

Lake Havasu City Council Regular Meeting
Police Facility, 2360 McCulloch Boulevard North
Tuesday, August 9, 2016, 6:00 PM

CALL TO ORDER

Mayor Nexsen called the meeting to order at 6:00 p.m.

INVOCATION

Chaplain Bea Evans with City on a Hill International Church gave the invocation.

PLEDGE OF ALLEGIANCE

The Mayor led in the Pledge of Allegiance.

ROLL CALL

PRESENT: Councilmembers Mark Nexsen, Dean Barlow, Donna Brister-McCoy, Don Callahan, Jeni Coke, Cal Sheehy, and Michele Lin.

CALL TO THE PUBLIC

Mr. Richard Rounds, Chairman of Havasu Area Public Art (HAPA), read the following into the record, "I am Richard Rounds, Chairman of HAPA, a 2 year old organization. We are an Incorporated, 501(c)3, members of the Allied Arts Council and the Chamber of Commerce. We have an 11 member board that has been planning for these 2 years and that is now at the point of implementing several public arts projects in the city area. The purpose of HAPA is to encourage, support and develop public art in the Lake Havasu City Area. We applaud the new evidences of Public Art which is emerging at the Red Onion location and Springberg/McAndrew Park, due to the work of Steve Van Ella and the David McAtlin group. It is recognized that the development of Public Art frequently requires the utilization of City owned Building, Parks, Right of Way, etc., for the locations for such public Art: Statues, Sculptures, Ceramics, Murals and other types of art: This is what makes it PUBLIC ART. It is also recognized that Public Art is a significant part of the vision for Lake Havasu City's developing Cultural element which is a part of the 20/20 program, in which Lake Havasu City is now one of the finalists. We are, therefore, requesting that the issue of the use and availability of Lake Havasu City owned buildings and other City controlled properties be placed on a future City Council Agenda to begin to deal effectively with the issue of the development of Public Art in our City. Thank you for your time today to bring this issue before the Council."

CONSENT AGENDA

The following items will be considered as one item by the City Council and will be enacted with one motion with no separate discussion unless a Councilmember so requests, in which event the item will be removed.

6.1 Approve the July 26, 2016, City Council Regular Meeting Minutes

6.2 Adopt Resolution No. 16-3070 Abandoning the Entire 20-foot Public Utility and Drainage Easement lying Northerly, Parallel and Adjoining the Southerly Boundary of Tract 135A, Block 3, Lot 31

6.3 Adopt Resolution No. 16-3074 Abandoning the Easterly 10-foot by 20-foot Portion of a 10-foot by 50-foot Public Utility, Drainage, and Anchor Easement along the Southerly Property Line of Tract 2224, Block 6, Lot 15

6.4 Adopt Resolution No. 16-3075 Approving Services Agreement with Lake Havasu Unified School District #1 for After School Enrichment Opportunities for FY 2016-17

6.5 Adopt Resolution No. 16-3077 Approving the Assistance Agreement with the Bureau of Reclamation for the Implementation of the 2015 Water Conservation Plan-R16AP00038

6.6 Adopt Resolution No. 16-3072 Ratifying the City Manager's Execution of Assistance Agreement, Modification No. 1, with the Bureau of Reclamation to Extend the Water Conservation Rebate Program to June 30, 2017

6.7 Recommend Approval of a Special Event Liquor License Application for the Norona Effect Annual HavaSlide event on September 24, 2016, at 2019 McCulloch Boulevard / Gray

- 6.8 Recommend Approval of a Special Event Liquor License Application for the IJSBA World Finals on October 6, 7, 8 & 9, 2016, at 1534 Beachcomber Boulevard / Howe
- 6.9 Recommend Approval of a Special Event Liquor License Application for the Annual Walk to the Moon Car Show on October 21, 2016, at 210 Swanson Avenue / Gray
- 6.10 Recommend Approval of a Special Event Liquor License Application for the Annual Relics & Rods Run to the Sun Car Show on October 21 & 22, 2016, at 1477 Queens Bay / White
- 6.11 Recommend Approval of a Special Event Liquor License Application for the Annual Chillin 'n Swillin event on November 5, 2016, at 1400 Smoketree Avenue / Gutierrez
- 6.12 Call for Executive Session Pursuant to A.R.S. 38-431.03(A) 5:00 p.m. Tuesday, September 13, 2016

Councilmember Sheehy requested that Item 6.10 be removed from the Consent Agenda for separate discussion.

Councilmember Callahan moved to approve the Consent Agenda, with the exception of Item 6.10 which was removed for separate discussion, as presented, seconded by Councilmember Sheehy, and unanimously carried.

