

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 Tuesday, February 2, 2021, 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, Brummett, Clark, D'Amico, Wegmann, Zehri

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

HUMAN SERVICES DIRECTOR: Jeff Tipton

**DISCUSSION ITEM(S)**

1. Discussion on park regulations, public lands, and homelessness in Bullhead City.

City Manager Cotter said the issues that would be discussed at the work session included: homeless shelter operations; serving food at city parks; shopping carts; feeding of pigeons; obstruction of public property; placement or storage of personal property on public property; and sleeping, housekeeping, or dwelling on public and private lands.

City Manager Cotter said former Council Member Jerry Duvall began the Homeless Task Force in 2014 and said the group had met more than 60 times since then. He said Council Member D'Amico had traveled in 2014 to look at a rotating shelter concept using churches as shelters, and looked at the Catholic Charities homeless shelter in Las Vegas. He said the Day Center concept began in 2015 when Council Member Duvall had asked the non-profit organizations and every church in the city if they would be interested in the concept. He said the only organization to step up was Interagency in Lake Havasu. He said a Day Center was created at Monarch Mission Center location in 2015. He said in 2016, Catholic Charities became much more involved in Bullhead City. He said not one single church in Bullhead City offered to let the homeless sleep at their locations. He said it was determined the rotating shelter program would not work in Bullhead City, but the Day Center remained open. He said hydration, laundry, snacks, training, access to computers, emails, resume writing were available at the Day Center and served its purpose. He said in June 2016, Catholic Charities took over the Day Center. He said the Day Center expanded in November 2017, and five people were given housing to transition them off the streets. He said there had been discussions about feeding the homeless in the parks for a number of years. He said bus passes were made available to help the homeless and those individuals who needed a ride to work or transitional housing. He said they came a long way from 2014 to 2017. He said homeless encampments were first addressed in January 2018. He said the Catholic Charities Legacy Foundation Christine Stamper Center for Help and Hope Shelter was supposed to have opened in early 2020 but did not due to the COVID pandemic. He said the new shelter offered overnight rest, relief, basic necessities, case management and health services with the ability to shelter 57

individuals each night. He said private rooms were available for families and veterans. He played a video showing the amenities of the new shelter in Bullhead City. He said a lot of progress had been accomplished since 2014 for the homeless. He said the city budgeted \$40,000 to help the homeless in this year's budget.

Cathy Peterson, Executive Director for Catholic Charities, joined the meeting via Zoom conference. She provided information on the activities available for their guests; including hot breakfast, lunch, behavioral health services, laundry and other basic needs. She said they were sheltering one family at a time and were on their third family.

City Manager Cotter said if a bed was available at a shelter, an individual could be removed from a park or other place if they declined the shelter bed. He said they believed the shelter would be in full operation soon. He said they did not want to make this about policing, but they needed to talk about laws that could be created and enforced; such as taking shopping carts from Walmart to the bridge, continued feeding of people in the park, and sleeping on a park bench at night. He said one side wanted absolute regulation and the other side wanted no regulations. He said programs were created to help those who wanted help, and said there are others with mental health or substance abuse problems that did not want help. He said the city was in a better position to help the homeless than most communities. He said today they wanted to obtain some policy guidance from the Council.

Mayor Brady said the city had been working on this issue for more than six years and said some tough decisions had to be made.

Council Member Brummett asked about the help provided for the families living at the shelter.

Camie Rasband, Director of Homeless Services/Housing Supervisor for Catholic Charities, joined the meeting via Zoom conference. She said they have housed three families at the shelter. She said every family could stay there for 30 days, and said two families had qualified for the rapid re-housing program and were now rehoused. She said they were able to house 32 households for up to two weeks each using local hotel rooms. She said they housed 10 veterans and 22 rapid re-housing individuals and had found them all housing.

Council Member Brummett asked if those they helped were local or from outside the area. Ms. Rasband said there was no data on where individuals came from, but said they knew every person that was helped came directly from Mohave County.

Council Member Wegmann asked if there was an increase in criminal activity due to the homeless.

