

Upon notice duly given under Arizona Revised Statutes, Section 38-431, et seq., as amended, the City Council of the City of Bullhead City held a regularly scheduled meeting on Tuesday, July 1, 2014 in the City Council Chambers, 1255 Marina Boulevard, Bullhead City, Arizona.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Hakim called the meeting to order at 5:30 p.m. and invited the public to share a moment of silence in remembrance of the Yarnell 19 Firefighters. Council Member Medrano led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Bruck, Clark, Duvall (via telephone), Hakim, Medrano, Ring, Shutts

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

HUMAN SERVICES/TRANSIT DIRECTOR: Susan Betts

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

POLICE CHIEF: Brian Williamson

FINANCE DIRECTOR: Rudy Vera

ASSISTANCE PUBLIC WORKS DIRECTOR: Bob Leuck

COMMUNITY SERVICES DIRECTOR: Vacant

DEVELOPMENT SERVICES DIRECTOR: Vacant

PUBLIC INFORMATION OFFICER: Vacant

PRESENTATIONS AND PROCLAMATIONS

None

OPEN CALL TO THE PUBLIC

Mayor Hakim opened the call to the public.

Craig Powers, Vice President of Cameron Broadcasting, invited the community to attend the free 4th of July events to be held at the Suddenlink Community Center. He said the Rockets Over the River Fireworks show time was moved to 9:30 p.m. and said fireworks would be synchronized to the music played over the Cameron Broadcasting stations.

Larry Tunforss stated he represented the Morning Kiwanis Club, and said the Splash Park would be turned over to the city in about three weeks. He said \$25,000 came from the city and more than \$200,000 was provided as a direct result of their fundraising efforts at the five previous Regatta events and from the Legacy Foundation. He said the past Regattas have put more than \$200,000 into the community to build amenities such as the Splash Park.

Having no one else present wishing to speak, Mayor Hakim closed the call to the public.

AGENDA MODIFICATIONS

None

WAIVER MOTION

MOTION: Councilor Bruck made a motion to waive the reading in full of all ordinances and resolutions presented for adoption at this meeting. Councilor Medrano seconded the motion.

VOTE: AYES: Bruck, Clark, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: Duvall

MOTION CARRIED

MANAGER'S REPORT

1. Petition received from residents of Riverview RV Resort

City Manager Cotter stated the city received a petition from 205 residents of the Riverview RVV Resort. He read a letter requesting the road from Gold Rush to North Oatman Road be paved, and requested the project be considered a priority. He said the proposed August 26 ballot measure includes those streets to be paved, and said there was a plan in place as part of the sales tax proposal.

2. Permanent Recycling Drop Off Location

City Manager Cotter stated that Bullhead City established a permanent recycling drop off location at 1255 Marina Boulevard, and said they hoped the public would find it convenient to use this facility to drop off their recycling.

3. City Independence Day Celebrations

Recreation Manager Heath stated the Annual BBQ Bash will be held at the Bullhead City Municipal Pool with free hotdogs and door prizes for the first 180 people on July 4. He said the Fourth of July Bash will also be held at the Suddenlink Community Center that same day.

MAYOR'S COMMENTS

None

CURRENT EVENTS

Councilor Bruck stated that the Senior Nutrition Center celebrated its third year anniversary today, and thanked the community for their support.

ITEMS WITHDRAWN FROM CONSENT AGENDA

Mayor Hakim withdrew Consent Agenda No. 2 for clarification.

CONSENT AGENDA

MOTION: Councilor Medrano made a motion that item 1 on the consent agenda be approved in accordance with the reports, certifications and recommendations furnished each Councilor and without further discussion. Councilor Clark seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

Items on the consent agenda were approved as follows:

1. Adopt RESOLUTION NO. 2014R-39 approving the Arizona Department of Public Safety Contract Number 2014-063, Intergovernmental Agreement regarding Gang & Immigration Team Enforcement Mission, (GIITEM) State Gang Task Force, and authorizing the Mayor to enter into and execute the agreement on behalf of the city. (Police Chief Williamson)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

2. Approve the estimated total annual assessment of \$81,421.00 for all Improvement Districts listed for Fiscal Year 2015, grant the City Manager or designee approval to sign all Tax Levies & Rates Certification Forms on behalf of the Lighting Districts, and forward the information to Mohave County for inclusion in its FY 2014-2015 Statement of Tax Levies & Rates. (Finance Director Vera)

Finance Director Vera stated this item was a annual special assessment to the street lighting districts. He said the amount of \$81,421.00 represented 17 street lighting districts. Upon approval, the assessment will be forwarded to Mohave County and those property owners will be assessed a portion of the energy costs and the energy fees.

