

Mayor Cal Sheehy  
Vice Mayor Jim Dolan  
Councilmember Nancy  
Campbell  
Councilmember Jeni Coke  
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](http://www.lhcaz.gov)

## City Council Regular Meeting

### Minutes - Final

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Tuesday, November 8, 2022

6:00 PM

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#### 1. CALL TO ORDER

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

#### 2. INVOCATION: Chaplain Joy Smith, Hospital Chaplain

Ms. Sharon Harvey, Church of the Nazarene, gave the invocation.

#### 3. PLEDGE OF ALLEGIANCE: Marine Corps League

Mr. Russ Mascari, Marine Corps League, led in the Pledge of Allegiance.

#### 4. ROLL CALL

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

\*Councilmember Campbell was present via remote conferencing.

#### 5. CALL TO THE PUBLIC

Ms. Amanda McDougall, citizen, addressed the council concerning the AZ Pride Show event being held on February 4, 2023, at the London Bridge Resort. She said her focus is that children are invited to this event. Ms. McDougall referenced her email to the council and several state statutes. She said the city has ordinances in place to protect and stop this type of event from even occurring let alone allowing children to attend. She said she understands that the Police Department has investigated this and did not find anything unlawful, but stated that the Police Chief answers to the City Council; therefore, it would be a conflict to have the Police Department investigate something within the city that the mayor has interest in. She said she believes outside sources will come in and look at this if they have to.

Mr. Brett Miller, citizen, addressed the council concerning debris in the city's bicycle lanes and asked that the city sweep the bicycle lanes more often.

Ms. Bonnie Toy, citizen, addressed the council and spoke concerning the lack of bicycle parking in the city and the AZ Pride Show event.

Mayor Sheehy stated that for the record the Police Chief reports to the City Manager not the City Council.

## **6. CONSENT AGENDA**

- 6.1**     [ID 22-3512](#)     Approve the October 25, 2022, City Council Regular Meeting Minutes (*Kelly Williams*)
- 6.2**     [ID 22-3507](#)     Adopt Resolution No. 22-3615 Approving Abandonment of the Entire 8-Foot by 400-Foot Public Utility Easement Near the Easterly Property Line of 3033, 3039 and 3045 Camino De La Enclave, Tract 2373, Block 1, Lots 2A, 3A and 4A (*Trevor Kearns*)
- 6.3**     [ID 22-3516](#)     Adopt Resolution No. 22-3616 Approving the Submission of a Grant Application to Arizona State Parks & Trails for Grant Funding from the State Lake Improvement Fund (SLIF) to Replace the Site 6 Boat Launch Ramp (*Mike Keane*)
- 6.4**     [ID 22-3513](#)     Call for Executive Session Pursuant to A.R.S. § 38-431.03(A) 4:00 p.m., Tuesday, November 22, 2022 (*Kelly Williams*)

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

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

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

- 7.1**     [ID 22-3514](#)     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 on the City's website at [www.lhcaz.gov](http://www.lhcaz.gov).

- 7.2**     [ID 22-3515](#)     City Manager's Report (*Jess Knudson*)

City Manager Jess Knudson reported on the following:

- Announced various ceremonies, events, and proclamations.
- Announced upcoming community events.
- City offices will be closed on Friday, November 11, 2022, in observance of Veterans Day.

## 8. PUBLIC HEARINGS

- 8.1 [ID 22-3494](#) Introduce Ordinance No. 22-1297 Declaring the Document Entitled “2022 Amendments to the Lake Havasu City Code Chapter 5.20, Vacation Rentals, November 22, 2022” a Public Record and Amending Chapter 5.20 by Adopting by Reference Multiple Text Amendments to: Revise Definitions; Require Annual Permit; Include Notification Requirements; Include Additional Requirements of a Vacation Rental; and Revise Violations (*Anthony Kozlowski*)

Assistant to the City Manager Anthony Kozlowski advised that this item is to address changes to the city’s short-term rental ordinance, and reviewed the following in his presentation:

### Legislative History

- SB 1350 (2016) – preempted local authority to regulate or restrict short-term rentals
- HB 2672 (2019) – gave cities and towns the ability to collect contact information from property owners and established civil penalty structure/reporting requirements
- SB 1168 (2022) – was signed by the Governor on July 6, 2022, and went into effect on September 24, 2022. The law (A.R.S § 9-500.39) limits how cities can regulate short-term rentals.

