

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 20, 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 Pastor Dan Chrismer of St. John Evangelical Lutheran Church to deliver the invocation. Vice Mayor Bruck led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Brady, Bruck, Brummett (via Zoom conference), D'Amico, Mieding, Wegmann,
Zehri

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter
CITY ATTORNEY: Garnet Emery (via Zoom conference)
CITY CLERK: Susan Stein
POLICE: Captain Jason Harms
FINANCE DIRECTOR: Rudy Vera
PUBLIC WORKS DIRECTOR: Angie Johnson
HUMAN SERVICES DIRECTOR: Jeff Tipton

PRESENTATIONS AND PROCLAMATIONS

None

OPEN CALL TO THE PUBLIC

Mayor Brady opened the call to the public.

Rich Lizarraga said he would like the restrictions changed to enable people to fish from the shore at the river after 10:00 p.m. He asked if the city could do more to control the fireworks being set off in his neighborhood every weekend.

Emily Dotter said she received an immediate response to her comments at the last council meeting when she discussed jet skis speeding around the pipeline on the river. She said the problem was still happening and said it was a dangerous area. She asked if large signs could be placed there to help jetski operators safely navigate through the pipeline area.

Eva Corbett invited the public to attend the Republican Picnic scheduled for August 7th in the Hualapais.

Harvey Pryor asked if a remote control car track could be installed at Rotary Park. He requested that code enforcement staff check into the property located at 931 Riverview Drive and other properties near the park that were in disarray.

Grace Hecht thanked the sponsors from the community that provided engraved Yeti tumblers to 20 UPS workers and 29 postal service workers that drove around with no air conditioning. She said the monthly cleanup was scheduled for August 6th.

Gary Genovese said the Chamber mixer would be held on July 22nd with a bingo fundraiser benefiting the Boys and Girls Club at Anderson Ford.

Shirlene Vogel requested that jet ski usage be limited in order to provide a safer environment on the river and beaches.

Scotty McClure asked about the cost of the full page ad in the newspaper and if was effective in recruiting staff from EPCOR. He asked if the patio structure being built at City Hall was approved at a previous meeting. He said he wanted to see the Chamber put \$25,000 of work into Community Park as promised when their billboard was approved.

Billy Pershing said the Bullhead City Conservatives would meet on August 21st at the public library.

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

AGENDA MODIFICATIONS

None

WAIVER MOTION

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

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

MOTION CARRIED

MANAGER'S REPORT

City Manager Cotter introduced the newest staff member in City Administration, Travis Pruitt.

1. Homeless Shelter Update

Cathy Peterson from Catholic Charities said a cooling station was available every day at the shelter. She said the shelter was currently open 8.5 hours per day. She said they were successful in hiring the required number of employees in order to operate the shelter for overnight stays. She said they intend to open on August 1st for overnight stays. She said they needed more volunteers and thanked the Council for their support.

City Manager Cotter said the police would not tolerate anyone sleeping in the parks or under the washes when there was a place available for people to sleep. He said their hands were no longer tied and this was the path the city was taking.

2. Burro Update

City Manager Cotter said he and other staff members met with the Bureau of Land Management and had a conversation about burros in the Black Mountain area. He said they looked at additional mitigation measures and would continue to study them and report back to the Council. He said they would continue to warn the public about the burro activity on Bullhead Parkway.

3. Summer Activities and Events

City Manager Cotter said the Splash Bash event would be held in September. He said this fall, winter, and next spring were already jammed with tournaments and events in the parks.

4. Community Park Improvements

City Manager Cotter thanked the public works staff for all of the work they had done in the park. He discussed the numerous projects that had been recently completed.

5. Electric Vehicle Charging Stations

City Manager Cotter said the city was partnering with Mohave Electric Cooperative to bring charging stations to the community. He said they applied for a \$1.3 million in grant funding in order to place stations in the parks, college, airport, field house, and other locations in the area.

6. Staffing for New Water Company – EPCOR Employees and Transition

City Manager Cotter said the city received over 100 applicants for 16 jobs and said the full page ad was running in the paper. He said the cost of the ad publication was \$2,500 per week.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Mayor Brady said MEC and TWN hooked up the first business and residential area with the fiber optic line for their internet services. He said soon the whole community would have access to affordable fiber internet service which would be a valuable asset moving forward.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member D'Amico 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 Wegmann seconded the motion.

