



PRESCOTT CITY COUNCIL STUDY SESSION AGENDA

PRESCOTT CITY COUNCIL
STUDY SESSION
TUESDAY, APRIL 15, 2008
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 Joint Study Session/Special 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
- ◆ INVOCATION: Pastor Bobbie Root of the Unitarian Church
- ◆ PLEDGE OF ALLEGIANCE: Councilwoman Lopas
- ◆ ROLL CALL:

MAYOR AND CITY COUNCIL:

Mayor Wilson	
Councilman Bell	Councilman Luzius
Councilman Lamerson	Councilman Roecker
Councilwoman Lopas	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. **PLEASE NOTE:** Comments from the public regarding any item on the agenda will be limited to five (5) minutes. Please refer to the Clerk's desk for the timing sequence of the lighting signals: **GREEN** at the beginning of comments, **YELLOW** with one minute remaining, and **RED** when time has ended.

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. PROCLAMATIONS

- A. April 2008 - *Child Abuse Prevention Month*
- B. April 13 – 19, 2008 – *National Public Safety Telecommunications Week*
- C. April 15 – May 16, 2008 – *Prescott's Bike Month*

II. DISCUSSION ITEMS

- A. Approval to purchase one Power Boss Admiral 42 Scrubber/Sweeper from Southwest Sweeper Sales for \$33,498.30.
- B. Adoption of Resolution No. 3885-0853 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona repealing Section 5 of Resolution No. 2463 to dissolve the Parks, Recreation and Library Advisory Committee and forming a Parks and Recreation Board as a standing committee of the City of Prescott.
- C. Granite Creek Village:
 - 1. Approval of Preliminary Plat for Granite Creek Village, a 43-lot residential subdivision on 14.58 acres located east of White Spar Road, along Granite Creek in the vicinity of the Pine Cone Inn, Zoning Planned Area Development (PAD); Applicant Timber Creek Development; Guy Naus and Phil Wiens. (PP07-006).
 - 2. Approval of Water Service Agreement with Timber Creek Development LLC for 15.05 acre feet of water annually.
- D. Approval of contract amendment to Contract 2000-202 with Embry-Riddle Aeronautical University for assignment of the contract by the City.
- E. Authorization for procurement of a temporary expansion unit for the Airport terminal.
- F. Approval of reconfiguration of striping on Sixth Street from Pleasant Street to Fifth Street.
- G. Approval of the Design Concept Report for a grade separated traffic interchange in the vicinity of Side Road at SR89A.

- H. Adoption of Ordinance No. 4647-0849 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, abandoning an existing public utilities and access easement and recording a revised public utilities and access easement located on private property fronting Josephine Street north of Gurley Street and authorizing the Mayor and City staff to take all necessary steps to effectuate such abandonment.
- I. Approval of Notice of Intention to increase water and wastewater rates.
- J. Approval of the Minutes of the Prescott City Council Joint Study Session/Special Meeting of March 18, 2008; the Workshop of March 18, 2008; the Workshop of March 25, 2008; the Regular Voting Meeting of March 25, 2008 and the Workshop of April 1, 2008.
- K. Selection of Items to be placed on the Regular Voting Meeting Agenda of April 22, 2008.

III. 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

COUNCIL AGENDA MEMO – 04/15/08 & 04/22/08

DEPARTMENT: Field Operations / Fleet Management

AGENDA ITEM: Purchase of one Power Boss Admiral 42 Scrubber/Sweeper

Approved By:

Date:

Department Head: Chad McDowell

04/08/08

Finance Director: Mark Woodfill

City Manager: Steve Norwood



04/09/08

Background:

During the 2008 Goal setting and budget process, Council requested improvement of the overall downtown appearance and approved acquisition of a scrubber/sweeper for cleaning sidewalks in the downtown area. Field Operations held a series of demonstrations of scrubbers and sweepers to determine requirements and performance. To keep the downtown the cleanest possible having both a sweeper (used mainly for trash sweeping) and a sweeper-scrubber (used for cleaning with water and is very useful in the parking garage) would be best as use of the scrubber/sweeper in cold weather can be very limited. This year we would like to purchase the scrubber-sweeper and will request the single function sweeper in the 2009 budget.

Financial:

The City requested bids for a scrubber/sweeper in March. We received two bids, as follows:

Southwest Sweeper Sales	\$33,498.30
Nilfisk Advantage	\$21,288.26

While Nilfisk Advantage has the lower price, they bid the wrong type of machine and therefore did not meet specs. The Power Boss Admiral 42, when demonstrated by Southwest Sales proved to be a high performing piece of equipment. \$60,000 is budgeted in G/L Fund 24-801-712 for purchase of the scrubber/sweeper. As this purchase is just over one half of the budgeted amount, Field Operations will roll over the balance and use it towards the FY09 request for the sweeper if approved by Council. We estimate a single function sweeper can be purchased with a minimal amount of additional funding.

Recommended Action: MOVE to approve purchase of a Power Boss Admiral 42 Scrubber/ Sweeper from Southwest Sweeper Sales for \$33,498.30.

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COUNCIL AGENDA MEMO – 04/15/08 & 04/22/08
DEPARTMENT: Parks, Recreation & Library
AGENDA ITEM: Dissolution of the Parks, Recreation & Library Advisory Committee; Formation of a Parks and Recreation Board

Approved By:	Date:
Department Head: Debbie Horton	04/08/2008
Finance Director: Mark Woodfill	04/08/2008
City Manager: Steve Norwood 	04/08/2008

BACKGROUND:

The Parks, Recreation & Library Advisory Committee has been one of the City's Standing Committees since 1992. The committee has served in an advisory capacity to the Mayor and Council in matters pertaining to the Parks, Recreation & Library Department.

In actual experience, most of the matters discussed at Advisory Committee meetings have been parks and recreation issues. The Friends of the Prescott Public Library Board, a sole and separate group of volunteers, will be available to serve as advisors to Mayor and Council on issues specifically related to the Prescott Public Library. Therefore, staff is recommending eliminating the redundancy of Library representation on yet another advisory committee.

Resolution #3885-0853 explains the process of dissolution of the current Parks, Recreation & Library Advisory Committee, and establishing a Parks And Recreation Board to serve in an advisory role to Mayor and Council in parks and recreational needs of the citizens of Prescott. A board composed of five members, who will be appointed to serve three year staggered terms, is recommended.

The sincere thanks of the Mayor, City Council members, and department staff are extended to all those who have volunteered their time and expertise as members of the Parks, Recreation & Library Advisory Committee

ATTACHMENT:

Resolution No. 3885-0853.

Recommended Action: MOVE to adopt Resolution No. 3885-0853.
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RESOLUTION NO. 3885-0853

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, REPEALING SECTION 5 OF RESOLUTION NO. 2463 TO DISSOLVE THE PARKS, RECREATION AND LIBRARY ADVISORY COMMITTEE AND FORMING A PARKS AND RECREATION BOARD AS A STANDING COMMITTEE OF THE CITY OF PRESCOTT

RECITALS:

WHEREAS, Section 1-13-1 of the Prescott City Code authorizes the Mayor and Council to form and create Standing Committees of the City, to act in an advisory role to the Mayor and Council in areas not otherwise within the province of established boards or commissions, and

WHEREAS, Section 3 of Resolution No. 2463 adopted April 14, 1992, formed the Recreation Services Advisory Committee, which was later renamed the Parks, Recreation and Library Advisory Committee through adoption of Resolution No. 2690; and

WHEREAS, the Friends of the Library has served as an excellent advisory committee to the Library staff; therefore, eliminating the need for representation on the Parks, Recreation and Library Advisory Committee; and

WHEREAS, the Mayor and Council wish to dissolved the Parks, Recreation and Library Advisory Committee and create the Parks and Recreation Board, to address the parks and recreational needs of the City of Prescott.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT Section 3 of Resolution No. 2463 is hereby repealed in its entirety.

Section 2. THAT there is hereby formed the following Standing Committee **PARKS AND RECREATION BOARD**, which shall be comprised of five (5) members, who shall serve three-year staggered terms.

Section 3. THAT the role of the Parks and Recreation Board is to make recommendations to the City Council and City Manager on all matters pertaining to the parks and recreational needs of the citizens of Prescott, with the objective to develop and maintain recreational facilities, activities and services for the general public.

Section 4. THAT the Parks & Recreation Director, or designee, shall act as an ex-officio member of the Committee to provide advice and assistance where possible.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this 22nd day of April, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

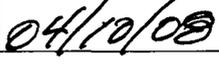
ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

COUNCIL AGENDA MEMO – 04/15/08 & 04/22/08

DEPARTMENT: Community Development

AGENDA ITEM: Preliminary Plat and Water Service Agreement Granite Creek Village (PP07-006).
Applicant: Timber Creek Development, Guy Naus and Phil Wiens 541-0289
Engineer: David West, Kelley Wise Engineering 771-1730
APN's 107-15-049 and 049B

Approved By:	Date:
Department Head: Tom Guice	
Finance Director:	
City Manager: Steve Norwood 	04/22/08 

REQUEST

This application seeks approval of the preliminary plat for a 43 lot residential subdivision. This is a Planned Area Development (PAD) on 14.58 acres of property located east of White Spar Road, along Granite Creek in the vicinity of the Pine Cone Inn.

ZONING

The property has SF-9 zoning. As a PAD (assuming flat ground), density could occur up to 4 units per acre. This would allow up to 64 units however, since this property includes areas of significant slope the Hillside Development Standards reduce the opportunity for density.

