

**CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Council Chambers
310 N. 4th Street**

5:30 P.M.

ACTION AGENDA

Tuesday March 3, 2015

CALL TO ORDER & ROLL CALL --- ALL COUNCIL MEMBERS WERE PRESENT EXCEPT COUNCILMEMBER CARVER WHO WAS EXCUSED.

INVOCATION will be given by Paul Daniel of First Baptist Church.

PLEDGE OF ALLEGIANCE

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

1. APPROVAL OF MINUTES

The Regular Meeting minutes of March 3, 2015.

MOTION TO APPROVE WAS PASSED BY A VOTE OF 5-0. COUNCILMEMBER YOUNG ABSTAINED.

2. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments from the Public will be restricted to items not on the agenda with the exception of those on the Consent Agenda. There will be no comments allowed that advertise for a particular person or group. Comments should be limited to no longer than 3 minutes.

3. CONSENT AGENDA

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

a. High Intensity Drug Trafficking Area (HIDTA) Grant Award

The Mohave Area General Narcotics Enforcement Team (MAGNET) has been awarded a grant in the amount of \$24,769.00 for the time period of January 1, 2015 through December 21, 2016. The funds are for services related to the MAGNET task force facility. The City of Kingman serves as the fiduciary for MANGET. The City of Kingman has entered into prior agreements with the City of Tucson who serves as the fiduciary and disburses funds for a variety of HIDTA initiatives throughout the State of Arizona. **Staff recommends acceptance of the grant award and authorizing the Mayor and City Attorney to sign the grant agreement. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

b. High Intensity Drug Trafficking Area (HIDTA) Grant Award

The Mohave Area General Narcotics Enforcement Team (MAGNET) has been awarded a grant in the amount of \$67,488.00 for the time period of January 1, 2015 through December

21, 2016. The funds are for services related to the MAGNET task force facility. The City of Kingman serves as the fiduciary for MANGET. The City of Kingman has entered into prior agreements with the City of Tucson who serves as the fiduciary and disburses funds for a variety of HIDTA initiatives throughout the State of Arizona. **Staff recommends acceptance of the grant award and authorizing the Mayor and City Attorney to sign the grant agreement. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

c. Resolution No. 4935 – Approval of Intergovernmental Agreement with the Mohave County Flood Control District for Disbursement of Fiscal Year 2015/2016 Tax Revenues

The City of Kingman has received its annual IGA from the Mohave County Flood Control District. This IGA will provide \$566,267.00 in funds for flood control related projects in the City of Kingman. This IGA includes projects for the Golden Gate Addition Drainage Study, Beverly Avenue Improvements, Southern Vista & Steamboat Drive drainage improvements, Land Acquisition for the drainage projects and parcels, and various Drainage and Maintenance erosion protection projects. **Staff recommends approval of Resolution No. 4935. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

d. Membership Renewal in Northwest Arizona Employee Benefit Trust (NAEBT)

On February 19, 2015, the NAEBT Board unanimously voted to offer renewal membership to the City of Kingman. Ratification of the resolution will continue the agreement between Kingman, Lake Havasu City and Bullhead City to pool resources and provide employee benefits at a lower rate than the City would be able to get solo. In the past the Trust Board has done an admirable job of keeping program costs to a minimum. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

e. Acceptance of Grant of Public Water Line Easement for the replacement of an ageing water line in the Utility Easement just South of Woodcrest Drive between North Harvard Drive and Stirrup Drive (Project No. ENG13-054)

An existing water line located in an open area between the Canyon Shadows Tract 1920-B and Riata Valley Tract 1211-A subdivisions and along Stirrup Drive south of Woodcrest Drive has reached its operational life and is being replaced. The existing utility easement only covers the northern half of the open area. Staff has requested additional easement from the property owner to the south of the open space, Riata Valley Tract 1211-A, Lot 54, to reserve the entire width of the open area for utility purposes. This would allow for the water line to be relocated to the center of this area and provide for better equipment access to the water line and improved maintenance of the open area. The property owner does not have any objection to this request and is offering to grant a Public Water Line Easement for the water line relocation. **Staff recommends accepting the easement and authorizing the Mayor to sign the Acceptance Statement for the Grant of Public Water Line Easement on behalf of the City. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

f. Special Event Liquor License Application

Applicant Rebecca Fawson of the Kingman Route 66 Rotaract Trailblazers has applied for a Series 15 Special Event Liquor License for an event to take place Thursday, Friday and Saturday April 23-25, 2015 from 10 a.m. to 6 P.M. at 2501 W. Beverly Ave. in Kingman. **Staff recommends approving the special event liquor license application. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

g. Resolution No. 4936 - Authorizing the City Manager to acquire property for drainage and storm water purposes, by purchase or eminent domain, ENG15-018

