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, December 21, 2021, in the Council Chambers, 1255 Marina Blvd., Bullhead City, Arizona.

CALL TO ORDER

Mayor Brady called the special meeting to order at 3:30 p.m.

ROLL CALL

Council Present

Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

Council Absent

None - Vacant Seat

Staff Present:

CITY MANAGER: Toby Cotter CITY ATTORNEY: Garnet Emery

CITY CLERK: Absent

UTILITIES DIRECTOR: Mark R. Clark

ASSISTANT TO THE CITY MANAGER: Travis Pruitt

DISCUSSION ITEM

1. Discussion regarding a policy for high consumption water bills and one-time relief to property owners.

City Manager Cotter said today the Council would hold their second discussion on high water bill relief. He said they hoped to receive direction from the Council in order to formulate a policy to bring back at a future meeting.

Assistant to the City Manager Pruitt said the policy objectives were to provide goodwill and relief to customers dealing with high bills due to leaks and other water loss; reduce customer aggression towards billing staff as well as the likelihood of turnover among staff; create an easily administered, cost effective, customer friendly process; and to prevent continued water loss/waste. He said they were looking for the Council's guidance on some key items as how they should move forward. The items were as follows: what approach should be taken in making adjustments (lowest tier, prior year, 50 percent, other); how often should adjustments be done (once a year, once every five years, other); and should commercial accounts be eligible for adjustments.

Assistant to the City Manager Pruitt provided some information on what other cities were doing: Lake Havasu City offered adjustments for residential and commercial using the lowest tiered rate, once per year; Kingman offered adjustments for residential and commercial using the lowest tiered rate, twice per year; Flagstaff offered adjustments for residential and commercial based on prior year plus 50 percent of water loss, once every five years; Phoenix did not offer adjustments; and Gilbert offered adjustments for residential and commercial using the lowest tiered rate, once per year. He said the tiered rates varied from city to city.

Assistant to the City Manager Pruitt said Option #1 (rebill at lowest tiered rate) would give some billing relief, customer pays some of water loss cost, and gives little relief for those with extremely high bills. He said Option #2 (rebill based on prior year) would give complete billing relief;

customer does not pay for any water loss, and the city assumes all responsibility for the water loss cost. He said Option #3 (rebill based on prior year plus 50 percent of water loss cost) would provide significant billing relief, customer would pay 50 percent of the water loss, and the city would provide 50 percent relief of the water loss. He provided some billing adjustment examples for various homes with differing high bill amounts. He said adjustments would only be made after the bill returned to a normal amount; pool refills and just higher than normal bills would not be subject to adjustment; and anyone who was unable to pay would be allowed a payment arrangement.

City Manager Cotter said they needed a straight line policy that applied to every property. He said they lived in a community with 22 percent poverty. He said the adjustment frequency would be aligned with the policy.

Mayor Brady said he studied the issue carefully. He said he was in favor of Option #1, possibly once every five years for the extra high amounts. He said he would like to see the policy aligned with the city's water conservation policy. He said they would have to adjust the interim surcharge in the future.

Council Member Zehri said this was the time for the city to show what the city could do to help the community. He said he was in favor of Option #3 and said there were not that many customers that experienced extra high bills.

Council Member Wegmann said she agreed with Mayor Brady on Option #1 once every five years. She suggested being more flexible with the 72 hours' notice.

Vice Mayor D'Amico asked if the city could get permission from the property owner to go onto their property and turn off a water leak if they were not at home.

Utilities Director Clark said sometimes the property owner was not aware there was a leak, and said this is what they saw about 95 percent of the time; including leaking toilets.

Council Member Zehri said he thought commercial property owners should be eligible for the same adjustment.

Council Member Brummett said she hoped that future technology would be available soon to alert customers when their water usage was running high. She said she would support Option #1, but would rather see Option #3.

Council Member Hecht asked how the bill comparison would work for a new resident. She said another option would be to use the Bullhead Direct app and take a photo of the leak.

Utilities Director Clark said they would base comparisons on the prior resident or similar home in the neighborhood unless it was a new build.

Vice Mayor D'Amico said he was in favor of Option #3 and said he wanted to make payment arrangements available. He said Option #1 would work with adjustments allowed every two years.

Council Member Hecht asked about the payment plan.