### Short-Term Rental Ordinance

- Requires:
  - o Permitting or licensing regulation process
  - o Compliance with City Codes and applicable laws
  - o Emergency contact information of person responsible for responding to complaints and emergencies
  - o Notification to neighboring properties
  - o City license number displayed on advertisement
- Includes prohibited uses per statute:
  - o Housing sex offenders
  - o Sober living homes
  - o Selling liquor or illegal drugs
  - o Obscenity
  - o Special events
  - o Retail
- Grounds and process for denial and suspension of license and civil penalties

### Short-Term Rental Application

- Application information:
  - o Name, address, phone, email of owner and emergency contact

- o Address of short-term rental
  - o TPT number
  - o Agreement to comply with laws
- Grounds for denial:
  - o Failure to provide application information or fee
  - o Owner has a suspended license for that property
  - o False information
  - o Owner or designee was convicted sex offender or convicted of felony

#### Emergency Point of Contact

- Owner must disclose the emergency point of contact and must keep the information updated
- Included as part of notification to neighbors (adjacent to, directly & diagonally across the street for single family residential and those on the same floor of a multi-family residential building)
- Contact information must be posted in the short-term rental
- Emergency point of contact shall be available 24 hours per day, 7 days per week for the purpose of responding in a timely manner to any complaints

#### Suspension

- Three (3) verified violations within a rolling 12-month period; or
- One (1) verified violation resulting in:
  - o A felony offense
  - o A serious physical injury or wrongful death
  - o Sexual offender or adult oriented business use
  - o Short-term rental owner knowingly or intentionally allows a non-residential use

#### Penalties

- Against owner who violates:
  - o \$500 first violation or an amount equal to one nights rent within 12-month period
  - o \$1000 second violation or an amount equal to two nights rent within 12-month period
  - o \$3500 for third violation or an amount equal to three nights rent within 12-month period
- Additional penalty against owner:
  - o \$1000 per month for failure to apply for a permit
  - o \$1000 per month for failure to provide contact information

Mr. Kozlowski noted that these minimal but hopefully useful tools will help to address some of the concerns associated with short-term rentals. He added that the effective date for these changes is scheduled for March 1, 2023.

Mayor Sheehy said these small changes took a great amount of time and are a step in the right direction. He reviewed the history of the short-term rentals in Lake Havasu City, and said the city would still like more control; however, there is a lot of opposition throughout the state and the city will continue to advocate for more. He added that this certainly does not solve the short-term rental problem, but it gives the city additional tools to help manage them.

Councilmember Lin asked if the city will be conducting a background check on all applications, to which Mr. Kozlowski replied yes.

Councilmember Lane asked where residents could find contact information to report issues or non-compliance, to which Mr. Knudson said residents can find contact information on the city's website to report non-compliance. He said any short-term noise or trash issues would be reported to the Police Department or Code Enforcement.

Mayor Sheehy added that a notice will be required to be posted in every short-term rental with the rates, emergency procedures, life-safety measures (smoke alarms, fire extinguishers), notice regarding illegal fireworks and notice of the 24-hour emergency contact information. He said the 24-hour emergency contact information will also be given to the adjacent properties to be able to address any short-term rental issues immediately.

Councilmember Moses asked if the city would be following-up or conducting inspections to ensure applicants are complying, to which Mr. Knudson said cities across the state are putting in processes and teams to manage short-term rentals. He said the city through the application process is requiring applicants to attest that they will follow the rules and procedures, and applicants who provide false information or are not in compliance will have their permit suspended. Councilmember Moses said this process is a burden to the citizens but also city staff. He said the resources that the city is having to commit to ensure short-term rentals are operating in compliance is a lot for cities. He said he does not think \$250 (application fee) is enough, but that is the limit that has been set by the state.

Councilmember Lin asked how neighbors would be notified of a registered short-term rental, to which Mr. Kozlowski said as part of the permit application process an applicant is required to notify any neighbors within 300 feet.

Councilmember Moses said he would like to see a map on the city's website that identifies the location of all registered short-term rentals in the city.

Vice Mayor Dolan thanked Representative Leo Biasiucci, Representative Regina Cobb, and Senator Sonny Borrelli for their efforts in trying to bring back local control.

Mayor Sheehy opened the public hearing.

