in the City. The Plan specifically recognizes the Prescott Municipal Airport for its importance in regional economic development and encourages airport area growth (General Plan Chapters 3.3.1, 3.3.10, 6.2, and 7.6).

In 2009 the Airport Master Plan was updated to better reflect new FAA design standards related to airport impacts. A significant portion of the North Airport area is influenced by these impact zones, making the area most suitable for higher intensity commercial and industrial uses (Attachment 4). As a reflection of the changes to the Airport Master Plan and in recognition of future development of a new YRMC campus, the General Plan Land Use Map was amended north of the airport in 2012. The amendment designated the proposed annexation area as appropriate for Commercial / Employment uses (Attachment 5).

City Services and Financial Impacts

The City's Utilities Master Plans will guide water and sewer infrastructure development for the area. Water has been allocated to the property based on the requirements set forth in the Pre-Annexation Agreement. Transportation-related decisions will be made in accordance with the Airport Area Transportation Plan. All related improvements will be built to City standards. An independent cost-benefit analysis will be presented at the Public Hearing by Sarah Murley of Applied Economics.

Agenda Item: Public hearing for request to annex and rezone 497 ± acres, including portions of APNs 102-02-004A, 102-02-004B, 102-03-008, 102-03-008A, 102-04-001A, 102-04-001B, 102-01-002A, 102-01-002B, and 102-01-213Q (ANX13-002; Owner: James Deep Well Ranches #1 and City of Prescott) and adoption of a definition of hospital into the Land Development Code (LDC 13-003)

Planning and Zoning Commission Recommendation

The City of Prescott's adopted Annexation Policy (Resolution No. 2739) describes factors to be considered and states that annexation priorities are property with potential commercial or industrial uses and property located in relationship to long-term goals of the City. Resolution No. 3878 set forth specific guidelines to improve the cost-benefit review of annexations and established an Advisory Annexation Financial Review Committee. The analysis is to include all identifiable costs and benefits to the City that can be expected to result from the annexation.

This item was brought before the Planning and Zoning Commission on June 27 and July 11, 2013. No public comment was heard at the meetings and no written comments have been received. The Commission unanimously recommended approval of the annexation, initial zoning, rezoning, and master plan.

Next Steps

A blank petition to be signed by the owners of real and personal property within the proposed annexation area has been filed with the Yavapai County Recorder's office. Signatures may be obtained beginning on September 11, 2013, at the conclusion of the 30-day waiting period after filing. At such time as the owners of one-half or more in value of the property and more than one-half of the persons owning the property (A.R.S. 9-471.A.4) have signed the petition in favor of the annexation, the Ordinance to approve the annexation will be brought back to Council for consideration. Once the Ordinance to approve the annexation has been approved and the City has adopted the zoning classification required by State statutes, a rezoning may be heard and voted on.

Attachments

1. Annexation map and legal description
2. Master Plan
3. Rezoning map
4. Airport Impact Zones map
5. General Plan map

Recommended Action:

