

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

5:30 P.M.

AMENDED AGENDA

Tuesday, April 7, 2015

REGULAR MEETING

CALL TO ORDER & ROLL CALL

INVOCATION will be given by Pete Ernst of Manzanita 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

- a. The Special Meeting minutes of January 23, 2015.
- b. The Work Session meeting minutes of March 3, 2015.
- c. The Regular Meeting minutes of March 17, 2015.

2. EMPLOYEE RECOGNITION

In appreciation for their hard work, dedication, and loyalty the Mayor and Council would like to recognize employees who have reached years of service milestones, beginning at five years of service and continuing at each five year interval. Tonight the Mayor and Council hereby convey their earnest appreciation to:

Yrs of

| Service | Name | Title | Department |
|----------------|--------------------|-----------------------------------|--------------------------|
| 20 | Marks, Gary | Irrigation Mechanic | Golf Course |
| 20 | Richards, Diane | Budget Analyst | Finance |
| 20 | Walker, Jacqueline | Human Resources/Risk Mgt Director | Human Resources/Risk Mgt |
| 15 | Pierce, Ricky | Electrician | Street Dept |
| 15 | Winn, Richard | Groundskeeper | Parks |
| 10 | Crain, Nissa | Customer Service Representative | Water Administration |
| 10 | Hinshaw, Gary | Chemical Applicator | Parks |
| 10 | Mitchell, Michael | Engineering Technician I | Engineering Dept |
| 10 | Osterman, Sean | Code Enforcement Officer | Police Support |
| 10 | Stewart, Melody | Administrative Assistant | Engineering Dept |
| 5 | Heidemann, Ronald | Survey Party Chief | Engineering Dept |
| 5 | Reynolds, Guy | Parks Superintendent | Parks |
| 5 | Terry, Charles | Pool Operator | Pools |

3. **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.

4. **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. Resolution No. 4940 - 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 Cities would be able to get solo. In the past the Trust Board has done an admirable job of keeping the program costs to a minimum. **Staff recommends approval.**

b. Special Event Liquor License Application

Applicant Samuel Pillsbury of Pillsbury Wine Company North, LLC has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

c. Special Event Liquor License Application

Applicant Garrison Ellam of the Village of Elgin Winery has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

d. Special Event Liquor License Application

Applicant Garrison Ellam of Tombstone Distillery has applied for a Series 16D Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

e. Special Event Liquor License Application

Applicant Gordon Dutt of Sonoita Vineyards has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

f. Special Event Liquor License Application

Applicant Barbara Pierce of Pierce Wines AZ has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

g. Special Event Liquor License Application

Applicant Eric Glomski of Page Springs Vineyards & Cellars has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

h. Special Event Liquor License Application

Applicant Liza Nolan of Mohave Community College Foundation has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

i. Special Event Liquor License Application

Applicant Keif Manning of Keif-Joshua Vineyards has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

j. Special Event Liquor License Application

Applicant John Patt of Desert Diamond Distillery, Inc. has applied for a Series 16D Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

k. Special Event Liquor License Application

Applicant John McLoughlin of Cellar 433 has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

l. Special Event Liquor License Application

Applicant Justin Ove of Arizona Stronghold Vineyards has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

m. Special Event Liquor License Application

Applicant Brian Predmore of Alcantara has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

n. Special Event Liquor License Application

Applicant Ann Gardner of Hannah's Hill Vineyard has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman. **Staff recommends approving the special event liquor license application.**

o. Resolution No. 4942 – Authorization for Banking Activities

Resolution No. 4942 adds Tina Moline, Financial Services Director, as an appointed signatory of the City of Kingman's bank accounts. It also adds Wendy Sherer, Accountant, as an authorized person on banking items. **Staff recommends Council adopt Resolution No. 4942 which provides a specific authorization relating to the City's banking activities.**

p. Special Event Liquor License Application

Applicant Stacy Hadley of Mohave County Friends of NRA has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, April 11, 2015 from 5 to 10:30 P.M. at 201 N. 4th Street in Kingman. **Staff recommends approval.**

q. Resolution No. 4939: Authorizing the Mayor to sign a Cooperative Procurement Agreement with Strategic Alliance for Volume Expenditures (S.A.V.E.)

The City of Kingman and other Cities procure similar products and services including office supplies, public safety supplies, parks and recreation supplies, pavement maintenance products, fuel and construction maintenance services. This proposed agreement would give the City of Kingman the option of utilizing existing and future Co-op contracts for products and services. The use of the Cooperative Procurement Agreement would be voluntary and would be evaluated on a case by case basis to ensure conformance with our Procurement Code and achieving the best pricing and timeliest delivery. **Staff recommends approval.**

r. Resolution No. 4938: Authorizing the Mayor to sign a Cooperative Procurement Agreement with the City of Tucson

The City of Kingman and other Cities procure similar products and services including office supplies, public safety supplies, parks and recreation supplies, pavement maintenance products, fuel and construction maintenance services. This proposed agreement would give the City of Kingman the option of utilizing existing and future Co-op contracts for products and services. The use of the Cooperative Procurement Agreement would be voluntary and would be evaluated on a case by case basis to ensure conformance with our Procurement Code and achieving the best pricing and timeliest delivery. **Staff recommends approval.**

s. Resolution No. 4943 Arizona Criminal Justice Commission Grant Award

On March 27, 2015 the Arizona Criminal Justice Commission (AJCJ) awarded the Kingman Police Department, on behalf of the Mohave Area General Narcotics Enforcement Team (MAGNET) a grant in the amount of \$65,915.00 to fund a new initiative titled Mohave Opportunities, Rehab and Education (MORE). The MORE program, a collaborative partnership, will strive to impact substance abuse through prevention, intervention and case management. The Kingman Police Department Serves as the lead agency and the City of Kingman as the fiduciary for MAGNET. **Staff recommends approval of Resolution No. 4943, accepting the grant and authorizing the Mayor and City Attorney to sign the grant agreement.**

t. Authorization for purchase of up to 6,000 tons of cover aggregate for the 2014-2015 fiscal year chip seal project

On January 6th, 2015 Council approved Resolution 4928 authorizing the Mayor to enter into a Cooperative Purchase Agreement with Mohave County. This agreement allows the cooperative purchasing of goods and services through shared contracts. Acting as the Lead Agency, Mohave County solicited bids for aggregate cover material “chips” and awarded the Kingman area low bid to Desert Construction. **Staff recommends authorizing the purchase of aggregate cover materials utilizing the executed Mohave County contract.**

~~u. Consideration of Resolution No. 4944 authorizing the Mayor to sign any and all documents to submit applications for funding Kingman Area Regional Transit through FFY 2015/2016 Federal Section 5311 Grant Program~~

~~Annually, ADOT requires an application and negotiations for the next funding period along with a Resolution approved by the Mayor and Council. Kingman Area Regional Transit (KART) would like to continue to offer public transportation to residents and visitors in the City of Kingman and Greater Kingman Butler Area at the same level as FFY 2014/2015. Capital requests include two transit vehicles and GPS enabled upgrades to video surveillance equipment. Application deadline is April 17, 2015. **Staff recommends approval.**~~

5. OLD BUSINESS

Update from City Manager on talks between Mohave County, Bullhead City, City of Kingman, and Western Arizona Humane Society

The City Manager will update the Council and public about discussions that have commenced between the interested parties concerning the insufficient shelter facilities in Kingman.

6. NEW BUSINESS

a. Presentation and Discussion of regional Veteran’s Court

The Honorable Judge Mitch Kaluali of the Lake Havasu City Consolidated court will provide information to the Council on the Lake Havasu City Veteran’s Court. The Council will discuss possible participation in a regional Veteran’s Court.

b. Discussion and possible ratification of agreement between the City of Kingman and Kathryn Heidenreich Adult Center, Inc.

The current agreement between the City and Kathryn Heidenreich Adult Center, Inc. will expire at the end of this fiscal year. It is desired by both the City and the Heidenreich Center to continue to operate the Senior Center. It is also requested by the Kathryn Heidenreich Adult Center, Inc. to extend the contract from an annual renewal to every two years. **Staff recommendation is to continue the agreement with the Kathryn Heidenreich Adult Center, Inc. and to expand the time frame for renewal to every two years.**

c. Public Hearing and consideration of Ordinance No. 1795 to approve the rezoning of a 0.24 acre lot located at 503 E. Spring St. (Lot 1 and West Half of Lot 2, Block 20, Kingman Townsite Addition) from R-1-6 to C-1 (Case No. RZ15-001)

This is a request from ReMax Prestige Properties, applicant, and Leora Hammer, property owner, to rezone a 0.24 acre lot located at 503 E. Spring Street from R-1-6: Residential Single-Family, 6,000 square foot lot minimum to C-1: Commercial, Neighborhood Convenience. The property has a single family home which is listed on the National Historic Register and the Kingman Historic Property Survey 1979. The property owner intends on remodeling the interior of the home for general office use. The exterior of the home will be preserved to keep its historic character. The Planning and Zoning Commission held a public hearing and reviewed the Goals and Objectives of the Kingman General Plan 2030, the Standard for Review and the applicant's request. There were some objections from nearby property owners during the public testimony. Concerns included preserving the historic character of the neighborhood and subject property, customers parking in front of homes on Spring Street and privacy of the neighbor to the east. The Planning and Zoning Commission voted 4-1 to recommend approval of the rezoning to C-1 as requested with certain conditions. **The Planning and Zoning Commission recommends approval of the rezoning request.**

d. Discussion and possible action concerning disbanding the Tourism Development Commission (TDC) and partnering with Kingman Visitor Center Inc. Under the current arrangement all request for funding of tourism related activities are reviewed and recommended/denied by the TDC. The TDC Chairperson and Vice Chairperson are proposing that such requests be handled by the Council and the Kingman Visitor Center Board for Tourism Development and operations of the Powerhouse Visitor Center.

e. Discussion and possible action concerning donation of railcar wheel park benches from Nucor Steel and the Chamber of Commerce.

A proposal has been made by the Chamber of Commerce to place railcar wheel park benches in Locomotive Park. Nucor Steel has graciously offered to make the benches out of dismantled rail cars they have on their grounds. **Staff recommends approval.**

f. Discussion and possible action on renewal of new four year contract between the Mohave County Historical Society and the City of Kingman to operate the Bonelli House, the Route 66 Museum and the Historic Electric Vehicle Museum, the latter two both located in the Powerhouse.

A proposal has been submitted by the Mohave County Historical Society to continue the agreement which has been in place for a number of years, with the exception of the addition of the Historic Electric Vehicle Museum, which was added to this agreement. **Staff recommends approval.**

g. Splash Pad; Memorandum of Understanding between the City of Kingman and the Venture Club of Kingman.

The Venture Club of Kingman has requested to enter in to a Memorandum of Understanding with the City of Kingman to raise funds to build a Repurpose Potable Water to Surface Irrigation; Splash Pad. This will enable them to raise the funds necessary to complete this project. At the February 18, 2015 meeting of The Park and Recreation Commission the Venture Club of Kingman gave a presentation explaining this project. There were several very positive comments from the Commission members and they voted unanimously to send this to council with their full endorsement. **Staff recommends approval.**

h. Public Hearing and Consideration of Ordinance No. 1796 to amend Section 10.000 LANDSCAPING of the Zoning Ordinance of the City of Kingman

Section 10.000 LANDSCAPING of the Zoning Ordinance of the City of Kingman, adopted in 1998 provides a minimal amount of landscaping for new commercial, industrial and multiple family developments. It also requires minimal landscaping for remodels and expansions of existing developments where the improvement costs exceed \$20,000 and/or the developed portion of the property increases by 25-percent or more. The ordinance has not been changed since its adoption. Over several months the ordinance was reviewed by staff and the Planning and Zoning Commission at several meetings and a workshop to consider possible changes. Ordinances from area cities were reviewed and local landscaping businesses and nurseries were consulted for input. On February 10, 2015, the Planning and Zoning Commission initiated a public hearing for the proposed text amendment. The proposed amendment would repeal the appeal process and the 2:1 credit for landscaping in the right-of-way, revise the recommended plant list and create parking lot design standards for new development. Also 10% of the gross lot area for new development and 5% of the gross lot area for remodels and expansions would be required to be landscaped and irrigation standards and plan submittal requirements would be revised. The ordinance would permit some artificial turf, require dead plants to be removed within 45 days and exempt remodeled properties over 95% developed from the landscaping requirements. The Planning and Zoning Commission held the public hearing on March 14, 2015 to consider this request. Public testimony was heard. The commission voted 4-0-1 to recommend approval of the proposed text amendment as written. Commissioner Angle abstained from the vote. **Staff recommends approval.**

i. Reversion Clause General Plan Amendments and Zoning Changes

The Mayor requested the topic of reversion clauses in General Plan Amendments and Zoning changes. This is for general discussion.

j. Public Hearing and Consideration of Resolution No. 4944 authorizing the Mayor to sign any and all documents to submit applications for funding Kingman Area Regional Transit through FFY 2015/2016 Federal Section 5311 Grant Program

Annually, ADOT requires an application and negotiations for the next funding period along with a Resolution approved by the Mayor and Council. Kingman Area Regional Transit (KART) would like to continue to offer public transportation to residents and visitors in the City of Kingman and Greater Kingman Butler Area at the same level as FFY 2014/2015. Capital requests include two transit vehicles and GPS enabled upgrades to video surveillance equipment. Application deadline is April 17, 2015. **Staff recommends approval.**

7. **REPORTS**

Board, Commission and Committee Reports by Council Liaisons

8. **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.

9. **Executive session**

THE COUNCIL MAY GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH A.R.S.38-431.03(A)(1) TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

Follow-up City Magistrate Recruitment

The Council will review the ad placed for the City Magistrate position as well as the next step in the hiring process with regard to the application review process following the close date of April 24th, 2015, any further screening processes and begin discussion of the interview process. Staff is requesting direction from Council on this item.

ADJOURNMENT

Posted _____ by _____

**CITY OF KINGMAN
SPECIAL MEETING OF THE COMMON COUNCIL
Kingman Police Department
2730 E. Andy Devine Ave.**

2:00 P.M.

MINUTES

Friday, January 23, 2015

SPECIAL MEETING

****A member of the Council may be attending the meeting telephonically****

| Members | Officers | Visitors Signing in |
|--------------------------------------|---------------------------------------------------------|----------------------------|
| Richard Anderson – Mayor | John A. Dougherty, City Manager | See attached list |
| Mark Wimpee Sr. – Vice Mayor | Coral Loyd, Financial Services Director | |
| Mark Abram | Diane Richards, Budget Analyst | |
| Larry Carver | Sydney Muhle, City Clerk and Recording Secretary | |
| Jennee Miles | | |
| Stuart Yocum --- Arrived LATE | | |
| Carole Young | | |

CALL TO ORDER & ROLL CALL

Mayor Anderson called the meeting to order at 2:01 P.M. and roll call was taken. All council members were present except Councilmember Yocum who was late. The invocation was given by City Manager John A. Dougherty after which the Pledge of Allegiance was said in unison.

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. Council Planning and Goal Setting Session

Discussion and/or Direction for the City Manager

Mayor Anderson apologized for the timing of the meeting but due to the change in the election cycle this meeting had to take place now that the new Council members have taken office. He said that he initially wanted this meeting to be a vision session but that was not fair to the new Council members who had only been in office for a few weeks. He said that for this meeting he wanted to break down the goals and objectives for the

coming budget session in three areas: the General Fund, enterprise funds and anything else.

Mr. Dougherty asked if Council wanted to discuss the Capital Improvement Plan (CIP) at this meeting.

Councilmember Young said that the Capital Improvement Plan is normally discussed with this.

Mayor Anderson said that the Council could discuss the (CIP) after discussing enterprise funds. He said that the General Fund is having a good year and is up about four percent.

Finance Director Coral Loyd said that the General Fund is up 7.4 percent through December.

Councilmember Yocum arrived at 2:05 P.M.

Mayor Anderson said that the sunset on the Transaction Privilege Tax (TPT) increase cannot be voted on at this point. He said that he would like to try to handle whatever is in the goals currently. He said that the budget with the two percent will include all the current city functions and the additional half-percent would have to be voted on separately. He said that his recommendation when looking at the split is to look at things and programs to be added and necessities that are not in the baseline budget. He said that he was suggesting this because if the intent is to continue with the 2.5 percent that the City can show what this is for and hold public hearings on it. He said that he wants to show what people get for the additional half-percent and what it is spent on.

Ms. Loyd said that the two percent is not enough to cover the basic budget.

Mayor Anderson said that he would like to get as close to the two percent as possible.

Mr. Dougherty said that Ms. Loyd would be leaving employment with the City and going to Mohave County as their finance director. He said that this is just waiting for the Mohave County Board of Supervisors' approval.

Mayor Anderson said that having a four or five percent increase in revenue, based on TPT, the lion's share should go to keep the base sustainable. He said that there has been a question of a pay raise. He mentioned cost of living increase of 1.7 percent and said that revenues are going up and this would be in the base. He said that he would favor projections on a pay scale adjustment at budget unless the rest of the Council says otherwise.

Vice Mayor Wimpee Sr. said that he had no objection and the half-percent should not be separated as it is part of the budget.

Councilmember Young said that she agreed as this is why the half-percent was instated.

Ms. Loyd said that revenues are currently 4.5 percent over budget. She said that because this was just implemented last year this is really about four percent.

Mayor Anderson said that he understands the hesitancy if this is needed to preserve the base. He said that there will be things that will need to be added as a result of this meeting that may not be included at this time.

Vice Mayor Wimpee Sr. said that the Council may take a hit on the tax but it went away last time. He said that it makes sense to show where the money is going.

Mayor Anderson said that once the budget is put together it may be that a reduction can't be done.

Vice Mayor Wimpee Sr. said that this would be the case unless a property tax is implemented and he doesn't want to do that.

Mayor Anderson said that people will say that the City is earning four to five percent more and this is only covering what has been done.

Vice Mayor Wimpee Sr. said that the Council can get rid of this any time they want.

Councilmember Abram said that looking at what the Mayor is saying, the Council should have a balanced budget because of the TPT sunset.

Councilmember Young asked if this can be done without eroding the budget.

Ms. Loyd said that it could not. She said that the increase of \$2.5 million was achieved and the ordinance that went with it had nine capital projects and one-third went into the balance. She said that the City actually received an increase and gave the specific amounts over projections. She said that the capital projects have all been accomplished and the mobile data project was still in the works and the crosswalk near Hualapai Elementary School was abandoned for other reasons. She also presented things the new money will pay for.

Mayor Anderson said that he would like to go through projects for the General Fund

Councilmember Abram wrote down the priorities from each Councilmember on the white board. The complete list of priorities has been included with these minutes.

Vice Mayor Wimpee Sr. said that additional money for abatements should be high on the list.

Councilmembers Young and Miles agreed.

Councilmember Young said that her priority was public safety vehicle replacement and data units.

Mayor Anderson suggested going around and getting everyone's list then discussing it to narrow down the priorities.

Councilmember Carver asked about sewer plant operations.

Mayor Anderson said that this was an enterprise fund and any expenses related to it have to be paid out of that fund.

Councilmember Abram asked about allocations within that fund.

Ms. Loyd said that the operations for this fund are paid directly from it. She said that a number of employees are used for this allocation.

Councilmember Miles said that her goals are to improve the City's economic vitality and enhance the quality of life. She said that for quality of life the priority is water and to identify and start water conservation best practices and policies. She said this would also be to find the most effective ways to use effluent and how to sustain the water supply.

Councilmember Yocum said that one option for this is to establish a fund and incentive programs for water conserving appliances and household users.

Mayor Anderson asked if this could be narrowed down into specific goals and objectives to be provided to staff. He also said that it is time to review the contract for the golf course. He said that he would like to see the golf course on a performance based contract. He said that a new contract could start in January of next year.

Councilmember Miles said that she wanted to get more specific about her goals. She said that she would like to see a recharge well for wastewater as well as evaluation of Irrigation Non-expansion Area (INA) and Active Management Area (AMA) initiatives to explain to the public what is going on and why one is being chosen over the other. She said that the public does not think that the City has done enough to fulfill public understanding of this topic and she did not want to be too general.

Councilmember Yocum said that his priority is improvements on Stockton Hill Road. He said that he spoke with Arizona Department of Transportation (ADOT) representative Mike Kondelis about traffic mediation on Stockton Hill Road. He said that this is a safety issue as public safety vehicles cannot get through there. He said that ADOT is working on syncing the lights, but there are no loop sensors at the Interstate 40 (I-40) intersection. He said that the lights stay red too long when there are no vehicles at the light. He said that Mr. Kondelis indicated ADOT is working on this but he did not know what the status is.

Mayor Anderson asked for clarification that this was for safety improvements and timing of the lights which Councilmember Yocum said that it was.

Councilmember Young said that her next priority is for an underpass at Western Avenue and I-40.

Mr. Dougherty said that ADOT does not have any projects for Kingman on their five year plan other than maintenance.

Councilmember Carver said that he would like to look at the golf course contract as well. He also said that he would like to look at tourism and industry. He said that businesses are looking to relocate and if he were a business he would work with the local newspaper to look at the area.

Mayor Anderson said that this would be making marketing and economic development broader. He said that he does not want to say how to do it but would add more emphasis in those areas. He suggested that Mr. Dougherty come up with what can be done and then plan and sort out where that falls into.

Mr. Carver said that the Council is not addressing the money issues and are just maintaining. He said that there is nothing in the budget for improvements.

Councilmember Miles said that this would be under her priority of economic vitality and improving revenue. She said that tourism and manufacturing/industrial growth can help support growth within the community. She said that to increase revenues the City has to build these industries. She said that there is an effort for making Kingman a logistics hub. She said that a high priority for her would be City efforts and funding to make Kingman a trade zone. She said that becoming a point of origin for products would increase revenue and bring in more retail. She said that she would list this under economic development and that funding may be required for participation in a foreign trade zone. She said that developing a plan for Kingman to be at the heart of this trade zone is a good way to address revenues.

Councilmember Carver asked what was happening with the airport. He said that it is losing money from revenue and tenants and could be a prime location.

Councilmember Young said that the City hasn't concentrated on revenues from the airport. She said that they have been doing what they want.

Councilmember Miles said that there is a vision for a hub more than what has been brought to the community. She said that the group is meeting through the Kingman and Mohave Manufacturer's Association (KAMMA) in the hope that it will contribute to growth.

Mayor Anderson said that this is something that would be encompassed with increased economic development and marketing. He said that he would like Mr. Dougherty to come back with a proposal and ask that he consider contracting with a consultant. He said that this needs to be done through the City and Mr. Dougherty needs to find the best way to go about doing this.

Ms. Loyd asked what was included with the logistics hub and if this would involve federal dollars and jobs. She also asked about customs enforcement and if this would be similar to Kansas City.

Councilmember Miles said that this could be similar and Kingman would be a point of origin. She also said that Mr. Dougherty needs to be involved in this.

Councilmember Abram said that his next priority would be tourism and developing more jobs and more livable wage jobs. He said that manufacturing and industrial jobs increase wages and will increase the number of people living here. He said that he believes an economic development job would pay for itself.

Councilmember Young said that a previous Council did away with this position and there is still no money in the budget to do it. She said that she could maybe see hiring a consultant and did not see another way to do it.

Councilmember Miles said that funds do have to be cultivated. She suggested using some funds to participate in common efforts for and then eventually move toward a fulltime position.

Councilmember Abram asked if this would be through a public-private partnership.

Councilmember Miles said that there could be funding from several entities and this would be something for Mr. Dougherty to work on.

Mayor Anderson asked if there was something specific on this that can be included with the half-percent TPT to keep moving forward.

Councilmember Young asked if the City needs someone to work with this group.

Mayor Anderson said that Mr. Dougherty should come up with a proposal on this.

Mr. Dougherty said that there is no industry in the City of Kingman. It is located at the airport which it is Bob Riley's job. He said that Mohave County funds this and Bullhead City has eliminated funding for this. He said that it will only be Lake Havasu City and Kingman.

Councilmember Miles said that Bullhead City and Lake Havasu City are not at the table on this, though Mohave County and Mr. Riley are. She said that it is still early in the

process, but this is moving forward. She said that a representative from the Economic Development and Marketing Commission is there. She said that this will move the community forward. She said that she does not know the dollar amount of staff contribution.

Councilmember Young said that with these groups coming together for one economic development initiative the City could contribute monetarily and with manpower. She said that this is not something that the City has to participate in but there needs to be a report back to the Council.

Councilmember Miles said that the group is aware of this and Development Services Director Gary Jeppson is working with them. She said that funding requests will be coming in the next year.

Councilmember Young said that she has two issues with what Councilmembers Miles and Carver are talking about. She said that if the City concentrates on tourism and economic development there is no money to expand on either one. She said that if economic development and tourism are together a position can be created for both and use tourism funds to pay for it then there can be a City position for both.

Councilmember Carver said that this person's job would be to get out and promote Kingman.

Councilmember Miles asked who is doing research currently. She said that the City is figuring out how to get people here but no action has been taken for recruitment. She said that there is a lot of action going on in the private sector which is driving this because they don't want government leading it. She said that a public-private partnership is needed to do this with both city and county participation.

Mayor Anderson said that quite a bit of time has been spent on this topic and economic development and tourism are listed as priorities. He suggested giving it to staff to come back with how to move forward with this.

Councilmember Young said that in it is Council's job to give staff direction and they need to give as much direction as possible.

Mayor Anderson said that his goal is to have three to four high priorities and then some mid-level priorities.

Councilmember Miles said that this position needs to be understood in order to rate it on the list. She asked if this position could be funded with Tourism monies.

Ms. Loyd said that it could for the tourism portion of the position. She said that the Kingman Airport Authority (KAA) used to work with the Economic Development and

Marketing Commission on this but has since stopped coming to the commission's meetings and reporting on current activities.

Councilmember Young said that if a tourism person is contracted as Councilmember Carver had suggested then expenses can be identified specifically for tourism if necessary.

Mayor Anderson asked for other additional priorities.

Vice Mayor Wimpee Sr. said that his next priority is Kingman Crossing. He said that he thinks the City should look at having a fund to build the interchange and work toward setting aside the funds for it when partners come in.

Councilmember Miles said when looking at Kingman Crossing versus Rattlesnake Wash that Rattlesnake Wash may be more conducive to making Kingman a logistics hub.

Vice Mayor Wimpee Sr. suggested putting the funds away for one or the other. He also said that conserving water is one of his priorities. He said that he would like to see a cost analysis for bringing effluent into the golf course. He said that the City is its biggest water customer.

Councilmember Miles agreed with looking at alternatives.

Mayor Anderson asked Ms. Loyd if taking effluent and shipping it to the parks and golf course would be an expense for sewer customers or water customers.

Ms. Loyd said that it would be exchanging irrigation so could be a combination of the two.

Mayor Anderson said that the City just spent funds for a sewer plant. He said that he had heard it would cost \$10 million to run effluent to the golf course. He said that it might be expensive, but the City wants to conserve water and the use of grey water and reduction of use at the parks and golf course should be looked at. He said that the AMA and/or INA are not there yet. He said that there is not enough information to know how that issue will impact the City yet. He said that there are not enough facts to jump in and the City needs to start conserving and looking at initiatives. He said that the water plant needs to be updated now that the sewer plant updates are in place.

Ms. Loyd asked Councilmember Miles if there is a point in the logistics group where ancillary businesses would reuse water.

Councilmember Miles said that she is not aware of any. She said that there was talk about wanting the solar plant to reuse water but she did not know the status of that. She said that they know the industries the City is trying to attract but not whether they wanted Rattlesnake Wash or Kingman Crossing.

Mayor Anderson asked about having staff come back with potential options for selling the water rights from Vonn Ranch to Valley Vista. He said that right now it is sitting out there doing nothing.

Councilmember Miles asked if this was part of the Hualapai Basin.

Ms. Loyd said that it was and was purchased for the future water rights and water use.

Councilmember Miles asked if Mayor Anderson was looking at the potential of selling the water rights.

Mayor Anderson said that he was asking whether the Council should look at the options or leave it as is.

Councilmember Young said that she does not want to sell the water rights and that is an aquifer that could be put to better use.

Councilmember Miles asked if this was something the City wanted to start utilizing. She said that in the event action is taken to create constraints the City would be grandfathered in.

Councilmember Young asked if the City could drill wells to bring water into a tank for the City. She said that this could potentially be surplus for the City.

Mr. Dougherty said that he would think so.

Councilmember Miles said that this should be considered under water priorities.

Councilmember Young said that the City might as well plan for the future use.

Mayor Anderson said that there are 200 to 300 new homes on the southern end of the East Bench with another 300 that will start being built at Castle Rock Village.

Vice Mayor Wimpee Sr. said that Castle Rock Village plans to build 500 new homes in five years.

Mayor Anderson said that with the growth on Hualapai Mountain Road there is no access over I-40 other than Route 66 and Eastern Avenue. He said that an interchange could possibly be funded by selling City owned land in the area at the highest achievable rate. He said that the City needs other participants and needs to get traffic from one side to the other. He said that a fire station is needed to serve both sides. He asked if there is an alternative for another overpass to get people from one side to the other and help with traffic. He said that City Engineering has looked at this but it should be a priority as there is going to be more needed than the two interchanges.

Vice Mayor Wimpee Sr. asked how much the Airway underpass cost.

Ms. Loyd said that this cost \$10 million total and the City paid 27 percent.

Councilmember Abram said that the costs are not equivalent as this project would be looking at six lanes of highway. He asked about designing the interchange then only partially building it.

Ms. Loyd said that, of the two, Kingman Crossing is cheaper.

Councilmember Young said that the State of Arizona was putting more money into Kingman Crossing. She asked what the hospital is willing to pay.

Mr. Dougherty said that they were willing to put in \$2 million.

Mayor Anderson said that he is not sure that this has to be designed for a traffic interchange, but could maybe start with an underpass before looking at ramps. He said it might be good to check with City Engineer Greg Henry to look into the options.

Councilmember Abram agreed that this would be building for future growth.

Councilmember Young said that she did not see this taking traffic off of Stockton Hill Road though she does see it taking traffic off of Eastern Street.

Mayor Anderson explained the proposed traffic plan.

Councilmember Young said again that this would not reduce traffic on of Stockton Hill Road. She said that traffic will still travel down Gordon Drive or Airway Avenue and the traffic will not go down.

Mayor Anderson said that he thinks people will use I-40.

Councilmember Abram said that he is looking at this for two things: a potential over/underpass only and East Bench public safety facility.

Councilmember Carver asked about the potential for building a fire station at the airport.

Mayor Anderson said that it would only be able to serve the airfield itself.

Vice Mayor Wimpee Sr. left at 3:09 P.M. He said that he will make the dates for the budget calendar work.

Mayor Anderson asked if anyone else had additional priorities to add.

Councilmember Miles said that she would like to see an evaluation of a historical zone. She said that she did not know what all would need to be done for this but the history needs to be maintained with no connotation of blight. She said it would be good to evaluate this and see what is needed.

Councilmember Abram said that this was on his list as well. He also said that a new building can reflect an older building.

Councilmember Young said that the City can do a downtown zoning.

Councilmember Miles asked if this would meet the ongoing issues.

Councilmember Young asked if it is harder to condemn everything. She said that there needs to be some sort of zoning appropriate to revitalize downtown.

Mayor Anderson said that if a piece of glass is broken it has to be replaced with the same type of glass. He said that some type of zoning would need to be looked at.

Councilmember Miles suggested wording this as evaluating zoning for downtown to align with property efforts.

Ms. Loyd asked for clarification that this is for a zoning designation.

Councilmember Miles said that it was.

Councilmember Young said that she wanted to review a question from last year on the Kingman Regional Transit System (KART) and asked if someone approached Mohave County about supporting the bus route that runs in the county.

Mr. Dougherty said that to his knowledge no one has.

Councilmember Young said that she thinks this needs to be done as it was in previous minutes to be done.

Councilmember Yocum also suggested running KART service later into the evening.

Councilmember Miles said that this needs to be looked at for the industrial park and the timing for the areas shifts.

Mayor Anderson said that no priorities have been presented for the enterprise funds. He said that he would like to see if it is possible to reverse the last sewer increase for residential customers. He said that it starts on January 1st and he would like to see if this can be accomplished for the next calendar year or if it can be divided into two years.

Councilmember Young asked for clarification that this is to give the rates back to the rate payers instead of increasing sewer lines.

Mayor Anderson said that this was correct. He said that the expansion is being worked on with Community Development Block Grant (CDBG) funds and there is not a good connection rate. He said that the city has tried for a year and a half and should look at giving back to the residential customers only.

Councilmember Young said that the City can write ordinances to some of those people over the sewer.

Councilmember Carver said that this is already in place.

Councilmember Young said that most of these houses are less than 15 years old and would prefer sewer to septic.

Mayor Anderson said that hopefully as building increases more customers will be generated to see more connections. He said that the City could look at splitting this but at some point the customers need a break. He said that Kingman has the highest rates in the state.

Councilmember Carver said that the City is in line with the Arizona Department of Environmental Quality (ADEQ) right now.

Ms. Loyd said that the City would have to cut back on its capital projects.

Councilmember Yocum asked about the potential savings on sanitation by cutting back refuse collection to once per week.

Councilmember Carver said that the twice weekly pickup is required by statute.

Mayor Anderson said that there is a ten percent leakage rate which means that the City is pumping ten percent more than what is being billed. He said that he assumes the City has been billed for the leakage and he would like to see a plan to reduce water leakage to four percent over the next three years. He said that there is a \$10 million system that will show where the leaks are. He said that he understands Lake Havasu City has grants for leakage checks. He said that if this is prioritized there could be some help available.

Councilmember Young asked if there are overflow pipes on the water towers. She said that the Anson Smith tank runs onto the ground.

Ms. Loyd said that Engineering and Public Works are working on an overall study to equalize pressure in the system. She said that agreements are in place for the East Bench. She said that this will take care of overflow and reduce electricity.

Councilmember Young said that this should take care of a lot of leakage.

Mayor Anderson said that normal leakage is three to five percent but the City is higher and needs to be reduced. He said that he would like to see a plan for this.

Councilmember Young said that she had one additional priority to add to the list. She said that the 2017 Capital Improvement Plan has a plan for the golf course, a park on Sycamore, and a multipurpose/community center. She said that she would like the community center to be first. She said that the City is using schools for a lot of parks and recreation activities. She said that she would also like the proposed splash pad included on the list, which the venture club is raising money for.

Councilmember Yocum said that Storm Hargrove would be giving a presentation on the splash pad at the February Parks and Recreation Commission meeting.

Councilmember Carver said that the splash pad company would be giving the presentation and will then give the presentation to Council after that.

Councilmember Miles said that she would like to see mountain bike trails and facilities. She said that it would be good for the City to support this as this would be great for tourism and economic development.

Councilmember Abram said that any large groups would be great for tourism.

Mr. Dougherty said that it would be nice to host a couple of tournaments each year.

Councilmember Young said that the community center and splash pad could be combined on the list.

Councilmember Yocum said that his understanding of the splash pad project is for the fundraising group to pay for the entire project and have the City do the maintenance.

Mayor Anderson said that there were a couple of items brought up by the Sandbox group which were: economic development, marketing and advertising creating a designated area for regrowth, and looking at part of and lessening the restrictions for revitalization. He said that the final request was initially stated that if people do not comply with regulations the buildings would be torn down. He said that the group has changed from an organized attempt to look for areas to improve. He said that most of what was discussed during the recent meeting was not on the agenda and several people who have never attended were there. He said that the group ought to go back to the purpose for the Sandbox and address specific areas where issues are and propose solutions.

Councilmember Young said that the City needs to look at ordinances.

Mayor Anderson said that there are issues where people come to talk to the City and some of the requirements were not needed. He said that Mr. Dougherty has looked at interpretations and should evaluate ongoing projects to ensure that the interpretation is consistent through those who work in Development Services.

Councilmember Young suggested looking at ordinances, processes and job duties.

Mayor Anderson said that he was not sure of the position of the group as the meeting was done in a hurry. He said that this was not related to the purpose of the group. He said that the City needs to look at codes and regulations to ensure consistent interpretations. He also said that the group asked about abatements and ways the City can finance private property improvements.

Councilmember Carver left the meeting at 3:32 P.M.

Mayor Anderson discussed federal law for community redevelopment funding. He said that the City is not a lending institution. He said that he covered the priorities on the list and a draft will be sent to the Council for a City response for the next meeting.

Councilmember Abram asked how many condemned buildings have been torn down.

Mr. Dougherty said that none have and explained the process for this.

Mayor Anderson said that this process is in its infancy state and is being established. He said that other cities have more mature processes and they are more than welcome to have a presentation to Council or staff to exchange ideas. He said that \$50,000 was allocated for abatements in the current fiscal year and said that this should be increased to between \$100,000 and \$200,000 for this fiscal year.

Councilmember Young said that the City has to be aggressive to revitalize downtown.

Mayor Anderson said that it is interesting to hear others say that the City needs to do the cleanup downtown and tear down buildings. He said that it has to be fair and has to be implemented and enforced. He said that there is a problem with two buildings being approved as the current owner is unknown. He said that this will also give local folks a reason to fix their properties.

Councilmember Young said that if the City has the proper ordinances and there are safety issues it can force property owners to do something. She said that the property owners could sell to someone local to keep the properties that way as they don't want to spend money on the properties. She said that if a property is condemned for safety and can be sold this might change. She said that this has not been enforced in the past.

Mr. Dougherty said that he would like to bring up a couple of things. He said that he would like the Council and commission to go paperless. He said that a proposal for this

will be ready for this budget process. He said that pay raises for employees has been skirted around in this discussion and asked if this is a priority.

Councilmember Young asked if there is revenue to fund this.

Councilmember Abram said that he is in favor of a fair and just wage. He said that if people are already there then it needs to be equalized.

Mr. Dougherty said that he opened this up to the employees and they took several months to come back with a recommendation on whether to address pay raises or compression issues. He said that there was not a consensus among the group but the recommendation was to address an across the board pay raise rather than compression.

Mayor Anderson said that both proposals should be in the budget request.

Mr. Dougherty said that the newly appointed fire chief has issues with Station Two being the busiest. He said that the chief wants a ladder truck at Station Two and the department needs an additional fire station on the East Bench. He said that the City owns an empty lot on Route 66 though Mr. Dougherty would prefer to not have additional buildings on Route 66. He said that the station needs to be a couple of blocks off of Route 66 and he has asked the chief to look into where to put the station. Mr. Dougherty said that both he and the Mayor want a police substation in the new station as well. He said that this can be placed on the CIP for a couple of years out.

Councilmember Young said that last she had heard the department wanted the new station on Louise Avenue.

Ms. Loyd said that the City has acreage in the area for this.

Councilmember Young said that she is just hearing about the proposal for Station Two on Route 66.

Ms. Loyd said that the property was purchased last year on the opposite side of Lewis Kingman Park.

Councilmember Young said that the East Bench needs a station first.

Mayor Anderson said that there is a reduction in fuel prices this year and he hopes the savings from fuel can be put into those requirements.

Councilmember Yocum said that he is not sure these vehicles will see a reduction from that as diesel prices are not benefiting.

Mayor Anderson said that these costs need to be looked at across the board. He said that a fire truck is sent out for every 9-1-1 call. He said that he hopes the department can look at

the code and whether those trucks should go out on every call. He said that this could provide a cost savings.

Councilmember Young said that it was a requirement by the federal government to send a truck out every time.

Mayor Anderson said that there are a lot of other places that do not.

Mr. Dougherty said that the department is looking at sending a smaller vehicle rather than a full fire truck.

Councilmember Young said that the additional fire station will cut down on the number of calls received by Station Two on the East Bench. She also said that she would like 9-1-1 growth looked into. She said that she does not know when the current contracts are up but these should be looked at as different districts receive different calls.

Mr. Dougherty said that this has been done and the dispatch center is in the process with these contracts.

Mayor Anderson said that he wants a generalized list of priorities.

The Council reviewed the list of priorities and selected the top three. A copy of the prioritized list has been attached to these minutes.

Mr. Dougherty was asked if abatement issues are specific to the downtown area and should be combined with the downtown revitalization. Mr. Dougherty said that the abatement issues are all over town.

Mayor Anderson said that the top three priorities on the list should be included in the budget if possible. He also asked that the enterprise funds be looked at.

Councilmember Abram said that the top three priorities listed need to be addressed and it is more important to focus on those. He said that Kingman Crossing and Rattlesnake Wash will come naturally.

Councilmember Young said that the traffic interchanges need to be shown on the list and feels that it is good to have them on the list.

Mayor Anderson said that he would like the items brought up by the City Manager to be included with the top three priorities.

Councilmember Yocum asked about the Council going paperless.

City Clerk Sydney Muhle gave an explanation of the program the City Clerk's office is hoping to institute for electronic agendas.

2. Set FY2015-16 Preliminary Budget Calendar

For the last three years, the Council has held a pre-budget priorities and capital improvements plan discussion and workshop in February as the kickoff to the upcoming budget season. In anticipation of budget meetings resulting in final adoption of the budget in May 2015 and no later than June 2015, it is time to confirm dates available for upcoming budget workshops and meetings. **Staff recommends Council discuss budget process expectations and set the preliminary budget calendar.**

Ms. Muhle went over the calendar dates that are no longer available due to staff scheduling conflicts.

Ms. Loyd went over other dates with the Council. She said that the preliminary budget meeting in February is for revenue sources and fund balances. She said that February 23rd would be the date to get the work done by. She said that this meeting is for department priorities and the CIP.

Council reviewed various dates and Mr. Dougherty suggested going with the dates that the majority of the Council is available and the staff can work around those.

Council agreed that the preliminary budget meeting would be March 2nd and the second budget meeting would be on April 13th.

Budget Analyst Diane Richards said that budget books would be completed by April 7th.

Mayor Anderson clarified that there will be time to complete the books.

Ms. Loyd said that this gives Council time to hold another work session in between the second meeting and final approval or they can move final budget adoption back two weeks. She also asked if there was any consensus on the half-percent sales tax. She said that this has to be included in the budget to have it balanced.

Councilmember Miles said that this needs to be left in the budget.

Mayor Anderson asked for highlights on what this money consists of.

Ms. Loyd said that staff can show how the money is being utilized.

Councilmember Abram said that economic development is not an overnight situation. He said that whichever way the Council decides to go it will be two to three years before the City sees the fruits of their effort.

Councilmember Young said that the City needs a revenue source which is the number one priority.

Councilmember Abram said that when hiring an economic development person enough revenue will have to be available to pay their salary. He said that the creation of funds from that position will not happen for a couple of years.

Mayor Anderson said that Lake Havasu City has partners that contribute to this position for their city.

Councilmember Yocum asked about grant acquisitions.

Councilmember Young said that there may be several people who put in for those but the City has to know first what it is willing to spend.

Councilmember Abram said that the Council can't expect this position to pay for itself right away.

Councilmember Miles said that it will be interesting to see what Mr. Dougherty sees in the plan.

Ms. Loyd said that a public safety station on the East Bench will be \$1 million. She said that whatever revenue is on the East Bench will have to be able to pay for this.

Councilmember Young clarified that this will be \$1 million each year.

Councilmember Yocum made a MOTION to ADJOURN. Councilmember Abram SECONDED and it was APPROVED by a vote of 5-0.

ADJOURNMENT --- 4:13 P.M.

ATTEST:

APPROVED:

Sydney Muhle
City Clerk

Richard Anderson
Mayor

STATE OF ARIZONA)
COUNTY OF MOHAVE)ss:
CITY OF KINGMAN)

CERTIFICATE OF COUNCIL MINUTES

I, Sydney Muhle, City Clerk and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the Common Council of the City of Kingman held on January 23, 2015.

Dated this 25th day of March, 2015.

Sydney Muhle, City Clerk and Recording Secretary

DRAFT

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

9:00 A.M.

MINUTES

Monday, March 02, 2015

WORK SESSION MEETING OF THE COMMON COUNCIL

| Members | Officers | Visitors Signing in |
|--------------------------------------|---------------------------------------------------------|----------------------------|
| Richard Anderson – Mayor | John Dougherty, City Manager | See attached list |
| Mark Wimpee, Sr. – Vice Mayor | Jackie Walker, Human Resource Director | |
| Mark Abram | Carl Cooper, City Attorney | |
| Larry Carver | Jake Rhoades, Fire Chief | |
| Jen Miles | Greg Henry, City Engineer | |
| Stuart Yocum --- ABSENT | Robert J. DeVries, Chief of Police | |
| Carole Young | Mike Meersman, Parks and Recreation Director | |
| | Diane Richards, Budget Analyst | |
| | Gary Jeppson, Development Services Director | |
| | Rob Owen, Public Works Director | |
| | Joe Clos, Information Services Director | |
| | Sydney Muhle, City Clerk and Recording Secretary | |
| | Tina Moline, Finance Administrator | |
| | Trinna Ware, Finance Administrator | |

WORK SESSION

ALL WORK-SESSION ITEMS LISTED ARE FOR DISCUSSION ONLY. NO ACTION CAN OR WILL BE TAKEN. The primary purpose of work session meetings is to provide the City Council with the opportunity for in-depth discussion and study of specific subjects. Public comment is not provided for on the Agenda and may be made only as approved by consensus of the Council. In appropriate circumstances, a brief presentation may be permitted by a member of the public or another interested party on an Agenda item if invited by the Mayor or City Manager to do so. The Mayor may limit or end the time for such presentations.

**CALL TO ORDER & ROLL CALL
PLEDGE OF ALLIGENCE**

Mayor Anderson called the meeting to order at 9:01 A.M. and roll call was taken. All Council members were present except Councilmember Carver who would be late and Councilmember Yocum who was absent. The Pledge of Allegiance was said in unison.

Overview and discussion of Budget Priorities for fiscal year 2015 – 2016 and proposed Capital Improvements Plan for fiscal year 2016 – 2020.

Mayor Anderson said that this meeting was a work session and that no decisions would be made at this meeting, though guidance may be provided. He said that if Council members have questions they should ask them because they need to be able to validate the budget priorities and revenue streams. He said that it is hard for Council to make decisions on the budget without quantifiable data and asked for cost-benefit analyses whenever available. He said that when looking at the Capital Improvements Plan (CIP) it is important to have a good understanding of the precedence of requirements such as laws, ordinances, studies, etc., as the Council needs to be sure that they are doing what is required and make sure that it can be financed.

OVERVIEW

- GF Appropriation available to address budget priorities
\$2.60 million available for consideration
- Public safety capital purchases
- Abatement program
 - Including parks/street maintenance of medians, pathways, and other city properties
 - Capital costs (vehicles & equipment), enforcement costs on private property concerns
- Powerhouse Visitors Center
 - Funding maintenance items

OVERVIEW

- Compensation-Compression
- Legislative Action
- Fees
 - Review fees in general for increase or decrease
 - Complete sewer fund analysis: reduce rates, use funds to expand system
 - TPT sunset/property tax
 - Workshop, special meeting, regular meeting

City Manager John A. Dougherty began with an update of City revenue saying that there is a surplus of just under one million dollars in the Capital Fund. He said that the transaction privilege tax (TPT) has come in more than was budgeted for. He said that the City is projecting \$75,000 more in the streets department and \$50,000 more from the restaurant tax. He said that the City always budgets conservatively, though he can't guarantee the projections will be accurate. He said that he felt that the projections would be close. He said that he is not seeing any signs that the economy is slowing so he is planning for the future. He said that he is also anticipating revenues to increase exponentially as the economy continues.

Slide 2 – Mr. Dougherty said that he will be asking for a salary increase. He said that the City is lucky to be at the 35th percentile. He said that the City is losing employees due to the low wages and compression. He said that police officers who have been with the City for seven years are making the same as officers just graduating the academy which is not right. He said that staff put together a committee to figure out what to do and the committee recommended an across the board pay raise; however, staff still has the compression issue. He said that he directed staff to come up with a plan for both and have several options to present. He said that public safety has a lot of capital improvements. He said that the Fire Chief has reviewed the need for a new station and where it will best meet the community's needs. He said that problems meeting call response times reflects on the entire city and department. He said that there are a lot of abatement issues and a lot of equipment is needed for both the police and fire departments. He said that he will be bringing a proposal back to the Council for a funding change regarding

Powerhouse maintenance.

Vice Mayor Wimpee Sr. asked if the change in construction tax will help or hurt the City.

Budget Analyst Diane Richards said that she was not sure.

Vice Mayor Wimpee Sr. said that he thinks it will hurt the City and asked that this be considered. He said that he thinks the state figured out how to get more money while taking it from the cities. He said that he knows this bill is still in the state's approval process.

Mr. Dougherty said that he and Ms. Richards would look into this. He said that legislative action will affect the City. He said that public safety retirement was hit with a \$500,000 increase for the coming year and beyond. He said that health insurance is looking at a \$9,000 increase which is better than anticipated. He said that staff is reviewing fees annually and making small incremental increases. He said that Council wanted to talk about reducing user rates and staff has proposals to decrease the sewer rate. He said that, regarding the Transaction Privilege Tax (TPT) sunset, the budget has been put together in anticipation of the increase being renewed and staff needs to know now if this is not happening. He said that not keeping this would mean cutting approximately half of the City's budget which means half of the people. He explained that this would mean closing a fire station and that every department would be hit hard. He said that even the City Manager position would be on the chopping block.

Vice Mayor Wimpee Sr. said that he feels the tax increase should be kept.

Councilmember Young said that she feels the sales tax needs to be increased or the City needs to go for a property tax as it cannot afford to cut back.

Mayor Anderson said that this item needs to be scheduled for a work session or a Council meeting. He said that a written time table is needed and asked Mr. Dougherty for a report and timeline including how this needs to be done.

Vice Mayor Wimpee Sr. said that this needs to go on a Council agenda as soon as possible.

Councilmember Miles said that she agrees this needs to go to a work session. She asked if there was another way to fund the fire department other than with TPT revenue and said that she would like to see the other options.

Ms. Richards said that other options are available.

Police Department

Budget Priorities – Police Dept

- **Employee Compensation/Compression**
 - 23 Officers currently on Step 2 of Classification Grade
 - 3 Officers in the Academy scheduled to graduate June, 2015
 - 2 Anticipated officer retirements in FY2015

- **Patrol Vehicles & Equipment** **\$ 47,500 ea**
 - Four Crown Vic front line units need replacement
 - (1-2002, 2-2005, 1-2006)
 - Tahoe/Interceptor
 - (2 = \$95,000, 4 = \$190,000 6 = \$285,000)

- **Detective Vehicles & Equipment** **\$ 48,000 ea**
 - Flex Team K-9 Unit vehicle currently uses a former MCSO truck, the vehicle is high maintenance and the A/C is unreliable, putting the K-9 at risk – Replace with Tahoe/Interceptor

Budget Priorities – Police Dept

- **Neighborhood Service Officer (NSO) Vehicles & Equipment** **\$ 38,000 ea**
 - Replace one 2001 vehicle with mileage of 139,000
 - Carryover from FY2014/2015

- **Administrative Vehicle & Equipment** **\$ 50,000 (2)**
 - Replace two administrative vehicles with over 80,000 miles
 - Rotate administrative vehicles to SRO's (School Resource Officers)

- **Officer Ballistic Helmets (28)** **FY2015/16 \$ 15,000**
 - Proposed two year phase for replacements that began FY2014/15
 - Helmets begin replaced were donated; now in disrepair and past expiration date

Slide 1 – Police Chief Robert J. DeVries said that his top priority is addressing compression which is significantly impacting the department. He said that 65% of the department's officers are at a Step 2. He said that one officer recently transferred to the Department of Public Safety (DPS) for an additional \$12,000 per year. He said that over one-third of the local DPS workforce used to work for the Kingman Police Department. He said that the department has three officers in the academy right now and has two retirements coming in May and June. Regarding vehicle replacements he said that the K-9 unit was received as a red line vehicle from Mohave County and they are starting to experience problems with it. He said that three of the vehicles currently being used were obtained from seizures and replacement is a top priority.

Slide 2 – Chief DeVries said that the school resource vehicles are very old and have high mileage. He said that these vehicles would replace the current PT Cruisers which are in rough shape. He said that two administrative vehicles with high mileage would be rotated to the school resource officers and the new vehicles would replace the administrative vehicles to use for out of town travel. Regarding the ballistic helmets, Chief DeVries said that this is the remaining half of a phase in.

Budget Priorities – Police Dept

- **Ballistic Vests (56)**

| | |
|-----------|----------------|
| FY2015/16 | \$ 24,000 (20) |
| FY2016/17 | \$ 18,000 (15) |
| FY2017/18 | \$ 24,000 (20) |

 - Vests currently used were purchased over a three year period and the first cycle are due to expire in FY2015/16
 - Proposed three year phase for replacements

- **Handgun Replacement** **\$ 18,000**
 - Current handguns purchased 2005. Law Enforcement and armor standards recommend replacement in a 10 year cycle
 - Costs calculated based on trade in of current handguns

- **Patrol K-9** **\$ 50,000**
 - Implementation of a Patrol K-9 Unit. No additional staff required, two patrol officers would be utilized
 - K-9's would be trained for drug detection
 - Costs include conversion of two patrol units, K-9 purchase, training and equipment
 - Department will pursue alternative funding for the purchase of the K-9's

Budget Priorities – Police Dept

- **Tactical Vest Covers & Plates (15)** **\$ 7,500 (15)**
 - Two year phase for replacements that began FY2014/15
 - Vest covers with plate inserts used for high risk situations

- **Taser Replacements (44)**

| | |
|-----------|----------------|
| FY2015/16 | \$ 40,000 (25) |
| FY2016/17 | \$ 30,400 (19) |

 - Current X-26 taser has 7 yr life; no longer available from company
 - Proposed three year phase for replacements with new X-2 that began FY2014/15

- **Radar Units & Mounts (10)** **FY2015/16 \$ 20,000 (10)**
 - Currently use Talon HR12 units no longer in production
 - Maintenance expensive and replacement parts difficult to find
 - Two year phasing out obsolete units with Talon II that began FY2014/15

Slide 3 – Chief DeVries said that he is proposing a three year phase in for replacement of the current vests which are set to expire. He said that the current handguns are at the ten year mark which is the national standard for replacement. He said that the current weapons are well maintained and the trade in value on them is high. He said that the anticipated cost is low which is a credit to the department's armorers who maintain the weapons. He said that the Patrol K-9 unit is no longer an issue. He said that the entire program will be funded through a grant.

Slide 4 – Chief DeVries said that the tactical vests are the second portion of the phase in and he is proposing a phase in for the new Tasers as well. He said that the current Tasers are no longer being manufactured. He said that the radar units are now obsolete and parts for them cannot be obtained.

Budget Priorities – Police Dept

- **Facility – Phase 3 Remodel** **\$ 48,000**
 - Final phase of remodeling of building
 - Carpet, Paint and materials for Detective Bureau
 - HVAC renovations
 - Relocating current copier
 - Evidence processing station for Detectives
- **Facility – Vehicle Canopy** **\$ 45,000**
 - Provide cover for the Mobile Command Center and MRAP
 - This would extend the life expectancy and minimize repairs due to sun damage

Budget Priorities – Police Dept

- Future Fiscal Year 2016/17*
- **Patrol Vehicles & Equipment** **\$ 50,000 ea**
 - Carry over from fiscal year 2015/16 proposal
 - Tahoe/Interceptor (2 = \$100,000 4 = \$200,000 6 = \$300,000)
 - **Neighborhood Service Officer (NSO) Vehicles & Equipment** **\$ 60,000 (2)**
 - Carry over from fiscal year 2015/16
 - Used for code enforcement and animal control
 - Two pickups
 - **Crime Scene Vehicle & Equipment** **\$ 70,000 ea**
 - Replace one crime scene vehicle with 101,000 miles
 - Purchase a full size 4x4 SUV
 - **Detective Vehicles & Equipment** **\$ 60,000 (2)**
 - Continued phase out of old seizure vehicles used by detectives
 - Two vehicles

Slide 5 – Chief DeVries said that portions of the building have been remodeled and over half of the remaining cost is to fix the HVAC system which is very bad. He said that the current system locks up during the summer due to its current configuration. He said that fixing this will be \$25,000. He said that this will also allow for relocation of a Xerox machine and an evidence processing station. He said that the department is also requesting a carport for the mobile command center. He said that this was previously eliminated from the budget but the command center is now experiencing weather related wear and tear so this carport would allow it to be protected and extend the life of the vehicle.

Slide 6 – Chief DeVries gave a synopsis of this slide. He said that the evidence van used to be an animal control vehicle. He said that the department is looking at a smaller version with 4x4 capabilities for off-road crime scenes. He said that the department is looking at phasing out the seizure vehicles which were received at no cost to the City.

Budget Priorities – Police Dept

- Future Fiscal Year 2016/17*
- **Pepperball Guns** **\$ 12,000**
 - Current inventory of 12 due for replacement in FY2016/17
 - **Patrol Bicycle Replacement** **\$ 8,000**
 - Current inventory of 5 bicycles, 5 carrier mounts and 10 hitches for patrol vehicles due for replacement
 - **Facility Space Needs Analysis Study** **\$ 10,000**
 - Department has reached maximum capacity
 - Proposed space needs study for future expansion or replacement of facility

Budget Priorities – Police Dept

- Personnel Considerations*
- **Reinstatement of Vacant Captain Position**
 - Reinstatement based on a phased in option over a two-three year period
 - First year as a Lieutenant over Professional Standards (administrative responsibilities, training, accreditation) and then during year two-three as a Deputy Chief
 - **Reclassification of Magnet Administrative Secretary**
 - Magnet Board of Directors approved reclassification of Administrative Secretary to Administrative Assistant based on job task study
 - Reviewed and approved by the Compensation Committee
 - Salary and ERE will be covered by the Byrne grant and RICO funds
 - **Reinstatement of Police Cadet Program**
 - Initial program funded two positions for youth 18-21 years of age
 - Program serves as a recruiting program, mentoring of officers and fill a void currently in place
 - **Implementation of a Police Corporal Position (6)**
 - Currently the department utilizes an OIC (Officer in Charge) when a supervisor is not on duty due to shift gap, vacation, sick, etc.
 - This position with a classification and pay increase would compensate for the increased responsibilities

Slide 7 – Chief DeVries gave a synopsis of this slide. He said that the bicycles are used usually in the downtown area. He said that the department has maximized the space available in their facility. He said that there is room to expand but there would be no parking available. He said that he feels a space needs analysis would be beneficial. He said that the department would look at moving to the downtown area which would be beneficial with the judicial expansion. He said that this could also help with revitalization.

Vice Mayor Wimpee Sr. asked about the difference between the police Tahoe's and police Crown Victoria's.

Chief DeVries said that the Crown Victoria's are no longer available. He said that the Tahoe's are cheaper and the department is still testing the Ford Interceptors for cost effectiveness.

Vice Mayor Wimpee Sr. asked how the body cameras are working for the department.

Chief DeVries said that the department is looking at grant options for the cameras, but are not requesting funds for them right now. He said that there is currently legislation being proposed at the state level that would not benefit the program.

Vice Mayor Wimpee Sr. said that he would like to keep the cameras in mind as he feels they are important.

Councilmember Young asked if the department expansion would be for administration or for a substation.

Chief DeVries said that this would be for the entire department. He said that the department is looking at the feasibility and how much to continue investing in the current facility.

Councilmember Young asked if the current location would then be sold.

Chief DeVries said that it would. He said that a substation is not as necessary. He said that the mobile computers took away the need for that. He said that the department is asking for space at the fire stations.

Slide 8 – Chief DeVries gave a synopsis of this slide. He said that there are currently five or six people working on training and the process is not efficient. He said that the department is asking that the Mohave Area General Narcotics Enforcement Team (MAGNET) Administrative Secretary be reclassified to an Administrative Assistant. He said that MAGNET has sufficient funding for this and the MANGET Board has approved the change. He said that there would be no cost to the General Fund for this. He then gave a synopsis of the cadet program and corporal position. He said that the corporal position fills the gap on supervision.

Councilmember Young asked what the top priority is regarding personnel.

Chief DeVries said that a command staff position is needed and compression is an issue.

Councilmember Miles ask Mr. Dougherty what it would cost to address the compression issue.

Mr. Dougherty said that what he is proposing will cost approximately \$1 million and explained the proposed plan to the Council.

Councilmember Miles asked about a noted \$1million which Ms. Richards explained was for capital projects.

Mayor Anderson asked about the staff comparison from 2007/2008 to now and asked if some of those positions were from the 9-1-1 center. He asked how many positions were lost due to that change.

Human Resources and Risk Management Director Jackie Walker said that the 9-1-1 center currently has 16 positions.

Ms. Richards said that she believed there were 12 positions and new positions have been created.

Mayor Anderson said that he would like to have exact numbers.

Chief DeVries said that the bulk of the positions were dispatch related.

Mayor Anderson noted that some vehicles were funded in 2015. He said that he would like to compare this to what is funded this year and wants to see the impact. He said that he would like a comparison in the actual budget. He said that, regarding equipment, not everyone uses the same equipment. He asked if someone in explosive ordnance disposal (EOD) wanted to apply the same amount spent on a department vest would be able to or if they would have to fund this themselves. He asked if there was any consideration for this.

Chief DeVries said that the vest manufacturers come in and go through a full shoot and the department makes a determination on the best quality for the officers.

Mayor Anderson asked about the explosives unit.

Chief DeVries said that the department just replaced its bomb suit which has an expiration date on it. He said that part of this was funded through Homeland Security.

Mayor Anderson asked how the determination is made on the suit.

Chief DeVries said that the department follows Federal Bureau of Investigations (FBI) standards as they sanction this training.

Mayor Anderson asked if there were any potential grants for a police substation.

Chief DeVries said that many grants do not allow brick and mortar costs. He said that it is usually renovations only.

Fire Department

Budget Priorities – Fire Dept

- Retention, Recruitment, Compression
- Battalion Chief Training / Safety
- Vehicles & Equipment

| | |
|-----------|--------------|
| FY2015/16 | \$ 35,000 |
| FY2016/17 | \$ 475,000 |
| FY2019/20 | \$ 1,375,000 |

 - Replacement of staff vehicle with 104,542 miles
 - Replacement of 1995 Pierce Engine with current replacement plan allowing 2004 Pierce engine to be placed in reserve status
 - Replacement of a 2002 Pierce Platform as well as a 1998 Pierce Saber
 - Opportunities exist for alternate apparatus capabilities based on level of service and target hazards within community, Quint Apparatus

Budget Priorities – Fire Dept

- Mobile Data Terminals (MDT)

| | |
|--------------------|------------|
| FY2015/16 | \$ 165,000 |
| Annual Maintenance | \$ 1,200 |

 - Allows personnel to access to the CAD system to aid in dispatch, vehicle location, and vehicle-to-vehicle communication
 - Allow for more accurate data collection as well as access to building preplans and other information
 - This project can be completed incrementally over 2 years however, the first year will need to contain funding for eight (8) front line apparatus
- Traffic Signal Preemption Upgrade

| | |
|-----------|-----------|
| FY2016/17 | \$ 55,000 |
| FY2017/18 | \$ 75,000 |
| FY2018/19 | \$ 95,000 |

 - Current technology is becoming outdated with reliability and the department has experienced minor issues associated with replacement needs
 - The components necessary for upgrading each intersection as well in all fire apparatus.

Slide 1 – Fire Chief Jake Rhoades said that the fire department laid out its priorities and non-priorities. He said that compression is a major issue similar to the police department. He said that at the top end of the department battalion chiefs are exploring the market as there is a lot of overlap among the ranks. He said that a training and safety position was in the budget and the training program is now on Assistant Fire Chief Joe Dorner. He said that several people have their hands in the program like the police department. He said that the department is updating the program and it will take time to get back up to standards. He said that this position would bring the department back up to standards and focus on the ISO grading. He said that ISO grading is part of mutual aid and would be the focus of this position. He said that this would be similar to an accreditation manager to guide the department along the standards. He said that this will also allow for a safety officer on scenes. He said that the “need” of this position would be an understatement. Chief Rhoades gave a synopsis of the vehicles needed. He said that the department is planning for future replacement and explained the planning process. He said that the department will look at the need for the platform truck but the landscape does not dictate having this. He said that the department is looking at other options. He said that this would allow the ladder truck to be in reserve status.

Mr. Dougherty asked where this would be stored.

Chief Rhoades said that the department plans on keeping the vehicle for now or seeing if a smaller vehicle would work. He said that the department is looking at this for the future needs as well.

Slide 2 – Chief Rhoades discussed the mobile data units which are similar to the police departments. He said that this allows for staff to have information at the scene and while in route. He said that this creates an office on scene. He said that it will also allow for current maps and GIS capabilities in the field. He said that some information is not appropriate to be transmitted over the air. He said that this will allow sensitive information to be transmitted to computers. He said that it will also allow for more accurate time tracking. He said that the department is working on a grant for this. He said that Battalion Chief Bill Johnston is great at grants but this is a very competitive one. He said that the grant would be for \$75,000 and will be awarded in May or June. He said that this could also be done over a couple of cycles and discussed how many units are needed.

Mr. Dougherty asked about the units and what is included with this cost.

Chief Rhoades said that this would include 14 units and mounting hardware. He said that the department already has the software. He said that the company has had a hard time getting this portion of the software to work. He said that he thinks this project will take approximately two years.

Information Technology Director Joe Clos said that a grant was received for a portion of this. He said that staff is working on a proof of concept and working with the company to find the best fit. He said that there are systems out there but this is the base software system for the fire department and they want to stay with it.

Chief Rhoades said that moving forward is about finding the best fit to move the project forward.

Councilmember Miles asked about the cost for the mobile data units.

Chief Rhoades said that the cost listed is for the entire project. He said that the department is looking at purchasing eight units right now.

Councilmember Miles asked if the grant would cover the purchase.

Chief Rhoades said that all of the front line apparatus would need some capability.

Councilmember Miles asked if the department can start with eight units.

Chief Rhoades said that he believes this is the preferred method. He said that the cost would be \$80,000 to \$90,000 this year. He said that they are still working on the final pieces to the project.

Mr. Clos said that this is a little different from the police department project. He said that EMT iPad functions are included. He said that there is a lot of mixing and matching with this project.

Councilmember Young asked if the iPads will be the same as the mobile data units.

Mr. Clos said that they will serve two different functions. He said that the iPads would be used on scene and the mobile data transmitters (MDTs) would be for the function of the call itself. He said that one is for patient care. He said that the information transfer would be the same and the two will serve some of the same functions.

Councilmember Young asked if the two will pull from the same database.

Chief Rhoades said that the MDTs are an extenuation of the computer aided drafting (CAD) system. He said that the iPads would be to input data and then transfer it to the ambulance and hospital and would dump back into the Firehouse system.

Mr. Dougherty asked if the local ambulance service already has this.

Chief Rhoades said that they do. He said that this will transfer and transmit information. He said that the hospital will share part of the costs of this. He said that right now the department has redundant reports and this will allow reports to be completed on scene and information to be transferred with the

patient. He said that the department is talking to the hospital about this.

Vice Mayor Wimpee Sr. asked if this will change how the hospital is judged.

Chief Rhoades said that the fire department and hospital are not judged the same. He said that the fire department is reactionary. He said that the department is looking into use of smaller vehicles and other options to be used for house calls and emergencies. He said that this concept would mean that the big trucks would not need to go on smaller calls.

Chief Rhoades continued with Slide 2 and the traffic signal preemption. He said that there are 25 or 26 signals that need to be upgraded with new technology. He said that when satellites drift they do a reset and this effects the GPS for the City's signals. He said that the current technology is sporadic and the manufacturer has made the offer to help with the needed corrections. He said that Mr. Clos is working on the total replacement cost. He said that the current system is outdated and they are trying to figure out what it will take to fix.

Councilmember Miles asked if this is a 2015 request.

Chief Rhoades said that it has to be. He said that he would like to work on it for this year if possible and it will be at a reduced cost.

Budget Priorities – Fire Dept.

| | FY2016/17 | \$ |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------|
| • Fire Station 2 Replacement | | \$ 4,500,000 |
| <ul style="list-style-type: none"> - Constructed in 1962 and currently limits assignment of resources that limit capabilities and response functions due to current size - Relocation provides additional credit through ISO for service delivery | | |
| • Fire Station 5 | FY2017/18 | \$ 1,795,000 |
| Apparatus | FY2017/18 | \$ 600,000 |
| Personnel | FY2017/18 | \$ 792,000 |
| <ul style="list-style-type: none"> - Constructed on East Bench area where current access restricts response times - The development of this area combined with increased department capabilities - Credit received through ISO review dramatic and immediate impact in overall rating for city - Figures account for Station, Apparatus, Equipment, and Personnel | | |

Budget Priorities – Fire Dept.

| | FY2017/18 | \$ |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------|
| • Fire Station 2 Expansion | | \$ 140,000 |
| <ul style="list-style-type: none"> - Increase dorm room capabilities as well as physical fitness facilities - Add additional capabilities such as extractor and compressor increasing in service times due to ancillary functions | | |
| • Training Facility / Burn Building | FY2018/19 | \$ 1,700,000 |
| <ul style="list-style-type: none"> - Current facility located behind station 2 is approximately 2 acres - Proposed facility includes classroom / conference room, burn building, and additional grounds for props and additional specialized functions - The training needs of the department necessitate additional training to include live fire training - May be a stand alone facility or incorporated with relation of Station 2 for reduction in costs | | |
| • Breathing Air Compressor | FY2015/16 | \$ 85,000 |
| <ul style="list-style-type: none"> - Replacement of 1999 compressor for SCBA breathing air - Additional capacity and reduce OOS times in each district | | |

Slide 3 – Chief Rhoades said that the department has the land to replace Fire Station Two. He said that the current capabilities out of this station are limited and additional personnel cannot be assigned to the station due to its size. He said that replacement of the station would offer different capabilities.

Vice Mayor Wimpee Sr. asked what would happen to the current Station Two if the new one is built.