6.10 Recommend Approval of a Special Event Liquor License Application for the Annual Relics & Rods Run to the Sun Car Show on October 21 & 22, 2016, at 1477 Queens Bay / White

Councilmember Sheehy recused himself from participating and voting on this item.

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

Councilmember Callahan moved to recommend that the Arizona Department of Liquor Licenses & Control approve a Special Event Liquor License for the Annual Relics & Rods Run to the Sun Car Show on October 21 & 22, 2016, from 8:00 a.m. to 4:00 p.m. at 1477 Queens Bay, seconded by Councilmember Coke, and carried with all councilmembers voting “aye,” with the exception of Councilmember Sheehy who abstained from voting.

CORRESPONDENCE, COMMUNICATIONS, PETITIONS, ANNOUNCEMENTS, CITY MANAGER REPORT

7.1 Announce Vacancies on Lake Havasu Boards, Committees, and Commissions

City Clerk Kelly Williams announced the current vacancies on various Lake Havasu City Boards, Committees, and Commissions.

7.2 City Manager's Report

City Manager Charlie Cassens reported on the following:

- Sales Tax updates.
- The Certificate of Achievement for Excellence in Financial Reporting has been awarded to Lake Havasu City by the Government Finance Officers Association for its comprehensive annual financial report (CAFR). This is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive “spirit of full disclosure” to clearly communicate its financial story and motivate potential users and user groups to read the CAFR. Mr. Cassens thanked Administrative Services Director Tabatha Miller and the Administrative Services staff for their hard work in putting together the award-winning report.
- Code Enforcement updates. There are currently 51 open cases.
- Building Permit updates.
- Special Events:
 - Friday, August 26th from 7:30 a.m. to 10:00 a.m. – Hunger Awareness Walk

8.1 Series #10 Liquor License, Motor & Boat Food & Fuel, 2890 Jamaica Boulevard South / Ticknor

Ms. Williams advised that Mr. Steven Ticknor applied for a Series #10 Beer and Wine Store Liquor License for Motor & Boat Food & Fuel, located at 2890 Jamaica Boulevard South. Ms. Williams said all posting requirements have been met, all fees were paid, and no objections were received. She added that a liquor license was previously held at this location.

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

Councilmember Barlow moved to recommend that the Arizona Department of Liquor Licenses & Control approve a Series #10 liquor license for Motor & Boat Food & Fuel, 2890 Jamaica Boulevard South, seconded by Councilmember Callahan, and unanimously carried.

8.2 Series #12 Liquor License, The Spot, 3612 Jamaica Boulevard South / Thornton

Ms. Williams advised that Ms. Shannon Thornton has applied for a Series #12 Restaurant Liquor License for The Spot, located at 3612 Jamaica Boulevard South. Ms. Williams said all posting requirements have been met, all fees were paid, and no objections were received. She added that a liquor license was previously held at this location.

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

Councilmember Brister-McCoy moved to recommend that the Arizona Department of Liquor Licenses & Control approve a Series #12 liquor license for The Spot, 3612 Jamaica Boulevard South, seconded by Councilmember Coke, and unanimously carried.

8.3 Series #12 Agent Change and Acquisition of Control Liquor License, Azul Agave, 1561 Palo Verde Boulevard South / Zuniga

Ms. Williams advised that Mr. Joel Zuniga has applied for a Series #12 Agent Change and Acquisition of Control of an existing liquor license for Azul Agave, located at 1561 Palo Verde Boulevard South. Ms. Williams said the City Clerk's office made several attempts to contact the applicant regarding fingerprint requirements and City fees owed; however, to date, the applicant has failed to contact the Lake Havasu City Police Department or the City Clerk's office. Ms. Williams said staff is recommending disapproval of this Agent Change and Acquisition of Control application.

Councilmember Sheehy asked if the applicant applied for the change and then did not follow through with the requirements and fees owed, to which Ms. Williams said that was correct.

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

Councilmember Sheehy moved to recommend that the Arizona Department of Liquor Licenses & Control disapprove a Series #12 Agent Change and Acquisition of Control to Mr. Joel Zuniga for Azul Agave, 1561 Palo Verde Boulevard South, seconded by Councilmember Brister-McCoy, and unanimously carried.

8.4 Adopt Resolution No. 16-3073 Appointing Member(s) to the Planning & Zoning Commission

Ms. Williams advised that the City Clerk's office received two applications requesting consideration for appointment as a regular member to the Planning and Zoning Commission. Ms. Williams noted that one appointment is needed to fill a regular member vacancy that expired July 1, 2016.

