

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 Special Meeting on April 4, 2017, in the Council Chambers, 1255 Marina Blvd., Bullhead City, Arizona.

CALL TO ORDER

Mayor Brady called the special meeting to order at 3:00 p.m.

ROLL CALL

Council Present

Brady, Bruck, D'Amico, Ring, Shutts, Wegmann

Council Absent

Clark

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

FINANCE DIRECTOR: Rudy Vera

PUBLIC WORKS DIRECTOR: Pawan Agrawal

DISCUSSION ITEM

1. Discussion regarding a potential improvement district for the development of the Laughlin Ranch Boulevard extension from Bullhead Parkway to Highway 95.

City Manager Cotter stated a group of three developers was interested in partnering with the city through an improvement district. He said there have been preliminary discussions, and said it was time to determine if the Council was interested in moving forward. He said Laughlin Ranch Boulevard was included in the approved Section 12 master plan. He said the district would be bonded; the loan would be under the city's name, and said the developers would have to sign a note on their land and make payments. He said there were four property owners, and said one of those owners was the city. He said the arterial street was necessary to alleviate some traffic on Highway 95, cut down on emergency response time, and said the road would be a general transportation corridor improvement.

Public Works Director Agrawal stated the city had initiated several improvement districts in the past, but said the state code had since changed to require that property owners initiate the improvement districts, not the city. He said in this case, all of the property owners involved have asked the city to consider it. He said some preliminary grading work had been previously done in Section 7, but said the economy had stalled and no additional work had been done since then.

Public Works Director Agrawal said the project concept was to design half-street improvements to include one lane in both directions, a median, street lighting in the median, landscaping that would reduce future maintenance costs, water, sewer, and possibly electric. He said future expansion work would include a sidewalk and a second lane in both directions. He said a traffic signal would be needed at Highway 95 or a roundabout. He said a signal modification would be needed at the existing Bullhead Parkway signal. He said the length includes one mile in Section 7 along private property, and one-half mile in Section 12 on the city's leased land from the Bureau of Land Management (BLM).

Public Works Director Agrawal said the entire length of the road was 1.5 miles and the pavement section was 24-foot wide with 12-foot wide lanes on either side of the median. He said the street lights would cost approximately \$660,000; and said they discussed installing conduits in the beginning and adding lights at a later date. He said the total project construction and engineering cost was approximately \$3.6 million. He said the improvement district would have additional costs including construction administration, bond counsel, capitalized interest, and other legal costs. He said the project might end up being \$4.5 million in total cost, and said the city's share would be approximately \$1.3 to \$1.5 million. He said the improvement district process would take approximately three months, and said the construction window would be six to nine months.

David Lords stated this project dated back to 2005 when Laughlin Ranch Boulevard was first planned to continue to Highway 95. He said Laughlin Ranch previously had paid for a full set of plans for construction of the road and spent \$20 million on the grading work. He said the Laughlin Ranch Boulevard extension would run through Section 12 and dead end at Highway 95. He said public safety personnel have indicated the proposed roadway would cut emergency response time to Bullhead Parkway by eight minutes. He said the advantage at this time was that private citizens would pay approximately two-thirds of the cost. He said this project would open up the area to additional development similar to the DOT Foods project. He said there were only 22 acres left at the Air Park for development, and said this was a good deal for the city.

Council Member Shutts asked about the land owners. Mr. Lords stated one of the investor groups (20 acres) was from Amsterdam, another was the Lansing Companies out of San Diego (77 acres), and the third investor was the Blue Group (141 acres). He said the investors were all on board, but there was still work to be done.

City Manager Cotter stated the next step was the preliminary design costs. He said the city would be responsible for one-third of the costs, and said they would need to discuss financing methods. He said then there would be final negotiations with the group. He said the bond counsel and district engineer set the parameters of what was brought forward, and said a resolution of intent would be provided to the City Council with a public hearing. He said there would be no opposition from the land owners.

Mayor Brady asked what would happen if a land owner was uncooperative. City Manager Cotter said the property owners would have to sign a waiver of non-objection in order to move forward. He said the city would have a legal right to impose the improvement district cost upon the properties if they defaulted.

The consensus of the Council was to move forward with the improvement district process.

