

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
Municipal Courthouse
Council Chambers
92 Acoma Boulevard
Lake Havasu City, Arizona
86403
www.lhcaz.gov

City Council Regular Meeting

Minutes - Final

Tuesday, April 9, 2024

5:30 PM

1. CALL TO ORDER

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

A moment of silence was held in remembrance of former Councilmember Dean Barlow who passed away on March 29, 2024.

2. INVOCATION

Chaplain Bea Evans, KNLB Christian Radio, gave the invocation.

3. PLEDGE OF ALLEGIANCE

Members from Quilts of Valor 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 24-4217](#) Approve the March 26, 2024, City Council Regular Meeting Minutes (*Kelly Williams*)
- 5.2 [ID 24-4204](#) Adopt Resolution No. 24-3736 Approving and Authorizing the Mayor to Execute an Intergovernmental Agreement with Horizon Six Improvement District Regarding Water Services (*Kelly Garry*)
- 5.3 [ID 24-4209](#) Approve Amendment No. 1 to Teller Software as a Service Agreement with Can/Am Technologies Inc. for the Teller Cash Receipting Software to Extend the Renewal Date to October 11, 2024 (*Jill Olsen*)
- 5.4 [ID 24-4175](#) Approval of the Purchase of Additional Oracle Software Licenses per the Oracle Public Sector Cloud Services Agreement with Mythics, Inc. (*Jill Olsen*)

- 5.5** [ID 24-4220](#) Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 4:30 p.m., Tuesday, April 23, 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 24-4219](#) 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.

- 6.2** [ID 24-4218](#) City Manager's Report (*Jess Knudson*)

City Manager Jess Knudson reported on the following:

- Announced various events, and ceremonies.
- Free non-potable water is available to construction companies at the North Regional Treatment Plant, Island Treatment Plant, and Mulberry Treatment by contacting the City at 928-855-3999.
- A Water Smart Demonstration Garden Ribbon Cutting and Dedication Ceremony will be held on Earth Day, April 22, 2024, at 10:00 a.m.

7. PUBLIC HEARINGS

- 7.1** [ID 24-4221](#) Introduce Ordinance No. 24-1330 Declaring the Document Entitled "2024 Amendments to the Lake Havasu City Code Title 4, Water and Wastewater Regulations, April 23, 2024" a Public Record and Adopting by Reference Water and Wastewater Regulations and Penalties, Including Service, Billing, Connections, Charges, Hydrant Meters, Private Fire Protection Services, and Backflow Prevention, and Repealing Lake Havasu City Code Chapters 8.05 and 8.20 and Sections 11.04.280 and 11.04.290, to Amend and Consolidate All Water and Wastewater Regulations into Title 4 (*Timothy Kellett*)

Water Sustainability Program Manager Timothy Kellett advised that this item is introducing an ordinance updating the water and wastewater regulations in the City Code. Mr. Kellett reviewed several past amendments to the city's water and wastewater regulations and outlined the process staff undertook which included contracting with Jacobs Engineering, reviewing existing standards and regulations, determining best practices, and conducting interviews with key departments and personnel. He said most of

the changes throughout the document are editorial; however, several key changes include the use of the water and wastewater system and hydrant meters, application for services, and hearing and appeal procedures. He noted that this ordinance would come back to Council for final adoption on April 23, 2024, and have an effective date 30-days after adoption.

Councilmember Campbell asked why tracked changes were not provided in the packet, to which Mr. Kellett explained that tracked changes were not provided because the previous chapters (Chapters 8.05 and 8.20) and sections (Sections 11.04.280 and 11.04.290) were consolidated into a new title (Title 4).

Councilmember Campbell asked for more information regarding the hydrant meter changes, to which Mr. Kellett reviewed the changes which included the city's responsibility for installing the hydrant meters and monthly meter readings.

