

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

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, JULY 10, 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** President Todd Bertoch, Church of Jesus Christ of Latter Day Saints

◆ **PLEDGE OF ALLEGIANCE:** Councilman Arnold

◆ **ROLL CALL:**

Mayor Kuykendall
Councilman Arnold
Councilman Blair
Councilman Carlow

Councilman Kuknyo
Councilman Lamerson
Councilman Scamardo

◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

I. CONSENT AGENDA

CONSENT ITEM I-A and I-B LISTED BELOW MAY BE ENACTED BY ONE MOTION. ANY ITEM MAY BE REMOVED AND DISCUSSED IF A COUNCILMEMBER SO REQUESTS.

A. Approval of the Minutes of the Prescott City Council Special Meeting of June 19, 2012 and June 26, 2012.

B. [Authorization of payment for Lucity Annual Technical Support and Software Maintenance Agreement in the amount of \\$16,621.20.](#)

RECOMMENDED ACTION: MOVE to approve Consent Agenda Items I- A and I-B.

II. REGULAR AGENDA

- A. Public Hearing and consideration of a liquor license application from Jana Lynn Harris, applicant for The Big Easy, for a Series 07, *Beer & Wine Bar*, license for The Big Easy located at 125 North McCormick Street.

RECOMMENDED ACTION: (1) *MOVE to close the Public Hearing, and (2) MOVE to approve/deny Liquor License Application No. 07133001, for a series 07, Beer & Wine Bar license, for The Big Easy located at 125 North McCormick Street.*

- B. Adoption of Resolution No. 4141-1301 establishing Campaign Sign Free Zones(s); and adoption of Ordinance No. 4839-1302 amending City Code Sections 8-2-3 and 8-2-4 to limit campaign signs in certain public rights-of-way.

RECOMMENDED ACTION: *Council's pleasure*

- C. Approval of a professional services agreement with Carollo Engineers Inc., for the 2012 City Potable Water System Model Update in an amount not to exceed \$230,000.00.

RECOMMENDED ACTION: *MOVE to approve a contract with Carollo Engineers, Inc., for the 2012 Potable Water System Model Update in an amount not to exceed \$230,000.00.*

- D. Award of bid and contract for the FY 2013 Pavement Rehabilitation Project to Asphalt Paving & Supply, Inc., in the amount of \$1,689,376.85.

RECOMMENDED ACTION: *MOVE to award the bid and contract for the FY 2013 Pavement Rehabilitation Project to Asphalt Paving & Supply, Inc. in the amount of \$1,689,376.85.*

- E. Approval to perform night work on Prescott Lakes Parkway between State Route 69 and State Route 89 associated with the FY 2013 Chip Seal, Pavement Preservation and Various Pavement Repairs Project.

RECOMMENDED ACTION: *MOVE to approve night work on Prescott Lakes Parkway between State Route 69 and State Route 89 for work associated with the FY 2013 Chip Seal, Pavement Preservation and Various Pavement Repairs Project.*

- F. Ordinance No. 4838-1301 setting the Fiscal Year 2013 City property tax levy.

RECOMMENDED ACTION: *MOVE to adopt Ordinance No. 4838-1301.*

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.

Kim Webb, CMC, City Clerk

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RECOMMENDED ACTION: *MOVE to adopt Ordinance No. 4838-1301.*

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Kim Webb, CMC, City Clerk

I-B

COUNCIL AGENDA MEMO – July 10, 2012
PROCUREMENT ITEM FOR CONSENT AGENDA (\$10,000 - \$20,000)

DEPARTMENT: Public Works

AGENDA ITEM CAPTION: Authorization of payment for Lucity Annual Technical Support and Software Maintenance Agreement in the amount of \$16,621.20

Approved By: _____ **Date:** _____

Department Director: Mark Nietupski, Public Works Director

City Manager: Craig McConnell *Craig McConnell* 7-2-12

Good(s) or Service(s) to be Purchased	
Description of Item(s) Check if Prof. Services ___	Technical Support and Software Maintenance Services
Quantity	Services to be provided for a one year period – 8/1/12 through 7/31/13
Necessity/Use	Technical support and software maintenance for Lucity which supports all water and wastewater maintenance tracking.

Summary of Written Quotes (exclusive of tax) <u>or</u> Professional Services Proposals			
		** See Note (1) below for professional services **	
	Vendor (Name and Location)	Price	Delivery/Schedule
X	1. Lucity, Inc.	\$16,621.20	8/1/12
	2.		
	3.		

x = recommended award

Budget Information	Acct # 7005800-8520 – Water Fund Acct # 7205850-8520 - Wastewater Fund
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Additional Comments: Lucity (aka GBA) Software has been in use by the City since July 1, 2008 by the water and wastewater departments in the management of maintenance projects and activities associated with the City's utility infrastructure.

Attachments	1. Lucity, Inc. Invoice for Services



Lucity, Inc.
 10561 Barkley Street, Suite 500
 Overland Park, KS 66212
 Phone # 913-341-3105

Invoice

Date	Invoice #
4/30/2012	84752-1

Bill To
Craig Dotseth City of Prescott PO Box 2059 Prescott, AZ 86302 craig.dotseth@cityofprescott.net

Ship To
City of Prescott Craig Dotseth 201 S. Cortez St. Prescott, AZ 86302

P.O. No.

Description	Qty	Rate	Amount
Constant Connection Program Constant Connection Program Renewal on the following Lucity Solutions (SQL Server database platform): - 3 seats of Sewer - 3 seats of Water - 10 seats of Work Administrator - 3 seats of Inventory Control - 2 seats of Equipment - 1 seat of GIS Desktop - 10 seats of GIS Viewer for Desktop - 1 Sewer CCTV Interface for the period of 08/01/2012 through 07/31/2013. Total sales tax calculated by AvaTax	1	15,200.00	15,200.00T
		1,421.20 0.00%	1,421.20 0.00
Total			\$16,621.20

COUNCIL AGENDA MEMO – July 10, 2012	
DEPARTMENT:	City Clerk
AGENDA ITEM:	Public Hearing and consideration of a liquor license application from Jana Lynn Harris, applicant for The Big Easy, for a Series 7, <i>Beer & Wine</i> , license for The Big Easy, located at 125 North McCormick Street.

Approved By:		Date:
Department Head:	Kim Webb, Interim City Clerk	
Finance Director:	Mark Woodfill	
Acting City Manager:	Craig McConnell 	7-2-12

A Liquor License Application, City No. 12-203, State No.07133001, has been received from Jana Lynn Harris, applicant for The Big Easy, for a Series 07 Beer & Wine Bar license, for **The Big Easy** located at 125 North McCormick Street.

The public hearing will be held at the Regular Council Meeting of Tuesday, July 10, 2012. The applicant has been requested to attend the Regular Meeting to answer any questions Council may have.

A copy of the application is available for Council's review in the City Clerk's Office.

<p>Recommended Action: (1) MOVE to close the Public Hearing, and (2) MOVE to approve/deny Liquor License Application No.07133001, for a Series 07, <i>Beer & Wine Bar</i> license, for The Big Easy located at 125 North McCormick Street.</p>

R19-1-102. Granting a License for a Certain Location

Local governing authorities and the Department may consider the following criteria in determining whether public convenience requires and that the best interest of the community will be substantially served by the issuance or transfer of a liquor license at a particular unlicensed location:

1. Petitions and testimony from persons in favor of or opposed to the issuance of a license who reside in, own or lease property in close proximity.
2. The number and series of licenses in close proximity.
3. Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies.
4. The residential and commercial population of the community and its likelihood of increasing, decreasing or remaining static.
5. Residential and commercial population density in close proximity.
6. Evidence concerning the nature of the proposed business, its potential market, and its likely customers.
7. Effect on vehicular traffic in close proximity.
8. The compatibility of the proposed business with other activity in close proximity.
9. The effect or impact of the proposed premises on businesses or the residential neighborhood whose activities might be affected by granting the license.
10. The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report(s) of such activity at least 20 days before the hearing by the Board.
11. Comparison of the hours of operation of the proposed premises to the existing businesses in close proximity.
12. Proximity to licensed childcare facilities as defined by A.R.S. § 36-881.

Historical Note

Former Rule 2; Former Section R4-15-02 renumbered as Section R4-15-102 without change effective October 8, 1982 (Supp. 82-5). Repealed effective July 11, 1983 (Supp. 83-4). New Section adopted effective March 3, 1993 (Supp. 93-1). R19-1-102 recodified from R4-15-102 (Supp. 95-1). Amended by final rulemaking at 11 A.A.R. 5119, effective January 9, 2006 (Supp. 05 4).

**ARIZONA STATE LIQUOR LICENSES
TYPES / PURPOSES
AS OF 09/10**

SERIES 01 -- In-State Producer's License

Allows an in-state producer to produce or manufacture spirituous liquor and sell the product to a licensed wholesaler.

SERIES 02 -- Out-of-State Producer's License

Allows an out-of-state producer, exporter, importer or rectifier to ship spirituous liquor into the state to a licensed Arizona wholesaler.

SERIES 02L -- Limited Out-of-State Winery Application License

Allows an out-of-state winery to sell 50 cases of wine or less per calendar year and ship the wine into the state to an Arizona licensed wholesaler.

SERIES 02L -- Limited Out-of-State Domestic Farm Winery Application License

Allows an out-of-state domestic winery within or outside of the U.S. to produce less than 20,000 gallons of wine annually and ship the wine into the state to a licensed wholesaler.

SERIES 02L -- Limited Out-of-State Domestic Microbrewery Application License

Allows an out-of-state domestic microbrewery within or outside of the U.S. to ship beer into the state to a licensed Arizona wholesaler.

SERIES 03 -- Domestic Microbrewery License

Allows the licensee of a microbrewery to manufacture or produce at least 5,000 gallons but less than 310,000 gallons of beer annually.

SERIES 04 -- Wholesaler's License

Allows a wholesaler to warehouse and distribute for sale, spirituous liquor to a licensed retailer.

SERIES 05 -- Government License

Allows the holder of a government license to sell and serve spirituous liquor solely for consumption on the premises for which the license is issued. The license is issued in the name of a county, city, town or state university whose governing body has authorized its use.

SERIES 06 -- Bar License -- TRANSFERABLE

Allows a bar retailer to sell and serve spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises.

SERIES 07 -- Beer and Wine Bar License - TRANSFERABLE

Allows a beer and wine bar retailer to sell and serve beer and wine, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises.

SERIES 08 -- Conveyance License (Airplanes, Trains, and Boats)

Allows the owner or lessee of an operating airline, railroad or boat to sell all spirituous liquors in individual portions or in original containers for consumption *only* on the plane, train or boat.