September 3, 2013, Council Study Session

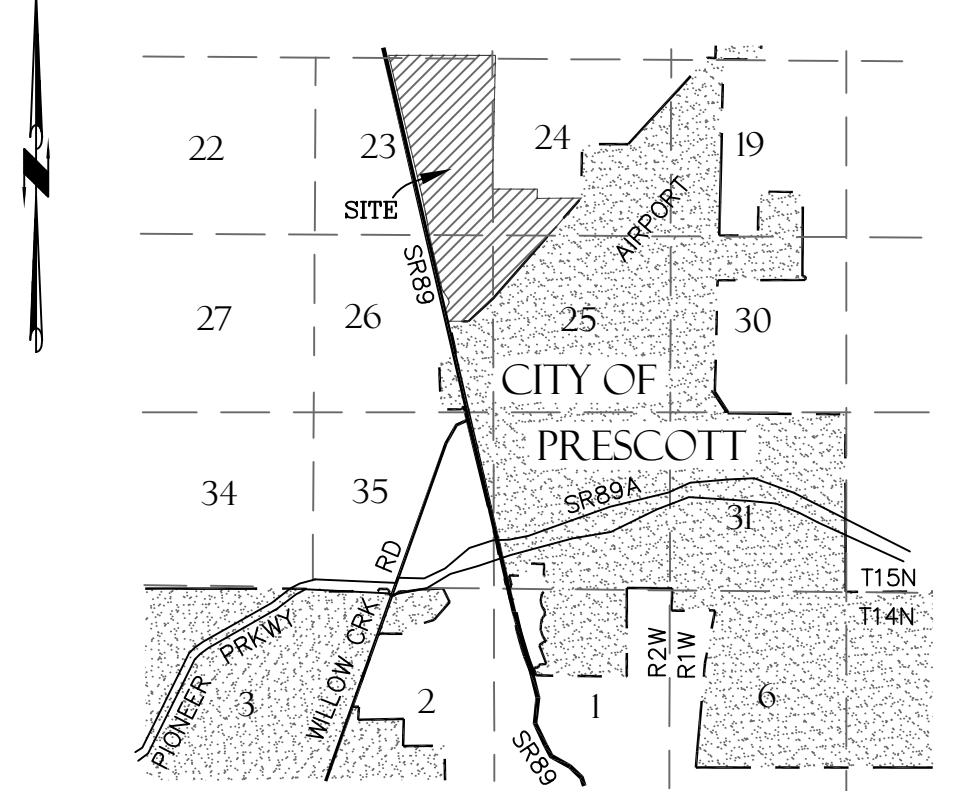
Open the public hearing, receive public comments, and continue the public hearing to the City Council meeting of September 10, 2013.

Agenda Item: Public hearing for request to annex and rezone 497 ± acres, including portions of APNs 102-02-004A, 102-02-004B, 102-03-008, 102-03-008A, 102-04-001A, 102-04-001B, 102-01-002A, 102-01-002B, and 102-01-213Q (ANX13-002; Owner: James Deep Well Ranches #1 and City of Prescott) and adoption of a definition of hospital into the Land Development Code (LDC 13-003)

September 10, 2013, Council Voting Session

Receive additional public comments, and then **MOVE** to close the public hearing.

VICINITY MAP



NO SCALE

REFERENCES USED TO PREPARE THIS PLAT

- (A) ANNEXED BY ORDINANCE 504-1/2 BK 5 MAPS PG 145
- (B) ANNEXED BY ORDINANCE 542 BK 7 MAPS PG 44
APACHE HILLS SUBDIVISION BK 10 MAPS PG 38
- (C) ANNEXED BY ORDINANCE 628 BK 9 MAPS PG 70
AIRPORT BOUNDARY BK 10 LAND SURVEYS PGS 46-50
- (E) ANNEXED BY ORDINANCE 1106 BK 19 MAPS PG 3
VILLAS AT THE RIDGE SUBD. BK 45 MAPS PG 84
- (K) CITY OF PRESCOTT CLEAR ZONE PARCEL 102-03-008A
BK 1247 OFFICIAL RECORDS, PG 294 YCRO
- (L) ANNEXED BY ORDINANCE 4555 BK 58 MAPS PG 58
- (M) CITY OF PRESCOTT PARCEL
BK 4785 OFFICIAL RECORDS PG 985 YCRO
- (R1) SR 89 RIGHT-OF-WAY PROJECT 089-N(203)A (2013)
BOOK 4949 OFFICIAL RECORDS, PAGE 563, YCRO
- (R2) AIRPORT SURVEY BK 10 LAND SURVEYS PGS 46-50 YCRO
- (R3) LAND SURVEY BOOK 51 PG 2 YCRO

GRAPHIC SCALE



(IN FEET)
1 inch = 600 ft.



YAVAPAI COUNTY RECORDER

Filed and Recorded at request of
CITY OF PRESCOTT

AD 201__

at __O'clock__ M

Book MAPS & PLATS

Page

Records of Yavapai County, Arizona

LESLIE M. HOFFMAN
County Recorder

Deputy Recorder

SR 89 ROW DATA		
LINE TABLE		
LINE	LENGTH	BEARING
L0	4303.31	S13°16'50"E
L1	200.00	S09°36'14"E
L2	1229.37	S13°16'50"E
L3	333.99	S34°09'12"E
L4	100.00	S13°16'50"E
L5	246.41	S26°17'53"W
L6	348.89	S13°16'50"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHRD BEARING	CHORD	
C1	742.55	11571.16	S11°26'32"E	742.42	
C2	728.18	11347.16	S11°26'32"E	728.06	