Chief Rhoades said that the land is valuable. He said that the training facility would have to be moved as it is better suited with the station. He said that moving the training facility to the new station is cheaper. He said that this station is the busiest and accounts for 45 percent of the total call volume for the department. He said that Station Five on the east side of town is greatly needed and response times and accessibility to that area are lacking. He said that the calls to this area take longer and pull units from other parts of the city. He said that Stations Two and Three are the busiest but have the best access to this area. He said that Station Five would allow for more commercial development in this area. He said that this would be a three-man station.

Mayor Anderson asked how response times to this area tie into home insurance costs. He asked if there is a certain point in which response times kick up insurance costs.

Chief Rhoades said that this impacts the ISO rating and this is a big deficit in the latest rating. He said that the City is currently at a four and this will be reevaluated in a year and a half. He said that training and preplanning will bring this down. He said that to get the rating down to a two the department will need additional personnel. He said that the rating will be at a three this year. He said that the City lost points due to not having a reserve ladder and mutual aid vehicles are not always available. He said that this would help the community and the ISO rating tremendously.

Mayor Anderson said that he would like to talk to Chief Rhoades about response times and insurance. He said that the public needs to know that response times are not what they should be and this will impact their insurance rates.

Chief Rhoades said that the PCRS will help with measuring response times. He said that these are measured by national standards and averages don't tell the whole truth. He said that the City owns land at the end of Louise Avenue for this station. He said that this needs to be looked at more and being ahead of the development would be great.

Slide 4 – Chief Rhoades explained the Station Three expansion. He said that the department needs to be able to move gear without going into the living quarters. He said that by moving this it allows equipment needed on Stockton Hill Road to be kept at this station. He said that a training facility was previously proposed with the police department. He said that moving this with Station Two is cheaper. He said that the number of fires is low but the department has to be prepared. He said that the current facility is very small and is limited on what skills can be trained on. He said that the department needs adequate space.

Mr. Dougherty asked about a regional facility recently created by the Golden Valley Fire District.

Assistant Fire Chief Keith Eaton said that this is only a classroom right now. He said that the district was planning a regional facility but it is not out there right now.

Mr. Dougherty said that if this would be cheaper it would behoove the City to utilize this facility.

Chief Rhoades said that the facility would be better served in Kingman. He said that the department can look at grants for a regional facility. He said that most grants do not permit brick and mortar. He said that the downside to the Golden Valley facility is that the department has to be shuffled out there and increases fuel costs and personnel time out of service.

Councilmember Abram asked about the possibility of a training facility in Kingman. He asked what the potential would be to build a regional facility and have the revenue from use of it.

Chief Rhoades said that this is similar to the training position which can be farmed out to other departments. He said that this can offset the costs similar to the way the dispatch center is currently operated. He said that the same format can be used for facilities. He said that the Northern Arizona Consolidated Fire District (NACFD) is very interested in this. He said that this would also create the

potential for bringing training in and offsetting the cost for the City by offering it to other departments. He said that different opportunities exist but the department needs the facility to do this.

Councilmember Miles asked if this could be incorporated with the current Station Two.

Chief Rhoades said that the department has discussed a classroom at the current facility or possibly converting the property. He said that the land is valuable and having the two facilities together for oversight is important.

Councilmember Young said that this has been on the list for several years and the buildings are old.

Chief Rhoades said that the facility does not meet the department's needs right now and it needs upgrades.

Councilmember Miles confirmed that there is land for this.

Councilmember Young said that Councilmembers can tour the facility.

Chief Rhoades continued with Slide 4 saying that the breathing compressor needs to be replaced. He said that the department can try to milk it out. He said that it is currently located at Station Two but is due for replacement.

Budget Priorities – Fire Dept.

| Item | Fiscal Year | Amount |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------|
| • Alternate EOC Location | FY2017/18 | \$ 50,000 |
| – Current EOC is located within the Kingman Police Department | | |
| – The Regional 911 center has no alternative location | | |
| • Command Management Software | FY2015/16 | \$ 7,000 |
| Annual Maintenance | | \$ 4,600 |
| – Provides information necessary for analysis of call location and trends in emergency response and customized reports to ensure key performance indicators | | |
| • Field Based ePCR | FY2015/16 | \$ 48,000 |
| Annual Maintenance | | \$ 15,900 |
| – Pre-hospital data collection and reporting | | |
| – Assists medics in documentation on scene and eliminates the redundancy of completion of secondary reports | | |

Budget Priorities – Fire Dept.

| Item | Fiscal Year | Amount |
|--------------------------------------------------------------------------------------------------------------------|-------------|-----------|
| • Hose Replacement / Inventory | FY2015/16 | \$ 35,000 |
| | FY2016/17 | \$ 11,000 |
| – Replacement due to the age and condition of the hose being utilized | | |
| – Conversion of hose size for multiple future uses | | |
| • Physical Health Assessment / Validation | FY2015/16 | \$ 17,500 |
| – Validation of current hiring / incumbent physical examination to meet established national performance standards | | |
| – Includes performance testing equipment and third party validation process | | |
| • Department Training Books/Curriculum | FY2015/16 | \$ 30,000 |
| | FY2015/16 | \$ 4,000 |
| – Total Line item requests | | |
| – The figures indicate total amounts per line item; 101-2210-520-5810 and 101-2210-520-6410. | | |

Slide 5 – Chief Rhoades said that the current EOC location is the community center on Harrison Street. He said that this is also a secondary dispatch location. He said that the department is looking at something with the county but this does not address the secondary dispatch needs. He said that there are competing companies on the PCRs and the department is getting the needed data for integration. He said that the current records management system does not allow this right now and the department is looking for grant opportunities. He said that they are also looking at privacy compliance. He said that they are looking at options to reduce costs.

Slide 6 – Chief Rhoades said that the department has some hoses that are outdated and should be discarded. He then explained the hose options and said that they will be converted to be in compliance.

Mayor Anderson noted that the five inch hose was used for the house fire on Lomas Flojas. He said that the hoses had to be carried two blocks.

Chief Rhoades said that the department is looking at the risk management options associated with the hoses. He said that there is no good way to carry these hoses and reduce injuries. He said that carrying these is not an easy task and health and wellness are key for annual performance. He said that the department is currently working with Human Resources (HR) to meet standards. He said that it would be good to have a third party come in. He said that the Golden Valley Fire District has a validated process and the fire departments would be the same. He said that this goes back to the safety and training officer. He said that Assistant Chief Dorner currently handles all of this and it does not allow him to do the other functions of his position.

Budget Priorities – Fire Dept.

| Rapid Response Vehicles | FY2016/17 | \$ TBD |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------|
| <ul style="list-style-type: none">- Specialized units to deliver emergency medical services- Maintains fire apparatus for larger emergencies, fire suppression- Potential partnerships with KRMC for enhanced service delivery / paramedicine- Options for trial period and implementation process vary based on service delivery model/ expectations for service | | |

Slide 7 – Chief Rhoades gave a synopsis of the rapid response vehicles. He said that the department is working with Lake Havasu City on this and are looking at other department in the valley. He said that the department is looking at a pilot program this year. He said that he feels this is worthwhile and the department will need personnel for this. He said that the program needs to be looked at to see what is best for Kingman.

Mr. Dougherty asked if these vehicles will need to be covered or if they will be parked outside.

Chief Rhoades said that this would need to be looked at. He said that the vehicles would not take a lot of space. He said that they are needed at Stations Two and Three. He said that the department is looking at sleeping options for personnel. He said that remodels would be looked at. He said that to pilot the program it will have to work with current personnel.

Mr. Dougherty said that last year the City was looking at taking over ambulance service.

Chief Rhoades said that it is imperative to look at this and be prepared. He said that this is a private service and personnel with the City deliver better services than private. He said that costs and overhead are something to be looked at. He said that the department has started looking at this and updating the costs to do so. He said that this is part of being ready and prepared in case it is needed. He said that the entire process has to be looked at. He said that it is time to update the studies for this with the addition of the rapid response vehicles. He said that this only increases the department's capabilities.

Councilmember Young said that the business plan for this has to be updated periodically. She said that retired Fire Chief Chuck Osterman told her the breakeven for this was four years.

Chief Rhoades said that the department is looking at this and updating it.

Councilmember Young asked what Chief Rhoades top two priorities were.

Chief Rhoades said that number one would be compression and number two would be the training and safety personnel. He said that this person will allow other people to do other functions and keep everyone on their tasks. He said that the MDTs and PCR's are needed and the PCR's would be the top priority of the two.

Councilmember Young agreed.

Chief Rhoades said that the training officer position was cut along with cuts to other departments but this can create long term problems.

Councilmember Miles asked if the current breathing compressor is safe for personnel.

Chief Rhoades said that breathing apparatus bottles are refilled with the compressor. He said that it is time to replace it but the PCR's and MDTs will be for greater benefit.

Mr. Dougherty said that he would like the Council to be aware of the personnel the Police and Fire departments will lose in the next year.

Chief DeVries said that the police department will lose two to retirement and other officers could go to other agencies.

Chief Rhoades said that the fire department currently has eight personnel in the Deferred Retirement Option Plan (DROP) with one leaving in July. He said that many others are waiting and seeing what will happen with the budget while several are looking elsewhere.

Ms. Walker said that 21 percent are eligible to retire right now. She said that this City is starting to see the effects from that.

Mr. Dougherty said that each department can attest that the City cannot hire in at the bottom of the scale. He said that everyone wants to be hired at the midpoint or above and will not consider the City otherwise. He said that there is a compression issue and no one will look at the City for the bottom line. He said that this is getting to be a big issue for the City.

Mayor Anderson said that there is \$105,000 for the fire department in the Capital Improvement Plan (CIP) for 2014/2015 and asked if this was still in the draft for this year.

Assistant Chief Eaton said that these are all project specific and will have to carry over from the beginning of the budget. He said that the rest is in the line item budget.

Ms. Richards said that the figures given included purchases this year.

Mayor Anderson said that this is a study point this year. He then asked about the dispatch center.

Chief Rhoades said that the dispatch center has 16 positions, 13 of which are filled right now. He said

that the dispatch center just lost one person at the end of training.

Street Department

Budget Priorities – HURF/Street Dept

- **Pavement Preservation**
 - **Bar & Restaurant Tax Revenue**
 - \$700K Chip Seal Project FY 15
 - Arterial & Collector Streets
 - \$300K Mill & Overlay Project FY 15
 - Stockton Hill Rd – Detroit to Airway
 - Research and test other pavement preservation methods

Budget Priorities – HURF/Street Dept

- **Drainage projects**
 - Cleaning culverts, grading, berms, walls
- **Provide back up power for traffic signal controllers**
 - 10 of 21 complete FY15
- **Grant funded projects**
 - HSIP 100% grant funded \$295 K
 - 1,200 regulatory & street name signs
 - 25 signal heads
 - 156 signal bulbs
 - 162 ped heads
 - Sign inventory system
 - Protected / permissive left turn arrows
 - Beery Av & Harrison St – Airway Av & Harrison St

Slide 1 – Public Works Director Rob Owen said that the Public Works Department has the same compression issues with several long term people at the same grades. He said that it is hard to get qualified people into these positions. Mr. Owen then gave a synopsis of the pavement preservation project. He said that the department is looking at an overlay project and reconstruction. He then gave a synopsis of the other options being looked at.

Slide 2 – Mr. Owen said that there have been several severe monsoons the past couple of years that the drainage problems will help with. He said that the power backup for traffic signal controllers will be half completed this year. He said that there are several grant funded projects and went over each.

Budget Priorities – HURF/Street Dept

- **Special Events**
 - Traffic Control Signage
 - Variable Message Board
 - Traffic Control Training
- **Cooperative purchasing with Mohave County**
 - Entente agreement
- **Improve weed abatement program**
 - Increased size of inmate crew
 - Chemical applications
- **Plan for equipment replacement**
 - Replace Bucket Truck FY 15
 - Grade tractor for FY 16
 - Last equipment replacement 2007
- **Restore some of the 5 unfunded street positions**
 - FY 16 add Operator B position
 - FY 17 add admin position for data entry

Slide 3 – Mr. Owen gave a synopsis of the variable message boards which he said would be very useful. He said that he believes there are enough funds to update now and the department is looking at budgeting more next year. He said that the cooperative purchasing agreement with Mohave County is for the purchase of chips seal. He said that the City and county would look at sharing equipment and personnel for this project. He said that the department is looking at bringing this to Council in the future. He said that the department is looking to increase the inmate work crew. He said that they may be taking over an old Kingman Area Regional Transit (KART) bus for this. He said that the department is looking at various chemical applications for weed abatement. He then gave a synopsis of the requested equipment replacement and possible personnel costs.

Ms. Richards gave the potential figures for this.

Water Operations

Budget Priorities – Water Operations

- **Maintain compliance with water quality standards**
 - Water Quality Program Manager FY15
- **Replace Distribution Lines**
 - Jagerson, Stirrup, Crestwood, Goldroad, Oak Alley FY15 / 16
 - Stockton Hill Rd FY16/FY17
- **Replace aging pump equipment**
 - Hualapai Control Panels FY15
 - Well site electric services FY16
- **Complete E. Bench water transmission main**
 - Pumping efficiency and provide secondary service to east bench area, and meet current summer demand
- **Storage building**
 - Secure storage of pumps, motors, fittings & pipe out of weather

Budget Priorities – Water Operations

- **Continue Storage Tank Restoration Projects**
 - CastleRock Tank FY 15
- **Install Surge Tanks**
 - Reduces system hammer and leaks
- **Install Backup Power**
 - Hualapai Booster Station FY15
- **Equipment Replacement**
 - Crane Truck FY16
- **Move forward on automated meter reading**
 - Conducted demonstration project FY 14
 - 3rd party research, recommendations, CBA
- **Restore some of 5 unfunded water positions**

Slide 1 – Mr. Owen gave a synopsis of this slide. He said that the current rate structure allows for the projects on this slide. He then gave a synopsis of the current projects as well as looked at the next two years. He said that the pump station allows water to be pumped to the East Bench which the department hopes will be more efficient.

Slide 2 – Mr. Owen said that the Castle Rock station was budgeted initially for this year. He said that this would be in the \$300,000 range. He then went over the capital renewal projects. He said that the department is asking for \$200,000 for a crane truck as the current one is undersized and unsafe. He said that he would like to get input on the automated meter project which would cost around \$10 million. He said that the department did a project demo in 2014 and it worked well. He said that this would allow for a reduction of the annual meter reading contract and provide immediate input on leaks and other system problems. He said that the system is capable of monitoring the system for leaks and use. He said that there are a lot of benefits to the system. He said that it is a big project, but he would like to have a third party do a cost-benefit analysis. He said that the system would essentially pay for itself and the department is looking at different funding options. He said that Arizona state law allows for energy performance options and the savings pays for the upfront costs. He said that there is cash in the water fund for this.

Councilmember Miles asked if the cash on hand could be used to offset the debt service for this.

Ms. Richards said that it can if it is used for those services.

Councilmember Miles said that if this results in a long term savings it may be worth it.

Mr. Owen said that this can be looked at if Council wishes. He said that the department would need to establish a baseline for energy use which can be done now.

Councilmember Abram asked about the initial cost for the program.

Mr. Owen said that here would be no cost now, but an administration fee would be part of the overall package.

Councilmember Abram asked about funding the program and cost savings.

Mr. Owen said that this would increase customer service which is not cost measurable. He said that it is hard to quantify some measures. He said that the department can look at water conservation and other measurable points.

Mayor Anderson said that in reading through this he sees the cost, but this upgrade is more efficient. He said that, in theory, there are not as many leaks. He said that there is a lot to look at and there has not been a great increase in the water department in recent years. He said that he would need to see figures on what the savings and rate impact are.

Mr. Owen said that there is one personnel matter in the water department. He said that there is a pending retirement and it would be nice to get the replacement in and trained on water operations prior to that retirement.

Wastewater Operations

Budget Priorities – Wastewater Ops

- **Maintain regulatory compliance**
 - Amend permits
 - Reduce sampling requirements
- **Replace / realign aging sewer lines**
 - To minimize system overflows
 - Eliminate private property conflicts
- **Expand sewer collection system**
 - MUC, CDBG, CIP projects FY15/FY16
 - Beverly/Berk
 - I-40 boring
 - Mohave Channel trunk sewer

Budget Priorities – Wastewater Ops

- **Sewer cleaning**
 - To minimize backups and system overflows (SSO) required by Capacity, Management, Operation and Maintenance (CMOM)
 - Outsource cleaning of 10 in. and larger sewer lines
 - City crews clean and maintain 6 in. / 8 in. lines
 - City provides CCTV inspection of new and existing sewer
 - Foaming applications to eliminate root intrusion - 6 in. / 8 in.
 - New trailer jetter FY15
- **Pre-Treatment Program**
 - Monitoring & reporting of industrial discharge into wastewater collection system
- **Reclaimed Water use**
 - Study / CBA to compare:
 - Storing, piping & pumping effluent
 - Deep well injection aquifer recharge

Slide 1 – Mr. Owen gave a synopsis of this slide. He said that it is good to show no issues over time in tests and samples as it can reduce the requirements for testing. He then gave a synopsis of the current projects for the department.

Slide 2 – Mr. Owen said that the department needs to minimize system backup and overflow and gave a synopsis of the cleaning process and pre-treatment program. He said that 1.6 million gallons are processed per day and the department is looking for alternate discharge locations. He said that money was budgeted for a fill stand, but the department has not sold any water. He said that he would like to use this money to have someone come in and go over the options for reuse. He said that one of the options looked at would be deep well aquifer injection.

Mayor Anderson asked if Stockton Hill Farms had talked to Mr. Owen and Mr. Owen said they had not. Mayor Anderson said that Stockton Hill Farms has broken off from Rhodes Farms and are looking at available effluent for irrigation of vineyards. He said that they are interested in making sure the community knows they are no longer affiliated with Rhodes. He said that they want to work with Kingman and are looking at effluent.

Budget Priorities – Wastewater Ops

- **Realign Downtown Outfall Line**
 - Engineering Study FY15/16
- **Infiltration Analysis**
 - To mitigate storm water infiltration FY15/16
- **Accept Septage at Hilltop Plant**
 - Revenue vs. regulatory requirements
- **Compost biosolids**
 - Save landfill tipping fees & Parks fertilizer costs
 - Equipment needs FY16
 - Chipper & Loader
- **Hilltop Laboratory**
 - Reduce water & wastewater sampling costs
 - Provide basic analysis for SIU's (pretreatment)
 - Future service to others

Slide 3 – Mr. Owen gave a synopsis of this slide and explained each of the projects listed. He said that the outfall lines are hard to get to and are old. He said that they are looking at recommendations. He said that there is an issue with storm runoff getting into the sewer system. He said that there were a couple of times last year in which the plant was maxed out and the City needs to look at a remedy for this. He said that he has talked to engineering firms about a revenue generator and the information is not something that the City wants to do. He said that the department will continue composting and that parks and the golf course are the only current customers. He said that this saves on landfill fees. He said that the department is looking at a chipper and loader for this. He also said that upgrading the Hilltop laboratory allows samples to be collected in house which is a cost savings.

Mayor Anderson asked City Engineer Greg Henry how engineering is paid out of wastewater and Highway User Revenue Fund (HURF) monies.

Ms. Richards said that engineering is part of the Water department so it is already covered through that. She said that the sewer contributions are transferred out.

Sanitation Service

Budget Priorities – Sanitation Service

- **Expand customer base – increase accounts**
- **Maintain recycling program**
- **Work with other agencies to address nuisance abatement program**
- **Support Clean City Commission programs & projects**

Budget Priorities – Sanitation Service

- **Monitor and comply with regulatory/legislative changes**
- **Plan for cost effective equip. replacement**
 - 2 trucks FY16
- **Expand inmate labor program**
- **Study possible curb-side recycling demonstration project**

Slide 1 – Mr. Owen gave a synopsis of this slide.

Slide 2 – Mr. Owen said that the City has to keep an eye on any regulatory or legislative changes. He then gave a synopsis of this slide. He said that the department is asking for \$700,000 for two trucks this year. He also said that increased inmate labor means that an employee has to be able to supervise the inmates.

Mayor Anderson asked if a rate increase was coming which Mr. Owen said that it was not.

Fleet and Building Maintenance

Budget Priorities – Fleet & Bldg Maint.

- **Maintain safe working environment for employees and the public by maintaining city buildings**
- **Maintain safe driving environment for employees and the public by maintaining city vehicles**
- **Utilize inmate labor program for shop maintenance and cleaning**

Budget Priorities – Fleet & Bldg Maint.

- **Continue work with General Safety Committee**
 - Address OSHA/ADOSH workplace safety issues
- **Continue to seek measures for more cost effective procurement**
- **Utilize grant funding and rebate programs to offset costs of energy conservation measures**
- **One Bldg Maint. Tech \$ 57,000**
 - Over 20 work orders for building repairs per month in FY15, this position would be to cover building repairs

Slide 1 – Mr. Owen gave a synopsis of this slide. He said that inmate labor is utilized for cleaning. He said that a new vehicle has been budgeted for the City Complex to be used by administrative staff and the Council.

Slide 2 – Mr. Owen gave a synopsis of this slide. He said that the department is working on issues in City buildings. He said that several options have been looked at but several contractors are from Phoenix and Tucson. He said that it takes a lot to maintain the current buildings.

Councilmember Young asked how building maintenance is paid for.

Mr. Owen said that each department pays for maintenance.

Kingman Area Regional Transit (KART)

Budget Priorities – KART

- **Maintain compliance with safety and accessibility requirements**
 - Perform regular maintenance on vehicles and accessibility devices
 - Perform maintenance as needed at all designated bus stops
- **Maintain current service hours**
 - Service hours were reduced in 2008, 2009, and 2010
 - Two routes were eliminated in 2011
- **Increase advertising revenue**
 - Market video advertising space inside vehicles
 - Make smaller, less expensive exterior advertising available
 - \$2,305 Ad revenue to date

Budget Priorities – KART

- **Plan for equipment replacement**
 - One vehicle replacement FY15
 - Request two vehicle replacements FY16
- **Increase ridership / fare revenues**
 - Fare increased 50% in 2011 and coupon book discount was eliminated
 - Discount daily & monthly passes April 2013
 - Under new fare system, ridership up 25% and revenues up 73%
- **Seek additional funding sources**
 - Continue dialogue with Mohave County
 - Research other grant opportunities

Slide 1 – Mr. Owen said that KART has had modest goals the past couple of years and there is not much expansion right now. He said that KART has looked at reinstating 30 minute routes to take the burden off of the hourly routes, but this is not being proposed for this fiscal year. He said that ads on the buses are picking up and gave a synopsis of the types of ads available.

Slide 2 – Mr. Owen said that KART is requesting two buses in the budget this year at an anticipated cost to the city of \$9,000 per bus. He said that the Transit Advisory Commission and Council went

through and made changes to ridership fares and revenues are up. He said that the bus passes have helped. He said that KART will continue talking to the county about supplemental funding for the route outside of the city.

Mayor Anderson asked to be included in these discussions. He said that he assumes there has not been discussion about expansion into Golden Valley.

Mr. Owen said that there has not. He said that KART is researching additional grant options.

Engineering

Budget Priorities – Engineering

- **Building Improvements** \$ 115,000
 - The Engineering Annex is a Historic Building completed in 1935. Improvements include the following:
 - o Remove and Replace Roof System: Elastomeric coatings have failed allowing water to leak and become trapped between the foam and elastomeric layers. It is proposed to install a synthetic rubber roof with 25 year min. warranty.
 - o Complete AC upgrades. The main unit was replaced last year. There are still a couple of offices that are in need of individual units.
 - o Repair cracked/broken windows and deteriorating fascia boards.
 - o Recoat paint at various interior and exterior locations.
- **Replace Engineering Scanner** \$ 25,000
 - o The existing large format scanner has been problematic (jamming and mis-feeding) and is reaching the end of its service life.
- **Replace 2 Vehicles** \$ 70,000
 - The average Engineering vehicle is over 12 years old
 - o Replace Vehicle 511: 2001 Ford Truck (150,282 miles)
 - o Replace Vehicle 512: 2002 Ford Truck (102,090 miles)

Slide 1 – Mr. Henry gave a synopsis of the Engineering slide and the building improvements requested. He said that the scanner replacement is formatted to handle large paper sizes. He said that the current scanner is old and well used. He said that the current scanner is hard to feed and is rough on documents. He said that the vehicles requests have reached their service life.

Mr. Henry said that the GIS needs assessment is almost complete and the department will set its priorities off of that. He said that this will also work with several other departments. He said that he would like to invite them to give a presentation to the Council when the assessment is completed.

Mr. Henry said that, regarding personnel, most of the department's long term personnel have been at their current step for several years and the department has the threat of them leaving to go to other entities. He said that the department is below other engineering departments salary wise and the departments need to ask for additional employees if the economy continues to pick up.

Mr. Dougherty asked if one of the engineers was retiring this year, which Mr. Henry said that the employee in question was not to that point yet.

Councilmember Carver asked if Mr. Henry had a cost per mile of the vehicles to be replaced. He asked if there was anything in place to show why a vehicle needs to be replaced.

Mr. Henry said that he did not have the backup data with him, but there had been major repairs to the vehicles.

Human Resources

Budget Priorities – Human Resources

SALARY PLAN IMPLEMENTATION

- FY2005 – City Council committed via Resolution 4062 to bring employee base salary to 50th percentile.
 - In efforts to reduce personnel costs, base salary of the compensation plan has not moved in line with market changes since FY2007. Last FY Council provided a market adjustment of 2.5%
 - Since 2007, BLS employment cost index (ECI) for state & local government salaries has increased by the following
 - 2.8% for calendar year 2008
 - 1.8% for calendar year 2009
 - 1.1% for calendar year 2010
 - 1.0% for calendar year 2011
 - 1.1% for calendar year 2012
 - 1.1% for calendar year 2013
 - 1.6% for calendar year 2014
- For a total of 10.5% over the past 7 years; with 2.5% provided by Council last FY, the current deficient is 8%

The BLS model looks at how salaries change by industry category over a period of time.

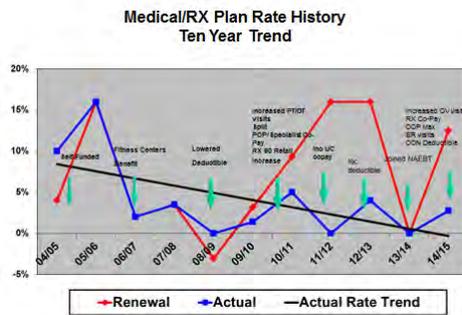
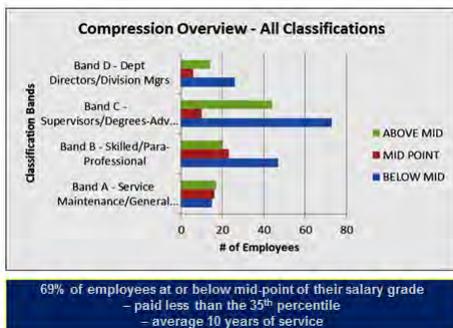
Budget Priorities – Human Resources

CURRENT ISSUES – STATUS OF SALARY PLAN

- Comparing the City's mid-point to the identified labor market, the City's mid-point compensation structure currently near the 35th percentile
 - 69% of employees at or below mid-point of their salary grade with average of 10 years of service
 - City experiencing significant compression
 - New hires expect compensation that often exceeds what we are paying our incumbent experienced employees
 - Critical issue for recruiting and retaining quality employees
 - Need to retain and attract employees with both *cognitive abilities* and *meaningful work experience*

Slide 1 – Ms. Walker reiterated Mr. Dougherty’s statement regarding compensation and compression and gave a synopsis of this slide.

Slide 2 – Ms. Walker said that the Council adopted the 50th percentile. She said that the mid-range is still at the same level and the City did not gain any ground with the increase last year due to other cities giving the same increase. She said that majority of employees are paid below the 35th percentile. She said that the City needs to attract at maintain quality employees.



Slide 3 – Ms. Walker gave a synopsis of this slide and said that it is the same slide that was presented last year. She said that the average for employees is ten years of service. She said that there is compression at all levels and there is a lot of turnover at the entry level.

Slide 4 – Ms. Walker said that this slide shows the group medical trends and gave a synopsis of the slide. She said that joining with Bullhead City and Lake Havasu City has helped stabilize premiums. She said that the cost increase is \$9,000 this year and the City does not have to decrease or redesign its plan and has been able to add some new services. She said that there is not a 24-hour urgent care facility in Kingman and the emergency room is not a clinic and has huge costs associated with it. She said that “Teledoc” will allow employees to Skype with doctors through an application. She said that she believes this will drive down emergency room visits resulting in a cost savings. She said that the savings was not budgeted for to see how the new features go and the savings will be offset next year.

Budget Priorities – Human Resources

Group Health Plan

- Inflationary costs trends for 2015 decreased slightly from last year of 8.4 to 6.8% for medical, but up on RX from 6.3% and 8.1% for 2015.
- Last FY year cost trend combined with Health Care Reform required fees and coverage, as well as, claims experience for the trust, NAEBT calculated a premium rate increase needed for FY 2015 at 12.5%. This was expected to impact Kingman to the tune of \$471,596.
- Plan design changes approved by the NAEBT Trust Board shifted the burden to the employees through plan design changes which significantly lowered the premium to \$111,761 or 2.74%.
- As of this writing, it is yet determined what we can expect for the FY 2016 plan year.

Budget Priorities – Human Resources

WORKER'S COMPENSATION

- Medical costs account for the vast majority of worker's compensation dollars spent.
- In Arizona there is no statute of limitations to reopen a claim. As a result, costs of prior year claims have a significant inflationary cost increase from the original claim date.
- FY 2016 – worker's comp EMOD is expected to remain at 1.04 due to higher than normal injury frequency. However through aggressive funding tactics, the City pays 70% of the expected premium.

Slide 5 – Ms. Walker gave a synopsis of this slide.

Slide 6 – Ms. Walker said that workers compensation is almost all medical costs. She said that when medical and prescription costs go up, so does workers compensation. She said that there is no statute of limitations on workers compensation claims so trends and costs go up. She said that the City's EMOD is expected to remain the same and said that the City is paying more due to injury frequency. She said that she is working with the loss control technician on this and he is working with each department to decrease their frequency. She said that the City has been aggressive with funding options.

Budget Priorities – Human Resources

Arizona State Retirement System (ASRS)

- In each of the last several years, employees have continued to absorb increases in mandatory participation in retirement systems thereby reducing their take home pay
- Net impact of ASRS requirements:
 - In FY 2015, employees realized a 2.20% reduction in pay over six years due to mandatory retirement increases
 - For FY 2016, the employee and employer contributions is expected to reduce slightly to 11.47%



Budget Priorities – Human Resources

Public Safety Personnel Retirement System (PSPRS)

- Public safety employee contributions began increasing in FY 2012.
- Net impact PSPRS requirements
 - In FY 2016, PSPRS employees will realize a 4.0% reduction in pay over the past five years due to mandatory retirement increases.
 - Equally significant is the employer match which has increased nearly 16% over same period.



Slide 7 – Ms. Walker gave a synopsis of this slide and said that these rates are mandated by the state legislature.

Slide 8 – Ms. Walker gave a synopsis of this slide and said that the legislature is trying to get control of this.

Budget Priorities – Human Resources

- Promote value of retaining and attracting quality employees in providing public service to our community
 - Continue to work toward solutions that promote morale and unify employees working together as a team for the betterment of the citizens of Kingman
- Employee Retention – #1 priority
 - As the economy continues to improve, the need to hold on to existing staff and to recruit new employees will increase greatly.
 - Over the past 7 years, employee's have seen the purchasing power of their take home pay erode due increased out of pocket costs for health care, mandatory retirement, and general inflation.
 - Last year Council provided a 2.5% increase to our hiring scale. However, our pay continues to lag the 50th percentile by nearly 15% and we continue to experience substantial compression issues.
 - Staff has significant concerns of employee retention, pay competitiveness, and of skill shortages as we experience senior/competent employees retiring or seeking employment elsewhere.
 - Employee-Talent retention is staff's #1 priority.

Slide 9 – Ms. Walker said that this slide reiterates what other departments have been saying and gave a synopsis. She said that employees have options and there has been a big spike in turn over in the past year. She said that she is anticipating another ten percent this year.

Mayor Anderson said that he would like to see non-public safety personnel average salary as well as seeing the same for the police and fire departments. He said that it looks like the City is paying more on different services.

Councilmember Miles asked if there is an issue with bringing in new people and paying them more than people who have been in these positions for ten years which Mr. Dougherty said there was. She then asked if the proposed solution rectifies this.

Mayor Anderson said that when comparing a new person is being paid more than a current employee the Council needs to be sure that this is for the same job.

Councilmember Abram asked if there are classification levels for different employees. He said that he can see the contention when poor employees are making the same as excellent employees.

Councilmember Miles said that moving people up the ladder could help minimize compression and there should be steps associated. She said that she would like to know what has been looked at.

Mayor Anderson said that he agrees that performance levels should be above what is expected, but this is too tough for supervisors. He said that giving an across the board increase prevents a hostile environment.

Councilmember Miles said that she thinks there is a place for incline increases. She said that entry level positions should have steps to move people up. She said that the City needs to be more thoughtful on that ladder.

Councilmember Young asked if this is what the City would like to do if everyone were equal.

Ms. Walker said that the City has levels and can reclassify employees. She said that there are steps employees can move up to but this has not been funded.

Councilmember Young said that salaries have been frozen since 2007 which has caused this problem.

Ms. Walker said that the salary scale was restructured with attrition and reclassification. She said that some of this has been seen through hiring and some has been addressed within the structure.

Councilmember Young said that the steps don't matter if the position cannot be filled.

Councilmember Miles said that she would like to see the impact of the proposed solution on the chart shown by Ms. Walker. She said that a lot of people are below the midpoint.

Councilmember Young said that this is biggest in public safety which is why she has always felt the Council needs to push for a property tax.

Councilmember Carver said that there is only so much money and their either needs to be more taxes or loss of services. He also asked what company is used for workers compensation which Ms. Walker provided to him. Councilmember Carvers asked if the City has looked at what the City pays versus other municipalities and if the employee benefits are comparable. He said that this could be a way to reduce associated insurance costs for the City and increase the net pay to employees. He said that Arizona State Retirement System and the Public Safety Personnel Retirement System cannot be changed. He said that Kingman's salary scale cannot be compared without know what other employees are paying.

Ms. Walker said that only FICA taxes are paid. She said that employees paying for their insurance could increase the costs.

Information Technology

Budget Priorities – Info Technology

| | |
|--------------------------------------------------------------|-----------|
| • Server Virtualization – Additional Storage & Processing | \$ 60,000 |
| • Upgrade Network Switches | \$ 16,000 |
| • WiFi Network Infrastructure | \$ 25,000 |
| • LCD Monitor Replacements | \$ 10,000 |
| • Backup Power Supply Upgrades | \$ 16,000 |
| • Upgrade Email SPAM Filter | \$ 8,000 |
| • New Department Vehicle | \$ 25,000 |

Slide 1 – Mr. Clos gave a synopsis of this slide and said that the department has two vehicles currently. He said that both were inherited from other departments and are shared with other departments.

Councilmember Abram asked what type of vehicle was being requested and Mr. Clos said that the department is not asking for anything expensive.

Mr. Dougherty asked staff to explain the problem of getting personnel to advance and take and exempt pay.

Chief Rhoades compared lieutenants to battalion chiefs, both of whom are exempt. He said that lieutenants work eight hours while battalion chiefs are on shift for 24 hours. He said that these employees don't receive holiday pay or additional pay to attend meetings and cannot flex hours worked. He said that battalion chiefs are in charge of their shifts and are restricted in what they can do. He said that in comparison, captains are in charge of a station and make more though overtime. He said that exempt positions have to pay additional insurance costs and lose other opportunities.

Chief DeVries said that his department has the same issue with lieutenants. He said that they are asking personnel to take on more with a pay loss as they do not receive overtime. He said that this presents a challenge in getting people to promote up.

Mr. Owen said that he has the same issue with the department's project manager and other similar positions.

Slide 3 – Mr. Meersman gave a synopsis of this slide. He said that recreation activities are increasing. He said that he would like to see a sports complex near the wastewater treatment plant. He said that there are several neighborhoods that need parks and trails and an additional dog park is needed.

Slide 4 – This slide showed a photo of the current recreation sign. He said that the department would like to purchase a digital one to get the word out about programs.

Mr. Meersman said that a grounds keeper position is funded. He said that the department has put in for a new mower for large turf areas. He said that the current equipment is reaching the end of its recommended life cycle. He said that aftermarket attachments are being used and can be unsafe. He said that additional facilities are also needed.

Mayor Anderson asked if the department utilizes a website.

Mr. Meersman said that they do advertise on the website but it would be nice to have the sign for people driving by.

| Recreation Activities | | | Budget Priorities – Pools & Golf | |
|--------------------------|-------|--------------|-----------------------------------------------------|-----------|
| • Organized Team Sports | Teams | Participants | Pools: | |
| • Adult Softball | 125 | 1,860 | • Maintain current service and programs | |
| • Girls Softball | 40 | 600 | – 2 pools offering variety of children Swim lessons | |
| • Little League | 50 | 780 | – Adult Swim programs | |
| • Youth Soccer | 65 | 1,000 | – Pool Party Rentals | |
| • Pop Warner Football | 20 | 500 | – Swim meets | |
| • Youth/Adult Basketball | 45 | 500 | Golf: | |
| • Youth/Adult Volleyball | 23 | 340 | • Fairway Aerifier | \$ 26,000 |
| | | | – Improve water infiltration & turf quality | |
| | | | – Relieves Compaction | |
| | | | – Utilize in Ball fields & Parks | |

Slide 5 – Mr. Meersman gave a synopsis of this slide.

Slide 6 – Mr. Meersman gave a synopsis of this slide.

Councilmember Carver asked about the requested aerifier.

Mr. Meersman said that the current is not as good and has been beaten up. He explained that the soil is very hard and composting equipment upgrades would help make the process faster. He said that composting does a great job but it does cause a smell in the area. He said that it is a great benefit and saves the City money to reuse this material. He said that the department has not had new trucks since he has been with the City and the staff does a great job of fixing the vehicles. He also said that he will be bringing a development agreement to the Council regarding the proposed splash pad build. He said that the fundraising group would like to see the City fund some of this project. He said that he is in favor of the build, but there will be long-term maintenance costs involved. He said that the department needs to upgrade its equipment and other people are requesting additional parks facilities. He said it is hard to say a splash pad should come before other projects when there are other community needs as well.

Councilmember Young said that there is a need for a splash pad and she doesn't see why the City wouldn't fund a little of the project when the group is donating it.

Mr. Meersman said that he is not opposed to the project, but additional facilities are needed and should be considered and this has been in the CIP for five years. He said that it is a great thing but there are maintenance costs. He said that he thinks it is important to look at all of the other needs as well.

Mayor Anderson asked about the raised rates and the amount paid to manage the golf course. He said that revenue is down. He said that there is a significant opportunity this year to go out with a new request for proposal (RfP). He said that he would like to see a fee schedule and thinks the City has serious issues with this. He said that revenue sources are down and he would like to look at the contract.

Councilmember Young said that the rates were raised a couple of years ago and the commission was going to bring back another recommendation.

Mr. Meersman said that the commission wants to bring back a proposal to reduce the rates and he felt it was not worth reducing the rates. He said that a consultant would say the rates need to go up if anything. He said that golf is a recreation activity and a lot of fees should go up if the City wants these activities to pay for themselves. He said that it is up to Council to say what should be increased and what should pay for itself. He said that the cost of running a golf course is a little higher. He said that contracting out means that the City will not be paid as much. He said that those employees live and work here. He said that he will look at the management agreement.

Mayor Anderson said that he would not want to give away the golf course or parks; he just thinks that more business should be stimulated.

Mr. Meersman said that golf has decreased worldwide. He said that the economy is still coming back and it is hard for people to pay for memberships.

Councilmember Carver said that the weather and other factors need to be considered as well.

Councilmember Miles said that the golf course is beautiful. She also said that the fertilizer could be used for the proposed community garden, which the City has been asked to participate in. She said that she hopes the City will work with this group as they can.

Mr. Dougherty asked if there should be funds included in the budget for the splash pad. He said that he has attended meetings with Councilmember Carver and wants to see what can be done first. He said that the City will be contributing by taking over the maintenance.

Councilmember Young asked about charging admission for the splash pad.

Mr. Meersman said that the department is looking at this and it could depend on the site. He said that they are looking at the options available. He said that the group raising the money would like this to be free. He said that the department has looked at putting the splash pad at Cecil Davis Park if it is free. He said that Centennial Park would not be as good with the other events that happen at this park.

Councilmember Young said that she thought this would be charged for when it was recommended.

Mayor Anderson said that the City will have to look at offsetting the costs for staff and other associated expenses.

Councilmember Young asked if the splash pad were located at Centennial Park would the same personnel who charge for the pool charge for the splash pad.

Mr. Meersman said that these people would work longer hours. He said that the group raising money would like it to be open to the public at all times. He said that the group did not like the idea of using Centennial Park.

Councilmember Young said that she thought City employees would take admission for both the pool and the splash pad.

Mr. Meersman said that this would be brought to Council soon.

Mr. Dougherty asked what the plans are for the pools with schools going year-round.

Mr. Meersman said that the schedule will have to be changed and the department is looking at alternating the pool schedule. He said that he would like to fund lifeguards as part time employees rather than 90-day employees. He said that this would help accommodate the schedule. He said that the hours will be adjusted so that both pools are not open all the time.

Councilmember Young said that there will only be two less weeks in the summer.

Mr. Meersman said that there are other kids not on this schedule and the department has to accommodate them as well. He said that a lot of the pool employees are students at the Kingman Unified School District and the pools have to be staffed while they are in school.

Development Services Director Gary Jeppson said that he does not have any slides for this presentation as he does not have any requests. He said that the department is trying to maintain their current vehicles and are not look at any new ones right now.

Mr. Dougherty congratulated Magistrate Kathy McCoy on her impending retirement.

Judge McCoy said that there were no capital requests for the court.

City Attorney's Office

Budget Priorities – Attorney’s Office

| | | |
|-----------------------------------------------------------|-------------|-------------|
| • Activities/Statistics | | |
| | 2013 | 2014 |
| – Files Opened | 1,216 | 1,219 |
| – Pre-trial Conferences | 1,344 | 1,173 |
| – DUI Prosecuted | 276 | 263 |
| – Victim Notices | 9,173 | 1,274 |
| • Current vacancy for one unfunded legal secretary | | |

Slide 1 – City Attorney Carl Cooper said that all items on this slide were for the operating budget.

Mr. Dougherty asked who pays for abatements.

Chief DeVries said that the police department does.

Finance Department and Utility Billing

Budget Priorities – Finance & UT Billing

- **Utility Billing Upgrades**
 - Customer requests for e-billing software
 - Customer requests for online bill pay (\$10,000-\$15,000)
- **Prepare - upgrade of finance software \$250,000-\$500,000**
 - Converted to existing system in 1993
 - 3 year notice system will be obsolete; will need to convert to upgraded system with existing vendor or purchase a new system
 - Time and attendance software for payroll
- **Other legislative changes involving state shared revenue, local transaction privilege tax or other financial matters**

Budget Priorities – Finance & UT Billing

- **Long-term local revenue strategy for costs to provide service to citizens:**

| | |
|---------------------|-------------------------------------------------------------------|
| 2.5% = \$13,700,000 | Transaction privilege tax (0.5% expires June 30, 2016) |
| 2.0% = \$ 350,000 | Room tax for capital projects |
| 2.0% = \$ 350,000 | Room tax for tourism |
| 1.0% = \$ 650,000 | Restaurant & bar tax for street maintenance |
| 0% = \$ | -0- Restaurant & bar tax for general fund (repealed July 1, 2013) |
| 0% = \$ | -0- Development investment fees (repealed January 1, 2012) |
| 0% = \$ | -0- No property tax assessed for Kingman (repealed 1980) |

Slide 1 – Ms. Richards said that the department is looking into e-billing and gave a synopsis of the remainder of this slide.

Mayor Anderson asked about a time and attendance program as this could provide information for supervisors to identify labor distribution.

Ms. Walker said that identifying information has to be prepared for each employee. She said that the City is on a manual system now and have developed spreadsheets to track necessary information. She said that seasonal Parks and Recreation employees have to be monitored with Obamacare and state retirement. She said that this sort of program would take away the manual process.

Mayor Anderson said that a cost savings analysis would be needed for this.

Slide 2 – Ms. Richards gave a synopsis of this slide and said that the main concern is the sunset of the half-percent sales tax.

City Clerk’s Office

Budget Priorities – City Clerk

- Technology upgrades \$10,000
 - Purchase of Novas Agenda Management Software
- Vehicle Purchase \$60,000
 - 1 vehicle to replace the City Administration Honda
 - 1 vehicle to replace the Mayor's Crown Victoria
- Document Management System (FY16) >\$75,000
 - Working with IT and City Attorney's Office to make this a cost effective program for the entire city.

Slide 1 – City Clerk Sydney Muhle gave a synopsis of this slide. She also explained the cost benefit of the proposed agenda management system.

Mr. Dougherty said that the total expenses for the City Manager's office have been reduced by half.

Council took a break for lunch at 12:26 P.M.

Councilmember Carver left the meeting during the lunch break.

Council returned from lunch at 1:07 P.M.

Mr. Dougherty directed the Council pages to 75 through 77 of the CIP book which contained the list of current capital improvement projects and asked if there was anything the Council would like to have changed.

Mayor Anderson said that he had concerns pertaining to Kingman Crossing. He said that he would like a feasibility study for access from the north side of the interstate to the south and gave his concerns and reasons why.

Councilmember Young said that something is needed for this. She said that it has been talked about for some time and there is no access to the schools on the north side from the south. She said that the Council needs to look at the response times for the police and fire departments in this area. She said that the City needs to find a way to fund this. She said that the City needs to look at this because a fire station is needed. She said that the City needs a property tax or bond or something for this.

Vice Mayor Wimpee Sr. said that a bond would be easier than a property tax.

Councilmember Miles asked what the costs for this would be which Mayor Anderson gave the numbers for the different phases.

Mr. Owen said that preliminary engineering costs would be \$725,000 for design and construction south of Interstate 40 (I-40) to Louise Avenue.

Mr. Henry said that detail sheets on this were included in the CIP books and gave the page numbers.

Councilmember Miles asked if Council was instructing staff on what to do regarding this topic.

Mayor Anderson said that there are two projects that have to be done before any construction.

Mr. Henry said that the second is a construction project. He said that this will not be done until the City knows that an underpass or interchange is going in. He said that engineering would look at options for an underpass at Prospector Street. He then showed a graphic with a diagram and map of the proposed area. He said that the study would look for alternatives and options. He said that Prospector Street would allow access from the north to the south and this study would be a first step.

Councilmember Miles asked for clarification that the requested \$250,000 is for engineering plans for this.

Mr. Henry said that this would only be for the study. He said that the engineering would come later.

Councilmember Miles asked if the study would look at the proposed interchange.

Mr. Henry said that it would look at the standalone underpass.

Councilmember Young asked for clarification that this would not provide access to I-40.

Mr. Henry said that this would only be for an underpass.

Councilmember Young said that this could have caused a lot of confusion in the public.

Councilmember Miles agreed and said that the public thinks this is looking at commercializing.

Mayor Anderson said that this is only looking at access. He said that the interchange is different.

Councilmember Miles said that she wants to represent this correctly. She asked how this impacts the ability to do an interchange. She asked if there is a way to expand this eventually for access to I-40.

Mr. Henry said that it does not eliminate the possibility. He said that the underpass is a separate issue.

Councilmember Miles asked where Rattlesnake Wash was on the graphic shown.

Mr. Henry pointed out both Rattlesnake Wash and Kingman Crossing on the map as well as the city owned property.

Mayor Anderson said that there was concern that this would be the access to a shopping center. He said that Kingman Crossing would come to Airfield Avenue and down Louise Avenue at the state owned land which Mr. Henry confirmed was the plan.

Mr. Jeppson said that there would be access to Louise Avenue and explained the options.

Councilmember Young said that this is definitely needed and does not need to be changed to commercial to do this.

Mayor Anderson suggested asking Mr. Dougherty to find a way to do this.

Mr. Dougherty asked Mr. Owen if the road on the south side would go right up against the residential brick wall.

Mr. Owen said that this was correct and he and Mr. Jeppson have both had calls on this.

Mr. Jeppson said that the residents do not want this but this is the way the property was plotted. He said that he does not know what was divulged to them when they purchased their property. He said that Seneca was plotted to be a collective street.

Mayor Anderson said that there are 20 to 30 homes against this block wall as opposed to others in the area that want access.

Councilmember Young said that no matter where it goes people will be against it. She asked what the rewards are of having access in this area.

Mayor Anderson said that this would cut down on fuel costs.

Councilmember Young said that her only concern is that the Arizona Department of Transportation (ADOT) does not typically like to put underpasses this close to an interchange.

Mr. Jeppson said that there is one mile of spacing between the proposed interchange and the underpass.

Councilmember Miles said that this is very close with limited funds to do both. She asked if it was known which one would be best between Kingman Crossing and the Prospector underpass. She said that she supports the study on this if that is what serves the community but this makes access to I-40 difficult to fund.

Councilmember Young said that this is needed for safety. She said that there are a lot of families with kids at the schools on the north side. She said that the state does not have funds for this for a while. She said that if this road goes in the priority will be Rattlesnake Wash not Kingman Crossing.

Mayor Anderson said that the state will not participate in a traffic interchange. He said that until this happens the hospital cannot expand. He said that the cost for Rattlesnake Wash is \$50 million, more than \$20 million of which will come from the City. He said that Rattlesnake Wash is subsidizing developers right now. He said that Kingman Crossing will make the developers pay for the interchange. He said that it will also give the hospital the ability to grow.

Councilmember Miles said that it would be wonderful if the developers would pay for the interchange. She said that the underpass makes more sense at this point and she would support doing the study.

Mr. Jeppson said that the zoning where the hospital is can be developed. He said that the south can not expand until the interchange is in.

Councilmember Young said that this is to put money forward for an access point. She said that Kingman Crossing and Rattlesnake Wash are not included with this, nor is the City owned land. She said that the City needs to move forward with an access road. She said that the Council needs to think about moving forward with Fire Stations Two and Five. She said that it is time to start the processes for these as they have been talked about for four or five years.

Councilmember Miles said that she thinks this should be addressed in another work session with these options. She said that this has to start with discussion.

Councilmember Young said that this would all have to go on the ballot.

Ms. Richards said that these items were not included with this year's budget and asked if a work session could be planned after the budget process is completed for this year.

Vice Mayor Wimpee Sr. asked about propped east side improvements.

Mr. Owen explained what these projects involved. He said that they are unfunded right now. He said that the City could look at doing these in phases. He said that the City has the right of way to change Eastern Street to bypass the Kenwood Avenue curve.

Vice Mayor Wimpee Sr. said that this is important and he would like to look at doing this in phases.

Mr. Henry said that additional right of way is needed for this.

Ms. Richards said that the proposed Powerhouse improvements are funded by a grant.

Mr. Owen said that one of his projects is grant funded as well.

Mayor Anderson asked if the \$250,000 for the Prospector underpass study could be funded this year.

Ms. Richards said that it could be out of the capital projects fund.

Mayor Anderson asked what the impact on water and sewer rates would be once the capital improvement projects for those funds are completed.

Mr. Owen said that in the water budget a lot of those expenses are from capital renewal. He said that it would not increase rates.

Mayor Anderson said that he wanted to make sure these will not impact the user rates.

Mr. Henry said that Engineering has a contract with Sunrise Engineering for a possible master plan update that could recommend additional projects. He said that this should be completed in August.

Mayor Anderson asked for clarification on when this would be completed.

Mr. Henry gave the dates of the last studies and explained what the new study may include.

Councilmember Young said that the fire department mobile data PCR is one of her priorities.

Chief Rhoades said that this has been included in the operating budget and does not meet the CIP requirements.

Ms. Richards gave the figures for the public safety costs. She said that these are in the appropriate funds and will come out of capital tax. She said that a little under \$1 million is available out of that.

Councilmember Young asked what would be available for appropriations after addressing compression.

Ms. Richards said that this would leave approximately \$900,000.

Vice Mayor Wimpee Sr. said that the road at Eastern Street and Airway Avenue should at least be looked at in part.

Councilmember Abram said that if this could be broken up that would help.

Ms. Richards asked what would be needed for the first year.

Mr. Owen said that \$350,000 would be needed for the design.

Councilmember Miles asked about the Route 66 pedestrian improvements.

Mr. Owen said that this is a grant project and involves a crossing at Locomotive Park.

Councilmember Abram asked for clarification that the gateway arch is not funded.

Mr. Owen said that it is not.

Councilmember Miles said that there needs to be something to introduce the city.

Councilmember Abram said that the pedestrian overpass would serve both purposes.

Councilmember Miles said that this was a good idea and would be an investment for the incoming generation. She said that people have also asked about public restrooms downtown and someone told her that this would enhance the area. She said that this would be accessible from the area stores.

Mayor Anderson asked if there was anything left on capital projects.

Ms. Richards said that anything left from this year will roll over to next year.

Mr. Dougherty said that this could be used for other projects.

Ms. Richards said that it may be used to fund other phases of projects.

Mayor Anderson said that one of the priorities set at the January Council work session was a focus on economic development. He said that there was nothing on here to address that.

Mr. Dougherty said that this would not be part of the capital budget but will be included in the operating budget.

Mr. Henry said that there are no projects listed for Stockton Hill Road though he still feels that widening the road is a viable project. He said that there is no funding for it.

Vice Mayor Wimpee Sr. asked if the City was still acquiring property for this.

Mr. Henry said that staff is working on this.

Vice Mayor Wimpee Sr. made a MOTION to ADJOURN. Councilmember Young SECONDED and it was APPROVED by a vote of 5-0.

ADJOURNMENT -- 1:52 P.M.

ATTEST:

APPROVED:

Sydney Muhle
City Clerk

Richard Anderson
Mayor

STATE OF ARIZONA)
COUNTY OF MOHAVE)ss:
CITY OF KINGMAN)

CERTIFICATE OF COUNCIL MINUTES

I, Sydney Muhle, City Clerk and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Work Session Meeting of the Common Council of the City of Kingman held on March 2, 2015.

Dated this 25th day of March, 2015.

Sydney Muhle, City Clerk and Recording Secretary

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

5:30 P.M.

MINUTES

Tuesday, March 17, 2015

REGULAR MEETING

| Members | Officers | Visitors Signing in |
|--------------------------------------|--------------------------------------------------------------|----------------------------|
| Richard Anderson – Mayor | John Dougherty, City Manager | See attached list |
| Mark Wimpee, Sr. – Vice Mayor | Jackie Walker, Human Resource Director | |
| Mark Abram | Carl Cooper, City Attorney | |
| Larry Carver--- EXCUSED | Jake Rhoades, Fire Chief | |
| Jen Miles | Greg Henry, City Engineer | |
| Stuart Yocum – ARRIVED LATE | Rusty Cooper, Deputy Chief of Police | |
| Carole Young | Mike Meersman, Parks and Recreation Director | |
| | Diane Richards, Budget Analyst | |
| | Gary Jeppson, Development Services Director | |
| | Rob Owen, Public Works Director | |
| | Joe Clos, Information Services Director | |
| | Sydney Muhle, City Clerk | |
| | Erin Roper, Deputy City Clerk and Recording Secretary | |

CALL TO ORDER & ROLL CALL

Mayor Anderson called the meeting to order at 5:30 P.M. and roll call was taken. Five councilmembers were present; Councilmember Carver was excused. Councilmember Yocum was absent. The invocation was given by City Attorney Carl Cooper after which the Pledge of Allegiance was said in unison.

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.

Councilmember Yocum arrived at 5:31 P.M.

Councilmember Young stated she would abstain from the vote as she was not present for the meeting.

Vice Mayor Wimpee, Sr. made a MOTION to APPROVE the Regular Meeting minutes of March 3,

2015. Councilmember Miles SECONDED and it was APPROVED by a vote of 5-0 with Councilmember Young ABSTAINING.

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.

There were no comments from the public.

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.**

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.**

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.**

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.**

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.**

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.**

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**

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.**

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.**

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.**

Councilmember Abram made a MOTION to APPROVE the Consent Agenda as presented. Vice Mayor Wimpee, Sr. SECONDED and it was APPROVED by a vote of 6-0.

4. **OLD BUSINESS**

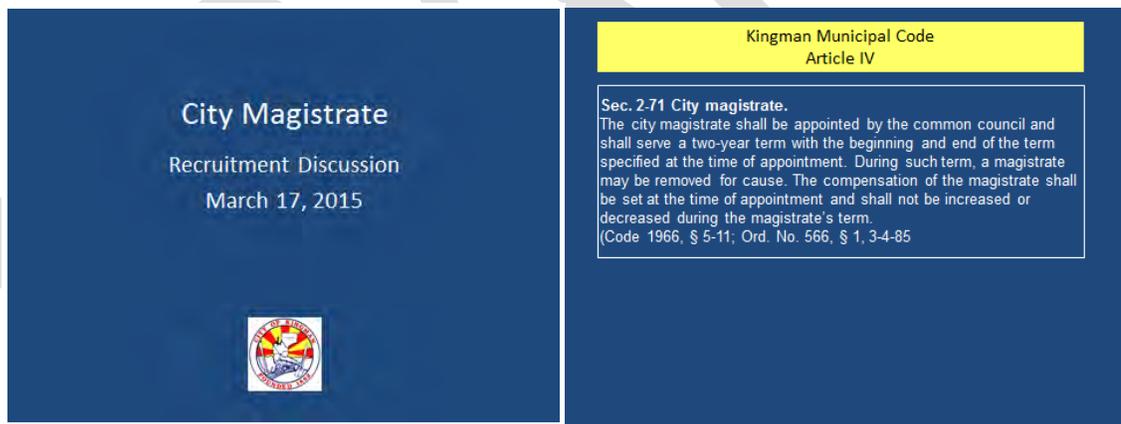
None

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.

Human Resources and Risk Management Director Jackie Walker displayed the following slides for the Council:



On slide one Ms. Walker stated Judge Kathy McCoy was retiring after 29 years of service. Ms. Walker stated the Council would need to set the minimum education and experience requirements, hiring salary and ideal candidate profile for the magistrate position so the information could be included in a recruitment brochure. On slide two Ms. Walker stated the position of the magistrate was addressed in the Kingman Municipal Code. Ms. Walker stated the position was appointed by the Council for two year terms and the magistrate could be removed for cause. Ms. Walker stated compensation was set at the time of each two year appointment.

| Job Description Education & Experience | | Salary | | | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------|-----------|---------------|-------------|-----------|-----------------|-------------|--------------|
| Current Desired Minimum Qualifications: Desired Minimum Qualifications Education and Experience: <ul style="list-style-type: none"> - Graduation from high school; - Supplemental college courses in some branch of social science or public law; - Familiarity with local city ordinances and Arizona criminal codes, traffic offenses and laws relating to juveniles. | | Salary Survey Summary Mar-15 | | | | | | | |
| Optional Desired Minimum Qualifications: Desired Minimum Qualifications Education and Experience <ul style="list-style-type: none"> - Juris Doctorate degree from an accredited Law School and Arizona State Bar membership in good standing. - Seven (7) years' judicial or related experience. - OR, any equivalent combination of education and experience sufficient to successfully perform the essential duties of the job. - Familiarity with local city ordinances and Arizona criminal codes, traffic offenses and laws relating to juveniles. | | CLA S SIFICATION Magistrate | Kingman | Bullhead City | Lake Havasu | Flagstaff | Prescott Valley | Casa Grande | Sierra Vista |
| | | \$85,572 | \$111,936 | \$130,000 | \$132,206 | \$112,611 | \$100,056 | \$124,500 | |
| | | | Atty | Atty | Atty | Atty | Retired LE | Atty | |
| | | Unweighted Average: \$101,708 50th Percentile: \$111,936 | | | | | | | |

On slide three Ms. Walker stated the Council would need to review the education and experience requirements. Ms. Walker stated most cities required judges to have a juris doctorate degree.

Mayor Anderson stated the minimum qualifications included familiarity with Ordinances, but not experience with them. Mayor Anderson stated he was concerned the Council would be flooded with minimally qualified applicants.

Ms. Walker stated the familiarity with Ordinances could be moved into the knowledge area.

Vice Mayor Wimpee stated the juris doctorate degree should be a desired minimum qualification.

On slide four Ms. Walker stated the city manager, magistrate and city attorney salaries were set by Council. Ms. Walker stated she researched comparative cities and used the 50th percentile philosophy adopted by Council to determine the salary figures on the chart. Ms. Walker stated the 50th percentile would be about \$112,000 and the current salary for this position was about \$85,000. Ms. Walker stated the Council would need to provide direction on the salary range.

| Optional - Ideal Candidate Profile | | City Magistrate - 2015 Proposed Recruitment Timeline | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Be of good morale character • Is committed to equal justice under the law • A proven record of being fair, efficient, and professional • Excellent communicator, keeps Council informed • Be politically astute and demonstrates an unquestionable sense of integrity and honesty. | | March 17th* | Discussion regarding recruitment process, job KSAs, and candidate profile |
| | | April 1st | Place ads |
| | | April 7th* | Discussion regarding selection of candidates & interview process |
| | | April 24th | Close recruitment |
| | | April 27th - May 1st | Council to complete applicant screening |
| | | May 5th* | Discussion of semi-finalist selection |
| | | May 15th | HR staff to complete semi-finalist background reviews |
| | | May 19th* | Select finalists for interview & HR to complete professional background check on finalists |
| | | June 1st - 5th | Conduct interviews and make offer |
| | | June 8th - 12th | Negotiate contract |
| | | June 16th* | Ratify contract |
| | | June 29th | New Magistrate start date |

On slide five Ms. Walker stated the Council would need to provide direction on the ideal candidate profile. On slide 6 Ms. Walker reviewed the recruitment timeline.

Councilmember Young asked how Ms. Walker arrived at the desired minimum qualification of seven years of experience.

Ms. Walker stated the comparative cities had ranges from five to 10 years. Ms. Walker stated the City's department head requirement was seven to 10 years so she chose seven years. Ms. Walker stated the Council would have the final determination on the number of years.

Councilmember Abram asked what was considered related experience.

Ms. Walker stated employment in law enforcement or as a hearing officer could be considered related experience.

Councilmember Abram asked how the comparative cities were related to Kingman in terms of size.

Ms. Walker stated she used cities that were similar in size as well as the number and type of services offered.

Councilmember Miles asked if caseload was also considered.

Ms. Walker stated she did not know how the caseloads compared, but she could obtain that information if the Council wanted it. Ms. Walker stated best practice was to pay on responsibility, not workload.

Councilmember Abram stated the 50th percentile would be a fair wage for the Kingman magistrate.

Mayor Anderson stated the minimum education should be a juris doctorate degree.

Vice Mayor Wimpee stated five years of experience would be acceptable and Councilmember Young and Councilmember Miles agreed.

Vice Mayor Wimpee stated the salary range should be between the 50th percentile and the un-weighted average and he agreed with ideal candidate profile.

Councilmember Young stated the salary range should start at \$85,000 and go up to the 50th percentile.

Vice Mayor Wimpee, Sr. made a 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. Councilmember Young SECONDED and it was APPROVED 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.

Mayor Anderson stated the item was the result of a call from Mohave County approximately one month ago.

Vice Mayor Wimpee, Sr. stated Mayor Anderson, City Manager John Dougherty and he met with Mohave County for a brainstorming session on how the County, Kingman and Bullhead City could

help the County with the shelter. Vice Mayor Wimpee, Sr. stated humane society staff would also be involved in the discussions. Vice Mayor Wimpee, Sr. stated the County's first priority was the court house, but the shelter was the second priority. Vice Mayor Wimpee, Sr. stated there would be another meeting on March 23rd, 2015.

Mayor Anderson asked how many shelters were currently in the county.

Councilmember Miles stated the Western Arizona Humane Society (WAHS) operated the Lake Havasu City shelter and Kingman shelter. Councilmember Miles stated Bullhead City operated a shelter. Councilmember Miles stated the County conducted a study several years ago that assessed the needs of the current and future animal population. Councilmember Miles stated the study was very relevant to the discussion and should be reviewed. Councilmember Miles stated the study gave the specifications needed to address shelter issues.

Mr. Dougherty stated he spoke with the Bullhead City manager, who would attend the next meeting on the matter. Mr. Dougherty stated the Bullhead City shelter was recently remodeled and it would be a few years before Bullhead City would be interested in working on any projects; however they still wanted to be part of the discussions.

Councilmember Miles stated the County study recommended keeping the shelter in Kingman.

Mayor Anderson stated the meetings were brainstorming sessions for future possibilities. Mayor Anderson stated it would be premature to give a cost estimate, but the issue needed to be on the Council's radar and information would be disseminated accordingly.

6. **REPORTS**

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

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

Mike Kondelis, the District Engineer from the ADOT Kingman District, stated the west Kingman interchange did not effectively handle traffic and the problem was originally identified 25 years ago. Mr. Kondelis stated the solution would be to build a system interchange that would connect US 93 to Interstate 40, however the cost was estimated to be \$88 million. Mr. Kondelis stated EPS examined interim solutions that would allow for affordable improvements.

Darrell Truitt of EPS stated the existing traffic interchange (TI) did not handle high traffic volumes efficiently, which resulted in traffic backing up onto the westbound off-ramp and onto I-40. Mr. Truitt stated vehicles southbound on US 93 waiting to turn towards Flagstaff/Phoenix caused traffic to back up for miles. Mr. Truitt stated these two traffic movements caused the largest problems. Mr. Truitt stated the proposal was to change the existing eastbound I-40 through right turn lane into a right turn only lane. Mr. Truitt stated the through lane of traffic on northbound US 93 would be closed and the existing pedestrian island and traffic signal would be moved into the closed turn lane. Mr. Truitt stated this would make room for an additional free flow right turn lane from the westbound off-ramp to US 93. Mr. Truitt stated access on Lampton Avenue would be restricted to right in, right out only. Mr. Truitt stated southbound US 93 had a left turn lane and a through left turn lane onto the eastbound I-40 on-ramp. Mr. Truitt stated it

would be converted to two left turn only lanes, which would clear traffic more efficiently. Mr. Truitt stated signal timing on both sides of the intersection would also be modified. Mr. Truitt stated Americans with Disabilities (ADA) compliant improvements would be made to the sidewalks. Mr. Truitt stated the proposed solutions were interim improvements and while they would not solve the problems they would provide relief for at least the next 10 years. Mr. Truitt stated EPS observed traffic at the interchange for four consecutive days and used the peak hour of traffic for the solution design. Mr. Truitt stated a growth rate was also applied to the model.

Mr. Truitt displayed slides for the Council. On slide one Mr. Truitt reviewed the traffic movements he previously described.

On slide two Mr. Truitt stated engineers rate the performance of an intersection in terms of level of service. Mr. Truitt stated grades were based on the delay vehicles experienced in the intersection. Mr. Truitt stated the minimum acceptable grade was a "D."

On slide three Mr. Truitt stated traffic modeling software was used to simulate the delay under different conditions. Mr. Truitt stated the left side of the graphic showed delays for 2011 and the right side showed delays for 2026. Mr. Truitt stated the Las Vegas side of the interchange currently had a "D" and the Kingman side had a "C." Mr. Truitt stated the proposed changes would improve the Las Vegas side to a "C" and the Kingman side to a "B."

On slide four Mr. Truitt stated if nothing was corrected the Las Vegas side would be a level "F" by the year 2026. Mr. Truitt stated if improvements were made the intersection would maintain an acceptable level of operation in 2026. Mr. Truitt stated after 2026 work would need to begin on a full system TI.

On slide five Mr. Truitt reviewed the design timeline.

Councilmember Young asked why the west turn lane onto Beale Street degraded from a "C" to an "E" in 2026 with the improvements.

Mr. Truitt stated the most troublesome traffic movements were identified and corrected. Mr. Truitt stated allocating more time to one movement came at the cost of another competing movement. Mr. Truitt stated even though some movements experienced a decrease in the level of service, the overall operation of the intersection improved.

Councilmember Young asked if the delay in service would cause traffic to back up onto I-40.

Mr. Truitt stated the ramp was very long and had a large queuing capacity.

Vice Mayor Wimpee, Sr. asked if the traffic signal time would be shorter.

Mr. Truitt stated the proposed lengthening of the through movement times would come at the expense of the left turn lane. Mr. Truitt stated the longer signal time would allow 1,000 plus pound vehicles that travel from Las Vegas to Phoenix to pass through the intersection efficiently.

Councilmember Abram asked if the improvements would eventually be removed in order to make room for the Interstate 11 project.

Mr. Truitt stated the improvements would remain until the full system TI was in place. Mr. Truitt stated once the TI was in place the traffic volume in the intersection would decrease.

Mr. Kondelis stated the full system TI would be at a different location and the improvements would not be removed in order to build the TI. Mr. Kondelis stated the estimate for the first phase of the TI was \$50 million. Mr. Kondelis stated EPS was tasked to find an effective solution that would cost \$400,000 to \$500,000. Mr. Kondelis stated the proposed improvements fulfilled that challenge.

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.

City Engineer Greg Henry displayed slides for the Council. On slide one, Mr. Henry stated the Eastern Avenue project would include work on Kenwood Avenue and Lomalai Street and improvements to Eastern Avenue between Airway Avenue and Pasadena Avenue. Mr. Henry stated the segment of Eastern Avenue located to the south had curbs, gutters and some sidewalks as well as pavement in generally good condition. Mr. Henry stated the area is currently two lanes and portions of the pavement are failing and need to be reconstructed. Mr. Henry stated there were also access issues concerning the one-way streets on Diamond Street and Yavapai Street.

On slide two, Mr. Henry stated the Diamond Street and Yavapai Street one-ways were intended to be interim solutions. Mr. Henry stated over 6,000 vehicles travel on Eastern Avenue per day since the completion of the Airway underpass and traffic would only increase. Mr. Henry stated Eastern Avenue was the only legal access in the east bench area from the south side of I-40 to the north

side of I-40. Mr. Henry stated there were many complaints due to the fact the access occurred in a residential area.