SERIES 09 -- Liquor Store License (All spirituous liquors) - TRANSFERABLE

Allows a spirituous liquor store retailer to sell all spirituous liquors, only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. (Also available a Series 09S – Sampling Privileges)

SERIES 10 -- Beer and Wine Store License (Beer and wine only)

Allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. (Also available a Series 10S – Sampling Privileges)

SERIES 11 -- Hotel/Motel License (with Restaurant)

Allows the holder of a hotel/motel license to sell and serve spirituous liquor solely for consumption on the premises of a hotel or motel that has a restaurant where food is served on the premises.

SERIES 12 -- Restaurant License

Allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food.

SERIES 13 -- Domestic Farm Winery License

Allows a domestic farm winery licensee to manufacture or produce more than 200 gallons, but less than 40,000 gallons on wine annually.

SERIES 14 -- Club License

Allows the holder of a club license to sell and serve spirituous liquor for consumption only on the premises owned, leased or occupied by the club, and only to bona fide members of the club and their guests.

SERIES 15 -- Special Event License

Allows a charitable, civic, fraternal, political or religious organization to sell and serve spirituous liquor for consumption only on the premises where the spirituous liquor is sold, and only for the period authorized on the license. This is a temporary license.

SERIES 16 -- Wine Festival/Wine Fair License (Temporary)

1. *Wine festival license:* Allows a licensed domestic farm winery to serve samples of its products on the wine festival premises and the sale of such products in original containers for consumption off the wine festival premises.
2. *Wine fair license:* Allows a licensed domestic farm winery to serve samples of its products at a sanctioned county or state fair, and the sale of such products in original containers for consumption off the fair premises.

SERIES 17 -- Direct Shipment License

Allows an out-of-state producer, exporter, importer, or rectifier, blender or other producer of spirituous liquor to take orders from retail customers by telephone, mail, catalog or the Internet. The orders must be shipped into the state to a licensed Arizona wholesaler. The wholesaler must sell the product to a licensed retailer. The retailer will deliver the spirituous liquor to the customer.

II-B

COUNCIL AGENDA MEMO – July 10, 2012

DEPARTMENT: Community Development

AGENDA ITEM: Adoption of Resolution No. 4141-1301 establishing Campaign Sign Free Zone(s); and adoption of Ordinance No. 4839-1302 amending City Code Sections 8-2-3 and 8-2-4 to limit campaign signs in certain public rights-of-way

Approved By:

Date:

Department Head: Tom Guice

City Manager: Craig McConnell



7-3-12

BACKGROUND

Arizona Revised Statutes were amended last year to prohibit municipalities from banning campaign signs in public rights-of-way. Prescott, along with many other municipalities, has a ban of this type in its City Code. A provision of the statute (below) allows municipalities to declare certain parts of their communities as "campaign sign free zones" based upon a determination that such zones are essential to tourism. To declare a "campaign sign free zone," the City is required to adopt a resolution expressing the intent of the City Council and describing the reasons for the need for such a zone.

A.R.S 16-1019

F. Subsection C does not apply to commercial tourism, commercial resort and hotel sign free zones as those zones are designated by municipalities. The total area of those zones shall not be larger than three square miles, and each zone shall be identified as a specific contiguous area where, by resolution of the municipal governing body, the municipality has determined that based on a predominance of commercial tourism, resort and hotel uses within the zone the placement of political signs within the rights-of-way in the zone will detract from the scenic and aesthetic appeal of the area within the zone and deter its appeal to tourists. Not more than two zones may be identified within a municipality.

At their meeting of June 26th the City Council directed staff to move ahead with the necessary steps to create a campaign sign free zone.

OPTIONS

Several options are available for implementing one or two campaign sign free zones.

Option A

Create one campaign sign free zone covering all of the streets shown on the attached map by resolution, with an effective date of November 13, 2012; and amend the City Code by ordinance with an effective date of November 13, 2012.

AGENDA ITEM: Adoption of Resolution No. 4141-1301 establishing Campaign Sign Free Zone(s); and adoption of Ordinance No. 4839-1302 amending City Code Sections 8-2-3 and 8-2-4 to limit campaign signs in certain public rights-of-way

Option B

Create one campaign sign free zone covering all of the streets shown on the attached map by resolution with an effective date of July 10, 2012; and amend the City Code by ordinance with an emergency clause specifying an immediate effective date (July 10, 2012).

Option C

Create two campaign sign free zones by resolution; and amend the City Code by ordinance with an emergency clause providing for an immediate ordinance effective date (July 10, 2012), but with separate implementation of the two zones:

(1) the first zone covering streets within the downtown area as well as Gurley and Sheldon as main entryways, with the effective date for this campaign sign free area to be July 10, 2012

(2) the second zone covering the remaining streets shown on the original map, with the effective date for this zone to be November 13, 2012

CITY CODE AMENDMENTS

Section 8-2-3 of the City Code (Use of City Right of Way) would need to be amended by adding a new paragraph (E):

(E) No person shall place, maintain or cause to be placed or maintained a campaign sign on or in any public right of way within any established Campaign Sign Free Zone, as may be established by the City Council pursuant to applicable state statutes.

Section 8-2-4 (Exemptions) would also need to be amended to add a new paragraph "(R)" with language from the state statute addressing exempt campaign signs in the right-of-way, substantially as follows:

- (R) Campaign Signs provide, however, that they meet the following criteria:*
- 1. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.*
 - 2. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act.*
 - 3. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.*
 - 4. The sign contains the name and telephone number of the candidate or campaign committee contact person.*

AGENDA ITEM: Adoption of Resolution No. 4141-1301 establishing Campaign Sign Free Zone(s); and adoption of Ordinance No. 4839-1302 amending City Code Sections 8-2-3 and 8-2-4 to limit campaign signs in certain public rights-of-way

ENFORCEMENT

Both of the City Code sections recited above already provide for enforcement of violations pursuant to Section 1-3.

It should be noted that none of the options presented herein include retroactive provisions. Signs existing in the public right-of-way prior to the effective date of the selected option will be allowed to remain through the time period set out by the statutes.

RECOMMENDED ACTION

Council's pleasure. Motions for each of the three options are provided below.

Option A

- (1) Adopt Resolution No. 4141-1301 establishing a Campaign Sign Free Zone;
and
(2) Adopt Ordinance No. 4839-1302 amending Sections 8-2-3 and 8-2-4 of the City Code to regulate campaign signs within the public rights-of-way.

Option B

- (1) Adopt Resolution No. 4141-1301 establishing a Campaign Sign Free Zone;
and
(2) Adopt Ordinance No. 4839-1302 amending Sections 8-2-3 and 8-2-4 of the City Code to regulate campaign signs within the public rights-of-way and declaring an emergency.

Option C

- (1) Adopt Resolution No. 4141-1301 establishing two Campaign Sign Free Zones;
and
(2) Adopt Ordinance No. 4839-1302 amending Sections 8-2-3 and 8-2-4 of the City Code to regulate campaign signs within the public rights-of-way and declaring an emergency.

OPTION A

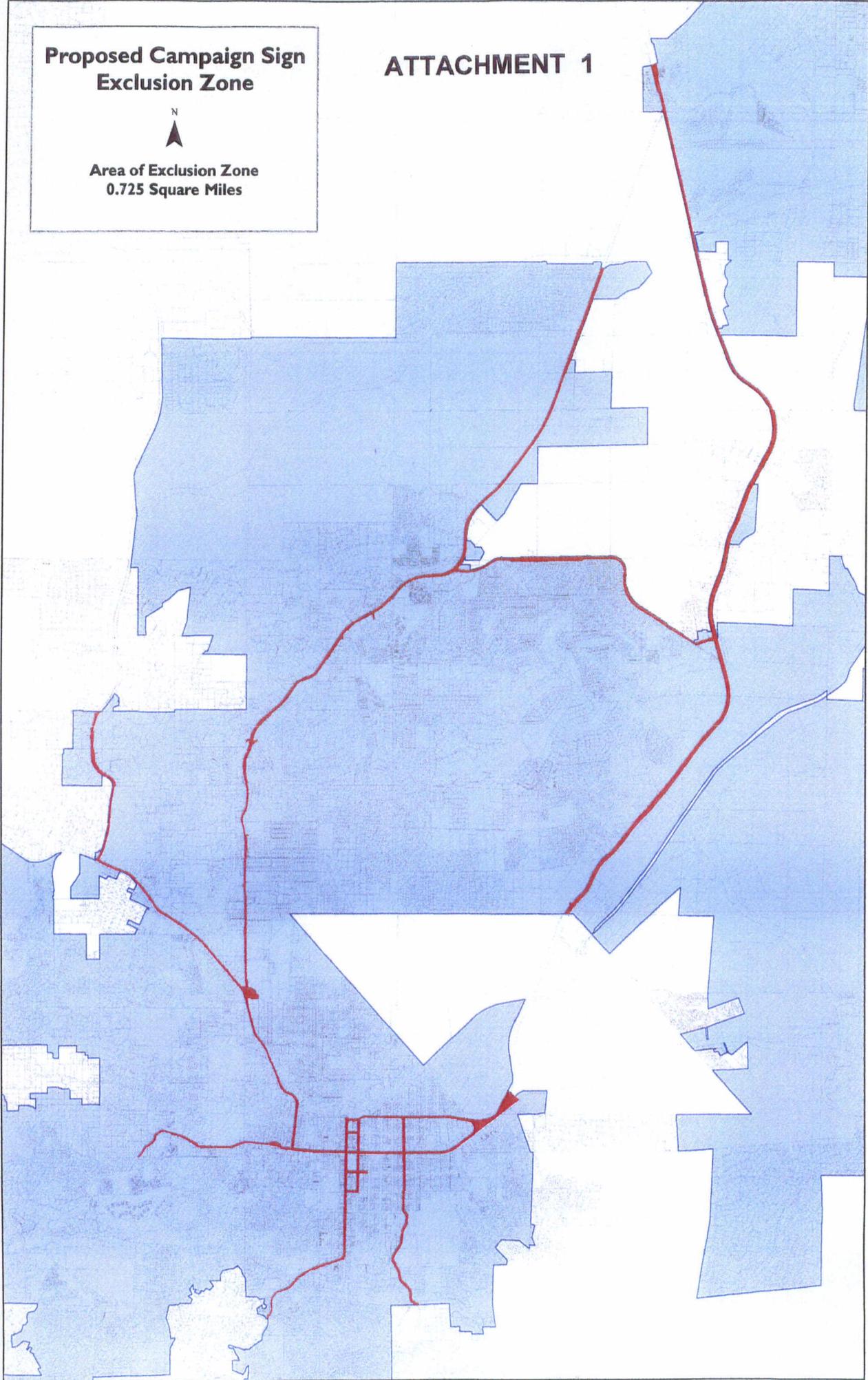
Single zone effective November 13, 2012

**Proposed Campaign Sign
Exclusion Zone**

ATTACHMENT 1



**Area of Exclusion Zone
0.725 Square Miles**



RESOLUTION NO. 4141-1301

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, CREATING A CAMPAIGN SIGN FREE ZONE IN THE HISTORIC DOWNTOWN AND WITHIN MUNICIPAL RIGHTS-OF-WAY LEADING THERETO, RECITING THE BASIS FOR SAME, ESTABLISHING THE BOUNDARIES OF THE DISTRICT, AND ESTABLISHING ENFORCEMENT AUTHORITY

RECITALS:

WHEREAS, Arizona Revised Statutes authorize municipalities to create campaign sign free zones in important commercial tourism destination areas; and

WHEREAS, Prescott's historic downtown and the major roadways leading into it are significant commercial tourism and hotel zones; and

WHEREAS, protection of the scenic and aesthetic appeal of these corridors and the downtown are of paramount importance to the economic and cultural vitality of the community; and

WHEREAS, it is in the interest of the citizens of the City of Prescott to establish a campaign sign free zone in the historic areas of downtown, the hotel zones and the major roadways leading thereto,

ENACTMENTS:

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT the City of Prescott designates that portion of the road rights-of-way in the historic downtown, and those significant roadways leading thereto, as depicted on the map noted as "Attachment 1", as a significant commercial tourism zone and is therefore designated a Campaign Sign Free Zone effective November 13, 2012.

