

Upon notice duly given under Arizona Revised Statutes, Section 38-431, et seq., as amended, the City Council of the City of Bullhead City held a Special Meeting on Tuesday, May 6, 2025, in the Council Chambers, 1255 Marina Blvd., Bullhead City, Arizona.

CALL TO ORDER

Mayor D'Amico called the special meeting to order at 3:30 p.m.

ROLL CALL

Council Present

Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Debie Ogden

UTILITIES DIRECTOR: Mark Clark

ASSISTANT CITY MANAGER Edigar Kajirwa

DISCUSSION ITEM

1. Discussion regarding proposed city water and sewer rates

City Manager Cotter said talking about raising rates is one of the unfortunate parts of serving on the Council. He said when the city took over EPCOR Water, they promised they would not raise rates. He said while the city was in the process of taking over the water company, EPCOR was looking at consolidating rates with all their Arizona utilities. He said EPCOR ended up consolidating all their Arizona utilities shortly after the voters approved the city to take over EPCOR. He said the city has not raised rates since taking over EPCOR three years ago. He said city staff have made a lot of improvements to the system, but unfortunately the time has come to discuss a rate increase. He said Utilities Director Clark has a great deal of knowledge in rate making and said the city is lucky to have a staff member that understands rate making and fairness to the public as well as knowing how to best run an enterprise fund. He said they also need to discuss a rate increase for wastewater and said the city has gone a long time without raising the rates. He said staff is looking for feedback at the end of today's discussions.

Assistant City Manager Kajirwa said the underlying goal is to continue to provide reliable water service to all customers. He said to do that, they need to ensure the revenues coming into the utility fund is funding the expenses of the utility operating cost and the infrastructure.

Utilities Director Clark gave a slide show presentation highlighting specific speaking points. He said a couple things have happened since the city took over the water system. He said it became apparent that the utility system was under challenging market conditions and some supplies have a lead time from 16 to 36 months, and said those challenges are still ongoing. He said some of the problems causing this is some of the products are produced outside the United States. He said since COVID, the production levels have gone down and costs have increased. He said the tariffs have also added to the existing challenges. He said the biggest challenge of all is the aging infrastructure of the water system. He said they are also finding a labor shortage, and said they are lucky that some of the

previous EPCOR employees came to work for the city after the takeover. He said they have found some challenges in acquiring employees that have technical expertise and said they have emphasized additional in-house training. He said a lot of employees are passing exams, and said they are happy to be where they are right now. He said they are seeing that sometimes employees leave the city to work for other utilities because of pay or other favorable conditions. He said inflation is also a challenge. He said they are seeing a 10-15 percent increase on meter prices, and said the cost of most supplies and materials have increased between 20-25 percent over the past 3-5 years.

Utility Director Clark gave a brief explanation of how rates are calculated. He said there are two tracks that rates could be built on. He said the first track is an increase across the board which is the simplest one. He said the second track is a cost-of-service study, and said the city did not perform a service study. He said the cost-of-service study is a lot more detailed and takes approximately 1 year to perform. He said a cost-of-service study looks at everyone's costs and determines whether or not some costs should be shifted from one class of customer to another class of customer. He said the city is proposing an across the board increase. He said the Utilities Department is different than all other departments because they are an enterprise fund. He said by being an enterprise fund, the Utilities Department must operate using the revenue that is collected from the customers. He said they do not receive any sales tax dollars or state shared revenue funds. He said the water fund does not have its own debt and said they have borrowed money from the general fund. He said they cannot get a bond on their own based on their revenue because there is no excess revenue.

Utilities Director Clark said the authorization for the establishment of fees comes from two sources. He said the first source is the Arizona Revised Statutes. He said the Arizona Revised Statute gives the Council the authority to set the rates for the city as opposed to the city having to go to the Arizona Corporation Commission. He said the city does have an ordinance that gives the council the ability to set the rates for the water and wastewater systems, which is basically the enterprise funds. He said the ordinance states the rates, deposit charges, and fees of each utility service shall be established by resolution of the Council and in accordance with applicable state statutes. He said the second part of the ordinance states that utility rates shall be established to recover at least the cost of providing each utility service, including services ancillary thereto, and to maintain adequate fund reservations for each utility. He said they are not there right now, and said they do not have enough revenue to cover their expenses and the debt that was issued on their behalf to purchase the water enterprise.

Utilities Director Clark said there are two rate structures within the city. He said the North Mohave Rate is on the far north end of the city and said there are approximately 2,000 customers. He said the Mohave Rate has approximately 18,000 customers. He said EPCOR was in the process of consolidating the two, but they had not completed it by the time the city took them over. He said they are going to merge the two rates during this rate case. He said the Mohave Rate has a \$1.20 surcharge and the North Mohave Rate has a \$1.27 surcharge. He said they are going to move the charge so it is part of the volumetric rate, and said customers will no longer see a separate line item. He said it will be a large increase, and said they wanted to phase in the new charge over 3 years. He said the city has put a lot of money into the infrastructure, and said EPCOR put almost nothing into infrastructure. He said if something did not break, it was not going to be replaced. He said since the city took over EPCOR, they installed a couple of new wells, replaced several wells that were not maintained, cleaned 7 reservoirs, and repaired over 1,590 breaks in the system. He said it is going to take time to get through the system and make the needed repairs. He said they are going to install 350 new fire hydrants, drill a new well on the north side of the city, install new water meters and valves, and install a new booster station. He said the city has spent \$9.7 million on infrastructure improvements since

taking over EPCOR. Assistant City Manager Kajirwa said based on their analysis, the city has saved the public approximately \$10 million, and said it was not reflected through the rate increase. He said the \$10 million that has been passed on to the customers is very important to highlight. He said EPCOR did a rate increase in February 2022, just when the city took over the system. He said based on their analysis, it is presumable that they have also increased their rates yet again. He said the \$10 million is not indicative of what the savings would have been, but it is a solid estimate on how much savings the city has passed on to the residents.

Utilities Director Clark said it is going to take them 3 years and all the proposed increases to get the Utilities Department in the black. He said they are proposing a 19 percent increase in 2026; a 14 percent increase in 2027; and a 14 percent increase in 2028. He showed a slide showing a table with borrowings the department currently has. He said they have been borrowing money from the general fund every year since the water operation has been in existence with the city and showed slides explaining where funds are spent. He showed slides explaining how much the increase will be in 2026, 2027, and 2028. He said on an annual basis in year three, the Mohave customers would have to pay \$95.00 more per year and the North Mohave customers would have to pay \$139.00 more per year. He said the prices shown are just the base prices, and said the total will be higher based on how many gallons of water are used. City Manager Cotter said the proposed rate is still less than the rate they would have had six years prior under EPCOR and will no longer be 2 separate rates.

Utilities Director Clark said in 2022, EPCOR had a rate increase, as well as in 2023, 2024, and 2025. He said none of those increases affected our customers because when the city took over the system, we told our customers that we would not raise the rates for at least two years, and it has been 4 years since we took over the water system.