Councilmember Campbell expressed concerns due to constant changes in construction activity, scheduling, and the amount of work this would put on city staff. Mr. Kellett said the proposed changes are significant which is why they were highlighted in the presentation because it is a substantial change for the contractors. He added that the changes also include how much time the city has to install a hydrant meter and that a meter is able to stay at one location for up to six months with no use; however, after six months it would be picked up by the city.

Mr. Knudson explained that the city is looking at implementing a more proactive approach with the installation and monitoring of hydrant meters because over the years hydrant meters have been left at construction sites and not returned to the city resulting in a loss of the equipment and the water that was sold through the meters.

Councilmember Dolan asked if multiple hydrant meters could be connected at one hydrant location, to which Mr. Kellett said as proposed if a contractor wanted to use the same hydrant the city would have to remove the connected hydrant meter to install another hydrant meter. Councilmember Dolan expressed concern regarding efficiency and thought the city could address issues with missing meters by requiring a deposit and putting the responsibility on the applicant for returning the meter and reporting the readings.

Mayor Sheehy said he also agreed with requiring a deposit and billing the applicant monthly.

Councilmember Campbell asked if there was smart meter technology available for temporary (hydrant) meters, to which Mr. Kellett said he was not certain whether technology is available for that meter size and would have to do some research. He said if

it does exist it would cost substantially more.

Mayor Sheehy opened the public hearing.

Mr. Emiliano Torres, citizen, addressed the council and said there is a fire hydrant behind his house which is occasionally used; however, under the proposed ordinance it could become the focal point for contractors because it would likely become cumbersome to move and result in an eyesore of equipment being parked next to his house regularly.

Mr. Tim Murray, citizen, addressed the council and suggested the city charge the full cost if a hydrant meter is not returned or a monthly base charge for a meter that does not report their water readings.

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

Mayor Sheehy and Councilmember Dolan said they would like to see a more proactive hydrant meter system that included deposits and auto billing to address the operational concerns.

Councilmember Lin asked why this ordinance was not being tabled due to the proposed changes by council, to which Mayor Sheehy explained that the council has provided feedback and recommendation to city staff to revise the ordinance as introduced with the proposed changes to hydrant meters. He said this ordinance with the changes would be brought back for further discussion and adoption at the next regular meeting.

Councilmember Dolan moved to introduce Ordinance No. 24-1330 declaring the document entitled “2024 Amendments to the Lake Havasu City Code Title 4, Water and Wastewater Regulations, April 23, 2024” a public record and adopting by reference water and wastewater regulations and penalties, and repealing Lake Havasu City Code Chapters 8.05 and 8.20 and Sections 11.04.280 and 11.04.290, to amend and consolidate all water and wastewater regulations into Title 4, with changes to hydrant meters as discussed, seconded by Vice Mayor Moses, and carried by the following vote:

Aye: 5 - Mayor Sheehy, Councilmember Coke, Councilmember Dolan, Councilmember Lane and Vice Mayor Moses

Nay: 2 - Councilmember Campbell and Councilmember Lin

- 7.2** [ID 24-4212](#) Adopt Ordinance No. 24-1329 Approving an Amended General Development Plan and Planned Development Rezone for Planned Development No. 00-07, Heat Hotel, 1420 McCulloch Blvd. N. (Adjacent to the Bridgewater Channel) in a Mixed Use-Neighborhood / Planned Development (MU-N/PD) District, to Permit the Conversion of the Outdoor Bar and Patio and the Under-Bridge Retail Suites into Eight

(8) New Guest Rooms (*Chris Gilbert*)

Planning Division Manager Chris Gilbert advised that the subject property (“Heat Hotel”) is located on the south side of London Bridge Road on the west side of the Channel and includes a parcel that is directly under the London Bridge (“Bridge”). He said the property is zoned Mixed-Use Neighborhood with a Planned Development (MU-N/PD) overlay and noted that all principal and accessory uses currently operating at the Heat Hotel are permitted in the MU-N District. He explained that the entire project is developed and consists of five residential condominiums, two commercial units, a restaurant, and a 29-room hotel. He said the applicant is requesting to amend the Planned Development to allow for the outdoor bar and patio, in addition to two commercial units located under the Bridge, to be converted to a total of eight additional hotel rooms. Mr. Gilbert stated that the requested change of use from commercial units to hotel units would have no negative impact on the surrounding area, the proposed hotel use would not require additional parking demands upon the property, and the proposed change of use would have no negative impact to the parking standards as the requested use would create a lower parking demand by current code requirements.

