

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, April 16, 2024, in the Council Chambers, 1255 Marina Blvd., Bullhead City, Arizona.

CALL TO ORDER

Mayor D'Amico called the special meeting to order at 3:30 p.m.

ROLL CALL

Council Present

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

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Susan Stein

PUBLIC WORKS DIRECTOR: Angie Johnson

3:30 P.M.

The City Council convened at the Bullhead City Council Chambers and boarded a van for a tour of the new bridge at 3:30 p.m. Following the tour, City Council Members returned to the Council Chambers.

4:45 P.M.

COUNCIL WORK SESSION DISCUSSION ITEM

City Manager Cotter provided information concerning the City Council's tour of the new bridge. He said Mayor D'Amico and he met with Clark County Commissioners Naft and Moskowitz in Laughlin and determined the grand opening of the new bridge would be held on June 7th at 11:00 a.m. He said the City Council and County Supervisor Angius toured the new bridge and walking path that afternoon. He said the bridge was substantially complete with numerous punch list items that would be finished in approximately 30 days. He said he wanted to bring this information to the public's attention. He said there will be a name for the bridge, which would be announced by Mayor D'Amico and Commissioner Naft on June 7th.

Mayor D'Amico said the bridge would be open to the public on June 7th at 7:00 a.m., prior to traffic; and said activities were being planned.

ADJOURNMENT

Mayor D'Amico declared the special meeting adjourned at 4:51 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 16th day of April 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of May 2024.



Debie Ogden, 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, April 16, 2024, 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 Stephen Brown from Praise Chapel to deliver the invocation. Council Member Alfonzo led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Alfonzo, D'Amico, Head, Hecht, Lettman, 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: Robert Drexler

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.

Barbara Pape provided information on the Colorado River Women's Republican luncheon to be held on May 1st at the Chaparral Country Club.

Stephen Brown provided information on the upcoming annual revival festival to be held in Gary Keith Park.

Sean Regan provided information on upcoming fundraising events on behalf of Arizona Veterans' K-9 Services.

Scotty McClure discussed a campaign finance complaint against the Hecht campaign.

Larry Topping provided information regarding the Mayhem Motorcycle event to be held on April 25th through April 28th.

Eva Corbett provided information on a city council candidate forum to be held on April 19th.

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

AGENDA MODIFICATIONS

None

WAIVER MOTION

MOTION: Vice Mayor Head 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, D'Amico, Head, Hecht, Lettman, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

MANAGER'S REPORT

1. City Clerk Sue Stein Retirement

Mayor D'Amico presented a plaque and flowers to retiring City Clerk Stein.

2. Council Budget Workshop - May 13th at 9:00 a.m.

City Manager Cotter said this year's budget work session would take place in one day, beginning at 9:00 a.m. on May 13th.

3. Highway 95 Traffic Enforcement

Police Chief Trebes said the city was growing and the highway was more congested. He said there would be more targeted enforcement when the city took ownership of the highway.

4. Air Show Recap

Assistant City Manager Travis Pruitt provided follow-up information and statistics on the recent Air Show. He said the show was very successful with limited incidents to report.

5. Summer Camp Programs

Recreation Superintendent Dave Heath provided registration details and additional information on the Parks and Recreation summer camp programs.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Alfonzo thanked everyone that attended and worked on the Air Show, as well as the vendors and airport staff.

Council Member Hecht invited the public to attend the Kirk Tracy Fun Walk to be held on April 20th.

Vice Mayor Head said the annual Burro BBQ would be held on May 4th in Rotary Park.

Council Member Ring provided information on the Back the Blue and Fire event to be held on May 18th.

ITEMS WITHDRAWN FROM CONSENT AGENDA

MOTION: Council Member Lettman made a motion to withdraw Agenda Item No. 2 from the Consent Agenda for discussion. Council Member Ring seconded the motion.