The monsoon storms of the past couple of years have brought to light several drainage and flooding issues throughout the City. Houses have been flooded, properties have been damaged and City streets have been impacted. Staff is proposing to acquire several vacant properties at various locations for drainage and storm water purposes. The acquisition of the properties will be used to alleviate flooding, or will prevent development in areas that are natural low points. Staff has created the list of properties based on drainage complaints received and based on proposed capital improvement projects. Resolution No. 4936 authorizes the City Manager to acquire properties for drainage purposes by purchase or eminent domain. Staff intends to make offers for the properties based on certified appraisal reports. Once offers and acceptances are obtained, staff will place authorization to acquire the properties on future City Council meetings for review and approval. It is not expected that the acquisitions will take place all at once. Instead, the list will be prioritized based on the severity of the flooding issues, and staff will proceed accordingly. **Staff recommends approving Resolution No. 4936 MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

h. Authorization to declare Personal Protective Equipment (PPE) as surplus so that it may be donated to Firefighters Crossing Borders Organization

The Kingman Fire Department has Personal Protective Equipment (PPE) that is currently out of compliance with NFPA 1971: Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting which states that PPE shall be removed from service after ten (10) years of service and shall not be utilized during live-fire response. In addition, the department has also maintained SCBA cylinders that do not comply with NFPA 1852: Standard on Selection, Care, and Maintenance of Open-Circuit Self-Contained Breathing Apparatus (SCBA). These cylinders do not meet the current specifications and have not maintained required hydrostatic testing and maintenance. The department has approximately 20 cylinders that are no longer compliant with NFPA 1582 as well as various pieces of personal protective equipment that no longer meet the specifications of NFPA 1971. As such, the departments PPE replacement ensures that all front line/suppression personnel are in compliance with these standards to ensure safety and to eliminate liability issues. The Firefighters Crossing Borders (FFCB) is a US based non-profit organization founded by active Firefighters working to assist Firefighters in Mexico. The organization accepts donations that will be utilized in Mexico to outfit firefighters from that country. Other organizations, including neighboring districts and Mohave Community College, have been contacted but are not interested due to compliance with these standards. Dependent upon the

condition of certain items within this inventory, they will be permanently removed from service. The Kingman Fire Department recommends the declaration of the specified personal protective equipment that is out of compliance with the NFPA standard as surplus and to donate it to the Firefighters Crossing Borders Organization and/or permanently remove it from service. The City Attorney and Finance Director reviewed the request to surplus this PPE for donation to the Firefighters Crossing Borders Organization for compliance with the city's purchasing policy. **Staff recommends declaring the equipment surplus so that it may be donated and/or removed. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

i. Proposed Resolution No. 4937 Award of contract for the Powerhouse Rehabilitation Project Design to Seabury Fritz Architects Inc.

On November 24, 2014, Statements of Qualifications (SOQs) were received by only one firm interested in completing the required Architectural Design of the Powerhouse Rehabilitation Project. The SOQ was evaluated by the review committee which consisted of City staff, the Powerhouse Tourism Director and the Director of the Museum. Seabury Fritz Architects Inc. was found to be qualified and was selected by the review committee. This firm was then audited by ADOT Department of Audit and Analysis to determine if their rates were found to be fair and reasonable, and they were. The design of this project is federally funded through a reimbursement process combined with a local match. The federal reimbursement amount is 80.0% with the local match being 20%. The Design of this project is not to exceed \$52,564.53 with a local match of \$10,512.90. The Tourism Development Commission authorized staff to use \$55,061.00 out of the Powerhouse Bricks and Mortar Fund to pay for the City's Match portion for design and construction. Staff recommends awarding the contract for the Architectural Design of the Powerhouse to Seabury Fritz Architects Inc. **Staff recommends adopting Resolution No. 4937 and authorizing the Mayor to award the contract to Seabury Fritz Architects Inc. in the amount not to exceed \$52,564.53. MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

j. Consideration of Agreement with Freiday Construction, Inc. for Construction Manager at Risk (CMAR) services for various water and sewer projects (ENG14-084)

