



THREE CITIES, ONE VOICE.

**MEETING MINUTES**

**Regular Meeting of the Tri-City Council  
Thursday, April 25, 2024, at 11:00 a.m.  
Municipal Courthouse – Council Chambers  
92 Acoma Boulevard, Lake Havasu City, AZ 86403**



**City of  
Bullhead City, Arizona**

Steve D'Amico, Mayor  
Rodney Head, Vice Mayor

**CALL TO ORDER**

The meeting was called to order by Chairman Watkins at 11:00 a.m.

- 1. Pledge of Allegiance**  
Chairman Watkins led in the Pledge of Allegiance.
- 2. Roll Call and Introduction of Special Guests**  
(\*Present via remote conferencing)

Lake Havasu City  
Council Present  
Cal Sheehy, Mayor  
Cameron Moses, Vice Mayor  
Michele Lin, Councilmember  
Jeni Coke, Councilmember  
David Lane, Councilmember

Staff Present  
Jess Knudson, City Manager  
Anthony Kozlowski, Assistant to the City Manager  
Jeri Bracamonte, Executive Assistant to City Manager & Council  
Steve Blake, Digital Media Coordinator  
Kelly Williams, City Clerk  
Shannon Davis, Assistant City Clerk  
Troy Stirling, Chief of Police  
Bobbie Kimelton, Human Resources Director  
Vijette Saari, Grants Manager

Bullhead City  
Council Present  
Rich Lettman, Councilmember  
Dan Alfonzo, Councilmember  
Grace Hecht, Councilmember  
Juan Lizarraga, Councilmember

Staff Present  
Toby Cotter, City Manager  
Edigar Kajirwa, Assistant to the City Manager



**Lake Havasu City, Arizona**

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**City of Kingman, Arizona**

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Travis Pruitt, Assistant to the City Manager  
Sue Stein, City Clerk  
Debie Ogden, Deputy City Clerk

### City of Kingman

#### Council Present

Ken Watkins, Mayor  
Smiley Ward, Councilmember  
Cengiz Arik, Councilmember

#### Staff Present

Tim Walsh, City Manager  
Tina Mulaney, Deputy City Manager & Finance Director  
Annie Meredith, City Clerk

#### Others Present

David Diaz, Planning & Zoning Commissioner Member  
Joan Dzuro, Planning & Zoning Commission Member  
Trudy Hernandez, Mohave Military Museum  
Dr. Chad Kingsley, Mohave County Health Director  
Coral Evans, Representative with Senator Mark Kelly's office  
Taylor Schwartz-Olson, Today's News Herald  
Linda Alfonzo, citizen  
Anthony Brozich, Arizona Department of Transportation  
Will Randolph, Arizona Department of Transportation\*  
Clemenc Ligocki, Arizona Department of Transportation\*  
Jason James, Arizona Department of Transportation\*  
Sarah Hall\*, Representative with Supervisor Buster Johnson's Office\*  
Gaynell Cruz, Representative with Supervisor Buster Johnson's Office\*  
Rene Guillen, Arizona League of Cities & Towns\*



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### **3. Call to the Public**

Chairman Watkins opened the call to the public. There being no comments, he closed the call to the public.

### **4. Approval of the Minutes from the January 17, 2024, Tri-City Council Meeting**

Councilmember Lettman moved to approve the January 17, 2024, Tri-City Council Meeting Minutes. Motion seconded by Mayor Sheehy and carried unanimously.

### **5. Updates from Mohave County Board of Supervisors and other Elected Officials**

Chairman Watkins noted that there were no Board of Supervisors or Elected Officials present.