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

MOTION CARRIED

CONSENT AGENDA

MOTION: Vice Mayor Head made a motion that Item No. 1 and Items No. 3 through 6 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, D'Amico, Head, Hecht, Lettman, Lizarraga, Ring
NAYS: None ABSENT: None

MOTION CARRIED

Items on the Consent Agenda were approved as follows:

1. Approve the minutes of the Special City Council Meeting held on April 2, 2024; and the minutes of the Regular City Council Meeting held on April 2, 2024. (City Clerk Stein)
3. Accept the dedication of public utility easements in the vicinity of East Riverfront Drive, as depicted on Land Split Map #382, and grant a 1.34 acre-foot water allocation. (Development Services Director Chooniyom)
4. Accept the "Grant and Dedication 16-foot Public Utility Easement" for utility access to the parcels recently conveyed to the developers of the Holiday Inn parcels at 1300 Silver Creek Road, Bullhead City, Arizona. (Utilities Director Clark)

5. Approve: 1) the final plat for Canyon Trails at Fox Creek, Tract 5190, Unit 12; 2) the financial assurance through the Property Escrow Agreement; 3) the water allocation in the amount of 5.7 acre-feet; and 4) authorize the Mayor to execute the agreement on behalf of the City. (Development Services Director Chooniyom)

6. Adopt Resolution No. 2024R-18 approving an Intergovernmental Agreement between the Mohave County Flood Control District and Bullhead City, Arizona, for flood control between the Mohave County Flood Control District and the City of Bullhead City for the disbursement and use of funds for flood control purposes within Bullhead City during Fiscal Year 2024-2025. (Public Works Director Johnson)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

2. Discussion and possible action to approve: 1) ratification of the City Manager's acquisition of services under the "Agreement for Temporary Community Park, Bullhead Belle and Rotary Park Overnight Safety Services" in an amount not to exceed \$200,000.00; 2) City Manager's execution of the agreement and complete the payments as outlined under the agreement; and 3) finding, pursuant to Bullhead City Municipal Code Section 3.37.030(D), that a waiver of competitive bidding for the services was in the best interest of the City. (City Manager Cotter)

City Manager Cotter said this item provided additional overnight security at Community Park and Rotary Park. He said they did not have a full complement of security cameras installed yet.

Council Member Lettman asked about the nature of the people coming into and trashing the parks.

City Manager Cotter said teenagers, people wanting to start trouble, and transients were mostly responsible for vandalism in the parks.

Council Member Alfonzo said he supported this item in order to protect citizens and the parks.

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

Eugene O'Neill said he supported the contract, but said the city should have gone out to bid.

City Manager Cotter said the contract was previously bid out, and said this agreement was a continuation of the work the current contractor was providing. He said no other company submitted a bid.

Sean Regan asked about the length of time the agreement would be in effect.

City Manager Cotter said the Council would discuss overnight security and the park ranger program at the budget work session to be held in May.

Scotty McClure said the city should put up more signs in the parks. He suggested installing an RV park where participants could stay during the field games.

MOTION: Council Member Lettman made a motion to approve: 1) ratification of the City Manager's acquisition of services under the "Agreement for Temporary Community Park, Bullhead Belle and Rotary Park Overnight Safety Services" in an amount not to exceed \$200,000.00; 2) City Manager's execution of the agreement and complete the payments as outlined under the agreement; and 3) finding, pursuant to Bullhead City Municipal Code Section 3.37.030(D), that a waiver of competitive bidding for the services was in the best interest of the City. Council Member Ring seconded the motion.

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

MOTION CARRIED

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS

7. Discussion and possible action to approve the city's application with the Arizona Department of Liquor Licenses and Control for the acquisition of a Series 5 (Government) Liquor License for operations and activities to be promoted in connection with the Optimum Center; and authorize the City Manager to execute any required documentation in connection with the application process. (City Manager Cotter)

City Manager Cotter said the city previously approved, and had been operating under, a license granted by the Arizona Department of Liquor Licenses and Control for the Bullhead Belle. He said now that the city owned and was improving the Optimum Center, a variety of community uses and rentals would become available. He said the Optimum Center would be a premier venue with the ability to host a wide range of events, and the operation would be required to have a plan in place that was able to protect the public by serving alcohol legally and safely.

