

PRESCOTT CITY COUNCIL WORKSHOP AGENDA

**PRESCOTT CITY COUNCIL
WORKSHOP
TUESDAY, AUGUST 17, 2010
2:00 PM**

**Prescott Council Chambers
201 South Cortez
Prescott, Arizona
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its **Workshop** 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**

◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

Mayor Kuykendall
Councilman Blair
Councilman Hanna
Councilman Lamerson

Councilwoman Linn
Councilwoman Lopas
Councilwoman Suttles

I. PROCLAMATIONS

- A. [February 8, 2010 – 100th Anniversary Boy Scouts of America.](#)
- B. [September 6 – 12, 2010 – Patriotism Week.](#)
- C. [September 11, 2010 – March for Babies Day.](#)

II. PRESENTATIONS

- A. Introduction of new businesses.
- B. Board / Commission Liaison reports.

III. DISCUSSION ITEMS

- A. Discussion and direction re the discontinuation of air service by Horizon Airlines from the Prescott Airport.

- B. Discussion and direction re water/wastewater rate increase.
- C. Discussion and direction re Granite Creek Park gate access.
- D. Discussion and direction re Council meeting schedule.

IV. 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, City Clerk

PROCLAMATION

***“Boy Scouts of America – 100th Anniversary
February 8, 2010*”**

WHEREAS, On February 8, 2010, Boy Scouts of America will celebrate 100 years as an organization; and

WHEREAS, The American Legion voiced its support of Boy Scouts of America at its first national convention in 1919, making it the first national youth activity officially recognized by the American Legion; and

WHEREAS, For 100 years Boy Scouts of America has created a strong foundation of leadership, service, and community for America’s youth in preparing them to become engaged citizens and leaders; and

WHEREAS, Boy Scouts of America is one of the nation’s foremost youth programs of character development and values-based leadership training, and teaches the core values of duty to God and country, personal honor, respect for the beliefs of others, volunteerism, and interdependence with the environment, principles which are conducive to good character, citizenship, and health; and

WHEREAS, Boy Scouts of America serve nearly 2.8 million young people between 7 and 20 years of age with more than 300 councils throughout the United States and its territories; and

WHEREAS, Boy Scouts of America “A Year of Celebration, A Century of Making a Difference” will begin on September 1, 2009, and will end on December 31, 2010; and

WHEREAS, The 100th Anniversary Boy Scout Jamboree will be held July 26-August 4, 2010, at Fort A.P. Hill, Virginia; and

WHEREAS, The American Legion desires to recognize the 100th anniversary of Boy Scouts of America and its positive influence on millions of young men and women across the country.

NOW, THEREFORE, I, Marlin D. Kuykendall, Mayor of the City of Prescott, Arizona do hereby declare February 8, 2010 as:

100TH ANNIVERSARY BOY SCOUTS OF AMERICA

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the City of Prescott to be affixed this 17th day of August 2010.



Marlin D. Kuykendall
MARLIN D. KUYKENDALL, Mayor
City of Prescott

PROCLAMATION

“PATRIOTISM WEEK” September 6-12, 2010

WHEREAS: the Benevolent and Protective Order of Elks, through its Constitution, is a Patriotic Order; and

WHEREAS: The Order promotes the ideals that the citizens of this nation live in freedom, won through the great sacrifices and many tribulations which have provided the foundation for a free, prosperous and independent life; and

WHEREAS: we realize that each generation must work to maintain this freedom, otherwise, through carelessness or indifference, the rights and liberties enjoyed may vanish; and

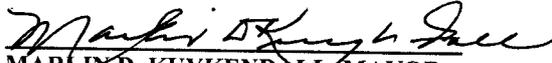
WHEREAS: it is fitting and proper to recognize this freedom and to honor the nation, which provides it now.

NOW, THEREFORE I, Marlin D. Kuykendall, Mayor of the City of Prescott, do hereby proclaim September 6-12, 2010 as

NATIONAL PATRIOTISM WEEK

And during this event urge all citizens to join the Benevolent and Protective Order of Elks in expressing gratitude for the privilege of American Citizenship with appropriate celebrations and observances.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Prescott to be affixed this 17th day of August, 2010.


MARLIN D. KUYKENDALL, MAYOR
City of Prescott

ATTEST:


ELIZABETH A. BURKE, CITY CLERK
City of Prescott



PROCLAMATION

“March for Babies Day”

September 11, 2010

Whereas, the mission of the March of Dimes is to improve the health of babies by preventing birth defects, premature birth and infant mortality; and

Whereas, premature birth is the leading cause of newborn death; and

Whereas, in 2007, more than 520,000 babies born in the U.S. were born preterm, and premature birth is increasing at an alarming rate; and

Whereas, in an average week in Arizona, 239 babies will be born prematurely and 12 will die before their first birthdays. One in eight babies born in Arizona is born more than three weeks before they are due; and

Whereas, babies born prematurely are at higher risk for lifelong disabilities and chronic illnesses including cerebral palsy, vision and hearing impairment, physical and mental disabilities and respiratory conditions such as asthma; and

Whereas, there is no known reason why about 50 percent of these babies are born too soon. The March of Dimes is determined to find answers to reduce the rate of preterm births; and

Whereas, research breakthroughs funded by the March of Dimes, such as surfactant treatment to help preterm babies with underdeveloped lungs to breathe, are already saving the lives of countless babies who were born prematurely; and

Whereas, the March of Dimes funds education and programs across Arizona to increase awareness of the warning signs of preterm labor, and provides grants for programs to improve birth outcomes; and

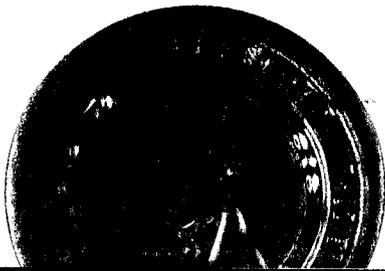
Whereas, the March of Dimes has a 70-year history of success in funding research to improve public health, starting with the development of the polio vaccine that has eradicated the threat of the disabling and deadly virus in the U.S. and nearly every other part of the world; and

Whereas, Prescott volunteers and contributors have played an important role in helping to give Arizona’s babies the best chance for a healthy start in life by supporting the March of Dimes.

NOW THEREFORE, I, Marlin D. Kuykendall, Mayor of the City of Prescott, Arizona, do hereby declare September 11, 2010 as:

MARCH FOR BABIES DAY

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the City of Prescott to be affixed this 17th day of August 2010.



