

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, January 3, 2023, in the City Council Chambers, 1255 Marina Boulevard, Bullhead City, Arizona.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor D'Amico called the meeting to order at 5:30 p.m. and invited Father Mark Hodges of St. Brendan Orthodox Church to deliver the invocation. Council Member Head led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter
CITY ATTORNEY: Garnet Emery
CITY CLERK: Susan Stein
POLICE CHIEF: Robert Trebes
FINANCE DIRECTOR: Rudy Vera
PUBLIC WORKS DIRECTOR: Angie Johnson
UTILITIES DIRECTOR: Mark R. Clark
HUMAN SERVICES DIRECTOR: Jeff Tipton
DEVELOPMENT SERVICES DIRECTOR: Absent

PRESENTATIONS AND PROCLAMATIONS

None

OPEN CALL TO THE PUBLIC

Mayor D'Amico opened the call to the public.

Steven Lee provided information on a celebration of life for Bill Hardt. He discussed some issues that the new governor would be focusing on. He said he looked forward to a new community drive-in opportunity in the upcoming year.

Susan Beardsley said she was a teacher for the senior center art program. She said attendance at the courses continued to grow and she requested funding for the program.

Pamela Smith requested the city look into the traffic control on McCormick Blvd. as it was dangerous. She said a woman with criminal charges was recently released into Catholic Charities for mental disabilities.

Regina Guarisco said choices were important as there was so little time to conserve water. She said there was a direct conflict of interest with the city owning a water company, and said they needed a utility board.

Scotty McClure asked if the city could pump the flood waters in front of his house, and said a french drain was needed in his neighborhood. He said the Veterans' Memorial monuments were tipped over in order to make room for the Howitzer that would be placed there, and said it was disrespectful.

Larry Tunforss said occasionally speakers at the call to the public thought they had the facts, but they did not. He asked that people do their research before speaking.

Nick Parsons provided drones as giveaway prizes for an essay contest. He said he hoped the city would install a drone obstacle course at Rotary Park.

Harvey Pryor provided information on a wash cleanup event with the RC Club, and invited the community to participate.

Bo Hellams from the Bullhead Area Chamber of Commerce provided the 2022 Chamber statistics.

Having no one else present wishing to speak, Mayor D'Amico closed the call to the public.

AGENDA MODIFICATIONS

None

WAIVER MOTION

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

VOTE: AYES: Alfonzo, Brummett, D'Amico, Head, Hecht, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

MANAGER'S REPORT

1. Water Issues and Future Water Restrictions

Utilities Director Clark said this was the first time ever that a Tier 2 water storage was established. He said the central Arizona cities could store water into the ground; but this area did not have the same opportunity, as any water pumped into the ground would work its way back into the river. He said the city would not get any water cuts during a Tier 1 or Tier 2 shortage as the excess water was being used by central Arizona. He said water would be cut when a Tier 2b, Tier 2c, or a Tier 3, shortage was declared. He said they were strategically planning to reuse water in times of shortage. He said they would use the excess water created by the effluent at the water treatment plants. He said any water entitlements would not be cut this year. He said the city spent \$1.9 million on water conservation and saved over 2,500 acre-feet of water. He said that was over 15 percent of the city's annual water use. He said the city's turf buy-back program was generous, and said they also offered toilet and washing machine rebate programs. He said the city was doing much more than any other cities in Arizona to conserve water, except for Phoenix and Tucson. He said people did

not see everything they were doing to conserve water. He said the Lake Mead elevation level was estimated at 1,045, which put them into a Tier 2a water shortage. He said the Central Arizona Project would reduce water deliveries to their customers by almost 700,000 acre-feet this year. He said the city had a plan to cover any water shortages in the event it needed to be drawn upon. He said their water year (October-September) was a little bit ahead of average. He said they were starting to get some snow on the western slope of the Rocky Mountains that drained into the Colorado River. He said it would take decades to get back to normal unless there was a tremendous amount of snow.

City Manager Cotter said billions of dollars had been set aside by the State of Arizona to solve this problem, and said the state would work with communities such as Bullhead City. He said the city had enough water allocation to continue to grow. He said they purchased allocations from Kingman and Cibola. He said turf was still needed at the parks and areas for children to play on. He said the city would continue to market its water conservation program.

Utilities Director Clark said the funds used for the conservation program did not come from the general fund; the program was funded by the water users in the city. He said there was a process moving forward to bring flood waters from the State of Kansas to Colorado and the Colorado River Basin.

2. Community Park Construction Projects

City Manager Cotter said the new playground was nearly finished, and the new splash pad construction was underway. He said the bathrooms were almost complete, and said the construction zone would stay fenced off and closed until the construction was finished.

3. Hancock/Hwy 95 Beautification

City Manager Cotter said the work at Hancock and Highway 95 was completed with rock and art.

4. December Month of Fun Recap

City Manager Cotter provided information on the successful December events held at the Anderson Auto Group Fieldhouse.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Vice Mayor Brummett said they were proud of Kayla Cotter's participation on the basketball team.

Council Member Hecht provided information on the First Friday Clean up event. She thanked those that helped re-build the "Lady Valencia" statue that burned down recently.