Mr. Gilbert displayed photographs of the current outdoor bar/patio area and area under the Bridge. He stated that, if approved, the hotel would increase from 29 rooms to 37 rooms. He further stated that the Planning and Zoning Commission (“Commission”) recommended approval of the request with the following conditions:

1. Applicant shall complete a sewer lift station capacity study for the current facility. The cost of any improvements to the sewer lift station identified by the study are to be borne by the owner.
2. All roof runoff from the new development including the upstairs bar deck and all surface runoff cannot directly connect to the Bridgewater Channel.
3. The development conducted on the site shall be in substantial compliance with the General Development Plan at all times. Minor changes necessary to meet utility company or City Public Works Department engineering requirements shall not be considered substantial changes.

Mr. Ivan Betancourt, Selberg & Associates, Inc., was in attendance to answer any questions.

Mayor Sheehy said in reading the background and history it states that the Commission has previously considered and denied the rezone of the units under the Bridge. He said he too does not like the rezone of those units due to the historic and iconic nature of the London Bridge to the community and asked Mr. Betancourt why those two units were being requested for rezone, to which Mr. Betancourt said the two units have been vacant for some time and the developer is wanting to make use of the property. He said they were not aware of any previous denials but understand if there are additional conditions

needed for this to be approved. Mayor Sheehy asked if there were any other considerations discussed for this area, to which Mr. Betancourt said only the analysis of the lift station and stormwater conditions.

Discussion ensued related to the location and use of the property under the Bridge. Mr. Gilbert explained that the property under the Bridge is privately owned but surrounded entirely by right-of-way.

Councilmember Campbell expressed concern that the property under the Bridge is noncontiguous to the hotel and asked if the developer planned to reduce the size of the building footprint to allow for outdoor furniture, to which Mr. Betancourt said some early concepts showed a courtesy rail and fenced area off the building approximately five feet that they would be willing to forgo if needed.

Councilmember Lane expressed concerns that the proposed use under the Bridge would restrict public access to the shoreline and the Bridge.

There was discussion regarding the history and ownership of the parcels under the Bridge.

Councilmember Campbell after doing some research she learned that the intention of these parcels under the Bridge was for public use (like gift shops) and not private use.

Councilmember Coke asked if the owner would be able to move forward with this project if the units under the Bridge were not approved, to which Mr. Betancourt said the owner was looking at completing the two units under the Bridge first as Phase I of the entire project. Councilmember Coke wondered if the applicant had the option of creating a common space or railing next to the two units under the Bridge.

Mr. Brett Miller, property owner, addressed the council and said he purchased the property in 2004 with 15 hotel rooms and a lot of vacant space, and in 2008 a lot of the tenants left including the coffee shop that was under the Bridge. He explained that he owns the property under the Bridge and insures and maintains all the sidewalk and stairs around that property. He said he has considered several uses there including a liquor store and hamburger place; however, the health department did not want grease directly under the Bridge; therefore, he is limited to what can go there. Mr. Miller said he has been holding on to this vacant space for approximately seven years and has a demand for more hotel rooms which he feels would be the most quiet and cleanest use of the property.

Mayor Sheehy asked if the hotel rooms under the Bridge would have a railing or outdoor patio space or if the right-of-way would go right up to the hotel room doors, to which Mr. Miller said he has found (with the current hotel rooms) that outdoor furniture in the public

right-of-way does not work. He said he believes the public right-of-way extends along the front of the proposed two hotel rooms but not along the side which gives them a small buffer.