HILLSIDE DEVELOPMENT STANDARDS

As a conventional subdivision this property would be limited to lots of 1/2 acre or larger with site disturbance limited to 15% to 30%. Exceptions to Hillside Development Standards (Section 6.8.5) may be approved in relation to Planned Area Developments (PAD's). This property includes a total of 14.58 acres. Approximately 6.6 acres includes slopes exceeding 20%. Of these 6.6 acres approximately 1.5 acres (excluding road areas) will be disturbed. This is 23% of the sloped area. Hillside Development Standards allow development/disturbance of up to 30% of the sloped area. In addition, the developer is proposing 40% of the site (5.84 acres) as open space. Portions of the open space are contiguous to existing open space tracts in the Haisley area. The project as proposed conforms to both the Hillside Development Standards and the PAD requirements (Section 9.5.3).

FLOODPLAIN

This site includes approximately 1.5 acres of non-developable 100 year floodplain area. This property is included in the open space and slope calculations provided above.

GENERAL PLAN

The 2003 General Plan Land Use Map shows this area as low to medium residential use. The development as proposed can be considered to be consistent with both the General Plan.

STREET LAYOUT

The internal streets are designed to be public streets including 28 feet of pavement, curbs, gutters both sides and a sidewalk on one side. The streets end with "hammer head" turning areas and are permitted per Central Yavapai County Unified Construction Standards (YAG Standards).

The crossing of Granite Creek will occur via a bridge or box culvert structure. Engineering for this creek crossing will occur prior to submittal of the Final Plat.

Access from White Spar Road is required to meet Arizona Department of Transportation (ADOT) requirements. ADOT has approved the "conceptual plan" for this project. The preliminary review by ADOT establishes a requirement for shoulder widening and increasing the width of the driving surface by 8 feet. A full turn lane is not being required.

The Fire Department has stated that an emergency access via the existing water line road serving Haisley Subdivision to the east is desired. At this time Granite Creek Village is proposed to occur without the emergency access road and all homes will be required to have fire sprinkler systems. Discussions about the emergency access road have been initiated with the Haisley Homestead Subdivision Home Owners Association. The typical emergency access road for a residential area is for 20 feet of road width, asphalt surface with ribbon curbs. Details associated with the emergency access are to be resolved prior to submittal of the final plat.

The road system as proposed does not connect to Joseph Street. This is due to a rock out cropping and slope constraints.

WATER AND SEWER UTILITIES

The intent of this development is to loop its water system via main line extensions from the existing 8" line located in White Spar Road and the existing 8" line located to the south and east. This line serves the Haisley area. Water pressure issues will need to be addressed. Sewer service is intended to connect to the 10" line in Granite Creek.

WATER SERVICE AGREEMENT

A Water Service Agreement has been prepared for Council approval and is attached with this report (43 lots x .35 = 15.05 af/yr).

NEIGHBORHOOD MEETINGS

Two neighborhood meetings were held. The first occurred on November 19, 2007. That meeting resulted in a request by neighboring property owners for changes to plat to create a 40 foot setback along the common property line separating this development from the Haisley neighborhood. The plat has been revised to meet this concern. A second neighborhood meeting occurred on March 26, 2008. Discussions occurred on a variety of topics including, the type and style of the homes to be constructed including finish and roof treatments, access from White Spar, the creek crossing, the emergency access concern, trail, sidewalk and foot path access and noise from the neighboring veterinary clinic.

DEPARTMENT AND AGENCY COMMENTS

Plans for this development were provided to the following departments and/or agencies. Comments received to date are summarized as follows:

Agenda Item: Preliminary Plat and Water Service Agreement, Granite Creek Village

Planning and Zoning

1. *Identify Open Space areas as Tracts*
2. *Renumber the townhouse lots.*

Public Works, Engineering Division.

1. *Provide a complete set of Improvement Plans including Grading, Drainage, SWPP, Water and Sewer. The Plans must be submitted to and approved by Public Works Engineering Division prior to any site work. The Civil Improvement Plans must address slope stabilization and erosion control given the proximity to Granite Creek*
2. *The site includes floodplain associated with Granite Creek. No ground disturbance will be permitted within the floodplain.*
3. *A Letter of Map Revision (LOMR) maybe necessary in relation to the floodplain.*
4. *Provide minimum finish floor elevation for lots 1, 33, and 34.*
5. *The bridge at Granite Creek is to be designed to meet the 100 year storm event*
6. *The 5' slope, drainage and PUE easement associated with the internal streets may not be adequate for cuts/fills associated with the roads*

Fire Department.

1. *Street grades shall not exceed 12%*
2. *Additional discussion on the Emergency Access via Haisley Homestead is desired*
3. *Extend road improvements to the property line where the Emergency Access may be created*
4. *All homes are required to be sprinkled*
5. *Define the crossing over Granite Creek. Structure shall support 75,000 LBS*
6. *All hammer head turn around shall have "No Parking Fire Lane" signs*
7. *All hammer heads shall be 60 feet in depth from center line*
8. *The width of the turn around shall include 28 feet of improved driving surface*
9. *All streets shall have "No Parking Signs" on one side of the street.*

Historic Preservation

1. *Class III Archaeological Study to be provided prior to any earth moving and/or submittal of the Final Plat.*

Parks and Recreation

1. *This site has numerous "social trails". Access to the east and south has been closed off by prior development. Maintaining access for the greater neighborhood to/from the creek, to the east (Haisley) and to the north (Joseph Street) is viewed as appropriate to this development*

PLANNING COMMISSION REVIEW AND RECOMENDATION

The Planning Commission reviewed this project at meetings on November 9 and 26, 2007. Following those meetings the plat was withdrawn to make changes related to the Haisley neighborhood's request for greater separation. Following that change the plat was returned to the Commission on March 27, 2008 at which time it received support for approval by a vote of 5.0.

Recommended Action: MOVE to approve the Preliminary Plat for Granite Creek Village subject to Department comments; and **MOVE** to approve the Water Service Agreement for Granite Creek Villages not to exceed 15.05 af/yr.

**AGREEMENT FOR POTABLE WATER
TIMBER CREEK DEVELOPMENT, LLC**

WHEREAS, Timber Creek Development, LLC, (hereinafter referred to as "Applicant") is the owner of certain real property within the City of Prescott; and

WHEREAS, Applicant wishes to secure approval for the provision of potable water for the foregoing property from the City of Prescott (hereinafter referred to as "City"); and

WHEREAS, the Applicant contemplates constructing forty-three (43) dwelling units on the property, for a total of forty-three (43) dwelling units, and

WHEREAS, PCC Section 2-1-12(H) requires that an agreement be reached between the City and the Applicant in order to provide potable water; and

WHEREAS the City Council finds that compliance with this Agreement by the Applicant shall result in

1. The project or development being consistent with and conforming to, furthering the implementation of, and is not contrary to, the adopted Water Management Policy; and
2. The project or development being consistent with and conforming to, furthering the implementation of, and is not contrary to the adopted General Plan; and
3. The project or development being consistent with and conforming to, furthering the implementation of, and is not contrary to any applicable adopted plans, including but not limited to Specific Area Plans, Circulation Plans, Capital Improvement Plans, Open Space and Trail Plans, Neighborhood Plans, Local Historic District Plans, growth planning or growth management plans, and redevelopment plans, and
4. The project being in accord with the duly adopted Prescott Water Budget.

NOW, THEREFORE, in consideration of the covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each party to the other, it is hereby agreed as follows:

1. That this Agreement shall relate to that property more specifically described as Yavapai County Assessor Parcel Numbers 107-15-049 and 107-15-049B, more particularly described in the attached Exhibit "A" (hereinafter referred to as the "Property").
2. That the City will set aside and allocate 15.05 additional acre feet annually of potable water to serve the Property, subject to the following.
 - A. That the Applicant shall be solely responsible for the costs of any water and sewer main extensions or upgrades required to serve the Property.

B The Applicant shall tie the Property onto the City's Sanitary Sewer System, and shall be responsible for any and all costs associated therewith, before water service to the property is initiated.

C That any change in use of the Property exceeding a total of forty-three (43) residential dwelling units shall result in the termination of this Agreement.

D. In the event that the forty-three units are not constructed by February 26, 2011, then and in that event, the amount of potable water set aside for the Property pursuant to this Agreement shall be reduced by .35 acre feet for each such dwelling unit not constructed

E That the installation of any well on the Property, or the use of water on the Property from any other exempt well (less than 35 gpm), shall result in the termination of this Agreement

F That the Applicant agrees to pay the applicable water resource development and system impact fees in effect at the time of building permit approval.

G. That there shall be no further lot splits on the Property.

3. This Agreement shall run with the land, and shall be binding upon the Property owner's successors in interest and assigns.

4. Pursuant to A R S. Section 38-511, the City of Prescott may cancel this agreement, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating this agreement on behalf of the City is, at any time while the agreement or any extension of the agreement is in effect, an employee or agent of any other party to the agreement in any capacity or a consultant to any other party of the agreement with respect to the subject matter of the agreement. In the event of the foregoing, the City of Prescott further elects to recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating, securing, drafting or creating this agreement on behalf of the City of Prescott from any other party to the agreement arising as a result of this agreement.

5 That the Property Owner hereby agrees to indemnify and hold harmless the City, its departments and divisions, its employees and agents, from any and all claims, liabilities, expenses or lawsuits as a result of this agreement, whether said claims, liabilities, expenses or lawsuits arise by the acts or omissions of the Applicant or its agents or employees.