Mr. John Kendig, applicant, addressed the Council and said the Planning and Zoning Commission plays an important role and asked for the Council's consideration in appointing him as a regular member.

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

Councilmember Sheehy said the other applicant, Ms. Keri Elias, requested appointment for either the Planning and Zoning Commission or the Parks and Recreation Advisory Board and he asked if her application would be kept on file for a future opening, to which Ms. Williams responded yes. She said the City Clerk's office reached out to Ms. Elias to see if she was interested in being considered for both vacancies tonight and Ms. Elias informed staff that she was interested in the Planning and Zoning Commission vacancy at this time. Ms. Williams noted that her application would remain on file in the City Clerk's office in the event of a future vacancy.

Councilmember Brister-McCoy moved to adopt Resolution No. 16-3073 appointing Mr. John Kendig as a regular member to the Planning and Zoning Commission for a term ending June 30, 2019, seconded by Councilmember Callahan, and unanimously carried.

8.5 Adopt Resolution No. 16-3076 Appointing Member(s) to the Parks and Recreation Advisory Board

Ms. Williams advised that the City Clerk's office received one application requesting consideration for appointment as a regular member to the Parks and Recreation Advisory Board. Ms. Williams added that one appointment is needed to fill an expired term of a regular member with a term to expire June 30, 2019.

Mr. Jason Keough, applicant, addressed the Council and said although his family just recently moved to Lake Havasu City they have been visiting for the last seven years. He said he has served in the service industry for the last 10 years and as a project manager for the Federal Government for the last six years. Mr. Keough said he is currently a Program Analyst with the Department of Health and Human Services and added that he is interested in serving on the Parks and Recreation Advisory Board and building relationships within the community.

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

Councilmember Barlow moved to adopt Resolution No. 16-3076 appointing Mr. Jason Keough as a regular member to the Parks and Recreation Advisory Board with a term to expire June 30, 2019, seconded by Councilmember Callahan, and unanimously carried.

8.6 Introduce Ordinance No. 16-1160 Amending Lake Havasu City Code Title 14, Zoning, to Make Necessary and Minor Corrections to the Amendments Adopted June 28, 2016

Community Investment Director/City Engineer Greg Froslic said this item is amending the current Lake Havasu City Zoning Code, Title 14, which was adopted by the Council back in February. He added that an amendment was made in June and since then staff has identified four minor repairs which need to be corrected. Mr. Froslic noted that the corrections are limited to typographical repairs.

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

Councilmember Coke moved to introduce Ordinance No. 16-1160 amending Lake Havasu City Code Title 14, Zoning, to make necessary and minor corrections to the amendments adopted June 28, 2016, seconded by Councilmember Brister-McCoy, and unanimously carried.

8.7 Introduce Ordinance No. 16-1161 Amending City Code Chapter 6.04, Licensing, Section 6.04.010(L), Definitions, to Amend Service Animal Definition

City Attorney Kelly Garry advised that during the recent legislative session, House Bill 2255 was passed into law that revised the definition of service animal contained in the Animal Control Provisions of Title 11 of the Arizona Revised Statutes (A.R.S.). She said the City bases its definition of service animal on the State's definition, and added that the law prohibits service animals from being charged license fees. Ms. Garry said the revision of this State law incorporates service animals in training within the definition of service animal. She said the purpose of

this revision is to include and extend to service animals in training, the exemption from licensing fees and it is necessary to revise the City's definition to comply with and align to the revised State law.

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

Councilmember Callahan moved introduce Ordinance No. 16-1161 amending Lake Havasu City Code Chapter 6.04, Licensing, Section 6.04.010(L), Definitions, to amend the definition of Service Animal, seconded by Councilmember Barlow, and unanimously carried.

8.8 Adopt Resolution No. 16-3080 Approving Reimbursement of Future Bond Proceeds for Expenditures Made Prior to Debt Issuance

Administrative Services Director Tabatha Miller said before the Council is approval of a reimbursement resolution.

Ms. Miller's presentation outlined the following:

What this resolution does not do:

- Authorize any debt issuance
- Authorize any construction or design contracts project
- Change the budget adopted by the Council in June
- Impact the City's goal to use grant revenues first, when available to pay for capital improvements

What this resolution does do:

- Allows the City to get reimbursed from future debt proceeds for expenditures incurred prior to debt issuance for the projects listed on Exhibit A
- Up to 60 days, within 18 months or when the project is placed in service

Purpose of the potential debt issuance:

- Excludes the project expenditures from the Expenditure Limitation
- Excludes the debt service payments from the Expenditure Limitation when the debt is repaid

Expenditure Limitation – History and Formula:

In the summer of 1980, the State Legislature referred a constitutional amendment to the voters designed to limit the annual expenditures of all Arizona cities and towns by a formula based on full-time resident population and inflation. The formula does not provide any adjustment for part-time residents and visitors, and does not adjust for new services.

