

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, October 22, 2019

6:00 PM

1. CALL TO ORDER

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

2. INVOCATION: Pastor Kay Zimmerman, City On A Hill International Church

Ms. Vanessa Liesen gave the invocation.

3. PLEDGE OF ALLEGIANCE: Michael Alan Furniture and Design Sleepless in Havasu

Michael Alan Furniture and Design Sleepless in Havasu led in the Pledge of Allegiance.

4. ROLL CALL

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

5. CALL TO THE PUBLIC

Mr. Douglas Sieker, representative with the Statewide Independent Living Center and Arizona Youth Transition, addressed the Council regarding a camp that was held in Prescott, Arizona, for individuals 14 to 26 years of age with disabilities. He said since 2014, the camp has had no representation from Mohave County; however, over the summer, they had two representatives from Mohave County attend, and noted that these two individuals now hold successful jobs. He added that in September he attended a conference with the United States Department of Justice in Los Angeles, California, regarding educating business owners about employing people with disabilities.

Ms. Lisa Krueger, President of the Lake Havasu Area Chamber of Commerce, addressed the Council and introduced new chamber members.

6. CONSENT AGENDA

- 6.1 [ID 19-2187](#) Approve the October 8, 2019, City Council Regular Meeting Minutes (Kelly Williams)

- 6.2 [ID 19-2132](#) Adopt Resolution No. 19-3345 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 19-2184](#) Adopt Resolution No. 19-3355 Approving the Intergovernmental Agreement with the City of Kingman, Bullhead City, and Mohave County Sheriff's Office Regarding the Administration of the Arizona 911 Grant Program (Chief Doyle)
- 6.4 [ID 19-2180](#) Adopt Resolution No. 19-3356 Abandoning the Entire 10-Foot by 100-Foot Public Utility and Drainage Easement Along the Northwest (Rear) Property Line of Tract 136, Block 4, Lot 9 (Luke Morris)
- 6.5 [ID 19-2181](#) Adopt Resolution No. 19-3357 Abandoning the Westerly 3-Foot by 40-Foot Portion of an 8-Foot by 50-Foot Public Utility and Drainage Easement, Along the Eastern Property Line of Tract 2190, Block 4, Lot 20 (Luke Morris)
- 6.6 [ID 19-2188](#) Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 5:00 p.m. Tuesday, November 12, 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, Vice Mayor Lane, Councilmember Coke, Councilmember Groat, Councilmember Lin, Councilmember McCoy and Councilmember Dolan

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

- 7.1 [ID 19-2178](#) 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 19-2186](#) City Manager's Report (Jess Knudson)

City Manager Jess Knudson reported on the following:

- The Lake Havasu City Fire Department and local American Red Cross have launched the "Sound the Alarm, Save a Life" initiative to install free smoke alarms, replace batteries in existing alarms, and educate the public on fire

- prevention and safety.
- Mr. John Boone and Mr. Kevin Shuck with the Lake Havasu City Fire Department were presented with the Kiwanis Annual Firefighter of the Year Award.
- A Veterans Treatment Court Graduation was held on October 11, 2019.
- An Imagine a Day Without Water Tour will be held on October 25, 2019, and November 1, 2019.
- Marine Corps past Commandant and Veterans Resource Team member Mr. Frank Blain was inducted into the Arizona Veterans Hall of Fame.
- Vice Mayor Lane and Councilmember McCoy attended the Rural Transportation Summit on October 18, 2019, in Tucson, Arizona.
- Mayor Sheehy proclaimed November as National Hospice Palliative Care Month.
- Mayor Sheehy proclaimed November 1 and 2, 2019, as Havasu Stitchers Bridge of Friendship 13th Annual Quilt Show “Arizona Rocks to the 50’s” Event.
- Mayor Sheehy and Councilmember Groat attended the “30 Under 40” celebration recognizing young professionals and leaders in the community.
- Upcoming Events:
 - o October 24, 2019 – Youth Talent Show at London Bridge Stage at 6:00 p.m.
 - o October 25, 2019 – Concerts in the Park Fall Series at London Bridge Beach at 5:00 p.m.
 - o October 26, 2019 – Annual London Bridge Days Parade on McCulloch Boulevard North (Main Street) at 10:00 a.m.
 - o October 31, 2019 – Annual Main Street Halloween Fright Night on McCulloch Boulevard North (Main Street) at 5:00 p.m.
- The next Coffee with the Mayor and City Manager will be held at the Island Ballfield on November 1, 2019, at 8:30 a.m.