Development Services Director Jeff Thuneman explained that there is a 20-foot pedestrian access easement along the seawall to the Bridge. Mayor Sheehy said it looked like hotel room doors, if located along the side without the easement, would give them some flexibility on what they would like to do, to which Mr. Thuneman said yes and explained that this location has a pedestrian accessway and an overall London Bridge right-of-way. He further explained that right-of-way is overlayed over private property, so the Heat Hotel owns the property, but the City owns the right-of-way that is overlayed over the property (similar to a public utility easement on private property).

Mayor Sheehy opened the public hearing.

Mr. Kenneth Albrecht, citizen, addressed the council and said he owns a residential unit within the Southgate Condominiums. He said the homeowners are unanimously opposed to the addition of eight hotel units being requested by the Heat Hotel noting that six of the units are prohibited without a unanimous approval of all condominium units as set forth in the condominium declaration of Arizona's Condominium Act. He said additional units would add more hotel guests to an already limited common area, would detract from privacy and lifestyle of the owners of the residential units, and would negatively affect home values. He presented the council with a copy of a demand letter dated March 22, 2024, to Mr. Miller which includes a copy of the condominium declaration page and Arizona's Condominium Act page, as well as a copy of a signed protest letter, and requested that the demand letter and protest letter be made part of the record for this hearing.

Mayor Sheehy asked Mr. Albrecht if he was opposed because of parking or why he was opposed this project, to which Mr. Albrecht said parking is a concern but also because of the elimination of the common/community element (bar and viewing space) that is a part of the Bridge, limited parking for guests with large trucks and trailers which would increase with the addition of more hotel rooms, and trash and storm drain contamination.

Mayor Sheehy asked Mr. Albrecht if his unit was one of the five condominium units located directly south of the hotel, to which Mr. Albrecht said yes, they are all part of the same development.

Vice Mayor Moses asked if the bar area is part of the common area for the condominiums, to which Mr. Albrecht said it is part of the common area of the association and part of the Planned Development which includes the hotel rooms, commercial

element, residential units, and the one residential unit above the garages within the parking area behind the gate. He stated that Mr. Miller purchased the property with 15 hotel rooms and now wants 35 to 37 rooms which completely eliminates the commercial aspect of the property and outdoor elements of a resort.

Mr. David Diaz, citizen, addressed the council and said he does not recall the presentation given at the Commission meeting including the two units under the Bridge.

Ms. Garry interjected stating that Mr. Diaz' comments are not appropriate unless he is speaking as a private citizen and not as the Chairman of the Commission.

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

Councilmember Campbell expressed concerns regarding the legality of this item and that the packet materials did not mention a protest and asked if a protest had been filed with the City Clerk's Office, to which Ms. Williams stated no.

Councilmember Dolan said he could not support approving the two hotel units under the Bridge. He said there is a level of commercial he does not want to see eliminated and understands it is a difficult area for commercial but felt it was strange to have two hotel units under the Bridge. Mr. Miller responded that if nobody stays in those rooms because it is strange than nothing changes and it is a bad business investment on his part, but if they do stay in those rooms then he does not think it affects the city nor the glorious London Bridge. Mr. Miller stated that he could move forward today with putting a liquor store on the property but does not think that would be the best use for the property and asked that he be given the choice as what he is proposing to do is a commercial use.

Councilmember Dolan said he would not have approved a commercial building under the Bridge back in 2000 and cannot support changing its use today to hotel units. Mr. Miller said he realizes he purchased the property with the conditions in place but there is a demand for more hotel rooms, which they feel would be the best use and least obtrusive to the Bridge. Mr. Miller added that as the president of their Homeowner's Association they held a meeting prior to going before the Commission with only one tenant in attendance who proposed changing the use to add more docks. He explained that the residential and commercial sides of the development are all individual condominiums, including the coffee shop and the hotel rooms under the bar. He said it is a weird area and they try to keep it clean, but they cannot see behind the building and when there is no traffic there or hotel guest telling them that something is behind the building, then it is not getting caught.

