

Mayor Cal Sheehy
Vice Mayor David Lane
Councilmember Jeni Coke
Councilmember Jim Dolan
Councilmember Gordon Groat
Councilmember Michele Lin
Councilmember Donna McCoy



Lake Havasu City
Police Facility
2360 McCulloch Blvd North
Lake Havasu City, Arizona
86403
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City Council Regular Meeting Minutes - Final

Tuesday, January 8, 2019

6:00 PM

1. CALL TO ORDER

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

2. INVOCATION: Suzanne G. Waldron, Mt. Olive Lutheran Church

There was no invocation given.

3. PLEDGE OF ALLEGIANCE

Mayor Sheehy introduced the Havasu Youth Advisory Council who led in the Pledge of Allegiance.

The Havasu Youth Advisory Council said they advise the Mayor and City Council about the needs of the youth, and added that they are involved with a variety of projects in order to serve the community.

4. ROLL CALL

Present: 7 - Mayor Cal Sheehy, Councilmember Jeni Coke, Councilmember Gordon Groat, Vice Mayor David Lane, Councilmember Michele Lin, Councilmember Donna McCoy and Councilmember Jim Dolan

5. CALL TO THE PUBLIC

Mr. Chris Deile addressed the Council and spoke about his wild burro and Western Burrowing Owl sightings in Lake Havasu City.

6. CONSENT AGENDA

- 6.1 [ID 19-1868](#) Approve the December 11, 2018, City Council Regular Meeting Minutes (Kelly Williams)
- 6.2 [ID 18-1744](#) Adopt Resolution No. 19-3274 Authorizing the Filing of Applications with the Federal Transit Administration for Federal Transportation Assistance as the Direct Recipient of Funding (Section 5307) and Authorizing Execution of Necessary Documents and Implementation of the Activities Funded by

the Grant (Patrick Cipres)

- 6.3 [ID 19-1878](#) Adopt Resolution No. 19-3275 Ratifying the Submission of an Application for a Grant to the Federal Aviation Administration (FAA) for Reconstruction Design of Taxiway A and Connector Taxiways (W. Mark Clark)
- 6.4 [ID 19-1869](#) Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 5:00 p.m. Tuesday, January 22, 2019 (Kelly Williams)

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

Aye: 7 - Mayor Sheehy, Councilmember Coke, Councilmember Groat, Vice Mayor Lane, Councilmember Lin, Councilmember McCoy and Councilmember Dolan

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

- 7.1 [ID 19-1875](#) 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.

- 7.2 [ID 19-1870](#) City Manager's Report (Jess Knudson)

City Manager Jess Knudson reported on the following:

- The Lake Havasu City Police Explorers were presented with a donation from the Lake Havasu Firefighter Charities.
- The Lake Havasu City Police Department and Citizens Police Academy Alumni held the 5th Annual Shop with a Cop for the Christmas holiday.
- City Wastewater Employees, Braxton Peer, Paul Longstreath, Ken Mowry, and Ron Stuhlberg received Wastewater Collection Certifications.
- Sales Tax Updates.
- Upcoming Events:
 - o January 10, 2019, to January 13, 2019 – Havasu Balloon Festival & Fair at Lake Havasu State Park, Windsor #4, at 12:00 p.m.
 - o January 14, 2019, to January 17, 2019 - Buses by the Bridge at Lake Havasu State Park, Windsor #4, at 10:00 a.m. (correction January 17, 2019, to January 20, 2019, at 9:00 a.m.)
 - o January 19, 2019 - Hangar 24 Parking Lot Party at the Lake Havasu Municipal Airport at 1:00 p.m.

8. PUBLIC HEARINGS

- 8.1 [ID 19-1872](#) Adopt Resolution No. 19-3276 Amending Resolution No. 18-3236 Transferring Budget Appropriations from One Fund, Department, or Division to Another for Fiscal Year 2018-19 (Jill Olsen)

Administrative Services Director Jill Olsen advised that the item before Council is a resolution to amend the budget to shift money between funds and departments. She stated that it is not an increase in appropriations.

