

Upon notice duly given under Arizona Revised Statutes, Section 38-431, et seq., as amended, the City Council of the City of Bullhead City held a regularly scheduled meeting on Tuesday, April 4, 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 Pastor Chuck Kelly from Calvary Chapel to deliver the invocation. Vice Mayor Brummett 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: Saritti Chooniyom

PRESENTATIONS AND PROCLAMATIONS

None

OPEN CALL TO THE PUBLIC

Mayor D'Amico opened the call to the public.

Steven Lee requested the Council to lead the city out of tyranny and look into growing and raising its own food.

Pamela Smith invited the public to attend the Colorado River Republican Women's meeting to be held on April 5th at Chaparral Country Club.

Pastor George Lyman from Desert Shores Community Baptist Church provided information on a free to attend money management classes to be held at the church beginning on April 19th.

Harvey Pryor discussed previous races and upcoming events to be held by the remote control (RC) club.

Scotty McClure asked if the ordinance allowing backyard chickens was passed, would the law change his deed of trust. He said obtaining signatures to run for public office should not be allowed.

Julie Hassett provided information on the Colorado River Concert Association's successful performance season.

Gary Genovese provided information on purchasing hams to raise funds for the Colorado River Museum and Historical Society.

Eva Corbett provided information on purchasing tickets to attend an upcoming Mohave High School Choir performance.

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. Pest Abatement District Member Recognition and Update

Dr. Michael Cavallaro provided information on the coordinated efforts to suppress the caddis fly, mosquito, and black fly populations in the area. He presented plaques of appreciation to outgoing Pest Abatement District Members John McCormick and Don Hendren.

2. Laughlin/Bullhead Air Show Report

Assistant to the City Manager Travis Pruitt and Laughlin Chamber Director Jackie Wallin provided information on the first air show held at the airport on April 1st. Mr. Pruitt said the event was a great success, with no major incidents, and said it drove some economic vitality to the city. Ms. Wallin thanked the major partners, vendors, workers, and volunteers involved in making the show a fun and entertaining event.

3. Legislative Update

Assistant to the City Manager Pruitt said Mayor D'Amico, Assistant to the City Manager Kajirwa, and he would travel to Winslow, Arizona, to speak to the Transportation Board and lobby for the Highway 95 resurfacing funds as originally approved. He said HB 2375, state lands transfer, was approved by both the House and Senate and was waiting for a final vote. He said the bill should be approved as there were no negative comments or questions. He said the bill sponsored by

Representative Gillette for funding right turn lanes along Highway 95 looked favorable; and said they hoped the bill would move forward.

4. Water/Drought Update

Utilities Director Clark said this year's snow fall on the Rocky Mountains helped reverse the drought conditions. He said the dams on the east side of the state were now full and the dry riverbeds were flowing. He said this was a really good year, and said the caveat was the unknown condition of dry soil under the melting snow, which would affect the impact of the runoff to the rivers.

5. Summer Camp Registration

Recreation Supervisor Claire Adams provided information on the city's first summer youth camp program.

6. City Council Annual Budget Meeting – May 8th

City Manager Cotter said the City Council would hold a day-long public workshop on May 8th to review and discuss the annual 2023-2024 fiscal budget.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Hecht said the next food distribution event would be held on April 15th, and said volunteers would be welcomed. She provided information on other upcoming events.

Council Member Alfonzo expressed his appreciation to everyone that contributed to the success of the first annual air show.

Council Member Head said the 72nd Annual Burro BBQ would be held on May 6th. He said the deadline for advertising in the Burro sheet was April 6th.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

MOTION: Council Member Head made a motion that Items No. 1 and 2 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 March 21, 2023. (City Clerk Stein)
2. Acceptance of the required water and sewer utility improvements into the city system for maintenance for Phases 2, 3, 4, and 5 of Chaparral Terrace, Tract 4020. (Development Services Director Chooniyom)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

None

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS

3. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for a new Series 10 Liquor License, Job No. 233294, submitted by Lauren Kay Merrett for the Maverik located at 1885 Highway 95 in Bullhead City. (City Clerk Stein)

City Manager Cotter said staff had reviewed the application and had no objections.

Mayor D'Amico opened the public hearing. Having no one present requesting to speak, Mayor D'Amico closed the public hearing.

MOTION: Council Member Ring made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for a new Series 10 Liquor License, Job No. 233294, submitted by Lauren Kay Merrett for the Maverik located at 1885 Highway 95 in Bullhead City. Council Member Lizarraga seconded the motion.

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

MOTION CARRIED

4. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for a Series 12 Liquor License, Job No. 232828, submitted by Jared Michael Repinski for Agaves Mexican Grill located at 865 Hancock Road in Bullhead City. (City Clerk Stein)

City Manager Cotter said staff had reviewed the application and had no objections.

Mayor D'Amico opened the public hearing.

Gary Genovese requested that information regarding liquor license series numbers be provided in the future.

Scotty McClure said he would like the money and profits kept within the city limits.