Utilities Director Clark explained the water meters. He said residential customers have a five-eighths by three-quarter meter and the three-quarter meters are tied in with a secondary six-inch or four-inch meter for most apartments and RV parks. He said the commercial rates are increasing at the same percentage as residential. Vice Mayor Alfonzo asked what the typical size meter would be for a four-bedroom house. Utilities Director Clark said residential customers have a five-eighths by three-quarters meter. He said the three-inch meters include meters installed on fire hydrants that are typically used for construction. He said the largest meter the city has is six-inch.

Utilities Director Clark said volumetric rates will be adjusted. He said the surcharge will be added to the base rate on the customer's bill and there will no longer be two separate line items. He said the decision was made to use the Mohave Rate because almost 18,000 customers are on the Mohave Rate as opposed to 2,000 customers on the North Mohave Rate. He explained for a Mohave Rate customer using 4,000 gallons, their rate will increase \$4.96 per month, and a North Mohave Rate customer will increase \$8.21 per month. He said for a Mohave Rate customer using 8,000 gallons, their rate will increase \$7.70 per month, and a North Mohave Rate customer will increase \$11.40 per month. He said in year one the city rates are well below EPCOR's rate. He said the average customer uses approximately 6,000 gallons per month. He said for Mohave Rate customers the increase will be \$6.33; and \$9.84 per month for North Mohave Rate customers. Assistant City Manager Kajirwa said a current customer using six units, which is 6,000 gallons, has a bill of \$33.12, if approved the customer will now be paying \$39.47.

Utilities Director Clark explained the costs after 3 years. He said a 4,000-gallon customer in year three would have a bill of \$40.23 compared to \$25.99 in year two. He said that is a \$14.24 increase

for the Mohave Rate and a \$17.55 increase for the North Mohave Rate. He said an 8,000-gallon customer is going to increase \$22 to \$62.31 a month for Mohave customers and \$25.76 for North Mohave customers. He said a 17,000-gallon user will have a \$43.16 increase for Mohave, and a \$54.20 increase for North Mohave.

Vice Mayor Alfonzo asked if there are plans to offer payment options for citizens who may have a hard time paying their bills. Utilities Director Clark said they can look into that if Council so chooses.

Commissioner Newlin asked for clarification on the number shown for the Current Bill North Mohave in year one. Utilities Director Clark said that number should have read \$67.27 for a 17,000-gallon user. Commissioner Newlin asked if there is a tiered installation fee for the different sized meters. Utilities Director Clark said it is the same cost of \$7,600 for the service line installation for five-eighths to two-inch lines, but the price of installation of a meter is at cost so it varies according to size.

Assistant City Manager Kajirwa explained the comparison of rates in other Arizona cities. He said while doing analysis and developing this rate study, they factored in rates of our neighbors but also tried to be fair to everyone in the system. He said tying both North Mohave and Mohave Rates was a key factor due to the benefit they received over the past 3 years without a rate hike. He said we will still be one of the lowest across the state.

Mayor D'Amico asked if staff has researched ways to increase revenue and pay down debt. Utilities Director Clark said they have looked into selling some effluent water and other assets, but it will not help with the rates. He said a revenue stream is needed to get in the black. Mayor D'Amico said the comparison looks good now, but unless they raise their rates 52 percent it will not look good in the next 3 years. Assistant City Manager Kajirwa said in his research he found most cities are in double digits and are at the end of their rate increases and will be requesting future increases. He said the key factor to highlight is that there is not enough revenue to cover operations. He said with this proposal, they will still be in the red until fiscal year 2028. Utilities Director Clark said until they have a rate increase, they will have to keep borrowing from the general fund.

City Manager Cotter said the city will have to look for ways to bring in revenue. He said some options are selling reclaim water, looking at our allocation, partnering with the Central Arizona Project, and looking at some of the assets acquired from EPCOR outside the city limits. He said this will help with future capital expenses but not for operations. He said the city has already saved the citizens more than \$10 million in rate making.

Mayor D'Amico said he hopes that after the debt is paid off, we will be able to lower the bills as was done with wastewater a few years ago. City Manager Cotter said that was a possibility, but the system acquired from EPCOR needs repairs of numerous breaks throughout the year. Assistant City Manager Kajirwa said that when we took over the system, we were losing 22 percent of our water in North Mohave alone.

Council Member O'Neill asked if the tier volumes will change. Utilities Director Clark said the volume amounts in the tiers will remain the same.

Council Member Head said he owned a home in Glendale and his water bill increased 135 percent in three years from \$24 per month to \$80 per month. He said he also wants to see an assistance program. Assistant City Manager Kajirwa said there is an assistance program, and said they will maintain the

program. He said EPCOR gave discounts but were able to recover those in rate hikes. He said the city will not be recovering those funds; they will be real discounts.

Utilities Director Clark said the main considerations were to phase it in over three years and to spread the increase over all customer classes. He said many improvements have been made to the wastewater system. He said 3 of the 4 largest lift stations have been rehabilitated, manholes rehabbed, and improvements to the Section 10 Plant. He said they plan on installing a new clarifier and rehabbing two next year. He said since the Utility Department was created in 2021, \$17 million has been spent on system improvements. He said they are building a system for the future for our residents and our visitors to this community.

City Manager Cotter said wastewater rates had not been raised for over a decade and then were raised 2 percent 6 years ago but was not sufficient to cover all capital needs. Utilities Director Clark said they are proposing three 9 percent increases over a three-year period and said our current wastewater rates are some of the lowest in the entire state at \$36.26. He said the rates will increase to \$39.16 in 2026, \$42.29 in 2027, and \$45.68 in 2028, which will still be lower than EPCOR's rate for residential sewer. He said the bulk of the customers are residential, and a little over a thousand are other customers such as general commercial, multifamily, hotels, restaurants and laundry. He said the base service rate for other customers would be going up from \$47.96 to \$60.42. He said the other customers, unlike our residential customers, pay a volumetric rate. He said the city bills the customer for gallons used on the water side and charges them a volumetric rate for how much sewage they are putting into the system. He showed slides reflecting the increases for industrial, multi-family, automotive, restaurant, grocery, hotel and laundry.

Assistant City Manager Kajirwa said sewer rates compared to other cities are the lowest in Northwestern Arizona. He said rates have not increased for over two decades and most cities have a 7-10 percent increase for wastewater and said this 9 percent increase is a number that he feels confident in for operating the plants for the next three years.

Assistant City Manager Kajirwa said Section 10 is currently a 4-million-gallon a day plant and needs to be increased to a 6-million-gallon a day plant. He said improvements have taken a large chunk of the reserves that sewer had in their funds and staff will be recommending 9 percent. He said other cities are going to raise their rates and some are raising their rates this year effective July 1st, some raising rates within the same schedule as us later this year, and some are currently having a rate hike.