Section 2. THAT violations of the Campaign Sign Free Zone shall be as prescribed in City Code Section 8-2-12 PENALTIES and any other references to other City Code penalty sections contained therein.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this
10th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

E. EUGENE NEIL, Interim City Attorney

ORDINANCE NO. 4839-1302

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 8 OF THE CITY CODE TO REGULATE CAMPAIGN SIGNS WITHIN THE PUBLIC RIGHT-OF-WAY.

RECITALS:

WHEREAS, the Arizona Revised Statutes have been amended to allow campaign signs within the public rights-of-way; and

WHEREAS, the City Code of the City of Prescott currently does not permit campaign signs in the public-rights-of-way; and

WHEREAS, the City Council of the City of Prescott has determined that amending the City Code to conform to the Arizona Revised Statutes is in the interest of the citizens of Prescott.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT, Section 8-2-3: Use of City Right of Way shall be amended by adding a new paragraph (E) to read:

“(E) No person shall place, maintain or cause to be placed or maintained a campaign sign on or in any public right of way within any established Campaign Sign Free Zone, as may be established by the City Council pursuant to applicable state statutes. Violations of these provisions shall be punishable as prescribed in section 1-3-1, GENERAL PENALTY; MISDEMEANORS, CIVIL VIOLATIONS, CONTINUING VIOLATIONS of the City Code”.

SECTION 2. THAT Section 8-2-4: Exemptions shall be amended to add a new paragraph “(R)” to read:

“(R) Campaign Signs provided however that they meet the following criteria:

- 1. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.*
- 2. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act.*
- 3. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.*
- 4. The sign contains the name and telephone number of the candidate or campaign committee contact person.*

SECTION 3. THAT the Mayor and Staff are hereby authorized to take all necessary steps to effectuate such rezoning.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 10th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

E. EUGENE NEIL, Interim City Attorney

OPTION B

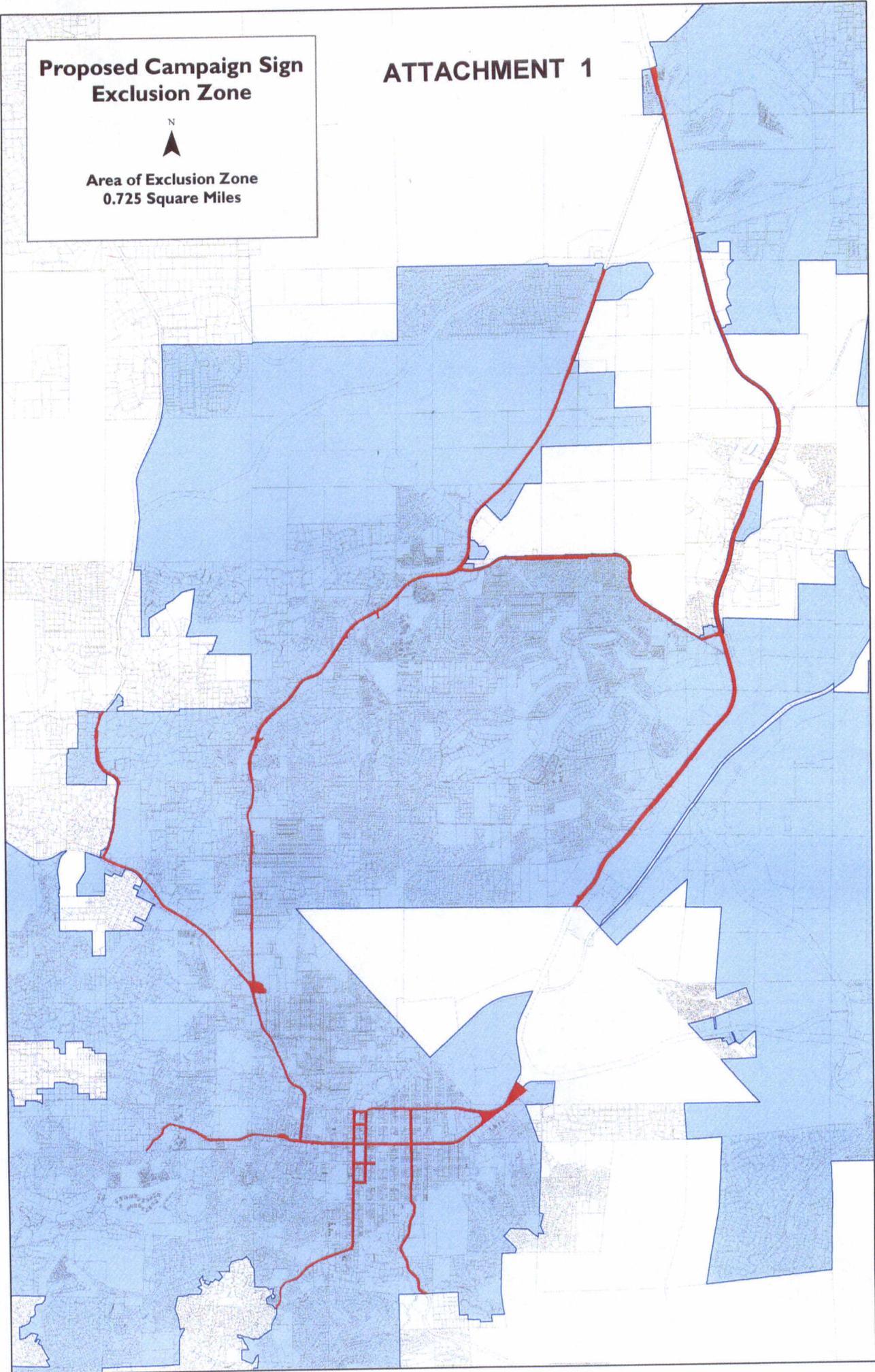
Single zone effective July 10, 2012

**Proposed Campaign Sign
Exclusion Zone**



**Area of Exclusion Zone
0.725 Square Miles**

ATTACHMENT 1



RESOLUTION NO. 4141-1301

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, CREATING A CAMPAIGN SIGN FREE ZONE IN THE HISTORIC DOWNTOWN AND WITHIN MUNICIPAL RIGHTS-OF-WAY LEADING THERETO, RECITING THE BASIS FOR SAME, ESTABLISHING THE BOUNDARIES OF THE DISTRICT, AND ESTABLISHING ENFORCEMENT AUTHORITY

RECITALS:

WHEREAS, Arizona Revised Statutes authorize municipalities to create campaign sign free zones in important commercial tourism destination areas; and

WHEREAS, Prescott's historic downtown and the major roadways leading into it are significant commercial tourism and hotel zones; and

WHEREAS, protection of the scenic and aesthetic appeal of these corridors and the downtown are of paramount importance to the economic and cultural vitality of the community; and

WHEREAS, it is in the interest of the citizens of the City of Prescott to establish a campaign sign free zone in the historic areas of downtown, the hotel zones and the major roadways leading thereto,

ENACTMENTS:

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT the City of Prescott designates that portion of the road rights-of-way in the historic downtown, and those significant roadways leading thereto, as depicted on the map noted as "Attachment 1", as a significant commercial tourism zone and is therefore designated a Campaign Sign Free Zone immediately upon the effective date of this resolution.

Section 2. THAT violations of the Campaign Sign Free Zone shall be as prescribed in City Code Section 8-2-12 PENALTIES and any other references to other City Code penalty sections contained therein.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this
10th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

E. EUGENE NEIL, Interim City Attorney

ORDINANCE NO. 4839-1302

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 8 OF THE CITY CODE TO REGULATE CAMPAIGN SIGNS WITHIN THE PUBLIC RIGHT-OF-WAY AND DECLARING AN EMERGENCY.

RECITALS:

WHEREAS, the Arizona Revised Statutes have been amended to allow campaign signs within the public rights-of-way; and

WHEREAS, the City Code of the City of Prescott currently does not permit campaign signs in the public-rights-of-way; and

WHEREAS, the City Council of the City of Prescott has determined that amending the City Code to conform to the Arizona Revised Statutes is in the interest of the citizens of Prescott

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT, Section 8-2-3: Use of City Right of Way shall be amended by adding a new paragraph (E) to read:

“(E) No person shall place, maintain or cause to be placed or maintained a campaign sign on or in any public right of way within any established Campaign Sign Free Zone, as may be established by the City Council pursuant to applicable state statutes. Violations of these provisions shall be punishable as prescribed in section 1-3-1, GENERAL PENALTY; MISDEMEANORS, CIVIL VIOLATIONS, CONTINUING VIOLATIONS of the City Code”.

SECTION 2. THAT Section 8-2-4: Exemptions shall be amended to add a new paragraph “(R)” to read:

“(R) Campaign Signs provided however that they meet the following criteria:

- 1. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.*
- 2. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act.*
- 3. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.*

ORDINANCE NO. 4839-1302

4. *The sign contains the name and telephone number of the candidate or campaign committee contact person.*

SECTION 3. THAT, an EMERGENCY is hereby declared to exist and THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, ADOPTION AND APPROVAL BY THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT.