Marlin D. Kuykendall
MARLIN D. KUYKENDALL, MAYOR
City of Prescott

ATTEST:

[Signature]

COUNCIL AGENDA MEMO – August 17, 2010

DEPARTMENT: Public Works

AGENDA ITEM: Discussion/direction on rate increases necessary to fund the FY 11-16 Water and Wastewater Capital Improvement Programs

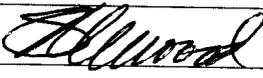
Approved By:

Date:

Public Works Director: Mark Nietupski

Finance Director: Mark Woodfill

City Manager: Steve Norwood



08/12/20

BACKGROUND

Changes to City water and wastewater rates necessary to fund the financial plan outlined by Dan Jackson, Economists.com, in his January 12, 2010, presentation were discussed at the subsequent Council meetings of January 19 and 26, 2010. Mr. Jackson cited various factors affecting the City's water and wastewater enterprises: slow growth in new customer accounts, much lower water use, reduced impact fee revenue, and most significantly, the City's extensive Capital Improvement Plan (CIP) which includes numerous projects to remedy existing system deficiencies. Funding required to keep the Sewer Fund on a stable financial footing continues to be a primary concern, in particular given the costs of extensive improvements to the Sundog and Airport Wastewater Treatment Plants required during the coming years which were detailed for Council on December 1, 2009.

Council took no action to modify the rates, recognizing that wastewater adjustments had recently become effective on January 1, 2010, and current policy is to implement water rate increases during low-usage winter months, to provide a transition before the summer months of peak usage. At that time it was anticipated discussion of the rates would be resumed later in calendar year 2010.

On March 23, 2010, to effect compliance with the House Bill 2008 moratorium (enacted August 12, 2009, with retroactivity), water and wastewater impact fees were rolled back to the amounts of June 29, 2009; sewer buy-in fees were reinstated; and refunds authorized of amounts paid on or after July 11, 2009, exceeding the fee levels which were in effect on June 29, 2009. This moratorium extends through June 30, 2012.

As mentioned during prior rate and impact fee setting processes, many utilities infrastructure projects have two components: rehabilitation of the existing pipes, pump stations, etc., which may include an increase in capacity to remedy an existing deficiency, plus a second increment of capacity increase to serve new growth. Hence, each project must be looked at carefully when being prioritized for implementation, or when it is necessary to make reductions in the capital program. Finally, street and utilities projects are highly interrelated, adding another dimension of complexity.

Agenda Item: Discussion/direction on rate increases necessary to fund the FY 11-16 Water and Wastewater Capital Improvement Programs

JANUARY 2010 RATES ALTERNATIVES

Four (4) "Scenarios" were defined for the purpose of analyzing rates which would be required to support each alternative, depending upon how the Big Chino Water Ranch Project (BCWR) and major improvements to the wastewater treatment plants are funded. Discussion centered on "Scenario 2", where rates would fund improvements to the wastewater treatment plants, but not a portion of the BCWR. Note that with construction of the BCWR pipeline now considered at least 7-10 years away, the current, approved FY 11-16 CIP indeed does not include construction funding for that project.

Attached for information and reference are the following documents:

- Total Monthly Charges for Average Residential Customer using 5,000 Gallons Water and Generating 5,000 Gallons Wastewater (Scenario 2, 1/2010 - 1/2019)
- Water Rates Effective 1/1/2010
- Sewer Rates Effective 1/1/2010
- Water Rate Schedule (1/2010 - 1/2014) for Scenario 2
- Wastewater Rate Schedule (1/2010 - 1/2018) for Scenario 2
- FY 11 – 16 Water and Wastewater CIP w Scenarios

FUNDING THE FY 11-16 WATER AND WASTEWATER CAPITAL PROGRAMS

Water and wastewater rates, the Water and Wastewater Capital Improvement Programs, or both, need to be revised to balance projects and funding ...

Consider rate study for water and wastewater improvements based on a six year capital improvement program ...

Actions could include initiating the public process required by Arizona Revised Statutes for raising rates ...

Recommended Action: This item is for Council discussion and direction regarding action items to be brought back for consideration.

City of Prescott Water and Wastewater 2010 Rate Study Update

(1-19-10)

(Note: the rates indicated below for April 2010 and subsequent years were not put into effect)

Scenario	Description of Scenario/Notes	Total Monthly Charges for Average Residential Customer Using 5,000 Gallons Water and Generating 5,000 Gallons Wastewater					
		Current	April 2010	Jan 2011	Jan 2012	Jan 2013	Jan 2019
2008 Study	Current and April 2010 rates are now in effect; rates forecast necessary for Jan 2011 & subsequent years would require approval by new ordinance(s)	\$53.12	\$53.12	\$59.06	\$69.01	\$75.07	n/a
2	Rates fund improvements to the wastewater treatment plants, but not a portion of the Big Chino Project (private financing w/capital recovery from new growth, or GO debt issue)	\$53.12	\$54.31	\$61.03	\$68.58	\$80.18	\$113.12

**CITY OF PRESCOTT, ARIZONA
WATER RATES
Effective 1/1/2010**

Monthly Fixed Charge

Meter Size	Amount
5/8	6.60
3/4	7.05
1	7.95
1 1/2	10.20
2	12.90
3	19.20
4	28.20
6	50.70
8	77.70

Residential (rate per 1,000 gallons)

Single Family		Multi-Family (Per Unit)	
First 3,000	2.86	First 1,700	2.30
Next 7,000	4.30	Next 3,300	3.46
Next 10,000	6.45	Next 5,000	5.19
Over 20,000	12.90	Over 10,000	10.39

Non-Residential (rate per 1,000 gallons)

5/8" Meter		1" Meter		1 1/2" Meter	
First 6,000	2.61	First 15,000	2.61	First 30,000	2.61
Next 22,000	3.92	Next 55,000	3.92	Next 110,000	3.92
Next 32,000	5.88	Next 80,000	5.88	Next 160,000	5.88
Over 60,000	11.76	Over 150,000	11.76	Over 300,000	11.76

2" Meter		3" Meter		4" Meter	
First 48,000	2.61	First 96,000	2.61	First 150,000	2.61
Next 176,000	3.92	Next 352,000	3.92	Next 550,000	3.92
Next 256,000	5.88	Next 512,000	5.88	Next 800,000	5.88
Over 480,000	11.76	Over 960,000	11.76	Over 1,500,000	11.76

6" Meter		8" Meter	
First 300,000	2.61	First 480,000	2.61
Next 1,100,000	3.92	Next 1,760,000	3.92
Next 1,600,000	5.88	Next 2,560,000	5.88
Over 3,000,000	11.76	Over 4,800,000	11.76

Alternate Water Source

An additional sixty-five cents (\$0.65) per one thousand (1,000) gallons of water consumed per month.

The revenues from these charges are restricted to defray expenses of the city associated with obtaining alternative water sources in order to comply with the groundwater laws of the State.