Bullhead City Police Lieutenant Nick Sessions said there was a rise in criminality coming out of the homeless group itself, but not an overall increase. He said it was determined there were two groups; those that wanted help, and those that did not want any help which were active in criminality. He provided some examples of criminal activity: stolen vans, bathing in the splash park, and others. He said he sent at least a dozen locations for cleanup to Code Enforcement within the past few weeks.

Mayor Brady asked if there was a difference between homeless and transient persons.

Lt. Sessions said about 70 percent of either group did not want assistance. He said they were either homeless by choice or had substance abuse and mental health issues.

City Manager Cotter said this conversation was definitely not “anti-homeless,” as the city had more than 20 organizations helping the homeless every day. He said the city now had a shelter soon to be available for 57 individuals. He said, however; there were issues about using public parks and public spaces and it was time to make some policy decisions about people sleeping in the park, living in their vans along the river, stealing shopping carts, storing property on public lands and leaving it, and forming encampments with trash and other health issues.

City Manager Cotter said groups were currently serving food at city parks every day. He said the County Health Department did not support this activity. He said the city now had a commercial kitchen sanctioned by Mohave County Public Health to serve the homeless in a safe environment. He said there were many churches that had commercial kitchens that delivered food to the parks instead of feeding people at their facilities. He said many cities did not allow these activities in public parks without a permit. He asked the Council if they would like to move forward in this direction.

Vice Mayor D’Amico said people should be eating at the shelter as people did not feel safe to visit the parks with the number of homeless people in the parks. He said people that wanted help would go to the shelter.

Council Member Wegmann said there was an issue in transporting people to the shelter to feed them.

City Manager Cotter said bus passes were made available to the homeless and others requiring transportation assistance.

Council Member Clark said groups should not be feeding in the park, and said the shelter would be the proper controlled environment to serve food. He encouraged the organizations that were currently feeding in the park to help the shelter in a coordinated effort.

Council Member Brummett recognized all the people and organizations in the city that had caring hearts and wanted to help people. She said she would like to see coordination of the groups to take care of those who wanted to go to the shelter and provide an off-site location for those that did not want to go to the shelter. She said there was a lot of give and take in order to work together.

Council Member Zehri said the shelter was not open 100 percent now due to COVID. He said homelessness was not a crime, and sometimes not a choice. He asked the Council to not take action until the shelter was opened and other community organizations were operating at 100 percent.

Council Member Bruck asked if the groups fed people during the summer months when the park was closed.

Human Services Director Tipton said a location on the north side of Community Park was made available at that time.

Patty Jacques, Outreach Coordinator for Catholic Charities and a representative of the Homeless Task Force, said historically there were approximately 100 homeless and transient people within the

area at any given time, which was similar to the numbers in Kingman and Lake Havasu City. She said more people were here during the winter months as it was warmer, and said they traveled to other places during the summer. She said there were many reasons why people became homeless.

Council Member Wegmann asked about the number of people with mental health issues getting help.

Ms. Jacques said that question was difficult to answer as the numbers fluctuate. She said their numbers were good and they had two health service workers in the city. She said they helped people obtain identification in order to receive benefits, AHCCCS, and food stamps, and then helped to enroll them in the health system.

Council Member Zehri said it was not fair to discuss changing regulations now because the homeless situation would continue to get worse until the pandemic ended.

City Manager Cotter said he understood Council Member Zehri's concern but he said they had to begin looking into the future. He said the ordinance process normally took at least 60 days or so.

Council Member Zehri asked if any state or county laws were applicable to the homeless population.

City Attorney Emery said three years ago, cities regularly implemented ordinances in regards to illegal camping on public lands and on private properties. He said they were deemed reasonable regulations and frequently enforced. He said there was a convergence of increased homelessness attempting to create a temporary situation/habitation on public lands which was not adapted to the regulations, creating conflicting uses. He said the issue went to the 9<sup>th</sup> Circuit Court and the law now stated that a person could not be prosecuted for being homeless. He said the problem was how to implement the overt conduct of creating a habitation in combination of other traditional uses of that land. He said they were trying to find where those behaviors could meet to insure that all citizens had an equal opportunity to access public lands in a similar way. He said they needed to create enforceable laws with objective reasonable uses and conditions for all citizens no matter what their status.