Assistant City Manager Kajirwa said if there were no further recommended changes and the rate study is amended based on Council input, the formal notice of intent regarding the proposed rate increases will be on June 5th, the public hearing notice advertised on July 14th, and adopting the proposed rates on August 5th at the public hearing. He said September 4th is the earliest the rates can go into effect, or November 1st as an alternative date. He said one thing to keep in mind, those numbers will not reflect a full 12 months or a full fiscal year period, which is July 1st to June 30th, and said the rates would come into effect five months or six months into the year.

Council Member O'Neill asked if the water bill and wastewater bill examples were correct because they are both shown at \$39.16 each and his bill has never been the exact same amount for both. Assistant City Manager Kajirwa said those numbers will be corrected.

Assistant City Manager Kajirwa said this is a multi-step process and said the biggest issue is with operating revenue. He said City Manager Cotter has been with the city for 15 years and he along with the Council has been able to acquire enough water rights. He said with utilizing grants, the option of possibly selling off some assets, and this rate increase, inflows of revenue can be streamlined to ensure that we are providing adequate water supply to our residents.

Council Member Ring said we did acquire the system from EPCOR and it needs repairs, but we cannot run in the red. She said these rates are minimal and can see why the need is there.

City Manager Cotter said because the council brought up some questions with payment plans and discount options, a workshop on June 5th will be scheduled to talk about some of those programs and show the impact of what those would be.

Assistant City Manager Kajirwa said if this was to be operated as a sole entity, what would the consequences be? He said these discussions help to figure out a solution to make sure that we provide an adequate water supply and operating the system as we should.

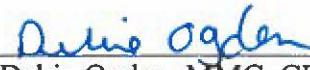
ADJOURNMENT

Mayor D'Amico declared the special meeting adjourned at 4:56 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct record of the special meeting of the City Council of the City of Bullhead City held on the 6th day of May 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 29th day of May 2025.


Debie Ogden, MMC, CPM
City Clerk

Upon notice duly given under Arizona Revised Statutes, Section 38-431, et seq., as amended, the City Council of the City of Bullhead City held a regularly scheduled meeting on Tuesday, May 6, 2025, in the City Council Chambers, 1255 Marina Boulevard, Bullhead City, Arizona.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor D'Amico called the meeting to order at 5:30 p.m. and invited Malcan Moberly of Valley Christian Church to deliver the invocation. Vincent Bossolono, Sgt/USMC 2020-25 led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

Council Present

Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter

CITY ATTORNEY: Garnet Emery

CITY CLERK: Debie Ogden

POLICE CHIEF: Robert Trebes

FINANCE DIRECTOR: Robert Drexler

PUBLIC WORKS DIRECTOR: Angie Johnson

UTILITIES DIRECTOR: Mark R. Clark

HUMAN SERVICES DIRECTOR: Jeff Tipton

DEVELOPMENT SERVICES DIRECTOR: Saritti Chooniyom

PRESENTATIONS AND PROCLAMATIONS

Retirement of Military Banners Presentation by the Tri-State Military Moms, Inc.

Mayor D'Amico presented "Welcome Home" certificates to the retiring military members. Members of the Tri-State Military Moms read the biographies of each member and the retired banners were presented.

Mayor D'Amico called for a short break at 5:53 p.m. and reconvened the meeting at 6:02 p.m.

OPEN CALL TO THE PUBLIC

Mayor D'Amico opened the call to the public.

Pastor George Lyman from Desert Shores Community Baptist Church spoke about a free parent support group they are hosting on May 26th at 6:00 p.m.

Barbara Pape spoke about the upcoming Colorado River Republican Woman's Council luncheon to be held at Chaparral Country Club on May 7th.

Deborah Johnson said she wanted to contact the Planning and Zoning Commission Members and said their names and contact information is not on the city's website. She said the Commission Member's names and contact information should be on the city's website.

Rose Jacobs spoke about the upcoming Bullhead City Fire Board Meeting that is taking place on May 20th at 9:00 a.m. in the Council Chambers.

Scotty McClure said he was upset that he had to pay \$25.00 for a budget book. He said he should get the book for free because he cannot sit in the chairs in City Hall long enough to read the budget because the chairs hurt his back.

Having no one else present requesting to speak, Mayor D'Amico closed the call to the public.

AGENDA MODIFICATIONS

None

WAIVER MOTION

Vice Mayor Alfonzo made a motion to waive the reading in full of all ordinances and resolutions presented for adoption at this meeting. Council Member Newlin seconded the motion.

VOTE: AYES: Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring

NAYS: None **ABSENT:** None

MOTION CARRIED

MANAGER'S REPORT

1. Summer Camp (Bullhead City Recreation)

Recreation Manager Adams spoke about the upcoming Summer Camp Program. She said there are currently almost 500 registered participants. She said as they step into their third year of summer camp, she is filled with gratitude and excitement. She thanked the Council, City Manager Cotter, Public Works Director Johnson, the Recreation Staff, and the instructors for their help in making the camp happen. She said the 5 week program officially begins on May 27th.

2. City Budget Workshop May 8

City Manager Cotter said the budget workshop will take place on May 8, 2025 at 8:30 a.m. and said the meeting is scheduled to commence again on May 9, 2025 at 9:00 a.m. if needed. He said the meeting is open to the public and comments from the public will be allowed at the end of the meeting.

3. Grand Opening of The Abbott

City Manager Cotter said the grand opening of The Abbott Apartment Complex will take place on May 8th. He said the council will break from the budget meeting from 12:00 p.m. until 2:00 p.m. so they can attend the grand opening. He said the apartment complex has 66 units and located on the corner of Clearwater and Riviera.

4. Highway 95 and Merrill Intersection

City Manager Cotter said they opened the Highway 95 and Merrill intersection today. He said staff are working on the aftereffects of the storm, and said the traveling public is now utilizing the intersection.

5. Right Turn Lane at Mohave High/Thunderstruck

City Manager Cotter said construction has started on the Mohave High/Thunderstruck intersection. He said a ribbon cutting ceremony will take place when the project is completed.

MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS

Council Member Newlin said it was great to see the Mohave High School JROTC in attendance tonight, and said he attended their awards and promotion ceremony on April 23rd and congratulated all the award winners and everyone that earned a promotion. He said he participated in the soft opening of the RC car oval track last Saturday. He said he received positive reviews from those in attendance, and said the concrete surface is excellent.

ITEMS WITHDRAWN FROM CONSENT AGENDA

None

CONSENT AGENDA

Council Member O'Neill made a motion that Items 1 through 5 on the Consent Agenda be approved in accordance with the reports, certifications and recommendations furnished each Council Member and without further discussion. Vice Mayor Alfonzo seconded the motion.

