



PRESCOTT CITY COUNCIL STUDY SESSION AGENDA

PRESCOTT CITY COUNCIL
STUDY SESSION
TUESDAY, JULY 1, 2008
3:00 P.M.

Council Chambers
201 S. Cortez Street
Prescott, AZ 86303
(928) 777-1100

The following Agenda will be considered by the Prescott City Council at its Study Session 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:** Police Chaplain Larry Gotfredson
- ◆ **PLEDGE OF ALLEGIANCE:** Councilman Roecker
- ◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

| | |
|---------------------|----------------------|
| Mayor Wilson | |
| Councilman Bell | Councilman Luzius |
| Councilman Lamerson | Councilman Roecker |
| Councilwoman Lopas | Councilwoman Suttles |

- ◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

NOTE: Anyone wishing to speak regarding an item on the agenda must address the Council using the microphone at the podium. **PLEASE NOTE:** Comments from the public regarding any item on the agenda will be limited to five (5) minutes. Please refer to the Clerk's desk for the timing sequence of the lighting signals: **GREEN** at the beginning of comments, **YELLOW** with one minute remaining, and **RED** when time has ended.

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 777-1272 OR 777-1100 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

I. DISCUSSION ITEMS

- A. Ratification of presentation of awards on June 24, 2008, to Spencer L. Campbell, Spencer R. Campbell, Merritt M. Moore, Tayler Goodman and Tyler Goodman in recognition of their accomplishments and achievements for attaining Eagle Scout.
- B. Authorization to purchase golf carts in the amount of \$571,396.00 plus tax from EZ-Go Golf Carts through a lease agreement with a monthly not-to exceed amount of \$9,295.35.
- C. Approval of recommended expenditures for Fiscal Year 2009 for the Acker Trust funds, totaling \$19,962.00
- D. Approval of amendment to Contract No. 2005-336 with Tyler Technology in an amount not to exceed \$477,000.00 for the Finance and Budgeting Computer System.
- E. Adoption of Ordinance No. 4658-0860 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting public water easements from Deep Well Ranches, Inc., and James Revocable Trust: Ron and Laura James, Trustees, in the vicinity of the intersection of State Routes 89 and 89A, and authorizing the Mayor and City staff to take necessary steps to complete acceptance and dedication as City of Prescott public water easements.
- F. Acceptance of a grant from the Arizona Department of Transportation, Aeronautics Division, in the amount of \$150,000.00 (City share \$15,000.00) for Airport improvements to accommodate expanded airline service starting September 8, 2008 and further authorizing the Mayor and Staff to execute any and all documents related to the procurement.
- G. Approval of engineering professional services contract with Brown and Caldwell in the amount of \$126,806.00 for construction engineering and management services associated with the Airport Wastewater Treatment Plant Centrifuge Project.
- H. Approval of a one-year extension for Final Plat submittal for Tuscan Village, a 12-lot patio home subdivision on 1.4 acres located at First Street and Navajo Drive, Applicant: Ralph Burleson, Area Homes LLC (FP08-001).
- I. Adoption of Resolution No. _____ - A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, designating the election date and purpose of election; designating the deadline for voter registration; and designating the place and deadline to file arguments to be included in the informational pamphlet.

- J. Notice of Public Hearing (July 8) and consideration of liquor license application from Ruben Garcia, agent for CIA La Fonda Corp., for a Series 12, *Restaurant*, license for La Fonda located at 628 Miller Valley Road.
- K. Approval of the Minutes of the Prescott City Council Budget Special Meeting of May 22, 2008, the Regular Voting Meeting of May 27, 2008, the Special Meeting of May 27, 2008, the Regular Voting Meeting of June 10, 2008, the Special Meeting of June 17, 2008 and the Study Session of June 17, 2008.
- L. Selection of items to be placed on the Regular Voting Meeting Agenda of July 8, 2008.

II. 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.

Elizabeth A. Burke, City Clerk

COUNCIL AGENDA MEMO – (07/01/08 & 07/08/08)

DEPARTMENT:

AGENDA ITEM: Ratification of presentation of awards to Spencer L. Campbell, Spencer R. Campbell, Merritt M. Moore, Tayler Goodman and Tyler Goodman in recognition of their accomplishments and achievements for attaining Eagle Scout.

| Approved By: | Date: |
|--|--------------|
| Department Head: Gary Kidd, City Attorney | |
| Finance Director: Mark Woodfill | |
| City Manager: Steve Norwood | |

Background

In an abundance, perhaps overabundance, of caution and to ensure compliance with the nuances of the open meeting laws, this item proposes ratification of the presentation and recognition of Spencer L. Campbell, Spencer R. Campbell, Merritt M. Moore, Tayler Goodman and Tyler Goodman for their meritorious efforts in attaining the highest level and award presented to the Boy Scouts of America, that of Eagle Scout. This achievement takes years of hard work, considerable skill and accomplishment and proficiency in all aspects of scouting, including public service, leadership and character components.

In order to accommodate and recognize this high achievement and in view of the inadvertent omission of the presentation from last week's agenda, it is necessary to formally ratify and approve the presentation for agenda purposes. This description of the item to be ratified has been posted and made available to the public to comply with the formalities of the open meeting laws.

Recommended Action: MOVE to ratify last week's presentation of plaques recognizing the highest degree of achievement, that of Eagle Scout, and to commend Spencer L. Campbell, Spencer R. Campbell, Merritt M. Moore, Tayler Goodman and Tyler Goodman

COUNCIL AGENDA MEMO – July 1, 2008

DEPARTMENT: Administrative Services, Golf Course Enterprise Fund

AGENDA ITEM: Purchase of (152) Replacement Golf Carts for Antelope Hills Golf Courses

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Approved By:

Date:

Department Head: Mic Fenech

Finance Director: Mark Woodfill

City Manager: Steve Norwood



06/25/08

BACKGROUND:

Every three years, golf carts at Antelope Hills Golf Courses must be replaced due to normal wear and tear. The optimal replacement schedule has been three (3) years and is based on the following:

- Approximately 102,000 rounds of golf with a cart.
- "Desert" wear and tear of sun and wind degradation
- Manufacturer's warranty period of three (3) years

FINANCIAL HISTORY:

Over the term of the current lease (with one month remaining), the golf carts have generated \$1,754,351 in revenue. The cost of the existing golf carts that the City has paid is \$544,440. The guaranteed buyback from EZ-Go Golf Carts is \$280,000, leaving a net cost of \$264,440 plus tax for the carts.

ANALYSIS:

In researching the features of golf carts currently available on the market, staff discovered that the new RXV model from EZ-Go obtains 23 mpg compared to our current and other comparable carts which obtain 16 mpg. EZ-Go Golf Carts hold the Federal General Services Administration (GSA) contract for motorized golf carts. The benefit of the GSA contract allow staff to "piggy-back" off of this federal contract and take advantage of the lowest pricing EZ-Go offers to anyone. We are currently utilizing EZ-Go Golf Carts, and have found them to be dependable and easy to operate. Given the fuel efficiency of their new model 'RXV', and the favorable lease and guaranteed buy back terms offered by EZ-Go Golf Carts, staff recommends award of the purchase of golf carts to EZ-Go Golf Carts. A copy of the contract is attached for Council review. Financing is through EZ-Go Golf Carts and is a municipal lease/purchase.

Staff also researched electric versus gas carts. The savings using electric carts is estimated at just under \$20,000 for the three year lease period. Staff opted not to implement electric at this time as the cost of converting from gas to electric (charging stations) would offset most if not all of the savings, and would tie the golf course to the current location of the cart storage.

Agenda Item: Purchase of (152) Replacement Golf Carts for Antelope Hills Golf Courses

PROCUREMENT:

The cost of the new golf carts is \$571,396. The guaranteed buyback from EZ-Go Golf Carts is \$319,200, leaving a net cost of \$252,196 plus tax for the new carts. The purchase contract from EZ-Go Golf Carts has an optional capital lease financing for \$9,295.35 per month for three years. Staff is currently obtaining financing information from other financial institutions to obtain the most favorable terms for the City.

Recommended Action: **MOVE** to authorize the purchase of the golf carts in the amount of \$571,396.00 plus tax from EZ-Go Golf Carts and authorize staff to execute a lease agreement to finance this purchase for a monthly payment not-to-exceed \$9,295.35.