2015 Population	X	2015 GDP Implicit Price Deflator	X	FY 1979 – 80 Base Limit	=	FY 2016-17 Expenditure Limitation
1978 Population		1980 GDP				
Lake Havasu City Final FY 2016-17 Expenditure Limitation						
53,583	X	110.003	X	\$4,711,264	=	\$56,690,934
13,000		37.680				

Expenditure Limitation Exclusions:

- Grants/Gifts and Contributions
- Investment Earnings
- Highway User Revenue Funds (HURF) above FY 1979-80 level

- Noncash transactions
 - Depreciation
- Separate Legal Entities' Expenditures
 - Irrigation Drainage District (IDD)
 - Improvement Districts
 - Metropolitan Planning Organization (MPO)
- Debt Services and Bond Proceeds
 - Expenditure of Proceeds
 - Repayment of Debt

Expenditure Limitation – Things to Consider:

- The Limitation has no impact on the revenue a City can collect, excepting the penalties referenced below. It only limits the amount a City can spend.
- The Expenditure Limitation does not reduce City taxes, utility charges or other revenue sources.
- The penalty for exceeding the Limitation is withholding of state shared revenue up to five times the exceeded amount.

Expenditure Limitation – Voter Approved Solutions:

- Alternative Expenditure Limitation (Home Rule Option)
- Permanent Base Adjustment
- Capital Projects Accumulation Fund – obsolete
- One-time Override
- Emergency Override

What other Cities/Towns Have Done:

- 79 out of 91 (87%) cities/towns operate under one of the Expenditure Limitation opt out options.
- The following cities/towns still operate within the Expenditure Limitation:
 - Bullhead City
 - Lake Havasu City
 - San Luis
 - Camp Verde
 - Pinetop-Lakeside
 - Willcox
 - Dewey-Humboldt
 - Quartzsite
 - Winslow
 - Holbrook
 - Sahuarita
 - Yuma
- 25 cities/towns operate under the Permanent Base Adjustment.
- 54 cities/towns operate under the Alternative Expenditure.

Expenditure Limitation Recommendation:

- Short-term
 - Manage expenditure exclusions
 - Utilize financing options for capital outlay and capital projects
- Long-term
 - Place One-time Override Option on FY 2017 ballot to use additional expenditure capacity for specific capital projects in FY 2018

- Place Home Rule Option on the Fall 2018 (City Council Election) ballot effective FY 2019-2022

Councilmember Barlow asked if the City were to place this on the ballot in two years and set the numbers based on the opt-out option would the numbers stay there or would they fall back after the end of four years, to which Ms. Miller replied that the numbers would fall back unless the City asked the voters again to opt-out and use the Alternative Expenditure Limitation.

Councilmember Lin asked what the cap is for the current Expenditure Limitation, to which Ms. Miller replied \$56.7 million, and added that the only reason the City has been able to operate at that level is because the sewer debt service and IDD expenditure items are excluded.

Councilmember Lin asked if the City's current budget is \$145 million, to which Ms. Miller said yes and added that the difference is that the exclusions, plus any debt that the City is able to issue this year, is excluded. Ms. Miller said she is certain that the City will be right at that number.

Councilmember Sheehy said the City is sitting on a healthy fund balance but is being forced to consider issuing debt in order to complete projects that are very important to the community. Ms. Miller said the City could cash fund most of the projects very easily but cannot due to the Expenditure Limitation.

Mayor Nexsen asked if the City would go to a bank for debt proceeds, to which Ms. Miller answered that it is likely the City will go to a bank. She said one determining factor will be whether the City borrows the \$12 million or \$22 million, and then factor in the best terms and the cost of issuance. Mayor Nexsen added that another important factor will be no pre-payment penalties.

Councilmember Lin asked if the dollar amount would be brought before the Council for approval, to which Ms. Miller said yes.

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

Councilmember Barlow moved to adopt Resolution No. 16-3080 approving reimbursement of future bond proceeds for expenditures made prior to debt issuance, seconded by Councilmember Brister-McCoy, and unanimously carried.