VOTE: **AYES:** Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring

NAYS: None **ABSENT:** None

MOTION CARRIED

Items on the Consent Agenda were approved as follows:

1. Approve the Minutes of the Special City Council Meeting held on April 15, 2025; and the Minutes of the Regular City Council Meeting held on April 15, 2025. (City Clerk Ogden)
2. Discussion and possible action to adopt RESOLUTION NO. 2025R-14, approving a division of improvement district assessments in relation to Laughlin Ranch Boulevard, for a parcel owned by Equity One Properties, LLC. (currently APN 213-14-077) and for parcels owned by Sunrise 360, LLC. and Toy Shack LLC. (currently APN No's 230-35-001/002/003/004). (City Attorney Emery)
3. Adopt RESOLUTION NO. 2025R-15, approving an Intergovernmental Agreement between the City of Bullhead City and Mohave County for the purpose of continuing Mohave County administration of the housing assistance programs within Bullhead City in the amount of \$3,675.00 annually through June 30, 2027. (Human Services Director Tipton)

4. Adopt RESOLUTION NO. 2025R-16, approving an Intergovernmental Agreement between the Bullhead City Pest Abatement District and the City of Bullhead City for the District's annual contribution of \$185,000.00 to the City for an additional three years and with the option of an additional one year unless either party provides notice of termination. (Human Services Director Tipton)
5. Adopt RESOLUTION NO. 2025R-17, renewing the City of Bullhead City's membership in the Northwest Arizona Employee Benefits Trust for an additional three years. (City Manager Cotter)

PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA

None

BOARD/COMMISSION/COMMITTEE APPOINTMENTS

None

PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS

6. **PUBLIC HEARING:** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for a new Series 12 (Restaurant) Liquor License Job No. 333518 submitted by Jared Michael Repinski for The Sushi Spot located at 1371 Hancock Road, Bullhead City, Arizona. (City Clerk Ogden)

City Manager Cotter said staff have reviewed the application and have no concerns.

Mayor D'Amico asked if the applicant was present.

Juan (did not give his last name) said he is representing the applicant. He said they are happy to bring this new restaurant to Bullhead City, and said he sees a few of their customers in attendance tonight and thanked the public for their support. He said he has been a part of the community for over 20 years, and his children grew up in Bullhead City.

Mayor D'Amico opened the public hearing. Having no one wishing to speak, Mayor D'Amico closed the public hearing.

Council Member Dallman made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for a new Series 12 (Restaurant) Liquor License Job No. 333518 submitted by Jared Michael Repinski for The Sushi Spot located at 1371 Hancock Road, Bullhead City, Arizona. Vice Mayor Alfonzo seconded the motion.

VOTE: **AYES:** Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring
NAYS: None **ABSENT:** None

MOTION CARRIED

7. **PUBLIC HEARING:** Discussion and possible action to make a recommendation to the Arizona Department of Revenue to approve the application for a Class A Bingo License submitted by Judy Mattila on behalf of the Silver View RV Resort located at 1600 Silver Creek Road, Bullhead City, Arizona. (City Clerk Ogden)

City Manager Cotter said staff have reviewed the application and have no concerns.

Mayor D'Amico asked if the applicant was present.

Julie Mattila said she was the applicant and has nothing further to add.

Mayor D'Amico opened the public hearing. Having no one wishing to speak, Mayor D'Amico closed the public hearing.

Council Member Newlin made a motion to make a recommendation to the Arizona Department of Revenue to approve the application for a Class A Bingo License submitted by Judy Mattila on behalf of the Silver View RV Resort located at 1600 Silver Creek Road, Bullhead City, Arizona. Council Member O'Neill seconded the motion.

VOTE: AYES: Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring
NAYS: None ABSENT: None

MOTION CARRIED

ACTION ITEMS

Building, Planning and Zoning Items

8. **PUBLIC HEARING:** Discussion and possible action regarding the appeal of the issuance of a Conditional Use Permit for a proposed RV storage facility to be located on Chaparral Drive and immediately adjacent to the development known as Stonebridge. (City Attorney Emery)

City Attorney Emery said this is an appeal and under the city code, anything that is appealable from the Planning and Zoning Commission comes directly to the Council. He reminded the Council of the code provisions as they pertain to appeals. He said the Council may decide if they want to have a another public hearing with publication to inform the public of the meeting; they may direct staff to do a publication of the meeting and defer their decision to another meeting; they may review the decision that was made by the Planning and Zoning Commission and either affirm or deny their decision; or they may issue a new decision as to the conditional use permit. He said he wanted to remind the Council of a couple provisions of the code as to what a conditional use permit is. He said every zoning district contains certain structures and uses of land which are normal and complimentary to permitted principal uses, but by which reason of their typical physical or operational characteristics, he said influence on the traffic function of adjoining streets or similar conditions are often incompatible with adjacent activities and uses. He said it is the intent of this title to permit conditional uses in appropriate zoning districts, but only in specific case locations within such districts when designed to develop in a manner which assures maximum compatibility with adjoining uses. He said in order to grant a conditional use permit, the findings of the Planning and Zoning Commission must be that the establishment, maintenance, or operation of the use of the building applied to will not be

detrimental to public health, safety, peace, convenience, comfort, and general welfare of the persons residing or working in the neighborhood or of such proposed use, or be detrimental or injurious to the property, improvements in the neighborhood and the general welfare of the city. He said the Council may require such guarantees and evidence of such conditions are being, or will be complied with whatever conditions are imposed. He said Stonebridge is located within the original Chaparral Terrace subdivision. He said it is a vacant piece of land on the corner of Country Club and Chaparral. The developers who now own the parcel and who were subsequent owners of this subdivision, and sold off the remaining part of the subdivision, but kept this parcel separate have come forward and they wanted to develop this piece under the original plat, which still exists and has not been modified. He said the parcel of land is designated as RV storage as part of the Stonebridge or Chaparral Terrace plat and could be used for people who live within the subdivision to store their recreational and sport recreational vehicles within an area that is designated for such. He said the builder has proposed to construct storage structures for sports, recreational, and RV vehicles rather than have it be an open storage facility. He said the reason why the builder needs a conditional use permit is because they plan to open the storage facility to people outside of Chaparral Terrace. He said when the discussion originally started, a proposal was made for the developers to dedicate 51 percent of the units to Chaparral Terrace owners or residents and 49 percent be allocated to an area that encompasses Stonebridge and all areas south to the river and Highway 95. He said then the remaining 49 percent could be used by the public at large with no restrictions on where they own or live. He said the Planning and Zoning Commission held a public hearing and were considering all of these things and said members of the public were also in attendance. He said when the Planning and Zoning Commission was considering the motion that might be made, he recalled the original proposition. He said when he reviewed the proposal that was in the packet, he did not recall that they had a second discussion and thought it had been erroneously placed into the packet. He said he instructed the Planning and Zoning Commission that if they were going to vote, the vote would be that the storage units would be limited to owners and residents of Chaparral Terrace and that the 49 percent would only be available as far the limits of Exhibit A (attached to the minutes). He said that is what the Commission voted on and that is what was approved. He said what is being appealed to the Council tonight is the situation of the 51 percent of the units must be dedicated to owners or residents of Chaparral Terrace, which includes Stonebridge, and the neighboring subdivision which is part of Chaparral to the immediate north, and that the remaining 49 percent could be accessed by owners or residents within Exhibit A. He said that is what the Planning and Zoning Commission approved, and said that was his mistake. He said since that time, when this came to the point of being appealed by a resident of the of the area within exhibit A, the developers came forth and requested the Council reconsider the original proposition. He said what was before the Planning and Zoning Commission was that they can allow owners or residents 51 percent access to those units as long as they live within Exhibit A and is not restricted to Chaparral Terrace and the remaining 49 percent could be accessed by members of the public in general. He said that is what is being asked to reconsider tonight, and said what has been appealed was the much more restrictive approach. He said what the council members might decipher from the discussions is that there is going to be a structure on the parcel and there is probably going to be testimony about what the structure looks like. He said the structure cannot be used for any type of commercial activity within the structure itself, nor can there be any commercial signage on the property other than signage to indicate the address. He said it would be one of the conditions for the conditional use permit because the parcel is still zoned for residential. He said there would be deed restrictions if the Council did approve it for 51 percent, and said they will have to designate which units are going to be deed restricted because they intend to sell them, and said deed restrictions would be in place for at least 20 years.

