



CITY COUNCIL MEETING

VOTING MEETING AGENDA

TUESDAY, JUNE 23, 2020, 3:00 PM
Council Chambers, 201 South Cortez Street
Prescott AZ 86303
(928) 777-1272

Greg Mengarelli, Mayor	
Billie Orr, Mayor Pro Tem	Cathey Rusing, Councilmember
Steve Blair, Councilman	Alexa Scholl, Councilwoman
Phil Goode, Councilman	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 Matt Kottman with Solid Rock Church

- 4. PLEDGE OF ALLEGIANCE**
Mayor Mengarelli

- 5. ROLL CALL**

- 6. PRESENTATIONS**

A. Prescott Fire Department National Accreditation

- 7. 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 9, 2020 Executive Session, the June 9, 2020 Study Session and the June 9, 2020 Voting Meeting.

- B. Adoption of Resolution No. 2020-1750 Approving City Contract No. 2020-216 with Prescott Historical Society for Utility Services at Sharlot Hall Museum, in an Amount not to Exceed \$10,000 per Year. Funding is Available in the Bed Tax Fund.
- C. Approval of City Contract Nos. 2020-205 through 2020-209, Multiple On-Call Operated Hauling Services Contracts in an Amount not to Exceed \$50,000.00 Annually as Follows: City Contract No. 2020-205 to Asphalt Paving & Supply, Inc., City Contract No. 2020-206 to Bedrock Landscape Materials & Supplies LLC, City Contract No. 2020-207 to BLA Trucking, Inc., City Contract No. 2020-208 to Fann Contracting Inc., and City Contract No. 2020-209 to Oothoudt Brothers, Inc. Funding is Available in the Streets, Water and Wastewater Funds.
- D. Approval of City Contract No. 2020-215 with Tyler Technologies for Annual Support and Licensing of the MUNIS Financial System in the Amount of \$145,308.85. Funding is Available in Various City Funds.

Recommended Action: MOVE to approve Consent Agenda Items 7.A. through 7.D.

8. CONSENT ORDINANCE

- A. Adoption of Ordinance No. 2020-1720, Amending City Code Title XVI, Chapter 16-4 2007 City of Prescott Construction Site Erosion and Sediment Control Regulations by Adding a New Section 16-4-2 (Construction Runoff Requirements).
ADOPT ORDINANCE NO. 2020-1720 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING PRESCOTT CITY CODE TITLE XVI (STREET AND UTILITY AND DRAINAGE REGULATIONS), CHAPTER 16-4 (2007 CITY OF PRESCOTT CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL REGULATIONS CODE) BY INSERTING A NEW SECTION 16-4-2 (CONSTRUCTION RUNOFF REQUIREMENTS) AND RENUMBERING THE REMAINING SECTIONS ACCORDINGLY.
- B. Adoption of Ordinance No. 2020-1721 Authorizing the Acceptance of Public Sewer Easements from CLM Property Management, L.L.C., and Chamberlain Development Prescott, L.L.C., and a Public Water & Sewer Easement from James Deep Well Ranches #1, L.L.C.
ADOPT ORDINANCE NO. 2020-1721 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A PUBLIC SEWER EASEMENT AGREEMENT FROM CLM PROPERTY MANAGEMENT, L.L.C., AND CHAMBERLAIN DEVELOPMENT PRESCOTT, L.L.C., AND A PUBLIC WATER AND SEWER EASEMENT AGREEMENT FROM JAMES DEEP WELL RANCHES #1, L.L.C., AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCES.
- C. Adoption of Ordinance No. 2020-1722 Approving City Contract No. 2020-212 a Land Lease Agreement with Cellco Partnership, d/b/a Verizon

Wireless, For a Communications Equipment Site Within City Right-of-Way (APN# 800-11-009K).

ADOPT ORDINANCE NO. 2020-1722 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, APPROVING A LAND LEASE AGREEMENT, CITY CONTRACT NO. 2020-212, WITH CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, A DELAWARE GENERAL PARTNERSHIP, FOR COMMUNICATIONS EQUIPMENT LOCATED ON CITY-OWNED RIGHT-OF-WAY APN# 800-11-009K; AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE.

Recommended Action: MOVE to adopt Consent Ordinance Items 8.A. through 8.C.