PLAT OF ANNEXATION TO THE CITY OF PRESCOTT

PORTIONS OF SECS. 23, 24, 25 & 26, T15N, R2W
G&SRB&M, YAVAPAI COUNTY, ARIZONA

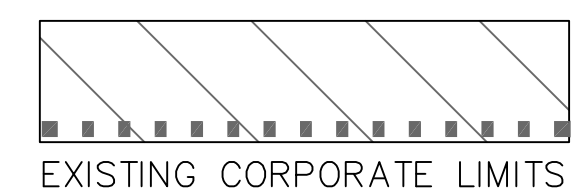
APPROVAL

APPROVED UNDER ORDINANCE NO. _____
PASSED AND ADOPTED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF PRESCOTT, ARIZONA
ON THIS _____ DAY OF _____ 201__

MAYOR

CITY CLERK

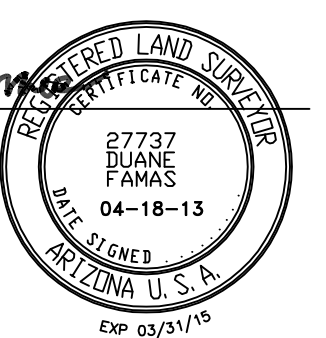
CITY ENGINEER



AREA TO BE ANNEXED ±497 ACRES TOTAL

THIS PLAT WAS PREPARED BY ME DURING THE MONTH
OF APRIL 2013 BASED ON RECORD INFORMATION,
AND IS REPRESENTED ACCURATELY TO THE BEST OF MY
KNOWLEDGE AND BELIEF.

Duane Fammas
DUANE FAMAS RLS 27737



DUANE FAMAS RLS

131 ROBINSON DR., PRESCOTT, AZ 86303
PHONE (928) 925-0072

PROPERTY DESCRIPTION
NORTH AIRPORT ANNEXATION

April 18, 2013

All that portion of Sections 23, 24, 25 and 26, Township 15 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, laying East of the SR 89 right-of-way per Arizona Department of Transportation project 89-B(203)A and described in Book 4949 of Official Records, Page 563, Yavapai County Recorder's Office (YCRO) more particularly described as follows:

BEGINNING at the Northwest corner of Apache Hills Subdivision according to the plat of record found in Book 10 of Maps, Page 38, YCRO, said corner being a point on the Easterly right-of-way line of above said SR 89 and the Northwest corner of that property annexed into the City of Prescott by Ordinance No. 542 according to the plat found in Book 7 of Maps, Page 44, YCRO;

Thence Easterly 603.69 feet along the North line of Apache Hills Subdivision and the extension thereof to a point on the Westerly boundary of that property annexed into the City of Prescott by Ordinance No. 628 according to the plat found in Book 9 of Maps, Page 70, YCRO;

Thence Northeasterly along the City of Prescott corporate boundary established by said Ordinance No. 628 to a point where the North line of the Prescott airport intersects with the East line of Section 26 as shown on the plat recorded in Book 10 of Land Surveys, Pages 46-50, YCRO;



expires 3/31/15

Continued...

PROPERTY DESCRIPTION
NORTH AIRPORT ANNEXATION

April 18, 2013

Thence North 41°15' East 3993.95 feet more or less along the existing corporate limits of the City of Prescott to the point where the North boundary line of said Airport intersects with the North line of that parcel conveyed to the City of Prescott in Book 4785 of Official Records, Page 985, YCRO;

Thence Westerly 1318 feet more or less along the North line of said City parcel and the extension thereof to the point of intersection with the East line of the Southwest quarter of the Southwest quarter of Section 24;

Thence Northerly 267 feet more or less along said East line to the Northeast corner the Southwest quarter of the Southwest quarter Section 24;

Thence Westerly along the North line of the Southwest quarter of the Southwest quarter to the West line of Section 24, which is also the East line of above said Section 23;

Thence Northerly along the East line of Section 23 to the Northeast corner thereof;

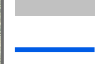
Thence Westerly along the North line of Section 23 to the North quarter corner thereof;

Thence Westerly 511.66 feet more or less along the North line of Section 23 to the Easterly right-of-way line of above said SR 89 as described in Book 4949 of Official Records, Page 563, YCRO;

Thence Southeasterly following along said Easterly right-of-way line of SR 89 to THE POINT OF BEGINNING.

