

Mayor Cal Sheehy
Vice Mayor Cameron Moses
Councilmember Nancy
Campbell
Councilmember Jeni Coke
Councilmember Jim Dolan
Councilmember David Lane
Councilmember Michele Lin



Lake Havasu City
Police Facility
2360 McCulloch Blvd North
Lake Havasu City, Arizona
86403
www.lhcaz.gov

City Council Regular Meeting

Minutes - Final

Tuesday, February 27, 2024

5:30 PM

1. CALL TO ORDER

Mayor Sheehy called the meeting to order at 5:30 p.m.

2. INVOCATION

Pastor Kay Zimmerman, City on a Hill International Church, gave the invocation.

3. PLEDGE OF ALLEGIANCE

Members from Home School Co-Op led in the Pledge of Allegiance.

4. ROLL CALL

Present: 7 - Mayor Cal Sheehy, Councilmember Nancy Campbell, Councilmember Michele Lin, Councilmember Jeni Coke, Councilmember Jim Dolan, Councilmember David Lane and Vice Mayor Cameron Moses

5. CONSENT AGENDA

- 5.1 [ID 24-4147](#) Approve the February 13, 2024, City Council Regular Meeting Minutes (*Kelly Williams*)
- 5.2 [ID 24-4128](#) Adopt Resolution No. 24-3726 Ratifying the Submission of a Grant Application to the Arizona Department of Homeland Security, State Homeland Security Grant Program, for Hazardous Material Monitoring Equipment (*Chief Pilafas*)
- 5.3 [ID 24-4136](#) Adopt Resolution No. 24-3727 Approving the Submission of Grant Applications to the Arizona Governor's Office of Highway Safety for Consideration in Arizona's 2025 Highway Safety Plan (*Chief Stirling and Chief Pilafas*)
- 5.4 [ID 24-4141](#) Adopt Resolution No. 24-3728 Ratifying the Execution of an Airport Development Reimbursable Grant Agreement with the Arizona Department of Transportation, Multimodal, Planning Division Aeronautics Group, for the Purpose of Aiding in Financing Runway Safety Area Improvements (*Robert Kane*)
- 5.5 [ID 24-4150](#) Approve Memorandum of Understanding with the Havasu Freedom Foundation for the

Havasu Memorial Walkway (*Anthony Kozlowski*)

- 5.6 [ID 24-4123](#) Approve Amendment No. 2 to Ground Lease Agreement with London Bridge Plaza, Inc., to Include Mobile Food Vendor Regulations (*Kelly Garry*)
- 5.7 [ID 24-4126](#) Approve a Sole Source Purchase of Wastewater Treatment Plant Parts, Equipment, and Service from Parkson Corporation (*Thilak Fernando*)
- 5.8 [ID 24-4138](#) Approve Competition Impracticable and Six-Month Contract Extension for HVAC Inspection and Preventative Maintenance and On-Call Repair Services with Air Control (*Bill Young*)
- 5.9 [ID 24-4148](#) Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 4:30 p.m., Tuesday, March 12, 2024 (*Kelly Williams*)

Councilmember Coke moved to approve the Consent Agenda as presented, seconded by Councilmember Lane, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

6. CORRESPONDENCE, COMMUNICATIONS, PETITIONS, ANNOUNCEMENTS, CITY MANAGER REPORT

- 6.1 [ID 24-4139](#) Fiscal Year 2023-24 1st and 2nd Quarter Contracted Agency Reports (*Chief Stirling*)

Mayor Sheehy noted that this item was for informational purposes only.

- 6.2 [ID 24-4146](#) Announce Vacancies on Lake Havasu City Boards, Committees, and Commissions (*Kelly Williams*)

City Clerk Kelly Williams announced the current vacancies on various Lake Havasu City Boards, Committees, and Commissions. She added that applications are available at City Hall and on the City's website at www.lhcaz.gov.

