



PRESCOTT CITY COUNCIL
JOINT STUDY SESSION/
VOTING MEETING AGENDA
ACTION TAKEN

**PRESCOTT CITY COUNCIL
PUBLIC MEETING
DECEMBER 19, 2006
3:00 P.M.**

**Council Chambers
201 S. Cortez Street
Prescott, AZ 86303
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its Regular Voting Meeting 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

INTRODUCTIONS AND PLEDGE OF ALLEGIANCE: Councilman Roecker

ROLL CALL:

MAYOR AND CITY COUNCIL:

Mayor Simmons
Councilman Bell
Councilman Blair
Councilman Lamerson

Councilman Luzius
Councilman Roecker
Councilwoman Suttles

SUMMARY OF CURRENT OR RECENT EVENTS

NOTE: Anyone wishing to speak regarding an item on the agenda must address the Council using the microphone at the podium.

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 777-1272 OR 777-1100 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

I. PUBLIC COMMENT

- A. Karen Bennett – Re Animal Control Center needed improvements and how she can raise funds to help.

II. PROCLAMATIONS

- A. January 2-9, 2007 – *Childhood Cancer Awareness Week in Prescott.*

III. REGULAR AGENDA

- A. Reappointment of Dennis A. Stringer to the Transportation Coordinating Committee for a four-year term.

ACTION: MOTION TO REAPPOINT DENNIS A. STRINGER TO THE TRANSPORTATION COORDINATING COMMITTEE FOR A FOUR-YEAR TERM TO EXPIRE JANUARY 1, 2011 – PASSED; UNANIMOUS.

- B. Approval to purchase a trailer-mounted vacuum excavation unit for Water Operations, on American Manufacturing GSA Contract #GS-07F-0700N, from Vermeer Sales Southwest, Inc., in the total amount of \$63,150.05.

ACTION: MOTION TO APPROVE THE PURCHASE OF A TRAILER-MOUNTED VACUUM EXCAVATION UNIT FOR WATER OPERATIONS, ON AMERICAN MANUFACTURING GSA CONTRACT #GS-07F-0700N, FROM VERMEER SALES SOUTHWEST, INC. IN THE TOTAL AMOUNT OF \$63,150.05 – PASSED; UNANIMOUS.

- C. Approval of a professional services contract with Lima & Associates in the amount of \$134,442.48 for the Southside Traffic Circulation Enhancement Project.

ACTION: MOTION TO APPROVE A PROFESSIONAL SERVICES CONTRACT WITH LIMA & ASSOCIATES IN THE AMOUNT OF \$134,442.48 FOR THE SOUTHSIDE TRAFFIC CIRCULATION ENHANCEMENT PROJECT – PASSED; UNANIMOUS.

- D. Award of contracts for the Big Chino Water Ranch Project, all in transaction/hourly rates listed in the Council Memo dated December 12, 2006:

1. Contract with Yavapai Title Agency, Inc., for title and escrow services.
2. Contract with Roger Dunlap & Associates, LTD, for real estate appraisal services.
3. Contract with Tierra Right-of-way Services, and Universal Field Services, Inc., for right-of-way acquisition services.
4. Contract with Briggs Appraisal & Consulting for property acquisition oversight services.

ACTION: MOTION TO APPROVE THE CONTRACT WITH YAVAPAI TITLE AGENCY, INC. FOR TITLE AND ESCROW SERVICES; THE CONTRACT WITH ROGER DUNLAP & ASSOCIATES, LTD, FOR REAL ESTATE APPRAISAL SERVICES; THE CONTRACT WITH TIERRA RIGHT-OF-WAY SERVICES, AND UNIVERSAL FIELD SERVICES, INC., FOR RIGHT-OF-WAY ACQUISITION SERVICES; AND THE CONTRACT WITH BRIGGS APPRAISAL & CONSULTING FOR PROPERTY ACQUISITION OVERSIGHT SERVICES (ALL FOR THE BIG CHINO WATER RANCH PROJECT, AND AT THE AMOUNTS STATED IN THE COUNCIL MEMO DATED DECEMBER 12, 2006) – PASSED; 6-1 WITH COUNCILMAN LUZIUS CASTING THE DISSENTING VOTE.

- E. Approval to purchase one First Defender XLS3 hand-held chemical identification device for the Fire Department from Ahura Corporation, a sole source provider, in the amount of \$39,000.00, plus applicable tax and shipping, with grant funds.

ACTION: MOTION TO APPROVE THE PURCHASE OF ONE FIRST DEFENDCER XLS3 HAND-HELD CHEMICAL IDENTIFICATION DEVICE FOR THE FIRE DEPARTMENT FROM AHURA CORPORATION, A SOLE SOURCE PROVIDER, IN THE AMOUNT OF \$39,000.00, PLUS APPLICABLE TAX AND SHIPPING, WITH GRANT FUNDS – PASSED; UNANIMOUS.

- F. Consent to Yavapai County's abandonment of a portion of Christmas Tree Lane.

ACTION: MOTION TO CONSENT TO YAVAPAI COUNTY'S ABANDONMENT OF A PORTION OF CHRISTMAS TREE LANE – PASSED; UNANIMOUS.

- G. Approval of extending City Contract No. 2005-078 with Ninyo & Moore, for quality assurance testing services through December 31, 2007, in an amount not to exceed \$100,000.00.

ACTION: MOTION TO APPROVE EXTENDING CITY CONTRACT NO. 2005-078 WITH NINYO & MOORE, FOR QUALITY ASSURANCE TESTING SERVICES THROUGH DECEMBER 31, 2007, IN AN AMOUNT NOT TO EXCEED \$100,000.00 – PASSED; UNANIMOUS.