Containing 497 acres more or less.

Master Plan North Airport

-  Annexation Boundary
-  Airport Clear Zone
-  Commercial
-  Ranching (Interim Land Use)
-  YRMC Planning Area
-  City Limits

Total Acreage: 497

Total Road Length:

13,582 Feet



YRMC Planning Area
180 Acres

**Ranching
(Interim Land Use)**
75 Acres

**Industrial/
Warehousing**
182 Acres

PHASE I

PHASE III

Commercial
56 Acres

PHASE II

Roundabout

Boulevard Entry (Divided)
Roundabout

Spine Road (Divided)

Deep Well Ranch Road

89

Rezoning Map North Airport

 Annexation Boundary

 City Limits

Zoning

 BG

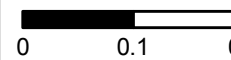
 BR

 IL

 IT

 MF-H

 SF-9

 Miles
0 0.1 0.2



BR

IL

IL

IL

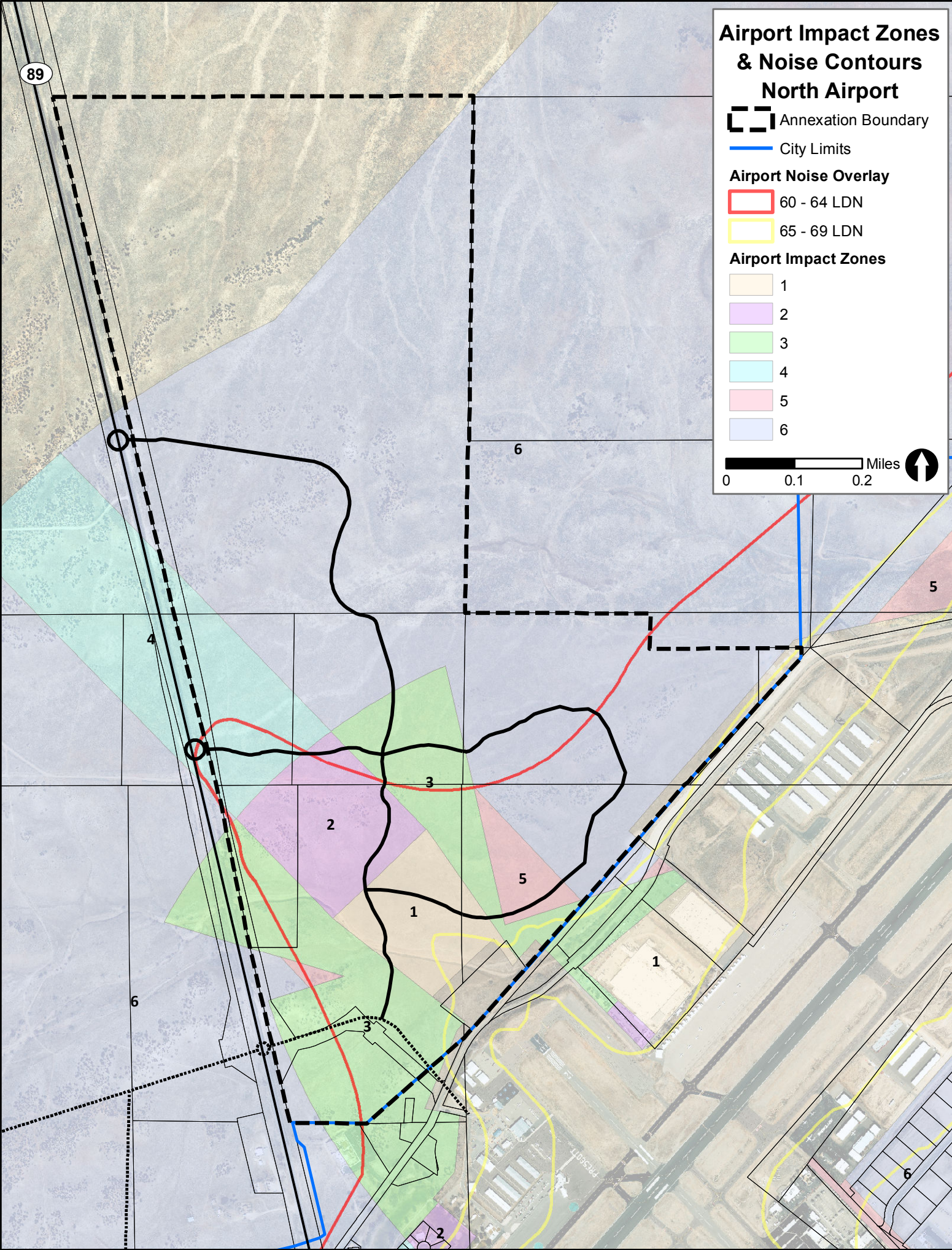
SF-9

BG

MF-H (PAD)

IT

89



**General Plan Use Map
North Airport**



Annexation Boundary



City Limits



Recreation/Open Space



Industrial



Commercial/Employment



Commercial/Recreation



Commercial



Mixed Use



Med-High Density Res. (8-32 DU/Acre)



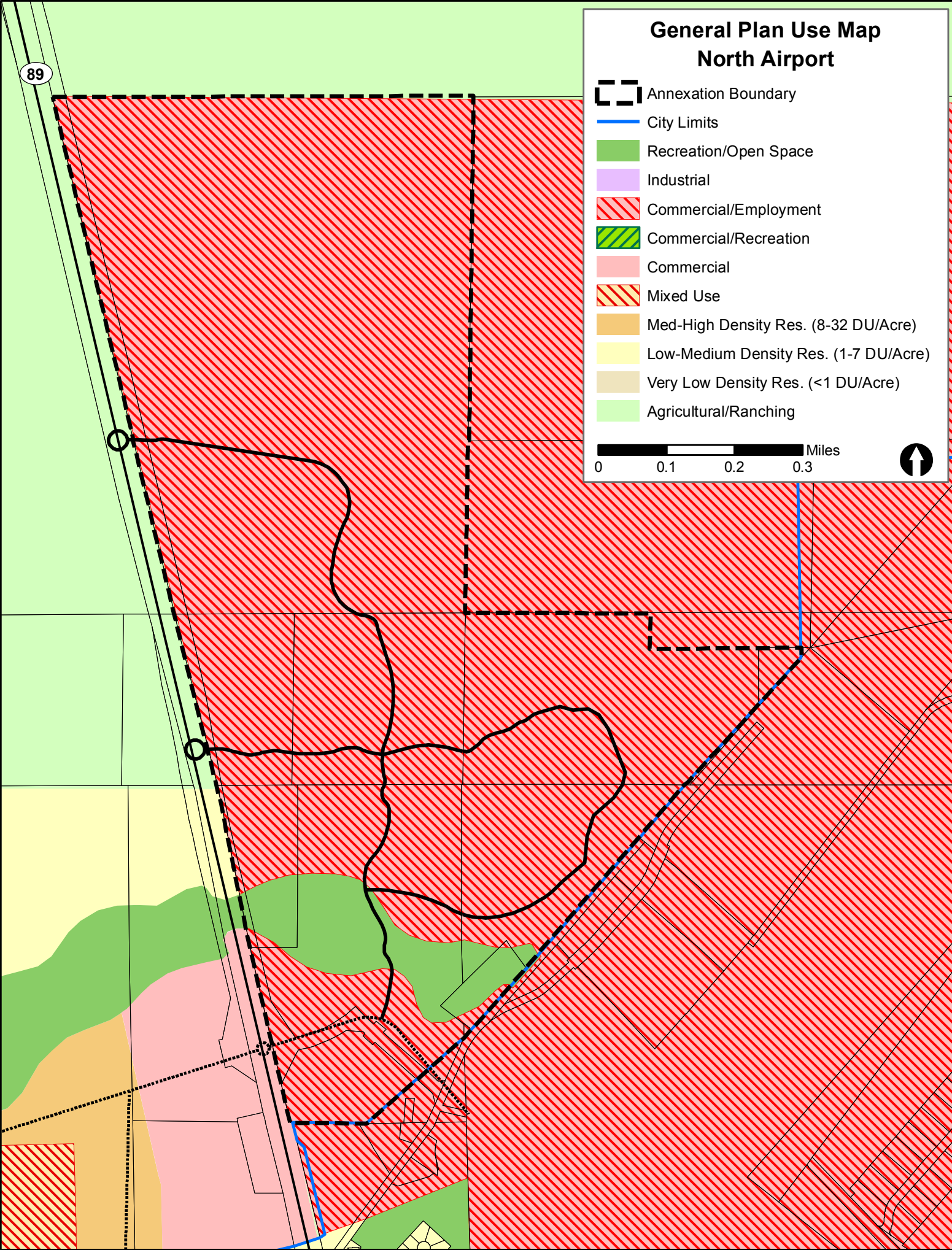
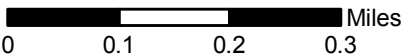
Low-Medium Density Res. (1-7 DU/Acre)