Robert from the Guardian Foundation said their fellow human beings were out there not getting any nourishment. He said they had food handler cards and the Foundation carried its own insurance. He said people wanted to clean up and show pride where they were living. He said people were helpful and courteous.

City Manager Cotter asked if the Guardians could feed the homeless at the shelter and not at a public park.

Robert from the Guardian said they would do both as all people were still their brothers. He said they had turned a lot over to the homeless shelter.

Mayor Brady said Community Park would be fenced off sometime in the future which would solve most of the problems. He said he watched groups feeding in the park and said it was not an appropriate use of park facilities. He said they needed to restrict the feeding of the homeless in the community.

City Manager Cotter said another issue was sleeping/camping on public property and storage of personal items on public lands. He said Davis Camp was zoned for sleeping in a tent and RV parks were zoned for living in a vehicle.

City Attorney Emery said the city did not prosecute the status of homelessness. He said because of the pressure to use public lands in non-traditional ways to create habitation, decisions had to be made with the conflicting uses in mind. He said one fair and objective restriction on the use of the park would be park closure hours. He said other use restrictions; such as defining things that could be or not be brought into the parks, safety restrictions in right of ways, or other issues protecting public safety.

City Manager Cotter said they looked at extremely limiting the ability to reside on public property, or occupy or create a home on public property. He said they were finding that more and more people were trying to homestead on federal land which was against the law.

City Attorney Emery said the Bureau of Land Management (BLM) had essentially deferred to city enforcement of its overriding ordinances of land within city limits. He said those lands were already defined as public park space in Bullhead City. He said use of the park ramadas could be limited to a certain number of hours, or property brought into the parks could be limited.

City Manager Cotter said wooden pallets were being burned in the barbeque grills and said an ordinance could be created to limit only charcoal to be burned in the grills. He said there were encampments where trash and human waste piled up. He said a potential ordinance could inhibit sleeping overnight in certain areas.

Council Member Clark said he would be willing to have staff move forward with drafting ordinances for their review.

The consensus of the Council was for staff to move forward with drafting ordinances. City Manager Cotter said they looked at an ordinance for violation of obstruction of public property, for instance; occupation of sidewalks and ADA passageways. He said this was not about someone standing with a sign, but about someone who sits and blocks a sidewalk.

Mayor Brady asked if anyone from the public would like to speak.

Terry Shurte, Parks and Recreation Commissioner, said it was difficult to visit the parks due to so many people living in the park. She said it was becoming a problem, and she would hate to see this become a devastation of the parks. She said they needed more facilities to help more people.

Chris Lucciano of Rivyve Behavioral Health Center, said about 150 people had contacted them and asked for help just within the last four weeks. He said people became frustrated about not knowing what to do to get back on their feet. He suggested having an advocate that could work with these people throughout the process.

Scotty McClure said people needed a hand up and not a hand out. He said the encampments were the worst in California and putting people in jail did not solve the problem. He said the tri-cities should create countywide laws, starting with the Boise law.

County Supervisor Hildy Angius said the bottom line was to decide what the definition of “compassion” was. She said the longer a person was enabled, the longer it took for that person to get back on their feet. She said they needed additional mental health facilities. She said people must have compassion and not let people live on the streets like animals.

Steve Robinson said people should not be violating the laws, and asked where do people go now when the shelter was not open yet. He said he felt sorry for the homeless and they should not be kicked down the road because they needed help.

Vice Mayor D’Amico said he went to Oakland to tour the shelter facilities in 2014. He said the only shelters that were successful had very strict rules. He said some people wanted to help themselves, but there was a criminal element here. He said the city was there to help.

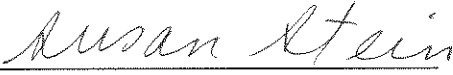
**ADJOURNMENT**

Mayor Brady declared the special meeting adjourned at 5:01 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 2nd day of February 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of February 2021.

  
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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, February 2, 2021, 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. and invited Council Member Wegmann to deliver the invocation. Council Member Clark led the assembly in the Pledge of Allegiance to the Flag.