SECTION 4. THAT the Mayor and Staff are hereby authorized to take all necessary steps to effectuate such rezoning.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 10th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

E. EUGENE NEIL, Interim City Attorney

OPTION C

Two zones effective July 10, 2012 and November 13, 2012

ATTACHMENT 1

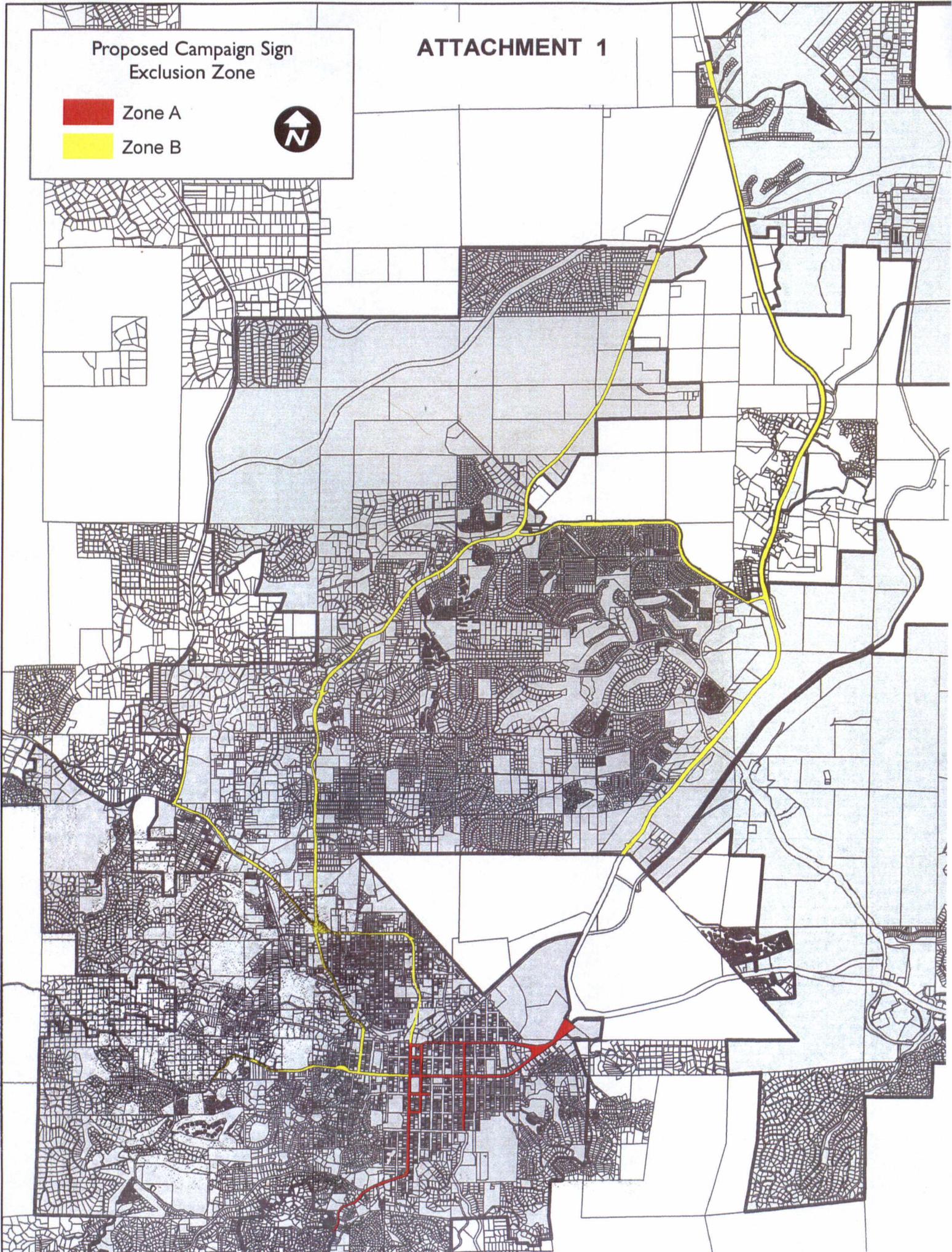
Proposed Campaign Sign
Exclusion Zone



Zone A



Zone B



RESOLUTION NO. 4141-1301

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, CREATING A CAMPAIGN SIGN FREE ZONE IN THE HISTORIC DOWNTOWN AND WITHIN MUNICIPAL RIGHTS-OF-WAY LEADING THERETO, RECITING THE BASIS FOR SAME, ESTABLISHING THE BOUNDARIES OF THE DISTRICT, AND ESTABLISHING ENFORCEMENT AUTHORITY

RECITALS:

WHEREAS, Arizona Revised Statutes authorize municipalities to create campaign sign free zones in important commercial tourism destination areas; and

WHEREAS, Prescott's historic downtown and the major roadways leading into it are significant commercial tourism and hotel zones; and

WHEREAS, protection of the scenic and aesthetic appeal of these corridors and the downtown are of paramount importance to the economic and cultural vitality of the community; and

WHEREAS, it is in the interest of the citizens of the City of Prescott to establish a campaign sign free zone in the historic areas of downtown, the hotel zones and the major roadways leading thereto,

ENACTMENTS:

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT the City of Prescott designates that portion of the road rights-of-way in the historic downtown, as depicted on the map noted as "Attachment 1", and as designated on that map as "Zone A", as a significant commercial tourism zone and is therefore designated a Campaign Sign Free Zone immediately upon the effective date of this resolution.

Section 2. THAT the City of Prescott designates that portion of the road rights-of-way constituting commercial tourism corridors leading into the historic downtown, as depicted on the map noted as "Attachment 1", and as designated on that map as "Zone B", as a significant commercial tourism zone that is, therefore, designated a Campaign Sign Free Zone effective November 13, 2012.

Section 3. THAT violations of the Campaign Sign Free Zone shall be as prescribed in City Code Section 8-2-12 PENALTIES and any other references to other City Code penalty sections contained therein.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this
10th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

E. EUGENE NEIL, Interim City Attorney

ORDINANCE NO. 4839-1302

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 8 OF THE CITY CODE TO REGULATE CAMPAIGN SIGNS WITHIN THE PUBLIC RIGHT-OF-WAY AND DECLARING AN EMERGENCY.

RECITALS:

WHEREAS, the Arizona Revised Statutes have been amended to allow campaign signs within the public rights-of-way; and

WHEREAS, the City Code of the City of Prescott currently does not permit campaign signs in the public-rights-of-way; and

WHEREAS, the City Council of the City of Prescott has determined that amending the City Code to conform to the Arizona Revised Statutes is in the interest of the citizens of Prescott

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT, Section 8-2-3: Use of City Right of Way shall be amended by adding a new paragraph (E) to read:

“(E) No person shall place, maintain or cause to be placed or maintained a campaign sign on or in any public right of way within any established Campaign Sign Free Zone, as may be established by the City Council pursuant to applicable state statutes. Violations of these provisions shall be punishable as prescribed in section 1-3-1, GENERAL PENALTY; MISDEMEANORS, CIVIL VIOLATIONS, CONTINUING VIOLATIONS of the City Code”.

SECTION 2. THAT Section 8-2-4: Exemptions shall be amended to add a new paragraph “(R)” to read:

“(R) Campaign Signs provided however that they meet the following criteria:

- 1. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.*
- 2. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act.*
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ORDINANCE NO. 4839-1302

- 4. The sign contains the name and telephone number of the candidate or campaign committee contact person.*

SECTION 3. THAT, an EMERGENCY is hereby declared to exist and THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, ADOPTION AND APPROVAL BY THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT.

SECTION 4. THAT the Mayor and Staff are hereby authorized to take all necessary steps to effectuate such rezoning.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 10th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

E. EUGENE NEIL, Interim City Attorney

II-C

COUNCIL AGENDA MEMO – July 10, 2012

DEPARTMENT: Public Works

AGENDA ITEM: Approval of a professional services agreement with Carollo Engineers Inc., for the 2012 City Potable Water System Model Update in an amount not to exceed \$230,000.00.

Approved By:	Date:
Department Head: Mark Nietupski, Public Works Director	
Finance Director: Mark Woodfill	
City Manager: Craig McConnell <i>Craig McConnell</i>	<i>7-2-12</i>

Item Summary

Approval of this item will award a contract to Carollo Engineers Inc., for the 2012 City Potable Water System Model Update. The update will integrate new private development water infrastructure and capital improvement upgrades since the adoption of the current Water Model report of 2005. It will also anticipate future needs of the system through the development of a 5, 10, 15, and 20 year Capital Improvement Plan (CIP), identify system inefficiencies, make recommendations for improvements, integrate additional water resources into the primary distribution system, and graphically identify new service benefit areas (zones) associated with specific projects as required under new legislation for the collection of impact fees related to growth.

Background

The current Water System Model was developed in 2005 using Geographical Information System (GIS) software and computer hydraulic modeling as the platform. The model serves as a virtual representation of the water system which can be manipulated to test system modification scenarios to understand potential effects on performance (flow, pressure, volume) for effective management of operations and improvement planning. Updating the Water System Model periodically is necessary to assure it accurately represents existing system conditions. The validity of outcomes generated through scenario assessments will be based on the accuracy of the Model. The City potable water system is technically complex and includes 30 storage tanks, 40 pump stations, and over 90 pressure zones. The system currently serves customers in Prescott, portions of Yavapai County, Yavapai Prescott Indian Tribe, and portions of Chino Valley.

Through utilization of the Water System Model capital improvement needs are prioritized in relation to identified deficiencies (low pressure, inadequate capacity, fire flows etc.) to provide first class water utility service to the community in conformance with regulatory requirements. These recommendations support future year budget considerations for improvements and upgrades to the system.

The City brought Airport Well #2 on-line in January of 2011. This well provides an additional water production source to the system and supplies water solely to the Airport

Agenda Item: Approval of a contract with Carollo Engineers, Inc. for the 2012 Water Production and Distribution Model Update in an amount not to exceed \$230,000.00.

area, Zone 12. A water delivery strategy will be developed for this and future wells in this area in order to reduce transmission of water supplies from the Chino wells.

Senate Bill 1525 became effective on December 31, 2011. This new legislation requires the update of existing land use assumptions and City Infrastructure Improvement Plan (aka CIP) for adoption of a new Impact Fee Ordinance by August 1, 2014. Impact fee zones will be developed which will identify properties that benefit from specific project/system improvements. Impact fee zones must demonstrate a connection between the CIP project and the demands of new growth identified in the General Plan. This element of the model update will form the building blocks for an upcoming impact fee analysis.

The recommended contract will address fire protection, system efficiencies and energy use, emergency operations and redundancy evaluation, Zone 12 (2nd source to supplement the Primary system), CIP update and prioritization, future development planning north of the Airport, impact fee zones and training. Additionally, Carollo Engineers will make public presentations, provide an executive summary of the model update and an updated model report.

Procurement of Engineering Services

On December 22, 2011, the City received six (6) Statements of Qualification for this publicly advertised project. Pursuant to professional services selection procedures, staff ranked the individual firms based on their submittals. Interviews were conducted with the three highest ranked firms and Carollo Engineering emerged as the top ranked firm for the 2012 Potable Water System Model Update. The scope of services and fees were successfully negotiated and are attached.