VOTE: AYES: Brady, Bruck, Brummett, D'Amico, Mieding, 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 July 6, 2021. (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 application for an Interim Permit and New Series 12 Liquor License Job. No. 152889 submitted by Jared Michael Repinski for the Wild Roadrunner Restaurant located at 2440 Adobe Road, #114, in Bullhead City. (City Clerk Stein)

City Manager Cotter said staff reviewed the application and there were no concerns.

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

MOTION: Council Member Wegmann 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 New Series 12 Liquor License Job. No. 152889 submitted by Jared Michael Repinski for the Wild Roadrunner Restaurant located at 2440 Adobe Road, #114, in Bullhead City. Vice Mayor Bruck seconded the motion.

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

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

None

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

3. Consideration and possible adoption of a resolution approving the sale and execution and delivery of excise taxes revenue obligations; approving the form and authorizing the execution and delivery of necessary agreements, instruments and documents; approving and authorizing the execution of an official statement to be used in connection with the sale of the obligations; delegating authority to determine certain matters and terms with respect to the foregoing and declaring an emergency. Discussion and possible action to adopt Resolution No. 2021R-44 approving the sale and execution and delivery of excise taxes revenue bonds with all necessary and appropriate transactional requirements stated therein; and further, directing the City Manager to complete, as may be additionally necessary, and in coordination with all other necessary persons and institutions, all required actions and documentation to consummate the sale approved under the resolution. (City Manager Cotter)

City Manager Cotter said this was one of the most important steps in the process of acquiring the EPCOR water system through the condemnation process. He said the court ordered the city to post an \$80 million bond in order to take immediate possession of the water system. He said the city would obtain additional funds for legal and start-up expenses. He said \$3 million would repay the general fund for legal, valuation, regulatory and other expenses. He said Utilities Director Clark was requesting \$5,250,000 to move the startup projects forward as soon as possible. He said the total bond amount, including the startup expenses, was \$90 million. He said the city was ready and able to professionally run the system. He said EPCOR fought the city every step of the way as they were unwilling to sell the water company.

Mayor Brady said EPCOR had claimed their goal was to provide safe, reliable drinking water to the citizens of the community. He said they would not cooperate with the city, only through their lawyers. He said EPCOR was not doing what they were charged to do.

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

Scotty McClure asked if the residents on Corwin Road in the Bermuda water system had requested the EPCOR water service. He asked if the transfer was included in the ballot language.

City Manager Cotter said the ballot language stated the city had up to \$130 million to acquire EPCOR and could acquire water companies in and around the city.

Harvey Pryor said there might be additional funds the city could spend to acquire additional water systems without asking the public.

City Manager Cotter said the city would still have the bonding capacity and the system included some customers in the North Mohave system outside of the city limits.

Council Member Wegmann said this was a long time coming and this was a proud day.

Council Member Brummett thanked the citizens and staff that worked so hard to make this happen.

Council Member Mieding urged the city to move ahead as quickly as possible.

MOTION: Council Member Wegmann made a motion to adopt Resolution No. 2021R-44 approving the sale and execution and delivery of excise taxes revenue bonds with all necessary and appropriate transactional requirements stated therein; and further, directing the City Manager to complete, as may be additionally necessary, and in coordination with all other necessary persons and institutions, all required actions and documentation to consummate the sale approved under the resolution. Council Member Bruck seconded the motion.

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

MOTION CARRIED

4. Discussion and possible action to approve the “VertexOne Software, LLC and the City of Bullhead City, Arizona, VertexOne Software as a Service Agreement July 20, 2021,” with monthly fees of approximately \$32,222.00 and start-up costs of \$718,439.65 as presented; authorizing waiving standard procurement practices as being in the best interest of the city; and finally, authorizing the City Manager to execute the agreement, make resulting payments, and take all actions necessary for the implementation of the agreement and the services thereunder. (City Manager Cotter)

City Manager Cotter said this agreement included the water and wastewater billing services under the city’s imminent assumption of the operation of EPCOR’s water system. He said VertexOne maintained EPCOR’s current customer data base and coordinated with the city in great detail to ensure that billing remained seamless and as trouble free as possible amidst contentious litigation and lack of EPCOR cooperation. He said the agreement engages services from VertexOne for ten years under favorable rates that were extensively negotiated and also provided for the integration of the city’s wastewater billing, and possible trash billing. He said the agreement provided for monthly services of \$32,222.00 with startup costs of \$718,439.65.