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| COUNCIL AGENDA MEMO – July 1, 2008 |
| DEPARTMENT: Parks, Recreation and Library |
| AGENDA ITEM: Acker Trust Board Recommended Expenditures for FY 2009 |

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| Approved By: | Date: |
| Department Head: Debbie Horton | |
| Finance Director: Mark Woodfill | |
| City Manager: Steve Norwood <i>SNorwood</i> | <i>06/24/08</i> |

The Acker Trust Board was established in 1959 as part of a court adjudication of Mr. J.S. Acker's will, which left the majority of his estate to the City of Prescott, " ...for the use of our people, the children in particular." The Trust Board members are appointed by and serve as advisors to the Mayor and Council regarding the management of the Trust. There are currently four members on the Board, and there is one vacancy. All money spent from the Trust is used for either parks or the promotion of youth arts. Most of the parks within our park system have been developed with the assistance of Acker funds.

Each organization applying for funding must be incorporated, must provide a financial statement, and must appear before the Board for a five-minute presentation. The Board, in determining allocations for the limited resources available, considers both the financial need of the organizations, the number of participants served by their programs, and their programs' benefit to the community.

The Acker Board received requests in the amount of \$41,548 on March 20, 2008 for FY 2009. The available funds are \$26,890. The funding period for Fiscal Year 2009 is between July 1, 2008 and June 30, 2009. At the March 20 meeting the Board reviewed the five-minute presentations of Chaparral Music, Elks Opera House, Prescott Fine Arts Association Scholarship program, Prescott POPS Symphony, Sharlot Hall Folk Music Festival, Yavapai Symphony Guild- Music Memory Program, and the Yavapai College Artists in Residence Program. On April 9, 2008 the Board met, reviewed the applications, and voted to recommend to the City Council that the following organizations receive funds in the amounts indicated:

- | | |
|--|--------------------|
| • Yavapai College Artists in Residence Program | \$10,000.00 |
| • Elks Opera House | \$5,100.00 |
| • Yavapai Symphony Guild- Music Memory | \$3,000.00 |
| • Prescott Fine Arts Association Scholarships | \$2,000.00 |
| • Prescott POPS Symphony | \$2,000.00 |
| • Chaparral MusicFest | <u>\$1,000.00</u> |
| TOTAL | \$19,962.00 |

Recommended Action: If desired, MOVE to approve the recommended expenditure of Acker Trust funds to Yavapai College - Artists in Residence Program \$10,000, Elks Opera House \$5,100, Yavapai Symphony Guild- Music Memory \$3,000, Prescott Fine Arts Association – Scholarship Competition \$2,000, Prescott POPS - \$2,000, and Chaparral MusicFest \$1,000.

I-D

COUNCIL AGENDA MEMO – July 1 & 8 2008

DEPARTMENT: FINANCE

AGENDA ITEM: Finance and Budgeting Computer System

Approved By:

Date:

Department Head: Mark Woodfill

City Manager: Steve Norwood



06/26/08

BACKGROUND

The City has been utilizing the current financial and budgeting computer system for approximately thirty (30) years. Over that time, the system has continually been modified and updated to stay current with the City's needs. In an effort to take the City's system to the next level and provide increased automation and customer service, we decided to select a new system that would meet the needs of the City well into the future. In 2006 this project was started with a contract with Tyler Technology's Munis Division to provide the first phase of the conversion which included the payroll and human resource systems. Phase one is nearly complete, with final completion expected in the fall of 2008.

The next phase includes converting the remainder of the budget and finance system, as well as, the City's dog license system. Completion of this phase will provide many benefits including electronic workflow, improved internet access, and e-commerce. As with the first phase of the project, this phase will include capital lease financing over a five-year term.

ITEM

This item is an amendment to contract 2005-336 with Tyler Technologies for additional software and services.

| | | |
|--------------------------------|-----------|----------------|
| Software and Licenses | \$ | 185,605 |
| First Year Maintenance | | 23,352 |
| Estimated Maximums for | | |
| Service and Consulting | | 29,450 |
| Training | | 94,550 |
| Conversion | | 58,100 |
| Optional Software and Services | | 86,360 |
| Total | \$ | 477,417 |

With an implementation of this size, there are many things that will change over the eighteen month project. Conversion and training costs may be more or less than the estimates, and additional software may be needed to fully integrate with existing systems. We recommend that the Council approve this amendment with a not to exceed amount of \$477,000 which is within the project budget of \$490,000.

Recommended Action: Approve amendment to contract 2005-336 with Tyler Technology for an amount not to exceed \$477,000.

AMENDMENT NUMBER ONE
To Software License, Support and Services Agreement
(Contract No. 2005-336)

WHEREAS, the City of Prescott ("Customer") and Tyler Technologies, Inc. ("Vendor") with offices at 370 U.S. Route 1, Falmouth, Maine 04105 ("Vendor") entered into a Software License, Support and Service Agreement dated January 24, 2006 ("Agreement"), more particularly identified as City Contract Number 2005-336; and

WHEREAS, the parties wish to amend the foregoing agreement in order to provide for the expenditure of two hundred forty thousand dollars, \$240,000, over the term of the contract through April 23, 2010.

NOW, THEREFORE, in consideration of the covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each party to the other, it is hereby agreed as follows:

1. The Products and Services contained in the quote attached hereto as Exhibit A are hereby added and incorporated into the original agreement.
2. The first maintenance term for the Tyler Software Products in Section 1 of Exhibit A ("Software") to this Amendment Number One commences on the date Vendor makes the Software available to the Customer for download.
3. Year 1 Maintenance fees set forth in Section 3 of Exhibit A to this Amendment Number One reflect six (6) months maintenance fees waived for the software (\$23,351). Vendor will prorate the subsequent annual Maintenance fees payable for the Software to coincide with Customer's annual Maintenance Agreement.
4. Vendor will invoice Customer's \$185,605 when Vendor has made the Tyler Software Products available to the Customer. Such amount equals 100% of the Software fees in Section 1 of the attached Exhibit A to this Amendment Number One.
5. All other services shall be due as incurred and payable within thirty (30) days of receipt of invoice.
6. Upon execution of this Amendment Number One, "skeletal General Ledger and Budget Projection" is thenceforth removed from the annual support agreement for MUNIS software.

7. Prices set forth in the Optional Products and Services section of the attached Exhibit A to this Amendment Number One are guaranteed for a period of twelve (12) months from the date last signed below.

8. This Amendment No. One shall be governed by and construed in accordance with the terms and conditions of the Agreement.

9. That except as amended herein, City Contract Number 2005-336 remains in full force and effect.

10. Those signing this Amendment No. One are authorized to bind their respective entities.

DATED this _____ day of _____, 2008.

TYLER TECHNOLOGIES, INC. – FINANCIAL MANAGEMENT SOLUTIONS

By: 
Name: Richard E. Peterson, Jr.
Title: President - Financial Management Solutions

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Prescott this _____ day of _____, 2008.

CITY OF PRESCOTT

JACK D. WILSON, Mayor

APPROVED AS TO FORM:

ATTEST:

ELIZABETH BURKE
City Clerk

GARY KIDD
City Attorney

STATE OF Maine)
) ss:
County of Cumberland)

The foregoing instrument was acknowledged before me this 18th day of June, 2008, by **Richard E. Peterson, Jr., the President of the Financial Management Solutions Division of Tyler Technologies, Inc.**, personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed it.


Notary Public - Tammy J. Towle

My Commission Expires:
TAMMY J. TOWLE
Notary Public, Maine
My Commission Expires November 6, 2009

STATE OF ARIZONA)
) ss.
County of Yavapai)

The foregoing instrument was acknowledged before me this ___ day of _____, 2008, by **Jack D. Wilson, Mayor of the City of Prescott**, personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed it.