8. PUBLIC HEARINGS

- 8.1** [ID 19-2161](#) Approve Amendment No. 1 to the Architectural Services Agreement for Phase 2 of the Environmental Learning Center Project with Jones Studio, Inc. (Jess Knudson)

Mr. Knudson advised that the Environmental Learning Center Project is part of the America’s Best Communities (ABC) effort that was led by the Partnership for Economic Development (PED) and Lake Havasu City in concert with many citizens in the community. He said Lake Havasu City won second place in the ABC Competition and was awarded \$2 million. Mr. Knudson explained that three projects were identified as part of that effort: 1) the Co-Location Project, 2) Downtown Catalyst Project, and 3) Environmental Learning Center (ELC). He further explained that \$500,000 of the \$2 million was awarded to this effort for the construction of the ELC, and the request from

Pillar 4 has been for the City to be used as the vehicle for the contract with Jones Studio, Inc. Mr. Knudson noted that the contract was first awarded by the City Council and the request before the City Council tonight is approval of Phase 2, which would allow Pillar 4 to work directly with Jones Studio, Inc., and take a lead on this project.

Mr. Charlie Cassens, representative from Pillar 4, addressed the Council and said the City has been involved in this project from the very beginning. He explained that while it has been a Pillar 4 project, the ELC, because of the Recreation and Public Purpose Act Requirements, will ultimately be a City facility and is not something that can be farmed out to someone else. Mr. Cassens said the approach is that the City will run the ELC as a City program through the budget and abide by all the rules of procurement going through the City. He said as Mr. Knudson previously stated, this project is a product of the ABC Competition and \$500,000 of the \$2 million was allocated to this project. He explained that Pillar 4 went through a Request for Proposal (RFP) process for the ELC, receiving eight qualified respondents who made presentations to Pillar 4. He said Jones Studio, Inc., was selected to do the work and explained that Pillar 4 asked for phasing (Phase 1 and Phase 2) to be done so that they could keep a close track on progress under the contract. He further explained that Phase 1, which included the feasibility and cost analysis, was presented at the City Council Retreat in January 2019 and since then it has not changed. He explained that Phase 2 will take all of the information that was gained in Phase 1 and give them the collateral materials that they need and answer all of the unanswered questions that they have now with respect to what it is going to look like, how it will lay out on the land, phasing of the actual construction, and putting everything in a timeline format so that they know how to handle this project step-by-step going forward. Mr. Cassens said most importantly Phase 2 will provide them with a marketing package that can be taken to potential partners to learn more about the project and determine whether they wish to be part of it. He said one of their prime objectives is to get this project completed with little to no City taxpayer funding, as they are hoping to utilize grant opportunities and other outside funding and partnership opportunities to get the project off the ground and operating. He listed several representatives that were in the audience including Arizona State University (ASU), Arizona Game and Fish, and U.S. Fish and Wildlife Service. He added that the Metropolitan Water District of Southern California is another potential partner on this project that would like to know more about it and how it will fit into their goals.

Mayor Sheehy asked if Mr. Cassens could provide a brief summary of the ELC.

Mr. Cassens explained that the ELC was a concept that came out of the City's participation with the Clean Colorado River Sustainability Coalition (CCRSCO) effort which is a cooperation with other agencies that have an interest in the water on this stretch of the Colorado River from Hoover Dam to the Mexican border. He said one of the things

