PRESCOTT CITY COUNCIL REGULAR VOTING MEETING AGENDA

PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, JULY 26, 2011
3:00 PM

Prescott City Hall Council Chambers
201 South Cortez
Prescott, Arizona
(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**: Chaplain Walter Crites, Veterans of Foreign Wars
- **PLEDGE OF ALLEGIANCE**: Councilman Blair
- **ROLL CALL**:

MAYOR AND CITY COUNCIL:

Mayor Kuykendall
Councilman Blair — Councilwoman Lopas
Councilman Hanna — Councilman Scamardo
Councilman Lamerson — Councilwoman Suttles

- **SUMMARY OF CURRENT OR RECENT EVENTS**

I. SPECIAL RECOGNITION

A. Administer Oath of Office and Seating of Len Scamardo as Councilmember for four-month term.

II. REGULAR AGENDA

A. Approval of Economic Development Agreement with Prescott Historical Society, Inc., dba Sharlot Hall Museum in an amount not to exceed $10,000.00 annually.

B. Award of bid and contract for the FY2012 Pavement Reconstruction Project to Asphalt Paving & Supply, Inc., in the amount of $1,288,774.20.

C. Approval of Site Plan for a Planned Area Development to construct six units of affordable housing on approximately 0.18 acres located at 201 and 203 W. Leroux Street. Owner: Project Aware, APN: 109-14-019, File No. SI11-002.

D. Property located on the northwest corner of Dameron and Whipple:

1. Adoption of Resolution No. 4093-1203 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending the General Plan Land Use Map, Parcel 116-20-009 (Allendale Tract Amended Plat of Lot 3 Allendale Tract 84x60' Lot 11 Jt.) to reflect from "Low-Medium Density Residential" to "Mixed-Use Commercial" and amending the Canterbury Neighborhood Plan, Goal 1, Objective 1.b. (GP11-002)

2. Adoption of Ordinance No. 4803-1203 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending the Zoning Map pertaining to that certain property located at 902, 908, and 912 Dameron Street from "Single-Family 9 (SF-9)" zoning to "Business General (BG)" zoning.

E. Adoption of Ordinance No. 4802-1202 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending Title I, Chapter 27 of the Prescott City Code, *City of Prescott Procurement Code*, by amending Sections 11 through 13 of the Prescott Procurement Code.

F. Approval of comments/direction to Yavapai County re Redistricting.

G. Approval of the minutes of the Prescott City Council Regular Voting Meeting of July 12, 2011.

III. 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, MMC, City Clerk

II-A

COUNCIL AGENDA MEMO – July 26, 2011	
DEPARTMENT: City Manager	
AGENDA ITEM: Approval of Economic Development Agreement with Prescott Historical Society, Inc.	

Approved By:		**Date:**
Finance Director:	Mark Woodfill	
City Manager:	Craig McConnell Craig McConnell	7-18-11

Background

The City of Prescott and Prescott Historical Society, Inc., dba Sharlot Hall Museum, have had a longstanding cooperative relationship (since 1917) wherein the City has provided certain services and/or credits to the Society in exchange for the benefits of the Society's operation of Sharlot Hall Museum in downtown Prescott. These benefits include major events drawing tourism to the City, and the preservation of historical buildings and records dating back to territorial times.

The most recent agreements, each with a three-year term, were Contracts No. 05-228 (2005-2008) and No. 2008-321 (2008-2011, which expired on June 30th). Given the reduction in State of Arizona funding which has occurred, and as the Museum seeks to transition to other means of support to replace it, the Society views a new agreement with Prescott providing the following City payments/credits (unchanged from the prior agreement) as crucial to continued operation:

- Sanitary sewer service for three (3) accounts on the property
- Sanitation service for a six cubic-yard dumpster twice per week
- An annual credit of $5,500 to offset charges on the main water account
- An annual (fiscal year) maximum of $10,000 for the preceding credits/ payments

Total amounts paid/credited by the City in each of the three most recent fiscal years:

FY 09	$8,400.18
FY 10	2,998.08
FY 11	8,671.72

Although on June 24, 2008, the Council at that time approved Contract No. 2008-321 "... in an annual amount not to exceed $12,500.00," for unexplained reasons the actual signed agreement capped the amount at $10,000.00. This amount ($10,000.00) was reflected in formulation of the FY 12 budget, and Sharlot Hall is agreeable to this sum for the purposes of the new agreement.

Agenda Item: Approval of Economic Development Agreement with Prescott Historical Society, Inc.

Agreement Term and Funding

The new agreement (attached) is for a three-year period, from July 1, 2011, through June 30, 2014. As mentioned above, funding of $10,000.00 has been included in the FY 12 budget for the associated payments/credits not to exceed this amount.

Attachment - Economic Development Agreement

Recommended Action: **MOVE** to approve the three-year Economic Development Agreement with Prescott Historical Society, Inc., in an amount not to exceed $10,000.00 annually.

ECONOMIC DEVELOPMENT AGREEMENT

BETWEEN PRESCOTT HISTORICAL SOCIETY, INC.

AND THE CITY OF PRESCOTT, ARIZONA

This Agreement is entered into this _____ day of _____, 2011, by and between the Prescott Historical Society ("Society") and the City of Prescott, Arizona ("City"), acting by and through their respective governing bodies.

I. RECITALS

1. The Society is empowered by A.R.S. §41-4833 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the Society.

2. The City is empowered to enter into this Agreement pursuant to Article I, Section 3 of the City Charter, and has resolved to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the City.

3. The parties hereto desire to clarify their responsibilities, if any, under the Agreement of June 7, 1917 ("Agreement"), between the City and Society's predecessor in interest, the State of Arizona, for the term of this Agreement.

II. TERMS

1. For each fiscal year during the term of the Agreement, the City shall provide the following services to the Society, at no charge to the Society:

a. Sanitary sewer service for the following three (3) sewer accounts: 3264-41500-1, 7802-11500-0, and 5062-10800-2.

b. Sanitation service, which shall consist of refuse pick-up from a six cubic yard dumpster on the Society's grounds, to be picked up two (2) times per week.

c. An annual credit in the amount of $5,500.00 toward any water charges which may accrue against the Society's main water account (Number 3264-41500-1).

d. The total credits and/or payments by the City pursuant to this Agreement shall not exceed $10,000.00 in any one fiscal year.

2. The parties agree that the services to be provided by the City in Paragraph II above shall constitute an accord and satisfaction of any extent of the City's obligation the City may have to the Society under the Agreement of June 7, 1917, as consideration for executing this Agreement.

3. This Agreement shall become effective July 1, 2011, and shall terminate on June 30, 2014; provided, however, that this Agreement may be terminated by either party upon thirty (30) days written notice to the other party.

4. This Agreement may be canceled in accordance with A.R.S. §38-511.

5. The provision of A.R.S. §35-214 are applicable to this contract.

6. Prohibition Against Discrimination. The parties hereby acknowledge that they are bound by Executive Order No. 99-4.

7. In the event of any controversy which may arise out of this Agreement, the parties hereto agree to abide by required arbitration as is set forth in A.R.S. §12-1518 to the extent that statute is applicable.

8. All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Executive Director
Prescott Historical Society
Sharlot Hall Museum
415 West Gurley Street
Prescott, Arizona 86301

Prescott City Manager
City of Prescott
201 South Cortez Street
Prescott, Arizona 86303

9. The parties hereto do not intend any change in the ownership of tangible property because of this Agreement. Upon termination of this Agreement, each party will own the tangible property that it owned prior to the Agreement.

10. The parties recognize that the performance by either party may be dependent upon the appropriation of funds by the Legislature. Should the Legislature fail to appropriate the necessary funds or if the appropriation for either party is reduced during the fiscal year, the parties may reduce the scope of this Agreement if appropriate or terminate the Agreement without further duty or obligation. Each party agrees to notify the other party as soon as possible after the unavailability of said funds comes to its attention. No penalty shall accrue to either party in the event this provision is exercised, and either party shall not be

liable for any future payments due for any damages as a result of the termination under this provision.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

PRESCOTT HISTORICAL SOCIETY

By:_____
John Langellier, Director

ATTEST:

By:_____
Name:
Business Manager:

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Prescott this _____ day of _____, 2011.

_____
MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

_____
ELIZABETH A. BURKE
City Clerk

_____
GARY D. KIDD
City Attorney

II-B

COUNCIL AGENDA MEMO – July 26, 2011

DEPARTMENT: Public Works

AGENDA ITEM: Award of bid and contract for the FY 2012 Pavement Reconstruction Project to Asphalt Paving & Supply, Inc., in the amount of $1,288,774.20.

Approved By:		**Date:**
Department Head:	Mark Nietupski	July 14, 2011
Finance Director:	Mark Woodfill	
City Manager:	Craig McConnell Craig McConnell	7-14-11

Item Summary

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

Yavapai Hills Drive (Miracle Rider Road to Tom Mix Trail)
Prescott View Place (end of both cul de sacs north and south of Rosser Street)
Prescott View Circle (Prescott View Place to east end)
Doka Drive (Whetstine Avenue to north end)
Mosher Lane (Whetstine Avenue to Prescott Heights Drive)
Fair Street (Gail Gardner Way to Miller Valley Road)
Merritt Street (Drainage Repair at Dameron Drive)

Background

The pavement reconstruction project generally consists of removing existing asphalt pavement and subgrade material and repaving with new hot mix asphalt over an engineered section of processed subgrade and aggregate base course. The asphalt pavement on the selected streets has deteriorated to a point beyond maintenance / repair and must be replaced in its entirety per the recommendation of geotechnical reports. Utility covers will be adjusted to finish grade.

Pavement reconstruction is one element of the Public Works Department's comprehensive program to preserve, rehabilitate, and upgrade the City's street system. City Council recently awarded two other contracts for pavement preservation (rubberized chip seal) and pavement rehabilitation (mill and overlay) for construction this summer.

In advance of the proposed pavement reconstruction, UniSource Energy Services has been relocating gas lines to accommodate the roadway reconstruction. Unisource Gas also performed leak detection surveys within the project limits to perform any necessary repairs prior to the pavement reconstruction.

Agenda Item: Award of bid and contract for the FY 2012 Pavement Reconstruction Project to Asphalt Paving & Supply, Inc., in the amount of $1,288,774.20.

City water and sewer facilities within the various street segments were evaluated and checked against the City Water and Sewer Models to confirm that there are no immediate system upgrade needs.