MOTION: Councilor Medrano made a motion to approve the estimated total annual assessment of \$81,421.00 for all Improvement Districts listed for Fiscal Year 2015, grant the City Manager or designee approval to sign all Tax Levies & Rates Certification Forms on behalf of the Lighting Districts, and forward the information to Mohave County for inclusion in its FY 2014-2015 Statement of Tax Levies & Rates. Councilor Ring seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS

3. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to either approve or deny the application for an Interim Permit and Person Transfer for existing Liquor License #09080008 submitted by Randy Faiek Mary on behalf of R3M, Inc., for the Liquor Castle, a retail business located at 824 E. Hancock Road in Bullhead City. (City Clerk Stein)

Randy Mary stated he was the new owner of the Liquor Castle and was requesting approval of the liquor license transfer.

Mayor Hakim opened the public hearing. Having no one present wishing to speak, Mayor Hakim closed the public hearing.

MOTION: Councilor Bruck made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for an Interim Permit and Person Transfer for existing Liquor License #09080008 submitted by Randy Faiek Mary on behalf of R3M, Inc., for the Liquor Castle, a retail business located at 824 E. Hancock Road in Bullhead City. Councilor Clark seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

4. **PUBLIC HEARING.** Discussion and possible action to approve delaying consideration of a recommendation to the Arizona Department of Liquor Licenses and Control to either approve or deny the application for a Series 12 Liquor License submitted by Alan Adolf Olivas for the Wonder Bar and Grill located at 2034 Plaza Drive in Bullhead City, and reschedule this item to be placed on the August 5, 2014 City Council meeting agenda. (City Clerk Stein)

City Clerk Stein stated that the applicant required additional time to complete his kitchen to be able to acquire the Series 12 restaurant license. She said the establishment was currently operating under a Series 7 Liquor License.

Mayor Hakim opened the public hearing. Having no one present wishing to speak, Mayor Hakim closed the public hearing.

MOTION: Councilor Clark made a motion to approve delaying consideration of a recommendation to the Arizona Department of Liquor Licenses and Control to either approve or deny the application for a Series 12 Liquor License submitted by Alan Adolf Olivas for the Wonder Bar and Grill located at 2034 Plaza Drive in Bullhead City, and reschedule this item to be placed on the August 5, 2014 City Council meeting agenda. Councilor Shutts seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
 ABSENT: None

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

None

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

5. Discussion and possible action to approve the contract with ABC Asphalt of Phoenix, Arizona, for the Chaparral Havasupai Wash Outfall project in an amount not to exceed \$214,428.35, and to authorize the City Manager to execute all appropriate documents and approve resultant payments. (Public Works Director Agrawal)

Assistant Public Works Director Leuck stated this contract would complete the last official phase of the entire project. He said the city received five bids, and said they were requesting approval of the contract with ABC Asphalt of Phoenix, Arizona, who was the low bidder for this project.

Dave McElvey of ABC Asphalt stated they would construct a new drainage apron and large retention area to control the overflow from the existing wash, and said the project would be completed within 45 days.

MOTION: **Councilor Shutts made a motion to approve the contract with ABC Asphalt of Phoenix, Arizona, for the Chaparral Havasupai Wash Outfall project in an amount not to exceed \$214,428.35, and to authorize the City Manager to execute all appropriate documents and approve resultant payments. Councilor Bruck seconded the motion.**

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
 ABSENT: None

MOTION CARRIED

6. Discussion and possible action to approve Amendment No. 1 to the Agreement with Contemporary Services Corporation for Special Event and Security Staff with amended Exhibits B and D as applicable to the 2014 River Regatta in an amount not to exceed \$210,465.74. (Recreation Manager Heath)

Recreation Manager Heath stated this contract amendment would include changes to deployment staff responsibilities for this year's River Regatta.