that was realized through the CCRSCo effort was that there is a lot to know about how the quantity of the water in the Colorado River is allocated, but what has not received enough attention is the quality of the water in the Colorado River. Mr. Cassens said there is a lot of data available from various sources along the river and noted that before Dr. Doyle Wilson retired, he gathered much of that big data and realized that there needs to be a physical place where all the information about the Colorado River, not just the chemistry and health of the river, but also how it behaves and the herring habitat and virtually everything that has to do with the river, is subject to research and study is kept. He said the primary objective of the ELC is to provide that resource to students, scientists, other agencies, and the general public to give them a place to learn everything there is to know about the Colorado River, and make Lake Havasu City the central clearing house of virtually all the research and information related to the Colorado River and Lake Havasu City, and provide an opportunity for individual and group research with shared laboratory facilities for agencies, students, and transient researchers. Mr. Cassens said it will also be a gathering place and destination and include things like traveling exhibits, outdoor shaded event space, a botanical garden, shared laboratory and office facilities, multi-purpose and event space, meeting and office space, a recreational resource center, nature preserve, urban fishing pond, inclusion of a small-scale water and wastewater treatment plant, outdoor classrooms, amphitheater, trail system, opportunity for restaurant and gift shop, and indoor farming and hydroponics laboratory.

Mr. Mark Nexsen, representative from Pillar 4, addressed the Council regarding the ELC and Vision 20/20. Mr. Nexsen said the City Council may recall that approximately 40 members of the community participated in the ABC Competition. He said the three-year effort, known as Vision 20/20, resulted in receiving a \$2 million second place prize. He said those efforts represented the invested interest of more than 300 people in the community. He said their input was communicated through multiple town halls and the result was that the community selected three projects that they felt would advance the overall objective and goal of reducing demographic starvation. He said the projects included a Downtown Catalyst Revitalization Plan, Entrepreneur Co-Location Center, and Environmental Learning Center. Mr. Nexsen said to be direct it is time to move forward on all three projects and take the necessary steps to meet the communicated wishes of the community. He said the City Council has the opportunity to show the community that they believe in Vision 20/20 by moving the ELC project forward. He added that the ELC project could be a showcase for this community and make Lake Havasu City the gatekeeper to all information concerning the Colorado River. Mr. Nexsen noted that the money does not belong to the City or the PED, but is to be controlled by the Vision 20/20 team. He said for these projects to be successful, investments by the PED and the City are required and added that financial partners are also needed to complete the project. He urged the City Council to revitalize the Vision 20/20 teams to finish the effort that was started.

Mr. Cassens noted that representatives from Jones Studios, Inc., were in attendance to discuss potential fundraising efforts and next steps. He said while Pillar 4 is looking at a \$7 million preliminary estimate on the building, plus an additional \$1.6 million in soft cost in permitting and plans, they fully expect that as they reach out to large-scale players it will grow and contract as the need, demand, and interest grows. He noted that it is a very dynamic project at this point and they look forward to this next phase.

Mr. Brian Farling, Lead Designer of Jones Studio Inc., addressed the Council and said the work that they have done to this point has established a program and feasibility and set the groundwork for how this project can move forward. He added that Phase 2 would include the design of the facility and master plan to produce renderings to go out to do substantial fundraising.

Ms. Michelle Kauk, Founder and President of MODE Public Affairs, addressed the Council and said with Phase 1 they did an analysis to identify areas to raise funds and secure partners to move the project forward. She said they looked at federal grants, private sector grants, general fundraising, and community support. She said the amount of money that is out there and the support for this project is there, it is just a matter of getting the groups reconvened and getting the partners and messaging out there to build the support that everyone saw with the Vision 20/20 and ABC grant, particularly with Pillar 4. She said the types of grants out there range from interior grants to private grants through large corporations. She said Lake Havasu City is a very giving community that supports the natural resources that help make this community.

Councilmember Dolan asked if Phase 2 would be required or necessary if all the identified partners were interested in supporting and funding this project now, to which Mr. Farling said if all the partners and funding were at the table then Phase 2 would become a part of conceptual design, design development, and construction drawings. He added that Phase 2 would still need to happen.

Councilmember McCoy said at the City Council Retreat (Retreat) in January, Pillar 4 presented renderings of the ELC and asked why Phase 2 included more design and pictures when they do not know at this point how much space will be needed, to which Mr. Farling said he is assuming what was shared at the City Council Retreat was the documents prepared for Phase 1. He said those documents were all research and presentence studies that they felt were relevant toward creating a broader understanding of what they need to do at this location. He said they have not done any design work yet; therefore, taking those preliminary conceptual plans and producing renderings to entice the people for funding is a critical part of the process.