Bid Results

A mandatory pre-bid meeting was held on June 22, 2011; one bid was received on July 7, 2011, as follows:

Bidder	Location	Total Bid
Asphalt Paving & Supply, Inc.	Prescott Valley, AZ	$1,288,774.20
Engineer's Estimate		$1,176,118.50

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

Schedule

The contract allows one hundred twenty (120) calendar days for completion of the work with project milestones listed below:

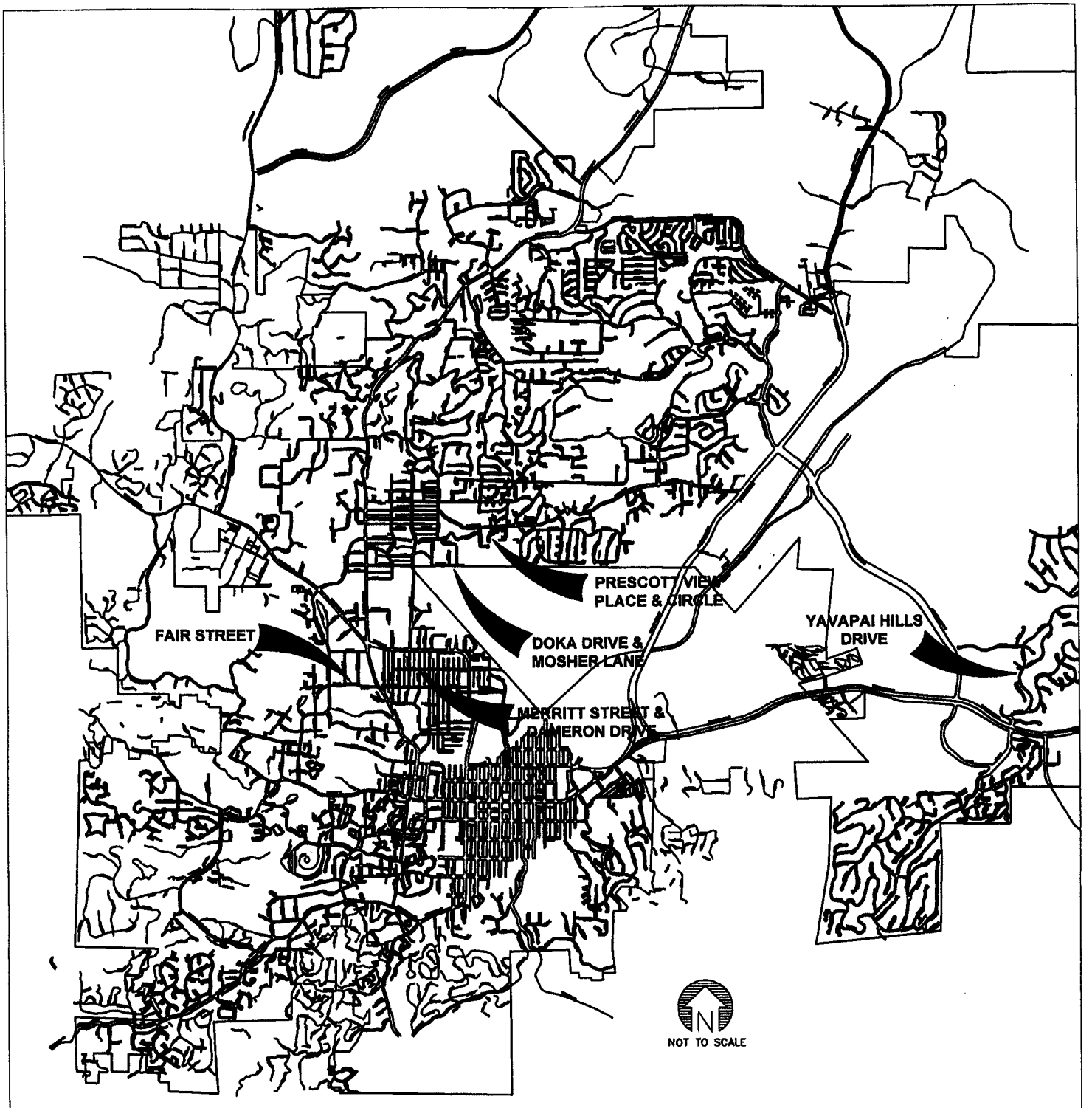
Award of Contract	July 26, 2011
Pre-Construction Meeting	August 3, 2011
Notice to Proceed (NTP)	August 8, 2011
Substantial Project Completion	December 5, 2011

Budget

FY 2012 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 2012 Pavement Reconstruction Project to Asphalt Paving & Supply, Inc., in the amount of $1,288,774.20.



PROJECT VICINITY MAP

FY 2012 PAVEMENT RECONSTRUCTION PROJECT

CITY OF PRESCOTT PUBLIC WORKS DEPARTMENT

II-C

COUNCIL AGENDA MEMO – July 26, 2011

DEPARTMENT: Community Development

AGENDA ITEM: Site Plan for a Planned Area Development to construct 6 units of affordable housing on approximately 0.18 acres located at 201 and 203 W. Leroux Street. Owner: Project Aware, APN: 109-14-019, File No. SI11-002.

Approved By:		**Date:**
Department Head:	Tom Guice	
Finance Director:	Mark Woodfill	
City Manager:	Craig McConnell	7-15-11

ITEM SUMMARY

Project Aware is proposing to construct six units of affordable housing on the southwest corner of Montezuma Street and W. Leroux Street, just east of the current Project Aware apartment complex. The site is approximately 0.18 acres, and is zoned Business Regional. In order to achieve a greater density than what is permitted by typical development standards, the applicant is requesting approval of a Planned Area Development which allows for increased density standards. As a part of the project, the existing structure located on the site is to be demolished.

PLANNING COMMISSION RECOMMENDATION

The Planning and Zoning Commission reviewed this project at its meeting on June 9 and the Public Hearing on June 30, 2011. No written comments for or against the proposal were received. Concern was noted by the Commissioners regarding the parking requirements for assisted living facilities, which calls for ½ space per apartment. It was suggested that future uses of the site would be impacted by the limited parking available. Staff explained that parking requirements are set according to the current proposed use. Additionally, the parking requirements for assisted living facilities have worked well for other similar uses. Any future change of use, however, would be required to meet the parking requirements for that proposed use.

The Planning and Zoning Commission voted unanimously to recommend approval of SI11-002, Site Plan for a Planned Area Development.

BACKGROUND

Project Aware is a non-profit corporation that provides affordable housing for men, women, and families. They currently own and manage 14 apartment units at 215 W. Leroux Street. Similar to the existing units, the proposed project will be available to those earning less than 60% of the median income and will be managed by a case worker. The new project is located on the southwest corner of Montezuma Street and W. Leroux Street. The City Council approved the allocation of $164,147.50 of Community Development Block Grant funds to Project Aware for the purchase of this property. The project also supports the goals and vision of the City of Prescott General

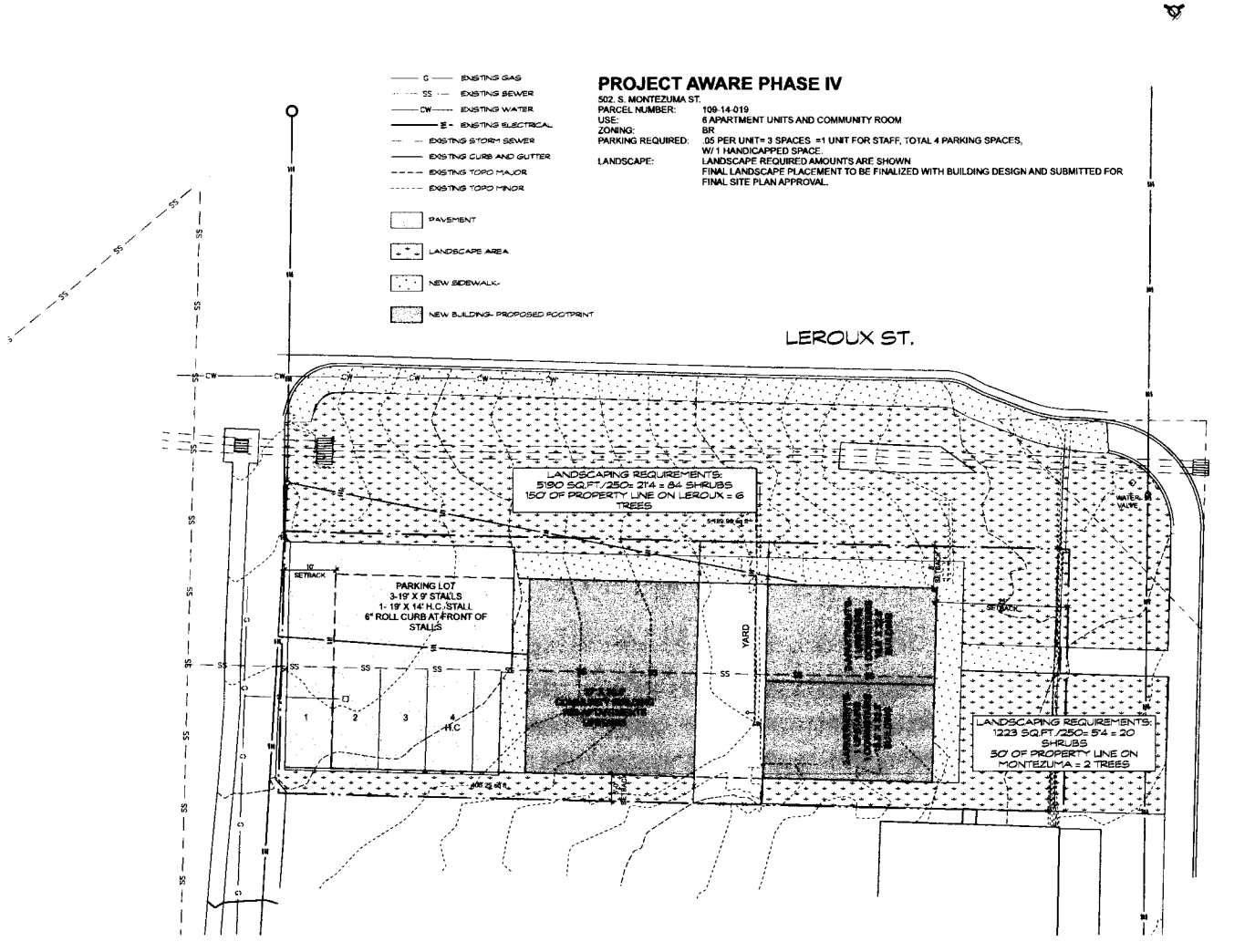
Plan, which recognizes the need for affordable housing stock within the City (Sections 4.3 and 5.0).

In order to achieve a greater density than what is typically permitted, the applicant is proposing to construct six units of affordable housing on the site according to Planned Area Development standards. Given the property size, a maximum of four units would be permitted on the property under strict application of the Code. However, maximum densities allowed in the Business Regional district per Planned Area Development standards are 32 units per acre. Approval of the Planned Area Development would permit up to six units.

The proposed site plan shows two buildings with a shared yard. The building closest to the alley off of Leroux includes a Community Room and office on the first floor and two apartments on the second floor. The building closest to Montezuma will have two apartment units on each the first and second floors. Building setbacks, total lot coverage, landscaping and parking as shown, meet Land Development Code requirements.

ATTACHMENTS - Site Plan

Recommended Action: **MOVE** to approve SI11-002, a Planned Area Development of 6 affordable housing units at 201 / 203 W. Leroux Street.



PROJECT AWARE PHASE IV

502. S. MONTEZUMA ST.

PARCEL NUMBER:	109-14-019
USE:	6 APARTMENT UNITS AND COMMUNITY ROOM
ZONING:	BR
PARKING REQUIRED:	.05 PER UNIT= 3 SPACES =1 UNIT FOR STAFF, TOTAL 4 PARKING SPACES, W/ 1 HANDICAPPED SPACE.
LANDSCAPE:	LANDSCAPE REQUIRED AMOUNTS ARE SHOWN FINAL LANDSCAPE PLACEMENT TO BE FINALIZED WITH BUILDING DESIGN AND SUBMITTED FOR FINAL SITE PLAN APPROVAL.

SITE W/ BUILDINGS (1)
SCALE: 1" = 10'

Catalyst Architecture, LLC
123 Goodwin Street
Prescott, Arizona 86303
(928)778-3506
www.CatalystArchitecture.com

PRELIMINARY NOT FOR CONSTRUCTION

Date:
Revisions:

Project No: 1105

A New Development for:
PROJECT AWARE

PROJECT AWARE PHASE IV
502 S. MONTEZUMA PRESCOTT, AZ 86303

SITE PLAN

Scale: 1" = 10'

N

North

Drawn: KAC Checked:

Sheet No:

S-01

COUNCIL AGENDA MEMO – July 26, 2011

DEPARTMENT: Community Development

AGENDA ITEM: General Plan Map Amendment (GP11-002) for 912 Dameron Street from Low-Medium density Residential to Mixed-Use Commercial and amending the Canterbury Neighborhood Plan Goal 1, Objective 1.b.