Ms. Olsen reviewed the four amendments as follows:

- 1) Wastewater currently has two vector trucks. One of the trucks was purchased in Fiscal Year 2004-05 and has exceeded the typical useful life. The Division is in need of one replacement truck and additional truck as a backup. This amendment reflects an increase of \$878,000 to the Wastewater Fund's budget and a corresponding decrease of \$878,000 to the Capital Project Fund.
- 2) The function of contract management is being transferred to the City Attorney's office and an additional full-time position is necessary. The cost of the Contract Specialist position through the end of this fiscal year is estimated to be \$30,000. The ongoing cost will be approximately \$75,000 per year. This amendment reflects an increase of \$30,000 to the City Attorney's budget and a corresponding decrease of \$30,000 (General Election Savings) from the City Clerk's budget.
- 3) The fountain installed in Wheeler Park last fiscal year has caused an increase in electricity cost. Wheeler Park is part of Improvement District #4. Even though the cost is not significant, the District's budget is too small to absorb the additional amount. This amendment reflects an increase of \$4,000 to the Improvement District's budget and a corresponding decrease of \$4,000 to the Miscellaneous Grant Funds.
- 4) Project PR2070 Havasu 280 Infrastructure Construction is for street and utility improvements, and the cost is being split between multiple funds: Capital Projects Fund, Wastewater Fund, and Irrigation and Drainage District (IDD) Fund. A correction to the budget is needed to correct the allocation between the funds. This amendment reflects an increase of \$739,000 to the Wastewater Fund, and a corresponding decrease of \$739,000 to the Capital Projects Fund.

Councilmember Groat asked if there were any conflicts with the grant agencies in transferring unallocated grant funds, to which Ms. Olsen explained that grant funds are not specified for any particular grant and added that there is a grant cushion built in the budget for any grants that become available throughout the year.

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

Vice Mayor Lane moved to adopt Resolution No. 19-3276 amending Resolution No. 18-3236, and approving the budget amendments listed on Schedules E and F for Fiscal Year 2018-19, seconded by Councilmember McCoy, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Coke, Councilmember Groat, Vice Mayor Lane, Councilmember Lin, Councilmember McCoy and Councilmember Dolan

8.2 [ID 19-1871](#) Request the Use of Contingency Funds (General Fund) for Contracted Legal Services (Kelly Garry)

City Attorney Kelly Garry advised that the item before Council is a request to use Contingency Funds (Contingency) for contracted legal services, also known as outside legal services. Ms. Garry said this year the City encountered some litigation matters that have cost more than anticipated. She said each budget year the City has to forecast expenditures for contracted legal services based off previous years. She said because the City does not know what claims and litigations will come up each year, a reasonable amount is budgeted and said this year the City has exceeded that amount. Ms. Garry said a large amount of that is due to a litigation where the City was sued by the Arizona Department of Environmental Quality (ADEQ), which the City strongly believes we should have never been in that litigation. Ms. Garry stated that the City has since been withdrawn from that litigation voluntarily by ADEQ; however, that was not until after a great deal of money was spent trying to defend the City in the litigation. She said the City is seeking attorney's fees to recoup some or all of the costs but there is no guarantee that it will be approved; therefore, in the meantime the City is requesting the use of Contingency to pay the bills that are coming in but also to get to the end of the year. Ms. Garry stated that she does not foresee any substantial claims, litigation, or matters where the City needs specialty outside of the office and is hoping that up to \$50,000 will cover what the City will need for the remainder of this year; however, there are no guarantees that the City will not be sued by some claim that is not covered by insurance.

There was discussion on specialty matters handled by outside legal services. Ms. Garry explained that there are a lot of matters in municipal law that are highly specialized and the City needs to bring in outside legal service with technical expertise in those areas.

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

Councilmember McCoy moved to approve the use of contingency funds, available in the General Fund, for contracted legal service not to exceed \$50,000, seconded by

Councilmember Coke, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Coke, Councilmember Groat, Vice Mayor Lane, Councilmember Lin, Councilmember McCoy and Councilmember Dolan

- 8.3** [ID 19-1876](#) Approve Cooperative Purchase from Vac-Con, Inc. for Two (2) Vac-Con Single Engine PD Blower Combination Vacuum Trucks for New Wastewater Vehicles (W. Mark Clark)

Public Works Manager Mark Clark advised that the item before the Council is a cooperative purchase agreement for two vactor trucks. He stated that this purchase will replace two existing vactor trucks that are aging and unreliable, and added that they are proposing to keep one truck for backup.