Slide three showed a photo of the intersection of Eastern Avenue and Pasadena Avenue. Mr. Henry stated the south side was curbed and guttered with enough room for three lanes.

Slide four showed the intersection of Eastern Avenue and Brody Drive. Mr. Henry stated the area experienced heavy drainage and a lot of sediment was deposited in the roadway after heavy rains.

Slide five showed a photo of the area south of I-40 and an example of “alligator” pavement problems.

Slide six showed a closer view of the “alligator” pavement. Mr. Henry stated water and vehicle travel worsened the cracks in the pavement, which was part of the reason for recommending the project as a priority.

Slide seven showed a photo of Eastern Avenue and Kenwood Avenue intersection. Mr. Henry stated the curve of the road and the right of way should be addressed as it caused bottlenecks.

Slide eight was a photo of Kenwood Avenue looking north at the proposed Lomalai alignment. Mr. Henry stated the City already acquired the right of way in the area for the alignment.

Slide nine was a photo of the intersection of Kenwood Avenue and Diamond Street looking north. Mr. Henry stated the intersection was very busy and he observed 25 to 30 cars go through it within five minutes.

Slide ten was a photo of Kenwood Avenue and Yavapai Street looking north towards Airway Avenue. Mr. Henry stated he wanted to improve access to Airway Avenue, eliminate the traffic through the residential area and address the pavement problems.

Councilmember Young asked if the plan was to have three lanes at Eastern Avenue and Kenwood Avenue.

Mr. Henry stated the City needed to acquire the right of way on Eastern Avenue first, but it already had the right of way on Kenwood Avenue and Lomalai Street.

Councilmember Young asked if the underpass could accommodate three lanes.

Mr. Henry stated it would need to be coordinated with ADOT. Mr. Henry stated there were also plans for a drainage channel.

Vice Mayor Wimpee, Sr. asked if Yavapai Street and Diamond Street would be made into cul-de-sacs.

Mr. Henry stated Diamond Street was large enough to accommodate a cul-de-sac, but Yavapai Street was not being considered due to drainage issues. Mr. Henry stated the traffic signal at Yavapai Street would be moved to Lomalai Street and access would remain open at Sage Street. Mr. Henry stated the concept study was to look at a second access point across I-40. Mr. Henry

stated access was needed due to the new schools and hospital on the north side of I-40. Mr. Henry stated the study would look at the most suitable location, estimated cost, traffic drainage and right of way needs.

Councilmember Miles asked if the study would look at options for an underpass that could link to a future interchange.

Mr. Henry stated if the study was funded the consultant would be instructed to find a location for the crossing and propose several options.

Councilmember Young stated the project did not give access to I-40.

Mr. Henry stated that was correct. Mr. Henry stated planned interchanges would be considered. Mr. Henry stated he was asking for \$250,000 to fund the study and would return to the Council after its completion to ask for funding for future construction. Mr. Henry stated he would coordinate any improvements with ADOT.

c. Board, Commission and Committee Reports by Council Liaisons

Councilmember Abram stated he attended the Youth Advisory Commission (YAC) meeting and heard an Arizona Youth Partnership speaker discuss training that would complement the commission's "Stop Drinking Start Thinking" campaign. Councilmember Abram stated on March 28th, 2015 there would be a dedication for the handicap swing the commission installed at the Southside Park. Councilmember Abram stated he attended a Planning & Zoning Commission meeting on March 10th, 2015, which included a public hearing for the proposed landscape ordinance. Councilmember Abram stated there were a lot of public comments against the amendment due to additional cost, land usage and parking lot requirements. Councilmember Abram stated there were a lot of buildings in town that would not be able to meet the 10 foot offset requirement. Councilmember Abram stated the commission voted to send the amendment forward to the Council. Councilmember Abram stated one of the biggest issues brought up at the public hearing was a stricter Ordinance would not improve the situation as long as the current Ordinances were not enforced.

Councilmember Young stated she attended the Economic Development and Marketing Commission meeting on March 11th, 2015 and the commission voted to support the General Plan amendment application.

Mayor Anderson stated he attended a Mohave County Water Authority meeting (MCWA) where the group reviewed the budget and Colorado River water allocation. Mayor Anderson stated there was also a presentation about Planet Ranch. Mayor Watson stated the MCWA had six votes in the Arizona Department of Water Resources (ADWR). Mayor Watson stated the motion to reject Planet Ranch was defeated. Mayor Anderson stated the MCWA's next meeting would be in three months.

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.

Mr. Dougherty stated the America's Best Communities (ABC) Grant would be reviewed on Thursday, March 19, 2015 and then submitted. Mr. Dougherty stated he would announce the selection for the new finance director on Wednesday, March 18, 2015. Mr. Dougherty stated the Sandbox Committee would have a meeting at the Kingman Police Department on Wednesday, March 18, 2015 at 5:30 P.M.

Mayor Anderson stated there would be a pamphlet distributed in approximately one to two weeks detailing what the City was doing about water issues and water delivery service efficiency. Mayor Anderson stated water use in the City was the same in 2004 as in 2014 despite growth and he commended the citizens and City on their conservation actions.

Councilmember Abram made a MOTION to ADJOURN. Councilmember Young SECONDED and it was APPROVED by a vote of 6-0.

ADJOURNMENT --- 6:53 P.M.

ATTEST:

APPROVED:

Sydney Muhle
City Clerk

Richard Anderson
Mayor

STATE OF ARIZONA)
COUNTY OF MOHAVE)ss:
CITY OF KINGMAN)

CERTIFICATE OF COUNCIL MINUTES

I, Erin Roper, Deputy City Clerk and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the Common Council of the City of Kingman held on March 17, 2015.

Dated this 7th day of April, 2015.

Erin Roper, Deputy City Clerk and Recording Secretary

VISITORS IN ATTENDANCE

City of Kingman

Meeting of the Common Council

Council Chambers – 310 N. 4th Street – Kingman, Arizona

Meeting Date: Mar 17, 2015

| | NAME - PLEASE PRINT | EMAIL ADDRESS AND PHONE NUMBER |
|----|---------------------|--------------------------------|
| 1 | HARLEY PETTIT | ON FILE |
| 2 | MIKE KONDILIS | ADOT |
| 3 | Darrell Truitt | EPS |
| 4 | Matt Truitt | matt.truitt@epsgroupinc.com |
| 5 | DOUG McMURDO | dmcumrdo@kdmiller.com |
| 6 | M BILUNIAK | |
| 7 | Herberta Schroeder | WSHS6@yahoo.com |
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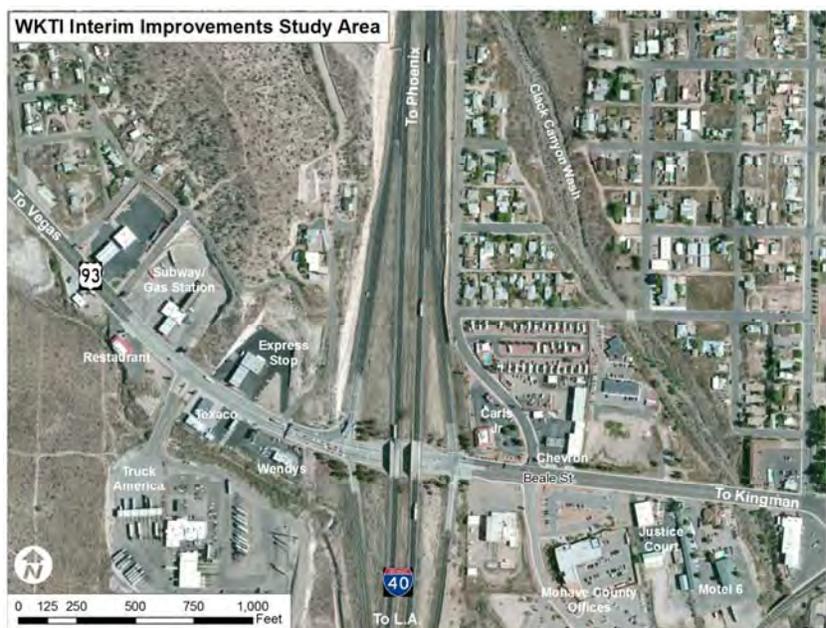
West Kingman Traffic Interchange (TI) Interim Improvement City Council Presentation



Tuesday, March 17, 2015
ADOT Project No. 040 MO 049 H8744 01D

Welcome and Agenda

- ▶ Project Overview
- ▶ Interim Improvements
- ▶ Project Schedule



Project Overview - History

I-40/US 93 West Kingman Traffic Interchange (WKTl)

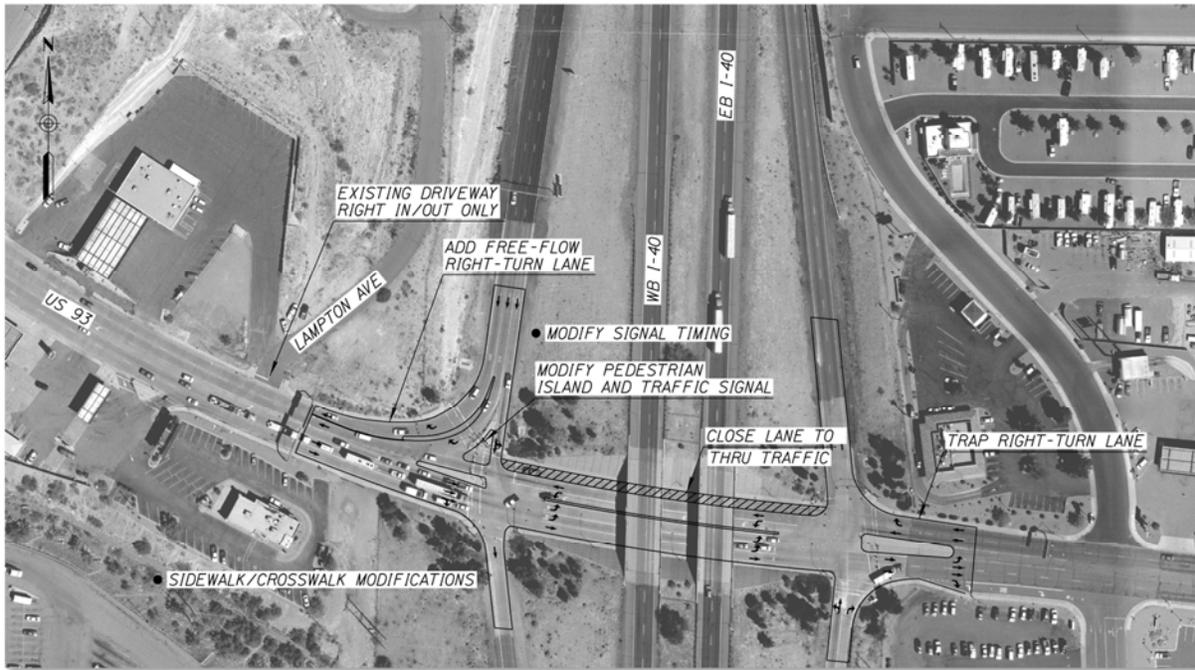
- ▶ US 93 is a principal route between I-40 and I-15
- ▶ Significant fluctuations in traffic volumes
- ▶ Has operational and safety concerns on US 93 & I-40
 - ▶ Traffic backs up westbound off-ramp onto WB I-40
 - ▶ Southbound (US 93) to eastbound (I-40) traffic experiences long queues
- ▶ The WKTl is the last remaining “bottleneck” location on the CANAMEX Corridor
- ▶ This segment of I-40 (between MP 49-MP 50) was identified in the 2012 Arizona Transparency Report as being a safety concern.

Project Overview - Purpose

ADOT, in partnership with the Federal Highway Association (FHWA), has been working on an ongoing study to investigate a new System TI between I-40 and US 93 near the existing Beale Street.

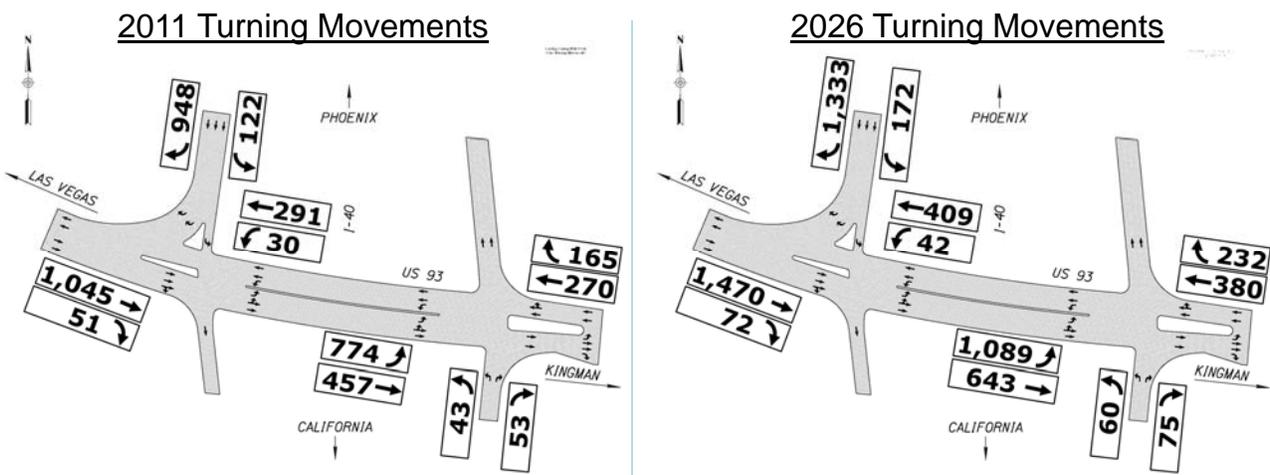
- ▶ System TI – no funding at this time
- ▶ Potential Interim Improvement identified during the study
- ▶ ADOT was authorized by FHWA to use Highway Safety Improvement Program (HSIP) funds to improve the existing Beale Street TI.

Proposed Interim Improvements



Project Overview – Traffic Analysis

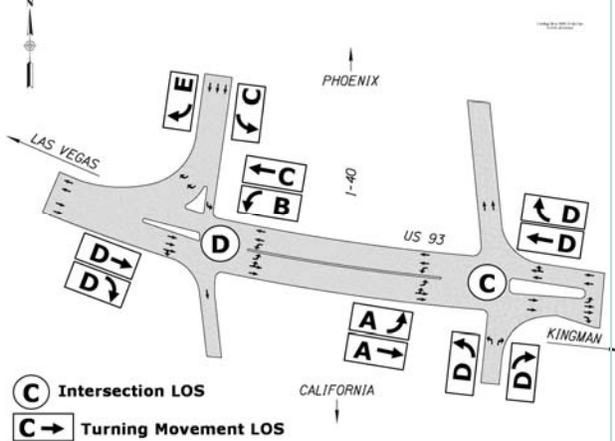
Measured and projected traffic volumes for 2011 and 2026, respectively. (Numbers represent peak hour traffic volumes.)



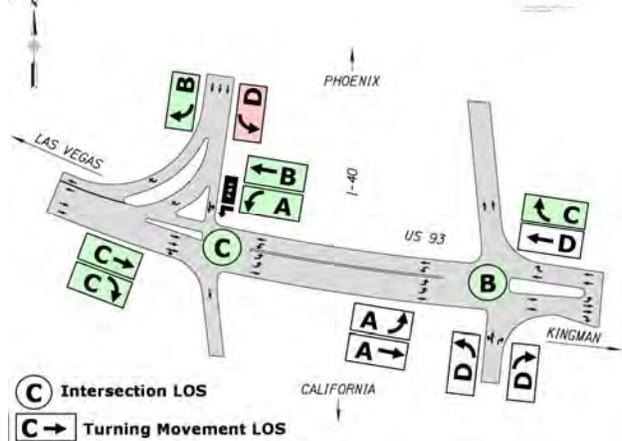
Project Overview – Traffic Analysis

Proposed interim improvements to the WKTJ were modeled using 2011 traffic volumes. Level of Service (LOS) grades were assigned to turning movements based upon driver delay.

No Build - 2011 LOS



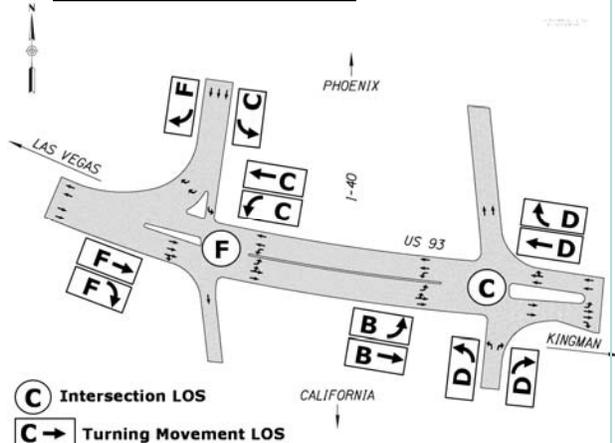
Proposed Improvement 2011 LOS



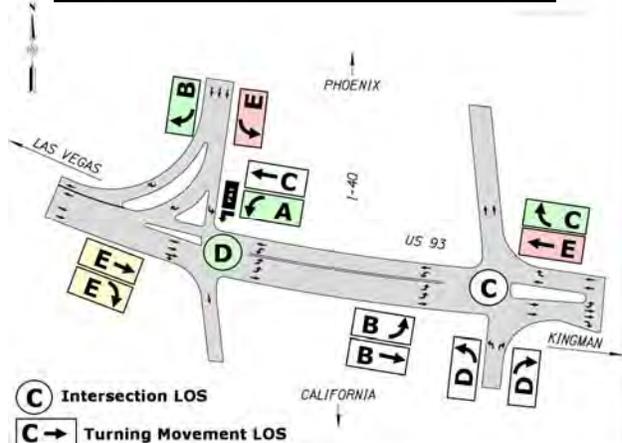
Project Overview – Traffic Analysis

The traffic model predicts that the proposed improvements will result in acceptable intersection levels of service through the year 2026.

No Build - 2026 LOS



Proposed Improvement 2026 LOS



Project Schedule

- ▶ Project Assessment – Complete
- ▶ Stage III Plans – January 2015
- ▶ Environmental Document – March 2015
- ▶ Stage IV Plans – April 2015
- ▶ Final Plans – June 2015

**Thank you
for your time**

EASTERN STREET

HOSPITAL

SCHOOLS

I-40

CITY OF KINGMAN

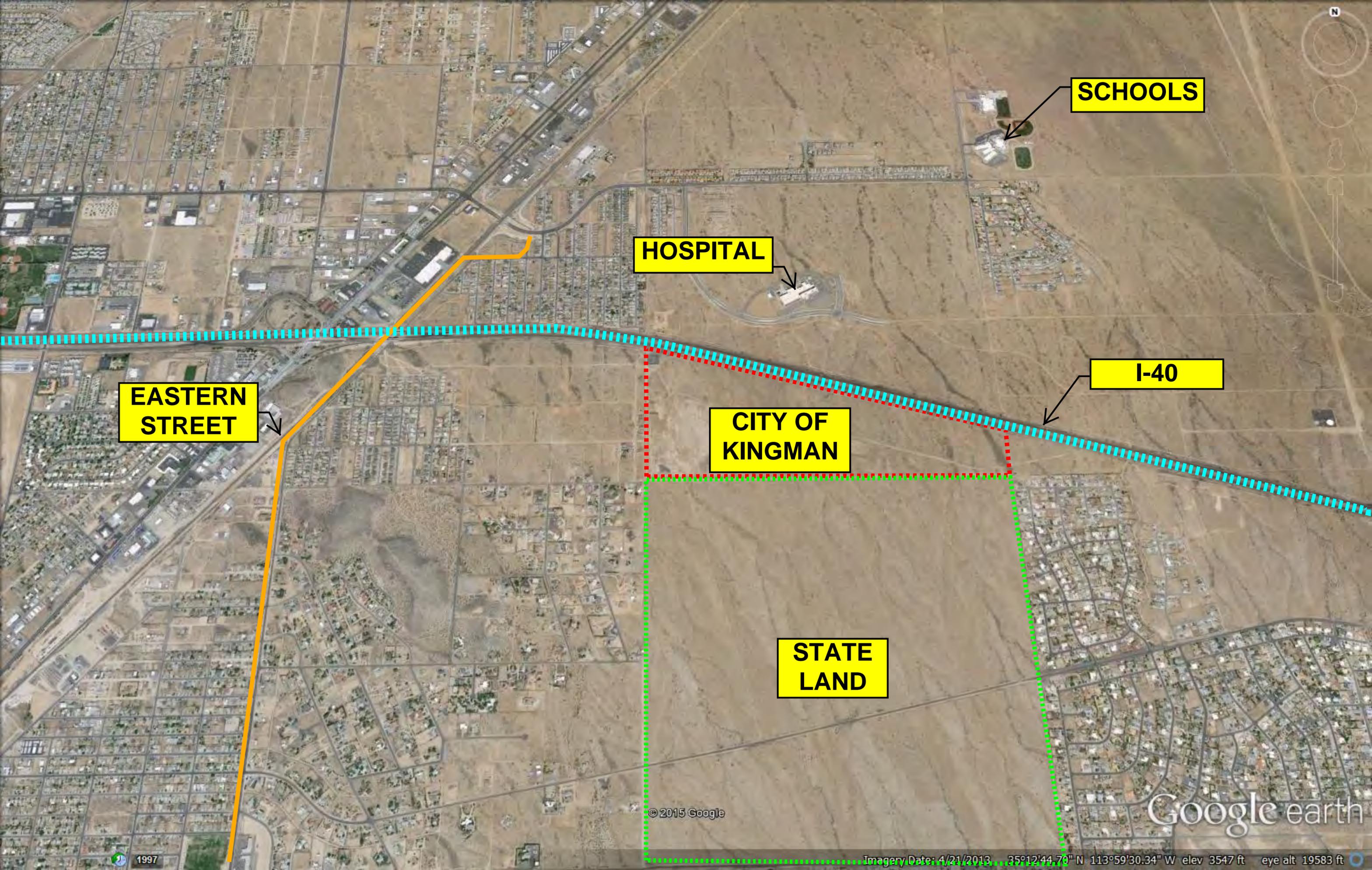
STATE LAND

Google earth

© 2015 Google

Imagery Date: 4/21/2013 35°12'44.70" N 113°59'30.34" W elev 3547 ft eye alt 19583 ft

1997





LOMALAI AVE

KENWOOD AVE

EASTERN ST.

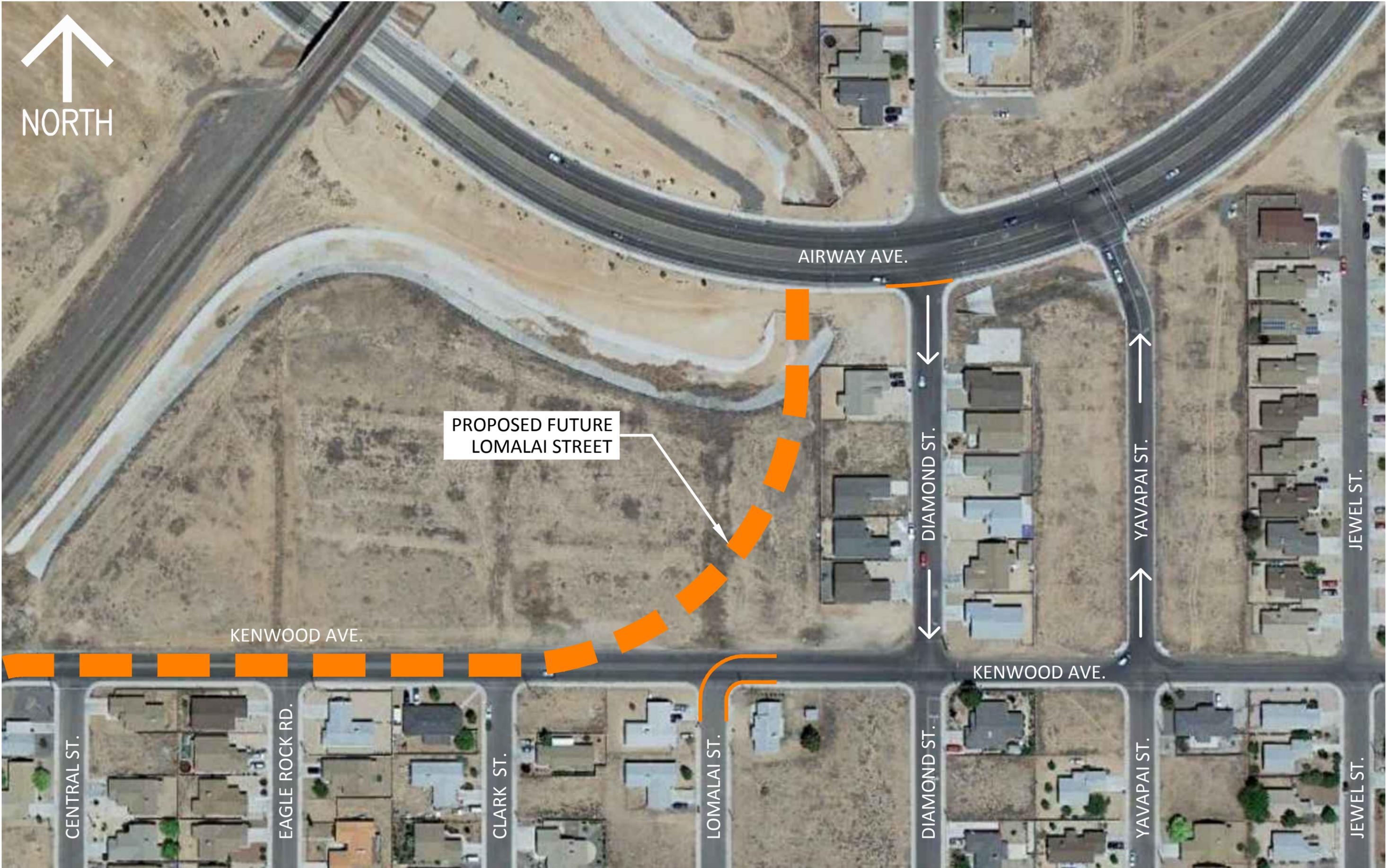
AIRFIELD AVE

EASTERN ST.

PASADENA AVE

© 2015 Google





PROPOSED FUTURE LOMALAI STREET

AIRWAY AVE.

DIAMOND ST.

YAVAPAI ST.

JEWEL ST.

KENWOOD AVE.

KENWOOD AVE.

CENTRAL ST.

EAGLE ROCK RD.

CLARK ST.

LOMALAI ST.

DIAMOND ST.

YAVAPAI ST.

JEWEL ST.



Pasadena Ave

Pasadena Ave





FOR SALE

866-715-7653

Wesley Bassell









WRONG WAY

WRONG WAY

ONLY



CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

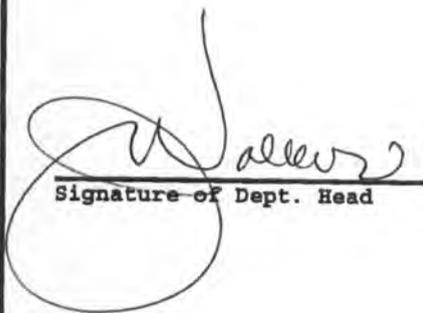
FROM: Jackie Walker, Human Resources/Risk Mgt Director

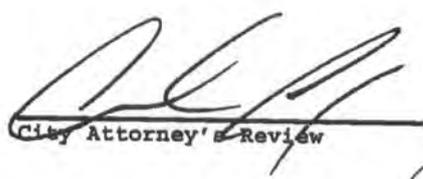
MEETING DATE: April 7, 2015

AGENDA SUBJECT: Employee Recognition

SUMMARY: In appreciation for their hard work, dedication, and loyalty the Mayor and Council would like to recognize employees who have reached years of service milestones, beginning at five years of service and continuing at each five year interval. Tonight the Mayor and Council hereby convey their earnest appreciation to:

| Yrs of Service | Name | Title | Department |
|----------------|--------------------|-----------------------------------|--------------------------|
| 20 | Marks, Gary | Irrigation Mechanic | Golf Course |
| 20 | Richards, Diane | Budget Analyst | Finance |
| 20 | Walker, Jacqueline | Human Resources/Risk Mgt Director | Human Resources/Risk Mgt |
| 15 | Pierce, Ricky | Electrician | Street Dept |
| 15 | Winn, Richard | Groundskeeper | Parks |
| 10 | Crain, Nissa | Customer Service Representative | Water Administration |
| 10 | Hinshaw, Gary | Chemical Applicator | Parks |
| 10 | Mitchell, Michael | Engineering Technician I | Engineering Dept |
| 10 | Osterman, Sean | Code Enforcement Officer | Police Support |
| 10 | Stewart, Melody | Administrative Assistant | Engineering Dept |
| 5 | Heidemann, Ronald | Survey Party Chief | Engineering Dept |
| 5 | Reynolds, Guy | Parks Superintendent | Parks |
| 5 | Terry, Charles | Pool Operator | Pools |


Signature of Dept. Head


City Attorney's Review


City Manager's Review

AGENDA ITEM: 2

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: John A. Dougherty, City Manager

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Membership renewal in Northwest Arizona Employee Benefit Trust (NAEBT).

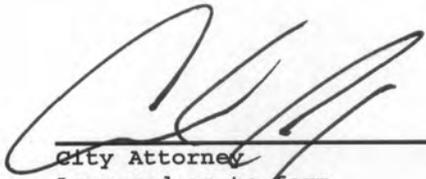
SUMMARY: On February 19, 2015, the NAEBT Board unanimously voted to offer renewal membership to the City of Kingman. Ratification of the resolution will continue the agreement between Kingman, Lake Havasu City and Bullhead City to pool our resources and provide employee benefits at a lower rate than the City's would be able to get solo. In the past the Trust Board has done an admirable job of keeping the program costs to a minimum.

ATTACHMENT: None

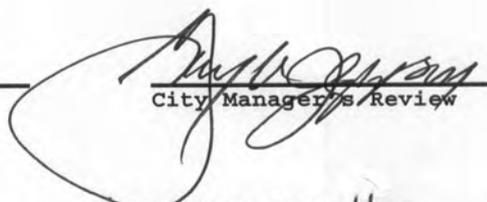
STAFF RECOMMENDATION: Staff strongly recommends adoption of the resolution and continued support of the NAEBT agreement between the tri-cities.

BUDGET IMPACT: There will always be an impact with employee benefits; however, it is believed that this agreement is the most cost efficient method of procuring said benefits.

Signature of Dept. Head



City Attorney
Approved as to form



City Manager's Review

AGENDA ITEM: 4a

CITY OF KINGMAN, ARIZONA

RESOLUTION NO. 4940

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA; AUTHORIZING THE RENEWAL OF THE CITY OF KINGMAN'S MEMBERSHIP IN THE NORTHWEST ARIZONA EMPLOYEE BENEFIT TRUST

WHEREAS, the City of Kingman Council is currently a Participating Entity in the Northwest Arizona Employee Benefit Trust (“the Trust”); and

WHEREAS, the City of Kingman’s current term of membership as a Participating Entity shall expire on June 30, 2015; and

WHEREAS, the Trust’s Board of Trustees (“the Trust Board”) has offered a renewal membership to the City of Kingman commencing July 01, 2015; and

WHEREAS, the City of Kingman wishes to renew its participation in the Trust for a five (5) year Membership Period commencing July 01, 2015 and terminating June 30, 2020; and

WHEREAS, renewal of the City of Kingman’s membership in the Trust will serve the interest of the City and its employees.

THEREFORE be it resolved by the City of:

1. The City of Kingman City Common Council hereby authorizes the renewal of the City of Kingman’s membership in the Northwest Arizona Employee Benefit Trust for the period commencing July 01, 2015 and terminating June 30, 2020; and
2. The City of Kingman Common Council hereby reappoints John Dougherty, City Manager, as Trustee to serve on the Board of Trustees of the Northwest Arizona Employee Benefit Trust from July 01, 2015 until the appointment of a duly-qualified successor; and
3. The City of Kingman Common Council hereby reappoints Jackie Walker, Human Resources/Risk Management Director as Alternate Trustee to serve on the Board of Trustees of the Northwest Arizona Employee Benefit Trust from July 01, 2015 until the appointment of a duly-qualified successor.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona on March 17, 2015.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

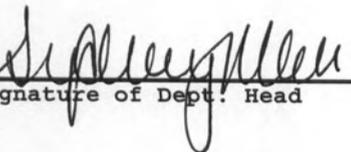
MEETING DATE: April 7, 2015

AGENDA SUBJECT: Special Event Liquor License Application

SUMMARY: Applicant Samuel Pillsbury of Pillsbury Wine Company North, LLC has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 4b

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

- Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: Samuel Wallace Pillsbury Daytime Phone #: [REDACTED]

2. Business name: Pillsbury Wine Company North, LLC Liquor license #: 1313302
farm winery or craft distillery

Email: spillsbury@aol.com

3. Mailing address: [REDACTED]
street address city state/ zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|---------------------|-----------------|------------------|----------------|
| 1. | <u>May 16, 2015</u> | <u>Saturday</u> | <u>11:00 AM</u> | <u>6:00 PM</u> |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
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| 7. | _____ | _____ | _____ | _____ |

Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

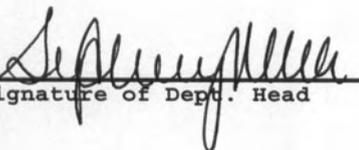
MEETING DATE: April 7, 2015

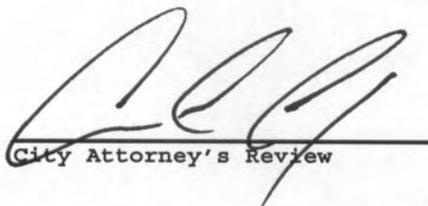
AGENDA SUBJECT: Special Event Liquor License Application

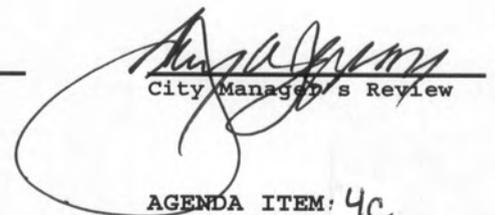
SUMMARY: Applicant Garrison Ellam of the Village of Elgin Winery has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

STAFF RECOMMENDATION: Approve the special event liquor license application.


Signature of Dept. Head


City Attorney's Review


City Manager's Review

AGENDA ITEM: 4c

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

- Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: GARRISON ELLAM Daytime Phone #: [REDACTED]

2. Business name: THE VILLAGE OF ELGIN WINERY Liquor license #: 13123003
farm winery or craft distillery

Email: INFO@ELGINWINES.COM

3. Mailing address: [REDACTED]
street address city state zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|--------------|-------------|------------------|----------------|
| 1. | May 16, 2015 | Saturday | 11:00 AM | 6:00 PM |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
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| 6. | _____ | _____ | _____ | _____ |
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Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

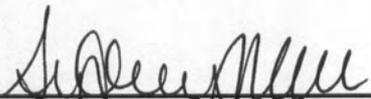
MEETING DATE: April 7, 2015

AGENDA SUBJECT: Special Event Liquor License Application

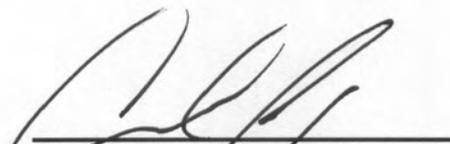
SUMMARY: Applicant Garrison Ellam of Tombstone Distillery has applied for a Series 16D Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

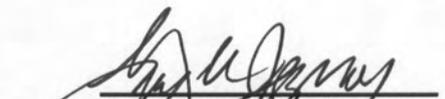
STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Depp. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 4d

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

- Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: GARRISON ELLAM, Daytime Phone #: [REDACTED]

2. Business name: TOMBSTONE DISTILLERY, Liquor license #: 18020000
farm winery or craft distillery

Email: INFO@ELGINWINES.COM

3. Mailing address: [REDACTED]
street address city state zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| 1. | <u>May 16, 2015</u> | <u>Saturday</u> | <u>11:00 AM</u> | <u>6:00 PM</u> |
| 2. | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| 3. | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
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Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

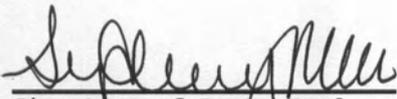
MEETING DATE: April 7, 2015

AGENDA SUBJECT: Special Event Liquor License Application

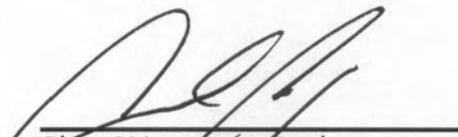
SUMMARY: Applicant Gordon Dutt of Sonoita Vineyards has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 4e

FAIR/FESTIVAL LICENSE APPLICATION
A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: Gordon Dutt, Daytime Phone #: [REDACTED]
2. Business name: Sonoita Vineyards, Liquor license #: 13120002
farm winery or craft distillery
Email: winery@sonoitavineyards.com
3. Mailing address: [REDACTED] Elgin AZ 85611
street address city state zip code
4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|---------------------|-----------------|------------------|----------------|
| 1. | <u>May 16, 2015</u> | <u>Saturday</u> | <u>11:00 AM</u> | <u>6:00 PM</u> |
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Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

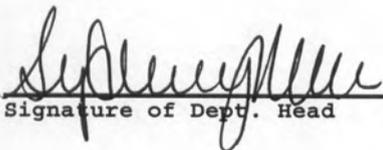
MEETING DATE: April 7, 2015

AGENDA SUBJECT: Special Event Liquor License Application

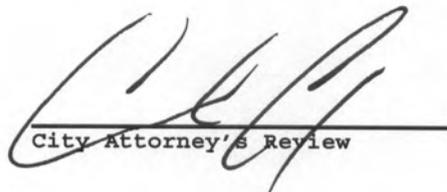
SUMMARY: Applicant Barbara Pierce of Pierce Wines AZ has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

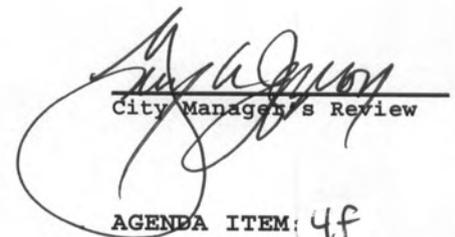
STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Dept. Head



City Attorney's Review



City Manager's Review
AGENDA ITEM: 4f

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205-11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

- Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: Barbara Pierce, Daytime Phone #: [REDACTED]

2. Business name: Pierce Wines Arizona LLC, Liquor license #: 13023027
farm winery or craft distillery

Email: barbara@bodegapierce.com

3. Mailing address: [REDACTED] Scottsdale AZ 85254
street address city state zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|--------------|-------------|------------------|----------------|
| 1. | May 16, 2015 | Saturday | 11:00 AM | 6:00 PM |
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Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

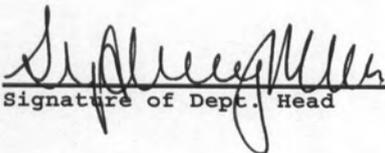
MEETING DATE: April 7, 2015

AGENDA SUBJECT: Special Event Liquor License Application

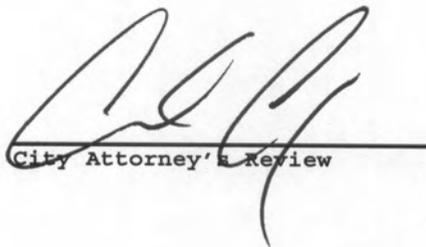
SUMMARY: Applicant Eric Glomski of Page Springs Vineyards & Cellars has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

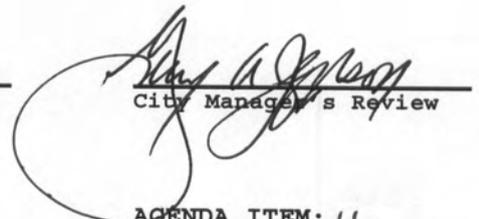
STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 4g

Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

- Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: Eric Glomski, Daytime Phone #: [REDACTED]

2. Business name: Page Springs Vineyards & Cellars, Liquor license #: 13133004
farm winery or craft distillery

Email: eric@pagespringscellars.com

3. Mailing address: [REDACTED] Cornville Az 86325
street address city state zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| 1. | <u>May 16, 2015</u> | <u>Saturday</u> | <u>11:00 AM</u> | <u>6:00 PM</u> |
| 2. | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| 3. | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
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Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

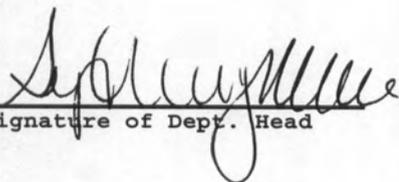
MEETING DATE: April 7, 2015

AGENDA SUBJECT: Special Event Liquor License Application

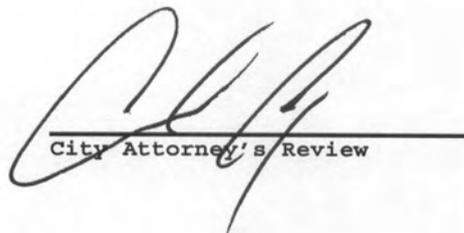
SUMMARY: Applicant Liza Nolan of Mohave Community College Foundation has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

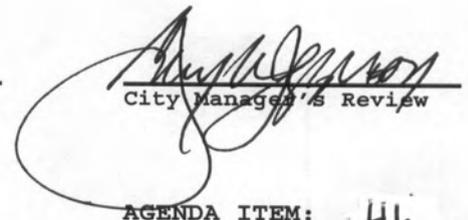
STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM:

4h

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

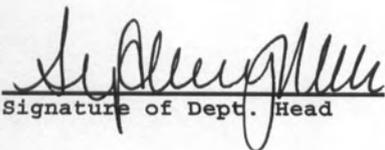
MEETING DATE: April 7, 2015

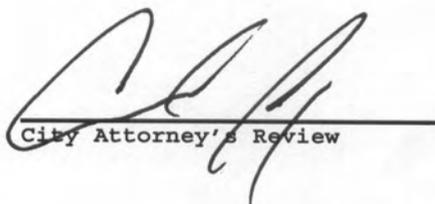
AGENDA SUBJECT: Special Event Liquor License Application

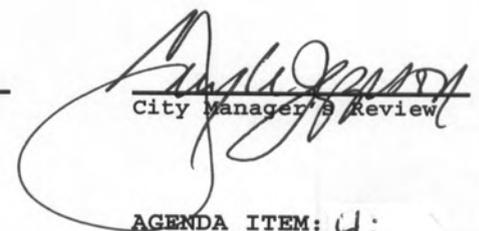
SUMMARY: Applicant Keif Manning of Keif-Joshua Vineyards has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

STAFF RECOMMENDATION: Approve the special event liquor license application.


Signature of Dept. Head


City Attorney's Review


City Manager's Review

AGENDA ITEM: 4i

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: Manning & Manning, Inc KIEF JUSTIN MANNING Daytime Phone #: [REDACTED]

2. Business name: Kief-Justin Vineyards Liquor license #: 13123006
farm winery or craft distillery

Email: KJVINEYARDS@GMAIL.COM

3. Mailing address: [REDACTED] ELGIN AZ 85611
street address city state zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|--------------|-------------|------------------|----------------|
| 1. | May 16, 2015 | Saturday | 11:00 AM | 6:00 PM |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
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Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL

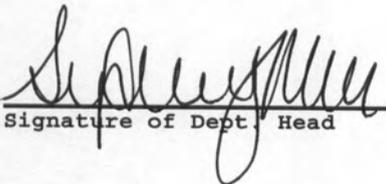


TO: Honorable Mayor and Council Members
FROM: City Clerk's Office
MEETING DATE: April 7, 2015
AGENDA SUBJECT: Special Event Liquor License Application

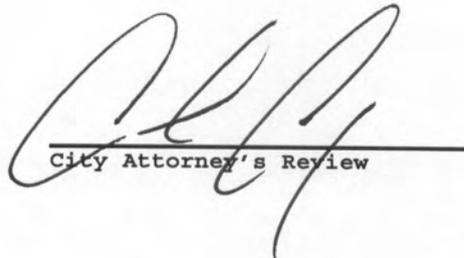
SUMMARY: Applicant John Patt of Desert Diamond Distillery, Inc. has applied for a Series 16D Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

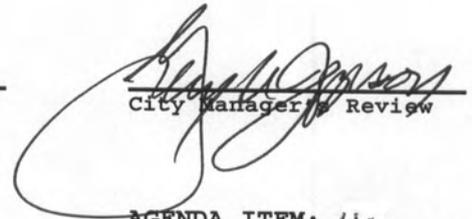
STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 45

Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: John Patt, Daytime Phone #: [REDACTED]

2. Business name: Desert Diamond Distillery Inc., Liquor license #: 18080000
farm winery or craft distillery

Email: pattelinc@aol.com

3. Mailing address: [REDACTED]
street address city state zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| 1. | <u>May 16, 2015</u> | <u>Saturday</u> | <u>11:00 AM</u> | <u>6:00 PM</u> |
| 2. | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| 3. | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| 4. | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| 5. | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
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| 7. | <u> </u> | <u> </u> | <u> </u> | <u> </u> |

Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL

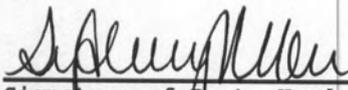


TO: Honorable Mayor and Council Members
FROM: City Clerk's Office
MEETING DATE: April 7, 2015
AGENDA SUBJECT: Special Event Liquor License Application

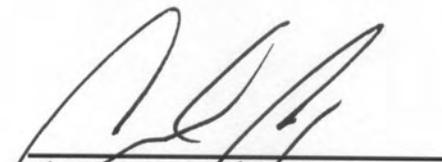
SUMMARY: Applicant John McLoughlin of Cellar 433 has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 4K

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: John McLaughlin Daytime Phone #: [REDACTED]

2. Business name: Cellar 433 Liquor license #: 13133017
farm winery or craft distillery

Email: info@cellar433.com

3. Mailing address: [REDACTED]
street address city state zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|--------------|-------------|------------------|----------------|
| 1. | May 16, 2015 | Saturday | 11:00 AM | 6:00 PM |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |
| 7. | _____ | _____ | _____ | _____ |

Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

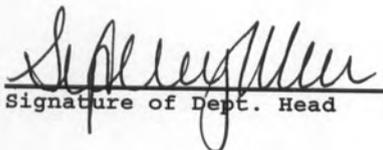
MEETING DATE: April 7, 2015

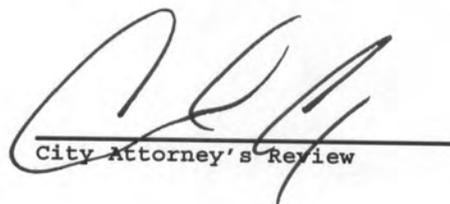
AGENDA SUBJECT: Special Event Liquor License Application

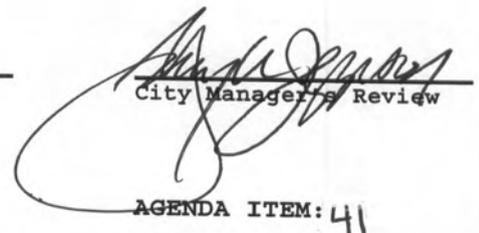
SUMMARY: Applicant Justin Ove of Arizona Stronghold Vineyards has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

STAFF RECOMMENDATION: Approve the special event liquor license application.


Signature of Dept. Head


City Attorney's Review


City Manager's Review

AGENDA ITEM: 41

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

- Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: Justin Ove, Daytime Phone #: [REDACTED]

2. Business name: Arizona Stronghold Vineyards, Liquor license #: 13133015
farm winery or craft distillery

Email: justin@azstronghold.com

3. Mailing address: [REDACTED]
street address city state zip code

4. Location of fair/festival: Firefighters Park 2001 Detroit Ave, Kingman, AZ, Mohave 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|------------------|-----------------|------------------|----------------|
| 1. | <u>5/16/2015</u> | <u>Saturday</u> | <u>11:00 Am</u> | <u>6:00 pm</u> |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |
| 7. | _____ | _____ | _____ | _____ |

Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

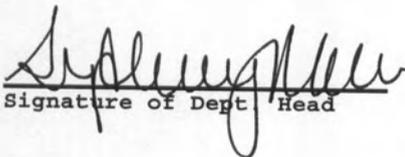
MEETING DATE: April 7, 2015

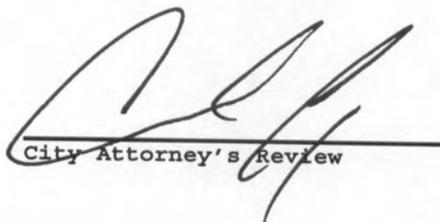
AGENDA SUBJECT: Special Event Liquor License Application

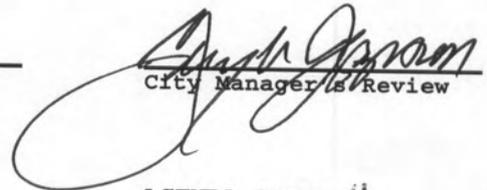
SUMMARY: Applicant Brian Predmore of Alcantara has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

STAFF RECOMMENDATION: Approve the special event liquor license application.


Signature of Dept. Head


City Attorney's Review


City Manager's Review

AGENDA ITEM: 4m

Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: Brian Predmore, Daytime Phone #: [REDACTED]

2. Business name: Alcantara LLC, Liquor license #: 13133010
farm winery or craft distillery

Email: brian@alcantaravineyard.com

3. Mailing address: [REDACTED] Arizona 86326
street address city state zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours: \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|--------------|-------------|------------------|----------------|
| 1. | May 16, 2015 | Saturday | 11:00 AM | 6:00 PM |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |
| 7. | _____ | _____ | _____ | _____ |

Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

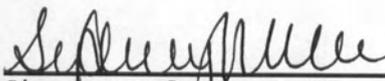
MEETING DATE: April 7, 2015

AGENDA SUBJECT: Special Event Liquor License Application

SUMMARY: Applicant Ann Gardner of Hannah's Hill Vineyard has applied for a Series 16W Wine Fest/Wine Fair Liquor License for an event to take place Saturday, May 16, 2015 from 11 a.m. to 6 P.M. at Firefighter's Park, 2001 Detroit Ave. in Kingman.

ATTACHMENT: First page of the Liquor License Application.

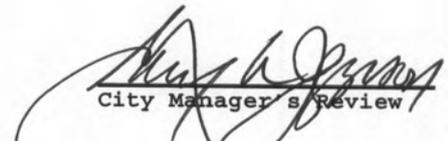
STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 4n

Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FAIR/ FESTIVAL LICENSE APPLICATION
 A.R.S. §4-203.03 Farm Winery / A.R.S. §4-205.11 Craft Distillery
 A.R.S. §4-203.02 At Special Event

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Wine Fair Wine Festival Craft Distillery Fair Craft Distillery Festival

1. Applicant's Name: Ann Gardner, Daytime Phone #: [REDACTED]

2. Business name: Hannah's Hill Vineyard Liquor license #: 1312 3012
farm winery or craft distillery

Email: HannahsHill@msn.com

3. Mailing address: [REDACTED]
street address city state zip code

4. Location of fair/festival: Firefighter's Park, 2001 Detroit Ave., Kingman, Mohave, 86401
street address city county zip code

SECTION 2 Fees, Date & Hours \$15 per day

Winery festival days permitted: 50 licenses per winery per calendar year for a total of 150 days per winery per calendar year.

Craft Distillery festival days permitted: 25 licenses per craft distillery per calendar year for a total of 75 days per craft distillery per calendar year.

| | DATE | DAY OF WEEK | START TIME AM/PM | END TIME AM/PM |
|----|---------------------|-----------------|------------------|----------------|
| 1. | <u>May 16, 2015</u> | <u>Saturday</u> | <u>11:00 AM</u> | <u>6:00 PM</u> |
| 2. | _____ | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
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| 7. | _____ | _____ | _____ | _____ |

Please attach an additional sheet if necessary

CITY OF KINGMAN COMMUNICATION TO COUNCIL

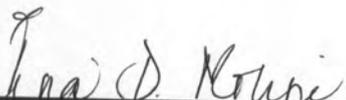


TO: Honorable Mayor and Council Members
FROM: Tina Moline, Financial Services Director
MEETING DATE: April 7, 2015
AGENDA SUBJECT: Resolution 4942 - Authorization for Banking Activities

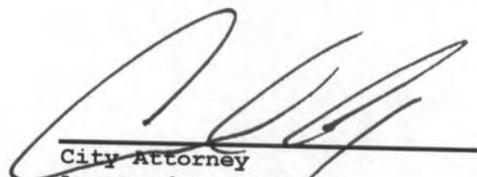
SUMMARY: Resolution 4942 adds Tina Moline, Financial Services Director, as an appointed signatory of the City of Kingman's bank accounts. It also adds Wendy Sherer, Accountant, as an authorized person on banking items.

ATTACHMENT: Resolution No. 4942

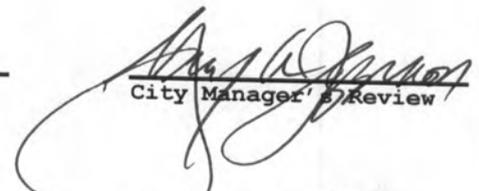
STAFF RECOMMENDATION: Staff recommends Council adopt Resolution No. 4942 which provides a specific authorization relating to the City's banking activities.



Signature of Dept. Head



City Attorney
Approved as to form



City Manager's Review
AGENDA ITEM: 40

CITY OF KINGMAN, ARIZONA

RESOLUTION NO. 4942

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA; RELATING TO THE CITY'S BANKING ACTIVITIES BY NAMING THE CUSTODIANS FOR THE CITY'S SAFE DEPOSIT BOXES, AUTHORIZING SIGNATORIES FOR THE CITY'S BANK ACCOUNTS, AND AUTHORIZING PERSONS TO MAKE TELEPHONIC AND WIRE TRANSFERS BETWEEN ACCOUNTS; AUTHORIZING PERSONS TO HOLD CITY CREDIT CARDS; AND DELETING RESOLUTION NO. 4905.

NOW, THEREFORE, BE IT RESOLVED:

1. that Resolution No. 4905 is hereby superseded in its entirety;

2. a) that Tina Moline, Director of Financial Services; and John Dougherty, City Manager; are hereby appointed as signatories of the City of Kingman's bank accounts; and

b) that the signatories of both will be required on all checks written on the City of Kingman's bank accounts; and

3. that Tina Moline, Director of Financial Services; Diane Richards, Budget Analyst; Trinna Ware, Finance Administrator; and Wendy Sherer, Accountant; are hereby authorized to make telephonic and wire transfers between the City's accounts; and

4. that the following positions are hereby authorized to hold City credit cards: Mayor or Vice-Mayor; City Manager; Budget Analyst; Finance Administrator(s); Director of Financial Services; Public Works Director; City Clerk; Human Resource Director; Magistrate; City Attorney; Information Technology Director; Parks & Recreation Director; City Engineer; Fire Chief; Police Chief; and Development Services Director.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona on April 7, 2015.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

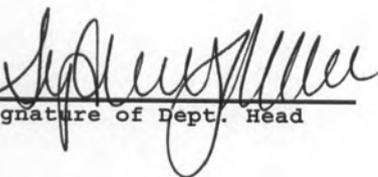
MEETING DATE: April 7, 2015

AGENDA SUBJECT: Special Event Liquor License Application

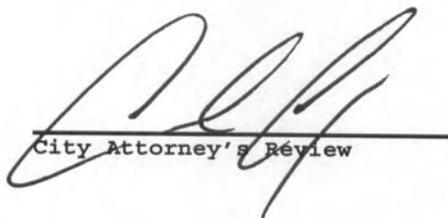
SUMMARY: Applicant Stacy Hadley of Mohave County Friends of NRA has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, April 11, 2015 from 5 to 10:30 P.M. at 201 N. 4th Street in Kingman.

ATTACHMENT: First page of the Liquor License Application.

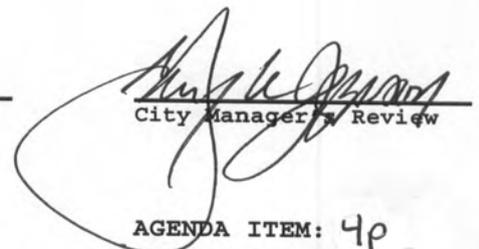
STAFF RECOMMENDATION: Approve the special event liquor license application.



Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 4p

FOR DLLC USE ONLY
Event date(s): _____
Event time start/end: _____

APPLICATION FOR SPECIAL EVENT LICENSE
Fee= \$25.00 per day for 1-10 days (consecutive)
A service fee of \$25.00 will be charged for all dishonored checks (A.R.S. §44-6852)

IMPORTANT INFORMATION: This document must be fully completed or it will be returned.

The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event. If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see Section 15).

SECTION 1 Name of Organization: Mohave County Friends of NRA

SECTION 2 Non-Profit/IRS Tax Exempt Number: 52-1710886

SECTION 3 The organization is a: (check one box only)

- Charitable (501.C) Fraternal (must have regular membership and have been in existence for over five (5) years)
 Religious Civic (Rotary, College Scholarship) Political Party, Ballot Measure or Campaign Committee

SECTION 4 Will this event be held on a currently licensed premise and within the already approved premises?
 Yes No

Name of Business License Number Phone (include Area Code)

SECTION 5 How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation (look in special event planning guide) and check one of the following boxes.

- Place license in non-use
 Dispense and serve all spirituous liquors under retailer's license
 Dispense and serve all spirituous liquors under special event
 Split premise between special event and retail location

(If not using retail license, submit a letter of agreement from the agent/owner of the licensed premise to suspend the license during the event. If the special event is only using a portion of premise, agent/owner will need to suspend that portion of the premise.)

SECTION 6 What is the purpose of this event? On-site consumption Off-site (auction) Both

SECTION 7 Location of the Event: Beale Celebrations Building
Address of Location: 201 N. 4th Street Kingman, AZ 86401
Street City County/State Zip

SECTION 8 Will this be stacked with a wine festival/craft distiller festival? Yes No

SECTION 9 Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Section 1. (Authorizing signature is required in Section 13.)

1. Applicant: Hadley Stacy Lynn _____
Last First Middle Date of Birth

2. Applicant's mailing address: _____ Kingman AZ 86409
Street City State Zip

3. Applicant's home/cell phone: (928) _____ Applicant's business phone: (____) _____

4. Applicant's email address: _____@gmail.com

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Tina Moline, Financial Services Director

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Resolution No. 4939: Authorizing the Mayor to sign a Cooperative Procurement Agreement with Strategic Alliance for Volume Expenditures (S.A.V.E).

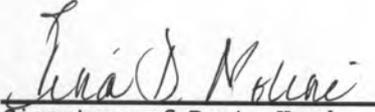
SUMMARY: The City of Kingman and other Cites procure similar products and services including office supplies, public safety supplies, parks and recreation supplies, pavement maintenance products, fuel, and construction maintenance services. This proposed agreement would give the City of Kingman the option of utilizing existing and future Co-op contracts for products and services.

The use of the Cooperative Procurement Agreement would be voluntary and would be evaluated on a case by case basis to ensure conformance with our Procurement Code and achieving the best pricing and timeliest delivery.

ATTACHMENT: Proposed Resolution No. 4939, Cooperative Procurement Agreement
Proposed Agreement
List of current Participating Agencies

FISCAL IMPACT: The use of cooperative purchasing could improve procurement pricing through aggregate demand.

STAFF RECOMMENDATION: Staff recommends approving Resolution No. 4939 authorizing the Mayor to sign a Cooperative Procurement Agreement with S.A.V.E. Cooperative Purchasing Group Intergovernmental Agreement.


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 49

**CITY OF KINGMAN, ARIZONA
RESOLUTION NO. 4939**

**A RESOLUTION BY THE MAYOR AND COMMON COUNCIL
OF THE CITY OF KINGMAN, ARIZONA AUTHORIZING THE
MAYOR TO SIGN A COOPERATIVE PROCUREMENT
AGREEMENT WITH STATEGIC ALLIANCE FOR VOLUME
EXPENDITURES (SAVE).**

WHEREAS, voluntary purchasing agreements between and among public agencies have been shown to improve competition, quality, and services, provide lower prices for materials and services, and avoid duplication of efforts; and

WHEREAS, the parties hereto desire the free exchange of information, technology, and other services that may assist in improving the efficiency or economy of the procurement of necessary materials and services; and

WHEREAS, cooperative purchasing results from written agreements wherein lead agencies volunteer to procure specified materials and services for themselves and participating cooperative members by compiling quantity estimates, preparing the bid or proposal solicitations, receiving bids or proposals, and awarding contracts for use by all participating members; wherein the lead agency is responsible for placement, receipt and payment of its own orders only, while individual procuring parties separately process and pay for their own requirements; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona, that the Mayor is hereby authorized to sign a Cooperative Procurement Agreement with SAVE.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 7th day of April, 2015.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

**STRATEGIC ALLIANCE FOR VOLUME EXPENDITURES (SAVE)
COOPERATIVE PURCHASING AGREEMENT**

This Agreement is entered into this ____ day of _____, _____, between school districts and governmental jurisdictions in the State of Arizona, as listed in Appendix "A" through their duly authorized representative to form a cooperative purchasing agreement named "STRATEGIC ALLIANCE FOR VOLUME EXPENDITURES" (S.A.V.E.)

WHEREAS, voluntary purchasing agreements between and among public agencies in the State of Arizona have been shown to improve competition, quality, services, provide lower prices for materials and services, and avoid duplication of efforts; and

WHEREAS, the parties hereto desire the free exchange of information, technology, and other services that may assist in improving the efficiency or economy of the procurement of necessary materials and services and,

WHEREAS, cooperative purchasing results from written agreements wherein lead agencies volunteer to purchase specified materials and services for themselves and participating cooperative members by compiling quantity estimates, preparing the bid or proposal solicitation, receiving bid or proposals and awarding a contract for use by all participating members. And, wherein the lead agency is responsible for placing, receipt and payment of its own orders only, while individual procuring parties separately process and pay for their own requirements; and

WHEREAS, the Cooperative Purchasing Agreement will serve these ends;

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, and for the mutual benefits to result therefrom, the parties agree as follows:

1. The purpose of the Agreement is a cooperative purchase agreement for the procurement of materials and or services.
2. Receipt, inspection, acceptance and payment for materials and services ordered under this Agreement shall be the exclusive obligation of the ordering entity.
3. The exercise of any rights or remedies by a procuring entity shall be the exclusive obligation of such procuring entity.
4. In this Agreement, failure of an entity to secure performance under its purchase order, does not necessarily require another entity to exercise its own rights or remedies.
5. The cooperative use of bids or proposals obtained by a party to this Agreement shall be in accordance with the terms and conditions of the bid or proposal, except as modification of those terms and conditions otherwise allowed by law.
6. The participation in a specific bid or proposal will be at the option of the individual entity, except that procuring entities and their requirements specifically identified within a bid or proposal shall be required to participate in the Agreement unless the resulting contract is canceled, as provided for within the terms and conditions of the specific bid or proposal.
7. That lead entity of the bid or proposal will comply with the competitive procurement and contract requirements of the procurement rules and laws.
8. The parties will make available, upon reasonable request and subject to convenience, necessity and, in appropriate circumstance a reasonable fee or charge, any information, technology, or other service, which may assist in improving the efficiency or economy of each party's procurement or disposal of material or service.
9. A procuring party will make timely payments to the vendor for materials and services received in accordance with the terms and conditions of the procurement. Payment for materials, services, inspections, acceptance of materials and services ordered by the procuring party shall be the exclusive obligation of such procuring party.
10. The procuring party shall not use this Agreement as a method for obtaining additional concessions or reduced prices for similar materials and services.

11. The procuring party shall be responsible for the ordering of materials or services under this Agreement. A non-procuring party shall not be liable in any fashion for any violation by a procuring party, and the procuring party shall hold non-procuring party harmless from any liability, which may arise from action or inaction of the procuring party.
12. Any procurement unit may terminate without notice this Agreement if another eligible procurement unit fails to comply with the terms of this Agreement.
13. This Agreement is exempt from the provisions of A.R.S. 11-952.
14. This Agreement shall remain in effect until participation has been terminated by all but one of the parties. Except as provided in Paragraph 12, any party to this Agreement may terminate their participation in this Agreement by giving 30 day written notice to all other parties to this Agreement.
15. This Agreement shall take effect after execution by participating parties. Pursuant to A.R.S. Section 41-2632 and Subsection R7-2-1191 of A.A.C. R7-2-1001 this Agreement need not be filed with the County Recorder or the Secretary of State to be effective, except as may be required by the laws, rules and/or regulations of a participating public agency.
16. This Agreement may be canceled pursuant to provisions of A.R.S. Section 38-511 which provisions are incorporated herein by this reference.
17. This Cooperative Purchasing Agreement shall become effective upon approval and execution by the authorized representative of all public agencies listed in Appendix "A".
18. The parties to this Agreement hereby agree that other agencies may be added to this Cooperative Purchasing Group.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective the date written below.

(NOTE: This must be approved by the agency / jurisdiction's governing board – and this note removed)

JURISDICTION: < NAME OF AGENCY >

THIS AGREEMENT IS HEREBY EXECUTED THIS _____ DAY OF _____, 20_____.

Signature

Name

Title

Strategic Alliance for Volume Expenditures

S.A.V.E. --- Cooperative Purchasing Agreements

The following **281** agencies have signed the Cooperative Purchasing Agreement with the S.A.V.E. association as of **November 24, 2014**.

Municipalities

City of Apache Junction
City of Avondale
City of Benson
City of Bullhead City
City of Casa Grande
City of Chandler
City of Cottonwood
City of Douglas
City of El Mirage
City of Eloy
City of Flagstaff
City of Glendale
City of Goodyear
City of Maricopa
City of Mesa
City of Nogales
City of Page
City of Peoria
City of Phoenix
City of Prescott
City of Safford
City of Scottsdale
City of Sedona
City of Sierra Vista
City of Somerton
City of Surprise
City of Tempe
City of Tolleson
City of Tucson
City of Willcox
City of Winslow
City of Yuma
Lake Havasu City
Town of Buckeye
Town of Camp Verde
Town of Cave Creek
Town of Chino Valley
Town of Florence
Town of Fountain Hills
Town of Gila Bend
Town of Gilbert
Town of Marana
Town of Miami
Town of Oro Valley
Town of Paradise Valley
Town of Prescott Valley
Town of Queen Creek

Town of Sahuarita
Town of Superior
Town of Wickenburg

Counties

Apache County
Cochise County
Coconino County
Gila County
Graham County
La Paz County
Maricopa County
Mohave County
Navajo County
Pima County
Pinal County
Santa Cruz County
Yavapai County
Yuma County

Higher Education

Arizona State University
Arizona Western College
Central Arizona College
Central Arizona Valley Institute of Technology (CAVIT)
Cobre Valley Institute of Technology (CVIT)
Cochise County Community College District
Coconino County Community College District
Diné College
East Valley Institute of Technology (EVIT)
Gila Institute for Technology, a Joint Technology Education District (JTED)
Graham County Community College District
Maricopa Community College District
Mohave Community College
Northern Arizona University
Pima Association of Governments (PAG)
Pima Community College
Pima Prevention Partnership dba Pima Partnership Academy, Pima Partnership High School & Phoenix Collegiate High School
Regional Transportation Authority (RTA)
University of Arizona
Western Arizona Vocational Educ (W.A.V.E.), a Joint Technology Education District
Yavapai College

Political Agencies

Arizona Supreme Court
Central Arizona Project
Housing Authority of Maricopa County
Maricopa Association of Governments
Maricopa Integrated Health System
Superior Court of Arizona, Maricopa County
Tucson Airport Authority
Valley Metro Regional Public Transit Authority
Phoenix-Mesa Gateway Airport Authority

Misc. Agencies

Central Arizona Water Conservation District (CAWCD)
Central Yavapai Fire District
Drexel Heights Fire District
Fire District of Sun City West
Horizon Community Learning Center / Horizon Charter School
Mary C. O'Brien ASD
Mountain Institute JTED
Mt. Lemmon Fire District
North Country Community Health Center
Northeast AZ Tech Institute of Voc Ed
Northwest Fire District
Pima County Joint Technology District #11 (JTED)
Pima County School Reserve Fund
Shonto Preparatory Schools
Superstition Mtn Community Facilities District
Sun City West Fire District
Western Arizona Vocational Education #50

School Districts

Agua Fria Union High School District # 216
Alhambra Elementary School District # 68
Altar Valley School District #51
Amphitheater Unified School District #10
Antelope Union High School #50
Apache Junction Unified School District # 43
Arlington Elementary School District #47
Ash Fork Joint Unified School District
Avondale Elementary School District #44
Balsz Elementary School District #31
Beaver Creek School District #26
Benson Unified School District #9
Bisbee Unified School District #2
Blue Ridge Unified School District #32
Bonita School District #6
Bouse Elementary School District
Buckeye Elementary School District #33
Buckeye Union High School District #201
Bullhead City Elementary School District #15
Camp Verde Unified School District #28
Cartwright Elementary School District #83
Casa Blanca Middle School dba Vah Ki Middle School
Casa Grande Elementary School District
Casa Grande Union High School District

Catalina Foothills Unified School District #16
Cave Creek Unified School District #93
Cedar Unified School District #25
Chandler Unified School District # 80
Chinle Unified School District #24
Chino Valley Unified School District #51
Clarkdale-Jerome School District #3
Coconino County Regional Accommodation District #99
Colorado River Union High School District
Concho Elementary School District #6
Continental Elementary School District #39
Coolidge Unified School District #21
Cottonwood-Oak Creek School District #6
Crane Elementary School District # 13
Creighton School District #14
Deer Valley Unified School District #97
Double Adobe Elementary School District #45
Douglas Unified School District #27
Dysart Unified School District # 89
Eloy Elementary School District #11
Elfrida Elementary School District #12
Flagstaff Unified School District # 1
Florence Unified School District # 1
Flowing Wells Unified School District #8
Fort Huachuca Accommodation School District
Fort Thomas Unified School District #7
Fountain Hills Unified School District #98
Fowler Elementary School District #45
Gadsden Elementary School District # 32
Ganado Unified School District #20
Gila Bend Unified Schools
Gilbert Unified School District #41
Glendale Elementary School District #40
Glendale Union High School District
Globe Unified School District #1
Grand Canyon Unified School District #4
Hackberry Elementary School District #3
Heber-Overgaard Unified School District #6
Higley Unified School District #60
Holbrook Unified School District #3
Humboldt Unified School District #22
Hyder Elementary School District #6
Indian Oasis-Baboquivari School District #40
Isaac Elementary School District # 5
J.O. Combs Elementary School District #44
Joseph City Unified School District #2
Kayenta Unified School District #27
Kingman Unified School District #20
Kyrene Elementary School District #28
Lake Havasu Unified School District # 1
Laveen Elementary School District #59
Liberty Elementary School District #25
Litchfield Elementary School District #79
Littlefield Unified School District #9
Littleton Elementary School District #65

Madison Elementary School District #38
Maine Consolidated School District
Mammoth-San Manuel Unified School District #8
Marana Unified School District #6
Maricopa Regional School District #509
Maricopa Unified School District
Mayer Unified School District #43
Mesa Unified School District # 4
Mobile Elementary School District #86
Mohave Valley Elementary School District #16
Mohawk Valley School District # 17
Morenci Unified School District #18
Murphy Elementary School District #21
Naco Unified School District #9
Nadaburg Elementary District #81
Nogales Unified School District # 1
Osborn Elementary School District #8
Page Unified School District #8
Palominas Elementary School District #49
Palo Verde Elementary School District #49
Paradise Valley Unified School District #69
Parker Unified School District #27
Patagonia Elementary School District #6
Patagonia Union High School District #92
Payson Unified School District #10
Peach Springs Unified School District #8
Pendergast School District #92
Peoria Unified School District #11
Phoenix Elementary School District # 1
Phoenix Union High School District #210
Picacho Elementary School District #33
Pima Unified School District #6
Pine Strawberry Elementary School District #12
Pinon Unified School District #4
Pomerene Elementary School District #64
Prescott Unified School District #1
Quartzsite Elementary School District #4
Queen Creek Unified School District # 95
Red Mesa Unified School District #27
Riverside Elementary School District #2
Roosevelt Elementary School District # 66
Round Valley Unified School District #10
Sacaton Elementary School District #18
Saddle Mountain Unified School District #90
Safford Unified School District #1

Sahuarita Unified School District #30
San Carlos Unified School District #20
Sanders Unified School District #18
San Simon Unified School District #18
Santa Cruz Valley Unified School District #35
Santa Cruz Valley Union High School District #840
Scottsdale Unified School District # 48
Sedona-Oak Creek Unified School District #9
Sentinel Elementary School District #71
Show Low Unified School District #10
Sierra Vista Unified School District # 68
Snowflake Unified School District #5
Somerton Elementary School District #11
Stanfield Elementary School District #24
St. David Unified School District #21
St. Johns Unified School District
Sunnyside Unified School District #12
Superior Unified School District #15
Tanque Verde Unified School District #13
Tempe Elementary School District # 3
Tempe Union High School District # 213
Thatcher Unified Schools
Toltec Elementary School District #22
Tolleson Elementary School District #17
Tolleson Union High School District # 214
Tombstone Unified School District #1
Tuba City Unified School District #15
Tucson Unified School District
Union Elementary School District #62
Vail Unified School District #20
Valley Union High School District #22
Washington Elementary School District # 6
Wellton Elementary School District #24
West-MEC District #402
Whiteriver Unified School District #20
Wickenburg Unified School District #9
Willcox Unified School District
Williams Unified School District #2
Wilson Elementary School District #7
Window Rock Unified School District #8
Winslow Unified School District #1
Young Public School District
Yuma Elementary School District # 1
Yuma Union High School District # 70

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Tina Moline, Financial Services Director

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Resolution No. 4938: Authorizing the Mayor to sign a Cooperative Procurement Agreement with the City of Tucson.