John Herron from VertexOne said they had been servicing EPCOR for over ten years, plus more than 200 customers nationwide that were about 80 percent municipalities. He said the transition would be smooth as they owned the data and files. He said the bills would look exactly like EPCOR’s bills only with “Bullhead City” at the top.

Council Member D’Amico asked for information about the startup costs.

Mr. Herron said they had been working with the city for six months and had to bring the data out of the EPCOR system into the Bullhead City systems. He said the startup expense had almost already been spent in the past six months in working with the city. He said the system would assist customers in conserving water and detecting leaks.

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

Scotty McClure said the costs were high and asked if the city could figure out how to operate the billing systems in-house, as the numbers did not add up.

Harvey Pryor asked if the Finance Department could handle the water billing in-house.

City Manager Cotter said the software systems behind the water operations would be brought over through VertexOne, and included future wastewater and trash billings. He said the city's current system did not have the capability to do this.

City Attorney Emery said one of the greatest risks was the exposure during the transition under a hostile environment was the transfer of customer data. He said VertexOne must be used in a transfer of this magnitude.

Eva Corbett asked if the wastewater billing transfer would be an additional cost.

City Manager Cotter said there would be no additional cost.

Council Member Mieding asked if work orders were a part of the software system.

Utilities Director Clark said there special charges that were a part of the system, and said those charges would be included in the system.

Council Member Zehri asked about the term of the agreement and asked if the software was included.

City Manager Cotter said the agreement would be a long partnership of ten years, and said the city would own the data and customer information.

MOTION: Council Member D'Amico made a motion to approve the "VertexOne Software, LLC and the City of Bullhead City, Arizona, VertexOne Software as a Service Agreement July 20, 2021," with monthly fees of approximately \$32,222.00 and start-up costs of \$718,439.65 as presented; authorizing waiving standard procurement practices as being in the best interest of the city; and finally, authorizing the City Manager to execute the agreement, make resulting payments, and take all actions necessary for the implementation of the agreement and the services thereunder. Council Member Bruck seconded the motion.

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

MOTION CARRIED

5. Discussion and possible action to approve the "Bullhead City Police Department, AZ Motorola Solutions Flex Software" Agreement (pages 1-130); and authorize the City Manager to implement the agreement and make resulting payments. (Police Chief Trebes)

Police Captain Harms said the system would replace the department's current records management and dispatching system. He said the current Capers system was limited in options and support, and was not capable to adequately address all of the departmental needs. He said the Motorola system was the industry standard for public safety in the area. He said the system was used by numerous public safety operations in the county.

City Manager Cotter said Chief Trebes discussed this item during the budget discussions, and said this system was critical to protect the public.

Council Member Mieding asked about the life of the system and its technology upgrades.

Brian Dunaway from Motorola Solutions said there was no end of life to the system. He said Motorola had been the industry standard and had progressed into all aspects of public safety technology. He said their sole focus was on public safety. He said technology upgrades were included in the yearly maintenance and as needs evolved. He said the city would purchase the hardware and software and own it.

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

Billy Pershing asked about the cost of the system.

City Manager Cotter said the 85 month agreement with Motorola consisted of payments of a seven year period totaling \$765,600 for startup with an annual maintenance fee of \$82,818.

Harvey Pryor spoke in support of the system.

MOTION: Council Member Wegmann made a motion to approve the "Bullhead City Police Department, AZ Motorola Solutions Flex Software" Agreement (pages 1-130); and authorize the City Manager to implement the agreement and make resulting payments. Council Member Mieding seconded the motion.