Utilities Director Clark said there was no payment scale, and payments were based on what the customer could afford to pay.

It was the consensus of the Council to move forward with Option #1, with adjustments allowed every two years, for both residential and commercial customers.

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

Pamela Smith said she was in favor of Option #3. She asked if "grants" would be available to help low income customers.

Scotty McClure said the Western Arizona Council of Governments might be able to help low income customers that experienced a water leak. He suggested that high bill issues be considered on a case by case basis.

MOTION: Council Member Wegmann made a motion to adjourn the special meeting and

convene into executive session at 4:25 p.m. Vice Mayor D'Amico seconded the

motion.

VOTE: AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

EXECUTIVE SESSION

2. Discussion or consultation for legal advice concerning the status of the City's eminent domain litigation with EPCOR. Arizona Revised Statutes § 38-431.03(A)(3).

MOTION: Council Member Wegmann made a motion to adjourn from executive session

and the special meeting at 5:05 p.m. Council Member Brummett seconded the

motion.

VOTE: AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

ADJOURNMENT

Mayor Brady declared the special meeting adjourned at 5:05 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 21st day of December 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of January 2022.

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, December 21, 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 Bill Jones from Bethel Community Church to deliver the invocation. Council Member Brummett led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

Council Absent

None - Vacant Seat

Staff Present:

CITY MANAGER: Toby Cotter CITY ATTORNEY: Garnet Emery

CITY CLERK: Absent

POLICE CHIEF: Police Captain Jason Harms

FINANCE DIRECTOR: Rudy Vera

PUBLIC WORKS DIRECTOR: Angie Johnson

UTILITIES DIRECTOR: Mark R. Clark

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Saritti Chooniyom

ASSISTANT TO THE CITY MANAGER: Travis Pruitt

PRESENTATIONS AND PROCLAMATIONS

None

OPEN CALL TO THE PUBLIC

Mayor Brady opened the call to the public.

Steven Lee discussed his observation of chemical trails in the Arizona skies. He said the government was trying to coerce people to get COVID vaccines. He said illegal immigration was headed this way.

Barbara Pape said the city had a problem with a lack of doctors, and said contracting with temporary doctors had to stop because more permanent doctors were needed.

Gary Genovese provided information on the Colorado River Historical Society's Honey Baked Ham fundraising event.

Dean Wenrich from the Mohave County Department of Public Health and Dr. Sheila Barnett provided information on the Family Heath Fair to be held on January 22nd at Mohave Community College.

Harvey Pryor said the City Council actually listened to citizens and he thanked the city for following through on some of his requests.

Scotty McClure asked for the reason the city was still renting EPCOR's building, and asked when the new televisions would be installed in the Council Chambers. He said he had requested some bus stop and route changes and nothing had been done. He said the city had coyote and raccoon problems.

Larry Topping said he was the promoter for this year's Bullhead River Run. He said they were looking forward to putting on a huge event in 2022 with live entertainment, a motorcycle rally, and tattoo convention.

Eva Corbett said her wish for the New Year would be to have the animal shelter upgraded.

Bill Pershing invited the public to attend the Tea Party meeting on January 8th 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 D'Amico made a motion to waive the reading in full of all

ordinances and resolutions presented for adoption at this meeting, with the exception of Agenda Item No. 8. Council Member Wegmann seconded the

motion.

VOTE:

AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

MANAGER'S REPORT

1. Second Bridge Update

City Manager Cotter said the second bridge was under construction and work was being performed on the water.

2. December of Fun at the Fieldhouse Events

City Manager Cotter said the month of fun continued, and said the Fieldhouse would be open for everyone to enjoy.

3. Water Company Transition

Utilities Director Clark said they continued to have challenges, and said another well went out this week. He said they were still seeing a number of service calls, about 27 calls per day.

4. City Hall Holiday Hours and Closures

City Manager Cotter provided information on the city's holiday hours.

5. Bullhead City Housing Projects

City Manager Cotter said the city was not headed in the same trajectory as Lake Havasu City with higher than average housing prices of \$500,000. He said sustainable growth was necessary and said the city had worked very hard on this. He discussed a number of housing projects currently being developed within the city. He said they encouraged the developers to bring affordable housing to the community. He said they were working on projects in order to relieve traffic on Highway 95. He said they had a system in place to accommodate the city's growth. He said 440 new single family residential homes were built in 2021.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Zehri said he was pleased the Fieldhouse was being made available for all citizens to enjoy. He said hospital staff shortages were occurring all over the country. He discussed some of the issues the city was experiencing with the need for doctors and nurses.