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### 6. Update from Mohave County Department of Health - Dr. Chad Kingsley

Mohave County Health Director Dr. Chad Kingsley said HB 2042, Cottage Food, was passed and approved by Governor Hobbs which allows people to produce and sell food in their home. Dr. Kingsley outlined the following in his presentation on HB 2042:



#### City of Bullhead City, Arizona

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#### Food Safety & Sanitation Program

- Regulatory Authority by delegation from Arizona Department of Health Services (ADHS)
- Delegated powers, functions, and duties include permitting and inspection of Food Establishments
  - Food Establishment: An operation that stores, prepares, packages, serves, or vends food directly to a consumer or otherwise provides food for human consumption
  - Food: A raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for human consumption

#### Food & Food Establishment Exemptions

- Potentially Hazardous: Food that requires time/temperature control to limit pathogenic growth or toxin formation; animal food, raw or heat-treated; plant food that is heat-treated, cut, or consists of raw seed sprouts
  - Whole fruits & vegetables
  - Commercially prepackages food/drink that is not potentially hazardous
  - Culinary schools, serving <15 students
  - Employee conducted functions
  - Noncommercial social events
  - Non-potentially hazardous food, prepared in a home kitchen and for occasional noncommercial purposes
  - Non-potentially hazardous Cottage Food prepared in a home kitchen for commercial purposes



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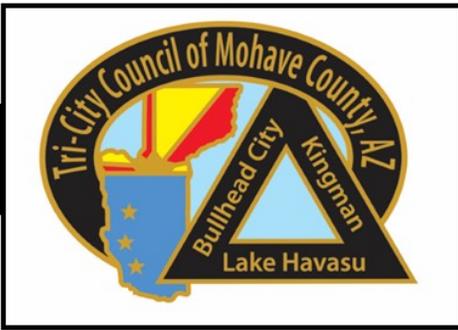
#### Arizona's Cottage Food Program

- In 2011, and amended in 2018, the Arizona State Legislature changed the law to allow residents to prepare non-potentially hazardous food in their homes for commercial sale, A.R.S. §36-136(R)
  - Cottage Food Product:
    - A food that is not potentially hazardous as defined by the department in rule and that is prepared in a home kitchen by an individual who is registered with the department; and
    - Does not include foods require refrigeration; perishable baked goods; salsas; sauces; fermented and pickled foods; meat, fish, and shellfish products; beverages; acidified food products; nut butters or other reduced oxygen packaged products



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### Arizona's Cottage Food Program Requirements

- Register for the Cottage Food Program with ADHS
  - Display certificate of registration when operating as a temporary food establishment
  - Renew registration every 3-years
- Complete an accredited food handler training course and maintain certification
- Prepare only approved foods and only in the registrant's home kitchen
  - Approved Foods: Breads/sweet breads, cakes with hard icing/frosting, fruit pies with fruit and sugar fillings, brownies/fudge, cookies, donuts, candies, tortillas, muffins, scones, popcorn/kettle corn, granola, dry mixes and spice mixes, dry pasta, honey, roasted nuts, roasted coffee beans
- Package and label the product at the registrant's home to meet the labeling requirements



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### HB 2042 Cottage Food

- Overview
  - Expands the foods that meet the Cottage Food exemption when requirements are met
  - Establishes the Cottage Food program guidelines and requirements
- History and Action
  - April 2023, a similar Bill (HB 2509) was vetoed by Governor after passing legislative vote:
    - House: 52 – 8
    - Senate: 26 – 4
  - March 2024, HB 2042 signed by Governor after passing legislative vote:
    - House: 58 – 0
    - Senate: 17 – 11



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### Expansion & Definitions

- Expands foods that meet the cottage food product exemption to include those that are potentially hazardous if exempt under federal regulations
  - Example: 1,000 bird exemption
- Authorizes the sale of cottage food products that meet federal regulations or are from an inspected source pursuant to federal law
  - Example: USDA inspected beef for production of tamales
- Specifies that alcoholic beverages, unpasteurized milk, and fish, or foods that contain them, do not meet the definition of cottage food product
  - Home Kitchen
    - Residential home kitchen of 1,000 square feet or less; or
    - Kitchen in a facility for individuals with developmental disabilities
  - Third-party food delivery platform:
    - An online business serving as an intermediary between consumers and food facilities to submit food orders and arrange for delivery



