

CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Mohave County Administration
Board of Supervisors Auditorium
700 W. Beale St.
Kingman, AZ 86401

5:30 P.M.

AGENDA

Tuesday, May 5, 2015

REGULAR MEETING

CALL TO ORDER & ROLL CALL

INVOCATION will be given by John Pool of Praise Chapel

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 Regular and Executive Session Meeting minutes of April 7, 2015.
- b. The Work Session minutes of April 13, 2015.
- c. The Regular Meeting minutes of April 21, 2015.

2. PROCLAMATION

- a. VFW Buddy Poppy Days
- b. Goodwill Industries Week

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. Renewal of Indigent Defense Contract

The current agreement between the City and Whitney and Whitney PLLC will expire on 6-30-2015. The Court would ask the Council to approve renewal of the contract for a one year period. The parties have agreed there will be no increase in payment for services. **Staff recommends approval.**

b. Expenditure from Local Court Enhancement Fund

The Court needs to replace eight (8) staff chairs due to age and wear and tear. These chairs are 8-10 years old. **Staff recommends approval.**

c. Award of Bid for Shipping Lane Site Cleanup to McCormick Construction - \$188,932

The City of Kingman and Kingman Airport Authority, Inc. (KAA) accepted a grant offer from the Arizona Commerce Authority (ACA), Resolution No. 4925, in the amount of \$216,000 plus \$24,000 local match (KAA) for a 30 acre site cleanup located along Shipping Lane. A mandatory pre-bid meeting was held on March 31st with four contractors in attendance: Combs Construction, Lewis Equipment Service, McCormick Construction and T.R. Orr Construction. Of these four companies only two submitted formal bids on April 7th. Lewis Equipment Services bid \$189,900 and McCormick Construction bid \$188,932. C&S Engineers prepared the comparison between the two bids and is recommending the award go to McCormick Construction as the apparent low and most responsive bidder in the amount of \$188,932. At their meeting on April 23rd the Board of Directors of KAA approved the award and authorized the President to execute the contract documents. They further acted to recommend the City approve the award to McCormick Construction in the amount of \$188,932 and authorize the mayor to execute the contract document pursuant to Resolution No. 4925. **Staff recommends approval.**

d. Special Event Liquor License Application

Applicant Billy Ward of Boys and Girls Club of Kingman has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, June 27, from 5:00 P.M. to 11:59 P.M., at 301 N First Street in Kingman. **Staff recommends approval.**

e. IGA with ADOT Data Access Agreement

City of Kingman Human Resources has a due diligence to perform a Motor Vehicle Record check as a condition of employment and periodically thereafter. Currently the process is manual and takes weeks to receive the results of the records check. Electronic access to ADOT's motor vehicle records request system (MVRRS) will provide immediate results. Electronic access will also reduce staff time to complete paperwork and seek notary services, reduce costs by eliminating postage to mail the paper request to the Phoenix office, and reduces liability by providing immediate results rather than waiting weeks to receive the results. **Staff recommends approval.**

f. Water Department – one Portable Power Generating System for Fiscal Year 2014/2015

The Public Works Water Department received a bid on 04/27/2015 for one Portable Power Generating System for the fiscal year 2014/2015 budget from Empire Power Systems for \$59,500 plus tax. **Staff recommends approval.**

5. OLD BUSINESS

- a. Public Hearing and Consideration of Resolution #4949 Concerning a Major General Plan Amendment to Amend the Projected Land Use Map of the City of Kingman General Plan Update 2030 to designate 151.32 acres of the 168.42 acres located in the south portion of Section 9, Township 21 North, Range 16 West, Gila and Salt River Meridian from "Parks/Open Space" to "Regional Commercial." The location of this property is located south of Interstate 40, north of the Airfield Avenue alignment, between the Sage Street and Cherokee Street alignments. Case No. GPA15-001**

The Kingman General Plan designates the 168.42 acres located south of I-40, north of the Airfield Avenue alignment and between the Sage Street and Cherokee Street alignments as “Parks/Open Space.” On February 3, 2015, the City Council initiated an application for a major general plan amendment to change the designation of the eastern 151.32 acres of this property from “Parks/Open Space” to “Regional Commercial.” The current Projected Land Use Map was adopted on March 4, 2014 with the adoption of the City of Kingman General Plan Update 2030. The citizens ratified the General Plan Update on November 4, 2014, 3249 (55.43%) in the affirmative to 2612 (44.57%) in the negative. An element of the General Plan Update is the Transportation Element. This element adopts the Kingman Area Transportation Study Update (KATS), which was adopted May 3, 2011. The KATS Study identified two new traffic interchanges on I-40. One interchange is the Kingman Crossing Interchange and the other is the Rancho Santa Fe Parkway Interchange. Neither interchange has been funded. On May 7, 2007, the City Council adopted Resolution #4425 which amended the General Plan to designate the City’s land “Regional Commercial.” The citizens repealed Resolution #4425 by referendum on November 6, 2007 by a vote of 1498 (39.35%) “for” and 2309 (60.65%) “against.” The Design Concept Report for the Kingman Crossing Traffic Interchange was subsequently amended to have no access south of the interchange across the City’s property. The Planning and Zoning Commission held two public hearings in two different locations on this application. The first public hearing was held on April 14, 2015 in the City Council Chambers, and second public hearing was held on April 28, 2015 in the Mohave County Board of Supervisors Room. Planning and Zoning Commission deadlocked with a three-to-three vote with one abstention, on a motion to recommend approval of the Kingman Crossing Major General Plan Amendment. The City Council is to hold at least one public hearing, which is scheduled for May 5, 2015 and then consider Resolution #4949. In order for this application to be approved, there must be at least a two-thirds majority (a minimum of five votes). Major General Plan Amendments can be considered only in one month a year, which is the month of May. **Staff recommends approval; the Planning & Zoning Commission is deadlocked.**

b. Resolution 4948 – Adoption of Fiscal Year 2015-2016 Tentative Budget

The tentative budget as presented includes changes recommended at the budget work sessions on April 13, 2015 and April 23, 2015. Additional modifications made to the tentative budget will be incorporated into the final budget scheduled for adoption in two weeks, on May 19, 2015. The tentative budget sets a ceiling on appropriations. This essentially means the final budget adopted May 19, 2015 can meet but not exceed the amounts adopted with this resolution. The tentative budget is within the state expenditure limitation as modified by the home rule option. The package presented will contain a resolution and tentative budget forms as required by the State of Arizona. The final budget book and capital improvements plan will be printed and distributed after adoption of the final budget. **Staff recommends approval.**

6. NEW BUSINESS

a. Consideration of Resolution No. 4947 approving a preliminary plat for Airway Plaza, Tract 1984, a subdivision of airspace

A request from Mohave Engineering Associates, Inc., applicant and project engineer, and Airway Plaza Association, LLC, property owner, for the approval of preliminary plat for Airway Plaza, Tract 1984. The subject property is located at the southeast corner of Airway Avenue and N. Burbank Street and is 3.62 acres. This will be a subdivision of airspace otherwise known as a condominium. The intent is to subdivide eight suites in an existing commercial building into eight separate condominium units. Each unit will be bounded and contained within the interior finished surfaces of the perimeter walls, floors and ceilings of the unit. The area of each unit is 56 to 64 feet wide and 130 feet long. A property owner's association will be established to maintain areas held in common including the exterior parking lot and landscaping, utilities not within the units, bearing walls, and other walls and ceilings not contained within the units. The building was inspected by the Fire and Building Departments as required and no significant problems were identified that would need to be corrected before the approval of the final plat. The City Engineer, however, indicated that three existing driveways and sidewalk ramps at Burbank and Airway do not appear to meet current ADA standards. These areas should be revised. The project engineer indicated that the property owner did not want to make those revisions. There are several additional conditions that were recommended by staff as a result of department and agency comments. **The Planning & Zoning Commission voted 6-1 on April 14, 2015 to recommended approval of the preliminary plat with the recommended conditions in the commission report. Commission Kirkham voted no. Staff recommends approval.**

b. Discussion and possible action concerning City funded events to celebrate the 4th of July.

This agenda item has been requested by Council for the purposes of discussing an alternate Fourth of July celebration in lieu of fireworks. The Council will discuss options for this celebration and may take action and/or provide direction to staff accordingly. **Council discretion.**

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

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Follow up – City Magistrate Recruitment

The Council will review the City Magistrate applications and select Semi-Finalists to move on to the next phase of the recruitment process.

ADJOURNMENT

Posted _____ by _____

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

5:30 P.M.

MINUTES

Tuesday, April 7, 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	Jake Rhoades, Fire Chief	
Jen Miles	Greg Henry, City Engineer	
Stuart Yocum	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 5:29 P.M. and roll call was taken. All councilmembers were present. The invocation was given by Philip Shaw of Trinity Episcopal 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

a. The Special Meeting minutes of January 23, 2015.

Councilmember Abram noted that these minutes stated that a list of the priorities set by Council during the meeting would be attached and it was not.

Councilmember Abram made a MOTION to APPROVE the Special Meeting minutes of January 23, 2015. Vice Mayor Wimpee Sr. SECONDED and it was APPROVED by a vote of 7-0.

b. The Work Session meeting minutes of March 3, 2015.

Councilmember Abram made a MOTION to APPROVE the Work Session meeting minutes of March 3, 2015. Vice Mayor Wimpee Sr. SECONDED and it was APPROVED by a vote of 7-0.

c. The Regular Meeting minutes of March 17, 2015.

Councilmember Carver said that he would abstain from any discussion and vote on this item as he did not attend the March 17, 2015, meeting.

Vice Mayor Wimpee Sr. made a MOTION to APPROVE the Regular Meeting minutes of March 17, 2015. Councilmember Abram SECONDED and it was APPROVED by a vote of 6-0 with Councilmember Carver ABSTAINING.

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
			Pools
5	Terry, Charles	Pool Operator	

Vice Mayor Wimpee Sr. presented Certificates of Appreciation to those employees present and thanked all of the employees for their service.

Mayor Anderson read the names of those employees not present.

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.

Resident Pat Ferrell addressed the Council and said that he and Terry Flannigan of the Marine Corps League wanted to present a flag to Parks Superintendent Guy Reynolds to replace a tattered one at Veterans' Park. Mr. Reynolds accepted the flag on behalf of the City.

Mayor Anderson moved to Item "6a" for discussion of the proposed regional Veteran's Court.

The Consent Agenda was reviewed after Item "6a".

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.**

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 7-0.

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.

City Manager John Dougherty addressed the Council and said that the City of Kingman has been in talks with Mohave County, Bullhead City and the Western Arizona Humane Society concerning the shelter in Kingman which is undersized. He said that the Humane Society is moving animals around the state to make room and avoid killing them. He said that there has only been an initial meeting and this item will be discussed further at the budget Work Session on March 13, 2015.

Kerry Glancy addressed the Council and said that she is a third generation Kingman resident. She said that she is also the administrator of Kingman Pet Connection which has members in and around Kingman. She thanked the City for considering this item and supporting correction of this problem. She said that she is looking forward to what is being done as this is a serious problem. She said that this also reflects on the reputation of the community and thanked the Council for any consideration.

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.

This item was discussed before Item “4”.

Lake Havasu Consolidated Court Magistrate the Honorable Mitch Kaluali addressed the council and thanked them for the opportunity to speak on the Veteran’s Treatment Court and what is done in Lake Havasu City. He said that he was asked to speak and provide additional information on what can be done to bring this to Kingman. He said that President Lincoln said “the measure of our nation is taken in how we treat our veterans” and provided several statistics about American veterans returning from war including statistics on post-traumatic stress disorder (PTSD), homeless veterans, and veteran suicide rates. He said that these veterans have a hard time reengaging in society and part of the problem is that when there is a conflict in their life their training tells them it needs to be dealt with immediately and to be as hard as you need to be to accomplish this. He said that, unfortunately, the skills to get them back into society are not taught. He said that veterans may be masking an injury or PTSD with drugs and alcohol. He said that as veterans have come into the legal system they are not able get back out as they do not receive the

help they need.

Judge Kalauli said that part of the way to address these issues is through the drug and treatment courts but the veterans were not engaging with these. He said that a judge in New York in 2008 noticed that he could not get a veteran in treatment court to engage but had two employees who were veterans and asked them to help. He said that the employees talked to the gentleman for an hour and a half and he was a different person after. He said that the judge decided to create a separate docket as the treatment courts were not addressing the traumas and root issues veterans faced. He said that the first veterans' court was started in 2008 and there are now approximately 200 nationwide.

Judge Kalauli said that the rate of recidivism in a regular court is 70 to 85 percent. He said that recidivism in drug courts is 30 to 50 percent. He said that a report on veteran's court showed recidivism is ten percent which is unheard of. He said that he can say that Lake Havasu's veterans' court is at ten percent recidivism. He said that Lake Havasu's program has 40 participants right now and 18 graduates. He then explained the reoffenders making up the ten percent recidivism rate. He said that as the Council is looking at where to put money they look at where they can see results. He said that this program creates a huge drop and long term savings should not be dismissed. He said that two dollars in a treatment court equals seven dollars in a regular court. He said that the Mayor and City Manager attended one of their courts and provided statistics on homeless veterans helped through this program in Lake Havasu.

Judge Kalauli said that it is amazing to see people turn their lives around and the program is so successful because it brings participants back to a time when they had pride and served their country. He said that it was always a possibility that they could give their lives for their country and this brings them back to that. He said that the end result can't be argued with and it is amazing to participate in and see the difference in participants' lives. He said that we would never leave veterans on the battle field and don't want to leave them now. He said that participants need help. He said that they don't get a free ride and the program can last from six months to a year and a half. He said that many defense attorneys recommend not going through the program because it is hard and makes sure participants are doing what they are supposed to. He said that the veterans' court is held on the second and fourth Friday of every month and Lake Havasu would love to host and members of the Council who would like to come see it.

Judge Kalauli said that he was here to explain where the veterans' court currently is and where they would like it to be. He said that veterans throughout the country need help and this is a way that is effective to help them. He said that there was not a way to give a specific dollar amount on this right now and he is working with Mohave County to see if they will be involved in this and how the cities will be involved. He said that he is hoping Kingman will commit to the program one way or another.

Judge Kalauli then provided a list of statistics to the Council and said it is possible to do this within the current budget. He said that Kingman Municipal Court has 91 veterans which is about the same as the Lake Havasu Consolidated Court. He said that Lake Havasu is a good example of what could happen in Kingman and he had no idea how many veterans come through the court system. He said that he initially planned for five to ten participants and now has 40.

Judge Kalauli then went over the cost savings for the courts and the costs to house inmates at the

jail. He also discussed the options for veterans through this program and gave numbers for the potential savings to the city. He also explained the associated costs with any defendant and said that veterans don't go through the constant cycle. He said that he hopes he will have the opportunity to discuss ways to reallocate funds to pay for this service and he believes the program is worth whatever is put into it. He said that with what he has seen and the successes the program is more than worth it. He said that this does involve a lot of work up front but the goal is to get veterans out of the system and healthy. He said that veterans give more than regular members of society and are an asset to the community. He said that this allows veterans to address the issues they have.

Councilmember Young asked if it would be the City's responsibility to transport participants to Lake Havasu City.

Judge Kalauli said that he has reached out to various organizations and people are willing to donate their time and vehicles to transport participants. He said that participants would go to Lake Havasu City one time per month for court, but the treatment would happen in Kingman. He said that one time per month is just like going to the veterans' hospital in Prescott once a month.

