



PRESCOTT CITY COUNCIL REGULAR VOTING MEETING A G E N D A

*AMENDED

ACTION TAKEN

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, NOVEMBER 9, 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:** Reverend Julia McKenna, Spiritual Architect
- ◆ **PLEDGE OF ALLEGIANCE:** Councilman Lamerson
- ◆ **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. PROCLAMATION

- A. November 14 – 21, 2010, as *Soroptimist International of the Americas Week*

II. PRESENTATION

- A. Update on current street improvements.

III. CONSENT AGENDA

CONSENT ITEMS A THROUGH D 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-D; passed unanimously.*

- A. Adoption of Resolution No. 4055-1125 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into an Intergovernmental Agreement with the Governor’s Office of Economic Recovery, accepting funding in the amount of \$50,000 to support basic public safety activities and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

- B. Adoption of Resolution No. 4056-1126 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott Police Department to enter into an Intergovernmental Agreement between the Maricopa County Board of Supervisors on behalf of the Maricopa County Sheriff’s Office (“MCSO”) to provide Arizona Department of Homeland Security (AZDOHS) grant funding to complete the data source connection to the MCSO Regional AzLINK Node and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

- C. WIFA (Water Infrastructure Financing Authority of Arizona) Funding:
 - 1. Adoption of Ordinance No. 4770-1121 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, approving loan funds from the Water Infrastructure Finance Authority of Arizona (WIFA) for the Virginia Street & Penn Alley Sewer Replacement Project, through the Clean Water Program #910147-11, authorizing the Mayor and staff to sign any and all WIFA funding documents pertinent to said project, and declaring an emergency.

 - 2. Adoption of Ordinance No. 4771-1122 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, approving loan funds from the Water Infrastructure Finance Authority of Arizona (WIFA) for the Small Water Mains Upgrades Project, through the Drinking Water Program #920206-11, authorizing the Mayor and staff to sign any and all WIFA funding documents pertinent to said project, and declaring an emergency.

 - 3. Adoption of Ordinance No. 4772-1123 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, approving loan funds from the Water Infrastructure Finance

Authority of Arizona (WIFA) for the Sundog Filter Replacement & Denitrification Project, through the Clean Water Program #901148-11, authorizing the Mayor and staff to sign any and all WIFA funding documents pertinent to said project, and declaring an emergency.

- D. Approval of the minutes of the Prescott City Council Regular Voting Meeting of October 26, 2010.

IV. REGULAR AGENDA

- A. Approval of agreement with DeMenna & Associates for legislative representation services.

ACTION: *MOVED to approve the agreement with DeMenna & Associates for legislative representation services; passed unanimously.*

- B. Lease with Prescott Meals on Wheels:

1. Adoption of Resolution No. 4053-1123 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled the *2010 Lease with the Prescott Meals on Wheels for Lease of a Portion of the Rowle P. Simmons Community Center.*

ACTION: *MOVED to adopt Resolution No. 4053-1123; passed unanimously.*

2. Adoption of Ordinance No. 4767-1118 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona adopting by reference that certain document entitled the *2010 Lease with the Prescott Meals on Wheels for Lease of a Portion of the Rowle P. Simmons Community Center*, made a public record by Resolution No. 4053-1123 and approving said lease.

ACTION: *MOVED to adopt Ordinance No. 4767-1118; passed unanimously.*

- C. Adoption of Ordinance No. 4768-1119 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the sales and exchange of certain real properties belonging to Arizona Public Service Company (APS) and the City of Prescott, approving the conveyance of title to certain real property belonging to the City of Prescott and accepting title to that certain real property which is a 2.8 acre APS parcel north of the APS yard, and authorizing the Mayor and staff to execute all necessary sale and conveyance documents to complete the exchange.

ACTION: *MOVED to adopt Ordinance No. 4768-1119; passed unanimously.*

- D. Authorization to enter into an Airport Ground Lease Agreement with Guidance Helicopters, Inc. for approximately .185 acres of airport property at Ernest A. Love Field and authorizing the Mayor and City staff to execute any and all related documents for the lease.

ACTION: *MOVED to enter into an Airport Ground Lease Agreement with Guidance Helicopters, Inc. for approximately .185 acres of airport property at Ernest A. Love Field and authorizing the Mayor and City staff to execute any and all related documents for the lease; passed unanimously.*

- E. Approval of the Final Plat of the Granite Dells Estates Commercial PAD Phase 1B.

ACTION: *MOVED to approve the Final Plat of the Granite Dells Estates Commercial PAD Phase 1B; passed unanimously.*

- F. Adoption of Ordinance No. 4769-1120 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending the City Code by adding Chapter 5-14, *Fireworks*, and amending Section 15-1-20(A), to add regulations and penalties for the use of fireworks.

ACTION: *MOVED to adopt Ordinance No. 4769-1120; passed unanimously.*

- G. Adoption of Resolution No. 4054-1124 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona repealing Resolution No. 4012-1042 dissolving the *Prescott: The Arizona Centennial City Committee* as an advisory committee.

ACTION: *MOVED to adopt Resolution No. 4054-1124; passed unanimously.*

- H. Approval of the Notice of Intention to Increase Water and Wastewater Rates, providing for a Public Hearing at 3:00 p.m. on December 14, 2010.

ACTION: *MOVED to approve the Notice of Intention to Increase Water and Wastewater Rates, providing for a Public Hearing at 3:00 p.m. on December 14, 2010; passed unanimously.*

- I. Discussion/direction for December 28, 2010, regularly-scheduled meeting.

ACTION: *MOVED to cancel the December 28, 2010, regularly-scheduled meeting (due to the Christmas holidays); passed unanimously.*

J.* Recess into Executive Session.

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

V.* EXECUTIVE SESSION

A. Discussion or consultation for legal advice with the attorney or attorneys of the public body and 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)(3) and (4).

1. Spire Engineering LLC v. City of Prescott

VI.* POST EXECUTIVE SESSION

A. Discussion and consideration of proposed legal settlement on arbitration issues re Spire Engineering LLC v. City of Prescott.

ACTION: *MOVED to accept the settlement (on Spire Engineering LLC v. City of Prescott); passed unanimously.*

VII. ADJOURNMENT