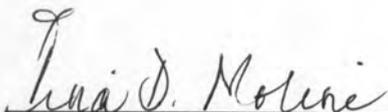
SUMMARY: The City of Kingman and other Cities procure similar products and services including office supplies, public safety supplies, parks and recreation supplies, pavement maintenance products, fuel, and construction maintenance services. This proposed agreement would give the City of Kingman the option of utilizing existing and future Co-op contracts for products and services.

The use of the Cooperative Procurement Agreement would be voluntary and would be evaluated on a case by case basis to ensure conformance with our Procurement Code and achieving the best pricing and timeliest delivery.

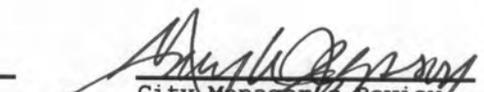
ATTACHMENT: Proposed Resolution No. 4938, Cooperative Procurement Agreement
Proposed Agreement
List of current Participating Agencies

FISCAL IMPACT: The use of cooperative purchasing could improve procurement pricing through aggregate demand.

STAFF RECOMMENDATION: Staff recommends approving Resolution No. 4939 authorizing the Mayor to sign a Cooperative Procurement Agreement with the City of Tucson.


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 4r

**CITY OF KINGMAN, ARIZONA
RESOLUTION NO. 4938**

**A RESOLUTION BY THE MAYOR AND COMMON COUNCIL
OF THE CITY OF KINGMAN, ARIZONA AUTHORIZING THE
MAYOR TO SIGN A COOPERATIVE PROCUREMENT
AGREEMENT WITH CITY OF TUCSON.**

WHEREAS, voluntary purchasing agreements between and among public agencies have been shown to improve competition, quality, and services, provide lower prices for materials and services, and avoid duplication of efforts; and

WHEREAS, the parties hereto desire the free exchange of information, technology, and other services that may assist in improving the efficiency or economy of the procurement of necessary materials and services; and

WHEREAS, cooperative purchasing results from written agreements wherein lead agencies volunteer to procure specified materials and services for themselves and participating cooperative members by compiling quantity estimates, preparing the bid or proposal solicitations, receiving bids or proposals, and awarding contracts for use by all participating members; wherein the lead agency is responsible for placement, receipt and payment of its own orders only, while individual procuring parties separately process and pay for their own requirements; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona, that the Mayor is hereby authorized to sign a Cooperative Procurement Agreement with the City of Tucson.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 7th day of April, 2015.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney



CITY OF TUCSON COOPERATIVE PURCHASING AGREEMENT

This Agreement entered into this _____ day of _____ between the City of Tucson hereinafter called the "City" and _____, a public procurement unit, hereinafter called "eligible procurement unit," to permit the eligible procurement unit to purchase materials and services from vendors at the prices and terms contained in contracts between the City of Tucson and those vendors. Any eligible procurement unit may enter into an Agreement with the City of Tucson Department of Procurement for the purpose of utilizing their respective cooperative contracts. (Arizona Revised Statutes Section 41-2632).

In consideration of the mutual promises contained in this Agreement, and of the mutual benefits to result thereof, the parties agree as follows:

1. The City shall make available certain contracts to the eligible procurement units.
2. For those contracts awarded by the City, specifications for the materials and services will be determined by the City of Tucson Department of Procurement.
3. City procurement processes shall be conducted in accordance with the City's Charter (Chapter 28), the City Procurement Code and City Department of Procurement administrative policies and procedures. The eligible procurement unit will insure that its own legal requirements are met and shall be responsible for any additional actions that may be necessary to meet those requirements.
4. The City may invite an eligible procurement unit to participate in any solicitation.
5. The eligible procurement unit shall:
 - a. Insure that purchase orders issued against eligible City contracts are in accordance with the terms and prices established in the City contract.
 - b. Make timely payments to the vendor for all materials and services received in accordance with the terms and conditions of the City contract. Payment for materials or services and inspection and acceptance of materials or services ordered by the eligible procurement unit shall be the exclusive obligation of such unit.
 - c. Not use a City contract as a method for obtaining additional concessions or reduced prices for contracted materials or services. The eligible procurement unit shall not advertise or market City contracts without the City's prior written consent.
 - d. Be responsible for ordering materials or services under this agreement. The City shall not be liable in any fashion for any violation by eligible procurement unit of this agreement, and the eligible procurement unit shall be responsible for any liability which may arise from action or inaction of the eligible procurement unit relating to this agreement or its subject matter.
6. The exercise of any rights or remedies by the eligible procurement unit shall be the exclusive obligation of such unit; however, the City, as the contract administrator and without subjecting itself to any liability, may join in the resolution of any controversy should it so desire.
7. The City may terminate this Agreement if the eligible procurement unit fails to comply with the terms of a City contract.
8. This Agreement shall take effect upon execution by the parties and shall continue until it is terminated in accordance with its terms. This Agreement supersedes any and all previous cooperative purchase agreements.
9. Either party may terminate this Agreement with at least thirty- (30) days written notice to the other party.

10. Failure of the eligible procurement unit to secure performance from the contractor in accordance with the terms and conditions of its purchase order does not necessarily require the City to exercise its own rights or remedies.
11. This Agreement may be cancelled pursuant to the provisions of A.R.S. 38-511.
12. This Agreement is exempt from the provisions of A.R.S. 11-952, Subsections D and F under provision of A.R.S. 41-2632.
13. The City and the eligible procurement unit agree not to discriminate against any employee or applicant for employment in violation of the terms of Federal Executive Order 11246 and State Executive Order No. 99-4, A.R.S. 41-1461 et. seq.
14. Appropriate action by ordinance, resolution or otherwise pursuant to the laws applicable to the eligible procurement unit shall be necessary before this agreement becomes effective.

IN WITNESS WHEREOF, the parties of this Agreement have caused their names to be affixed hereto by their proper officers on the dates indicated.

ELIGIBLE PROCUREMENT UNIT CONTACT INFORMATION:

Name/Title

Address

Phone #

Email Address:

**AUTHORIZED AUTHORITY
FOR THE ELIGIBLE PROCUREMENT UNIT:**

FOR THE CITY OF TUCSON:

Signature

Signature

Printed Name

Printed Name

Title

Title

Dated this ___ day of _____, 20__

Dated this ___ day of _____, 20__

APPROVED AS TO FORM:

Attorney for Eligible Procurement Unit

Dated this ___ day of _____, 20__

Form approved this 9th day of January, 2009, for the City of Tucson. (Form with original signature of approval is on file in the City Clerk's Office.)

David L. Deibel
David L. Deibel, Principal Assistant City Attorney

City of Tucson – Department of Procurement

List of co-op partners

| Partner Name |
|-------------------------------------------------------------|
| Amphitheater Unified School District #10 |
| Arizona Blind and Deaf Children's Foundation, Inc. |
| Arizona Supreme Court – Administration Office of the Courts |
| AZ Ball Charter Schools |
| Baboquivari Unified School District #40 |
| Belen Consolidated Schools (NM) |
| Benson, City of |
| Berks, County of |
| Buckeye Union High School District #201 |
| Buckeye, Town of |
| Bullhead City, City of |
| Camp Verde, Town of |
| Carson, City and County of |
| Casa Grande Elementary School District #4 |
| Casa Grande, City of |
| Catalina Foothills School District |
| Catholic Community Services of Southern Arizona, Inc. |
| Central Arizona Water Conservation District |
| Central Valley School District |
| Central Yavapai Fire District, Prescott Valley, AZ |
| Chandler, City of |
| Child Language Center, Inc. |
| City of Apache Junction |
| City of Arlington |
| City of Avondale |
| City of Bisbee |
| City of Rio Rancho |

| |
|-----------------------------------------------|
| City of Seattle |
| City of Yakima |
| Cochise, County of |
| Coconino County |
| Community Food Bank, Inc. |
| Compass Affordable Housing, Inc. (Tucson, AZ) |
| Coolidge Unified School District #21 |
| Cottonwood, City of |
| Counter Narcotics Alliance |
| Douglas Unified School District #27 |
| Douglas, City of |
| Espanola School District |
| Flagstaff Unified School District #1 |
| Flagstaff, City of |
| Fountain Hills, Town of |
| Fountain Hills, Unified School District #98 |
| Gila County, AZ |
| Glendale, City of |
| Golden Ranch Fire District |
| Goodwill Industries of Southern AZ |
| Goodyear, City of |
| Government of the District of Columbia |
| Great Hearts Academies (Phoenix, AZ) |
| Great Phoenix Youth At Risk, Inc. |
| Green Fields Country Day School |
| Ha:san Educational Services, FWC |
| Harris County, Texas |
| Houston, City of |
| Howard County, Maryland |
| Indian Oasis-Baboquivari U.S.D. #40 |
| Institute for Transformative Education |

| |
|----------------------------------------------------|
| Intermountain Centers for Human Development |
| Isaac School District (Phoenix, AZ) |
| James City County, VA |
| Kachina Village Improvement District |
| Kingman Academy of Learning |
| Kingman Unified School District #20 |
| La Paz County |
| Lake Havasu City, Department of Public Works |
| Lancaster, City of |
| Maine Consolidated School District#10 |
| Marana Unified School District #6 |
| Marana, Town of |
| Maricopa County, Materials Management |
| McKinney, City of |
| Mesa, City of |
| Metropolitan Education Commission |
| Metropolitan Housing Corporation |
| Metropolitan Water District of Southern California |
| Milpitas, City of |
| Mohave County |
| Mountain Vista Fire District |
| National Education Association (NM) |
| Navajo County |
| Nogales Unified School District #1 |
| Nogales, City of |
| Northwest Fire District |
| Oklahoma Education Association |
| Old Pueblo Community Foundation |
| Open Inn, Inc. |
| Orange, County of |
| Oro Valley, Town of |

| |
|----------------------------------------------------------------------|
| Papago Tribal Utility Authority aka Tohono O'Odham Utility Authority |
| Peoria, City of |
| Phoenix, City of |
| Pima Community College |
| Pima Computer Recycling |
| Pima County |
| Pima County School Reserve Fund District #99 |
| Pima Prevention Partnership |
| Pinal County |
| Quail Creek Community Facilities District, Sahuarita |
| Queen Creek, Town of |
| Regional Transportation Authority |
| Rhode Island Airport Corporation |
| Rutgers, State University of New Jersey |
| Sahuarita Unified School District |
| Sahuarita, Town of |
| Saint David Unified School District |
| San Diego County Regional Airport Authority |
| Santa Cruz County |
| Santa Fe Community College |
| Scottsdale, City of |
| Shasta County |
| Show Low, City of |
| Sierra Vista, City of |
| South Central Solid Waste Authority |
| South Tucson, City of |
| Souther Arizona AIDS Foundation |
| Southern Arizona Legal Aid, Inc. |
| Strategic Alliance for Volume Expenditures (SAVE) |
| Strength Building Partners |
| Sunnyside Unified School District |

| |
|--------------------------------------------------------------------|
| Sunshine School in Oro Valley, Inc. |
| Surprise, City of |
| Tanque Verde Unified School District |
| Teen Challenge of Arizona, Inc. |
| Thatcher, Town of |
| The Lifelong Learning Institute |
| Tombstone, City of |
| Tucson Airport Authority |
| Tucson Centers for Women and Children |
| Tucson Medical Center |
| Tucson Museum of Art |
| Tucson Nursery Schools and Child Care Centers, Inc. |
| Tucson Unified School District |
| Tucson Urban League, Inc. |
| United Way of Tucson and Southern Arizona, Inc. |
| University of Arizona (ABOR) |
| Vail School District |
| Valley Christian High School |
| Valley Union High School #22 (Santa Cruz Valley Union High School) |
| Vancouver, City of (Washington) |
| Wingspan |
| Yakima County |
| Yavapai College |
| Yavapai, County of |
| YMCA of Metropolitan Tucson |
| Youngtown, Town of |
| Yuma School District #1 |
| Yuma, City of |

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Chief Robert J. DeVries

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Arizona Criminal Justice Commission Grant Award

SUMMARY:

On March 27, 2015 the Arizona Criminal Justice Commission (A.C.J.C.) awarded the Kingman Police Department, on behalf of the Mohave Area General Narcotics Enforcement Team (M.A.G.N.E.T.) a grant in the amount of \$65,915.00 to fund a new initiative titled Mohave Opportunities, Rehab and Education (M.O.R.E.). The M.O.R.E. program, a collaborative partnership, will strive to impact substance abuse through prevention, intervention and case management.

M.A.G.N.E.T. is comprised of officers from the Kingman Police Department, Bullhead City Police Department, Lake Havasu City Police Department, Mohave County Sheriff's Office and the Arizona Department of Public Safety along with staff from the Mohave County Attorney's Office. M.A.G.N.E.T. has been in operation since 1987 with the Kingman Police Department serving as the lead agency and the City of Kingman as the fiduciary.

ATTACHMENT:

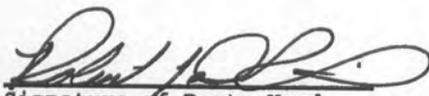
1. A.C.J.C. grant award notification letter
2. A.C.J.C. Substance Abuse Prevention and Education Program 2015 Grant Agreement, SAP-15-006

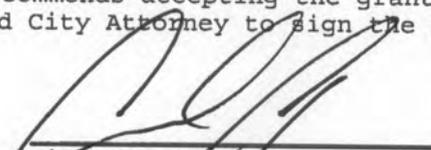
FISCAL IMPACT:

None, matching funds are not required

STAFF RECOMMENDATION:

Staff recommends accepting the grant and authorizing the Mayor and City Attorney to sign the grant agreement.


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 45

**CITY OF KINGMAN
RESOLUTION NO. 4943**

**A RESOLUTION BY THE MAYOR AND COMMON COUNCIL AUTHORIZING
THE MAYOR AND COMMON COUNCIL TO ADOPT AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE KINGMAN POLICE
DEPARTMENT AND ARIZONA CRIMINAL JUSTICE COMMISSION FOR
THE MOHAVE AREA GENERAL NARCOTICS ENFORCEMENT TEAM
(MAGNET) MOHAVE OPPORTUNITIES, REHAB AND EDUCATION GRANT
PROGRAM**

WHEREAS, The City of Kingman and the Kingman Police Department is an active member of the Mohave Area General Narcotics Enforcement Team (MAGNET); and

WHEREAS, the City of Kingman serves as the fiduciary agent for the MAGNET task force; and

WHEREAS, MAGNET has received a Substance Abuse Prevention and Education grant from the Arizona Criminal Justice Commission for Mohave Opportunities, Rehab and Education (MORE), a comprehensive program through prevention, intervention and case management; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Common Council for the City of Kingman, hereby authorize the Mayor to sign this resolution to adopt the new grant award which is attached to this resolution.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona on this 7th day of April, 2015

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney



Arizona Criminal Justice Commission

Chairperson
BILL MONTGOMERY
Maricopa County Attorney

Vice-Chairperson
DAVID K. BYERS, Director
Administrative Office of the Courts

JOSEPH ARPAIO
Maricopa County Sheriff

MARK BRNOVICH
Attorney General

JOE R. BRUGMAN, Chief
Safford Police Department

TIMOTHY J. DORN, Chief
Gilbert Police Department

CLARENCE DUPNIK
Pima County Sheriff

CHRIS GIBBS, Mayor
City of Safford

DREW JOHN
Graham County Supervisor

ELLEN KIRSCHBAUM, Chairperson
Board of Executive Clemency

BARBARA LAWALL
Pima County Attorney

FRANK MILSTEAD, Director
Department of Public Safety

SHEILA POLK
Yavapai County Attorney

WILLIAM PRIBIL
Coconino County Sheriff

CHARLES RYAN, Director
Department of Corrections

DAVID SANDERS
Pima County Chief Probation Officer

DANIEL G. SHARP, Chief
Oro Valley Police Department

MARK SPENCER
Law Enforcement Leader

VACANT
Former Judge

Executive Director
John A. Blackburn, Jr.

1110 West Washington, Suite 230
Phoenix, Arizona 85007
PHONE: (602) 364-1146
FAX: (602) 364-1175
www.azcjc.gov

March 30, 2015

Chief Robert DeVries
Chief of Police
Kingman Police Department
2730 E. Andy Devine Ave.
Kingman, AZ 86401

Re: Substance Abuse Prevention and Education Program 2015 Award, SAP-15-006

Dear Chief DeVries:

On behalf of the Arizona Criminal Justice Commission, it is my pleasure to inform you that your agency's application has been approved for funding under the 2015 Substance Abuse Prevention and Education Program.

Paragraphs 6 and 7 of the enclosed agreement provide the amount of funding awarded to your agency and the specific positions that have been funded. Below, please find additional information that will assist you in the administration of your agency's grant award.

Grant Agreement: Please review the attached agreement and accompanying documentation as revisions or new requirements have been incorporated. *Please note that page 11 of the grant agreement contains special conditions to be reviewed and initialed.*

Please return the Grant Agreement in its entirety with authorized signatures to the Arizona Criminal Justice Commission office. Agreements not returned within 90 days of the award date with authorized signatures may be cancelled.

Administrative and Financial Requirements: In addition to applicable uniform administrative requirements and cost principles, award recipients are required to adhere to grant specific program requirements as defined in the grant agreement. Recipients may find the following resources useful: [ACJC Grant Management Resource Manual](#) and the [OJP Financial Guide](#).

Reporting: Activity and financial reports are required for this grant and will be submitted to the ACJC Grants Management System (GMS). Reporting schedule(s) may be found in paragraph 19 of the agreement. The activity report template can be accessed from our website at [DGVCC Reporting Forms](#) and will be submitted to the [ACJC GMS](#). The financial reports will be submitted to the [ACJC GMS](#).

Our office looks forward to the continued partnership. Please contact Michelle Neitch at 602-364-1557, mneitch@azcjc.gov with questions.

Sincerely,

Tony Vidale, Program Manager
Drug, Gang, and Violent Crime Control Program

Our mission is to sustain and enhance the coordination, cohesiveness, productivity and effectiveness of the Criminal Justice System in Arizona



ARIZONA CRIMINAL JUSTICE COMMISSION
Substance Abuse Prevention and Education Program
GRANT AGREEMENT

ACJC Grant Number SAP-15-006
Catalog of Federal Domestic Assistance (CFDA) Number 93.243

This Grant Agreement is made this 30th day of March, 2015, by and between the ARIZONA CRIMINAL JUSTICE COMMISSION hereinafter called "COMMISSION" and CITY OF KINGMAN, through KINGMAN POLICE DEPARTMENT hereinafter called "GRANTEE". The COMMISSION enters into this Agreement pursuant to its authority under the provisions of A.R.S. § 41-2405 (B)(6), and having satisfied itself as to the qualification of GRANTEE;

NOW, THEREFORE, it is agreed between the parties as follows:

1. This Agreement will commence on April 1, 2015 and terminate on September 30, 2015. This Agreement expires at the end of the award period unless prior written approval for an extension has been obtained from the COMMISSION. A request for an extension must be received by the COMMISSION sixty (60) days prior to the end of the award period. The COMMISSION in its sole discretion may approve an extension that further the goals and objectives of the program and shall determine the length of any extension.
2. GRANTEE agrees that grant funds will be used in accordance with applicable program rules, guidelines and special conditions.
3. The COMMISSION will monitor GRANTEE performance against program goals and performance standards and those outlined in the grant application. Substandard performance as determined by the COMMISSION will constitute noncompliance with this Agreement. If the COMMISSION finds noncompliance, the GRANTEE will receive a written notice which identifies the area of noncompliance, and the appropriate corrective action to be taken. If the GRANTEE does not respond within thirty (30) calendar days to this notice, and does not provide sufficient information concerning the steps which are being taken to correct the problem, the COMMISSION may suspend funding, permanently terminate this Agreement or revoke the grant.
4. Any deviation or failure to comply with the purpose and/or conditions of this Agreement without prior written COMMISSION approval may constitute sufficient reason for the COMMISSION to terminate this Agreement, revoke the grant, require the return of all unspent funds, perform an audit of expended funds, and require the return of any previously spent funds which are deemed to have been spent in violation of the purpose or conditions of this grant.
5. This Agreement may be modified only by a written amendment signed by the Executive Director or by persons authorized by the Executive Director on behalf of the COMMISSION and GRANTEE. Any notice given pursuant to this Agreement shall be in writing and shall be considered to have been given when actually received by the following addressee or their agents or employees:

A. If to the COMMISSION:

Arizona Criminal Justice Commission
1110 W. Washington Street, Suite 230
Phoenix, Arizona 85007
Attn: Program Manager

B. If to the GRANTEE:

Kingman Police Department
2730 E. Andy Devine Ave.

Kingman, Arizona 86401
 Attn: **Chief of Police Robert DeVries**

6. For grant awards above \$100,000, GRANTEE may make budget adjustments of up to ten (10) percent of the total grant within any approved budget category excluding equipment. Written approval from the COMMISSION in advance is required if GRANTEE wishes to make adjustments or reprogram in excess of ten (10) percent or if GRANTEE wishes to purchase equipment not previously approved.

For grant awards less than \$100,000, the GRANTEE may make budget adjustments within approved categories excluding equipment as long as there are no changes to the purpose or scope of the project. If GRANTEE wishes to purchase equipment not previously approved, written approval from the COMMISSION in advance is required.

| APPROVED LINE ITEM PROGRAM BUDGET | |
|----------------------------------------------------------|--------------------|
| Personnel: | |
| Salaries | NOT APPROVED |
| Fringe Benefits (for salaries/overtime)* | NOT APPROVED |
| Overtime | NOT APPROVED |
| Professional & Outside/Consultant & Contractual Services | \$41,800.00 |
| Travel In-State | NOT APPROVED |
| Travel Out-of-State | NOT APPROVED |
| Confidential Funds | NOT APPROVED |
| Operating Expenses: | |
| Supplies | \$24,115.00 |
| Registration/Training | NOT APPROVED |
| Other | NOT APPROVED |
| Equipment | |
| Capital | NOT APPROVED |
| Noncapital | NOT APPROVED |
| TOTAL | \$65,915.00 |
| Positions Funded: | |
| Not Applicable | |
| Equipment Type: Not Applicable | |

*Reference the ACJC Grant Management Manual for definition of approved Fringe Benefit

7. The total to be paid by the COMMISSION under this Agreement shall not exceed \$65,915.00 in federal funds awarded to the COMMISSION by Substance Abuse and Mental Health Services Administration through the Arizona Department of Health Services. If this grant has a matching requirement GRANTEE understands that other federal grant funds cannot be used as a match for this grant.
8. Every payment obligation of the COMMISSION under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the COMMISSION. No liability shall accrue to the COMMISSION in the event this provision is exercised, and the COMMISSION shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.
9. GRANTEE agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this award, and those award funds have been, are being or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this award, GRANTEE will promptly notify, in writing, the COMMISSION, and if

so requested by the COMMISSION, seek a budget modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

10. GRANTEE agrees to retain all books, account reports, files and other records, (paper and/or electronic) relating to this Agreement and the performance of this Agreement for no less than five (5) years from the last financial report submitted to the COMMISSION. All such documents shall be subject to inspection and audit at reasonable times, including such records of any subgrantee, contractor, or subcontractor. GRANTEE also understands and agrees that USDOJ and the United States General Accounting Office (USGAO) are authorized to interview any officer or employee of the GRANTEE (or of any subgrantee, contractor, or subcontractor) regarding transactions related to this award.
11. GRANTEE agrees that activities funded under this award will be closely coordinated with related activities supported with Office of Justice Programs (OJP), State, local or tribal funds. Grant funds may only be used for the purposes in the GRANTEE's approved application. GRANTEE shall not undertake any work or activities not described in the grant application, including staff, equipment, or other goods or services without prior approval from the COMMISSION.
12. GRANTEE agrees to track, account for, and report on all funds (including specific outcomes and benefits) separately from all other funds for the same or similar purposes or programs.

Accordingly, the accounting systems of GRANTEE and all subgrantees must ensure that funds from this award are not commingled with funds from any other source.
13. GRANTEE agrees to abide by Federal and State laws and provide accounting, auditing and monitoring procedures to safeguard grant funds and keep such records to assure proper fiscal controls, management and the efficient disbursement of grant funds.
14. For the purpose of this grant, a capital expenditure is \$5,000 or above. If GRANTEE'S policy defines a capital expenditure as less than \$5,000, GRANTEE will use its own policy.
15. GRANTEE agrees to maintain property records for equipment purchased with grant funds and perform a physical inventory and reconciliation with property records at least every two years or more frequently based on GRANTEE policy. GRANTEE agrees that funds will not be used for the construction of new facilities.
16. GRANTEE agrees to follow equipment disposition policies outlined in *OMB Circulars A-102 or 2 CFR, Part 215 Uniform Administrative Requirements for Grants and Cooperative Agreements* as codified in (1) 28 CFR, Part 66 or (2) 28 CFR, Part 70 when the equipment is no longer needed for the grant program.
Link: *OMB Circulars* http://www.whitehouse.gov/omb/grants_attach/
17. GRANTEE agrees that all salaried personnel (including subgrantee personnel) whose activities are to be charged to the award will maintain timesheets or certifications to document hours worked for activities related to this award and non-award related activities. GRANTEE agrees to keep time and attendance sheets for hourly employees signed by the employee and supervisory official having firsthand knowledge of the work performed by the grant-funded employees.
18. GRANTEE agrees that it will submit financial and activity reports to the COMMISSION in a format provided by the COMMISSION, documenting the activities supported by these grant funds and providing an assessment of the impact of these activities which may include documentation of project milestones. In the event reports are not received on or before the indicated date(s), funding may be suspended until such time as delinquent report(s) are received.

19. These reports are to be submitted according to the following schedule(s):

| ACTIVITY REPORTS | |
|-------------------------|------------------|
| Report Period: | Due Date: |
| April 1 to September 30 | October 15 |

| FINANCIAL REPORTS | |
|----------------------------|------------------|
| Report Period: | Due Date: |
| April 1 – April 30 | May 25 |
| May 1 – May 31 | June 25 |
| June 1 – June 30 | July 25 |
| July 1 – July 31 | August 25 |
| August 1 – August 31 | September 25 |
| September 1 – September 30 | October 25 |

Additional reporting requirements may be required for GRANTEES who are considered high risk.

20. GRANTEE understands that financial reports are required as an accounting of expenditures for either reimbursement or COMMISSION-approved advance payments.
21. The final request for reimbursement of grant funds must be received by the COMMISSION no later than sixty (60) days after the last day of the award period.
22. All goods and services must be received or have reasonable expectations thereof and placed in service by GRANTEE by the expiration of this award.
23. GRANTEE agrees that all encumbered funds must be expended and that goods and services must be paid by GRANTEE within sixty (60) days of the expiration of this award.
24. GRANTEE agrees to remit all unexpended grant funds to the COMMISSION within thirty (30) days of written request from the COMMISSION.
25. GRANTEE agrees to account for interest earned on federal grant funds and shall remit interest earned in excess of the allowable amount as indicated in the *Office of Justice Programs Financial Guide*.
Link: *OJP Financial Guide* <http://www.ojp.usdoj.gov/financialguide/>
26. GRANTEE agrees to obtain written COMMISSION approval for all sole source procurements in excess of \$150,000.
27. GRANTEE agrees to obtain written COMMISSION approval prior to the expenditure of grant funds for consultant fees in excess of \$650 per day.
28. GRANTEE agrees to not use federal grant funds to pay cash compensation (salary plus bonuses) to any employee paid by the grant at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.) Unless otherwise noted in the grant solicitation.

29. GRANTEE agrees not to use grant funds for food and/or beverage unless explicitly approved in writing by the COMMISSION.
30. GRANTEE agrees to comply with all applicable laws, regulations, policies and guidance (including specific cost limits, prior approvals and reporting requirements, where applicable) governing the use of grant funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events unless explicitly approved in writing by the COMMISSION. Information on pertinent laws, regulations, policies, and guidance is available in the OJP Financial Guide Conference Cost Chapter.
31. No funds shall be used to supplant federal, state, county or local funds that would otherwise be made available for such purposes. Supplanting means the deliberate reduction of state or local funds because of the existence of any grant funds.
32. GRANTEE assigns to the COMMISSION any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services applied by third parties to GRANTEE in exchange for grant funds provided under this Agreement.
33. The parties agree to use arbitration in the event of disputes in accordance with the provisions of A.R.S. § 12-1501-12-1518. The laws of the State of Arizona apply to questions arising under this Agreement and any litigation regarding this Agreement must be maintained in Arizona courts, except as pertaining to disputes which are subject to arbitration.
34. GRANTEE understands that grant funds may not be released until all delinquent reports and reversion of funds from prior grants are submitted to the COMMISSION.
35. GRANTEE agrees that grant funds are not to be expended for any indirect costs that may be incurred by GRANTEE for administering these funds unless explicitly approved in writing by the COMMISSION. This may include, but is not limited to, costs for services such as accounting, payroll, data processing, purchasing, personnel, and building use which may have been incurred by the GRANTEE.
36. Each party (as "Indemnitor") agrees to indemnify, defend and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses, (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. If the GRANTEE is a State agency this paragraph does not apply.
37. Unless GRANTEE is a State agency, GRANTEE shall cause its contractor(s), if any, to indemnify, defend, save and hold harmless the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of GRANTEE'S contractor or any of its owners, officers, directors, agents, or employees or subcontractors. This indemnity includes any claim or amount arising out of or recovered under the Worker's Compensation Law or arising out of the failure of such contractor to conform to any federal, state, or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligence or willful

acts or omissions of the Indemnitee, be indemnified by contractor from and against any and all claims. It is agreed that contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. In consideration of the award of this grant, the contractor agrees to waive all rights of subrogation against the State of Arizona, its officers, officials, agents and employees for losses arising from the work performed by the contractor for the State of Arizona. Insurance requirements for any contractor used by GRANTEE are incorporated herein by this reference and attached to this Agreement as Exhibit "A".

38. GRANTEE agrees to notify the COMMISSION within ten (10) days in the event that the project official is replaced during the award period.
39. No rights or interest in this Agreement shall be assigned by GRANTEE without prior written approval of the COMMISSION.
40. GRANTEE will comply with the audit requirements of *OMB Circular A-133 Audits of States, Local Governments and Non-Profit Organizations* and provide the COMMISSION with the audit report and any findings within 90 days of receipt of such finding. If the report contains no findings, the GRANTEE must provide notification that the audit was completed.
Link: *OMB Circulars:* http://www.whitehouse.gov/omb/grants_attach/
41. GRANTEE certifies that it will comply with *OMB Circulars A-102 and 2 CFR, Part 215 Uniform Administrative Requirements for Grants and Cooperative Agreements* as codified in (1) 28 CFR, Part 66.32 or (2) 28 CFR, Part 70.34 and *Cost Principles (1) 2 CFR, Part 225, (2) 2 CFR, Part 220 or (3) 2 CFR, Part 230*, the OJP Financial Guide and the most current version of the ACJC Grant Management Reference Manual.
Link: *OMB Circulars* http://www.whitehouse.gov/omb/grants_attach/
OJP Financial guide: <http://www.ojp.usdoj.gov/financialguide/>
ACJC Grant Management Reference Manual:
http://www.azcjc.gov/ACJC.Web/pubs/home/021104_Manual_GrantReferenceManual.pdf
42. GRANTEE agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or sub award to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express written approval of the Office of Justice Programs through the COMMISSION.
43. GRANTEE understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.
44. GRANTEE agrees not to do business with any individual, agency, company or corporation listed in the Excluded Parties Listing Service.
Link: *System for Award Management* <https://www.sam.gov/portal/public/SAM/>
45. GRANTEE agrees to ensure that, no later than the due date of the GRANTEE's first financial report after the award is made, GRANTEE and any subgrantees have a valid DUNS profile and active registration with the System for Award Management (SAM) database.
46. GRANTEE certifies that it presently has no financial interest and shall not acquire any financial interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Agreement.
47. GRANTEE understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the *OJP Training Guide Principles for Grantees and Subgrantees*.

Link: *OJP Training Guide Principles for Grantees and Subgrantees*
<http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>

48. GRANTEE agrees to cooperate and participate with any and all assessments, evaluation efforts or information and data collection requests, and acknowledges that the federal or state grantor agency has the right to obtain, reproduce, publish or use data provided under this award and may authorize others to receive and use such information.
49. GRANTEE shall provide the COMMISSION with a copy of all interim and final reports and proposed publications (including those prepared for conferences and other presentations) resulting from this Agreement. Submission of such materials must be prior to or simultaneous with their public release.
50. GRANTEE agrees to comply with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, 42 USC §3789d(c)(1); Title VI of the Civil Rights Act of 1964, 42 USC §2000d; Section 504 of the Rehabilitation Act of 1973, 29 USC § 794; Subtitle A, Title II of the Americans with Disabilities Act of 1990, 42 USC § 12132; Title IX of the Education Amendments of 1972, 20 USC § 1681; the Age Discrimination Act of 1975, 42 USC § 6102; the Department of Justice implementing regulations, 28 CFR pt. 42, subpts. C, D, E, G, and I, 28 CFR pt. 35, and 28 CFR pt. 54; all applicable state laws of A.R.S. § 41-1463; and Executive Order 2009-9. The above-referenced federal laws prohibit discrimination on the basis of race, color, religion, sex, disability, and national origin (including limited English proficiency) in the delivery of services and employment practices, and prohibit discrimination on the basis of age in the delivery of services. If in the three years prior to the date of the grant award a Federal or State Court or Federal or State administrative agency makes a finding of discrimination after a due process hearing against GRANTEE, GRANTEE will forward a copy of the findings to the Office for Civil Rights, Office of Justice Programs and the COMMISSION.

"Applicants must certify that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Street Act, the applicant is required to take reasonable steps to ensure that LEP persons have meaningful access to programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary."

Link: *Limited English Proficiency A Federal Interagency Website* <http://www.LEP.gov>

51. GRANTEE agrees to comply with the applicable requirements of 28 CFR Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice financial assistance may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of Department of Justice financial assistance may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from GRANTEE must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs receiving financial assistance from the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment.
Link: http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm
52. GRANTEE should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. As of June

2013 OJP has issued an advisory that grantees should consult local counsel in reviewing their employment practices. If warranted, grantees should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plan (EEOP). See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf.

53. GRANTEE assures that it will comply with all state and federal laws regarding privacy during the course of the award. All information relating to clients is to be treated with confidentiality in accordance with 42 USC section 3789g or 42 USC 14132(b)(3) that are applicable to the collection, disclosure, use and revelation of data information. GRANTEE further agrees to submit a privacy Certificate that is in accordance with requirements of 28 CFR Part 22 if applicable to the program.
54. GRANTEE agrees to formulate and keep on file an EEOP (if GRANTEE is required pursuant to 28 CFR 42.302). GRANTEE certifies that they have forwarded to the Office for Civil Rights, Office of Justice Programs the EEOP, or certifications that they have prepared and have on file an EEOP, or that they are exempt from EEOP requirements. Failure to comply may result in suspension of grant funds. Copies of all submissions such as certifications to or correspondence with the Office for Civil Rights, Office of Justice Programs regarding this requirement must be provided to the COMMISSION by GRANTEE. In the event a federal or state court or federal or state administrative agency makes an adverse finding of discrimination against GRANTEE after a due process hearing, on the ground of race, color, religion, national origin, or sex, GRANTEE will forward a copy of the findings to the Office for Civil Rights, Office of Justice Programs and the COMMISSION.
55. GRANTEE agrees to participate in any required civil rights related training to ensure compliance with all federal and state civil rights laws. GRANTEE will inform the COMMISSION of the position responsible for civil rights compliance and will inform the COMMISSION of change in personnel responsible for civil rights compliance within ten days.
Link: <http://azcjc.gov/ACJC.Web/Grants/civilrights/default.aspx>
56. If GRANTEE is a governmental political subdivision, GRANTEE agrees to utilize the *Data Dictionary*, approved and distributed by the COMMISSION, as the data entry standard for information systems when improving or updating an existing information system. GRANTEE agrees to utilize the *Data Dictionary* as the data entry standard in any new system or when an existing information system is replaced. The *Data Dictionary* is available upon request to ACJC.
57. To support public safety and justice information sharing, GRANTEE, if a governmental subdivision, shall use the National Information Exchange Model (NIEM) specifications and guidelines for this grant. GRANTEE shall publish and make available without restrictions all schemas generated as a result of this grant to the component registry as specified in the guidelines.
Link: <https://www.niem.gov/aboutniem/grant-funding/Pages/implementation-guide.aspx>
58. In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at:
Link: http://www.it.ojp.gov/gsp_grantcondition.

Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

59. To avoid duplicating existing networks or IT systems in any initiatives for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless GRANTEE can demonstrate to the satisfaction of the COMMISSION that this requirement would not be cost beneficial or would impair the functionality of an existing or proposed IT system.
60. If GRANTEE is a governmental political subdivision, the GRANTEE should, to the extent possible and practical; share criminal justice information with other authorized criminal justice agencies. The process control number (PCN) shall be used in accordance with A.R.S. § 41-1750 when sharing data with other criminal justice agencies as electronic data systems are developed or improved.
61. If GRANTEE is a state agency and the award is for the development of information technology projects for more than \$25,000, GRANTEE must complete a Project Investment Justification (PIJ) and submit the justification to the Arizona Department of Administration (ADOA), with a copy to the COMMISSION. GRANTEE agrees to submit required project status reports to ADOA by the due dates and submit copies to the COMMISSION.

If GRANTEE is not a state agency and the award is for the development of information technology projects, GRANTEE will follow local technology policies and guidelines.

62. GRANTEE must promptly refer to the COMMISSION any credible evidence that a principal, employee, agent, contractor, subgrantee, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. The COMMISSION shall forward the referral to the Department of Justice, Office of the Inspector General.
63. The COMMISSION encourages GRANTEE to establish workplace safety policies and conduct education, awareness and other outreach to decrease crashes caused by distracted drivers, including adopting and enforcing policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant. Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 2009).
64. GRANTEE certifies to comply with the Drug-Free Workplace Act of 1988, and implemented in 28 CFR Part 83, Subpart F, for grantees, as defined in 28 CFR, Part 83 Sections 83.620 and 83.650.
65. GRANTEE agrees to complete and keep on file, as appropriate, Immigration and Naturalization Form (I-9). This form is to be used by recipients to verify that persons are eligible to work in the United States. Additionally GRANTEE ensures compliance with A.R.S. § 41-4401 federal immigration laws by state employers and contractors.
66. GRANTEE acknowledges that immigration laws require them to register and participate with the E-Verify program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this state. GRANTEE warrants that they have registered with and participate with E-Verify. If the GRANTOR later determines that the GRANTEE has not complied with E-Verify, it will notify the non-compliant GRANTEE by certified mail of the determination and of the right to appeal the determination.
67. GRANTEE certifies that no federal funds will be paid, by or on behalf of, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of

Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into any cooperative agreement, and for the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement. If any funds other than Federal funds are paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal award, grant loan, or cooperative agreement, the GRANTEE will complete and submit to the COMMISSION Standard Form-LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions.

68. GRANTEE understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy at any level of government, without the express prior written approval of the Commission.
 69. GRANTEE agrees that no funds provided, or personnel employed under this Agreement shall be in any way, or to any extent, engaged in conduct of political activities in violation of USC Title 5, Part II, Chapter 15, section 1502.
 70. GRANTEE understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
 71. GRANTEE understands and agrees that- (a) no award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading and exchanging or pornography, and (b) nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
 72. GRANTEE agrees to comply with all federal, state and local environmental laws and regulations applicable to the development and implementation of activities to be funded under this award. Additional requirements may be found in Grant Agreement Continuation Sheet.
 73. GRANTEE agrees that all income generated as a direct result of this award shall be deemed program income. All program income must be accounted for and used for the purpose under the conditions applicable for the use of funds under this award, including the effective edition of the OJP Financial Guide and, as applicable, either (1) 28 CFR part 66 or (2) 28 CFR part 70 and OMB Circular A-102 & 2 CFR 215.
 74. This Agreement is subject to cancellation pursuant to the provision of A.R.S. § 38-511. This Agreement may also be cancelled at the COMMISSION'S discretion if not returned with authorized signatures to the COMMISSION within 90 days of commencement of the award.
 75. If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall be in full force and effect.
 76. GRANTEE agrees to comply with all Special Condition(s) included with this Agreement on the Grant Agreement Continuation Sheet.
 77. GRANTEE understands that grant funds may not be released until GRANTEE is compliant with all requirements of grant agreement.
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Arizona Criminal Justice Commission
Substance Abuse Prevention and Education Program
GRANT AGREEMENT CONTINUATION SHEET
SPECIAL CONDITION(S)

1. GRANTEE must verify Agency Point of Contact (APOC), Financial Point of Contact (FPOC), Program Point of Contact (PPOC), and Authorized Official contact information in the Grants Management System (GMS), including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the GMS to document changes. In addition the FPOC and PPOC must be assigned by the APOC prior to payments being made.
2. The COMMISSION agrees to allow the GRANTEE to utilize no more than 15 percent, of their award to be used for indirect costs associated with the grant per SAMHSA guidelines.
3. GRANTEE may not use operating expenses for the use of food or incentive per SAMHSA guidelines.

Authorized Official Initials: _____

IN WITNESS WHEREOF, the parties have made and executed the Agreement the day and year first above written.

FOR GRANTEE:

Mayor or City Manager

Date

Richard Anderson, Mayor

Printed Name and Title

Approved as form and authority to enter into Agreement:

Legal counsel for GRANTEE

Date

Carl Cooper, City Attorney

Printed Name and Title

Statutory or other legal authority to enter into Agreement:

A.R.S. 11-952

Appropriate A.R.S., ordinance, or charter reference

FOR CRIMINAL JUSTICE COMMISSION:

John A. Blackburn Jr., Executive Director
Arizona Criminal Justice Commission

Date



ARIZONA CRIMINAL JUSTICE COMMISSION
GRANT AGREEMENT

**Insurance Requirements
Exhibit "A"**

Insurance Requirements for Governmental Parties to a Grant Agreement:

None.

Insurance Requirements for Any Contractors Used by a Party to the Grant Agreement:

(Note: this applies only to Contractors used by a governmental entity, not to the governmental entity itself.)

The *insurance requirements* herein are minimum requirements and in no way limit the indemnity covenants contained in the Intergovernmental Agreement. The State of Arizona in no way warrants that the minimum limits contained herein are sufficient to protect the governmental entity or Contractor from liabilities that might arise out of the performance of the work under this Contract by the Contractor, his agents, representatives, employees or subcontractors, and Contractor and the governmental entity are free to purchase additional insurance.

A. **MINIMUM SCOPE AND LIMITS OF INSURANCE:** Contractor shall provide coverage with limits of liability not less than those stated below.

1. **Commercial General Liability – Occurrence Form**

Policy shall include bodily injury, property damage, personal injury and broad form contractual liability.

| | |
|----------------------------------------------------|-------------|
| • General Aggregate | \$2,000,000 |
| • Products – Completed Operations Aggregate | \$1,000,000 |
| • Personal and Advertising Injury | \$1,000,000 |
| • Blanket Contractual Liability – Written and Oral | \$1,000,000 |
| • Fire Legal Liability | \$50,000 |
| • Each Occurrence | \$1,000,000 |

- a. The policy shall be endorsed to include the following additional insured language: ***"The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional Insureds with respect to liability arising out of the activities performed by or on behalf of the Contractor"***.

(Note that the other governmental entity(ies) is/are also required to be additional insured(s) and they should supply the Contractor with their own list of persons to be insured.)

- b. Policy shall contain a waiver of subrogation against the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.

Exhibit "A" Page 2

2. Business Automobile Liability

Bodily Injury and Property Damage for any owned, hired, and/or non-owned vehicles used in the performance of this Contract.

Combined Single Limit (CSL) \$1,000,000

- a. The policy shall be endorsed to include the following additional insured language: ***"The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insureds with respect to liability arising out of the activities performed by or on behalf of the Contractor, involving automobiles owned, leased, hired or borrowed by the Contractor"***.
- b. Policy shall contain a waiver of subrogation against the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.

(Note that the other governmental entity(ies) is/are also required to be additional insured(s) and they should supply the Contractor with their own list of persons to be insured.)

3. Worker's Compensation and Employers' Liability

| | |
|-------------------------|-------------|
| Workers' Compensation | Statutory |
| Employers' Liability | |
| Each Accident | \$500,000 |
| Disease – Each Employee | \$500,000 |
| Disease – Policy Limit | \$1,000,000 |

- a. Policy shall contain a waiver of subrogation against the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.
- b. This requirement shall not apply to: Separately, EACH contractor or subcontractor exempt under A.R.S. 23-901, AND when such contractor or subcontractor executes the appropriate waiver (Sole Proprietor/Independent Contractor) form.

B. ADDITIONAL INSURANCE REQUIREMENTS: The policies are to contain, or be endorsed to contain, the following provisions:

1. The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees *and the other governmental entity* shall be additional insureds to the full limits of liability purchased by the Contractor even if those limits of liability are in excess of those required by the Contract.
2. The Contractor's insurance coverage shall be primary insurance with respect to all other available sources.
3. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insured's liability. Coverage provided by the Contractor shall not be limited to the liability assumed under the indemnification provisions of its Contract with the other governmental entity(ies) party to the IGA.

Exhibit "A" Page 3

- C. **NOTICE OF CANCELLATION:** Each insurance policy required by the insurance provisions of this Agreement shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days prior written notice has been given the State of Arizona. Such notice shall be sent directly to the GRANTEE and the Arizona Criminal Justice Commission 1110 W. Washington, Suite 230, Phoenix, AZ 85007 and shall be sent by certified mail, return receipt requested.
- D. **ACCEPTABILITY OF INSURERS:** Insurance is to be placed with duly licensed or approved non-admitted insurers in the State of Arizona with an "A.M. Best" rating of not less than A- VII. The State of Arizona in no way warrants that the above-required minimum insurer rating is sufficient to protect the Contractor from potential insurer insolvency.
- E. **VERIFICATION OF COVERAGE:** Contractor shall furnish the GRANTEE and the Arizona Criminal Justice Commission with certificates of insurance (ACORD form or equivalent approved by the State of Arizona) as required by this Agreement. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf.

All certificates and endorsements are to be received and approved before work commences. Each insurance policy required by this Agreement must be in effect at or prior to commencement of work under this Agreement and remain in effect for the duration of the project. Failure to maintain the insurance policies as required by this Agreement, or to provide evidence of renewal, is a material breach of contract.

All certificates required by this Agreement shall be sent directly to the GRANTEE and the Arizona Criminal Justice Commission 1110 W. Washington, Suite 230, Phoenix, AZ 85007. The Commission project/contract number and project description are to be noted on the certificate of insurance. The State of Arizona and the Arizona Criminal Justice Commission reserves the right to require complete, certified copies of all insurance policies required by this Agreement at any time. **DO NOT SEND CERTIFICATES OF INSURANCE TO THE STATE OF ARIZONA'S RISK MANAGEMENT SECTION.**

- F. **SUBCONTRACTORS:** Contractor's certificate(s) shall include all subcontractors as insureds under its policies or Contractor shall furnish to the county or local government agency responsible separate certificates for each subcontractor. All coverages for subcontractors shall be subject to the minimum requirements identified above.
- G. **APPROVAL:** Any modification or variation from the *insurance requirements* must have prior approval from the State of Arizona Department of Administration, Risk Management Section, whose decision shall be final. Such action will not require a formal contract amendment, but may be made by administrative action.
- H. **EXCEPTIONS:** In the event the Contractor or sub-contractor(s) is/are a public entity, then the Insurance Requirements shall not apply. Such public entity shall provide a Certificate of Self-Insurance. If the contractor or sub-contractor(s) is/are a State of Arizona agency, board, commission, or university then none of the above shall apply.

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Public Works

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Authorization for purchase of up to 6,000 Tons of cover aggregate for the 2014-2015 fiscal year chip seal project.

SUMMARY: On January 6th, 2015 Council approved Resolution #4928 authorizing the Mayor to enter a Cooperative Purchasing Agreement with Mohave County. This agreement allows the cooperative purchasing of goods and services through shared contracts. Acting as the Lead Agency, Mohave County solicited bids for aggregate Cover Material "chips" and awarded the Kingman area low bid to Desert Construction. Staff recommends authorizing the purchase of Aggregate Cover Materials utilizing the Executed Mohave County Contract.

ATTACHMENT: Executed Mohave County Cooperative Contract NO.15B-03-01.

FISCAL IMPACT: \$ 136,546.50 from Pavement Preservation Funds.

RECOMMENDATION: Staff recommends authorizing the Mayor to approve the purchase of 6,000 tons of Aggregate Cover Materials in the amount not to exceed \$136,546.50



Signature of Dept. Head



City Attorney
Approved as to form



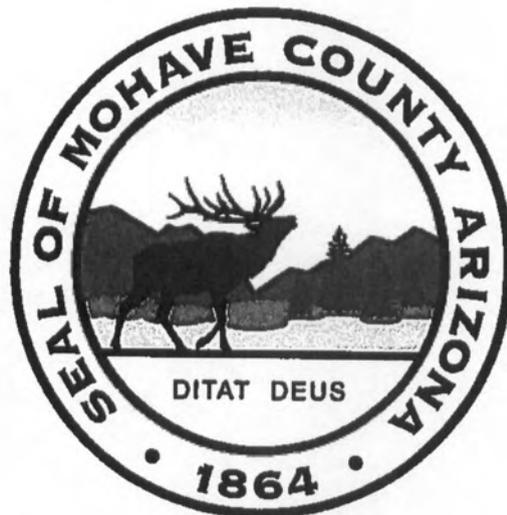
City Manager's Review
AGENDA ITEM: 46

COUNTY OF MOHAVE
AGGREGATE COVER MATERIAL "CHIPS"

CONTRACT NO. 15-B-03-01

DESERT CONSTRUCTION, INC.
KINGMAN, ARIZONA

2014



BOARD OF SUPERVISORS
GARY WATSON
HILDY ANGIUS
BUSTER D. JOHNSON
JEAN BISHOP
STEVEN MOSS

COUNTY ADMINISTRATOR
MIKE HENDRIX

County of Mohave
PROCUREMENT DEPARTMENT



INVITATION FOR BIDS NO. 15-B-03
AGGREGATE COVER MATERIAL "CHIPS"

AMENDMENT NO. ONE (1)

DATE ISSUED: FEBRUARY 13, 2015

The referenced document has been modified as per the attached Amendment No. **ONE (1)**.

Please sign this Amendment where designated and return an executed copy with your sealed bid. This amendment is hereby made part of the referenced solicitation as though fully set forth therein. Any questions regarding this amendment should be addressed to Tara L. Acton, CPPB at tara.acton@mohavecounty.us.

Mohave County Procurement Department
700 West Beale Street, First Floor East
Kingman, Arizona 86401-6711
(928) 763-0752 Fax: (928) 763-0787

MOHAVE COUNTY PROCUREMENT DEPARTMENT
700 W. BEALE STREET, 1st FLOOR EAST
KINGMAN, AZ 86401
PHONE: (928) 753-0752 EXT. 3
ISSUE DATE: FEBRUARY 13, 2015

INVITATION FOR BID NO.: 15-B-03
IFB AMENDMENT NO.: ONE (1)
PAGE 2 OF 4
REVISED IFB DUE DATE: FEBRUARY 19, 2015
PROCUREMENT OFFICER: TARA L. ACTON, CPPB

A SIGNED COPY OF THIS AMENDMENT MUST BE SUBMITTED WITH YOUR SEALED BID.

THIS INVITATION FOR BIDS IS AMENDED AS FOLLOWS:

INVITATION FOR BIDS NO. 15-B-03

AGGREGATE COVER MATERIAL "CHIPS"

- **COUNTY ADVISEMENT:** The Bid Due Date has been extended.
 - ♦ Revised Bid Due Date: February 19, 2015 at 2:00 p.m. Local AZ Time.
- **FIRMS TO BE AWARDED:** Revise SPECIFICATIONS as follows:

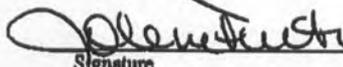
1. **GENERAL**

Mohave County intends to establish an annual requirements contract for the supplying of Aggregate Cover Material (sometimes herein referred to as "Chips") for the Chlp Seal Coating of certain roads within Mohave County, Arizona. The County is desirous of maintaining a roster of ~~up to~~ a minimum of three (3) firms to provide the services described herein on an ongoing basis.

- **HISTORICAL USAGE:** Below is an estimate of the Quantities of material purchased in 2014. Quantities provided are estimates only and are not a promise of work to be awarded under this contract. There may be greater or lesser amounts of material purchased in the first one-year term of the Contract(s):
 - ♦ Mohave County: 5,250 Tons
 - ♦ City of Kingman: 4,700 Tons
- **ANTICIPATED SCHEDULES:** Mohave County intends to start chip sealing in late April. The City of Kingman's intent is start chip sealing in late May.
- The Pre-Bid Conference Agenda is included herein.

ALL OTHER PROVISIONS OF THE INVITATION FOR BIDS SHALL REMAIN IN THEIR ENTIRETY.

VENDOR HEREBY ACKNOWLEDGES RECEIPT AND UNDERSTANDING OF THE ABOVE AMENDMENT


Signature _____ Date 2-17-2015
Jolene Fulton, Vice President
Printed Name and Title _____

Desert Construction, Inc.
Company Name _____
4490 E Hwy 66
Address _____
Kingman AZ 86401
City State Zip

**PRE-BID CONFERENCE AGENDA
IFB 15-B-03
AGGREGATE COVER MATERIAL "CHIPS"**

**FEBRUARY 6, 2015
10:00 A.M.**

This Pre-Bid Conference, including discussions, questions and responses and this Agenda do not Change, Modify or Supplement any of the Terms or Conditions of the Original Bid Documents. Any and All Changes, Modifications or Supplements are effective ONLY through a Formal Amendment to the Bid Documents during the Solicitation Process.

Sign in Sheet: In addition to signing in on the Pre-Bid Sign In Sheet, please provide a business card with contact information (if available).

Introductions: Gary Lasham, P.E. Public Works – Roads Division, Mohave County
Gary Lawson, Public Works – Materials Testing, Mohave County
Jed Noble, P.E., Public Works – Engineering Division, Mohave County
Tara L. Acton, CPPB, Procurement Officer Senior, Mohave County
Jack Plaunty – Engineering Technioian, City Of Kingman

1. It is the intent of the Invitation for Bid to establish an annual requirements contract for the supplying of Aggregate Cover Material (sometimes herein referred to as "Chips") for the Chip Seal Coating of certain roads within Mohave County, Arizona.
2. The County is desirous of maintaining a roster of up to three (3) firms to provide the services described herein on an ongoing basis.
3. The County anticipates needing Aggregate Cover Material on a project-specific basis in the following locations: Kingman, Mohave Valley, Arizona Strip and Lake Havasu areas.
4. This solicitation is being prepared by the Mohave County Procurement Department as a lead agency. While this solicitation is for Mohave County, other public agencies may have an interest in utilizing the resulting contract. The following agencies have given their express intent to purchase from the resultant contract. Any Public Agencies within the Mohave County geographical area who have entered into a cooperative purchasing agreement with Mohave County may also purchase from the resultant contract.
 - City of Kingman
5. The term of the contract shall commence upon award and shall remain in effect for a period of one (1) year, unless terminated, canceled or extended as otherwise provided herein. The contractor agrees that the Mohave County shall have the right, at its sole option, to renew the contract for four (4) additional one-year periods. In the event that the County exercises such right, all terms, conditions and provisions of the original contract shall remain the same and apply during the renewal period. Should the Contractor wish a price increase, he must submit a fully documented request no later than sixty (60) days prior to contract expiration. Stated discounts off of list price will not be adjusted.

MOHAVE COUNTY PROCUREMENT DEPARTMENT
700 W. BEALE STREET, 1st FLOOR EAST
KINGMAN, AZ 86401
PHONE: (928) 753-0752 EXT. 3
ISSUE DATE: FEBRUARY 13, 2015

INVITATION FOR BID NO.: 15-B-03
IFB AMENDMENT NO.: ONE (1)
PAGE 4 OF 4
REVISED IFB DUE DATE: FEBRUARY 19, 2015
PROCUREMENT OFFICER: TARA L. ACTON, CPPB

6. Complete Bid documents consist of the 17 page IFB Number 15-B-03 and any solicitation amendments which may be issued.
7. All questions concerning this IFB, whether generated by the bidder during the Formal Presentation, or while preparation of their Bid, are to be submitted IN WRITING: Questions may be submitted via e-mail, FAX or letter.

All questions must be directed to:

MOHAVE COUNTY PROCUREMENT DEPARTMENT
ATTENTION: Tara L. Acton, CPPB, Procurement Officer Senior
700 W. BEALE ST., 1st FLOOR EAST
KINGMAN, ARIZONA 86401
FAX: (928) 753-0787
e-mail: tara.acton@mohavecounty.us

Written questions will be received until 4:00 PM, Local Time, February 9, 2015.

8. Bid Deadline is February 17, 2015 at 2:00 p.m. Local AZ Time

All Bids must be sealed and time stamped prior to this deadline at the Procurement Office located at 700 W. Beale Street, 1st Floor, Kingman, AZ 86401. Kingman is considered a "rural" area by many express delivery carriers and thus, they do not guarantee priority delivery (next day). Offerors are encouraged to keep this in mind when arranging delivery of their Bids and are advised herein that late Bids shall be rejected and returned to the Offeror regardless of reason for being late.

Bid Response must include signed Offer Page, Price Sheet, and signed amendment(s). Offerors may check the County's website to ensure they have complete documents before submitting a Bid. Web address is www.co.mohave.az.us Go to "Quick Links", Go to "Bid Opportunities".

9. The County anticipates award March 2015.
10. Elaboration by Public Works Department Representatives.
11. Questions and Responses.



**COUNTY OF MOHAVE
NOTICE OF INVITATION FOR BID
IFB NO.: 15-B-03**

AGGREGATE COVER MATERIAL "CHIPS"

INTERESTED OFFERORS MAY DOWNLOAD A COPY OF THIS SOLICITATION FROM THE MOHAVE COUNTY PROCUREMENT DEPARTMENT WEB SITE AT: procurementbids.mohavecounty.us INTERNET ACCESS IS AVAILABLE AT ALL PUBLIC LIBRARIES. INTERESTED OFFERORS MAY ALSO OBTAIN A COPY OF THIS SOLICITATION BY CALLING (928) 753-0752.

Competitive sealed bids for the specified material or service shall be received by the Procurement Department, 700 W. Beale Street, 1st Floor East, Kingman, Arizona 86401, until the time and date cited. Bids received by the correct time and date shall be publicly recorded. The Mohave County Procurement Department takes no responsibility for informing recipients of changes to the original solicitation document. Failure to submit amendments with the solicitation response may be grounds for deeming submittal non-responsive.

Bids must be in the actual possession of the Procurement Department at the location indicated, on or prior to the exact time and date indicated above. Late proposals shall not be considered. The prevailing clock shall be the Mohave County Procurement Department clock.

Bids must be submitted in a sealed envelope. The Invitation for Bids number, bidder's name and address should be clearly indicated on the outside of the envelope. All bids must be completed in blue or black ink or typewritten. Written questions regarding this RFP must be received by the Procurement Department no later than FEBRUARY 9, 2015. Questions must be addressed to the Procurement Officer listed below.

SUBMITTAL DUE DATE: FEBRUARY 17, 2015 AT 2:00 P.M. LOCAL AZ TIME
SUBMITTAL LOCATION: Mohave County Procurement Department
700 West Beale Street, 1st Floor East
Kingman, Arizona 86401-5711

PRE-BID CONFERENCE DATE: FEBRUARY 6, 2015
TIME: 10:00 A.M. TIME LOCAL AZ TIME
LOCATION: Turquoise Conference Room – Public Works
3715 Sunshine Drive
Kingman, Arizona 86401

QUESTIONS SHALL BE DIRECTED TO: TARA L. ACTON, CPPB
PROCUREMENT OFFICER SENIOR
(928) 753-0752, EXT. 3
tara.acton@mohavecounty.us
Mohave County Procurement Department
700 West Beale Street, 1st Floor East, Kingman, AZ 86401
P.O. Box 7000; Kingman, Arizona 86402-7000

TLA
ISSUB DATE 01/22/15

SPECIFICATIONS

1. GENERAL

Mohave County intends to establish an annual requirements contract for the supplying of Aggregate Cover Material (sometimes herein referred to as "Chips") for the Chip Seal Coating of certain roads within Mohave County, Arizona. The County is desirous of maintaining a roster of up to three (3) firms to provide the services described herein on an ongoing basis.

Bidders are instructed to include in their bid any and all costs for providing all labor, materials, equipment, transportation, utilities, services, facilities, incidentals, and for the performance of all work as may be necessary to produce, stockpile, load, weigh, and otherwise furnish to the County, other participating agency or its designated Contract Haulers ("County Trucks") the type, quantity, and quality of Aggregate Cover Material as specified by and in accordance with the requirements of these Specifications.

The County anticipates needing Aggregate Cover Material on a project-specific basis in the following locations during the term of the Contract:

Kingman Area
Mohave Valley Area
Arizona Strip Area
Lake Havasu Area

In submitting this bid, Bidder acknowledges, understands, and agrees Mohave County and participating agencies do not guarantee or warrant any quantity of aggregate cover material which will be purchased, or if any Aggregate Cover Material whatsoever will be purchased under this Bid. Further, Bidder shall not be entitled to any compensation for any costs associated with this bid and/or for any aggregate cover material not specifically purchased and removed by the County.

2. COOPERATIVE – MULTI-AGENCY PROCUREMENT:

This solicitation is being prepared by the Mohave County Procurement Department as a lead agency. While this solicitation is for Mohave County, other public agencies may have an interest in utilizing the resulting contract. After an award, this solicitation may be utilized by eligible public entities. Individual public entities would negotiate service with the Successful Vendor using the bid pricing quoted herein. No volume is implied or guaranteed.

The following agencies have given their express intent to purchase from the resultant contract. Any Public Agencies within the Mohave County geographical area who have entered into a cooperative purchasing agreement with Mohave County may also purchase from the resultant contract.

- City of Kingman

3. AWARD AND ISSUANCE OF PURCHASE ORDERS

PROJECT AWARD DETERMINATION AND ISSUANCE OF PURCHASE ORDERS

Mohave County, Arizona ("County") will acknowledge and may accept the bids of all responsive and responsible Bidders setting forth prices for Aggregate Cover Material in various locations throughout the County. Bidders shall be responsible for holding pricing from date of Board of Supervisor's award for a one (1) year period.

When determining the award of a project, the County or participating agency will consider the total cost to the agency when determining the best value. The following criteria will be the basis for determining best value:

A. *Lowest Total Cost to the Agency calculated as follows:*

(Total Cost to the Agency = Bidders Unit Price Per Ton Bid + Per Ton Delivery Cost)

Per Ton Delivery Cost = the cost for delivery calculated by the County Engineer as \$63 per hour for the reasonable travel time it takes to haul the Aggregate Cover Material round trip from the Supplier's stock pile to the job site and back, divided by 23 tons.

B. Quality and Availability of Aggregate Cover Material from the Supplier:

The County or participating agency will make an effort to purchase the Aggregate Cover Material based upon the Lowest Total Cost to the agency as described above. However, when a Supplier is unable for any reason whatsoever to supply the quantity or quality of Aggregate Cover Material requested by the agency, the agency, at its sole discretion, may issue one or more purchase orders and purchase Aggregate Cover Material from other Supplier(s) based upon the subsequent Lowest Total Cost(s) to the agency.

By submitting a bid in response to this IFB, Bidder expressly understands and agrees to this stated method and procedure for selecting a supplier and further agrees that the decision of the County or participating agency thereupon shall be final.

4. AGGREGATE COVER MATERIAL REQUIREMENTS

Aggregate Cover Material shall be sand, gravel or crushed rock and shall be clean, hard, sound, durable, uniform in quality; free from lumps or balls of clay or any detrimental quantity of soft friable, thin elongated, or laminated pieces; and shall not contain calcareous or clay coatings, caliche, synthetic materials, organic matter or foreign substances.

The grading shall meet the following requirements when tested in accordance with requirements of Arizona Test Method 201.

| Low Volume Aggregate Product Gradation | |
|----------------------------------------|-----------------|
| Sieve Size | Percent Passing |
| 3/8 inch | 100 |
| No. 4 | 0-30 |
| No. 8 | 0-8 |
| No. 200 | 0-2.0 |

| High Volume Aggregate Product Gradation | |
|-----------------------------------------|-----------------|
| Sieve Size | Percent Passing |
| 3/4 inch | 100 |
| 1/2 inch | 97 - 100 |
| 3/8 inch | 70 - 100 |
| 1/4 inch | 0 - 10 |
| No. 8 | 0 - 5 |
| No. 200 | 0 - 2.0 |

The Bulk Specific Gravity shall range from 2.30 to 2.85 when tested in accordance with the requirements of Arizona Test Method 210.

The Water Absorption shall be a maximum of 2.5 percent when tested in accordance with the requirements of Arizona Test Method 210.

The Sand Equivalent Value on minus No. 8 material shall be a minimum of 45 when tested in accordance with the requirements of Arizona Test Method 242.

The percent of fractured coarse aggregate particles shall be a minimum of 75 percent with a minimum of one fractured face on plus No. 4 material when tested in accordance with the requirements of Arizona Test Method 212.

The Flakiness Index shall be a maximum of 20 percent when tested in accordance with the requirements of Arizona Test Method 233.

The percent of carbonates in aggregate shall be a maximum of 30 percent when tested in accordance with the requirements of Arizona Test Method 238.

The loss on abrasion shall be determined in accordance with the requirements of AASHTO T 96 and shall meet the following requirements:

Maximum loss of 9 percent at 100 revolutions.

Maximum loss of 40 percent at 500 revolutions.

Aggregate Cover Material shall be surface wet but free from running water.

The Material Supplier shall be responsible for the safe loading of the Aggregate Cover Material onto the County Trucks and at the Material Supplier's Site of Work.

