



PRESCOTT CITY COUNCIL VOTING MEETING AGENDA ***ACTION TAKEN***

**PRESCOTT CITY COUNCIL
PUBLIC MEETING
TUESDAY, AUGUST 14, 2007
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: Councilwoman Suttles

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. Michael Devlin introducing The Prescott Buscaderos.
- B. Jo Kelleher presenting the Elected Officials Directory prepared by the League of Arizona Women Voters.

II. PRESENTATIONS

- A. Presentation by R. Wall re the Downtown Mural Project.
- B. Presentation by the Caborca Sister City Association.
- C. Presentation by Prescott College regarding recent campus expansion.
- D. Update on status of the Iron Springs Road Project.
- E. Update on the Perkins/Chino Valley Airpark.

III. CONSENT AGENDA

CONSENT ITEMS A THROUGH S LISTED BELOW MAY BE ENACTED BY ONE MOTION. ANY ITEM MAY BE REMOVED AND DISCUSSED IF A COUNCILMEMBER SO REQUESTS.

ACTION: MOTION TO ADOPT THE CONSENT AGENDA ITEMS Iii-A THROUGH III-S; PASSED – UNANIMOUS.

- A. Adopt Ordinance No. 4612-0814 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona authorizing the sale of miscellaneous surplus property including vehicles and equipment that were replaced in FY07 and authorizing the Administrative Services Director to execute any and all documents to effectuate said sales.
- B. Approve payment to Prescott Little League, Inc., in the amount of \$25,000.00 for reimbursement of the Roughrider Park/Bill Vallely Fields retaining wall project.
- C. Adopt Ordinance No. 4614-0816 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona authorizing the acceptance of dedication of real property alongside the City-owned former Santa Fe Railroad Right-of-Way located south of the Airport Runway and north of Melville Road and the City's Airport Wastewater Treatment Plant from GMS&C, LLC, and authorizing the Mayor and staff to execute any and all documents to effectuate said conveyance.

- D. Award contract for Sun Dog Trailhead Parking area for Prescott Peavine National Recreation Trail to Fann Contracting in the amount of \$299,652.00.
- E. Approve expenditure of Acker Trust funds to Yavapai College–Artists in Residence Program, \$10,000; Prescott Fine Arts Association–Scholarship Competition, \$5,500; Prescott POPS–\$3,000; and Prescott Symphony–Music Memory Program, \$1,462.
- F. Adopt Resolution No. 3838-0806 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, approving completion of grant application and acceptance of grant funding from the U.S. Department of Justice, Bureau of Justice Assistance, in the amount of \$15,033 for the purchase of operational first responder equipment for five new front line police vehicles and authorizing the execution of any and all documents to implement same.
- G. Approve agreement with Toter, Inc. in an amount not to exceed \$120,000.00 for the purchase of Automated Side-Load Containers.
- H. Adopt Ordinance No. 4615-0817 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the sale of easement rights to Arizona Public Service Company (APS) upon city owned real property described as APN 306-40-150C, located in the vicinity of State Route 89 and Big Chino Road, Paulden, Arizona and authorizing the Mayor and staff to execute all necessary sale and conveyance documents.
- I. Approve a professional services agreement with Carollo Engineers in the amount of \$288,720.00 to update the Airport Area Water System Master Plan and Capital Improvement Program, and prepare construction documents for Airport Well #2.
- J. Approve Supplemental Agreement No. 2 to Contract No. 04-058 with Civiltec Engineering, Inc., for design of improvements to Demerse Avenue, in the amount of \$39,960.00.
- K. Adopt Ordinance No. 4616-0818 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, abandoning a narrow strip of Willow Creek Road right-of-way and portions of various easements for utilities and ingress/egress within Lakeview Plaza Subdivision; and acceptance of the dedication of a portion of Mogollon Road adjacent to Lakeview Plaza and authorizing the Mayor and City staff to take all necessary steps to effectuate such abandonment and dedication.

- L. Mystic Hills
 - 1. Approve Preliminary Plat PAD for Mystic Hills, 4 lots on approximately 5.5 acres located west of Downer Trail and generally north of Sierry Peaks Drive, Zoning is SF-35, Applicant Bryan Tucker, APN 115-10-062A (SP07-002).
 - 2. Approve Water Service Agreement with Bryan Lee Tucker and Angela Rash Tucker, RS, for 1.4 acre feet of water annually.

- M. Approve Special Use Permit for a 50-foot tall Wireless Communication Monopole located at 3741 Karicio Lane, Zoning is Business-G, Owner Grand Canyon Broadcasters, Applicant Alltel Communications, APN 103-20-595C (SUP07-003).

- N. Adoption of Ordinance No. 4617-0819 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, extending and increasing the corporate limits of the City of Prescott by annexing .44 acres of commercially zoned land associated with Granite Dells Plaza to be developed west of the Twin Lakes Market, Highway 89 and Willow Lake Road.