Notary Public

My Commission Expires:

EXHIBIT A



Quoted By: Carrie Hughes
Date: 06/17/2008
Quote Expiration: 07/31/2008
Quote Name: MUNIS Financials & Revenue Products
Quote Number: 6060

Sales Quotation For:

Mr. Mark Woodfill
 City of Prescott
 201 South Cortez St
 Prescott, AZ 86303

Phone: (928) 777-1222
Fax:
Email: mark.woodfill@cityofprescott.net

1 Software

| Model # | Description | Quantity | Price | Extended Price | Discount | Software Total |
|------------------|---|----------|-------------|----------------|---------------|----------------|
| FA-AC-SW-D | Accounting/GL/BG/AP - Software - D | 1.00 | \$52,250.00 | \$52,250.00 | \$24,850.00 | \$27,400.00 |
| FA-CM-SW-D | Contract Management - Software - D | 1.00 | \$5,900.00 | \$5,900.00 | \$1,180.00 | \$4,720.00 |
| FA-FA-SW-D | Fixed Assets - Software - D | 1.00 | \$12,000.00 | \$12,000.00 | \$2,400.00 | \$9,600.00 |
| FA-PA-SW-D | Project & Grant Accounting - Software - D | 1.00 | \$10,000.00 | \$10,000.00 | \$2,000.00 | \$8,000.00 |
| FA-PO-SW-D | Purchase Orders - Software - D | 1.00 | \$12,000.00 | \$12,000.00 | \$2,400.00 | \$9,600.00 |
| FA-RQ-SW-D | Requisitions - Software - D | 1.00 | \$10,000.00 | \$10,000.00 | \$2,000.00 | \$8,000.00 |
| FA-TM-SW-D | Treasury Management - Software - D | 1.00 | \$10,000.00 | \$10,000.00 | \$2,000.00 | \$8,000.00 |
| OF-BOU-SW-D | Business Objects Upgrade - Software - D | 1.00 | \$7,325.00 | \$7,325.00 | \$0.00 | \$7,325.00 |
| OF-TCM-SW-D | Tyler CM MUNIS - Software - D | 1.00 | \$10,000.00 | \$10,000.00 | \$2,000.00 | \$8,000.00 |
| RB-AL-SW-D | Animal License - Software - D | 1.00 | \$5,000.00 | \$5,000.00 | \$1,000.00 | \$4,000.00 |
| RB-AR-SW-D | Accounts Receivable - Software - D | 1.00 | \$11,000.00 | \$11,000.00 | \$2,200.00 | \$8,800.00 |
| RB-BL-SW-D | Bus Licenses - Software - D | 1.00 | \$10,000.00 | \$10,000.00 | \$2,000.00 | \$8,000.00 |
| RB-GB-SW-D | General Billing - Software - D | 1.00 | \$5,000.00 | \$5,000.00 | \$1,000.00 | \$4,000.00 |
| RB-UB-SW-E | Utility Billing - Software - E | 1.00 | \$41,000.00 | \$41,000.00 | \$8,200.00 | \$32,800.00 |
| RB-UBI-SW-E | UB Interface - Software - E | 1.00 | \$13,200.00 | \$13,200.00 | \$2,640.00 | \$10,560.00 |
| WEB-MSH-CR-SW-D | Citizen Self Service - Software - D | 1.00 | \$21,000.00 | \$21,000.00 | \$4,200.00 | \$16,800.00 |
| WEB-MSH-VND-SW-D | Business Self Service - Software - D | 1.00 | \$12,500.00 | \$12,500.00 | \$2,500.00 | \$10,000.00 |
| | | | | | Total: | Total: |
| | | | | | \$62,570.00 | \$185,605.00 |

2 Services

| Model # | Description | Quantity | Price | Extended Price | Discount | Services Total |
|------------------|---|----------|------------|----------------|---------------|----------------|
| OF-BOU-INST | Remote Installation | 1.00 | \$500.00 | \$500.00 | \$0.00 | \$500.00 |
| OF-TCM-CV-CF | Tyler CM MUNIS GoDocs Conv. (Existing Clients) | 1.00 | \$3,000.00 | \$3,000.00 | \$0.00 | \$3,000.00 |
| OF-TCM-INST | Tyler CM MUNIS Installation (Existing Clients) | 1.00 | \$1,500.00 | \$1,500.00 | \$0.00 | \$1,500.00 |
| WEB-MSH-SELF-INS | Self Service Installation Fee (Client Hosted) | 1.00 | \$1,500.00 | \$1,500.00 | \$0.00 | \$1,500.00 |
| | | | | | Total: | Total: |
| | | | | | \$0.00 | \$6,500.00 |

Consulting

| Model # | Description | Quantity | Price | Extended | Discount | Consulting Total |
|---------|-------------|----------|-------|----------|----------|------------------|
|---------|-------------|----------|-------|----------|----------|------------------|

| | | | | Price | | |
|-------------|---|------|------------|------------|--------|------------|
| FA-AC-CS-D | Accounting/GL/BG/AP - Consulting - D | 2.00 | \$1,275.00 | \$2,550.00 | \$0.00 | \$2,550.00 |
| FA-CM-CS-D | Contract Management - Consulting - D | 1.00 | \$1,275.00 | \$1,275.00 | \$0.00 | \$1,275.00 |
| FA-FA-CS-D | Fixed Assets - Consulting - D | 2.00 | \$1,275.00 | \$2,550.00 | \$0.00 | \$2,550.00 |
| FA-PA-CS-D | Project & Grant Accounting - Consulting - D | 2.00 | \$1,275.00 | \$2,550.00 | \$0.00 | \$2,550.00 |
| FA-PO-CS-D | Purchase Orders - Consulting - D | 2.00 | \$1,275.00 | \$2,550.00 | \$0.00 | \$2,550.00 |
| FA-RQ-CS-D | Requisitions - Consulting - D | 1.00 | \$1,275.00 | \$1,275.00 | \$0.00 | \$1,275.00 |
| FA-TM-CS-D | Treasury Management - Consulting - D | 2.00 | \$1,275.00 | \$2,550.00 | \$0.00 | \$2,550.00 |
| RB-AR-CS-D | Accounts Receivable - Consulting - D | 1.00 | \$1,275.00 | \$1,275.00 | \$0.00 | \$1,275.00 |
| RB-BL-CS-D | Bus Licenses - Consulting - D | 2.00 | \$1,275.00 | \$2,550.00 | \$0.00 | \$2,550.00 |
| RB-GB-CS-D | General Billing - Consulting - D | 1.00 | \$1,275.00 | \$1,275.00 | \$0.00 | \$1,275.00 |
| RB-UB-CS-E | Utility Billing - Consulting - E | 1.00 | \$1,275.00 | \$1,275.00 | \$0.00 | \$1,275.00 |
| RB-UBI-CS-E | UB Interface - Consulting - E | 1.00 | \$1,275.00 | \$1,275.00 | \$0.00 | \$1,275.00 |

Total:
\$22,950.00

Training

| Model # | Description | Quantity | Price | Extended Price | Discount | Training Total |
|------------------|--|----------|------------|----------------|----------|----------------|
| FA-AC-TR-D | Accounting/GL/BG/AP - Training - D | 9.00 | \$1,175.00 | \$10,575.00 | \$0.00 | \$10,575.00 |
| FA-CM-TR-D | Contract Management - Training - D | 2.00 | \$1,175.00 | \$2,350.00 | \$0.00 | \$2,350.00 |
| FA-FA-TR-D | Fixed Assets - Training - D | 3.00 | \$1,175.00 | \$3,525.00 | \$0.00 | \$3,525.00 |
| FA-PA-TR-D | Project & Grant Accounting - Training - D | 2.00 | \$1,175.00 | \$2,350.00 | \$0.00 | \$2,350.00 |
| FA-PO-TR-D | Purchase Orders - Training - D | 3.00 | \$1,175.00 | \$3,525.00 | \$0.00 | \$3,525.00 |
| FA-RQ-TR-D | Requisitions - Training - D | 4.00 | \$1,175.00 | \$4,700.00 | \$0.00 | \$4,700.00 |
| FA-TM-TR-D | Treasury Management - Training - D | 2.00 | \$1,175.00 | \$2,350.00 | \$0.00 | \$2,350.00 |
| OF-BOU-CBT | Computer Based Training Video | 1.00 | \$550.00 | \$550.00 | \$0.00 | \$550.00 |
| OF-WF-RB-TR-D | Workflow-Revenue - Training - D | 2.00 | \$1,175.00 | \$2,350.00 | \$0.00 | \$2,350.00 |
| OF-WF-TR-D | Workflow-Finance - Training - D | 2.00 | \$1,175.00 | \$2,350.00 | \$0.00 | \$2,350.00 |
| RB-AL-TR-D | Animal License - Training - D | 2.00 | \$1,175.00 | \$2,350.00 | \$0.00 | \$2,350.00 |
| RB-AR-TR-D | Accounts Receivable - Training - D | 4.00 | \$1,175.00 | \$4,700.00 | \$0.00 | \$4,700.00 |
| RB-BL-TR-D | Bus Licenses - Training - D | 6.00 | \$1,175.00 | \$7,050.00 | \$0.00 | \$7,050.00 |
| RB-GB-TR-D | General Billing - Training - D | 3.00 | \$1,175.00 | \$3,525.00 | \$0.00 | \$3,525.00 |
| RB-UB-BU-E | Utility Billing - TR - Bill for UB - E | 4.00 | \$1,175.00 | \$4,700.00 | \$0.00 | \$4,700.00 |
| RB-UB-GL-E | Utility Billing - TR - GL Interface - E | 3.00 | \$1,175.00 | \$3,525.00 | \$0.00 | \$3,525.00 |
| RB-UB-TR-E | Utility Billing - Training - E | 20.00 | \$1,175.00 | \$23,500.00 | \$0.00 | \$23,500.00 |
| RB-UB-US-E | Utility Billing - TR - Use/Bill for Backflow - E | 4.00 | \$1,175.00 | \$4,700.00 | \$0.00 | \$4,700.00 |
| RB-UBI-TR-E | UB Interface - Training - E | 3.00 | \$1,175.00 | \$3,525.00 | \$0.00 | \$3,525.00 |
| WEB-MSH-CR-TR-D | Citizen Self Service - Training - D | 1.00 | \$1,175.00 | \$1,175.00 | \$0.00 | \$1,175.00 |
| WEB-MSH-VND-TR-D | Business Self Service - Training - D | 1.00 | \$1,175.00 | \$1,175.00 | \$0.00 | \$1,175.00 |

