



CITY COUNCIL MEETING

VOTING MEETING AGENDA

TUESDAY, JANUARY 22, 2019, 3:00 PM

Council Chambers, 201 South Cortez Street

Prescott AZ 86303

(928) 777-1272

Greg Mengarelli, Mayor

Billie Orr, Mayor Pro Tem

Steve Blair, Councilman

Phil Goode, Councilman

Jim Lamerson, Councilman

Alexa Scholl, Councilwoman

Steve Sischka, Councilman

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.

1. **CALL TO ORDER**
2. **INTRODUCTIONS/ANNOUNCEMENTS**
3. **INVOCATION**

Father Raj Britto with Sacred Heart Catholic Church

4. **PLEDGE OF ALLEGIANCE**
5. **ROLL CALL**
6. **PROCLAMATIONS**

Dr. Martin Luther King Jr. Day of Service

7. **PRESENTATIONS**

Presentation from Mr. Mel Hannah, Chairman of the Arizona Commission of African American Affairs; Mr. Charles Fanniel, State President of the Arizona NAACP and Ms. Connie Jackson, 2nd VP of the Arizona NAACP with letters of support for Prescott.

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.

- A. Approval of draft minutes for the January 8, 2019 Special Meeting/Executive Session, January 8, 2019 Study Session and January 8, 2019 Voting Meeting Minutes.
- B. Acceptance of Hazardous Fuels Mitigation Funding through the Wild Fire Hazardous Fuels (WFHF) grant program from the Arizona Division of Forestry and Fire Management and a Yavapai County Forest Project Using Title III Funding. The city's portion is \$9,196.00 from the General Fund.
- C. Adoption of Resolution No. 2019-1672, approving an Intergovernmental Agreement with the State of Arizona and the Arizona Department of Emergency and Military Affairs for Mutual Assistance.

ADOPT RESOLUTION NO. 2019-1672 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT ("IGA") AND MUTUAL AID COMPACT WITH THE ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS FOR MUTUAL ASSISTANCE DURING EMERGENCIES (CITY CONTRACT NO. 2019-167); AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.

- D. Adoption of Resolution No. 2019-1671 Setting Policy For Contracts with City Officials and City Employees for 2019.

ADOPT RESOLUTION NO. 2019-1671 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ADOPTING A COUNCIL POLICY REGARDING CONTRACTS WITH THE CITY BY PUBLIC OFFICERS AND EMPLOYEES OF THE CITY.

- E. Award Invitation for Bid No. 2019-153 (City Contract No. 2019-153) for Golf Course Bunker Renovation to Wadsworth Golf Construction in the amount of \$38,110.00. Funding is available in the Golf Course budget.
- F. Approval of an Amendment No. A1 to City Contract No. 2019-092, ratifying total payment of \$49,312.80 to Arizona Digital Solutions for the purchase of completed scanning services. Funding is available in the General Fund.

Recommended Action: MOVE to approve Consent Agenda Items 8.A. through 8.F.

9. REGULAR AGENDA

- A. Public Hearing on the Infrastructure Improvement Plan and Land Use Assumption.

Recommended Action: MOVE to close the Public Hearing.

- B. Public Hearing on proposed increases to water and wastewater rates.

Recommended Action: MOVE to continue and leave open the Public Hearing until February 12, 2019.

- C. Council Discussion of Solid Waste Delivery Study.

Recommended Action: Discussion and possible direction for staff to perform a solid waste services delivery study.

- D. Adoption of Resolution No. 2019-1675 declaring Chapter 7-4, Solid Waste Management, as a public record and adoption of Ordinance No. 2019-1647 Amending Title VII, Chapter 7-4, Solid Waste Management.

ADOPT RESOLUTION NO. 2019-1675 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THE DOCUMENT FILED WITH THE CITY CLERK ENTITLED "CHAPTER 7-4: SOLID WASTE MANAGEMENT".

ADOPT ORDINANCE NO. 2019-1647 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE VII, CHAPTER 7-4; ADDING A SEVERANCE CLAUSE; AND PROVIDING FOR PENALTIES.

Recommended Action: MOVE to adopt Resolution 2019-1675 and adopt Ordinance No. 2019-1647.

- E. Approval of Municipal Judge Contract.

Recommended Action: MOVE to approve Contract No. 2019-168.

- F. Adoption of Resolution No. 2019-1674, Establishing Two Sign Free Zones in the City of Prescott.

ADOPT RESOLUTION NO. 2019-1674 OF THE CITY COUNCIL OF THE CITY OF PRESCOTT, ARIZONA DESIGNATING TWO PRESCOTT SIGN FREE ZONES PURSUANT TO A.R.S. § 16-1019(F) AND ESTABLISHING AN EFFECTIVE DATE.

Recommended Action: MOVE to adopt Resolution No. 2019-1624.

- G. Approval of City Contract No. 2019-169 with Mountain Bike America LLC, dba Epic Rides LLC, for the 2019--2023 Whiskey Off-Road Mountain Bike Events. Event support is available in the Transient Occupancy (Bed) Tax Fund.

Recommended Action: MOVE to approve City Contract No. 2019-169.

- H. Approval of Ordinance No. 2019-1648, approving First Amended Development and Disposition Agreement with WSH Hospitality.

ADOPT ORDINANCE NO. 2019-1648 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, APPROVING AN AMENDED AND RESTATED DEVELOPMENT AND DISPOSITION AGREEMENT WITH WSH HOSPITALITY, LLC.

Recommended Action: MOVE to approve Ordinance No. 2019-1648.

- I. Award of City Contract No. 2019-160 to Water Works Engineers, LLC for Engineering and Design Services for the Water Production Facility and Intermediate Pump Station Project in the amount of \$2,277,072.00; and Award of City Contract No. 2019-161 to Fann Environmental/Fann Contracting Joint Venture (FE/FC) for CMAR Services for the Water Production Facility and Intermediate Pump Station Project in the amount of \$324,585.00. Funding is available in the Water Fund.

Recommended Action: MOVE to award City Contract No. 2019-160 to Water Works Engineers, LLC; and City Contract No. 2019-161 to Fann Environmental/Fann Contracting Joint Venture.

10. 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:

- (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)).

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 72 hours advanced notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 777-1272 to request an accommodation to participate in this public

meeting. Prescott TDD number is (928) 445-6811. Additionally, free public relay service is available from Arizona Relay Service at 1-800-367-8939 and more information at www.azrelay.org

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

Maureen Scott, MMC, City Clerk