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### Food/Sale & Delivery

- Adds labeling requirement to include ADHS webpage address for:
  - Program registration verification
  - Consumer reporting of foodborne illness
- Provides notification requirements for online sales, those same as labeling
- Requires the sale and delivery of:
  - Cottage Foods that are not dairy or contain meat or poultry to be sold and delivered to the consumer by the preparer or agent, including a third-party vendor or carrier
  - Cottage Foods that are dairy or contain meat or poultry to be sold and delivered by the preparer
  - Cottage Foods that are potentially hazardous to be maintained at the appropriate temperature when transported, not transporting more than once or for longer than a 2-hour period
- Requires third-party vendors to sell Cottage Foods separately from other products with signage that the product is homemade and not subject to licensing and inspection
- State a Cottage Food product may not be used as an ingredient in food sold at retail or include marijuana or its byproducts
- Stipulates that a home kitchen cannot be used as a commissary for purposes of a mobile food vendor



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### Summary

- What we Know
  - Law with no Rules
  - Rates of foodborne illness or injury will likely increase
  - Does not impede ADHS from investigating foodborne illness
  - Absence of verification practices for program requirements
  - Enforcement activities will largely be complaint driven
  - Does not affect any county or municipal building or zoning code or ordinance
- What we don't Know
  - Timeframe for rule-making process
  - Burden on health and the healthcare system
  - Role of local health departments in investigating foodborne illness
  - Who and how compliance will be verified
  - Who will bear the burden
  - Effect on wastewater systems and treatment facilities from fats, oils, and greases

Councilmember Lettman asked regarding the size threshold related to the business, to which Dr. Kingsley said he does not believe there are any rules implemented yet and added that it requires that the kitchen is limited to 1,000 square feet or smaller and it must be in a home.



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Dr. Kingsley stated that cities can establish their own rules and just wanted to inform the cities of how they can be prepared on how this bill can affect their industry.

Dr. Kingsley said that disclaimers are required on the packaging that must state “produced in a home and potentially has allergens, animals, and exposure to gluten”.

Councilmember Arik asked if there is a benchmark set for the effect this will have on the wastewater systems and treatment facilities, to which Dr. Kingsley stated there is none. Dr. Kingsley said most commercial kitchens are set up to be able to manage the increase of grease and so far, they do not know the impact that it will have on home kitchens.

Councilmember Alfonzo asked if a packaging date is required, to which Dr. Kingsley said it should have that on the packaging or when it was produced.

Mr. David Diaz asked who was responsible for initiating HB 2042. Dr. Kingsley stated that it was favored and supported by both parties; however, it was vetoed by Governor Hobbs and then passed the second time. Mr. Diaz questioned what changed to pass the second time noting that this is a bad bill and has the potential of getting people sick.

Bullhead City Manager Toby Cotter stated that the cities will be looking at it from a regulatory standpoint and have tools they can utilize such as: zoning, home occupation, and sales tax.

Dr. Kingsley said the Request for Proposal (RFP) for opioids is open and will close in approximately three weeks. He said there are four \$200,000 and six \$100,000 awards available to the cities with the selection process beginning July 1<sup>st</sup>.

Dr. Kingsley said Women, Infants, and Children (WIC) made 100 percent of their case load last year and was awarded \$10,000 in additional funding.

Dr. Kingsley stated that there have been three measles cases reported throughout Maricopa, Coconino, and Clark Counties.

Dr. Kingsley added that he submitted his resignation, and his last day would be tomorrow. He expressed his gratitude to everyone present and said it has been great working throughout the different communities.

Chairman Watkins thanked Dr. Kingsley for all his care and concern for the citizens, cities, and the public health system.



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### 7. Legislative Update from League of Arizona Cities and Towns

Mr. Rene Guillen, League of Arizona Cities and Towns (“League”), said the League is at the 109<sup>th</sup> day of legislative session and are seeing a combination of strange bedfellows and horseshoe of politics, and some unique bipartisanship that has not been seen in the past.