Councilor Medrano asked the \$210,465.74 was the total contract amount. Recreation Manager Heath confirmed. Councilor Medrano asked if they would use the people more efficiently this year. Recreation Manager Heath stated they would be monitoring them in order to maximize the best use of their working hours.

Mayor Hakim asked if there were comments regarding the \$40 registration fee. Recreation Manager Heath stated they received a few complaints, but said most people understood that the city needed to cover their operational costs. He said there was a 13 percent increase over last year in registrations at this time. He said the 100,000th person to register since the first Regatta would be recognized with a prize package in the near future.

MOTION: **Councilor Ring made a motion to approve Amendment No. 1 to the Agreement with Contemporary Services Corporation for Special Event and Security Staff with amended Exhibits B and D as applicable to the 2014 River Regatta in an amount not to exceed \$210,465.74. Councilor Medrano seconded the motion.**

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

7. Discussion and possible action to approve a one-year extension to the contract for Financial Auditing Services with Fester & Chapman, P.C. in the amount of \$45,800.00, and authorize the City Manager to execute the agreement on behalf of the city. (Finance Director Vera)

Finance Director Vera stated the city has been using Fester & Chapman, P.C. for the last nine years, and said the contract amount has not increased in four years.

MOTION: **Councilor Bruck made a motion to approve a one-year extension to the contract for Financial Auditing Services with Fester & Chapman, P.C. in the amount of \$45,800.00, and authorize the City Manager to execute the agreement on behalf of the city. Councilor Ring seconded the motion.**

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

Other Business

None

COUNCIL REQUESTED ITEMS

8. Discussion and possible action to adopt RESOLUTION NO. 2014R-40 which finds significant flaws in the Environmental Protection Agency's (EPA) proposed rules affecting the Clean Water Act and strongly urging the EPA to abandon the current proposed rules and develop a meaningful proposal that limits federal jurisdiction and provides clarity and consistency for the regulated community. (Council Member Clark)

Councilor Clark stated the Federal Environmental Protection Agency (EPA) and the Army Corps of Engineers were basically looking to re-write the Clean Water Act. He said a 2006 Supreme Court Case restricted their interpretation of what navigable waters are. He said they stated what they were proposing had no effect and would not change what they were doing, but said if that was the case;

they would not need to change the rules. He requested that Bullhead City oppose this change to their rules. He said the Mohave County Water Authority approved a letter in opposition to this change last week. He said Senators McCain and Flake both have written letters of opposition to this change, and said Congressman Gosar was also in opposition. He said other agencies were also weighing in opposition to this proposed rule to re-define what navigable waters of the U. S. are. He said they wanted to include swales, ditches, and ephemeral washes. He said this resolution requests they go back to the drawing board and re-write those rules. He said at this point they could regulate any body of water in Arizona and it gives too much power to the Federal government.

Mayor Hakim asked if any other Arizona cities have issued resolutions. Councilor Clark stated many cities and counties in Arizona, as well as throughout the entire United States, have been looking at it, and said there is time because the comment period ends in October. He said the signed resolution would be sent to the EPA.

Councilor Medrano suggested they forward the resolution to Kingman and Lake Havasu City.

Councilor Shutts thanked Councilor Clark stated she was proud to be a leader in this opposition effort, and thanked Councilor Clark for his efforts.

MOTION: Councilor Clark made a motion to adopt Resolution No. 2014R-40 which finds significant flaws in the Environmental Protection Agency's (EPA) proposed rules affecting the Clean Water Act and strongly urging the EPA to abandon the current proposed rules and develop a meaningful proposal that limits federal jurisdiction and provides clarity and consistency for the regulated community. Councilor Shutts seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

MOTION CARRIED

ADJOURNMENT

MOTION: Councilor Medrano made a motion to adjourn. Councilor Bruck seconded the motion.

VOTE: AYES: Bruck, Clark, Duvall, Hakim, Medrano, Ring, Shutts NAYS: None
ABSENT: None

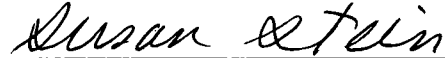
MOTION CARRIED

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 6:15 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct record of the minutes of the regular meeting of the City Council of the City of Bullhead City held on the 1st day of July 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of July 2014.



Susan Stein, CMC, CPM
City Clerk