6. This Agreement is the result of negotiations by and between the parties. Although it has been drafted by the Prescott City Attorney, it is the result of the negotiations between the parties. Therefore, any ambiguity in this Agreement is not to be construed against either party

7. Time is of the essence in this agreement. The failure of either party to require strict performance of any provision of this agreement shall not be deemed a waiver of the right of said party thereafter to require strict performance of that or any other provision of this agreement in accordance with the terms hereof, and without notice.

8 The parties hereto expressly covenant and agree that in the event of a dispute arising from this Agreement, each of the parties hereto waives any right to a trial by jury. In the event of litigation, the parties hereby agree to submit to a trial before the Court.

9. The parties hereto expressly covenant and agree that in the event of litigation arising from this Agreement, neither party shall be entitled to an award of attorneys fees, either pursuant to the Contract, pursuant to ARS Section 12-341.01(A) and (B), or pursuant to any other state or federal statute

DATED this _____ day of _____, 2008.

APPLICANT:
TIMBER CREEK DEVELOPMENT, LLC

Its:

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Prescott this ____ day of _____, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE
City Clerk

GARY D. KIDD
City Attorney

STATE OF ARIZONA)
)ss
COUNTY OF YAVAPAI)

The foregoing instrument was acknowledged before me this _____ day of _____, 2008, by _____, the _____ of Timber Creek Development, LLC, personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that they executed it

[Seal]

Notary Public

STATE OF ARIZONA)
)ss
COUNTY OF YAVAPAI)

The foregoing instrument was acknowledged before me this _____ day of _____, 2008, by Jack D. Wilson, Mayor of City of Prescott, personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed it.

[Seal]

Notary Public

EXHIBIT A

That portion of the Northwest Quarter of Section 9, Township 13 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows

COMMENCING at a found G.L.O. brass cap marking the west one-quarter corner of said Section 9;

thence South 87°41'46" East (basis of bearing) a distance of 1273.31 feet to a found ½-inch rebar "LS27738";

thence North 00°21'02" East a distance of 250.17 feet to a found ½-inch rebar "LS27738", the TRUE POINT OF BEGINNING,

thence North 87°40'50" West a distance of 311.44 feet to a found ½-inch rebar "LS27738";

thence North 00°54'20" West a distance of 87.72 feet to a found ½-inch rebar "LS27738",

thence North 30°24'18" West a distance of 233.03 feet to a found bent ½-inch rebar "LS27738",

thence North 74°38'00" East a distance of 33.43 feet to a found ½-inch rebar with set cap "LS10921",

thence North 15°29'43" West a distance of 149.93 feet to a found ½-inch rebar with set cap "LS16921";

thence South 74°32'59" West a distance of 193.84 feet to a set MAG nail with washer "LS16921",

thence North 15°34'33" West a distance of 493.85 feet to a set ½-inch rebar "LS16921";

thence northerly along a curve to the right having a radius of 540.50 feet, a central angle of 09°38'41", a chord of North 10°45'13" West, 90.88 feet, for an arc length of 90.98 feet to a set ½-inch rebar "LS16921";

thence North 88°58'59" East a distance of 271.72 feet to a set ½-inch rebar "LS16921",

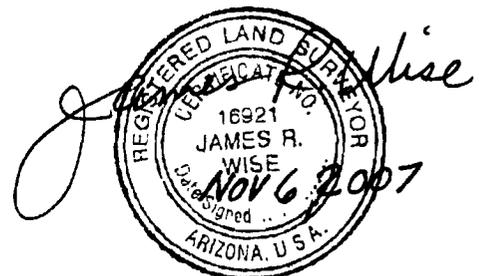
thence North 01°01'01" West a distance of 174.50 feet to a found ½-inch rebar with illegible cap;

thence North 89°12'42" East a distance of 513.42 feet to a found ½-inch rebar "LS12005";

thence South 00°21'32" West a distance of 1154.38 feet to the TRUE POINT OF BEGINNING

Containing 14.58 acres, more or less.

November 6, 2007
KWE 07-079
Granite Creek Village
Description for Water Service Agreement



COUNCIL AGENDA MEMO – 04/15/08 & 04/22/08

DEPARTMENT: Airport

AGENDA ITEM: Amend City Contract 00-202 with Embry-Riddle Aeronautical University to allow for assignment of the Contract by City and further authorizing the Mayor and staff to execute any and all documents related to the assignment.

Approved By:

Date:

Department Head: Benjamin Vardiman, Airport Manager	04/08/2008
Finance Director: Mark Woodfill	04/08/2008
City Manager: Steve Norwood 	04/08/2008

This is a request to amend the City contract# 00-202 which exists between the City of Prescott and Embry-Riddle Aeronautical University (ERAU) for fuel service and which prohibits assignment of the contract by either party. Since the City is no longer providing fuel service at the Airport, we are requesting the amendment to allow for the City's obligation to be transferred ERAU has agreed to the changes.

Recommended Action: MOVE to amend City Contract # 00-202 with Embry-Riddle Aeronautical University to allow for assignment of the Contract by City and further authorizing the Mayor and staff to execute any and all documents related to the assignment.

LICENSE AGREEMENT 2000 - 202
AMENDMENT NO. 1

THIS Amendment No 1 to Contract Agreement 2000-202 is made this 1st day of March, 2008, between the CITY OF PRESCOTT, a municipal corporation of the State of Arizona, hereinafter designated "City", and Embry-Riddle Aeronautical University, hereinafter designated "ERAU". The parties agree as follows:

Clause 5 of the agreement shall be changed to read as follows:

5. This agreement may be assigned by the City upon the written consent of both parties.

CITY:

CITY OF PRESCOTT
Jack D Wilson, Mayor

ATTEST:

Elizabeth A. Burke
City Clerk

Gary Kidd
City Attorney

ERAU:

Mike Willinger, Director of Business

COUNCIL AGENDA MEMO – APRIL 15, 2008
DEPARTMENT: Airport
AGENDA ITEM: Authorize procurement of a temporary expansion unit for the Airport terminal and further authorizing the Mayor and staff to execute any and all documents related to the procurement.

Approved By:	Date:
Department Head: Benjamin Vardiman, Airport Manager	April 08, 2008
Finance Director:	
City Manager: 	04/10/08

In March of 2008, the Airport published a Request for Proposals (RFP) for the purchase and installation of a temporary terminal expansion unit at the Prescott Municipal Airport. No proposals were received in response to the RFP. Due to the critical need of these improvements, staff is investigating other options for the procurement of the temporary expansion unit. The existing 3800 square foot terminal was constructed in 1948 and was designed to service DC-3 aircraft flown by Pan Am. As aviation and the needs of the community have changed, so has the need for a new terminal building.

As part of this project, the proposer shall provide and install a temporary building which will be used for the security screening checkpoint and screened passenger waiting area. This new facility will allow for the security checkpoint layout to conform to Federal guidelines. Other facility improvements which are not a part of this project but are required to accommodate the new service, will be taking place concurrently with this project.

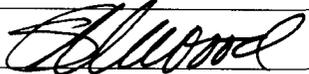
This temporary expansion unit is anticipated to be in place by the beginning of May and operational in June. This project is required to be able to accommodate the expanded airline service at the Prescott Municipal airport which is scheduled to start in September 2008.

Staff will present a full array of procurement options at the April 15 study session. It is expected that procurement costs will be in line with the amount authorized by Council with the recent approval of the Air Service Agreement with Horizon Air.

Recommended Action: Authorize procurement of a temporary expansion unit for the Airport terminal and further authorizing the Mayor and staff to execute any and all documents related to the procurement.
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COUNCIL AGENDA MEMO – 04/15/08 & 04/22/2008	
DEPARTMENT:	Transportation Engineering
AGENDA ITEM:	Approval of reconfiguration of striping on 6 th Street from Pleasant Street to Fifth Street.

Approved By:	Date:
Department Head: Mark Nietupski	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood 	04/09/08

Item Summary

This item is to approve the re-striping of 6th Street from Pleasant Street to Fifth Street from its current four lane configuration to a new three lane section with bike lanes.

Background

6th Street is classified as a major collector and is a vital north-south business corridor that carries a volume of 8,800 cars a day. Prior to reconstruction in 2005, Sixth Street was striped in a four-lane configuration, two in each direction. Following reconstruction, the joint recommendation of the Transportation Coordinating Committee (TCC) and Public Works was to stripe it as three lanes, one travel lane in each direction plus a center two-way left turn lane (TWLTL), and a bicycle lane in each direction. Objections arose from adjacent businesses, and the City Council eventually directed via formal vote at its August 24, 2004 meeting that the original four-lane cross section be reestablished. Since that time the Transportation Services Division has monitored the operation and collected data necessary to provide additional information on the roadway. Additionally staff notified all business/property owners of this proposed change to ensure their input would be heard by Council prior to any action on this item. The attached traffic study finds that with over forty five (45) driveway and cross street access points and heavy commercial and industrial uses, Sixth Street experiences heavy turn movements at random locations throughout the corridor. Under the current configuration there is no protected storage area for these left turn movements. Collision records indicate that improved safety could result from the installation of a center two-way turn lane and the addition of marked bike lanes will enhance roadway safety and route connectivity for users. Current engineering practice indicates that the traffic volumes on Sixth Street can be accommodated by one lane in each direction and no operational problems have been identified with the three lane configuration. Based on the study results staff recommends the roadway be re-striped to three lanes, one in each direction plus a center two-way left turn lane, and a bicycle lane on each side from Alarcon Street north to the curve at 730 Sixth Street. From Alarcon to Pleasant the roadway should remain in its current configuration.