8.9 Adopt Resolution No. 16-3071 Ratifying Submission of an Application for Grant Funding with United States Department of Justice for the Bulletproof Vest Partnership Program

Police Chief Dan Doyle advised that before the Council is a resolution to ratify the submission of a grant application to the United States Department of Justice (DOJ) for a Bulletproof Vest Partnership Program. Chief Doyle said the City has applied for this grant for the last 16 years and said the grant pays for 50 percent of the Police Department's bulletproof vest replacements. He said over the next two years staff anticipates rotating out approximately 44 vests at a cost of \$44,520.08, of which the grant will cover half that cost.

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

Councilmember Sheehy moved to adopt Resolution No. 16-3071 ratifying submission of an application for grant funding with United States Department of Justice for the Bulletproof Vest Partnership Program; and authorize the City Manager to execute all subsequent agreements, deliver all documents necessary to carry out the terms and intent of the grant, and take all steps necessary to implement and complete the activities funded and required by the grant subject to review and approval by the City Attorney, seconded by Councilmember Callahan, and unanimously carried.

8.10 Adopt Resolution No. 16-3078 Approving a Grant Agreement with the Federal Aviation Administration for Design and Installation of Electrical Vault and Emergency Back-Up Generator at the Lake Havasu City Municipal Airport

Airport Supervisor Steve Johnston advised that staff is requesting approval of a \$44,000 design grant for an electrical vault at the Lake Havasu Municipal Airport (Airport). He said the current electrical vault is as old as the Airport, is not air-conditioned, and is in need of replacement. Mr. Johnston said the grant is the design piece and staff would be coming back later in the year for the construction grant.

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

Councilmember Brister-McCoy moved to adopt Resolution No. 16-3078 approving the Grant Agreement with the Federal Aviation Administration for the design and installation of Electrical Vault & Emergency Back-Up Generator and authorize the City Manager to execute all subsequent agreements, deliver all documents necessary to carry out the terms and intent of the grant, and take all steps necessary to implement and complete the activities funded and required by the grant subject to review and approval by the City Attorney, seconded by Councilmember Barlow, and unanimously carried.

8.11 Ratify City Manager's Execution of Amendment No. 3 to the Services Contract for Janitorial Services for Various Facilities on a Requirements Basis with Advance Janitorial Services, Inc.

Maintenance Services Division Manager Mark Clark advised that before the Council is an amendment to the existing services contract with a few minor modifications for janitorial services throughout the City.

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

Councilmember Coke moved to ratify the City Manager's execution of Amendment No. 3 to the Services Contract for Janitorial Services for Various Facilities with Advance Janitorial Services, Inc., seconded by Councilmember Callahan, and unanimously carried.

8.12 Approve Amendment No. 1 to Agreement for Engineering Services for Kings View Condo Bridgewater Channel Erosion, Retaining Wall Reconstruction, and Erosion Mitigation Assessment to Kimley-Horn & Associates, Inc. (Project No. CI1000)

Project Manager Ryan Molhoek said before the Council is an amendment to the agreement for Engineering Services for Kings View Condo Bridgewater Channel Erosion, Retaining Wall Reconstruction, and Erosion Mitigation Assessment that is currently in place with Kimley-Horn & Associates, Inc. Mr. Molhoek explained that during the design process it was determined that the project would require United States Army Corps of Engineers (USACE) permitting beyond the scope of the original contract. The amendment allows for Kimley-Horn & Associates, Inc., to perform the evaluations and submit the permitting to the USACE to begin construction.

Councilmember Brister-McCoy said this wall was an issue a few years ago and asked what was being done differently this time, to which Mr. Molhoek said to his knowledge the City has only done some maintenance and temporary fixes; however, this design and construction will be a permanent fix and extends the wall to eliminate any undermining behind it.

Mr. Cassens explained that the sidewalk and wall were constructed as part of the Kings View Condominium Project and then the sidewalk, right-of-way, and wall were dedicated to the City. He said the repair work was only temporary until the City could get all the permitting in place and the lake levels lowered for the wall to be properly engineered and constructed so that it does not become a reoccurring issue.

Councilmember Barlow asked if the original developers were required to obtain the same permitting, to which Mr. Molhoek said he would assume that they did since anyone that touches what the USACE calls the “ordinary high water mark” would be required to go through their process.

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

Councilmember Coke moved to approve Amendment No. 1 to Agreement for Engineering Services for King’s View Condo Bridgewater Channel erosion, retaining wall reconstruction, and erosion mitigation assessment to Kimley-Horn & Associates, Inc., seconded by Councilmember Brister-McCoy, and unanimously carried.