EXECUTIVE SESSION

MOTION: Council Member Shutts made a motion to adjourn the special meeting and convene into executive session at 3:34 p.m. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Bruck, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: Clark

MOTION CARRIED

2. Discussion or consultation with the attorney of the public body for legal advice and consultation with city staff pursuant to A.R.S. § 431.03(A)(3)&(7), in the matter of a pending development and lease of city property for a hotel and conference center in the vicinity of 1300 Silver Creek Road.
3. Discussion or consultation with the attorney of the public body for legal advice and to consider its position and instruct its attorney regarding the public body's position on contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, pursuant to A.R.S. § 38-431.03(A)(3) & (4) in the matters of: Peter Horne dba A Taxing Experience v. City of Bullhead City (CV-2017-07027); TFS Custodian for Vulcan Tax Receivables, LLC v. City of Bullhead City (CV-2017-00185); Steve P. Rados, Inc. v. City of Bullhead City (CV-2016-04160); City of Bullhead City v. Estate of Marvin Eugene Smith (CV-2016-04087); City of Bullhead City v. Sharon Kathleen Hunt (CV-2016-04050); Van Veen Investments v. City of Bullhead City (CV-2016-00810); El Camino Village POA v. City of Bullhead City (CV-2016-00722); Douglas Brown as Trustee v. City of Bullhead City (CV-2016-00699); TFLTC LLC v. City of Bullhead City (CV-2016-00608); Hillcrest Park Homeowners Association v. City of Bullhead City (CV-2016-00193); Madian Escamilla-Montijo v. City of Bullhead City (CV-2015-00674); Douglas Brown as Trustee v. City of Bullhead City (CV-2014-00695) and notice of claim made by Robert Jacobsen.

Council Member Clark joined the meeting at 4:45 p.m.

MOTION: Council Member Ring made a motion to adjourn from executive session and the special meeting at 5:20 p.m. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Shutts, Ring, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

ADJOURNMENT

Mayor Brady declared the special meeting adjourned at 5:20 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct record of the special meeting of the City Council of the City of Bullhead City held on the 4th day of April 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of April 2017.



Susan Stein, MMC, CPM
City Clerk

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, April 4, 2017, in the City Council Chambers, 1255 Marina Boulevard, Bullhead City, Arizona.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Brady called the meeting to order at 5:30 p.m. Council Member Wegmann delivered the invocation. Mayor Brady led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

POLICE CHIEF: Brian Williamson

FINANCE DIRECTOR: Rudy Vera

PUBLIC WORKS DIRECTOR: Pawan Agrawal

HUMAN SERVICES/TRANSIT DIRECTOR: Susan Betts

PRESENTATIONS AND PROCLAMATIONS

1. Presentation to Randy Gray in recognition of 16 years of dedication to the Bullhead City Bluegrass Festival.

City Manager Cotter said that Randy Gray was out of town and therefore not in attendance. He said Mr. Gray was retiring from the promotion business, and thanked Mr. Gray for his 16 years of dedication to the Bluegrass Festival.

OPEN CALL TO THE PUBLIC

Mayor Brady opened the call to the public.

Royanne Ortiz said she feared the Community Development Block Grant (CDBG) funds would soon go away when the new federal budget was approved. She said the objective of the grant funds was to help improve people's lives. She said the Council recently approved CDBG funds for road work instead of the detox center that she presented. She said the purpose of the grants got lost somewhere because there were more people in poverty now than before. She said she was disappointed this body recently approved a project that benefited property owners rather than individuals.

Eva Corbett invited the public to attend the Easter Egg Roll to be held on April 15th at Community Park.

Susan Van Sloten said the Soroptimists were taking orders and selling Honey Baked Hams for Easter. She provided her contact information.

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

AGENDA MODIFICATIONS

None

WAIVER MOTION

MOTION: Vice Mayor D'Amico made a motion to waive the reading in full of all ordinances and resolutions presented for adoption at this meeting. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

MANAGER'S REPORT

1. DOT Foods Ground Breaking

City Manager Cotter said the DOT Foods official ground breaking would be held on April 5th at the Laughlin/Bullhead Air Park. He said Governor Ducey and other public officials would be there.

2. Re-Paving Project – Highway 95 and Laughlin Bridge

City Manager Cotter said the intersection of Highway 95 and the Laughlin Bridge would be re-paved with new asphalt after the Laughlin River Run event at the end of April. He said all construction work would take place at night from 9:00 p.m. to 5:00 a.m. He said minimal delays were anticipated during construction. He said the project should be completed within a few weeks.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Clark said he was a speaker at the University of Arizona Annual Water Conference. He said it was the best attended conference to date with representatives from all over the state. He said he was re-elected as the Vice Chairman of the Mohave County Water Authority.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Clark made a motion that Item No. 1 on the consent agenda be approved in accordance with the reports, certifications and recommendations furnished each Council Member and without further discussion. Council Member Ring seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

Items on the consent agenda were approved as follows:

1. Approval of the Minutes of the Special Council Meeting held on March 21, 2017; and the Minutes of the Regular Council Meeting held on March 21, 2017. (City Clerk Stein)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