Council Member Hecht said she learned from a local business owner that the center having control of alcohol sales would help increase business for local operations.

Council Member Lettman said he would not support the license as it would be in competition with privately owned businesses.

Council Member Alfonzo spoke in support of the license for the Optimum Community Center.

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 the city’s application with the Arizona Department of Liquor Licenses and Control for the acquisition of a Series 5 (Government) Liquor License for operations and activities to be promoted in connection with the Optimum Center; and authorize the City Manager to execute any required documentation in connection with the application process. Council Member Lizarraga seconded the motion.

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

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

8. Discussion and possible action to adopt Resolution No. 2024R-19 approving the conceptual plan for a project known as “Emerald Bay” which is generally located at the southwestern end of the Bullhead Parkway and west of Highway 95, and described as portions of Sections 2 & 3, T19N, R22W, and Section 32, T20N, R22W, Bullhead City, AZ. (Development Services Director Chooniyom)

City Manager Cotter said this was the first concept review of a project that was submitted to the city, and said there were many public processes they still had to go through in the future.

Planning Manager Loera said the developer, S3 Group LLC, proposed to construct a development known as “Emerald Bay.” He said the development would be located on the parcels surrounding the Anderson Field House, bounded by Rainbow Drive on the north side, Bullhead Parkway on the south side, the Colorado River to the west, and Highway 95 to the east. He said the overall development would encompass approximately 493 acres, including 293 acres that were currently owned by the State of Arizona that were set to be auctioned later this year. He said approval of the conceptual plan as part of this request would not include the state-owned parcel. He said the developer proposed to develop a master planned waterfront community centered on a golf campus that would include an 18-hole championship golf course and a 9-hole par 3 course. He said the development would also include a boutique resort hotel and spa, beach club, racquet club, lagoon, marina, boat storage, and a sports science academy. He said the development called for three distinct residential neighborhoods on the Colorado River and the lagoon with 310 single family homes, up to 600 multi-family units, and 105 golf villas.

Shelby Duplessis from Diversified Future provided a presentation on the world-class master planned community conceptual development plan. She said both Bullhead City and Laughlin were rapidly growing, and in addition to increasing local populations; the cities were popular tourist destinations for a variety of activities. She said the Colorado River was a natural “sportstainment wonder” attracting more than 10 million visitors to the area each year. She provided demographical information and architectural renderings. She said they were working with other entities on the process of tying into the Colorado River.

Mark Haseman, president of golf development for Emerald Bay, introduced members of the development team in attendance. He said he worked in the golf business development industry with Jack Nicklaus for 20 years. He discussed his career in golf course development and the economic impacts that golf courses bring to communities.

Scott Shipley, a three-time Olympian, four-time world champion in paddle sports, discussed paddle sports, white water rafting, and kayaking opportunities.

City Manager Cotter said they saw a net positive for development in the community. He said the city had adequate water resources for development and ample reclaimed water to sell. He said this project had many phases and many opportunities for the public to provide feedback.

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

Tim Richards, Superintendent for the Colorado River Union High School District, provided information about their school district. He said they were advocating for the working class students, and said they were concerned about the project taking some of the land away from around the Anderson Field House and the school district.

City Manager Cotter said the developer removed the back parking at the Field House in their revised conceptual plan, and said the motion tonight would make that perfectly clear.

Richard Cardone, school district president, requested the revision to the conceptual plan be made clear in the motion tonight.

Pamela Smith said a question was raised at the last Planning and Zoning Commission meeting about the availability of reclaimed water.

City Manager Cotter said reclaimed water was in abundance in this community and the question was who would be paying for it. He said the decision would be up to the City Council.