8.13 Award Agreement for Engineering Services for the Lake Havasu Avenue Reconstruction Project to Kimley-Horn

Assistant City Engineer Jeremy Abbott advised that before the Council is a design contract for the Lake Havasu Avenue Reconstruction Project. He said the corridor includes Lake Havasu Avenue between Mesquite Avenue and Swanson Avenue.

Mr. Abbott’s presentation outlined the following:

Schedule

- Design – 11 months
- Construction – 6 months

2 Design Phases

- Phase 1: Data Collection, Infrastructure Condition, Alternative Analysis, Construction Cost Evaluation
- Phase 2: Actual Design based on selected alternative

Public Involvement

- Business/Property Owner Contact
- Stakeholder & Public Meetings

Traffic Analysis

- Business Access
- Crash Data
- Traffic Volume and Intersection Studies

Roadway Improvements

- Pavement Replacement
- ADA/Sidewalk
- Medians/Driveway Access
- Signals

Utility Improvements Coordination

- Private Utilities
- Drainage
- Water & Sewer
- Lighting

Mr. Abbott said the cost of the design contract is \$296,920, with an estimated total, including construction, of \$2.6 million. He added that the project would take approximately 20 months and added that the City anticipates the design contract to be completed by this fiscal year and construction to begin next fiscal year.

Mayor Nexsen said the total cost for the reconstruction project on Acoma Boulevard from Mesquite Avenue to Inlet Drive was around \$500,000 to \$600,000, and asked what difference was between this project and the Acoma Boulevard project, to which Mr. Abbott said the Acoma Boulevard project was a “mill and pave” or a pavement rehabilitation; however, this project is a complete reconstruction which will include large items like widening, medians, driveway adjustments, and utility work.

Mayor Nexsen said six months of construction will be very inconvenient for a lot of people and agreed with having a very big public input process but added that the City will also need to figure out a very good detour in the area as well as ways to get to the businesses. Mr. Abbott agreed and said they will also be looking at the sequencing of the project and will identify sections that will be closed and those that will have access at any given time. Mr. Abbott added that they will also be looking into the possibility of doing a lot of the work at night.

Councilmember Callahan asked if the utility lines would be replaced, to which Mr. Abbott explained that the project will include an initial inspection and test of the utilities to determine whether they are sound or need to be replaced.

Councilmember Callahan asked if the concrete bridges in the middle of the intersections would be removed, to which Mr. Abbott replied yes.

Councilmember Barlow asked about the costs outlined in the bid for core sampling, to which Mr. Abbott said the core sampling is a geotechnical analysis that will sample the soil conditions to ensure that the pavement structure designed can handle the traffic load. Mr. Abbott said the compaction may be fine now but if the project removes and replaces utilities and widens street sections, it is standard practice with any type of structural construction to soil condition the roads.

Councilmember Lin asked about the pedestrian lighting design, to which Mr. Abbott said there are currently pedestrian lights around the corridor; however, the age is unknown and the styles are inconsistent. He said the project will include the downtown design guidelines which will take into consideration ideas identified in R/UDAT, the PARA Study, and Vision 20/20; therefore, as they look at the lights and make improvements to the corridor, the project will also include replacing some of the lights. Councilmember Lin thought it may look inconsistent if the lighting is only being updated within the corridor, to which Mr. Abbott said he did not think there were any other lights that extended past the corridor.

Councilmember Sheehy asked what role the Metropolitan Planning Organization (MPO) had in the project, to which Mr. Abbott said the project is a Capital Improvements Project (CIP) and there is not a direct role for the MPO.

Councilmember Lin asked if there was an immediate need for this project, to which Mr. Abbott said currently the most immediate need is the pavement. He said the pavement section failed, receiving a score of 38 on a scale of 100. Councilmember Lin asked how much it would cost to just do the pavement, to which Mr. Abbott answered that federal law requires that even a “mill and fill” project is required to bring all of the sidewalk and pedestrian infrastructures up to Americans with Disabilities Act (ADA) code. Mayor Nexsen added that if the City were to leave out some of the utilities now it may become an issue later when they have to dig up a new roadway. Mr. Abbott agreed and said because of the size and impact of this project, the goal would be to do it right the first time.

Mayor Nexsen asked about the pavement size, to which Mr. Abbott said the geotechnical analysis will determine the thickness, but based on his understanding of the area it would be a minimum 4-inch pavement thickness.

Mayor Nexsen opened the public hearing.

Mr. Chuck Vaughn addressed the Council and said because this area is heavily used by those getting to and from the bridge he suggested that they consider scheduling the construction work at night which would have less of an impact on traffic and businesses in the area.