Approved By:	**Date:**
Department Head: Tom Guice	
Finance Director: Mark Woodfill	
City Manager: Craig McConnell Craig McConnell	7-18-11

REQUEST:

This request seeks to amend the General Plan Land Use Map designation for property located at 912 Dameron Street from Low-Medium Density Residential to Mixed-Use (a Commercial designation) to allow a rezoning and development of the subject site as a retail commercial center. There are three residential lots east of and adjoining the existing commercial lot at the corner of Whipple Street and Ruth Street. Two of these lots (902 and 908) already have Mixed-Use land use designations.

ASSOCIATED NEIGHBORHOOD PLAN AMENDMENT:

Associated with this request is a proposed amendment to the Canterbury Neighborhood Plan to modify a reference to future rezoning of residential parcels north of Whipple Street. Goal 1, Objective 1.b. of the neighborhood plan specifically endorses future rezoning of the first two residential parcels off of Whipple to a commercial designation. In this instance, three residential lots north of Whipple adjoin the existing commercially zoned parcel at the corner of Whipple Street and Ruth Street. It is the desire of the applicant to amend the General Plan designation for the third lot and then rezone all three lots to Business General to conform to the corner lot. This would then allow for the combination of all four lots and development of a retail commercial center. To accomplish these actions, the applicant seeks to amend the General Plan map designation and Canterbury Neighborhood Plan to allow for the third lot to be rezoned to commercial (Business General).

MAJOR VERSUS MINOR PLAN AMENDMENT:

The scope of this project does not trigger the Major Plan Amendment process as defined by the General Plan.

ASSOCIATED REZONING REQUEST:

Associated with this request is RZ11-003, rezoning of the three lots from their current SF-9 zoning to BG zoning.

Agenda Item: GP11-002, amending the General Plan land use designation for 912 Dameron Street.

PLANNING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission considered this request, in association with RZ11-003, at their June 9th and June 30th meetings. Staff noted that no comments were received from nearby property owners. After discussion by the Commissioners and questions to the applicant the Planning and Zoning Commission voted 6-0 (Commissioner Scamardo absent) to recommend approval of this request to the City Council.

Attachments

General Plan Map Exhibit
Resolution No. 4093-1203

Recommended Action: MOVE to adopt Resolution No. 4093-1203.

Residential
Subject Parcel
Commercial
Mixed-Use
Whipple Street

LAND USE GOALS & OBJECTIVES

Goal 1
Retain the residential core of the neighborhood while allowing those residential properties most significantly impacted by current traffic patterns to transition to commercial land uses.

Objective 1A: : Rezoning requests to the Residential Office zoning district should be accompanied with a development agreement to remove incompatible uses as defined by the neighborhood planning team. Uses to be excluded include multi-family residential, planned area development, boarding and rooming houses, day care group home, artisan studios, and music, dance and tutoring lessons. Personal and professional services are limited to regular operation hours of 8am to 6pm, Monday through Saturday.

Objective 1B: Support the rezoning of residential property along Whipple, two lots deep, from Jovian Drive to Dameron Street to either the Residential Office (RO) zoning district with shared access drives and connected parking areas.

Objective 1C: Support the rezoning of three residential lots along Whipple east of Canterbury Street to Residential Office (RO) zoning if alternative access can be provided.

Objective 1D: Support the rezoning of residential lots along Scott Drive to the Residential Office (RO) zoning district.

Objective 1E: The conversion of existing single family residences to multi family is strongly discouraged for all portions of the neighborhood including those areas suggested for commercial zoning districts.

Goal 2
Promote commercial development and redevelopment that is unobtrusive to the neighboring residential properties and protects those properties from adverse impacts such as increased noise or traffic.

Objective 2A: Require the use of buffering and screening mechanisms when commercial uses abut residential lots, such as landscaped berms, opaque fencing, and increased setbacks, to protect the privacy and minimize nuisances to the residents in the area. The types of buffering and screening required should be negotiated with the adjoining residential property owner.

Objective 2B: Commercial uses abutting residential properties are suggested to be limited in hours of operation to day time use only so as not to disturb area residents.

Objective 2C: Encourage lot consolidation for commercial rezoning requests along Whipple to promote development that has sufficient site facilities for parking, buffering and screening.

RESOLUTION NO. 4093-1203

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE GENERAL PLAN LAND USE MAP, PARCEL 116-20-009 (ALLENDALE TRACT AMENDED PLAT OF LOT 3 ALLENDALE TRACT 84X60' LOT 11 JT) TO REFLECT FROM "LOW-MEDIUM DENSITY RESIDENTIAL" TO "MIXED-USE COMMERCIAL" AND AMENDING THE CANTERBURY NEIGHBORHOOD PLAN, GOAL 1, OBJECTIVE 1.b

RECITALS:

WHEREAS, the City of Prescott has received a request to amend the General Plan Land Use Map pertaining to property described as APN 116-20-009, 912 Dameron Street; and,

WHEREAS, the City of Prescott has received a request to amend the Canterbury Neighborhood Plan, Goal 1, Objective 1.B; and,

WHEREAS, the Planning and Zoning Commission of the City of Prescott has held public hearings regarding said General Plan Land Use Map Amendment, subject to certain conditions; and,

WHEREAS, the City Council of the City of Prescott has determined that it would be in the best interest of public necessity, interest, convenience or general welfare to amend the General Plan Land Use Map and the Canterbury Neighborhood Plan, Goal 1, Objective 1B. pertaining to said properties; and,

WHEREAS, the requirements of the 2003 Prescott General Plan ratified on May 18, 2004, ARS Section 9-461.11, and Resolution No. 3678 have been complied with.

ENACTMENTS:

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

SECTION 1. That the General Plan Map be amended to reflect a new designation of "Mixed-Use" for Allendale Tract Amended Plat of Lot 3 Allendale Tract 84X60' LOT 11 JT (Parcel 116-20-009).

SECTION 2. That the Canterbury Neighborhood Plan be amended to read:

"Objective 1B: Support the rezoning of residential property along Whipple, ~~two~~ three lots deep, from Jovian Drive to Dameron Street to either the Residential Office (RO) zoning district or Business General (BG) zoning district with shared access drives and connected parking areas."

SECTION 3. That the Mayor and staff are hereby authorized to take all such steps as may be necessary to effectuate said "General Plan Land Use Map," and Canterbury Neighborhood Plan, Goal 1, Objective 1B.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 26th day of July, 2011.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

ELIZABETH A. BURKE, City Clerk

APPROVED AS TO FORM:

GARY D. KIDD, City Attorney

COUNCIL AGENDA MEMO – July 26, 2011

DEPARTMENT: Community Development

AGENDA ITEM: Rezone three lots located at 902, 908 and 912 Dameron Street from Single-family (SF-9) to Business General (BG) to enable the development of a commercial shopping center. Owner: Dameron Properties, LLC, APN's: 116-20-009, 116-20-010, 116-20-011B. File No. RZ11-003.

Approved By:	**Date:**
Department Head: Tom Guice	
Finance Director: Mark Woodfill	
City Manager: Craig McConnell Craig McConnell	7-18-11

REQUEST:

This request seeks to rezone three lots from Single-Family Residential 9 (SF-9) to Business General (BG) to allow for the development of a retail commercial center. An associated General Plan Land Use Map amendment affects the northern-most lot (912 Dameron Street) and would change the designation of that lot from Low-Medium Density Residential to Mixed Use Commercial to match the other two lots fronting Dameron Street.

SITE INFORMATION:

The site is located north of Whipple Street and between Ruth Street and Dameron Street. The subject parcels are on the west side of Dameron Street and constitute the eastern 1/3 of the overall site.

PROPOSED DEVELOPMENT:

The site is proposed to be developed as a commercial retail center with undefined retail and/or office uses. The site design indicates a drive-through window and stacking lane consistent with a Fast-food restaurant. 65 parking spaces are indicated on the site plan, which should be sufficient for most combinations of commercial uses. Three access points are shown, however one of those (onto Dameron Street) appears problematic to the Public Works Dept and is recommend to be removed from the site plan. Given the size and location of the site, the remaining two access points are adequate for the proposed site design. At this time no Traffic Impact Analysis (TIA) is required, however one may be triggered by certain commercial uses. If required, the TIA must be completed prior to issuance of building permits (tenant improvements) for such uses.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTERISTICS, ZONING & LAND USE:

The development of this parcel is proposed to be commercial in nature and will require adequate screening and buffering between those uses and the adjoining residential uses. Residential buffering requirements of the Land Development Code (LDC) will apply to the north property line of the proposed commercial site. The site plan indicates a combination of solid screening wall and landscaping to buffer noise and light impacts from the

residences to the north. The remainder of the site must meet setback and landscaping requirements of the LDC. Any exterior lighting will also be required to meet all "dark sky" standards of the Land Development Code.

The site is located within a Commercial Corridor Overlay district with certain design standards requiring muted building and roof colors.

INFRASTRUCTURE:

Streets and Utilities in the vicinity are adequate to serve the commercial use of this site. One significant issue for staff is the proposed driveway connection onto Dameron Street. Such a connection would necessitate the relocation of the existing traffic barrier northward approximately 50 feet to allow north bound traffic access into the commercial site. This creates the possibility of allowing drivers to turn onto Dameron Street without knowing that it is blocked. This could create unsafe conditions for vehicle circulation to the commercial site, as well as, creating conflicts with the residential traffic attempting to exit the neighborhood. Engineering staff strongly recommends against the creation of this driveway and the relocation of the traffic barrier.

CONSISTENCY WITH THE GENERAL PLAN:

One of the parcels proposed for rezoning also requires a General Plan and a Canterbury Neighborhood Plan amendment. The lot at 912 Dameron Street is designated residential on the General Plan Land Use map and is requested to be re-designated to Mixed Use Commercial by a separate action (GP11-002). That General Plan amendment also includes a modification of a provision in the Canterbury Neighborhood Plan that recommends future commercial zoning for only the first two lots off of Whipple Street.

PLANNING & ZONING RECOMMENDATION:

The Planning & Zoning Commission considered this request, in association with GP11-002, at their June 9th and June 30th meetings. Planning and Engineering staff noted one concern regarding the proposed new driveway access onto Dameron Street. Staff noted that no comments were received from nearby property owners. After discussion by the Commissioners and questions to the applicant, the Planning and Zoning Commission voted 6-0 (Commissioner Scamardo absent) to recommend approval. The Commission's recommendation to approve the rezoning included a condition that the Dameron St. access be removed from the site plan.

Attachments

Exhibit - Subject Property
Rezoning Ordinance No. 4803-1203

Recommended Action: MOVE to adopt Ordinance No. 4803-1203.

ORDINANCE NO. 4803-1203

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING MAP PERTAINING TO THAT CERTAIN PROPERTY LOCATED AT 902, 908, AND 912 DAMERON STREET FROM "SINGLE-FAMILY 9 (SF-9)" ZONING TO "BUSINESS GENERAL (BG)" ZONING

RECITALS:

WHEREAS, the owner of certain properties within the corporate limits of the City of Prescott has requested an amendment to the Zoning Map pertaining to its property; and

WHEREAS, the Planning and Zoning Commission of the City of Prescott has held public hearings regarding said Zoning Map Amendment, subject to certain conditions; and

WHEREAS, the City Council of the City of Prescott has determined that it would be in the best interest of public necessity, interest, convenience or general welfare to amend the Zoning Map pertaining to said properties;

WHEREAS, the requirements of the City of Prescott *Land Development Code* have been complied with.

ENACTMENTS:

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

SECTION 1. THAT, the Zoning Map pertaining to the following described parcels of land, generally located on the northwest corner of Whipple Street and Dameron Street (Parcel 16-20-011B, Lot 12 Allendale Lot 3 less an irregular portion along the south line thereof 2888/723; Parcel 116-20-010 4, Allendale Tract amended Plat of Lot 3 Allendale Tract, 84x60' Lot 11 JT; and Parcel 116-20-009 2, Allendale Tract parcel of land by Metes & Bounds, approximately 60 x 89' of Lot 3 known also as subdivided tract of Lot 3 and being Lot 10JT), Prescott, Yavapai County, Arizona, is hereby amended from "Single-Family 9 (SF-9)" zoning to "Business General (BG)" zoning.