The Material Supplier shall be solely responsible to provide the necessary quality control for and to produce Aggregate Cover Material meeting the requirements of these Specifications. The Material Supplier shall be responsible to determine the quantity of Aggregate Cover Material furnished to the County or participating agency through the scaling of the County Trucks as specified herein using certified scales at the Material Supplier's Site of Work unless off-site certified scales for weighing the County Trucks are otherwise specified by the Material Supplier, or other method specified in writing with the submission of the Material Suppliers Bid. (A Bid may be rejected by the County if the proposed use of off-site scales or other method specified will result in any material inconvenience or extra cost to the County, as determined solely by the County Engineer.)

Aggregate Cover Material provided shall be subject to acceptance testing by the County or participating agency. Aggregate Cover Material not meeting the intent of these specifications as determined by the County Engineer or other agency engineer shall be rejected by the agency, at the agency's sole discretion. All costs associated with rejected Aggregate Cover Material, including any transportation or relocation costs will not be paid for by the agency but will be the responsibility of the Material Supplier.

The County Engineer or other agency Engineer has sole discretion to modify or waive any Aggregate Cover Material requirement when, in the judgment of the Engineer, project-specific circumstances dictate such change and benefit the County or participating agency.

5. **SCHEDULING**

The County or participating agency will be responsible to notify the Material Supplier with five (5) business days advanced notice, unless otherwise mutually agreed, of the estimated quantity of Aggregate Cover Material needed by the agency along with the estimated number of County Trucks to be used, number of days, and per day quantity of Aggregate Cover Material the agency will need to have loaded by the Material Supplier at the Material Supplier's Site of Work. The Material Supplier shall be responsible to furnish the Aggregate Cover Material, when requested to do so by the County or participating agency, during the hours of 6:00 a.m. and 4:00 p.m. Kingman, Arizona Time. The County or participating agency shall notify the Material Supplier twenty-four (24) hours in advance if and that the agency no longer needs to be furnished with and no longer will take delivery of the Aggregate Cover Material unless a shorter time is otherwise agreed to by both parties. Material Supplier shall not interrupt production of Aggregate Cover Material unless instructed to do so by the County or participating agency, or unless otherwise mutually agreed.

6. **WEIGHING VEHICLES**

All County or participating agency's transport vehicles shall be weighed prior to loading (tare weight) and after loading (total weight) on State of Arizona Certified Scales at the Material Supplier's Site of Work unless otherwise specified. The driver shall remain in the vehicle while the vehicle is being weighed.

The difference in weight between the total weight and the tare weight shall be considered the weight of Aggregate Cover Material removed from the Sites. True and correct copies of weigh tickets shall be immediately given to the driver to be submitted to the Agency by the Material Supplier. The Material Supplier shall retain copies of the weigh tickets and shall submit copies to the agency with the Material Supplier's billing.

7. **COMPENSATION**

The County or participating agency will compensate the Material Supplier only for the furnishing of Aggregate Cover Material that meets the requirements of these Specifications, measured as provided herein in these Specifications by the Material Supplier scaling the County Trucks, and only for the per ton quantity of Aggregate Cover Material meeting the intent of these specifications, as determined by the County Engineer or other agency engineer, which is actually removed by the County or participating agency from the Material Supplier's Site of Work. The Material Supplier shall accept the Unit Price Per Ton bid below for Aggregate Material as full, complete, and final compensation for furnishing all labor, materials, tools, equipment, incidentals, etc., necessary to perform and complete all Work required by and in accordance with the requirements stated herein and for the procurement of any and all permits and licenses, paying all charges, fees and taxes, and giving all notices necessary and incidental to the due and lawful completion of the Work.

8. **DOCUMENTATION FOR PAYMENT AND PAYMENT**

The Material Supplier shall furnish the County or participating agency with a written statement and demand of all charges due for payment of Work provided for the furnishing of Aggregate Material meeting the intent of these specifications, as determined by the Engineer, and actually removed by the agency from the Material Supplier's Site of Work, measured as provided above, times the Unit Price Per Ton Bid for that type of Aggregate Material.

Attached to the statement shall be a copy of all supporting documentation as described herein. Provided the required documentation is complete, the County or participating agency shall remit payment to the Material Supplier within thirty (30) days of receipt of the statement and demand for payment.

All billings and each invoice shall include, but not be limited to, the following information:

1. Total quantity of Aggregate Cover Material removed by the agency from the Material Supplier's site of operation for that week to include but may not necessarily be limited to number of loads removed, each load identified by truck, tare weight, total weight and copy of weigh slips.
2. Invoice Number and Date
3. Billing Period
4. Payment Calculation - Total tons of Aggregate Material by type supplied to the County for that period x Unit Price Per Ton Bid = Extended Amount (Total Amount Due)
5. Any other supporting documentation or information as described in these Bid Documents or deemed necessary to be supplied by the Material Supplier.

The County or participating agency reserves the right to reject, return, and not pay any invoice statements not in compliance with these Requirements including those which provide insufficient, incomplete or vague supporting documentation.

9. **TAXES, FEES, AND EXPENSES**

Prices offered in the Bid shall not include applicable state and local taxes. Such shall be properly listed individually on all invoices, if any there be, and timely paid by the Material Supplier in accordance with applicable Laws including the requirements of the Arizona Department of Revenue Regulations. All equipment, materials, or supplies sold to the County are exempt from Federal Excise Tax. The County is not otherwise tax exempt.

INSTRUCTIONS TO OFFERORS

1. **PREPARATION OF BID:**
 - A. All bids shall be on the forms provided in this Invitation for Bid (IFB) package. It is permissible to copy these forms if required. Facsimiles or mailgrams shall not be considered.
 - B. The Offer and Acceptance page shall be submitted with an original ink signature by the person authorized to sign the bid.
 - C. Erasures, interlineations, or other modifications in the bid shall be initialed in original ink by the authorized person signing the bid.
 - D. In case of error in the extension of prices in the bid, unit price shall govern. No bid shall be altered, amended or withdrawn after the specified bid due time and date, unless in accordance with the Mohave County Procurement Code.
 - E. Periods of time, stated as a number of days, shall be in calendar days.
 - F. It is the responsibility of all bidders to examine the entire IFB package and seek clarification of any requirement that may not be clear and to check all responses for accuracy before submitting a bid. Negligence in preparing a bid confers no right of withdrawal after due time and date.
 - G. The County shall not reimburse the cost of developing, presenting or providing any response to this solicitation. Offers submitted for consideration should be prepared simply and economically, providing adequate information in the straightforward and concise manner.
 - H. Submission of additional terms, conditions or agreements with the bid document may result in bid rejection.
2. **NON-MANDATORY PRE-BID CONFERENCE:** Prospective bidders are invited to attend a pre-bid conference. The date, time and location of this conference are indicated on the front page of this Notice of Invitation for Bid. The purpose of this conference will be to clarify the contents of this invitation for bid in order to prevent any misunderstanding of the County's position. Any doubt as to the requirements of this invitation for bid or any apparent omission or discrepancy should be presented to the County at this conference. The County will then determine the appropriate action necessary, if any, and issue a written amendment to the invitation for bid. Oral statements or instructions shall not constitute an amendment to this invitation for bid. Questions shall be submitted in writing via e-mail or facsimile to the responsible Procurement Officer at (928) 753-0787, preferably prior to the pre-bid conference. *"Persons with a disability or that are unable to physically attend may request a reasonable accommodation by contacting the responsible Procurement Officer at (928) 753-0752. Requests for accommodations must be made forty-eight (48) hours in advance of the event."*
3. **INQUIRIES:** Any question related to an IFB shall be directed to the Procurement Officer whose name appears on the notice page. The bidder shall not contact or ask questions of the department for whom the requirement is being procured. Questions shall be submitted by the question deadline as indicated on the front page of this Notice of Invitation for Bid. Questions should be submitted in writing when time permits. The Procurement Officer may require any and all questions to be submitted in writing at the Procurement Officer's sole discretion. Any correspondence related to a solicitation should refer to the appropriate IFB number, page, and paragraph number. However, the bidder must not place the IFB number on the outside of an envelope containing questions, because such an envelope may be identified as a sealed bid and may not be opened until after the official bid due time and date. Oral interpretations or clarifications will be without legal effect.
4. **CONFLICT OF INTEREST:** For purposes of determining any possible conflict of interest, all Offerors **must disclose** if any current Mohave County employee is also an owner, corporate officer, or employee of your business. Offerors are to indicate on the Offer Page of this solicitation either "Yes" (County employee is associated with your business), or "No." If "Yes", Offerors must provide the name(s) of the County employee(s) and the position(s) County employee(s) hold within your business.
5. **WITHDRAWAL OF BID:** At any time prior to a specified IFB due time and date, a bidder (or designated representative) may withdraw the bid. Facsimiles, telegraphic or mailgram withdrawals shall not be considered.
6. **LATE BIDS:** Late bids shall not be considered. Kingman is considered a "rural" area by many express delivery carriers and thus, they **do not** guarantee priority delivery (next day). Offerors are encouraged to keep this in mind when arranging delivery of their bids and are advised herein that late bids shall be rejected and returned to the bidder regardless of reason for being late.

7. **BID AMENDMENTS:** The bidder shall acknowledge receipt of an IFB amendment by signing and returning the document by the specified due time and date.

Amendments may be obtained from the Mohave County website at: procurementbids.mohavecounty.us It is the bidder's responsibility to obtain a copy of any amendment relevant to this solicitation. Internet access is available at all public libraries. Any interested bidders without internet access may obtain a copy of this solicitation by calling (928) 753-0752, or a copy may be picked up during regular business hours at the Procurement Department, 700 W. Beale St., Kingman, AZ. Mohave County takes no responsibility for informing recipients of changes to the original solicitation document. The bidder shall acknowledge receipt of an IFB amendment by signing and returning the document by the specified due time and date. Failure to submit signed amendments with the bid response may be grounds for deeming submittal non-responsive.

8. **VENDOR APPLICATION:** Prior to the award of a contract, the successful bidder shall have a completed vendor application on file with the Procurement Office. The Vendor Application may be downloaded off of the Procurement Department website at: procurementregistration.mohavecounty.us Internet Access is available for use at all County public libraries.

9. **BID RESULTS:** Bid results are not provided in response to telephone inquiries. A PRELIMINARY bid tabulation will be posted on the Procurement Department website <http://www.mohavecounty.us/ContentPage.aspx?id=125&oid=54> within four (4) business days of the advertised bid opening. The information on the PRELIMINARY tabulation will be posted as it was read and prepared during the bid opening. The County makes no guarantee as to the accuracy of any information on the PRELIMINARY tabulation. A FINAL bid tabulation will be posted on the website after contract award and will remain on the website for sixty (60) days after the posting date.

10. **BID OFFER:** Bids are an irrevocable offer for sixty (60) days after the formal Bid Opening date and time.

11. **BID REJECTION:** Submission of additional terms, conditions or agreements with the bid document may result in bid rejection. If you have any concerns over any portion of this IFB, submit your question in writing to the Procurement Officer to be addressed prior to bid opening.

12. **AWARD OF CONTRACT:**

- A. Unless the bidder states otherwise, or unless otherwise provided within the IFB, the County reserves the right to award by individual line item, by group of line items, or as a total, whichever is deemed most advantageous to the County.
- B. Notwithstanding any other provision of the IFB, the County reserves the right to:
 - (1) Waive any immaterial defect or informality; or
 - (2) Reject any or all bids, or portions thereof; or
 - (3) Reissue the IFB.
- C. A response to the IFB is an offer to contract with the County based upon the terms, conditions, and specifications contained in the County's IFB. Bids do not become contracts unless and until they are executed by the County's Procurement Director or the Mohave County Board of Supervisors. A contract has its inception in the award, eliminating a formal signing of a separate contract. For that reason, all of the terms and conditions of the Procurement contract are contained in the IFB, unless any of the terms and conditions is modified by Solicitation Amendment, Contract Amendment, or by mutually agreed terms and conditions in the contract documents.

13. **PUBLIC RECORD:** All bids submitted in response to this invitation shall become the property of the County and shall become a matter of public record available for review pursuant to the Mohave County Procurement Code.

14. **DISCOUNTS:** Payment discounts of twenty-one calendar days or more shall be deducted from the bid price in determining the low bid. However, the County shall be entitled to take advantage of any payment discount offered by vendor provided payment is made within the discount period.

15. **PAYMENT:** All payments made by Mohave County for goods or services shall be made to the vendor named on the Offer and Acceptance form. If the vendor does not wish payment to be made to that address, the vendor shall submit an attached sheet indicating the proper mailing address with this bid.

MOHAVE COUNTY PROCUREMENT DEPARTMENT
700 WEST BEALE STREET, 1st FLOOR EAST
KINGMAN, ARIZONA 86401-5711
PH: (928) 753-0752 Ext. 3 / FAX: (928) 753-0787

INVITATION FOR BID NO. 15-B-03
PAGE 8 OF 17
PROCUREMENT OFFICER: Tara L. Acton, CPPB
E-MAIL: tara.acton@moahavcounty.us

In consideration of the receipt of the materials, or the performance of services described in the Scope of Services, the County shall pay the Contractor in accordance with the negotiated contract rates, and the Contractor shall charge the County only in accordance with those same rates.

The County will pay the Contractor following the submission of itemized invoice(s). Each itemized invoice must bear a written certification by an authorized County representative confirming the services for which payment is requested.

When submitting invoices for payment, vendors are to include the applicable Purchase Order number on the invoice. The invoice should not be submitted until you have supplied the materials and/or services covered by the purchase order bearing the same number. If the vendor is unable to fulfill all of the purchase order, submit an itemized invoice for the portion of the order supplied, or service completed. Once the backordered/uncompleted portion of the purchase order is shipped/completed, a new invoice is required. Vendors are requested to submit invoice(s) within 30 days of delivery and/or date of service.

The County shall make every effort to process payment for the purchase of materials or services within twenty-one calendar days after receipt of materials or services and a correct invoice, unless a good faith dispute exists as to any obligation to pay all or a portion of the account. Payment terms offered shall be specifically stated in the bid.

16. **TAXES:** All applicable sales tax shall be indicated as a separate item.
17. **EXCEPTIONS TO CONTRACT PROVISIONS:** A response to any Invitation for Bid is an offer to contract with the County based upon the contract provisions contained in the County's Invitation for Bid, including but not limited to, the specifications, scope of services and any terms and conditions. Offerors who wish to propose modifications to the contract provisions must clearly identify the proposed deviations and any proposed substitute language and clearly demonstrate how the County will be better served by the substitute language. However, the provisions of the Invitation for Bid cannot be modified without the express written approval of the Procurement Director or their designee. If a proposal or offer is returned with modifications to the contract provisions that are not expressly approved in writing by the Procurement Director or their designee, the contract provisions contained in the County's Invitation for Bid shall prevail.

SPECIAL TERMS AND CONDITIONS

1. INSURANCE REQUIREMENTS:

A. COVERAGE AFFORDED

MINIMUM LIMITS OF LIABILITY

| | |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| Workers' Compensation | Statute or a State Certificate of self-insurance and employer's liability insurance for not less than \$1,000,000 |
| Commercial General Liability | \$1,000,000 each occurrence \$2,000,000 aggregate |
| Automobile Liability Insurance to include any vehicle | \$1,000,000 combined single limit |

B. INSURANCE CONDITIONS

- 1. GENERAL CONDITIONS:** The Contractor agrees to, at its own expense, purchase and maintain at all times during the life of this contract the herein stipulated minimum insurance with companies duly licensed, possessing a minimum current A.M. Best, Inc. Rating of A- FSC VIII, or approved unlicensed companies in the State of Arizona with policies and forms satisfactory to Mohave County. All policies will contain an endorsement providing that written notice be given to the County at least ten (10) calendar days prior to termination, cancellation or reduction in coverage in any policy.
- 2. WAIVER OF SUBROGATION OR TRANSFER OF RIGHTS OF RECOVERY:** The policies required herein shall contain a waiver of subrogation or in the alternative, a waiver of transfer of rights of recovery against Mohave County (or participating agency), its agents, representatives, officers, directors, officials and employees for any claims arising out of the Contractor's work or service.
- 3. ADDITIONAL INSURED:** The insurance policies required by this Contract, except Workers' Compensation, shall name Mohave County (or participating agency), its agents, representatives, officers, directors, officials and employees as Additional Insured with a CG 20 10 or similar endorsement. The Contractor agrees that the insurance required herein will be primary and that any insurance carried by the County or participating agency will be excess and not contributing. All insurance policies of the Contractor shall be primary in relation to the Additional Insured.
- 4. ENDORSEMENTS AND CERTIFICATE:** The following provisions are also required for the insurance(s), and evidence of such shall be satisfied by Certificate(s) and Endorsements. An insurance company authorized to transact business in the State of Arizona shall issue the Certificates. The Contractor shall, within ten (10) days after award of bid, furnish the County or participating agency with Certificates of Insurance for the required insurance coverage. Endorsements for the Waiver of Transfer of Rights and Additional Insured shall be provided as indicated above, unless contained within the basic policy(ies) and then confirmed by written statement signed by the insurance agent, broker and/or underwriter in a form acceptable to the County or participating agency.
"Mohave County, a body politic and corporate of the State of Arizona, its Board members, officers, employees, agents, and other officials" shall be listed as the certificate holder. If room does not permit, this verbiage can be entered into the description of operations. However, if the latter method is used, the certificate holder shall be listed only as Mohave County, Arizona, PO Box 7000, Kingman, AZ 86402.
- 5. FAILURE TO MAINTAIN INSURANCE:** Failure on the part of the Contractor to meet the insurance requirements herein shall constitute a material breach of Contract, upon which the County may immediately terminate this agreement, or at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, and all monies paid by the County may offset the cost of the premiums against monies due the Contractor.
- 6. SUBCONTRACTORS:** In the event any of the Work is subcontracted, the Contractor shall require the subcontractor to provide Workers' Compensation insurance for all of the subcontractor's employees engaged in the Work, unless such employees are covered by the protection afforded by the Contractor's Workers'

Compensation insurance. In case any class of employees engaged in hazardous work under the Contract is not protected under the Workers' Compensation statute, the Contractor shall provide, and shall cause each subcontractor to provide, adequate employer's general liability insurance for the protection of such of their employees as are not otherwise protected.

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2. **AWARD:** The County shall award to the lowest responsive and responsible bidder(s) meeting specifications.
3. **DEFECTIVE PRODUCT:** All defective products shall be replaced and exchanged by the Contractor. The cost of transportation, unpacking, inspection, repacking, reshipping or other like expenses shall be paid by the Contractor. All replacement products must be received by the County within seven (7) days of initial notification.
4. **RETURN OF NON-DEFECTIVE PRODUCT:** In the event items ordered and delivered are returned to the Contractor due to a County decision and not due to any fault or error by the Contractor, the Contractor shall be entitled to a restocking fee of ten percent (10%) of the invoiced price of the returned items, plus the cost of transportation from the County to the Contractor.
5. **F.O.B.:** Prices shall be F.O.B. Destination to the delivery location designated herein. Contractor shall retain title and control of all goods until they are delivered and the contract of coverage has been completed. All risk of transportation and all related charges shall be the responsibility of the Contractor. All claims for visible or concealed damage shall be filed by the Contractor. The County will assist the Contractor in arranging for inspection. Mohave County will not accept fuel surcharges.
6. **CONTRACT TERM & RENEWAL:** The term of the contract shall commence upon award and shall remain in effect for a period of one (1) year, unless terminated, canceled or extended as otherwise provided herein. The contractor agrees that the Mohave County shall have the right, at its sole option, to renew the contract for four (4) additional one-year periods. In the event that the County exercises such right, all terms, conditions and provisions of the original contract shall remain the same and apply during the renewal period. Should the Contractor wish a price increase, he must submit a *fully documented* request no later than sixty (60) days prior to contract expiration. Stated discounts off of list price will not be adjusted.
7. **DELIVERY TIME:** When delivery time is requested in invitation documents, time will be of the essence; therefore, bid shall include the delivery date.
8. **WARRANTY:** Contractor warrants that all material or service delivered under this contract shall conform to the specifications of this contract. Mere receipt of shipment of the material or service specified and any inspection incidental thereto by the County, shall not alter or affect the obligations of the Contractor or the rights of the County under the foregoing warranties. Additional warranty requirements may be set forth in this document.
9. **CONTRACT MODIFICATIONS:** The contract may only be modified by a written contract amendment signed by persons duly authorized to enter into contracts on behalf of the County and the Contractor.
10. **PRICE ADJUSTMENT:** The County will review *fully documented* requests for price increase after any contract has been in effect for twelve (12) months. *Fully documented* means that the request shall present detailed information and calculations that make it clear how the claimed increase has an impact on the contract unit prices. All assumptions regarding cost factors that have an impact on the requested increase shall also be clearly identified and justified. The requested price increase must be based upon a cost increase that was clearly unpredictable at the time of the offer and can be shown to directly affect the price of the item concerned.

Any price increase adjustment will only be made at the time of contract extension and will be a factor in the extension review process. The County will make sole determination whether the requested price increase or an alternate option, is in the best interest of the County. Any adjustment will be effective on the first day of the contract renewal or extension.
11. **PRICE REDUCTION:** A price reduction adjustment may be offered at any time during the term of a contract and shall become effective upon notice.
12. **COOPERATIVE PURCHASING ALLOWED:** This solicitation is being prepared by the Mohave County Procurement Department. While this solicitation is for Mohave County, other public agencies may have an interest in utilizing the resulting contract. After an award, this solicitation may be utilized by eligible public entities. Individual public entities would negotiate service with the Successful Vendor using the bid pricing quoted herein. No volume is implied or guaranteed.

STANDARD TERMS AND CONDITIONS

1. **CERTIFICATION:** By signature in the offer section of the Offer and Acceptance page, bidder certifies:
 - A. The submission of the offer did not involve collusion or other anti-competitive practices.
 - B. The bidder shall not discriminate against any employee, or applicant for employment in violation of Federal Executive Order 11246, or A.R.S. § 31-1461 et seq.
 - C. The bidder has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted offer.
 - D. The bidder submitting the offer hereby certifies that the individual signing the bid is an authorized agent for the bidder and has the authority to bind the bidder to the contract.
2. **GRATUITIES:** The County may, by written notice to the contractor, cancel this contract if it is found that gratuities, in the form of entertainment, gifts or otherwise, were offered or given by the contractor or any agent or representative of the contractor, to any officer or employee of the County making any determinations with respect to the performing of such contract. In the event this contract is canceled by the County pursuant to this provision, the County shall be entitled, in addition to any other rights and remedies, to recover or withhold from the contractor the amount of the gratuity.
3. **SUBSEQUENT EMPLOYMENT:** The County may cancel this contract without penalty or further obligation pursuant to the A.R.S. § 38-511 if any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of the County is or becomes, at anytime while the contract or any extension of the contract is in effect an employee of, or a consultant to any other party to this contract with respect to the subject matter of the contract. Such cancellation shall be effective when written notice from the Procurement Director is received by the parties to this contract, unless the notice specifies a later time.
4. **APPLICABLE LAW:** This contract shall be governed by, and the County and contractor shall have all remedies afforded each by the Mohave County Procurement Code. This contract shall be governed by the law of the State of Arizona, and suits pertaining to this contract shall be brought only in Federal or State courts in the State of Arizona.
5. **LEGAL REMEDIES:** All claims and controversies shall be subject to the Mohave County Procurement Code (Article IX).
6. **CONTRACT:** The contract shall be based upon the IFB issued by the County and the offer submitted by the Contractor in response to the IFB. The offer shall substantially conform to the terms, conditions, specifications and other requirements set forth within the text of the IFB. The County reserves the right to clarify any contractual terms with the concurrence of the Contractor; however, any substantial non-conformity in the offer, as determined by the County's Procurement Director, shall be deemed non-responsive and the offer rejected. The contract shall contain the entire agreement between Mohave County and the Contractor relating to this requirement and shall prevail over any and all previous agreements, contracts, proposals, negotiations, purchase orders, or master agreements in any form.
7. **CONTRACT AMENDMENTS:** This contract shall be modified only by a written contract amendment signed by persons duly authorized to enter into contracts on behalf of the Contractor.
8. **PROVISIONS REQUIRED BY LAW:** Each and every provision of law and any clause required by law to be in the contract shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party the contract shall forthwith be physically amended to make such insertion or correction.
9. **SEVERABILITY:** The provisions of this contract are severable in the sole discretion of the County to the extent that any provision or application held to be invalid shall not affect any other provision or application of the contract which may remain in effect without the invalid provision or application.
10. **RELATIONSHIP OF PARTIES:** It is clearly understood that each party shall act in its individual capacity and not as an agent, employee, partner, joint venture, or associate of the other. An employee or agent of one party shall not be deemed or construed to be the employee or agent of the other party for any purpose whatsoever. The Contractor is advised that taxes or social security payments shall not be withheld from a County payment issued hereunder and that Contractor should make arrangements to directly pay such expenses, if any.
11. **INTERPRETATION - PAROLE EVIDENCE:** This contract is intended by the parties as a final expression of their agreement and is intended also as a complete and exclusive statement of the terms of this agreement. No course of prior dealings between the parties and no usage of the trade shall be relevant to supplement or explain any term used in this contract. Acceptance or acquiescence in a

course of performance rendered under this contract shall not be relevant to determine the meaning of this contract even though the accepting or acquiescing party has knowledge of the nature of the performance and opportunity to object.

12. **ASSIGNMENT - DELEGATION:** No right or interest in this contract shall be assigned by the contractor without prior written permission of the County, and no delegation of any duty of Contractor shall be made without prior written permission of the County's Procurement Director. The County shall not unreasonably withhold approval and shall notify the Contractor of the County's position within fifteen (15) days of receipt of written notice by the Contractor.
13. **SUBCONTRACTS:** No subcontract shall be entered into by the Contractor with any other party to furnish any of the material/service specified herein without the advance written approval of the County's Procurement Director. All subcontracts shall comply with Federal and State laws and regulations which are applicable to the services covered by the subcontract and shall include all the terms and conditions set forth herein which shall apply with equal force to the subcontract, as if the subcontractor were the Contractor referred to herein. The Contractor is responsible for contract performance whether or not subcontractors are used. The County shall not unreasonably withhold approval and shall notify the Contractor of the County's position within fifteen (15) days of receipt of written notice by the Contractor.
14. **RIGHTS AND REMEDIES:** No provision in this document or in the bidder's offer shall be construed, expressly or by implication as a waiver by either party of any existing or future right and/or remedy available by law in the event of any claim or default or breach of contract. The failure of either party to insist upon the strict performance of any term or condition of the contract or to exercise or delay the exercise of any right or remedy provided in the contract, or by law, or the acceptance of materials or services, obligations imposed by this contract or by law, and shall not be deemed a waiver of any right of either party to insist upon the strict performance of the contract.
15. **PROTESTS:** A protest shall be in writing and shall be filed with the Procurement Director in accordance with the Mohave County Procurement Code. A protest of an IFB shall be received at the Procurement Office before the IFB opening date. A protest of a proposed award or of an award shall be filed within ten (10) days after the protester knows or should have known the basis of the protest. A protest shall include:
 - A. The name, address, and telephone number of the protester;
 - B. The signature of the protester or its representative;
 - C. Identification of the IFB or contract number;
 - D. A detailed statement of the legal and factual grounds of protest including copies of relevant documents; and,
 - E. The form of relief requested.
16. **RIGHT TO ASSURANCE:** Whenever one party to this contract in good faith has reason to question the other party's intent to perform, the former party may demand that the other party give a written assurance of this intent to perform. In the event that a demand is made and no written assurance is given within five (5) days, the demanding party may treat this failure as an anticipatory repudiation with this contract.
17. **ADVERTISING:** Contractor shall not advertise or publish information concerning this contract without prior written consent of the Procurement Director; the County shall not unreasonably withhold permission.
18. **RIGHT TO INSPECT:** The County may, at reasonable times, and at the County's expense, inspect the place of business of a Contractor or subcontractor which is related to the performance of any contract as awarded or to be awarded.
19. **LICENSES:** Contractor shall maintain in current status all Federal, State, and local licenses and permits required for the operation of the business conducted by the Contractor as applicable to this contract.
20. **INDEMNIFICATION:** To the fullest extent permitted by law, Contractor shall defend, indemnify and hold harmless Mohave County, a body politic and corporate of the State of Arizona, its board members, officers, employees, agents and other officials (hereafter called "County") from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, court costs or other alternative dispute resolution costs arising out of or resulting from Contractor's work or services; provided that any such claim, damage, loss or expense is attributable to bodily injury, sickness, disease, death, personal injury, or property damage, including the loss of use or diminution in value, resulting therefrom; but only to the extent caused in whole or in part by the actual or alleged negligent acts, errors or omissions of Contractor, or anyone for whose acts Contractor may be liable. Contractor shall not be obligated to indemnify, defend and hold harmless the County for any claims to the extent that the injury or damage is attributable to or arose from the negligence or willful misconduct on the part of the County, its agents or employees. The County reserves the right, but not the obligation, to participate in defense without relieving the Contractor of any obligation hereunder. The amount and type of insurance

coverage requirements set forth in this contract shall in no way be construed as limiting the scope of the indemnity in this paragraph. The provisions of this Section shall survive the expiration or early termination of this Contract.

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21. **TITLE AND RISK OF LOSS:** The title and risk of loss of material or service shall not pass to the County until the County actually receives the material or service at the point of delivery, unless otherwise provided within this contract.
22. **DEFAULT IN ONE INSTALLMENT TO CONSTITUTE TOTAL BREACH:** Contractor shall deliver conforming materials in each installment or lot of this contract and may not substitute nonconforming materials. Delivery of nonconforming materials or a default of any nature, at the option of the County, shall constitute breach of the contract as a whole. Noncompliance shall conform to the cancellation clause set forth within this document.
23. **INSPECTION & ACCEPTANCE:** All material or service is subject to final inspection and acceptance by the County. Material or service failing to conform to the specifications of this contract shall be held at Contractor's risk and may be returned to the Contractor. If so returned, all costs are the responsibility of the Contractor. Noncompliance shall conform to the cancellation clause set forth in this document.
24. **PROTECTION OF GOVERNMENT BUILDINGS, EQUIPMENT AND VEGETATION:** The Contractor shall use reasonable care to avoid damaging existing buildings, equipment, and vegetation (such as trees, shrubs, and grass) on County property. If the Contractor fails to do so and damages such buildings, equipment, and vegetation, the Contractor shall replace or repair the damage at no expense to the County as directed by the Procurement Director. If the Contractor fails or refuses to make such repair or replacement, then the Contractor shall be liable for the cost thereof which may be deducted from the contract price.
25. **FORCE MAJEURE:**
 - A. Except for payment of sums due, neither party shall be liable to the other nor deemed in default under this contract if and to the extent that such party's performance of this contract is prevented by reason of Force Majeure. The term "Force Majeure" means an occurrence that is beyond the control of the party affected and occurs without its fault or negligence. Force Majeure shall not include late performance by a subcontractor unless the delay arises out of a Force Majeure occurrence in accordance with this Force Majeure term and condition.
 - B. If either party is delayed at any time in the progress of the work by Force Majeure, the delayed party shall notify the other party in writing of such delay, as soon as is practical, of the commencement thereof and shall specify the causes of such delay in such notice. Such notice shall be hand-delivered or mailed certified-return receipt and shall make a specific reference to this article, thereby invoking its provisions. The delayed party shall cause such delay to cease as soon as practicable and shall notify the other party in writing when it has done so. The time of completion shall be extended by contract modification for a period of time equal to the time that results or effects of such delay prevent the delayed party from performing in accordance with this contract.
26. **CLEAN UP:** The Contractor shall at all times keep the contract area, including storage areas used by the Contractor, free from accumulation of waste material or rubbish and prior to completion of the work remove any rubbish from the premises and all tools, scaffolding, equipment and materials not the property of the County. Upon completion of the repair, the Contractor shall leave the work and premises in a clean, neat, and workmanlike condition.
27. **WARRANTIES:** Contractor warrants that all material or service delivered under this contract shall conform to the specifications of this contract. Mere receipt of shipment of the material or service specified and any inspection incidental thereto by the County, shall not alter or affect the obligations of the Contractor or the rights of the County under the foregoing warranties. Additional warranty requirements may be set forth in this document.
28. **LIENS:** All materials, services, and other deliverables supplied to the County under this contract shall be free of all liens other than the security interest held by the Contractor until payment in full is made by the County. Upon request of the County, the Contractor shall provide a formal release of all liens.
29. **NON-EXCLUSIVE CONTRACT:** Any contract resulting from this solicitation shall be awarded with the understanding and agreement that it is for the sole convenience of Mohave County. The County reserves the right to obtain like goods or services from another source when necessary.
30. **EXCLUSIVE POSSESSION:** All services, information, computer program elements, reports, and other deliverables which may be created under this contract are the sole property of Mohave County and shall not be used or released by the Contractor or any other person except with prior written permission by the County.

31. **AMERICANS WITH DISABILITIES ACT:** The Contractor shall comply with all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and applicable Federal regulations under the Act.
32. **DEFINITION OF KEY WORDS USED IN THE SOLICITATION:**
Shall, Will, Must: Indicates a mandatory requirement. Failure to meet these mandatory requirements may result in the rejection of proposal as non-responsive.
Should: Indicates something that is recommended but not mandatory. If the offeror fails to provide recommended information, the County may, at its sole option, ask the offeror to provide the information or evaluate the proposal without the information.
May: Indicates something that is not mandatory but permissible.

For purposes of this contract and Scope of Work, the following definitions shall apply:

- "County" Mohave County, Arizona, 700 West Beale Street, Kingman, AZ 86401-5711
"Contractor/Consultant" The individual, partnership, or corporation who, as a result of the competitive proposal process, is awarded a contract by Mohave County.
"Contract" The legal agreement executed between Mohave County, AZ and the Contractor/Consultant.
"Contract Representative" The County employee or employees who have specifically been designated to act as a contact person or persons to the Contractor, and responsible for monitoring and overseeing the Contractor's performance under this contract.
"Procurement Director" The contracting agent for Mohave County, AZ.

33. **TERMINATION OF CONTRACT:** Unless otherwise specifically provided herein, this contract may be terminated at any time by mutual written consent, or by the County, with or without cause, upon giving thirty (30) days written notice to you. The County at its convenience, by written notice, may terminate this contract, in whole or in part. If this contract is terminated, the County shall be liable only for payment under the payment provisions of this contract for services rendered and accepted material received by the County before the effective date of termination.

The County reserves the right to cancel the whole or any part of this contract due to failure of contractor to carry out any term, promise, or condition of the contract. The County will issue a written ten (10) day notice of default to contractor for acting or failing to act as in any of the following:

In the opinion of the County, contractor provides personnel that do not meet the requirements of the contract;

In the opinion of the County, contractor fails to perform adequately the stipulations, conditions or services/specifications required in this contract;

In the opinion of the County, contractor attempts to impose on the County personnel or materials, products or workmanship, which is of an unacceptable quality.

Contractor fails to furnish the required service and/or product within the time stipulated in the contract;

In the opinion of the County, contractor fails to make progress in the performance of the requirements of the contract and/or give the County a positive indication that contractor will not or cannot perform to the requirements of the contract.

Each payment obligation of the County created hereby is conditioned upon the availability of County, State and Federal funds which are appropriated or allocated for the payment of such an obligation. If funds are not allocated by the County and available for the continuance of service herein contemplated, the contract period for the service may be terminated by the County at the end of the period for which funds are available. The County shall notify contractor at the earliest possible time which service will or may be affected by a shortage of funds. No penalty shall accrue to the County in the event this provision is exercised, and the County shall not be obligated or liable for any future payments due or for any damages as a result of termination under this paragraph.

34. **RECORDS:** Internal control over all financial transactions related to this contract shall be in accordance with sound fiscal policies. The County may, at reasonable times and places, audit the books and records of you or any and all of your subcontractors. Said audit shall be limited to this contract and its scope of services.
35. **ARBITRATION:** It is understood and agreed that no provision of the contract relating to arbitration or requiring arbitration shall apply to or be binding upon the County except by the County's express written consent given subsequent to the execution of the contract. However, at the County's sole option, or by other means expressly approved by the County, disputes may be resolved through

MOHAVE COUNTY PROCUREMENT DEPARTMENT
700 WEST BEALE STREET, 1st FLOOR EAST
KINGMAN, ARIZONA 86401-5711
PH: (928) 753-0752 Ext. 3 / FAX: (928) 753-0787

INVITATION FOR BID NO. 15-B-03
PAGE 15 OF 17
PROCUREMENT OFFICER: Tara L. Acton, CPPB
E-MAIL: tara.acton@mohavecounty.us

arbitration. The dispute shall be resolved as provided for in A.R.S. § 12-1501, et seq. Contractor shall continue to render the services required by this contract without interruption, notwithstanding the provisions of this section.

36. **CONFIDENTIALITY OF RECORDS:** The Contractor shall establish and maintain procedures and controls that are acceptable to the County for the purpose of assuring that no information contained in its records or obtained from the County or from others in carrying out its functions under the contract shall be used by or disclosed by it, its agents, officers, or employees, except as required to efficiently perform duties under the contract. Persons requesting such information should be referred to the County. Contractor also agrees that any information pertaining to individual persons shall not be divulged other than to employees or officers of contractor as needed for the performance of duties under the contract, unless otherwise agreed to in writing by the County.
37. **SCRUTINIZED BUSINESSES:** In accordance with A.R.S. § 35-391.06 and A.R.S. § 35-393.06, the Contractor hereby certifies that it does not have any scrutinized business operations in Sudan or Iran.
38. **LEGAL ARIZONA WORKERS ACT COMPLIANCE:** To the extent applicable, pursuant to the provisions of A.R.S. § 41-4401, the contractor hereby warrants that it is in material compliance with all federal immigration laws and regulations that relate to its employees and with the E-verify requirements set forth in A.R.S. § 23-214 (A).
39. **MOHAVE COUNTY SEAL USE:** Pursuant to A.R.S. §11-251.17, a firm or individual is NOT permitted to use, display or otherwise employ a copy or other resemblance of the Mohave County seal without obtaining approval from Mohave County Board of Supervisors.

MOHAVE COUNTY PROCUREMENT DEPARTMENT
 700 WEST BEALE STREET, 1st FLOOR EAST
 KINGMAN, ARIZONA 86401-5711
 PH: (928) 753-0752 Ext. 3 / FAX: (928) 753-0787

INVITATION FOR BID NO. 15-B-03
 PAGE 16 OF 17
 PROCUREMENT OFFICER: Tara L. Acton, CPPB
 E-MAIL: tara.acton@mohavecounty.us

PRICE SHEET

UNIT PRICE PER TON BID (to be filled in by Supplier)

| <u>LOCATION DESCRIPTION</u> | <u>UNIT</u> | <u>LOW VOLUME</u> |
|-----------------------------|-------------|-------------------|
| Kingman Area | Ton | \$ 21.50 |
| Mohave Valley Area | Ton | \$ |
| Arizona Strip Area | Ton | \$ |
| Lake Havasu Area | Ton | \$ |

UNIT PRICE PER TON BID (to be filled in by Supplier)

| <u>LOCATION DESCRIPTION</u> | <u>UNIT</u> | <u>HIGH VOLUME</u> |
|-----------------------------|-------------|---------------------|
| Kingman Area | Ton | \$ 45.50 |
| Mohave Valley Area | Ton | \$ |
| Arizona Strip Area | Ton | \$ |
| Lake Havasu Area | Ton | \$ |

NOT AWARDED

Sales Tax: Enter on Offer Page; Sales Tax on material only (*DO NOT INCLUDE IN PRICING*).

Plant Site Location per Area (to include Physical Address, Township, Range, Section and 1/4 Section):

9376 E. Wright Drive - Mineral PK / Cedar Hills
 Kingman, AZ 86401

By submitting this Bid, the undersigned hereby agrees to comply with and abide by the terms and conditions stated herein in the specifications, and the requirements of the Mohave County Procurement Code.

MOHAVE COUNTY PROCUREMENT DEPARTMENT
700 WEST BEALE STREET, 1st FLOOR EAST
KINGMAN, ARIZONA 86401-5711
PH: (928) 753-0752 Ext. 3 / FAX: (928) 753-0787

INVITATION FOR BID NO. 15-B-03
PAGE 17 OF 17
PROCUREMENT OFFICER: Tara L. Acton, CPPB
E-MAIL: tara.acton@mohavecounty.us

OFFER PAGE

TO MOHAVE COUNTY: The Undersigned hereby offers and agrees to furnish the material or service in compliance with all terms, conditions, specifications, and amendments in the Invitation for Bid and any written exceptions in the offer. Signature also certifies understanding and compliance with paragraph (1) of the Mohave County Standard Terms and Conditions.

CONFLICT OF INTEREST: For purposes of determining any possible conflict of interest, all bidders must disclose if any current Mohave County employee is also an owner, corporate officer, or employee of your business. Indicate either "Yes" (County employee is associated with your business), or "No." If yes, provide the name(s) of the County employee(s) and the position(s) County employee(s) hold within your business. (Reference "Instructions to Offerors" paragraph (3).
No Yes _____ Name & Position _____ (include additional page(s) if necessary)

PROMPT PAYMENT DISCOUNT: As stated in the "Instructions to Offerors" paragraph (11) "Discounts," the price(s) quoted herein can be discounted by N/A %, if payment is made within N/A days.

DELIVERY: Delivery is promised within _____ calendar days after receipt of an order.

SALES TAX PERCENTAGE: 5.95 % (See Instructions to Offerors, Paragraph 12).

Desert Construction, Inc.
Company Name
4400 E. Hwy 166
Address
Kingman, AZ 86401
City State Zip

For clarification of this offer, contact:

Name: Brian Short

Phone: 928 751 2213

Fax: 928 751 8544

Email: Christy.desertconstruction@yahoo.com

Brian Short
Signature of Person Authorized to Sign

Brian Short
Printed Name

Vice President
Title

ACCEPTANCE OF OFFER:
The offer is hereby accepted.

The Vendor is now bound to provide the materials or services listed in IFB No. 15-B-03, including all terms, conditions, specifications, amendments, etc., and the Contractor's Offer as accepted by County/public entity.

The Contractor has been cautioned not to commence any billable work or to provide any material or service under this contract until Contractor receives this signed sheet, or written notice to proceed.

Awarded this 16 day of March, 2015

Steven C. Moss
Steven C. Moss, Chairman of Mohave County Board of Supervisors

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members
FROM: Sheri Furr, Public Transit Superintendent
MEETING DATE: April 7, 2015
AGENDA SUBJECT: Consideration of Resolution No. 4944 authorizing the Mayor to sign any and all documents to submit applications for funding Kingman Area Regional Transit through FFY 2015/2016 Federal Section 5311 Grant Program.

SUMMARY: Annually, ADOT requires an application and negotiations for the next funding period along with a Resolution approved by the Mayor and Council.

Kingman Area Regional Transit (KART) would like to continue to offer public transportation to residents and visitors in the City of Kingman and Greater Kingman Butler Area at the same level as FFY 2014/2015.

Capital requests include two transit vehicles and GPS enabled upgrades to video surveillance equipment.

Application deadline is April 17, 2015.

ATTACHMENT: Resolution No. 4944

FISCAL IMPACT: Capital is awarded based on a sliding scale of 80% - 93% with a local match required for the remaining 7% to 20%. The City contribution for capital could be up to \$51,400 if funded with a 20% match or as low as \$17,990 if funded with a 7% match.

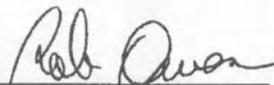
42% local match for operations: \$227,296

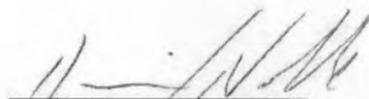
20% local match for administration: \$36,095

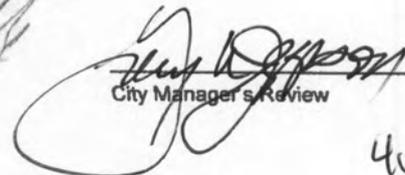
Total fiscal impact could be up to \$314,791 from the City of Kingman General Fund.

The budget for KART FY2015/2016 will reflect these contributions and budget figures.

STAFF RECOMMENDATION: Adoption of Resolution No. 4944 authorizing KART to proceed with grant application process for FFY 2015


Signature of Dept. Head


City Attorney's Review


City Manager's Review

40

CITY OF KINGMAN, ARIZONA

RESOLUTION NO. 4944

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA AUTHORIZING THE SUBMITAL OF AN APPLICATION FOR THE FEDERAL TRANSIT ADMINISTRATION SECTION 5311 RURAL PUBLIC TRANSIT GRANT APPLICATION TO THE ARIZONA DEPARTMENT OF TRANSPORTATION NECESSARY TO FUND A PORTION OF THE KINGMAN AREA REGIONAL TRANSIT SYSTEM.

WHEREAS, The City of Kingman seeks to continue to offer public transportation to residents and visitors in the City of Kingman and Greater Kingman-Butler area, and

WHEREAS, On July 6, 2012, President Obama signed Moving Ahead for Progress in the 21st Century (MAP-21), reauthorizing surface transportation programs through fiscal year 2014. Each reauthorization amends the Federal Transit Laws codified in 49 USC Chapter 53. MAP-21 took effect on October 1, 2012, and

WHEREAS, Annually, the Federal Transit Administration (FTA) allocates federal funds for the Section 5311 Grant Program which are apportioned to the State on a formula basis; providing funding to support the administrative, operating, and capital costs of operating public transit services in rural areas, and

WHEREAS, The City of Kingman will submit an application for FTA Section 5311 Grant funding for Kingman Area Regional Transit (KART) to the Arizona Department of Transportation (ADOT) for Federal FY2015, and

WHEREAS, Applicants of the Section 5311 Rural Transit must file applications in accordance with the rules and procedures promulgated by State Statute; ADOT and FTA, and

WHEREAS, ADOT requires that applications for Section 5311 Rural Transit include a resolution from the governing body of the applicant acknowledging the request for Section 5311 Rural Transit Grant funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Common Council of the City of Kingman, Arizona hereby authorizes the filing of an application for a FTA Section 5311 Rural Public Transit Grant for \$978,653 with a local match for capital in the amount of \$51,400 if funded at 80/20 match ratio, or \$17,990 if funded at 93/7 match ratio, a local match for operating in the amount of \$227,296 and a local match for administration in the amount of \$36,095 and authorizes the City Manager or his duly authorized designee to sign the application and all associated documents.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona, on this 7th day of April, 2015.

APPROVED:

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

ATTEST:

Sydney Muhle, City Clerk

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: John A. Dougherty, City Manager

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Update from City Manager on talks between Mohave County, Bullhead City, City of Kingman, and Western Arizona Humane Society.

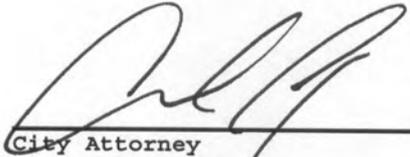
SUMMARY: I will be taking the opportunity to update the Council and public about discussions that have commenced between the interested parties concerning the insufficient facilities here in Kingman.

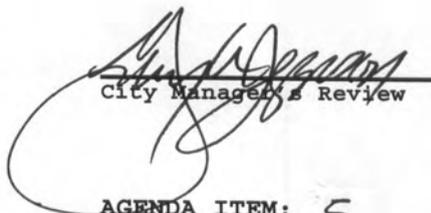
ATTACHMENT: None

STAFF RECOMMENDATION: Discussion only, not an action item.

BUDGET IMPACT: Unknown at the present time but some funds will be placed into the budget for discussion purposes.

Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 5

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members
FROM: John A. Dougherty, City Manager
MEETING DATE: April 7, 2015
AGENDA SUBJECT: Discussion and possible ratification of agreement between the City of Kingman and Kathryn Heidenreich Adult Center, Inc.

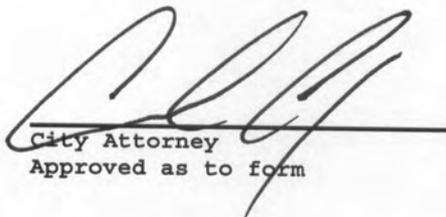
SUMMARY: The current agreement between the City and Kathryn Heidenreich Adult Center, Inc. will expire at the end of this fiscal year. It is desirable by both the City and the Heidenreich Center to continue to operate the Senior Center. It is also requested by the Kathryn Heidenreich Adult Center, Inc. to extend the contract from an annual renewal to every two years.

ATTACHMENT: None

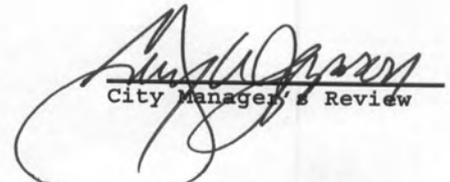
STAFF RECOMMENDATION: Staff recommendation is to continue the agreement with the Kathryn Heidenreich Adult Center, Inc. and to expand the time frame for renewal to every two years.

BUDGET IMPACT: We currently allocate \$57,000 for the servicing of this contract per year. There has been no request for an increase in the dollar amount, only a longer time frame requested.

Signature of Dept. Head



City Attorney
Approved as to form



City Manager's Review

AGENDA ITEM 6b

**FUNDING AGREEMENT FOR THE
KATHRYN HEIDENREICH ADULT CENTER**

This agreement is entered into this ____ day of _____, 2015, by and between the City of Kingman, a municipal corporation of the State of Arizona, hereinafter called “City,” and the Kathryn Heidenreich Adult Center, an Arizona Non-Profit Corporation, hereinafter called “Adult Center.”

RECITALS

WHEREAS, the City has determined that it is in the best interests to provide limited funding to the Adult Center;

WHEREAS, the Adult Center is located at 1776 Airway Avenue in the City of Kingman. The facility was built in 1972 to provide an activity center for community adults but a large majority of its services go to senior citizens;

WHEREAS; The facility provides activities services in several different sized rooms based on the services provided, such services are entertainment, crafting classes, a computer lab, adult exercise classes, in addition the Adult Center advocates for senior citizens and provides a referral service for senior needs;

WHEREAS, the City desires the services of the Adult Center and believes it promotes the health, safety, and welfare of the community;

NOW, THEREFORE, in consideration of the terms, covenants and conditions herein contained, the parties mutually agree as follows:

AGREEMENT

NOW THEREFORE, for good and valuable consideration, including consideration of the mutual promises, terms and conditions hereinafter set forth, including the mutual promises and obligations to be performed by the Parties hereto, the Parties agree as follows:

1. **INCORPORATION BY REFERENCE.** The above Recitals shall be incorporated by reference as part of the Parties’ agreements and/or as the basis of consideration for this Agreement.

2. **COMMENCEMENT, DURATION, AND TERMINATION.** Performance under this Agreement shall commence following the effective date and it shall continue in full force and effect unless earlier terminated as provided hereinafter. This agreement shall be in effect from July 1st, 2015 through June 30th, 2017 unless terminated pursuant to the provisions contained herein.

This Agreement may be canceled in accordance with A.R.S. Title 38, Chapter 3, Article 8, Section 38-511.

3. **PURPOSES.** The basic purpose of this Agreement is to set forth the terms and conditions of this agreement to provide limited funding for a minimum of two (2) employees with the Adult Center.

4. **GENERAL TERMS, CONDITIONS AND RESPONSIBILITIES**

- 4.1 **Independent Entity:** The Adult Center is a solely independent entity and is not subject to any City of Kingman Personnel Regulations, nor does it, nor any of its employees, have any claim or status under City Kingman Personnel Rules or Benefits.

- 4.3 **Compliance with Laws and Regulations:** Comply with all laws of the State of Arizona, ordinances of the City of Kingman. Such laws include, but are not limited to: City of Kingman Business License, Health Department licenses/permits, employees will hold appropriate food and beverage handling licenses, and liquor license requirements.

5. **DUTIES OF THE ADULT CENTER**

- 5.1 Funds provided shall be used solely to hire a minimum of two (2) employees for the purposes of managing activities at the Adult Center.

- 5.2 The Adult Center will provide quarterly spending reports of the funding provided by the City.

- 5.3 The Adult Center understands that the funding provided by the City is dependent upon the availability of funds.

- 5.4 The Adult Center will make available all documents necessary for a complete financial audit for the funding provided under this agreement if requested by the City.

6. **CITY'S DUTIES AND OBLIGATIONS**

- 6.1 The City shall pay to the Adult Center a sum not to exceed \$57,000 (fifty-seven thousand) as approved by the City Council, in four (4) quarterly installments.

- 6.2 In the event that there is a budget shortfall, in the determination of the City, the City shall notify the Adult Center of that shortfall and the cessation of future payments until the City decides otherwise.

7. **NOTICES** Any notice that is necessary shall be in writing and given by telefax, personal delivery, by deposit with an overnight express delivery service such as Federal Express, or by deposit in the United States Mail, certified mail-return receipt requested, postage prepaid, addressed to a Party at the address set forth below, or such other address as a Party may designate in writing by prior notice. The date notice is given shall be the date on which the notice is delivered if notice is given by personal delivery or overnight express delivery service, or three (3) days from the date of deposit in the Mail, if the notice is sent through the United States Mail. Notice shall be deemed to have been received on the date on which the notice is delivered, if notice is given by personal delivery or overnight express delivery service, or three (3) days following the date of deposit in the mail, if notice is sent through the United States Mail.

To the City:

City Manager
City of Kingman
310 North Fourth Street
Kingman, Arizona 86401

To the Adult Center:

Chairperson
Kathryn Heidenreich Adult Center
1776 Airway Avenue
Kingman, Arizona 86401

8. **SEVERANCE**

8.1 In the event the Adult Center fails or refuses to comply with the above-referenced conditions and covenants or grossly neglects to perform these duties, the City may, with thirty (30) days written notice, terminate this contract.

8.2 Either party may terminate this agreement upon sixty (60) days written notification of any intent to sever this Agreement.

8.3 In the event this Agreement is terminated, under any of the conditions listed above, the Adult Center shall provide the City with a chart of accounts relating to the funds provided by the City as well as an unexpended funds.

9. **HOLD HARMLESS CLAUSE**

The Adult Center shall indemnify, defend, and save harmless the City its employees, agents, or representatives; from any and all claims, demands, suits, actions, proceedings, loss, cost, and damages of every kind and description, including any reasonable attorney's fees and/or litigation expenses, which may be brought or made against or incurred by the City on account of loss of or damage to any property for injuries to or death of any person, to the extent caused by, arising out of, or contributed to by reasons of any negligent act, or omission, professional error, fault,

mistake, or negligence of the Adult Center, its employees, agents, representatives, or subcontractors, their employees, agents, or representatives in connection with or incident to the performance of this Agreement, or to the extent arising out of Worker's Compensation claims, Unemployment Compensation claims, or Unemployment Disability Compensation claims of employees of the Adult Center and/or its subcontractors or claims under similar such laws or obligations. The Adult Center's obligation shall not extend to any liability caused by the negligence of the City, or its employees.

10. **OTHER CONDITIONS OR PROVISIONS**

- 10.1 **Severability.** The terms of this Agreement are severable. Any waiver by the Parties of any provision herein shall not impair the right of any Party to enforce any other provision of the Agreement. Such provision of this Agreement shall be interpreted in a manner as to be effective and valid under applicable Laws. Such provision shall be ineffective solely to the extent of such prohibition or invalidity. Such prohibition or invalidity shall not invalidate the remainder of the provisions or any other provision.
- 10.2 **Voluntary Execution.** The Parties acknowledge having read the Agreement in its entirety and voluntarily sign the Agreement with the intended purpose that it be fully binding as set forth.
- 10.3 **Arbitration.** In the event of a dispute, the Parties agree to use arbitration only to the extent it is required by A.R.S. § 12-1518 or otherwise required by Arizona Rules of Civil Procedure. The Parties shall agree to fully exhaust administrative remedies before filing litigation
- 10.4 **No Implied Authority.** This Agreement shall not be considered to imply authority to perform any tasks, accept any responsibility, or to do any other thing in relation hereto, not expressly set forth herein.
- 10.5 **Construction of Contract.** This Contract shall be construed and interpreted according to its plain meaning, and no presumption shall be deemed to apply in favor of or against the party drafting this Contract. The parties acknowledge and agree that each has had the opportunity to seek and utilize legal counsel in the drafting of, review of, and entry into this Contract.
- 10.6 **Legal Arizona Workers Act.** In compliance with A.R.S. § 41-4401, the Parties hereby warrants that they will, at all times during the term of this Agreement, comply with all federal immigration

laws applicable to the Parties' employment of their employees, and with the E-Verify requirements of A.R.S. § 23-214 (A) (together the "State and Federal Immigration Laws"). The Parties shall further ensure that each subcontractor who performs any work for the Parties under this Agreement likewise complies with the State and Federal Immigration Laws.

The Parties agree and warrant that the Parties shall each have the right at any time to inspect the books and records of the other Parties and any subcontractor in order to verify such party's compliance with the State and Federal Immigration Laws. The Parties agree that any act by another Party or subcontractor that results in the impediment or denial of access of the books and records of the Parties or subcontractor shall be a material breach of this Agreement on the part of the that Party.

Nothing herein shall make the Parties or subcontractor an agent or employee of any of the other Parties. Nothing herein shall act to establish privity of contract between any of the Parties and any subcontractor.

Any breach of the Parties' or any subcontractor's warranty of compliance with the State and Federal Immigration Laws, or of any other provision of this section, shall be deemed to be a material breach of this Agreement subjecting the offending Party to penalties up to and including suspension or termination of this Agreement. If the breach is by a subcontractor, and the subcontract is suspended or terminated as a result, the Party shall be required to take such steps as may be necessary to either self-perform the services that would have been provided under the subcontract or retain a replacement subcontractor, subject to each Parties' approval as soon as possible so as not to delay project completion and at no additional expense to the other Parties. Any additional costs attributable directly or indirectly to remedial action under this Article shall be the responsibility of the offending Party.

The Parties shall advise each subcontractor of the Parties' rights and the subcontractor's obligations under this Article by including a provision in its contract with each subcontractor in the following form:

"Subcontractor hereby warrants that it will at all times during the term of this contract comply with all federal immigration laws applicable to Subcontractor's employees, and with the requirements of A.R.S. § 23-214 (A). Subcontractor further agrees that the Parties may inspect the Subcontractor's books and records

to insure that Subcontractor is in compliance with these requirements. Any breach of this paragraph by Subcontractor will be deemed to be a material breach of this contract subjecting Subcontractor to penalties up to and including suspension or termination of this contract.”

- 10.7 **Non-Discrimination.** The Parties will not discriminate any protected basis in the selection, treatment and retention of employees, subcontractors or in the procurement of materials and leases of equipment. The Parties also will not participate, either directly or indirectly, in any type of discrimination prohibited by any federal, state, or local law, including but not limited to Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and Executive Orders 99-4 and 2000-4 (including any amendments thereto).
- 10.8 **Scrutinized Business.** As required by A.R.S. §§ 35-391.06(A) and 35-393.06(B), the Parties certifies to each other that they do not have any scrutinized business operations (as defined in A.R.S. §§ 35-391 and 35-393) in Sudan or Iran.
- 10.9 **Legal Action.** It is agreed that this contract shall be governed by the laws of the State of Arizona. Should any legal action be brought to enforce or interpret the terms or provisions of this Contract, any court of competent jurisdiction, located in Mohave County, Arizona, shall be proper venue for such an action. If any legal action is brought to enforce or interpret the terms or provisions of this Contract, the prevailing party shall be entitled to its reasonable attorneys' fees and costs in addition to any other relief which may be granted.

IN WITNESS WHEREOF, the Parties have signed this Agreement on the dates set forth below. This Agreement shall be effective as of the date first above written, and upon being fully executed and delivered this Agreement this ____ day of _____, 2015.

City of Kingman

Kathryn Heidenreich Adult Center

Richard Anderson, Mayor

William Porter, President

APPROVED AS TO FORM:

ATTEST:

Carl W. Cooper, City Attorney

Sydney Muhle, City Clerk

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Development Services Department

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Public Hearing and consideration of Ordinance No. 1795, to approve the rezoning of a 0.24 acre lot located at 503 E. Spring Street (Lot 1 and West Half of Lot 2, Block 20, Kingman Townsite Addition) from R-1-6 to C-1. Rezoning Case: RZ15-001

SUMMARY: This is a request from ReMax Prestige Properties, applicant, and Leora Hammer, property owner, to rezone a 0.24 acre lot located at 503 E. Spring Street from R-1-6: Residential, Single-Family, 6,000 square foot lot minimum to C-1: Commercial, Neighborhood Convenience. The property has a single family home which is listed on the National Historic Register and the Kingman Historic Property Survey 1979. The property owner intends on remodeling the interior of the home for general office use. The exterior of the home will be preserved to keep its historic character.

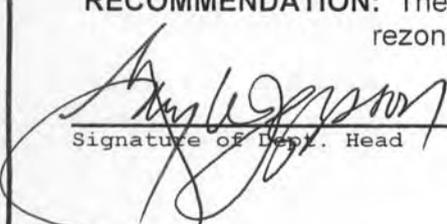
The Planning and Zoning Commission held a public hearing and reviewed of the Goals and Objectives of the Kingman General Plan 2030, the Standard for Review and the applicant's request. There were some objections from nearby property owners during the public testimony. Concerns included preserving the historic character of the neighborhood and subject property, customers parking in front of homes on Spring Street, and privacy of the neighbor to the east.

The Planning and Zoning Commission voted 4-1 to recommend approval of the rezoning to C-1 as requested with certain conditions. Conditions included requirements for a building permit and survey, addressing of drainage issues, provision of off-street parking, construction of a six foot wall along the east side of the property, and maintenance of the historic character of the primary building.

ATTACHMENT: Proposed Ordinance No. 1795, P&Z Commission Report.

FISCAL IMPACT: None expected at this time.

RECOMMENDATION: The Planning and Zoning Commission recommends approval of the rezoning request.


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 6c

CITY OF KINGMAN ORDINANCE NO. 1795

AN ORDINANCE BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: FOR THE REZONING A 0.24 ACRE PROPERTY LOCATED 503 E. SPRING STREET FROM R-1-6: RESIDENTIAL, SINGLE FAMILY 6,000 SQUARE FOOT LOT MINIMUM TO C-1: COMMERCIAL NEIGHBORHOOD CONVENIENCE

WHEREAS, Remax Prestige Properties, Inc., applicant, and Leora Hammer, property owner, have requested the rezoning of a 0.24 acre property located at 503 E. Spring Street from R-1-6: Residential Single Family, 6,000 square foot lot minimum to C-1: Commercial Neighborhood Convenience to allow the use of a commercial office, and

WHEREAS, the property is further described as Kingman Townsite Addition, Block 20, Lot 1 and West Half of Lot 2, and

WHEREAS, this proposed rezoning is in accordance with the projected land use and density standards of the adopted City of Kingman General Plan 2030, and

WHEREAS, the Planning and Zoning Commission held a public hearing on March 10, 2015 and voted 4-1 to approve this rezoning request, and

WHEREAS, the Kingman Common Council has the authority to approve this request pursuant to the City of Kingman Zoning Ordinance, Sections 11.000, 22.000 and 31.000.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Kingman, Arizona: That the .24-acre subject property, described as Kingman Townsite Addition, Block 20, Lot 1 and West Half of Lot 2, is hereby rezoned from R-1-6: Residential Single Family, 6,000 square foot lot minimum to C-1: Commercial Neighborhood Convenience with the following conditions:

1. A building permit is required before commercial use of the building will be approved. The permit which shall comply with 2012 Edition of the International Building Code (IBC) and the Americans with Disabilities Act (ADA) requirements.
2. A survey is submitted with the building permit application for remodeling.
3. Drainage issues shall be resolved prior to or as part of a building permit to remodel the existing single family residence into a commercial office.

4. Off-street parking shall be provided to the rear of the building.
5. A six (6) foot wall shall be constructed between the subject property and the adjacent R-1-6 zoned property to the east at the time of a building permit in accordance with Section 11.730 and 26.400.
6. The historic character and appearance of the primary building shall not be altered

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 7th day of April, 2015.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney



CITY OF KINGMAN
Development Services Department
Rezoning Case: RZ15-001
Planning and Zoning Commission Report
March 11, 2015

A request to rezone certain property from R-1-6: Residential, Single Family, 6,000 square foot lot minimum to C-1: Commercial, Neighborhood Convenience. The rezoning is proposed to allow the use of a commercial office on the subject site. The property is located at 503 Spring Street.

GENERAL INFORMATION:

Property Owner: Leora Hammer
503 Spring Street
Kingman, AZ 86401
(602) 290-3583

Applicant: Remax Prestige Properties
2404 Stockton Hill Road 5-A
Kingman, AZ 86402

RECOMMENDATION

The Planning and Zoning Commission may recommend approval of the rezoning from R-1-6 to C-1 as requested under RZ15-001 with certain conditions. This recommendation is based on the Goals and Objectives of the Kingman General Plan 2030, the Standards for Review, Findings of Fact, and Analysis contained in this report. **The Planning and Zoning Commission voted 4-1, recommending approval of the rezoning request under RZ15-001 with conditions as stated in the report.**

STANDARDS FOR REVIEW

APPLICABLE GOALS, OBJECTIVES AND POLICIES OF THE KINGMAN GENERAL PLAN 2030:

- Chapter 4: Land Use Element, Land Use Categories
- Chapter 5: Growth Area Element

APPLICABLE SECTIONS OF THE CITY OF KINGMAN ZONING ORDINANCE:

11.000 COMMERCIAL: NEIGHBORHOOD CONVENIENCE (C-1)

11.100 INTENT AND PURPOSE

This district is intended to provide for the development of very limited neighborhood shopping areas situated adjacent to or surrounded by residential districts. The shopping areas are intended to serve only the need for convenience goods and service in their immediate locality and should fit into a residential environment without detriment to the character of the area.

11.200 GENERAL PROVISIONS

11.210 PERMITTED USES

Land shall be used and buildings and structures shall hereafter be erected, altered, enlarged, or otherwise modified for the following permitted uses:

- Art galleries and picture framing shops
- Beauty shops/salons/barber shops
- Bed and breakfast establishments
- Candy and ice cream stores
- Coffee shops, sandwich shops, and bagel shops, but not drive through service lanes
- Family, Group, or Commercial Day Care Facilities
- Florist shops
- General offices, including banks and financial establishments
- Health care or therapeutic services, but not medical marijuana dispensaries.
- Jewelry stores
- Low density multiple-family developments
- Medical and dental offices and clinics
- Pre-Schools
- Real estate and title companies
- Stamp and coin hobby shops
- Tailor shops but not laundries
- Travel agencies
- Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is thirty (30) feet. (See also Subsection 26.1000: WIRELESS COMMUNICATION FACILITIES in Section 26.000: GENERAL DEVELOPMENT STANDARDS.)

Uses not explicitly enumerated in this section as permitted uses but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or special uses elsewhere in this ordinance.

11.220 USES WHICH MAY BE PERMITTED BY CONDITIONAL USE PERMIT

The following uses may be permitted subject to approval of a Conditional Use Permit as provided in Section 29.000: CONDITIONAL USE PERMITS.

- Convents, monasteries, theological schools, rectories and parish houses
- Instructional Schools
- Lodges, fraternal organizations and clubs
- Pre-schools
- Public Assembly-Indoor, General

Public utility and public service uses including: electric substations, fire stations, police stations, water filtration plants, pumping stations, and reservoirs, telephone exchanges, and telephone transmission equipment buildings.

Recreational buildings/community centers/reading rooms and meeting rooms

Schools, Private School, Charter School or Community College (not providing housing, dormitories or sleeping overnight)

Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is one hundred (100) feet. (See also Subsection 26.1000: WIRELESS COMMUNICATION FACILITIES in Section 26.000: GENERAL DEVELOPMENT STANDARDS.)

11.300 PROPERTY DEVELOPMENT STANDARDS

11.310 LOT AREA

All lots hereafter created in this district shall contain a minimum of seventy-five-hundred (7,500) square feet. The specified lot area size is not intended to prohibit two (2) or more separate uses on a lot where the lot is in undivided ownership.

11.320 LOT WIDTH

Not less than seventy-five (75) feet

11.330 YARDS

Yard abutting street: Minimum of fifteen (15) feet where abutting a street, parking to be permitted in the required front yard. For front side yard on a corner lot, ten (10) feet.

Side Yards: There shall be no requirement, except where a side lot line coincides with a lot line in an adjacent residential district. Such yard shall not be less than five (5) feet in depth.

Rear Yards: Where a rear lot line coincides with a lot line in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall not be less than fifteen (15) feet in depth and such yard may be used for parking.

11.340 BUILDING HEIGHT

Thirty (30) feet or two (2) stories, whichever is lower.

11.350 DISTANCE BETWEEN BUILDINGS

Buildings not actually adjoining shall be provided with a minimum of six (6) foot separation.

11.360 OFF-STREET PARKING AND OFF-STREET LOADING

See Section 22.000: OFF-STREET PARKING AND LOADING REQUIREMENTS.

11.370 CONDUCT OF USES

All business, service, storage and merchandise displayed shall be conducted wholly within an enclosed building, except for off-street automobile parking, off-street loading and the usual pumping operations of gasoline sales.

When a lot is used for commercial purposes and abuts a lot within any developed residential district, a masonry wall of not less than six (6) feet or more than eight (8) feet in height shall be erected and maintained along the abutting side and/or rear yard line prior to occupancy of the building. Said wall shall be reduced to thirty-six (36) inches in height within a required front yard of the adjacent residential property. In the case where the developed commercial lot abuts an undeveloped residential district, which has been identified as having a commercial potential by an approved land use plan, the masonry wall requirement may be deferred until such time as the abutting lot is developed in a residential manner. At this point in time, the owner of the abutting commercial property shall have six (6) months, from the date of Certificate of Occupancy for the residence is issued, to construct the required masonry wall if there is a dedicated alley or public roadway separating the commercial property from the residential property, the alley or public roadway shall serve as the buffer and the masonry wall shall not be required unless so specified by Ordinance relating to the rezoning of the subject property.