Councilmember Young said that she wanted to ensure that the resources were here.

Judge Kalauli said that it would eventually make sense to bring the program to Kingman someday, but Kingman can piggy back off of Lake Havasu's program and look at bringing it here at a later date. He said that the key to making the program successful is that the city has to be invested.

Councilmember Young said that she saw Judge Kalauli's presentation at the Tri-City Council meeting and wanted to make sure that the programs have the same synergies.

Judge Kalauli said that there is a resource team meeting once per month to talk about all veterans and synergy happens. He said that they are willing to do whatever it takes to make this program happen in Kingman and there are people here willing to take the load on and make this happen.

Councilmember Miles thanked Judge Kalauli for what he is doing and asked about funding for trauma therapy and resource partners.

Judge Kalauli said that if participants are eligible for veteran's benefits then that is utilized. He said that if they are not eligible the program does not want to exclude them. He said that the program wants to provide services and partner with local services to address these issues. He said that the program does have an agreement with Mohave Mental Health (MMH) and the key is to organize it.

Mayor Anderson said that discussions have been going on for some time between the three cities to identify veterans and get Mohave County more involved. He said that the issue is that it is not all centrally located here and he is looking hard at trying to come up with a procedure to be a part of this. He said that for Lake Havasu City to take over other areas they would need additional resources. He said that there are a lot of moving pieces to the proposal until there is a commitment. He said that maybe eventually Bullhead City and Kingman can have their own but this will not happen overnight.

Judge Kalauli said that to set the program up Lake Havasu City Mayor Mark Nexsen saw the program in another court and spoke with Judge Kalauli about it. He said that they had to garner support for it as it will not be as successful otherwise. He said that they spoke with various groups and the scope anticipated was limited. He said that it took about a year to get everything in place and the connections made and the program started about a year ago on Veteran's Day 2013 with one veteran. He said that by January the program had three and continued to grow to the current size of 40 where it seems to be stabilizing. He said that the program is still being developed and adapted to suit being in a rural area. He said that the program is still adapting. He said that Kingman has a veterans' clinic and Lake Havasu City has a veterans' clinic and veteran's center. He said that the center has been able to re-task to assist with veterans' court. He said that the goal is to get into the cities and has been a matter of what services are available and what can happen. He said that it has been a pleasure to be a part of the program.

Mayor Anderson asked if any authorization had to be received for the program.

Judge Kalauli said that the state legislator passed legislation allowing defendants to be transferred for veterans' court and these can now be done regionally. He said that Lake Havasu has the first rural veterans' court in the state and if this became regional it would be the first in the country. He said that it is exciting to be on the cusp of something that hasn't been done. He said that he appreciated the Council's time.

Mayor Anderson said that Mr. Dougherty will be looking for direction from Council on whether this is something the Council would like to pursue.

Mr. Dougherty said that this program has a place holder in the budget and will be discussed further at the special budget meeting on Monday, April 13, 2015.

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.**

Mr. Dougherty said that this is a renewal for an existing contract as the current is set to expire. He said that staff is recommending Council renew the contract.

Councilmember Young asked if this would impact the City's budget.

Mr. Dougherty said that it would not. He said that the only change is that the contract would be renewed for two years instead of one. He said that there is no cost increase.

Councilmember Miles said that this organization does a lot of programs for the community with a lot of partners. She said that the City contributes to it and asked that the City of Kingman be referenced as a supporter.

Councilmember Carver asked for clarification that the \$57,000 was per year which Mr. Dougherty said was correct.

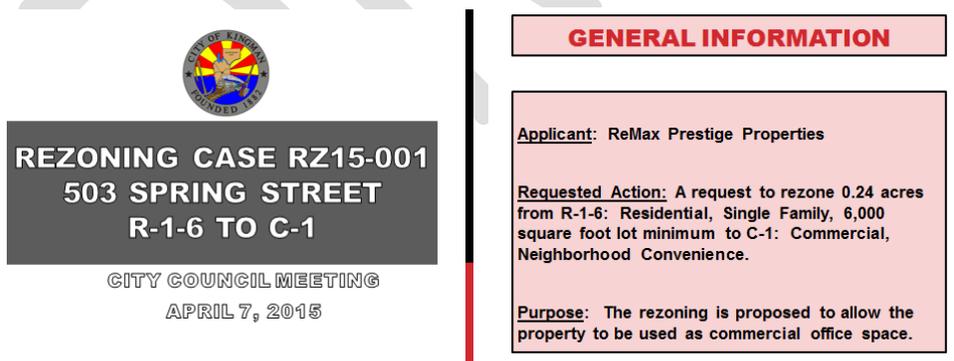
Vice Mayor Wimpee Sr. made a MOTION to APPROVE renewal of the contract with the Kathryn Heidenreich Adult Center, Inc. and expanding the contract to two year. Councilmember Miles SECONDED and it was APPROVED by a vote of 7-0.

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.**

Vice Mayor Wimpee Sr. recused himself as he is the buyer for this property.

Development Services Director Gary Jeppson gave a PowerPoint Presentation.



REZONING CASE RZ15-001
503 SPRING STREET
R-1-6 TO C-1
CITY COUNCIL MEETING
APRIL 7, 2015

GENERAL INFORMATION

Applicant: ReMax Prestige Properties

Requested Action: A request to rezone 0.24 acres from R-1-6: Residential, Single Family, 6,000 square foot lot minimum to C-1: Commercial, Neighborhood Convenience.

Purpose: The rezoning is proposed to allow the property to be used as commercial office space.

Slide 1 – This was an introductory slide.

Slide2 – Mr. Jeppson gave a synopsis of this slide.



Slide 3 – This slide showed an aerial photo of the property.

Slide 4 – This slide showed a front view of the building. Mr. Jeppson said that the property was residential and the applicant would like to change it to an office space.



Slide 5 – This slide showed a photo of the rear of the property.

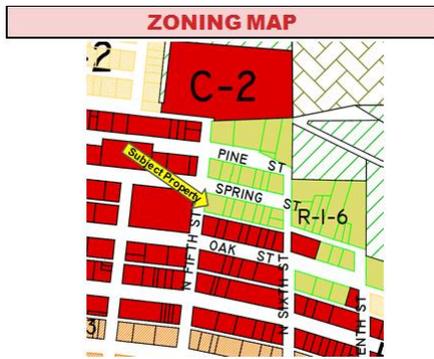
Slide 6 – This slide showed a photo of the side of the property.



EXISTING AND PROPOSED ZONING
<ul style="list-style-type: none">• Existing Zoning: R-1-6. Single Family Residence• Proposed Zoning: C-1. Neighborhood Commercial• There are properties nearby zoned C-2.

Slide 7 – This slide showed a photo of the rear yard of the property.

Slide 8 – Mr. Jeppson gave a synopsis of this slide.



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.

Slide 9 – This slide showed the zoning map for the area. Mr. Jeppson said that there are residential properties to the east of the subject property.

Slide 10 – Mr. Jeppson gave a synopsis of this slide.

PHYSICAL CHARACTERISTICS

The subject site gradually slopes towards the south.

There are flooding issues to the rear of the property that will need to be addressed during the building permit stage of review.

PHYSICAL CHARACTERISTICS

Public Utilities:

- Existing water lines in N. Fifth Street and Pine Street.
- Existing sewer lines located in Spring Street.

Transportation:

- The subject site is accessible from Spring Street and N. Fifth Street which are paved with curb, gutter and sidewalk.
- The subject site is also accessible from Pine Street which is paved without curb, gutter or sidewalk.

Slide 11 – Mr. Jeppson said that there are flooding issues in the back of the property. He said that these issues would be addressed if the property is rezoned.

Slide 12 – Mr. Jeppson gave a synopsis of this slide.



PUBLIC AND DEPARTMENT REVIEW COMMENTS

Public:

- One comment in opposition was received from Craig Graves.
- One comment in opposition was received at the P&Z Hearing on March 10th from the resident to the east concerning the public defenders office on-street parking and smoking on the sidewalk.

Department and Agency Review:

- Engineering Dept.: Recommends curb, gutter and sidewalk on Pine St.
- Building Dept.: Building will need to meet commercial building code standards.
- Historic Preservation: Drainage issue needs to be resolved.
- Unisource: Electrical issue over garage needs to be resolved.

Slide 13 – This slide showed an aerial photo of the property.

Slide 14 – Mr. Jeppson gave a synopsis of this slide and said that area resident Craig Graves gave a negative comment regarding this proposal. He also said that comments were received at the Planning and Zoning Commission meeting regarding concerns over parking and the like.

RECOMMENDATION
<p>The P&Z Commission recommends approval of Ordinance #1795, which will rezone the subject site from R-1-6 to C-1 with the following conditions:</p> <ol style="list-style-type: none">1. 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.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. The commission may consider a request to modify the number of parking spaces in accordance with Section 22.730(3).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.

Slide 15 – Mr. Jeppson gave a synopsis of this slide. He said that there was concern that the historic look of the property would be changed which is not allowed.

Councilmember Young asked if the parking issue had been addressed.

Mr. Jeppson said that it had and showed the map of the proposed change. He said that parking would be at the rear of the property.

Councilmember Miles asked if preserving the historic appearance would carry over if the property is sold in the future which Mr. Jeppson said that it would.

Councilmember Young stated that there are other office buildings along this street.

Applicant Bill Barnes addressed the Council and said that the intent is to eliminate street parking and address the drainage issues to the rear of the building. He said that the current garage will be removed and any changes will comply with all requirements.

Councilmember Carver asked if there would be any issues with standing water for the properties to the east once these changes are made.

Mr. Barnes said that the proposed changes would help the issues with the property to the east and direct water away from both properties.

Mayor Anderson opened the public hearing at 6:24 P.M.

Mayor Anderson called twice for public comment. No public comments were received.

Mayor Anderson closed the public hearing at 6:25 P.M.

Councilmember Yocum made a MOTION to APPROVE Ordinance No. 1795. Councilmember Abram SECONDED and it was APPROVED by a vote of 6-0 with Vice Mayor Wimpee Sr. ABSTAINING.

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.

Mr. Dougherty said that this item was brought forward by the chair and vice chair of the Tourism Development Commission (TDC). He said that the City would contract with the visitor's bureau and would take over management of the Visitor's Center. He said that staff is in favor of this proposal and has asked Josh Noble of the visitor's bureau to handle management until this matter is worked out. He said that this item is asking for Council to approve the plan. He said that future requests for seed money for events would come directly to the Council and not through the TDC. He said that both the chair and vice chair were present if there were any questions.

TDC Chairperson Krystal Burge addressed the Council and said that this was brought forth as the TDC is handling bed tax monies which the Visitor's Bureau could handle through their 501(c)(3). She said that there were different layers to handling these funds previously and Council did not always have the background information on it. She said that she felt this would provide better information to the public on how these monies are spent. She also proposed that funding requests be processed through the Visitor's Center to make the process clearer.

Councilmember Young asked if this proposal went through the TDC.

Ms. Burge said that it did. She also said that the Kingman Tourism Board is a 501(c)(6) and doing this will reduce City staff operations to help organize monthly meetings that this board is already doing.

Councilmember Young asked for clarification that TDC voted to disband.

Ms. Burge said that the other TDC commissioners know about it but did not vote on it. She said that she feels this would streamline the process and reduce City staff time. She said that Mr. Noble would make a monthly presentation to the Council so they are aware of what is going on. She said that this would bring more information.

Councilmember Young asked what money would be used for this.

Ms. Burge said that this would use the bed tax dollars that are currently handled by the TDC. She said that it would be like the two year agreement just approved with the Kathryn Heidenreich center. She said that the tourism board would operate under the City's regulations. She said that Lake Havasu City and Bullhead City operate this way. She said that streamlining operations will reduce the cost to the community.

Councilmember Young said that there would be no recourse if seed money was denied by the board.

Ms. Burge said that the board would give a recommendation to Council which the TDC currently does. She said that the Tourism Director would report to Council and Council can then provide direction.

Councilmember Young stated that the board would give money to a group if it was decided they should be funded.

Ms. Burge said that this was correct. She said that Council is responsible for this money. She said that she feels this would be a better way to take care of the bed tax and the Powerhouse.

Councilmember Young said that this would eliminate a lot of obstacles and the bed tax is City money so she wanted to be sure of how it would be handled.

Ms. Burge said that the board would be stewards of these funds.

Councilmember Young said that she feels the TDC and Mr. Noble have done a great job. She said that she wanted to clarify this for the budget and that Powerhouse decision would still be made by the Council.

Ms. Burge said that the Powerhouse can be a tourism destination and noted that the Chamber of Commerce is house there. She said that she feels this is a great partnership and the group wants to make Kingman a tourism destination. She said that Mr. Noble has worked with the City on the electric car display at the Powerhouse which is a better use than renting the facility.

Councilmember Young said that she wanted to ensure there would be transparency.

Mayor Anderson said that he is looking forward to working with the board for coordination and future events.

Councilmember Miles thanked the group for attempting to streamline operations. She said that there are a lot of entities involved with these funds. She said that this is a substantial amount of money and a lot of it can be used for seed money. She said that there are different goals for that money within the budget framing and this changes the nature of what those funds can be used for. She said that this would limit the amount of funds available for events and asked if the City is going to gain those funds back from the General Fund.

Ms. Burge said that the ultimate goal of the bed tax is to take care of tourism. She said that the tourism board realizes the constraints on funding the budget and they felt it would make more sense to take a bigger role in this piece. She said that the funds would be used to help manage and maintain the Powerhouse and the board is asking to still use the same maintenance teams to care for the building. She said that any additional funds would go to the building.

Councilmember Miles said that there is a give and take with how these funds are used. She said that she feels this is moving in the right direction but would like to see a budget.

Ms. Burge said that she wanted Council to see the concept and then if the Council wanted them to the group would put together a budget presentation.

Councilmember Miles said that she wants to see the budget for the City and tourism to see the returns.

Ms. Burge said that funds in the TDC budget are earmarked for the building to help with repairs to the building. She said that the same accounting prepared for the TDC would be produced by this group and presented to Council.

Councilmember Young said that statute requires that two-percent of these funds have to be used for tourism and the General Fund has always been separate. She said that the maintenance should be done by the City. She also said that other entities, like the Bonelli House, some out of tourism funds.

Ms. Burge said that she has not seen anything that says those other entities would not continue to be funded. She said that this is an offer to help the City continue to reduce costs and the group to take care of these funds.

Tom Spear addressed the Council and said that he was involved with the inn keepers to help implement the bed tax. He said that the original purpose of this was to assist tourism. He said that he see this as the ultimate goal of that effort. He said that the group is working with Mr. Noble to see information on the number of heads in beds and to see the results of how the money is spent. He said that this is a direct line to help promote Kingman.

Councilmember Young said that she has complete confidence in the group and knows that the commission has worked hard to have a contingency fund.

Mr. Spear said that he didn't see anything changing and that working with Mr. Noble this way can get more done.

Councilmember Young said that her only concern is what the thoughts of the rest of the commission are.

Mr. Spear said that he has reached out to other members of the commission and Commissioner Baker is in favor of this. He said that Ms. Burge also talked to Commissioner Pettit about this. He said that there is no way of knowing what the other commissioners thing about it.

Councilmember Young asked if this item should be voted on by the commission.

City Attorney Carl Cooper said that this is a Council decision.