Rates for Customers in the Town of Chino Valley

Add thirty per cent (30%) to the above rates.

Rates for Customers Outside City or Town Limits

Add thirty-nine per cent (39%) to the above rates.

**CITY OF PRESCOTT - 201 S. Cortez - Prescott, AZ 86303
(928) 777-1291**

**CITY OF PRESCOTT, ARIZONA
SEWER AND SANITATION RATES**

**SEWER RATES
Effective 1/1/2010**

Residential			
Monthly Base Charge	12.54		
Volume charge per 1,000 gallons	2.71		
Non-Residential			
Monthly Base Charge	15.18		
Volume charge per 1,000 gallons:			
Uniform Non-Residential	3.89	Laundry, Commercial	3.89
Bar w/o Dining Facilities	3.89	Markets w/ Garbage Disposal	5.84
Car Wash	3.89	Mortuaries	5.84
Dept/Retail Stores	3.89	Professional Offices	3.89
Hospital/Convalescent	3.89	Repair Shops/Service Stations	3.89
Hotel w/Dining Facilities	4.18	Restaurants	6.28
Hotel w/o Dining Facilities	3.89	Schools and Colleges	3.89
Laundry, Industrial	5.01	Septage Haulers	100.00
Laundromat	3.89	Grease Disposal	270.00

The monthly base charge is in addition to the charge for consumption based on the above rates. Sewer rates are based on average monthly water consumption during winter months or the average annual consumption, whichever is less.

**SANITATION RATES
Residential**

Residential accounts shall be charged a monthly service fee of \$14.50. This fee entitles you to 1 (one) 68 gallon container. Additional containers may be ordered at a charge of \$5.80 each for a minimum of 3 months. Base rate includes a \$.50 landfill closure cost.

Commercial

Commercial accounts shall be charged a monthly service fee of \$19.15. This fee entitles you to 2 (two) 68 gallon containers. Call 777-1116 for dumpster sizes and rates.

**CITY OF PRESCOTT
PROPOSED RATE SCHEDULE**

	EFFECTIVE DATE				
	Current	Apr-10	Jan-11	Jan-12	Jan-14

Water Rate	Current	Apr-10	Jan-11	Jan-12	Jan-13	Jan-14
Alternate Water Resource Charge Per 1,000 Gal						
Inside City Limit	\$ 0.65	\$ 0.65	\$ 0.70	\$ 0.80	\$ 0.85	\$ 0.90
Base Charge						
5/8"	6.60	6.93	7.28	7.93	8.58	9.01
3/4"	7.05	7.40	7.77	8.47	9.17	9.63
1"	7.95	8.35	8.76	9.55	10.34	10.85
1 1/2"	10.20	10.71	11.25	12.26	13.26	13.93
2"	12.90	13.55	14.22	15.50	16.77	17.61
3"	19.20	20.16	21.17	23.07	24.97	26.21
4"	28.20	29.61	31.09	33.89	36.67	38.50
6"	50.70	53.24	55.90	60.93	65.92	69.22
8"	77.70	81.59	85.66	93.37	101.03	106.08

Volume Charge Per 1,000 Gal

	Current	Apr-10	Jan-11	Jan-12	Jan-13	Jan-14
Residential Inside						
3,000	2.86	3.00	3.15	3.44	3.72	3.90
10,000	4.30	4.52	4.74	5.17	5.59	5.87
20,000	6.45	6.77	7.11	7.75	8.39	8.81
Above	12.90	13.55	14.22	15.50	16.77	17.61
Multi-Family Inside						
1,700	2.30	2.42	2.54	2.76	2.99	3.14
5,000	3.46	3.63	3.81	4.16	4.50	4.72
10,000	5.19	5.45	5.72	6.24	6.75	7.09
Above	10.39	10.91	11.45	12.49	13.51	14.19
Irrigation Inside						
3,000	2.61	2.74	2.88	3.14	3.39	3.56
10,000	3.92	4.12	4.32	4.71	5.10	5.35
20,000	5.88	6.17	6.48	7.07	7.65	8.03
Above	11.76	12.35	12.97	14.13	15.29	16.06
Non-Residential Inside						
Block 1	2.61	2.74	2.88	3.14	3.39	3.56
Block 2	3.92	4.12	4.32	4.71	5.10	5.35
Block 3	5.88	6.17	6.48	7.07	7.65	8.03
Block 4	11.76	12.35	12.97	14.13	15.29	16.06



NOTE: Outside City limit customers subject to 39.0% premium on all rates
Chino Valley customers subject to 30.0% premium on all rates

SOURCE: Economists.com 2010 Water and Wastewater Rate Study



**CITY OF PRESCOTT
PROPOSED RATE SCHEDULE**

Scenario: CIP Scen 2 -- 011210
EFFECTIVE DATE

	Current	Apr-14	Jan-15	Jan-16	Jan-17	Jan-18
Wastewater Rate						
Residential						
Base Charge	12.54	12.54	15.05	17.31	21.63	23.79
Volume Charge	2.71	2.71	3.25	3.73	4.67	5.13
Non-Residential						
Base Charge	\$ 15.18	\$ 15.18	\$ 17.84	\$ 20.51	\$ 25.64	\$ 28.20
<u>Volume Rate Per 1,000 Gal</u>						
Uniform Non-Residential	3.89	3.89	4.58	5.26	6.58	7.23
Bar w/o Dining Facilities	3.89	3.89	4.58	5.26	6.58	7.23
Car Wash	3.89	3.89	4.58	5.26	6.58	7.23
Dept/Retail Stores	3.89	3.89	4.58	5.26	6.58	7.23
Hospital/Convalescent	3.89	3.89	4.58	5.26	6.58	7.23
Hotel w Dining Facilities	4.18	4.18	4.58	5.26	6.58	7.23
Hotel w/o Dining Facilities	3.89	3.89	4.58	5.26	6.58	7.23
Laundry, Industrial	5.01	5.01	5.01	5.26	6.58	7.23
Laundromat	3.89	3.89	4.58	5.26	6.58	7.23
Laundry, Commercial	3.89	3.89	4.58	5.26	6.58	7.23
Markets w Garbage Disposal	5.84	5.84	5.84	5.84	6.58	7.23
Mortuaries	5.84	5.84	5.84	5.84	6.58	7.23
Professional Offices	3.89	3.89	4.58	5.26	6.58	7.23
Repair Shops/Service Stations	3.89	3.89	4.58	5.26	6.58	7.23
Restaurants	6.28	6.28	6.28	6.28	6.58	7.23
Schools and Colleges	3.89	3.89	4.58	5.26	6.58	7.23