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Mr. Guillen stated that there are several clerks in attendance from the Tri-City area, and it has been a busy early part of the session due to concerns from the counties about the way Arizona laws exist as it relates to elections and the recount threshold. Mr. Guillen explained there were concerns that it would be difficult to comply with state and federal requirements to oversee voters, get their ballots, have them all tabulated, and results canvassed in time to be submitted to the federal government. He said that they saw two pieces of legislation that were rushed through the process which is good for the state; however, there were some provisions in there that affected cities and towns.



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Mr. Guillen stated that the budget on standard bills is done and really the only bills that have not gone through are those that are controversial. He said that the legislature at the capitol low played the budget process knowing there was an April 11<sup>th</sup> Finance Advisory Committee meeting and with that meeting the state would have revised revenue projections. He noted that many people were hoping that the numbers would be rosier and turns out that they area, as the state collected more money than was projected at approximately \$4 million. He said at the beginning of the legislative session there were people saying that the budget shortfall is approximately \$1.7 or about \$1.8 billion and now they are saying it is closer to \$1.3 billion which is good; however, there are 100's of million dollars in spending that the legislature has called or labeled on time from a fiscal review that would be ongoing so the real number is \$1.8 billion that would need to be made up over the next three fiscal years. Mr. Guillen stated that there is a shortfall in Fiscal Year (FY) 24 of \$650 million, \$676 million in FY 25, and approximately \$143 million in FY 26. He added that Governor Hobbs ordered a hiring freeze and asked every state agency to come up with a 4 percent budget cut which does not consider one time funding.



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Mr. Guillen spoke regarding the Arizona Supreme Court decision regarding abortions and territorial law.

Mr. Guillen stated that HB 2721 addresses housing and there was discussion that it should be left at the local level. He stated that there is an issue with the single-family housing permits, accessory dwelling units, and middle housing (townhomes/duplexes); however, they are close to an agreement on these items.



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Mr. Guillen spoke regarding HB 2325 related to chickens and said that this item should be addressed at the local level.

### 8. Arizona Department of Transportation Update - Todd Steinberger

Mr. Anthony Brozich, Northwest District Administrator with Arizona Department of Transportation (ADOT), said the current construction projects are the I-40 Walnut Creek to Holy Moses project with the installation of guard rails, box culverts and added that paving should begin late May or early June. Mr. Brozich said that the I-40 West Kingman Traffic Interchange (TI) project should begin mid-May. He stated that SR 95 in Bullhead City and Lake Havasu City project are getting close to the end. He said that the I-40 Needle Mountain TI to Lake Havasu TI there is a contractor on board to do some pavement repairs; however, there is no anticipated start date. Mr. Brozich stated that the I-40 Fort Rock Marcum Wash project is doing a mill and fill. He said the upcoming preservation projects are the US 93 Cane Springs 2-lane connection south of I-40 that is under design and looking to begin construction June 2025. Mr. Brozich said that there is a broadband project on I-40 California to Flagstaff in the 4th quarter of 2024. He stated that there is an upcoming pavement preservation project at Needle Mountain West that will be advertised in June. Mr. Brozich said that the Holy Moses Wash to Rattle Snake wash through Kingman project is being advertised in 1<sup>st</sup> quarter of 2025. He noted that the SR 95 South Palo Verde Boulevard to Industrial Boulevard (HSIP project) is to install rumble strips and signing to reduce traffic incidents. Mr. Brozich said that the US 93 Sanctuary Road to I-40 into Kingman pavement preservation will begin in FY 2026. He added that the I-40 Rancho Santa Fe Road TI is going out to bid in June which is the new TI East of Kingman connection to the airport.



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### 9. Arizona Department of Transportation Metropolitan Planning Organization – Will Randolph and Clemenc Ligocki

Mr. Clemenc Ligocki, Arizona Department of Transportation Metropolitan Planning Organization (MPO), said the MPO is here to support and help the cities and region.

Mayor Sheehy said the Lake Havasu Metropolitan Planning Organization has been in existence since 2012 and Bullhead City is now going through that process because they met the population threshold, and the City of Kingman is not too far behind. Mayor Sheehy was wondering if there is any cooperation from the MPO for Lake Havasu City, Bullhead City, and the City of Kingman to have the ability to work together. Mayor Sheehy added that if each of these cities had their own MPO structure then it would allow to have one fiduciary and executive director that oversaw with planning managers in each of those areas.