Project Schedule

Commence July 30, 2012
Complete April 22, 2013

Budget

FY13 funding is available for the Potable Water System Model Update project. (Budget Account No. 7007810-8930-11026)

Attachments

- Exhibit A - Scope of Work
- Exhibit B - Fee Schedule
- Exhibit C - Schedule of Work

Recommended Action: MOVE to approve a contract with Carollo Engineers, Inc., for the 2012 Potable Water System Model Update in an amount not to exceed \$230,000.00.

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

INTRODUCTION

The purpose of this Water Distribution System Model Update is to provide the City of Prescott (City) with an updated hydraulic model that incorporates the infrastructure additions that have taken place since the model was last updated, and to update the demand projections that will form the basis for planning improvements and additions to the water distribution system. Infrastructure requirements will be identified for new developments so that a capital improvement program can be developed and documented in a master plan report to guide the City in making future improvements to the water distribution system. To assist the City in evaluating ongoing changes and improvements to the water distribution system, model training will also be provided.

PROJECT ASSUMPTIONS

This scope of services for developing the update is based on the following assumptions:

- 1) Information contained in the various layers of GIS data to be provided by the City is the best information that is available.
- 2) Prescott's current customer billing record database will be provided by the City and used as a basis for the land use demand analysis.
- 3) This update will be developed based on the most updated Prescott General Plan.
- 4) The 2010 Census data will be used to assess current population estimates.
- 5) Prescott will make available any known future development plans.
- 6) The project area includes the City of Prescott service area, including service to private systems, e.g. Highland Pines, Mountain Club, Holiday Hills, etc. tribal lands, and private lands within the Prescott service area.

TASK 1.0 WATER MODEL UPDATE AND PLANNING FRAMEWORK

1.1 Land Base Updates

The City is having its service area flown to create an updated set of aerial photographs and LIDAR data that is expected to be available in the early part of the project. The photographs and elevation information obtained from this effort will provide background information to be used to update the model and plan for growth. The City will also provide updated layers for streets and parcels. Carollo will take this information to use for updating the model, analyzing the water system, and for presenting recommendations and results.

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

1.2 Facilities Updates

The City is currently in the process of updating the GIS data layers with new infrastructure and projects that have been completed. These data layers are expected to be updated and available near the start of the project. The City is planning to update the model with the latest pipes in the GIS. The City's GIS currently has a level of granularity that may result in many pipe segments that are not necessary for the model and could increase simulation times. If the number of pipes causes undesirable performance, the model will be skeletonized to combine pipe segments of the same diameter and material.

The City has been surveying water system infrastructure such as pumps, reservoirs, zone boundary valves and PRV stations. This data will be provided for Carollo to update the facilities information. Carollo will also review the pump station, reservoir, and PRV information in the model currently and compare with the City's information to check that these facilities are represented correctly in the model. Carollo will visit selected pump station and reservoir facilities that have been constructed or significantly updated since the last model development study.

The model will be configured so that hydrants in the distribution system are uniquely identified and associated with nodes in the model. This will allow fire flows in the model to be simulated for each hydrant.

The model will be updated to include infrastructure that is currently being designed but not yet constructed. This proposed infrastructure will be phased into each scenario, including buildout.

1.3 Demand Projections

Demand projections will be developed based on recent customer billing information and the land use plan. Customer billing records will be spatially located to the property locations where the water is used for existing customers. Demands will be set to correspond to the water use in the past two years, including unaccounted for water. Unit demands will be established for land use classifications based on the customer billing information associated with each land use classification. Demand projections for undeveloped lands will be set based on the land use plan and unit demand associated with each land use type, which will include current conservation measures. If future demands are expected to decrease due to more stringent conservation measures, then future demands will consider the effects of conservation. Per capita demand values will be established based on 2010 census data.

Growth projections will be derived from the land use information in the General Plan Update. Carollo will take information to be provided by the City, including development master planning projects, population projections, and other data. Some studies will

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

include changes in the planning of the Airport area. Carollo will meet with the City's planning and development group to obtain insights into the growth that is anticipated. A draft set of growth projections will be prepared for discussion with City staff. Unit water demands will be established based on the billing records and land use data.

Growth plans and development will be prepared considering the availability and timing of the City's water resources.

A workshop will be conducted where projections are presented in draft form to be reviewed and commented upon. Following the workshop the demand projections will be finalized with City input.

1.4 Operational Updates

The model will be updated with changes that have occurred to the water system infrastructure and operations, including new pump curves, pump controls, PRV setpoints and other operational changes so that the model reflects the way that the system is operated today, based on information provided by the City. The model containing the updated information entered by the City based on the ISO modeling as well as the operational updates will be referred to as the 2012 model.

1.5 Model Validation

Carollo will work with the City to conduct a limited field test of the water system by following the steps below:

- Prepare a field test plan that identifies locations where pressure transducers could be located in the distribution system for up to a week to record pressures. The field test plan will be prepared following an evaluation of the data that can be made available that would be useful for model validation.
- Work with City staff to install the pressure transducers owned by Carollo and the City for the first test. The City will then do the fieldwork for the field tests that have been developed in the field test plan. The City will then provide field test data to Carollo.
- Compare the model results with the field data to determine if improvements need to be made to the model to improve the accuracy with which the model predicts actual conditions. The City and Carollo will work together to achieve a mutually acceptable accuracy range.

Task 1.0 Deliverable: Prepare a draft section of the report that explains the model update and validation process, as well as the demand projections that will be applied in the model. This draft section will be prepared following the demand projections workshop and the model validation. The City will review the draft report section and comments received will be incorporated into the report final draft.

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

TASK 2.0 WATER SYSTEM EVALUATIONS

2.1 Existing System Evaluation

The current water distribution system will be evaluated using performance criteria that will be agreed upon with the City. The performance criteria may consist of maximum and minimum pressures, maximum velocities, required storage, number of pump and pump station redundancy, and emergency reserves. The performance criteria will reflect the building code that is currently in use by the City.

2.2 Pressure Zone Evaluation

Pressure zones in the water distribution system will be evaluated to identify potential ways to simplify the distribution system to reduce operating and maintenance costs, as well as to simplify system operations. The pressure zone schematic that was created previously will be updated to reflect the current water system configuration and also the buildout configuration to aid in simplifying pressure zones. Topographic representations of the consolidated pressure zones will be prepared so that the impact of combining pressure zones can be more easily understood using KML files created by the model that can be displayed using Google Earth.

2.3 Zone 12 Well Supply Evaluation

A water delivery strategy for the wells that are and may be constructed in the airport area will be developed. Currently wells serve primarily Zone 12, but as additional well capacity is developed, a means of delivering this water into the North-South Zone is needed so that these wells could augment water supplies from the Chino wells. These additional wells will provide enhanced reliability to the Prescott water system.

2.4 Storage and Booster Evaluation

Water storage and booster pump capacity will be evaluated to optimize approaches to effectively provide storage and emergency water supplies. The Prescott water system does not necessarily have storage in all the desired locations, and in some cases there may be excess storage that could benefit the water system if the system was configured accordingly. This evaluation will look at the water storage throughout the water distribution system and a plan will be developed to optimize storage and pumping capabilities. Needed capital improvements will be identified where appropriate.

2.5 Fire Flow Evaluation

The capability the water system has of delivering fire flows will be evaluated. Fire flow requirements will be associated with each hydrant that is modeled, based on the land use types that are near the hydrant. Where deficiencies are identified, capital improvements or water system configuration changes will be identified to improve fire flows. System configuration changes could include PRVs from adjacent zones to deliver

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

greater fire flows, or check valves from a lower adjacent zone that could open when needed to provide additional fire flows, although at a lower pressure. Capital improvements could include greater pumping capacity, increased looping, and larger main sizes. Priority will be given to making improvements for the greatest benefit for the expenditures that are made. A lower priority will be given to hydrants that are on cul-de-sacs or other locations where looping or other improvements may not be cost effective. Capital improvements that are specific to improving fire flows will be presented in the report to show the results of the fire flow analyses.

2.6 Uni-Directional Flushing Pilot

A Uni-Directional Flushing (UDF) pilot will be developed using the modeling software and an add-on module licensed by Carollo. The UDF program will identify a sequence for water main flushing for a development or pressure zone that minimizes water discharges and water discoloration during the flushing event. Once prepared, the UDF program can be applied in an area repeatedly unless the water main configuration changes in significant ways. Results of the UDF program consist of a series of maps with an aerial photograph and water system infrastructure with specific instructions identifying which valves to close and which hydrants to open for each sequence. The City will want to ensure that distribution system valves are located and functioning properly before embarking on a UDF program. The City will be able to evaluate the benefits of a UDF program based on the results of the pilot.

2.7 Energy Evaluation

The energy cost of the Prescott water distribution system will be evaluated to identify ways to reduce energy usage. The City will assist by providing operations information on pumps and also by providing insights into known inefficiencies and potential solutions. Carollo will use the tools available in the modeling software to benchmark the current energy usage. There are numerous characteristics of water distribution systems that contribute to energy inefficiencies, including but not limited to:

- Incorrectly sized pumps
- Worn pumps
- Pumps that could be operated on different energy rate schedules
- Excessive head losses
- Improper PRV operation
- Pressure zones that are configured without consideration of energy requirements
- Pumps that could operate more efficiently on VFDs

Carollo will systematically evaluate the water distribution to identify inefficiencies that may exist, and then provide recommendations to increase energy efficiency. Success of

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

some of the evaluations may depend on the availability of data on pump characteristics, energy usage, and water deliveries to specific pressure zones.

2.8 Emergency Operations and Redundancy Evaluation

An evaluation will be undertaken with the goal of planning for emergency operations. The outcome of these evaluations could include emergency and normal O&M operating procedures and strategies, as well as capital improvements that provide an increased level of reliability for the distribution system. This task will also include the Chino Valley Campus. Many of the operating procedures in different zones will be very similar if not identical, so operating procedures for multiple zones will be combined where appropriate. Scenarios would include emergency operations as well as maximum day and peak hour operating conditions. Carollo will collaborate with City operations staff to identify emergency operations that have occurred in the past as well as to create scenarios that could happen in the future. Where deficiencies are discovered, improvements to operating procedures or infrastructure will be developed to address the deficiencies.

2.9 Airport Area Infrastructure Evaluation

An evaluation of the airport area water supply infrastructure will be undertaken that builds upon the airport area planning that has been completed previously. The water demands and fire flow requirements of specific development projects will be estimated and included along with the typical demands that are included in the land use plan. Peaking factors will be estimated for the specific types of development that will occur. Infrastructure requirements will be established for the specific developments that are planned. Fire flows, peak demands, and storage requirements will be evaluated and quantified. Pipe sizes and conceptual layouts will be developed. The specific requirements of the airport area will be documented in a technical memorandum.