Council Member Hecht provided information on two clean up events and a swap meet.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Wegmann 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, Brummett, D'Amico, Hecht, Wegmann, Zehri

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 December 7, 2021; and approval of the Minutes of the Regular Council Meeting held on December 7, 2021. (City Clerk Stein)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

None

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS ON LIQUOR LICENSE/BINGO APPLICATIONS

2. Discussion and possible action to make a recommendation to the Arizona Department of Revenue to approve the Application for a Class A Bingo License submitted by Kelly Johnson on behalf of the Longridge Mobile Home Park located at 2960 Silver Creek Road in Bullhead City. (City Clerk Stein)

City Manager Cotter said the facility would offer bingo games for entertainment and social functions for park members only. He said staff had no objections to the application.

MOTION:

Council Member Wegmann made a motion to make a recommendation to the Arizona Department of Revenue to approve the Application for a Class A Bingo License submitted by Kelly Johnson on behalf of the Longridge Mobile Home Park located at 2960 Silver Creek Road in Bullhead City. Council Member Brummett seconded the motion.

VOTE:

AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

None

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

3. **(Amended/Added Item) Discussion and possible action to approve in substantial form as presented: 1) the Donation Agreement (10,745.40 square feet); 2) the Warranty Deed accepting the donation of 10,745.40 square feet of real property from the Laughlin Family Trust; 3) the amendment to the Digital Marquee Placement Lease Agreement (605 Highway 95); and 4) authorizing the City Manager to execute the agreements on behalf of the City and to take all actions to implement the agreements, including the execution of all required documents for the land transactions. (City Manager Cotter)

City Manager Cotter said the city previously entered into a digital billboard lease agreement with the Laughlin Family Trust which resulted in the conveyance of a half-acre of land to the city, which consisted of 1,200 square feet for a digital billboard and 20,000 square feet in order to facilitate future recreational river access. He said the Laughlin Family Trust had agreed to donate another piece of land of about one quarter acre and valued at approximately \$385,000. He said this extra

land donation would enable the city to move forward with additional recreational and river access purposes in the future.

Mayor Brady said this was something, that years from now, would be a shining light for the Bullhead City Parks and Recreation Department.

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

Steven Lee asked if this was a gift to the city. City Manager Cotter said the Laughlin Family Trust would receive an extension of their billboard lease agreement in exchange for the land.

MOTION:

Council Member Wegmann made a motion to approve in substantial form as presented: 1) the Donation Agreement (10,745.40 square feet); 2) the Warranty Deed accepting the donation of 10,745.40 square feet of real property from the Laughlin Family Trust; 3) the amendment to the Digital Marquee Placement Lease Agreement (605 Highway 95); and 4) authorizing the City Manager to execute the agreements on behalf of the City and to take all actions to implement the agreements, including the execution of all required documents for the land transactions. Council Member Brummett seconded the motion.

VOTE:

AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

Other Business

4. Discussion and possible action to approve the "River Fund Housing Security Assistance Grant;" and authorize the City Manager to execute the agreement and take all actions consistent with its implementation. (City Manager Cotter)

City Manager Cotter said approval of the grant agreement would allow the River Fund to provide critical housing assistance to the community. He said Council approved the grant funding at the November 2, 2021, meeting; and asked staff to bring an agreement back for consideration. He said funding would be available under federal ARPA, and would assist in maintaining and preventing loss of a current housing situation within Bullhead City, a one-time limit of \$3,000 in assistance per applicant, and city audit opportunities.

Mike Connor from the River Fund said they were aware of some people that had not yet been assisted by the federal government, and said this funding would assist people locally. He said they acted as case managers in every situation, and they would not just hand out checks.

Council Member Zehri thanked Mr. Connor and the River Fund for helping the community for many years.

Mayor Brady said he was in favor of the proposed modifications. He said he wanted to make sure the money actually got to the landlords. He said the Landlord Tenant Act had some provisions that

would complicate this matter, but the City Attorney had included language in the agreement that addressed his concerns.