9. LIQUOR LICENSE AGENDA

A. PERMANENT EXTENSION OF PREMISES

1. Consideration for a Permanent Extension of Premises Application for a Series 6 Bar Liquor License from Amy S. Nations, Applicant, for Montezuma Tavern. Location: 216 S. Montezuma Street.

Recommended Action: MOVE to approve/deny/make no recommendation for Liquor License Application No. LIQE20-010 for a Permanent Extension of Premises for a Series 6 Bar Liquor License at Montezuma Tavern. Location: 216 S. Montezuma Street.

10. REGULAR AGENDA

- A. Approval of City Contract No. 2016-104A3, an Amendment to the Professional Services Agreement with Aarons Company, LLC, in the Amount of \$46,200.00 Annually, for Lobbying Services Through June 30, 2022. Funding is Available in the General Fund.

Recommended Action: MOVE to approve City Contract No. 2016-104A3.

- B. Approval to Apply for a USDA Grant for a Community Compost and Food Waste Reduction Project (CCFWR) in the Amount Not to Exceed \$90,000.

Recommended Action: MOVE to approve the CCFWR grant application to the USDA for composting in the amount not to exceed \$90,000.

- C. Approval of City Contract 2020-217 with Motorola Solutions for the Purchase of Fire Department Handheld Radios, in an Amount not to Exceed \$393,271.68, using State of Arizona Contract No. ADSPO13-036880 Pricing. Funding is Available in the General Fund.

Recommended Action: MOVE to approve City Contract No. 2020-217.

- D. Approval of City Contract No. 2020-195 with Yavapai Humane Society for a Three- Year Animal Shelter Service Agreement in the Amount of \$60,291.00 for FY20/21, \$61,497.00 for FY21/22 and \$62,727.00 for FY22/23. Funding is Available in the Police Department Budget.

Recommended Action: MOVE to approve City Contract No. 2020-195.

- E. Approval of City Contract No. 2020-211 with Lyon Engineering and Surveying, Inc. for Design and Engineering Services for the Willow Creek Gravity Sewer Project, in the Amount of \$608,145.00. Funding is Available in the Wastewater Fund.

Recommended Action: MOVE to approve City Contract No. 2020-211.

- F. Approval of City Contract No. 2020-143A1, an Amendment to City Contract 2020-143 with Willdan Engineering, to Extend the Original Contract through FY2021, in the Amount of \$125,000. Funding is Available in the General Fund with Partial Cost Recovery.

Recommended Action: MOVE to approve City Contract 2020-143A1.

- G. Public Hearing for the FY2021 Budget, Expenditure Limitation, and Tax Levies and at a Special Meeting Adoption of Resolution No. 2020-1748 Adopting the Final FY2021 Budget, Expenditure Limitation, and City Job Roster.

Recommended Action: MOVE to close the Public Hearing.

Mayor Mengarelli will recess the Regular Meeting at the conclusion of the Public Hearing and convene a Special Meeting per A.R.S. 42-17105 to determine and adopt estimates of proposed expenditures for the purposes stated in the published proposal.

PURSUANT TO A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE PRESCOTT CITY COUNCIL AND TO THE GENERAL PUBLIC THAT THE COUNCIL OF THE CITY OF PRESCOTT, ARIZONA WILL HOLD A SPECIAL MEETING OPEN TO THE PUBLIC.

A. CALL TO ORDER

B. ROLL CALL

C. BUSINESS

ADOPT RESOLUTION NO. 2020-1748 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DETERMINING AND ADOPTING FINAL ESTIMATES OF PROPOSED EXPENDITURES FOR FISCAL YEAR 2021, DECLARING THAT THE SAME SHALL CONSTITUTE THE BUDGET FOR THE CITY OF PRESCOTT FOR SAID FISCAL YEAR, ESTABLISHING THE EXPENDITURE LIMITATION, AND APPROVING AND UPDATING THE JOB ROSTER FOR THE CITY OF PRESCOTT.

Recommended Action: MOVE to adopt Resolution No. 2020-

1748.

D. ADJOURNMENT OF SPECIAL MEETING

E. REGULAR VOTING MEETING RECONVENED

11. 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

Sarah M. Siep, City Clerk