Very Low Density Res. (<1 DU/Acre)



Agricultural/Ranching



MEETING DATES/TYPES: STUDY SESSION 9-03-13
VOTING SESSION 9-10-13

DEPARTMENT: Field and Facilities

RECOMMENDED AGENDA CATEGORY: Regular: X Consent: ____

AGENDA ITEM: Approval of purchase of 1,440 ea. 65 gallon and 456 ea. 95 gallon residential containers from Otto Environmental using Houston-Galveston Area Council (HGAC) contract pricing in an amount not to exceed \$91,350.00

Approved By:

Date:

Director: Miller, Stephanie	
City Manager: McConnell, Craig	

Item Summary

The Solid Waste Division relies on high-density polyethylene (HDPE) composite residential containers to service the trash and recycling needs of the community. Currently, there are 30,900 containers in use City-wide, each having a useful life of approximately 10 years. The Division delivers approximately 42 new containers per week which is a 7% replacement rate each year. The replacements are due to a number of factors including the age and condition of containers in the field, new customers, and requests for extra containers.

This recommended purchase is for a one-year supply of 65 gallon and 95 gallon residential containers.

Background

In prior years, the Solid Waste Division conducted periodic procurements of containers and awarded contracts to the lowest bidders. This process resulted in the acquisition of multiple styles and brands of containers. The proliferation of non-standard container types led to confusion with customers and required the Division to carry a larger inventory of various lids, wheels, axles, and lid pins.

The most recent purchase of containers used HGAC contract pricing for Otto Environmental containers. The containers are high quality, fit the size and shape of the solid waste collection vehicle grippers, and have a wider wheel base that allows the container to remain upright in windy conditions. The Solid Waste Division has a sufficient supply of replacement parts for this particular brand of containers.

Agenda Item: Approval of purchase of 1,440 ea. 65 gallon residential containers and 456 ea. 95 gallon residential containers from Otto Environmental using Houston-Galveston Area Council (HGAC) contract pricing in an amount not to exceed \$91,350.00

Due to the success of this purchase, and efficiency gained by standardization, the Division is again requesting to purchase containers from Otto using the HGAC contract at a price of \$42.46 per each 65 gallon container and \$48.53 per each 95 gallon container. This purchase price is lower per each container than the FY13 purchase price. The proposed purchase quantity will allow the Division to fulfill container needs for fiscal year 14.

Financial Impact

The Solid Waste Division has \$130,000 budgeted in FY14 for HDPE containers. The City contracted container price for 65 gallon residential containers in 2010 was \$41.83. The Division made a purchase of a 6-month supply of 65 gallon residential containers in February 2013 using the HGAC contract price of \$45.00 per each container for a total price of \$35,866.80. The HGAC contract price for Fiscal Year 14 is \$42.46 per 65 gallon container and \$48.53 per 96 gallon container. Price variations track inflation and the fluctuating price of oil, which is the raw material from which HDPE is produced.

The total amount of this recommended purchase is \$91,350.00, including freight and tax.

Attachments

1. Otto Environmental HGAC Quote

Recommended Action: MOVE to approve the purchase of 65 gallon and 95 gallon residential containers from Otto Environmental using Houston-Galveston Area Council (HGAC) contract pricing in a total amount not to exceed \$91,350.00.