City Attorney Emery read the amendments to Paragraph 2, Subparagraph (g): "Assistance payments are only made to the applicant's mortgage holder or landlord. Payment recipients must provide in writing, made to the applicant, acknowledging receipt of the payment, and that in the case of mortgage, any current breach and use of acceleration provisions will be deferred, and in the case of a renter in default, that a waiver under Arizona Revised Statutes § 33-1371(A) is in effect."

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

Steven Lee asked if there was a time period for rental payments to landlords before an eviction process could begin.

City Attorney Emery said it would be based upon the facts of each case.

Eva Corbett asked if there was a provision for the tenant to pay back the assistance provided.

City Manager Cotter said there were no payback provisions.

Billy Pershing asked if the assistance was based on coronavirus situations.

Mr. Connor confirmed.

Dan Alfonzo asked if the money received was taxable or tax free.

Council Member Brummett thanked Mr. Connor for helping so many people in the community for so many years.

MOTION:

Mayor Brady made a motion to approve the "River Fund Housing Security Assistance Grant" with the addition of Subparagraph (2)(g); and authorize the City Manager to execute the agreement and take all actions consistent with its implementation. Vice Mayor D'Amico seconded the motion.

VOTE:

AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

5. Discussion and possible action to approve modifications to the Rotary Park Master Plan which includes the addition of ballfields, splash pad, remote controlled track, skate/pump track, and storage facilities. (Human Services Director Tipton)

City Manager Cotter said the revised plan was reviewed by the Parks and Recreation Commission at its regular meeting on December 15, 2021. He said Rotary Park was now almost fully developed.

Parks and Recreation Superintendent Heath reviewed the proposed modifications to the master plan.

Council Member Wegmann said these projects were amazing additions to Rotary Park.

Vice Mayor D'Amico said the pump track would be a great asset to the community and provide multiple uses. He said he saw some great new events coming to the community.

Council Member Brummett thanked staff for their efforts.

Council Member Zehri said the park was good for the entire community.

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

Scotty McClure said there was no parking for the people visiting the beach and he did not like the location of the splash pad. He asked if Astroturf would be considered.

Harvey Pryor said he hoped to have a kick off day sometime in January for the RC track. He thanked the Council and staff for providing this amenity for the city.

Dan Alfonzo asked if any refreshment stands would be available.

City Manager Cotter said concession stands were set up at various locations throughout the parks. Bo Hellams thanked staff and the Council for providing these amenities for the community. He said his group was looking at adding another nine holes to the existing disc golf course without any cost to the city.

Steven Lee spoke in support of the modifications. He asked that the drive-in movie facility be reconsidered in the future.

MOTION:

Vice Mayor D'Amico made a motion to approve the modifications to the Rotary Park Master Plan which includes the addition of ballfields, splash pad, remote controlled track, skate/pump track, and storage facilities. Council Member Wegmann seconded the motion.

VOTE:

AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

6. Discussion and possible action to adopt Ordinance No. 2021-21 approving the Amendment to the Bullhead City Municipal Code entitled "Water Conservation Amendment 2021" by reference; and adopting Resolution No. 2021R-71 declaring the "Water Conservation Amendment 2021" a public record. (City Manager Cotter)

Utilities Director Clark said an important part of managing the city's water allotment was having a current policy for conserving water when needed or required by federal authority. He said the proposed amendments would bring the city's water conservation and restrictions policy current, aligning the city's related conservation efforts with potential tiered federal shortage declarations. He said the amendments allowed the city to conserve water and reduce consumption during periods of federally declared water shortages as well as during stages of normal water levels.

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

Barbara Pape said water had become a commodity and said the city's water rights had to be secured.

Billy Pershing said he heard there was a multi-state agreement in order to reduce water usage.

Utilities Director Clark said the agreement was moving forward.

Steven Lee said it looked like there would be no forced water restrictions, and asked if there was a rate penalty for increased use.

MOTION:

Council Member Wegmann made a motion to adopt Ordinance No. 2021-21 approving the Amendment to the Bullhead City Municipal Code entitled "Water Conservation Amendment 2021" by reference; and adopting Resolution No. 2021R-71 declaring the "Water Conservation Amendment 2021" a public record. Vice Mayor D'Amico seconded the motion.