Councilmember Miles asked if this item is for direction for designing a contract.

Mr. Cooper said that it was if that was the direction the Council would like to pursue.

Mayor Anderson asked if Mr. Noble had anything to add.

Mr. Noble said that everything presented is what has been discussed by the board. He said that this is what is being offered as an outline right now.

Councilmember Young said that she appreciates what Mr. Noble has done for tourism and the visitors' center.

Councilmember Abram asked how often the board meets which Mr. Noble said was once per month. He also asked about the billboard held by the Chamber of Commerce.

Mr. Noble said that the billboard has been discussed for years and many Chamber members are not aware of the history of it. He said that the billboard is to promote tourism and provide information to promote Kingman. He said that the back side of the billboard is rented out to help fund tourism.

Mr. Spear said that the billboard was built with bed tax dollars to promote tourism. He said that the back side is rented out to maintain this. He said that it will be maintained to promote Kingman.

Councilmember Abram said that he would like to see more details and make sure everyone involved is amicable to this.

Councilmember Carver asked if there were any restrictions with turning tax dollars over to another organization.

Mr. Cooper said that the details still need to be hammered out. He said that the City would basically be contracting with another entity and moving funding sources. He said that this eliminates the middle man and amounts would need to be addressed. He said that the finance department would have to determine how this process would go.

Councilmember Young clarified that this is the same type of appropriations as contracting.

Mr. Cooper said that the Council will have to set budget amounts and will be able to address that.

Councilmember Abram asked if the other entities housed in the Powerhouse pay rent.

Ms. Burge said that they do pay rent to the City. She said that this goes through the same source as the bed tax. She said that this will produce better access to the funds and show what money is being spent on. She said that the Powerhouse will be taken care of as a tourism destination. She said that the City has control of the funds which are always accounted for. She said that spending would be presented through Mr. Noble.

Councilmember Young said that two-percent of these funds have to go to tourism and there has to be a contingency for tourism. She asked what would become of any additional funding.

Ms. Burge said that the board would not get involved in the other two-percent as Council says where that is spent. She said that the board will provide reports on how funds are handled.

Mayor Anderson asked for a recommendation from the Council.

Mr. Dougherty said that he would look at bringing this back for the next meeting.

Councilmember Young said that Councilmember Abram's concerns need to be addressed.

Councilmember Miles said that she wants to see the contract and the proposed budget.

Mr. Dougherty said that he would try to bring this back for the May 5, 2015, regular meeting.

Councilmember Young asked when the next quarterly tourism report is due which Mr. Noble said was in May.

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.**

Mr. Dougherty showed pictures of the proposed donations. He said that this idea was proposed by the Chamber and Nucor is willing to donate and put the benches together. He said that the donation would come from the Chamber and Nucor but they wanted approval before beginning work on the benches.

Councilmember Young asked how many benches would be donated.

Parks and Recreation Director Mike Meersman said that the department would take however many they can get.

Councilmember Young recommended starting with accepting two benches.

An unidentified representative from Nucor said that the benches were being built and the company has plenty of supplies.

Councilmember Abram said that he appreciated the donation.

Councilmember Young said that this is a unique idea and would like to see what two would look like so as not to overwhelm the area.

Councilmember Young made a MOTION to ACCEPT the donation of two benches from Nucor Steel and the Kingman Area Chamber of Commerce. Councilmember Abram SECONDED and it was APPROVED by a vote of 7-0.

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.**

Councilmember Young asked where the funds for this are coming from and if the amount was staying the same.

Mr. Dougherty said that there are no changes to the amount of the contract. He said that this is a renewal of the contract and now includes operation of the electric vehicles display at the Powerhouse.

Councilmember Abram asked if this would affect the possible agreement with the Kingman Visitors' Center, which Mr. Cooper said that it would not.

Councilmember Young made a MOTION to APPROVE the contract renewal with the Mohave County Historical Society. Vice Mayor Wimpee Sr. SECONDED and it was APPROVED by a vote of 7-0.

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.**

Citizen Lisa Bruno addressed the Council and said that she is the president of the Venture Club of

Kingman. She said that the group is asking the Council for action to sign a memorandum of understanding (MOU) for the splash pad. She said that the Venture Club is a 501(c)(3) women's service club and explained what they do. She then presented a PowerPoint presentation.



Slide 1 – This was an introductory slide.

Slide 2 – Ms. Bruno said that the club has held fundraisers over the years with a long term fund, but have not identified what to use those funds for. She said that they would like to use this to fundraise for a splash pad. She said that the club will need help from other organizations but they want to take the lead on it. She said that this would need to be a budgeted item and is something that can be added to the budget. She said that this has been on the parks list for a long time.



Slide 3 – Ms. Bruno gave a synopsis of this slide and said that this will get the kids outside without the risks of a swimming pool.

Slide 4 – Ms. Bruno provided an example of the splash pad recently installed by Bullhead City. She said that splash pads are getting more affordable and are cheaper than pools.

Ms. Bruno then provided several examples of splash pads, including a mockup from a prospective splash pad company.

Examples of splash pads



Examples of Splash Pads



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

Slides 8 and 9 - Ms. Bruno said that this is a good alternative to get kids outside but not too hot. She said that this will enhance the city and parks and is a lot of fun. She said that a location has not been committed yet and the group is open to different locations. She said that the splash pad would be visible and easily patrolled.

Cecil Davis Park



Slide 10 - This slide showed an aerial view of the park.

Slide 11 - This slide showed a mockup of what is currently at the park and the proposed splash pad area.

The image shows two presentation slides side-by-side. The left slide is titled 'Size and Cost' and lists two bullet points: 'Approximately 3,000 square feet' and 'Approximately \$250,000'. The right slide is titled 'Schedule' and lists four bullet points: 'Fundraising' (with sub-points 'Venture Club of Kingman, Inc. has already raised \$25k' and 'Estimate a year to raise the remainder of funds'), 'Design and Permit Phase - 2 months', and 'Construction - 4-6 months'.

Slide 12 - This slide showed the size and cost of the project, mirroring Bullhead City.

Slide 13 - Ms. Bruno said that the group has already raised \$25,000 and feel they will be able to raise the additional funds within a year. She said that the group would then seek a development agreement with the City.

The image shows two presentation slides side-by-side. The left slide is titled 'Continuing Maintenance Costs' and lists three categories: 'Bullhead City' (\$10,000 budgeted), 'Boulder City' (\$1,000-\$2,000 to winterize and \$10,000 for water), and 'Queen Creek' (\$35,000 annual costs, splash pad is 4,100 sq ft, and open April 1 - October 31st, + 2 weeks in March). The right slide is titled 'Council Action' and lists two bullet points: 'Memorandum of Understanding' and 'Development Agreement'.

Slide 14 - Ms. Bruno said that the group polled different communities on the continuing maintenance costs for their splash pads and gave a synopsis of the results. She said that Bullhead City is in its first year with a splash pad so did not have hard costs yet. She said that the maintenance costs do not take into consideration type of watering system to be used. She said that Mr. Meersman has come up with a watering system and explained the process. She said that the water would be used to water the grass at night creating a lower footprint and keeping the maintenance costs down. She said that Mr. Meersman is worried about employee costs and the like. She said that the proposed watering system is unique and makes sense.

Slide 15 - Ms. Bruno gave a synopsis of the proposed Council action. She said that a development agreement would be brought back in a year.

Councilmember Abram noted that the MOU is set for \$200,000.

Mr. Cooper said that this can be changed. He said that the group is planning on raising more

money and the amount can be changed to accommodate this.

Councilmember Young said that this is a great thing for the community and keeps kids more active.

Ms. Bruno said that the most common complaint is that there is nothing for kids to do. She said that this is a great thing for smaller kids.

Vice Mayor Wimpee Sr. asked if any other cities with splash pads have issues with liability.

Ms. Bruno said that she imagines there is some liability though the surface is supposed to be non-slip to help prevent accidents.

An unidentified member of the audience said that keeping the pad maintained helps prevent slipping.

Councilmember Miles asked if there were things, such as park benches, that could help enhance the appearance of the splash pad.

Mr. Meersman said that there are some benches at the proposed location. He said that Bullhead City found they needed more shade structures near theirs. He said that this can be added in the future or if additional funds are raised.

Councilmember Young asked what maintenance would include.

Mr. Meersman said that some electricity would be involved but not more than is already being used. He said that there would be an increase to some of the City expenditures including labor and maintenance costs. He also said that the parks department will need additional staffing.

Councilmember Young said that she likes the idea of having the pad at Cecil Davis park as there is nothing aquatic on that side of town.

Ms. Bruno said that if the City wanted to allocate funds for the splash pad those funds would go toward the maintenance costs.

Mayor Anderson said that this project is minimal cost and the water would be used for irrigation.

Mr. Meersman said that the majority of the water used would be sent to the drain. He said that Bullhead City treats theirs like a pool and the water is reused. He said that the proposed water system will be repurposing the water and there will be a lot less maintenance involved.

Councilmember Miles made a MOTION to APPROVE entering into the Memorandum of Understanding with the Venture Club of Kingman for the proposed splash pad. Councilmember Young SECONDED and it was APPROVED by a vote of 7-0.

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

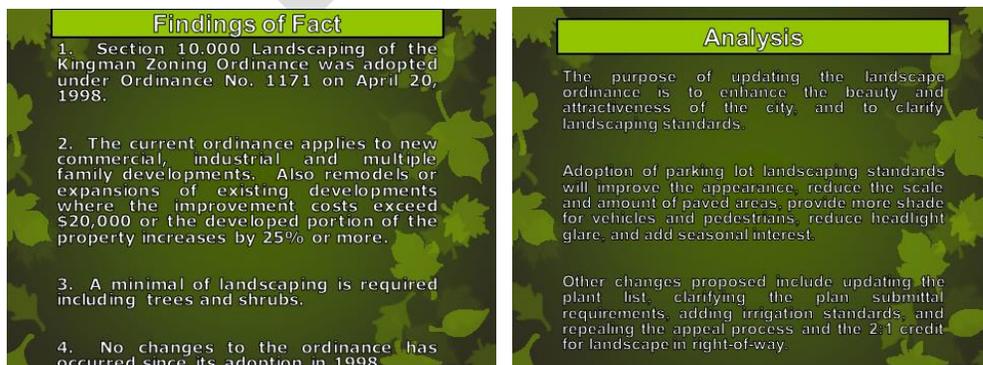
1998 provides a minimal amount of landscaping for new commercial, industrial and multiple family developments. It also requires minimal landscaping for remodels and expansions of existing developments where the improvement costs exceed \$20,000 and/or the developed portion of the property increases by 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.**

Mr. Jeppson gave a PowerPoint presentation.



Slide 1 – This was an introductory slide.

Slide 2 – Mr. Jeppson gave a synopsis of this slide.



Slide 3 – Mr. Jeppson explained the proposed changes. He said that the current ordinance was adopted in 1998 in Ordinance No. 1171. He said that there have been no changes to the landscape requirements since Ordinance No. 1171 was adopted.

Slide 4 – Mr. Jeppson gave a synopsis of this slide and said that the Planning and Zoning Commission studied this proposal for a number of months. He said that this was to clarify what the landscaping standards are.

Analysis

- ❖ P&Z Commission held three meetings and a workshop between December 2014 and February 2015.
- ❖ Ordinances from other Arizona cities were reviewed and a comparative analysis between the ordinances in Kingman, Lake Havasu, and Bullhead City. Staff received feedback from local landscaping businesses and nursery owners.
- ❖ A public hearing was held on March 10, 2015. Public testimony was heard. The Commission voted 4-0 with one abstention for text amendment.

Repeal of the Appeal Process

- ❖ Appeals may be handled through variance process.

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 the appeal at their next regularly scheduled meeting.

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

Slide 6 – Mr. Jeppson discussed the text amendment changes to the landscaping ordinance. He said that appeals would go through the Board of Adjustments rather than the Planning and Zoning Commission.

Landscape Area Requirements

- ❖ New developments change from 10% net to 10% gross site area.
- ❖ Remodels and expansions change from 5% of gross floor area of building to 5% gross site area.

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).
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).

Repeal 2:1 Credit in R.O.W.

- ❖ Landscaping required in addition to on-site requirements

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.

Slide 7 – Mr. Jeppson gave a synopsis of this slide.

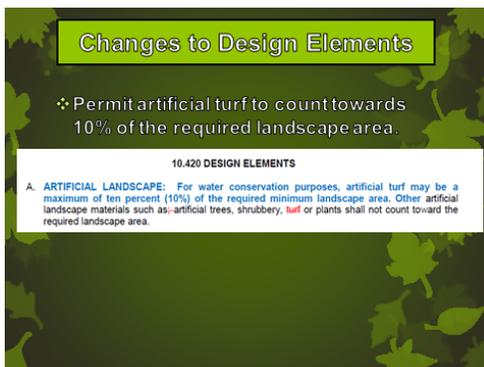
Slide 8 – Mr. Jeppson said that the current ordinance grants a two-to-one credit if landscaping in the right of way. He said that this portion would be eliminated.



Slide 9 – Mr. Jeppson gave a synopsis of this slide.



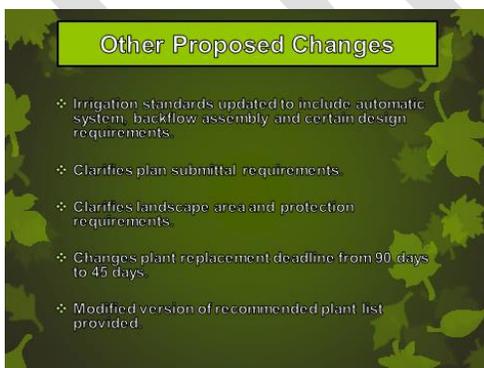
Slide 10 – Mr. Jeppson gave a synopsis of this slide.



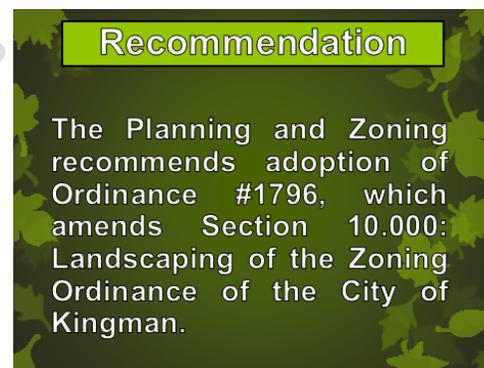
Slide 11 – Mr. Jeppson gave a synopsis of this slide which contained information on the design standards required.



Slide 12 – Mr. Jeppson said that landscaping companies were consulted with on this and said that artificial turf has been upgraded and can be well maintained and attractive.



Slide 13 – Mr. Jeppson gave a synopsis of this slide and said that this would reduce some of the time requirements.



Slide 14 – Mr. Jeppson gave a synopsis of this slide.

Mayor Anderson asked for clarification on the 95 percent lot development and what this means.

Mr. Jeppson said that the 95 percent covers the percentage of the lot that has been built on and paved or covered with concrete.

Councilmember Abram asked how buildings that are within ten feet of the property line would be addressed.

Mr. Jeppson said that the requirement would be for the parking lot.

Councilmember Abram asked for clarification that this requirement would not be applied when the parking lot is behind the building.

Mr. Jeppson said that this was correct and this would only be for the portion of the parking lot bordering the street.

Councilmember Abram said that his concern was that people would not purchase available properties if they have to make these changes.