SOURCE: Economists.com 2010 Water and Wastewater Rate Study



CIP Funding Scenarios



Funding Includes Component from Rates

WWTP

Improvements

Big Chino

Scenario

1

Yes

Yes

2

No

Yes

3

Yes

No

4

No

No

NOTE: These funding scenarios are for analysis only, and are not recommendations



CIP Funding Scenarios



Total CIP 2010 -- 2019 (\$ Millions)

Big Chino

Scenario	(Prescott Portion)	Water	Wastewater	Total
1	\$76.4	\$106.0	\$132.7	\$315.1
2	-	121.0	132.7	253.7
3	76.4	106.0	62.3	244.7
4	-	121.0	62.3	183.3

Water Fund Capital – FY11

Page No.	Project Description	FY2011
56	Surface Water Recharge Pipeline (Debt Issue)	3,247,854
55	Airport Zone 12 New Tank Reservoir & Booster Station (Debt Issue)	3,075,000
54	Prescott Canyon 1.25 MG Tank Reservoir & Piping (Debt Issue)	2,285,814
53	Airport Zone 12 Tank Reservoir Transmission Piping (Debt Issue)	2,200,000
52	Big Chino Water Ranch (BCWR)	2,808,280
51	Copper Basin Tank Reservoir	1,900,000
50	New Thumb Butte Reservoir	1,680,000
49	Water Meter Change-Out Program	1,500,000
48	Airport Zone Production/Recovery Wells	1,330,000
47	Prescott Resort Pump Station Upgrade	1,300,000
46	Small Water Main Replacements	1,100,000
45	Upper Thumb Butte Tank	1,075,000
18	Williamson Valley Road	1,000,000
21	Rosser Street Reconstruction & Utility Upgrade	800,000
44	Lower Thumb Butte Pump Sta	775,000
43	12" Line Thumb Butte Road - Hassayampa Village Rd to Lower Thumb Butte PS	700,000
42	A/P New Zone 101 Pump Station	600,000
69	Intermediate Pump Station and Reservoirs	500,000
70	Indian Hill Reservoir	300,000
71	Arsenic Treatment Plant	298,000

Water Fund Capital – FY11

Page No.	Project Description	FY2011
72	Granite Creek and Willow Creek Dam Repairs	250,000
73	Copper Basin Tank Reservoir Piping - Sheriff's Posse Trail to New Reservoir	210,500
74	Water Model Update	200,000
75	Telemetry (SCADA) System Install/Upgrade Program	193,000
76	Irrigation Efficiency Enhancements (Heritage Park & Roughrider Field)	160,000
77	Storage Tank Maintenance Program	155,000
78	Yavapai Hills Lower Pump Station Upgrade	150,000
79	Capital Contingencies	150,000
80	Water Production/Distribution Warehouse	150,000
81	Haisley A (Virginia) Pump Station Rehabilitation	110,000
82	Hassayampa Pump Station - New Zone 19	100,000
83	Booster Station Upgrade	100,000
84	12" Line Virginia St - Virginia St Pump Station to Foothills Pump Station	75,000
85	Fire Hydrants	42,000
86	Production Well Maintenance	40,000
87	PRV Upgrades	37,000
46	Senator Highway	15,000
88	Rates Updates	12,500
89	Leak Detection Program	11,000
N/A	Maintenance Management	10,000
		<u>\$ 30,645,948</u>

Water Fund CIP

Page No.	Project Description	FY2012	FY2013	FY2014	FY2015	FY2016
52	Big Chino Water Ranch (BCWR)	2,855,250	1,810,250	1,035,250	935,250	935,250
51	Copper Basin Tank Reservoir	930,000				
49	Water Meter Change-Out Program	1,000,000				
48	Airport Zone Production/Recovery Wells	133,000	1,197,000	133,000	1,197,000	
46	Small Water Main Replacements	1,000,000	1,167,000	1,061,000	1,239,000	1,126,000
42	A/P New Zone 101 Pump Station	2,687,000				
72	Granite Creek and Willow Creek Dam Repairs	250,000				
73	Copper Basin Tank Reservoir Piping - Sheriff's Posse Trail to New Reservoir	195,500				
74	Water Model Update					
77	Storage Tank Maintenance Program	160,000	165,000	170,000	176,000	232,000
78	Yavapai Hills Lower Pump Station Upgrade	800,000				182,000
79	Capital Contingencies	155,000				
81	Haisley A (Virginia) Pump Station Rehabilitation	390,000	160,000	165,000	170,000	176,000
82	Hassayampa Pump Station - New Zone 19	919,000				
83	Booster Station Upgrade	103,000	106,000	109,000	112,000	115,000
84	12" Line Virginia St - Virginia St Pump Station to Foothills Pump Station	550,000				
85	Fire Hydrants	44,000	46,000	48,000	50,000	52,000
86	Production Well Maintenance	42,000	44,000	46,000	48,000	50,000
87	PRV Upgrades	39,000	41,000	43,000	45,000	47,000
46	Senator Highway	100,000				
88	Rates Updates	15,000		17,000		19,000
89	Leak Detection Program	12,000	13,000	14,000	15,000	16,000
90	Old North Tank Reservoir Repl	4,599,000				
44	Park Avenue	1,130,000				
91	Willow Creek 14" Transmission Main	646,000				
48	Robinson Drive	526,000				
92	Haisley New Tank Reservoir	513,000	1,419,000			
93	SR69 Corridor All Phases Water Infrastructure	510,000	1,650,000			
94	Mt Club System Cross Conn	500,000				
95	36" Line Douglas Ave - Willow Creek Road to North Reservoir	462,000				
47	South Mt Vernon	400,000				
96	Upper Rancho Vista Pump Station Upgrade		478,000			
97	12" Line Skyline, Horizon, Lookout - Upper Thumb Butte PS to Upper TB Tank		75,000	375,000		
98	Mingus Tank Reservoir Replacement			600,000	3,700,000	
99	18" Line Smoke Tree Lane - 30" Main at Willow Creek to Birchwood Cove			200,000	1,465,000	
100	12" Line Meadowbrook, Forest Hills Rd - Thumb Butte Rd to Thumb Butte Tank			160,000	1,100,000	
101	Mingus Pump Station Rehabilitation					100,000
		\$ 21,665,750	\$ 8,371,250	\$ 4,176,250	\$ 10,252,250	\$ 3,050,250