Ms. Garry advised that the council has the option to adjourn to executive session to obtain

legal advice.

Vice Mayor Moses moved to adjourn to executive session, seconded by Councilmember Lane.

The City Council adjourned to executive session at 6:54 p.m.

The City Council reconvened the Regular Meeting at 7:08 p.m.

Councilmember Lane spoke concerning the objections from the residential condominiums, and the safety and security of the two hotel rooms under the Bridge.

Vice Mayor Moses moved to adopt Ordinance No. 24-1329 approving an amended General Development Plan with the conditions contained in the Ordinance and a Planned Development rezone for Planned Development No. 00-07, Heat Hotel, located at 1420 McCulloch Blvd. N, seconded by Councilmember Coke, and failed by the following vote:

Aye: 3 - Mayor Sheehy, Councilmember Coke and Vice Mayor Moses

Nay: 4 - Councilmember Campbell, Councilmember Lin, Councilmember Dolan and Councilmember Lane

Councilmember Dolan moved to adopt Ordinance No. 24-1329 approving an amended General Development Plan with the conditions contained in the Ordinance and a Planned Development rezone for Planned Development No. 00-07, Heat Hotel, located at 1420 McCulloch Blvd. N, limited to the six units eliminating the two units under the Bridge, seconded by Councilmember Campbell, and carried by the following vote:

Aye: 5 - Councilmember Campbell, Councilmember Lin, Councilmember Coke, Councilmember Dolan and Vice Mayor Moses

Nay: 2 - Mayor Sheehy and Councilmember Lane

Due to technical difficulties, Mayor Sheehy reordered the agenda. Items 7.5 and 7.6 were presented prior to Items 7.3 and 7.4.

- 7.5** [ID 24-4196](#) Approve Cooperative Purchase Agreement with Dell Marketing L.P. and the Cooperative Purchases of General Computer Equipment, Peripherals, and Related Services; and Cooperative Purchase of a Network Server Expansion from Sterling Computers Corporation (*Jonathan Baskette*)

Information Technology Division Manager Jonathan Baskette advised that this item is requesting approval to expand the city's network server infrastructure utilizing a cooperative purchase agreement with Sterling Computers Corporation in the amount of

\$119,337.84. He said the network currently hosts more than 140 servers in the city which continues to grow in resource utilization. He added that this item was budgeted in the current Fiscal Year 2023-24 (General Fund) budget.

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 the Cooperative Purchase Agreement with Dell Marketing L.P.; approve expenditures for general computer equipment, peripherals, and related services in excess of \$50,000 annually; authorize City staff to exercise the option to renew for 36 additional months; and approve the purchase of server infrastructure for \$119,337.84 from Sterling Computers Corporation, 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 24-4201](#) Approve Cooperative Purchase of Two (2) 2024 Leader Type I 4WD Ambulances Mounted on 2023 Ford-550 4x4 Diesel Chassis from Professional Sales and Service, L.C. through the Houston-Galveston Area Council (*Chief Pilafas*)

Fire Chief Pete Pilafas advised that this item is requesting approval of a cooperative purchase agreement for the purchase of two ambulances from Professional Sales and Services, L.C., in the amount of \$831,494.06, subject to approval of the Certificate of Necessity (CON) and implementation of the medical transport program. Chief Pilafas noted that delivery of the ambulances is expected this year in August or September.

Mayor Sheehy asked how many ambulances would be in the fleet if this was approved, to which Chief Pilafas replied five.

Discussion ensued regarding the ambulance fleet if the city does not receive the CON.