Ms. Bonnie Toy addressed the Council and said she would like to see the concrete bridges in the intersections reused in another part of town.

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

Councilmember Sheehy asked if specific design elements would be something the citizens would have an opportunity to discuss during the public process, to which Mr. Abbott said yes.

Councilmember Lin said the item tonight is to only approve the design contract and not the actual construction of the project, to which Mr. Abbott said yes. He said the City estimates the total cost of the project, including construction, to be \$2.6 million; however, that amount could change depending on the public process and also what the City finds during the inspection process. Mayor Nexsen noted that most of the funding would be HURF funding, to which Mr. Abbott replied that was correct.

Councilmember Callahan moved to award the Agreement for Engineering Services for the Lake Havasu Avenue Reconstruction Project to Kimley-Horn in an amount not to exceed \$299,085, seconded by Councilmember Barlow, and unanimously carried.

8.14 Award Agreement for Engineering Services for the Cypress Park & SARA Park Improvements to Shepard-Wesnitzer, Inc.

Mr. Abbott advised that the item before the Council is to award an agreement for engineering services for the Cypress Park and SARA Park Improvements with Shepard-Wesnitzer, Inc.

Mr. Abbott's presentation outlined the following:

- Overall design schedule (January 2017)
- Current budget \$2 million
- Cypress Park (Construction Documents)
- SARA Park Field Improvements (Construction Documents)
- SARA Park (30% Schematic Master Plan)
- Development of cost estimates
- Public presentations
- Contract Cost \$142,880

Mr. Abbott said the Cypress Park improvements include soccer fields, landscape, irrigation, parking facilities, restrooms, concessions, lighting, ramadas, playground, and roadway improvements. He added that the SARA Park improvements include flex field updates (softball, little league, and baseball), four ball fields, six-plus multi-use fields, parking (expansion and improvements), restrooms, concessions, lighting, ramadas, and a playground area. Mr. Abbott noted that the conceptual designs will be discussed through the public process and will also be brought before the Council before moving into any detailed designs in the upcoming fiscal years.

Mayor Nexsen said the schedule shows 16 to 20 weeks and wondered if they could adjust the schedule and focus on the Cypress Park design first so that those fields are ready for early spring if not sooner. Mr. Abbott said initially when they were developing the scope the Cypress Park design took the entire time, and City staff incorporated SARA Park into the master plan portion to have it designed concurrently. Mr. Abbott said it is possible and said that is something staff can discuss with them when they review the actual schedule.

Councilmember Lin asked if the other 70 percent for the schematic master plan design for SARA Park would be brought back at a later date, to which Mr. Abbott said yes. He said these are only conceptual designs, and added that the overall design for Cypress Park is approximately \$113,000, and the master planning for SARA Park is just under \$30,000.

Councilmember Sheehy asked if it was 30 percent of the actual park or the ball fields, to which Mr. Abbott said 30 percent is the process through complete design. He said staff will look at the overall sports complex as a whole but will not do any intricate design without knowing exactly how the layout will be and what the potential costs are. Councilmember Sheehy asked if the engineering firm also does master planning of parks, to which Mr. Abbott replied yes, and noted that Shepard-Wesnitzer, Inc., was also involved in the Rotary Park improvements.

Councilmember Lin asked if the City is committed to using the same engineering firm for the additional 70 percent schematic master plan, to which Mr. Abbott said not necessarily but typically with their understanding and knowledge, the City would end up with a better product using the same firm. Mr. Abbott said regardless of the firm the design belongs to the City.

Councilmember Callahan asked if the USACE would be involved, to which Mr. Abbott said at some point they may be involved. He said there has been some work in this area; however, it will depend on the location and site layout.

Mr. Cassens added that the diagram the Council is seeing tonight is only a conceptual design. He said once they get to 30 percent the City will have a better idea as to what the layout is going to look like, what infrastructure is available, and how it will all tie together.

Mayor Nexsen opened the public hearing.

Mr. Chuck Vaughn addressed the Council and asked if the master plan is on the same side as the racetrack, to which Mr. Abbott said yes it is currently being shown on the same side as the racetrack although through the public process the layout and schematic design will be determined.

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

Councilmember Sheehy moved to award the Agreement for Engineering Services for the Cypress Park & SARA Park Improvements to Shepard-Wesnitzer, Inc., in an amount not to exceed \$142,880, seconded by Councilmember Brister-McCoy, and unanimously carried.