Mr. Cassens added that the pictures shared at the Retreat were part of the visioning process and were examples of the laboratory, the public spaces, and art from similar facilities in other places that are designed to get the conversation going. He said through the visioning process the square footage was determined however the configuration has not been determined, and added that Phase 2 will include the level of design work to polish the project.

Councilmember Dolan said he would like to see the money used efficiently to produce something other than just marketing, to which Mr. Cassens said Phase 2 is the next logical step in the critical path for this project to garner potential partners.

Mr. Farling explained that typically they would do conceptual design and schematic design altogether if the funding was in place; however, what they are doing is taking the first piece and pulling it apart and inserting a marketing piece to go out and raise the money to finish the project. Ms. Kauk added that from a fundraising perspective, the work that Phase 2 would produce would give an estimate of what the design buildout would look like from a design aspect.

Councilmember Lin said she heard from Mr. Cassens that the project is expected to cost \$8.6 million; however, that number will realistically be closer to \$10 million. She said she is happy to see potential partners in attendance but asked how many of those partners are willing to provide funding now. She said grants are not easy and are not a guarantee and said Mr. Cassens mentioned that once the project was completed it would be run by the City. She asked who would be responsible for maintaining the building, and said it was also stated that this project would not cost the taxpayers any money; however, in the CIP budget there is \$3.2 million budgeted in Fiscal Year 2020-21 for this project.

Mr. Cassens said he believes the \$3.1 million in the budget is an amalgamation of all the Vision 20/20 projects not just the ELC, to which Mayor Sheehy said that was correct. Mr. Cassens said the \$500,000 that is going towards the completion of Phase 2 has already been allocated and is not City money. Mr. Cassens said he understands Councilmember Lin's concern that the money may not be available when it comes time to build the facility, and if the money is not there at the time of construction, then the project will not go to construction and the project will stop. He said if that happens, then they will have a package that can be taken out in the future when there is money available. He said the City will not be left with the public's expectation that the City fund the project if it fails in its fundraising efforts.

Councilmember Lin said she is apprehensive about this project as the City has seen this happen in the past with projects such as SARA Park, the City Hall remodel, and Site Six. She said the City's current budget is fully funded which she feels the community is happy

with. She added that the City has many needs right now and projects are not a number one priority. She added that she is very concerned that this is going to come back on the taxpayer's money as she does not see any revenue from this project, and said if asked, the community would list public safety, clean drinking water, and safe streets as their needs. She said she does not feel like this is a project that is financially feasible, creates any revenue, or is a project that the community wants. She noted that it may be time to ask the Vision 20/20 team to come back and regroup.

There was discussion regarding the town hall sessions that took place as part of the Vision 20/20 Plan.

Councilmember Dolan said he supports approving the contract and Vision 20/20. He added that the City is one of the partners, which is why they have a lot of questions and concerns; however, at this point, the City has not committed any money and he does not feel that the City Council should hold back the ABC money. He said he hopes that that they will have some answers between now and when the City will have to commit some money.

Councilmember Groat asked for clarification on the total amount of the contract, to which Mayor Sheehy noted that the entire \$500,000 is ABC money and this item is an amendment to the original contract for the remaining money. He said the initial contract came to the City Council as the City administered the contract and separated the contract into phases. He said Phase 1 was approved and paid for by ABC proceeds and before the Council tonight is an amendment to the contract.

Councilmember Groat asked about the proposed laboratory facilities and extension of the City's testing panels, to which Mr. Cassens explained that the housing of the laboratory facilities is included in the Phase 1 documents but the furnishings and equipment are not included because they are not experts in that field nor do they have the discipline to design the internals of the laboratory.

Councilmember Groat asked what percentage of floor space has been allocated for the laboratory facilities, to which Mr. Cassens replied that the laboratory facility is an important component but not the only component. Mr. Farling noted that the water quality laboratory accounts for approximately 2,200 square feet.

Councilmember Groat asked if dark fiber has been installed, to which Mr. Cassens responded that there is dark fiber in the ground but it has not been tied in.