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

Councilmember Coke moved to approve the cooperative purchase of two (2) 2024 Leader Type I 4WD Ambulances mounted on 2023 Ford-550 4x4 Diesel Chassis from Professional Sales and Service, LC, utilizing the HGAC contract in the amount of \$831,494.06; authorize the City Manager to execute the Cooperative Purchase Agreement; and authorize City staff to exercise the option to renew the agreement for three additional one-year terms, 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

- 7.3** [ID 24-4211](#) Approve Cellular Tower Land Lease Agreement with TowerCom XI-B, LLC, for a New Cellular Communications Site to be Located at 1867 Walnut Drive (*Chris Gilbert*)

Mr. Gilbert advised that this item is requesting approval of a cellular tower land lease agreement with TowerCom XI-B, LLC, for a new cellular communications site located at 1867 Walnut Drive. He said the subject property is located on the south side of the Mulberry Wastewater Treatment Plant and is zoned Single-Family Residential (R-1). Mr. Gilbert reviewed the site plan and coverage maps showing the cellular signal strength throughout the city with and without the proposed cell tower site. He stated that as part of the agreement the city would receive approximately \$1,700 a month and added that the Commission approved the Major Conditional Use Permit for this cell tower site at their March 6th meeting.

Mayor Sheehy asked about the tower and site elevations, to which Mr. Gilbert said the elevation varies and added that the cellular tower site would sit slightly higher than the surrounding area.

Ms. Linda Grise, with TowerCom, addressed the council and displayed a mock-up photograph of the cellular tower at the proposed location with four carriers.

Mr. Stephen Kennedy, with TowerCom, addressed the council and reviewed the current and proposed coverage versus capacity and objectives of the new site. He said this location was selected because sectors on surrounding sites are overloaded and there is low throughput per connection for wireless customers in the area. He said it was also selected because there is a lack of indoor service for wireless customers (shown through crowdsource data) and there is a significant amount of increased network use in the suburban and rural areas of Arizona. He added that the tower would follow all Federal Communications Commission (FCC) limits, and further added that while this is a capacity site, crowdsource data and modeling show the need for an additional site for coverage as all three major carriers are lacking in service in the area and there is a capacity need as the surrounding sites have low throughput per user.

Discussion ensued regarding frequency bands, bandwidth, building penetration, and concentration of frequency signals.

Mayor Sheehy opened the public hearing.

Mr. Kelly Lutz, citizen, addressed the council and asked what the ratio is for the city to

use the tower versus what the city is charging TowerCom to use the land, to which Mr. Thuneman said the city has the ability to co-locate on this tower at no cost.

Ms. Bonnie Toy, citizen, addressed the council and asked why a tree or cactus design was not considered for the tower, to which Mr. Gilbert said those design options were discussed with the applicant to determine how to best blend the tower (with four co-locates) in the community. He said after considerable discussion with the applicant a non-reflective earth tone color was selected.

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

Mayor Sheehy reviewed the design and location of the cellular tower and added that the land use permit was approved by the Commission.

Councilmember Lane moved to approve the Cellular Tower Land Lease Agreement with TowerCom XI-B, LLC, and its associated documents for a new Cellular Communications Site to be located at 1867 Walnut Drive, 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

- 7.4** [ID 24-4213](#) Approve Cellular Tower Land Lease Agreement with TowerCom XI-B, LLC, for a New Cellular Communications Site to be Located at 2330 McCulloch Blvd. N. *(Chris Gilbert)*

Mr. Gilbert advised that the subject property is located at 2330 McCulloch Boulevard North on City-owned property that also contains City Hall and the associated parking lot. He said the property is currently zoned Mixed-Use Neighborhood Planned Development (MU-N/PD) and reviewed the coverage maps showing the cellular signal strength throughout the city with and without the proposed cell tower site. Mr. Gilbert reviewed the tower elevations and site plans which include up to four co-locates.

Ms. Grise displayed a mock-up photograph of the cellular tower at the proposed site.