Gerald Ross said he could not understand how the city could have an abundance of ground water in the desert.

City Manager Cotter said the city had an allocation of river water to service 100,000 people. He said right now the city was aerating reclaimed water into the sky and would like to use that reclaimed water for a beautiful high end golf course located near the reclamation facility.

Sean Regan said Bullhead City would turn into a Beverly Hills and should remain a middle class community. He said the Council did not like it when citizens disagreed with them.

Eugene O'Neill said this development would fundamentally change Bullhead City, and it would no longer be a small town.

Scotty McClure said this development would change the city, and said the seven members of the Council should not be able to make the decision for the entire community. He said the Sierra Club could stop the project.

Grace Telsner said she hoped the sewer system would have enough capacity for the project. She said the area needed more housing rather than another golf course.

MOTION: Council Member Hecht made a motion to adopt Resolution No. 2024R-19 approving the conceptual plan for a project known as “Emerald Bay” which is generally located at the southwestern end of the Bullhead Parkway and west of Highway 95, and described as portions of Sections 2 & 3, T19N, R22W, and Section 32, T20N, R22W, Bullhead City, AZ; with language added to paragraph 5, “that it approves a conceptual plan that does not encroach on property owned by the Colorado River Union High School District.” Council Member Lizarraga seconded the motion.

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

MOTION CARRIED

Mayor D’Amico called for a short break at 7:35 p.m. and reconvened the meeting at 7:50 p.m.

9. **PUBLIC HEARING:** Discussion and possible action to adopt Ordinance No. 2024-08 approving a zoning map change from R2MF-PAD (Residential: Multiple-Family District – Planned Area Development) to R1L-PAD (Residential: Single-Family Limited – Planned Area Development) and approve the preliminary plat for a project known as Desert Rose and described as Parcel G of Chaparral Terrace Estates, Tract 4020, Bullhead City, AZ (Development Services Director Chooniyom)

Planning Manager Loera said the parcel was part of the Chaparral Terrace subdivision. He said the applicant proposed to develop a total of 44 single-family residential lots, 20 of which would be detached homes, and 24 townhome lots.

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

Scotty McClure said this type of rezoning request was more in line with the community.

MOTION: Council Member Ring made a motion to adopt Ordinance No. 2024-08 approving a zoning map change from R2MF-PAD (Residential: Multiple-Family District – Planned Area Development) to R1L-PAD (Residential: Single-Family Limited – Planned Area Development) and approve the preliminary plat for a project known as Desert Rose and described as Parcel G of Chaparral Terrace Estates, Tract 4020, Bullhead City, AZ. Council Member Alfonzo seconded the motion.

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

MOTION CARRIED

10. Discussion and possible action to approve Ordinance No. 2024-09 by reference, approving “Building Code Amendments 2024” (2018 versions) with local amendments to Title 15, Chapters 15.12 International Building Code, 15.14 International Residential Code, 15.20 National Electrical Code (2017 version), 15.22 International Energy Conservation Code, 15.24 International Fire Code, 15.26 International Existing Building Code, 15.28 International Mechanical Code, 15.30 International Swimming Pool and Spa Code, 15.32 International Plumbing Code, and 15.34 International Fuel Gas Code; and adopting Resolution No. 2024R-20 declaring “Building Code Amendments 2024” a public record. (Development Services Director Chooniyom)

City Manager Cotter said the city was updating its 2006 building codes. He said numerous meetings were held with the Council, the general public, and contractors regarding the proposed new codes. He said they have been asked many times to adopt the newer codes, and said this was the opportunity for the Council to take that step.

Building Department Administrative Manager Wendy Lewis said the last time the code was updated was in 2008, when the 2006 codes were adopted. She said staff had encouraged builders to “upcode” their projects. She said they wanted to be more in line with surrounding communities that had previously adopted the 2018 codes.

Council Member Lettman asked about the July 1st effective date of the new codes.

