

PRESCOTT CITY COUNCIL
STUDY SESSION
TUESDAY, FEBRUARY 2, 2010
PRESCOTT, ARIZONA

MINUTES OF THE STUDY SESSION MEETING OF THE PRESCOTT CITY COUNCIL held on FEBRUARY 2, 2010 in the COUNCIL CHAMBERS located at CITY HALL, 201 SOUTH CORTEZ STREET, Prescott, Arizona.

◆ **CALL TO ORDER**

Mayor Kuykendall called the meeting to order at 3:00 p.m.

◆ **INTRODUCTIONS**

◆ **INVOCATION** Pastor Wil Ryland, Church of Nazarene

Pastor Wil Ryland from Church of Nazarene gave the invocation

◆ **PLEDGE OF ALLEGIANCE:** Special Needs Activity Program (SNAP) Signers

The Special Needs Activity Program (SNAP) Signers led the Council and audience in the Pledge of Allegiance.

◆ **ROLL CALL:**

PRESENT:

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

ABSENT:

None

◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

***STUDY SESSION**

I. PRESENTATIONS

- A. Performance by members of the Special Needs Activity Program SNAP signers.

Members of the SNAP signers performed two songs.

- B. Presentation and discussion of the City Pavement Management System, the Annual City Streets Program Report, and Capital Improvement Program Priority Projects.

Mr. Nietupski reviewed the program report and discussed some of the things that have happened in 2009-2010. He said the program was divided into three parts: Operations and Maintenance, Pavement Preservation, Rehabilitation and Reconstruction, and New Capacity. He then gave a PowerPoint presentation, Exhibit A attached hereto and made a part hereof, which addressed the following:

- ▶ WHY PAVEMENT MANAGEMENT?
- ▶ PROBLEM STATEMENT
- ▶ PAVEMENT MANAGEMENT
- ▶ DATA ANALYSIS
- ▶ CITY STREET INVENTORY
- ▶ STREETS INVENTORY DATA
- ▶ CONDITION SURVEY
- ▶ CONDITIONS CHANGE
- ▶ PAVEMENTS DETERIORATE
- ▶ PAVEMENT CONDITION RATINGS
- ▶ EXAMPLE - PQI Range 8.0
- ▶ EXAMPLE - PQI Range 5.0-7.9
- ▶ EXAMPLE - PQI Range 3.0 – 4.9
- ▶ EXAMPLE - PQI Range 2.0-2.9
- ▶ GRAPHIC REPRESENTATION
- ▶ MANAGING PAVEMENT DETERIORATION
- ▶ REPAIR STRATEGIES

- ▶ STRATEGIES VS. CONDITION
- ▶ PAVEMENT MANAGEMENT FACTS
- ▶ COST COMPARISON
- ▶ COST COMPARISON – GRAPH
- ▶ DUST SUPPRESSION MEMBRANE PROGRAM
- ▶ ONE CENT SASLES TAX FOR STREETS/OPEN SPACE
- ▶ STREET PROGRAM PRIORITY PROJECTS

Discussion was held on some of these issues and it was noted that formal discussion would occur at a later time.

II. DISCUSSION ITEMS

- A. Adoption of Ordinance No. 4723-1020 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona renewing a lease for a portion of City-owned property known as the Rowle P. Simmons Community Center with the Adult Center of Prescott, Inc.

Ms. Horton noted that 1) there will be an annual review of the contract rather than every five years; 2) the City will use the facility 15 times per year for a City designated event and Ms. Horton will be the contact; 3) any repairs in the amount of \$500 or more will be paid by the City of Prescott; and 4) the City of Prescott will reduce the \$80,000 that it previously paid annually by \$16,000 a year beginning in fiscal year 2011, until fiscal year 2015, when the Adult Center will be independent of any financial assistance.

It was requested that the item not be included on the Consent Agenda at next week's meeting. Brief discussion was held on this issue and it was noted that it would not be voted on until next week regardless of whether it was on the Consent Agenda, so removing it from the Consent Agenda would provide another opportunity for the public to comment.

Discussion was held on the need to change the wording from "15 days at no charge, or a reduced rate" to "15 days at no charge." Mr. Kidd said that the agreement was that it was free of charge to the City unless the City decided to charge.

- B. Approval of contract with Commercial Glass Company in an amount not to exceed \$40,040.22 for window, door and glass replacement through an Energy Efficiency Conservation Block Grant (EECGB).

Linda Hartmann reviewed the item, noting that this was a grant through the Department of Energy. She said that they received two bids; one from a business in Prescott and the other from a business in Prescott Valley. The low bid was received from the Prescott Valley business, which the Facilities Department had worked with before and they were happy with their work.