Agenda Item: Approval of reconfiguration of striping on 6th Street from Pleasant Street to Fifth Street.

Project Schedule

If approved the striping changes would be implemented the week of April 28th, 2008.

Budget

The estimated cost of the striping modification is \$7,600 (See attached construction cost estimate) FY08 funding has been budgeted and \$59,000 is available in account 66-88600.

Attachments

- Location map
- Traffic Study
- Construction cost estimate
- 3-lane striping configuration plan sheet

Recommended Action: **MOVE** to approve restriping 6th Street from Pleasant Street to Alarcon from its current four lane configuration to a new three lane section with one travel lane in each direction plus a center two-way left turn lane (TWLTL), and a bicycle lane in each direction



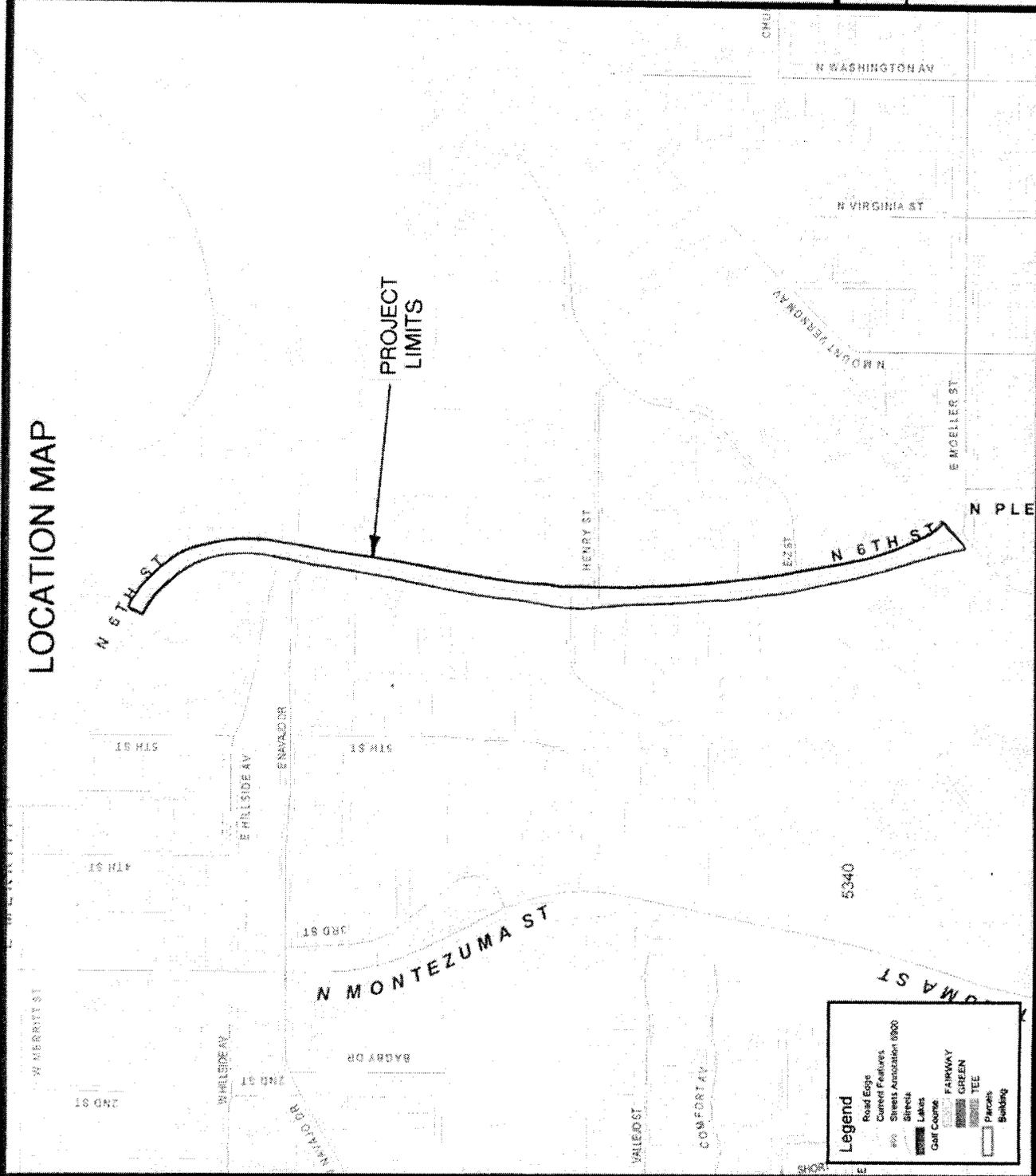
6TH STREET STRIPING RECONFIGURATION

This map is a product of the
The City of Prescott GIS



This document is a public information only. It does not constitute a contract. The City of Prescott assumes no responsibility for any errors.

LOCATION MAP



Legend

- Road Edge
- Curbed Features
- Streets
- Streets Acquired 1900
- Libras
- Golf Course
- FAIRWAY
- GREEN
- TEE
- Parcels
- Building

TRAFFIC ENGINEERING REPORT

ROADWAY STRIPING & LANE CONFIGURATION STUDY FOR SIXTH STREET FROM PLEASANT STREET TO FIFTH STREET

DECEMBER 2007

BACKGROUND

Prior to reconstruction in 2005, Sixth Street was striped in a four-lane configuration, two in each direction. Following reconstruction, the joint recommendation of the Transportation Coordinating Committee (TCC) and Public Works was to stripe it as three lanes, one travel lane in each direction plus a center two-way left turn lane (TWLTL), and a bicycle lane in each direction. Objections arose from adjacent businesses, and the City Council eventually directed via formal vote that the original four-lane cross section be reestablished. Since that time the Transportation Services Division of Public Works has monitored the operation and collected data necessary to provide additional information on the roadway. This study provides the information gathered from the field along with commonly held engineering practice as it relates to reconfiguring the lanes as proposed.

TRAFFIC ENGINEERING INVESTIGATION

A number of factors were investigated for this report. They include the existing posted speed, 85th percentile speed, alignment, width, sight distance, volume, crash data, roadside development and common engineering practice on the installation of road diets. A discussion for each of these factors follows.

Posted Speed

The posted speed limit for Sixth Street between Fifth Street and Alarcon is 30 MPH both north and southbound. The speed reduces to 25 MPH south of Alarcon approaching Pleasant Street and 200' north of Hillside.

Existing Speed

Using speed data collected in December 2007, the existing speed conditions are shown below.

- Northbound, at Henry Street.

50% of the traffic was traveling at or below 34.2 MPH
85% of the traffic was traveling at or below 37.5 MPH
Pace Speed = 29 to 39 MPH
% in the pace = 90%

- Southbound, at Henry Street.

50% of the traffic was traveling at or below 34.8 MPH

85% of the traffic was traveling at or below 37.7 MPH

Pace Speed = 30 to 40 MPH

% in the pace = 94%

Alignment

Sixth Street is on a generally straight alignment to the north once you turn 90 degrees from Pleasant Street. It is on a moderate downgrade into a sag vertical curve to the creek. North of the creek the road begins to climb moderately until it passes Hillside where it turns sharply west and climbs heavily.

Width

Sixth Street has a ROW which varies from 60' to 75' and a curb to curb distance of 43'. There are four through lanes (two in each direction) with no turn lanes, bike lanes or medians apart from the southbound turn lanes at Alarcon and Pleasant. Parking is prohibited on both sides of the roadway and there is a double yellow centerline.

Sight Distance

Sight distance along the roadway is adequate at all locations.

Traffic Volumes and Turn Movements

Traffic volume counts were conducted in July 2007, with a 24 HR volume of 8,795 vehicles recorded on an average weekday (4,471 NB and 4,324 SB). The highest peak hour traffic occurred between 12:00 PM and 1:00 PM with 794 vehicles recorded. During this period 109 vehicles turned left from the roadway representing 13.7% of the total peak hour traffic.

Collision Data

Reviewing traffic collision reports from January 1, 2004 to December 1, 2007 for Sixth Street it was discovered that there were twenty one (21) total collisions. Each of these collisions was then reviewed to determine which could have been of reduced severity or eliminated entirely with the addition of a two-way left turn lane. Based on this criteria four (4) of the total twenty one (21) collisions might have benefited from the center two-way left turn lane.

Roadside Development

From Pleasant Street to Fifth Street development along Sixth Street consists of commercial, mixed use retail and light industrial uses. There are thirty nine (39)

driveways and seven (7) side streets located along this roadway segment. The roadway is classified as a major collector.

Common Engineering Knowledge on Road Diets

- A road diet is a technique of transportation planning in which the width of the road or lane is narrowed in order to achieve improvements to the transportation system.
- One of the most common applications of the road diet is to convert a 4-lane section, with two travel lanes in each direction, into a 3-lane section with one travel lane in each direction and a two-way turn lane in the middle. The two-way turn lane can be transitioned into dedicated left turn lanes at intersections as needed. The additional space that is freed up by removing a vehicular lane can be converted into bike lanes.
- Road diets typically do not displace traffic onto other roadways, and continue to facilitate acceptable levels of service unless the roadway carries a very high volume. Studies show that the acceptable range for their use is between 8,000 and 19,000 vehicles per day.
- Benefits include lower speeds created by there being only one lane in each direction, which causes the lead vehicle to limit the speed of those following. A reduction in driver lane changes caused by vehicles passing slower moving vehicles (such as vehicles stopped in the left lane waiting to make a left turn). Removal of stopped vehicles from the travel lanes once left turning traffic can store in the two-way center turn lane. Increased buffer area for merging vehicles from driveways and side streets created from the bike lane addition. Lastly, increased separation of bike and vehicular traffic with the introduction of dedicated bike lanes. All these factors have the potential to reduce the number and severity of vehicle-to-vehicle and bike-to-vehicle crashes.