VOTE:

AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

7. Discussion and possible action to approve the seven (7) Council-selected members to serve on the Council Vacancy Nominating Committee; direct the committee to act in accordance with City Code and the processes outlined in the council communication; and further direct staff to coordinate the administrative functions of the committee. (City Manager Cotter)

City Manager Cotter said Council Member Mieding recently passed away and there was a process the Council followed in order to replace a Council Member. He discussed the proposed schedule for Council Member replacement.

The Council Members announced the names of their Council Vacancy Nominating Committee appointments:

Mayor Brady appointed Carolyn Hamblin and Rick Southey.

Vice Mayor D'Amico appointed Pamela Smith.

Council Member Brummett appointed Leslie Chester.

Council Member Hecht appointed Melina Sobraske.

Council Member Wegmann appointed David Lipinski.

Council Member Zehri appointed Ninette Holguin.

City Manager Cotter said the members were all registered voters, over the age of 18 years, lived in the city, and had not previously served on a nominating committee.

MOTION: Vice Mayor D'Amico made a motion to approve seven (7) Council-selected

members to serve on the Council Vacancy Nominating Committee; direct the committee to act in accordance with City Code and the processes outlined in the council communication; and further direct staff to coordinate the administrative functions of the committee. Council Member Wegmann

seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

COUNCIL REQUESTED ITEMS

8. Discussion and possible action to adopt Resolution No. 2021R-72 in support of expanding Bullhead City residents' awareness of FDA authorized emergency use of Monoclonal Antibody Therapies as an important option in treating the COVID-19 illness. (Vice Mayor D'Amico and Council Member Dr. Zehri)

City Manager Cotter said in response to the continued health risks posed by COVID-19 to the residents of Bullhead City, Council Member Dr. Waheed Zehri and Vice Mayor Steve D'Amico were seeking to expand the public's access to treatment information, specifically monoclonal antibody therapies. He said the resolution served to help citizens understand the United States Food and Drug Administration had authorized emergency use of monoclonal antibody therapies and these therapies were important options for treating COVID-19 illness and reducing the likelihood of increased sickness, hospitalization, and/or death.

Vice Mayor D'Amico said the Council was not endorsing anything, but providing public notice. He urged citizens to consult their health care professionals for medical advice.

Council Member Dr. Zehri provided a PowerPoint presentation. He said monoclonal antibody was a human-made antibody to fight against infections and was used in treatments of certain cancers. He said the antibody was used to prevent the increase of emergency room visits and patient hospitalizations, to prevent death and progression of COVID-19, and early resolution of symptoms. He said the monoclonal antibody is the only emergency authorized FDA outpatient treatment for COVID-19. He described the conditions for eligibility for the monoclonal antibodies, and those conditions that were not authorized by the FDA to receive the antibodies. He said all hospitals were offering the monoclonal antibody infusion.

Norine Medina, Dr. Zehri's medical assistant, shared their experiences with patients that were sent to receive the antibodies. She said all of their patients recovered and were doing well.

James Olive said he and his wife both received the monoclonal treatment for COVID-19 and felt much better afterwards.

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

Steven Lee thanked Dr. Zehri for pursuing treatments for COVID-19.

Billy Pershing asked about the process and cost to receive the treatment.

Council Member Zehri said after a patient tested positive, they could receive the treatment any time before ten days of contracting the disease. He said the medication was free, but the hospitals charged for administration of the drug. He said the cost would depend on the individual's insurance policy.

Scotty McClure said this was another resolution that meant nothing. He said he did not trust the government and WARMC. He said he was still fighting with their billing department.

Vice Mayor D'Amico read the resolution.

MOTION: Vice Mayor D'Amico made a motion to adopt Resolution No. 2021R-72 in

support of expanding Bullhead City residents' awareness of FDA authorized emergency use of Monoclonal Antibody Therapies as an important option in treating the COVID-19 illness. Council Member Zehri seconded the motion.

VOTE: AYES: Brady, Brummett, D'Amico, Hecht, Wegmann, Zehri

NAYS: None ABSENT: None

MOTION CARRIED

ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:35 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 21st day of December 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of January 2022.

Susan Stein, MMC, CPM

City Clerk