2.10 Future Development Planning

Water infrastructure needed to serve future demand will be identified and analyzed using the City's model. Future infrastructure recommendations will be developed in those portions of the Prescott planning area that are most likely to develop, given the limited water resources that are available to the City. Proposed infrastructure recommendations will be investigated to make sure that the recommendation is technically feasible, given the terrain, land use, and other considerations that would be important to ensure that the capital improvement plan that is presented is viable. The infrastructure that is identified in this task from a technical feasibility perspective will be used in developing the capital improvement program, where price and payment responsibility is defined per the scope in Task 3.0.

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

Task 2.0 Deliverable: A draft of the report section that presents results of the water system evaluations will be prepared following the workshop that addresses water system evaluations. Recommendations that result from the investigations in this task will consist of infrastructure and operating recommendations. The City will provide comments on the water system evaluations that will be incorporated into the draft report. A map of fire flow results will also be provided as a deliverable.

TASK 3.0 WATER SYSTEM PLAN UPDATE

3.1 Capital Improvement Program

Capital improvement projects will be identified and sized to address water system improvements that are identified from the water system evaluations in Task 2.0. Planning level cost estimates, time period, trigger, and impact fee zone will be developed for each project. Projects will also be classified according to their purpose: to serve new growth or to resolve a current deficiency. Where projects may serve new growth and address deficiencies, the percentage allocation and percentage of the cost will be established. Costs will be based on the assumption that pipes with insufficient capacity will be replaced with a larger pipe and not be paralleled with an additional pipe to provide the required capacity.

Capital improvement project definitions will be organized in a format prescribed by the City to fit into the City's CIP program. These project definitions will include a justification and purpose, location map, cost, and construction time period and trigger that would indicate the need to start the project. CIP projects will also be organized in a spreadsheet format that the City can use after the project is completed to shift the timing of projects in the future as growth and other conditions change in ways that are not anticipated at the time that this project is being completed. The CIP will be based on a 20 year buildout with five year interim planning periods.

3.2 Impact Fee Service Areas

The City will be divided into impact fee zones that can be used to identify the specific infrastructure needed to serve each impact fee zone so that the costs of constructing new infrastructure can be allocated to the customers that will benefit from this infrastructure. Capital improvements will then be associated with the zone or zones that benefit from these improvements. Capital improvement projects will then be organized according to impact fee zones. A map or maps are required to demonstrate the impact fee areas and will be included in the deliverables. Maps will be developed to show specific projects. A workflow procedure shall be developed will be developed to integrate future or unknown projects.

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

Impact fee zones must demonstrate a connection between the capital improvement project and the demands of new growth identified in the General Plan. Project cost estimates, at a planning level, will be proportionally split based on infrastructure, new or upsizing, attributed to a new development. The proportional split shall be evaluated on total capacity, current usage, and commitments for usage of capacity of existing infrastructure. Any additional capacity due to growth shall have a tabular presentation including additional capacity per service unit (e.g. gpcd), ratio of service unit to land type (residential, commercial, industrial), total number of service units attributable to new development.

3.3 Capital Improvement Plan Maps

Capital improvement projects will be organized and grouped on maps to be provided in the report that shows groupings of projects that comprise an overall capital improvement program for specific parts of the water distribution system.

Task 3 Deliverable: The deliverable for task 3 will be draft report sections and appendixes that show the capital improvement program and individual capital improvement projects. This report section will show maps of the existing system as well as maps of the CIP projects.

TASK 4.0 Project Administration and Deliverables

4.1 Model Training

Training on the hydraulic model and its use will be provided for up to six people from the City. Training is expected to take two days. Software licenses for the training will be the City's license plus licenses that may be checked out and used on Carollo computers.

A model users guide will be prepared that documents some of the more common tasks that City staff will need to undertake using the model. The City and Carollo will work together to determine the tasks included in the users guide. A draft of this users guide will be utilized during the training course and then finalized after the training is completed. The users guide will be provided to the City in an editable electronic format.

Operating procedures will be developed to protect the base model with multiple users.

4.2 Progress Meetings and Workshops

Progress meetings are planned monthly. Progress meetings may coincide with workshops that are scheduled to address specific project issues. Four workshops are planned to address topics where input from City stakeholders is critical. The major topics to be addressed at each workshop are:

- Water Demand Projections
- Water System Evaluations
- Capital Improvement Projects

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

- Impact Fee Service Area Workshop
- A workshop for the public that focuses on the capital improvement projects but also presents the planning framework and water distribution system analyses

4.3 Project Report

The draft sections of the report that were prepared earlier in the project will be combined along with the City's edits and comments into a draft report that will be provided to the City. This draft report will contain figures, maps, and tables explaining the results of the study. The City will review the draft report and provide comments that will be incorporated into a final signed and sealed report. Six(6) hard copies of the final report and an electronic file will be provided at the conclusion of the project.

4.4 Executive Summary

An executive summary brochure will be prepared that summarizes the model update project and presents the capital improvement program. This brochure will be in a color format that is suitable for the public and city council members. The City and Carollo will work together to determine the content of the Executive Summary Brochure.

4.5 Council Presentations

A summary of the project with its major recommendations will be prepared and presented to the City Council to assist the council to accept the report. A presentation will be given to the council at a work-study session and at a council meeting where the study is to be adopted.

Task 4 Deliverables:

- Training on the hydraulic model
- Model training manual that explains some of the common tasks that would be undertaken by the city using the model
- Four workshops
- Draft and final model update report including figures, tables, CIP, and appendixes where appropriate
- Executive summary brochure

SCHEDULE

The project is planned for a ten-month duration following authorization to proceed. The attached Gantt chart shows the schedule of activities. CIP projects from this model update project are planned for the March 2013 CIP plan.

PROJECT FEE

EXHIBIT A
City of Prescott
2012 Water Distribution System Model Update

SCOPE OF WORK

The project fee will be based on an hourly rate, not to exceed \$230,000, as shown on the attached exhibit. Billing will be made on a monthly basis for the percentage of each task that is completed in that month.