Council Member Newlin said he attended the Planning and Zoning Commission meeting and said he observed the presentations by staff, listened to the neighborhood residents and the applicants, and said there was confusion by neighborhood residents as to what the conditional use permit is used for and why it is needed. He said in 2002 the City Council voted in favor of removing the restriction against construction of a structure and the abandonment of a utility easement. He said the discussions were comprehensive and the conditions of the conditional use permit that was voted on and approved were clearly stated.

Mayor D'Amico opened the public hearing.

Pamela Smith said she wanted to clarify that the Planning and Zoning Commission Members were told that the developer could build a storage facility with or without their permission. She said the only thing that came before the Commission was the conditional use permit which would allow the developer to build the rest of the storage facility outside of Chaparral Terrace. She said it made much more sense to them when City Attorney Emery explained that 51 percent of the units would be sold to property owners in Chaparral Terrace and 49 percent of the units would be sold to property owners located inside Exhibit A.

Deborah Johnson said she lives on Chaparral and said she filed the appeal. She said she did not file the appeal just because of the deed restrictions. She said 69 people were notified of this meeting and said 75 people in the neighborhood signed petitions asking the Planning and Zoning Commission not to approve this item. She said during the Planning and Zoning Meeting, they never discussed anything other than the builder was allowed to build on the parcel and what kind of deed restrictions would be in place. She said she did not feel that putting in a prefab building in front of homes is what the conditional use is about. She said the conditional use permit is supposed to protect their homes and environment. She said Chaparral Drive and County Club is in front of the Stonebridge tract. She said Stonebridge never made a second exit and all 200 homes use one exit. She said the storage facility is going to bring more traffic, there will be no front barrier, no gates, and there will be 24/7 access to the building which will add more traffic and noise. She said open storage units were designed to be located on the property in 1986 and said now there is a possibility of having a commercial prefab metal storage building sitting in an area that will be surrounded by homes. She said she felt that if the Council approved this item, it will be a slap in the face to the people who live in the area. Mayor D'Amico asked Ms. Johnson if she was objecting to the project itself, the 51 and 49 percentages, or both. Ms. Johnson said she is objecting to the 49 and 51 percentages. She said there should be some kind of guarantee in place as to the area the buyer lives in and if they sell the unit, the same guarantee should be in place. Mayor D'Amico asked if she objected to the project. Ms. Johnson said she objected to the project because there will be 29 metal units being put in a residential area, the conditional use, and 51/49 percentages, and how it will be guaranteed.

Tracy Stallman said her home is located on the corner of Chaparral and Country Club Drive, and said she has lived in the home for 38 years. She said she walked the neighborhood and was able to get 75 people who are not in favor of this project to sign her petition. She said the building will cause a safety issue because there are two bus stops on the street and numerous parents pick up their kids from the bus stops. She said they are located approximately one block from a boat ramp and said people are going to be in and out of the storage facility all hours of the day and night during the summer. She said she thinks the builder has the right to build an open storage facility, not a closed facility.

Larry Chang said he has lived in Bullhead City for over 40 years and has been in real estate development for 50 years. He gave a brief background of his career history. He thanked City Attorney Emery for explaining what a conditional use permit is. He said the City and the Planning and Zoning Commission do not have the right to tell people who can buy and sell property. He said the city does have the right to issue conditional use permits, but they do not have the authority to decide who can and cannot buy and sell property.

Kevin Nester said he has lived on Country Club Drive for 47 years. He said the storage facility will add more traffic. He said people live in storage units and said some people store their belongings in storage units and live in their cars. He said the lot was designed to be used by the property owners in Stonebridge and said it should stay that way. He asked who is going to keep track of who owns a storage unit.

Having no one else present wishing to speak, Mayor D'Amico closed the public hearing.

Council Member O'Neill asked if the lot they are going to build on is located outside of the gated community. City Manager Cotter stated the project location is the open space right outside the gate.

Council Member Ring said the project does not fit in with the area. City Manager Cotter said fitting or not is the question. He said the previous council approved the plat and the city bought it from the federal government. He said the city then sold it to the applicant and they developed homes and kept this one parcel. He said everyone can look back at this and not really appreciate the fact that maybe this was a mistake to begin with. He said if from the beginning the lot was going to be used for storage for Stonebridge and Chaparral Terrace, someone brought up they are not connected. He said once Chaparral Terrace was connected, they did not want anybody else connecting to Chaparral Terrace. He said they could have already done something for storage for the subdivision and maybe even include Chaparral Terrace because the vehicles are already connected, and they could have shared the same pool and playground but they did not want to, and the city did not force it. He said this is a very complicated, historic neighborhood and it just doesn't seem like it is the best fit. He said storage is actually what is called out for on the plat when the city bought and sold it. He said the developers are in attendance tonight, if the council wanted to speak to them. He said they are the ones who bought it from the city and they are the ones who have developed the subdivision under the impression that it was platted for this specifically.

Danny White and Trent Timothy said they are the property owners. Mr. White said when we purchased the property, they looked at the plat and saw that it was RV storage so they held off on the project. He said the lot was in negotiations when they sold it to Morgan Taylor Homes that we were keeping that to build the storage or the community. He said something that has not been talked about is that they understood the neighbors would be seeing the building and affected by it. He said that was part of why they decided to open up the area. He said neighbors in the area have an opportunity to buy a storage unit.

Council Member Head asked if the builder could literally put a block wall around the parcel and store a bunch of RVs and boats. City Attorney Emery answered affirmative.