ANALYSIS

- With over forty five (45) driveway and cross street access points and heavy commercial and industrial uses, Sixth Street experiences heavy turn movements at random locations throughout the corridor. Under the current configuration there is no protected storage area for these left turn movements. Studies indicate that the introduction of a two-way center turn lane can substantially improve the safety and convenience of roadway operations in these circumstances
- Collision records indicate that improved safety could result from the installation of a center two-way turn lane.
- The current traffic volumes on Sixth Street can be accommodated by one lane in each direction.

- The addition of marked bike lanes will enhance roadway safety and route connectivity for users.
- No operational problems have been identified with the three lane configuration.

CONCLUSION

The roadway can be re-stripped to three lanes, one in each direction plus a center two-way left turn lane, and a bicycle lane on each side from Alarcon Street north to the curve at 730 Sixth Street. From Alarcon to Pleasant the roadway should remain in its current configuration.

6th Street Striping - Cost Estimate

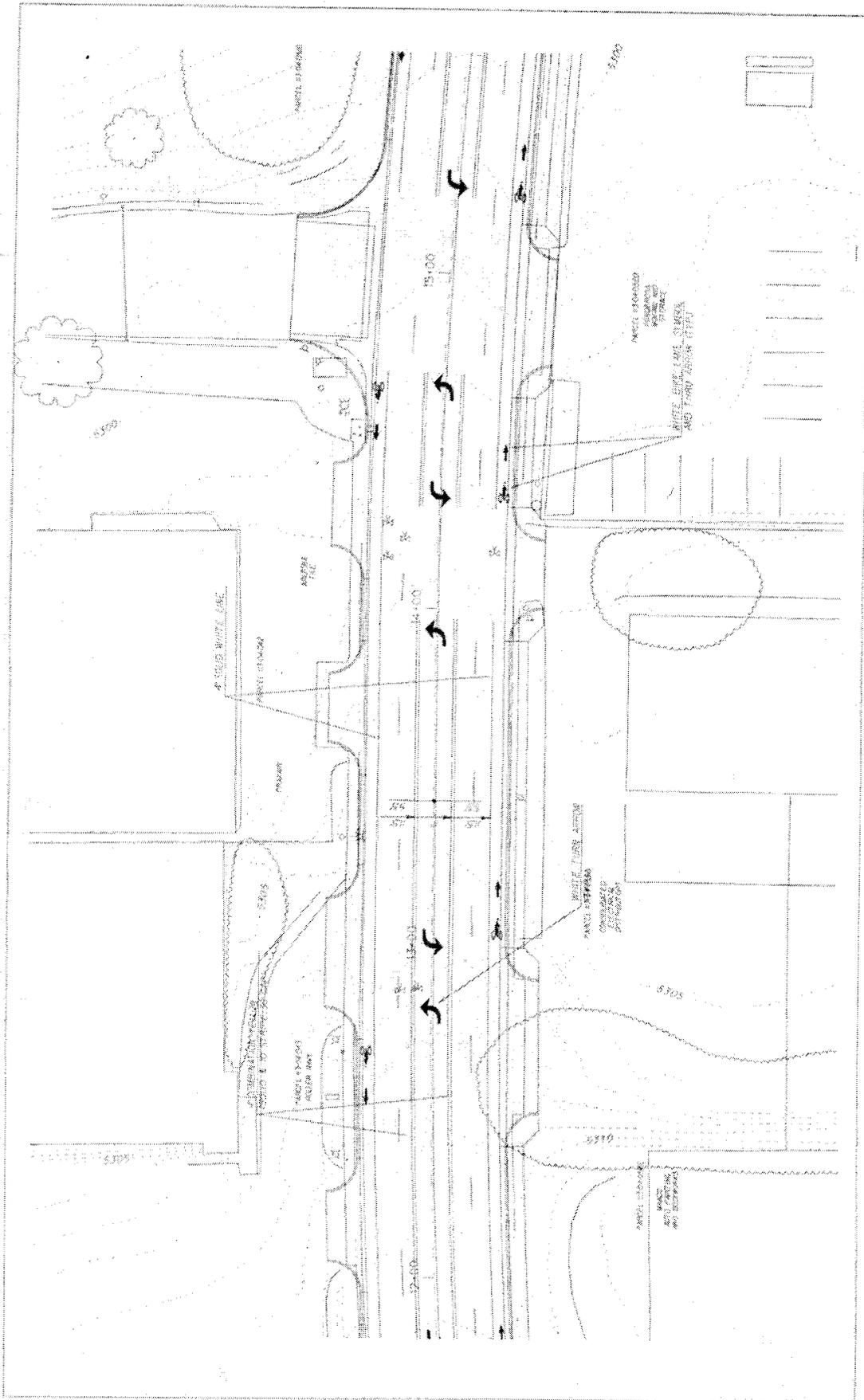
Cost of striping the current layout:

4051' of 4" white skip lane line @ \$.065 =	\$263.32
7182' of 4" yellow center line @ \$.065 =	<u>\$466.83</u>
Total Cost:	\$730.15

Cost to remove and re-stripe with bike lanes and two way turn lane

7182' of 6" white bike lane @ \$.0975 =	\$700.25
8982' of 4" yellow center line (2-way) @ \$.065 =	\$583.83
10 Bike Lane legends @ \$30 =	\$300.00
10 white arrows (2-way lane) @ \$40 =	\$400.00
11,233' of 4" removals @ \$.50 =	<u>\$5,616.50</u>
Total Cost:	\$7,600.58

THREE LANE SECTION WITH BIKE LANES



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COUNCIL AGENDA MEMO – 04/15/08 & 04/22/08	
DEPARTMENT: Transportation Engineering Services	
AGENDA ITEM: Approval of recommended Location "C" in the Design Concept Report for a grade separated traffic interchange in the vicinity of Side Road at SR 89A	

Approved By:	Date:
Department Heads: Mark Nietupski	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>Ellwood</i>	<i>04/10/08</i>

Summary

This item is for approval of recommended Location "C" in the Design Concept Report (DCR) for a grade separated traffic interchange in the vicinity of Side Road at SR 89A. The interchange will be owned, operated, and maintained by the Arizona Department of Transportation (ADOT) and will be designed and constructed in conformance with ADOT Standards.

Background

Parsons Transportation Group (Parsons) prepared the Design Concept Report for the project. The DCR is the product of preliminary design tasks which included: 1) review and evaluation of the State Route 89A Corridor and Interchanges Traffic Analysis, as prepared by Lima Associates in February 2006; 2) all necessary analyses required to establish the configuration, location and limits (footprint) of the interchange; 3) phased construction approaches for the interchange as the area develops; 4) delineation of right-of-way which will need to be acquired; 5) preparation of initial estimates; 6) preparation of a Bridge Selection Report (BSR); and 7) secure project environmental clearance as required by ADOT.

On December 18, 2007, Parsons made a power point presentation to Council which detailed the DCR process and recommended Location "C", which is 1800' east of Side Road. Location "C" complies with ADOT criteria for design and construction of an interchange on their system. Aspects of alternate Locations "B" (300' east of Side Road) and "A" (1200' east of Side Road) do not meet ADOT design standards.

The recommended interchange design concept consists of a diamond interchange with one-lane freeway ramps, 2-lane roundabouts at the south and north ramp termini with the north/south roadway, and a 4-lane bridge over SR89A. Design of the Connector Road extending south and west of the traffic interchange to link with existing Side Road at Center Point East Drive is also included. The TI will enhance motorist safety over the current at grade intersection at Side Road and SR 89A.

Agenda Item: Approval of recommended Location "C" in the Design Concept Report for a grade separated traffic interchange in the vicinity of Side Road at SR 89A

The necessary right-of-way and initial construction will be compatible with design for the ultimate interchange improvements in the future to include 2-lane ramps, 3-lane roundabouts and a 6-lane bridge with Multi-use Path over SR 89A. A complete copy of the DCR is on file in the Transportation Engineering Services office.

The City has scheduled a meeting April 17, 2008, to continue discussion of concerns expressed by Centerpointe East (CPE) property owners regarding the recommended interchange location and the concept of an eastbound exit ramp from SR 89 A to access Side Road from points west. A conceptual plan for the exit ramp was transmitted to ADOT on April 8, 2008, for review and determination of acceptability. However, a letter from Parsons dated April 4, 2008, indicates that after considerable analysis Parsons realized it was impossible to satisfy all ADOT design criteria. Parsons estimates the total cost for design and construction of the exit ramp to be in the amount of \$1,504,575.00. Discussions will continue with CPE property owners upon City receipt of ADOT comments on the acceptability of the exit ramp concept.

As we continue to work with CPE property owners to resolve their concerns it is important that the final design begin so City can meet its performance obligations for the implementation of this project.