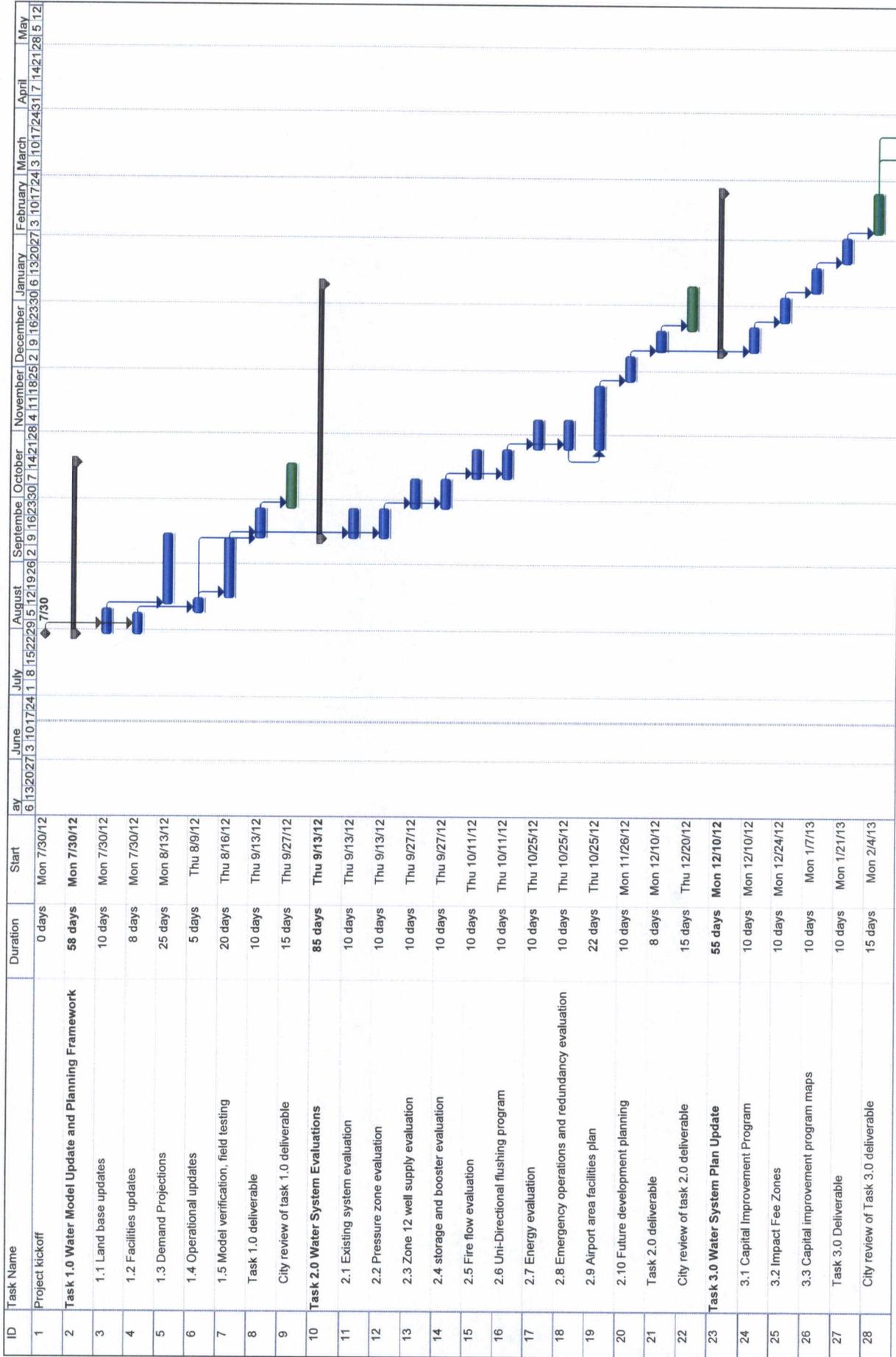
Exhibit B

**TASKS, MAN-HOURS and Costs, 2012 Water Distribution System Model Update,
City of Prescott, Arizona
June 19, 2012**

TASKS	Man-Hours					Total Man-Hours Per Task	Fee Per Task
	Project Principal	Project Manager	Project Engineer	Technician	Word Proc./Clerical		
Task 1.0 Water Model Update and Planning Framework							
1.1 Land base Updates		6	16	4		26	\$41,424
1.2 Facilities Updates		12	32			44	\$4,344
1.3 Demand Projections		16	50	4		70	\$7,816
1.4 Operational Updates		4	20			24	\$12,104
1.5 Model Validation		4	24			28	\$4,192
Task 1.0 Deliverable Preparation	2	12	24	4	8	50	\$4,872
Task 2.0 Water System Evaluations							\$89,147
2.1 Existing System Evaluation	2	8	24			34	\$6,092
2.2 Pressure Zone Evaluation		12	24			36	\$6,456
2.3 Zone 12 Well Supply Evaluation	2	8	20			30	\$5,412
2.4 Storage and Booster Evaluation		8	24			32	\$5,664
2.5 Fire Flow Evaluation		8	24			32	\$5,664
2.6 Uni-Directional Flushing Pilot		4	20	4		28	\$4,628
2.7 Energy Evaluation		24	20			44	\$8,152
2.8 Emergency Operations and Redundancy Evaluation	0	16	32			48	\$8,608
2.9 Airport Area Infrastructure Evaluation	8	30	50	4	12	104	\$17,752
2.10 Future Development Planning		16	52	6		74	\$12,662
Task 2.0 Deliverable Preparation	2	12	24	4	7.6	49.6	\$8,057
Task 3.0 Water System Plan Update							\$36,789
3.1 Capital Improvement Program		12	24	4		40	\$6,892
3.2 Impact Fee Zones		8	32	35		75	\$10,839
3.3 Capital Improvement Program Maps		8	32	40	4	88	\$12,628
Task 3.0 Deliverable Preparation	4	8	20	4	6	40	\$6,430
Task 4.0 Project Administration and Deliverables							\$61,587
4.1 Model Training		4	32			36	\$6,232
4.2 Progress Meetings and Workshops	20	70	40	20	9	159	\$27,993
4.3 Council Presentations	6	23	16	8		53	\$9,430
4.4 Project Report	4	20	32	8	16	80	\$12,680
4.5 Executive Summary	2	6	6	24		38	\$5,252
Total Hours	54	359	714	173	62.6	1362.6	
Hourly Rates	\$214	\$198	\$170	\$109	\$97		
Total Labor Costs	\$11,556	\$71,082	\$121,380	\$18,857	\$6,072	\$228,947	
			Mileage, Printing & Misc.			\$1,053	
			TOTAL NOT TO EXCEED PROJECT COST			\$230,000	

CAROLLO ENGINEERS

Exhibit C



Milestone
 Summary
 Project Summary
 Task
 Split
 Progress
 External Tasks
 External Milestone
 Deadline

COUNCIL AGENDA MEMO – July 10, 2012	
DEPARTMENT:	Public Works
AGENDA ITEM:	Award of bid and contract for the FY 2013 Pavement Rehabilitation Project to Asphalt Paving & Supply, Inc., in the amount of \$1,689,376.85.

Approved By:		Date:
Department Head:	Mark Nietupski, Public Works Director	June 29, 2011
Finance Director:	Mark Woodfill	
City Manager:	Craig McConnell 	7-2-12

Item Summary

This item is to award a bid and contract to perform pavement rehabilitation on the following City streets:

- Gurley Street – (Marina Street to Rush Street)
- Cortez Street – (Sheldon Street to Goodwin Street)
- Montezuma Street – (Gurley Street to Goodwin Street)
- Prescott Lakes Parkway – (Willow Lake Road to SR 89)
- Willow Creek Road – (Willow Creek Bridge to 600' n/o Commerce Drive)

Background

This pavement rehabilitation project generally consists of removing, by milling, the upper three inches of existing asphalt pavement and repaving with new hot mix asphalt. Per the recommendation of geotechnical reports, some of the designated streets require the application of a crack reducing pavement fabric, as well as crack sealing of the milled asphalt surface. Utility covers will be adjusted to finish grade, traffic detector loops will be replaced, and new traffic striping will be applied.

Pavement rehabilitation will help maintain the structural integrity of each of the roadway segments, produce a smoother riding surface, and extend pavement service life.

The project also includes the application of an Asphalt Concrete Friction Course – Asphalt Rubber (ACFC-AR) on Gurley Street, Prescott Lakes Parkway, and Willow Creek Road. The placement of an ACFC-AR is an important pavement preservation measure which also provides enhanced traction for vehicles.

On May 22, 2012, Council authorized the performance of night work for asphalt milling and overlay construction associated with the FY 2013 Pavement Rehabilitation Project. Performing the mill and paving of the above named streets at night will minimize the project impact on businesses and traffic on these busy streets. However, paving operations associated with ACFC-AR will occur during the day due to temperature specifications.

Agenda Item: Award of bid for the FY 2013 Pavement Rehabilitation Project to Asphalt Paving & Supply, Inc., in an amount not to exceed \$1,689,376.85.

City water and sewer facilities within the various street segments were evaluated and checked against the City Water and Sewer Models to confirm no immediate need for upgrade of the systems. UniSource Gas also performed leak detection survey within the project limits to perform any necessary repairs prior to the pavement rehabilitation.

Bid Results

A mandatory pre-bid meeting was held on June 6, 2012; three bids were received on June 28, 2012, as follows:

<u>Bidder</u>	<u>Location</u>	<u>Total Bid</u>
Asphalt Paving & Supply, Inc.	Prescott Valley, AZ	\$1,689,376.85
Combs Construction Company, Inc.	Glendale, AZ	\$1,737,336.80
Fann Contracting, Inc.	Prescott, AZ	\$1,947,837.50
Engineer's Estimate		\$2,068,106.00

Written confirmation of bid has been received from the low responsive bidder Asphalt Paving & Supply, Inc. Verification of the company's license, bonding, references, and past performance of similar projects has been completed.

Schedule

The contract allows sixty (60) calendar days for completion of the work with project milestones listed below:

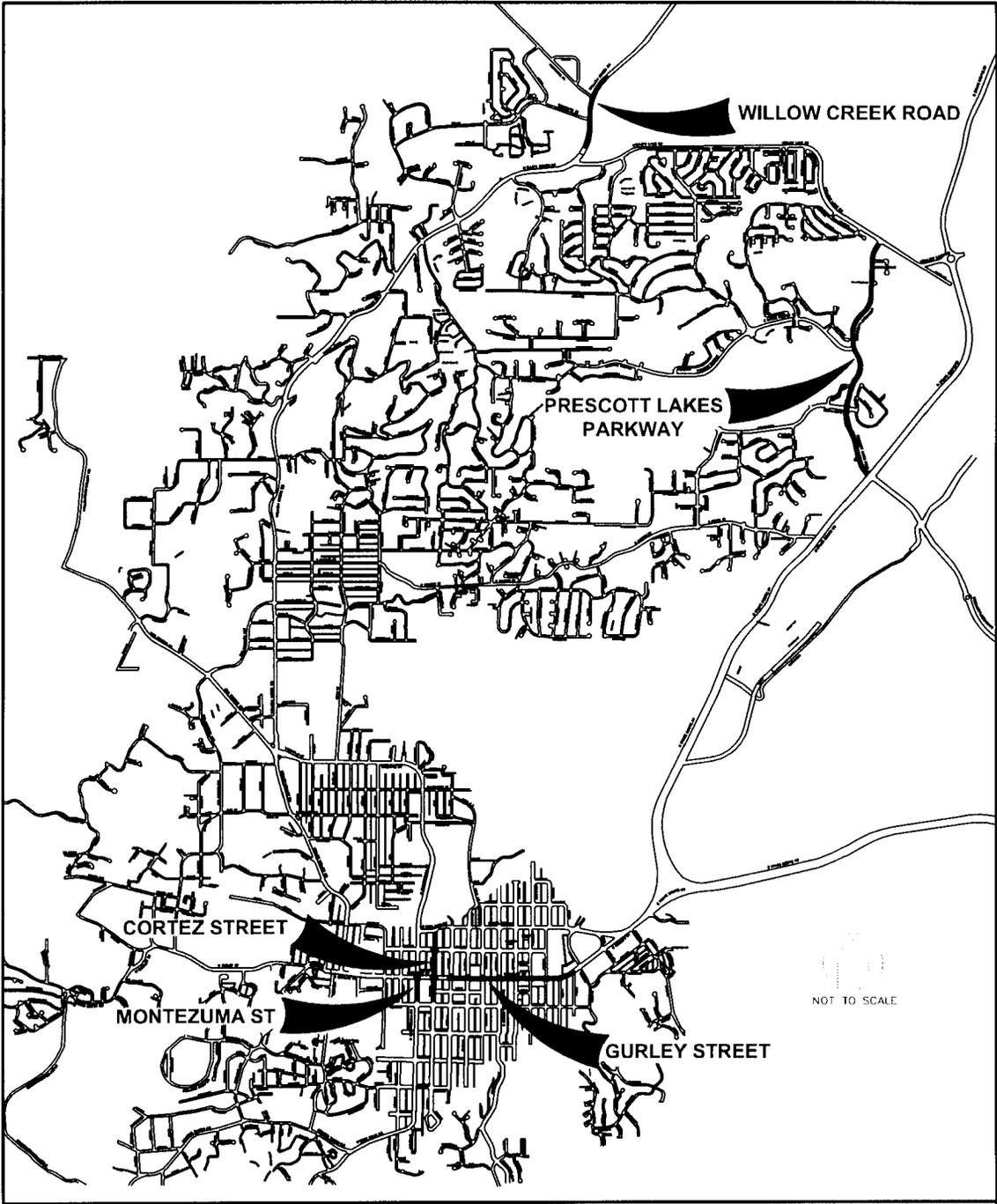
Award of Contract	July 10, 2012
Pre-Construction Meeting	July 17, 2012
Notice to Proceed (NTP)	July 23, 2012
Substantial Project Completion	September 25, 2012

Budget

FY 2013 funding for this project is from the One Cent Sales Tax for Streets and Open Space; Account No. 215-7810-90036

Attachment - Location Map

Recommended Action: **MOVE** to award the bid and contract for the FY 2013 Pavement Rehabilitation Project to Asphalt Paving & Supply, Inc. in the amount of \$1,689,376.85.



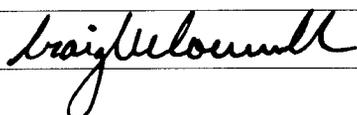
PROJECT VICINITY MAP
FY 2013 PAVEMENT REHABILITATION
PROJECT

CITY OF PRESCOTT PUBLIC WORKS DEPARTMENT

COUNCIL AGENDA MEMO – July 10, 2012

DEPARTMENT: Public Works

AGENDA ITEM: Approval to perform night work on Prescott Lakes Parkway between State Route 69 and State Route 89 associated with the FY 2013 Chip Seal, Pavement Preservation and Various Pavement Repairs Project.

Approved By:		Date:
Department Head: Mark Nietupski, Public Works Director		6/28/2012
Finance Director: Mark Woodfill		
City Manager: Craig McConnell		7-2-12

Item Summary

Approval of this item will authorize the performance of night work for the application of a pavement preservation product associated with the FY 2013 Chip Seal, Pavement Preservation and Various Pavement Repairs Project on a portion of Prescott Lakes Parkway between State Route 89 and State Route 69.