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

MOTION: Council Member Lizarraga made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for a Series 12 Liquor License, Job No. 232828, submitted by Jared Michael Repinski for Agaves Mexican Grill located at 865 Hancock Road in Bullhead City. Council Member Ring seconded the motion.

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

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

5. Discussion and possible action to approve: 1) the release of the Financial Assurance for Rancho Colorado Unit 1, Tract 5086, identified under Foothills Bank assurance letter dated April 20, 2022; 2) acceptance of the required utility improvements for Rancho Colorado Unit 1, Tract 5086, into the city system for maintenance; and 3) acceptance of the General Warranty Deed for Well Site, General Warranty Deed for Tank Parcel, and Utility Easement (Tank Parcel). (Development Services Director Chooniyom)

Planning Manager Loera said on June 7, 2005, the City Council approved the final plat, improvement plans, method of financial assurance, street light improvement district, and an allocation of Colorado River water for Rancho Colorado Unit 1, Tract 5086. He said the parcel consisted of approximately 37 acres that was subdivided into 161 single-family lots and eight tracts dedicated to the property owners association for various public purposes, with private streets. He said the developer was requesting the remaining assurance be fully released and the public improvements be accepted into the city system for maintenance. He said city staff had reviewed the request and inspected the project. He said staff had agreed to release the financial assurances and accept the water and sewer improvements into the city system for maintenance. He said the streets and easements for drainage would remain private, and the requirement for street lights had been waived and the lighting district originally formed to address the street lights would be abandoned by a separate action. He said the developer was conveying a well and tank sites adjacent to the subdivision, along with access easements, for the city's operation of the system.

Council Member Hecht thanked the developers, and said affordable housing was needed in the community.

Council Member Alfonzo asked if the utility lines had been inspected by the city.

City Manager Cotter said the Utilities Department inspected the public infrastructure and said they appreciated their conveyance to the city.

Mayor D'Amico asked if anyone from the public wanted to speak. No one from the public spoke.

MOTION: Council Member Hecht made a motion to approve: 1) the release of the Financial Assurance for Rancho Colorado Unit 1, Tract 5086, identified under Foothills Bank assurance letter dated April 20, 2022; 2) acceptance of the required utility improvements for Rancho Colorado Unit 1, Tract 5086, into the city system for maintenance; and 3) acceptance of the General Warranty Deed for Well Site, General Warranty Deed for Tank Parcel, and Utility Easement (Tank Parcel). Council Member Ring seconded the motion.

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

MOTION CARRIED

6. Discussion and possible action to adopt Resolution No. 2023R-11 rescinding the formation of the "City of Bullhead City, Arizona, Lighting Improvement District No. 18." (Development Services Director Chooniyom)

Planning Manager Loera said this item was a request for rescission of Lighting Improvement District No. 18 that was formed in connection with the approval of the Rancho Colorado Unit 1, Tract 5068 subdivision in 2005. He said due to economic conditions, the subdivision had not been fully developed and remained in the hands of the developers. He said assessments were never issued for the lighting district. He said the plat plan was later amended to remove the street lights as communities across the nation have progressed towards more "dark sky" communities. He said the rescission of the district's formation would eliminate issues as to title for the lots that were subject to the formation of the lighting district.

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

Dan Oehler said he was a partner in the development of the project. He provided a brief history of the formation of the lighting district.

MOTION: Council Member Head made a motion to adopt Resolution No. 2023R-11 rescinding the formation of the "City of Bullhead City, Arizona, Lighting Improvement District No. 18." Council Member Ring seconded the motion.

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

MOTION CARRIED

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

None

Other Business

7. Discussion and possible action to adopt Resolution No. 2023R-12 designating an additional housing development area within the city; and further, authorizing the City Manager to issue \$100,000 loans per developer for the additional projects and enter appropriate security agreements with developers for the loans upon demonstration of the award of the grant funding necessary for the proposed developments. (City Manager Cotter)

City Manager Cotter said there was a serious lack of affordable housing within the entire community. He said last year, the City Council designated two housing areas for two separate developers interested in constructing affordable housing within the city. He said the two developers had received pledges from the City Council of \$250,000 for affordable housing projects in 2022. He said the developers desired to apply for additional grant funding from the state for additional projects. He said since last year, housing grant criteria had changed and now required a pledge from local government in the amount of \$100,000 for maximum consideration of funding available. He said the state would give the developers additional points for receiving a pledge of \$100,000 from the city to build apartments in Bullhead City. He said a local pledge of \$100,000 demonstrated favorable local support, and said the additional projects would be of great assistance to the community. He said city staff proposed support for the new projects in the form of a low-interest loan over 20 years at an interest rate not to exceed four percent. He said the funds would be secured through promissory notes and deeds of trust on the land to be used in the development consistent with the terms of the agreement. He said the lending process would not take place until the grants from the state had been secured and verified.

Council Member Hecht read the definitions of affordable housing and low-income housing. She said it was important to point out the city was looking at affordable housing and not low-income.

