



PRESCOTT CITY COUNCIL REGULAR VOTING MEETING A G E N D A *ACTION TAKEN*

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, January 26, 2010
3:00 P.M.**

**Council Chambers
201 South Cortez Street
Prescott, Arizona 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**
- ◆ **INVOCATION:** Pastor Amy Ryland, Church of Nazarene
- ◆ **PLEDGE OF ALLEGIANCE:** Councilwoman Lopas
- ◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

Mayor Kuykendall	
Councilman Blair	Councilwoman Linn
Councilman Hanna	Councilwoman Lopas
Councilman Lamerson	Councilwoman Suttles

- ◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

I. PUBLIC COMMENTS

- A. Ron Lovelady recognizing recent actions by Prescott Fire Department, First Responders and Yavapai Regional Medical Center.
- B. George Seaman re invitation to upcoming national shooting event.
- C. Frank Creelman re (1) hydrology of the Upper and Lower Chino Basins A-Z; (2) conduct of police officers; (3) killing of the bobcat on January 12, 2010; (4) lawsuit; and (5) answer to initial petition re former Police Chief.
- D. Ashley Bacak re conduct of police officers.

II. PRESENTATIONS

- A. Introduction of new businesses.
- B. Presentation by Ed Reilly and sons re proposed Eagle Scout project to produce a large bronze with a Boy Scout theme.
- C. Presentation by R Wall re mural depicting the life of Mr. Acker to be painted on a wall in Acker Park.

III. CONSENT AGENDA

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

ACTION: *MOVED to approve Consent Agenda Items III-A through III-H, except Item III-F; passed unanimously.*

- A. Adopt Resolution No. 4000-1030 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona accepting grant funding from the Governor’s Office of Highway Safety in the amount of \$60,000.00 for continued operation of the Tri-City DUI Task Force through September 2010.
- B. Approve recommended expenditures of the Acker Trust Board for Fiscal Year 2010 totaling \$8,000.00.
- C. Accept the 2009 grant award from Arizona Department of Homeland Security in the amount of \$35,900.00 for rescue and safety equipment for the Regional Response Team.
- D. Award a contract to C&S Engineers in the amount of \$84,295.00 for conducting an FAA Wildlife Hazard Assessment at Ernest A. Love Field (City Share is \$4,214.75).
- E. Adopt Ordinance No. 4730-1027 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the sale of miscellaneous surplus property and authorizing the Administrative Services Director to execute any and all documents to effectuate said sales.
- G. Adopt Ordinance No. 4729-1026 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting a public utility easement from Empire Southwest LLC., a Delaware limited liability company, in the vicinity of 3068 Centerpointe East Drive and authorizing the Mayor and City staff to take necessary steps to complete acceptance and dedication as a City of Prescott public utility easement.

- H. Approve the Minutes of the Prescott City Council Workshop of December 2, 2009; the Workshop of December 30, 2009; the Study Session of January 5, 2010; the Workshop of January 6, 2010 and the Study Session of January 12, 2010.
- F. Approve a Professional Services Agreement with Stantec Consulting, Inc., for Pavement Management Services in an amount not to exceed \$72,200.00.

ACTION: ***MOVED to approve a Professional Services Agreement with Stantec Consulting, Inc., for Pavement Management Services in an amount not to exceed \$72,200.00; passed unanimously.***

IV. REGULAR AGENDA

- A. Appointment of members to the Prescott: The Arizona Centennial City Committee.

ACTION: ***MOVED to appoint Sharon Bell and James C.T. Pool to the Prescott: The Arizona Centennial City Committee; passed unanimously.***

- B. Approval of a Professional Services Agreement with J2 Engineering and Environmental Design for engineering services to update the FEMA floodplain determination for Tributaries to Granite Creek in an amount not to exceed \$299,947.00.

ACTION: ***MOVED to approve a Professional Services Agreement with J2 Engineering and Environmental Design for engineering services to update the FEMA floodplain determination for Tributaries to Granite Creek in an amount not to exceed \$299,947.00; passed unanimously.***

- C. Approval of a Professional Services Agreement with JE Fuller/Hydrology & Geomorphology, Inc., for engineering services to update the FEMA floodplain determination of Willow Creek Levee in an amount not to exceed \$159,195.00.

ACTION: ***MOVED to approve a Professional Services Agreement with JE Fuller/Hydrology & Geomorphology, Inc., for engineering services to update the FEMA floodplain determination of Willow Creek Levee in an amount not to exceed \$159,195.00; passed unanimously.***

- D. Adoption of Resolution No. 4001-1031 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, repealing Resolution Number 3927-0933 and adopting new Rules of Procedure for the Prescott City Council.

ACTION: REMOVED ITEM FROM AGENDA. To be discussed further at a future meeting.

- E. Approval of Notice of Intention to Increase Water and Wastewater Rates.

ACTION: MOVED to defer commencement of the water and wastewater rate setting process until Summer 2010 according to a schedule to be established at that time; passed unanimously.

- F. Consideration to install a multi-way stop and/or marked crosswalk on Copper Basin Road at Highland Avenue, Park Avenue and Hassayampa Village Lane.

ACTION: Hold a neighborhood meeting to receive additional public input.

- G. Recess into Executive Session.

ACTION: MOVED to recess into Executive Session; passed unanimously.

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, pursuant to A.R.S. §38-431.03(A)(4).

1. Salt River Valley Water Users' Association vs. City of Prescott

- 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, pursuant to ARS §38-431.03(A)(1).

1. Annual evaluation of Judge Arthur Markham.

VI. POST EXECUTIVE SESSION

- A. Consideration of employment agreement with Judge Arthur Markham.

ACTION: *Continue with second year of Judge Markham's two-year contract.*

VII. ADJOURNMENT