Councilmember Groat asked about possible funding options available, to which Ms. Kauk replied that during the first analysis of fundraising opportunities and funding levels she did

a cursory review of possible grants that would be very specific as there are a lot of limitations that must be taken into consideration. She stated that one of the most closely aligned grants she found is an Environmental Education Grant through the United States Environmental Protection Agency (EPA) which has grant funding opportunities. She said the analysis was done to get a sense for whether there is anything out there that the Federal Government is budgeting and doling out appropriations. She said once they start looking at whether it is feasible to start applying for those grants, then a more thorough review of the other grants are evaluated.

Councilmember Groat asked if any of the environmental grants are still open, to which Ms. Kauk replied that a lot of them are for the time being due to the way they are appropriated in years out or cycles. She said the biggest thing is the relationships with congressional delegation and support from the community.

Councilmember Groat said he is not hesitant about the project but about the money, as the City is facing some challenges in the near future with loss of funds from the Irrigation & Drainage District (IDD), water infrastructure projects, and the Rainy Well. He said he does not want to have to tell the community that the City is raising taxes while building new buildings. Councilmember Groat said he supports the idea based on what kind of funding streams they can come up with.

In response to Councilmember Groat's question, Mr. Cassens said the idea behind the fundraising is that if the fundraising fails there is no project. He said they are not obligated to build the facility, but Pillar 4 is obligated to move the project forward under the direction given to come up with a package that will put them in a better position to do the fundraising. Mr. Cassens suggested that they do not even embark on this project unless there is a specific game plan on how to finish it, and noted that he is personally committed to this project and overseeing the grant application process and funding opportunities with the purpose that they fund as much or all with non-City taxpayer funds.

Mayor Sheehy asked if any of the potential partners have made a financial commitment to the project, to which Mr. Cassens replied no. He said the partners need to know more about it, which is what Phase 2 will accomplish.

Mayor Sheehy asked if Pillar 4 has received any financial commitments, to which Mr. Cassens said no, they have not asked for any.

Mayor Sheehy asked who will manage and pay for the facility once it is in operation, to which Mr. Cassens explained that the facility will generate revenues; however, in the first year the projected revenues fall approximately \$300,000 short of the total cost of operating. He said there is also a list of potential alternatives to minimize the shortfall. He

said the project will not pay for itself that first year, but noted that there is debt funding and other things that are included in the cost of operation that do not need to be there and the funding will make itself available to eliminate the shortfall. He said if they get the commitments to build the facility they will not have any problems with operating the facility so that they can reduce the operating expenses the first year, but then after the first year it should be fully self-supporting.

Mayor Sheehy asked what was included in the proforma as additional revenue sources, to which Mr. Cassens replied admission, memberships, commercial leases, special events, corporate sponsors, donations, and grants.

Councilmember Lin asked if the City would be responsible for managing the commercial leases, to which Mr. Cassens said the City would own the facility since the land is leased from the Federal Government; therefore, the City could lease out commercial space within the facility.

Mayor Sheehy opened the public hearing.

The following individuals spoke in favor of the ELC project:

- Mr. Mike Sumner, Regional Supervisor for the AZ Game and Fish Department (Southwest Arizona)
- Mr. Mychal Gorden, Pillar 4 Member
- Mr. Raymond Van der Reit, Director of ASU Lake Havasu
- Mr. Richard Meyers, Havasu National Wildlife Refuge, U.S. Fish and Wildlife Service

The following individual spoke in opposition to the ELC project:

- Ms. Gaynell Crews, citizen

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

Vice Mayor Lane said many of the questions and concerns addressed tonight will come forward with the funding and the item tonight is for the portion of the money that belongs to Pillar 4 for Phase 2. He said when the time comes that this project involves taxpayer funding, then the needs and budget of the City need to be taken into account.

Councilmember Coke stated that the community stood behind the Vision 20/20 Plan and this is another way to show support towards a group that has put in a lot of time and effort. She said if no investors step forward then it dies for lack of interest, but she believes that the City Council owes it to Pillar 4, and all the pillars, to stand behind their effort and support this project through its second phase.

Councilmember McCoy agreed that the City and community should support this project.