- 6.3 [ID 24-4145](#) City Manager's Report (*Jess Knudson*)

City Manager Jess Knudson reported on the following:

- Announced various events, ceremonies, and proclamations.
- The Lake Havasu City Police Department held a Promotional and Swearing-In Ceremony on February 21, 2024.
- Havasu Silent Witness is seeking new volunteer members to serve on the Board of Directors.
- Lake Havasu City Municipal Courts will be holding a Grand Opening Ceremony on February 29, 2024, at 10:30 a.m. at 92 Acoma Boulevard.
- Project Updates:

- o El Dorado Wash Crossing Multi-Box Culvert
- o London Bridge Pier D
- o Island Walking Path
- o Daytona Wash Reach 4
- o Site Six Boat Launch Ramp
- o London Bridge Road Hot Mix Asphalt
- o Chip Drive Sewer Lift Station
- o North Well Field Improvements Well 10
- o Island Wastewater Treatment Plant Flow Equalization Basin

7. PUBLIC HEARINGS

- 7.1 [ID 24-4154](#) Discussion and Possible Action, if Necessary, to Comply with Arizona Open Meeting Law Following the Executive Session Regarding the Negotiations for the Purchase of a Parcel of Real Property Located in Lake Havasu City

Mayor Sheehy said the City Council provided direction to staff in executive session regarding a potential purchase of real property in Lake Havasu City.

Mayor Sheehy opened the public hearing.

Ms. Bonnie Toy, citizen, addressed the council and asked what land was being purchased. Mayor Sheehy said to keep the city in a favorable negotiating position the council cannot release that information; however, if the city is successful in negotiations, this item would come back before the City Council in a public hearing.

Mr. Kelly Lutz, citizen, addressed the council and asked what qualifies this item to be held in executive session behind closed doors. Mayor Sheehy explained that State law allows executive sessions to be held for certain things - negotiation of the purchase of real property is one of those things. He said to keep the city in a favorable negotiating position the City Council met in executive session to give staff direction, and if successful based on the negotiation it will be in a public session and all the information will be available.

There being no further comments, Mayor Sheehy closed the public hearing.

Councilmember Coke moved to direct staff as discussed in executive session, seconded by Vice Mayor Moses, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.2 [ID 24-4149](#) Introduce Ordinance No. 24-1327 Amending City Code Section 2.12.090, Elections - Scheduling, Regarding the Primary and General Election Dates (*Kelly Williams*)

Ms. Williams said on February 9, 2024, the Governor signed House Bill 2785 changing the date of the Primary Election from August 6, 2024, to July 30, 2024. She said this bill became effective immediately on February 9, 2024, and requires amendments to Lake Havasu City Code Section §2.12.090, Elections – Scheduling, to align with the State Statutes regarding the Primary and General Election dates.

Mayor Sheehy opened the public hearing.

Mr. David Diaz, citizen, addressed the council and asked if the change to the Primary Election date moves the filing deadline for candidates up one week, to which Ms. Williams replied yes.

There being no further comments, Mayor Sheehy closed the public hearing.

Vice Mayor Moses moved to introduce Ordinance No. 24-1327 amending City Code Section 2.12.090, Elections - Scheduling, seconded by Councilmember Dolan, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.3** [ID 24-4103](#) Adopt Resolution No. 24-3725 Ordering and Calling a Primary Election to be Held on Tuesday, July 30, 2024, and, If Necessary, a General Election to be Held on Tuesday, November 5, 2024, to Nominate Candidates for Councilmember Positions; and Providing for and Giving Notice of Such Elections and the Deadline for Voter Registration; and the Place and Last Date for Candidates to File Nomination Papers (*Kelly Williams*)

Ms. Williams advised that this item is to adopt a resolution to designate Tuesday, July 30, 2024, as the date for holding the Primary Election in Lake Havasu City for the purpose of nominating candidates for three councilmember positions. She said Lake Havasu City will hold its General Election on Tuesday, November 5, 2024, if necessary. Any candidates receiving a majority of all votes cast at the Primary Election will be declared elected without running in the General Election. Ms. Williams said to be qualified for voting, electors must be registered by July 1, 2024, for the Primary Election and October 7, 2024, for the General Election. She added that candidates seeking office for councilmember may obtain nomination petitions and other materials from the City Clerk's office and must file those papers and other required forms by 5:00 p.m. on April 1, 2024, for their names to appear on the Primary Election ballot.