On January 20, 2015, Council approved a design phase CMAR contract with Freiday Construction for various water and sewer projects. Staff has been working with the contractor to finalize the designs for several of the projects. Staff is recommending that the construction be broken into separate phases. The first phase will include the following projects: ENG14-090: Sewer Extension in Lovin Avenue; ENG14-091: Sewer Extension in Colorado Avenue; ENG08-084: Sewer Extension in Mohave Wash Channel; ENG13-054: Water Replacement in Stirrup Drive; ENG12-013: Water Replacement in Jagerson Avenue; ENG14-105: Rehabilitation of Castlerock Water Tanks. Staff has requested a Guaranteed Maximum Price (GMP) for the first phase of this project from Freiday Construction. The negotiated GMP for phase one is \$1,379,179.00. Work for phase one will be complete within 180 days of a notice to proceed. It is anticipated that future construction phases will be incorporated into the subject agreement by contract amendments. **Staff recommends approving the agreement**

with Freiday Construction, Inc. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 6-0.**

4. **OLD BUSINESS**

None

5. **NEW BUSINESS**

a. Discussion and direction to staff on filling City Magistrate position

Judge Kathy McCoy has submitted her letter of retirement effective June 30, 2015. Staff would like some direction from Council on how they would like to proceed and what qualifications they are looking for. This is one of three contractual employees that report directly to the Council and is hired by the Council, therefore, staff requests that Council discuss the process and provide direction on how they would like to proceed. **MOTION TO APPROVE THE USE OF THE OPTIONAL DESIRED MINIMUM QUALIFICATIONS WITH THE EXCEPTION OF FIVE YEARS MINIMUM EXPERIENCE INSTEAD OF SEVEN, A SALARY RANGE OF \$85,572 TO THE 50TH PERCENTILE, THE INCLUSION OF THE IDEAL CANDIDATE PROFILE, AND THE RECRUITMENT SCHEDULE WAS PASSED BY A VOTE OF 6-0.**

b. Discussion and direction to staff on proposed new animal shelter

It was reported in the Kingman Daily Miner that the City has been talking with the County about the inadequate size of the current animal shelter. The Council needs to be briefed and staff given direction if this is an item that we need to budget for in the capital improvement projects.

6. **REPORTS**

a. Report on proposed interim improvements to the West Kingman I-40 Traffic Interchange

Arizona Department of Transportation, Kingman District staff and their engineering consultant EPS will provide a presentation on proposed interim improvements to the West Kingman I-40 traffic interchange.

b. Department report for CIP projects on Eastern Street-Airway Avenue connection, and I-40/Prospector Street concept

At the last Council meeting staff was asked to provide a report on CIP projects for the Eastern-Airway Connection and the I-40/Prospector feasibility study. Both projects involve access across I-40 east of the railroad. Both projects should help with public safety response times to the east bench area. Eastern-Airway: Eastern Street is currently the only legal access across I-40 on the east side of the railroad tracks. The connection of Eastern Street to Airway Avenue occurs in a residential area which has resulted in a number of concerns and complaints. Diamond Street and Yavapai Street are one way streets which make the connection from Airway Avenue via Kenwood Avenue to Eastern Street. This configuration was recommended as an interim solution in a 2007 Traffic Study by Southwest Traffic Engineers. The preferred recommendation was to connect Eastern Street to Airway Avenue at Lomalai Street. In 2008, the City acquired additional right of way along Lomalai Street in anticipation of the preferred alignment. The existing traffic signal at Yavapai Street can be moved to the Lomalai/Airway intersection. This project has been in the CIP books for several years. In addition to access and traffic concerns, the Eastern Street pavement is failing and in

need of repair/replacement. The segment south of I-40 receives a substantial amount of drainage which has contributed to the pavement damage. At the March 2 budget session, Council directed staff to include \$425,000 for design and right of way acquisition for the project. I-40/Prospector Design Concept Report: The I-40/Prospector crossing will study the possibility of a secondary access under I-40 east of the railroad tracks. The new schools on Prospector Street north of I-40 generate a lot of traffic that originates from the residential subdivisions south of I-40. The traffic is currently funneled through on Eastern Street. The study will look for the best location to provide a crossing and identify right of way needs, traffic and drainage issues as well as estimated costs. The CIP budget for this project includes \$250,000 for the concept study.

c. Board, Commission and Committee Reports by Council Liaisons

7. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER

Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings.

If needed.

ADJOURNMENT --- MOTION TO ADJOURN WAS PASSED BY A VOTE OF 6-0.

Posted _____ by _____