Mayor Anderson opened the public hearing at 7:26 P.M.

Citizen Toby Orr addressed the Council and said that he was there representing the contractors as well as speaking personally because he has a passion for Kingman. He said that he has lived in Kingman most of his life and while the Council may pass this with great intentions they would not be looking at the long term. He said that \$20,000 is not a lot of money. He said that Kingman already has tough restrictions in place and when this is considered together a lot of commercial land will not be able to be used. He then showed pictures of landscaping that he said is in compliance with the current ordinance. He said that one was of Freiday Construction on Fox Street which is an industrial area that does not have a lot of traffic. He said that the landscaping is beautiful and is within the existing requirements. He said that if the current regulations are enforced it would do a great job of improving the appearance of Kingman. He said that one block away (from Freiday Construction) Great West Truck Center has a lot of beautiful trees but no traffic and the employees are the only ones who see the landscaping. He said that the City forced the property owner to put in the landscaping. He recommended the City make more of an effort to bring people into compliance with the current regulations and encourage the current standards. He said that the Frontier building was an eyesore until it was developed by Wadsworth Development. He said that they would have had to redo their entire parking lot if they had to comply with the proposed regulations. He said that he thinks the extra expense would have caused them to not do the project which is something the City needs to consider. He said that there are no exceptions allowed and asked how this will affect car dealerships. He said that a lot of space is needed for a lot of businesses and he does not think this is very practical. He said that this is not the kind of thing that will create a lot of passion but will cause real problems in the future. He said that people will try to get around these requirements or build in the county. He said that the City of Surprise lost a law suit over restrictions like these. He then asked the Council to think about the long term consequences.

Citizen Richard Hamilton addressed the council and said that he would like to stress a couple of Mr. Orr's points. He said that he is here as a property owner in the city and knows that a lot of

effort was put in on this. He said that this is not best for Kingman at this point. He said that the city is trying to build and bring businesses in. He said that as a property owner his business is really close to the street and can't come into compliance with the new ordinance. He said that a developer at the Planning and Zoning Commission meeting noted that these requirements would increase costs. He said that the city wants to bring businesses in and does not want them to incur any future costs. He said that another business is talking about tearing down their current building and would lose parking spots. He said that Mr. Orr brought up Wadsworth Development and parking was an issue at that location and would not have near the parking it does now. He asked why there is an appeal process and said that the City needs to enforce what is there now. He said that property rezoning would be affected as will property owners who will have to come into compliance. He asked that this be revisited as he does not believe this will be good for the growth of the city.

Citizen Dwayne Patterson addressed the Council and said that he is a local real estate broker and property owner. He noted that the Planning and Zoning Commission contacted local landscaping companies about this and applauded them for trying to make the city more appealing. He said that the city isn't there and has gotten better over the last few years. He said that the city had a reputation that people couldn't do anything through the City. He said that any additional costs to developers are additional hoops for them to jump through. He said that Mr. Hamilton noted this would affect remodels. He said that this will also cut into parking spaces which adequate parking is required in Kingman. He said that there are plenty of rules now that need to be enforced. He said that the proposal would hinder future development and prevent future business from coming in.

Ms. Burge addressed the Council and said that she was speaking as a business owner. She said that she would like clarification on how this will affect fast food locations that have to be remodeled after a certain amount of time. She said that if she understands this correctly it will be too hard to get large businesses to come in. She said that she wants the landscaping to be beautiful but too many regulations override businesses coming in. She also asked for clarification on parking spaces as it is hard for businesses to lose parking.

Citizen Cere Tabbert addressed the Council and said that she was speaking as a consumer. She said that she has observed that landscaping causes issues and gravel accumulates in low lying areas for the City to clean up. She said that she shares the opinions of the others who spoke.

Ms. Glancy addressed the Council and said that she was speaking as a resident. She said that she wanted to touch on some of the landscaping requirements and noted that it is difficult to see oncoming traffic at the new Goodwill store. She said that this often happens along major roads and people cannot see around shrubs. She said that this will cause more accidents. She said that she has stopped using certain businesses because you can't see to get out of the parking lot.

Mayor Anderson closed the public hearing at 7:44 P.M.

Mayor Anderson said that he would like Mr. Jeppson to address the concerns brought up by the speakers.

Mr. Jeppson said that the \$20,000 requirement is not new and is in the current ordinance. He said that the change in appeals is because there are circumstances that require a variance and this

process is the same throughout the Zoning Ordinance. He said that locations with 95 percent or more developed or paved are exempt from these requirements. He said that the 10 feet requirement is for parking lots, not buildings. He said that landscapers were consulted to update the plant and irrigations systems list.

Councilmember Abram asked about the exemption for 95 percent development.

Mr. Jeppson said that if there is room to expand then there is room to landscape. He said that Council can change the provisions of the ordinance. He said that if a business is going to expand onsite then there is room for landscaping.

Councilmember Abram said that it is feasible to believe that a building will be expanded to where they would have 95 percent developed.

Mr. Jeppson said that if it is expanded into the landscaping then they can eliminate the landscaping. He also said that the developer discussed at the Frontier building had a significant amount of parking on the property that was repurposed. He said that there needs to be enough parking.

Councilmember Young said that the City always wants to be business friendly and losing parking spaces means losing customers and tax dollars to the City. She asked if the landscaping islands were needed.

Mr. Jeppson said that the landscaping islands would enhance the City, but their necessity was unknown.

Councilmember Miles asked if these changes would enhance visibility.

Mr. Jeppson said that there are requirements that there need enforcement today if there is an issue.

Councilmember Miles said that the landscape ordinance is not new and asked if there was anything in this proposal that is not controversial such as the appeal process which seemed different from parking lot requirements.

Mr. Jeppson said that there are things that can be worked on. He said that the appeals proposal is the proper procedure and needs to happen.

Councilmember Abram said that going from five percent to ten percent seemed to be the biggest issue as it will cost more for landscaping.

Vice Mayor Wimpee Sr. asked if there is any way to compromise on this.

Mr. Jeppson said that Council can decide that. He said that Council can provide direction or this matter can be taken back to the Planning and Zoning Commission.

Vice Mayor Wimpee Sr. said that he has no problem with changing plants; however, by doubling the percentage a remodeling project would require reconfiguration of the entire parking lot. He

said that this will be hard for businesses and new buildings may have to reduce their size.

Councilmember Young said that from an economic development standpoint this will prohibit the sale of existing buildings and will prohibit new businesses. She said that the costs will be passed on to consumers.

Councilmember Carver asked if this will affect the City if it has to remodel a building.

Mr. Jeppson said that it would and gave the example of the golf course having pavement up to the sidewalk.

Councilmember Carver said that he believes in common sense and shrubs and watering them can increase the maintenance costs of landscaping.

Councilmember Miles noted that the current ordinance has shrub requirements. She said that she feels this needs to go back with direction to look at whether this enhances the City, water use, etc., and whether it promotes economic development. She said that some of this may be good, but it needs to enhance the city and not deter economic development.

Mayor Anderson said that the Council heard requests for more enforcement of the current ordinance. He asked how much this could be improved.

Mr. Jeppson said that the feedback he is receiving as a staff member is that the City should not be requiring more of what is already developed and should be looking more at enforcing what is currently in place.

Councilmember Abram said that he applauded the staff for what it is doing and is in agreement with the intent. He said that this would be hard on economic development. He said that he would like to see examples of current buildings that are not following the current requirements or examples from contractors of cost analysis for pre- and post-ordinance to see the impact. He said that cutting parking spaces is tough and noted that Mr. Hamilton would have to redesign his lot as it does not have the ten feet required. He said that he is all for keeping Kingman beautiful and it is unfortunate that a lot of land owners choose not to.

Mayor Anderson said that his perception is that he does not see this having the magnitude of impact on new development, but he sees the impact in mixed purpose areas and older areas where there are more confines. He said that he is concerned about how to get people in those areas to upgrade and occupy.

Vice Mayor Wimpee made a MOTION to DENY Ordinance No. 1796. Councilmember Carver SECONDED.

Mayor Anderson said that outright denial is saying that there is no need for improvement. He said that he would like to refer this back to see what can be accommodated. He said that he would like to see a joint discussion between staff and the builders.

Councilmember Miles agreed and said that a lot of work has been done by the Planning and Zoning Commission and staff, parts of which may be beneficial. She said that she would like to

send this back.

Mr. Cooper said that the motion can be amended to be denying the ordinance and sending it back for review.

Councilmember Carver said that government needs to work with the private sector for economic development for the benefit of the city. He said that what is being presented needs to be denied.

Vice Mayor Wimpee Sr. said that he would like to include that the five percent requirement should remain.

Mayor Anderson said that this should be discussed.

Vice Mayor Wimpee Sr. made a MOTION to AMEND the ORIGINAL MOTION to be to send back to staff with the recommendation to reduce the requirement to five percent.

Councilmember Carver asked if the entire ordinance should be revised.

After some discussion on procedure, Councilmember Carver SECONDED the AMENDED MOTION.

Vice Mayor Wimpee Sr. clarified that the motion was to send the ordinance back to staff to integrate the comments from the public and the Council.

Mayor Anderson called for the vote.

The MOTION was APPROVED by a vote of 7-0.

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.

Mayor Anderson said that he requested this item because of the discussions on the sale of City owned land. He said that there is a group of three people representing a cross section of the city. He said that there have been discussions of other options to consider in the future and gave an example that there has been a suggestion that rezoning of the property is being looked at. He said that there have been questions on what would happen if the property is put up for sale and no bids are received and whether city would consider taking the land back to its original designation. He said that there have also been questions concerning development of the property, which there are procedures for. He said that if the property is not developed within a certain period of time the permits have to be renewed. He said that this was discussed a few months ago with a privately owned property that failed to meet the time deadlines. He said that there are a lot of people looking at this in the community and asked that this be kept in mind when listening to community input. He said that the property being sold is a different issue than the General Plan Amendment. He said that this item is for discussion only.

Mr. Cooper said that there was a request for a reversion clause to be added to the rezoning of the property. He said that the City can only do what statute says it can. He said that a Major General

Plan Amendment has to go through the legal process and there cannot be reversion in the General Plan. He said that zoning allows for this, but it is not automatic. He said that a hearing can be held to modify the terms, but automatic reversion is not allowed.

Mayor Anderson said that the City would consider reversion if it gets to that point, but this cannot be part of the amendment.

Mr. Cooper said that this is just legal background on that specific issue.

Councilmember Young said that it was her understanding this could be a stipulation.

Mr. Cooper said that the Council can only pledge to look at it in the future.

Mayor Anderson encouraged the Council to talk to people and get information about the proposal. He said that these issues will come up in the public hearing and the Council owes it to the public to listen to what they have to say.

Councilmember Young said that the Council needs to listen to the residents of Kingman.

Mayor Anderson encouraged residents to talk to the Council.

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.**

Transit Superintendent Sheri Furr addressed the Council and said that she is seeking approval which will allow the Mayor to sign any documents for the grant. She said that this will allow the City to receive federal funding to operate the Kingman Area Regional Transit (KART) system. She said that they are looking to operate at the same level as the current year. She said that they are asking for additional vehicles and video surveillance and GPS for the buses.

Mayor Anderson opened the public hearing at 8:17 P.M.

Mayor Anderson called for public comment twice and no members of the public came forward to speak.

Mayor Anderson closed the public hearing at 8:17 P.M.

Councilmember Young asked if what was discussed was already budgeted.

Ms. Furr said that the grant would be effective October 1, but is already reflected in this budget.

Vice Mayor Wimpee Sr. made a MOTION to APPROVE Resolution No. 4944. Councilmember Miles SECONDED and it was APPROVED by a vote of 7-0.

7. **REPORTS**

Board, Commission and Committee Reports by Council Liaisons

No reports were given.

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.

Councilmember Miles said that she attended a roundtable meeting with the Arizona Commerce Authority and Department of Labor to discuss the manufacturing work in Mohave County and Kingman as recognition for the collaborative work in the region. She also requested an agenda item for the next meeting for the Kingman Youth Coalition Beating Up Teen Tobacco (KYC BUTT) proposal for an ordinance regarding smoking in vehicles. She also said that there would be a community garden initiative meeting on Saturday. She said that this is in the startup stages and a good group of leaders are working with the City on this. She said that she looks forward to hearing from this group in the future.

Councilmember Young said that the high school robotics team is going to the national competition.

Mayor Anderson welcomed the City's new finance director. He said that he would be attending a transportation town hall April 19 through 22. He also said that this will cover all transportation and funding and he is looking forward to being there. He said that because of this he will not be at the April 21 Regular Meeting or the Tri-City Council meeting on April 22.

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.

Councilmember Miles made a MOTION to MOVE into Executive Session. Vice Mayor Wimpee Sr. SECONDED and it was APPROVED by a vote of 7-0.

Council went into Executive Session at 8:23 P.M.

Council returned from Executive Session at 8:45 P.M.

Vice Mayor Wimpee Sr. made a MOTION to PROCEED as discussed. Councilmember Young

SECONDED and it was APPROVED by a vote of 7-0.

Councilmember Miles made a MOTION to ADJOURN. Councilmember Young SECONDED and it was APPROVED by a vote of 7-0.

ADJOURNMENT --- 8:45 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 April 7, 2015.

Dated this 21st day of April, 2015.

Sydney Muhle, City Clerk and Recording Secretary

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

9:00 A.M.

MINUTES

Monday, April 13, 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	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	
	Keith Eaton, Assistant Fire Chief	
	Tina Moline, Finance Director	
	Kathy McCoy, City Magistrate	
	Trinna Ware, Finance Administrator	
	Erin Roper, Deputy City Clerk and Recording Secretary	

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 and Councilmember Yocum who were late. The Pledge of Allegiance was said in unison.

FY 2015-2016 Budget Work Session

City Manager John Dougherty stated he would start the meeting by reviewing some highlights of the budget. Mr. Dougherty stated the budget included the 0.5% Transaction Privilege Tax (TPT), but if the 0.5% TPT was not extended the City would need to drastically cut the budget. Mr. Dougherty stated there was a 3% across the board pay increase for City employees.

Councilmember Carver arrived at 9:04 A.M.

Mr. Dougherty stated next year's TPT would be used to purchase a new fire engine for \$750,000. Mr. Dougherty stated he asked Fire Chief Jake Rhoades to begin planning for a new fire station, Station 5, in the northeast corner of the City. Mr. Dougherty stated the planning for Station 5 assumed the Interstate 40 underpass would be built. Mr. Dougherty stated pay compression was not able to be fully addressed due to the current economic climate and the new staff, equipment and infrastructure that would have to be purchased for Station 5. Mr. Dougherty stated there was a \$100,000 placeholder for contributions towards a new animal shelter. Mr. Dougherty stated there was a \$60,000 placeholder for Veterans Court. Mr. Dougherty stated the General Fund balance was \$1.8 million higher than last year. Mr. Dougherty stated the budget increased by \$2.5 million, but was still \$1 million below the 2007/2008 budget.

Councilmember Yocum arrived at 9:07 A.M.

Mr. Dougherty stated money for fireworks was included in the budget. Mr. Dougherty stated the Mohave County Fairgrounds would not host the fireworks this year, which meant the City would need a new location. Mr. Dougherty stated staff would work with the company Climatech in the upcoming year to find energy saving ideas for the City.