22.000 OFF-STREET PARKING AND LOADING REQUIREMENTS

22.100 INTENT AND PURPOSE

These regulations are established to provide for the off-street parking for automobiles, trucks, and other non-motorized vehicles bicycles in connection with the uses of land permitted in this Ordinance. These uses generate vehicular traffic according to their specific characteristics, and thus require differing amounts of off-street parking and loading area. These regulations have the further purpose of relieving congestion on the public streets, freeing them for use by both essential public safety vehicles and by the general public and provide reasonable requirements for off-street parking facilities for bicycles and provide design guidelines for such. These regulations are intended to encourage the use of alternate forms of transportation throughout the community.

22.200 DEFINITIONS

Bicycle: shall mean a vehicle propelled by human power and sometimes by a small gasoline-powered motor, upon which any person may ride, and is typically made of a tubular frame mounted on two (2) large usually wire-spoke wheels, one (1) behind the other, or having three (3) wheels and are equipped with handlebars and a saddle-like seat.

Bicycle Bench: shall mean a freestanding bicycle parking stand combination park bench. This device is designed to fit within the public rights-of-way in constricted areas, such as in downtown areas. (See Illustration 5)

Bicycle Parking Facility: shall mean an area located on a site and used specifically for parking bicycles.

Bicycle Parking Space: shall mean an area allowance for the parking of an individual bicycle. As a general rule the typical measurement is six (6) feet long by eighteen (18) inches wide.

Bicycle Support: shall mean a rack, or other device, which is anchored securely and will directly support the bicycle frame in a stable position without damage to the wheels, frame, or components.

Downtown Retail/Governmental Area: shall mean a portion of that area also known as the Historic Downtown Kingman, and for the purpose of this Ordinance, is located to the east of N. First Street, south of Maple Street, west of Sixth Street and north of Andy Devine Avenue.

Guard Rail Parking Facility: shall mean a bicycle support that is designed to accommodate two (2) bicycles with handlebars alternated – one (1) on each side – and fits within the public

right-of-ways in constricted areas or pedestrian areas, such as in the downtown retail/governmental area.

Judicial Center: shall mean a building or buildings used for courts of law or judges and judicial administration.

Public Building: shall mean facilities for the conducting of public business constructed for various public agencies and includes courthouses, City halls, post offices, governmental office buildings, libraries, and museums, but does not include public or private schools or churches.

Ribbon-style Parking Facility: shall mean a freestanding bicycle support made of continuous bending or serpentine design, with approximately two (2) inches or slightly larger outside diameter, galvanized steel tubing. (See Illustration 4)

Short-term Bicycle Parking: shall mean those facilities which are convenient and are located near building entrances or other highly visible areas which are self-policing.

22.300 REQUIRED PARKING AND LOADING

Any building or structure erected or located and any use of land established after the effective date of this Ordinance or any subsequent amendments thereto, shall be required to provide off-street automotive and bicycle parking and loading facilities in accordance with the provisions of the ordinance.

22.310 PARKING FACILITIES REQUIRED FOR CHANGE OF USE OR CHANGE OF OCCUPANCY

Automobile: Whenever the existing use of a structure or the existing use of land is changed to another use or occupancy, a site plan shall be submitted showing area reserved for parking and loading in conformity with the regulations then in effect.

Bicycle: In addition to the above, whenever the existing use of a commercial structure which is three-thousand-four-hundred-ninety-nine (3,499) square feet in size or greater, is changed to another use or occupancy, the new use shall provide bicycle parking facilities as set forth in this article.

22.320 PARKING FACILITIES REQUIRED FOR MORE INTENSIVE USE

When the intensity of use of any building, structure or premises is increased through the addition of dwelling units, floor area, seating capacity or other units of measurement specified in this part, the additional required automobile and bicycle parking and loading facilities for such increase shall be provided.

22.330 NUMBER OF PARKING SPACES REQUIRED

The number of off-street parking spaces required for each use shall be as follows, provided that where two (2) or more uses occupy the same building, lot or parcel of land, the total requirements for off-street parking and off-street loading space shall be the sum of the requirements of the various uses computed separately.

Arcade: One (1) space per three-hundred (300) square feet of building area.

Automobile Service Stations: One-and-one-half (1-1/2) spaces for each pump to the first six (6) pumps, and one (1) space for each additional pump. Automobile service stations

without mini-markets and car washes are exempt from the provision of bicycle parking facilities.

Boarding Houses: One (1) space for each three-hundred (300) square feet of living area.

Bowling Alley: Five (5) spaces for each alley. Additional parking spaces for balance of building calculated according to use.

Cafes, Cafeterias, Restaurants, Bars, Cocktail Lounges, Night Clubs, and other similar places dispensing food or refreshments: One (1) space for each five (5) seats, or one (1) space for every thirty-five (35) square feet of seating area where there are no fixed seats, plus one (1) parking space for each two (2) employees on the largest shift.

Dwellings, Single-Family (Including Manufactured Homes): Two (2) parking spaces for each dwelling unit.

Dwelling, Multiple-Family: Two (2) parking spaces per unit.

Furniture Sales and Repair, Major Household Appliances Sales and Repair: One (1) space for each four-hundred (400) square feet of floor area.

Golf Courses: Ten (10) spaces for each hole.

Hospitals: One (1) space per bed; **Sanitariums and Rest Homes:** One (1) space for every three (3) patient's beds.

Hotels and Motels: One (1) space for each living or sleeping unit; plus one (1) space for each five (5) units. For each unit with kitchen facilities, two (2) spaces in a garage or carport.

Industrial Uses Not Otherwise Listed: One (1) space for each four-hundred (400) square feet of floor area. Also, one (1) space for each vehicle used in connection with the use. Industrial buildings and warehouses are exempt from the provision of bicycle parking facilities.

Judicial Center: One (1) parking space for every 350 square feet of floor area.

Mortuary and Funeral Homes: One (1) space for each five (5) fixed seats of all areas used simultaneously for assembly purposes or for each thirty-five (35) square feet of floor space used for such assembly purposes. Also, one (1) space for each vehicle used in connection with the use.

Offices:

1. **Medical and Dental:** One (1) space per one-hundred-fifty (150) square feet of floor space.
2. **Other Professional and General Business:** One (1) space per two-hundred-fifty (250) square feet of floor area.
3. **Corporate or Headquarters Offices not providing services to the General Public:** One (1) space per three-hundred-fifty (350) square feet of floor area.

Open Air Commercial Uses such as Nurseries and Used Car Lots: One (1) space for each one-thousand (1,000) square feet of lot area devoted to sales and display. Other specific Open Air Commercial Uses such as nurseries, new and used car sales lots, recreational vehicle and boat sales lots, and manufactured or mobile home sales lots as follows:

1. **Nurseries:** One (1) improved customer parking space for every one-thousand (1,000) square feet of sales and display area, plus one (1) improved space for every five-hundred (500) square feet within a building on site.
2. **New and Used Auto Sales Facilities:** One (1) improved customer parking space for each five-hundred (500) square feet within an enclosed building including service area. In addition, any exterior area used for sales, storage and display shall be improved in a like manner.
3. **Recreational Vehicle and Boat Sales:** One (1) improved customer parking space for every one-thousand (1,000) square feet of sales or display area and one (1) parking space for every five-hundred (500) square feet within any enclosed building on site including service buildings. In addition, any exterior area used as sales should be improved in a like manner.
4. **Manufactured Home and Exclusive Travel Trailer Sales:** One (1) parking space for each five-hundred (500) square feet within any building site, plus one (1) space per employee on the largest shift, plus one (1) improved space for every twenty-five-hundred (2,500) square feet of exterior sales or display area.

Public Assembly-Indoor, Entertainment and Public Assembly-Indoor, General: One (1) space for each five (5) fixed seats, or one (1) space for every thirty-five (35) square feet of seating area where there are no fixed seats. Also, one (1) space for each two-hundred-fifty (250) square feet of floor area not used for seating.

Public and Private Elementary and Junior High Schools: One-and-one-half (1-1/2) spaces for each classroom plus one (1) space for each five (5) fixed seats in the auditorium, gymnasium, or similar place of public assembly and for every thirty-five (35) square feet of area available for general assembly where there are no fixed seats.

1. Bicycle parking facilities shall be provided based on five percent (5%) of the computed automobile parking spaces. At a minimum of the computed total, two (2) bicycle parking spaces will be the least number required.

Public or Private High Schools and Colleges: One (1) space for each ten (10) students plus one-and-one-half (1-1/2) for each classroom; this requirement shall be based on the number of students and classrooms for which the school or college is designed.

Retail Establishments and Service Business otherwise not enumerated in this section such as Drug Stores, Department Stores, Repair Shops, Animal Hospitals, Business Schools, Dance Studios: One (1) space for each two-hundred (200) square feet of floor area.

Roller Rink: One (1) space per three-hundred (300) square feet of building area.

Stadium, Outdoor Amphitheater, or Outdoor Seating: One (1) space for every four (4) seats. If the seating is bleachers, one (1) seat is defined as every twenty (20) inches. As a condition of approval, the Planning Commission can require paved parking on a site specific basis.

Wholesaling or Warehousing: One (1) space per one-thousand (1,000) square feet of floor area. Also, one (1) space for each vehicle used in connection with the use.

22.340 REQUIRED PARKING, USES NOT MENTIONED

1. The required off-street parking for any building, structure, or use of land of a type which is not listed in this section, shall be determined by the Planning and Zoning Commission, as evidenced by a resolution of record.
2. In such an instance, the Commission shall within one (1) year of the date of said resolution, initiate an appropriate amendment to the Zoning Ordinance of the City of Kingman as provided in Section 31.000: AMENDMENTS.

22.400 LOCATION AND CONTROL OF PARKING FACILITIES

The off-street parking facilities required by the article shall be located on the same lot or parcel of land as the use they are intended to serve, except that in cases of unusual site conditions, the Commission may approve a substitute location which meets either of the following conditions:

1. That the substitute location is within two-hundred (200) feet of the principal use for which the parking is being provided; and that the substitute lot shall be in the same ownership or under agreements approved as to form by the City Attorney. The purpose of such an agreement shall be to guarantee the availability of such parking to the property in question. A recorded document stipulating the reservation of the property for parking purposes shall be filed with the City prior to the issuance of a building permit.
2. Or that the property in question is part of a Parking District formed to provide off-street parking facilities. Where such a District exists, it shall provide parking facilities in accord with the provisions of this ordinance.

22.500 COMPUTATION OF REQUIRED PARKING SPACES

For the purpose of computing off-street parking spaces which are required by this article, the following rules shall apply:

1. Floor area shall mean gross floor area unless otherwise specified for a particular use.
2. Churches and other places of assembly in which benches or pews are used in place of seats, each eighteen (18) inches in length of such benches or pews shall be counted as one (1) seat.
3. When determination of the number of off-street parking spaces results in a requirement of a fractional space, and fraction of less than one-half ($1/2$) may be disregarded, while a fraction of one-half ($1/2$) or more shall be counted as one (1) required parking space.
4. The number of bicycle parking spaces provided for commercial buildings, public buildings, churches and schools shall be based on five percent (5%) of the computed automobile parking spaces. At a minimum of the computed total, two (2) bicycle parking spaces will be the least number required.

22.600 COMBINED OR COMMON PARKING AREAS

1. The required off-street parking and loading facilities as required for this article may be provided collectively for two (2) or more buildings or uses in any commercial or industrial district, provided that the total number of parking spaces shall not be less than the sum of the requirements for each of the individual uses and may be satisfied by the establishment and maintenance of common parking areas as herein provided.

2. If the common parking area and the building sites to be served are subject to more than one (1) ownership, permanent improvements and maintenance of such parking facilities must be provided for in one of the following manners:
 - a. By covenant or contract among all such property owners and duly recording of an appropriate covenant running with the land and improvements and filed in the office of the Mohave County Recorder.
 - b. By the creation of special districts and the imposing of special assessments in any of the procedures prescribed by the State Law.
1. The required off-street bicycle parking facilities as required for this article may be provided collectively for two (2) or more building or uses, provided that the total number of parking spaces shall not be less than the sum of the requirements for each of the individual uses.

22.700 DESIGN AND IMPROVEMENT OF PARKING AREAS

1. All required parking areas shall have adequate ingress and egress to and from a street or alley. Sufficient room for turning and maneuvering vehicles shall be provided on the site. Backing into a roadway or alley is prohibited, except where employee parking is provided at the rear of the lot then the alley may be used as maneuvering area.
2. Parking areas shall conform to design standards as set forth in Illustration 1 and Table 1 of this Section.
3. The required parking area, aisles, and access drives shall be designed and constructed so as to provide a durable, dustless surface of (#1) asphaltic concrete, (#2) cement concrete, (#3) a penetration treatment of bituminous material and a seal coat of bituminous binder and mineral aggregate, or (#4) the equivalent of the above as may be approved by the City Engineer.
 - a. All parking areas over and above the minimum required by this Ordinance (overflow parking areas), and associated with, used by, or advertised for any commercial use, shall have installed and maintained a surface of, at a minimum, aggregate base course (ABC) or the equivalent. This is intended to minimize dust associated with the parking area. In addition, if the business is open past dusk year round (5:00 P.M. to 5:00 A.M.), the overflow parking area shall provide outdoor lighting within the overflow parking lot as a safety feature. Such lighting shall be installed in accord with the OUTDOOR LIGHTING CODE.
4. The parking area, aisles, and access drives shall be graded and drained so as to dispose of surface water, with the design and specifications of such to be approved by the City Engineer. A grading plan of the parking area shall be submitted to the City Engineer for all commercial, industrial uses, and multiple-family developments of five (5) units or more.
5. Entrances and exits to parking lots and other parking facilities shall be provided only at locations approved by the City Engineer and shall be established in conformance with Illustration 2 of this Section.
6. Each parking space shall be not less than nineteen (19) feet in length and nine (9) feet in width exclusive of aisles and access drives with the nine (9) feet in width exclusive of aisles and access drives with the exception of parallel parking, which shall be twenty-three (23) feet in length and eight (8) feet in width, and handicap parking, which shall be twelve (12) feet in width, by the nineteen (19) feet in depth.

7. Concrete parking barriers shall be provided along the perimeter of the parking area, and where needed for safety, as determined by the Planning Director and/or City Engineer. Such barriers shall be sufficient to ensure that no portion of the vehicles parking on the premises shall extend over the property line, the planned highway or street right-of-way.
8. No commercial repair work or servicing of vehicles shall be conducted in a parking area.
9. All parking facilities, entrances and exits shall be designed and built in conformance with Section 26.000: GENERAL DEVELOPMENT STANDARDS, INTERSECTION VISIBILITY AND CORNER CUTBACK.
10. The surface of a bicycle parking facility may be surfaced in the same manner as the motor vehicle parking area or with a minimum of one (1) inch thickness of one-quarter (1/4) inch aggregate material (gravel). This surface will be maintained in a smooth, durable, and well drained condition.
11. Where it is reasonable to do so, bicycle parking facilities will be located in a highly visible location to avoid vandalism and theft.
12. Where it is reasonable to do so, direction signs will be provided to direct bicyclists from the public rights-of-way to the bicycle parking facility.
13. The design of the bicycle parking facility will ensure that bicycle supports are accessible and are designed so that a bicycle may be securely locked to the support without undue inconvenience.
14. Bicycle parking facilities should typically provide for row parking or paired parking. Supports may also be anchored to the building or walls to allow bicycle parking parallel to the building or wall, a minimum of eighteen (18) inches shall be provided between a bicycle parking space and a wall or other obstruction. Additionally:
 - a. Row parking shall provide a minimum of six (6) feet length and eighteen (18) inches width per bicycle parking space.
 - b. Double parking stalls utilizing a center support will allow a minimum of six (6) feet length and twenty-eight (28) inches between the outer faces of the supports.
 - c. A five (5) foot wide unobstructed access aisle will be provided around the rows of bicycle parking.
15. The bicycle parking facility supports will accommodate:
 - a. Locking the bicycle frame and both wheels to the support with a U-shaped lock when the front bicycle wheel is removed.
 - b. Locking the frame and one (1) wheel to the support with a U-shaped lock if both wheels are left on the bicycle.
 - c. Locking the frame and both wheels to the support with a chain or cable not longer than six (6) feet or seventy-two (72) inches.

| TABLE 1 | | | | | | | | | |
|-----------------------------------------------|----------|----------|-----------|----------|----------|----------|----------|-------------------|-----------|
| RECOMMENDED SPACE AND AISLE DIMENSIONS | | | | | | | | | |
| ANGLE X | B | C | D* | E | F | G | H | UNIT DEPTH | |
| | | | | | | | | I | II |
| 30° | 9.0 | 17.3 | 11.0 | 26.8 | 18.0 | 13.5 | 30.0 | 45.6 | 37.8 |
| 45° | 9.0 | 19.8 | 13.0 | 33.3 | 12.7 | 6.3 | 19.7 | 52.6 | 46.2 |
| 60° | 9.0 | 21.0 | 18.0 | 37.5 | 10.4 | 2.6 | 12.1 | 50.0 | 55.5 |
| 70° | 9.0 | 21.0 | 19.0 | 38.9 | 9.6 | 1.1 | 7.6 | 61.0 | 57.9 |
| 80° | 9.0 | 20.3 | 24.0 | 39.0 | 9.1 | 0.2 | 3.5 | 64.6 | 63.0 |
| 90° | 9.0 | 19.0 | 25.0 | 38.0 | 9.0 | 0.0 | 0.0 | 63.0 | 63.0 |

NOTE: Even numbers of spaces "N" in length of curb.
0"

"L = N = L-H+C

Stall length = 19'-0"

***TWO WAY AISLES WITH STALLS IN OPPOSITE DIRECTIONS DOUBLE THIS DISTANCE**

22.710 ON-SITE LOCATION OF PARKING FACILITIES

On-site parking facilities for residential uses shall not be permitted to occupy any portion of a required front yard or any portion of a required side yard except on established and improved driveways.

22.720 LIMITATION ON USE OR REQUIRED PARKING AREA

Required parking area shall be used exclusively for vehicle parking in conjunction with a permitted use and shall not be reduced or encroached upon in any manner. The parking facilities shall be so designed and maintained as not to constitute a nuisance at any time, and shall be used in such a manner that no hazard to persons or property, or unreasonable impediment to traffic will result.

22.730 MODIFICATIONS TO C-1: COMMERCIAL, NEIGHBORHOOD CONVENIENCE

The Planning and Zoning Commission may recommend to the City Council and the Council may act upon modifications to the parking requirements for a specific development if the following conditions are met:

1. The proposal converts corner property with an existing residential structure from R-1-6: Residential Single Family to C-1: Commercial, Neighborhood Convenience;
2. The development meets all other criteria established under the Zoning Ordinances;
3. The developer can demonstrate to the Planning and Zoning Commission and the City Council that the proposed development would provide on-site parking and would not create overflow parking in front of the adjacent residential properties, and would provide no less than one (1) parking space per three-hundred (300) square feet of floor area, plus one (1) space per two (2) employees, with provision for minimum number of accessible spaces in accord with the State ADA requirement;
4. Backing into the right-of-way is prohibited, except for "local" street, as defined by Section 4.6 of the Subdivision Ordinance, and Section 1.2 of the Streets and Sidewalks Development Rules and Regulations, where no vehicle parking are permitted within the

“site triangle”, as defined by Section 26.000: GENERAL DEVELOPMENT STANDARDS;
and

5. The parking modification would need to have final approval from the Common Council and any modification to the parking requirements shall run with the land so long as the conditions of approval continue to be met.

22.800 CONTINUING OBLIGATION

The required off-street parking and loading facilities for bicycles as well as vehicles shall be a continuing obligation of the property owner so long as the use requiring vehicle parking or loading facilities continues. It shall be unlawful for an owner of any building or use to discontinue to dispense with the required vehicle parking or loading facilities without providing other vehicle parking or loading area which meets the requirements of this article. These facilities will be maintained by the property owner in good condition and kept clear of debris or other accumulated refuse.

22.900 REQUIRED OFF-STREET LOADING SPACE

Off-street loading space shall be provided and maintained on the same lot with every building or separate occupancy as follows:

| | REQUIRED SPACES |
|-----------------------------------------------------------------|------------------------|
| Hotels and restaurants | 1 |
| Commercial and Industrial Buildings under 21,000 SFGFA* | 1 |
| Between 20,001 & 40,000 SFGFA* | 2 |
| Between 40,001 & 80,000 SFGFA* | 3 |
| Between 80,001 & 120,000 sq. ft. SFGFA* | 4 |
| Between 120,001 & 160,000 sq. ft. SFGFA* | 5 |
| Over 160,000 sq. ft. SFGFA* | 6 |
| Office Buildings, Hospitals & Institutions under 50,000 SFGFA*. | 1 |
| Between 50,001 & 100,000 sq. ft. SFGFA* | 2 |
| Over 100,000 SFGFA* | 3 |

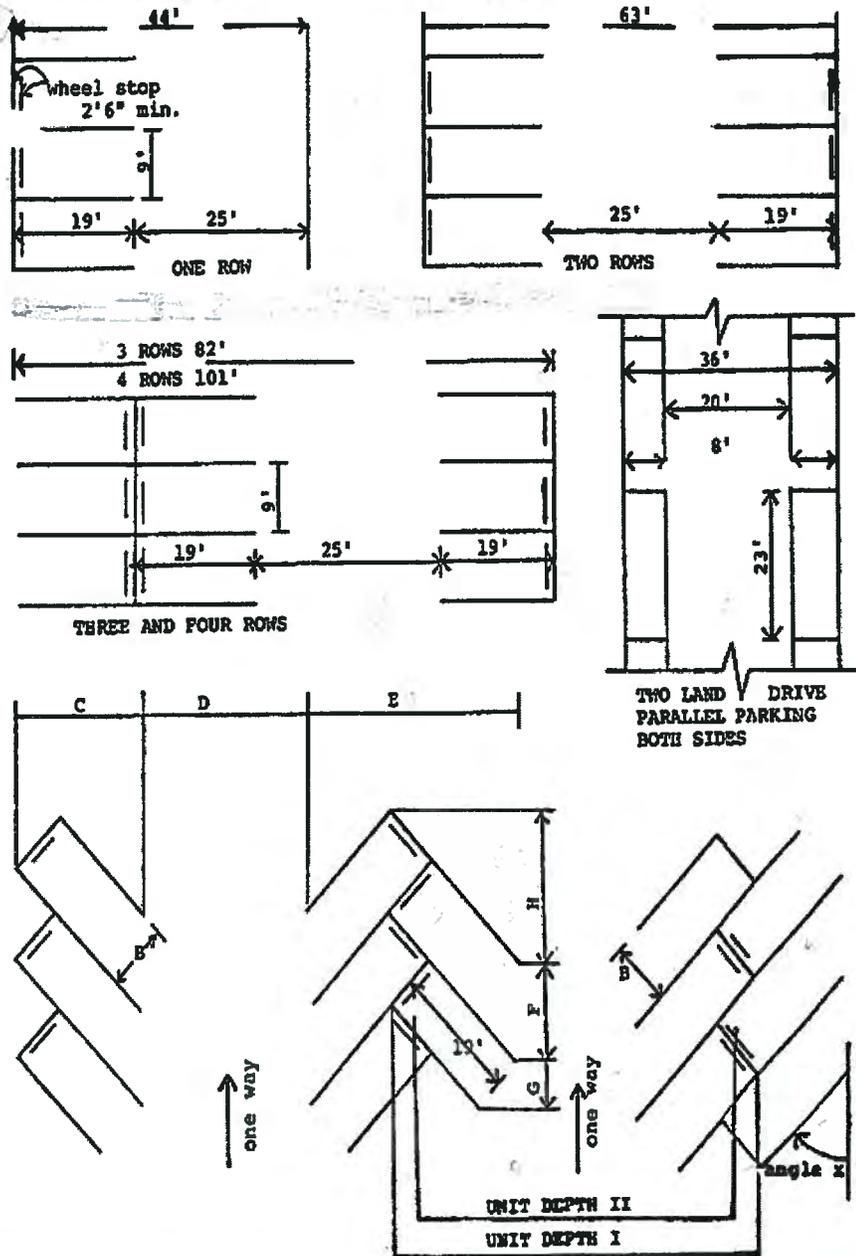
*SFGFA = SQUARE FEET GROSS FLOOR AREA

22.910 SIZE AND LOADING SPACE

Each required off-street loading space shall not be less than twelve (12) feet in width and fifteen (15) feet in height. Each space shall be designed and located so that vehicles need not extend on to public sidewalks or streets in the course of loading or unloading foods and, each space shall be a minimum of twenty-five (25) feet in length.

ILLUSTRATION 1:

DESIGN STANDARDS FOR PARKING LOTS



26.400 FENCES AND WALLS

1. **Allowable Fence or Screening Materials:** The following materials are permitted for all residentially zoned districts: chain link fencing, with or without metal slats, wood slats, vinyl slats, or double picket weaving, masonry wall constructed to accepted industry standards, with or without grout, stucco fences, redwood/cedar board fencing, vinyl PVC products designed specifically for fences, vinyl coated polyester made for fence screening, stacked railroad ties, bamboo screens or living plants, wrought iron, wooden picket fences or split rail fencing. These materials for residential fences must be maintained in working order, and shall not be allowed to deteriorate into unsightly, unsafe or blighted conditions.
2. **Unacceptable Fencing or Screening Materials:** The following materials are not permitted for all residentially zoned districts, including, but not limited to: doors, new or used of any kind, cable spool ends, plywood or masonite not specifically designed for fencing use, old appliances or old furniture or parts thereof, corrugated fiberglass, ammo boxes, automobile or truck parts of any kind, wooden pallets, rusted salvage panels of any kind.
 - a. Fences or walls not exceeding six (6) feet in height may occupy any portion of a required side yard or rear yard.
 - b. Fences or walls may be placed in required front yards only under the following conditions:
 - i. Fences and walls thirty-six (36) inches in height may be placed on property lines within a required front yard except when such placement is not permitted by the Intersection Visibility and Corner Cutback provisions of this section.
 - ii. Wire fences forty-eight (48) inches in height may be placed on property lines within a required front yard except when such placement is not permitted by the Intersection Visibility and Corner Cutback provisions of this section.
 - c. When a lot is used for any purpose other than a single-family dwelling unit and abuts a lot zoned for R-1 purposes, a masonry wall six (6) feet in height shall be erected and maintained along the abutting lot line, except where abutting the required front yard of an adjacent R-1 zoned lot.
 - d. Fences on tennis courts, handball courts and other athletic courts or similar nature may exceed six (6) feet in height provided the portion over six (6) feet is composed of chain link or other material completely open to light and air.
 - e. In commercial-zoned areas where storage is allowed, fences up to eight (8) feet are allowed in rear and side yards. Barbed wire fences are prohibited.
 - f. "Barbed wire fences" not exceeding five (5) feet in height may be placed on property lines within a required side or rear yard on residential zoned lots forty-thousand (40,000) square feet in area or greater and on all property lines within the "O" (Recreational Open Space Zoning District).
 - g. Commercial or Industrial property located in any zone surrounded by a chain link fence or block walls, a minimum of six (6) feet high, may have twenty-four (24) inches of barbed wire placed on top for security, public safety, health and welfare purposes.

31.000 AMENDMENTS AND ZONE CHANGES

31.100 AMENDING THE ORDINANCE

Whenever the public necessity, convenience, and/or the general welfare of good zoning practices justifies such action, this Ordinance may be amended by changing the boundaries of zone districts, (hereinafter referred to as zone changes or changes of zone) or by amending any provision of the Ordinance. Zone changes or amendments may be initiated by the City Council or by the Planning and Zoning Commission or by an application of the owner of any property within the area proposed to be changed, or a request can be made by a citizen for an amendment.

31.110 GENERAL PLAN CONFORMANCE

All amendments which change the boundaries of any zoning district or change the text of the Zoning Ordinance must conform to the adopted General Plan of the City of Kingman. Any ordinance amending this ordinance shall further the implementation of, and not be contrary to the goals, policies, and applicable elements of the Plan. A zoning map amendment conforms to the land use element of the General Plan if it proposes land uses, densities, or intensities within the range for the subject property as stated in the General Plan or any amendments thereto.

31.120 APPLICATION

Application for a change of zone shall be made on a form provided by the City of Kingman. Fees shall be paid for such application according to the adopted schedule for such requests.

31.130 ACCOMPANYING MAPS AND DATA

Application for a change of zone shall be made accompanied by maps showing the subject property as well as the surrounding area, and a list of names and addresses of abutting property owners. All maps, applications and data will be available for public inspection upon submittal to the Planning Agency.

31.200 PUBLIC HEARING

The legislative body of the City, (the Mayor and Common Council), has adopted the following citizen review and participation process that applies to all rezoning cases. By law and policy the rezoning process is designed to give the greatest opportunity possible for citizen participation in such a public process. In the event of doubt regarding participation, more, not less public participation shall be the standard.

The purpose of the citizen participation process is to:

1. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
2. Ensure that the citizens and property owners of Kingman have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and
3. Facilitate ongoing communications between the applicant, interested citizens and property owners, City staff, and elected officials throughout the application review process.

The citizen participation plan is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision making.

The process includes the following elements:

1. Two public hearings will be held on all rezoning cases and proposed text amendments. The first hearing will be before the Planning and Zoning Commission. The second hearing will be before the Mayor and Common Council.
2. A written notice on any proposed rezoning will be sent by first-class United States Postal Service mail to all property owners of record according to the most recent Mohave County Assessors rolls, within a minimum of 300 feet of any point of the property being proposed for rezoning. The notice will describe the proposed action, will include a map, and will state that public comment is encouraged before or during the public hearing. Other notices may be sent beyond the above described radii, if a person places his or her name on the notification list and pays \$5.00 a year.
3. A public notice poster, giving the time, date and location of the Planning and Zoning Commission and the Common Council public hearings, will be posted on the property in question in at least one location, if the property is less than one acre, at least 15 days before the Planning and Zoning Commission public hearing. If the property which is the subject of the rezoning request is greater than one acre, a minimum of two notices will be posted. Posted notices will be placed in such location as to afford the public the best opportunity to see the notice. In some cases the location affording the best opportunity to see the notice. In some cases the location affording the best opportunity for public view may be in front of or beyond the actual boundaries of the property being proposed for rezoning. The posted notice shall be printed so that the following are visible from a distance of one hundred feet: the word "zoning", the present zoning district classification, the proposed zoning district classification and the date and time of the hearing and state a location and phone number from which additional information can be received.

A public notice, display advertisement of not less than one-eighth page in size shall be published at least once in the newspaper of general circulation in the City of Kingman and surrounding area. The notice will be published not less than 15 days before the Planning and Zoning Commission public hearing and will provide information about the date, time and place of the proposed Common Council hearing, which will be held at least 10 days after the Commission hearing.

4. Adjacent land owners and all other potentially affected citizens will be provided an opportunity to express an opinion on any issue or concern they may have with the proposed rezoning prior to the hearing or during the hearing. Such persons may submit oral or written comments or testimony that can be presented to the Commission or Common Council.
5. In proceedings involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notices of the public hearing shall be transmitted to the Planning Agency of such governmental unit such land.
6. In addition to notice by publication, mailed notices and property postings, the City of Kingman, and its Planning and Zoning Commission reserve the right to give notice of the hearing in such other manner as it may be deemed necessary in the public interest. The Commission always encourages any person proposing a rezoning to contact surrounding property owners or neighbors to ascertain and possibly address issues and concerns before the public hearings. Such contacts could include neighborhood meetings or other methods of address citizen comments.

31.300 RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION

After the public hearing, the Planning and Zoning Commission shall make a report and recommendation to the Common Council. This report shall be made by forwarding the applications for amendment to the City Council with the appropriate recommendations, unless the applicant shall request that the application be withdrawn. The Commission recommendation shall be reviewed at the Council public hearing. If the Planning and Zoning Commission cannot make a recommendation comments on both sides of the issue shall be presented to the Common Council.

31.400 CONSIDERATION BY COMMISSION

In considering any request for a change of the Official Zoning Map or text of this ordinance, the Planning and Zoning Commission shall find that the following conditions prevail before recommending approval of the change be granted:

1. If the request is for an Official Zoning Map Amendment:
 - A. That there is a real need in the community or area for the types of uses permitted in the proposed zoning district requested and if there are parcels in the area that already designated with the proposed zoning district that more area is needed for the uses allowed in the proposed zoning district.
 - B. That the property involved in the proposed change of zoning district designation is more suitable for the purposes permitted in the proposed change of zone than is permitted in the present zone classification.
 - C. That the proposed change of zoning district designation would not be detrimental in any way to persons or property in the surrounding area, nor to the community in general.
 - D. That the proposed change of zone is in conformance with the General Plan of the City of Kingman, not merely consistent with the General Plan.
2. If the request is a text amendment, the Planning and Zoning Commission shall find that the proposed text amendment is in conformance with and will better achieve the goals and objectives of the adopted general plan.

31.410 PLANNING AND ZONING COMMISSION OPTIONS

The Planning and Zoning Commission, based on the evidence submitted and its own study and knowledge of the circumstances involved, may recommend approval or denial of a requested amendment or may recommend that only a portion of the request for a change of zone be granted.

The Planning and Zoning Commission may also recommend a lesser intensity zoning of the same type requested. However, the Planning and Zoning Commission may not increase the intensity of the noticed request without a new public hearing with proper notice given in accord with this Section.

31.420 PLANNING AND ZONING COMMISSION'S RECOMMENDATION

The Commission in its consideration of any request for a change of zone may recommend to the City Council that if certain conditions concerning the development of the subject property and adjoining streets are first met, that said property would then be suitable for a change of zone.

The Common Council may approve a change of zone conditioned upon a schedule for development of the specified use or uses for which rezoning is requested. If at the expiration of the period the property has not been improved for the use for which it was conditionally approved, the legislative body, after notification by certified mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to take administrative action to extend, remove, or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

31.500 COMMON COUNCIL PUBLIC HEARING AND ACTION

The Common Council shall hold a second, separate public hearing from the Planning and Zoning Commission's public hearing to consider the recommendation of the Planning and Zoning Commission. The Common Council may take testimony and may consider matters not necessarily heard by the Planning and Zoning Commission. The Common Council may accept, modify, or reject the Planning and Zoning Commission recommendation based on information it received at the public hearing and knowledge the Common Council has of the matter. The Common Council may also return the request to the Planning and Zoning Commission for further consideration of issues as directed by the Common Council. Any Common Council modification to the requested official zoning map or zoning ordinance text amendment may include: reducing the area on the Official Zoning Map to be amended, modifying conditions of the rezoning request, or reducing the zoning district amendment to a less intense zoning district; or in the case of a zoning text amendment, reduce the intensity of the amendment.

The Common Council may sustain a Planning and Zoning Commission denial of a zoning case. If the Common Council wishes to approve a zoning case that the Planning and Zoning Commission recommended denial, the Common Council shall direct the preparation of an Ordinance for consideration at the next Council meeting.

The Common Council shall not change any property from the requested zoning district classification requested in the application to another zoning district classification that imposes any regulations not imposed by the zoning district requested or that removes or modifies any such regulations previously imposed on the property without following the procedure specified in Section 31.200 of this ordinance.

No rezoning or conditional use permit case that is the same or substantially the same (in site size or intensity or text) as a request which has been denied by the Common Council or was overturned by referendum shall be filed within one (1) year of the date of the Common Council's decision or referendum vote, whichever is greater.

31.600 PROTEST PROVISION

In the event that a written protest against a proposed amendment is filed with the City of Kingman Development Services Department or the City Clerk, no later than the close of business of the day preceding the date set for any Council hearing on the application for amendment, by the owners of twenty (20) percent or more, either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred fifty (150) feet therefrom, or if those directly opposite thereto extending one hundred fifty (150) feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of at least three-fourths of all members of the City Council, if any

members of the governing body are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the governing body, provided that such required number of votes shall in no event be less than a majority of the full membership of the legally established governing body.

31.700 CLASSIFICATION OF NEW ADDITIONS

All new additions and annexations of land to the City of Kingman shall be zoning classifications which permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made as specified in this Chapter for the rezoning of land.

31.800 ADMINISTRATIVELY IMPOSED DEDICATIONS OR EXACTIONS

It is the policy of the City of Kingman that exactions and/or dedications requirements are made only when there is a direct, rational relationship (rough proportionality) between the increase in density and/or intensity of a development and their exaction and dedication.

Exactions and dedications are required by the City of Kingman only through the final actions of the Common Council action on rezoning cases or conditional use cases. Dedications and/or exactions will be clearly outlined in either an ordinance for a rezoning case or resolution for a conditional use case and will be in rough proportionality to the project impacts. These will not be calculated with mathematical precision but will be shown to be direct and rational relationships.

The Planning and Zoning Commission may recommend to the Common Council a necessary dedication and/or exaction that is rationally related to the increase in intensity or density or as may be reasonably required for public, health, safety and welfare. Property owners will not be asked to bear a burden far beyond that which the development impacts the community.

Administrative agencies of the City of Kingman, including but not limited to the Planning, Engineering, Building Safety, or Public Works Departments are not authorized to require a dedication or exaction as a condition of obtaining a building permit without an express authorization in ordinance or resolution as appropriate.

FINDINGS OF FACT

Location and Size: The subject site is approximately 0.24 acres and is located at 503 Spring Street.

Legal Description: The subject property is described as. Kingman Townsite Addition, Block 20, Lot 1 and West Half of Lot 2.

Existing Zoning and Existing Land Use: The subject site consists of a single family residential home and is currently zoned R-1-6: Residential, Single Family, 6,000 square foot lot minimum.

Projected Land Use: The Kingman General Plan 2030 indicates that the property is designated as Medium Density Residential, 3-8 dwelling units per acre. The property immediately and west of this site is designated Public/Quasi Public while property to the south is a mixture of Public/Quasi-Public and Neighborhood Commercial designations.

Surrounding Land Use and Zoning:

- North: across Pine Street is property zoned R-1-6 and C-2: Commercial, Community Business which is the site of Palo Christi School.
- East: is property zoned R-1-6 and is developed with single family homes.
- South: across Spring Street is property zoned R-1-6 and is the site of the Mohave County Public Defender's Office.
- West: across N. Fifth Street is property zoned C-2 and includes a single family house and a church.

Zoning and Development History:

- This area was part of the original Kingman Townsite plat.
- The subject property was zoned R-1-6 when the City of Kingman Zoning Ordinance was passed in 1971.
- The subject property is listed in the National Historic Register as 8601115
- The subject property is listed in the Kingman Historic Property Survey 1979.
 - The single family residential home was built in 1887 by William Blakely who was a miner, lawyer, probate judge, pastor and more in early Kingman.
 - This home is one of the oldest homes in Kingman.

Physical Characteristics:

- The subject site gradually slopes towards the south.
- The property lies within Flood Zone "X", according to the FEMA panel map dated November 18, 2009. Zone "X" are areas determined to be outside of 0.2% annual chance flood plain.
- There are flooding issues to the rear of the property that will need to be addressed during the building permit stage of review.

Public Utilities:

- There are existing water lines in N. Fifth Street and Pine Street adjacent to this site.
- There are existing sewer lines located in Spring Street adjacent to the site as well.

Transportation:

- The subject site is accessible from Spring Street and N. Fifth Street. These roadways are paved with curb, gutter and sidewalk. The subject site is also accessible from Pine Street which is a paved street without additional improvements.

Public Notification and Expected Comment:

- The site was posted with a zoning notice on Friday, February 20, 2015.
- A public notice was published in the Kingman Daily Miner on February 22, 2015.
- Twenty surrounding property owners within 300 feet were sent a notice of the public hearing via first class mail on February 20, 2015. The list of property owners was generated using information provided by the Mohave County Assessor's Office.
- No comments from the public were received as of when the report was completed in 3-4-15.

Department and Agency Comments:

- City Engineering Department: This property has frontage on Spring, N. Fifth and Pine Streets. There is no curb, gutter or sidewalk on the Pine Street frontage. City Engineering recommends that curb and sidewalk improvements to Pine Street are included as a condition of the rezone.
- City Surveyor: No objection to the rezone. However, if there is going to be any new improvements to property or construction the City Surveyor recommends that the boundaries of this property be established.
- City Building Department: If approved, the rezoning of this property does not constitute a change of use of this Single Family Residence into a Commercial Occupancy. A remodel permit is required before commercial use of the building will be approved. See '12 IBC 3408. ADA requirements do apply. We suggest that the applicant submit a propose renovation plan prior to the rezoning approval.
- City Fire Department: No issue with the proposed changes.
- Historic Preservation Committee Liaison: Recommends that the drainage issue be resolved prior to or during construction phase of proposed redevelopment of this property.
- UniSource Energy Services: There is an electrical issue that relates to a service wire over the existing garage. UniSource is working with the applicant regarding this matter.

ANALYSIS

This is a request to rezone an approximately 0.24 acres property from R-1-6: Residential, Single Family, 6,000 square foot lot minimum to C-1: Commercial, Neighborhood Convenience.

The intent is to develop the property for a commercial office. The current use of the property is a residential single family dwelling which was originally built by William Blakely in 1887. This home is one of the oldest homes in Kingman.

Under C-1 zoning, the property may be developed as a very limited neighborhood shopping area situated adjacent to or surrounded by residential districts. Under C-1 zoning, shopping areas are intended to serve only the need for convenience goods and services in their immediate locality and should fit into a residential environment without detriment to the character of the area. General offices, including banks, and financial establishments, real estate, and title companies are allowed in the proposed zone.

It should be noted that if the property is rezoned to C-1 any use allowed by right in that zoning district could also potentially occur on this property.

C-1 DISTRICT DEVELOPMENT STANDARDS

| Min Lot Area | Min Lot Width | Minimum Setbacks* | Max Building Height |
|---------------------|----------------------|---------------------------------------------------------|----------------------------|
| 7,500 sq. ft. | 75' | Front: 15' Side: 5' Corner Side: 10' Rear: 15' | 30' |

*Front and rear yards both abut a street. The side yard abuts with adjacent residential district.

It appears the lot size and width standards will be met on this property. However, there is no firm plan on the height or setbacks of any future buildings.

The minimum number of off-street parking spaces for a general office is one (1) space per 250 square feet of floor area or as outlined in Section 22.330. Parking is normally required to be provided on the site and street parking is not normally counted.

However, Section 22.730 permits the Planning and Zoning Commission to recommend and the City Council to approve alternative parking development standards under specific circumstances when converting a corner residential structure from R-1-6 to C-1. The property could be approved to have a minimum of one (1) space per three-hundred (300) square feet of floor area, plus one (1) space per two (2) employees, with provision for minimum number of accessible spaces in accord with State ADA requirements, if the developer can demonstrate the proposed development will provide on-site parking and would not create overflow parking in front of the adjacent residential properties. However, backing into the right-of-way would not be permitted as none of the streets bordering this site would classify as a local street. The applicant has not specifically requested a modification to the parking standards.

STREET IMPROVEMENTS AND ACCESS

Any driveway and parking lot access to site should be from Pine Street due to the local topography and siting of the existing house. A rear parking lot would also allow for easier ADA access into the building.

There is no curb, gutter or sidewalk on the Pine Street frontage. City Engineering has recommended that curb and sidewalk improvements to Pine Street are included as a condition of the rezone. However, the Streets and Sidewalks Development Rules and Regulations will require the completion of street improvements in association with a building permit for which the valuation of the improvements is \$20,000 or greater or increases the developed area by 25%. Therefore, it is likely that any modifications to this building to a commercial occupancy will trigger the requirement to complete these street improvements.

GRADING, DRAINAGE, SCREENING AND LANDSCAPING

There are some drainage issues on the subject property and the applicant will need to address these issues with the City Engineer prior to or during the building permit stage of review.

A minimum of 10% of the site will need to be landscaped and maintained according to the Landscaping Section 10.410 of the Zoning Ordinance.

Section 26.400, Fences and Walls, states when a lot is used for any purpose other than a single family dwelling unit and abuts a lot zoned for R-1 purposes, a masonry wall six (6) feet in height shall be erected and maintained along the abutting lot line. The current wall appears to be less than six feet in height and, therefore, will likely have to be increased in height.

SECTION 31.400: CONSIDERATION BY COMMISSION

Under Section 31.400 of the Kingman Zoning Ordinance any request for a change of the Official Zoning Map the Planning and Zoning Commission shall find that the following conditions prevail before recommending approval of the change is granted:

- A. That there is a real need in the community or area for the types of uses permitted in the proposed zoning district requested and if there are parcels in the area that already designated with the proposed zoning district that more area is needed for the uses allowed in the proposed zoning district.
- B. That the property involved in the proposed change of zoning district designation is more suitable for the purposes permitted in the proposed change of zone than is permitted in the present zone classification.
- C. That the proposed change of zoning district designation would not be detrimental in any way to persons or property in the surrounding area, nor to the community in general.
- D. That the proposed change of zone is in conformance with the General Plan of the City of Kingman, not merely consistent with the General Plan.

RECOMMENDATION

The staff recommendation was approval of the rezoning of the subject site from R-1-6 to C-1 as requested under RZ15-001 with the following conditions. This recommendation is based on the Goals and Objectives of the Kingman General Plan 2030, the Standards for Review, Findings of Fact, and Analysis contained in this report. **The Planning and Zoning Commission voted 4-1, recommending approval of the rezoning request under RZ15-001 with the following conditions:**

- A. A building permit is required before commercial use of the building will be approved. The permit which shall comply with 2012 IBC and ADA requirements.
- B. A survey is submitted with the building permit application for remodeling.
- C. Drainage issues shall be resolved prior to or as part of a building permit to remodel the existing single family residence into a commercial office.

- D. Off-street parking shall be provided to the rear of the building.
- E. A six (6) foot wall shall be constructed between the subject property and the adjacent R-1-6 zoned property to the east at the time of a building permit in accordance with Section 11.730 and 26.400.
- F. The historic character and appearance of the primary building shall not be altered.

ATTACHMENTS

- 1. Sections 11.000, 22.000, 26.400, 31.000 of the Kingman Zoning Ordinance
- 2. Rezoning Application
- 3. Aerial Map
- 4. Zoning Map
- 5. Department Comments

We personally have had property that the City of Kingman has said we will not rezone to C1 in a residential neighborhood and sold it because we could not rezone the property to C1 only to find out the next day after the sale it was listed in the Miner to be rezoned to C1 and later the property was rezoned to C1.

In section 22.730 by rezoning you can't guarantee that you will meet and would provide no less than one (1) parking space per three-hundred (300) square feet of floor area, plus one (1) space per two (2) employees, with provision for minimum number of accessible spaces in accord with the State ADA requirement;

In section 22.730 4. Backing into the right-of-way is prohibited, except for "local" street, as defined by Section 4.6 of the Subdivision Ordinance, and Section 1.2 of the Streets and Sidewalks Development Rules and Regulations, where no vehicle parking are permitted within the "site triangle", as defined by Section 26.000: GENERAL DEVELOPMENT STANDARDS

My recommendation to business owners wanting to open a business in downtown is to look at all the available buildings that are all ready zoned as C1 to open your potential business. With the move to build a new court house the Residential Historic Properties are in Jeopardy of being lost as a residence, that is why they are called Historic Residential Homes. Historic homes attract special buyers and they are out there.

Note: Joan's home located on Pine street just behind Hammers house was on the market but 1 day and is in escrow.

Thank you
Craig Graves

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CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: John A. Dougherty, City Manager

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Discussion and possible action concerning disbanding the Tourism Development Commission (TDC) and partnering with Kingman Visitor Center Inc.

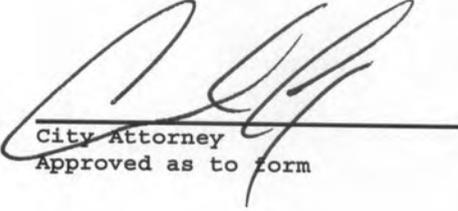
SUMMARY: Under the current arrangement all request for funding of tourism related activities are reviewed and recommended/denied by the TDC. The TDC Chairperson and Vice Chairperson are proposing that such requests be handled by the Council and the Kingman Visitor Center Board be responsible for Tourism Development and operations of the Powerhouse Visitor Center.

ATTACHMENT: Proposal attached

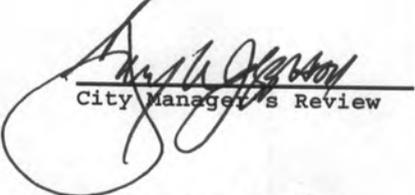
STAFF RECOMMENDATION: Discussions have been taking place over several months and it is felt that the proposition is worth exploring. As the saying goes the devil is in the detail, so with Council's approval and direction staff would like to continue to pursue this

BUDGET IMPACT: The Bed Tax that is currently given to TDC would go to the Kingman Visitor Center Board for tourism development.

Signature of Dept. Head



City Attorney
Approved as to form



City Manager's Review

AGENDA ITEM: 6d



Kingman Visitor Center

*Heart of Historic Route 66
America's Route to Grand Canyon West™, Home of the Skywalk™*

120 W. Andy Devine Ave
Kingman, AZ 86401

March 9, 2015

To: John Dougherty, City Manager
Re: Powerhouse Management and Visitor Information Services Proposal

Dear Mr. Dougherty:

Please find with this letter a proposal from Kingman Visitor Center Inc for management of the Powerhouse facility and visitor information services beginning FY2015/2016.

The plan contains these basic parts:

- Continue to provide Visitor Information Services on behalf of the City of Kingman
- Assume operational and some maintenance responsibilities of the Powerhouse facility
- Transfer the Tourism Development Commission's authority and role to Kingman Visitor Center Inc's Board of Directors
- Assume funding of Bed Tax Dollars currently allocated to the Tourism Development Commission for Visitor Information Services, Powerhouse facility management and tourism related capital improvement projects
- Assume LAMAR Billboard contract, currently held by the Chamber of Commerce, for use of tourism messaging
- Report Visitor Center and Powerhouse Operations directly to City Council on a quarterly basis

The Kingman Visitor Center Inc Operational Plan outlines these items in more detail and includes a Marketing Analysis and background information.

We hope this plan will help elevate some strain on City staff and budgets. If this would fit the plans and goals of City operations, we respectfully request that you presented to City Council for consideration at the earliest convenience. Once we have direction from City Council, we can submit a formal budget request and marketing plan for FY2015/2016.

Sincerely,

A handwritten signature in blue ink that reads "Joshua Noble". The signature is written in a cursive style and is positioned above a horizontal line.

Joshua Noble
President & CEO
Kingman Visitor Center Inc

Where are we now?

Kingman Powerhouse:

Ownership: The Kingman Powerhouse is owned by the City of Kingman.

Funding: Funding is provided by a portion of City Bed Tax Dollars and a line-item in the City Manager's Budget.

Reporting: Entity (Chamber, Museum, Visitor Center, etc)

→ City Public Works *or* Tourism Development Commission (TDC)

→ City Manager's Office *or* Kingman City Council

Management: The Kingman Powerhouse is managed by the Kingman Area Chamber of Commerce on behalf of the City of Kingman. The Chamber is not open at all times.

Maintenance: Janitorial service is contracted. Building maintenance is performed by the Building & Fleet Maintenance staff from the City Public Works Dept.

Entities Housed:

- **Arizona Route 66 Museum** (Daily, 9am - 4:30pm)
- **Grand Canyon Resort Corp Info Center / Gift Shop** (Mon - Sat, 8am - 5pm)
- **Historic Route 66 Association of Arizona Gift Shop** (Daily, from 9am - 5pm)
- **Kingman Area Chamber of Commerce** (Mon - Fri, 8am - 5pm, closed for lunch)
- **Kingman Visitor Center** (Daily, from 8am - 5pm)

Kingman Visitor Center:

Organizational Structure: 501(c)6 not-for-profit with a Board of Directors and a President/CEO.

Funding: Funding is provided by ¹⁾ an annual renewed agreement for a portion of City Bed Tax Dollars (*primary source*) and ²⁾ gift shop revenues (*secondary source*).

Reporting: Board of Directors

→ Tourism Development Commission

→ Kingman City Council

Operations: Operate help desk and facilitate tourism marketing efforts.

Where do we want to be?

What: The Kingman Visitor Center proposes streamlining the managing, reporting and funding of both the Kingman Powerhouse and the Kingman Visitor Center.

Why:

- There are extra steps in the funding, reporting and operational process that slow down the effectiveness of the City Manager's Office, the Powerhouse and the Kingman Visitor Center.
- There is duplication of some members of the Kingman Board and TDC
- Sometimes issues come up outside of the operational hours of current building management.
- City Manager's Office is unnecessarily focusing time to Powerhouse related issues

Objectives / Outcomes:

- Have managing entity on site during all hours of operation
- Relieve City Manager's Office of funding allocation and most building related decisions
- Relieve City Public Works Dept. Building & Fleet Maintenance staff of most building maintenance issues and schedules (***Note: some building concerns will remain under the management fo the City Public Works Dept. such as ADA compliance, structural concerns, etc. These concerns may still be funded with Bed Tax TPT collections).***)
- Relieve the City Public Works Dept. of janitorial and restroom supply logistics and costs
- Reduce the timing of project and funding requests by reducing reporting steps
- Allow for more cohesive operation of entities operating in the building – could include shared telephone and/or internet service to allow calls to be transferred with-in building and open a WIFI network.

How do we get there?

Actions:

- Assign management of the Powerhouse to the Kingman Visitor Center, which operates more hours and more days in the building than any other entity.
- Enter into a three year agreement for Management of the Powerhouse and Visitor Center services.
- Restructure so that the Kingman Visitor Center to reports directly to City Council.
- All City funding allocated to the Powerhouse should be derived from City Bed Tax Dollars. Other funding to include Gift Shop revenues and Billboard commissions from LAMAR.
- In Budgeting, a contingency should be budgeted to allow for carryover into the next FY.
- The City Finance Department will provide a monthly report of City Bed Tax revenues to the Kingman Visitor Center Board; to include actual collections and figures adjusted for delinquencies.
- The Kingman Visitor Center will provide a quarterly report of activities and building management to City Council.

Additional Staffing & Resource Requirements:

- Create a new position – office manager – for managing building issues who can also assist with other activities and allow the Visitor Center to become more efficient
- Use of outside supplier for janitorial and restroom facility supplies
- Use of outside contracts for plumbing and cooling concerns / management
- Assume current contract for Powerhouse janitorial service

Timetable / Benchmarks:

| | Apr-15 | May-15 | Jun-15 | Jul-15 | Aug-15 | Sep-15 | Oct-15 | Nov-15 | Dec-15 | Jan-16 | Feb-16 | Mar-16 | Apr-16 | May-16 | Jun-16 | Jul-16 |
|--------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Propose Expected Budget | | | | | | | | | | | | | | | | |
| Negotiate agreement | | | | | | | | | | | | | | | | |
| Send out Contract RFPs for supplies | | | | | | | | | | | | | | | | |
| Assume Powerhouse Management | | | | | | | | | | | | | | | | |
| Enter into Janitorial service & supply contracts | | | | | | | | | | | | | | | | |
| Interview and hire new staff member | | | | | | | | | | | | | | | | |
| Mid-year review | | | | | | | | | | | | | | | | |
| Review effectiveness & options for next FY | | | | | | | | | | | | | | | | |
| Submit Budgets for next FY | | | | | | | | | | | | | | | | |

How do we measure our progress?

Powerhouse Management Metrics:

- Drop in janitorial cleaning and supplies lapses
- Consistent stock of cleaning and restroom supplies
- Utilities Use Y/Y stability and/or savings
- At least 75% decrease in calls to City Public Works Dept. Building & Fleet Maintenance

Visitor Center Metrics

- Walk-in counts Y/Y
- Guestbook tracking Y/Y
- Tourist Information Inquiries Y/Y
- Hotel Tax revenues Y/Y
- Website Stats Y/Y

Mission & Goals:

Adopt the Mission and Goals of the Tourism Development Commission and alter as needed:

Mission Statement

Tourism Development Commission: ~~To encourage and manage bed tax funds that will be distributed to organizations that expands and diversifies tourism development activities in the community.~~

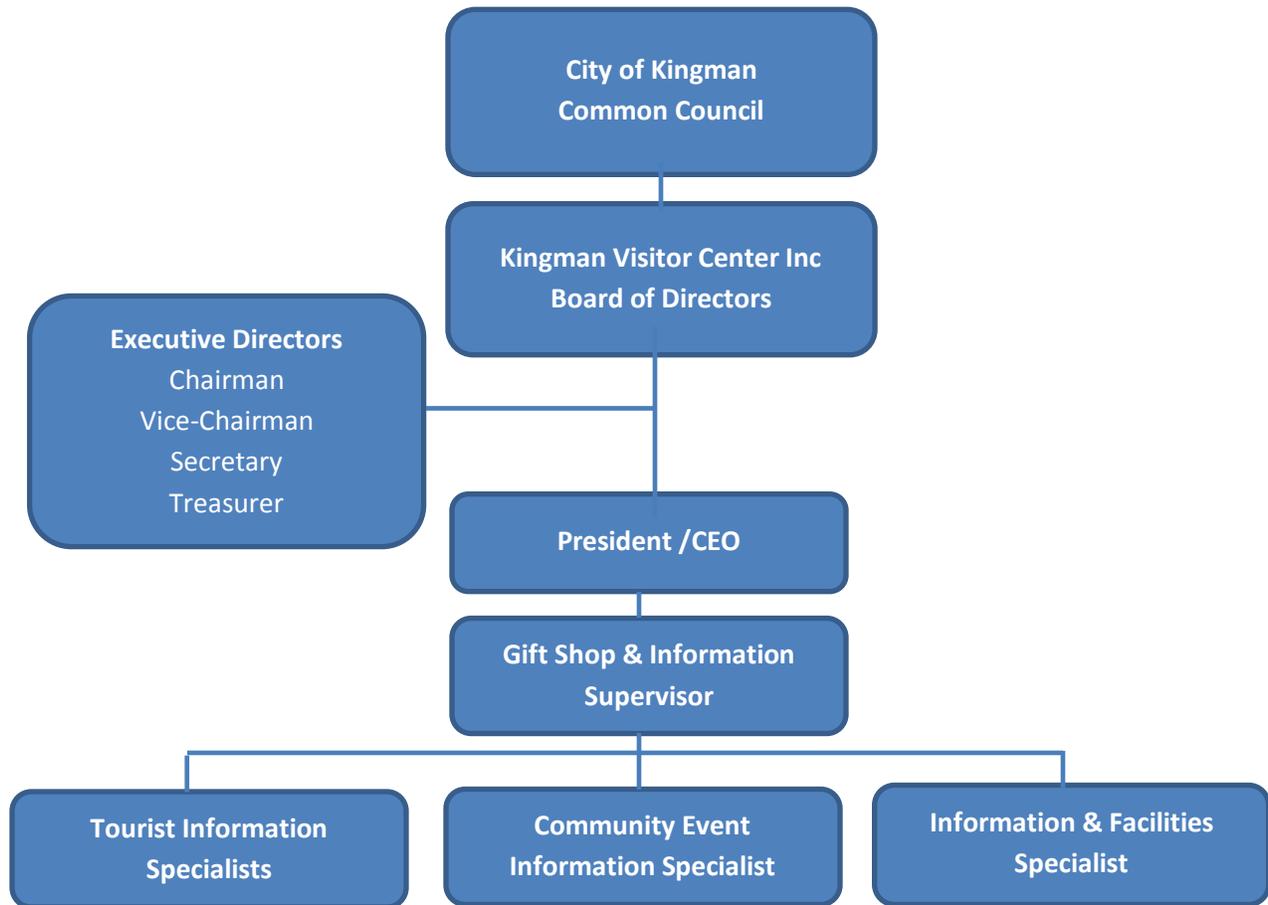
Kingman Visitor Center: ~~To expand tourism related activities in the Kingman region in order to enhance the local economy and to attract and serve the traveling public along the Interstate 40 corridor, Highway 93 and Historic Route 66.~~

Adjusted new Mission Statement: To encourage and manage bed tax funds in order to enhance and diversify tourism development and serve the traveling public.

Goals

- ~~1. Encourage the funding and coordination of organizations whose events will emphasize overnights stays. These events should eventually become self-sufficient after the Tourism Development Commission (TDC) provides “seed money”. The organizations must give financial statements and report their results including the return on investment to the TDC within three (3) months of the completion of the event.~~
1. Endeavor to assist appropriate agencies and individuals as they relate to revitalization of the Kingman area by continuing to develop and implement a plan focusing on the “branding” of Kingman.
2. Support local agencies and organizations in preserving and promoting Kingman’s rich history, cultural arts organizations, and strategic location in the Heart of Route 66.
3. ~~Support the Kingman Visitor Center in its efforts to support and promote special events and attractions that enhance community life and promote tourism.~~ Operate the Kingman Visitor Center to support and promote special events and attractions that enhance community life and promote tourism.
4. ~~Finalize plans and secure funding for “bricks and mortar” projects.~~ Finalize plans and secure funding for capital improvement projects that support tourism.
5. Support and manage the day-to-day operations of the Powerhouse.

Organizational Chart:



The Kingman Visitor Center is a 501(c)6 not-for-profit organization overseen by a Board of Directors with a background in the Tourism Industry and managed by a President/CEO with a background in Tourism.

Visitor Center: A visitor information center will assist walk-ins, calls, emails and mail correspondence about visiting Kingman. This operation will include a help desk, storage space, gift shop and rack cards with information about the surrounding areas. These duties will fall under the position of the Gift Shop & Information Supervisor who will manage the Tourist Information Specialists and the Event Information Specialist.

Powerhouse: Responsibilities to the Powerhouse Building will be assumed on behalf of the City of Kingman. Bed Tax funds will be used for operational costs, utilities and janitorial expenses. These duties will fall under the Office Manager’s position. We will work with the occupants in the building to coordinate hours and days of operation, event activities and space usage.

Officers & Board of Directors:

Joshua Noble (President/CEO) has directed Visitor Center operations since 2007, worked with the Arizona Office of Tourism on multiple projects and serves on the boards of two entities in the building – the *Mohave Pioneers Historical Society* and the *Historic Route 66 Association of Arizona*.

Krystal Burge (Chairman) has chaired the Kingman Area Chamber of Commerce Tourism Committee (DBA Kingman Chamber Tourism and DBA Kingman Visitor Center) since 1989. She has also chaired the City of Kingman Tourism Development Commission (TDC) since 2006, which makes recommendations to Kingman City Council for the use of Bed Tax dollars collected by the City, the pool of funds from which the funding for the Visitor Center is derived. Krystal and her Brother own and operate eight restaurants in and around Kingman, which are affected by the Tourism Industry.

Tony Campbell (Vice-Chairman) has served as vice-chair of the Kingman Area Chamber of Commerce Tourism Committee (DBA Kingman Chamber Tourism and DBA Kingman Visitor Center) since 2006. Tony is also a past chairman of the Kingman Area Chamber of Commerce (FY2012/13). Tony is the general manager of Mother Road Harley Davidson which is affected by the Tourism Industry.

Tom Spear (Treasurer) is a past Kingman City Council member and has served as the Vice-President of the Historic Route 66 Association of Arizona since 1999. Tom is an hotelier at Best Western King's Inn.

Jan Davis (Secretary) has served on the Kingman Area Chamber of Commerce Tourism Committee (DBA Kingman Chamber Tourism and DBA Kingman Visitor Center) since 2006. Jan is the Director of Operations of the Historic Route 66 Association of Arizona, which is dedicated to the preservation of Route 66, one of our biggest attractions.

Jo Stetson (Director) and her husband Don own and operate Stetson Winery & Event Center, opened in 2012.

Fritz Koehl (Director) is a founding member and Secretary of the Kingman Railroad Museum.

Bob Walden (Director) has been a member of the Board of Directors for the Mohave County Fairgrounds Association since 2006.

Tourism Promotion & Kingman Visitor Center History / Background

1951

- **October:** *Chamber policy decision:* “Chamber supports developing of Statewide advertising to be paid through the General Revenue of the State”

1955

- **June:** Where Hwy 66 and Hwy 93 meet (currently Mohave Museum parking lot) a former Gunnery School hospital barrack purchased from the County for \$10 was rebuilt and dedicated June 30 for a the new chamber building
- **October:** *Chamber policy decision* “The Building known as the Mohave County Chamber of Commerce Tourist Center and Museum shall be used for the following purposes: #2 The maintenance of a tourist information center”

1977

- **May:** *Inn Keepers Assoc. & Chamber of Commerce* request a bed tax for funding tourism promotion
- **May:** 2% Bed Tax Passed by Council for tourism promotion with formation of an advisory commission
- **July:** Duval Corporation announced it would shut down operations at Mineral Park and it’s other Arizona and Nevada mining operations for six weeks due to depressed copper market

1984

- **August:** *The Arizona Department of Tourism* authorizes the *Kingman Area Chamber of Commerce* as an “Official Information and Welcome Center”. The Tourism Office remains open 8am – 5pm, seven days a week.

1988

- A part time position is created for a *Tourism Promotion Director*

1990

- **March:** *Mayor Anderson* and the *Common Council* enact a proclamation “that the Kingman Area chamber of Commerce Calendar of Local Events be known as the Official Calendar of Events for the City of Kingman.”

1997

- **October:** The Visitor Center moves into the newly renovated Powerhouse Visitor Center

2011

- **June:** The *Kingman Area Chamber of Commerce Tourism Committee* begins operating under the dba *Kingman Powerhouse Visitor Center* and files with the Secretary of the State Office

2014

- **January:** *Kingman Visitor Center, Inc* succeeds operations of the *Kingman Area Chamber of Commerce DBA Kingman Powerhouse Visitor Center*.

MARKETING ANALYSIS

MARCH 9, 2015

KINGMAN VISITOR CENTER

120 W. ANDY DEVINE AVE • KINGMAN, AZ 86401

TELE: 928-753-6106 • FAX: 928-753-6156

JOSH@GOKINGMAN.COM

PRESIDENT/CEO: JOSHUA A. NOBLE

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Situation Analysis

Company: The Kingman Visitor Center promotes the Kingman experience as the *Heart of Historic Route 66* and *America's Route to Grand Canyon West*[®], *Home of the Skywalk*[®].

This experience is “sold” through promotional endeavors such as printed brochures, hosting a website, print advertising, online promotions, social media, trade show attendance, media assistance and by mailing tourist information packets.

Once the visitor has arrived in Kingman, assistance is further offered at the Visitor Center on a daily basis by providing visitor information on the greater Kingman Area, Route 66 and the State of Arizona.

Collaborators: The Kingman Visitor Center also collaborates with organizations/destinations in and around Kingman to market the area and events to the tourism market. Because Kingman has a limited set of destination drivers, it benefits us to cross-promote and work as a whole in attracting visitors. Collaborators include:

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none">  Arizona Office of Tourism  Bullhead Chamber of Commerce  Grand Canyon Resort Corp.  Historic Route 66 Assoc. of AZ | <ul style="list-style-type: none">  Kingman Chamber of Commerce  Lake Havasu City CVB  Mohave Pioneer's Historical Society |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Customers: Demographics for the markets we are targeting are as follows:

| | |
|--------------------|----------------------------------------------|
| Age Range | Primary: 46 - 65 / Secondary: 26 - 45 |
| Average Age | 52 years |
| Average HHI | \$70,000 |
| Average Party Size | Primary: Adult Couples / Secondary: Families |
| Average Stay | 2-3 night stays |
| Time of Year | Primary Season is March thru October |
| Activities | Route 66 Road Trip, Grand Canyon Road Trip |

Target audience based on Kingman Area and Grand Canyon West / Hualapai Tourism Study 2010 results

Competitors

Primary: These competitors offer a similar experience and are close enough to offer visitors an alternative choice in accommodations.

-  Laughlin, NV
-  Lake Havasu City, AZ
-  Williams, AZ

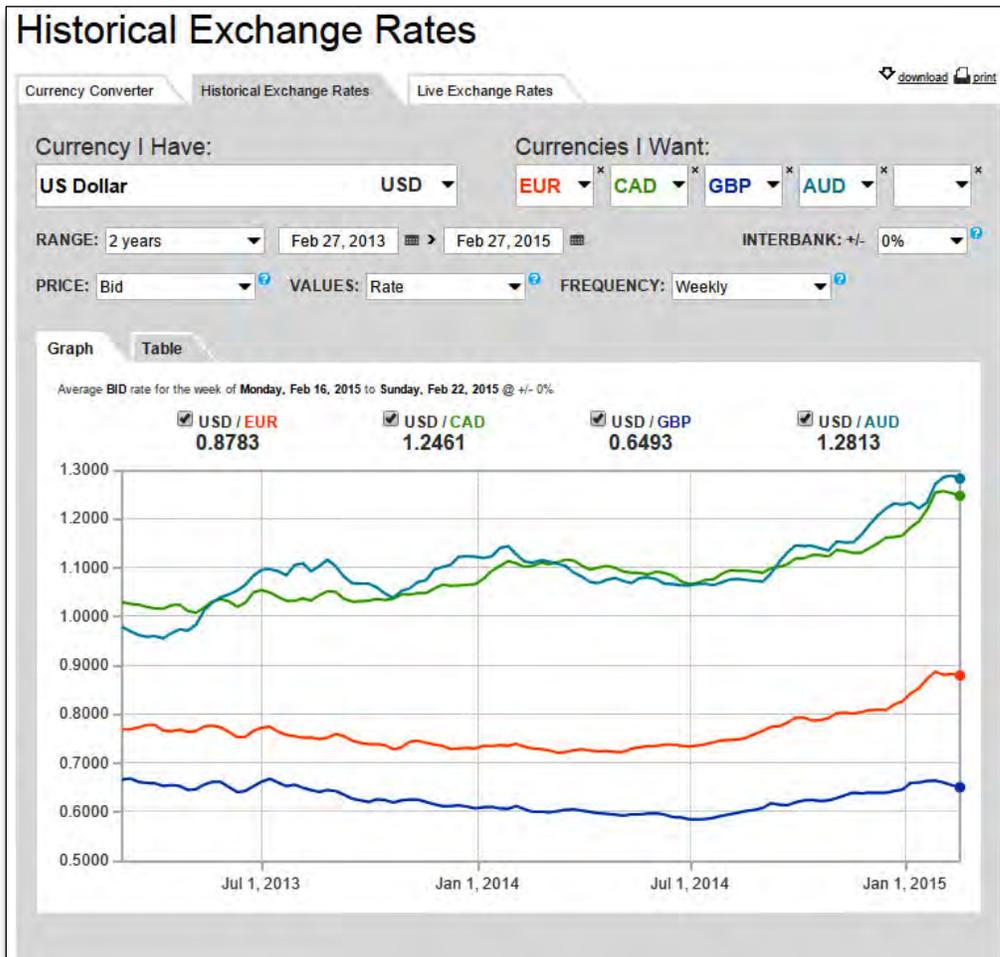
Secondary: These competitors offer an alternative experience and are sufficiently structured to draw from the same market.