On November 30, 2007, Council approved the Pre-annexation Development Agreement with Granite Dells Estates Properties I & II, Inc., (GDE) which obligates to the City to provide bid ready plans and specifications for the TI, with ADOT approval, to GDE by January 15, 2009, for bidding and construction. GDE is obligated to publicly bid and commence construction by June 30, 2009. Furthermore, the City remains obligated under two other agreements (an intergovernmental agreement with Yavapai County and the agreement with Country Dells property owners) to provide for construction of the interchange by the same date noted above.

Schedule

Pending Council approval of recommended Location "C" engineering will begin immediately for the traffic interchange anticipating design completion in January 2009.

Attachments

- Location Map

Recommended Action: MOVE to approve recommended Location "C " in the Design Concept Report for a grade separated traffic interchange in the vicinity of Side Road at SR 89A.

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COUNCIL AGENDA MEMO – 04/15/2008 & 04/22/2008
DEPARTMENT: Transportation Engineering Services
AGENDA ITEM: Adoption of Ordinance No. 4647-0849 to abandon a public utility and access easement and record a revised public utility and access easement within Idylwild Tract off Josephine Street

Approved By:	Date:
Department Head: Mark Nietupski	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>SNorwood</i>	<i>04/10/08</i>

Item Summary

This item is to abandon a public utility and access easement (PUE) and record a revised public utility and access easement on a lot within the Idylwild Tract off Josephine Street.

Background

This action is requested by David and Tanya Jansen owners of 115 Josephine Street, APN 111-08-027 (portions of Lots 407 and 420, Idylwild Tract). Mr. and Mrs. Jansen purchased this property in October 2006 and subsequently prepared plans and were issued a Building Permit for a garage. After the garage was constructed, they discovered a portion of the improvements were located within the PUE and adjoining access easement. They are requesting the City abandon the existing PUE (Bk. 3757, Pg. 265, recorded 5-26-2000) and record a revised PUE and access easement to remove only the portion of the easements impacted by the garage construction.

All utilities were contacted and there are no objections to the revised PUE and access easement. The PUE is currently used for operation and maintenance of a City sewer main and may be used by other utilities in the future should it be required.

The revised access easement is 847.92 SF less than the existing recorded easement, therefore, the Jansen's will pay the City \$1,500.82 (847.92 SF X \$1.77) for the unencumbered use of that portion of their property. The value is based on an appraisal of a recent PUE abandonment. The City will receive a total of \$1,765.82, which includes \$265.00 for processing and recording fees, for the abandoned portion of the PUE and access easement.

Budget

Credit Account No. 7-774-10

Attachments - Area Map

- Exhibit "A", recorded legal & map of PUE to be abandoned
- Exhibit "B", revised legal & map of PUE & access easement
- Exhibit "C", map showing portion (847.92) of access easement removed

Recommended Action: MOVE to adopt Ordinance No. 4647-0849.

AGENDA ITEM: Adoption of Ordinance No. 4647-0849 to abandon a public utility and access easement and record a revised public utility and access easement within Idylwild Tract off Josephine Street

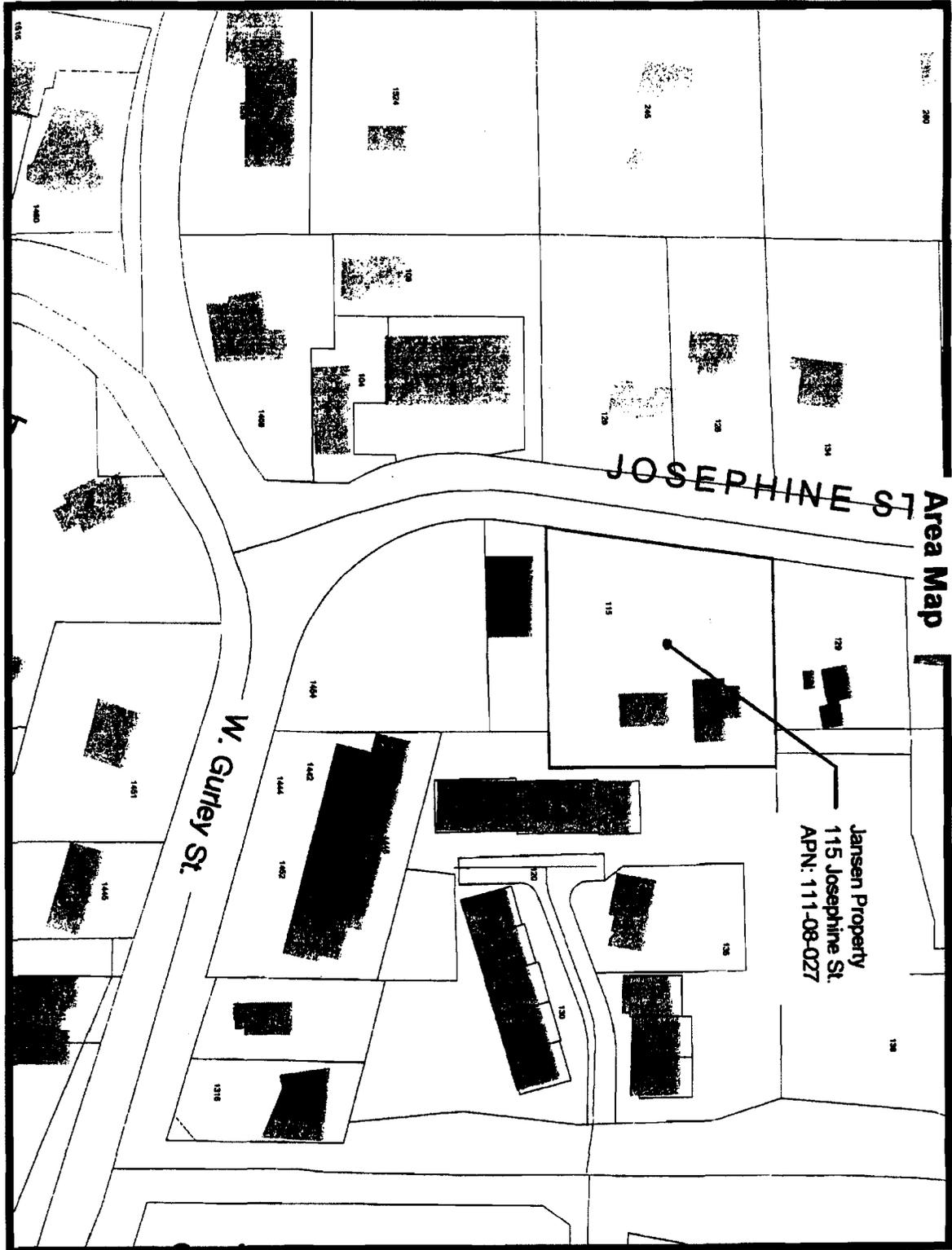


EXHIBIT "A"

An easement for Public Utilities across Lot 407 and the west 32 feet of Lot 420 of the Idylwild Tract as recorded in Book 2 of Maps and Plats, Page 14, in the office of the Recorder of Yavapai County, Arizona, located in a portion of the south half of Section 32, Township 14 North, Range 2 West, Grand Salt River Basin and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at a found rebar with no identification marking the Northwest corner of said Lot 407;

Thence North 88°59'44" East, along the north line of said Lot 407 and a portion of Lot 420 a distance of 178.12 feet to a found nail in a rock marking the Northeast corner of the west 32 feet of said Lot 420;

Thence South 00°02'18" East, along the east line of the west 32 feet of said Lot 420, a distance of 91.30 feet, to the TRUE POINT OF BEGINNING OF SAID PUBLIC UTILITY EASEMENT;

Thence continuing South 00°02'18" East, a distance of 33.82 feet, to a point;

Thence South 24°12'20" West, a distance of 36.38 feet, to a point;

Thence South 88°34'53" West, a distance of 185.22 feet more or less to the east right-of-way of Josephine Street;

Thence North 07°30'57" East, along the east right-of-way of Josephine Street, a distance of 30.37 feet, to a point;

Thence North 88°34'53" East, a distance of 161.62 feet, to a point;

Thence North 24°12'20" East, a distance of 40.69 feet, to a point;

Thence North 88°48'04" East, a distance of 17.84 feet, to the TRUE POINT OF BEGINNING.

Containing 6,980.7 square feet, more or less;

Together with access to said easement through the existing curb cut driveway for said Lot 407, more particularly described as follows:

Commencing at a found 1/2-inch rebar with no I.D. marking the northwest corner of said Lot 407;

Thence South 07°30'57" West, along the east right-of-way of Josephine Street, a distance of 77.98 feet to the TRUE POINT OF BEGINNING of said access easement;

Thence North 88°34'53" East, a distance of 128.04 feet, to a point;

Thence South 01°25'07" East, a distance of 52.15 feet, to a point;

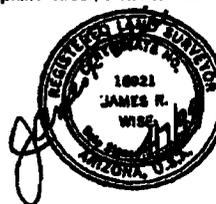
Thence South 88°34'53" West, a distance of 60.36 feet, to a point;

Thence North 35°51'42" West, a distance of 46.07 feet, to a point;

Thence South 88°34'53" West, a distance of 44.55 feet, more or less, to the east right-of-way of Josephine Street, to a point;

Thence North 07°30'57" East, along the east right-of-way of Josephine Street, a distance of 15.17 feet to the TRUE POINT OF BEGINNING.