Finance Director Tina Moline stated budgeting was a year-round activity for the City. Ms. Moline stated at the end of Fiscal Year 2015 there would be an estimated \$10.2 million in the General Fund. Ms. Moline stated the estimate did not include the TPT, which would provide an additional \$1.2 million, equaling a total of \$11.2 million.

Mayor Anderson stated the chart on the bottom of page 14 made it appear the City was not effectively budgeting what was needed when in fact the contingencies were not being subtracted from the General Fund. Mayor Anderson stated he would like a line added to the chart to account for contingencies. Mayor Anderson stated the Council and Staff did a good job forecasting the final budget and the chart gave the wrong impression.

Mr. Dougherty stated the City projected low revenue and high expenditures in order to remain within budget. Mr. Dougherty stated any remaining funds were rolled over into the General Fund.

Mayor Anderson asked if there would be enough time for another meeting before the budget was submitted for consideration on May 5, 2015.

Budget Analyst Diane Richards stated April 23, 2015 was set aside for another workshop if necessary.

Councilmember Miles stated the first paragraph on page 13 did not sound promising.

Ms. Richards stated the City could not know what funds the State would sweep from it. Ms. Richards stated the City needed to keep an open mind as the State could reduce shared revenue if it needed additional funds to balance the State budget.

Human Resources and Risk Management Director (HR/RM) Jackie Walker stated reduced state shared revenues would diminish the City's ability to pay for development projects.

Councilmember Miles stated the City would have to use General Funds to pay for development projects.

Mr. Dougherty stated some money from the development fund was set aside and would be spent on the I-40 underpass.

Ms. Moline stated the City's policy held 25% from the General Fund and contingencies in reserve, but anything above that percentage could be spent.

Mayor Anderson asked about the enterprise fund.

Ms. Moline stated the enterprise fund operated in a similar fashion. Ms. Moline stated the City had an outstanding loan of \$35 million for the wastewater treatment plants, which the City had been paying since 2010/2011. Ms. Moline stated the wastewater treatment plant loan was a 20 year loan and the City paid \$3.6 million per year out of the enterprise fund. Ms. Moline stated the City had a revenue bond for the Railroad Underpass at \$300,000 per year with the last payment occurring in 2020. Ms. Moline stated the City had three more payments of \$305,000 to make on a 10 year purchase agreement with the Arizona Department of Transportation (ADOT) for the public works property.

Ms. Richards stated the public works loan was split between the Fleet, Street and enterprise fund budgets.

Ms. Moline stated the City also had several improvement districts. Ms. Moline stated the East Golden Gate Addition would mature in 2017 and the Railroad improvement district in 2016. Ms. Moline stated the Hualapai/Marlene improvement district would mature in 2021 and the Kingman Airport Tract in 2023.

Mr. Dougherty stated the impending close of some of the loans was the reason for planning the Fire Department expenditures. Mr. Dougherty stated the last payment for the Golf Course was this year and as loans were paid off they would be replaced with new debt to keep the budget stable.

Ms. Moline displayed the following slides:

Transaction Privilege Tax (TPT) Summary (2.5%)

CITY OF KINGMAN - TRANSACTION PRIVILEGE TAX HISTORY						
MONTH	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015
July	1,221,289	877,495	971,461	923,497	1,198,227	1,519,051
August	980,910	1,021,720	775,194	1,060,554	926,327	1,014,184
September	1,142,718	736,901	979,818	754,480	1,068,355	946,504
October	922,328	874,975	893,681	789,892	1,381,777	1,315,107
November	1,010,997	881,920	804,659	1,108,231	1,074,511	1,091,407
December	608,113	860,786	912,655	727,653	1,035,649	1,302,811
January	983,661	1,026,739	784,358	901,534	1,265,775	1,140,284
February	958,303	724,594	829,461	855,154	1,021,310	1,212,562
March	889,013	731,805	988,310	869,489	1,103,886	1,619,504
April	933,010	841,086	841,746	699,654	1,417,322	
May	891,603	1,014,821	860,449	1,121,031	1,080,312	
June	668,904	925,702	896,168	1,129,121	1,339,270	
TOTAL	\$11,210,848	\$10,518,544	\$10,537,960	\$10,950,290	\$13,912,721	\$11,161,413
Thru Mar	8,717,331	7,736,935	7,939,597	8,000,484	10,075,817	11,161,413
Thru Mar % increase (decrease)	7.04%	-11.25%	2.62%	0.77%	25.94%	10.77%
Year-to-Date	-3.96%	-6.18%	0.18%	3.91%	27.05%	
Top 3 Categories	Retail, Restaurants/Bars, Construction					

Ms. Moline stated slide one showed a history of the 2.5% TPT. Ms. Moline stated revenue remained consistent until the TPT was increased by 0.5% in Fiscal Year 2014, which resulted in a significant increase in revenue of \$2.9 million. Ms. Moline stated the City expected to receive \$14.1 million this year, which was more than last year. Ms. Moline stated that was why it was important to remove the sunset clause on the 0.5% TPT.

Add'l Room Tax Summary (4%)

CITY OF KINGMAN ROOM TAX REVENUE HISTORY							
MONTH	FY2010	FY2011	FY2011	FY2012	FY2013	FY2014	FY2015
July	69,074	62,744	63,886	64,766	70,102	67,872	93,887
August	65,930	76,792	73,995	73,462	73,694	75,157	66,146
September	66,450	75,038	74,274	79,028	62,594	78,908	83,815
October	65,080	70,906	68,267	73,838	75,430	67,310	85,694
November	66,248	77,612	70,412	65,478	61,119	63,974	71,489
December	60,720	60,558	61,615	60,152	54,038	66,414	69,782
January	52,268	58,060	56,329	48,556	45,912	54,410	25,434
February	50,270	53,154	52,337	45,360	44,332	46,969	84,383
March	46,656	47,702	47,206	46,692	45,056	51,097	24,904
April	45,892	25,194	36,463	54,364	45,202	52,479	
May	58,488	82,752	71,943	62,862	67,958	68,980	
June	62,936	73,940	72,043	59,110	67,030	68,005	
TOTAL	\$710,012	\$764,452	\$748,769	\$733,668	\$712,487	\$761,572	\$605,533
Thru March	542,696	582,566	568,320	557,332	532,297	572,109	605,533
Thru March % increase (Decrease)	-0.33%	7.35%	4.72%	-4.33%	-4.49%	7.48%	5.84%
Year-to-Date	1.08%	7.67%	-2.05%	-4.03%	-2.89%	6.89%	

On slide two Ms. Moline stated the revenue received from the room tax was split between the Tourism Development Commission (TDC) and capital projects. Ms. Moline stated the City projected to receive \$700,000 this year.

Add'l Restaurant/Bar Tax Summary (1%)

CITY OF KINGMAN RESTAURANT & BAR TAX REVENUE HISTORY			
MONTH	FY 2013	FY 2014	FY 2015
July	105,174	102,086	67,410
August	99,059	107,845	72,001
September	108,219	61,190	54,644
October	88,280	62,907	59,552
November	88,816	79,904	60,740
December	83,083	56,872	49,093
January	89,861	53,020	66,092
February	100,733	55,724	57,709
March	92,948	53,599	36,990
April	83,658	54,045	
May	101,595	65,944	
June	104,646	56,987	
TOTAL	\$1,146,072	\$810,125	\$524,231
Thru March	856,173	633,149	524,231
Thru March % Increase (Decrease)		-26.05%	-17.20%
Year-to-Date		-29.31%	

On slide three Ms. Moline stated the restaurant/bar tax was an additional 1% that went to the Highway-User Revenue Fund (HURF). Ms. Moline stated Fiscal Year 2013 had a higher revenue rate because the tax was at 2%.

Councilmember Miles stated it appeared the restaurant/bar tax was still declining.

Ms. Moline stated it took two months to receive data and if conditions remained consistent the City would receive \$800,000. Ms. Moline stated the City expected to receive the same amount of State shared revenue as last year, which would create a \$100,000 increase overall. Ms. Moline stated the City also received revenue from local fees in the Parks & Recreation programs, Wastewater and Water, Police Department, Golf Course and business licenses. Ms. Moline stated the City received some HURF money and expected to receive more this year, though the exact amount was unknown. Ms. Moline stated page 20 of the preliminary budget reviewed the projections. Ms. Moline reviewed the new programs and enhancements section on page 21.

Ms. Richards stated an expense was left out of the preliminary budget. Ms. Richards stated the Police Department would upgrade a MAGNET administrative secretary position to administrative assistant, but it would be covered by a grant.

Ms. Moline stated there was a \$1 million decrease in Personnel Expenses compared to the 2008 budget due to the current number of vacancies. Ms. Moline stated Staff received a 2.5% across the board raise last year.

Mayor Anderson stated the loss of 40.5 City positions equaled a 10% reduction in City staff. Mayor Anderson stated the City continued to serve an expanding population and thanked Staff for keeping up with the increased workload.

Ms. Moline reviewed the retirement contributions on page 22.

Mayor Anderson stated the data from the last five years on employee turnover showed the City's rate was about 10% per year. Mayor Anderson stated people were leaving for higher paying jobs and compression was a serious issue in the City. Mayor Anderson stated there was a lot of turnover in the Police Department due to the inability to pay employees at full performance level. Mayor Anderson stated employees tried to

compensate by earning overtime (OT), however exempt employees such as supervisors were unable to earn OT, leading to subordinates earning more than supervisors.

Councilmember Abram stated it was important to look at all aspects of employee retention such as job satisfaction.

Councilmember Miles stated she wanted more information on competitive salary. Councilmember Miles stated compression was a problem everywhere in Mohave County. Councilmember Miles stated it could take a lot of money to move people up to the midpoint. Councilmember Miles stated the City was depending on the continuation of the 0.5% TPT and facing possible state shared revenue sweeps. Councilmember Miles stated the Council should delay for a year in order to obtain more information.

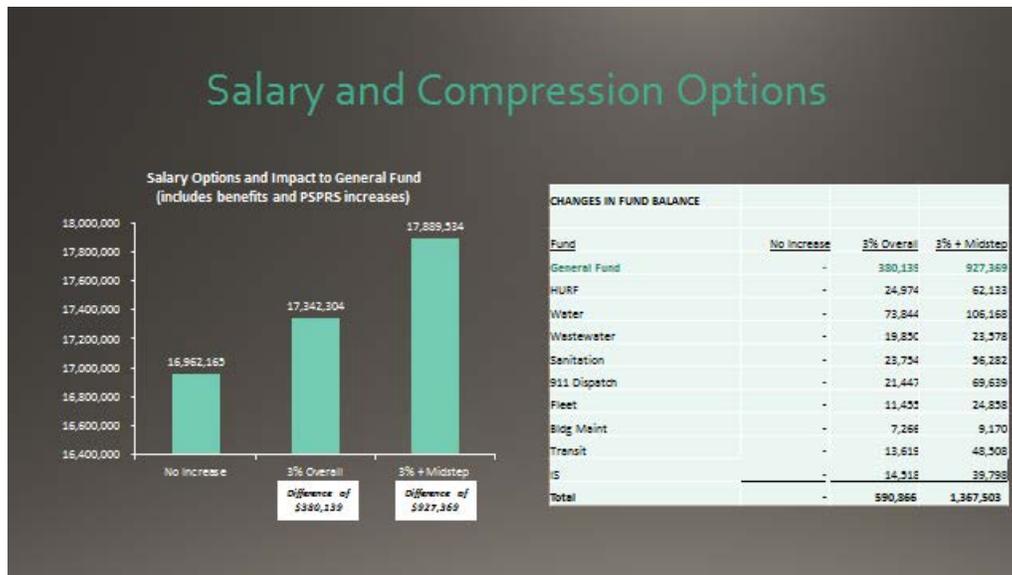
Councilmember Carver stated employees would already receive a 3% raise and making additional adjustments would increase payroll costs. Councilmember Carver stated the City would need to find another revenue source or make cuts in the budget before addressing compression.

Mr. Dougherty stated compression was discussed by two different committees. Mr. Dougherty stated an initial committee of frontline employees was created to decide whether the City should address compression or increase salaries. Mr. Dougherty stated the committee decided on a 3% increase in salary. Mr. Dougherty stated a second committee was created to discuss how to bring employees to the salary midpoint. Mr. Dougherty stated the City was currently at a 35% salary level and was trying to get to a 50% level. Mr. Dougherty stated the City could not compete with Mohave County, Bullhead City, Lake Havasu City or the Department of Public Safety.

Councilmember Miles stated the other cities had additional sources of revenue whereas the City was completely dependent on maintaining the current TPT level. Councilmember Miles stated the City needed to consider where the revenue would come from for the long term.

Councilmember Young stated compression needed to be a priority starting next year and corrective action should be phased in over the next several years. Councilmember Young stated the Council helped create the problem by freezing wages for so many years. Councilmember Young stated the City needed to look for revenue sources that could be used to address compression.

Mayor Anderson asked to what degree compression had been addressed.



On slide four Ms. Moline stated if the City addressed compression it would result in an additional \$547,000 from the General Fund. Ms. Moline stated this would include increases in the cost of benefits and retirement system contributions. Ms. Moline stated it would be an overall increase of \$770,000 and would put about 239 employees at the City's midpoint level.

Councilmember Carver stated bringing all employees to the midpoint would cost approximately \$5 to 6 million.

Mayor Anderson stated addressing compression would not be a one-time expense. Mayor Anderson stated revenues and population were increasing. Mayor Anderson asked Staff to brainstorm on how transition to accommodating a 5-10% population growth. Mayor Anderson stated the City may need to adjust its operations. Mayor Anderson stated Lake Havasu City contracted out Street services and Bullhead City did not operate the water system.

Councilmember Young stated some enterprise companies were rate based. Councilmember Young stated contracting out administrative functions such as Parks & Recreation or HR would be better than enterprise departments.

Ms. Moline stated the supplies and services budget was \$13.6 million, which was \$870,000 more than last year due to an increase in the cost of supplies. Ms. Moline stated the Arizona Department of Revenue (ADOR) also began charging \$60,000 for TPT collection. Ms. Moline stated capital purchases would be made using the room tax and TPT. Ms. Moline reviewed the capital purchases listed on pages 22 and 23. Ms. Moline stated the group would now discuss each department's proposed budget beginning with the City Council.

Councilmember Young asked why City Promotions increased to \$30,000.

Mr. Dougherty stated \$27,000 was for a contractual point of information officer (PIO)/downtown coordinator position. Mr. Dougherty stated the proposal from an interested candidate was \$65 per hour and the placeholder amount in the budget could be decreased. Mr. Dougherty stated the Mayor mentioned a PIO would be helpful, especially with Kingman Crossing. Mr. Dougherty stated part of this person's job would be to coordinate with downtown businesses and relay information to the Council.

Mayor Anderson asked if an economic development position was included somewhere else in the budget.

Mr. Dougherty stated there was only a PIO position.

Mayor Anderson stated the priority Council relayed to Staff at the March 2, 2015 meeting was for an economic development position.

Mr. Dougherty stated he did not include an economic development position. Mr. Dougherty stated it was suggested the economic development person should be a joint position with the City and the Kingman Airport.

Councilmember Miles stated there should be collaboration between the City and Visitor Center when discussing Downtown and that Development Services Director Gary Jeppson was currently serving as the City's point of contact for economic development. Councilmember Miles stated the City needed a person who could talk about logistics and foreign trade zones, which would not be inexpensive.