SECTION 2. THAT the Mayor and staff are hereby authorized to take all such steps as may be necessary to effectuate said Zoning Map Amendment.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 26th day of July, 2011.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

ELIZABETH A. BURKE, City Clerk

APPROVED AS TO FORM:

GARY D. KIDD, City Attorney

Parcel Report for APN: **116-20-010**

Site Address: **908 DAMERON DR**

Owner:
DAMERON PROPERTIES LLC
400 PRESCOTT LAKES PKWY
PRESCOTT AZ 86301

Subdivision Name: **ALLANDALE TRACT - AMENDED LOT 3**
Max. Lot Coverage: **40%**
Max. Bldg Height: **35 ft**
Setbacks
Front: **25 ft**
Side: **7 ft**
Rear: **25 ft**
Corner: **15 ft**

Acres: **0.12 acres**
Square Ft: **sq.ft.**
TRS: **T14-R2-S28**

DOR Usage Code: **0131-SFR-010-3 URBAN-SUBDIVID**
Description:

Zoning Information

Zoning: **SF-9**

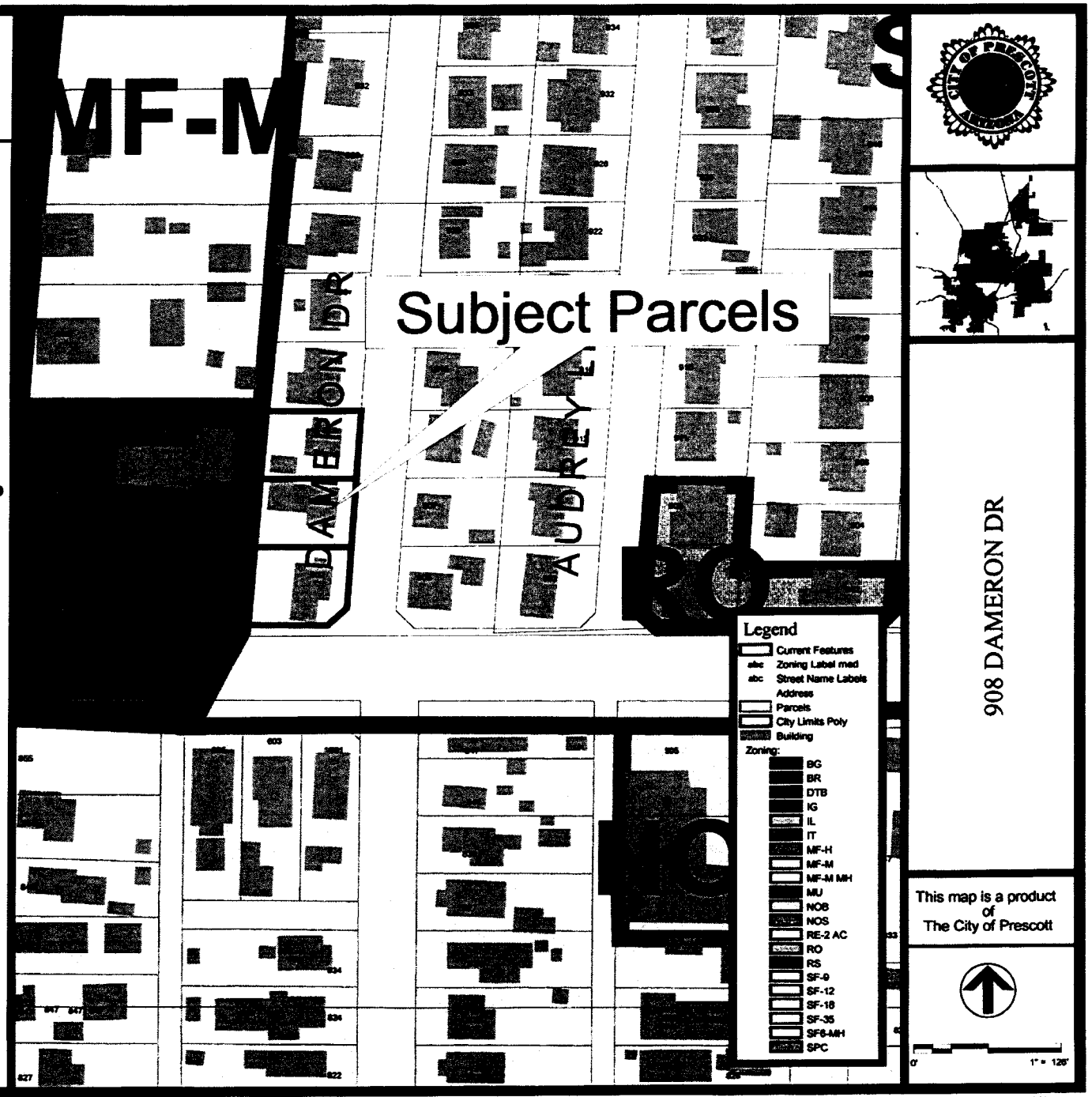
Flood Zone: **X;**
FIRM Panel: **04025C2061G**

Overlay District Information

HPD District:	**Outside**
NR District:	**Outside**
Willow Creek District:	**Outside**
Wipple-Zuma District:	**Outside**
Hwy 69 District:	**Outside**
Prescott East Area Plan:	**Outside**
Prescott Enterprise:	**Outside**
Airport Noise District:	**Outside**
Wildlife Urban Interface:	**Outside**

Planner's Actions:

-



george.worley, 2011-07-15 10:28:55

This document is a graphic representation only of best available sources. The City of Prescott assumes no responsibility for any errors.

KENNETH MOHN ARCHITECT
3595 WEST ROADRUNNER DRIVE
CHINO VALLEY, ARIZONA 86323
(928) 636-6655

WHIPPLE STREET OFFICE
650 WHIPPLE STREET
PRESCOTT, ARIZONA 86301

A0

FOR REVIEW ONLY

ARCHITECTURAL SITE PLAN
SCALE 1" = 20'-0"

II-E

COUNCIL AGENDA MEMO – July 26, 2011

DEPARTMENT: City Manager

AGENDA ITEM: Ordinance No. 4802-1202 amending the City Procurement Code regarding approval authority and solicitation requirements

Approved By:		**Date:**
Department Head:		
Finance Director:	Mark Woodfill	
City Manager:	Craig McConnell	7-18-11

Background

Prior to 1993 the monetary threshold requiring Council approval of procurements was contained in the City Charter. In 1993 the voters approved a Charter amendment which removed monetary limits from the Charter and allowed for Council to adopt a procurement code setting forth such limits for purchases and contracts. Following this Charter change, Council adopted the City Procurement Code in 1993 which delegated approval authority to staff for purchases and contracts up to $10,000.00, subject to there being sufficient funds in the approved budget.

On August 24, 2004, the Procurement Code was amended by Ordinance No. 4413 to increase the dollar amount of purchases and contracts which could be approved by staff administratively to $20,000.00. Council approval is required for items exceeding this amount.

Change in Administrative Procurement Authority

Reflecting Council discussion at the May 31, 2011, Budget Workshop, for the purpose of enhancing public visibility of City expenditures, Ordinance No. 4802-1202 (attached) will return administrative authority to the $10,000.00 level. Items between $10,000.00 and $20,000.00 will generally be placed on the Consent Agenda of voting meetings for Council approval; those which are particularly complex or would benefit from more public discussion will be listed on the Regular Agenda.

Increase in Threshold for Procurement via Formal Solicitation

Ordinance No. 4802-1202 also includes a change in the threshold for formal solicitation, from $10,000.00 to $20,000.00. This would allow for written quotes to be obtained from qualified vendors for purchases up to $20,000.00, above which publication in a local newspaper and submission of sealed bids/proposals will be required. This recommendation is in compliance with state statutes, and is expected to increase procurements from local sources.

Agenda Item: Ordinance No. 4802-1202 amending the City Procurement Code regarding approval authority and solicitation requirements

Authorities for Settlement of Claims and Lawsuits

The Risk Manager, with concurrence of the City Manager, currently is delegated authority to approve settlements of claims up to $25,00.000; and the City Attorney has similar authority to settle lawsuits up to $25,000.00. No change is recommended in these limits, however, Councilmembers will be notified in advance of any such proposed settlement between $10,000.00 and $25,000,00. In the event of questions or concerns upon the request of two Councilmembers the proposed settlement will be placed on a Council agenda for discussion in executive session.

Effective Date

Upon adoption of Ordinance No. 4802-1202 the provisions outlined herein will become effective thirty (30) days thereafter.

Attachment - Ordinance No. 4802-1202

Recommended Action: **MOVE** to adopt Ordinance No. 4802-1202.

ORDINANCE NO. 4802-1202

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE I, CHAPTER 27 OF THE PRESCOTT CITY CODE, *CITY OF PRESCOTT PROCUREMENT CODE*, BY AMENDING SECTIONS 11 THROUGH 13 OF THE PRESCOTT PROCUREMENT CODE

RECITALS:

WHEREAS, Section 1-27-1 of the Prescott City Code adopted the City of Prescott Procurement Code by reference; and

WHEREAS, the City Council wishes to make changes to said Prescott Procurement Code.

ENACTMENTS:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT that Section 1-27-1 of the Prescott City Code is amended as follows:

SECTION 11: ~~EXPENDITURES OF THREE THOUSAND DOLLARS ($3,000.00) OR LESS:~~ EXPENDITURES

(A) EXPENDITURES OF THREE THOUSAND DOLLARS ($3,000.00) OR LESS:

~~(A)~~**1.** Any procurement that results in an expenditure of Three Thousand Dollars ($3,000.00) or less shall have been made with as much economy as practicable in the open market place at the prevailing price, without the requirement of public notice or Council authorization, by ~~the~~ **A P**~~P~~urchasing **A**~~A~~gent.

~~(B)~~**2.** Petty cash expenditures may be authorized by the Treasurer and disbursed by a designee from a cash fund set aside and maintained for small procurements. The maximum expenditure from petty cash shall be as determined by the City Manager.

(B) EXPENDITURES OF THREE THOUSAND AND 01/100 DOLLARS ($3,000.01) TO TEN THOUSAND DOLLARS ($10,000.00):

~~(A)~~**1.** Any procurement resulting in an expenditure from Three Thousand and 01/100 Dollars ($3,000.01) to Ten Thousand Dollars ($10,000.00) may be made by a purchasing agent without the requirements of public notification by advertisement.

~~(B)~~**2.** ~~A~~The ~~P~~Purchasing ~~A~~Agent shall obtain~~, when possible,~~ three (3) informal competitive quotations, in writing, from **AVAILABLE** suppliers.~~ on the current prospective supplier list and from other available suppliers.~~

~~(C)~~**3.** ~~Informal quotations of suppliers responding to an inquiry other than in writing are satisfactory when the method of inquiry, date and person quoted is documented; however, a written informal quotation is encouraged.~~

~~(D)~~**3.** The solicitation requirements provided for herein are to be considered minimum requirements.

(C) EXPENDITURES OF TEN THOUSAND AND 01/100 DOLLARS ($10,001.01) TO TWENTY THOUSAND DOLLARS ($20,000.00):

1. ANY PROCUREMENT RESULTING IN AN EXPENDITURE FROM TEN THOUSAND AND 01/100 DOLLARS ($10,000.01) TO TWENTY THOUSAND DOLLARS ($20,000.00) MAY BE MADE BY THE CITY COUNCIL WITHOUT THE REQUIREMENTS OF PUBLIC NOTIFICATION BY ADVERTISEMENT.