City Manager Cotter said there was a diversity of housing choices in the city. He said they hoped that both affordable and low-income housing would be constructed.

Council Member Alfonzo asked if there would be homes or apartments within the developments.

City Manager Cotter said apartments were being planned.

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

Pamela Smith asked about the interest rate and funding process for the loans.

City Manager Cotter said there was flexibility with the loans at the discretion of the Council. He said four percent interest was fair and secure, and said the loans were designed to provide the developers with the added incentive to the state.

Scotty McClure asked about the number of apartments that would be developed in the Clearwater area, and if additional traffic controls would be added to the area. He asked if any studio apartments were being planned.

City Manager Cotter said there would be 70 apartments in the Clearwater project, and said staff was reviewing the traffic flow in the area. He said studio apartments would be built on the Parkway near the college.

MOTION: Council Member Hecht made a motion to adopt Resolution No. 2023R-12 designating an additional housing development area within the city; and further, authorizing the City Manager to issue \$100,000 loans per developer for the additional projects and enter appropriate security agreements with developers for the loans upon demonstration of the award of the grant funding necessary for the proposed developments. Council Member Lizarraga seconded the motion.

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

MOTION CARRIED

8. Discussion and possible action to adopt Resolution No. 2023R-13 authorizing submission of an application to the Arizona Department of Housing Community Development Block Grant State Special Project Grant Funds. (Human Services Director Tipton)

Human Services Director Tipton said the city was eligible for grant funding for emergency repairs and minor rehabilitation projects. He said this grant allowed up to \$15,000 to perform emergency repairs for low to very low income homeowners who are faced with substandard housing conditions. He said these conditions included those posing a serious threat to the health, safety, or welfare of the household or the immediate liability of the home such as heating, cooling, plumbing, septic, electricity, roofing, and accessibility accommodations. He said this was a competitive grant for which the city could apply to receive \$300,000 for construction projects and administration of funds. He said all homes assisted would be owner occupied, single family residences. He said no city match was required and the award decision was expected within 60 days of the application deadline.

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

Pamela Smith asked if the grant would provide additional funding if a household had to be brought up to code.

Human Services Director Tipton said there were two types of grants, the HOME grant and SSP for emergency repairs. He said the cap on the HOME grant was \$45,000 and the SSP grant \$15,000.

Grace Telsner asked if the funding was available for residents living in park models.

City Manager Cotter encouraged residents to contact Denise Bishop at the city with questions on program eligibility.

MOTION: Council Member Lizarraga made a motion to adopt Resolution No. 2023R-13 authorizing submission of an application to the Arizona Department of Housing Community Development Block Grant State Special Project Grant Funds. Council Member Ring seconded the motion.

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

MOTION CARRIED

9. Discussion and possible action to approve Amendment No. 1 to the Bullhead City Water Conservation Plan Update adopted on February 15, 2022; to add limited reimbursement for the removal of high-water use vegetation as outlined in “Amendment No. One Landscape Conversion with Turf Removal.” (Utilities Director Clark)

Utilities Director Clark said this amendment would add the removal of high-water use vegetation for home owner associations and large commercial landscape projects under the Landscape and Turf Removal Program. He said the proposal would allow for reimbursement for plant types not included in the original approved plan including trees, shrubs, and other high-water use plants. He said examples would include plants such as salt cedars, cottonwoods, and cattails. He said approved plant types would be approved by the City Manager on a case-by-case basis. He said the proposal would only be available for large home owner associations and commercial projects with a minimum project cost of \$20,000. He said the Water Conservation Plan would cover 50 percent of the cost of removal of these plants up to \$50,000 in city reimbursement. He said the amendment would not require additional funding, as the approved water conservation plan had a budget of \$50,000 for the current fiscal year. He said no one had used any of those funds to date.

Utilities Director Clark said one salt cedar tree used about two hundred gallons of water per day, which was 66 percent of an average household’s water use in a year.

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

Karla Brady said she represented the Palo Verde Meadows community. She said they had been working hard on water conservation in several aspects. She said they had 22 cottonwood trees around their lake using 4,400 gallons of water per day. She requested approval of the proposed amendment.

Scotty McClure asked if an ordinance could be adopted that prohibited high-water use plants.

City Manager Cotter said the city had significantly modified its ordinances to eliminate all trees and high-water use plants in new construction.

MOTION: Council Member Lizarraga made a motion to approve Amendment No. 1 to the Bullhead City Water Conservation Plan Update adopted on February 15, 2022; to add limited reimbursement for the removal of high-water use vegetation as outlined in "Amendment No. One Landscape Conversion with Turf Removal." Council Member Hecht seconded the motion.

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

MOTION CARRIED

COUNCIL REQUESTED ITEMS

None

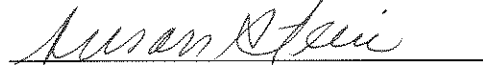
ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:18 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct record of the regular meeting of the City Council of the City of Bullhead City held on the 4th day of April 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of April 2023.



Susan Stein, MMC, CPM
City Clerk