

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



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

City Council Regular Meeting Minutes - Final

Tuesday, April 13, 2021

6:00 PM

1. CALL TO ORDER

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

Mayor Sheehy announced that members of the public can attend in-person or watch or listen to the meeting on Channel 4, or live stream on the City's website. He added that public comments are being accepted by emailing the City Clerk at cityclerk@lhcaz.gov at least one-hour prior to the posted start time of the meeting.

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

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

3. PLEDGE OF ALLEGIANCE: Fraternal Order of Eagles Aeire 4299

Members from the Fraternal Order of Eagles Aeire 4299 led in the Pledge of Allegiance.

4. ROLL CALL

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

5. CALL TO THE PUBLIC

Ms. Christine Simmons, citizen, thanked the Mayor, City Manager, and Councilmember Campbell along with community members for volunteering at their desert clean-up event. Ms. Simmons mentioned there was a recent editorial in the newspaper recognizing the efforts of Protect Our Deserts (POD) concerning trash in the desert.

Mr. Ryan Brown, 8th Grade Social Studies Teacher at Telesis Preparatory Academy School, addressed the Council and said his class has been working on a civics and public policy assignment to present to the Council tonight. The students presented on the lack of sidewalks in the community and requested that the City Council consider installing more sidewalks in residential areas.

6. CONSENT AGENDA

- 6.1 [ID 21-2767](#) Approve the March 23, 2021, City Council Special Meeting and City Council Regular Meeting Minutes (Kelly Williams)
- 6.2 [ID 21-2741](#) Adopt Resolution No. 21-3490 Reaffirming the Adoption of Owner Occupied Housing Rehabilitation Guidelines Dated November 2, 2018, in Relation to an Application for Federal Fiscal Year 2021 Community Development Block Grant Funds (Holly Morin)
- 6.3 [ID 21-2742](#) Adopt Resolution No. 21-3491 Affirmatively Furthering Fair Housing in Lake Havasu City (Holly Morin)
- 6.4 [ID 21-2757](#) Adopt Resolution No. 21-3492 Authorizing the Submission of a Grant Application with the Bureau of Justice Statistics for the FY 2021 National Criminal History Improvement Program to Improve Reporting and Authorizing Execution of Necessary Documents and Implementation of the Activities Funded by the Grant (Mitchell Kalauli)
- 6.5 [ID 21-2758](#) Adopt Resolution No. 21-3493 Approving the Dedication of a 10-Foot Public Utility Easement to Accommodate Proposed Utility Lines on a City-Owned Property at the Northeast Corner of London Bridge Road and Sailing Hawks Drive (Luke Morris)
- 6.6 [ID 21-2759](#) Adopt Resolution No. 21-3494 Approving the Dedication of a 16-Foot Landscape Easement to Accommodate Proposed Landscaping and a Block Wall on a City-Owned Property at the Northeast Corner of London Bridge Road and Sailing Hawks Drive (Luke Morris)
- 6.7 [ID 21-2773](#) Adopt Resolution No. 21-3495 Approving a Grant Agreement with the Arizona Department of Transportation, Multimodal Planning Division - Aeronautics Group, for the Design and Construction of the Fire Hydrant Replacement Project (Damon Anderson)
- 6.8 [ID 21-2760](#) Approval of the Final Plat for La Fortuna Subdivision at 2015 & 2025 Moyo Drive, Tract 100, Block 1, Lots 1 & 2, Creating Nine Residential Units and Common Parcel A (Luke Morris)
- 6.9 [ID 21-2766](#) Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 4:00 p.m. Tuesday, April 27, 2021 (Kelly Williams)

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

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

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

- 7.1 [ID 21-2768](#) Fiscal Year 2020-21 2nd Quarter Contracted Agency Reports (Chief Doyle)

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

- 7.2 [ID 21-2764](#) Announce Vacancies on Lake Havasu City Boards, Committees, and Commissions (Kelly Williams)

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

- 7.3 [ID 21-2765](#) City Manager's Report (Jess Knudson)

City Manager Jess Knudson reported on the following:

- Reported on various proclamations, awards, and special recognitions.
- Announced that the Havasu Youth Advisory Council (HYAC) Operation Restock the Food Bank drive-thru event collected over \$3,000 in monetary donations and 6,640 pounds of food.
- The next Coffee with the Mayor and City Manager will be held at the Lake Havasu Aquatic Center, Relics & Rods Hall, on April 30, 2021, at 8:30 a.m.
- COVID-19 update.