Planner Loera said it is important to understand the fact that the zoning is PAD Single-Family Residential Limited. He said when you have lots that are less than 60ft wide, you must provide an area for RV storage, parking of other vehicles, boats, and things of that nature. He said when the

subdivision was platted, there were three parcels total for storage. He said the north half has their parcel, south half has one small parcel that is maybe a third of an acre, and said it has some topography challenges that make it much smaller. He said only a tenth of an acre is usable. He said this parcel is almost .85 acres, 400 feet wide and 105 feet deep. He said the plat does not say open storage, it just says RV storage. He said the plat also originally called for it to have a public utility easement and said it was abandoned in 2002 and it was the only thing that would have restricted a structure from being built on the parcel. He said when they talk about the type of structure, because the zoning still is single family limited, it has to be a site built structure. He said metal buildings are considered a site build structure because they are inspected from the foundation to the roof. He said they are assembled on site and are not like a manufactured home that is delivered and put in place.

He said with regards to materials, the code says that it cannot be an unfinished metal building, it must have prefinished panels with a finisher pattern.

City Attorney Emery said the Council's options are to either uphold the action of the Planning Zoning Commission or affirm it, reverse that action, or make a decision of its own findings. Council Member Head said the council communication also states that the council could vote to hold another public hearing. City Attorney answered affirmative. He said the code states that if the Council desires to have formal publication and further disseminate, this will be another opportunity for a public hearing. He said they can defer their decision tonight and set that hearing by publishing a legal notice. He said what was published as part of this was part of the council agenda regular meeting packet. He said there was not a notice in the paper, and said it would require formal publication in the Mohave Daily News setting a hearing for another date for a public hearing. He said they can make a decision tonight if they feel the public notice has been sufficient. He said they can also do a publication and set up another meeting.

City Manager Cotter said Staff have been dealing with the developers and talking about if they could just move forward with this project. He said he is not saying that holding another public hearing will prolong the project, but it is probably going to be the same argument that Deborah Johnson brought forward. He said she brought forward a very articulate argument, as did the other speakers, and said he believes they would be similar in nature. He said the main concern is that the project is not wanted in the neighborhood. He said there are traffic concerns, and it is not connected to Chaparral Terrace. He said what they generally discussed with the developer is the percentages because if they would keep the units to Stonebridge and Chaparral Terrace property owners we would not be here tonight. He said the property owners could have just built the storage facility.

Vice Mayor Alfonzo made a motion to uphold the Planning and Zoning Commission's decision to approve the Conditional Use Permit for a proposed RV storage facility to be located on Chaparral Drive and immediately adjacent to the development known as Stonebridge. Mayor D'Amico seconded the motion.

VOTE: AYES: Alfonzo, Dallman, D'Amico, Newlin, O'Neill
NAYS: Head, Ring **ABSENT:** None

MOTION CARRIED

Bid Awards, Contracts, Intergovernmental Agreement, and Purchases

9. Discussion and possible action to adopt RESOLUTION NO. 2025R-18, approving an Intergovernmental Agreement between the State of Arizona and the City of Bullhead City, IGA 25-0020963-1, for scoping work related to a potential raised median on a portion of the Bullhead Parkway as part of the State's Highway Safety Improvement Program. (Assistant City Manager Pruitt)

Assistant City Manager Pruitt said this item is to enter into an agreement with the Arizona Department of Transportation for the scoping work for a center median on the Bullhead Parkway. He said the work would take place between Silver Creek Road and Desert Foothills. He said this is just for scoping the work, and said ADOT will pay for the majority of the project. He said the project will be started once the scope of the project is complete and the costs are finalized. He said the estimated cost for the project, which will be a separate agreement, is approximately \$5.6 million. He said ADOT would pay approximately \$5 million, and the city would have to pay approximately \$300,000.

Mayor D'Amico asked if the median would be solid, or would there be cut ins for turns. Public Works Director Johnson said they will work with ADOT to insure there will be right hand turn lanes and accesses will be kept open. He said this particular stretch of the Parkway has had some accidents and said the median will help to prevent vehicles from going into the opposite lane. He said the location would also be a good area for future lighting.

Mayor D'Amico asked if anyone from the public wanted to speak. No one spoke.

Vice Mayor Alfonzo made a motion to adopt Resolution No. 2025R-18, approving an Intergovernmental Agreement between the State of Arizona and the City of Bullhead City, IGA 25-0020963-1, for scoping work related to a potential raised median on a portion of the Bullhead Parkway as part of the State's Highway Safety Improvement Program. Council Member Ring seconded the motion.

VOTE: **AYES:** Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring
NAYS: None **ABSENT:** None

MOTION CARRIED

10. Discussion and possible action to approve Change Order No. 4 for the additional materials and labor for the Wet Well Rehabilitation at Lift Station 18-1 by Kay Constructors, LLC. in the amount of \$1,075,515.59 and authorize the City Manager to execute the order and issue resultant payments. (Utilities Director Clark)

Utilities Director Clark said this item was talked about during the last work session. He gave a brief slideshow presentation showing what horrible condition the well was in. He said the well was in such bad shape they basically had to rebuild it and because of that they had to use the bypass pump a lot longer than they expected to. He said the largest cost was for the bypass pumping and labor.

Vice Mayor Alfonzo asked Utilities Director Clark if he thought they could ever get to a position where they will be able to do some of the work in house instead of constantly having to contract work. Utilities Director Clark said rehabbing the wells was a specialty type of work. He said it would not

be cost effective to train staff and get them certified to do this type of work and said there is only one more well left that has not been rehabbed.

Mayor D'Amico asked if anyone from the public wanted to speak. No one spoke.

Vice Mayor Alfonzo made a motion to approve Change Order No. 4 for the additional materials and labor for the Wet Well Rehabilitation at Lift Station 18-1 by Kay Constructors, LLC. in the amount of \$1,075,515.59 and authorize the City Manager to execute the order and issue resultant payments. Council Member Ring seconded the motion.

VOTE: **AYES:** Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring

NAYS: None **ABSENT:** None

MOTION CARRIED

11. Discussion and possible action to approve the Amendment to the Agreement for Laughlin Ranch Well 1 New Pump Installation with Empire Pump Corporation in the original amount of \$86,194.80 by \$10,282.80, plus any applicable taxes, for a total agreement amount of \$96,477.60, and authorize the City Manager to execute the agreement and issue resultant payments. (Utilities Director Clark)

Utilities Director Clark said when this well went down they pulled out all the pipe, the pump and the motor. He said usually the pipe that is pulled out could be reused, but they found that 160 feet of the pipe was not any good so it had to be replaced. He said the cost is for having to replace all the bad pipe.

Mayor D'Amico asked if anyone from the public wanted to speak. No one spoke.