Mr. Joseph DeMulling, citizen, addressed the council and said he lives close to a short-term rental and was before the city council two years ago with serious complaints regarding fireworks. He said the owner no longer takes his calls, but there are still issues. Mr. DeMulling stated that he does not like to always involve the Police Department because he believes they are undermanned and would prefer to contact the owner directly. He said the property is rented every weekend with 20-30 people that are partying and playing loud music all night. Mr. DeMulling proposed the following to the city council: 1) short-term rentals should be registered with a sign/placard in the front yard with the permit number and a 24-hour emergency contact number, and 2) properties next to short-term rentals should receive a property tax reduction.

Mayor Sheehy said Representative Biasiucci was running a bill that included a placard; however, it did not make it through, and state law does not allow for a placard or reduction in property taxes; however, he added that there is discussion through a variety of different avenues on what that might look like moving forward.

There was discussion regarding the violations and penalties once the changes go into effect on March 1, 2023.

Ms. Krista DeMulling, citizen, addressed the council and said they were before the city council several years ago concerning a short-term rental and while the situation has improved, they had to take matters into their own hands and got 50 neighbors to sign a petition that notified the owner that if the situation continued, they were going to file a class action lawsuit. Ms. DeMulling suggested the city use communication by asking short-term rentals to have a posting or sign with notice of the fines and penalties as a reminder for prevention.

Mr. Don Rhodes, citizen, addressed the council and said he operates a small business in the city that checks on short-term rentals. He said he has approximately 100 contracts and does not charge a fee unless he must respond to the house. He said the owners have been trying to find a way to provide notice to their guests regarding removal if there are issues. He said he cannot respond to a call for service from a citizen because he contracts with the property owner but would like to stay up to date with the proposed changes so that he remains legitimized. He asked if this new process would require him to do a background check for each application, and wondered whether he would be required to respond if his

contact number was posted as the emergency contact?

Mayor Sheehy stated that if Mr. Rhodes is listed as the emergency contact and he calls the owner and they do not respond, then the owner would be penalized based on city section they are violating.

Councilmember Moses said his understanding was that the background check would be on the person or owner applying for the license and not the emergency contact person, to which Mayor Sheehy replied that was correct.

Mr. Taylor Harrison, citizen, addressed the council and asked if an objection from a neighbor within 300-feet of a short-term rental could prohibit an applicant from obtaining their license, to which Mr. Kozlowski replied no. He said as part of the permitting process, the applicant is only required to notify the neighbors adjacent to the property.

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

Mr. Knudson said there is specific criteria in the proposed changes of what an emergency contact is responsible for and encouraged Mr. Rhodes and others to review the ordinance.

Councilmember Moses asked if the response time starts when the resident or city contacts the emergency contact, to which Mayor Sheehy said the city would not be involved with the contact component; therefore, the time starts when the resident contacts the emergency contact listed on the application.

Councilmember Lin asked if a background check would be required on the owner or owner's designee and asked if Mr. Rhodes would be considered the owner's designee, to which Ms. Garry said based on the information Mr. Rhodes has provided, the owner would be the person who would sign the application and would list a person as the emergency contact person. She said the owner or owner's designee would be the owner or if they have a designee that is not at the owner status but does not have to be the same as the emergency contact person. She said the background check would be on the owner or person that signs and submits the application as the owner or owner's designee.

Councilmember Lin asked how the city would be notified of changes to the application, to which Ms. Garry said they are required to notify the city; however, it will also be an annual process.

Ms. Garry requested that the motion include the effective date of March 1, 2023.

**Vice Mayor Dolan moved to introduce Ordinance No. 22-1297 declaring the document entitled "2022 Amendments to the Lake Havasu City Code Chapter 5.20,**

**Vacation Rentals, November 22, 2022” a public record and amending Chapter 5.20 by reference with an effective date of March 1, 2023, seconded by Councilmember Moses, and carried by the following vote:**

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

**8.2**      [ID 22-3480](#)      Discuss and Provide Direction on the Process for Updating the City Schedule of Fees and Service Charges as Contained in Lake Havasu City Code Section 3.20.040 (*Jill Olsen*)

Administrative Services Director Jill Olsen addressed the council and said annually the city undergoes a review of fees and charges as required by the City Code. She said several years ago, the city established a method to adjust fees by using the Consumer Price Index (CPI) when calculating recommended fee changes, which allowed for reasonable costs to be covered and minimized large changes in fees and charges. She said the city council a few years ago, provided direction to not make actual changes to fees each year since the amount of CPI during those years was minimal (around two percent), and the CPI would be applied and carried forward to the following year and actual fee adjustments would occur every two years. She said this year with inflation, the CPI was determined to be at 13.85 percent, which is no longer a nominal percentage; therefore, staff is bringing this before the council for direction as this year staff would not be bringing forward any changes. She said if the city does not apply the 13.85 percent this year and carries it to next year, the city could have around a 20 percent CPI increase next year. She noted that it would not necessarily be a 20 percent increase on all fees, as there are categories of fees where the city council has provided direction and adopted lower cost recovery.