**ROLL CALL**

Council Present

Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

INTERIM POLICE CHIEF: Dennis DeSantis (via Zoom conference)

FINANCE DIRECTOR: Rudy Vera (via Zoom conference)

PUBLIC WORKS DIRECTOR: Angie Johnson (via Zoom conference)

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: S. Chooniyom (via Zoom conference)

**PRESENTATIONS AND PROCLAMATIONS**

None

**OPEN CALL TO THE PUBLIC**

Mayor Brady opened the call to the public.

Sue Demarco, S.A.I.N.T. Pledge Director, thanked the organization's supporters for their donations. She discussed their latest rescue, and said people had to be accountable for abuse of animals. She said they needed foster volunteers in order to save more animals.

Scotty McClure said EPCOR and Southwest Gas did not show up to provide updates last week at the Franchise License Commission meeting. He said attendance at the commission meetings should be a requirement for the franchise licensees. He said the handicapped parking spaces in the Safeway parking lot were still not in compliance with state law. He asked for the traffic signal lights to be synchronized along Highway 95. He said he was not aware that BATS eliminated his bus stop and he had to walk a longer distance to his home.

Grace Hecht provided updates on COVID-19 vaccination opportunities. She said the Mohave County Supervisor's office in Bullhead City was helping to make appointments for those who did not have access to the internet. She said a city clean-up operation would take place on February 5th. She said a Family Fun Night would be held on February 11th at the Anderson Auto Group Field House.

Jeff Hein discussed the adverse effects of COVID-19 on those residing in assisted living facilities.

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, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

**MANAGER'S REPORT**

1. COVID-19

City Manager Cotter said the county's providers were moving forward with vaccinations. He said they received notice that many slots were available for vaccines this week at the Aquarius in Laughlin, and said Bullhead City residents over 70 years of age were eligible. He said Embry was still conducting COVID testing every day at Mohave Community College.

2. EPCOR Condemnation

City Manager Cotter said they were preparing for the bond hearing on February 22nd. He said they believed the city would be granted immediate possession upon posting of a bond.

3. Update on New Trail connecting Bullhead City and Laughlin

City Manager Cotter said the new non-motorized trail system would be another amenity for residents and visitors to the area. He said the grading work was almost completed. He displayed photos of the ongoing trail work and construction projects. He said they anticipated a ribbon cutting for the new trail system would take place in December 2021.

**MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS**

Council Member Wegmann encouraged those who were waiting results from a COVID test to please stay home in order to keep everyone safe.

Council Member Clark said the Department of Water Resources held an extensive process to obtain input from entities along the Colorado River and in Phoenix regarding the potential Cibola river water transfer to the Town of Queen Creek. He said it was determined that only half that water could be available to be transferred from the river. He said in the meantime, Greenstone was able



to get the Department of Water Resources to change that amount and now only 50 acre feet of water would remain in the Cibola project. He said they felt this was not the way to be transparent in this process and they would continue to fight this transfer.

Council Member Zehri said the month of February was Black History Month, and celebrates Presidents' Day, Valentine's Day, and the Super Bowl. He said Martin Swanty was a great contributor to the community and he would be greatly missed. He thanked the providers of the vaccine to the community. He said two new vaccines would be available in March which did not need refrigeration. He said he spoke with Senator Sinema's office regarding vaccine distribution. He explained the process of vaccine purchasing and distribution. He said there should be a provision for extended FMLA of one week for those who suffered symptoms from receiving the second dose of the COVID vaccine. He said WARMC had the antibody infusion available to those in the community who qualified. He said none of those receiving the infusion had to be admitted to the hospital and got better within 24 to 48 hours.

**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. Vice Mayor D'Amico seconded the motion.

**VOTE:** AYES: Brady, Bruck, Brummett, Clark, D'Amico, Wegmann, Zehri NAYS: None  
ABSENT: None

**MOTION CARRIED**

Items on the Consent Agenda were approved as follows:

1. Approval of the Minutes of the Regular Council Meeting held on January 19, 2021. (City Clerk Stein)

**PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA**

None

**BOARD/COMMISSION/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS**

None

**ACTION ITEMS**

**Building, Planning and Zoning Items**

None

**Bid Awards, Contracts, Intergovernmental Agreement, and Purchases**

None

**Other Business**

2. **PUBLIC HEARING.** Discussion and possible action to adopt Resolution No. 2021R-02 approving a change in the Colorado River Water Safety Fee assessed under the Watercraft Rental Consumer Protection Advisory Form from \$10 per multi-copy form to \$20 per multi-copy form. (City Manager Cotter)

City Manager Cotter said the city spent a lot of time discussing this issue. He said two technical changes were proposed and the water safety fee form fee would increase from \$10 to \$20 per form. He said businesses could pay for the form directly or pass the fee along to their consumers to pay. He said the \$20 fee would help to pay for the city's expenses for safety patrol, lifeguards, and maintenance of the parks system. He said the form was meant to keep people safe when renting personal watercraft.