Background

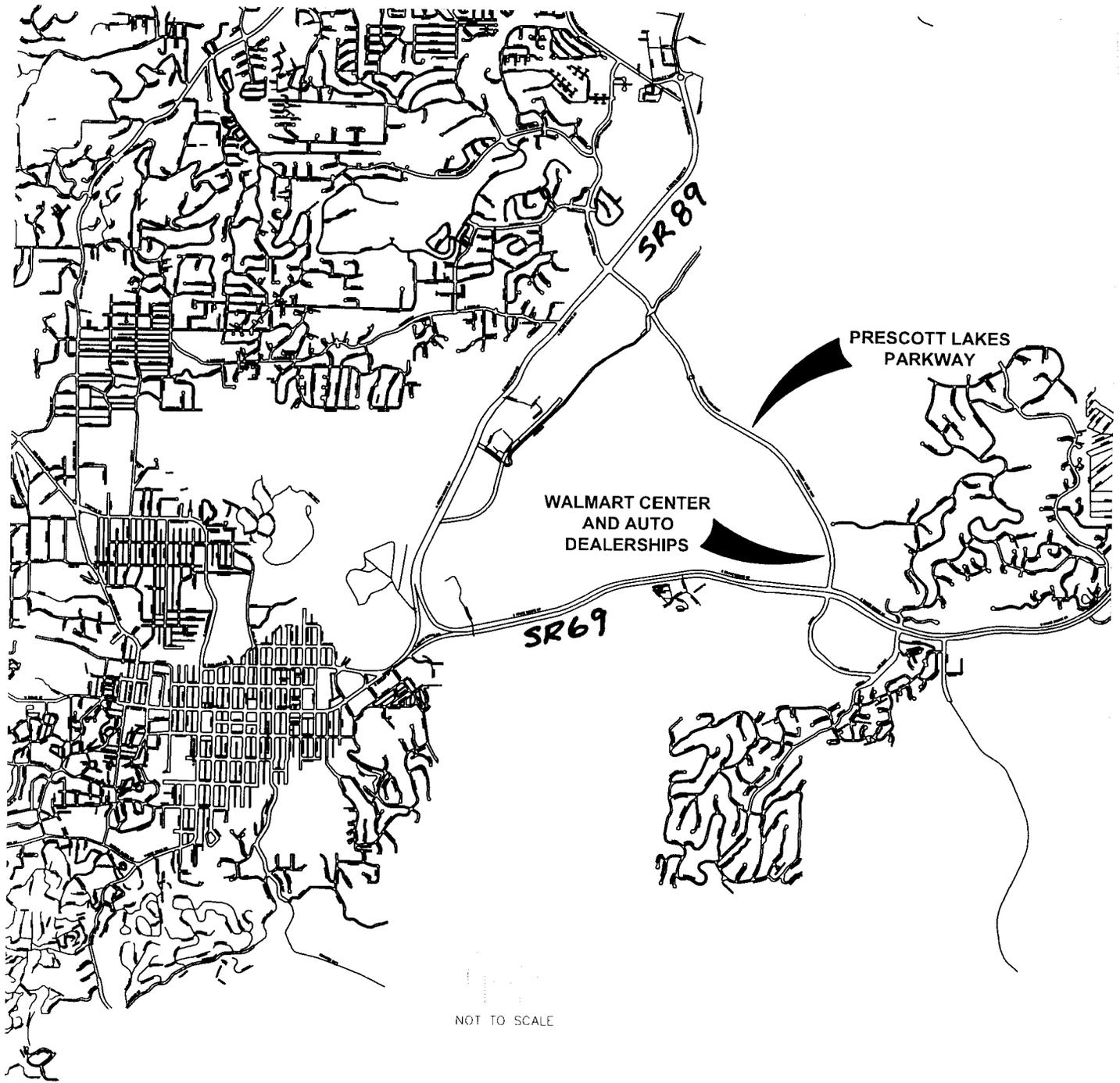
Construction plans are complete for the FY 2013 Chip Seal, Pavement Preservation and Various Pavement Repairs Project and bid advertising is currently underway. Along with chip sealing various streets citywide, the project includes the application of a pavement preservation product known as Polymer Asphalt Surface Sealer (PASS QB) on Prescott Lakes Parkway from State Route 89 to State Route 69. The product is formulated to restore oxidized and brittle pavement surfaces that are in otherwise serviceable condition. Application of the PASS QB is expected to extend the service life of the pavement by three to five years. The product generally requires about two hours of cure time before the treated surface can be reopened to traffic. In the area of the Wal-Mart Center and Auto Dealerships, that would require closing major driveway entrances during business hours. The performance of night work on this segment of Prescott Lakes Parkway will minimize the project impact on businesses and traffic.

City Code Title 5-4-2: Specific Acts Prohibited requires City Council approval for any night work after 8:00 PM.

Pending award of a contract the project will commence in August, 2012.

Attachment - Location Map

Recommended Action: **MOVE** to approve night work on Prescott Lakes Parkway between State Route 69 and State Route 89 for work associated with the FY 2013 Chip Seal, Pavement Preservation and Various Pavement Repairs Project.



NIGHTWORK VICINITY MAP

**FY 2013 CHIP SEAL, PAVEMENT PRESERVATION AND
VARIOUS PAVEMENT REPAIRS**

CITY OF PRESCOTT PUBLIC WORKS DEPARTMENT

COUNCIL AGENDA MEMO – July 10, 2012

DEPARTMENT: Budget and Finance

AGENDA ITEM: Adoption of Ordinance No. 4838-1301 setting the Fiscal Year 2013 City property tax levies

Approved By:

Date:

Finance Director: Mark Woodfill

City Manager: Craig McConnell

7-3-12

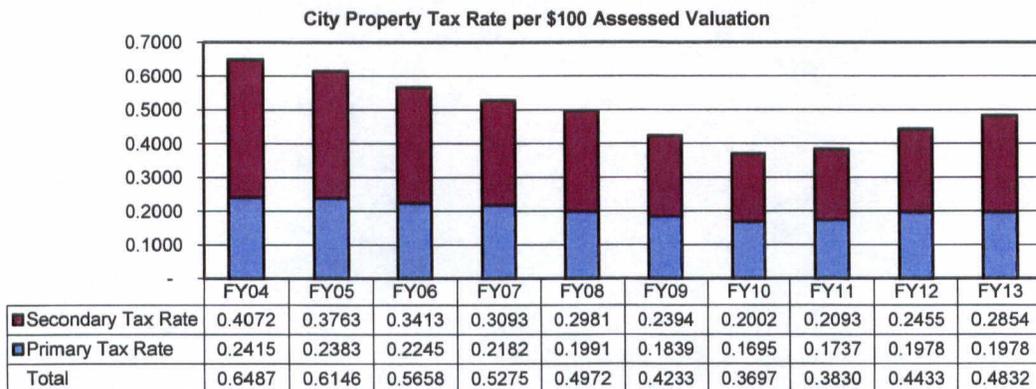
BACKGROUND

On June 26, 2012, Council held the public hearing on the final budget, establishment of the expenditure limitation, and the City property tax levies for Fiscal Year 2013 (FY 13). After the hearing the final budget was adopted, which included establishing the expenditure limitation for FY 13. State law requires that the property tax levies be adopted no earlier than fourteen days after the public hearing.

The primary tax levy for FY 13 is \$1,095,856. This is the amount of revenue anticipated to be generated by the corresponding property tax rate (unchanged from FY 12), and represents a decrease of \$160,022 because of declining property valuations. Revenue from the primary property tax funds general governmental functions, but provides a minor amount of the overall cost: to place this in perspective, \$1,095,856 represents only three weeks of funding for the City's public safety operations (Police and Fire).

The secondary property tax is for the retirement of debt and will be set at \$1,584,975. This is the final year for a majority of the debt service used to purchase and develop Watson and Willow Lakes. Next year's secondary levy will drop to about \$190,000.

The City's combined tax rate for FY 13 is 0.4832 which is 0.0399 higher than last fiscal year. For a home valued at \$200,000 in both 2011 and 2012, the combined property tax will increase by \$7.98. Property tax rates over the last 10 years are shown below.



Recommended Action: MOVE to adopt Ordinance No. 4838-1301.

ORDINANCE NO. 4838-1301

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF PRESCOTT, SUBJECT TO TAXATION, A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS, AND PROVIDING FUNDS FOR THE GENERAL MUNICIPAL EXPENSES, ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2013

RECITALS:

WHEREAS, by the provisions of State law, the ordinance levying taxes for Fiscal Year 2012-13 is required to be finally adopted not less than fourteen days after adoption of the annual budget; and

WHEREAS, the County of Yavapai is the assessing and collecting authority for the City of Prescott, the Clerk is hereby directed to transmit a certified copy of this ordinance to the County Assessor and the Board of Supervisors of the County of Yavapai, Arizona.

ENACTMENTS:

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

SECTION 1. THAT, there is hereby levied on each one hundred dollars (\$100.00) of the assessed value of all property, both real and personal, within the corporate limits of the City of Prescott, except such property as may be by law exempt from taxation, a primary property tax rate sufficient to raise the sum of \$1,095,856.00 for the Fiscal Year ending on the 30th day of June, 2013. If such sum exceeds the maximum levy allowed by law, the Board of Supervisors or the County of Yavapai is hereby authorized to reduce the levy to the maximum amount allowed by law after providing notice to the City.

SECTION 2. THAT, in addition to the rate set in Section 1 hereof, there is hereby levied on each one hundred dollars (\$100.00) of assessed valuation of all property, both real and personal, within the corporate limits of the City of Prescott, except such property as may be by law exempt from taxation a secondary property tax rate sufficient to raise the sum of \$1,584,975.00, but not more than the actual general obligation bond debt service due during the year for the purpose of providing a bond

interest and redemption fund for the City of Prescott for the Fiscal Year ending June 30, 2013.

SECTION 3. THAT, failure by the County official of Yavapai County, Arizona, to properly return the delinquent list, any irregularity in assessments or omissions in the same, or any irregularity in any proceedings shall not invalidate such proceedings or invalidate any title conveyed by any tax deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to him or to them shall not invalidate any proceedings or any deed or sale pursuant thereto, the validity of the assessment or levy of taxes or of the judgment of sale by which the collection of the same may be enforced shall not affect the lien of the City of Prescott upon such property for the delinquent taxes unpaid thereon; overcharge as to part of the taxes or of costs shall not invalidate any proceedings for the collection of taxes or the foreclosure of the lien therefore or a sale of the property under such foreclosure; and all acts of officers de facto shall be valid as if performed by officers de jure.

PASSED and ADOPTED by the Mayor and Council of the City of Prescott, Arizona, on this 10th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

E. EUGENE NEIL, Interim City Attorney