



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

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, DECEMBER 14, 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 Hylyard Irvin, Church of Nazarene
- ◆ **PLEDGE OF ALLEGIANCE:** Councilwoman Linn
- ◆ **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. PRESENTATION

- A. Acknowledgement of Award of Excellence from the Amateur Softball Association.

II. 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 II-B through II-D; passed unanimously.*

- B. Approval of Final Plat for the Tenney Homestead, Phase 1, comprising 5 lots on approximately 3.38 acres, generally located east of Senator Highway and west of Summer Field Road. (FP10-003).
- C. Adoption of Ordinance No. 4774-1125 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, abandoning a small portion of an unimproved alley right-of-way located adjacent to and at the rear of 817 Country Club Drive, retaining a public utility easement over the abandoned alley right-of-way and authorizing the Mayor and City staff to take all necessary steps to effectuate such abandonment.
- D. Approval of the minutes of the Prescott City Council Regular Meeting of November 23, 2010, the Special Meeting (Executive Session) of November 24, 2010, and the Special Meeting (Executive Session) of November 30, 2010.
- A. Approval to purchase a Tymco 600 Regenerative Air Vacuum Sweeper from H&E Equipment in an amount not to exceed \$210,719.47, including tax, for use by the Field Operations and Airport Departments.

ACTION: *MOVED to approve purchase a Tymco 600 Regenerative Air Vacuum Sweeper from H&E Equipment in an amount not to exceed \$210,719.47, including tax, for use by the Field Operations and Airport Departments; passed unanimously.*

III. REGULAR AGENDA

- A. Voucher Transit Program
 - 1. Adoption of Resolution No. 4059-1129 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the application and acceptance of a grant for Local Transportation Assistance Funds (LTAF II) to assist in the continued funding of the Transit Voucher System Program.

ACTION: *MOVED to adopt Resolution No. 4059-1129; passed unanimously.*

- 2. Adoption of Resolution No. 4060-1130 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into a Memorandum of Understanding (MOU), with the Northern Arizona Council of Governments (NACOG) - Economic Workforce Development, providing for the administration of the Voucher Transit Program for

calendar year 2011, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

ACTION: *MOVED to adopt Resolution No. 4060-1130; passed unanimously.*

- B. Approval of Water Service Agreement #10-006 with ETL Investments, LLC, for a multi-unit residential development to be located at 195 Plaza Drive.

ACTION: *MOVED to approve Water Service Agreement #10-006 with ETL Investments, LLC for a multi-unit residential development to be located at 195 Plaza Drive; passed unanimously.*

- C. Adoption of Resolution No. 4058-1128 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, extending the 2005-2010 Water Management Policy, adopting a Water Management Budget for Calendar Year 2011, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

ACTION: *MOVED to adopt Resolution No. 4058-1128; passed unanimously.*

- D. Public Hearing and adoption of Ordinance No. 4773-1124 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending Title II, Chapter 1, of the Prescott City Code regarding the imposition of water rates, sewer rates and alternate water sources fees.

ACTION: *(1) MOVED to close the public hearing; passed unanimously, and (2) MOVED to adopt Ordinance No. 4773-1124; passed unanimously.*

- E. Award of a construction services contract to WCC, LLC to modify a thirty-four foot section of concrete retaining wall along Iron Springs Road west of Vyne Street in an amount not to exceed \$71,225.00.

ACTION: *MOVED to award a construction services contract to WCC, LLC to modify a thirty-four foot section of concrete retaining wall along Iron Springs Road west of Vyne Street in an amount not to exceed \$71,225.00; passed unanimously.*

- F. Adoption of Ordinance No. 4775-1126 – An ordinance of the Mayor and council of the City of Prescott, Yavapai County, Arizona, accepting the dedication of streets and rights-of-way from FJLE1, LLC, a Utah limited liability company, in the Enchanted Canyon Subdivision and authorizing the Mayor and City staff to take all necessary steps to effectuate such dedication.

ACTION: *MOVED to adopt Ordinance No. 4775-1126; passed unanimously.*

- G. Approval of a professional services agreement with Shephard Wesnitzer, Inc. for engineering and construction support services for the Williamson Valley Road Reconstruction Project in an amount not to exceed \$64,690.00.

ACTION: *MOVED to approve a professional services agreement with Shephard Wesnitzer, Inc. for engineering and construction support services for the Williamson Valley Road Reconstruction Project in an amount not to exceed \$64,690.00; passed unanimously.*

- H. Approval of a professional services agreement with Dava & Associates to provide drainage engineering services for analysis, retrofit design and plan preparation for various locations within the City in an amount not to exceed \$36,600.00. (Funded by the Yavapai County Flood Control District)

ACTION: *MOVED to approve a professional services agreement with Dava & Associates to provide drainage engineering services for analysis, retrofit design and plan preparation for various locations within the City in an amount not to exceed \$36,600.00; passed unanimously.*

- I. Approval of a professional services agreement with Dubroy Engineering to provide engineering services for drainage analysis, retrofit design and plan preparation for various locations within the City in an amount not to exceed \$24,440.00. (Funded by the Yavapai County Flood Control District)

ACTION: *MOVED to approve a professional services agreement with Dubroy Engineering to provide engineering services for drainage analysis, retrofit design and plan preparation for various locations within the City in an amount not to exceed \$24,440.00; passed unanimously.*

- J.* Approval of a professional services agreement with JE Fuller/Hydrology & Geomorphology, Inc. for engineering services to update the FEMA floodplain determination of William Willow Creek, Tributaries of Willow Creek, Bottleneck Wash, and the northern segment of Granite Creek in an amount not to exceed \$350,000.00. (Funded by a FEMA grant)

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, Tributaries of Willow*

Creek, Bottleneck Wash, and the northern segment of Granite Creek in an amount not to exceed \$350,000.00; passed unanimously.

- K. Recess into Executive Session.

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

IV. EXECUTIVE SESSION

- A. 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, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting, pursuant to A.R.S. Section 38-431.03(A)(1).
1. Annual evaluation of Judge Arthur Markham.
- B. 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 ARS 38-431.03(A)(4).
1. McBurnie v. City of Prescott

V. POST EXECUTIVE SESSION

- A. Approval of Employment Agreement with Judge Arthur Markham for a two-year period.

ACTION: *MOVED to approve the employment agreement with Judge Arthur Markham for a two-year period, under the same conditions as his current agreement; passed unanimously.*

VI. ADJOURNMENT