Councilmember Young stated the proposed contract with the Visitor's Board had a community coordinator position built into it. Councilmember Young stated she would rather use the money to hire a qualified economic development person who would use some of the tools the Economic Development and Marketing Commission (EDMC) created.

Councilmember Carver stated the Council was trying to raise salaries to the midpoint, which would be about a 6% reduction in supplies across the board, yet was also trying to find money for an economic development position. Councilmember Carver stated this did not make sense.

Councilmember Abram stated economic development efforts could take years, resulting in expenses with no returning income. Councilmember Abram stated the City needed to remember the Airport's primary focus was the Airport and Industrial Park, not the City. Councilmember Abram stated he did not know where the funds would come from, but the priority needed to be the economic development position. Councilmember Abram stated hiring a top notch person could cost \$80-90,000, which the City was currently not able to afford. Councilmember Abram asked what the City could do in the interim.

Councilmember Young stated the City could create a workgroup to identify projects.

Councilmember Miles stated the City had EDMC.

Councilmember Young stated EDMC created some good tools, but the commission did not meet enough. Councilmember Young stated a workgroup could meet once a week or twice a month.

Councilmember Miles stated EDMC created two subcommittees, one for manufacturing and one for retail. Councilmember Miles stated the EDMC subcommittees could identify worthy projects.

Vice-Mayor Wimpee, Sr. stated any financial partnership with the Airport would result in the money being used to promote the Airport, not the City.

Mayor Anderson stated the Airport was a place of employment and the employees had to live and shop in Kingman.

Councilmember Miles stated the Airport provided the jobs that gave people enough income to buy retail.

Mr. Dougherty stated the person he had in mind for the PIO position was more enthusiastic about economic development and marketing than PIO duties.

Ms. Richards stated she would move the PIO position from City Promotions to Professional Services to make it easier to track.

Mayor Anderson stated he wanted to add funding for the City to recognize and award water conservation ideas. Mayor Anderson stated the funding would not come directly from the City, but from a separate 501(c)3. Mayor Anderson stated a group of local leaders would evaluate submitted ideas.

Councilmember Young stated waiting until next fiscal year would allow the Council time to obtain more information on how the program would benefit the City.

Councilmember Carver asked who the economic development person would report to and where the funding for the position would come from.

Mr. Dougherty asked if the Council wanted to change the designation for the \$27,000.

Councilmember Abram stated the amount should remain the same, but \$20,000 should go towards the economic development position.

Mr. Dougherty reviewed the City Manager's budget. Mr. Dougherty stated the only change was he would attend the International City/County Management Association (ICMA) Conference, which would increase the Travel and Training budget.

Ms. Moline stated the next section was the City Clerk's budget.

Councilmember Abram asked why there was a large reduction in Professional Services.

City Clerk Sydney Muhle stated the amount of money budgeted for Professional Services alternated due to election services provided by the County. Ms. Muhle stated the cost would increase next year when the City held elections.

Mr. Dougherty asked where the cost for the new agenda management software system was included.

Ms. Muhle stated it was included in Professional Services. Ms. Muhle stated printing costs would drop, but she was not sure by how much.

Ms. Moline stated the next section was the City Attorney's budget.

Councilmember Abram asked why cellular phone costs increased.

City Attorney Carl Cooper stated his office wanted to use laptops in the court room and cell service would remotely connect the computers to the office's system.

Ms. Moline stated the next section was the Magistrate Court budget.

Judge Kathy McCoy stated Mohave County Jail fees increased by 12%. Judge McCoy stated the Veterans Court was included in the budget. Judge McCoy stated she would hesitate to support a regional court until the City knew how money would be spent and if Bullhead City was submitting the same amount. Judge McCoy stated the Magistrate Court was asking to increase a part-time position to a full-time position. Judge McCoy stated there would be a lot of paperwork and monitoring if Veterans Court was implemented even though the veterans would attend court in Lake Havasu City.

Mr. Dougherty stated \$60,000 was put into the budget for the Veterans Court; however, the amount could change if other cities did not participate.

Judge McCoy stated \$60,000 did not factor in transportation for the veterans to Lake Havasu City for court.

Vice-Mayor Wimpee, Sr. asked if the veterans could teleconference.

Judge McCoy stated teleconferencing could be an option. Judge McCoy stated the only other item of note in her budget was the La Paz Jail costs. Judge McCoy stated La Paz did not increase their costs and sending long term inmates to La Paz Jail continued to save the City money.

Ms. Moline stated the next section was the TDC/EDMC budget.

Councilmember Abram asked about the inclusion of the 4th of July fireworks in the TDC budget.

Mr. Dougherty stated the money was included if the Council wanted to fund the fireworks. Mr. Dougherty stated the cost was not presented to the TDC because they were generally not interested in an event unless it put "heads in beds."

Councilmember Young asked about the yearly funding for the museum.

Ms. Richards stated the preliminary budget was prepared before the museum contract was approved, but it would be included.

Councilmember Young stated visitors used the museums in the Powerhouse. Councilmember Young stated the fireworks should not come out of the TDC budget.

Mr. Dougherty stated the fireworks display was tourism because it brought people to town. Mr. Dougherty stated tourism did not need to only be "heads in beds."

Ms. Richards stated the fireworks were in TDC's budget about six to seven years ago.

Councilmember Miles stated the Council needed to see the contract for the Visitors Board proposal to know how money would be handled, especially the \$200,000 allotted for contingencies.

Mr. Dougherty stated the office manager position included in the proposed contract would not put "heads in beds" or be a good use of tourism money.

Councilmember Carver asked when the contract would be ready for review.

Councilmember Miles stated in May, 2015.

Councilmember Carver stated the TDC budget should remain on hold until the Council reviewed the proposed contract.

Ms. Richards stated budget adjustments could be made as long as they did not result in an increase.

Mr. Dougherty asked if the Council wanted to move the \$35,000 allotted for fireworks to another part of the budget.

Councilmember Abram stated the funds should remain in the TDC budget.

Councilmember Carver stated he was more concerned about the \$10,000 allocated for the Bluegrass Festival and wanted to know what it contributed to the City.

Councilmember Miles stated the festival brought in \$10,000 to the City.

Councilmember Young asked about funding for the Andy Devine Days Parade.

Ms. Richards stated the name was changed to the Best in the West and the budget was increased.

Mr. Dougherty directed the Council's attention to the EDMC budget and stated Council needed to give direction to EDMC on how many people attended conferences. Mr. Dougherty stated many commissioners wanted to attend the same conferences even though there were more opportunities across the state.

Councilmember Yong stated it was more important for Staff and Council to attend conferences than commissioners as Staff and Council were the ones able to discuss the City's limitations with developers. Councilmember Young stated Council should define how many commissioners attended.

Mayor Anderson stated appointments with developers did not need to take place at conferences. Mayor Anderson stated he wanted EDMC to look at a variety of opportunities, not just retail. Mayor Anderson stated the City needed more support and input from realtors regarding available properties.

Councilmember Abram stated \$10,000 was sufficient for Travel and Training, but Marketing Materials may need to be increased because the City needed to promote Kingman.

Ms. Moline stated the next section was the Human Resources & Risk Management budget.

Councilmember Abram asked about the increase to Succession Planning.

Ms. Walker stated it was due to the tuition reimbursement program. Ms. Walker stated approximately 16% of City positions required higher education. Ms. Walker stated the City wanted to provide an avenue for employees interested in promoting and would increase the number of participants in the reimbursement program to six. Ms. Walker stated participants received \$4,500 per year, which resulted in some monetary investment from the participating employee. Ms. Walker stated the program examines the employee's degree program and does not reimburse programs with grants.

Mr. Dougherty asked Ms. Walker to explain the Employment Expense and Travel and Training.

Ms. Walker stated Employment Expense was for recruitment costs such as backgrounds and reimbursement to candidates for travel expenses. Ms. Walker stated turnover was increasing and was not expected to drop. Ms. Walker stated the Travel and Training budget was \$9,500 in 2014. Ms. Walker stated there were three people in her department who were certified and required continuing education to maintain their certificates. Ms. Walker stated other departments unique training could also come out of the HR budget. Ms. Walker stated RM was combined with HR in prior years, but it was now broken out for easier tracking. Ms. Walker stated an HR position was moved to RM and that person was working to bring the City into compliance with safety related regulations. Ms. Walker stated health physicals were also moved into RM and the costs increased due to an aging workforce and turnover.

Mr. Dougherty stated the City had new HR software, but it would take time for it to be fully operational. Mr. Dougherty stated departments complained HR was behind and the only way to fix the problem was to utilize temporary software.

Ms. Walker stated the department bought an applicant tracking system last year and received a free employee benefit system with it, which would save staff time. Ms. Walker stated staff currently changes three different systems when an employee makes a change to his or her benefits. Ms. Walker stated the new system allowed the employee to enter the information one time, after which HR staff would verify and approve it. Ms. Walker stated there were automatic fees built into the Professional Services budget in order to upload the information to the new system. Ms. Walker stated the City job descriptions were 10 years old and needed to be updated and reformatted in order to be inputted into the new system.

Ms. Moline stated the next section was the Financial Services budget.

Councilmember Young asked why Professional Services increased.

Ms. Richards stated that was the \$60,000 ADOR fee increase to collect the TPT. Ms. Richards stated it was a flat fee per year.

Councilmember Abram asked if Merchant Card budget increased due to more people using them.

Ms. Richards stated that was correct and it was a result of the phone payment system for improvement district fees.

Ms. Moline stated the water department Merchant Card budget also increased. Ms. Moline stated the department wanted to implement online bill pay in the hopes that another 10% of transactions would be placed on credit cards. Ms. Moline stated it was \$2 per transaction, which would result in a \$42,000 increase.

Councilmember Young asked if the queue would need to be increased on the phone payment system.

Ms. Moline stated it would not.

Information Technology Director Joe Clos stated there were about 2,500 transactions per month and the system successfully decreased the pressure on the queue for those waiting to talk to a representative.

Ms. Moline stated the next section was the Information Technology budget.

Councilmember Abram asked about the increase in Travel and Training.

Mr. Clos stated the department did a majority of training online and through webinars, but the staff needed more specific training, especially due to recent specialized equipment purchases.

Councilmember Young asked about the increase to Professional Services.

Mr. Clos stated the increase was due to a change in vendors for some of the systems.

Vice-Mayor Wimpee, Sr. made a MOTION to RECESS until 12:30 P.M. Councilmember Abram SECONDED and it was APPROVED by a vote of 7-0.

The Council returned at 12:40 P.M.

Ms. Richards stated the Magistrate Court Personnel Costs would need to be adjusted as they were based on Judge McCoy's current salary. Ms. Richards stated the costs would increase due to the Council increasing the Magistrate's salary range.

Ms. Moline stated the next section was the Police Department budget.

Councilmember Abram asked if the animal shelter contributions would have any impact on the Police Department budget.

Chief of Police Robert DeVries stated it would not unless the shelter was relocated to Golden Valley. Chief DeVries stated relocating the shelter would add travel time to the Code Enforcement Officers' shifts.

Councilmember Miles stated the \$50,000 to the Humane Society was for fees to house the animals impounded by the Police Department.

Chief DeVries stated the Abatement budget was \$25,000. Chief DeVries stated any significant abatement projects would require additional funds to be granted by Council.

Councilmember Carver asked why Travel and Training increased by 20%.

Chief DeVries stated recent turnover increased gaps in specialized training levels and the increased funding was needed to fill those expertise gaps as well as send new officers to the academy. Chief DeVries stated there was a new line item on page 86 for Cyber Crime Lab Supplies. Chief DeVries stated equipment and initial training was provided through a grant. Chief DeVries stated there was also a K-9 program funded through a grant and the money included in the budget was for on-going supplies.

Councilmember Carver asked why the Community Policing budget doubled.

Chief DeVries stated the majority of the budget was for School Resource Officer materials. Chief DeVries stated the program did not have many materials left and wanted more to hand out in the classrooms.

Mayor Anderson asked about the volunteer program.

Chief DeVries stated there were between 15 and 18 volunteers that assisted with parking enforcement, property checks and traffic control. Chief DeVries stated the volunteers provided about 5,000 hours of work per year and were a huge asset. Chief DeVries stated the volunteers were not armed and only assisted officers in non-conflict situations. Chief DeVries stated the volunteers also transported Driving Under the Influence (DUI) checkpoint arrests to Mohave County Jail.

Ms. Moline stated the next section was the Fire Department budget.

Chief Rhoades stated the Travel and Training budget would increase in order to address deficiencies in training. Chief Rhoades stated the other significant increase was in Professional Services due to the new physical training (PT) program. Chief Rhoades stated the department would hire a third party company to conduct physical performance tests and evaluate the department's PT program as a whole. Chief Rhoades stated the Other Work Equipment budget included the purchase of PT equipment for the stations as well as electronic patient care reporting and new hose.

Councilmember Miles asked about the costs associated with the new fire station.

Mr. Dougherty stated the first expense would be hiring an architect.

Chief Rhoades stated the department was looking at using the same plans for Station 2 and Station 5 in order to cut costs in architectural fees.

Ms. Richards stated the fees were not budgeted yet and would be added into capital projects.

Councilmember Young asked if the new stations would include room for an ambulance service.

Chief Rhoades stated Station 5 was the priority and space for an ambulance service would be included. Chief Rhoades stated Station 2 currently received 46% of all calls and adding Station 5 would reduce the load on Station 2. Chief Rhoades stated another station would also improve response times as the department was only meeting national standards approximately 20% of the time. Chief Rhoades stated he was looking at available land.

Mayor Anderson asked if it would be possible to obtain land for Station 5 that was adjacent to the Kingman Regional Medical Center Hualapai Campus.

Chief Rhoades stated the City owned land at the end of Louise Avenue, but it would be difficult to respond from that area. Chief Rhoades stated land adjacent to the hospital would be pricey. Chief Rhoades stated the other opportunity was free land on Prospector Street, but the location posed risks as it was between the two schools. Chief Rhoades stated there was also the possibility to offer the Police Department space in Station 5 for a satellite station.

Mr. Dougherty stated the land along Route 66 where Station 2 was currently located was too valuable to be used for City buildings and should be used for commercial operations.

Chief Rhoades stated there were no significant changes in the 911 Dispatch Center budget other than trying to fill two to four vacancies.

Mr. Dougherty stated the other agencies that utilized the dispatch center complained they were getting overcharged as they were charged for full staffing, but the center was never fully staff.

Ms. Moline stated the City offered to refund a portion of the money, but the agencies changed their minds and wanted the money to go toward large capital projects in the center.

Chief Rhoades stated the other agencies originally paid for the salary of two dispatchers, but the new Intergovernmental Agreement (IGA) would include all costs of operation, such as training and equipment, in addition to personnel costs. Chief Rhoades stated the agencies were charged according to the number of calls received.

Councilmember Abram asked about the decrease to the Minor Equipment budget.

Chief Rhoades stated the center was new and some equipment would come out of other areas of the budget. Chief Rhoades stated a call taker position would also be created.

Councilmember Abram asked how the center would do more training with only a 2.6% increase in the Training and Travel budget.

Chief Rhoades stated a lot of the training would be done in-house, such as sessions on policies and organizational structure.

Ms. Moline stated the next section was the Development Services budget.

Mr. Jeppson highlighted some of the upcoming expenditures for the department including money for scanning files, Geographic Information Systems (GIS) software and funds for historic preservation efforts.