Council Member Zehri asked about the amount of revenue received last year from the fees and if this year's fee revenue would be put towards the new ramp construction.

City Manager Cotter said last year, approximately \$250,000 was received as revenue from safety form sales which helped defray the city's expenses in running the parks. He said this year the revenue would come closer to the city's cost recovery. He said the General Fund would pay for the ramp which would be paid back from the fee revenue over a number of years.

Council Member Zehri asked if there would be an increase in the parking fee.

City Manager Cotter said the entrance fee was \$20 per car and would not change.

Council Member Zehri asked if the city made more revenue from the safety form or the parking fees.

City Manager Cotter said the parking fees generated more revenue.

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

**MOTION:** Vice Mayor D'Amico made a motion to adopt Resolution No. 2021R-02 approving a change in the Colorado River Water Safety Fee assessed under the Watercraft Rental Consumer Protection Advisory Form from \$10 per multi-copy form to \$20 per multi-copy form. Council Member Wegmann seconded the motion.

**VOTE:**        AYES: Brady, Bruck, Brummett, Clark, D’Amico, Wegmann, Zehri    NAYS: None  
                  ABSENT: None

**MOTION CARRIED**

3. Discussion and possible action to approve the 2021 Legislative Priorities and authorize the Mayor, City Manager, and City Council Members to advocate on these matters as may be necessary. (City Manager Cotter)

City Manager Cotter said this item was addressed at the last Council meeting and was brought back to discuss additional language. He said three items were added since last week: the college has requested a letter of support for an Advancement Manufacturing Training Center in Kingman; Council Member Zehri wanted to discuss Representative Cobb’s Telemedicine legislation HB 2454; and eminent domain legislation HB 2049. He said Mayor Brady and he worked on these issues every day. He said they wanted to take the opportunity to make sure the Council was on the same page and they were advocating on items the Council had prioritized.

Council Member Zehri said telehealth had been used for a long time. He said when the COVID pandemic began, a bill was passed to allow Medicare and Medicaid, as well as private companies, to pay for telehealth services. He said telehealth was a good option, especially during the pandemic.

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

Scotty McClure said he supported the telehealth bill. He said he did not understand what Representative Weninger was advocating for in HB 2049.

Mayor Brady said the city did not like the language in HB 2049 which stated that if an entity condemned a utility, it would have to take over all of the assets and all of the contractual obligations of that utility. He said they believed they were getting their point across and said an acceptable proposal might be presented to the committee in the next few days.

**MOTION:**    **Council Member Wegmann made a motion to approve the 2021 Legislative Priorities and authorize the Mayor, City Manager, and City Council Members to advocate on these matters as may be necessary. Council Member Bruck seconded the motion.**

**VOTE:**        AYES: Brady, Bruck, Brummett, Clark, D’Amico, Wegmann, Zehri    NAYS: None  
                  ABSENT: None

**MOTION CARRIED**

4. Discussion and possible action to approve the appointment of a temporary City Magistrate as coordinated by City staff, and authorize the Mayor to execute a contract with an individual he deems qualified to perform the services. (City Manager Cotter)

City Manager Cotter said he spoke with City Magistrate Psareas this afternoon. He said at this time, it was not necessary to appoint a temporary magistrate; but if something changed within the

next few weeks, this item would be brought back to the Council. He said the court and its staff were operating and functional. He said no action was needed on this item.

**No action was taken on Council Agenda Item No. 4.**

**COUNCIL REQUESTED ITEMS**

None


**ADJOURNMENT**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 6:25 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 2nd day of February 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of February 2021.



Susan Stein, MMC, CPM  
City Clerk