



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

**PRESCOTT CITY COUNCIL
PUBLIC MEETING
TUESDAY, NOVEMBER 13, 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: Councilman Luzius

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. Comments by Mike Ruble re World AIDS Day.

II. PROCLAMATIONS:

- A. November 12, 2007 – *Veteran John R. Tapia Hall of Fame Medal Recipient Appreciation Day.*
- B. November 13, 2007 – *Veteran Frank A. Bosh Hall of Fame Medal Recipient Appreciation Day.*
- C. November 14, 2007 – *Veteran Ralph J. Untz Hall of Fame Medal Recipient Appreciation Day.*
- D. November 14, 2007 – *World Diabetes Day in support of the UN Resolution.*

III. PRESENTATION

- A. Recognition of Members of the Water Conservation Committee.
- B. Bob Culbertson re Go Skateboarding Competition.
- C. Presentation on Students Against Violence Everywhere (SAVE).
- D. Big Chino Water Ranch Update.

IV. CONSENT AGENDA

CONSENT ITEMS A THROUGH O 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 IV-A THROUGH IV-O; PASSED – UNANIMOUS.

- A. Approve purchase of Micro Focus Compiler Software and Application Service Licenses for use with Application Data Systems Incorporated (ADSI) Public Safety Computer System operations in the amount of \$34,261.17.
- B. Approve application to the Governor's Office of Highway Safety for 410 Federal Grant funds in the amount of \$60,000.00 to be used during the

period of October 2007 through September 2008 for continued operation of the Tri-City DUI Task Force.

- C. Approve reimbursement to Prescott Chamber of Commerce for the Christmas Lighting in the amount of \$30,000.00.
- D. Approve a professional services agreement with Lyon Engineering in the amount of \$190,820.00 for design and associated engineering services for the Airport Zone 18" Second Feed and 12" Water Main Project.
- E. Approve Amendment to Agreement # 00-062 for Potable Water with Cortez Circle Apartments through April 11, 2009.
- F. Adopt Resolution No. 3867-0835 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott as a member agency with the Upper Verde River Watershed Protection Coalition (UVRWPC) to enter into a Professional Services Agreement with Burgess & Niple, Inc., for the management of Coalition programs and development of specific projects, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.
- G. Approve an agreement with LA Consulting, Inc., in the amount of \$112,371.00 for implementation of Phase III of a Maintenance Management System for the Utilities Operations Division of Public Works.
- H. Approve Amendment One to Contract No. 07-163 with URS Corporation, Granite Creek Structural Analysis, to develop an emergency action plan for each of four City-operated dams in a total amount not to exceed \$74,204.00.
- I. Approve Amendment One to Contract No. 08-024 with Post, Buckley, Schuh, and Jernigan, Inc., to add design of a new Indian Hills Reservoir to the Zone 39 Water Mains and Pump Station Upgrade Project, in an amount not to exceed \$124,909.00.
- J. Approve Contract for Risk Management Study with ArmTech in the amount of \$33,000.00.
- K. Approve Site Plan for Texas Roadhouse, a 7150 sq. ft. restaurant located adjacent and east of Cost Plus World Market, Applicant is Greenberg Farrow.
- L. Approve Final Plat for the Ranch at Willow Creek comprising 15 lots on approximately 14.7 acres located at the southwest corner of Geneva Drive and Willow Creek Rd., Owner is V.S. Property Group, LLC, Applicant is Virgil Doefler, APN 106-22-008.

- M. Approve Final Plat for Tamarack Estates consisting of 12 lots on approximately 6.65 acres located northwest of the intersection of East Tamarack and Delano Ave., Applicant is Tamarack Estates, LLC, Agent is Brant Smith, APN 10-03-002A (FP06-020).
- N. Canyon Meadows:
 - 1. Adopt Ordinance No. 4633-0835 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, abandoning a certain 30-foot wide roadway/utility easement per Book 486 Page 168 and a certain 30-foot wide ingress/egress utility easement per Book 1269 Page 489 (both of Yavapai County Official Records) within Canyon Meadows Estates at Prescott Lakes; requesting a final plat thereof; and authorizing the Mayor and City staff to take all necessary steps to effectuate such abandonment and final plat.
 - 2. Approve Final Plat for Canyon Meadows Estates, a Planned Area Development comprising 27 lots on approximately 9.2 acres located south of Smoketree Lane and west of Prescott Lakes Parkway, Owner is Canyon Meadows Partners; Applicant is Lyon Engineering, FP07-008, APN 105-04-175B.
- O. Approve the Minutes of the Prescott City Council Regular Voting Meeting held October 9, 2007, and the Prescott City Council Study Session held October 16, 2007.

V. REGULAR AGENDA

- A. Canvass of the Election Results of the City of Prescott General Election Held November 6, 2007.

ACTION: MOTION TO APPROVE THE CANVASS OF THE ELECTION RESULTS OF THE CITY OF PRESCOTT GENERAL ELECTION HELD NOVEMBER 6, 2007; PASSED – UNANIMOUS.
- B. Appointment of Member to the Public Safety Personnel Retirement System Board.

ACTION: MOTION TO APPOINT BRADLEY MALM TO THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARD, TERM TO EXPIRE 07/2011; PASSED – UNANIMOUS.

- C. Adopt Resolution No. 3866-0834 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, renaming Willow Creek Park to the Jim McCasland Willow Creek Park.

ACTION: MOTION TO ADOPT RESOLUTION NO. 3866-0834; PASSED – UNANIMOUS.

- D. Adopt Resolution No. 3865-0833 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into a Development Agreement with Ponderosa Hotel Management Services for the development of a four-star quality hotel and conference center located at 340 N. Lee Blvd., and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

ACTION: MOTION TO ADOPT RESOLUTION NO. 3865-0833; PASSED – UNANIMOUS.

- E. Approve recommended changes to the Outdoor Water Use Code to promote conservation.

ACTION: MOTION TO APPROVE ALTERNATIVE #3, PROVIDING DIRECTION TO STAFF AS REQUIRED; PASSED – 6-1, COUNCILMAN LUZIUS CASTING THE DISSENTING VOTE.

- F. Recess into Executive Session.

VI. EXECUTIVE SESSION

- A. Discussion or consultation for legal advice with the attorney or attorneys of the public body.
1. Title clearance of parcel of land located in the area of the Prescott Municipal Airport.
 2. Interim Arsenic Treatment Project, regarding permitting and contractual matters.
- B. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine

whether the discussion or consideration should occur at a public meeting, pursuant to ARS 38-431.03(A)(1)

1. Annual review of City Manager.

VII. POST EXECUTIVE SESSION

- A. Approval of a legal services agreement with the law firm of Favour, Moore & Wilhelmsen for continuing legal representation in City of Prescott v. CVID Investment LLC.

ACTION: MOTION TO APPROVE A LEGAL SERVICES AGREEMENT WITH THE LAW FIRM OF FAVOUR, MOORE & WILHELMSEN FOR CONTINUING LEGAL REPRESENTATION IN CITY OF PRESCOTT V. CVID INVESTMENT LLC; PASSED – UNANIMOUS.

- B. Consideration of amendment(s) to City Manager's contract.

ACTION: MOTION TO AMEND THE CITY MANAGER'S CONTRACT TO GIVE A 4% INCREASE (APPROXIMATELY \$7,600) AND BUY BACK ONE WEEK OF VACATION; PASSED – UNANIMOUS.

VIII. ADJOURNMENT