Mayor Anderson stated there was a water problem in Mohave County. Mayor Anderson stated the last two years had the lowest water consumption rates in Kingman, primarily due to lower construction rates and higher sewer rates. Mayor Anderson stated he wanted to show that Kingman was proactive and wanted the Council to consider providing a reduction in permit fees on new single family dwellings if the home's plumbing system included graywater capture and on-demand hot water heaters. Mayor Anderson suggested a \$300 incentive for graywater capture and a \$1,000 incentive for on-demand hot water heaters. Mayor Anderson stated there would be a reduction in revenue from the General Fund, but the City needed to take action on water conservation. Mayor Anderson stated an ordinance requiring the systems could also be a possibility.

Mr. Dougherty stated he was concerned about programs that decreased revenue to the General Fund when the City was trying to expand revenue.

Vice-Mayor Wimpee, Sr. stated on-demand hot water heaters were very expensive and did not automatically solve the problem of running water until it was hot enough.

Councilmember Carver stated any incentive or reduction in rates the contractor received would most likely not be passed on to the customer.

Councilmember Young stated the City would need to increase water and sewer rates if a decrease in revenue occurred in order to meet its obligations on loans.

Mayor Anderson stated the Council and City existed to support the community, not collect revenue. Mayor Anderson stated the City needed to look at ways to reduce water consumption in order to avoid a crisis situation such as that currently happening in California. Mayor Anderson stated the City would add wastewater and water customers, which would supplement the loss in revenue from the program.

Councilmember Young stated the solution should not be subsidies.

Councilmember Carver stated if the City became more restrictive it would continue to lose favor with builders.

Councilmember Miles stated the budget included funding for a water master plan and a reclaimed water usage study which would look at the City's effluence. Councilmember Miles stated more study was necessary if the City was going to start requiring certain plumbing fixtures. Councilmember Miles stated the City could not afford to subsidize.

Mr. Jeppson stated his experience was builders took incentives without consulting customers, which resulted in customers becoming dissatisfied that decisions were made without their input.

Mayor Anderson stated a workgroup with Staff and Council may be needed to investigate solutions.

Mr. Jeppson stated the Building Inspections Professional Services costs increased due to contracted services for commercial building checks, which allowed the City to keep inspections timely.

Councilmember Abram asked about the increase in Codes & Ordinances printing.

Mr. Jeppson stated the cost was on a three year cycle and new copies for the City's inspectors would need to be printed in the next year.

Mayor Anderson asked the department heads to include performance measures in next year's budget booklet in order to make it easier for the Council to evaluate the effectiveness of the departments, especially in regards to use of their budgets.

Ms. Moline stated the next section was the Engineering budget.

City Engineer Greg Henry stated the first increase in spending was OT for inspectors. Mr. Henry stated there were a lot of projects scheduled, especially on Stockton Hill Road, and the inspectors would work 10 to 12 hours a day monitoring the projects. Mr. Henry stated the department was short two engineering tech positions. Mr. Henry stated there was funding included for a water sewer GIS needs assessment and it involved most departments in the City. Mr. Henry stated the City was two months away from monsoon season and there was money set aside for any projects that occurred as a result of the storms. Mr. Henry stated the only other increase was in Travel and Training because the department was behind on training, especially software training. Mr. Henry stated there were capital purchase requests for the Engineering building including replacing the roof, upgrading the HVAC system, interior and exterior painting, and addressing the hot water issues in the Engineering building. Mr. Henry stated a solar hot water system was a very effective and inexpensive solution and he would investigate its use in the building. Mr. Henry stated he also needed to replace one vehicle and a large scanner.

Ms. Moline stated the next section was the Parks & Recreation budget.

Mr. Meersman stated the cost for inmate labor would increase from \$0.50 per hour to \$1.50 per hour due to new legislation. Mr. Meersman stated this was large increase; however the inmates' contributions were very valuable. Mr. Meersman stated the department needed additional administrative support, especially in the spring. Mr. Meersman stated the department had not replaced mower equipment since 2006 and was requesting a 16 foot triple deck mower that would be able to mow three times more area than the current mowers. Mr. Meersman stated the department was down three groundskeepers and the new mower would help the department keep up with mowing. Mr. Meersman stated the cost of a new aerifier to help maintain the City's turf would be split between the Parks Department and the Golf Course. Mr. Meersman stated the department budgeted for a new van as the current van was 18 years old and recently broke down on a trip to Las Vegas.

Mayor Anderson asked when the draft schedule for the new solicitation for the Golf Course would be available.

Mr. Meersman stated he forwarded it to Mr. Dougherty. Mr. Meersman stated another expense for the Golf Course was the cart lease. Mr. Meersman stated a percentage of money for improvements came from the Golf Course management agreement and some of the funds would be used for new carpeting in the pro shop. Mr. Meersman stated the department would need to plan for the long term maintenance costs associated with the construction of the Splash Pad. Mr. Meersman stated the City would need to eventually add more turf and he was evaluating potential land options as well as the future possibility of using wastewater effluence to water the turf. Mr. Meersman stated he received many requests for services including bike trails, additional dog parks, a neighborhood garden and sand volleyball courts. Mr. Meersman stated it was important to continue to improve the parks and services offered in order to attract people to Kingman.

Mr. Dougherty stated he wanted the Council to consider putting money aside to support the arts in Kingman, such as installing sculptures on City land.

Mayor Anderson stated there was a City emblem painted on the building next to 420 Beale Street and the new tenants were looking at re-painting it. Mayor Anderson stated he wanted the Council to consider whether they wanted to support the project.

Mr. Cooper stated the Council needed to be careful about the gift clause and any money provided must have a direct economic benefit to the City.

Mr. Dougherty stated the Sandbox Committee was looking for projects to fund using the money earned from selling bricks.

Ms. Moline stated the next section was the Public Works budget.

Mr. Owen stated the department used its Professional Services budget to contract services for traffic studies, appraisals and environmental clearances. Mr. Owen stated the largest expenditure in Pavement Preservation was chip seal. Mr. Owen stated the City had to contract services for paving Sycamore Avenue so that it could be completed in conjunction with Wal-Mart's parking lot paving and the department wanted to complete the rest of the project from Detroit Avenue to Airway Avenue with some money left over for a smaller chip seal project.

Mayor Anderson asked when the roadwork schedule would be available.

Mr. Owen stated the bid for oil and the roadwork schedule would be available by the next Council meeting on April 21, 2015. Mr. Owen stated the roadwork would be planned around special events. Mr. Owen stated the Curbs & Sidewalks budget included the Fourth Street glass panel replacements and Americans with Disabilities Act (ADA) upgrades. Mr. Owen stated Travel & Training increased due to traffic control training requirements. Mr. Owen stated the department would continue installing backup power to three to four traffic signals per year and this year would include re-wiring the signal at Fourth Street and E Andy Devine Avenue as it was currently connected to the railroad crossing signal. Mr. Owen stated the department would replace a grading tractor and purchase electronic roadway message boards. Mr. Owen stated the department was able to save \$40,000 by purchasing a used bucket truck and was requesting to replace one vehicle. Mr. Owen stated the Kingman Area Regional Transit (KART) program administration was funded 80% through a grant. Mr. Owen stated KART needed two new vehicles and the local match would be \$50,000 if the program was funded at 80%.

Mayor Anderson asked Mr. Owen to explain the bus cameras.

Mr. Owen stated the buses have surveillance cameras which were very helpful when there were incidents on the bus. Mr. Owen stated he wanted to upgrade the cameras as the current equipment has failed in the past. Mr. Owen stated he would be bringing a new meter reader services contract to the Council soon at \$250,000 per year on a year to year contract.

Mr. Dougherty stated he spoke with Unisource and they would be switching to an automated meter reading system.

Mr. Owen stated the contract was cost effective for the City as the company also read Unisource's meters. Mr. Owen stated the price of the contracted service would probably increase substantially if Unisource switched to an automated meter system. Mr. Owen stated he was requesting one crane truck as the current truck was undersized and unsafe for some of the larger boxes the City serviced. Mr. Owen stated he was requesting two service trucks including a smaller truck for use in easements and alleys. Mr. Owen stated the Hilltop Wastewater Treatment Plant needed equipment for the pretreatment and monitoring program now required by the Arizona Department of Environmental Quality (ADEQ) and that ADEQ recommended separate line items in the budget for these activities.

Councilmember Abram asked if Mr. Owen was adding any personnel.

Mr. Owen said no.

Councilmember Abram asked why Personnel Expenses increased.

Ms. Richards stated there were a lot of vacant positions and these were factored into overall expenses.

Mr. Owen stated the department also needed a new chipper and tractor for the compost program as well as a service truck replacement and laptop for the Hilltop Wastewater Treatment Plant. Mr. Owen stated the Sanitation Department's Professional Services costs increased due to the increase in inmate labor wages. Mr. Owen stated landfill fees have also increased. Mr. Owen stated the department needed an attachment for the skid loader to assist with extra trash hauls and brush. Mr. Owen stated Sanitation wanted to replace one service truck and one refuse truck.

Councilmember Carver asked if the reduction in contributions to the landfill was due to improved composting techniques.

Mr. Owen stated that was correct and the City saved \$70,000 in the first year due to no longer hauling sludge to the landfill.

Councilmember Abram asked why Fleet Services increased 9.9%.

Mr. Owen stated the heavy fleet including refuse trucks, buses, Fire Department vehicles and Police Department vehicles frequently used Fleet Services and resulted in a 10% increase. Mr. Owen stated he wanted to track usage throughout the upcoming year in order to review overall allocation of costs since some departments had a bigger impact on the budget.

Councilmember Miles asked if the City auctioned old vehicles.

Mr. Owen stated the City used the same online auction service as Mohave County. Mr. Owen stated some vehicles were kept in reserve, in particular busses and sanitation trucks. Mr. Owen stated the Public Works building suffered several lightning strikes last year which resulted in problems with the gas pump and gates. Mr. Owen stated the gates had to be replaced. Mr. Owen stated the Fleet Parts would be over budget this year and the department would try to minimize costs next year as it did not have enterprise reserve funds. Mr. Owen stated Facilities would require a new building maintenance tech position and this person would be dedicated to correcting issues discovered in safety audits. Mr. Owen stated the department would also continue to work on parking lot repairs.

Mr. Dougherty stated on the bottom of page 18 there were four options to consider regarding wastewater funding and rates. Mr. Dougherty stated Staff's recommendation was option four, which would maintain the current sewer rates, but provide a credit at the end of the year to each customer's wastewater bill.

Mayor Anderson stated option four was a good plan.

Mr. Meersman asked if the money could be used to prepare to pipe effluent to City turf.

Mayor Anderson stated that cost should be covered by the water treatment plant.

Mr. Meersman stated the water treatment plant was several million dollars away from being ready to pump.

Mr. Owen stated the study would show what the City needed to prepare to pump. Mr. Owen stated there were also big dollar items that needed to be addressed in the wastewater plants in the future.

Councilmember Miles stated the City should not implement option four if there were major projects in the future.

Ms. Moline stated Staff's number one recommendation was to continue expanding water and sewer lines, however if Council wanted to provide some sort of reduction option four was the next best solution.

Councilmember Carver asked for the minimum funding requirements for the wastewater treatment plants.

Ms. Richards stated the City was required to add \$535,000 to reserves per year for repair and replacement and the current reserves were \$3.9 million. Ms. Richards stated the information was on page 224.

Ms. Moline stated all the options on page 18 took those requirements into consideration.

Vice-Mayor Wimpee, Sr. stated \$4 per month did not do a lot for the customer and it cost the City a lot of money. Vice-Mayor Wimpee, Sr. stated he would not support that option.

Mayor Anderson stated the City raised the rates, but now did not need the \$1 million to achieve its goal and it could either fund \$300,000 of continued expansion or decrease rates.

Councilmember Carver stated the last 25% did not generate \$1 million, only \$700,000.

Councilmember Miles asked if the revenue was consistent with what citizens conserved.

Ms. Richards stated the department educated a lot of customers on winter quarter averaging, which resulted in customers working to keep their water usage low during that time period.

Mayor Anderson asked to review the budget for Wastewater.

Ms. Moline stated it was on page 223 and the budget was \$8 million for user fees.

Ms. Richards stated the figure may decrease due to winter quarter rates.

Ms. Moline stated the projection was \$8.3 for next year.

Vice-Mayor Wimpee, Sr. asked who requested the options on page 18.

Mr. Dougherty stated Mayor Anderson asked for options on reducing sewer rates.

Vice-Mayor Wimpee, Sr. stated the residents would probably appreciate long term expansion to get rates down permanently rather than a one year reduction of \$4 per month.

Ms. Richards stated page 215 included the projects requested by Council.

Mr. Dougherty stated the place marker for the animal shelter would roll over until the City was ready to contribute.

Councilmember Young left the meeting at 3:02 P.M.

Vice-Mayor Wimpee, Sr. stated the Venture Club was hoping the City would contribute \$25,000 to the Splash Pad.

Mr. Meersman stated the City received a lot of good requests for services. Mr. Meersman stated the City would have a hard time withholding funding from those ideas if it donated to the Splash Pad. Mr. Meersman stated the City would also have ongoing expenses related to maintaining the Splash Pad.

Mr. Dougherty asked what time the Council wanted to have the meeting on April 23, 2015.

Vice-Mayor Wimpee, Sr. suggested 8:00 to 10:00 A.M. and Councilmember Miles agreed.

Councilmember Abram stated he would have to leave at 9:00 A.M.

Mayor Anderson stated he wanted the Council to have the materials several days in advance.

Ms. Richards stated she would provide new sheets showing the changes including the Police Department change in Personnel Costs for the MAGNET administrative assistant, Magistrate salary increase, Station 5 architect fees and compression adjustment.

Councilmember Carver stated the compression adjustment would result in a \$700,000 reduction somewhere else.

Ms. Richards stated it would be spread across all departments.

Vice-Mayor Wimpee, Sr. made a MOTION to ADJOURN. Councilmember Abram SECONDED and it was APPROVED by a vote of 6-0.

ADJOURNMENT --- 3:09 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 Work Session Meeting of the Common Council of the City of Kingman held on April 13, 2015.

Dated this 5th day of May, 2015.

Erin Roper, Deputy 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, April 21, 2015

REGULAR MEETING

Members	Officers	Visitors Signing in
Richard Anderson – Mayor EXCUSED	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	Keith Eaton, Assistant Fire Chief	
Jen Miles	Greg Henry, City Engineer	
Stuart Yocum	Rusty Cooper, Deputy Chief of Police	
Carole Young	Mike Meersman, Parks and Recreation Director	
	Diane Richards, Budget Analyst	
	Rich Ruggles, Principal Planner	
	Jack Plaunty, Street Superintendent	
	Joe Clos, Information Services Director	
	Burley Hambrick, Public Works Project Manager	
	Sydney Muhle, City Clerk	
	Erin Roper, Deputy City Clerk and Recording Secretary	

CALL TO ORDER & ROLL CALL

Vice-Mayor Wimpee, Sr. called the meeting to order at 5:30 P.M. and roll call was taken. All councilmembers were present except for Mayor Anderson who was excused. The invocation was given by Tracie Padilla of Praise Chapel 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. **Proclamations**
 - a. **PowerTalk 21® Day**

Vice-Mayor Wimpee, Sr. read the proclamation.