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

Councilmember Dolan moved to approve the Cellular Tower Land Lease Agreement with TowerCom XI-B, LLC, and its associated documents for a new Cellular Communications Site to be located at 2330 McCulloch Blvd. N., 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 24-4216](#) Award Professional Services Agreement for the Kiowa Drain 3 Wash Stabilization Improvements Project Design to Kimley-Horn & Associates, Inc. *(Mike Wolfe)*

Assistant City Engineer Mike Wolfe advised that this item is requesting award of a professional services agreement with Kimley-Horn & Associates, Inc., for the Kiowa Drain 3 Wash Stabilization Improvements Project Design. Mr. Wolfe said based on the 2015 Wash Stabilization Study, the Kiowa Drain 3 was prioritized as number eight of the top ten washes – with reach 3 having a high priority due to significant erosion and scour. He said the purpose of the project is to construct a more stable channel profile with drop and energy dissipation structures to reduce scour and erosion from Cactus Wren Drive to Kiowa Avenue multiple culvert crossing, provide grade control and maintenance accessibility, and reduce risk for adjacent property damage. Mr. Wolfe reviewed photographs of the condition assessment showing significant scour, slot cut, wash bank erosion, and sediment transport. He reviewed the project permit and environmental studies required and estimated timeline for completion of this project.

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

Councilmember Coke moved to award the Professional Services Agreement for the Kiowa Drain 3 Wash Stabilization Improvements Project to Kimley-Horn & Associates, Inc., in the amount of \$155,769, 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 24-4198](#) Approve Cooperative Purchase Agreement and Cooperative Purchase of Video Detection Systems Required from Iteris, Inc. *(Bill Young)*

Interim Public Works Director Ron Foggin advised that this item is requesting approval of a cooperative purchase agreement with Iteris, Inc., for video detection systems to improve traffic flow, remove detection loops from the asphalt, and diagnose and fix signal issues quickly. He added that the city is working to upgrade and standardize the traffic signals and would like to add three video detection systems to traffic signals each year.

Councilmember Lane asked for further information related to the detection loop system. Mr. Foggin stated that the detection loop system has a tendency to not recognize motorcycles or smaller vehicles; however, these video detection systems do a better job of

identifying smaller vehicles and allow for traffic counts.

Mayor Sheehy opened the public hearing.

Ms. Toy addressed the council regarding an issue she had at a traffic intersection where the light did not change.

Mayor Sheehy said this upgraded technology would address that issue.

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

Councilmember Dolan moved to approve and authorize the City Manager to execute the Cooperative Purchase Agreement with Iteris, Inc., and approve the cooperative purchase of video detection systems, 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

- 7.9** [ID 24-4200](#) Approve Cooperative Purchase Agreement and Cooperative Purchases of Electrical Energy Power Generation Equipment with Related Parts, Supplies, and Services from Empire Southwest, LLC, dba Empire Power Systems, Inc. (*Bill Young*)

Mr. Foggin advised that this item is requesting approval of a cooperative purchase agreement for purchases of electrical power generation equipment and related parts, supplies, and services exceeding the \$50,000 threshold with Empire Southwest, LLC.

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 the Cooperative Purchase Agreement for electrical energy power generation equipment with related parts, supplies and service with Empire Southwest, LLC, dba Empire Power Systems, Inc.; approve routine expenditures to exceed \$50,000 annually; and authorize City staff to exercise the option to renew the Agreement for one additional one-year term, 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

- 7.10** [ID 24-4199](#) Approve Cooperative Purchase Agreement and Cooperative Purchases of Heavy-Duty Fleet, Construction and Agricultural/Industrial Parts, Service and Accessories from

Freightliner of Arizona, LLC, dba Velocity Truck Centers (*Bill Young*)

Mr. Foggin advised that this item is requesting approval of annual expenditures exceeding \$50,000 with Velocity Truck Centers through a cooperative purchase agreement for heavy duty fleet, construction, and agricultural/industrial parts, service, and accessories.