-  Las Vegas, NV
-  Flagstaff, AZ
-  Prescott, AZ
-  Sedona, AZ

KINGMAN VISITOR CENTER
MARKETING PLAN FY 2015/2016

Climate: The economic climate is the largest factor for the local tourism industry, with primary contributing factors being gas prices, U.S. currency conversion rates and Governmental policies. The domestic market is affected heavily by fuel prices, which can have a positive and negative effect. It can suppress long distance travel, which at the same time encourages shorter distance travel. As we have larger markets in close range (such as Phoenix and Los Angeles), this simply requires a balance shift in some of our existing target markets.

Currency exchange rates, however, affect international travel. The waxing and waning of international travel has been noticeable along with currency flux. The last 24 months has shown a slight up-tick in the U.S. dollar valuation.



Source: OANDA Corporation, <http://www.oanda.com/currency/historical-rates/>

Historically, a rise in valuation of the U.S. dollar would cause a contraction of U.S. inbound visitation. However, the recent increase in international travel has been largely made possible due to the Bureau of Consular Affairs' expansion of the VISA Wavier Program.

SWOT Analysis

The SWOT (strengths, weaknesses, opportunities, threats) analysis helps to evaluate the environment in which we operate. The Kingman Visitor Center created the following list of strengths, weaknesses, opportunities and threats when determining its overall marketing plan. The SWOT analysis fluctuates every year based on factors in the economy and tourism industry. Indicators reflect the following:

Strengths

- 66 Mild climate
- 66 Highly accessible along the interchange of Interstate 40 & Highway 93
- 66 Situated between Las Vegas and the Grand Canyon
- 66 Nearest complete accommodations to Grand Canyon West
- 66 Located at the heart of the longest remaining stretch of Route 66
- 66 Friendly down-home atmosphere
- 66 Offers a variety of recreational & historical experiences
- 66 Majestic scenery
- 66 Quality and diverse dining
- 66 Affordable accommodations
- 66 Successful events in and around Kingman (ie: Route 66 Fun Run, Andy Devine Days)
- 66 Consistent, branded advertising, website and brochure

Weaknesses

- 66 Not a long-stay destination, commonly scheduled as part of a road trip
- 66 Las Vegas & Laughlin are close by and both offer packages to attractions in our region
- 66 Lack of soft adventure products such as jeep tours or hot air balloon rides
- 66 Dilapidated Historic District

Opportunities

- 66 The opportunity to develop Kingman as the overnight stay for Grand Canyon West
- 66 The expansion of the VISA Waiver Program in 2014
- 66 The prospect of continually making the Kingman brand more recognizable
- 66 Renovations of the Powerhouse and expansion of the Historic Electric Vehicle Exhibit

Threats

- 66 Future rise of gas prices
- 66 Weakened global economic conditions

Market Research

The Arizona Office of Tourism locates Kingman in the West Coast region along with the rest of Mohave County, La Paz and Yuma Counties. According to 2013 figures (latest available data), 4.4 million people overnighted in our region with the following results:

- | | |
|-------------------------------------|------------------------------------|
| • Leisure (Business)83% (17%) | • Expenditures/party * \$668 |
| • Non-AZ Resident..... 72% | • Nights stayed..... 3.8 |
| • Party Size2.9 | • Ave HHI \$67,000 |
| • Paid Accommodations: 71% | • Average Age 43.9 years |

In many aspects we share the same target market as the rest of the region; for example both sets of visitors enjoy camping and outdoor recreation, Kingman and the West Coast communities receive a fair share of winter visitors (in our case more day trips than overnights) and a high volume of visitation from California and the Phoenix Metro area.

However, some of the information gathered on the West Coast region is skewed by the communities along the Colorado River. For instance, gambling, boating, fishing and waterfront activities account for 33% of the primary activities to travel to the West Coast Region according to a study by D.K. Shifflet & Assoc in 2007. As Kingman is 37 miles 'inland', the activities of our target market differ. We see more people interested in sight seeing and national parks. For that reason, we will also use the information gathered from the **2010 Kingman Area and Grand Canyon West/Hualapai Tourism Study**, which results in the following:

- | | |
|------------------------------------|-----------------------------------|
| • Leisure (Business)93% (7%) | • Nights stayed..... 3.8 |
| • Non-AZ Resident.....86% | • Ave HHI \$73,267 |
| • Party Size3.2 | • Average Age 52.4 years |
| • Paid Accommodations:88.9% | • Domestic (Int'l)..... 72% (28%) |
| • Expenditures /party*\$638 | |

Top Attractions Visited outside of Kingman:

- | | |
|-----------------------------------|----------------------------------|
| • 60% Las Vegas | • 31% Oatman |
| • 59% Grand Canyon NP | • 27% Laughlin |
| • 54% Hoover Dam | • 21% London Bridge |
| • 41/43% Route 66 West/East | • 19% Grand Canyon Caverns |
| • 33% Colorado River | • 17% Grand Canyon West |

Top Activities visitors participated in:

- | | |
|---------------------------------------|---------------------------------------|
| • 67% Scenic Drives | • 24% Antique, Jewelry Shopping |
| • 68% Route 66 Experience | • 23% Walking & Hiking Trails |
| • 61% National & State Parks | • 16% Touring by Motorcycle |
| • 44% Cultural & Historic Sites | • 14% Arts & Crafts |
| • 36% Visiting Museums | • 9% Attending a Special Event |
| • 27% RV Stay & Camping | • 9% Rock Hounding |

* expenditures exclude transportation to AZ

Methods of Tracking & Evaluation

To determine the success of our projects overall, we use these main sources:

Bed tax dollars: The City of Kingman has collected and tabulated bed tax revenues. This helps us to track the seasonal fluctuations and how our advertising and the economy truly effect the current situation.

Walk-in figures: Staff uses a hand held clicker device, which has an accuracy rate of +/- 3%, to count the visitors entering the Visitor Center. Although we cannot determine the difference between all local traffic (to the Chamber of Commerce and other miscellaneous visitation in the building), recognized locals and staff are not counted to give a more accurate picture of tourist visitation.

Guest Book Entries: The Guest book entries at the Kingman Visitor Center are collected and broken down into each state and country.

Tourist Information Packet (TIP) Requests: We track the requests for visitor information with a data tracking system allowing us to compare current data with past data and evaluate the effectiveness of our advertising.

Web Stats: Google Analytics, Alexa.com scoring and other on-line tools provide us with detailed information on how our site compare to competitors, who is visiting our website, how long they are staying there and where they are viewing from. We can assign advertising projects certain landing pages that further reduce the guesswork on sources and campaign effectiveness. By tracking all of this information, we get better perspective of our website visitor and how we can tailor our website and projects.

We use specific measures of each project element, as well as evaluation of monthly and annual tourism figures, to determine the success of our projects. A decline in visitor's may indicate economic factors outside of our control, or marketing programs in need of improvement.

Kingman Innkeepers Association • Kingman, Arizona 86401

Gateway to Funland

May 2, 1977

To: Members
Kingman City Council
Municipal Complex
Kingman, Arizona 86401

Gentlemen:

The purpose of this letter is to request the Kingman City Council to consider adding an incremental sales tax (bed tax) of one or two percent on lodging accommodations. We recommend that the revenues derived from such a tax be used for promoting tourism in the Kingman area, i.e., encouraging "stay-over" guests, attracting groups and conventions through improved meeting and activity facilities, advertising or other professional promotion.

We project that based on current rates the lodging establishments within the city should generate \$3,000,000 in room sales which could produce a minimum of \$30,000 for promotional activity.

Qualified Innkeepers from within our organization have indicated a willingness to serve on an advisory panel if the Council so requests.

Very truly yours,

Thomas Spear
President

RWB/eq

CITY OF KINGMAN
ORDINANCE NO. 290

AN ORDINANCE RELATING TO EXCISE TAXES: IMPOSING A TRANSIENT RENTAL TAX UPON PERSONS OPERATING HOTELS CHARGING RENT FOR TRANSIENT OCCUPANCY, AND PROVIDING FOR THE ADMINISTRATION THEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A PENALTY.

BE IT ORDAINED by the Mayor and Common Council of the CITY OF KINGMAN, Arizona, as follows:

Sec. 1 Purpose for tax on hotels renting to transients and qualification

The purpose of the transient rental tax is for promotion, development, enhancement of the tourism industry with all functions incidental and related thereto.

This Ordinance and tax is in addition to Ordinance No. 125, Section III, paragraph (A) (3) and subject to Resolution No. 427 of City.

Sec. 2 Definitions.

- (a) Person. A "person" means an individual, firm, partnership, joint adventure, association, corporation, municipal corporation, estate, trust or any other group or combination acting as a unit, and the plural as well as the singular number.
- (b) Hotel. "Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and including any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure or portion thereof, and also means any space, lot or slab which is occupied or intended or designed for occupancy by transients in a mobile home or house trailer furnished by them for such occupancy. It includes any building or group of buildings containing sleeping accommodations for more than five persons which are open to the transient public. It does not mean any convalescent home or facility, home for the aged, hospital, jail, military installation, fraternity or sorority house, nor does it mean a structure operated exclusively by an association, institution, governmental agency, or corporation for religious, charitable or educational purpose or purposes, no part of the earnings of which association or corporation insures to the benefit.

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: John A. Dougherty, City Manager

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Discussion and possible action concerning donation of railcar wheel park benches from Nucor Steel and the Chamber of Commerce.

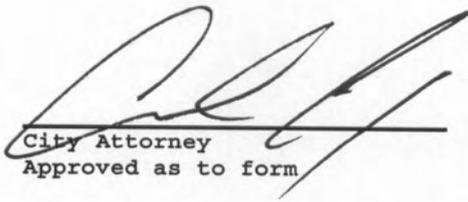
SUMMARY: A proposal has been made by the Chamber of Commerce to place railcar wheel park benches in Locomotive Park. Nucor Steel has graciously offered to make the benches out of dismantled rail cars they have on their grounds.

ATTACHMENT: I have asked IT to see what they can do otherwise we may have to just show you on a YouTube video at the Council Meeting.

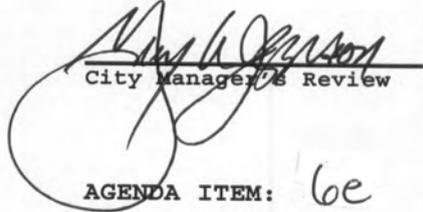
STAFF RECOMMENDATION: The idea was presented to Parks and Recreation Director Mike Meersman and he thought it would be a good idea and something unique in the park that reflects our railroad history.

BUDGET IMPACT: There is no known budget impact at this time, other than staff time to set the benches.

Signature of Dept. Head

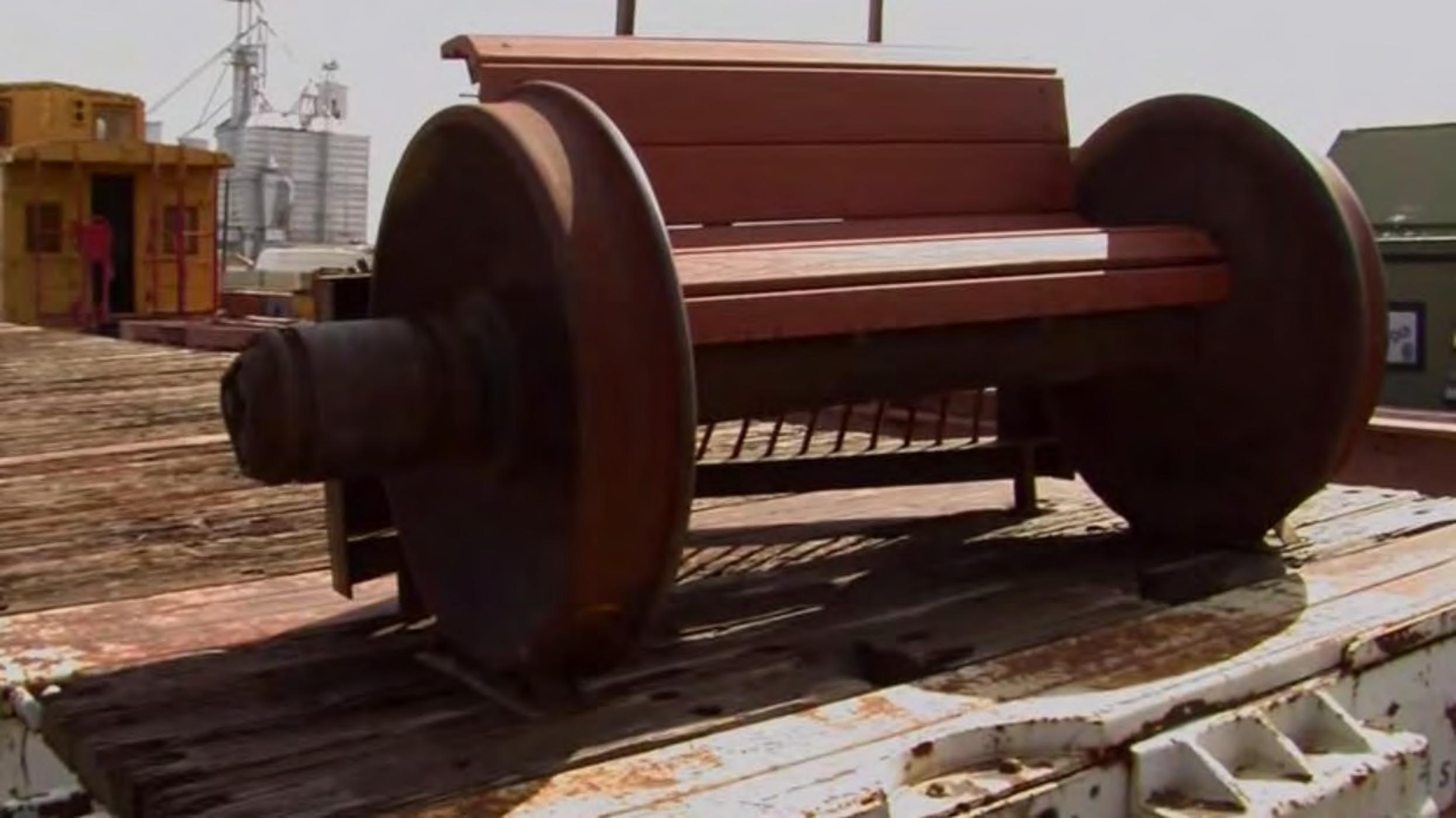


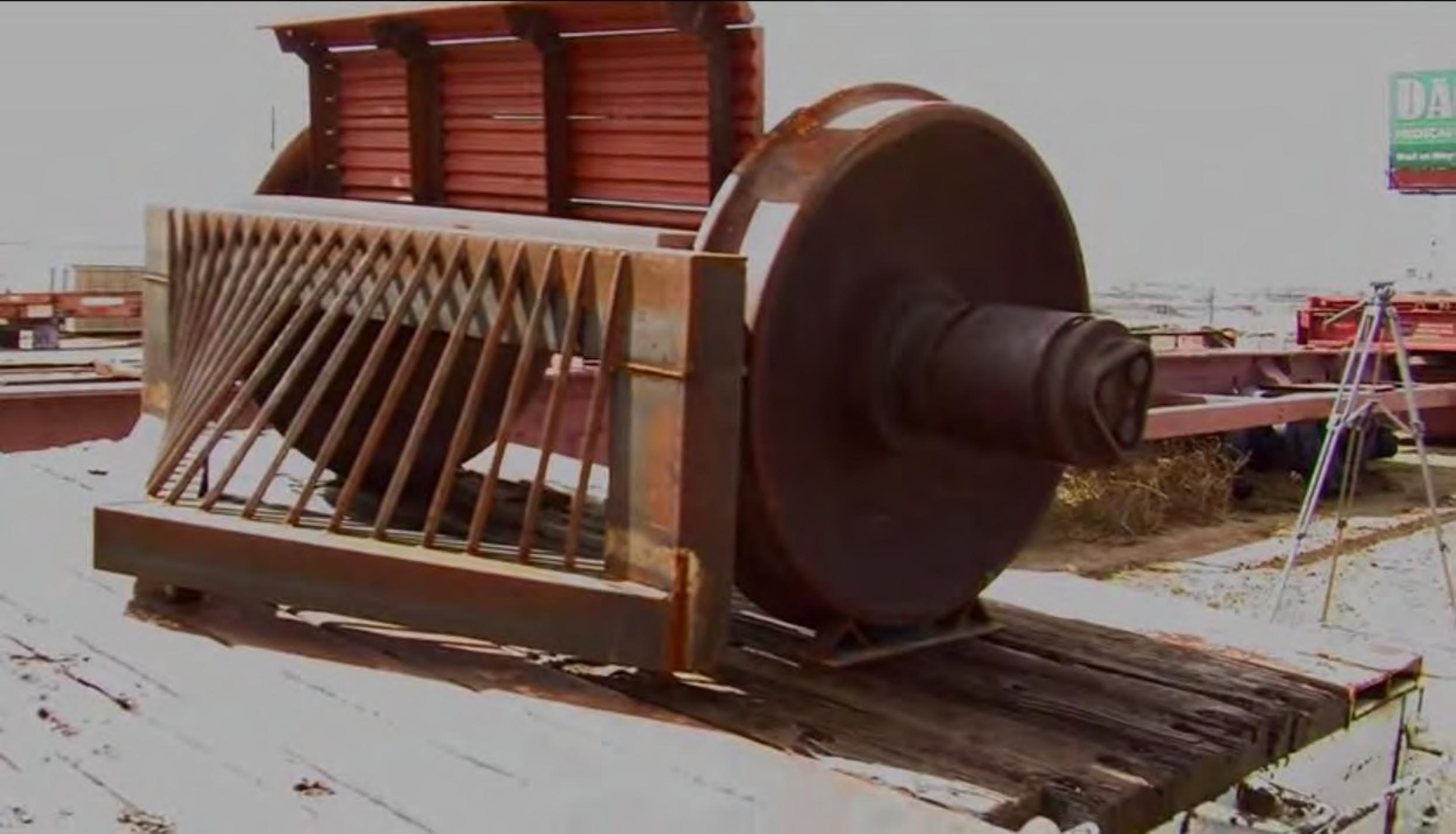
City Attorney
Approved as to form



City Manager's Review

AGENDA ITEM: 6e







CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: John A. Dougherty, City Manager

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Discussion and possible action on renewal of new four year contract between the Mohave County Historical Society and the City of Kingman to operate the Bonelli House, the Route 66 Museum and the Historic Electric Vehicle Museum, the latter two both located in the Powerhouse.

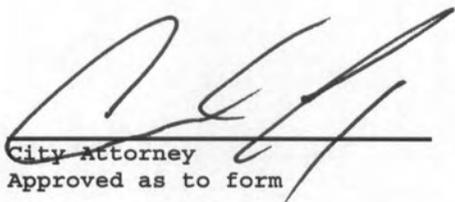
SUMMARY: A proposal has been submitted by the Mohave County Historical Society to continue the agreement which has been in place for a number of years, with exception of the addition of the Historic Electric Vehicle Museum, which was added to this agreement.

ATTACHMENT: Agreement with Mohave County Historical Society.

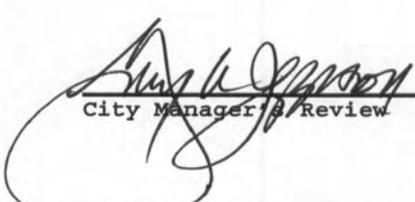
STAFF RECOMMENDATION: Staff recommends approval.

BUDGET IMPACT: The MCHS did not request any increase in their budget for this contract so no additional impact to the budget.

Signature of Dept. Head



City Attorney
Approved as to form



City Manager's Review

AGENDA ITEM: 6f

MOHAVE COUNTY HISTORICAL SOCIETY, Inc.
&
CITY OF KINGMAN, ARIZONA

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT entered into this 1st day of July, 2015, between the **CITY OF KINGMAN**, a Municipal Corporation of the state of Arizona, hereinafter called the “**CITY**”, and the **MOHAVE COUNTY HISTORICAL SOCIETY**, a non-profit corporation organized under the laws of the state of Arizona, hereinafter called “**SOCIETY**”.

Services provided by this **AGREEMENT** are for the purpose of providing the promotion, operation, and curator services of the Bonelli House (430 Spring Street), the Route 66 Museum (located in the Powerhouse – 120 W. Route 66 (Andy Devine Avenue)) and the Historic Electric Vehicle Museum (located in the Powerhouse – 120 W. Route 66 (Andy Devine Avenue)). Both properties are owned by the **CITY** and are hereinafter referred to as the **FACILITIES**.

RECITALS:

WHEREAS, the **CITY** has authority to promote the community and its various attractions pursuant to A.R.S. §9-493; and

WHEREAS, the **CITY** and **SOCIETY** agree that a long term agreement would benefit both parties and provide for the most efficient and least cost of operation of the facilities; and

WHEREAS, A.R.S. §9-493 gives the **CITY** authority to allocate promotional funds to non-profit organizations and the **SOCIETY**, is such an organization with expertise in the various services required.

NOW, THEREFORE, it is agreed by and between the **CITY** and the **SOCIETY** as follows:

I. CITY OBJECTIVES:

The **CITY** is entering into this **AGREEMENT** with the intent of hiring the **SOCIETY** in order to staff, manage, and operate the **FACILITIES** and provide museum operations, historical tours, historical information services, curator services and information to visitors, tourists, and residents.

II. DUTIES AND OBLIGATIONS OF THE SOCIETY:

- A. Hours of Operation** – Minimum hours of operation for the Bonelli House will be five half-days per week. For the Route 66 Museum and the

Historic Electric Vehicle Museum, minimum hours will be from 9 to 5 in the winter and 9 to 6 in the summer, seven days per week and will coincide with the hours of operation of the Tourism Information Center and the other tenants of the Powerhouse. **SOCIETY** shall coordinate the staffing of the **FACILITIES** year round through the use of volunteers and employees. Additional hours of operation may be set by the **SOCIETY** subject to approval by **CITY**. Other adjustments in the hours of operation may be made subject to approval of **CITY** in order to coincide with Powerhouse operations.

In setting hours of operation, **SOCIETY** will try to maximize public access with other attractions in Kingman and publicize the hours of operation. Total hours of operation for the **FACILITIES** will be reported to the **CITY** on a quarterly basis.

Special Events – The Historical Society may hold special events outside the regular hours of operation at their discretion subject to appropriate City permits and, in the case of the Route 66 Museum and/or the Historic Electric Vehicle Museum, subject to appropriate security of the rest of the Powerhouse facility.

- B. Admission Fees and Donations** – All revenues received by **SOCIETY** through admission charges, donations, or sale of products shall be retained by the **SOCIETY**. **SOCIETY** may set admission fees at a level appropriate to the exhibits and will encourage visiting all the facilities. **SOCIETY** will provide **CITY** with periodic reports regarding number of visitors, admission revenue, and similar information regarding the use of the **FACILITIES**. A visitors/guest book will be provided at each location.
- C. Professional Services Provided** – **SOCIETY** will provide such services appropriate to the operation of a museum and historical properties and artifacts. Such services will include curator services, maintenance of exhibits, housekeeping of the Bonelli House property interior, cataloging of artifacts as to ownership, condition, and origin. **SOCIETY** may, at its discretion, change out exhibits at the **FACILITIES**. The **SOCIETY** may recommend capital improvements to the **FACILITIES** that will improve the quality of the exhibits, preservation of the artifacts or improve the general quality of the **FACILITIES**.
- D. Promotion and Marketing** – **SOCIETY** agrees to market and promote the **FACILITIES** in conjunction with the Society Museum and coordinate such efforts with other organizations working to promote attractions in the Kingman area. The **SOCIETY** shall specifically acknowledge **CITY** support by references to the **CITY**'s ownership and maintenance in any media publicity.

- E. Other Facilities** – The parties anticipate that additional services may be added to this agreement by Council and Board action as additional historic properties or museums are developed in the Kingman area. Adding such services will be subject to approval by both parties and may modify any of the conditions herein.

III. DUTIES AND OBLIGATIONS OF THE CITY:

- A. Compensation for Services** – CITY will pay SOCIETY for the professional services, operations, and related expenditures identified herein in the amount of \$10,000 per year for the Bonelli House, \$50,000 for the Route 66 Museum and \$0 for the Historic Electric Vehicle Museum. Quarterly payments are to be made in the first month of each quarter – July, October, January, and April. During April of each year, the parties will review the amount of compensation.
- B. Services Provided** – CITY or its designee agrees to provide for routine maintenance of the Route 66 Museum and the Historic Electric Vehicle Museum facility including dusting, floor maintenance, and similar services. Routine housekeeping of the Bonelli House will be the responsibility of the SOCIETY. Maintenance of the grounds and exterior of the FACILITIES will also be the responsibility of the CITY. Charges for utilities, including local phone service, will be paid by the CITY. CITY also agrees to provide appropriate levels of liability insurance, property, and content insurance for the FACILITIES and indemnifies SOCIETY from any and all claims that may be made against them in the operations of the FACILITIES, except as follows: the SOCIETY shall maintain worker's compensation insurance as specified by Arizona state law and shall indemnify the CITY from any and all claims that may arise from the negligent and intentional acts of its employees, volunteers, or other personnel functioning under the SOCIETY's direction.
- C. Internet Access** – Upon request by the SOCIETY, CITY will provide personal computers (if available) and Internet access at the FACILITIES for use by SOCIETY personnel and volunteers for use in conjunction with their responsibilities and the SOCIETY's services.
- D. Capital Improvements** – As part of its annual budgeting process, CITY agrees to consider improvements recommended by the SOCIETY. Costs of such improvements to the FACILITIES will be the responsibility of the CITY. CITY agrees to make the necessary investment in Museum security and HVAC system.

IV. COMPLIANCE:

The **SOCIETY** agrees to comply with all Federal, State, and local laws and regulations and agrees that violation of any of these shall be grounds for termination of this agreement. The parties further acknowledge that the **SOCIETY** is an independent contractor and that all employees, volunteers, and other personnel are under the sole direction and responsibility of the **SOCIETY**.

V. TERM AND TERMINATION:

A. Term – The term of this agreement is for the four years beginning July 1, 2015 and ending June 30, 2019. Upon approval by both parties it may be extended for an additional four years (July 1, 2019 through June 30, 2023).

B. Termination – The **SOCIETY** may terminate this agreement with 90 days written notice for either, or both, facilities. Termination by the **CITY** for any reason will require 90 days written notice.

VI. NOTICE AND MODIFICATIONS TO THE AGREEMENT:

Notice required to be given pursuant to this agreement shall be deemed delivered if hand-carried or mailed certified to:

CITY
City Manager
City of Kingman
310 N. 4th Street
Kingman, AZ 86401
(928) 753-5561

SOCIETY
Director
Mohave County Historical Society
400 West Beale Street
Kingman, AZ 86401

Modifications to this agreement that do not affect the amount of compensation or term may be made by the City Manager and the Director.

IN WITNESS WHEREOF, we have executed this Agreement on the date first mentioned.

ATTEST:

CITY OF KINGMAN, ARIZONA

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

**MOHAVE COUNTY
HISTORICAL SOCIETY**

Carl Cooper, City Attorney

Patrick Foley, President

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Mike Meersman, Director of Parks

MEETING DATE: Tuesday, April 7, 2015

AGENDA SUBJECT: Splash Pad; Memorandum Of Understanding between the City of Kingman and the Venture Club of Kingman.

SUMMARY: The Venture Club of Kingman has requested to enter in to a Memorandum of Understanding with the City of Kingman to raise funds and build a Repurpose Potable Water to Surface Irrigation; Splash Pad. This will enable them to raise the funds necessary to complete this project. At the February 18, 2015 meeting of The Park and Recreation Commission the Venture Club of Kingman gave a presentation explaining this project. There were several very positive comments from the Commission members and they voted unanimously to send this to council with their full endorsement.

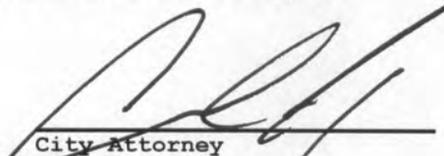
ATTACHMENTS:

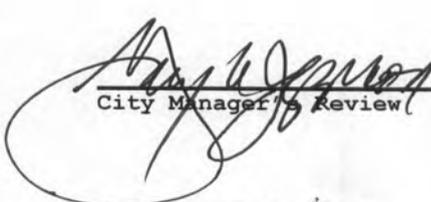
- 1) Letter of Intent.
- 2) Venture Club Power Point presentation.
- 3) The Memorandum of Understanding.
- 4) Letter of Support from BHC Mayor.
- 5) Letter of Support Park and Recreation Commission.

FISCAL IMPACT: Money raised by the Venture Club of Kingman will pay for the installation of a Repurpose Potable Water to Surface Irrigation; Splash Pad. No City funds will be involved.

STAFF RECOMMENDATION: Staff recommends the approval of the Memorandum Of Understanding between the City of Kingman and the Venture Club of Kingman.


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 6g



Venture Club of Kingman, Inc.
PO Box 6066
Kingman, AZ 86402

March 12, 2015

Mayor Richard Anderson and
Councilmembers
City of Kingman
310 N. Fourth St.
Kingman, Arizona 86401

Mayor Anderson and Members of the Council,

The Venture Club of Kingman, Inc. is a non-profit women's service organization serving the women and children of the Kingman community. We have over 35 members and have been serving Kingman for over fifteen years.

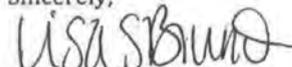
Annually we have a large fundraising event to raise funds for our various projects throughout the year which include sponsorship of other charitable organizations and scholarships for women pursuing continuing education. Through the years we have had much success at our annual fundraisers and as a result have been able to save \$25,000.00 earmarked for a "long term" project. After research, polling our group and meeting with our City Parks and Recreations Director, we have decided we would like our long term project to be a splash pad at one of our city of Kingman's parks.

A splash pad is an above ground water feature/play area that can be utilized by people of all ages. Splash pads are extremely popular and offer a safe water alternative for families. Our intent is to raise the monies needed to construct a splash pad to be installed at one of the city of Kingman's parks. We believe it will take approximately a year and a half to raise the funds. We are asking that at the outset the City Council enter into a Memorandum of Understanding ("MOU") with the Venture Club for this project. The MOU will help set the stage for our fundraising efforts. Once the funds have been raised then we anticipate coming back to the City to enter into a Development Agreement for the final approval of the splash pad.

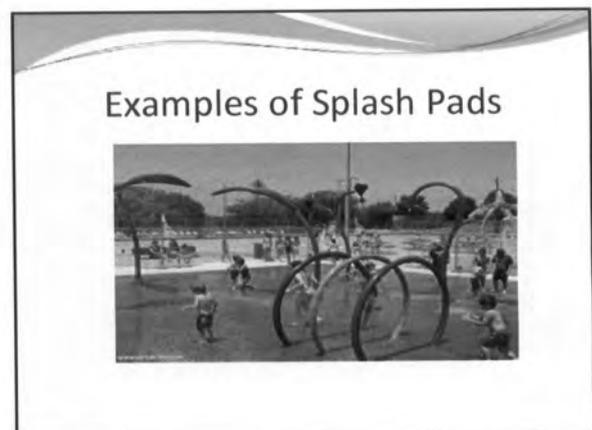
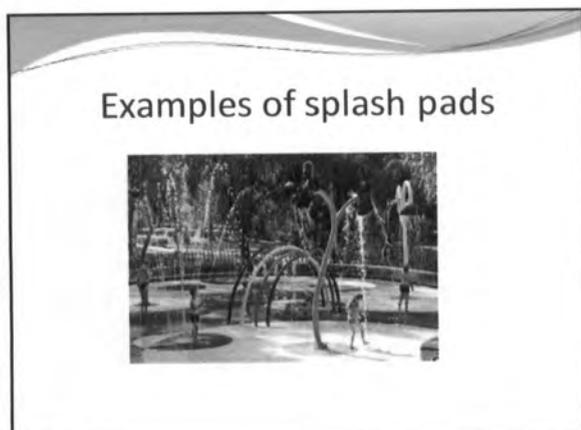
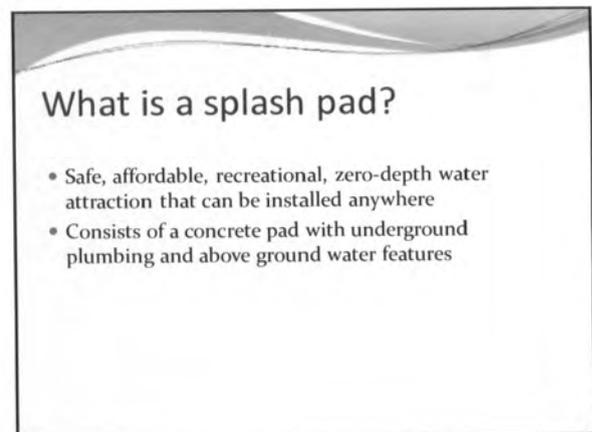
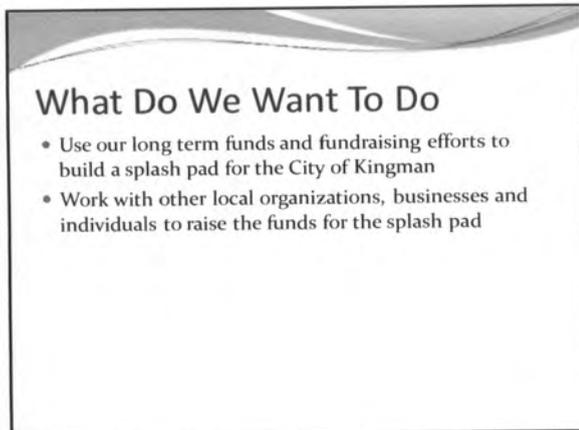
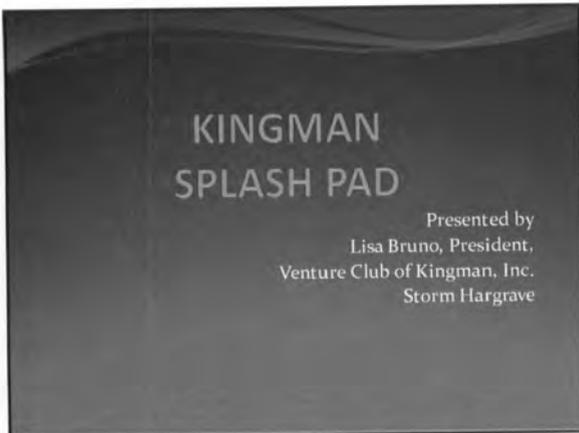
We see this as a great asset to our Parks Department. A splash pad is long overdue for Kingman. It offers a free, alternative activity for families that is not limited by a person's age or ability to swim. We are planning on a system that is a flow-through system which means that the water that is used for the splash pad will be stored on site and repurposed to water the particular park's grass. This type of system will have less of an impact on water usage and staff usage.

We hope that you will agree that this is a project that will enhance what the city of Kingman offers to its residents and will enter into the MOU we have presented to you.

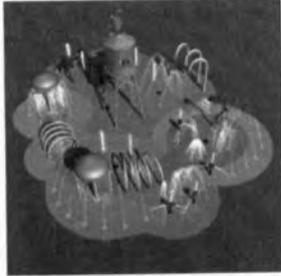
Sincerely,


Lisa S. Bruno, President

NOTHING VENTURED, NOTHING GAINED



Examples of Splash Pads



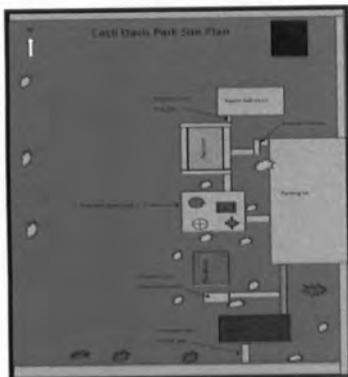
Why/Purpose

- Free activity for children of all ages
- Encourages kids and families to get outside
- An enhancement to our city and our parks
- Safe alternative for children that don't swim
- Minimal maintenance and upkeep
- They are fun!

Where and Why?

- Cecil Davis Park
 - Not an overtasked park
 - Has flat areas ideal for a splash pad
 - Great visibility
 - Parking all around
 - Bathroom facilities

Cecil Davis Park



Size and Cost

- Approximately 3,000 square feet
- Approximately \$250,000

Schedule

- Fundraising
 - Venture Club of Kingman, Inc. has already raised \$25k
 - Estimate a year to raise the remainder of funds
- Design and Permit Phase – 2 months
- Construction – 4-6 months

Continuing Maintenance Costs

- Bullhead City
 - \$10,000 budgeted
- Boulder City
 - \$1,000-\$2,000 to winterize
 - \$10,000 for water
- Queen Creek
 - \$35,000 annual costs
 - Splash pad is 4,100 sq ft
 - Open April 1 – October 31st, + 2 weeks in March

Council Action

- Memorandum of Understanding
- Development Agreement

Questions



MEMORANDUM OF UNDERSTANDING

This memorandum of understanding is made and entered into on this ____ day of _____, 2015, between the City of Kingman (a municipal corporation located entirely in Mohave County, Arizona) and Venture Club of Kingman, Inc. (an Arizona non-profit corporation) for the express purpose of the raising of funds and installation of a Repurpose Potable Water to Surface Irrigation; Splash Pad Above Ground Water Feature (the "Splash Pad").

Venture Club has expressed an interest in raising funds in excess of \$200,000.00 for the design and installation of the Splash Pad at a City park yet to be determined. It is the Parties' mutual intent and desire to promote and effectuate an efficient and cooperative working relationship between themselves with the understanding of the practical, administrative and monetary considerations involved.

It is the Parties' mutual understanding that the Venture Club will raise funds for this endeavor. Those funds will be retained by the Venture Club until the target goal is met and a Development Agreement is approved. No money will be used for construction of the Splash Pad, nor will construction of the Splash Pad commence until a Development Agreement is approved.

It is the intent of the Parties for the Venture Club to construct the project and donate the project to the City upon completion. The City of Kingman has the final approval regarding the design and location of the installation of the Splash Pad, which approval shall not unreasonably be withheld. The Venture Club understands that the City must take into consideration the multiple issues involved in this project which will impact the design, location, and operation of the Splash Pad.

When the Venture Club raises the amount of funds noted above, the Parties agree to enter into a Development Agreement for the design and construction of the project. The Parties of this memorandum of understanding agree that if the Venture Club fails to raise the above amount of money by December 31st, 2016, this memorandum of understanding will terminate and the Parties shall have no further obligations hereunder.

IN WITNESS WHEREOF, the Parties have signed this memorandum of understanding on the dates set forth below.

CITY OF KINGMAN, a municipal corporation of the State of Arizona

Date Signed

By _____
Richard Anderson, Mayor, Kingman Common Council

VENTURE CLUB OF KINGMAN, an Arizona Non-Profit Corporation

Date Signed

By _____
Lisa Bruno, President

Thomas Brady
1199 Camino Cove
Bullhead City, AZ 86442
928-758-2837

January 29, 2015

Lisa S. Bruno
Bruno, Brooks & Goldberg, P.C.
730 E. Beale St.
Kingman, AZ 86401

RE: Splash Park Letter of Support

Dear Ms. Bruno,

You asked me to write a Letter of Support for your efforts to construct a Splash Park in the City of Kingman. As the current Mayor of Bullhead City, and the Kiwanis Club volunteer project manager for the recently completed splash park here in Bullhead City, it is my pleasure to do so. Please allow me to give you a brief background on what our Kiwanis Club did and why we did it.

Need

There is nothing more important to the Kiwanis Clubs of Bullhead City than the well being of our local children. We believe getting children outside to play is vital to their health and overall well being.

Child obesity has skyrocketed to epidemic proportions. But did you know that:

- It affects 17% (12.5 million) of all children ages 2-19 in the United States
- The childhood obesity rate has tripled in just one generation
- Less than 25% of school aged children participate in daily physical activity
- Children today spend an average of 7/12 hours per day in front of some type of screen (TV, computer and/or video games)

Childhood obesity, which is likely to continue into adulthood, increases the risk of asthma, type 2 diabetes, cancer, hypertension, stroke and osteoarthritis. Obesity has more risk factors for cardio muscular disease, including high cholesterol and high blood pressure.

Additionally, drowning is the 2nd leading cause of death in children ages 1-14 in the United States. Our children in Bullhead City are at an even higher risk of drowning because we live along the swift flowing Colorado River. Our Kiwanis Club decided that a splash park is an excellent first step to acclimate children to water.



City of Kingman

3333 NORTH HARRISON STREET • KINGMAN • ARIZONA • 86409 • 928 • 757-7919
www.cityofkingman.gov

TO: Kingman City Council
FROM: Kingman Parks & Recreation Commission
DATE: March 18, 2015
RE: Splash Pad

Lisa Bruno, President of the Venture Club of Kingman, Inc. and Storm Hargrave has given two presentations to the Commission at their regular meeting of November 19, 2014 and February 18, 2015 regarding a Splash Pad. They wanted the support of the Commission before going forward to the City Council.

Their group has done a lot of research on a project of this size and magnitude. The Commission Members at the November meeting gave suggestions, information and pointers for their group to follow up on. Also, they would stand a better chance of success if they can answer all the Council's questions at the time of their presentation. With the ideas and suggestions presented for the group to work on, they came back to the February meeting with a researched and well thought out plan for the fundraising and other aspects of a community Splash Pad.

The Parks & Recreation Commission Members give their support to the organizers and all involved with the construction of a community Splash Pad.

Kingman Parks & Recreation Commission Members

| | | |
|----------------|---------------|-----------------|
| Tom Peeler | Brent Potter | Jon Gillenwater |
| John Cave | David West | Dorothy Brown |
| Michael Powell | Sydney Bailey | |

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Development Services Department

MEETING DATE: April 7, 2015

AGENDA SUBJECT: Public hearing and consideration of Ordinance No. 1796 to amend Section 10.000 LANDSCAPING of the *Zoning Ordinance of City of Kingman*.

SUMMARY: Section 10.000 LANDSCAPING of the *Zoning Ordinance of the City of Kingman*, adopted in 1998, provides a minimal amount of landscaping for new commercial, industrial, and multiple family developments. It also requires minimal landscaping for remodels and expansions of existing developments where the improvement costs exceed \$20,000 and/or the developed portion of the property increases by 25-percent or more. The ordinance has not been changed since its adoption.

Over several months the ordinance was reviewed by staff and the Planning and Zoning Commission at several meetings and a workshop to consider possible changes. Ordinances from area cities were reviewed and local landscaping businesses and nurseries were consulted for input. On February 10, 2015, The Planning and Zoning Commission initiated a public hearing for the proposed text amendment.

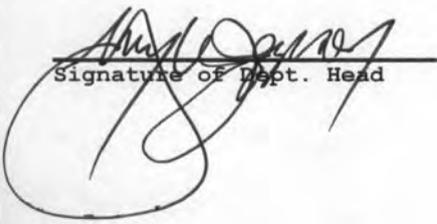
The proposed amendment would repeal the appeal process and the 2:1 credit for landscaping in the right-of-way, revise the recommended plant list, and create parking lot design standards for new development. Also 10% of the gross lot area for new development and 5% of the gross lot area for remodels and expansions would be required to be landscaped, and irrigation standards and plan submittal requirements would be revised. The ordinance would permit some artificial turf, require dead plants to be removed within 45-days, and exempt remodeled properties over 95% developed from the landscaping requirements.

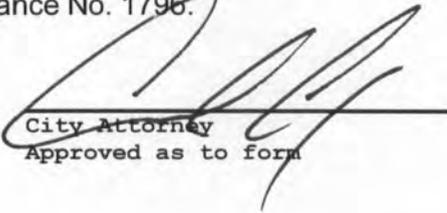
The Planning and Zoning Commission held the public hearing on March 14, 2015 to consider this request. Public testimony was heard. The Commission voted 4-0-1 to recommend approval of the proposed text amendment as written. Commissioner Angle abstained from the vote.

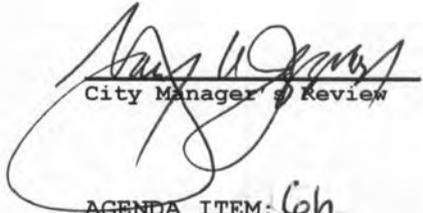
ATTACHMENT: Proposed Ordinance No. 1796, P&Z Commission report, written comments.

FISCAL IMPACT: None expected at this time.

RECOMMENDATION: Approve Ordinance No. 1796.


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 6h

WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, Arizona 86401

CITY OF KINGMAN ORDINANCE NO. 1796

AN ORDINANCE BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA AMENDING SECTION 10.000 LANDSCAPING OF THE *ZONING ORDINANCE OF THE CITY OF KINGMAN*, REGARDING THE REPEAL OF THE APPEAL PROCESS, REPEAL OF THE 2:1 CREDIT FOR LANDSCAPING IN THE RIGHT-OF-WAY, REVISING THE RECOMMENDED PLANT LIST, ADDING STANDARDS FOR LANDSCAPING IN AND AROUND PARKING LOTS, REQUIRING TEN-PERCENT OF THE GROSS SITE TO BE LANDSCAPED FOR NEW DEVELOPMENT AND FIVE-PERCENT OF THE GROSS SITE TO LANDSCAPED FOR REMODELS AND EXPANSIONS OF EXISTING DEVELOPMENT, REVISING PLAN SUBMITTAL REQUIREMENTS AND IRRIGATION STANDARDS, PERMITTING SOME ARTIFICIAL TURF AS A LANDSCAPE ELEMENT, REDUCING THE TIME FRAME TO REPLACE DEAD PLANT MATERIAL FROM 90-DAYS TO 45-DAYS, AND PROVIDING AN EXEMPTION FROM THE LANDSCAPE REQUIREMENT FOR PROPERTIES OVER 95-PERCENT DEVELOPED.

WHEREAS, Section 10.000 LANDSCAPING of the *Zoning Ordinance of the City of Kingman*, adopted in 1998, provides minimal standards for landscaping required for new commercial, industrial, and multiple family developments, as well as for remodels and expansion of existing developments; and

WHEREAS, updating Section 10.000 LANDSCAPING of the *Zoning Ordinance of the City of Kingman* with additional standards and requirements will have the desirable effect of enhancing the beauty and environment of the City of Kingman; and

WHEREAS, on February 10, 2015, the City of Kingman Planning and Zoning Commission initiated a text amendment to consider changes to Section 10.000 LANDSCAPING; and

WHEREAS, on March 10, 2015, the City of Kingman Planning and Zoning Commission held a public hearing on an proposed text amendment to Section 10.000 LANDSCAPING of the *Zoning Ordinance of the City of Kingman*; and

WHEREAS, On March 10, 2015, the City of Kingman Planning and Zoning Commission voted 4-0-1 to recommended approval of the proposed text amendment as shown in Attachment "A" of this ordinance, and

WHEREAS, on April 7, 2015, the Mayor and Common Council of the City of Kingman held a public hearing on the proposed text amendment to Section 10.000 LANDSCAPING of the *Zoning Ordinance of the City of Kingman*.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Kingman, Arizona as follows:

SECTION 1. Section 10.000 LANDSCAPING of the *Zoning Ordinance of the City of Kingman* is hereby amended as shown in Attachment "A" with the bold underline text to show the additions and strikeout text to show the deletions.

SECTION 2. Penalties for violations of these sections shall be in accordance with Section 1-8 of the Code of Ordinances of the City of Kingman, Arizona.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 7th day of April, 2015.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

ATTACHMENT "A"

10.000 LANDSCAPING

10.100 INTENT AND PURPOSE

To promote attractive and high quality development, it is the purpose of these regulations to establish standards for landscaping in order to preserve and enhance the natural beauty of the City. Creative, safe, attractive landscaped areas will be encouraged to be installed adjacent to public streets, dispersed throughout parking areas and used to ensure compatibility of adjacent land uses. It is hereby recognized that the effective use of plant landscaping controls dust, glare, and erosion; assists in the screening of objectionable light and noise; visually softens building masses; improves air quality; and helps to create harmony, continuity and the enhancement of property values throughout the community. The style of landscape is not prescribed by the City of Kingman; however, the planting of indigenous, drought tolerant, and low maintenance plants that conserve water and minimize fire hazards will be encouraged.

10.200 APPLICABILITY

These standards shall apply to Commercial, Industrial and Multiple-Family developments in the following manner:

1. This section shall apply to all new commercial, industrial, and multiple-family development.
2. These regulations shall also apply to any redevelopment, addition or remodeling of any multiple-family, commercial, or industrial property that requires a building permit and for which the improvement increases the area of the building or area of the developed portion of the property by twenty-five percent (25%) or more, or for which the improvement costs exceed twenty-thousand dollars (\$20,000.00) in value, based on the City's valuation schedule used to compute building permit fees.
3. Further, these provisions shall apply to any building or site that might require rezoning, variance, or conditional use permit approval.

~~Any appeals to this section shall be presented to the Kingman Planning and Zoning Commission for consideration and action. Appeals shall be submitted in writing to the Planning Director at least fourteen (14) days prior to the commission meeting for which the appeal is to be heard. The City Planning Director shall forward copies of the appeal to the City Manager, City Engineer, and City Public Works Director for review and comment. These officers shall have five (5) working days to review and comment on the request. Upon receipt of the review comments, the City Planning Director will prepare a report to the Planning Commission, outlining the required landscaping improvements, the reason for the appeal, and the review comments, and place the appeal on the next regularly scheduled Kingman Planning and Zoning Commission meeting.~~

~~The Kingman Planning and Zoning Commission may waive or defer the installation of all, or a portion of the required landscaping improvements if it is determined that:~~

- ~~1. Due to topography, the installation of landscaping would pose a fire hazard;~~
- ~~2. Right-of-way area to be landscaped is scheduled for street construction or utility work;~~

- ~~3. Construction of the project is phased and landscaping installation would be better in a later phase;~~
- ~~4. Due to weather conditions, planting should be delayed, or~~
- ~~5. Required parking limits the area of site available for landscaping.~~

~~If the Commission grants a waiver or deferment, they may designate such conditions as deemed necessary to secure the intent and purpose of these regulations. The decision of the Kingman Planning and Zoning Commission may be appealed to the Kingman Common Council, who would hear this appeal at their next regularly scheduled meeting.~~

10.300 LANDSCAPING PLAN REVIEW

10.310 SITE PLAN CONTENT

A scaled drawing of the site shall be provided showing the ~~site and~~ area, location, and type of ground cover. The drawing shall also show the plant type, size, location and counts for each type of plant ~~and the means and location of irrigation.~~ An irrigation plan shall be provided indicating the layout and details of the irrigation system, including the size of water meter, backflow preventer, and all materials utilized.

10.320 SUBMITTAL OF PLAN

The landscaping plan ~~may~~ shall either be incorporated into the site plan required for building permit purposes, or ~~it may~~ be provided as a separate document within the plan set that is submitted for a building permit. The plans for required landscaped areas will be reviewed for compliance with minimum standards as set forth in this section. The approval of landscaping plans shall also serve as the approval of non-substantial encroachment permits, and right-of-way permits, and those fees shall be waived.

10.400 LANDSCAPING STANDARDS/PROVISIONS

10.410 GENERAL REGULATIONS

A. MINIMUM LANDSCAPED AREAS FOR NEW BUILDINGS, REMODELINGS AND EXPANSIONS OF EXISTING BUILDINGS:

1. For all new development, ten percent (10%) of the ~~net~~ gross site area shall be provided with on-site landscaping. Ground treatments shall consist of any combination of landscape rock, decomposed granite five-eighths inches (5/8") and above, and/or turf. Landscaped areas shall also include trees, shrubs, vines, succulents, and groundcovers with minimum numbers and sizes specified in Sections 10.410(B) and 10.410(C). ~~Credit will be given for the landscaping/maintenance of public right-of-way at two to one (2:1). Example: One (1) square foot of landscaped right of way area will account for two (2) square feet of required landscaping. The portion of the public right-of-way between the property line and public sidewalk shall be similarly landscaped and maintained in addition to the on-site requirements.~~
2. Remodeling and expansions of existing buildings that have less than five percent (5 %) of the ~~net~~ gross site area landscaped shall provide a minimum of on-site landscaping that is equal to five percent (5%) of the gross ~~floor area of the building.~~ site, except where exempt as provided in Section 10.430. Ground treatments shall consist of any combination of landscape rock, decomposed granite five-eighths inches

(5/8") and above, and/or turf. Landscaped areas shall also include trees, shrubs, vines, succulents, and groundcovers with minimum numbers and sizes as specified in Sections 10.410(B) and 10.410(C). ~~Credit will be given for the landscaping/maintenance of public right-of way at two to one (2:1). The portion of the public right-of-way between the property line and public sidewalk shall be similarly landscaped and maintained in addition to the on-site requirements.~~

B. MINIMUM PLANT NUMBERS: All landscaped areas shall be composed of any combination of ground cover, shrubs, succulents and trees as set forth below:

1. **Trees:** Minimum of one (1) per five-hundred (500) square feet of required landscaped area. Additionally, a minimum of one (1) tree shall be required within ~~the parking lot for each twenty (20) required parking spaces~~ each landscape island, where required by Section 10.410(E).
2. **Shrubs, Vines, Succulents and Ground Covers:** Minimum of two (2) per three-hundred (300) square feet of required landscaped area. Additionally, a minimum of two (2) shrubs, vines, succulents and/or groundcovers shall be required within ~~the parking lot for each twenty (20) required parking spaces~~ each landscape island, where required by Section 10.410(E).

C. MINIMUM PLANT SIZES:

1. **Trees:** Fifteen (15) gallon size, with ~~two-inch to two-and-one-half inch (2":1 1/2")~~ three-quarter inch to one-and-one-quarter inch (3/4" to 1 1/4") caliper at the time of planting. A multiple trunk tree shall have no less than two (2) one-inch (1") caliper trunks.
2. **Shrubbery Shrubs, Vines, Succulents and Ground Covers:** Five (5) gallon size; ~~which are minimum. Shrubs, vines, and succulents shall be~~ approximately one (1) to two (2) feet in height and one (1) foot in width at the time of planting.
3. **Vines, Annuals/Perennials, Grasses, and Accent Grasses:** No minimum number or plant size.

D. RECOMMENDED PLANT LIST:

1. See attached Exhibit 1 for a list of recommended plants for Kingman, Arizona. Staff may approve other varieties or alternatives to the listed plants provided they are suitable to the local climate and soil conditions.

E. PARKING LOT LANDSCAPING:

1. Applicability: The following landscaping standards shall apply to all off-street parking lots for all new development containing fifteen (15) or more parking spaces. See also Section 22.000 OFF STREET PARKING AND LOADING REQUIREMENTS.
2. **Design Standards:**
 - a. One (1) landscape island shall be provided at each end of each row of parking spaces between the spaces and the adjacent drive aisle. In addition, one (1) landscape island shall be provided for every fifteen (15) contiguous parking spaces within the parking space row.

- b. Each landscape island shall be a minimum of nine (9) feet in width and be the same length as the adjacent parking space. Where double-row parking areas exist, the landscape islands shall be the length of two parking spaces. All measurements are to the outside face of the curbs.
- c. Radius curbing for landscape islands shall be provided along drive aisles with a minimum four (4) foot radius.
- d. A landscape area at least ten (10) feet deep shall be provided along the site perimeter between the parking lot area and any public street.

F. INSTALLATION:

- 1. For all new construction and additions to existing buildings, landscaping, watering devices, walls and screening structures shall be installed in accordance with the approved final landscape and site plan prior to issuance of a Certificate of Occupancy Permit, or final inspection for the building or use.
- 2. Vegetation shall be selected, planted, and maintained so that at maturity, it will not interfere with utility lines, vehicular parking, pedestrian circulation, site triangles, and will not cause damage of sidewalks, pavement, and underground, overhead, or at grade utility lines and equipment.

G. SITE SIGHT TRIANGLE:

- 1. To ensure that landscape materials do not constitute a driving hazard, a "sight triangle" will be maintained at all street intersections or intersections of driveways with streets. Within this sight triangle, there shall be no visual obstructions. The height of mature landscaping, walls and fences shall not exceed three (3) feet measured from the top of the existing curb grade.
- 2. Trees are permitted within the sight triangle. ~~A~~, as long as no branches, limbs or leaves are permitted to obscure views between the ground and eight feet above ground. See Figure 1, Section 26.000: GENERAL DEVELOPMENT STANDARDS.

H. PROHIBITED PLANTS: Due to pollen/seeds which can aggravate allergies and other health problems:

- 1. **Fruiting** Mulberry or Olive is prohibited.
- 2. **Fruitless** varieties of Mulberry or Olive are **not** prohibited.

10.420 DESIGN ELEMENTS

- A. ARTIFICIAL LANDSCAPE: For water conservation purposes, artificial turf may be a maximum of ten percent (10%) of the required minimum landscape area. Other artificial landscape materials such as: artificial trees, shrubbery, ~~turf~~ or plants shall not count toward the required landscape area.
- B. ~~An appropriate irrigation system shall be provided to all landscaped areas.~~ IRRIGATION STANDARDS:
 - 1. All landscape areas containing living plant materials shall be supported by an automatic irrigation system.

2. A backflow prevention assembly shall be provided with the installation of all irrigation systems according to standard details adopted by the City of Kingman.
 3. Under certain soil conditions, irrigation systems shall be located a minimum distance from structures as may be recommended by a geotechnical report.
 4. All irrigation systems and landscape areas shall be designed, constructed, and maintained to promote water conservation, and to prevent water overflow or seepage into the street, sidewalk, or parking areas.
- C. **EXTENT OF LANDSCAPING AREAS:** Any part of a site not graded, developed, and used for buildings, parking, driveways, sidewalks, utilities, stormwater detention areas, and approved storage shall be retained in its present vegetative natural state or landscaped.
- D. ~~All landscaped areas adjacent to vehicular parking and access areas shall be protected from vehicular traffic.~~ **PROTECTION OF LANDSCAPE AREAS:** All landscape areas and islands adjacent to vehicular parking and access drives shall be protected from vehicular traffic by the provision of concrete curbs, except where curb breaks are necessary to accommodate stormwater drainage flows from the parking lot into retention areas.
- E. **OUTDOOR LIGHTING:** Installation of outdoor lighting in conjunction with landscaped areas shall adhere to the ~~City of Kingman~~ OUTDOOR LIGHTING CODE, Section 34.000, of the City of Kingman Zoning Ordinance.

10.430 EXEMPTION

Properties with over ninety-five percent (95%) of the gross site area developed with buildings, off-street parking, sidewalks, and other similar hardscape are exempt from the requirements of 10.410(A)2 when a building is being remodeled. However, any expansion of the existing building envelope or the construction of additional buildings on the same property remains subject to the requirements of 10.410(A)2.

~~10.430~~ 10.440 MAINTENANCE

Maintenance of all landscaping shall be the responsibility of the owner, lessee, heirs, assigns, agent, or other liable entity of the property. Landscaped areas shall be regularly maintained, including pruning, mowing, weeding, trimming, watering, refuse removal, fertilizing, and maintenance of the irrigation systems, to create an attractive appearance for the development. Any dead plant material shall be replaced by the property owner within ~~ninety (90)~~ forty-five (45) days of its demise.

Public and private utilities will be responsible for the replacement and repair of landscaping materials specifically damaged by their construction in the public right-of-way. However, unless otherwise specified, the continuing maintenance of landscaping in the public right-of-way is the responsibility of the adjacent property owner.

~~10.440~~ 10.450 ENFORCEMENT

Any person violating any of the provisions of this ordinance shall be guilty of a zoning violation and upon conviction shall be subject to penalties as outlined in Section 32.000: SEPARABILITY of the Kingman Zoning Ordinance.

EXHIBIT 1
RECOMMENDED PLANT LIST
For Kingman, Arizona

For further information and advice, please contact the Mohave County University of Arizona Cooperative Extension Office or local area plant nurseries and landscape professionals.

*Asterisk indicates trees not recommended within parking lot islands or adjacent to sidewalks due to thorns and/or surface rooting tendencies that can disrupt paved surfaces.

TREES

| <u>COMMON NAME</u> | <u>SCIENTIFIC NAME</u> |
|-----------------------------------------|----------------------------------------|
| <u>*Afghan Pine (Mondel, Goldwater)</u> | <u>Pinus eldarica</u> |
| <u>*Aleppo Pine</u> | <u>Pinus halepensis</u> |
| <u>*American Sycamore</u> | <u>Platanus occidentalis</u> |
| <u>*Arizona Ash</u> | <u>Fraxinus velutina</u> |
| <u>Arizona Cypress</u> | <u>Cupressus arizonica</u> |
| <u>*Arizona Sycamore</u> | <u>Platanus racemosa wrightii</u> |
| <u>*Arizona Velvet Mesquite</u> | <u>Prosopis velutina</u> |
| <u>*Berrinda Ash</u> | <u>Fraxinus velutina Berrinda</u> |
| <u>*Black Locust</u> | <u>Robinia pseudoacacia</u> |
| <u>*Catclaw Acacia</u> | <u>Acacia greggii</u> |
| <u>Chinese Pistache</u> | <u>Pistacia chinensis</u> |
| <u>Cork Oak</u> | <u>Quercus suber</u> |
| <u>Desert Willow</u> | <u>Chilopsis linearis</u> |
| <u>Eastern Redbud</u> | <u>Cercis canadensis</u> |
| <u>Edible Fig</u> | <u>Ficus carica</u> |
| <u>Evergreen Elm</u> | <u>Ulmus parvifolia</u> |
| <u>*Fan-Tex Ash</u> | <u>Fraxinus velutina Rio Grande</u> |
| <u>*Fruitless Mulberry</u> | <u>Morus alba</u> |
| <u>*Hybrid Cottonwood</u> | <u>Populus deltoides sel siouxland</u> |
| <u>Hybrid Palo Verde</u> | <u>Parkinsonia hybrid var.</u> |
| <u>Italian Cypress</u> | <u>Cupressus sempervirens</u> |
| <u>*Italian Stone Pine</u> | <u>Pinus pinea</u> |
| <u>*Japanese Black Pine</u> | <u>Pinus thunbergeri</u> |
| <u>*Mesquite</u> | <u>Prosopis juliflora</u> |
| <u>Mexican Elderberry</u> | <u>Sambucus caerulea mexicana</u> |
| <u>Mexican Palo Verde</u> | <u>Parkinsonia aculeata</u> |
| <u>Pecan</u> | <u>Carya illinoinesis</u> |
| <u>*Pinyon Pine</u> | <u>Pinus edulis</u> |
| <u>*Raywood Ash</u> | <u>Fraxinus oxycarpa Raywood</u> |
| <u>Red Push Pistache</u> | <u>Pistacia x Red Push</u> |
| <u>*S. American Hybrid Mesquite</u> | <u>Prosopis alba</u> |
| <u>Southern Live Oak</u> | <u>Quercus virginiana</u> |
| <u>*Sweet Acacia</u> | <u>Acacia smallii</u> |
| <u>*Texas Mesquite</u> | <u>Prosopis glandulosa</u> |
| <u>Thornless Honey Locust</u> | <u>Gleditsia triacanthos inermis</u> |
| <u>Western Hackberry</u> | <u>Celtis laevigata v. reticulata</u> |
| <u>Western Redbud</u> | <u>Cercis occidentalis</u> |
| <u>*White Thorn Acacia</u> | <u>Acacia constricta</u> |

SHRUBS AND VINES

COMMON NAME

Apache Plume
Arizona Yellow Bell
Arizona Grape
Arizona Rosewood
Cassia
Cats Claw
Chuparosa
Common Myrtle
Cotoneaster
Creosote Bush
Crepe Myrtle
Desert Broom
Desert Honeysuckle
Dwarf Coyote Brush
Dwarf Periwinkle
Euonymus
Fairy Duster
Flame Honeysuckle
Firethorn
Four-Wing Saltbush
Globe Mallow
Goldflame Honeysuckle
Grape Ivy
Greythorn
Hop Bush
Indian Marrow
Indigo Bush
Japanese Wisteria
Junipers (many species)
Lady Bank's Rosea
Lilac
Menodora
Mexican Buckeye
Mexican Oregano
Mountain Mahogany
New Mexico Privet
Nandina
Ocotillo
Oleander
Pampas Grass
Pomegranate
Pyracantha
Red Bird of Paradise
Sage – Texas Ranger
Salvia (many species)
Siberian Peashrub
Silverberry
Spanish Broom

SCIENTIFIC NAME

Fallugia paradoxa
Tecoma stans v. angustata
Vitis arizonica
Vauquelinia californica
Cassia spp.
Macfadyena unguis-cati
Justicia californica
Myrtus communis
Cotoneaster horizontalis
Larrea tridentata
Lagerstromia indica
Baccharis sarothroides
Anisacanthus thurberi
Baccharis pilularis
Vinca minor
Euonymus japonica
Calliandra eriophylla
Anisacanthus quadrifidus
Pyracantha walderi
Atriplex canescens
Sphaeralcea coccinea
Lonicera heckrottii
Cissus trifoliata
Ziziphus obtusifolia
Dodonaea viscosa
Abutilon palmeri
Dalea bicolor
Wisteria floribunda
Juniperus spp.
Rosa banksiae
Syringa vulgaris
Menodora scabra
Unghadia speciosa
Aloysia wrightii
Cercocarpus montanus
Forestiera neomexicana
Nandina domestica
Fouquieria splendens
Nerium oleander
Cortaderia spp.
Punica granatum
Pyracantha coccinea
Caesalpinia pulcherrima
Leucophyllum frutescens
Salvia spp.
Caragana arborescens
Eleagnus pungens
Genista hispanica

[Sugar Bush](#)
[Texas Mountain Laurel](#)
[Trailing Dalea](#)
[Triangle Bursage](#)
[Trumpet Flower](#)
[Utah Serviceberry](#)
[Viburnum](#)
[Violet trumpet vine](#)
[Virginia Creeper](#)
[Waxleaf Privet](#)
[White Bursage](#)
[Winterfat](#)
[Wright Silktassel](#)
[Woolly Butterfly Bush](#)
[Yellow Bird of Paradise](#)
[Yellow Orchid Vine](#)

[Rhus ovata](#)
[Sophora secundiflora](#)
[Dalea greggii](#)
[Franseria deltoides](#)
[Tecoma stans](#)
[Amelanchier utahensis](#)
[Viburnum tinus and](#)
[Robustum](#)
[Clytostoma callistegioides](#)
[Parthenocissus inserta](#)
[Ligustrum japonicum](#)
[Franseria dumosa](#)
[Ceratoides lanata](#)
[Garrya wrightii](#)
[Buddleja marrubiifolia](#)
[Caesalpinia gilliesii](#)
[Callaeum macropterum](#)

GROUND COVERS

COMMON NAME

[Gazania](#)
[Germander](#)
[Ice Plant](#)
[Lippia](#)
[Peruvian Verbena](#)
[Rosemary](#)
[Saltillo Primrose](#)
[Santolina](#)
[Star Jasmine](#)
[Stonecrop](#)
[Thyme](#)
[Tufted Evening Primrose](#)

SCIENTIFIC NAME

[Gazania ringens](#)
[Teucrium chamaedrys](#)
[Cephalophyllum](#)
[Lippia canescens](#)
[Verbena peruviana](#)
[Rosmarinus officinalis](#)
[Oenothera stubbei](#)
[Santolina chamaecyparissus](#)
[Trachelospermum jasminoids](#)
[Sedum spp.](#)
[Thymus](#)
[Oenothera caespitosa](#)

SUCCULENTS

COMMON NAME

[Agave \(many species\)](#)
[Bigelow Nolina](#)
[Candelilla](#)
[Century Plant](#)
[Desert Milkweed](#)
[Desert Spoon](#)
[Giant Hesperaloe](#)
[Grass Tree](#)
[Joshua Tree](#)
[Yucca \(many species\)](#)

SCIENTIFIC NAME

[Agave spp.](#)
[Nolina bigelovii](#)
[Euphorbia antisiphilitica](#)
[Agave chrysantha](#)
[Asclepias subulata](#)
[Dasyllirion wheeleri](#)
[Hesperaloe funifera](#)
[Dasyllirion longissimum](#)
[Yucca brevifolia](#)
[Yucca spp.](#)

ANNUALS/PERENNIALS

COMMON NAME

SCIENTIFIC NAME

African Daisy

Arctotis spp.

Alyssum

Alyssum spp.

California Poppy

Eschscholzia californica

Desert Marigold

Baileya multiradiata

GRASSES AND ACCENT GRASSES

COMMON NAME

SCIENTIFIC NAME

Bamboo Muhly

Muhlenbergia dumosa

Bear Grass

Nolina microcarpa

Bermuda Grass (Turf varieties)

Cynodon daetylon

Blue Gama

Bouteloua gracilis

Bull Grass

Muhlenbergia emersleyi

Clover

Tritolium spp.

Deer Grass

Muhlenbergia rigens

Dichondra

Dichondra carolinensis

Eulalia Grass

Miscanthus sinensis

Japanese Blood Grass

Imperata cylindrical

Mexican Feather Grass

Nassella tenuissima

Mondo Grass

Ophiopogon japonicus

Pink Muhly

Muhlenbergia capillaries

Ryegrass

Lolium multiflorum

Sideoats Grama

Bouteloua curtipendula

Tall Fescue Grass

Festuca arundinacea



CITY OF KINGMAN
Development Services Department
ZONING ORDINANCE TEXT AMENDMENT CASE: ZO15-001
Planning and Zoning Commission Report

Applicant: City of Kingman
310 N. Fourth Street
Kingman, AZ 86401
(928) 753-8130

Contacts: Rich Ruggles, Principal Planner
Sylvia Shaffer, Planner

Requested Action: A request to amend Section 10.000: LANDSCAPING of the *Zoning Ordinance of the City of Kingman*. The proposed text amendment, if approved, would repeal the appeal process and the 2:1 credit for landscaping in the right-of-way, revise the recommended plant list, add standards for landscaping in and around parking lots, require ten-percent of the gross site to be landscaped for new development and five-percent of the gross site to be landscaped for remodels and expansions of existing development, clarify plan submittal requirements and irrigation standards, permit some artificial turf as a landscape element, change the time frame for replacement of dead plant material from 90 days to 45 days, and provide an exemption from the landscape requirement for remodeled properties that are over 95-percent developed.