- O. The Ranch at Prescott:
 - 1. Approve amendment to The Ranch Master Plan Map Dated 08/14/2007 (MPA07-002).
 - 2. Adopt Resolution No. 3851-0819 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending the Prescott General Plan Land Use Map to encompass proposed amendments thereto as set forth in the attached Ranch Master Plan amendments pertaining to that certain property located in that certain area commonly known as The Ranch.
 - 3. Adopt Resolution No. 3852-0820 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, adopting a Council Policy by amending the Prescott East Area Plan Land Use Map to encompass proposed amendments thereto as set forth in the attached Ranch Master Plan amendments pertaining to that certain property located in that certain area commonly known as The Ranch.

- P. Approve waiver of the Hillside Development Standards for a revision of plat creating two lots from one on Pleasant Valley Drive, Owner Willard Hicks, APN 107-17-001E (RE07-011).

- Q. Completion of Water Infrastructure Finance Authority of Arizona (WIFA) debt issues.
1. Adopt Ordinance No. 4618-0820 – An ordinance of the Mayor and Council of the City of Prescott, Arizona, approving the form and authorizing the execution and delivery of a Loan Agreement with the Water Infrastructure Finance Authority of Arizona from its Drinking Water Revolving Fund program; delegating the determination of certain matters relating thereto to the Budget/Finance Director of the City; providing for the transfer of certain moneys and making certain covenants and agreements with respect thereto; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by such Loan Agreement and this ordinance and declaring an emergency.
 2. Adopt Ordinance No. 4619-0821 – An ordinance of the Mayor and Council of the City of Prescott, Arizona, approving the form and authorizing the execution and delivery of a Loan Agreement with the Water Infrastructure Finance Authority of Arizona from its Clean Water Revolving Fund program; delegating the determination of certain matters relating thereto to the Budget/Finance Director of the City; providing for the transfer of certain moneys and making certain covenants and agreements with respect thereto; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by such Loan Agreement and this ordinance and declaring an emergency.
- R. Adopt Resolution No. 3853-0821 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona ordering the submittal to the City of Prescott on November 6, 2007, the question of authorizing the levy of a transaction privilege tax (commonly known as transient occupancy tax) in an amount equal to three percent (3%) of the gross income from lodging rents from the business activity of any hotel engaging or continuing within the City in the business of charging for lodging, and/or lodging space furnished to any transient for a period of under twenty-eight (28) consecutive days effective no earlier than January 1, 2008; such tax to be in addition to all transaction privilege taxes now levied by the City, with the proceeds to be accounted for in a separate fund and to be used for the promotion of tourism and development of recreational uses within the City of Prescott; declaring an emergency; and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.
- S. Approve the Minutes of the Study Session/Special Meeting of the Prescott City Council held on July 17, 2007, the Workshop of the Prescott City Council held on July 17, 2007 and the Regular Voting Meeting of the Prescott City Council held on July 24, 2007.

IV. REGULAR AGENDA

- A. Public hearing and consideration of a liquor license application from Vivian Gail Lueck, Agent for Sweet Pickles LLC, for a new Series 12, Restaurant, license for Roman Ristorante, located at 623 Miller Valley Road.

ACTION: MOTION TO CLOSE THE PUBLIC HEARING; PASSED – UNANIMOUS (WITH COUNCILMAN BLAIR ABSENT FROM THE ROOM AT THIS TIME).

ACTION: MOTION TO APPROVE A LIQUOR LICENSE APPLICATION FROM VIVIAN GAIL LUECK, AGENT FOR SWEET PICKLES LLC, FOR A NEW SERIES 12, RESTAURANT, LICENSE FOR ROMAN RISTORANTE, LOCATED AT 623 MILLER VALLEY ROAD; PASSED – UNANIMOUS (WITH COUNCILMAN BLAIR ABSENT FROM THE ROOM AT THIS TIME).

- B. Cedar Ridge Condos

1. Approval of Preliminary Plat for Cedar Ridge Condominiums, A Planned Area Development for 30 units on approximately 2.29 acres, located at 337 Robinson Drive, Zoning is Multi-family High (MF-H), Applicant Michael Haywood, APN 110-05-016 (SP07-003).

ACTION: MOTION TO APPROVE THE PRELIMINARY PLAT FOR CEDAR RIDGE CONDOMINIUMS, A PLANNED AREA DEVELOPMENT FOR 30 UNITS ON APPROXIMATELY 2.29 ACRES, LOCATED AT 337 ROBINSON DRIVE (SP07-003); PASSED – 6-1 WITH COUNCILMAN LUZIUS CASTING THE DISSENTING VOTE.

2. Approval of Water Service Agreement with MRD Properties and Development for 10.5 acre feet of water annually.

ACTION: MOTION TO APPROVE THE WATER SERVICE AGREEMENT WITH MRD PROPERTIES AND DEVELOPMENT FOR 10.5 ACRE FEET OF WATER ANNUALLY; PASSED – UNANIMOUS.

- C. Recess into Executive Session.

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

V. 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

1. Mapes v. City of Prescott.
2. Sand Trap v. City of Prescott.

VI. ADJOURNMENT

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.

Elizabeth A. Burke, MMC, City Clerk