

CITY OF PRESCOTT

Regular Voting Meeting

Tuesday, Oct. 13, 2020 – 3:00 PM

ACTION TAKEN:

*** Councilwoman Scholl was excused from the meeting***

7. CONSENT AGENDA

- A. **Approved** Minutes for the September 22, 2020 Executive Session, the September 22, 2020 Study Session and the September 22, 2020 Voting Meeting.
- B. **Approved** Appointment of Members to the Airport Advisory Committee, Board of Adjustment, Industrial Development Authority, Library Advisory Board, Pedestrian Bicycle & Traffic Advisory Committee and Tourism Advisory Committee; and Appointment of Vice Chair to the Airport Advisory Committee, Industrial Development Authority, Library Advisory Board and Pedestrian Bicycle & Traffic Advisory Committee.
- C. **Approved** Retention of Attorney Michael Pearce with Gammage & Burnham to Represent the City in its Decision and Order Amendment with Arizona Department of Water Resources (ADWR).
- D. **Approved** Comprehensive Sign Plan CSP20-003 for Gurley Street Grill Located at 230 W Gurley Street (APN 113-15-095). Owner: PBE LLC Mike Freet; Applicant: Chris Totton of Boots & Duke Sign Company.
- E. **Approved** City Contract No. 2021-035 with Wayne Harding & Associates for Appraisal Services for Various Real Property Transactions in an Amount no to Exceed \$150,000. Funding is Available in Various Department Funds.
- F. **Adopted** Resolution No. 2020-1758 Approving City Contract No. 2021-036 an Intergovernmental Agreement with Yavapai County Flood Control District to Accept Funding in the Amount of \$240,000.
- G. **Adopted** Resolution No. 2020-1760 Approving City Contract No. 2021-041 an IGA with Yavapai County for Renewal of Regional Emergency Operations Management and Disaster Services in the Amount of \$17,132. Funding is Available in the General Fund.
- H. **Approved** City Contract No. 2021-042 to James, Cooke & Hobson Inc. for the Repair of an Airport Water Reclamation Facility Blower in an Amount not to Exceed \$28,261.50. Funding is Available in the Wastewater Fund.

- I. **Approved** City Contract No. 2019-078A1, an Amendment to City Contract No. 2019-078 with Matrix New World Engineering for Ongoing Services Related to Comprehensive Agreement No. 1 in the Amount of \$29,225. Funding is Available in the Water Fund.
- J. **Approved** City Contract No. 2020-074A1, an Amendment to City Contract No. 2020-074, with Desert Mountain Corporation for the Supply and Delivery of Solid De-Icer Materials in an Amount not to Exceed \$50,000. Funding is Available in the Streets Fund.
- K. **Ratified** Acceptance of a USDA Grant for a Community Compost and Food Waste Reduction Project in an Amount not to Exceed \$135,634.77.
- L. **Approved** Acceptance of Grant Award from Arizona Department of Public Safety Victims of Crime Act Victim Assistance (VOCA) Grant Federal Grant #2018-V2-GX-0012 (CDFDA \$16,575, Total Grant \$485,432) in the Amount of \$388,346 with City Matching Funds in the Amount of \$97,086 for a Three Year Time Frame (October 1, 2020 – September 30, 2023) to Fund the Victim Advocacy Program.
- M. **Approved** City Contract No. 2021-45 an Art Donation Agreement with Jim Chamberlain Approving the Donation of “Checkmate” a Bronze Statue for Placement at the James Lane & SR89 Round-a-bout.
- N. **Approved** Acceptance of Low Bid in the Amount of \$23,373.68 from Bradshaw Mountain Roofing to Replace the Roof at the West Yavapai Guidance Clinic for the Plan Year 2020 CDBG Grant Project.
- O. **Approved** Acceptance of Low Bids and Mid-Level Bid from Various Contractors for the Agape House Plan Year 2020 CDBG Grant Project.