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

MOTION CARRIED

6. Discussion and possible action to approve the "Assistance Agreement between the Bureau of Reclamation and the City of Bullhead City for Water Conservation Plan Update" in substantial form as presented; authorize the City Manager to finalize the details of the agreement, execute the agreement on behalf of the city, and take all actions necessary to implement the agreement; and further, authorizing the entry of a follow-on agreement with the anticipated plan update provider, Maddaus Water Management, for preparation of the update in an amount not to exceed \$50,000.00. (City Manager Cotter)

Utilities Director Clark said the last plan was completed in 2016. He said through their agreement with Mohave County Water Authority, the city was required to conduct a new water conservation plan update every five years. He said half of the project would be grant funded by the Bureau of Reclamation.

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

MOTION: Council Member D'Amico made a motion to approve the "Assistance Agreement between the Bureau of Reclamation and the City of Bullhead City for Water Conservation Plan Update" in substantial form as presented; authorize the City Manager to finalize the details of the agreement, execute the agreement on behalf of the city, and take all actions necessary to implement the agreement; and further, authorizing the entry of a follow-on agreement with the anticipated plan update provider, Maddaus Water Management, for preparation of the update in an amount not to exceed \$50,000.00. Vice Mayor Bruck seconded the motion.

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

MOTION CARRIED

7. Discussion and possible action to approve the contract with CivTech for a Short/Long Range Transit Plan in an amount not to exceed \$149,954.41; and to authorize the City Manager to execute all appropriate documents and approve resultant payments. (Human Services Director Tipton)

Transit Manager Michael Peluso said the city published an RFP to receive bids for proposals to complete a short/long range plan for evaluation of current services and guidance for enhancements to their current operations as well as options to expansion of service in the future for a high-quality transit operation. He said the responsive bidder, CivTech, had been providing transit planning and design studies for the last 18 years. He said the contract price was \$149,954 and the reimbursement rate through the ADOT 5311 Rural Transit Grant program was 80 percent.

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

Scotty McClure said he made suggestions at the last Bullhead Area Transit System Commission meeting. He asked why someone from outside of the city should make decisions instead of the city.

City Manager Cotter said public comment would be taken throughout the process.

Billy Pershing asked if intermediate evaluations would be completed.

Transit Manager Peluso confirmed.

MOTION: Council Member Wegmann made a motion to approve the contract with CivTech for a Short/Long Range Transit Plan in an amount not to exceed \$149,954.41; and to authorize the City Manager to execute all appropriate documents and approve resultant payments. Vice Mayor Bruck seconded the motion.

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

MOTION CARRIED

Other Business

8. Discussion and possible action to select the Alona’s Way/Hoppas Drive site to serve as the location for a purpose built Multimodal Transit Facility for the Bullhead Area Transit System based on the preferred site detailed in the “Site Selection for Bullhead Area Transit System April 2021” Planning Document. (Human Services Director Tipton)

Transit Manager Peluso said the site selection process began in 2014 and they were now pleased to present the proposed location for the development of a purpose built facility for the BATS system. He said the design and engineering of the project would be funded with federal grants.

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

Eva Corbett asked about the location.

City Manager Cotter said the lot was located next to the Motor Vehicle Department.

MOTION: Council Member Wegmann made a motion to select the Alona’s Way/Hoppas Drive site to serve as the location for a purpose built Multimodal Transit Facility for the Bullhead Area Transit System based on the preferred site detailed in the “Site Selection for Bullhead Area Transit System April 2021” Planning Document. Vice Mayor Bruck seconded the motion.

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

MOTION CARRIED

9. Discussion and possible action to approve the Mohave County Water Authority annual membership dues for fiscal year 2021-2022 in the amount of \$40,000.00; and authorize the City Manager to execute the expenditure on behalf of the city. (City Manager Cotter)

City Manager Cotter said the dues were set by the Mohave County Water Authority. He said the lobbying costs for water related issues had increased this year.

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

MOTION: Council Member D'Amico made a motion to approve the Mohave County Water Authority annual membership dues for fiscal year 2021-2022 in the amount of \$40,000.00; and authorize the City Manager to execute the expenditure on behalf of the city. Council Member Wegmann seconded the motion.

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

MOTION CARRIED

COUNCIL REQUESTED ITEMS

None

ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:10 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 20th day of July 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of August 2021.



Susan Stein, MMC, CPM
City Clerk