Council Member Head provided information on the 8th Annual Slab-O-Rama event in Rotary Park.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Head 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: Alfonzo, Brummett, D’Amico, Head, Hecht, Lizarraga, Ring
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 December 20, 2022. (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

2. Discussion and possible action to approve the Marketing Agreement with Utility Services Partners Private Label, Inc.; and authorize the issuance of the City Letter and ServLine Mailer information in substantial form and content as presented. (City Manager Cotter)

Assistant to the City Manager Travis Pruitt said this item previously came before the Council in October. He said the city’s legal team was very thorough in reviewing the agreement, and said they felt the city had zero liability. He discussed the possible service offer for utility customers to enter into agreements with Utility Service Partners Private Label, Inc., dba Service Line Warranties of America, for optional and voluntary coverage of exterior water lines, exterior sewer lines, and in-home plumbing. He said the program was sponsored by the National League of Cities. He said from September 2021 to September 2022, the city received 135 contacts from residents reporting high bills due to water leaks on their property. He said in each case, the residents requested a courtesy bill reduction due to financial hardship created by the unexpected high bill. He said it was reasonable to assume there were a number of other residents who became aware of a water leak on their property and did not contact the city for relief. In said, in both scenarios, a water line warranty

would have covered the cost of repair. He said ServLine solicited customers through a direct mail campaign to utility customers at its sole cost. He said homeowners who chose to subscribe to the program would have the option to cancel at any time. He said similar service from ServLine was currently provided to the cities of Phoenix, Scottsdale, and Tempe. He said there was no cost for the city to participate in this program. He said as part of the program, ServLine would include the city's utility logo in its promotion materials. He said the city would have approval authority for any solicitation that included the logo. He said in return for the limited use of the logo, the city was afforded a royalty of \$.50. He said the standard term of the agreement would be two years, with the option for the city to cancel the agreement at the end of 12 months.

Mayor D'Amico said this was a great service; but he did not like the idea of using the city's logo, as the logo was not for sale. He said there were other services available.

City Manager Cotter said the city utilities department logo would be used. He said other cities put this program out to bid, and they received no other bids. He said they would like to offer this program to customers as many could not afford a large water bill and/or the cost of repairs.

Council Member Ring spoke in support of the service, and said there were no mandatory obligations.

Council Member Hecht said she spoke to a resident in the same type of situation, and said she had hoped she could have referred them to an available service.

Vice Mayor Brummett said she approved of the program itself, but struggled about using the logo for marketing. She said she was confident the City Attorney made sure there would be no liabilities to the city under this program.

City Attorney Emery said this was pure perception with the use of the logo and the mailer had both logos on the top left corner. He said a letter signed by the City Manager, and a letter from ServLine would be included in the marketing materials. He said there was no endorsement or liability.

Council Member Alfonzo said he did not see much of a problem using the logo, as the agreement was only for two years. He discussed some issues he had with the program's information regarding response times, payment methods, and coverage amounts.

Council Member Lizarraga spoke in support of the program.

Council Member Head said he did not think the utility logo should be placed on any other company's marketing materials.

Mayor D'Amico asked if anyone from the public wanted to speak.

Harvey Pryor said the people of the city owned the water company and the logo. He spoke in opposition to the program.

Billy Pershing asked if there were conflicts with other companies and if a royalty would be paid to the city.

City Manager Cotter said this was not an exclusive agreement and a 50 cent royalty would be paid per month.

Paul LeBold spoke in opposition to the program. He said there should be more research on the company.

Regina Guarisco urged the Council to beware of setting a precedent.

Scotty McClure asked about the company's ethics and if the company was operating from Pennsylvania. He asked if a company representative would need to attend the Franchise License Commission meetings.

City Manager Cotter said attendance at commission meetings would not be required.

Vice Mayor Brummett asked if this service was not available through the city, would ServLine provide the same service to individuals.

Assistant to the City Manager Pruitt said ServLine would not provide service unless they had an agreement with the city.

Council Member Lizarraga asked if the local plumbing companies were in support.

Assistant to the City Manager Pruitt said they had not reached out to the plumbing companies, but the contract stipulated using fully licensed and endorsed plumbers.

Council Member Alfonzo said he did not look at this agreement as selling the logo, but as a rental agreement. He said under a sale agreement, they had ownership; and under a rental agreement, they had possession.

Council Member Hecht asked if customers could sign up for the service after they experienced a loss to get some relief.

City Manager Cotter said there was a 30-day wait period.

MOTION: Council Member Lizarraga made a motion to approve the Marketing Agreement with Utility Services Partners Private Label, Inc.; and authorize the issuance of the City Letter and ServLine Mailer information in substantial form and content as presented. Council Member Ring seconded the motion.

VOTE: AYES: Alfonzo, Hecht, Lizarraga, Ring
NAYS: Brummett, D'Amico, Head ABSENT: None

MOTION CARRIED

Other Business

None

COUNCIL REQUESTED ITEMS

None

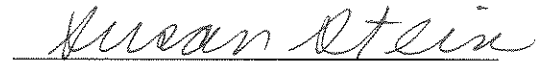
ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 6:59 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 3rd day of January 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17th day of January 2023.



Susan Stein, MMC, CPM
City Clerk