Mayor Sheehy said for clarification the money for Phase 2 is not City or taxpayer money and the reason it is before the City Council is because the City has the procurement to administer the contract.

Councilmember Dolan moved to approve Amendment No. 1 to the Architectural Services Agreement for Phase 2 of the Environmental Learning Center Project with Jones Studio, Inc., supporting Pillar 4's spending of the remaining ABC funds for the Environmental Learning Center to complete Phase 2, seconded by Councilmember Groat, and carried by the following vote:

Aye: 6 - Mayor Sheehy, Vice Mayor Lane, Councilmember Coke, Councilmember Groat, Councilmember McCoy and Councilmember Dolan

Nay: 1 - Councilmember Lin

- 8.2** [ID 19-2182](#) Adopt Ordinance No. 19-1225 for a Major Planned Development Amendment of PD 05-00200008, The Shops at Lake Havasu, as Follows: Removing and Rezoning Tract 2396, Lot A-2 (APN 120-61-002), Including PetSmart, Bealls, and Cactus RV, from the Current C-2/PD (General Commercial/Planned Development) District to the C-2 (General Commercial) District; and Removing and Rezoning Tract 2392, Block 1, Lots 5, 6, & 8 (APNs 120-54-005, 006, & 008), Consisting of Three Undeveloped Outparcels, from the Current C-2/PD District to a New C-2/PD District Allowing All C-2 Uses Except Storage Units, Warehousing and Wholesale Distribution, and Outdoor Storage Uses (Luke Morris)

City Planner Luke Morris addressed the Council and advised that the property is located within the area known as The Shops at Lake Havasu on the north end of the city along Highway 95. Mr. Morris explained the history of the property and amendments, which included an amendment approximately five years ago removing several lots across from Home Depot from the overall Planned Development (PD) District, as well as an amendment approximately two years ago removing several lots from the PD and rezoning to General Commercial (C-2). Mr. Morris explained that in April 2019, the City Council approved the removal of the underdeveloped portion of the mall, the buildings not including Star Cinemas, Dillards, Walmart, and JCPenney, from the overall PD to a C-2 District.

Mr. Morris said the applicant is requesting to: 1) rezone the existing buildings, where PetSmart, Bealls, and Cactus RV & Boat are currently located, to C-2 which is consistent with the other properties within the mall and the properties to the south, and 2) remove the

three outparcels along Highway 95 from the current PD and creating a new PD. Mr. Morris said rather than rezoning the three outparcels to C-2, which would allow some uses that may be problematic in a shopping center such as storage units, warehousing, wholesale distribution, and outdoor storage, the applicant is requesting that they be removed from the current PD and create a new PD limiting the uses to not include storage units, warehousing, wholesale distribution, and outdoor storage.

Mr. Morris noted that at the Planning and Zoning Commission (Commission) meeting, staff suggested that vehicle repair and maintenance may not be an appropriate use for the outparcels; however, the Commission recommended that no storage units, warehousing, wholesale distribution, or outdoor storage be allowed, but it should be left to the developers and managers of the shopping center to determine whether vehicle repair and maintenance is an appropriate use for the location.

Mr. Morris said the original PD amendment for the three outparcels also included a sign package since the main entrance sign at the mall is 35-feet. He said the City Council at that time limited the outparcels along Highway 95 to no freestanding signs, and explained that because the applicant is requesting to remove the outparcels from the original PD, the sign prohibition is also being included with this current PD to be consistent with all the existing properties.

Councilmember Dolan clarified that all of the properties are required to use the main sign and would not be allowed to have freestanding signs, to which Mr. Morris replied that was correct.

Vice Mayor Lane stated that there were a total of four outparcels and asked why the fourth outparcel was not included in this request, to which Mr. Morris said the applicant owns three of the four outparcels.