Mayor Sheehy opened the public hearing.

Ms. Toy addressed the council regarding the importance of voting at the Primary Election for local offices.

There being no further comments, Mayor Sheehy closed the public hearing.

Mayor Sheehy added that in response to citizen complaints regarding election signs after the 2022 Primary Election, the City Council updated the City Code to reflect a more proactive approach for enforcement of political signs.

Councilmember Lane moved to adopt Resolution No. 24-3725 ordering and calling a Primary Election to be held on Tuesday, July 30, 2024, and, if necessary, a General Election to be held on Tuesday, November 5, 2024, to nominate candidates for Councilmember positions; and providing for and giving notice of such elections and the deadline for voter registration; and the place and last date for candidates to file nomination papers, seconded by Vice Mayor Moses, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.4** [ID 24-4134](#) Adopt Ordinance No. 24-1324 Amending Lake Havasu City Code Title 13, Subdivisions, Including but Not Limited to Allowing Administrative Approval of Preliminary and Final Plats; Revise Subdivision Definition; and Revising Public Improvement Assurances (*Chris Gilbert*)

Mr. Gilbert advised that this item is the adoption of an ordinance that was introduced at the last City Council meeting that allows for management of the plat approval process from the Planning and Zoning Commission and City Council to administrative level that was approved by Arizona Senate Bill 1103 on March 3, 2023. Mr. Gilbert provided a recap of the proposed amendments as follows:

1. Arizona Senate Bill 1103 now permits preliminary and final plats to be reviewed at the staff level. Plats that meet all codified city standards have little space to be denied at present and the state now recognizes that the action taken on plats by the Planning Commission and City Council is administrative and not legislative.
2. This change will save developers a lot of time going through two separate platting hearing processes for both the Planning Commission at the Preliminary stage and the City Council at the Final stage.
3. The subdivision definition will be synchronized to set 4 parcels as the maximum limit for a minor division of land not to be considered a plat.
4. The unconditional guaranteed option for public improvement installation from a local bank or federally insured savings and loan or other financial institutions approved by the City is unclear and not a common method of assurance provided by financial institutions and, therefore, it is proposed to be deleted as one of the acceptable methods.

Mayor Sheehy opened the public hearing.

Mr. Lutz addressed the council and said the revisions to Title 13, Subdivisions, is in direct conflict with the order of power as it gives the City Manager unlimited powers above the citizens and the City Council with zero accountability let alone any transparency regarding any/and all subdivision projects regarding code variances and change. He stated as written and proposed to be adopted, the City Council has betrayed the trust of the people by putting developers' interests ahead of the peoples' interests and circumventing any City Council vote of approval or responsibility for any/and all development not adhering to the present city code.

Mayor Sheehy stated that State law changed the plat approval process. He explained that there is little ability for the City Council to not approve plats based on State law, which the legislature recognized and proposed the changes that were signed into law by the Governor.

There being no further comments, Mayor Sheehy closed the public hearing.

Ms. Gilbert explained that this amendment changes the handling of the platting process and explained the steps and public notices that are still required for zoning and Planned Development changes prior to platting.

Councilmember Dolan moved to adopt Ordinance No. 24-1324 amending Lake Havasu City Code Title 13, Subdivisions, seconded by Councilmember Lane, and carried by the following vote:

Aye: 6 - Mayor Sheehy, Councilmember Campbell, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

Nay: 1 - Councilmember Lin

- 7.5** [ID 24-4133](#) Adopt Ordinance No. 24-1326 Approving an Amended General Development Plan and Planned Development Rezone for Parcel 1 (10.26-Acres) of the Centre Planned Development No. 97-005 Located at 6701 Highway 95 N. to Allow a Height of 42 Feet for the Hotel/Motel Component (*Chris Gilbert*)