Total:
\$94,550.00

Conversion

| Model # | Description | Quantity | Price | Extended Price | Discount | Conversion Total |
|-------------|------------------------|----------|------------|----------------|----------|------------------|
| CV-AC-OA-D | AC Opt 1 - Actuals - D | 1.00 | \$1,500.00 | \$1,500.00 | \$0.00 | \$1,500.00 |
| CV-AC-OB-D | AC Opt 2 - Budgets - D | 1.00 | \$1,500.00 | \$1,500.00 | \$0.00 | \$1,500.00 |
| CV-AL-OB-D | AL Opt 1 - Bills - D | 1.00 | \$4,400.00 | \$4,400.00 | \$0.00 | \$4,400.00 |
| CV-AL-STD-D | AL Std Master - D | 1.00 | \$3,600.00 | \$3,600.00 | \$0.00 | \$3,600.00 |

| | | | | | | |
|-------------|--|------|------------|------------|--------|------------|
| CV-AP-OC-D | AP Opt 1 - Checks - D | 1.00 | \$1,600.00 | \$1,600.00 | \$0.00 | \$1,600.00 |
| CV-AP-OI-D | AP Opt 2 - Invoice - D | 1.00 | \$2,400.00 | \$2,400.00 | \$0.00 | \$2,400.00 |
| CV-AP-STD-D | AP Standard Master - D | 1.00 | \$1,600.00 | \$1,600.00 | \$0.00 | \$1,600.00 |
| CV-BL-OB-D | BL Opt 1 - Bills - D | 1.00 | \$4,400.00 | \$4,400.00 | \$0.00 | \$4,400.00 |
| CV-BL-STD-D | BL Std Master - D | 1.00 | \$4,000.00 | \$4,000.00 | \$0.00 | \$4,000.00 |
| CV-FA-OH-D | FA Opt 1 - History - D | 1.00 | \$1,800.00 | \$1,800.00 | \$0.00 | \$1,800.00 |
| CV-FA-STD-D | FA Std Master - D | 1.00 | \$3,000.00 | \$3,000.00 | \$0.00 | \$3,000.00 |
| CV-GB-OPB-D | GB Opt 2 - Bills - D | 1.00 | \$4,000.00 | \$4,000.00 | \$0.00 | \$4,000.00 |
| CV-GB-OPR-D | GB Opt 1 - Recurring Invoices - D | 1.00 | \$2,700.00 | \$2,700.00 | \$0.00 | \$2,700.00 |
| CV-GB-STD-D | GB Std CID - D | 1.00 | \$1,500.00 | \$1,500.00 | \$0.00 | \$1,500.00 |
| CV-PO-STD-D | Purchase Orders - Standard - D | 1.00 | \$2,700.00 | \$2,700.00 | \$0.00 | \$2,700.00 |
| CV-UB-OP1-E | Utility Billing - Option 1 Services - E | 1.00 | \$3,200.00 | \$3,200.00 | \$0.00 | \$3,200.00 |
| CV-UB-OP3-E | Utility Billing - Option 3 Consumption History - E | 1.00 | \$3,200.00 | \$3,200.00 | \$0.00 | \$3,200.00 |
| CV-UB-OP4-E | Utility Billing - Option 4 Balance Forward AR - E | 1.00 | \$5,000.00 | \$5,000.00 | \$0.00 | \$5,000.00 |
| CV-UB-OP5-E | Utility Billing - Option 5 Service Orders - E | 1.00 | \$3,000.00 | \$3,000.00 | \$0.00 | \$3,000.00 |
| CV-UB-STD-E | Utility Billing - Standard - E | 1.00 | \$3,000.00 | \$3,000.00 | \$0.00 | \$3,000.00 |

Total:
\$58,100.00

| | | | | |
|-----------------------|-------------------|-----------------|----------------------------|-----------------|
| Total Other Services: | Total Consulting: | Total Training: | Total Conversion Services: | Total Services: |
| \$6,500.00 | \$22,950.00 | \$94,550.00 | \$58,100.00 | \$182,100.00 |

Total Training Days: 81
Total Consulting Days: 18

3 Maintenance

| Model # | Description | Quantity | Price | Extended Price | Discount | Maintenance Total |
|------------------|--|----------|------------|----------------|------------|-------------------|
| FA-AC-SP-D | Accounting/GL/BG/AP - Support - D | 1.00 | \$9,405.00 | \$9,405.00 | \$4,702.00 | \$4,703.00 |
| FA-CM-SP-D | Contract Management - Support - D | 1.00 | \$1,062.00 | \$1,062.00 | \$531.00 | \$531.00 |
| FA-FA-SP-D | Fixed Assets - Support - D | 1.00 | \$2,160.00 | \$2,160.00 | \$1,080.00 | \$1,080.00 |
| FA-PA-SP-D | Project & Grant Accounting - Support - D | 1.00 | \$1,800.00 | \$1,800.00 | \$900.00 | \$900.00 |
| FA-PO-SP-D | Purchase Orders - Support - D | 1.00 | \$2,160.00 | \$2,160.00 | \$1,080.00 | \$1,080.00 |
| FA-RQ-SP-D | Requisitions - Support - D | 1.00 | \$1,800.00 | \$1,800.00 | \$900.00 | \$900.00 |
| FA-TM-SP-D | Treasury Management - Support - D | 1.00 | \$1,800.00 | \$1,800.00 | \$900.00 | \$900.00 |
| OF-BOU-SP-D | Business Objects Upgrade - Support D | 1.00 | \$3,000.00 | \$3,000.00 | \$1,500.00 | \$1,500.00 |
| OF-TCM-SP-D | Tyler CM MUNIS - Support - D | 1.00 | \$1,800.00 | \$1,800.00 | \$900.00 | \$900.00 |
| RB-AL-SP-D | Animal License - Support - D | 1.00 | \$1,250.00 | \$1,250.00 | \$625.00 | \$625.00 |
| RB-AR-SP-D | Accounts Receivable - Support - D | 1.00 | \$1,980.00 | \$1,980.00 | \$990.00 | \$990.00 |
| RB-BL-SP-D | Bus Licenses - Support - D | 1.00 | \$1,800.00 | \$1,800.00 | \$900.00 | \$900.00 |
| RB-GB-SP-D | General Billing - Support - D | 1.00 | \$900.00 | \$900.00 | \$450.00 | \$450.00 |
| RB-UB-SP-E | Utility Billing - Support - E | 1.00 | \$7,380.00 | \$7,380.00 | \$3,690.00 | \$3,690.00 |
| RB-UBI-SP-E | UB Interface - Support - E | 1.00 | \$2,376.00 | \$2,376.00 | \$1,188.00 | \$1,188.00 |
| WEB-MSH-CR-SP-D | Citizen Self Service - Support - D | 1.00 | \$3,780.00 | \$3,780.00 | \$1,890.00 | \$1,890.00 |
| WEB-MSH-VND-SP-D | Business Self Service - Support - D | 1.00 | \$2,250.00 | \$2,250.00 | \$1,125.00 | \$1,125.00 |

Total: Total:

Summary

| | Fees | Maintenance |
|----------------|--------------|--------------------|
| Total Software | \$185,605.00 | \$23,352.00 |
| Total Services | \$182,100.00 | |
| Summary Total | \$367,705.00 | \$23,352.00 |

Comments

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the canceled services if Tyler is unable to re-assign its personnel.