Council Member O'Neill made a motion to approve the Amendment to the Agreement for Laughlin Ranch Well 1 New Pump Installation with Empire Pump Corporation in the original amount of \$86,194.80 by \$10,282.80, plus any applicable taxes, for a total agreement amount of \$96,477.60, and authorize the City Manager to execute the agreement and issue resultant payments. Council Member Dallman seconded the motion.

VOTE: **AYES:** Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring

NAYS: None **ABSENT:** None

MOTION CARRIED

12. Discussion and possible action to adopt RESOLUTION NO. 2025R-19, approving Amendment No. 2 to the System Conservation Implementation Agreement (SCIA) between the United States Bureau of Reclamation and the City of Bullhead City to implement a pilot system conservation program ("Pilot Program"). (Utilities Director Clark)

Utilities Director Clark said this is the pilot program grant where they constructed a couple of injection wells at the Section 10 Wastewater Treatment Plant so they could inject effluent into the sub flow of the Colorado River. He said the injection wells were poorly designed and never worked correctly. He said over the approximate 10 years they were running they put in about 1,000 acre feet

of effluent water. He said they were anticipating to be able to put in 3,000 acre feet of water with the injection wells. He said one of the wells have completely died and the other well is putting in so little effluent that is not worth running the power. He said they rehabbed the rapid infiltration basins at the Section 10 Waste Water Treatment Plant and said the Bureau of Reclamation is willing to allow the city to transfer from using the injection wells to using their ribs. He said this will also give them the ability to use the pipeline they have from the plant to the river and said they will be able to use either of the discharge methods. He said this item is to allow them to use the additional two discharge points to send back effluent water.

Council Member Newlin asked if they are currently receiving a credit for the effluent they are recharging. Utilities Director Clark answered affirmative. He said through this agreement, they are going to back date the credit and give credit from October 1st.

Mayor D'Amico asked if anyone from the public wanted to speak. No one spoke.

Council Member Newlin made a motion to adopt Resolution No. 2025R-19, approving Amendment No. 2 to the System Conservation Implementation Agreement (SCIA) between the United States Bureau of Reclamation and the City of Bullhead City to implement a pilot system conservation program (“Pilot Program”). Vice Mayor Alfonzo seconded the motion.

VOTE: AYES: Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring
NAYS: None ABSENT: None

MOTION CARRIED

13. Discussion and possible action to adopt RESOLUTION NO. 2025R-20, approving the Management and Use Agreement Bullhead City Middle School Athletic Fields Vicinity of 2243 Highland Road/APN 220-01-099. (City Manager Cotter)

City Manager Cotter said as part of the city's purchasing agreement for the old Mountain View School, the city waived one year of water bills for the school district, repaved their parking lots, and agreed to take over and partner with them on the facilities at the Bullhead Middle School. He said the facilities are the football field and the baseball field across from the Boys and Girls Club. He said the proposed management agreement outlines the terms of that. He said the city will invest some funds into upgrading the facilities, and said Recreation Superintendent Heath thought the city will be able to use the softball field and football field for many sporting events. He said one of the main criteria of the agreement is that there will be a new facility for the city to use every day after 3:00 p.m. and all day Friday, Saturday, and Sunday. He said the school has asked the city to honor the no firearms, drugs, and alcohol policy on school property.

Mayor D'Amico asked if anyone from the public wanted to speak. No one spoke.

Council Member Ring made a motion to adopt Resolution No. 2025R-20, approving the Management and Use Agreement Bullhead City Middle School Athletic Fields Vicinity of 2243 Highland Road/APN 220-01-099. Vice Mayor Alfonzo seconded the motion.

VOTE: AYES: Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring
NAYS: None ABSENT: None

MOTION CARRIED

14. Discussion and possible action to approve an agreement for the Bullhead City Animal Resource Center Animal Cremation Equipment with American Crematory Equipment Company in the amount of \$286,137.00 plus applicable sales tax, and authorize the City Manager to execute the agreement and issue resultant payments. (Human Services Director Tipton)

Human Services Director Tipton said this item is a request to approve the purchase of animal cremation equipment through American Crematory Equipment Company for the new Bullhead Animal Resource Center. He said the Council approved the conceptual design on July 8, 2023 with cremation being a key resource of the new building. He said the capital purchase is a key amenity to procure. He said construction will be completed this fall because the lead time for the equipment is 18-20 weeks. He said the fiscal year 25-26 budget will reflect this amount and additional funding to complete the construction and capital for this project.

Mayor D'Amico said this is needed because Bullhead City does not have this service anymore. He said over time the city will recoup the money and potentially could be profitable from this service in the future. He said currently the only place people could take their pets to is Lake Havasu City.

Mayor D'Amico asked if anyone from the public wanted to speak. No one spoke.

Council Member Ring made a motion to approve an agreement for the Bullhead City Animal Resource Center Animal Cremation Equipment with American Crematory Equipment Company in the amount of \$286,137.00 plus applicable sales tax, and authorize the City Manager to execute the agreement and issue resultant payments. Council Member O'Neill seconded the motion.

VOTE: AYES: Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring
NAYS: None ABSENT: None

MOTION CARRIED

15. Discussion and possible action to adopt RESOLUTION NO. 2025R-21, approving an Intergovernmental Agreement between Lake Havasu City, Arizona and Bullhead City, Arizona Municipal Courts for weekend and holiday coverage services. (City Magistrate Speer)

Judge Speer said they are currently contracting with Mohave County for weekend and holiday judicial services. He said their price has increased every year and said their last increase was almost 25 percent so they contacted Lake Havasu in effort to save money. He said the city is under legal requirement that someone who is in custody must have initial appearances done within the first 24 hours of their

arrest. He said the contract with Mohave County will increase by approximately \$10,000 and the contact with Lake Havasu will be less than \$7,400.00

Mayor D'Amico asked if anyone from the public wanted to speak. No one spoke.

Vice Mayor Alfonzo made a motion to adopt Resolution No. 2025R-21, approving an Intergovernmental Agreement between Lake Havasu City, Arizona and Bullhead City, Arizona Municipal Courts for weekend and holiday coverage services. Council Member Newlin seconded the motion.

VOTE: **AYES:** Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring

NAYS: None **ABSENT:** None

MOTION CARRIED

Other Business

16. Discussion and possible action to adopt ORDINANCE NO. 2025-6 approving an amendment to Title 15, Chapter 15.38, Public Access to Colorado River of the Bullhead City Municipal Code; and adopt RESOLUTION NO. 2025R-22, declaring the code amendment a public record. (City Manager Cotter)

MAYOR D'AMICO MOVED THIS ITEM TO BE HEARD AFTER ITEM 9.

City Manager Cotter said a work session regarding this item was held and the Council directed staff to bring an item back to close public access to the river on Lakeside Drive and Riverview Gardens. He said these access points are turning into problem areas and said the city is receiving complaints from residents. He said if the council does not approve this item, the access points will remain open and city staff will beautify them. He said tonight they are looking at only Lakeside Drive and Riverview Gardens.