Mr. Gilbert advised that the ordinance before the council is requesting approval of a General Development Plan and Planned Development rezone for a vacant 10.26-acre commercial property zoned General Commercial District/Planned Development (C-2/PD) located at 6701 Highway 95 North and permitting relief from the Development Code C-2 District height restriction of 25-feet for the hotel/motel portion of the development plan. He reviewed the current and surrounding zoning and explained that the application for a General Development Plan approval was filed by the applicant with the intent to comply

with an ordinance from 2022 that required a General Development Plan be submitted for approval before any phase of the Airport Centre develops, of which this parcel was a part. He said this same ordinance established the C-2/PD zoning on this parcel that was originally A-1 and C-O under the original ordinance for the development approved in 1997. Mr. Gilbert explained that the General Plan category of Commercial Mixed-Use underlying the C-2/PD zoning encompasses all general commercial activities proposed by the applicant. He said the applicant's plan proposes a new hotel, service station, and five restaurants with drive-through accessibility, as well as parking and stormwater detention facilities, and is requesting the following code relief:

- Section 14.02.05D, Table 2-20 Regarding Maximum Height of Primary Building that is set at 25 feet: Relief request to permit a height of 42 feet (a relief of 17 feet) to permit the planned hotel/motel portion of the project to be three (3) stories in height. The project area is surrounded by federal land and state open lands to the west, a major highway, and the airport property to the east and to the south more commercial C-2/PD zoned developments and vacant lots. Staff do not believe the granting of this relief will be detrimental to surrounding properties or the general public.

Mr. Gilbert added that the Arizona Department of Transportation has requested a Traffic Impact Analysis (TIA) if the project is approved and construction by the developer of any required improvements determined to be necessary to serve the project.

Mr. Rob Sampson, Selberg & Associates, addressed the council and said this project is a culmination of many years of informal meetings and discussions regarding potential uses for this property, and through that process they have been able to identify some underserved uses in the area which led to discussions with different potential vendors that would be interested in coming to town. He reviewed the plan proposal and added that one of the key components of this project is that at the northern end of property there is an unusable space (triangle-shaped) that the developer is looking to build a public park or green space that can be incorporated into the area.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Mayor Sheehy noted that this parcel of land is the gateway into Lake Havasu City and stressed the importance that the property be appealing and welcoming to visitors coming into town from the north. He added that the item is coming before the City Council with a recommendation of approval from the Planning and Zoning Commission.

Councilmember Coke moved to adopt Ordinance No. 24-1326 approving an amended General Development Plan with the conditions contained in the Ordinance

and a Planned Development rezone for Parcel 1 of the Centre Planned Development No. 97-005 located at 6701 Hwy 95 N, seconded by Councilmember Dolan, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.6** [ID 24-4135](#) Award Bid for the Sale of City-Owned Property Auction on January 25, 2024, Constituting a 10.29-Acre Tract Located at 2801 Highway 95 N (APN 106-28-050A), Tract 2277, Block 2, Lot 19, Plus Abandoned Cul-de-sacs of Deepwater Drive and Cactus Wren Lane (*Chris Gilbert*)

Mr. Gilbert advised that in November 2023 an application was submitted to the Development Services Department requesting to purchase a vacant City-owned property, known as the Kiowa Ponds, located at 2801 Highway 95 North. He displayed an aerial map of the property and noted that the property is currently zoned Limited Commercial (C-1/PD). Mr. Gilbert explained that an online auction was held on Wednesday, December 27, 2023, and concluded on Thursday, January 25, 2024, of which three total bids were received but only one of the bids met the minimum qualifying bid amount based upon the appraisal of \$1,740,000. He explained that the escrow process has started and will close following City Council approval of the sale and signing of certain documents. He said the winning bidder was JC Capital, LLC, with a minimum qualifying bid based on the appraisal of \$1,740,000. He explained that the appraisal value was based upon several factors given what the property was used for previously, conditions on the property, shape of property, zoning of property (which is presently somewhat restrictive compared to a C-2), the presence of a revert agreement, and monitoring wells for contamination on the property. Mr. Gilbert said if awarded, the buyer responsibilities include all fees related to close of escrow, execution of a “Agreement to Revert Property”, assuming responsibility for groundwater monitoring wells on property, and granting access rights to the Arizona Department of Environmental Quality.