Optional Software and Services - not included in Totals

| Model # | Description | Quantity | Price | Extended Price | Discount | Software and Services Total |
|----------------|--|----------|-------------|----------------|------------|-----------------------------|
| FA-PBB-CS-D | Performance Based Budgeting - Consulting - D | 5.00 | \$1,275.00 | \$6,375.00 | \$0.00 | \$6,375.00 |
| FA-PBB-SP-D | Performance Based Budgeting - Support - D | 1.00 | \$2,880.00 | \$2,880.00 | \$0.00 | \$2,880.00 |
| FA-PBB-SW-D | Performance Based Budgeting - Software - D | 1.00 | \$16,000.00 | \$16,000.00 | \$3,200.00 | \$12,800.00 |
| FA-PBB-TR-D | Performance Based Budgeting - Training - D | 5.00 | \$1,175.00 | \$5,875.00 | \$0.00 | \$5,875.00 |
| OF-GASB-SP-D | GASB 34 Report Writer - Support - D | 1.00 | \$1,980.00 | \$1,980.00 | \$0.00 | \$1,980.00 |
| OF-GASB-SW-D | GASB 34 Report Writer - Software - D | 1.00 | \$11,000.00 | \$11,000.00 | \$2,200.00 | \$8,800.00 |
| OF-GASB-TR-D | GASB 34 Report Writer - Training - D | 3.00 | \$1,175.00 | \$3,525.00 | \$0.00 | \$3,525.00 |
| RB-TC-SP-D | Tyler Cashiering - Support - D | 1.00 | \$3,780.00 | \$3,780.00 | \$0.00 | \$3,780.00 |
| RB-TC-SW-D | Tyler Cashiering - Software - D | 1.00 | \$21,000.00 | \$21,000.00 | \$4,200.00 | \$16,800.00 |
| RB-TC-TR-D | Tyler Cashiering - Training - D | 4.00 | \$1,175.00 | \$4,700.00 | \$0.00 | \$4,700.00 |
| WEB-MAP-INST-B | MUNIS MapLink Install | 1.00 | \$1,500.00 | \$1,500.00 | \$0.00 | \$1,500.00 |
| WEB-MAP-SP-E | MUNIS MapLink Support - E | 1.00 | \$2,970.00 | \$2,970.00 | \$0.00 | \$2,970.00 |
| WEB-MAP-SW-E | MUNIS MapLink Software - E | 1.00 | \$16,500.00 | \$16,500.00 | \$3,300.00 | \$13,200.00 |
| WEB-MAP-TR-E | MUNIS Maplink Training - E | 1.00 | \$1,175.00 | \$1,175.00 | \$0.00 | \$1,175.00 |

Total: \$86,360.00

Customer Approval: _____
 Print Name: _____

Date: _____
 P.O. #: _____

All primary values quoted in US Dollar

| |
|---|
| COUNCIL AGENDA MEMO – 7/1/08 & 7/8/08 |
| DEPARTMENT: Utilities |
| AGENDA ITEM: Approval of an ordinance authorizing the acceptance of water utility easements for the Airport Zone 18" and 12" Water Mains Project |

| | |
|---|--------------|
| Approved By: | Date: |
| Department Head: Jim Ciaffoni | |
| Finance Director: Mark Woodfill | |
| City Manager: Steve Norwood <i>[Signature]</i> | 6/26/08 |

Item Summary

Approval of this ordinance will acquire water utility easements necessary for the Airport Zone 18" and 12" Water Mains Project scheduled for construction in Summer 2008. The easements are being conveyed by the following property owners to assist and accommodate City needs for these important water system improvements:

| Grantor(s) | Parcel |
|--|-------------|
| Deep Well Ranches, Inc. | 102-05-032C |
| Deep Well Ranches, Inc. | 102-06-005G |
| James Revocable Trust: Ron and Laura James, Trustees | 106-01-003Z |
| James Revocable Trust: Ron and Laura James, Trustees | 106-01-003V |
| Harold James Family Trust | 106-01-003D |
| James Revocable Trust: Ron and Laura James, Trustees | 106-01-003Y |

The new water mains (see attached location map) will feed the Airport Zone, enhancing service to current customers, and providing additional capacity for future development.

Consideration for Easements and Project Budget

This transaction includes six (6) water main stubouts to be provided by the City for future service to the properties the new lines will traverse. The estimated cost of the stubouts (\$37,650) is comparable to the total value of the easements, hence, there will be no additional monetary expense for the acquisition.

A total of \$2.68 million has been budgeted in the Water Fund this fiscal year (FY 09) for construction of the 18" and 12" mains.

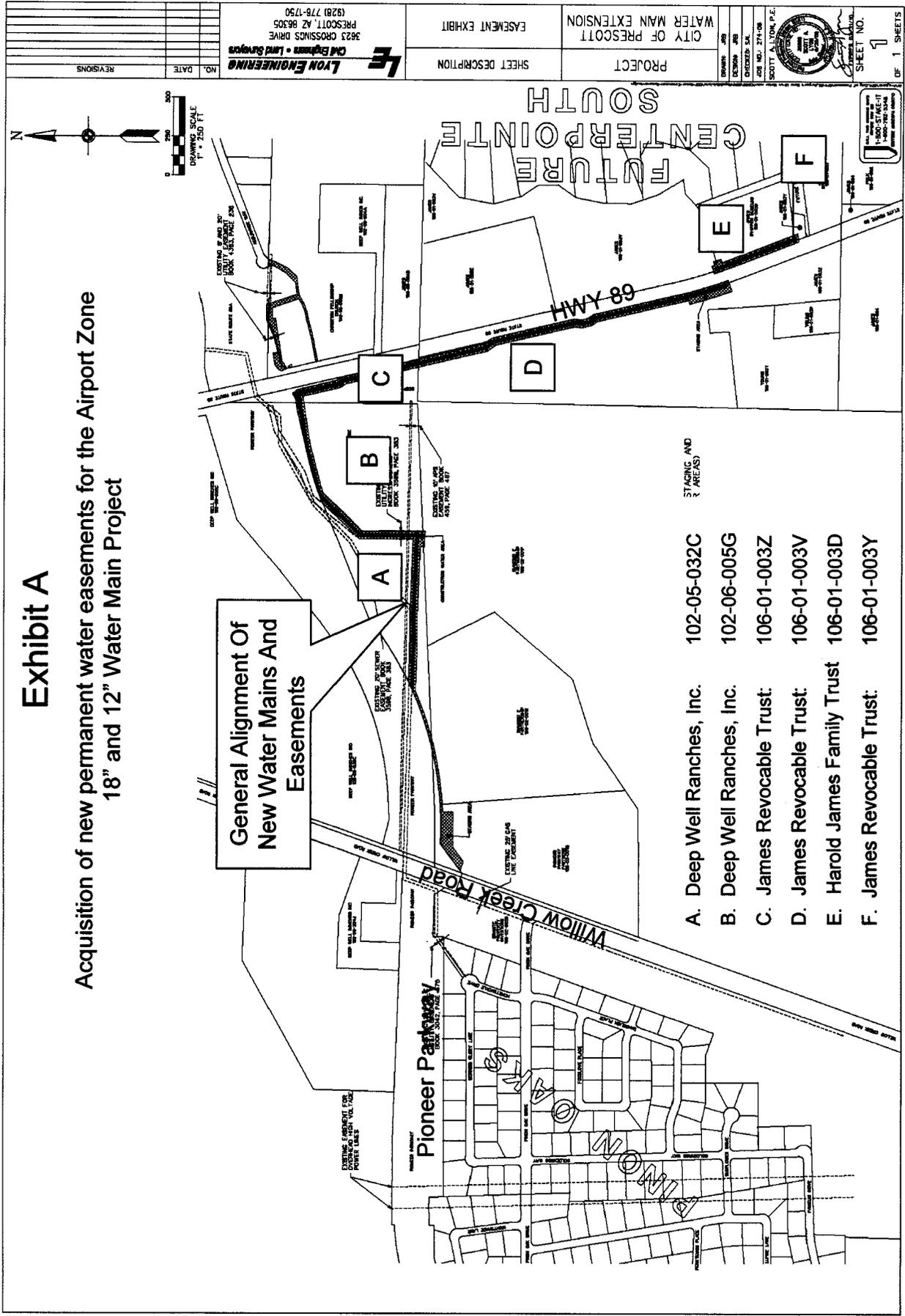
- Attachments**
- Location Map
 - Ordinance No. 4658-0860 (to be provided for 7/8/08 voting meeting)