Mayor D'Amico said he looked at some of the other spillways and then looked at the proposed spillways. He said they are not a place to spend time at the river. He said he is in favor of shutting down access to both spillways.

Council Member Head said he agreed with Mayor D'Amico. He said after dark it looks like the start of a Law and Order episode.

Council Member O'Neill asked if they were talking about the spillway on River Gardens. Mayor D'Amico said he is talking about the spillway on Lakeside. He said River Gardens already has a block on it. Council Member Head said they need to codify with an ordinance that it is closed.

Council Member Newlin said every access point defined in 15.38.020 is unique and deserves individual attention. He said in attempting to use Lakeside Drive as a swimming area last Saturday, he found the location to be so narrow that despite his best efforts, he was forced onto private property by the current of the river. He said after giving this decision much thought and discussion, he supports the code amendment presented tonight.

Mayor D'Amico asked if anyone from the public wanted to speak on this item.

Susan Mendoka said she lives near the spillway on Lakeside. She said some of her neighbors are also in attendance and are willing to speak on this item. She said she appreciates the time the Council and city staff has put into this item. She thanked Council Members Newlin and O'Neill for visiting the area in question.

Gina Nagy she lives on Riverfront Drive and is very close to Lakeside. She requested a security gate be installed to protect the spillway. She said there was a chain link fence that blocked access to the spillway when she purchased her home 16 years ago. She said part of the fence was removed and since then there has been nothing but safety and security issues. She said people are using illegal drugs in the spillway, and said they have seen hypodermic needles, fish hooks, human waste, and unleashed aggressive dogs. She said they have also been harassed by squatters. She said her husband has had to pull people out of the river that had gotten stuck between their boat and the boat dock. She said people had trespassed onto their property and kicked their doors in the middle of the night.

Scotty McClure said the City does not have the right to close spillways. He said the public has every right to use the spillways to access the river.

City Manager Cotter said he strongly disagrees with Mr. McClure. He said city streets are property of the city and said the City Council has 100 percent direct authority of how we treat street ends.

Council Member Ring made a motion to adopt Ordinance No. 2025-6 approving an amendment to Title 15, Chapter 15.38, Public Access to Colorado River of the Bullhead City Municipal Code; and adopt RESOLUTION NO. 2025R-22, declaring the code amendment a public record. Council Member O'Neill seconded the motion.

VOTE: **AYES:** Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring
NAYS: None **ABSENT:** None

MOTION CARRIED

Mayor D'Amico called for a break from 7:33 P.M. until 7:45 P.M.

17. Discussion and possible action to adopt RESOLUTION NO. 2025R-23, approving the "Title VI Plan City of Bullhead City/Public Transportation Programs 2025" as it relates to transit/transportation service delivery and related activities. (Human Services Director Tipton)

Human Service Director Tipton said this item is a request for the Council to adopt the 2025 Civil Rights Title 6 Implementation Plan for transit. He said this is an updated version that was previously approved on June 7, 2022. He said the changes are minor. He said due to the program becoming a direct recipient of federal fund from the FTA, they are required to certify that the policies and complaint process are in place to ensure compliance with Title 6. He said this plan is a requirement to apply for federal funds.

Mayor D'Amico asked if anyone from the public wanted to speak. No one spoke.

Council Member Ring made a motion to adopt Resolution No. 2025R-23, approving the “Title VI Plan City of Bullhead City/Public Transportation Programs 2025” as it relates to transit/transportation service delivery and related activities. Vice Mayor Alfonzo seconded the motion.

VOTE: **AYES:** Alfonzo, Dallman, D’Amico, Head, Newlin, O’Neill, Ring
NAYS: None **ABSENT:** None

MOTION CARRIED

18. PUBLIC EARING: CONSIDERATION AND POSSIBLE ADOPTION OF A RESOLUTION APPROVING THE SALE AND EXECUTION AND DELIVERY OF EXCISE TAXES REVENUE OBLIGATIONS, SERIES 2025; APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF NECESSARY AGREEMENTS, INSTRUMENTS AND DOCUMENTS; DELEGATING AUTHORITY TO DETERMINE CERTAIN MATTERS AND TERMS WITH RESPECT TO THE FOREGOING; DECLARING OFFICIAL INTENT TO BE REIMBURSED IN CONNECTION WITH CERTAIN CAPITAL EXPENDITURES AND DECLARING AN EMERGENCY.

Discussion and possible action to 1) adopt RESOLUTION NO. 2025R-24 approving the issuance of tax exempt bonds in an amount not to exceed \$9,000,000, which includes the Ninth Excise Taxes Purchase Agreement, the Ninth Excise Taxes Trust Agreement and the Obligation Purchase Agreement, all in substantial final form as presented; 2) ratify the City Manager’s execution of the Underwriter/Placement Agent Agreement; 3) approve the Preliminary Official Statement, in substantial final form as presented; and 4) authorize the City Manager’s or Finance Director’s execution of final agreements and documents, and the provision or execution of any further documentation necessary for successful completion of the bond issuance. (Assistant City Manager Kajirwa)

Assistant City Manager Kajirwa said this item is for the Section 10 Waste Water Treatment Plant. He said the city is going from 4 million gallons a day to 6 million gallons a day and some infrastructure projects must be performed. He said this item is asking the Council to allow staff to secure bonds for this project using excise tax. He said they originally wanted to work with the Greater Arizona Development Authority, but there was some language that does not work for the city right now. He said instead they are going with the traditional market option.

Mayor D’Amico asked what the interest rate is and how much the annual payments will be. Assistant City Manager Kajirwa said they are potentially looking at a 4.5 percent interest rate. He said the annual payments will be just under \$800,000.00

Mayor D’Amico asked if anyone from the public wanted to speak. No one spoke.

Council Member Ring made a motion to 1) adopt Resolution No. 2025R-24 approving the issuance of tax exempt bonds in an amount not to exceed \$9,000,000, which includes the Ninth Excise Taxes Purchase Agreement, the Ninth Excise Taxes Trust Agreement and the Obligation Purchase Agreement, all in substantial final form as presented; 2) ratify the City Manager's execution of the Underwriter/Placement Agent Agreement; 3) approve the Preliminary Official Statement, in substantial final form as presented; and 4) authorize the City Manager's or Finance Director's execution of final agreements and documents, and the provision or execution of any further documentation necessary for successful completion of the bond issuance. Vice Mayor Alfonzo seconded the motion.

VOTE: **AYES:** Alfonzo, Dallman, D'Amico, Head, Newlin, O'Neill, Ring

NAYS: None **ABSENT:** None

MOTION CARRIED

COUNCIL REQUESTED ITEMS

None

ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 8:12 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct record of the regular meeting of the City Council of the City of Bullhead City held on the 6th day of May 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 29th day of May 2025.



Debie Ogden, MMC, CPM
City Clerk