



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

PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, MARCH 13, 2012
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 Jane Cheek, First Congregational
Church of Prescott, Pastor

◆ **PLEDGE OF ALLEGIANCE:**

Councilman Kuknyo

◆ **ROLL CALL:**

Mayor Kuykendall
Councilman Arnold
Councilman Blair
Councilman Carlow

Councilman Hanna
Councilman Kuknyo
Councilman Lamerson

◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

I. CONSENT AGENDA

CONSENT ITEM A THROUGH C 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 I-A through I-C (I-C as corrected); passed unanimously.*

- A. Approval of annual payment to the Arizona Department of Water Resources for 2011 withdrawal and use fees in the total amount of \$12,443.10.

- B. Approval to purchase Digital Controller for Police Department HVAC Systems from Chino Heating & Cooling in the amount of \$13,122.15.
- C. Approval of the Minutes of the Prescott City Council Regular Voting Meeting of February 28, 2012.

II. REGULAR AGENDA

- A. Reappointment of member to the Acker Trust Board.

ACTION: *MOVED to reappoint Maggie Greenwood to the Acker Trust Board, term to expire March 2014; passed unanimously.*

- B. Approval to complete two grant applications to the Governor's Office of Highway Safety seeking total funds in the amount of \$50,000.00.

ACTION: *MOVED to approve completion of two grant applications to the Governor's Office of Highway Safety for total grant funds in the amount of \$50,000.00; passed unanimously.*

- C. Award of bid and contract to ABC Asphalt, L.L.C., for the Hornet Drive Pavement Rehabilitation Project in the amount of \$569,933.28.

ACTION: *MOVED to award the bid and contract to ABC Asphalt, L.L.C., for the Hornet Drive Pavement Rehabilitation Project in the amount of \$569,933.28; passed unanimously.*

- D. Adoption of Ordinance No. 4828-1228 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, abandoning a minimal area of Crest Drive right-of-way to the adjacent property owner and authorizing the Mayor and City staff to take all necessary steps to effectuate such abandonment.

ACTION: *MOVED to adopt Ordinance No. 4828-1228; passed unanimously.*

- E. Adoption of Ordinance No. 4829-1229 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, abandoning a portion of Maricopa Drive right-of-way to the adjacent property owners and authorizing the Mayor and City staff to take all necessary steps to effectuate such abandonment.

ACTION: *MOVED to adopt Ordinance No. 4829-1229 subject to either of the following occurring prior to recording of the ordinances: 1) the property owners replat their parcels and the abandoned right-of-way within City jurisdiction into one parcel; OR 2) the property owners dedicate and record in the office of the Yavapai County Recorder an ingress-egress easement for and to the benefit of Assessor's Parcel Number 107-14-057B; passed unanimously.*

- F. Adoption of Ordinance No. 4830-1230 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting water and sewer utility easements from Prescott Commercial Properties, L.L.C., and Burro Creek, L.L.C., and authorizing the Mayor and City staff to take all necessary steps to effectuate such acceptance of water and sewer utility easements.

ACTION: *MOVED to adopt Ordinance No. 4830-1230, and declaring an emergency.*

- G. Approval of a professional services agreement with ARCADIS U.S., Inc., for completion of the City's Wastewater Pretreatment Program in an amount not to exceed \$55,000.00.

ACTION: *MOVED to approve a professional services agreement with ARCADIS U.S., Inc., for completion of the City's Wastewater Pretreatment Program in an amount not to exceed \$55,000.00; passed unanimously.*

- H. Adoption of Resolution No. 4124-1234 - A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, repealing Resolution No. 3232 regarding the filling of Council vacancies, and declaring an emergency.

ACTION: *MOVED to adopt Resolution No. 4124-1234, further directing staff to prepare between one and three options for the Council to consider for a process to fill the vacancy created by Councilman Hanna's resignation, and declaring an emergency; passed unanimously.*

- I. Acceptance of resignation of Councilman John Hanna effective at the conclusion of the Regular Meeting of March 27, 2012.

ACTION: MOVE to accept the resignation of Councilman John Hanna effective at the conclusion of the Regular Meeting of March 27, 2012; passed 5-1 with Councilman Blair casting the dissenting vote and Councilman Hanna abstaining.

- J. Recess into Executive Session.

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

III. EXECUTIVE SESSION

- A. Discussion or consultation for legal advice with the attorney or attorneys of the public body, pursuant to ARS §38-431.03(A)(3).

1. Employee Benefits

- 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, and discussion or consultation for legal advice with the attorney or attorneys of the public body, pursuant to ARS §§38-431.03(A)(3) and (4), respectively.

1. The Crossings legal issues and claims.
2. Airport runway project.

IV. ADJOURNMENT