Ms. Hartmann said that because they were requiring the business to do their work on weekends and closed days they would prefer to make it a 90-day contract rather than the proposed 60-day contract.

Discussion was held on the requirements to go with the low bid. It was noted that although the business was run out of the gentleman's house in Prescott Valley, he had rented space in Prescott where he would be fabricating the frames.

- C. Adoption of Resolution No. 4004-1034 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott Fire Department to enter into a Base Hospital Agreement with the Yavapai Regional Medical Center for medical control, direction and paramedic level care (Advanced Life Support) and a Business Associate Agreement as an amendment thereto and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

Chief Martinez said that the Base Hospital Agreement was something that comes to Council once a year and whenever amendments were needed. He said that it had come to Council back in July with a revision and was approved, but they have added something to the agreement which was a federal mandate, and it required a Business Associate Agreement to be attached to the agreement. He added that the Legal Department has reviewed and approved the document and there were no financial implications to either.

- D. Award of funding, in the amount of \$50,231.10, not including tax and shipping, to Telewave, Inc., for 3 Channel VHF Combiners and 3 Channel VHF RX Distribution Systems for the Indian Hill, Mingus Tank, Northwest Tank and Yavapai Hills Communications sites.

Paul Laipple said that this equipment was for public safety radio filtering for the four sites and was a necessary piece of equipment at each of the

sites. He explained that the equipment only allows a certain frequency so there is no interference when they were talking on a police radio.

He said that the funding for this equipment was coming out of the overall capital project which totaled \$2.4 million. He said that they have spent about \$1.7 million and they have two major purchases in the future. One was getting power to the Northwest Tank site, which they finally received right-of-way for from the State Land Department, and the other was for new equipment once the new tank at Indian Hill was installed. He said that they expect to have everything fully functional by fall.

- E. Adoption of Resolution No. 4002-1032 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, declaring, for purposes of Section 1.150-2 of the Federal Treasury Regulations, official intent to be reimbursed in connection with certain capital expenditures relating to the “Water System Fund – Distribution System Program,” and “Wastewater System Fund – Collection System Program.”

Mr. Woodfill said that in the past the City has used WIFA to do a lot of financing for water and wastewater projects because the rates were and are very low. He said that it is subsidized by the EPA and the EPA has decided that all WIFA projects have to use Davis Bacon wages and reporting. With that requirement it was not clear as to whether WIFA would be the best choice for financing those types of projects in the future.

He said that they went into a project a month ago that they anticipated using a WIFA loan for, but they were evaluating whether WIFA was the best way. If they do not use WIFA they need to do bond issues on their own. To make it the most cost-effective they need to gather those together and issue one larger issue. The IRS will not let them reimburse themselves for a project unless they have stated their intent to do so within 60 days of the first outlay, so that was the purpose of this resolution.

Mr. Woodfill noted that there was also a typo in the resolution which indicated Sedona, but it had been corrected.

- F. Adoption of Resolution No. 4003-1033 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, adopting a Council policy regarding contracts with the City by public officers and employees of the City.

Mr. Kidd said that this was the annual Conflict of Interest resolution required for purchasing from either public employees or officers.

- G. Notice of Public Hearing (February 9, 2010) and consideration of liquor license application submitted by Aaron David Meisheid, applicant for M & A Restaurants LLC, for a new Series 12, Restaurant, license for Firehouse Kitchen located at 220 West Goodwin Street, Suite 101.

Ms. Burke reviewed the application and noted the public hearing for this license was scheduled for next week's Voting Meeting, at which the applicants were asked to attend.

- H. Approval of the Minutes of the Prescott City Council Workshop of January 19, 2010; the Study Session of January 19, 2010; the Workshop of January 26, 2010; the Regular Voting Meeting of January 26, 2010, and the Study Session of February 2, 2010.
- I. Selection of items for placement on the agenda of the Regular Voting Meeting of February 9, 2010.

Councilman Lamerson said that the items for the Consent Agenda were: B, C, D, E, F and H.

III. ADJOURNMENT

The Study Session of the Prescott City Council held February 2, 2010 adjourned at 4:34 p.m.

***SPECIAL MEETING**

1. Call to Order

Mayor Kuykendall called the Special Meeting to order at 4:40 p.m.

2. Recess into Executive Session

COUNCILMAN LAMERSON MOVED TO RECESS INTO EXECUTIVE SESSION; SECONDED BY COUNCILWOMAN SUTTLES; PASSED UNANIMOUSLY.

3. 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

4. Adjournment

The Prescott City Council reconvened into Open Session at 6:07 p.m. at which time the Special Meeting adjourned.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

ELIZABETH A. BURKE, City Clerk