2. A PURCHASING AGENT SHALL OBTAIN THREE (3) INFORMAL COMPETITIVE QUOTATIONS, IN WRITING, FROM AVAILABLE SUPPLIERS AND SUBMIT SAID QUOTATIONS TO THE CITY COUNCIL FOR CONSIDERATION OF APPROVAL.

3. THE SOLICITATION REQUIREMENTS PROVIDED FOR HEREIN ARE TO BE CONSIDERED MINIMUM REQUIREMENTS.

(D) EXPENDITURES EXCEEDING TWENTY THOUSAND DOLLARS ($20,000.00):

~~(A)~~**1.** Any procurement resulting in an expenditure of more than ~~Ten~~ **TWENTY** Thousand Dollars (~~$10,000.00~~ **$20,000.00**) shall have been made only after formal competitive sealed bidding, solicited by public notification, and awarded by the ~~City Manager; provided, however, that any procurement resulting in an expenditure of more than Twenty Thousand Dollars ($20,000.00) shall only be awarded by the~~ City Council.

~~(B)~~**2.** A formal invitation to bid shall be issued by the City Clerk, **OR DESIGNEE,** and shall include the dates of public notice, the time and place for bid receipt and opening and a description of the goods or services.

~~(C)~~**3.** Public notification shall be considered adequate when a formal invitation to bid is advertised and published at least once in a newspaper of general circulation within the City not less than ~~five (5)~~ **TEN (10)** days before the bid opening.

~~(D). The Purchasing Agent shall solicit formal sealed bids from those suppliers on the current prospective supplier list that have requested to be included in bids for goods or services of a specific character and kind.~~

~~(E)~~**4.** Amendments to invitations to bid that are necessary to make a change shall be issued in writing by the **A P~~p~~urchasing **A~~A~~**gent, with a copy to the City Clerk, within a reasonable time before the bid opening to all suppliers to whom the **P~~p~~**urchasing **A~~A~~**gent has distributed invitations to bid and to all suppliers who have requested bid documents or specifications and shall require acknowledgement of receipt by the bidder before the bid opening or within the bid.

~~(F)~~**5.** Sealed bids shall be considered properly received only when delivered in a sealed envelope marked in accordance with the request for bid or as set forth in the bid specifications, to the City Clerk or designee by or before the specified time and designated place as advertised in the public notice and shall be time-stamped and stored unopened in a secure place until the public bid opening.

~~1.~~**a.** Late bids shall be rejected if received after the designated time in the location for receipt thereof; except that bids that are received by City personnel before the bid opening and would have been timely received but for the action or inaction of City personnel directly serving the procurement function may be received and considered.

~~2.~~**b.** Minor informalities may be waived by the City Manager in consultation with the **P~~p~~**urchasing **A~~A~~**gent and City Attorney if the waiver is deemed to be in the best interest of the City.

~~(G)~~**6.** A modification or withdrawal of bid must be received before the time and date set for bid opening in the location designated for receipt of bids and shall be time-stamped and recorded.

~~(H)~~**7.** Bids shall be opened publicly by the City Clerk or designee in the presence of one or more witnesses at the time, date and location designated in the invitation to bid.

~~1.~~**a.** The name of each bidder, the price bid and other information deemed appropriate shall be read aloud and recorded.

~~(I)~~**8.** Mistakes in the bid discovered after the bid opening based on an error in judgment may not be corrected or withdrawn except as set forth herein.

~~1.~~**a.** After bid opening, the City Manager, in consultation with **A** ~~the~~ **P~~p~~**urchasing **A~~A~~**gent and the City Attorney, may waive minor informalities in a bid.

~~2.~~**b.** After bid opening, the bid may not be withdrawn and shall be corrected to the intended bid only if a bid mistake and the intended bid are evident on the face of the bid.

~~3.~~**c.** After bid opening, the City Manager, in consultation with **A** ~~the~~ **P**~~p~~urchasing **A**~~A~~gent and City Attorney, may permit a bidder to withdraw a bid when:

~~a.~~**i.** A nonjudgmental mistake is evident on the face of the bid and the intended bid is not clear; or

~~b.~~**ii.** The bidder establishes by clear and convincing evidence in the sole opinion of the City that a nonjudgmental mistake was made; or

~~c.~~**iii.** The bid is so low as to create a likelihood that the contract cannot be completed and to enforce compliance with the bid would be unconscionable.

~~(J)~~**9.** An invitation for bids, a request for proposals or other solicitation may be canceled or any or all bids or proposals may be rejected in whole or in part by the ~~City~~ **PURCHASING** Manager or the City Council if it is in the best interest of the City.

~~(K)~~**10.** The solicitation requirements provided for herein are to be considered minimum requirements. Purchasing agents are expected to also ~~publicize and~~ inform the public and potential bidders of the availability of a bid opportunity by any other practical means.

SECTION 12: ~~**EXPENDITURES OF THREE THOUSAND AND 01/100 DOLLARS ($3,000.01) TO TEN THOUSAND DOLLARS ($10,000.00):**~~ **RESERVED**

SECTION 13: ~~**EXPENDITURES EXCEEDING TEN THOUSAND DOLLARS ($10,000.00):**~~ **RESERVED**

PASSED and ADOPTED by the Mayor and Council of the City of Prescott, Arizona, on this 26th day of July, 2011.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

ELIZABETH A. BURKE, City Clerk

APPROVED AS TO FORM:

GARY D. KIDD, City Attorney

SECTION 11: EXPENDITURES – C L E A N C O P Y

(A) EXPENDITURES OF THREE THOUSAND DOLLARS ($3,000.00) OR LESS:

1. Any procurement that results in an expenditure of Three Thousand Dollars ($3,000.00) or less shall have been made with as much economy as practicable in the open market place at the prevailing price, without the requirement of public notice or Council authorization, by a purchasing agent.

2. Petty cash expenditures may be authorized by the Treasurer and disbursed by a designee from a cash fund set aside and maintained for small procurements. The maximum expenditure from petty cash shall be as determined by the City Manager.

(B) EXPENDITURES OF THREE THOUSAND AND 01/100 DOLLARS ($3,000.01) TO TEN THOUSAND DOLLARS ($10,000.00):

1. Any procurement resulting in an expenditure from Three Thousand and 01/100 Dollars ($3,000.01) to Ten Thousand Dollars ($10,000.00) may be made by a purchasing agent without the requirements of public notification by advertisement.

2. A purchasing agent shall obtain three (3) informal competitive quotations, in writing, from available suppliers.

3. The solicitation requirements provided for herein are to be considered minimum requirements.

(C) EXPENDITURES OF TEN THOUSAND AND 01/100 DOLLARS ($10,001.01) TO TWENTY THOUSAND DOLLARS ($20,000.00):

1. Any procurement resulting in an expenditure from Ten Thousand and 01/100 Dollars ($10,000.01) to Twenty Thousand Dollars ($20,000.00) may be made by THE CITY COUNCIL without the requirements of public notification by advertisement.

2. a Purchasing Agent shall obtain three (3) informal competitive quotations, in writing, from available suppliers and submit said quotations to the city council for consideration of approval.

3. The solicitation requirements provided for herein are to be considered minimum requirements.

(D) EXPENDITURES EXCEEDING TWENTY THOUSAND DOLLARS ($20,000.00):

1. Any procurement resulting in an expenditure of more than Twenty Thousand Dollars ($20,000.00) shall have been made only after formal competitive

sealed bidding, solicited by public notification, and awarded by the City Council.

2. A formal invitation to bid shall be issued by the City Clerk, or designee, and shall include the dates of public notice, the time and place for bid receipt and opening and a description of the goods or services.

3. Public notification shall be considered adequate when a formal invitation to bid is advertised and published at least once in a newspaper of general circulation within the City not less than ten (10) days before the bid opening.

4. Amendments to invitations to bid that are necessary to make a change shall be issued in writing by the a purchasing agent, with a copy to the City Clerk, within a reasonable time before the bid opening to all suppliers to whom the purchasing agent has distributed invitations to bid and to all suppliers who have requested bid documents or specifications and shall require acknowledgement of receipt by the bidder before the bid opening or within the bid.

5. Sealed bids shall be considered properly received only when delivered in a sealed envelope marked in accordance with the request for bid or as set forth in the bid specifications, to the City Clerk or designee by or before the specified time and designated place as advertised in the public notice and shall be time-stamped and stored unopened in a secure place until the public bid opening.

   a. Late bids shall be rejected if received after the designated time in the location for receipt thereof; except that bids that are received by City personnel before the bid opening and would have been timely received but for the action or inaction of City personnel directly serving the procurement function may be received and considered.

   b. Minor informalities may be waived by the City Manager in consultation with the purchasing agent and City Attorney if the waiver is deemed to be in the best interest of the City.

6. A modification or withdrawal of bid must be received before the time and date set for bid opening in the location designated for receipt of bids and shall be time-stamped and recorded.

7. Bids shall be opened publicly by the City Clerk or designee in the presence of one or more witnesses at the time, date and location designated in the invitation to bid.

   a. The name of each bidder, the price bid and other information deemed appropriate shall be read aloud and recorded.

8. Mistakes in the bid discovered after the bid opening based on an error in judgment may not be corrected or withdrawn except as set forth herein.

   a. After bid opening, the City Manager, in consultation with a purchasing agent and the City Attorney, may waive minor informalities in a bid.
   b. After bid opening, the bid may not be withdrawn and shall be corrected to the intended bid only if a bid mistake and the intended bid are evident on the face of the bid.

   c. After bid opening, the City Manager, in consultation with a purchasing agent and City Attorney, may permit a bidder to withdraw a bid when:

      i. A nonjudgmental mistake is evident on the face of the bid and the intended bid is not clear; or

      ii. The bidder establishes by clear and convincing evidence in the sole opinion of the City that a nonjudgmental mistake was made; or

      iii. The bid is so low as to create a likelihood that the contract cannot be completed and to enforce compliance with the bid would be unconscionable.

9. An invitation for bids, a request for proposals or other solicitation may be canceled or any or all bids or proposals may be rejected in whole or in part by the Purchasing Manager or the City Council if it is in the best interest of the City.

10. The solicitation requirements provided for herein are to be considered minimum requirements. Purchasing agents are expected to also inform the public and potential bidders of the availability of a bid opportunity by any other practical means.

SECTION 12: RESERVED

SECTION 13: RESERVED

	OLD			NEW		
AMOUNT	**SECTION**	**PROCESS**	**APP'D BY**	**SECTION**	**PROCESS**	**APP'D BY**
$ 3,000 or less	11	Buy	PA	11 A	Buy	PA
$ 3,000 - $10,000	12	Informal Bid	PA	11 B	Informal Bid	PA
$10,000 - $20,000	13	Formal Bid	CM	11 C	Informal Bid	CC
$20,000 or more	13	Formal Bid	CC	11 D	Formal Bid	CC

II-F

COUNCIL AGENDA MEMO – July 26, 2011	
DEPARTMENT: Community Development	
AGENDA ITEM: Yavapai County redistricting	

Approved By:		**Date:**
Department Head:	Tom Guice	
City Manager:	Craig McConnell	7-20-11

Summary

As briefly discussed at the Council Workshop of July 19th, after each decennial census, counties are required by law to redraw supervisorial district boundaries to equalize population. Currently, Yavapai County is divided into three (3) such districts. Arizona statutes further require counties with a population of 175,000 or more to have 5 supervisorial districts.

In August 2011 the Yavapai County Board of Supervisors plans to adopt a new district map reflecting these two factors with input from city/town councils and the general public. When creating the new districts, certain considerations must be observed:

1. The new districts must have equal population.
2. The new districts must not discriminate as prohibited by federal law.
3. The new districts must be created by using existing election precinct boundaries.
4. The new districts must each be contiguous.

Other considerations are natural geographic boundaries, city and town corporate limits, rural/urban mix, and constituents' cultural, economic and political ties. The new district map must also be reviewed and accepted by the U.S. Department of Justice prior to implementation.