- H. Approval to issue a purchase order to Mohave Educational Services Cooperative for Marina Street improvements south of Union Street in the amount of \$138,434.04.

ACTION: MOTION TO APPROVE ISSUANCE OF A PURCHASE ORDER TO MOHAVE EDUCATIONAL SERVICES COOPERATIVE FOR MARINA STREET IMPROVEMENTS SOUTH OF UNION STREET IN THE AMOUNT OF \$138,434.04 – PASSED 4-3; COUNCILMEN BLAIR, LUZIUS AND ROECKER CASTING THE DISSENTING VOTES.

- I. Approval of Final Plat for Carrington Place, a four-lot subdivision located on South Blooming Hills Drive, north of Rosser Street, zoning is SF12, Applicant is Carrington Homes, Mike Crimmons (APN 105-03-003C, 003D, 105-03-345 and 346).

ACTION: MOTION TO APPROVE FINAL PLAT FOR CARRINGTON PLACE, A FOUR-LOT SUBDIVISION LOCATED ON SOUTH BLOOMING HILLS DRIVE, NORTH OF ROSSER STREET – PASSED 6-0; COUNCILMAN LUZIUS ABSTAINING.

- J. Adoption of Resolution No. 3793 - A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona adopting fees for the disposal of inert debris and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

ACTION: MOTION TO ADOPT RESOLUTION NO. 3793 – PASSED; UNANIMOUS.

- K. Adoption of Resolution No. 3792 - A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona authorizing the City of Prescott to enter into an Economic Development Agreement with Prescott College, providing for economic redevelopment and acquisition of certain properties located at 235 Grove Avenue currently owned by the State of Arizona, Department of Economic Security, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

ACTION: MOTION TO ADOPT RESOLUTION NO. 3792 – PASSED; UNANIMOUS.

- L. Discussion of Transfer Station expansion.

NO ACTION.

- M. Adoption of Resolution No. 3791 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona adopting a Council policy regarding contracts with the City by public officers and employees of the City.

ACTION: MOTION TO ADOPT RESOLUTION NO. 3791 – PASSED; UNANIMOUS.

- N. Authorization of payment in the amount of \$51,508.41 to Arizona State Retirement System for the Burke Lawsuit Settlement, and support efforts to obtain legislation to reimburse affected cities.

ACTION: MOTION TO AUTHORIZE PAYMENT IN THE AMOUNT OF \$51,508.41 TO ARIZONA STATE RETIREMENT SYSTEM FOR THE BURKE LAWSUIT SETTLEMENT, AND SUPPORT EFFORTS TO OBTAIN LEGISLATION TO REIMBURSE AFFECTED CITIES – PASSED; UNANIMOUS.

- O. Approval of the Minutes of the Prescott City Council Regular Voting Meeting of November 28, 2006, the Prescott City Council Study Session of December 5, 2006, and the Prescott City Council Regular Voting Meeting of December 12, 2006.

ACTION: MOTION TO APPROVE THE MINUTES OF THE PRESCOTT CITY COUNCIL REGULAR VOTING MEETING OF NOVEMBER 28, 2006, THE PRESCOTT CITY COUNCIL STUDY SESSION OF DECEMBER 5, 2006 AND THE PRESCOTT CITY COUNCIL REGULAR VOTING

**MEETING OF DECEMBER 12, 2006 – PASSED;
UNANIMOUS.**

P. Arbor Place Condominiums:

1. Adoption of Ordinance No. 4569 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending the zoning of certain property within the City of Prescott located at 906 Gail Gardner Way, and described as APN parcels No. 115-08-071G, 115-08-034C and 115-08-034D from Neighborhood Oriented Business to Multi-family Medium Density.

ACTION: MOTION TO ADOPT ORDINANCE NO. 4569 – PASSED; UNANIMOUS.

2. Approval of Preliminary Plat for Arbor Place Condominiums, a 20-unit complex located at 930 Gail Gardner Way, SP06-008.

ACTION: MOTION TO APPROVE THE PRELIMINARY PLAT FOR ARBOR PLACE CONDOMINIUMS, A 20-UNIT COMPLEX LOCATED AT 930 GAIL GARDNER WAY – PASSED; UNANIMOUS.

3. Approval of Water Service Agreement with B&R Commercial Group for 5.25 acre feet annually for Arbor Place Condominiums.

ACTION: MOTION TO APPROVE A WATER SERVICE AGREEMENT WITH B&R COMMERCIAL GROUP FOR 5.25 ACRE FEET ANNUALLY FOR ARBOR PLACE CONDOMINIUMS – PASSED; UNANIMOUS.

Q. Recess into Executive Session.

ACTION: MOTION TO RECESS INTO EXECUTIVE SESSION – PASSED; UNANIMOUS.

IV. EXECUTIVE SESSION

- A. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, pursuant to A.R.S. Section 38-431.03(A)(4)

1. Mountain Oak Charter School.

V. POST EXECUTIVE SESSION

- A. Authorization of payment of \$33,000.00 to Mountain Oak Charter School as proposed claim settlement.

ACTION: MOTION TO AUTHORIZE PAYMENT IN THE AMOUNT OF \$34,425.56 TO MOUNTAIN OAK CHARTER SCHOOL, CONDITIONED UPON MOUNTAIN OAK PROVIDING THE CITY WITH A RELEASE OF THEIR CLAIM AGAINST THE CITY, AND TO AUTHORIZE THE MAYOR AND LEGAL STAFF TO EXECUTE ALL NECESSARY DOCUMENTS ON BEHALF OF THE CITY – PASSED; UNANIMOUS.

VI. ADJOURNMENT