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|---|
| Recommended Action: MOVE to adopt Ordinance No. 4658-0860. |
|---|

Exhibit A

Acquisition of new permanent water easements for the Airport Zone
18" and 12" Water Main Project

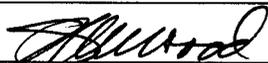
General Alignment Of
New Water Mains And
Easements



- A. Deep Well Ranches, Inc. 102-05-032C
- B. Deep Well Ranches, Inc. 102-06-005G
- C. James Revocable Trust: 106-01-003Z
- D. James Revocable Trust: 106-01-003V
- E. Harold James Family Trust 106-01-003D
- F. James Revocable Trust: 106-01-003Y

**Ordinance to be Provided
for
July 8, 2008, Voting Meeting**

| |
|---|
| COUNCIL AGENDA MEMO – JULY 01, 2008 |
| DEPARTMENT: Airport |
| AGENDA ITEM: Accept a grant from the ADOT – Aeronautics Division in the amount of \$150,000 (City share \$15,000) for Airport improvements to accommodate expanded airline service starting September 8, 2008 and further authorizing the Mayor and staff to execute any and all documents related to the procurement. |

| | |
|--|----------------------|
| Approved By: | Date: |
| Department Head: Benjamin Vardiman, Airport Manager | June 23, 2008 |
| Finance Director: | |
| City Manager:  | <i>06/26/08</i> |

BACKGROUND

In April of 2008, the Airport submitted a request to the ADOT – Aeronautics Division for assistance in completing the airport improvements necessary for accommodating the expanded airline service scheduled to begin September 8, 2008. Due to the age and size of the existing airport terminal facilities, improvements to the facility are needed to meet mandated federal security requirements necessary for accommodating service by Horizon Airlines. These improvements will also benefit other airlines servicing Prescott such as Great Lakes Airlines.

The State, in recognition of the opportunity for viable air service to our region, is offering a grant in the amount of \$150,000 (City share \$15,000 which is budgeted) to the City of Prescott for improving the airport facilities to meet federal security mandates and allow for the development of that viable air service.

As part of this project, the proposer shall provide and install a 28' x 76' temporary building which will be used for the security screening checkpoint and screened passenger waiting area. This facility will allow for the security checkpoint layout to conform to Federal guidelines. Other facility improvements which are not a part of this project but are required to accommodate the new service, will be taking place concurrently with this project. The existing 3800 square foot terminal was constructed in 1948 and was designed to service DC-3 aircraft. As aviation and the needs of the community have changed, so has the need for a new terminal building.

This temporary expansion unit is anticipated to be in place and operational to accommodate the expanded airline service at the Prescott Municipal airport which is scheduled to start in September 2008.

FINANCIAL

The City's share for this grant is \$15,000 which has been budgeted.

| |
|---|
| Recommended Action: MOVE to accept a grant from the ADOT – Aeronautics Division in the amount of \$150,000 (City share \$15,000) for Airport improvements to accommodate expanded airline service starting September 8, 2008, and further authorizing the Mayor and staff to execute any and all documents related to the procurement. |
|---|

| | |
|---|--|
| COUNCIL AGENDA MEMO – 7/1/08 & 7/8/08 | |
| DEPARTMENT: Utilities | |
| AGENDA ITEM: Approval of an engineering professional services contract with Brown and Caldwell in the amount of \$126,806.00 for construction engineering and management services associated with the Airport Wastewater Treatment Plant Centrifuge Project. | |

| | | |
|--|-----------------|--------------|
| Approved By: | | Date: |
| Department Head: Jim Ciaffoni | <i>JC</i> | 6/26/08 |
| Finance Director: Mark Woodfill | | |
| City Manager: Steve Norwood | <i>SNorwood</i> | 06/28/08 |

Item Summary

This agenda item is to award a professional services agreement with Brown and Caldwell for the provision of construction-period engineering and construction management services during the construction of a building at the Airport Wastewater Treatment Plant, and the mechanical and electrical incorporation of a pre-purchased sludge-dewatering centrifuge with auxiliary equipment therein.

Background

The Utilities Operations Division collects and treats wastewater, and processes the relatively solid portion of the waste stream, called sludge, by removing as much water as possible before hauling to either land application or landfill disposal. In either case, the City pays on the basis of weight hauled, so it is very important to minimize water in the sludge. The Airport plant has been relying on a small, 15-year old trailer-mounted belt press to dewater the sludge. This equipment is obsolete, has expended its useful life, and because of its exposed location and poor performance, is not efficient in minimizing water content and increasing cost unreasonably. The lack of moisture control in the sludge is also jeopardizing the City's ability to meet maximum moisture contents as regulated by ADEQ for both land application and landfill disposal.

The centrifuge technology was found to be superior to the technology of the currently used belt press by both Brown and Caldwell and City staff. Brown and Caldwell provided design engineering services for the pre-purchase of a new sludge dewatering centrifuge during FY08. The contract for the centrifuge was awarded to Centrisys Corporation, and the plans for construction of this equipment have been approved by the City and Brown and Caldwell. Centrisys is presently constructing the equipment and will have it ready to ship in Fall 2008.

Brown and Caldwell has also finished the design and plans for the building to house the centrifuge equipment. The construction contract to construct this building, perform necessary site work, and integrate the associated complex mechanical and electrical centrifuge and auxiliary equipment into the building will be put out to bid in the very near future to allow completion of the building prior to delivery of the centrifuge equipment.

Agenda Item: Approval of an engineering professional services contract with Brown and Caldwell in the amount of \$126,806.00 for construction engineering and management services associated with the Airport Wastewater Treatment Plant Centrifuge Project.

Due to the degree of coordination required during the review, approval, and actual proper installation of complex mechanical and electrical systems associated with the centrifuge, the chemical feed system, and external product conveyance system, and due to Brown and Caldwell's intimate knowledge of the intent and details of this equipment per their role as the design engineer, it is prudent and justifiable for the City to consider their participation during the construction period as presented. Utilizing Brown and Caldwell for construction-period management will also help ensure that Centrisys will not experience delays in the completion of the building, allowing the centrifuge to be promptly incorporated into the building upon delivery.

Brown and Caldwell's scope of services will include responding to and documenting all inquiries during the bidding period, evaluating the bids, responding to all information requests and requests for substitutions during construction, approving all materials and methods used in the construction, conducting bi-weekly construction meetings, inspection of specialized work, preparation and certification of as-built drawings, and start-up assistance with associated process compliance testing.

Budget

There is \$1,234,000 (FY09) available in Project Account #13-92013 in the Sewer Fund for this project. The value of the completed improvement, including the building and all centrifuge-related equipment, is currently estimated to be \$965,000.

Recommended Action: **MOVE** to approve an engineering professional services contract with Brown and Caldwell in the amount of \$126,806.00 for construction engineering and management services associated with the Airport Wastewater Treatment Plant Centrifuge Project.

COUNCIL AGENDA MEMO –July 1, 2008

DEPARTMENT: Community Development

AGENDA ITEM: Request for One Year Extension for Submittal of Final Plat, Tuscan Village Subdivision.

Applicant: Ralph Burleson, Area Homes LLC, 710-0573
File # SP06-006, FP08-001

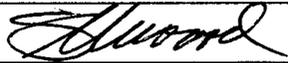
Approved By:

Date:

Department Head: Tom Guice

Finance Director:

City Manager: Steve Norwood



06/25/08

REQUEST

This is a request by Ralph Burleson, Area homes LLC, for a one year extension for the submittal of a Final plat for the Tuscan Village Subdivision. The reason for the request is the restructuring of the ownership and financing of the project. Council approved the Preliminary Plat for this 12 lot subdivision on 5/8/07. The property is located north of the Dexter School at First Street and Navajo and includes 1.4 acres. The Water Service Agreement (WSA 06-036) was approved for 4.2 af/yr (12 units x .35).

Recommended Action: MOVE to approve a one year extension, to July 2009, for the submittal of a final plat for the Tuscan Village Subdivision.

June 17, 2008

RE: TUSCAN VILLAGE SUB-DIVISION

Attention: Steve Gabor
City of Prescott, AZ

Dear Steve,

This letter is to inform and update you on the current financial conditions of AREA HOMES, LLC as they apply to the Tuscan Village Project and to request an extension for final plat approval.