Mr. Mychal Gorden, Desert Land Group, addressed the council and said he was representing the successful bidder purchasing the property who is an affiliate of the Anderson Powersports Group. He said they have been working with the Anderson Powersports Group for a long time in trying to find a new location to expand their powersports dealership as they have outgrown their current location. He said as it was pointed out there are some constraints and restrictions with the site in terms of topography, distance below the highway, drainage, and monitoring wells that are well-known and said they have studied it very closely and feel that they will be able to work through those things and come back through the process for a zoning, Planned Development, or amendment change to the restrictions of the old Planned Development to move this forward.

Mayor Sheehy opened the public hearing.

Mr. George Jimenez, citizen, addressed the council and spoke on the history of the property. He said once the property was deemed free and clear of contamination the neighborhood and surrounding property owners were told that this property was and always would be zoned R-1. He said this has not changed until just recently when a meeting was held without his knowledge regarding this property that he has been fighting with the city about since 2000. He asked the City Council to keep the lower half of the property zoned R-1 to maintain the integrity of the residential neighborhood.

Ms. Tricia Gagnon, citizen, addressed the council and said when the property was rezoned from C-2 to C-1/PD it was done very deceptively and was never disclosed to the surrounding properties. She spoke on the provisions in the Planned Development that are tied to the C-1 including 10-foot walls, 50-foot landscaping buffers, and low directional lighting. She expressed concerns with the new property owner removing the original PD and said the things that were promised to the surrounding neighborhood have to be upheld.

Mr. Dennis Bucolo, citizen, addressed the council concerning the ongoing issues with this property since 2005 when the original zoning was changed. He said it was his understanding the zoning was C-1 with conditions and requirements that were tied to the property and not the project. He said the surrounding neighborhood would like assurance that City Council will stick with the commitment that the city made to the homeowners back in 2005.

Ms. Toy addressed the council and questioned if public notices are available on the city's website and if the property could be sold to an individual with a higher bid.

Mayor Sheehy explained the public process and requirements for the sale of city-owned property.

Mr. Mike Smith, citizen, addressed the council and spoke on the importance of the city protecting the integrity of the surrounding residential properties and said access off Cactus Wren Lane and Deepwater Drive should not be allowed as it encroaches onto the residential properties.

Mr. Joe Taylor, citizen, addressed the council concerning the noise and asked the City Council to take the surrounding residential properties into consideration.

There being no further comments, Mayor Sheehy closed the public hearing.

Mayor Sheehy noted that there are several components of the suggested motion that are included that have timelines that will make it advantageous for the purchaser to work expediently with the neighborhood to come forward with a plan that meets the benchmarks to be able to develop the land.

There was discussion regarding the condition of approval requiring the building permits to be issued within 36-months and a Certificate of Occupancy issued within 72-months of the same date. Mayor Sheehy stated that the conditions were included in the bid packet and the applicant, by submittal of the bid, feels they can meet those deadlines; however, if the applicant was unable to meet those deadlines it would require council action to make adjustments

Councilmember Lane moved to award the bid for the sale of City real property consisting of a 10.29-acre tract located at 2801 Highway 95 N, Lake Havasu City, Arizona (APN 106-28-050A), Tract 2277, Block 2, Lot 19, plus abandoned cul-de-sacs of Deepwater Drive and Cactus Wren Lane, to JC Capital, LLC, for the sum of \$1,740,000, with the following conditions of approval:

- 1. Payment of the bid amount and all required fees shall be paid into the escrow account for this transaction being held by Pioneer Title Agency.**
- 2. The winning bidder shall execute the attached “Agreement to Revert Property,” requiring building permits to be issued within 36 months of the date of the winning bid date of January 25, 2024, and a Certificate of Occupancy issued within 72 months of this same date.**
- 3. The winning bidder shall assume responsibility for the three groundwater monitoring wells located on the property and shall grant the Right of Access to the Arizona Dept. of Environmental Quality to allow it to continue monitoring operations. Evidence that this right was granted shall be provided to Development Services Department staff; and the City Manager is hereby directed to act on behalf of the City to execute all documents related to the sale of this property.**

Motion seconded by Vice Mayor Moses, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.7** [ID 24-4142](#) Award Bid for the Airport Obstructions Light/Mark/Remove Existing Hydrants and Replace Project Construction Contract to Craig Plumbing Contractors, Inc.
(Mike Wolfe)

Assistant City Engineer Mike Wolfe advised that this item is to award bid for the Airport Obstructions Light/Mark/Remove Existing Hydrants and Replace Project construction contract to low bidder Craig Plumbing Contractors, Inc., in the amount of \$292,960.03.