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

Councilmember Lane moved to approve and authorize the City Manager to execute the Cooperative Purchase Agreement for heavy duty fleet, construction and agricultural/industrial parts, service and accessories from Freightliner of Arizona, LLC, dba Velocity Truck Centers; approve routine expenditures to exceed \$50,000 annually; and authorize City staff to exercise the option to renew the Agreement for one additional one-year term, 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

7.11 [ID 24-4215](#) Approve the Cooperative Purchase of Two (2) 2024 Ford F250 Regular Cab 4X2 and One (1) 2024 Ford F250 Regular Cab 4X4 from San Tan Auto Partners LLC (*Bill Young*)

Mr. Foggin advised that this item is requesting approval of the purchase of two 2024 Ford F250 Regular Cab 4x2 and one 2024 Ford F250 Regular Cab 4x4 from San Tan Auto Partners, LLC, in the amount of \$143,548.28, through a cooperative purchase agreement. He explained that two of the vehicles are replacements in the Parks Maintenance Division and one vehicle is for replacement in the Streets Maintenance Division. All three vehicles will replace existing equipment that have met or exceeded the replacement criteria.

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

Vice Mayor Moses moved to approve the cooperative purchase of two (2) 2024 Ford F250 Regular Cab 4X2 vehicles and one (1) 2024 Ford F250 Regular Cab 4X4, in the amount of \$143,548.28, from San Tan Auto Partners, LLC, subject to release of any 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 Dolan, 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

- 7.12** [ID 24-4202](#) Approve Change Order No. 1 to the Job Order Contract (JOC) Task Order Proposal No. 1 for the Fiscal Year (FY) 2023-24 Chip Seal Program with Cactus Asphalt and Approve Raising the Per Project Limit for JOC Task Order No. 1 to \$1,200,000 (*Bill Young*)

Mr. Foggin advised that in February 2024, the City Council awarded the Job Order Contract (JOC) Task Order Proposal No. 1 for the Fiscal Year 2023-24 Chip Seal Program to Cactus Asphalt in the amount of \$999,020.59. He said staff is requesting to add three additional streets to the Task Order in the amount of \$181,239.56 bringing the total cost of the project to \$1,180,260.15, which requires City Council approval to exceed the \$1,00,000 maximum per project task order limit.

Councilmember Campbell asked if there were multiple bidders on this project, to which Mr. Foggin explained that under a JOC the city can contact any of the contractors on the JOC for prices and availability. He said Cactus Asphalt is one of the JOC contractors and responded that they would do the work at the price advertised.

Councilmember Dolan spoke concerning the overlap and poor quality of chip seal in past years, to which Mr. Foggin responded that the city would be monitoring the chip seal road work.

Mayor Sheehy opened the public hearing.

Mr. Morgan Braden, citizen, addressed the council and asked if the city has a guarantee from the contractors responsible for the chip seal work, to which Mr. Foggin replied yes.

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

Vice Mayor Moses moved to approve raising the per project task order limit for JOC Task Order Proposal No. 1 to \$1,200,000; and approve Change Order No. 1 to the JOC Task Order Proposal No. 1 for the FY 2023-24 Chip Seal Program with Cactus Asphalt in an amount not-to-exceed \$1,180,260.15 in total expenditures, 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

8. CALL TO THE PUBLIC

Ms. Pam Swenson, citizen, addressed the council concerning the number of vehicles being purchased from San Tan Auto and asked if other dealers had been pursued for vehicle bids. She also spoke concerning multiple vehicle purchases being grouped together under

one agenda item.

Mr. Murray addressed the council and commended the City Council on the new Municipal Courthouse facility.

9. CURRENT EVENTS

Councilmember Campbell reported on the Lake Havasu Metropolitan Planning Organization (LHMPO) and the Chamber of Commerce.

10. FUTURE MEETINGS

Thursday, April 11, 2024 @ 9:00 a.m. – Budget/CIP Overview Work Session

Tuesday, April 23, 2024 @ 5:30 p.m. – Regular Meeting

Thursday, May 9, 2024 @ 9:00 a.m. – Budget/CIP Work Session

11. FUTURE DISCUSSION ITEMS

There were no requests from Council for future discussion items.

12. ADJOURN

Upon motion by Councilmember Lane and seconded, the meeting adjourned at 8:45 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 9th day of April, 2024. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/MMC