Ownership and finance restructuring of the project had been delayed and has gone through several changes in the last six months. At this time the restructuring is completed and the financing is now secured.

For the present, I will be the owner of the project and all correspondence will be handled directly through me.

At this time I am requesting an extension for final plat approval. The first review has been completed and revisions are set to occur in the near term following the granting of the extension. Submitted engineering is in for the second review.

Included herein is a check for \$192.00 to cover the fee for the extension.

As always, I appreciate your attention to this matter as well as for your work and guidance over the last two years along with your patience and understanding of the ongoing changes in ownership and financing of the project.

Sincerely,

Ralph Burleson
AREA HOMES, LLC.

| | |
|--|---|
| COUNCIL AGENDA MEMO – (07/01/08 & 07/08/08) | |
| DEPARTMENT: | City Clerk |
| AGENDA ITEM: | Consideration of Resolution calling a Special Election for bonding of capital needs |

| | |
|--|--------------|
| Approved By: | Date: |
| Department Head: Elizabeth A. Burke, City Clerk | 06/26/08 |
| Finance Director: Mark Woodfill | |
| City Manager: Steve Norwood | |

Background

As has been discussed at the meetings with the Capital Needs Committee, if the Council chooses to place any of the items on the November ballot this year for bonding, a resolution calling the election must be adopted by July 8, 2008. Should the Council decide to move forward, a resolution would be completed once the Council decides what, if any, projects they want to present to the voters, and how they are to be presented. Staff would then bring back a final resolution for consideration at the Voting Meeting on July 8, 2008.

If adopted, staff would immediately advertise for pro/con arguments from the public to be included in the Informational Pamphlet, with a deadline for receipt of August 6, 2008. Also during this time the Informational Packet would be developed, and the deadline for getting that complete pamphlet to Election Operations Services would be August 8, 2008. This allows them time to have the pamphlet translated into Spanish, printed and ready for mailing to each household with a registered voter at least 35 days prior to the election, as required by state statutes.

| |
|---|
| <p>Recommended Action: Should the Council wish to move forward with calling a Special Election, MOVE to adopt Resolution No. _____.</p> |
|---|

COUNCIL AGENDA MEMO – (July 1 & July 8, 2008)

DEPARTMENT: City Clerk

AGENDA ITEM: Public Hearing and consideration of a liquor license application from Ruben Garcia, Agent for CIA La Fonda Corp., for a Series 12, Restaurant, license for La Fonda located at 628 Miller Valley Road.

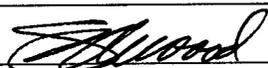
Approved By:

Date:

Department Head: Elizabeth A. Burke

Finance Director:

City Manager: Steve Norwood



06/26/08

A Liquor License Application, City No. 08-134 State No. 12133412, has been received from Ruben Garcia, Agent for CIA La Fonda Corp., for a Series 12, Restaurant, License for **La Fonda** located at 628 Miller Valley Road.

The public hearing will be held at the Regular Council Meeting of Tuesday, July 8, 2008. The applicant has been requested to attend the Regular Meeting to answer any questions Council may have.

This application is a new license at the location previously occupied by El Chaparral. The CIA La Fonda Corp. has La Fonda restaurants in Flagstaff and Camp Verde and has been in business since 1958. They plan a Prescott Grand Opening in August. A copy of the application is available for Council's review in the City Clerk's Office.

Recommended Action: (1) **MOVE** to close the Public Hearing; and (2) **MOVE** to approve/deny State Liquor License Application No. 12133412 for Ruben Garcia, Agent for CIA La Fonda Corp., for a Series 12, Restaurant, License for La Fonda located at 628 Miller Valley Road.

**ARIZONA STATE LIQUOR LICENSES
TYPES / PURPOSES
AS OF 04/07**

License Types: 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.

License Types: 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.

License Types: Series 03 Domestic Microbrewery License

Allows the licensee of a microbrewery to manufacture or produce not less than 5,000 gallons of beer in each calendar year following the first year of operation and not more than 620,000 gallons of beer in a calendar year.

License Types: Series 04 Wholesaler's License

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

License Types: 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.

License Types: 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.

License Types: 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.

License Types: 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.

License Types: 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.

License Types: 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.

License Types: 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.

License Types: 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.

License Types: Series 13 Domestic Farm Winery License

Allows a domestic farm winery licensee to manufacture or produce more than two hundred (200) gallons, but less than seventy-five thousand (75,000) gallons of wine annually, from grapes or other agricultural products, of which at least seventy-five percent (75%) are grown in this state.

License Types: 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.

License Types: 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.

Non-transferable License Types: 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.

License Types: Series 17 Direct Shipment License

Allows an out-of-state producer, exporter, importer, or rectifier 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.

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).

Editor's Note: The following Section was amended under an exemption from the Arizona Administrative Procedure Act (A.R.S. Title 41, Chapter 6) pursuant to Laws 1996, Ch. 307 § 18. Although exempt from certain provisions of the rulemaking process, the Department was required to provide for reasonable notice and hearing. This Section was not reviewed by the Governor's Regulatory Review Council; and the Department did not submit notice of proposed rulemaking to the Secretary of State for publication in the Arizona Administrative Register (Supp

PRESCOTT CITY COUNCIL
SPECIAL MEETING
TUESDAY, JUNE 17, 2008
PRESCOTT, ARIZONA

MINUTES OF THE **SPECIAL MEETING** OF THE **PRESCOTT CITY COUNCIL** held on **JUNE 17, 2008** in the **COUNCIL CHAMBERS** located at **CITY HALL, 201 SOUTH CORTEZ STREET**, Prescott, Arizona.

◆ **CALL TO ORDER**

Mayor Wilson called the meeting to order at 2:00 p.m.

◆ **ROLL CALL**

Present:

Absent:

- Mayor Wilson
- Councilman Bell
- Councilman Lamerson
- Councilwoman Lopas
- Councilman Luzius
- Councilman Roecker
- Councilwoman Suttles

PCNC MEMBERS PRESENT:

- Chairman Tammy Linn
- Vice Chairman Robert Weiss
- Secretary Elisabeth Ruffner
- Eloise Esser
- Paddie Braden
- John Danforth
- John Stevens
- Ron Younger
- Robert Ruillard
- James Lawrence
- Milbeth Mauer
- Dave Maurer
- Stephanie Bragg
- Ken Lain
- Steve Blair
- Malcolm Barrett

1. Presentation by representatives of the Prescott Capital Needs Committee re Committee findings and recommendations.

Chairman Tammy Linn, 1401 Claiborne Circle, gave a PowerPoint presentation, Exhibit A attached hereto and made a part hereof, noting that the presentation represents the findings of the Prescott Capital Needs Committee over the last four months and that some of these are the same slides seen at the budget meeting. She thanked the Mayor and Council for giving each of the committee members the opportunity to serve in this capacity.

Councilman Roecker asked about contingency money because at one point the amount was \$16,000,000 and then \$19,000,000. He asked if the final recommendation include a percentage of contingency. Ms. Linn said yes, the contingency is 20%.

Councilman Bell said the Council owes the committee members a great debt of gratitude for what they have done and the time and effort they spent on this.

Councilwoman Suttles asked if they see all of this going to a bond or if they see two different choices. Ms. Linn said there are four different choices: Park Upgrades, Rodeo Grounds, Runway Land Purchase and Public Safety. She said they can pick all of them or zero. Councilwoman Suttles asked if that is going to be too confusing for the voters. John Stevens said there are four choices; yes or no on each one of the four.

Councilwoman Suttles asked why they did it that way. Mr. Stevens said that was consensus of the committee as a majority vote.

Ms. Linn said when they are recommending this they know full well that the Council may make changes and that is the Council's task.

Councilwoman Suttles asked, if twenty of them came up with this, how they can expect the citizenry to decide on what they want. She said it is almost like a special interest.

John Danforth said he appreciated what she was saying and there was some sentiment to have choices for every single item rather than clustering the Public Safety. He said it is essentially the most extreme form of democracy to allow people to vote on every single issue. He said it requires the voter to be more informed than they otherwise might have to be if it is all clustered. He said their group recommends approval of each of the items but recognized that for some of them the public support might be less. He said if they put all the proposals together they were concerned that all of them would be turned down and eliminate something that was strongly favored by the populous. He said there was a great deal of discussion about this point and this was their majority recommendation.