RECOMMENDATION

On March 10, 2015 the Planning and Zoning Commission recommended by a vote of 4-0-1 to amend Section 10.000 LANDSCAPING of the *Zoning Ordinance of the City of Kingman* as shown in Attachment "A".

STANDARDS FOR REVIEW

Recommended Plant List from Sections 14.000 and 35.000, Section 10.000: Landscaping, Section 31.000: Amendments and Zone Changes (See attached).

FINDINGS OF FACT

1. Section 10.000 Landscaping of the Kingman Zoning Ordinance was adopted under Ordinance No. 1171 on April 20, 1998.

2. This ordinance was intended to require a minimal amount of landscaping for new commercial, industrial, and multiple family developments. Ten-percent of the net site area is required to be landscaped for new development while an area equal to five-percent of the building area is required to be landscaped for remodels or expansions of existing developments where the improvement costs exceed \$20,000.00 and/or the developed portion of the property exceeds 25-percent of the area.
3. A minimum number of trees and shrubs were required in the landscape areas based upon the amount of required landscape area and number of required parking spaces.
4. No changes to this ordinance have been made since its adoption nearly 17 years ago.

ANALYSIS

Planning staff and the Planning and Zoning Commission have identified areas within the Landscape Ordinance that we believe need to be updated and enhanced. The purpose of updating the ordinance is to enhance the beauty and attractiveness of the city and to provide developers and staff with additional clarification regarding landscaping requirements. The adoption of specific parking lot landscape design standards is of primary interest. The ordinance currently requires landscaping in parking areas, but there are no specific design standards. Staff believes that the adoption of design standards for landscaping in parking lots will improve the appearance of the parking lot, reduce the scale and amount of paved areas, provide more shade for vehicles and pedestrians, reduce headlight glare, and add seasonal interest.

In addition, new language is proposed which will clarify of requirements for plan submittals, update the irrigation requirements, and update the recommended plant list. The current appeal process is proposed to be repealed. This appeal process has rarely been used. Normally appeals to the Zoning Ordinance are heard by the Board of Adjustment. We would recommend that this process be used instead. Also the 2:1 credit for landscaping in the right-of-way is proposed to be repealed. This credit allowed each one square foot of landscaping in the right-of-way to be counted as two square feet toward the total required landscape area. Under the proposed language, landscaping in the area between the property line and the improved portion of the street will be a requirement in addition to the on-site landscaping requirements.

The process to consider changes to the Landscape Ordinance began with discussions at the December 2014 and January 2015 Planning and Zoning Commission meetings. At those meetings staff provided a background on the history of the current ordinance and its features. Research was provided regarding ordinances from four other cities including Mesa, Scottsdale, Peoria and Tempe in December. A comparative analysis of landscaping ordinances in Kingman, Lake Havasu City and Bullhead City was provided at the January P&Z meeting. At the same meeting the results of a discussion and feedback between staff and three local landscaping businesses and plant nursery owners was provided.

On February 3, 2015 the Planning and Zoning Commission held a workshop to discuss specific areas of concern. The commission discussed expanding the recommended plant list, and discussed the landscape island to parking ratio, the requirements for remodeling and expansion of existing buildings, and the maintenance and enforcement requirements.

Based on the discussions at the February 3rd workshop, a draft of the proposed text amendment was presented to the commission for review at the meeting of February 10, 2015. At that meeting the commission initiated the text amendment and set a public hearing for March 10, 2015.

The final draft of the proposed text amendment is attached to this report. Language proposed to be added is in **bold blue**, while language proposed to be removed is ~~struck out~~.

The proposed text amendment to Section 10.000, if approved, would make the following changes:

1. Repeals the appeal process in which an applicant can ask the Planning and Zoning Commission and City Council for a waiver or deferral of the requirements of the landscape ordinance under certain conditions. Appeals would still be allowed in the form of a request for a variance that would be heard by the Board of Adjustment.
2. Clarifies the requirements of the landscape plan contents and submittal requirements as well as the requirements for ground treatments and plants.
3. Repeals the 2:1 credit for landscaping in the right-of-way. Landscaping in right-of-way would be required in addition to the minimum on-site landscaping.
4. Changes the requirement for landscaping of new development from ten-percent of the net site area to ten-percent of the gross site area and remodels and expansions from an area equal to five-percent of the gross floor area of the building to five-percent of the gross site area.
5. Reduces the required caliper size for 15 gallon trees. Desert adapted trees, which are encouraged by the recommended plant list, typically have smaller trunks at the time of planting.
6. Provides parking lot landscaping standards which are applied to off-street parking lots for all new development with 15 or more spaces. The standards require landscape islands at the ends of every parking row as well as for every 15 parking spaces in a contiguous row. Islands are required to be the size of a typical parking space which normally is 9 feet by 19 feet. Also a 10-foot wide landscape buffer area is required around the site perimeter wherever a parking lot directly abuts a public street.
7. Permits artificial turf to be counted towards ten-percent of the minimum landscape area.
8. Clarifies the irrigation standards in which an automatic irrigation system is required, a backflow assembly is required, as well as other system design requirements.
9. Clarifies the extent of the landscape area and protection requirements of landscape areas.
10. Provides for an exemption from providing additional landscaping when over 95-percent of the gross site is already developed with buildings and parking areas and a building is being remodeled. The exemption does not apply to any expansions of a building beyond the existing building envelope.
11. Changes the time frame for replacement of dead plant material from 90 days to 45 days.
12. Adds a modified version of the existing recommended plant list currently located in Sections 14.000 and 35.000 of the Kingman Zoning Ordinance to the Landscape section.

In regards to the recommended plant list, this list was located elsewhere in the Kingman Zoning Ordinance under Sections 14.000 and 35.000 which have to do with the Hualapai Mountain Road overlay and zoning districts. The list was updated in consultation with David Tribbett, a local nursery owner, and several landscaping business owners. Other sources that were consulted included the Low-Water Tree and Plant Guide for Mohave County which was developed in cooperation of the Mohave County Master Gardeners, and the Sunset Western Garden Book.

Plants added to the list are listed in **bold blue** while plants already on the existing list are in **plain blue** lettering. A few plant species in the existing list were not included in the revised list primarily on the advice that they were not cold hardy or were short-lived and subject to disease. These include Eucalyptus, Salix (Willow), Ulmus (Elm) tree species and Encelia, Cordia and Lysiloma shrub species. Tamarisk is also considered invasive and no longer recommended anywhere in Arizona and was therefore removed. The existing recommended plant list is attached for comparison.

Also, the introductory paragraphs to the plant list have been changed to recommend that local area plant nurseries and landscape professionals be consulted for any information or planting advice in addition to the Mohave County Extension Office. Trees not recommended for use in parking islands or adjacent to sidewalks due to thorns or root issues are marked with an asterisk. Finally we reduced the caliper size for 15 gallon trees on the advice of one of the nursery owners. Apparently our current standard is more appropriate for larger trees and non-desert varieties.

RECOMMENDATION

On March 10, 2015 the Planning and Zoning Commission recommended by a vote of 4-0-1 to amend Section 10.000 LANDSCAPING of the *Zoning Ordinance of the City of Kingman* as shown in Attachment "A".

ATTACHMENTS

1. Attachment "A", proposed text amendment
2. Existing Recommended Plant List
3. Sections 10.000 and 31.000 of the Kingman Zoning Ordinance

ATTACHMENT “A”

Text language proposed to be added is in bold blue. Text language to be removed is struck out in red. In the recommended plant list, added species are in bold blue while species in the existing list are in plain blue text.

10.000 LANDSCAPING

10.100 INTENT AND PURPOSE

To promote attractive and high quality development, it is the purpose of these regulations to establish standards for landscaping in order to preserve and enhance the natural beauty of the City. Creative, safe, attractive landscaped areas will be encouraged to be installed adjacent to public streets, dispersed throughout parking areas and used to ensure compatibility of adjacent land uses. It is hereby recognized that the effective use of plant landscaping controls dust, glare, and erosion; assists in the screening of objectionable light and noise; visually softens building masses; improves air quality; and helps to create harmony, continuity and the enhancement of property values throughout the community. The style of landscape is not prescribed by the City of Kingman; however, the planting of indigenous, drought tolerant, and low maintenance plants that conserve water and minimize fire hazards will be encouraged.

10.200 APPLICABILITY

These standards shall apply to Commercial, Industrial and Multiple-Family developments in the following manner:

1. This section shall apply to all new commercial, industrial, and multiple-family development.
2. These regulations shall also apply to any redevelopment, addition or remodeling of any multiple-family, commercial, or industrial property that requires a building permit and for which the improvement increases the area of the building or area of the developed portion of the property by twenty-five percent (25%) or more, or for which the improvement costs exceed twenty-thousand dollars (\$20,000.00) in value, based on the City's valuation schedule used to compute building permit fees.
3. Further, these provisions shall apply to any building or site that might require rezoning, variance, or conditional use permit approval.

~~Any appeals to this section shall be presented to the Kingman Planning and Zoning Commission for consideration and action. Appeals shall be submitted in writing to the Planning Director at least fourteen (14) days prior to the commission meeting for which the appeal is to be heard. The City Planning Director shall forward copies of the appeal to the City Manager, City Engineer, and City Public Works Director for review and comment. These officers shall have five (5) working days to review and comment on the request. Upon receipt of the review comments, the City Planning Director will prepare a report to the Planning Commission, outlining the required landscaping improvements, the reason for the appeal, and the review comments, and place the appeal on the next regularly scheduled Kingman Planning and Zoning Commission meeting.~~

~~The Kingman Planning and Zoning Commission may waive or defer the installation of all, or a portion of the required landscaping improvements if it is determined that:~~

- ~~1. Due to topography, the installation of landscaping would pose a fire hazard,~~
- ~~2. Right of way area to be landscaped is scheduled for street construction or utility work,~~

- ~~3. Construction of the project is phased and landscaping installation would be better in a later phase,~~
- ~~4. Due to weather conditions, planting should be delayed, or~~
- ~~5. Required parking limits the area of site available for landscaping.~~

~~If the Commission grants a waiver or deferment, they may designate such conditions as deemed necessary to secure the intent and purpose of these regulations. The decision of the Kingman Planning and Zoning Commission may be appealed to the Kingman Common Council, who would hear this appeal at their next regularly scheduled meeting.~~

10.300 LANDSCAPING PLAN REVIEW

10.310 SITE PLAN CONTENT

A scaled drawing of the site shall be provided showing the ~~site and~~ area, location, and type of ground cover. The drawing shall also show the plant type, size, location and counts for each type of plant ~~and the means and location of irrigation~~. An irrigation plan shall be provided indicating the layout and details of the irrigation system, including the size of water meter, backflow preventer, and all materials utilized.

10.320 SUBMITTAL OF PLAN

The landscaping plan ~~may~~ shall either be incorporated into the site plan required for building permit purposes, or ~~it may~~ be provided as a separate document ~~within the plan set that is submitted for a building permit~~. The plans for required landscaped areas will be reviewed for compliance with minimum standards as set forth in this section. The approval of landscaping plans shall also serve as the approval of non-substantial encroachment permits, and right-of-way permits, and those fees shall be waived.

10.400 LANDSCAPING STANDARDS/PROVISIONS

10.410 GENERAL REGULATIONS

A. MINIMUM LANDSCAPED AREAS FOR NEW BUILDINGS, REMODELINGS AND EXPANSIONS OF EXISTING BUILDINGS:

1. For all new development, ten percent (10%) of the ~~net gross~~ site area shall be provided with on-site landscaping. ~~Ground treatments shall consist of any combination of landscape rock, decomposed granite five-eighths inches (5/8") and above, and/or turf. Landscaped areas shall also include trees, shrubs, vines, succulents, and groundcovers with minimum numbers and sizes specified in Sections 10.410(B) and 10.410(C). Credit will be given for the landscaping/maintenance of public right-of-way at two to one (2:1). Example: One (1) square foot of landscaped right-of-way area will account for two (2) square feet of required landscaping. The portion of the public right-of-way between the property line and public sidewalk shall be similarly landscaped and maintained in addition to the on-site requirements.~~
2. Remodeling and expansions of existing buildings that have less than five percent (5 %) of the ~~net gross~~ site area landscaped shall provide a minimum of on-site landscaping that is equal to five percent (5%) of the gross ~~floor area of the building~~ site, except where exempt as provided in Section 10.430. ~~Ground treatments shall consist of any combination of landscape rock, decomposed granite five-eighths inches (5/8") and above, and/or turf. Landscaped areas shall also include trees, shrubs, vines, succulents, and groundcovers with minimum numbers and sizes as specified in Sections 10.410(B) and 10.410(C). Credit will be given for the landscaping/maintenance of public right-of-way at two to one (2:1).~~

The portion of the public right-of-way between the property line and public sidewalk shall be similarly landscaped and maintained in addition to the on-site requirements.

B. MINIMUM PLANT NUMBERS: All landscaped areas shall be composed of any combination of ground cover, shrubs, **succulents** and trees as set forth below:

1. **Trees:** Minimum of one (1) per five-hundred (500) square feet of required landscaped area. **Additionally, a minimum of one (1) tree shall be required within ~~the parking lot for each twenty (20) required parking spaces~~ each landscape island, where required by Section 10.410(E).**
2. **Shrubs, Vines, Succulents and Ground Covers:** Minimum of two (2) per three-hundred (300) square feet of required landscaped area. **Additionally, a minimum of two (2) shrubs, vines, succulents and/or groundcovers shall be required within ~~the parking lot for each twenty (20) required parking spaces~~ each landscape island, where required by Section 10.410(E).**

C. MINIMUM PLANT SIZES:

1. **Trees:** Fifteen (15) gallon size, with ~~two inch to two and one half inch (2":1 ½")~~ **three-quarter inch to one-and-one-quarter inch (¾" to 1 ¼")** caliper at the time of planting. A multiple trunk tree shall have no less than two (2) one-inch (1") caliper trunks.
2. **Shrubby Shrubs, Vines, Succulents and Ground Covers:** Five (5) gallon size, ~~which are minimum.~~ **Shrubs, vines, and succulents shall be** approximately one (1) to two (2) feet in height and one (1) foot in width at the time of planting.
3. **Vines, Annuals/Perennials, Grasses, and Accent Grasses:** No minimum number or plant size.

D. RECOMMENDED PLANT LIST:

1. **See attached Exhibit 1 for a list of recommended plants for Kingman, Arizona. Staff may approve other varieties or alternatives to the listed plants provided they are suitable to the local climate and soil conditions.**

E. PARKING LOT LANDSCAPING:

1. **Applicability:** The following landscaping standards shall apply to all off-street parking lots for all new development containing fifteen (15) or more parking spaces. See also Section 22.000 OFF STREET PARKING AND LOADING REQUIREMENTS.
2. **Design Standards:**
 - a. **One (1) landscape island shall be provided at each end of each row of parking spaces between the spaces and the adjacent drive aisle. In addition, one (1) landscape island shall be provided for every fifteen (15) contiguous parking spaces within the parking space row.**
 - b. **Each landscape island shall be a minimum of nine (9) feet in width and be the same length as the adjacent parking space. Where double-row parking areas exist, the landscape islands shall be the length of two parking spaces. All measurements are to the outside face of the curbs.**
 - c. **Radius curbing for landscape islands shall be provided along drive aisles with a minimum four (4) foot radius.**

- d. A landscape area at least ten (10) feet deep shall be provided along the site perimeter between the parking lot area and any public street.

F. INSTALLATION:

1. For all new construction and additions to existing buildings, landscaping, watering devices, walls and screening structures shall be installed in accordance with the approved final landscape and site plan prior to issuance of a Certificate of Occupancy Permit, or final inspection for the building or use.
2. Vegetation shall be selected, planted, and maintained so that at maturity, it will not interfere with utility lines, vehicular parking, pedestrian circulation, site triangles, and will not cause damage of sidewalks, pavement, and underground, overhead, or at grade utility lines and equipment.

G. SITE SIGHT TRIANGLE:

1. To ensure that landscape materials do not constitute a driving hazard, a "sight triangle" will be maintained at all street intersections or intersections of driveways with streets. Within this sight triangle, there shall be no visual obstructions. The height of mature landscaping, walls and fences shall not exceed three (3) feet measured from the top of the existing curb grade.
2. Trees are permitted within the sight triangle. ~~A~~, as long as no branches, limbs or leaves are permitted to obscure views between the ground and eight feet above ground. See Figure 1, Section 26.000: GENERAL DEVELOPMENT STANDARDS.

H. PROHIBITED PLANTS: Due to pollen/seeds which can aggravate allergies and other health problems:

1. **Fruiting** Mulberry or Olive is prohibited.
2. **Fruitless** varieties of Mulberry or Olive are **not** prohibited.

10.420 DESIGN ELEMENTS

A. ARTIFICIAL LANDSCAPE: For water conservation purposes, artificial turf may be a maximum of ten percent (10%) of the required minimum landscape area. Other artificial landscape materials such as; artificial trees, shrubbery, ~~turf~~ or plants shall not count toward the required landscape area.

~~An appropriate irrigation system shall be provided to all landscaped areas.~~ **IRRIGATION STANDARDS:**

1. All landscape areas containing living plant materials shall be supported by an automatic irrigation system.
2. A backflow prevention assembly shall be provided with the installation of all irrigation systems according to standard details adopted by the City of Kingman.
3. Under certain soil conditions, irrigation systems shall be located a minimum distance from structures as may be recommended by a geotechnical report.
4. All irrigation systems and landscape areas shall be designed, constructed, and maintained to promote water conservation, and to prevent water overflow or seepage into the street, sidewalk, or parking areas.

- C. **EXTENT OF LANDSCAPING AREAS:** Any part of a site not **graded, developed, and** used for buildings, parking, driveways, sidewalks, utilities, **stormwater detention areas**, and approved storage shall be retained in its present vegetative natural state or landscaped.
- D. ~~All landscaped areas adjacent to vehicular parking and access areas shall be protected from vehicular traffic.~~ **PROTECTION OF LANDSCAPE AREAS:** All landscape areas and islands adjacent to vehicular parking and access drives shall be protected from vehicular traffic by the provision of concrete curbs, except where curb breaks are necessary to accommodate stormwater drainage flows from the parking lot into retention areas.
- E. **OUTDOOR LIGHTING:** Installation of outdoor lighting in conjunction with landscaped areas shall adhere to the ~~City of Kingman~~ **OUTDOOR LIGHTING CODE**, Section 34.000, **of the City of Kingman** Zoning Ordinance.

10.430 EXEMPTION

Properties with over ninety-five percent (95%) of the gross site area developed with buildings, off-street parking, sidewalks, and other similar hardscape are exempt from the requirements of 10.410(A)2 when a building is being remodeled. However, any expansion of the existing building envelope or the construction of additional buildings on the same property remains subject to the requirements of 10.410(A)2.

~~10.430~~ **10.440 MAINTENANCE**

Maintenance of all landscaping shall be the responsibility of the owner, lessee, heirs, assigns, agent, or other liable entity of the property. Landscaped areas shall be regularly maintained, including pruning, mowing, weeding, trimming, watering, refuse removal, fertilizing, and maintenance of the irrigation systems, to create an attractive appearance for the development. Any dead plant material shall be replaced by the property owner within ~~ninety (90)~~ **forty-five (45)** days of its demise.

Public and private utilities will be responsible for the replacement and repair of landscaping materials specifically damaged by their construction in the public right-of-way. However, unless otherwise specified, the continuing maintenance of landscaping in the public right-of-way is the responsibility of the adjacent property owner.

~~10.440~~ **10.450 ENFORCEMENT**

Any person violating any of the provisions of this ordinance shall be guilty of a zoning violation and upon conviction shall be subject to penalties as outlined in Section 32.000: SEPARABILITY of the Kingman Zoning Ordinance.

**EXHIBIT 1
RECOMMENDED PLANT LIST
For Kingman, Arizona**

For further information and advice, please contact the Mohave County University of Arizona Cooperative Extension Office or local area plant nurseries and landscape professionals.

*Asterisk indicates trees not recommended within parking lot islands or adjacent to sidewalks due to thorns and/or surface rooting tendencies that can disrupt paved surfaces.

TREES

| COMMON NAME | SCIENTIFIC NAME |
|-------------------------------------|-------------------------------------|
| *Afghan Pine (Mondel, Goldwater) | Pinus eldarica |
| *Aleppo Pine | Pinus halepensis |
| *American Sycamore | Platanus occidentalis |
| *Arizona Ash | Fraxinus velutina |
| Arizona Cypress | Cupressus arizonica |
| *Arizona Sycamore | Platanus racemosa wrightii |
| *Arizona Velvet Mesquite | Prosopis velutina |
| *Berrinda Ash | Fraxinus velutina Berrinda |
| *Black Locust | Robinia pseudoacacia |
| *Catclaw Acacia | Acacia greggii |
| Chinese Pistache | Pistacia chinensis |
| Cork Oak | Quercus suber |
| Desert Willow | Chilopsis linearis |
| Eastern Redbud | Cercis canadensis |
| Edible Fig | Ficus carica |
| Evergreen Elm | Ulmus parvifolia |
| *Fan-Tex Ash | Fraxinus velutina Rio Grande |
| *Fruitless Mulberry | Morus alba |
| *Hybrid Cottonwood | Populus deltoides sel siouxland |
| Hybrid Palo Verde | Parkinsonia hybrid var. |
| Italian Cypress | Cupressus sempervirens |
| *Italian Stone Pine | Pinus pinea |
| *Japanese Black Pine | Pinus thunbergii |
| *Mesquite | Prosopis juliflora |
| Mexican Elderberry | Sambucus caerulea mexicana |
| Mexican Palo Verde | Parkinsonia aculeata |
| Pecan | Carya illinoensis |
| *Pinyon Pine | Pinus edulis |
| *Raywood Ash | Fraxinus oxycarpa Raywood |
| Red Push Pistache | Pistacia x Red Push |
| *S. American Hybrid Mesquite | Prosopis alba |
| Southern Live Oak | Quercus virginiana |
| *Sweet Acacia | Acacia smallii |
| *Texas Mesquite | Prosopis glandulosa |
| Thornless Honey Locust | Gleditsia triacanthos inermis |
| Western Hackberry | Celtis laevigata v. reticulata |
| Western Redbud | Cercis occidentalis |
| *White Thorn Acacia | Acacia constricta |

SHRUBS AND VINES

COMMON NAME

Apache Plume
Arizona Yellow Bell
Arizona Grape
Arizona Rosewood
Cassia
Cats Claw
Chuparosa
Common Myrtle
Cotoneaster
Creosote Bush
Crepe Myrtle
Desert Broom
Desert Honeysuckle
Dwarf Coyote Brush
Dwarf Periwinkle
Euonymus
Fairy Duster
Flame Honeysuckle
Firethorn
Four-Wing Saltbush
Globe Mallow
Goldflame Honeysuckle
Grape Ivy
Greythorn
Hop Bush
Indian Marrow
Indigo Bush
Japanese Wisteria
Junipers (many species)
Lady Bank's Rosea
Lilac
Menodora
Mexican Buckeye
Mexican Oregano
Mountain Mahogany
New Mexico Privet
Nandina
Ocotillo
Oleander
Pampas Grass
Pomegranate
Pyracantha
Red Bird of Paradise
Sage – Texas Ranger
Salvia (many species)
Siberian Peashrub
Silverberry
Spanish Broom

SCIENTIFIC NAME

Fallugia paradoxa
Tecoma stans v. angustata
Vitis arizonica
Vauquelinia californica
Cassia spp.
Macfadyena unguis-cati
Justicia californica
Myrtus communis
Cotoneaster horizontalis
Larrea tridentata
Lagerstromia indica
Baccharis sarothroides
Anisacanthus thurberi
Baccharis pilularis
Vinca minor
Euonymus japonica
Calliandra eriophylla
Anisacanthus quadrifidus
Pyracantha walderi
Atriplex canescens
Sphaeralcea coccinea
Lonicera heckrottii
Cissus trifoliata
Ziziphus obtusifolia
Dodonaea viscosa
Abutilon palmeri
Dalea bicolor
Wisteria floribunda
Juniperus spp.
Rosa banksiae
Syringa vulgaris
Menodora scabra
Ungmadia speciosa
Aloysia wrightii
Cercocarpus montanus
Forestiera neomexicana
Nandina domestica
Fouquieria splendens
Nerium oleander
Cortaderia spp.
Punica granatum
Pyracantha coccinea
Caesalpinia pulcherrima
Leucophyllum frutescens
Salvia spp.
Caragnum arborescens
Eleagnus pungens
Genista hispanica

SHRUBS AND VINES

COMMON NAME

Sugar Bush
Texas Mountain Laurel
Trailing Dalea
Triangle Bursage
Trumpet Flower
Utah Serviceberry
Viburnum
Violet trumpet vine
Virginia Creeper
Waxleaf Privet
White Bursage
Winterfat
Wright Silktassel
Woolly Butterfly Bush
Yellow Bird of Paradise
Yellow Orchid Vine

SCIENTIFIC NAME

Rhus ovata
Sophora secundiflora
Dalea greggii
Franseria deltoides
Tecoma stans
Amelanchier utahensis
Viburnum tinus and *Robustum*
Clytostoma callistegioides
Parthenocissus inserta
Ligustrum japonicum
Franseria dumosa
Ceratoides lanata
Garrya wrightii
Buddleja marrubifolia
Caesalpinia gilliesii
Callaeum macropterum

GROUND COVERS

COMMON NAME

Gazania
Germander
Ice Plant
Lippia
Peruvian Verbena
Rosemary
Saltillo Primrose
Santolina
Star Jasmine
Stonecrop
Thyme
Tufted Evening Primrose

SCIENTIFIC NAME

Gazania ringens
Teucrium chamaedrys
Cephalophyllum
Lippia canescens
Verbena peruviana
Rosmarinus officinalis
Oenothera stubbei
Santolina chamaecyparissus
Trachelospermum jasminoids
Sedum spp.
Thymus
Oenothera caespitosa

SUCCULENTS

COMMON NAME

Agave (many species)
Bigelow Nolina
Candelilla
Century Plant
Desert Milkweed
Desert Spoon
Giant Hesperaloe
Grass Tree
Joshua Tree
Yucca (many species)

SCIENTIFIC NAME

Agave spp.
Nolina bigelovii
Euphorbia antisiphilitica
Agave chrysantha
Asclepias subulata
Dasyliirion wheeleri
Hesperaloe funifera
Dasyliirion longissimum
Yucca brevifolia
Yucca spp.

ANNUALS/PERENNIALS

COMMON NAME

African Daisy
Alyssum
California Poppy
Desert Marigold

SCIENTIFIC NAME

Arctotis spp.
Alyssum spp.
Eschscholzia californica
Baileya multiradiata

GRASSES AND ACCENT GRASSES

COMMON NAME

Bamboo Muhly
Bear Grass
Bermuda Grass (Turf varieties)
Blue Gama
Bull Grass
Clover
Deer Grass
Dichondra
Eulalia Grass
Japanese Blood Grass
Mexican Feather Grass
Mondo Grass
Pink Muhly
Ryegrass
Sideoats Grama
Tall Fescue Grass

SCIENTIFIC NAME

Muhlenbergia dumosa
Nolina microcarpa
Cynodon daetylon
Bouteloua gracilis
Muhlenbergia emersleyi
Tritolium spp.
Muhlenbergia rigens
Dichondra carolinensis
Miscanthus sinensis
Imperata cylindrical
Nassella tenuissima
Ophiopogon japonicus
Muhlenbergia capillaries
Lolium multiflorum
Bouteloua curtipendula
Festuca arundinacea

**EXHIBIT 2
RECOMMENDED PLANT LIST
For Kingman, Arizona**

*Asterisk indicates low water use plants

For further information, please contact the local Soil Conservation Service or Cooperative Extension Service Office.

TREES

| COMMON NAME | SCIENTIFIC NAME |
|----------------------------------|---------------------------------|
| *Afghan Pine (Mondel, Goldwater) | Pinus Eldarica |
| *African Sumac | Rhus Lancea |
| *Aleppo Pine | Pinus Halepensis |
| American Sycamore | Platanus Occidentalis |
| Arizona Ash | Fraxinus Velutina |
| *Arizona Cypress | Cupressus Arizona |
| Arizona Sycamore | Platanus Occidentalis |
| *Athel Tree | Tamarix Articulate |
| Black Locust | Robinia Pseudoacacia |
| Chinese Pistachio | Pistacia Chinensis |
| *Desert Willow | Chilopsis Linearis |
| Eastern Redbud | Cercis Canadensis |
| Eucalyptus Microtheca | Eucalyptus Microtheca |
| Fruitless Mulberry | Morus Alba |
| Globe Willow | Salix Matsudana |
| Hybrid Cottonwood | Populus Deltoides Sel Siouxland |
| *Italian Cypress | Cupressus Sempervirens |
| Italian Stone Pine | Pinus Pinea |
| Japanese Black Pine | Pinus Thunbergeri |
| *Mesquite | Prosopis Juliflora |
| *Mexican Elder | Sambucus Mexicana |
| *Net Leaf Hackberry | Celtis Reticulata |
| *Palo Verde, Yellow | Parkinsonia Aculeata |
| Pecan | Carya Illinoensis |
| *Pinyon Pine | Pinus Edulis |
| Siberian Elm | Ulmus Pumilla |
| Thornless Honey Locust | Gleditsia Triacanthos Inermis |
| Weeping Willow | Salix Babylonica |

SHRUBS

| COMMON NAME | SCIENTIFIC NAME |
|--------------------|--------------------------|
| Apache Plume | Fallugia Paradoxa |
| *Arizona Grape | Vitis Arizonica |
| *Arizona Rosewood | Vauquelinia Californica |
| *Brittle Bush | Encelia Farinosa |
| Cassia | Cassia Spp. |
| *Catclaw | Acacia Greggii |
| Common Myrtle | Myrtus Communis |
| Cotoneaster | Cotoneaster Horizontalis |
| Crepe Myrtle | Lagerstromia Indica |
| *Desert Broom | Baccharis Sarothroides |

SHRUBS

| COMMON NAME | SCIENTIFIC NAME |
|--------------------------|-----------------------------|
| Dwarf Coyote Brush | Baccharis Pilularis |
| Dwarf Periwinkle | Vinca Minor |
| Euonymous | Euonymous Japonica |
| *False Mesquite | Calliandra Eriophylla |
| Firethorn | Pyracantha Walderi |
| *Four-Wing Saltbush | Atriplex Canescens |
| *Gregg Dalea | Dalea Puichra |
| *Greythorn | Ziziphus Obtusifolia |
| *Junipers (many species) | Juniperus Species |
| Lilac | Syringa Vulgaris |
| *Little Leaf Lysilomia | Lysiloma Microphylla |
| *Menodora | Menodora Scabra |
| *Mesquite | Prosopis Juliflora |
| Nandina | Nandina Domestica |
| Pampas Grass | Cortaderia Spp. |
| Pomegranate | Punica Granatum |
| Pyracantha | Pyracantha Coccinea |
| *Rosemary | Rosemarinus Officinalis |
| Siberian Peashrub | Caragnan Arborescens |
| Silverberry | Eleagnus Pungens |
| *Spanish Broom | Genista Hispanica |
| Texas Mountain Laurel | Sophora Secundiflora |
| Texas Sage | Leucophyllum Texanum |
| *Triangle Bursage | Franseria Deltoides |
| *Trumpet Flower | Tecoma Stans |
| *Utah Serviceberry | Amelanchier Utahensis |
| Viburnum | Viburnum Tinus and Robustum |
| Waxleaf Privet | Ligustrum Japonicum |
| *White Bursage | Franseria Dumosa |
| *Wright Silktassel | Garrya Wrightii |
| *Yucca | Yucca Glauca |
| *Zinnia, Desert | |
| Zinnia, Pumile | |

GROUNDCOVERS

| COMMON NAME | SCIENTIFIC NAME |
|------------------|-------------------------------------|
| Gazania | Gazania Ringens |
| Germander | Teucrium chamaedrys 'Prostratum' |
| Iceplant | Malephora Crocea |
| Lippia | Lippia Canescens |
| Peruvian Verbena | Verbena Peruviana |
| *Rosemary | Rosmarinus Officinalis |
| Santolina | Santolina Chamaecyparissus |
| Sedum | Sedumlineave |
| Stonecrop | Sedum Species |
| Thyme | Thymus |

SUCCULENTS

COMMON NAME

*Agave
*Bear Grass
*Desert Spoon
*Yucca

SCIENTIFIC NAME

Agave Spp.
Nolina Spp.
Dasylirion Wheeleri
Yucca Spp.

ANNUALS/PERENNIALS

COMMON NAME

African Daisy
Alyssum
California Poppy
*Desert Marigold

SCIENTIFIC NAME

Arctotis Spp.
Many Varieties
Eschscholzia Californica
Baileya Multiradiata

GRASSES

COMMON NAME

Bermuda Grass (Turf varieties)
Clover
Dichondra
Ryegrass
Tall Fescue Grass

SCIENTIFIC NAME

Cynodon Daetylon
Tritolium Spp.
Dichondra Carolinensis
Lolium Multiflorum
Festuca Arundinacea

Revised 06/04/10 per Ord. No. 1659
Revised 09/03/13 per Ord. No. 1766

10.000 LANDSCAPING

10.100 INTENT AND PURPOSE

To promote attractive and high quality development, it is the purpose of these regulations to establish standards for landscaping in order to preserve and enhance the natural beauty of the City. Creative, safe, attractive landscaped areas will be encouraged to be installed adjacent to public streets, dispersed throughout parking areas and used to ensure compatibility of adjacent land uses. It is hereby recognized that the effective use of plant landscaping controls dust, glare, and erosion; assists in the screening of objectionable light and noise; visually softens building masses; improves air quality; and helps to create harmony, continuity and the enhancement of property values throughout the community. The style of landscape is not prescribed by the City of Kingman; however, the planting of indigenous, drought tolerant, and low maintenance plants that conserve water and minimize fire hazards will be encouraged.

10.200 APPLICABILITY

These standards shall apply to Commercial, Industrial and Multiple-Family developments in the following manner:

1. This section shall apply to all new commercial, industrial, and multiple-family development.
2. These regulations shall also apply to any redevelopment, addition or remodeling of any multiple-family, commercial, or industrial property that requires a building permit and for which the improvement increases the area of the building or area of the developed portion of the property by twenty-five percent (25%) or more, or for which the improvement costs exceed twenty-thousand dollars (\$20,000.00) in value, based on the City's valuation schedule used to compute building permit fees.
3. Further, these provisions shall apply to any building or site that might require rezoning, variance, or conditional use permit approval.

Any appeals to this section shall be presented to the Kingman Planning and Zoning Commission for consideration and action. Appeals shall be submitted in writing to the Planning Director at least fourteen (14) days prior to the commission meeting for which the appeal is to be heard. The City Planning Director shall forward copies of the appeal to the City Manager, City Engineer, and City Public Works Director for review and comment. These officers shall have five (5) working days to review and comment on the request. Upon receipt of the review comments, the City Planning Director will prepare a report to the Planning Commission, outlining the required landscaping improvements, the reason for the appeal, and the review comments, and place the appeal on the next regularly scheduled Kingman Planning and Zoning Commission meeting.

The Kingman Planning and Zoning Commission may waive or defer the installation of all, or a portion of the required landscaping improvements if it is determined that:

1. Due to topography, the installation of landscaping would pose a fire hazard,
2. Right-of-way area to be landscaped is scheduled for street construction or utility work,
3. Construction of the project is phased and landscaping installation would be better in a later phase,
4. Due to weather conditions, planting should be delayed, or
5. Required parking limits the area of site available for landscaping.

If the Commission grants a waiver or deferment, they may designate such conditions as deemed necessary to secure the intent and purpose of these regulations. The decision of the Kingman Planning and Zoning Commission may be appealed to the Kingman Common Council, who would hear this appeal at their next regularly scheduled meeting.

10.300 LANDSCAPING PLAN REVIEW

10.310 SITE PLAN CONTENT

A scaled drawing showing the site and plant type, size, location and counts for each type of plant, and the means and location of irrigation.

10.320 SUBMITTAL OF PLAN

The landscaping plan may be incorporated into the site plan required for building permit purposes, or it may be provided as a separate document. The plans for required landscaped areas will be reviewed for compliance with minimum standards as set forth in this section. The approval of landscaping plans shall also serve as the approval of non-substantial encroachment permits, and right-of-way permits, and those fees shall be waived.

10.400 LANDSCAPING STANDARDS/PROVISIONS

10.410 GENERAL REGULATIONS

MINIMUM LANDSCAPED AREAS FOR NEW BUILDINGS AND EXPANSIONS:

1. For all new development, ten percent (10%) of the net site area shall be provided with on-site landscaping. Credit will be given for the landscaping/maintenance of public right-of-way at two-to-one (2:1). Example: One (1) square foot of landscaped right-of-way area will account for two (2) square feet of required landscaping.
2. Remodeling and expansions of existing buildings that have less than five percent (5%) of the net site area landscaped shall provide a minimum of on-site landscaping equal to five percent (5%) of the gross floor area of the building. Credit will be given for the landscaping/maintenance of public right-of-way at two-to-one (2:1).

MINIMUM PLANT NUMBERS: All landscaped areas shall be composed of any combination of ground cover, shrubs, and trees as set forth below:

1. **Tree:** Minimum of one (1) per five-hundred (500) square feet of required landscaped area. One (1) tree shall be required within the parking lot for each twenty (20) required parking spaces.
2. **Shrub:** Minimum of two (2) per three-hundred (300) square feet of required landscaped area. Two (2) shrubs shall be required within the parking lot for each twenty (20) required parking spaces.

MINIMUM PLANT SIZES:

1. **Trees:** Fifteen (15) gallon size, with two inch to two-and-one half inch (2":1 ½") caliper at the time of planting. A multiple trunk tree shall have no less than two (2) one inch (1") caliper trunks.
2. **Shrubbery:** Five (5) gallon size, which are approximately one (1) to two (2) feet in height and one (1) foot in width at the time of planting.

3. **Vines, Annuals/Perennials, Grasses, and Accent Grasses:** No minimum plant size.

INSTALLATION:

1. For all new construction and additions to existing buildings; landscaping, watering devices, walls and screening structures shall be installed in accordance with the approved final landscape and site plan prior to issuance of a Certificate of Occupancy Permit, or final inspection for the building or use.
2. Vegetation shall be selected, planted, and maintained so that at maturity, it will not interfere with utility lines, vehicular parking, pedestrian circulation, site triangles, and will not cause damage of sidewalks, pavement, and underground, overhead, or at grade utility lines and equipment.

SITE TRIANGLE: To ensure that landscape materials do not constitute a driving hazard, a "sight triangle" will be maintained at all street intersections or intersections of driveways with streets. Within this sight triangle; there shall be no visual obstructions. The height of mature landscaping, walls and fences shall not exceed three (3) feet measured from the top of the existing curb grade. Trees are permitted within the sight triangle. As long as no branches, limbs or leaves are permitted to obscure views between the ground and eight feet above ground. See Figure 1, Section 26.000: GENERAL DEVELOPMENT STANDARDS.

PROHIBITED PLANTS: Due to pollen/seeds which can aggravate allergies and other health problems:

Fruiting Mulberry or Olive is prohibited.

Fruitless varieties of Mulberry or Olive are ***not*** prohibited.

10.420 DESIGN ELEMENTS

Artificial landscape materials such as; artificial trees shrubbery, turf or plants shall not count toward the required landscape area.

An appropriate irrigation system shall be provided to all landscaped areas.

Any part of a site not used for buildings, parking, driveways, sidewalks, utilities and approved storage shall be retained in its present vegetative natural state or landscaped.

All landscaped areas adjacent to vehicular parking and access areas shall be protected from vehicular traffic.

Installation of outdoor lighting in conjunction with landscaped areas shall adhere to the City of Kingman OUTDOOR LIGHTING CODE, Section 34.000, of the Zoning Ordinance.

10.430 MAINTENANCE

Maintenance of all landscaping shall be the responsibility of the owner, lessee, heirs, assigns, agent, or other liable entity of the property. Landscaped areas shall be regularly maintained, including pruning, mowing, weeding, trimming, watering, refuse removal, fertilizing, and maintenance of the irrigation systems, to create an attractive appearance for the development. Any dead plant material shall be replaced by the property owner within ninety (90) days of its demise.

Public and private utilities will be responsible for the replacement and repair of landscaping materials specifically damaged by their construction in the public right-of-way. However, unless otherwise specified, the continuing maintenance of landscaping in the public right-of-way is the responsibility of the adjacent property owner.

10.440 ENFORCEMENT

Any person violating any of the provisions of this ordinance shall be guilty of a zoning violation and upon conviction shall be subject to penalties as outlined in Section 32.000: SEPARABILITY of the Kingman Zoning Ordinance.

31.000 AMENDMENTS AND ZONE CHANGES

31.100 AMENDING THE ORDINANCE

Whenever the public necessity, convenience, and/or the general welfare of good zoning practices justifies such action, this Ordinance may be amended by changing the boundaries of zone districts, (hereinafter referred to as zone changes or changes of zone) or by amending any provision of the Ordinance. Zone changes or amendments may be initiated by the City Council or by the Planning and Zoning Commission or by an application of the owner of any property within the area proposed to be changed, or a request can be made by a citizen for an amendment.

31.110 GENERAL PLAN CONFORMANCE

All amendments which change the boundaries of any zoning district or change the text of the Zoning Ordinance must conform to the adopted General Plan of the City of Kingman. Any ordinance amending this ordinance shall further the implementation of, and not be contrary to the goals, policies, and applicable elements of the Plan. A zoning map amendment conforms to the land use element of the General Plan if it proposes land uses, densities, or intensities within the range for the subject property as stated in the General Plan or any amendments thereto.

31.120 APPLICATION

Application for a change of zone shall be made on a form provided by the City of Kingman. Fees shall be paid for such application according to the adopted schedule for such requests.

31.130 ACCOMPANYING MAPS AND DATA

Application for a change of zone shall be made accompanied by maps showing the subject property as well as the surrounding area, and a list of names and addresses of abutting property owners. All maps, applications and data will be available for public inspection upon submittal to the Planning Agency.

31.200 PUBLIC HEARING

The legislative body of the City, (the Mayor and Common Council), has adopted the following citizen review and participation process that applies to all rezoning cases. By law and policy the rezoning process is designed to give the greatest opportunity possible for citizen participation in such a public process. In the event of doubt regarding participation, more, not less public participation shall be the standard.

The purpose of the citizen participation process is to:

1. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
2. Ensure that the citizens and property owners of Kingman have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and
3. Facilitate ongoing communications between the applicant, interested citizens and property owners, City staff, and elected officials throughout the application review process.

The citizen participation plan is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision making.

The process includes the following elements:

1. Two public hearings will be held on all rezoning cases and proposed text amendments. The first hearing will be before the Planning and Zoning Commission. The second hearing will be before the Mayor and Common Council.
2. A written notice on any proposed rezoning will be sent by first-class United States Postal Service mail to all property owners of record according to the most recent Mohave County Assessors rolls, within a minimum of 300 feet of any point of the property being proposed for rezoning. The notice will describe the proposed action, will include a map, and will state that public comment is encouraged before or during the public hearing. Other notices may be sent beyond the above described radii, if a person places his or her name on the notification list and pays \$5.00 a year.
3. A public notice poster, giving the time, date and location of the Planning and Zoning Commission and the Common Council public hearings, will be posted on the property in question in at least one location, if the property is less than one acre, at least 15 days before the Planning and Zoning Commission public hearing. If the property which is the subject of the rezoning request is greater than one acre, a minimum of two notices will be posted. Posted notices will be placed in such location as to afford the public the best opportunity to see the notice. In some cases the location affording the best opportunity to see the notice. In some cases the location affording the best opportunity for public view may be in front of or beyond the actual boundaries of the property being proposed for rezoning. The posted notice shall be printed so that the following are visible from a distance of one hundred feet: the word "zoning", the present zoning district classification, the proposed zoning district classification and the date and time of the hearing and state a location and phone number from which additional information can be received.

A public notice, display advertisement of not less than one-eighth page in size shall be published at least once in the newspaper of general circulation in the City of Kingman and surrounding area. The notice will be published not less than 15 days before the Planning and Zoning Commission public hearing and will provide information about the date, time and place of the proposed Common Council hearing, which will be held at least 10 days after the Commission hearing.

4. Adjacent land owners and all other potentially affected citizens will be provided an opportunity to express an opinion on any issue or concern they may have with the proposed rezoning prior to the hearing or during the hearing. Such persons may submit oral or written comments or testimony that can be presented to the Commission or Common Council.
5. In proceedings involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notices of the public hearing shall be transmitted to the Planning Agency of such governmental unit such land.
6. In addition to notice by publication, mailed notices and property postings, the City of Kingman, and its Planning and Zoning Commission reserve the right to give notice of the hearing in such other manner as it may be deemed necessary in the public interest. The Commission always encourages any person proposing a rezoning to contact surrounding property owners or neighbors to ascertain and possibly address issues and concerns before the public hearings. Such contacts could include neighborhood meetings or other methods of address citizen comments.

31.300 RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION

After the public hearing, the Planning and Zoning Commission shall make a report and recommendation to the Common Council. This report shall be made by forwarding the applications for amendment to the City Council with the appropriate recommendations, unless the applicant shall request that the application be withdrawn. The Commission recommendation shall be reviewed at the Council public hearing. If the Planning and Zoning Commission cannot make a recommendation comments on both sides of the issue shall be presented to the Common Council.

31.400 CONSIDERATION BY COMMISSION

In considering any request for a change of the Official Zoning Map or text of this ordinance, the Planning and Zoning Commission shall find that the following conditions prevail before recommending approval of the change be granted:

1. If the request is for an Official Zoning Map Amendment:
 - A. That there is a real need in the community or area for the types of uses permitted in the proposed zoning district requested and if there are parcels in the area that already designated with the proposed zoning district that more area is needed for the uses allowed in the proposed zoning district.
 - B. That the property involved in the proposed change of zoning district designation is more suitable for the purposes permitted in the proposed change of zone than is permitted in the present zone classification.
 - C. That the proposed change of zoning district designation would not be detrimental in any way to persons or property in the surrounding area, nor to the community in general.
 - D. That the proposed change of zone is in conformance with the General Plan of the City of Kingman, not merely consistent with the General Plan.
2. If the request is a text amendment, the Planning and Zoning Commission shall find that the proposed text amendment is in conformance with and will better achieve the goals and objectives of the adopted general plan.

31.410 PLANNING AND ZONING COMMISSION OPTIONS

The Planning and Zoning Commission, based on the evidence submitted and its own study and knowledge of the circumstances involved, may recommend approval or denial of a requested amendment or may recommend that only a portion of the request for a change of zone be granted.

The Planning and Zoning Commission may also recommend a lesser intensity zoning of the same type requested. However, the Planning and Zoning Commission may not increase the intensity of the noticed request without a new public hearing with proper notice given in accord with this Section.

31.420 PLANNING AND ZONING COMMISSION'S RECOMMENDATION

The Commission in its consideration of any request for a change of zone may recommend to the City Council that if certain conditions concerning the development of the subject property and adjoining streets are first met, that said property would then be suitable for a change of zone.

The Common Council may approve a change of zone conditioned upon a schedule for development of the specified use or uses for which rezoning is requested. If at the expiration of the period the property has not been improved for the use for which it was conditionally approved, the legislative body, after notification by certified mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to take administrative action to extend, remove, or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

31.500 COMMON COUNCIL PUBLIC HEARING AND ACTION

The Common Council shall hold a second, separate public hearing from the Planning and Zoning Commission's public hearing to consider the recommendation of the Planning and Zoning Commission. The Common Council may take testimony and may consider matters not necessarily heard by the Planning and Zoning Commission. The Common Council may accept, modify, or reject the Planning and Zoning Commission recommendation based on information it received at the public hearing and knowledge the Common Council has of the matter. The Common Council may also return the request to the Planning and Zoning Commission for further consideration of issues as directed by the Common Council. Any Common Council modification to the requested official zoning map or zoning ordinance text amendment may include: reducing the area on the Official Zoning Map to be amended, modifying conditions of the rezoning request, or reducing the zoning district amendment to a less intense zoning district; or in the case of a zoning text amendment, reduce the intensity of the amendment.

The Common Council may sustain a Planning and Zoning Commission denial of a zoning case. If the Common Council wishes to approve a zoning case that the Planning and Zoning Commission recommended denial, the Common Council shall direct the preparation of an Ordinance for consideration at the next Council meeting.

The Common Council shall not change any property from the requested zoning district classification requested in the application to another zoning district classification that imposes any regulations not imposed by the zoning district requested or that removes or modifies any such regulations previously imposed on the property without following the procedure specified in Section 31.200 of this ordinance.

No rezoning or conditional use permit case that is the same or substantially the same (in site size or intensity or text) as a request which has been denied by the Common Council or was overturned by referendum shall be filed within one (1) year of the date of the Common Council's decision or referendum vote, whichever is greater.

31.600 PROTEST PROVISION

In the event that a written protest against a proposed amendment is filed with the City of Kingman Development Services Department or the City Clerk, no later than the close of business of the day preceding the date set for any Council hearing on the application for amendment, by the owners of twenty (20) percent or more, either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred fifty (150) feet therefrom, or if those directly opposite thereto extending one hundred fifty (150) feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of at least three-fourths of all members of the City Council, If any members of the governing body are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the governing body, provided that such required number of votes shall in no event be less than a majority of the full membership of the legally established governing body.

31.700 CLASSIFICATION OF NEW ADDITIONS

All new additions and annexations of land to the City of Kingman shall be zoning classifications which permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made as specified in this Chapter for the rezoning of land.

31.800 ADMINISTRATIVELY IMPOSED DEDICATIONS OR EXACTIONS

It is the policy of the City of Kingman that exactions and/or dedications requirements are made only when there is a direct, rational relationship (rough proportionality) between the increase in density and/or intensity of a development and their exaction and dedication.

Exactions and dedications are required by the City of Kingman only through the final actions of the Common Council action on rezoning cases or conditional use cases. Dedications and/or exactions will be clearly outlined in either an ordinance for a rezoning case or resolution for a conditional use case and will be in rough proportionality to the project impacts. These will not be calculated with mathematical precision but will be shown to be direct and rational relationships.

The Planning and Zoning Commission may recommend to the Common Council a necessary dedication and/or exaction that is rationally related to the increase in intensity or density or as may be reasonably required for public, health, safety and welfare. Property owners will not be asked to bear a burden far beyond that which the development impacts the community.

Administrative agencies of the City of Kingman, including but not limited to the Planning, Engineering, Building Safety, or Public Works Departments are not authorized to require a dedication or exaction as a condition of obtaining a building permit without an express authorization in ordinance or resolution as appropriate.

Rich Ruggles

From: davidtri@citlink.net
Sent: Sunday, March 01, 2015 11:20 AM
To: Rich Ruggles
Subject: Re: Landscape Ordinance

Here are my thoughts on the tree list.

The following have not historically been completely cold hardy:
Rhus lancea, Euc. microtheca, Cercidium sp. and cultivars, Euc. leucoxydon, and most South American Prosopis hybrids.

The following have dangerous thorns for parking lots and sidewalks:
All Acacia species, Native Prosopis velutina and glandulosa (there are 2 exceptions), and Robinia pseudoacacia.

The following are mostly shrub-like attaining tree stature only with extreme age: Ficus carica, Acacia constricta, and Sambucus mexicana.

Ulmus pumila and all Salix sp. are weak wooded, disease and insect prone, and short lived.

Tamarix sp. are extremely invasive easily escaping cultivation and should never be planted in Az.

Consider the following specifically:
Quercus virginiana, Pistacia x intermedia Red Push, Fraxinus oxycarpa Raywood, Fraxinus velutina Fan-tex, Fraxinus v. Berrinda.

Consider reminding applicants that the larger stature trees such as mulberries, sycamores, pines and ash have surface rooting tendencies that can disrupt sidewalks, paved surfaces, and building foundations.

Hope you find these thoughts helpful.
David

On Friday, February 27, 2015 9:00 AM, Rich Ruggles <rruggles@cityofkingman.gov> wrote:

David:

Here is the complete draft. Sorry you were missing some pages. Just let me know what you think. Thanks.

Rich Ruggles
Principal Planner
City of Kingman Development Services Dept.
Phone: (928) 753-8160
E-mail: rruggles@cityofkingman.gov

From: davidtri@citlink.net [mailto:davidtri@citlink.net]
Sent: Friday, February 27, 2015 8:43 AM
To: Rich Ruggles
Subject: Landscape Ordinance

Rich,

I have made a brief review as you requested and have only a couple of comments. First I found your size requirements for 15 gal. trees questionable.

The standard caliper for street trees of that size is between 3/4" to 1 1/4" depending on species. Most desert natives (mesquites and desert willows for example) are generally sold by height and width not caliper in. 2" to 2 1/2" material would necessitate a 24" box. Secondly, the 5 gal size seems appropriate but I question the hardiness of Encelia, Cordia, and Lysiloma species. Your tree list was not included in the packet you gave me, perhaps by mistake. I will be happy to look at it if you want to send me a copy via e-mail.

Regards, David Tribbett

Rich Ruggles

From: sanannie2002@citlink.net
Sent: Thursday, March 05, 2015 6:03 AM
To: Rich Ruggles
Subject: Re: Copy of Landscape Ordinance draft amendment

Rich,

The members of Cerbat Garden Club Executive Board all received a copy of the plant list to review. It was the general consensus of the board members that any suggestions and recommendations in the U of A/Master Gardeners printed material and any advice given to you by local landscapists/arborists are certainly expert enough and that the CGC Board has nothing further to add.

Thanks for sharing the information with us and we wish you success with these amendment to the Ordinance.

Sandie

From: Rich Ruggles
Sent: Monday, February 23, 2015 3:41 PM
To: sanannie2002@citlink.net
Subject: Copy of Landscape Ordinance draft amendment

Sandie:

Here is another copy of our latest draft concerning the Kingman Landscape Ordinance update. Let me know if you have any comments or recommendations, particularly regarding the recommended plant list. Thanks.

Rich Ruggles

Principal Planner

City of Kingman Development Services Dept.

Phone: (928) 753-8160

E-mail: rruggles@cityofkingman.gov

Rich Ruggles

From: Gary Jeppson
Sent: Wednesday, February 18, 2015 8:11 AM
To: Rich Ruggles; Sylvia Shaffer
Subject: FW:

Follow Up Flag: Follow up
Flag Status: Flagged

From: Jim McErlean
Sent: Tuesday, February 17, 2015 5:51 PM
To: Gary Jeppson
Subject: Fwd:

Gary,

FYI

JIMc

Sent from my iPhone

Begin forwarded message:

From: NWABA <nwazbuildersassociation@gmail.com>
Date: February 17, 2015 at 3:50:39 PM PST
To: undisclosed-recipients::;

Members,

It has come to the Association's attention that the City of Kingman is proposing a change to P & Z ordinances to institute more burdensome rules regarding Commercial landscaping and parking lots. The proposed amendments would require larger quantities of landscaping on all new commercial for several reasons:

- a. They want to change the required landscaping from 10% of the net lot area, to **10% of the gross lot area**
- b. They want **10 feet of landscaping buffer** between the public right of way/property line and the start of any parking lots
- C. They want to do away with giving extra credit for landscaping in the right of way, and just make it mandatory for it to be done.

The amendment also would require all new parking lots to have "landscape islands" every 15 parking places.

Remodels would also trigger some of these items as well if an existing building is added onto.

The Association Leadership and Board believes that this ordinance is not needed, as the current ordinances seem to suit our city just fine. The Planning & Zoning Commission has scheduled a public meeting March 10 at 6 pm for input. We want at least 5 to 10 members to attend this meeting to voice their opinion. Please email me if you can attend and are willing to speak.

In addition to that, it would also be a good idea if everyone emailed their opinions to Gary Jeppson, Development Services Director, gjeppson@cityofkingman.gov

Thank you,

Brenda Stockbridge

Secretary, NW Arizona Builders Association

and

Insurance Sales Associate for Sharon Stockbridge

Farm Bureau Financial Services

2331 Hualapai Mountain Rd. Suite D

Kingman, AZ 86401

Cell: (928) 727-6367

March 10, 2015

City of Kingman Planning and Zoning Commission
Regular Meeting Tuesday, March 10, 2015

RE: AGENDA ITEM B. ORDINANCE TEXT AMENDMENT CASE Z015-001

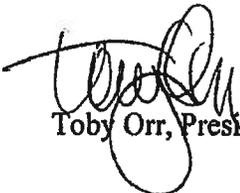
The Kingman Contractors Association want to go on record as being opposed to the above referenced text amendment which will increase the landscape requirements for commercial development. Trying to improve the image of Kingman is a commendable goal, but adding another layer of restrictive landscape regulations will NOT accomplish this for the following reasons:

The existing ordinance is fairly restrictive. Most of the attractive maintained landscaping on Stockton Hill Road, Andy Devine Ave. and Armor Ave were designed in order to meet City requirements. There are also properties in these areas which have little to no landscaping and what's there isn't maintained. The non-maintained landscaping probably looks worse than no landscaping.

The City should try to enforce the existing ordinance rather than creating additional regulatory burdens which will encourage more businesses to move outside the City, attempt to avoid the rules or worse, not do anything at all.

The Stockton Hill Shopping Center was entirely vacant for a number of years after all of the previous tenants moved out. Thanks to a developer with a positive vision for the future of Kingman we now have a Fallas store, Trailer Supply store, 99 cent Store, new Sears store and Boyds Sleep Center where previously there was boarded up buildings. Had this developer faced the increased costs of re designing and building the parking lot to meet these requirements to install AND maintain this extra landscaping, it is very likely that we would still have boarded up building instead of these new shopping venues.

Best Regards


Toby Orr, President

RE/MAX PRESTIGE PROPERTIES

2404 Stockton Hill Rd. Ste A Kingman AZ 86401

928-753-7653

As a commercial real estate Broker in Kingman, I am very concerned with the Zoning Ordinance Text Amendment Case Z015-001. I applaud the P & Z in regards to attempting to make our City more beautiful and have more eye appeal, however, I do not believe this is in the best interest for a number of reasons.

#1. All we are hearing about is water conservation. The majority of landscaping used in this area is going to require water. We are not Scottsdale and people are not going to install artificial grasses and trees.

#2. This is going to add an additional cost to any developer wanting to come to Kingman and develop commercial and or retail buildings. This will also add an additional hoop for the Developer and the City to agree upon. With the majority of Developer's I have dealt with, we already have, although it is improving, a reputation of being hard to work with.

#3. This is also going to cut into either the number of parking spaces available on a site, or reduce the sq footage of the building to meet the many other City requirements.

4. For current building owners, this is going to add an additional cost upon any type of remodel and or expansion.

This change in the zoning will only hinder new business or the remodel of existing business as it will bring additional charges to the landowners. I firmly believe that we are not in an economy that allows us to increase fees and or expenses to our business.

Sincerely,

Dwayne E. Patterson, Broker/Owner

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Carl Cooper, City Attorney

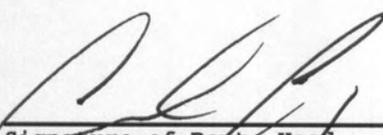
MEETING DATE: April 7, 2015

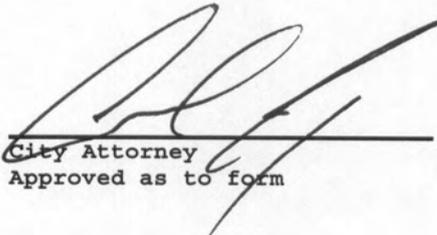
AGENDA SUBJECT: Reversion Clause General Plan Amendments and Zoning Changes

SUMMARY: The Mayor requested the topic of reversion clauses in General Plan Amendments and Zoning changes. This is for general discussion.

ATTACHMENT: ARS 9-461.06
ARS 9-462.01

STAFF RECOMMENDATION: Discuss


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 6i

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Jackie Walker, Human Resources/Risk Mgt Director

MEETING DATE: April 7, 2015

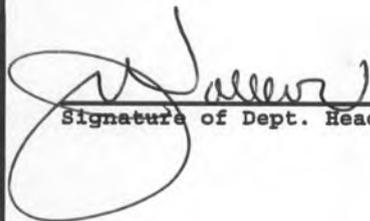
AGENDA SUBJECT: Follow up - City Magistrate Recruitment

SUMMARY:

The purpose of this communication is to follow up on items related to the March 17, 2015 Council meeting on the City Magistrate recruitment process.

1. Kingman City Magistrate Ad –
 - Attached for Council's review is the recruitment ad that was placed in the following venues:
 - City of Kingman website
 - Kingman Daily Miner (runs week of April 5th and then the week of April 19th)
 - AZ League of Cities and Towns website
 - AZ Bar Association
 - Mohave Courts
 - AZ Courts
2. City Magistrate Recruitment Timeline
 - At this point in the timeline, we should discuss our next step with regard to application review process following the closing date of April 24th, any further screening processes, and begin discussion of the interview process.

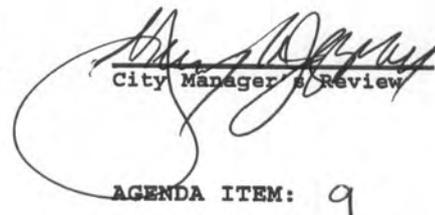
Staff is requesting direction from Council on the above items.



Signature of Dept. Head

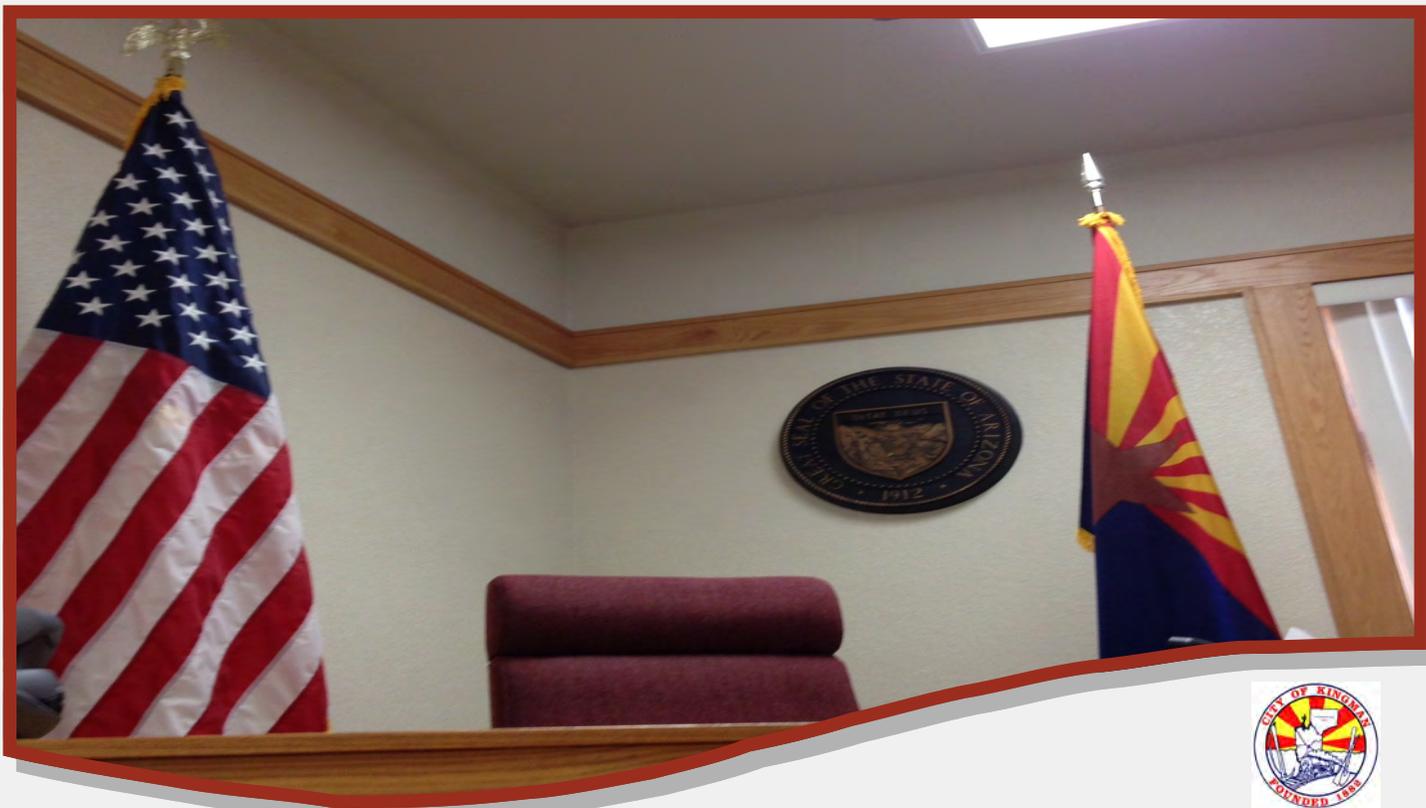


City Attorney's Review



City Manager's Review

AGENDA ITEM: 9



The City of Kingman invites your interest in the position of

MUNICIPAL COURT JUDGE

Welcome to Kingman, Arizona!

The City of Kingman is the county seat of Mohave County located in northwest Arizona along Interstate 40 and U.S. 93. The City's population is 28,068; 60,000 in the region with 46,000 within the City's water service boundary.

Our beautiful city straddles the scenic Hualapai, Cerbat and Black Mountains, offering hiking, picnicking, camping, and other outdoor activities in the cool pines. The Kingman and Colorado River areas offer a unique range of recreational and historical attractions as do several ghost towns in the area. We are a full-service, historic city on famous Route 66 and Interstate 40.

If you enjoy summers, the rivers and lakes in our area offer fishing along with boating and other forms of water-oriented recreation. Kingman is an easy commute to Las Vegas, Laughlin, Phoenix, the Grand Can

yon, and Grand Canyon West/Skywalk or a half day's drive to Los Angeles or San Diego. We enjoy a wide range of recreation: hiking trails, ATV trails, golf, swimming, visit our museums, winery or distillery, or complete Centennial Park's fitness track.



Kingman's quality housing, excellent schools including community college with extended learning through Northern Arizona University, low crime rate, clean environment, several parks, 2 public golf courses, regional attractions, and the pleasant year-round weather are just a few of the positive factors that have attracted new residents and businesses to our community. Kingman is also fortunate to have a complete range of quality health care services available. Kingman Regional Medical Center is an important full service hospital who has teamed up with the Mayo Clinic and provides many highly specialized health care services. Above all, Kingman has friendly and compassionate people who call Kingman home and a great place to live, learn, work and play.

Governance

The City of Kingman is organized under the Council-Manager form of government. Legislative authority is vested to the seven-member City Council consisting of a Mayor and six Council members elected at large.

Kingman is a full service organization with an array of municipal services including: municipal court, police, fire, public works, development services, public transit, utility services, parks & recreation and all the traditional internal support functions.



The Department & Position

The City Magistrate is appointed by and reports directly to the Mayor and City Council. Presiding over the City court system, the City Magistrate provides direction and oversees work performed by court staff and is responsible for adjudicating traffic and misdemeanor cases.

The successful candidate will enjoy an incredibly talented, hard working team consisting of: an Associate Magistrate, Court Administrator, Collections Officer and 5 Court Clerks.

Essential Responsibilities

This list of responsibilities is illustrative only and not a comprehensive list of functions and tasks: presides over misdemeanor and civil traffic cases filed with the City of Kingman Municipal Court, and presides over Orders of Protection; responsible for applying relevant Supreme Court Rules, state statutes, City ordinances, and case law when presiding over trials to the court, trials to a jury, pre-trial conferences, arraignments, motions, and other hearings; responsible for imposing sentences commensurate to the offense and within the parameters allowed by law; determines the conditions, which, if met, will allow defendant's release from police custody; responsible for the administration of staff, and oversight of departmental budget.

The Ideal Candidate

- Be of Good Morale Character
- Is Committed to Equal Justice Under the Law
- A Proven Record of Being Fair, Efficient & Professional
- Excellent Communicator, Keeps Council Informed
- Be Politically Astute and Demonstrates an Unquestionable sense of Integrity & Honesty

Desired Minimum Qualifications

- Juris Doctorate from an accredited Law School and Arizona State Bar membership in good standing;
- Five (5) years judicial or related experience;
- OR, any equivalent combination of education & experience sufficient to successfully perform the essential duties of the job.

Compensation & Benefits

Hiring salary range is \$85,572—\$111,936 annually DOQ

The City offers an attractive benefits package that includes, but is not limited to: Arizona State Retirement System, group medical/dental/vision/life insurance, H.S.A. contributions, F.S.A., supplemental insurance options, generous leave benefits, and many other competitive benefits.

To be considered for this opportunity, please complete application materials and send compelling cover letter, comprehensive resume, salary history, professional references to:

City of Kingman
Attn: Jackie Walker, Human Resources Director
310 North Fourth Street, Kingman, AZ 86401

-OR-

Email: jwalker@cityofkingman.gov

Apply Now! Visit: www.cityofkingman.gov for application materials.

APPLICATION DEADLINE: Friday, April 24, 2015 @ 5:00PM

No contact will be made with references or current employer until Finalists are selected and with candidates' permission.

City of Kingman is an Equal Opportunity Employer embracing diversity among our workforce. The City reserves the right to invite to interview only those candidates who best overall meet the qualifications and suitability of the position. When advised, reasonable accommodations will be made in order for an "otherwise qualified applicant" with a disability to participate in any phase of the recruitment process.