8. PUBLIC HEARINGS

- 8.1 [ID 21-2711](#) Discussion and Possible Action, If Necessary, to Comply with Arizona Open Meeting Law Following the Executive Session that Occurred at 4:00 P.M. Regarding:

- A) Negotiation of City Magistrate Employment Contract
- B) Negotiation of City Manager Employment Contract
- C) Negotiation of City Attorney Employment Contract

Mayor Sheehy said the employment contracts of the City Magistrate, City Manager, and City Attorney will be brought to Council at a subsequent meeting for public hearing.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing and noted that no written public comments were received.

Vice Mayor Coke moved to direct staff to proceed as discussed in executive session to finalize the employment contracts for the City Manager, City Attorney, and City Magistrate and bring back to Council for consideration at a meeting in May, seconded by Councilmember Lane, and carried by the following vote:

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

Nay: 1 - Councilmember Lin

- 8.2** [ID 21-2769](#) Adopt Ordinance No. 21-1252 Declaring the Document Entitled "The 2012-2014 Amendments to the Lake Havasu City Tax Code, March 23, 2021" a Public Record and Amending the City Code by Adopting by Reference Amendments to the Lake Havasu City Tax Code Relating to the Transaction Privilege Tax (Jill Olsen)

Administrative Services Director Jill Olsen addressed the Council and said this item is adoption of an ordinance introduced on March 23 to clean up the Model City Tax Code to be consistent with all Model City Tax Code versions in the state. Ms. Olsen added that it reflects all of the taxes applicable to Lake Havasu City but does not make changes to the taxes or the rates.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing and added that no written public comments were received.

Councilmember Dolan moved to adopt Ordinance No. 21-1252 declaring the document entitled "The 2012-2014 Amendments to the Lake Havasu City Tax Code, March 23, 2021" a Public Record and amending the City Code by adopting by reference amendments to the Lake Havasu City Tax Code relating to the Transaction Privilege Tax, seconded by Councilmember Moses, and carried by the following vote:

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

- 8.3** [ID 21-2740](#) Adopt Resolution No. 21-3489 Authorizing the Submission of an Application for Federal Fiscal Year 2021 Community Development Block Grant Funds and Authorizing all Actions Necessary to Implement and Complete the Activities Outlined in the Application (Holly Morin)

Grants Administrator Holly Morin addressed the Council and said this item is to adopt a resolution for Community Development Block Grant (CDBG) funding authorizing the City to submit an application to the Arizona Department of Housing to be used for owner-occupied housing rehabilitation within city limits for low-income homeowners. She

explained that homeowners must meet income and home ownership requirements to qualify for housing rehabilitation assistance and said applications are available at City Hall and on the City's website at www.lhcaz.gov.

Mayor Sheehy asked what types of projects the grant funding has been used for in the past, to which Ms. Morin said it was used for sewer connections for many years and more recently owner-occupied rehabilitation housing projects.

Councilmember Lane emphasized that this program can benefit low-income homeowners and encouraged citizens to reach out to Ms. Holly Morin for more information.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing and added that no written public comments were received.

Councilmember Moses moved to adopt Resolution No. 21-3489 authorizing the submission of an application for Federal Fiscal Year 2021 CDBG funds and authorizing all actions necessary to implement and complete the activities outlined in the application, seconded by Councilmember Dolan, and carried by the following vote:

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

8.4 [ID 21-2770](#) Award Agreement for Professional Construction Support Services for the Island Wastewater Treatment Plant Flow Equalization Basin Replacement Project to Carollo Engineers, Inc. (Jason Hart)

Project Manager Jason Hart addressed the Council and said this item is to award a construction phase services contract for the Island Wastewater Treatment Plant Flow Equalization Basin Replacement Project with Carollo Engineers, Inc. He said the Flow Equalization Basin (FEB) is an important component to the wastewater treatment plant process and explained that the original FEB was constructed in 1983 and modified in 1999 for odor control; however, due to various issues and failures, the FEB was shut down in 2011 re-routing the wastewater to the other treatment plants. Due to continued growth, the City recognized the need to reconstruct the FEB hiring Carollo Engineers, Inc., in 2019 to design the FEB replacement project.