Ms. Linn said if they look at the Public Safety Cluster and go back to the ratings, there was a lot of discussion and one of the reasons the group went to the cluster is because those items were rated some of the very highest as individual proposals.

Bob Ruillard said when they went through the first vote that had nothing to do with the cost of the projects and then they went through the second vote and it was tied to cost; the public safety items came up on top both ways. He said the original intention was to go with individual items but when they saw public safety jump to the top on everything they then thought they should keep that all together.

Councilwoman Suttles said she saw the extension of 1% sales tax for 25 years and asked if that was an easy decision.

Ms. Linn said it was and she was very specific with that recommendation because the motion was very specific. She said the motion is "Extension of the 1% sales tax for street improvements for 25 years." She said the committee felt that the street improvements were priority and there was discussion that the \$40,700,000 for open space would not change, so that would keep at the cap at \$40,700,000.

Malcolm Barrett said a lot of the underlying conversation about the extension of the 1% street sales tax was their ability to build streets now prior to collecting the amount. He said in past years when the Council has had a pay-as-you-go spending policy, the cost of construction was not escalating as high as the cost of borrowing. Mr. Barrett said right now the cost of borrowing is lower than the escalation of construction prices. He said in order to be able to get the money now and borrow it at low interest rates they could bond through funding of the 1% sales tax, which does not require an additional property tax or a vote. He said they thought it was less expensive to bond and build now than to build later. Mr. Barrett said in talking with Steve Norwood, he recommended that in order to allow for a bond, they need 25 year minimum.

Councilwoman Suttles said they have always had some difference with open space and roads and asked if this is keeping the same vote in. Ms. Linn said it was.

Steve Blair thanked Councilwoman Suttles for selecting him to be the committee and thanked staff for all of their hard work, noting that the committee could not have done it without them. He said there was a lot of dialogue with the individual members. He said the fly in the ointment is how this is written for the voters to be able to understand it when comes to the proposition on the ballot and cautioned that even though he agreed with the committee's recommendation, he believed that a couple of people off this committee be involved in writing of the proposition. He said there should be some guidelines set out to say to the public

that extending the sales tax until 2040 would create an element for maintenance to open space. Mr. Blair said he is not against open space, but he wants to see maintenance on the open space so it does not come out of the general fund. He said the 1% gives the Council flexibility to put in the wording of capital improvement projects and not be only focused on roads. He said the Council members are the people they elect to do the right for the community and they do not need to be handcuffed by the wording on a ballot.

Mr. Blair said he supports the public safety element and allowing them to go for a bond and that public safety is critical in the community. He said part of being successful with retaining employment in the community is to have state of the art facilities and equipment. He said that is something the public expects and he respects the fact that it should be the focus of a community to provide something they cannot do themselves.

Councilwoman Suttles said that the recommendation to include those members from the Capital Needs Committee to help with the ballot is a great idea.

Councilman Lamerson thanked all of the members who gave of their time. He said they can always learn from the past and really appreciates such luminaries of the past such as Elisabeth Ruffner and those folks sitting on such committees as this. Councilman Lamerson agreed with Councilman Bell's suggestion to let some of what he is looking at permeate before making a lot of comment. He said it was a very good presentation and he really appreciates the time they spent on it.

Councilman Bell said he believes that Dr. Danforth hit it on the head when talking about the cluster. He said he knows how important public safety is but he would hate to see that portion go down because some of the items on it were rated lower. Councilman Bell said he is wondering if that is a wise situation or if they should make those individual items so that the whole cluster would not go down with one vote.

Ms. Linn said the committee recommended what they saw in the presentation.

Councilman Luzius thanked Ms. Linn and the members of the committee for their efforts. He asked if some of the public safety costs were covered by impact fees.

Ms. Linn said that is correct and one of the things that was very evident is that the amount of money that is raised by impact fees would not cover these items and that the actual figure was shockingly low to most of them. She said even though they all support what the Committee says there was a lot of discussion about that point and recommended looking at the minutes.

Mayor Wilson said he has trepidations about the clustering for the same reason Councilman Bell did because there are some very important projects there and

he would hate to see them pushed back by the general public due to the magnitude of one cluster and lose everything.

Mayor Wilson asked about the 1% sales tax extension and what the thinking was behind the March 2009 date. Ms. Linn said the whole point was to separate the sales tax extension from the general election. He explained that a sales tax extension does not have to go to the general election but a bond does. She said the committee felt that they could see what happened in November at the general election with the statewide highway tax, the JTED, and a lot of other items to be voted on, and then have the 1% sales tax in March of 2009.

Mayor Wilson said in the context of the current economy the current sales tax will keep rolling until 2015 so if they were to wait until 2011 when the economy comes back as everyone expects they might have a better go around with the voters on that one.

Ms. Linn said the other thing that was brought up was that it may not pass the first or second time. She said they have real critical needs for roads right now. She said there was actually no discussion about doing a different date.

Dr. Danforth said they were running up with some of the funding for projects right now they are more front loaded in terms of the expenditures. He said the opportunity to bond and use that tax revenue as the basis for the bonding is getting difficult. He said by having the extension voted on now it would give the City greater flexibility to issue bonds that would have a revenue stream supporting them for a longer period of time.

Ms. Linn said Mr. Barrett brought up the issue of the interest rates being at a perfect point right now.

Ms. Linn introduced Joe Baynes and Rowle Simmons who both joined the meeting.

Mayor Wilson thanked everybody who worked on the committee and he personally appreciated all of the work that they have done. He said they are planning to celebrate the committee's accomplishment by a dinner or something. He said he values volunteerism and that is one of the key elements in Prescott that makes them different.

Ms. Linn said she will be at the meetings for the next four weeks to answer questions by Council and if they have questions of the rest of the members she encouraged the Council to ask the committee members. She said she cannot guarantee that all of the members will be here for the next four weeks but said she told Laurie Hadley that she would be available for the next four Tuesdays in case there are questions.

Councilwoman Lopas said this was a fabulous think tank and thanked everyone who was on the committee, and to have the financial background was huge. She said she thinks the voters will understand and it is how they market this to the voters and she thinks the voters will want to make sure all these projects are done.

Councilman Luzius asked Mark Woodfill if he was comfortable with the bonding recommendations made by the committee. Mr. Woodfill said they looked at it, came up with the projections and it does fall under the Constitutional limits, so in that way he is comfortable with the recommendation. Councilman Luzius asked if they will be able to pay for the bond. Mr. Woodfill said if it is a general obligation bond there will be a secondary assessment that will equal the debt service. Councilman Luzius asked if any of this will ultimately go onto citizens' property. Mr. Woodfill said all of it would.

Councilman Roecker asked if it would affect the City's bonding rating. Mr. Woodfill said it would affect it slightly as additional debt but since it is general obligation debt voted on by the citizens it does not affect the rating as much as revenue debt.

Mayor Wilson said one of the more interesting slides in the presentation was the City's amount of property tax versus other municipalities and the City is quite low.

Steve Norwood said, assuming all of the projects go forward and that all of them are approved by the voters, this is nothing more than authorization. He said it does not commit them or obligate them, but it does give them the authorization to issue debt. Mr. Norwood said they would not issue this debt all at once and this would be something done over several years so the impact to the taxpayer would be incremental as projects are done.

Rowle Simmons commended Tammy Linn for the job she did. He said he was a skeptic and he speaks for former Councilman Blair because in six years as Mayor it was hard to keep everybody rolling in groups of 4 and 5 much less having 20. He said anyone that could have watched this in the process would have been amazed at the phenomenal job staff did, that they spent a great deal of time, they came and were well prepared. Mr. Simmons said this was most successful because from the standpoint that everyone had one focus and that was the betterment of the community. He said he did not see one person there that had an agenda, which really says a lot.

Ms. Linn said together as a group they came up with rules at the very beginning; that they check their egos and personal agendas at the door. She said they all have their personal things that they would like up there but if it was not the best for the community it did not make this list.

Mr. Norwood said the point of this today was to give the Council an opportunity to hear the presentation and ask questions. He said they still have the

opportunity to have public participation at three more meetings. Mr. Norwood asked that they have another Special Meeting next Tuesday, June 24, 2008 at 1:30 p.m. for additional questions and public comment and still no action.

2. Adjournment.

There being no further discussion, the Prescott City Council Workshop of June 17, 2008, adjourned at 1:48 p.m.

JACK D. WILSON, Mayor

ATTEST:

Elizabeth A. Burke, City Clerk