Ms. Olsen said staff is seeking direction from the council on whether they would like to apply an increase now or come back next year with the accumulate effect of the CPI increases.

Vice Mayor Dolan asked if the services based on market rates are set by CPI, to which Ms. Olsen replied that some of them are set by CPI but it is usually a combination. She said they will provide staff with the rates with the applied CPI and then staff will review the surrounding areas to determine what their fees are to determine whether to adjust the fees according to the market.

Mayor Sheehy said the current direction is to bring back changes every other year but with the rise in inflation it could be a significant increase next year for those fees and whether the council wants to address it this year so the impact to citizens is not large at one time. He said his opinion is that this year families are experiencing difficult times and he does not have a personal appetite to increase fees that impact the citizens such as the Parks and Recreation fees or any other fees that the citizens are directly paying for, and then circle



back next year to review the city's budgetary outlook and CPI, cost recovery analysis to address it from that perspective. He said he could be open depending on the will of the council on development costs that should pay for themselves and should be passed onto those that are growing or developing.

Councilmember Moses asked if the water and sewer rates are scheduled to be adjusted, to which Ms. Olsen said the utility fees are not included in the service fees and charges.

Councilmember Moses said he would like to see the fees keep up with the cost of doing business but does not want to see increases to the Parks and Recreation fees and transportation fees.

Mayor Sheehy said based on direction from council tonight, staff would then have the ability to do the analysis and come back to council to discuss the fee increases and what the effective date would be.

Councilmember Lane said one of the things the council has learned over the years is that citizens like incremental increases versus large increases. He spoke on the rising costs of doing business and said he was in favor of raising the fees to make the incremental adjustments every year.

Vice Mayor Dolan spoke on the services the city provides (roads, parks, and emergency services) and said he would like to protect some service fees (parks and recreation) but would like to see the current CPI applied and come back before the council for review.

Councilmember Coke said that she has been on the council for many years, and it has been her experience that making large adjustments is more painful. She was in favor of reviewing the categories and making changes where needed.

Councilmember Campbell spoke on rising costs and said there may be some opportunities to look at private-sector sponsorships for Parks and Recreation fees. She was in favor of applying the current CPI increases across all categories.

Councilmember Lin was in favor of having smaller increments and applying the current CPI across all categories.

Mayor Sheehy asked if the consensus of the council is to give direction to staff to address all categories across the board or keep all quality-of-life categories at current rate?

Vice Mayor Dolan was in favor of reviewing all categories.

Mayor Sheehy stated that staff is applying CPI because it is the policy of the council. He said the council has a current budget that we are already operating within that has in account all of the positional analysis step increases, three percent cost of living, and many of these services are provided within the confines of that budget offset by fees. He said if the council has non-negotiables or is not interested in seeing a certain area, he would suggest the council speak up now versus having staff go through the analysis and calculations.

There was consensus from the council for staff to go through the analysis and calculations for all categories.

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

- 8.3**      [ID 22-3519](#)      Award a Job Order for the Bridgewater Channel Dredging Phase 1 to Lewis Equipment Services LLC and Approve Multi-Awards for Job Order Cooperative Purchase Agreements for Earthworks and Channel Maintenance Utilizing Mohave County's Job Order Contracts (*Mike Wolfe*)

Civil Engineer Mike Wolfe advised that this item is to award a job order contract for the Bridgewater Channel Dredging Phase 1 to Lewis Equipment Services, LLC, and channel maintenance to Earthworks utilizing Mohave County's job order contracts.

Mr. Wolfe reviewed the following in his presentation:

**Bridgewater Channel Dredging Phase 1**

- Approve Multi – Job order contract purchase agreements for Earthwork and channel maintenance
- Award Job Order #1 to Lewis Equipment Services to Bridgewater Channel Dredging Phase 1 “Pinch Point”

**Purpose**

- Provide an expedient means of future contracting for Earthworks and channel maintenance
- Provide for the immediate contracting for the dredging of the navigational hazard in the Bridgewater Channel “Pinch Point”

**Mohave County JOC**

- Multi award Job Order Cooperative (JOC) Purchase Agreements for Earthworks and Channel Maintenance
- Job Order #1 for Bridgewater Dredging Phase 1 Lewis Equipment \$157,920.05

Mr. Wolfe reviewed the project location and sand and gravel haul and disposal sites. He said the city has also received the United States Army Corps of Engineers NWP 35 In-Water Permit to proceed.