Utility Lead Randy Mazick outlined the following in his presentation:

- Vactor Utilization - Wastewater
 - o Clean sewer lines
 - o Clean lift stations
 - o Emergency spill response
 - o Treatment plant cleaning of basins, vaults and odor controls
 - o Hydro excavating for tap installation
 - o Hydro excavating around electric, gas, fiber, CATA, etc.
 - o Force main repair
- Existing Operations
 - o We have two Vactor trucks
 - ☐ 2004 Vactor 2100 – 53,995 miles – fan vacuum system
 - ☐ 2010 Vactor 2100 – 103, 940 miles – PD blower vacuum system
 - ☐ Existing Vactor trucks are aging and become unreliable
 - ☐ Rarely use both trucks daily because of the risk of both of them breaking down, which has happened
 - o When both Vactor trucks were down for repair, it cost the City \$13,032 a month to rent a Vactor truck
- System Maintenance Inefficiency
 - o Lake Havasu has approximately 350 miles of gravity sewer
 - o The average cleaning frequency nationwide per year is about 33% of their collection systems. This would mean that about 115 miles of our sewer system should be cleaned per year for our city if we used the same standard
 - o In the past five years were averaged approximately 60 to 70 miles of sewer lines cleaned per year. At this rate it would take about five years to clean the

- entire system. This does not take into effect frequent cleaning of the trouble areas
 - o Due to unforeseen mechanical failures on our Vactor trucks this year, we are looking at cleaning about 25 miles of sewer this year
 - o Having two reliable trucks would allow us to be far more proactive in our preventative maintenance rather than reactive
- Utilization Between Divisions - Water Division
 - o Water meter repairs: Digging around just the meter
 - o Water meter repairs: Vactoring out water to get to meters
 - o Water main repairs: Removing water, dirt and rocks
 - o Water tap: Digging around buried utilities
 - o Valve cleanout
 - o Water plant: Vaults and pits
 - o Well tank cleanings
- Utilization Between Divisions – Streets and Parks Maintenance
 - o Hydro excavating, including on McCulloch Boulevard, parks, and around trees where many utilities exist
 - ☐ Storm clean-up
 - ☐ Storm sewer cleaning
 - ☐ Culvert cleaning
- Spill Clean-Up
 - o Vactor up standing water after a spill
 - o Vactor up any debris after spill
 - o Disinfect areas during clean-up
 - o Wash down areas after clean-up
- Cost Savings
 - o Man-hours reduced because digging occurs in half the time
 - o Repairs to other utilities damaged by mechanical excavation
 - o Utilizing cross training. Freeing up Wastewater personnel when other departments need assistance
 - o We would be less reliant on private pumpers. When assistance is needed, the private pumpers and haulers cannot handle the flow and are unreliable. (Note: There are not enough pumpers or haulers to handle the flow if a spill occurred at the London Bridge Road lift station)
 - o Able to completely clean wet wells more often, keeping rags out of the pumps (The City has spent over \$150,000 over the last year on unscheduled pump repairs)

Mr. Chuck Vaughn addressed the Council and asked if the new trucks have advanced technology, to which Mr. Mazick replied yes. Mr. Vaughn asked if the City has thought about putting an insert in the sewer and water bills identifying what is appropriate to dispose of in the sewer system, to which Mr. Clark replied that the City has done something similar through a press release. Mr. Vaughn asked if the vacor trucks are used to clean the water meter boxes, to which Mr. Clark stated that the Water Department purchased smaller units to take care of that need.

Vice Mayor Lane clarified that these are not water trucks but specialized equipment to maintain the system and prevent future breaks. He added that the City needs to provide staff with the tools to perform their job correctly.