8.15 Award Agreement for Engineering Services for the Arc Flash Study & Implementation Project to Carollo

Mr. Abbott explained that an arc flash is a phenomenon where flashover of electric current leaves its intended path and travels through the air from one conductor to another, or to the ground. He said there are many things that may cause an arc flash incident including: dust, dropping tools, accidental touching, material failure, condensation, corrosion, and faulty installation.

Mr. Abbott outlined the Arc Flash Study & Implementation Project as follows:

- Investigate staff's potential exposure to arc flash energy at each individual site
- Determine safe work practice
- Prevent injury
- Determine appropriate levels of Personal Protective Equipment (PPE)
 - Not enough PPE can expose worker
 - Too much PPE is as bad as too little
- Asset Inventory
- 18 month duration (February 2018)
- Project will be split into 3 phases – Wastewater, Water, Airport, and City Facilities (including City Hall and the City Council Chambers)
- Shutdown coordination & sequence development
- Complete electrical system review
- Modeling/Engineering
- Report
- Label production & installation
 - Labels will identify the energy and risks in each cabinet to protect the worker
- Training
 - OSHA standards – update every five years
- Contract Cost \$582,830
 - Approximately \$700 per site

Mr. Abbott said Carollo Engineers spent three days with staff looking at all of the sites when putting together the scope. He said looking at it from a protective standpoint the City currently has levels from 0 to 4, with 5 being the worst.

Mayor Nexsen asked how the City got into a position where all of the electrical cabinets do not meet the standards, to which Mr. Abbott said this is something that has been standardized over the last five years and is a new standard in comparison to the City's last large lift station, which is already six years old.

Mr. Abbott clarified that it is the notification that is not in compliance, not the equipment.

Councilmember Callahan asked if traffic signal boxes would be evaluated, which to Mr. Abbott said yes.

Councilmember Lin asked about the total contract cost, to which Mr. Abbott said the cost includes the development of the labels and the posting.

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

Councilmember Sheehy clarified that each box will include a customized label identifying the power load, equipment, and risk.

Councilmember Callahan moved to award the Agreement for Engineering Services for the Arc Flash Study & Implementation Project to Carollo in an amount not to exceed \$582,830, seconded by Councilmember Barlow, and unanimously carried.

8.16 Award Bid for the Island Treatment Plant Influent Screens Piping Replacement/Installation to Tri-Suns Engineering, Inc.

Wastewater Utility Supervisor Mike Slettebo advised that this item is the second half of a previously approved bid in June for the Island Treatment Plant influent screens, and added that this item includes the piping replacement and installation.

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

Councilmember Barlow moved to award the bid for Island Treatment Plant Influent Screens Piping Replacement/Installation to Tri-Suns Engineering, Inc., seconded by Councilmember Callahan, and unanimously carried.

8.17 Ratify Cooperative Purchase of Two (2) Pickup Trucks with San Tan Ford One (1) 2016 F150 Super Cab 4X2 Short Bed and One (1) 2016 F150 4X4 Short Bed

Mr. Clark advised that the item before the Council is a cooperative purchase for two vehicles for the Community Investment Department (CID).

Mayor Nexsen asked if the City was replacing two vehicles, to which Mr. Clark responded no and said this item is for the purchase of two new vehicles.

Councilmember Lin asked how many vehicles CID currently has, to which Mr. Clark answered approximately ten or twelve. Mr. Froslic said these vehicles are for two new positions that did not exist last year, and noted that they have all been sharing vehicles.

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

Councilmember Brister-McCoy moved to ratify a cooperative purchase of two (2) pickup trucks with San Tan Ford for an amount not to exceed \$60,008.88, seconded by Councilmember Callahan, and unanimously carried.

CURRENT EVENTS

Councilmember Brister-McCoy announced that the live streaming of the Arizona Corporate Commission meeting regarding Unisource rates was held in the Council Chambers this afternoon. She said the Commission would be voting on the issue tomorrow beginning at 9:00 a.m.

CALL TO THE PUBLIC

There were no requests to address the Council.

FUTURE MEETINGS

Tuesday, August 23, 2016 @ 6:00 p.m. – Regular Meeting CANCELED

Tuesday, September 13, 2016 @ 6:00 p.m. – Regular Meeting

FUTURE AGENDA ITEMS

Councilmember Brister-McCoy requested a future agenda item to discuss the Havasu Area Public Art (HAPA). Mr. Cassens said staff has been working on a proposed ordinance that will be brought before the council at a regular meeting.

ADJOURN

Upon motion by Councilmember Callahan and seconded, the meeting adjourned at 7:52 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 August, 2016. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/CMC