#### Schedule

- Permits applied - August 2022
- Design complete - October 2022
- Permits approved – October 19, 2022
- Call for proposals – October 27, 2022
- Council award – November 8, 2022
- Anticipated NTP – December 5, 2022
- In-Water work complete – December 31, 2022
- All work complete – January 15, 2023

#### Funding

- CIP – General Fund

Mayor Sheehy asked if the dredged material would have any odors at the disposal site, to which Mr. Wolfe said they will be de-watering and roller compacting the material at the disposal site. He said he does not anticipate any odors generated from the dredged material. Mr. Wolfe said there may be some short-term nuisances in the dredged area where there is a little turbidity and they are mixing some of the material that will be in direct contact with the air and possibly some nuisance with the trucks hauling material; however, staff will monitor the site and include any wash-down or restoration work that is needed.

Councilmember Moses asked if any of the dredged material could be used in other areas of the channel to create more shoreline, to which Mr. Wolfe said that is an idea worthy of analysis when the city moves forward with the larger Bridgewater Channel project which will survey and make recommendations for excavation and dredging and shore shape of the channel.

Mayor Sheehy opened the public hearing.

Ms. Toy spoke asked if the city would provide notice of swimmer's itch and any other health hazards from the dredging.

Mayor Sheehy stated that the signs were placed in the channel because of the influx of birds in the area. He said the city meets all the environmental requirements as part of the dredging process and there will be safety barriers put up around the dredging area.

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

**Councilmember Lane moved to approve a multi-award cooperative job order contract purchase agreement utilizing Mohave County's JOC Contracts for Earthwork and Channel Maintenance to Desert Construction, Lewis Equipment Services, LLC, McCormick Construction Company, Perco Rock, and Rummel Construction, Inc. and authorize the City Manager to execute said JOC cooperative purchase agreements and Job Order #1 to Lewis Equipment Services, LLC for the Bridgewater Channel Dredging Phase 1 in the amount \$157,920.05, seconded by Councilmember Coke, and carried by the following vote:**

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

**8.4**      [ID 22-3523](#)      Award Agreement for Professional Services for the Milling and Overlay of City Core Streets Project to Kimley-Horn & Associates, Inc. *(Mike Wolfe)*

Mr. Wolfe said this item is to award the agreement to Kimley-Horn & Associates, Inc., for the design and preparation of bid documents for the milling and overlay of City Core streets.

Mr. Wolfe outlined the following in his presentation:

**City Core Streets Paving – Award Design and Preparation of Bid Documents**

- City Core Streets (Fall 2023) - \$5,895,000
  - o McCulloch Blvd – London Bridge Road to Smoketree
  - o Swanson Ave – Hwy 95 to Smoketree
  - o Smoketree Ave – Swanson to Mesquite
  - o Riviera Blvd – Swanson to Palo Verde South
  - o 3800 ft 8" Watermain

**Background of Hot Mix Paving Program:**

- Top 12 Streets identified based on Street Pavement Priority Array Program
- Individual segments and areas combined to create City Core Paving Project
- Mill and fill method of hot mix Application considered for most economical spread of paving funds
- Watermain segments evaluated and included for replacements under new surface improvements

**5 Recognized Criteria for Rating System**

- Street Classification 5 to 20 pts. principal, prime & major Arterials, major, minor & local collectors
- Average daily traffic (ADT) 5 to 20 pts. 20,000 ADT to less than 5000 ADT

- Pavement condition index (PCI) 5 to 20 pts.
- National Pavement Rating System (rating from 100 Best to 0 Failing)
- Geographical area (Zone) 5 to 20 pts. industrial, commercial & residential
- Current cost to preserve 10 to 20 pts. (Costs to preserve becomes uneconomical)

Mr. Wolfe reviewed the Pavement Priority Array Scoring and Identification and displayed photographs of past mill and fill and watermain projects.

