

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: June 26, 2014**

SUBJECT: New APS Agreements Street Lighting

SUBMITTING DEPARTMENT: Management

PREPARED BY: Larry Tarkowski, Town Manager

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: a) Maintenance Agreement, b) Energy Agreement, and c) Pole Use Agreement

SUMMARY/BACKGROUND: In a letter dated November 26, 2013 from Mikel Cole to Town Manager Larry Tarkowski, Arizona Public Service (APS) gave notice to Prescott Valley that it was terminating its 1998 agreements with the Town relating to street lighting and proposed new agreements effective July 1, 2014. The letter indicated that APS hoped to make its street lighting agreements uniform throughout the state and it submitted drafts on December 5, 2013.

The Town Manager had initially agreed that the economic provisions were just slightly higher than the previous provisions and informally agreed to them. As to the non-economic provisions, staff compared the new drafts to the current agreements to see what substantive changes were being proposed. It then proposed a number of revisions on March 5, 2014. APS responded on May 27, 2014 and provided drafts which incorporated just a few of the Town's proposed revisions. The Town then proposed additional revisions which APS essentially incorporated on June 11, 2014.

OPTIONS ANALYSIS: Council may adopt each of the proposed new street lighting agreements with APS, recommend further revisions of any one of the agreements prior to adoption, and/or decline to adopt any of the proposed new street lighting agreements.

ACTION OPTION: a) Motion to approve the Streetlight Maintenance Agreement with APS, **OR** Motion not to approve this Agreement. **VOTE.**

b) Motion to approve the Streetlight Energy Agreement with APS, **OR** Motion not to approve this Agreement. **VOTE.**

c) Motion to approve the Streetlight Pole Use License Agreement with APS, **OR** Motion not to approve this Agreement. **VOTE.**

RECOMMENDATION: Staff recommends approval of each of these Agreements as currently drafted.

FISCAL ANALYSIS: The Town has had a good working relationship with APS with regard to operation of streetlights for many years. The very minor increase in cost as part of the effort by APS to streamline its agreements statewide is not looked upon as a significant issue for the Town in order to maintain that good relationship.

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____