None

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS

2. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the Special Event Liquor License Application submitted by Susana Van Sloten on behalf of Soroptimist International Bullhead City/Laughlin for a fundraising event to be held on Saturday, April 29, 2017, at Eagle Motorcycle Rentals located at 2106 Highway 95 in Bullhead City. (City Clerk Stein)

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

MOTION: Council Member Ring made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the Special Event Liquor License Application submitted by Susana Van Sloten on behalf of Soroptimist International Bullhead City/Laughlin for a fundraising event to be held on Saturday, April 29, 2017, at Eagle Motorcycle Rentals located at 2106 Highway 95 in Bullhead City. Council Member Clark seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

3. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and control to approve the application for a new Series 12 Liquor License No. 12083575 submitted by Henry Haruo Nomoto for the Tokyo Café located at 2580 Highway 95, Suite 109, in Bullhead City. (City Clerk Stein)

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

MOTION: Council Member Shutts made a motion to make a recommendation to the Arizona Department of Liquor Licenses and control to approve the application for a new Series 12 Liquor License No. 12083575 submitted by Henry Haruo Nomoto for the Tokyo Café located at 2580 Highway 95, Suite 109, in Bullhead City. Council Member Ring seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

None

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

4. Discussion and possible action to adopt Resolution No. 2017R-11, Exhibit "E," to the Intergovernmental Agreement between the City of Bullhead City and the Mohave County Flood Control District; and to authorize the Mayor to execute the agreement on behalf of the city. (Public Works Director Agrawal)

Public Works Director Agrawal stated the county was proposing to share \$885,450 with the city for flood control capital improvements in fiscal year 2017-2018. He said that amount was 80 percent of the funds collected from property taxes under the flood control line item. He said Mohave County kept 20 percent for their administrative expense.

Mayor Brady stated the city did not collect a property tax and relied on sales tax collected, shared revenue, and other fees for its operations. He said the city shared in the revenue with the county for flood control purposes.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

MOTION: Council Member Clark made a motion to adopt Resolution No. 2017R-11, Exhibit "E," to the Intergovernmental Agreement between the City of Bullhead City and the Mohave County Flood Control District; and to authorize the Mayor to execute the agreement on behalf of the city. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

5. Discussion and possible action to adopt Resolution No. 2017R-12 approving the Intergovernmental Agreement between the City of Bullhead City and Mohave County for the purpose of continuing Mohave County administration of the housing assistance programs within Bullhead City in the amount of \$3,500 annually through June 30, 2019. (Human Services Director Betts)

Human Services Director Betts stated the Mohave County Housing Authority administered a number of housing assistance programs that received federal funding. She said these programs were designed to help low-income families with rental assistance, utility assistance, and utility and security deposits. She said the proposed agreement renewed the agreement with Mohave County to administer the various housing assistance programs and continued Bullhead City's commitment to help defray costs of administering the rental assistance programs by paying the county \$3,500 annually for the next two fiscal years. She said the city also agreed to continue to provide the U. S. Department of Housing and Urban Development certified inspections for Section 8 housing units located within the city limits.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

MOTION: **Council Member Wegmann made a motion to adopt Resolution No. 2017R-12 approving the Intergovernmental Agreement between the City of Bullhead City and Mohave County for the purpose of continuing Mohave County administration of the housing assistance programs within Bullhead City in the amount of \$3,500 annually through June 30, 2019. Council Member Bruck seconded the motion.**

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

Other Business

6. Discussion and possible action to adopt Ordinance No. 2017-05 by reference and as an emergency measure, approving an Amendment to Chapter 15.38, "Public Access to Colorado River," in the Bullhead City Municipal Code as set out in the "River Access Amendment 2017;" and declaring the measure to be a public record pursuant to Resolution No. 2017R-13. (City Manager Cotter)

City Manager Cotter said last year the Council held a lengthy workshop about putting new rules in place for city access points along the river. He said one of the streets they did not identify at that time was Park Lane. He said recently Mayor Brady was approached by citizens requesting to add Park Lane to the ordinance. He said the ordinance included curfew hours restricting the hours of use for street endings with public access.

Mayor Brady stated the property owners on Park Lane would like to have the same curfew hours enforced as the other public access points to the river. He said this request was in line with what they had done in the past.

Mayor Brady asked if anyone from the public wanted to speak.

Billy Pershing asked if the proposed law applied to public beaches along the river. Vice Mayor D'Amico stated the law only applied to neighborhood street access points to the river, not the public parks.