Current Projects for Street Paving Program in Process (Priority Street Paving Program)

- Industrial Streets (Spring 2023) - \$2,123,000
  - o Industrial Avenue – London Bridge Road to Kiowa
  - o Kiowa Ave – Alley 11 to Alley 13
  - o Palo Verde S – London Bridge Road to Lake Havasu Avenue
  - o 700 ft 8” Watermain
- 2022 Watermain & Paving CIP - \$1,862,000
  - o Lake Havasu Ave – Kiowa to Acoma
- 2024 Paving Program - \$7,864,000
  - o Lake Havasu Ave – Acoma to Industrial
  - o Lake Havasu Ave – Willow to Mesquite
  - o Mesquite Ave – Lake Havasu Ave to Acoma Blvd
  - o London Bridge Road – Palo Verde S to Hwy 95
  - o 4100 ft 8” Watermain

Action Tonight

- Award design contract for plans, specifications, estimates & bid documents to Kimley Horn & Associates for \$165,535 for the City Core Paving Project

Mayor Sheehy said this budget year the city has invested \$10 million in new road projects and this action tonight will award the design contract.

Vice Mayor Dolan asked if the design is for all streets or only the City Core streets, to which Mr. Wolfe said it is strictly for the City Core streets (highlighted in yellow).

Councilmember Moses asked if there are other streets in the city that are in need of paving but do not rate as high because they have less traffic, to which Mr. Wolfe said there are other streets falling in the failing category; however, the rating system accounts for the traffic count on those streets. Councilmember Moses asked if there is a plan for the failing streets that are not main arteries, to which Mr. Wolfe said those streets are currently listed. He said the plan is to continue to implement the priority array and score points and try to assign streets that are grabbing those points.

Councilmember Moses asked if the city will be coordinating efforts to not overlap road work on Lake Havasu Avenue and Highway 95, to which Mr. Knudson said the road work on Highway 95 will be done by the Arizona Department of Transportation (ADOT). He said all projects will be coordinated by public safety, utilities, roads, and special events.

There was discussion regarding future road work on Smoketree Avenue from Magnolia to Lake Havasu Avenue.

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

**Councilmember Lane moved to award the Agreement for Professional Services for the City Core Paving Project to Kimley-Horn & Associates, Inc., seconded by Vice Mayor Dolan, and carried by the following vote:**

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

- 8.5**     [ID 22-3518](#)     Approve Cooperative Purchase of One (1) Caterpillar 420-07 Backhoe Loader, 4X4, E-Stick, Plumbed from Empire Southwest, LLC, dba Empire Machinery for Vehicle/Equipment Replacement for Fiscal Year 2022-23 (*Bill Young*)

Public Works Director Greg Froslic advised that this item is for the purchase of a backhoe loader to be used in wastewater to replace a backhoe that has exceeded its lifespan. He said these units typically come with a jackhammer attachment that cost approximately \$20,000; however, because it is seldom used by water or wastewater, it was eliminated from this purchase to reduce the cost.

Vice Mayor Dolan asked when the equipment is expected to arrive, to which Mr. Froslic said approximately 8 to 11 months.

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

**Councilmember Moses moved to approve a cooperative purchase of one (1) backhoe with the authorized Caterpillar dealer, Empire Southwest, LLC dba Empire Machinery, in an amount of \$154,762.20, seconded by Vice Mayor Dolan, and carried by the following vote:**

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

- 8.6**     [ID 22-3517](#)     Award Bid for Fiscal Year 2022-23 Crack Seal Program to Holbrook Asphalt Company

*(Bill Young)*

Mr. Froslic said this item is to award bid for the city's annual crack seal program to Holbrook Asphalt Company.

Councilmember Lin asked if this bid includes crack seal on the multi-use path along Highway 95, to which Mr. Froslic said that the city has work identified on that path that the city contracts with ADOT to maintain as well as the Island walking path.

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

**Councilmember Moses moved to award the bid for Fiscal Year 2022-23 Crack Seal Program to Holbrook Asphalt Company in the amount of \$233,350, seconded by Councilmember Lane, and carried by the following vote:**

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

## **9. CURRENT EVENTS**

There were no council committee reports.

## **10. FUTURE MEETINGS**

Tuesday, November 22, 2022 @ 6:00 p.m. – Regular Meeting

Tuesday, December 13, 2022 @ 6:00 p.m. – Regular Meeting

## **11. FUTURE DISCUSSION ITEMS**

There were no requests from council for future discussion items.

## **12. ADJOURN**

Upon motion by Councilmember Lane and seconded, the meeting adjourned at 7:59 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 November, 2022. I further certify that the meeting was duly called and posted, and that a quorum was present.

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Kelly Williams, City Clerk/MMC