



CITY COUNCIL MEETING

VOTING MEETING AGENDA

TUESDAY, JULY 9, 2019, 3:02 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**
Pastor Jason Price with Prescott Christian Church
4. **PLEDGE OF ALLEGIANCE**
Councilwoman Scholl
5. **ROLL CALL**
6. **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 minutes for the June 25, 2019 Executive/Special Session, the June 25, 2019 Study Session and the June 25, 2019 Voting Meeting.
- B. Approval of Settlement of Litigation titled Howard L. Mechanic, as Trustee of The Social Justice Charitable Foundation, Dated October 16, 2016, v. The City of Prescott, Yavapai County Superior Court Case No. P-1300-CV201700872.

- C. Approval of Payment of FY20 League of Arizona Cities and Towns Membership Dues in the Amount of \$27,375.00. Funding is available in the General Fund.
- D. Award of Contract No. 2019-257 for three years for consulting services through Yavapai County School Superintendent (YCSS) for E-Rate services, at a total cost of \$6,000 (\$2,000.00 for each FY20, FY21 and FY22).
- E. Approval of City Contract No. 2019-133A1 with Charlie Pepper, Inc., an amendment to extend the contract for the purchase of sodium chloride (salt) for the Airport Water Reclamation Facility, in an amount not to exceed \$50,000.00 annually. Funding is available in the Wastewater Fund.
- F. Retention of Outside Legal Counsel to Provide General Legal Services not to exceed \$50,000.00.
- G. Approve Amendment A1 to City Contract No. 2019-059, to use State Contract ADOC 18-192870 with FX Tactical, LLC., to purchase budgeted duty equipment and uniforms in the estimated amount of \$48,000.00 during FY20, which extends the current contract for an additional twelve (12) months from January 19, 2019 through January 18, 2010. The estimated amount of \$48,000.00 is comparable to prior year expenditures and is budgeted in the General Fund.
- H. Approval for the City of Prescott Police Department to Apply for Various FY 2020 Grant Funding Opportunities.
- I. Award of City Contract No. 2019-260 to Lucity, Inc., for asset management software system annual technical support and maintenance, in the amount of \$35,800.15. Funding is available in various funds.
- J. Accept Bid of \$ \$34,981.00 from Manzanita Landscaping to construct an Outdoor Learning Center at the Launch Pad Teen Center as part of the PY18 CDBG Program.

Recommended Action: MOVE to approve Consent Agenda Items 6.A. through 6.J.

7. REGULAR AGENDA

- A. Adopt Ordinance No. 2019-1675, setting the Fiscal Year 2020 City property tax levies.

ADOPT ORDINANCE NO. 2019-1675 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF PRESCOTT, SUBJECT TO TAXATION, A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF

VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS, AND PROVIDING FUNDS FOR THE GENERAL MUNICIPAL EXPENSES, ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2020.

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

- B. Adopt Resolution No. 2019-1706 Declaring the document titled "Chapter 3-10: Water Conservation Code" a public record, and Ordinance No. 2019-1676 Amending Title III, Chapter 3-10.

ADOPT RESOLUTION NO. 2019-1706 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 3-10: WATER CONSERVATION CODE".

ADOPT ORDINANCE NO. 2019-1676 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE III, CHAPTER 3-10: WATER CONSERVATION CODE.

Recommended Action: 1) MOVE to adopt Resolution No. 2019-1706; and 2) MOVE to adopt Ordinance No. 2019-1676.

- C. Adopt Resolution No. 2019-1714 Declaring as a Public Record the Document Filed with the City Clerk entitled "Privilege and Use Tax Code" and adopt Ordinance No. 2019-1679 amending Title IV, Chapter 4-1.

ADOPT RESOLUTION NO. 2019-1714 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THE DOCUMENT FILED WITH THE CITY CLERK ENTITLED "PRIVILEGE AND USE TAX CODE".

ADOPT ORDINANCE NO. 2019-1679 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE IV, CHAPTER 4-1.

Recommended Action: 1) MOVE to adopt Resolution No. 2019-1714; and 2) MOVE to adopt Ordinance No. 2019-1679.

- D. Approval of Granite Dells Estates Phases 3 through 5 amendment of Master Plan, General Plan Land Use Map, Rezoning, and revised Preliminary Plat.

Recommended Action: By separate actions: 1) MOVE to approve Master Plan Amendment MPA19-001; 2) MOVE to approve General Plan Amendment GNP19-001; 3) MOVE to approve Zoning Map Amendment PLN19-011; and 4) MOVE to approve Preliminary Plat PLN19-016.

- E. Acceptance of Federal Aviation Administration Grant number 3-04-0030-040-2019 in the amount of \$807,500.00 and Arizona Department of Transportation matching grant in the amount of \$21,250.00 for Design Services of the Taxiway C Relocation, Hot Spot #3 & 4 Mitigation and related improvements.

Recommended Action: MOVE to accept Federal Aviation Administration Grant number 3-04-0030-040-2019 in the amount of \$807,500.00 and Arizona Department of Transportation matching grant in the amount of \$21,250.00 for Design Services of the Taxiway C Relocation, Hot Spot #3 & 4 Mitigation and related improvements.

8. 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