MOTION: Council Member Bruck made a motion to adopt Ordinance No. 2017-05 by reference and as an emergency measure, approving an Amendment to Chapter 15.38, "Public Access to Colorado River," in the Bullhead City Municipal Code as set out in the "River Access Amendment 2017;" and declaring the measure to be a public record pursuant to Resolution No. 2017R-13. Vice Mayor D'Amico seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

7. Discussion and possible action to adopt Resolution No. 2017R-14 in support of ensuring that fines and fees imposed by the criminal justice system are reasonable, transparent, and proportionate, and not in conflict with the goals of improving public safety, reducing recidivism, ensuring victims receive restitution, and enabling offenders and ex-offenders to meet obligations to their families, especially their children. (City Manager Cotter)

City Manager Cotter said the Mohave County Board of Supervisors adopted a similar resolution on February 6th.

Mayor Brady said in March 2016, Arizona Supreme Court Justice Scott Bales issued an administrative order establishing a task force on fair justice for all concerning court ordered penalties, fees, and pre-trial release policies. He said the task force put together a 45-page document addressing how the courts should operate in relation to fees and fines. He said fees and fines should be reasonable and people should not be jailed unnecessarily because they were poor. He said the policy fines should be reasonable and not to put people in jail because they were not able to pay the fees. He said City Magistrate Psareas had reviewed the report and had no objections. He said he wanted the public to know the city agreed with and supported the findings of the Supreme Court.

Mayor Brady asked if anyone from the public wanted to speak.

Royanne Ortiz spoke in support of the proposed resolution.

MOTION: Council Member Shutts made a motion to adopt Resolution No. 2017R-14 in support of ensuring that fines and fees imposed by the criminal justice system are reasonable, transparent, and proportionate, and not in conflict with the goals of improving public safety, reducing recidivism, ensuring victims receive restitution, and enabling offenders and ex-offenders to meet obligations to their families, especially their children. Vice Mayor D'Amico seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

8. Discussion and possible action to approve the submittal of a Homeland Security Grant Program Grant Application in the amount of \$39,945.00 to the Arizona Department of Homeland Security for bomb team equipment; and authorize the City Manager or his designee to execute all documents pertaining to the grant application. (Police Chief Williamson)

Police Chief Williamson stated the grant would replace one existing bomb suit and an old x-ray machine used to determine if a device is dangerous. He said this equipment was essential to keep their certification from the Federal Bureau of Investigation. He said no matching funds were required.

Mayor Brady asked about the number of bomb specialists in the Police Department. Police Chief Williamson said there were two trained and they were allowed to have four. He said they currently had two suits and said this grant would replace one of them. He said the suits and equipment had expiration dates.

Mayor Brady asked if anyone from the public wanted to speak.

Eva Corbett said she thought the bomb suits cost \$100,000. Police Chief Williamson said the bomb suits cost \$33,864 each.

MOTION: Council Member Bruck made a motion to approve the submittal of a Homeland Security Grant Program Grant Application in the amount of \$39,945.00 to the Arizona Department of Homeland Security for bomb team equipment; and authorize the City Manager or his designee to execute all documents pertaining to the grant application. Council Member Wegmann seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

9. Discussion and possible action to approve Resolution No. 2017R-15 authorizing the submission of a Grant Application to the Governor's Office of Highway Safety for funding consideration in the amount of \$41,983.37; and authorizing Brian K. Williamson, Chief of Police, to sign all resulting documents. (Police Chief Williamson)

Police Chief Williamson stated the city applied each year for a grant from the National Highway Safety Administration to assist in conducting highway safety programs. He said this request included five in-car radar systems and five in-car video systems. He said their traffic enforcement program included lowering the accident rate and educating the public in safe driving. He said no matching funds were required.

Mayor Brady asked if anyone from the public wanted to speak.

Royanne Ortiz asked about the accident ratio. Police Chief Williamson said traffic enforcement and the accident rate usually go hand in hand. He said they have noticed that lately most accidents now were related to distracted drivers.

MOTION: Council Member Wegmann made a motion to approve Resolution No. 2017R-15 authorizing the submission of a Grant Application to the Governor's Office of Highway Safety for funding consideration in the amount of \$41,983.37; and authorizing Brian K. Williamson, Chief of Police, to sign all resulting documents. Council Member Bruck seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

MOTION CARRIED

COUNCIL REQUESTED ITEMS

None

ADJOURNMENT

MOTION: Council Member Clark made a motion to adjourn. Council Member Ring seconded the motion.

VOTE: AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None
ABSENT: None

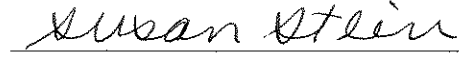
MOTION CARRIED

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 6:20 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct record of the regular meeting of the City Council of the City of Bullhead City held on the 4th day of April 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of April 2017.



Susan Stein, MMC, CPM
City Clerk