The County has developed the four alternative redistricting plans attached to this report and labeled "A" through "D", and requested that public comments be submitted not later than July 31, 2011. Because of the detailed nature of these maps, the public is encouraged to view them on the Yavapai County website at:

http://redistricting.co.yavapai.az.us/

The Four (4) Alternative Redistricting Plans

Each of the plans has a different relationship to Prescott in terms of representation by the location of the proposed boundaries and the number of districts intersecting the corporate limits. Note that while the Districts are labeled the same (Nos. 1 through 5) on each of the four alternative maps, their boundaries are different.

Map A — Prescott would be intersected by/contained within three (3) of the five prospective County Supervisor districts (District Nos. 1, 2, and 3)

Map B — Prescott would be contained within three (3) districts (Nos. 1, 2, and 3), however, the City area contained within District No. 3 would be minimal, with no current population; Granite Dells Estates (the Fann property) would fall in two districts (No. 2; and 3 containing Prescott Valley)

Map C — Prescott contained within three districts (Nos. 1, 2, and minimally 3, similar to Map B); Granite Dells Estates (the Fann property) would fall into District Nos. 2 and 4 (with part of Prescott Valley and extending down to Mayer); eastern Yavapai County would have three (3) districts (Nos. 3, 4, and 5), each containing or adjoining reaches of the Verde River

Map D — Prescott would be contained within three (3) districts (Nos. 1, 2, and 3), however, unlike Maps A, B, and C, in this alternative the Big Chino Water Ranch would be in District 3, which would also contain the Verde Valley communities of Jerome, Clarkdale, and Cottonwood

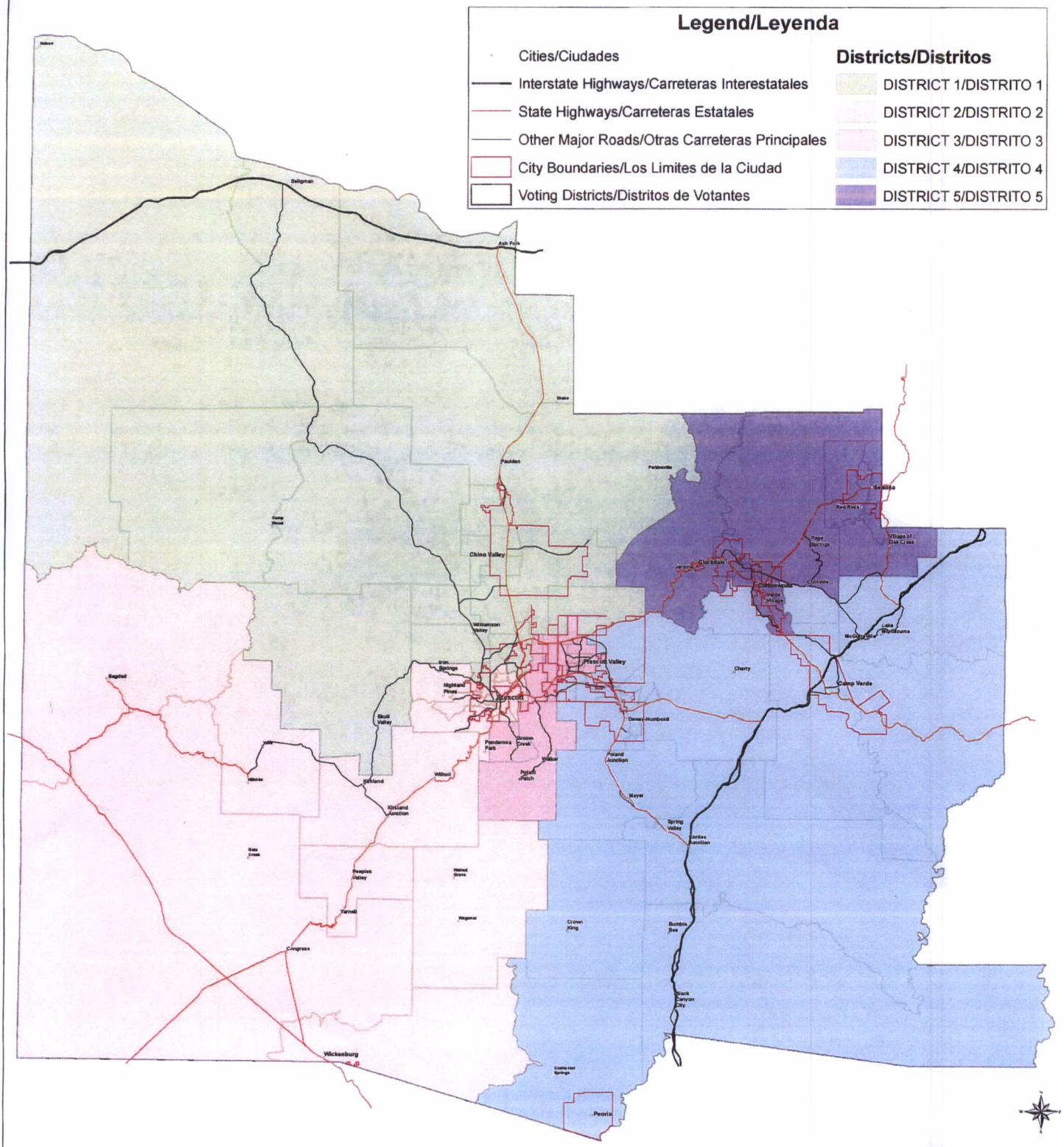
The City of Prescott and Yavapai County have numerous governmental interfaces and matters of common interest including the Yavapai County Flood Control District, Pioneer Park, justice (jail and courts) and other administrative and operational facilities.

Considering these factors, land ownership, and other factors mentioned above, an argument can be made for the City favoring Map A. In this alternative, the City would be represented by three (3) large, populous districts of the five (5) new districts to be established, and its Big Chino Water Ranch kept within one of these same three (3) districts.

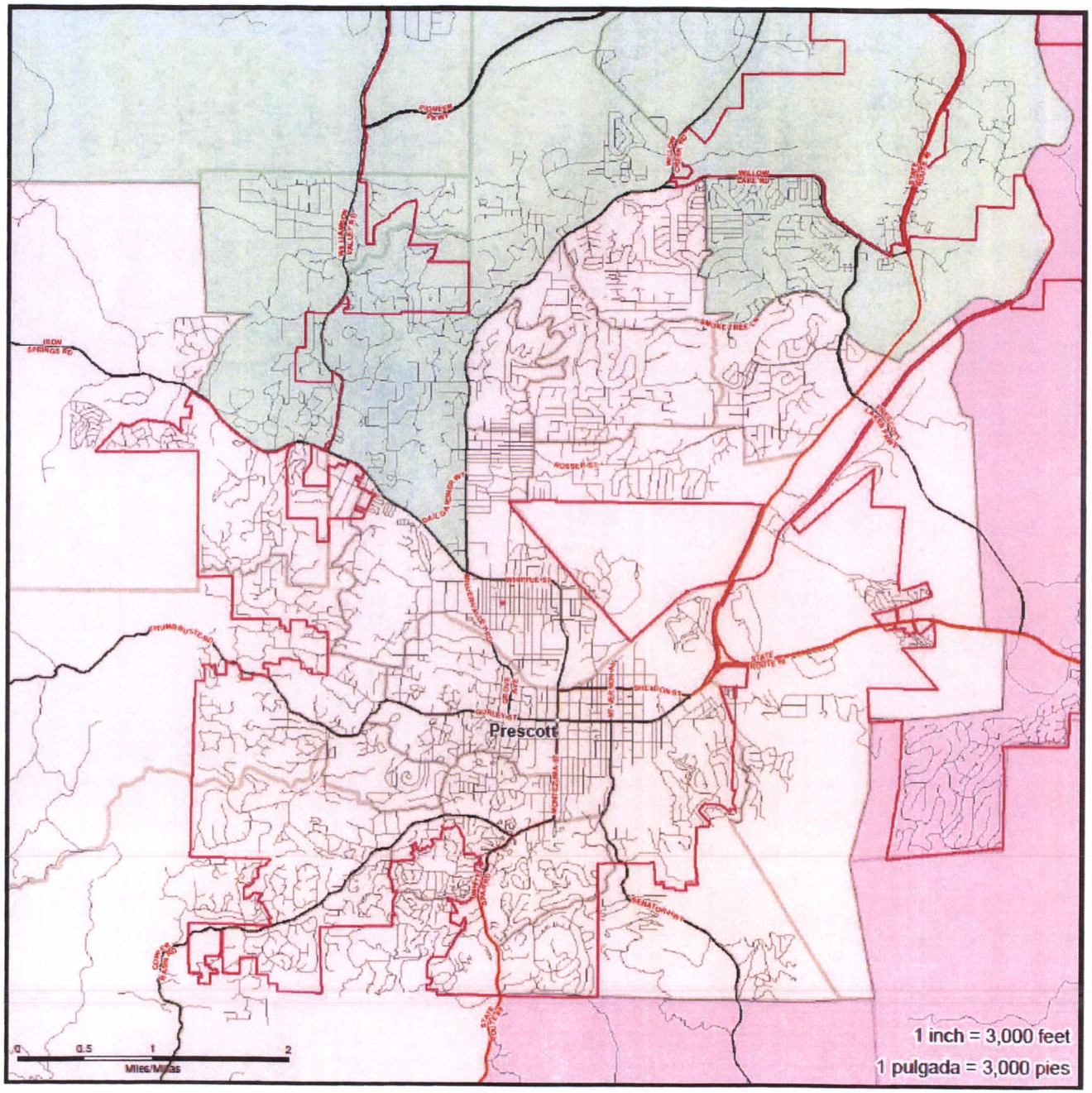
Attachments - Maps A, B, C, D

Recommended Action: **MOVE** to recommend that Map ___ be adopted as the plan for Yavapai County redistricting; and direct the Acting City Manager to communicate this recommendation in writing to Yavapai County on behalf of the City Council not later than July 31, 2011.

Supervisor Districts/Distritos de Supervisores
Map A/Mapa A



District/Distrito	Population/Poblacion	Deviation/Desviacion	% Deviation/% Desviacion	Sq Miles/Millas Cuadradas
District 1/Distrito 1	42,100	-107	-0.25%	3015
District 2/Distrito 2	41,490	-717	-1.70%	2265
District 3/Distrito 3	42,385	178	0.42%	129
District 4/Distrito 4	42,814	607	1.44%	2264
District 5/Distrito 5	42,244	37	0.09%	456