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

Vice Mayor Lane moved to adopt Ordinance No. 19-1225 amending Planned Development 05-00200008 by removing and rezoning Tract 2396, Lot A-2 (APN 120-61-002), including PetSmart, Bealls, and Cactus RV, from the current C-2/PD District to the C-2 District; and removing and rezoning Tract 2392, Block 1, Lots 5, 6, & 8 (APN's 120-54-005, 006, & 008), consisting of three undeveloped outparcels, from the current C-2/PD District to a new C-2/PD District allowing all C-2 uses except Storage Units, Warehousing and Wholesale Distribution, and Outdoor Storage Uses and restricting the placement of freestanding signs on the outparcels, Lots 5, 6, and 8, along Highway 95, seconded by Councilmember Dolan, and carried by the following vote:

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

8.3 [ID 19-2183](#) Award Agreement for Professional Services (Design) for the Avalon Drain #2 Stabilization Improvements to Kimley-Horn & Associates, Inc. (Dustin Salisbury)

Project Manager Dustin Salisbury addressed the Council and advised that this item is the agreement for the Wash Stabilization Improvements for Avalon Drain #2 (Project #DR1020).

Mr. Salisbury outlined the following in his presentation:

- Design contract for the slope stabilization & improvement of Avalon Drain #2
- Designer: Kimley-Horn & Associates, Inc.
- 487-Day Contract
- 6-7 Month Actual Design Schedule
- Army Corps of Engineers (ACOE) 404 Permit Required (typical 6-9 month process)
- Likely duration between November 2019 and March 2021
- Total cost: \$149,945

Mr. Salisbury displayed photographs of the current slope conditions, wash erosion along the drain, and previous drop structure construction. He noted that Avalon Drain is located between Avalon Avenue and Angler Drive.

Councilmember Groat asked if Avalon Drain #2 is the most critical project at this time, to which Mr. Salisbury replied yes.

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

Councilmember Coke moved to award the Agreement for Professional Services for Avalon Drain #2 Stabilization Improvements to Kimley-Horn & Associates, Inc., seconded by Councilmember Groat, and carried by the following vote:

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

8.4 [ID 19-2176](#) Award Bid for the 2019 Water Main Replacement Project to Tri-Suns Engineering, Inc. (Jason Hart)

Project Manager Jason Hart addressed the Council and advised that this item is to award

the bid for construction of the 2019 Water Main Replacement Project (WT7460).

Mr. Hart outlined the following in his presentation:

- Purpose
 - o Continuation of the City's effort to replace water mains based upon age, material, size, and history of breaks
 - o Ensure fire hydrants are up to Lake Havasu City Fire Code
 - o Improve overall circulation and quality
- Schedule - 150 Days (5 months)
- Anticipated Completion - May 2020
- Replacement Criteria
 - o Diameter
 - o Material
 - o PSI
 - o Break History
 - o Age of Pipe
- Construction Budget \$1,406,500
- Low Bid \$1,330,159 – Tri-Suns Engineering, Inc.
 - o Includes Bid Alternate (Base Bid was \$1,300,659)
 - o We do acknowledge that 2nd bidder was just over \$3,000,000 but note that while mobilization was nearly the same all other bid items were at double of the low bidder.
 - o With Engineer's estimate coming in just under \$1,500,000 and recent history of previous water main contracts with Tri-Suns Engineering we feel confident in their bid.
- Replacing 13,000 linear feet of new water main and appurtenances.
- 18 streets included in this project:
 - o Fern Lane, Foot Hill Drive, Foothill Plaza, Interlake Drive, La Paz Drive, Lear Bay, Lockheed Bay, Madera Drive, Miller Lane, Palo Verde Boulevard, Palo Verde Bay, Palo Verde Lane, Palo Verde Place, Piper Bay, Quartz Lane, San Juan Drive, Solar Court and Weldon Court.

Councilmember Lin asked if an evaluation will be done to determine if additional fire hydrants are needed, to which Mr. Hart replied yes and said one is included in the Water Master Plan.

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

Councilmember McCoy moved to award the Base Bid and Additive Alternate for the 2019 Water Main Replacement Project to Tri-Suns Engineering, Inc., seconded

by Councilmember Groat, and carried by the following vote:

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

8.5 [ID 19-2170](#) Award Bid for Annual Water System Maintenance Parts Supply to Arizona Water Works, Dana Kepner, and Ferguson Waterworks (Mark Clark)

Public Works Manager Mark Clark advised that the item before Council is to award the bid for the City's annual water system maintenance parts supply. He explained that this bid is awarded to several vendors, which allows the City to purchase parts and supplies needed at the lowest price.