Mr. Wolfe explained that the project includes replacement of seven existing fire hydrants, valves, and pipe appurtenances to “below grade” hydrants for airport operational safety.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Dolan moved to award the bid for the Airport Obstructions Light/Mark/Remove Existing Hydrants and Replace Project Construction Contract to Craig Plumbing Contractors, Inc., in the amount of \$292,960.03, seconded by Vice Mayor Moses, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.8** [ID 24-4131](#) Award Bid for the Construction Contract for Re-Bid City Core Pavement Rehabilitation Project to Pioneer Earth Movers, Inc. (*Mike Wolfe*)

Councilmember Campbell recused herself from participating and voting on this item.

Mr. Wolfe advised that this item is to award bid to Pioneer Earthmovers, Inc., for the construction contract for the Re-Bid City Core Pavement Rehabilitation Project in the amount of \$4,740,622. Mr. Wolfe said the project includes a mill and overlay on McCulloch Boulevard (from Smoketree Avenue to the London Bridge), Riviera Boulevard (from Swanson Avenue to Palo Verde Boulevard), and Swanson Avenue (from Highway 95 to Smoketree Avenue). He added that the project also includes a watermain replacement on Swanson Avenue (from Magnolia Drive to Capri Boulevard – approximately 870-feet) and Riviera Boulevard (from Mesquite Avenue to Palo Verde Boulevard – approximately 2,540-feet).

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Lane moved to award the bid for the Re-Bid City Core Pavement Rehabilitation Project to Pioneer Earth Movers, Inc., in the amount of \$4,740,622, seconded by Councilmember Dolan, and carried by the following vote:

Aye: 6 - Mayor Sheehy, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

Recused: 1 - Councilmember Campbell

- 7.9** [ID 24-4132](#) Award Agreement for Professional Services (Design) for the Lake Havasu Avenue & Mesquite Avenue Paving Rehabilitation Project to Kimley-Horn and Associates, Inc. (*Mike Wolfe*)

Mr. Wolfe advised that this item is to award an agreement for professional services (design) to Kimley-Horn & Associates, Inc., for the Lake Havasu Avenue & Mesquite Avenue Paving Rehabilitation Project in the amount of \$175,015. He explained that the project includes mill and overlay on Lake Havasu Avenue (from Willow Avenue to Mesquite Avenue) and Mesquite Avenue (from Lake Havasu Avenue to Acoma Boulevard). Mr. Wolfe added that the project also includes watermain replacement on Lake Havasu Avenue (from Willow Avenue to Alley 23 – approximately 1,100-feet) and Mesquite Avenue (from Moyo Drive to Acoma Boulevard – approximately 3,600-feet).

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Dolan moved to award the Agreement for Professional Services for the Lake Havasu Avenue & Mesquite Avenue Paving Rehabilitation Project to Kimley-Horn and Associates, Inc., in the amount of \$175,015, and authorize the City Manager to execute this Agreement on behalf of the City, seconded by Vice Mayor Moses, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.10** [ID 24-4140](#) Approve Change Order No. 3 to Construction Contract for the Palo Verde Boulevard South, Industrial Boulevard & Kiowa Avenue Pavement Rehabilitation Project (*Mike Wolfe*)

Mr. Wolfe advised that this item is requesting approval of Change Order No. 3 to the construction contract with Pioneer Earthmovers, Inc., for the Palo Verde Boulevard South, Industrial Boulevard & Kiowa Avenue Pavement Rehabilitation Project in the amount of \$691,700, for a total project cost of \$2,154,516. He explained that this project will extend the pavement and watermain limits utilizing funding from HURF (\$307,700) and Water (\$383,000) to complete the corridor from State Parks at London Bridge Road to Highway 95.