Prescott
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Miles/Millas
1 inch = 3,000 feet
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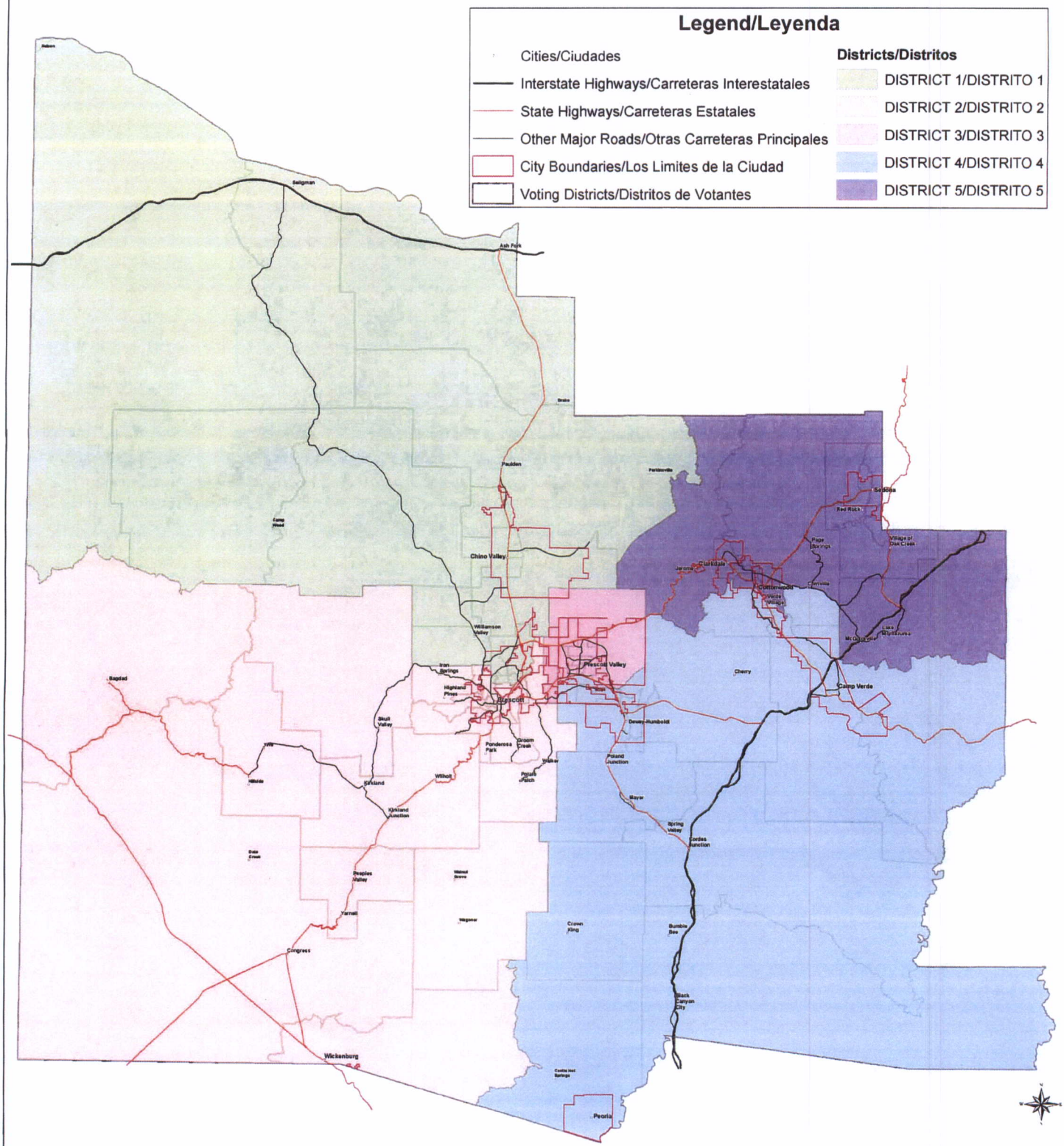
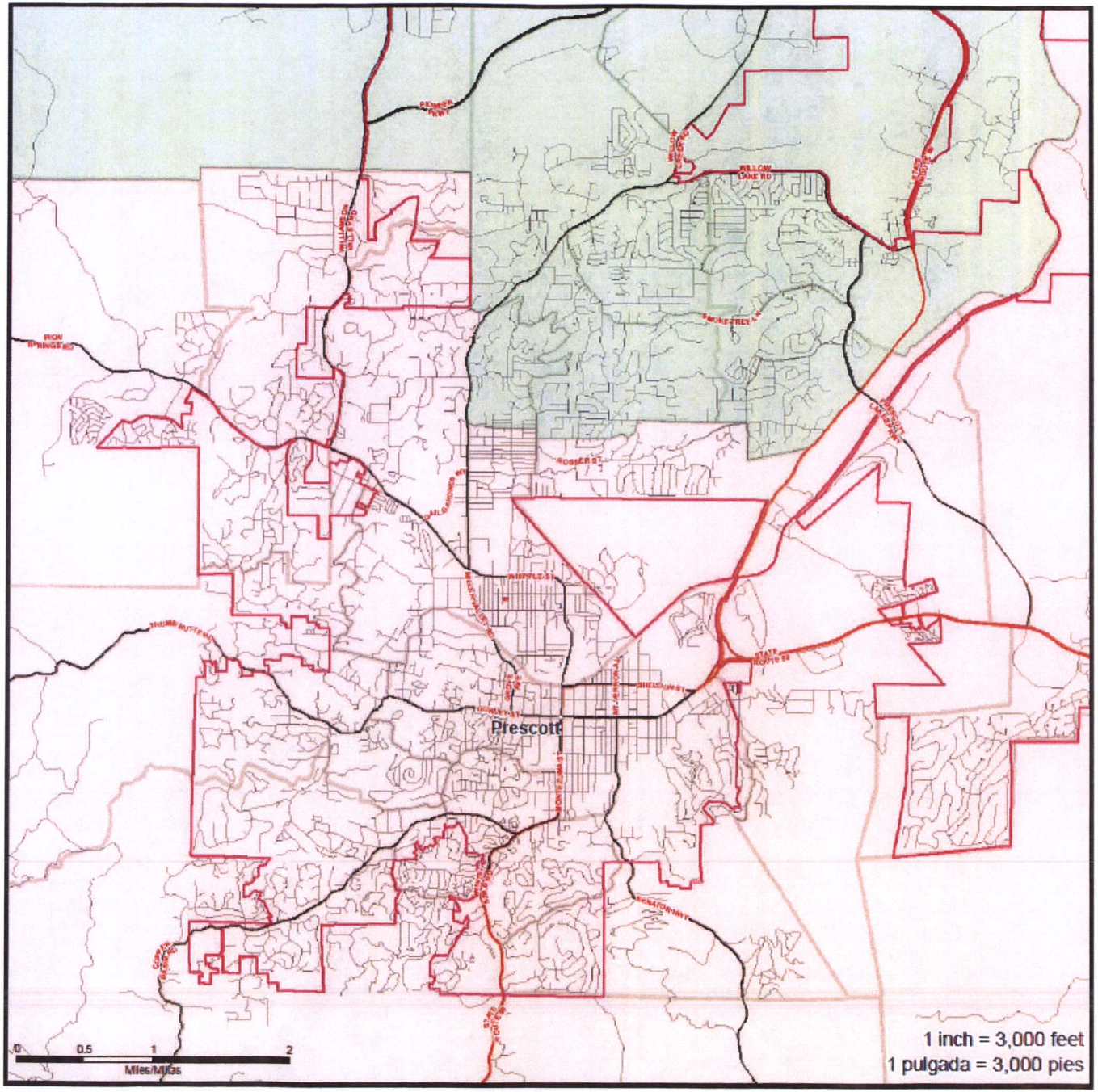
Prescott

Supervisor Districts/Distritos de Supervisores
Map B/Mapa B



District/Distrito	Population/Poblacion	Deviation/Desviacion	% Deviation/% Desviacion	Sq Miles/Millas Cuadradas
District 1/Distrito 1	42,285	78	0.18%	2724
District 2/Distrito 2	42,418	211	0.5%	2616
District 3/Distrito 3	41,706	-501	-1.19%	99
District 4/Distrito 4	41,992	-215	-0.51%	2059
District 5/Distrito 5	42,632	425	1.01%	630


Prescott
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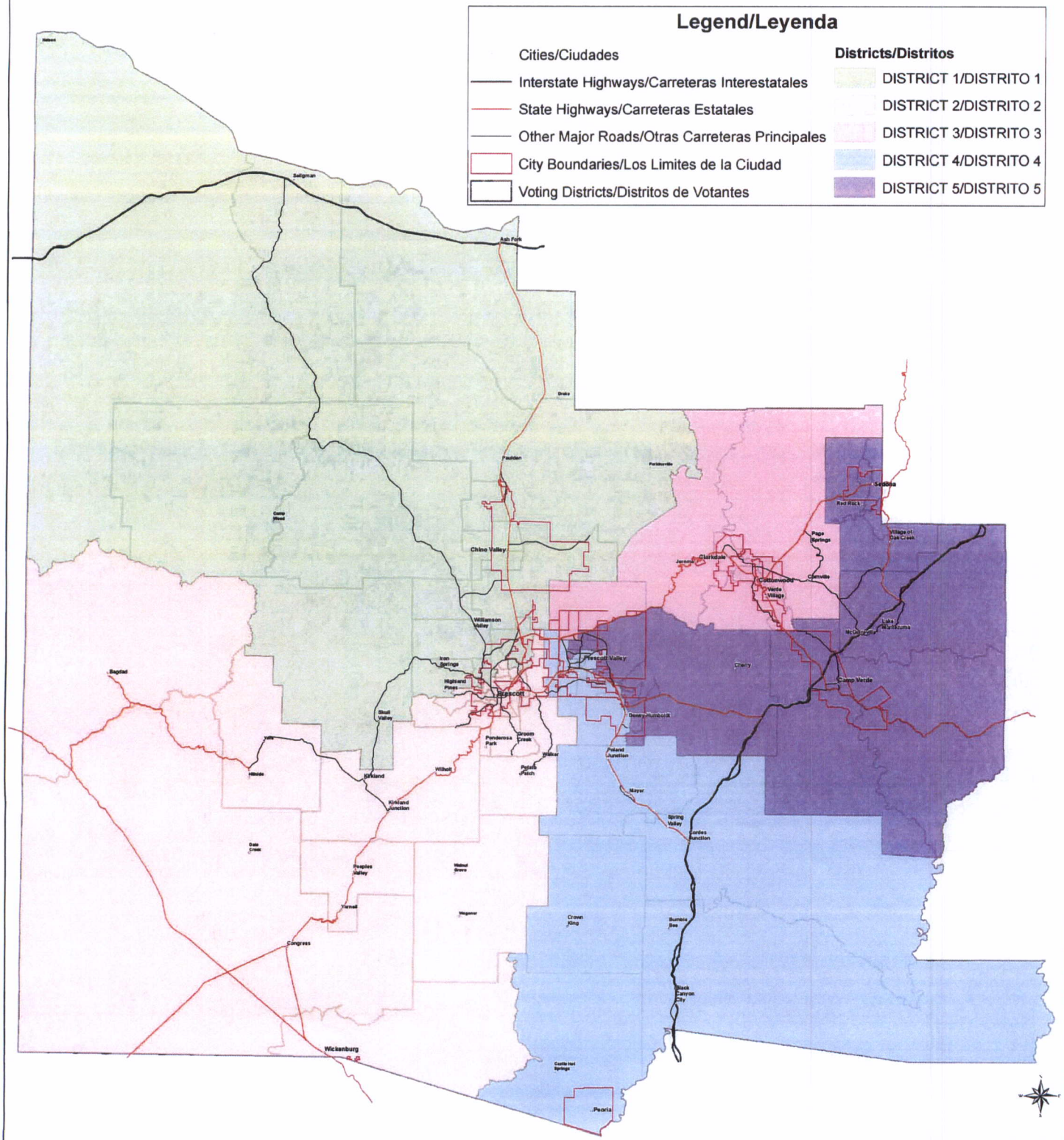
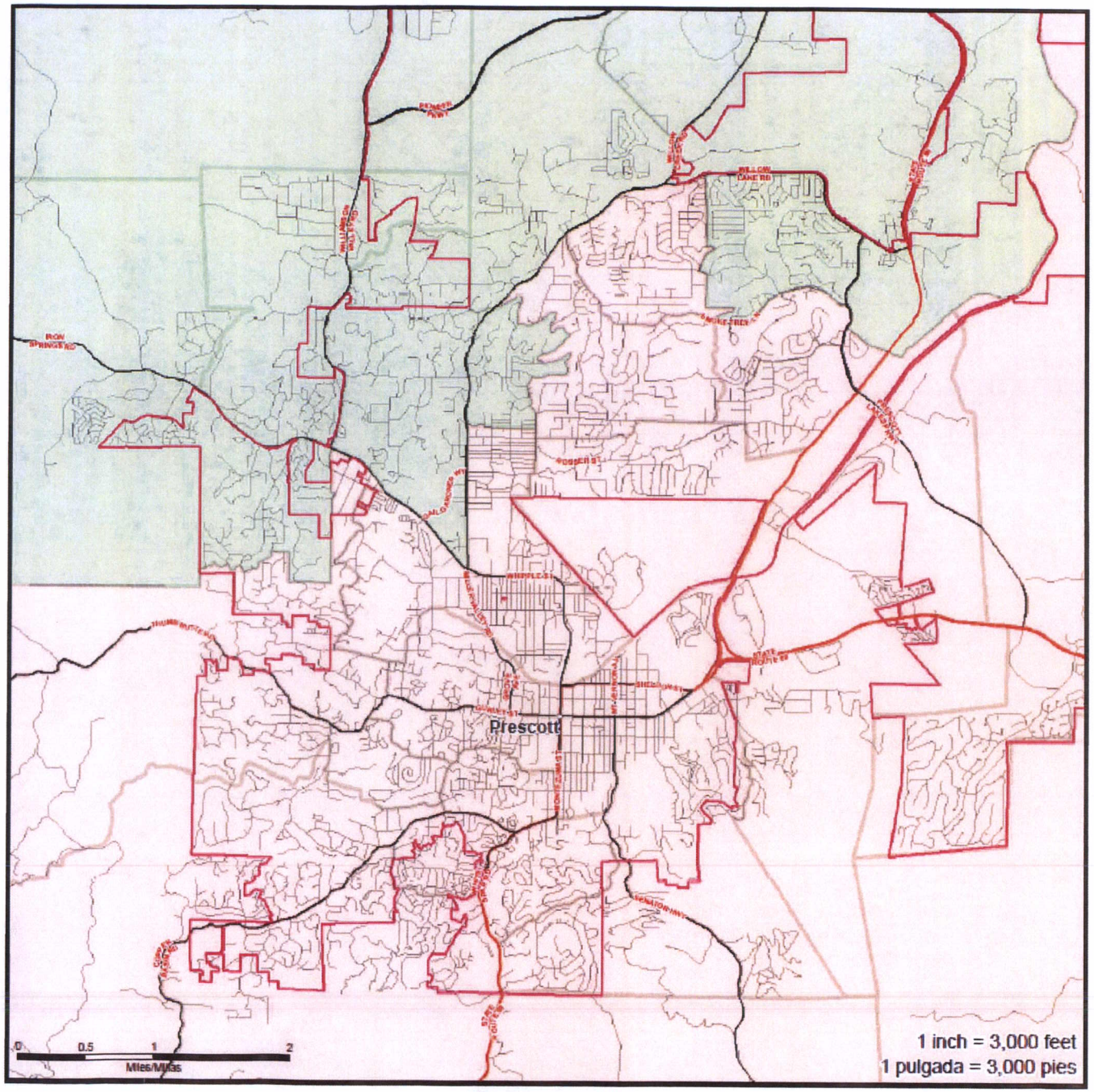
Miles/Millas
1 inch = 3,000 feet
1 pulgada = 3,000 pies