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

Councilmember Groat moved to award the bid and issue open purchase orders for the Annual Water System Maintenance Parts Supply, on an as required basis based on the fiscal year's approved budgetary appropriation, which is expected to exceed \$50,000 annually, to Arizona Water Works, Dana Kepner, and Ferguson Waterworks; and authorize the purchase from the next lowest bidder per item if necessary; and authorize City staff to exercise the option to renew for a maximum of two additional twelve-month terms, seconded by Vice Mayor Lane, and carried by the following vote:

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

8.6 [ID 19-2179](#) Award Bid for Fiscal Year 2019-20 Crack Seal Program to Holbrook Asphalt (Kenneth Porosky)

Transportation and Maintenance Superintendent Kenneth Porosky addressed the Council and said this item is to award the bid for the City's annual Crack Seal Program. He said the City will crack seal approximately 15 percent of the streets this fiscal year, putting the City back on a seven to eight year rotation. Mr. Porosky noted that five bids were received with Holbrook Asphalt being the lowest bid.

Mayor Sheehy explained that the City bids the material and application separately as a cost savings and benefit to the taxpayers.

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

Vice Mayor Lane moved to award the bid for Fiscal Year 2019-20 Crack Seal

Program to Holbrook Asphalt in the amount of \$274,900, seconded by Councilmember Dolan, and carried by the following vote:

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

8.7 ID 19-2185 Award Bid for Asphalt Repairs and Concrete Valve Collars in Four (4) Various Locations to Cactus Asphalt (Ken Porosky)

Mr. Porosky advised that the item before the Council is to award the bid for three asphalt repairs due to large water main breaks and an additional section of asphalt repair on Lake Havasu Avenue. He explained that the repairs are too large to do in-house and it is better to use hot asphalt; therefore, the City went out to bid and received two bids with Cactus Asphalt being the lowest bidder.

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

Councilmember McCoy moved to award the bid for Project No. ITB-B20-STRT-3275 to Cactus Asphalt in the amount of \$70,503.49, seconded by Councilmember Lin, and carried by the following vote:

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

8.8 [ID 19-2174](#) Approve Cooperative Purchases for Tires, Tubes, Services and After-market Automotive Parts from Redburn Tire Co., Great West Tire, and Jacks Auto Parts. from State Contracts (Kenneth Porosky)

Mr. Porosky advised that the item before Council is approval of the City's annual purchase of tires, tubes, services and parts for various City vehicles. He noted that the City purchases the parts and equipment utilizing the State's cooperative contract.

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

Councilmember Coke moved to approve the cooperative purchase of tires, tubes, services and auto parts exceeding \$50,000 from Redburn Tire Co. and Great West Tire utilizing Arizona State Procurement Office Contracts ID#CTR042117 ID#CTR042263, and authorize City staff to renew for four additional twelve-month terms through March 31, 2024, and Jacks Auto Parts ADSP016-129366 through March 31, 2021, seconded by Councilmember McCoy, and carried by the following vote:

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

9. CURRENT EVENTS

Vice Mayor Lane reported that he and Councilmember McCoy recently attended the Rural Transportation Summit in Tucson, Arizona. He said he also attended a Metropolitan Planning Organization (MPO) Technical Advisory Committee meeting, and provided an update on the Arizona Department of Transportation (ADOT) Kiowa Avenue and Highway 95 Project. He said from October 27 through November 2 the eastbound lane onto Kiowa Avenue will be closed for construction of a new median. He said the project is expected to be completed in January 2020.

10. CALL TO THE PUBLIC

There were no requests to address the Council.

11. FUTURE MEETINGS

Tuesday, November 5, 2019 @ 5:30 p.m. - Special Meeting

Tuesday, November 12, 2019 @ 6:00 p.m. - Regular Meeting

Tuesday, November 26, 2019 @ 6:00 p.m. - Regular Meeting

12. FUTURE DISCUSSION ITEMS

There were no requests from Council for future discussion items.

13. ADJOURN

Upon motion by Vice Mayor Lane, and seconded, the meeting adjourned at 8:02 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 22nd day of October, 2019. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/MMC