Councilmember Lin asked if the City has a qualified employee to handle the maintenance and repairs on these trucks or if the work would be contracted out, to which Mr. Clark said the majority of the work would be done internally. Mr. Mazick added that the purchase agreement also includes a training component for maintenance and repair.

Councilmember Groat commented that a campaign leveraged with utility bills or online would be beneficial to prevent future problems.

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

Vice Mayor Lane moved to approve the Cooperative Purchase from Vac-Con, Inc. for two (2) Vac-Con Single Engine PD Blower Combination Vacuum trucks for new Wastewater Vehicles in the amount of \$876,820.30, seconded by Councilmember Groat, and carried by the following vote:

Aye: 7 - Mayor Sheehy, Councilmember Coke, Councilmember Groat, Vice Mayor Lane, Councilmember Lin, Councilmember McCoy and Councilmember Dolan

8.4 [ID 19-1877](#) Code Enforcement Division Update/Overview (Luke Morris)

City Planner Luke Morris advised that the item before the Council is an update and overview on the City's Code Enforcement process.

Mr. Morris outlined the following in his presentation:

- Compliance Process
 - o Complaint Driven
 - o Receive Report

- ☐ Field Visit/Contact – Education
 - ☐ A week to take care of it
 - ☐ Issue Violation Letter – 30 Days
 - ☐ Two-week re-check – Reminder Notice or Close Case
 - ☐ 30-day re-check – Close Case
 - o Extension Notice or Final Notice
 - o Civil Citation/Criminal Case/Abate & Lien

 - Code Enforcement Case Data
 - o Common Violations
 - ☐ Debris/Trash – 36 %
 - ☐ Junk Vehicle – 23 %
 - ☐ Setback/Building – 13 %
 - ☐ Weeds – 8 %
 - ☐ Other – 19 %
- Mr. Morris showed photographs of code enforcement cases involving removal of debris, dilapidated buildings and debris, and removal of inoperable vehicles.
- He reviewed the averages of new and closed complaints from 2014 to 2018.
- Our Enforcement Philosophy
 - o Focus on the nuisance, activity, or structure; not the nature or character of the violator
 - o Provide a chance to comply voluntarily, with a flexible, creative, and helpful approach
 - o Provide opportunities for solving problems and elimination violations; not punishing people
 - o Education and communication are keys to success

Councilmember Groat asked how a junk vehicle is defined, to which Mr. Morris replied that a junk vehicle would be one that is inoperable or does not have current registration. Councilmember Groat asked if there is a limit to how many vehicles can be parked in a front yard, to which Mr. Morris stated that the City Code does not limit the number of registered vehicles allowed to be on an individual's property if they are legally parked and operational.

Vice Mayor Lane stated that the City has two employees that handle all of the code enforcement complaints and asked if there is anything that can be done to make it easier on their department, to which Mr. Morris said it would be public education on what is a violation of the City Code.

Mayor Sheehy opened the public hearing.

Mr. Chuck Vaughn addressed the Council and said the City's code enforcement process is complaint driven. He said City staff is not driving around looking for violations, and added that another common code enforcement issue is people operating businesses out of their home without a business license.

There being no further comments, he closed the public hearing.

Mayor Sheehy noted that this item was for informational purposes only, and no action was necessary.

9. CURRENT EVENTS

Mayor Sheehy gave an update on the Metropolitan Planning Organization (MPO). He said in December 2018 the MPO launched a safe driving campaign, and are working on a transit study that will provide opportunities for public input.

10. CALL TO THE PUBLIC

There were no requests to address the Council.

11. FUTURE MEETINGS

Tuesday, January 22, 2019 @ 6:00 p.m. – Regular Meeting

Thursday, January 24, 2019 @ 8:30 a.m. – City Council Planning Retreat
(Islander Resort)

Tuesday, February 12, 2019 @ 6:00 p.m. – Regular Meeting

Tuesday, February 26, 2019 @ 6:00 p.m. – Regular Meeting

12. FUTURE AGENDA ITEMS

There were no requests for future agenda items.

13. ADJOURN

Upon motion by Councilmember Coke and seconded, the meeting adjourned at 7:01 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 8th day of January, 2019. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/CMC