Rate increase needed to fund Capital Improvement Plan

Wastewater Fund Capital – FY11

Page No.	Project Description	FY2011
102	Airport Phase 1 (3.2MG) (Debt Issue)	3,360,000
103	Sundog Filter Replacement / Denitrification (Debt Issue)	3,000,000
104	Sewer Mainline Repl/Rehab	1,850,000
105	Cliff Rose Lift Station Upgrade	791,361
106	Granite Dells - Centerpointe East Wastewater Improvements	500,000
107	Sundog Collector/ Sundog Ranch Road (Storm Ranch)	395,000
108	Sundog Digester Cleaning	300,000
109	Capital Contingencies	155,000
110	Lift Station Rehabilitation	150,000
21	Rosser Street	139,100
18	Williamson Valley Rd	130,000
111	Chemical Root Control	105,000
47	South Mount Vernon	15,000
88	Rate Analysis	12,500
N/A	Maintenance Management	10,000
		<u>10,912,961</u>

Wastewater Fund CIP

Page No.	Project Description	FY2012	FY2013	FY2014	FY2015	FY2016
102	Airport Phase 1 (3.2MG)	11,340,000	14,000,000	3,500,000		
104	Sewer Mainline Rep/Rehab	1,030,000	103,000	1,061,000	107,000	1,093,000
106	Granite Dells - Centerpointe East Wastewater Improvements	1,000,000	500,000			
108	Sundog Digester Cleaning			328,000		
109	Capital Contingencies	160,000	165,000	170,000	176,000	182,000
110	Lift Station Rehabilitation	150,000	153,000	157,000	111,000	115,000
111	Chemical Root Control	80,000	83,000	115,000	89,000	92,000
47	South Mount Vernon	520,000				
88	Rate Analysis	15,000		17,000		19,000
112	Sundog Solids Dewatering	2,320,000	5,280,000			
113	Granite St - Granite Creek to Leroux	800,000	1,400,000	1,400,000	1,400,000	
114	Sundog Trunk Main	750,000		350,000	3,250,000	1,820,000
44	Park Ave	674,000				
48	Robinson Drive	349,000				
115	WW Collection Model Update	200,000				
116	WWTP SCADA System	75,000	75,000			
117	Hassayampa			650,000		2,376,000
118	Sundog Headworks, Septage Receiving and Odor Control				340,000	3,400,000
119	Pleasant Valley					600,000
120	Brush-Lincoln (See Gurley)					100,000
		19,463,000	21,759,000	7,748,000	5,473,000	9,797,000

Rate increase needed to fund Capital Improvement Plan

COUNCIL AGENDA MEMO – August 17, 2010

DEPARTMENT: City Manager

AGENDA ITEM: Discussion and direction regarding gate between Granite Creek Park and the Depot Market Place

Approved By:

Date:

Department Head: Laurie Hadley

August 17, 2010

Finance Director: Mark Woodfill

City Manager: Steve Norwood



Background:

Currently a fence separates The Depot Marketplace and Granite Creek Park, with a gate allowing two way access between the two sites. The gate is on the north boundary of The Depot Marketplace, adjacent to Staples Office Supplies. In recent months, the City has been asked by the merchants in the Market Place to keep the gate closed, but have been asked by trail users and residents in the area to keep the gate open.

In June 1990, the City Council approved a zoning change (to Business B) on the property now named The Depot Market Place. In the Ordinance (2177), there are ten conditions to the rezoning, see attached. A few of the citizens who wish to keep the gate open had indicated that one of the conditions of rezoning was the gate had to be kept open. Legal staff does not interpret any of the conditions as saying such. Number 8 of conditions states "That the pedestrian access ways from downtown to Granite Creek Park and Montezuma Extension contain a sidewalk, along with a better delineation of the park entrance and that a re-evaluation of the park entrance be made by staff during the building permit process." This does not specifically address a gate.

The final plat contains the following language, "Nonexclusive perpetual access easement to the City of Prescott for public pedestrian ingress and egress and City of Prescott emergency and service vehicle access to AC Williams Park, aka Granite Creek Park." This language is in reference to the gate area, but seems to contradict itself.

With such unclear language, and two diverse opinions from the public, staff spent time speaking to the merchants in The Depot Marketplace, parks and recreation staff, fire and police personnel. Of the ten merchants interviewed, eight (8) would like it kept locked, one (1) preferred it open, and one (1) had no opinion either way. A copy of that report is attached to this memo.

For Parks and Recreation staff, the gate is a constant hassle. In early May the gate was locked at the request of the business owners. Within two weeks, the gate had been taken off the hinges. The gate was replaced and the hinges were welded. A week or two later, a large hole had been dug under the gate and people were crawling under. The hole was filled in, and it wasn't long before the large chain and lock were cut with bolt cutters. The gate has been open since July 19, 2010.

The Fire Department did not notice any change in call pattern or volume with the gate open or closed. Over the summer they have responded to four EMS calls, two calls to assist other agencies and two calls for attempting to burn.

The Police Department had much more involvement and concern with this issue. A full report of their findings is attached.

City of Prescott Legal staff has issued the following legal opinion: "The City of Prescott was given a non-exclusive easement from the property owner, Depot Marketplace LLC, pursuant to the final plat. As such, the municipality (COP) is the holder of the easement at issue. The plat language only creates an access easement in favor of the City which gives the Council authority to control the easement. The City has the right to lock the gate. If this option is elected, (locking the gate) the LLC could later argue the City abandoned the easement.

"Perpetual" in this case means the easement would go to the successor of assigns of the LLC if the owners were to sell the property. The easement runs with the property. "Non-exclusive" in this case means the LLC, not the City, can allow other users such as utility companies, to use the easement."

Council could consider any of the following options:

- Abandon the access easement back to the LLC, abandoning the city's easement rights under the plat.
- Instruct staff to permanently remove the gate and replace with fencing.
- Instruct staff to allow the gate to remain open.
- Instruct staff to arrange for the gate to be open during daylight hours only. This would likely require assistance from the Depot Marketplace merchants.

Recommended Action: Council's pleasure

PUBLISHED IN THE
 PRESCOTT COURIER ON
6/21/90 & 6/28/90


 INSTRUMENT # 9026659
 OFFICIAL RECORDS OF
 YAVAPAI COUNTY
 FATSY C. JENNEY
 REQUEST OF:
 CITY OF PRESCOTT
 DATE: 07/12/90 TIME: 14:00
 FEE: 3.00 SC: PT:
 BOOK 2269 PAGE 014 PAGES: 003

INDEXED &
 MICROFILMED

ORDINANCE NO. 2177

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING CODE OF THE CITY OF PRESCOTT, ARIZONA, ADOPTED PURSUANT TO CHAPTER 1, TITLE X OF THE CITY CODE OF THE CITY OF PRESCOTT SO AS TO CHANGE CERTAIN DISTRICT BOUNDARIES AND CLASSIFICATIONS THEREOF AND AMENDING THE ZONING MAP OF THE CITY OF PRESCOTT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT, the following described parcel of land, generally located at the northeast corner of North Montezuma and Sheldon Streets, in the City of Prescott, Yavapai County, Arizona, shall be and is hereby reclassified from Flood Plain Conservation District and Business B to Business B zoning district, to wit:

All that portion of Section 33, Township 14 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at a brass cap marking the East one-quarter corner of said Section 33 (the basis of bearings for this description is South 88° 47' 25" West, along the East-West midsection line of said Section 33 from said brass cap to an aluminum cap set in Granite Creek Park); Thence, South 70° 51' 43" West, 702.60 feet to the TRUE POINT OF BEGINNING;

Thence, South 56° 58' 46" West, 84.74 feet; Thence, South 63° 46' 42" West, 144.93 feet; Thence, South 52° 35' 48" West, 422.94 feet; Thence, South 50° 18' 40" West, 178.15 feet; Thence, North 72° 57' 52" West, 67.57 feet; Thence, South 14° 18' 04" West, 26.72 feet; Thence, South 17° 02' 09" West, 104.47 feet; Thence, along a curve concave to the left with a radius of 1854.00 feet and a length of 375.58 feet; Thence, South 06° 43' 35" West, 93.24 feet; Thence, South 00° 46' 43" West, 112.25 feet; Thence, South 51° 35' 35" East, 40.73 feet; Thence, South 88° 53' 46" East, 163.58 feet; Thence, along a curve concave to the left with a radius of 562.00 feet

BK	FEE
	2
MAP	\$4
FCL	\$4
	\$1
\$	7

Ordinance No. 2177 - continued:

and a length of 48.85 feet; Thence, South $03^{\circ}52'34''$ East, 2.50 feet; Thence, along a curve concave to the left with a radius of 564.50 feet, a length of 185.46 feet and a chord bearing North $76^{\circ}42'43''$ East; Thence, North $69^{\circ}53'37''$ East, 190.92 feet; Thence, South $89^{\circ}50'13''$ East, 193.47 feet; Thence, South $01^{\circ}16'15''$ West, 5.96 feet; Thence, South $88^{\circ}52'53''$ East, 38.00 feet; Thence, North $00^{\circ}09'47''$ East, 82.38 feet; Thence, along a curve concave to the left with a radius of 121.40 feet and a length of 96.39 feet; Thence, North $45^{\circ}19'37''$ West, 112.06 feet; Thence, North $44^{\circ}40'28''$ East, 330.75 feet; Thence, North $45^{\circ}19'37''$ West, 252.19 feet; Thence, North $08^{\circ}15'27''$ West, 224.47 feet; Thence, North $37^{\circ}07'14''$ East, 194.34 feet; Thence, along a curve concave to the right with a radius of 302.13 feet and a length of 39.17 feet; Thence, North $45^{\circ}27'06''$ West, 30.38 feet to the TRUE POINT OF BEGINNING;

Containing 660,917 square feet or 15.17257 acres, more or less.

SECTION 2. THAT, the rezoning of the parcels described above is subject to the following conditions:

1. That there be basic conformance with the submitted site plan, with total building area no greater than that shown.
2. That all applicable federal, state, and city statutes, codes, ordinances and regulations be followed.
3. That there be conformance with the Site Development Guidelines.
4. That the uses permitted under current zoning classifications are allowed to continue until a building permit is issued for the project as shown in this request.
5. That cross access easements be recorded for all pertinent park and depot uses and parking areas.
6. That the center's architecture be the same or a compatible theme as the depot.
7. That the north and west sides of all buildings facing Granite Creek Park and Montezuma Extension have architectural treatment consistent with the front sides. Also, Board of Adjustment approval will determine appropriate screening along the north property line.
8. That the pedestrian accessways from downtown to Granite Creek Park and Montezuma Extension contain a sidewalk, along with a better delineation of the park entrance and that a re-evaluation of the park entrance be made by staff during the building permit process.

Ordinance No. 2177 - continued:

9. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause, term, condition or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, terms, conditions or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.
10. The conditions of this Ordinance do not supersede or relieve the developer from the conditions of the property transfer agreement related to the transfer of the Santa Fe Depot portion of the site to the developer from the City.

SECTION 3. THAT, at least three (3) copies of the zoning map of the City of Prescott adopted pursuant to Chapter 1, Title X of the City Code of the City of Prescott and as subsequently amended, including the amendments herein, shall be filed immediately in the Office of the City Clerk of the City of Prescott and shall be available for public use and inspection.

PASSED, APPROVED, and ADOPTED by the Mayor and Council of the City of Prescott, Arizona, on this 12th day of JUNE, 1990.

Robert C Morgan
ROBERT C. MORGAN,
Mayor of the City of Prescott

ATTEST:

Marie L. Watson
MARIE L. WATSON
City Clerk

APPROVED AS TO FORM:

K. Kane Graves
K. KANE GRAVES
City Attorney

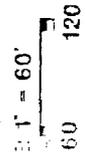
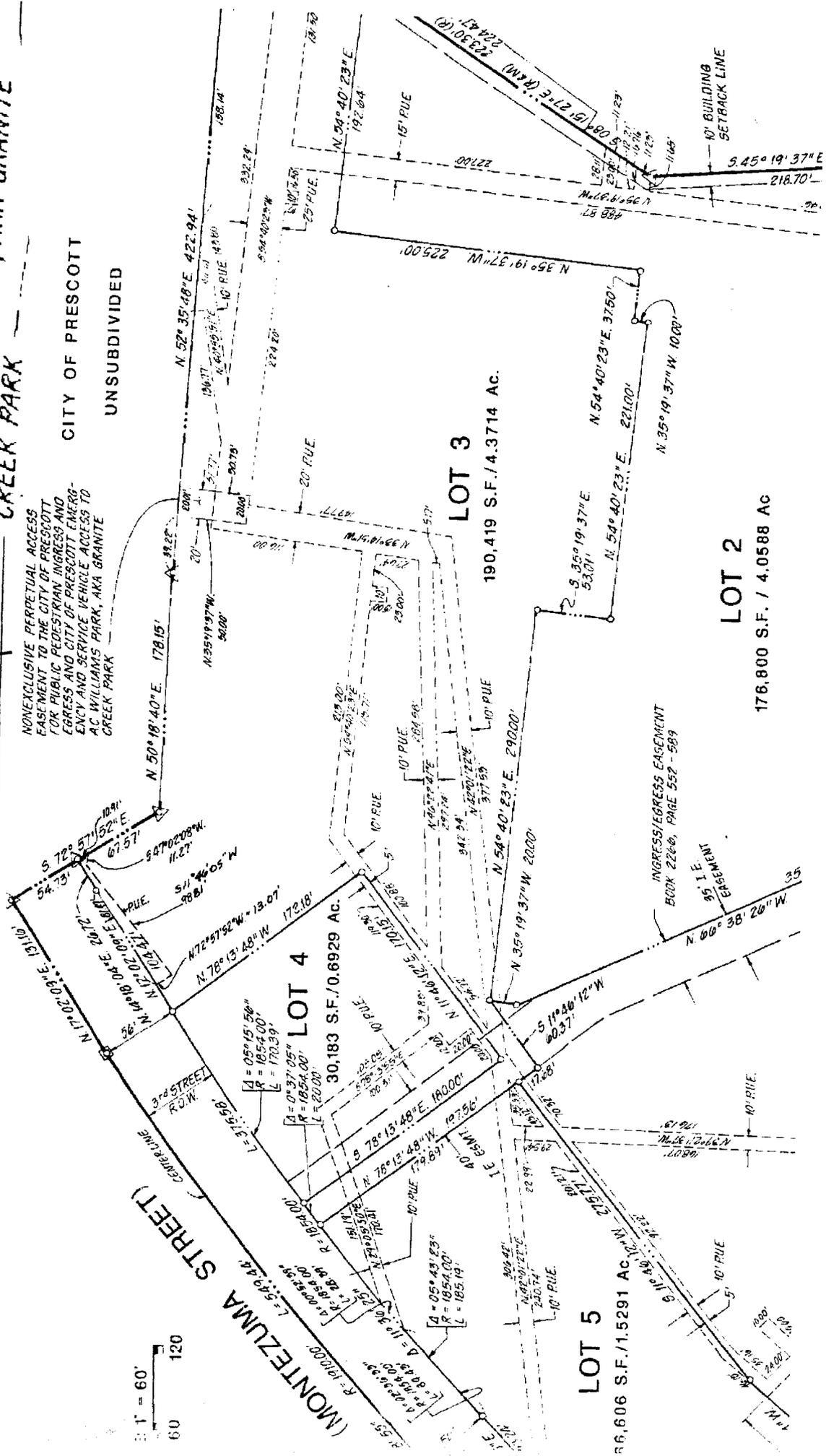
SEAL