Councilman Sischka moved to approve Consent Agenda Items 7.A. through 7.O. excluding Item 7.E. which was pulled from the Consent Agenda for further discussion; seconded by Mayor Pro Tem Orr. (Passed 6-0)

Councilman Sischka moved to approve Consent Agenda Item 7.E.; seconded by Mayor Pro Tem Orr. (Passed 6-0)

8. CONSENT ORDINANCE

A. Adoption of Ordinance No. 2020-1728 Authorizing the Acceptance of a Public Drainage Easement.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A PUBLIC DRAINAGE EASEMENT AGREEMENT, FROM SAUL LEVINE, AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE.

B. Adoption of Ordinance No. 2020-1729 Authorizing the Acceptance of a Water Line & Underground Electrical Easement, Two Separate Ingress-Egress and Underground Public

Utility Easement Agreements and a Right-of-Entry and Temporary Construction Easement from James Deep Well Ranches #1 LLC

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A WATER LINE AND UNDERGROUND ELECTRICAL UTILITY EASEMENT AGREEMENT, TWO SEPARATE INGRESS-EGRESS AND UNDERGROUND PUBLIC UTILITY EASEMENT AGREEMENTS, AND A RIGHT OF ENTRY AND TEMPORARY CONSTRUCTION EASEMENT FROM JAMES DEEP WELL RANCHES #1 LLC, AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE ACCEPTANCES.

C. Adoption of Ordinance No. 2020-1730 Approving a Land Exchange Between Deep Well Ranches No. 1, LLC and the City of Prescott for the New Intermediate Pump Station Site.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A LAND EXCHANGE AGREEMENT BETWEEN THE CITY AND JAMES DEEP WELL RANCHES #1 LLC FOR REAL PROPERTY ASSOCIATED WITH THE CITY'S INTERMEDIATE PUMP STATION; AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE.

D. Adoption of Ordinance No. 2020-1731 Authorizing the Acceptance of Water Line and Underground Electrical Utility Easement from Chamberlain Development Prescott LLC.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A WATER LINE AND UNDERGROUND ELECTRICAL UTILITY EASEMENT AGREEMENT FROM CHAMBERLAIN DEVELOPMENT PRESCOTT LLC AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE.

Mayor Pro Tem Orr moved to adopt Consent Ordinance Items 8.A. through 8.D., seconded by Councilman Sischka. (Passed 6-0)

9. REGULAR AGENDA

A. Selection and Approval of a Sunset Date for the Current Temporary Parklet Program.

Councilman Blair moved to allow the temporary program to continue until Governor Ducey allows 100% occupancy in restaurants and bars and give businesses 30 days from that time to tear down parklets, seconded by Mayor Mengarelli. (Passed 5-1) (Councilman Goode Dissenting)

B. Adoption of Resolution No. 2020-1759 Approving City Contract No. 2010-086A3 an Amendment to City Contract No. 2010-086 with James Deep Well Ranches #1 and #2.

Councilmember Rusing moved to table Item 9.B., seconded by Councilman Goode. (Failed 2-4) (Mayor Mengarelli, Mayor Pro Tem Orr, Councilman Blair and Councilman Sischka dissenting)

Mayor Mengarelli moved to adopt Resolution No. 2020-1759, seconded by Councilman Blair. (Passed 5-1) (Councilmember Rusing dissenting)

- C. Approval of City Contract No. 2021-038 to SAK Construction LLC for Cured-in-Place Pipe Pipe Rehabilitation in an Amount not to Exceed \$750,000. Funding is Available in the Wastewater Fund.

Councilman Blair moved to approve Item 9.C.; seconded by Councilman Sischka. (Passed 6-0)

- D. Approval of City Contract No. 2021-040 with Holistic Engineering and Land Management LLC (HELM), for Letter of Map Revision Flood Studies, in an Amount not to Exceed \$210,000. Funding is Available Through Accepted Grant Funds.

Councilman Sischka moved to approve Item 9.D.; seconded by Councilman Blair. (Passed 6-0)

- E. Approval of City Contract No. 2020-194A2, an Amendment to City Contract No. 2020-194 with Cactus Asphalt a Division of Cactus Transport Inc. for the FY20 Pavement Preservation Project in the Amount of \$183,638.10. Funding is Available in the Streets Fund.

Mayor Pro Tem Orr moved to approve Item 9.E.; seconded by Councilman Goode. (Passed 6-0)