Councilmember Dolan questioned if this project includes just the paving or the replacement of the watermain, to which Mr. Wolfe said this project includes the paving and also replacement of the watermain. In response to Councilmember Dolan's question concerning the timeframe, Mr. Wolfe explained that the extension of the watermain project will begin in March 2024 with paving anticipated in June 2024. He noted that the lower part of the project will be paved within the next four weeks.

Councilmember Campbell recused herself from participating and voting on this item.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Vice Mayor Moses moved to approve and authorize the City Manager to execute Change Order No. 3 to Construction Contract 500396 for the Palo Verde Boulevard South, Industrial Boulevard & Kiowa Avenue Pavement Rehabilitation Project with Pioneer Earth Movers, Inc., in the amount of \$691,700 for a total project cost of \$2,154,516, seconded by Councilmember Dolan, and carried by the following vote:

Aye: 6 - Mayor Sheehy, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

Recused: 1 - Councilmember Campbell

- 7.11** [ID 24-4143](#) Approve Amendment No. 1 Cooperative Purchase Agreement with Econolite Control Products, Inc., for purchase of Traffic Signal Equipment Required for South Palo Verde Boulevard at Acoma Boulevard, and Lake Havasu Avenue at Industrial Boulevard (*Bill Young*)

Transportation and Maintenance Superintendent Bill Young advised that this item is requesting approval of an amendment with Econolite Control Products, Inc., for the purchase of traffic signal equipment for Palo Verde Boulevard South at Acoma Boulevard and Lake Havasu Avenue at Industrial Boulevard exceeding the \$50,000 threshold. Mr. Young noted that the traffic signal cabinets will provide safety enhancements and update existing traffic signals.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Vice Mayor Moses moved to approve Amendment No. 1 to Cooperative Purchase Agreement Amendment with Econolite Control Products, Inc., for Traffic Signal Equipment as required, for annual expenditures to exceed \$50,000 up to the amount allocated and available in the HURF budget for FY 2023-24 for unforeseen future purchases; and authorize City staff to exercise the option to renew the Agreement for four (4) additional years, seconded by Councilmember Lane, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.12** [ID 24-4127](#) Approve Multi-Award of Job Order Contracting Cooperative Purchasing Agreements for Asphalt Maintenance and Repair As-Needed and Award a Job Task Order Proposal for the FY 2023-24 Chip Seal Program to Cactus Asphalt (*Bill Young*)

Mr. Young advised that this item is requesting approval of a multi-award job order utilizing cooperative purchasing agreements for asphalt maintenance and repair as-needed to Cactus Asphalt, MR Tanner Construction, Sunland Asphalt, ViaSun, and Weems Asphalt, and award a job task order proposal for the Fiscal Year 2023-24 Chip Seal Program to Cactus Asphalt in the amount of \$999,020.59.

Vice Mayor Moses asked if the city is coordinating all the roadway projects throughout the city to ensure public access, to which Mr. Young replied yes.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Vice Mayor Moses moved to approve a multi-award of JOC Cooperative Purchasing Agreements for Asphalt Maintenance and Repair As-Needed to Cactus Asphalt, MR Tanner, Sunland Asphalt, ViaSun, and Weems Asphalt; authorize the City Manager to execute the agreements through June 27, 2024, authorize City staff to exercise the option to renew for four (4) additional one (1) year terms; and award and authorize the City Manager to execute Job Task Order Proposal No. 1 to Cactus Asphalt for the Fiscal Year 2023-24 Chip Seal Program in the amount \$999,020.59, seconded by Councilmember Campbell, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

- 7.13** [ID 24-4137](#) Approve the Cooperative Purchasing Agreement and Purchase of a New 2023 Caterpillar 308 Excavator from Empire Southwest, LLC, dba Empire Machinery (*Bill Young*)

Mr. Young advised that this item is requesting approval to purchase a new 2023 Caterpillar 308 Excavator from Empire Southwest, LLC, dba Empire Machinery in the amount of \$172,588.76. He spoke on the benefits of purchasing an excavator versus a loader to meet the city's needs.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Dolan moved to approve and authorize the City Manager to execute the Cooperative Purchasing Agreement with Empire Southwest dba Empire Machinery with a termination date of October 3, 2024; authorize City Staff to exercise the option to renew the Agreement for three (3) additional one (1) year terms; and authorize the purchase of a 2023 Caterpillar 308 Excavator in the amount of \$172,588.76, seconded by Councilmember Lane, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

7.14 [ID 24-4144](#)

Approve the Cooperative Purchasing Agreement with Monroe Truck Equipment, Inc., dba M-B Companies and the Cooperative Purchase of a Paint Striper (*Bill Young*)

Mr. Young advised that this item is requesting approval to purchase a paint striper utilizing the cooperative purchase agreement with Monroe Truck Equipment, Inc., dba M-B Companies in the amount of \$458,119.82.