BOOK 2269 PAGE 16

**NONEXCLUSIVE PERPETUAL ACCESS
EASEMENT TO THE CITY OF PRESCOTT
FOR PUBLIC PEDESTRIAN INGRESS AND
EGRESS AND CITY OF PRESCOTT EMERG-
ENCY AND SERVICE VEHICLE ACCESS TO
AC WILLIAMS PARK, AKA GRANITE
CREEK PARK**

NONEXCLUSIVE PERPETUAL ACCESS
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FOR PUBLIC PEDESTRIAN INGRESS AND
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AC WILLIAMS PARK, AKA GRANITE
CREEK PARK

CITY OF PRESCOTT
UNSUBDIVIDED



LOT 2
176,800 S.F. / 4.0588 AC

LOT 5
66,606 S.F. / 1.5291 AC

LOT 3
190,419 S.F. / 4.3714 AC.

LOT 4
30,183 S.F. / 0.6929 AC.



MEMORANDUM

Date: 7/13/2010
To: Tom Guice, Community Development Director
From: Kelly Sammeli, Code Enforcement Supervisor
RE: Contacts with Business Owners at Depot Marketplace

Over the past week I stopped to talk with the proprietors, managers, and or employees at the Depot Marketplace regarding the locking of the gate to Granite Park. As I spent a few minutes of time at each of the locations, the overall response of all I spoke with was to keep the gate locked to the park from the shopping center location. All felt that there has been an overall improvement. Additional comments are listed below.

Owner of the Canton Dragon, Meng Tam, indicated that they have not had any problems with homeless sleeping on their bench in front of their business, people coming into the restaurant to use the restroom or asking for water since the gate has been locked. The entire staff feels the locking of the gate has made a difference to deter the homeless and it has not affected their business attendance at all. They would prefer to keep the gate locked.

Personal Touch Jewelers, Owner, Jerard indicated that he thought it had decreased the homeless coming by however, he thought that now they just walk behind the building. They were also climbing over the fence (was shown the area) but it has since been fixed. As a business owner he believes it has helped. He has mixed feelings on the gate being locked as he uses the area personally, but overall as a business owner in the area he likes it locked. He also has concerns about the back of Staples where the trucks enter in from 6th street. He further indicated that the homeless hang out back there.

The manager, Keith and employee, Margaret, of Cost Cutters, indicated that they did not see it deterring the homeless. They still encounter at least four or five persons a day. Keith stated that they come in to the shop to ask for water or wait outside to pan handle people who are leaving. Keith also noted that they have to go along way to the dumpster location and because it is in the back of the building they try to take the trash out in the middle of the day. (It is my opinion that they do not send the homeless away but help them). They were neutral in the locking of the gate.

The Manager David and Employee Vicki, of the Framers Market, both indicated that it was helpful to the area and they prefer to keep the gate locked. They both believe that it has deterred the homeless from coming into the area.

Mike and Terry Johnson, Owners of All Gods Children, indicated that they were thankful that the gate had been locked and they believe that it has been better. They further noted that in the four years of being located in the Depot Marketplace they have witnessed a lot of response from PD and Fire to aid the homeless. As business owners in the area, they would like to keep the gate locked. They also noted that they have been approached from a bike club to sway them to open the gate. Overall they were very pleased and asked that I convey their thankfulness to the City Manger for taking the area and problem on.

Check and Go is closed down and vacant.

The French Hen, specialty store for woman is owned by David Homer. Mr. Homer noted that there has been a reduction of the homeless being seen in the front area of the shopping center however he felt that they were gathering in the location behind Staples and Albertsons. He also did not like the fact that people can come in and park with RV's in the parking lot. He did indicate that the gate should stay locked if PD could do something about the area behind the stores. Overall, he was very vocal about what was wrong but could not offer suggestions about how to fix the problem.

Assistant Manger of Staples, Pat McFarland indicated that the locking of the gate has been positive. They would prefer to have the gate permanently locked.

Gwen Lelushe, Manager for Fresh Vitamins indicated that she believes it has not helped and that she still has to run off pan handlers from in front of the store. She indicated that she was part of the greenway society and that the gate should stay open. She took me through the back of the store and pointed to a makeshift tree house that she believes is being utilized by homeless possibly due to the trash location of Albertsons. She does not want the gate to be locked but wants more security in the shopping center.

Walgreen Drug Store Manager, Matt Cushman, indicated that the locking of the gate has helped deter the homeless into the area. Their thief rate is down. As well as the calls for service to PD. Mr. Cushman noted that the staff and customers have stated that they are not so concerned about their safety at night. I also spoke to an employee (front line cashier) who did not want to provide their name. They noted that the cameras that are utilized within the store are for the cash register only. The liquor should not been located at the front of the store and it is not monitored. (Added that the cameras were just dummies and not even hooked up.)