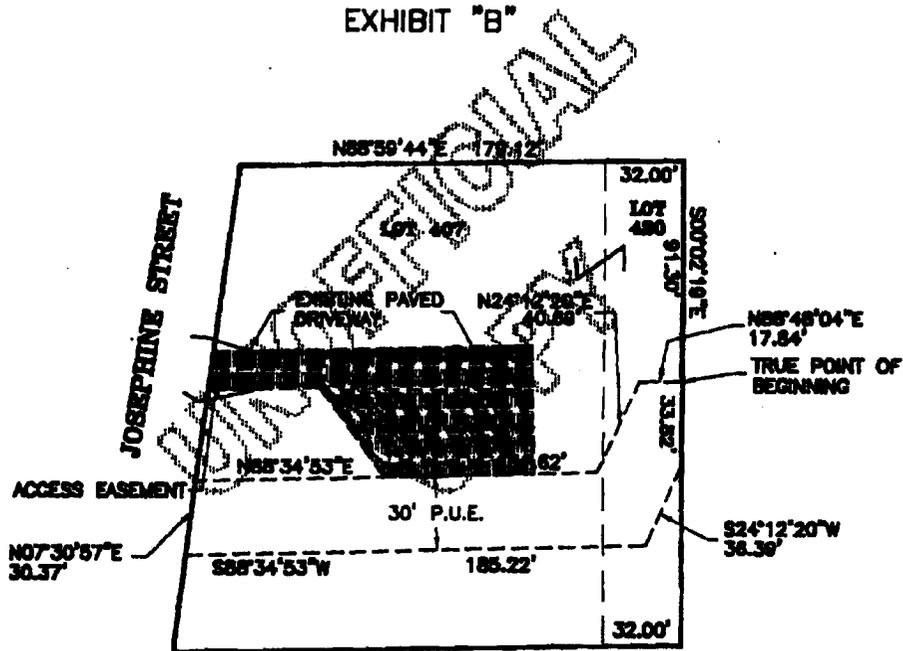
99060
April 5, 1999
Stone Haven Public Utility Easement
1 of 2 See also Exhibit "B"



AGENDA ITEM: Adoption of Ordinance No. 4647-0849 to abandon a public utility and access easement and record a revised public utility and access easement within Idylwild Tract off Josephine Street

PAGE 3 OF 3
BK 3757 P6 265 FEE#3261792

EXHIBIT "B"



KELLEY / WISE ENGINEERING, INC.
148 GROVE AVENUE
PRESCOTT, ARIZONA 86301
(520) 771-1730
FAX 778-2220
CML ENGINEERING/LAND PLANNING/SURVEYING



AGENDA ITEM: Adoption of Ordinance No. 4647-0849 to abandon a public utility and access easement and record a revised public utility and access easement within Idlewild Tract off Josephine Street

Exhibit "B"

UTILITY EASEMENT DESCRIPTION

A strip of land 30.00 ft. wide for construction and maintenance of public utilities located within the South 1/2 of Section 32 T14N R2W G&SRB&M, and within the City Limits of Prescott, Yavapai County, Arizona being a portion of Lots 407 and 420 of the Idlewild Tract as shown on an amended plat recorded in Book 2 of Maps and Plats, Page 22 filed in the Yavapai County Recorders' office being more particularly described as follows:

Beginning at the Northwest corner of this easement, a 1/2" rebar set with a cap stamped "LS 40490" on the Easterly right of way of Josephine Street from whence a 1/2" steel pin found in a rangebox marking the centerline of Josephine Street bears S20°38'58"W, 125.49 ft. distant, thence around the tract herein described;
N88°33'48"E, 161.33 ft. to a point, thence;
N24°11'15"E, 41.80 ft. to a point, thence;
N88°46'59"E, 17.85 ft. to a point on the Easterly boundary of that certain tract of land described in a warranty deed filed in Book 4443 Page 328 in the Yavapai County Recorders' office, thence along said Easterly boundary;
S00°01'45"E, 33.84 ft. to a point, thence leaving said Easterly boundary;
S24°11'15"W, 37.50 ft. to a point, thence;
S88°33'48"W, 184.90 ft. to a point on the Easterly right of way of Josephine Street, thence along said right of way;
N07°26'16"E, 30.36 ft. to the Point of Beginning.



AGENDA ITEM: Adoption of Ordinance No. 4647-0849 to abandon a public utility and access easement and record a revised public utility and access easement within Idlewild Tract off Josephine Street

ACCESS EASEMENT DESCRIPTION

A strip of land for ingress and egress to a public utility easement located within the South 1/2 of Section 32 T14N R2W G&SRB&M, and within the City Limits of Prescott, Yavapai County, Arizona over a portion of Lots 407 and 420 of the Idlewild Tract as shown on an amended plat recorded in Book 2 of Maps and Plats, Page 22 filed in the Yavapai County Recorders' office being more particularly described as follows:

Beginning at the Southwest corner of this easement, a 1/2" rebar set with a cap stamped "LS 40490" on the Easterly right of way of Josephine Street from whence a 1/2" steel pin found in a rangebox marking the centerline of Josephine Street bears S17°39'10" W, 168.99 ft. distant, thence along said Easterly right of way and around the perimeter of the above described utility easement;

N07°26'16"E, 15.16 ft. to a point, thence leaving said right of way;

N88°33'48"E, 124.96 ft. to a point, thence;

S01°26'12"E, 53.15 ft. to a point on the Northerly boundary of the above described utility easement, thence along said Northerly boundary;

S88°33'48"W, 48.72 ft. to a point, thence leaving said Northerly boundary;

N01°20'40"W, 33.75 ft. to a point, thence;

N81°28'08"W, 25.58 ft. to a point, thence;

S88°33'48"W, 53.43 ft. to the Point of Beginning.



ORDINANCE NO. 4647-0849

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ABANDONING AN EXISTING PUBLIC UTILITIES AND ACCESS EASEMENT AND RECORDING A REVISED PUBLIC UTILITIES AND ACCESS EASEMENT LOCATED ON PRIVATE PROPERTY FRONTING JOSEPHINE STREET NORTH OF GURLEY STREET AND AUTHORIZING THE MAYOR AND CITY STAFF TO TAKE ALL NECESSARY STEPS TO EFFECTUATE SUCH ABANDONMENT

RECITALS:

WHEREAS, the City Council of the City of Prescott has determined that adjusting the location of a Public Utilities Easement, more particularly described in Exhibit "A.", attached hereto and made a part hereof, will not impact the City's ability to maintain their facilities; and

WHEREAS, the City Council of the City of Prescott has determined that a portion of an Access Easement, more particularly described in Exhibit "A" is not needed nor likely to be needed within a reasonable future time by the City; and

WHEREAS, the City Council of the City of Prescott wishes to abandon a portion of that certain Access Easement as described on Exhibit "B", attached hereto and made a part hereof; and

WHEREAS, the Access Easement was appraised by an independent appraiser at a value of \$1,500.82 and, therefore, will be conveyed to Mr. and Mrs. Jansen at market price. Mr. and Mrs. Jansen will pay the amount of \$1,500.82 plus \$265.00 for filing, processing and recording fees for a total amount of \$1,765.82; and

WHEREAS, this abandonment is in compliance with ARS Section 28-7201 et seq.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT a certain Public Utilities Easement (PUE) as set forth in Exhibit "A", recorded in Book 3757, page 265, which described the PUE, has a public sewer main within it. That abandoning and recording a revised PUE, Exhibit "B" (moving the PUE southerly approximately one foot) will not impact the City's ability to maintain the sewer main or any future utilities located with the PUE.

SECTION 2. THAT a certain Access Easement as set forth in Exhibit "A", provides access to the PUE discussed in Section 1. That abandoning a portion of the

Access Easement, 847.92 SF, and recording a revised Access Easement as described in Exhibit "B", and conveying to the adjacent property owner, Mr. and Mrs. Jansen at market value. Prior to such conveyance Mr. and Mrs. Jansen will pay to the City pursuant to this abandonment the appraised market value of \$1,765.82, which sum and consideration is determined to be commensurate with the value of the abandoned property, and includes payment to the City of Prescott in the sum of \$265.00 in accordance with PCC Section 8-2-14.

SECTION 3. THAT upon payment of the foregoing sum, the Mayor and staff are hereby authorized to execute a Quit-Claim Deed and any other instruments in order to carry out the conveyances as set forth herein.

SECTION 4. THAT the City of Prescott hereby retains any necessary, publicly required access rights of way and public easements, as necessary for existing water, sewer, gas, electric, telephone and similar lines and appurtenances.