Councilmember Dolan asked what the lead time was for the paint striper, to which Mr. Young said approximately nine months.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Councilmember Lane moved to approve the Cooperative Purchasing Agreement with Monroe Truck Equipment, Inc., dba M-B Companies; authorize the City Manager to execute the Agreement through October 11, 2025; authorize City staff to exercise the option to renew the Agreement for one (1) additional one (1) year term; and approve the purchase of a paint striper in the amount of \$467,621.23, seconded by Vice Mayor Moses, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

7.15 [ID 24-4130](#) Approve the Purchase of One (1) 2024 Ford Explorer 4x2 XLT (K7D) from San Tan Auto Partners LLC (*Bill Young*)

Mr. Young advised that this item is requesting approval to purchase a 2024 Ford Explorer 4x2 XLT (K7D) from San Tan Auto Partners, LLC, in the amount of \$41,716.53, to replace a 1995 Chevy Astro Cargo Van in the Information Technology Division.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing.

Vice Mayor Moses moved to approve the purchase of one (1) 2024 Ford Explorer 4X2 XLT (K7D) vehicle in the amount of \$41,716.53, from San Tan Auto Partners LLC, subject to release of an amended manufacturer's official published pricing and discount off of the manufacturer's retail price by the Arizona State Purchasing Office, and authorize the City Manager to approve an amended adjustment, seconded by Councilmember Coke, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

8. CALL TO THE PUBLIC

Mr. Emiliano Torres, citizen, addressed the council and asked if the names and points of contact for the individuals running for City Council are available on the city's website.

Ms. Pamela Swenson, citizen, addressed the council and said approximately eight months ago staff members of a non-profit organization funded by city-disbursed taxes had significant concerns regarding the organization's leadership and inappropriate actions and misuse of funds. She said those concerns were brought before the organization's board of directors and to their city council where their city council put forth a resolution to authorize an investigation of the claims brought forth. She said that city council did what it should do to ensure an organization they fund through tax dollars is acting appropriately and with integrity; however, in comparison, when serious concerns of mismanagement and inappropriate actions of a local Lake Havasu City tax funded non-profit organization were brought to this City Council, only two councilmembers were respectful, interested, and concerned enough to listen.

Ms. Joan Dzuro, Sunrise Rotarian, addressed the council and invited citizens to attend the Brews & Brats Festival on Saturday, March 2, 2024, from 12:00 p.m. to 4:00 p.m. at the corner of Querio and McCulloch Boulevard.

Ms. Toy addressed the council and said she noticed that the Leadership Lake Havasu class was raising funds to install Mobi mats but could not find how much money was needed. She questioned how events are listed on the City's Facebook page and reminded the City Council to consider lowering the rates for open swim during the summer months.

9. CURRENT EVENTS

Councilmember Lane reported on the Parks and Recreation Advisory Board meeting.

10. FUTURE MEETINGS

Tuesday, March 12, 2024 @ 5:30 p.m. – Regular Meeting

Tuesday, March 26, 2024 @ 5:30 p.m. – Regular Meeting

11. FUTURE DISCUSSION ITEMS

Councilmember Campbell requested a future discussion item regarding cell towers within city limits, seconded by Councilmember Lin. Motion failed for lack of a second from two councilmembers.

12. ADJOURN

Upon motion by Councilmember Lane and seconded, the meeting adjourned at 7:38 p.m.

CERTIFICATION

I hereby certify that the foregoing is a full and true copy of the Regular Meeting Minutes of the Lake Havasu City Council held on the 27th day of February, 2024. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/MMC