Building Department Administrative Manager Lewis said they would accept projects under the 2006 code until the end of October.

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

MOTION: Council Member Lizarraga made a motion to approve Ordinance No. 2024-09 by reference, approving “Building Code Amendments 2024” (2018 versions) with local amendments to Title 15, Chapters 15.12 International Building Code, 15.14 International Residential Code, 15.20 National Electrical Code (2017 version), 15.22 International Energy Conservation Code, 15.24 International Fire Code, 15.26 International Existing Building Code, 15.28 International Mechanical Code, 15.30 International Swimming Pool and Spa Code, 15.32 International Plumbing Code, and 15.34 International Fuel Gas Code; and adopting Resolution No. 2024R-20 declaring “Building Code Amendments 2024” a public record. Council Member Alfonzo seconded the motion.

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

MOTION CARRIED

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

11. Discussion and possible action to approve the AVEVA Flex Software Subscription Agreement with Q-mation, Inc., for the purchase of a three-year subscription of SCADA software in the amount of \$99,510.00 plus applicable taxes over three years; and authorize the City Manager to execute the agreement and issue resultant payments. (Utilities Director Clark)

Utilities Director Clark said this three-year subscription agreement would replace the current agreement, and include standard support and a list of all the flex and perpetual licenses needed to properly implement the System Control and Data Acquisition (SCADA) system. He said, without the software, the city would no longer be able to operate the hardware utilized for automated monitoring and control of water and wastewater equipment.

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 the AVEVA Flex Software Subscription Agreement with Q-mation, Inc., for the purchase of a three-year subscription of SCADA software in the amount of \$99,510.00 plus applicable taxes over three years; and authorize the City Manager to execute the agreement and issue resultant payments. Council Member Alfonzo seconded the motion.

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

MOTION CARRIED

12. Discussion and possible action to approve an increase in the authorized expenditure amount under IFB: 2023-00000067, IFB Water & Wastewater Testing, in an amount not to exceed \$90,000.00 annually, and authorize the City Manager to approve resultant payments. (Utilities Director Clark)

Council Member Hecht declared a conflict of interest and left the dais.

Utilities Director Clark said Mohave Environmental Laboratory was awarded a contract in March 2023 with set rates and estimated test frequencies for a schedule of specified tests in the approximate amount of \$32,184.00 annually. He said due to the identification of needed additional testing, the estimated value of the contract would exceed \$50,000.00, and thereby require Council approval. He said this was a request to approve additional funding in an amount not to exceed \$90,000.00 annually for the remaining duration of the contract.

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

Scotty McClure asked if this testing was for PFAS. Utilities Director Clark said the EPA had not provided guidelines on that type of testing yet.

MOTION: Council Member Lizarraga made a motion to approve an increase in the authorized expenditure amount under IFB: 2023-00000067, IFB Water & Wastewater Testing, in an amount not to exceed \$90,000.00 annually, and authorize the City Manager to approve resultant payments. Council Member Alfonzo seconded the motion.

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

MOTION CARRIED

Council Member Hecht returned to the dais.

Other Business

13. Discussion and possible action to approve a budget transfer of \$40,000.00 from contingency funds for dangerous building abatements and demolitions. (Development Services Director Chooniyom)

Planning Manager Loera said the budgeted funds for the current fiscal year for dangerous building abatements and demolitions had been exhausted, and said Code Enforcement had several homes slated for demolition before the new fiscal year. He displayed photos of properties before and after demolition.

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

MOTION: Council Member Ring made a motion to approve a budget transfer of \$40,000.00 from contingency funds for dangerous building abatements and demolitions. Council Member Lizarraga seconded the motion.

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

MOTION CARRIED

COUNCIL REQUESTED ITEMS

None

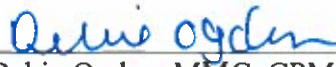
ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 8:19 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 16th day of April 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of May 2024.



Debie Ogden, MMC, CPM
City Clerk