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Mr. Ligocki said it is possible and has been done in other areas. Mayor Sheehy asked in what stage would it need to be if all three cities decided for Mohave County to be under one MPO. Mr. Ligocki said the timing is not necessarily restricted and added that typically when these things happen is when the new census comes out and the urbanized areas are defined.



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Lake Havasu City Manager Jess Knudson asked for a cost analysis impact on Lake Havasu and Bullhead City for 2 MPOs, compared to 1 MPO, to which Mr. Ligocki said there would be no change in the funding. Mr. Ligocki added that based on urbanized population there would not be a gain or a loss in funding.



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Mr. Jason James said the Northern Arizona Council of Government (NACOG) just recently completed a similar analysis to review different scenarios for expanding the planning boundary for difference scenarios of the NACOG region and analyzed the pros and cons and where funding is decreasing, increasing, or staying the same. Mr. James noted that the analysis is a local decision and either funded with the federal allocation to the cities or local funding would be beneficial to all member agencies.

Mr. Knudson spoke regarding the separation of the geography between Lake Havasu City and Bullhead City regarding a combined MPO. Mr. Knudson requested Mr. James to share the previous study and perhaps a list of consultants that have worked on this in the past.

Mr. Cotter asked if there are things that the cities can share together beyond health insurance, water entitlements, and water committees.



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Chairman Watkins said there was a Western Arizona Council of Governments (WACOG) report submitted to the executive council discussing the three cities working together regarding solving transportation issues for citizens.

## 10. Mayor's Reports – City Updates

Mayor Sheehy reported that Lake Havasu City has a new Municipal Courthouse and Council Chambers and spoke on the history of the courts and construction of the new Municipal Courthouse. He said the city has been busy with highway and local road maintenance, improvements to the Site Six boat ramp, and the Island Walking Path. Mayor Sheehy said Lake Havasu City hosted the Arizona Association of Economic Development Conference. He said a ribbon cutting ceremony was held for the Water Smart Demonstration Garden located at City Hall through the Supervisory Excellence Academy. Mayor Sheehy said that the city received funding to build a second bridge to the Island in an effort that was led by Senator Borrelli, Representative Biasiucci, and Representative Gillette.



### City of Kingman, Arizona

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Councilmember Lettman reported that Bullhead City is hosting the first day of bike week today. He stated that City Clerk Sue Stein will be retiring after 13 years of service. He spoke regarding the repavement project on Highway 95 and funding set aside for right turn lanes. Councilmember Lettman stated that the sports tourism season is concluding, and the summer boating season is beginning. He noted that the tourism July rates are going to be higher than previous months. He said that the Senior Nutrition Center is coming along and will be opening in July or August. Councilmember Lettman explained that they received \$3 million in Water Infrastructure Finance Authority (WIFA) grant funding to remove necessary turf out of the two larger Homeowner Association (HOA) developments with money left over to address unnecessary turf on city property.



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He said that the bid for the Animal Care Shelter will be going out to bid shortly. Councilmember Lettman said that the community garden is making progress that is located near the Senior Center and added that additional American Rescue Plan Act (ARPA) funding will be used for a shade structure and a cooking area. Councilmember Lettman stated that the opening day of the new bridge connecting Bullhead City to Clark County (located near Anderson Auto Fieldhouse) is June 7, 2024, at 7:00 a.m.



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Chairman Watkins introduced and recognized Tim Walsh as the new City Manager for the City of Kingman. He said that the Beale Street improvement project in the downtown area is coming to an end. Chairman Watkins thanked Mr. Brozich for the work on the Beale Street bypass. He noted that there is a new sign that reads "Welcome to Kingman Heart of Route 66".

City Clerk Kelly Williams and Annie Meredith acknowledged the retirement of Ms. Stein and presented her with a gift.

### ADJOURN

Chairman Watkins adjourned the meeting at 12:24 p.m.



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