Mr. Hart said Carollo Engineers, Inc., will provide professional construction support services to assist in managing construction of the replacement of the existing earthen flow equalization basin with a concrete equalization basin and related work. They will also assist with technical questions related to the design during the award bid of the construction phase. He said staff negotiated a fee of \$234,777, which is less than five

percent of estimated construction costs, and added that the contract period will cover 12 months.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing and added that no written public comments were received.

Councilmember Lane moved to award the Agreement for Professional Services for the Island WWTP Flow Equalization Basin Project to Carollo Engineers, Inc., seconded by Vice Mayor Coke, and carried by the following vote:

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

8.5 [ID 21-2776](#) Award Bid for the 8-Inch Sewer Force Main Repairs Project to Premier Backhoe, Inc. (Jason Hart)

Mr. Hart advised that this item is to award bid for the 8-Inch Sewer Force Main Repairs Project. He said the sewer force main runs from the North Regional Wastewater Treatment Plant to the Island Wastewater Treatment Plant and has been experiencing challenges with maintenance and repairs including several costly emergency repairs over the last two years. Mr. Hart said the City has identified seven locations of potential failure due to erosion in the ductal iron pipe from pockets of hydrogen sulfide. This project will focus on those seven areas which sit between Palo Verde Boulevard North and Lake Drive and is anticipated to be completed by June 2021. He said the City received two bids with the low bid from Premier Backhoe, Inc., in the amount of \$143,448.99.

Councilmember Lane asked about the age of the current ductal iron pipe, to which Mr. Hart replied that the current pipe is approximately 15 years old; however, the new pipe has an expected lifespan of 50 years.

Councilmember Lane questioned the 33 percent difference between the two bids received, to which Mr. Hart said the engineer's estimate for this project was \$140,000, and said he would guess that the higher bid was driven by the current market and demand.

Councilmember Lane asked if this project will connect to the pipe that was installed on Palo Verde Boulevard North heading south, to which Mr. Hart replied yes, adding that there is \$1.7 million allotted in the City's Capital Improvement Plan (CIP) next fiscal year for additional repairs

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing and added that no written public comments were received.

Councilmember Campbell moved to award the 8-Inch Sewer Force Main Repairs

Project to Premier Backhoe, Inc., seconded by Councilmember Lane, and carried by the following vote:

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

8.6 [ID 21-2780](#) Adopt Resolution No. 21-3498 Appointing Members to the Lake Havasu City Board of Adjustment (Kelly Williams)

Ms. Williams said the City received four applications requesting consideration for appointment as regular members to the Board of Adjustment. She said these appointments are necessary to fill the current vacancies of regular member positions on the Board of Adjustment.

Mr. Donald Bergen, applicant, addressed the Council requesting re-appointment to the Board of Adjustment noting his years of experience and knowledge serving on the Board of Adjustment and Planning & Zoning Commission.

Ms. Robin Hill, applicant, addressed the Council requesting re-appointment to the Board of Adjustment. She said she has lived in Lake Havasu City for 12 years and feels she would do an excellent job for the city.

Mayor Sheehy said the Board of Adjustment meets as needed. He said the City received four applications with four current vacant positions. He noted that two of the applicants, Mr. Mychal Gorden and Mr. Jim Harris, were unable to attend the meeting.

Mayor Sheehy opened the public hearing. There being no comments, he closed the public hearing and added that no written public comments were received.

Councilmember Coke moved to adopt Resolution No. 21-3498 appointing members to the Board of Adjustment: Donald Bergen as a regular member with a term ending June 20, 2022, Robin Hill as a regular member with a term ending June 30, 2023, Jim Harris and Mychal Gorden as regular members with terms ending June 30, 2024, seconded by Councilmember Moses, and carried by the following vote:

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

9. CURRENT EVENTS

Councilmember Campbell provided an update from the Partnership for Economic Development on the Nomadic building.

10. FUTURE MEETINGS

Thursday, April 22, 2021 @ 9:00 a.m. – Budget/CIP Overview Work Session

Tuesday, April 27, 2021 @ 5:00 p.m. – Work Session

Tuesday, April 27, 2021 @ 6:00 p.m. – Regular Meeting

11. FUTURE DISCUSSION ITEMS

There were no requests from Council.

12. ADJOURN

Upon motion by Councilmember Lane and seconded, the meeting adjourned at 6:50 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 13th day of April, 2021. I further certify that the meeting was duly called and posted, and that a quorum was present.

Kelly Williams, City Clerk/MMC