SECTION 5. That pursuant to ARS Section33-404, the following disclosure is made:

The beneficiary of this abandonment is:

David & Tanya Jansen RS
125 Josephine Street
Prescott, AZ 86303

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this 22nd day of April, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

EXHIBIT 'A'

An easement for Public Utilities across Lot 407 and the west 32 feet of Lot 420 of the Idylwild Tract as recorded in Book 2 of Maps and Plats, Page 14, in the office of the Recorder of Yavapai County, Arizona, located in a portion of the south half of Section 32, Township 14 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at a found rebar with no identification marking the Northwest corner of said Lot 407;

Thence North 88°59'44" East, along the north line of said Lot 407 and a portion of Lot 420 a distance of 179.12 feet to a found nail in a rock marking the Northeast corner of the west 32 feet of said Lot 420;

Thence South 00°02'19" East, along the east line of the west 32 feet of said Lot 420, a distance of 91.30 feet, to the TRUE POINT OF BEGINNING OF SAID PUBLIC UTILITY EASEMENT;

Thence continuing South 00°02'19" East, a distance of 33.82 feet, to a point;

Thence South 24°12'20" West, a distance of 38.39 feet to a point;

Thence South 88°34'53" West, a distance of 185.22 feet more or less to the east right-of-way of Josephine Street;

Thence North 07°30'57" East, along the east right-of-way of Josephine Street, a distance of 30.37 feet, to a point;

Thence North 88°34'53" East a distance of 161.62 feet to a point;

Thence North 24°12'20" East a distance of 40.69 feet to a point;

Thence North 88°48'04" East, a distance of 17.84 feet to the TRUE POINT OF BEGINNING;

Containing 6,650.7 square feet, more or less;

Together with access to said easement through the existing curb cut driveway for said Lot 407, more particularly described as follows:

Commencing at a found ½-inch rebar with no I.D. marking the northwest corner of said Lot 407;

Thence South 07°30'57" West, along the east right-of-way of Josephine Street, a distance of 77.98 feet to the TRUE POINT OF BEGINNING of said access easement;

Thence North $88^{\circ}34'53''$ East, a distance of 128.04 feet, to a point;

Thence South $01^{\circ}25'07''$ East, a distance of 52.15 feet, to a point;

Thence South $88^{\circ}34'53''$ West, a distance of 60.38 feet, to a point;

Thence North $35^{\circ}51'42''$ West, a distance of 45.07 feet, to a point;

Thence South $88^{\circ}34'53''$ West, a distance of 44.55 feet, more or less, to the east right-of-way of Josephine Street, to a point;

Thence North $07^{\circ}30'57''$ East, along the east right-of-way of Josephine Street, a distance of 15.17 feet to the TRUE POINT OF BEGINNING.

EXHIBIT 'B'

A strip of land 30.00 ft. wide for construction and maintenance of public utilities located within the South ½ of Section 32 T14N R2W G&SRB&M, and within the City Limits of Prescott, Yavapai County, Arizona being a portion of Lots 407 and 420 of the Idylwild Tract as shown on an amended plat recorded in Book 2 of Maps and Plats, Page 22 filed in the Yavapai County Recorder's office being more particularly described as follows:

Beginning at the Northwest corner of this easement, a ½" rebar set with a cap stamped "LS 40490" on the Easterly right of way of Josephine Street from whence a ½" steel pin found in a rangebox marking the centerline of Josephine Street bears S20°38'58" W, 125.49 ft. distance, thence around the tract herein described;

N88°33'48"E, 161.33 ft. to a point, thence;

N24°11'15"E, 41.80 ft. to a point, thence;

N88°46'59"E, 17.85 ft. to a point on the Easterly boundary of that certain tract of land described in a warranty deed filed in Book 4443 Page 328 in the Yavapai County Recorder's office, thence along said Easterly boundary;

S00°01'45"E, 33.84 ft. to a point, thence leaving said Easterly boundary;

S24°11'15"W, 37.50 ft. to a point, thence;

S88°33'48"W, 184.90 ft. to a point on the Easterly right of way of Josephine Street, thence along said right of way;

N07°26'16"E, 30.36 ft. to the Point of Beginning.

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COUNCIL AGENDA MEMO – April 15, 2008	
DEPARTMENT:	City Manager
AGENDA ITEM:	Notice of Intention to Increase Water and Wastewater Rates

Approved By:	Date:
Dep. City Manager: Craig McConnell <i>Craig McConnell</i>	4-9-08
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>SNorwood</i>	4/9/08

BACKGROUND

Economists.com has been engaged by the City to update rates and impact fees for the City's potable water enterprise; and overhaul rates and fees for operating and improving the wastewater collection, treatment, and recharge system. It is notable that the current wastewater rates have been in effect without significant changes or adjustments since 1991. New funding is needed to keep the Water and Sewer Funds on a stable financial footing, assure quality service delivery, and safeguard the public health, all of which contribute toward achievement of the Council's "1st Class Utility System" goal.

At the Council's April 1, 2008, workshop, Dan Jackson, principal of Economists.com, presented the draft rate and fee study. Pursuant to the Arizona Revised Statutes (ARS), the final report will be filed with the City Clerk prior to adoption of the attached "Notice of Intention to Increase Water and Wastewater Rates."

Since the legal procedures for adjusting rates (billed monthly for services) and impact fees (one-time demand charges for new connections) vary, they are being addressed via separate Council agenda items.

RATE SETTING TIMETABLE

Required steps for adjusting water and wastewater rates, and the associated timetable, are as follows:

4/22/08	Notice of Intention	Declares the Council's intent to increase rates, sets the public hearing date, and releases the Economists.com final report to the public.
5/27/08	Public Hearing	A public hearing will be held on the proposed water and wastewater rates.
5/27/08	Adoption of Rates	Adoption of the water and wastewater rates as set by the Council via ordinance approval.
6/30/08	New Rates Effective	New water and wastewater rates become effective, to be reflected in July 2008 customer bills.

The timetable can be adjusted by the Council in the event additional information or workshops are determined necessary, as long as the new rates become effective not less than 30 days following ordinance approval.

Agenda Item: Notice of Intention to Increase Water and Wastewater Rates

It should be further noted that approval of the attached notice only expresses the Council's intent to increase rates and sets the date for the required public hearing; it does not set the actual water and wastewater rates.

- Attachments:**
- Notice of Intention to Increase Water and Wastewater Rates
 - New water and wastewater rates (presented at 4/1/08 workshop)

Recommended Action: MOVE to approve the Notice of Intention to Increase Water and Wastewater Rates, providing for a public hearing on May 27, 2008.

NOTICE OF INTENTION TO INCREASE WATER AND WASTEWATER (SEWER) RATES

NOTICE IS HEREBY GIVEN, in accordance with ARS Section 9-511.01, that the Prescott City Council intends to increase City water and wastewater (sewer) rates. The City Council will hold a public hearing on May 27, 2008, at 3:00 P.M. in the City Council Chambers, 201 South Cortez Street, Prescott, Arizona, to consider said increases. Copies of the written findings justifying the need for said increases are available from the Prescott City Clerk at the above address.

Elizabeth A. Burke, Prescott City Clerk

Publish: _____

New Water Rates – April 1, 2008 Workshop



	Current	Apr-08	Jan-09	Jan-10	Jan-11	Jan-12	Jan-17
WATER RATES							
Base Charge	\$	\$	\$	\$	\$	\$	\$
5/8"	6.60	6.60	6.60	6.60	6.60	6.93	8.51
3/4"	7.05	7.05	7.05	7.05	7.05	7.40	9.09
1"	7.95	7.95	7.95	7.95	7.95	8.35	10.25
1 1/2"	10.20	10.20	10.20	10.20	10.20	10.71	13.16
Residential Inside							
- 3,000	2.86	2.86	2.86	2.86	2.86	3.00	3.69
3,001 10,000	4.30	4.30	4.30	4.30	4.30	4.52	5.55
10,001 20,000	6.45	6.45	6.45	6.45	6.45	6.77	8.32
20,001 Above	12.90	12.90	12.90	12.90	12.90	13.55	16.64
Multi-Family Inside							
- 1,700	2.30	2.30	2.30	2.30	2.30	2.42	2.97
1,701 5,000	3.46	3.46	3.46	3.46	3.46	3.63	4.46
5,001 10,000	5.19	5.19	5.19	5.19	5.19	5.45	6.69
10,001 Above	10.39	10.39	10.39	10.39	10.39	10.91	13.40
Non-Res Inside							
Block 1	2.61	2.61	2.61	2.61	2.61	2.74	3.37
Block 2	3.92	3.92	3.92	3.92	3.92	4.12	5.06
Block 3	5.88	5.88	5.88	5.88	5.88	6.17	7.58
Block 4	11.76	11.76	11.76	11.76	11.76	12.35	15.17
Alternate Water Source Fee	\$	\$	\$	\$	\$	\$	\$
	0.36	0.40	0.45	0.65	0.80	1.30	1.70





New Wastewater Rates – April 1, 2008 Workshop

		Current	Apr-08	Jan-09	Jan-10	Jan-11	Jan-12	Jan-17
Wastewater Rate								
WW1	Residential							
	Base Charge	7.00	9.50	10.45	12.54	15.05	18.06	22.71
	Volume Charge	1.73	2.05	2.26	2.71	3.25	3.90	4.90
Uniform Non-Residential								
	Base Charge	na	11.50	12.65	15.18	17.84	21.40	26.92
	Volume Charge	na	2.95	3.25	3.89	4.58	5.49	6.90

NOTE: Rates for classes above the recommended uniform rate would be frozen at current levels until they reach parity with uniform rate



New Residential Monthly Water & Wastewater Rates – April 1, 2008 Workshop



Mthly Gallons		Current	Apr-08	Jan-09	Jan-10	Jan-11	Jan-12	Jan-17
Water	WW							
5,000	5,000	\$ 41.23	\$ 45.53	\$ 47.76	\$ 53.10	\$ 59.06	\$ 69.01	\$ 86.38
	Increase		4.30	2.23	5.35	5.96	9.95	
10,000	5,000	64.53	69.03	71.51	77.85	84.56	98.08	122.61
	Increase		4.50	2.47	6.35	6.71	13.52	
50,000	5,000	530.43	536.53	541.01	555.35	568.06	624.16	772.94
	Increase		6.10	4.48	14.35	12.71	56.10	

NOTE: This scenario includes the alternate water resource fee