Prescott

Supervisor Districts/Distritos de Supervisores
Map C/Mapa C

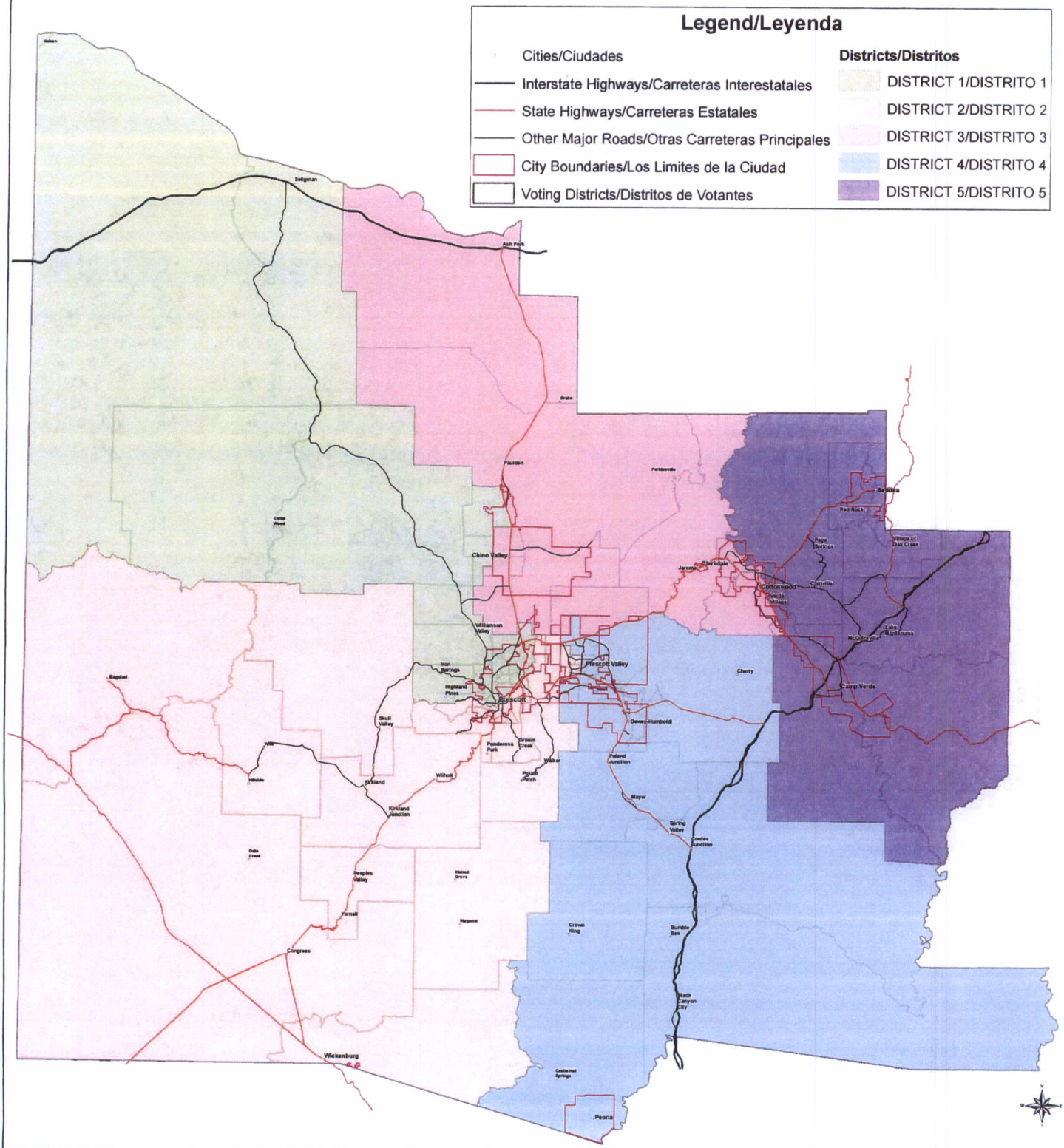


District/Distrito	Population/Poblacion	Deviation/Desviacion	% Deviation/% Desviacion	Sq Miles/Millas Cuadradas
District 1/Distrito 1	42,532	325	0.77%	2996
District 2/Distrito 2	42,171	-36	-0.09%	2342
District 3/Distrito 3	43,053	846	2.0%	452
District 4/Distrito 4	41,118	-1,089	-2.58%	1402
District 5/Distrito 5	42,159	-48	-0.11%	935

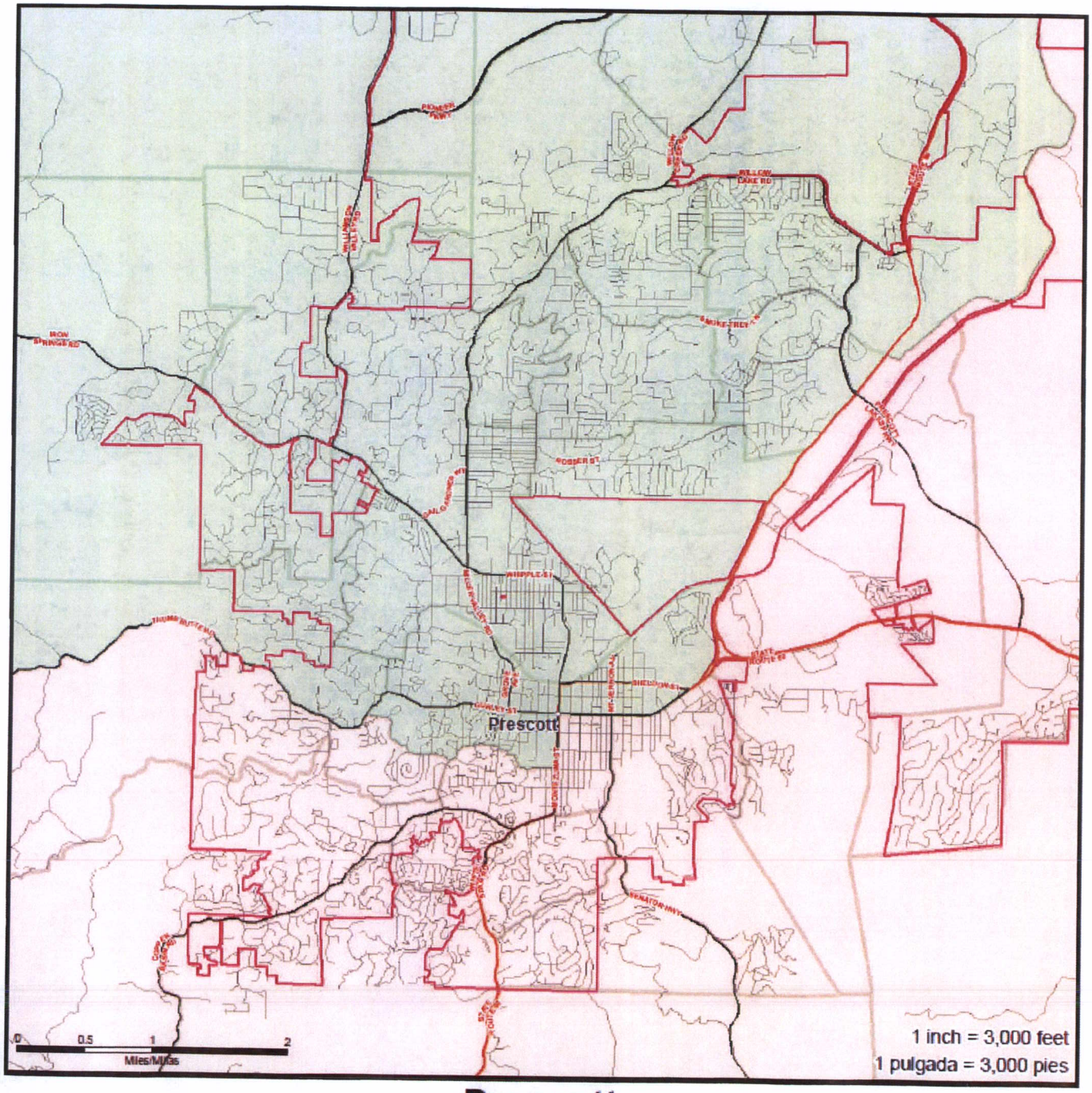

Prescott
0 0.5 1 2
Miles/Millas
1 inch = 3,000 feet
1 pulgada = 3,000 pies

Prescott

Supervisor Districts/Distritos de Supervisores
Map D/Mapa D



District/Distrito	Population/Poblacion	Deviation/Desviacion	% Deviation/% Desviacion	Sq Miles/Millas Cuadradas
District 1/Distrito 1	41,689	-518	-1.23%	1939
District 2/Distrito 2	42,332	125	0.3%	2596
District 3/Distrito 3	41,603	-604	-1.43%	1047
District 4/Distrito 4	43,165	958	2.27%	1615
District 5/Distrito 5	42,244	37	0.09%	933


Prescott
0 0.5 1 2
Miles/Millas
1 inch = 3,000 feet
1 pulgada = 3,000 pies

Prescott