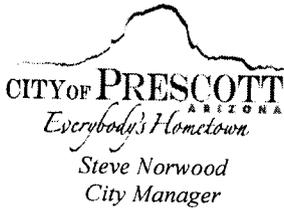
Lastly I spoke with several front line store employees and the store director, Bill Smith at Albertson's. This was interesting because all the employees have been talking about the gate situation and how it has helped with reducing theft however there has been no discussion on the part of management. They also indicated that they like the fact that people can't enter into or from the area after dark. Mr. Smith, the store director indicated that they would remain neutral. He indicated from the

cooperate standpoint there is no concern however from his personal point it has helped. He added that they lock the doors at the north end at 6PM. The theft of liquor has been reduced because people can't just run into the park and hide.

Additionally several of the merchants took me out the back door to show me there areas of concern. I can show the locations with a site visit if needed.

Code Enforcement Supervisor

Kelly Sammeli



Prescott Police Department MEMORANDUM



Michael Kabbel
Chief of Police

To: Chief Kabbel
From: Bruce Moncher
Date: August 12, 2010
Subject: Granite Creek Park Pedestrian Gate

PROBLEM STATEMENT

Should the pedestrian gate leading from the Prescott Depot Marketplace down to Granite Creek Park remain opened or permanently locked closed?

METHODOLOGY

1. Conduct a survey of Patrol Bureau and Traffic Section officers and sergeants to gain field perspective.
2. Conduct a statistical comparison of reported Part 1 and Part 2 incidents occurring during the recently concluded gate closure period, and the same period in 2009. This comparison will include both the Prescott Depot Marketplace and Granite Creek Park

NARRATIVE

1. Survey of Patrol Bureau and Traffic Section personnel revealed a large majority favor the gate to be permanently closed and locked. Statements in support of this position included:
 - “Almost all crimes committed at Albertsons and surrounding businesses are linked to Granite Creek Park. Specifically, the suspects either run through the open gate to escape, or came from there prior to committing the crime.”
 - “Normal everyday citizens do not use this gate to access the park. They drive in from the entrance on 6th street.”
 - “People use the gate as a cut through from the neighborhoods on the other side of the bridge and are walking through the park at all hours of the night.”
 - “It does not make the trip from the park to the area in front of Staples accessible to those who want to sit and drink alcohol they just purchased.”

- “Deprives suspects the ability to use it as an escape route or having a car parked in Granite Creek Park that can be out of sight and then driven away, potentially unnoticed.”
- “Prevents almost everyone who commits a crime in the area of Albertsons an avenue of escape. It stops foot traffic in the park, especially at night. Allows only one way in and out.”
- “Transients will still shoplift and enter the park, but it delays them by making them go around.”

Statements in support of keeping the gate open include:

- “Keeping the gate open offers a tactical advantage of a three-way approach into the park during a response.”
 - “While working the area on a mountain bike, it was more difficult to get into the park with the gate closed. Also, entry into the park becomes more tedious. You can crawl under or go over the fence, but this is not practical for everyday occurrences while in uniform.”
 - “Keeping the gate open allows traffic officers to go through the gate on a motorcycle and assist others looking for persons of interest or suspects without going all the way around. On several occasions, this has lead to the identification of a suspect that patrol was looking for.”
2. Debbie Horton, Parks and Recreation Director, advised that a closure of the pedestrian gate occurred during the period of May 11, 2010 through July 19, 2010. An analysis of Part 1 and Part 2 crimes reported during this period within the Prescott Depot Marketplace revealed 22 total incidents. These include:

• Larceny From Auto -	2	Larceny/Auto Accessories -	1
• Larceny/Other -	2	Shoplifting -	8
• Misc Off/Other	3	Trespassing -	2
• Viol City Ordinance -	2	Other Assault/Resisting -	1
• Robbery/Strong-arm	1		

In comparison, the same period during 2009 revealed 31 total incidents. These include:

• Aggravated Assault -	1	Disorderedly Conduct -	2
• Marijuana Possession -	1	Forgery -	1
• Larceny from Auto -	1	Purse Snatch -	1
• Shoplifting -	12	Liq Law Violation -	1
• Misc Off/Other -	5	Trespassing -	2
• MVT -	1	Other Assault -	2
• Vandalism -	1		

This statistical comparison of 2010/2009 indicates a 29% decrease in total reported incidents during the pedestrian gate closure. Moreover, shoplifting offenses decreased 33% during this same period.

Additionally, although not categorized, during the same period in 2008 our Department responded to 33 Part 1 and Part 2 crimes. Again, when compared to the number of reported incidents during the pedestrian gate closure period, a 33% reduction in crime reports resulted.

- To provide further statistical background, I conducted an analysis of Part 1 and Part 2 crimes reported within the Prescott Depot Marketplace during the period of March 10 through May 10 (pedestrian gate open) for both 2010 and 2009. The results of these analyses are detailed below:

2010 revealed eight total incidents. These include:

• Aggravated Assault -	1	Drug Possession -	1
• Larceny/Bicycle -	1	Shoplifting -	2
• Viol City Ordinance -	1	Child Neglect -	1
• Robbery -	1		

2009 revealed nine total incidents. These include:

• Aggravated Assault -	1	Disorderly Conduct -	1
• Larceny/Other -	1	Shoplifting -	5
• Misc Off/Other -	1		

- To ascertain crime reports within Granite Park itself, I conducted an analysis of Part 1 and Part 2 crimes occurring during the period of May 11, 2010 through July 19, 2010 (pedestrian gate closed) and May 11, 2009 through July 19, 2009 (pedestrian gate open). The results of these analyses are detailed below:

2010 revealed four total incidents. These include:

• Arson -	1	Robbery -	1
• Vandalism -	1	Misc Off/Other -	1

2009 revealed 13 total incidents. These include:

• Arson -	1	Marijuana Possession -	2
• Open Container -	1	Trespassing -	1
• Misc Off/Other -	2	Viol City Ordinance -	1
• Robbery -	1	Assault/Simple -	3
• Vandalism -	1		

This statistical comparison of 2010/2009 indicates a 69% decrease in total reported incidents within Granite Creek Park during the pedestrian gate closure period.

CONCLUSION

Clearly, significant crime reduction, both within the Prescott Depot Marketplace and Granite Creek Park, occurred during the period of pedestrian gate closure. Moreover, it is the perspective of a majority of patrol officers and supervisors that the crime reduction and prevention realized by

a permanent gate closure offsets the potential tactical disadvantage and other inconveniences that may occur.

Notwithstanding the above, this analysis does not address possible crime prevention issues, such as placement of alcoholic beverages in close proximity to a store entrance/exit, associated with specific business practices within the Prescott Depot Marketplace.