Vice-Mayor Wimpee, Sr. read the proclamation.

c. KABAM Festival Day

Literacy is the foundation of the economic, educational and cultural wellbeing of a community. The Mohave Library Alliance seeks to promote literacy, the love of books and the joy of reading and has received the support of various local organizations and groups. The Mohave Library Alliance is sponsoring the KABAM! (Kingman Area Books Are Magic) Festival to promote literacy in the Kingman area.

Vice-Mayor Wimpee, Sr. read the proclamation and presented it to the members of the Mohave Library Alliance.

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.

Citizen Harley Petit addressed the Council and stated the front door of the City Complex should remain unlocked during Council and Commission meetings since it provided the only ramp access to the building.

Vice-Mayor Wimpee, Sr. directed City Manager John Dougherty to look into Mr. Petit's comment.

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 (H.I.D.T.A.) Grant Award

The Kingman Police Department has been awarded \$52,000 in grant funding from the High Intensity Drug Trafficking Area (H.I.D.T.A.). The grant funds are for implementation of a patrol K-9 program for the department. Funding will provide for the purchase and training of two K-9s, equipment and the retrofitting of two patrol units. **Staff recommends approval.**

b. 2015 Governor's Office of Highway Safety Grant Award

The Kingman Police Department has been awarded \$1,000 from the Governor's Office of Highway Safety (G.O.H.S.). The funding will support continued enforcement programs focused on safety belt and child passenger safety laws during the "Buckle Up Arizona...It's the Law!" campaign. **Staff recommends approval.**

c. Special Event Liquor License Application

Applicant Fawson Zane of Kingman Route 66 Rotaract Trailblazers has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, May 2, 2015 from 4:00 P.M. to 11 P.M. at Beale Celebrations, 201 N 4th Street in Kingman. **Staff recommends approval.**

d. Special Event Liquor License Application

Applicant Carlos Cella of Cella Winery 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 approval.**

e. Special Event Liquor License Application

Applicant Cory Whalin of Su Vino 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 approval.**

f. Proposed Resolution No. 4946 naming two private streets located within the city limits of Kingman as "Hotel Way" and "Bonelli Avenue."

Stockton Airway Center, Tract 6007 is a commercial subdivision located west of Stockton Hill Road between Airway Avenue and Sycamore Avenue. The subdivision includes two private streets which provide the sole access to six internal lots. In 2010 these lots were given Stockton Hill Road addresses even though they did not have direct frontage on that street. In the original development concept these streets were intended to function like driveways that would access common parking areas associated with a possible shopping center. However, several lots have been sold in recent years and are being developed separately by different property owners. A building permit has been submitted for La Quinta Inn on Lot 10-A. The sole access to this lot is via the private street that connects between Airway and Sycamore. The Fire Department determined that the hotel should be addressed off of the private street for public safety purposes in compliance with our 9-1-1 system. Planning staff sent letters to the two property owners who own the lots directly affected by the possible street name change. The owner for the La Quinta Inn suggested the name "Hotel Circle" for the street abutting this property and Lot 9 which is also owned by him. The other owner, who is the original subdivision developer, did not directly respond. However, his broker indicated that "Stockton Hill" needed to be part of any new street names. Sections 4-1(b) and (c) of the Streets and Sidewalks Development Rules and Regulations would appear to disallow that option as this particular street does not have direct access to and from Stockton Hill Road. The other street connects to Stockton Hill Road but is not a terminating street and, therefore, would also not be eligible for a Stockton Hill name. "Hotel Way" is recommended by staff for the street that extends from Airway to Sycamore because it is a through- street. "Bonelli Avenue" is recommended by staff for the other street in honor of a pioneering family in Kingman and because 2015 marks the 100th anniversary of the construction of the Bonelli House, which is on the National Register of Historic Places. It is intended that these streets will remain private as they do not meet all city street improvement standards. **Staff recommends approval.**

g. Authorization for purchase and scrub application of 120 tons of PASS Emulsion for the 2014-2015 fiscal year chip seal project.

The City of Kingman Street Department requested quotes for supply and scrub application of PASS CR Emulsion per City of Kingman Municipal Code 2-160f. Upon receipt of quotes it was found that two of the three bidders had not submitted their offer as required in the Request for Quotes. The price provided on the "Per Ton" line was for only the emulsion and did not include any labor, transportation or incidental costs related to application of the emulsion as required. The only contractor to correctly submit a bid was Hawker and Evans Asphalt Company. **Staff recommends approval.**

h. Authorization for purchase and application of 515 Tons of CRS-2P Emulsion for the 2014-2015 fiscal year chip seal project.

The City of Kingman Street Department requested quotes for supply and application of CRS-2P Emulsion per City of Kingman Municipal Code 2-160f. Upon receipt of quotes it was found that two of the three bidders had not submitted their offer as required in the Request for Quotes. The price provided on the “Per Ton” line was for only the emulsion and did not include any labor, transportation or incidental costs related to application of the emulsion as required. The only contractor to correctly submit a bid was Hawker and Evans Asphalt Company. **Staff recommends approval.**

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

4. OLD BUSINESS
None.

5. NEW BUSINESS

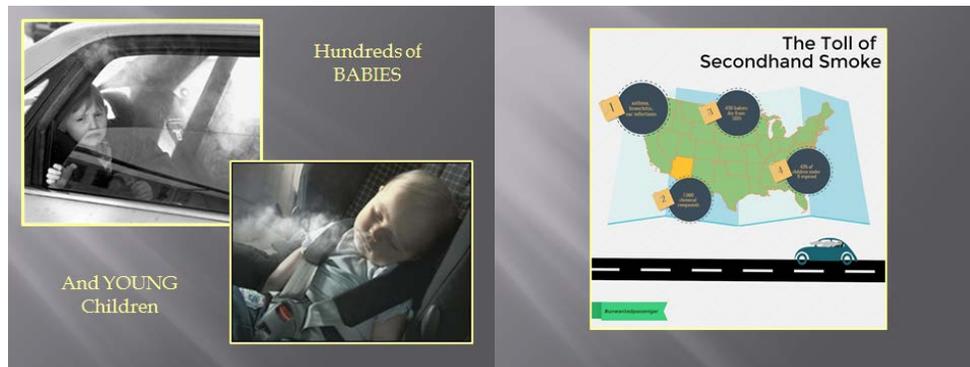
a. Discussion on a proposed smoking ban in vehicles

The Kingman Youth Coalition Beating Up Teen Tobacco (KYC – BUTT) has approached staff and members of the City Council in an effort to adopt a city ordinance that would ban an individual from smoking in a vehicle occupied by a minor. Currently 9 states have adopted similar legislation with an additional 5 states working through the legislative process. The KYC – BUTT Coalition has also located 3 counties and 6 cities that have adopted ordinances. The KYC – Butt Coalition is requesting that the City of Kingman consider adopting the ordinance, including electronic smoking devices, in order to enhance child endangerment laws. **Council discretion.**

The following slides were presented:



Slide one was an introductory slide. On slide two Stefeni Merit, a junior at Lee Williams High School, stated KYC-BUTT’s goal was to reduce youth tobacco use and second-hand smoke exposure.



On slide three Ms. Merit stated secondhand smoke killed hundreds of babies and children every year. On slide four Ms. Merit stated scientific research showed children should not breathe secondhand smoke.



Victoria Davis, a junior at Kingman High School, read the information on slides five and six.



Ms. Davis read slide seven. On slide eight Tatum Newell, a senior at Kingman High School, stated KYC-BUTT met with community leaders and received valuable feedback on the proposed ordinance. Ms. Newell stated KYC-BUTT's goal was to eventually bring the law to Mohave County and the state of Arizona.

Community Assessment

- 80% acknowledged that exposing children to secondhand smoke is a serious health hazard.
- 78% of respondents strongly agreed that smoke from other people's cigarettes is harmful to children.
- 87% agreed that exposing children to smoke in a confined space such as a car is very harmful.
- When asked if they would support a law making it illegal to smoke in a vehicle when a child under 18 is present, 77% said yes they would.
- We also had 25% of respondents say they would like to help us with these efforts and provided us with their contact information.



Educating the Public

- Educate the community via PSA's, flyers, and social media.
- The amount of secondhand smoke kids are exposed to in a car is comparable to the amount of secondhand smoke they would be exposed to in a smoke filled bar.
- 5.6 million children alive today will ultimately die early from secondhand smoke exposure.
- Don't Be Shy About Telling People Not to Smoke Around Your Kids





Ms. Newell stated slide nine showed the results of a survey the group conducted in Kingman. On slide 10, Ms. Newell stated many children did not feel comfortable asking an adult to refrain from smoking inside a car and the proposed law and accompanying educational outreach would help give children a voice.

Our Ordinance Proposal

- City Ordinance Prohibit Smoking In Any Motor Vehicle When A Minor Is Present
 - This law would be a secondary offense that would require a person have already been pulled over for a primary reason. (Similar to seatbelt and distracted driver laws.)
 - When cited, the person shall pay a fine of \$50.00, which the court could offer to waive if the person completes a court approved tobacco education class. Any subsequent citations would be subject to the \$50.00 fine.
 - This ordinance would include electronic smoking devices.
 - Would help to enhance the child endangerment laws we already have in place for our community.

From The Kids



Madison McKowan, a junior at Kingman Academy High School, read the information on slide 11 and stated a local tobacco cessation program offered to provide free quarterly classes. Ms. McKowan stated the agenda packet contained sample policies from other areas with bans. On slide 12 Ms. McKowan stated KYC-BUTT conducted educational programs throughout the community and the kids they worked with wanted adults to know smoking in cars was harmful to children and there was no safe level of exposure to secondhand smoke.

Thank You!













On slide 13 Ms. McKowan stated the proposed ordinance would help improve the lives of the children in the community.

Chief of Police Robert DeVries stated he would work with the City Attorney's Office on a draft

ordinance to bring back to Council if Council wanted to pursue the proposal.

Velta Soto, a Kingman resident and a nurse at Kingman Regional Medical Center, stated she saw the effects of smoking and secondhand smoke in patients. Ms. Soto stated heart disease in children was related to secondhand smoke exposure. Ms. Soto stated Kingman was a small community with a lot of heart disease related to smoking cigarettes. Ms. Soto stated she was the parent of a child with heart disease and she supported the proposed ordinance.

Monica Pierce, a Kingman resident, stated she was a former smoker and the mother of two young children. Ms. Pierce stated she did research on the effects secondhand smoke had on children and she fully supported the proposed ordinance.

Councilmember Abram asked if there were court approved tobacco education classes.

City Attorney Carl Cooper stated there might be classes in place for youth, but he needed to research what was available for adults. Mr. Cooper stated it might be possible to find a program that was completed through a workbook instead of an attendance-based class.

Chief DeVries stated if the proposed ordinance was adopted he hoped enforcement would be predominantly carried out through self-policing and peer pressure. Chief DeVries stated the ordinance banning smoking in City parks worked through this method. Chief DeVries stated a ticket had not been issued for smoking in parks, however, there were no complaints and he had not observed any violators.

Councilmember Young asked if there were any other cities in Arizona with this type of ordinance.

Chief DeVries stated Tempe, Arizona was in the process and Maricopa County had completed a detailed study, which was included in the Council's packet. Chief DeVries stated this was Kingman's chance to take the lead.

Councilmember Carver asked if it was possible to make the violation a cause for a primary stop if the age of the child was obvious such as the child was in a car seat.

Mr. Cooper stated it was Council discretion on how the ordinance was drafted.

Councilmember Carver asked for a draft ordinance to be brought back to the Council for review.

b. Discussion and possible action on a City funded 4th of July fireworks display.

Over the past few years the Boomers have raised money for City fireworks. The Boomers have disbanded and are being sued by the family of the injured worker and there has been no interest expressed by any other group to fundraise. Money has been included in the next fiscal year budget to have fireworks if Council wants to fund the display. A decision needs to be made now or the two bidders may not be available. **Council discretion.**

Mr. Petit addressed the council and asked if Lantis was one of the bidders.

Mr. Dougherty stated that was correct.

Mr. Petit stated Lantis was not a good choice and the City would have difficulties finding a location to hold the fireworks.

City Attorney Carl Cooper stated the Mohave County Fairgrounds was named in the lawsuit due to a rental agreement. Mr. Cooper stated the City was also being sued by the family for \$10 million.

Assistant Fire Chief Keith Eaton addressed the Council and stated the Fairgrounds was the only place suited for the fireworks display based on the size of shells used in the show. Assistant Chief Eaton stated other locations could be used if the size of the shell was reduced, however, this would require the project to be re-bid. Assistant Chief Eaton stated he contacted the bidders and there would not be enough time to re-bid the show in time for the 4th of July. Assistant Chief Eaton stated the City's procurement policy did not allow a bid's specifications to be altered. Assistant Chief Eaton stated he examined the City's parks with Parks & Recreation Director Mike Meersman and it would be possible to hold a close proximity fireworks display in the parks in the future. Assistant Chief Eaton stated reducing the size of the shells would also reduce liability, which would increase the number of bidders as well as include local bidders such as the company that handled the fireworks display in Valle Vista.

Councilmember Miles stated there did not seem to be a decision for the Council to make as it was not possible to have fireworks on the 4th of July this year. Councilmember Miles stated the City could look at finding a new type of celebration for the 4th of July.

Councilmember Carver asked what the distance requirements were for the fireworks display.

Assistant Chief Eaton stated the largest shells used in the display were five inches and there needed to be 412 feet from crowds and streets. Assistant Chief Eaton stated the Fairgrounds worked well for the display because there was 600 feet between the fireworks and the crowd. Assistant Chief Eaton stated the bid included the five inch shells because Staff did not know there would be facility issues.

Vice-Mayor Wimpee, Sr. requested an agenda item to discuss alternative ideas for a 4th of July celebration to be added to the next Regular Meeting agenda.

Councilmember Carver asked if Mohave County's land located behind the Kingman Branch of the Mohave County Public Library would provide enough space.

Assistant Chief Eaton stated if there was it would be close to the minimum required amount. Assistant Chief Eaton stated when fireworks were displayed on the land in the past there were not as many buildings. Assistant Chief Eaton stated the City would need to buy or rent fencing and landowner approval would need to be obtained within the next one or two days.

Councilmember Carver asked if field four in Centennial Park would provide enough space if fencing was put up from the field to the administration building and the soccer field behind field four.

Mr. Meersman stated there would also need to be space allotted for fallout from the fireworks,

which would reduce the amount of available space for spectators.

Assistant Chief Eaton stated it also took a few days to set up for the show, which would require the sports fields to be shut down during the week of the 4th of July. Assistant Chief Eaton stated this would create problems for activities scheduled to take place in the park.

Mr. Meersman stated there was a state tournament the weekend after the 4th of July and he would be worried about field damage from the fireworks.

c. Consideration and possible action on Resolution No. 4945 authorizing the Mayor to sign any and all documents to submit applications for funding of the Kingman Crossing Traffic Interchange and Rancho Santa Fe Parkway Traffic Interchange projects through the FY2015 TIGER Discretionary Grant Program.

The President signed the Consolidated and Further Continuing Appropriations Act, 2015 which appropriated \$500 million dollars to be awarded by the Department of Transportation (DOT) for National Infrastructure Investments. This appropriation is similar, but not identical to, the appropriation for the Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant program. Because of the similarity in program structure, DOT is referring to the grants for National Infrastructure Investments under the FY 2015 Consolidated and Further Continuing Appropriations Act simply as "TIGER Discretionary Grants." As with the previous TIGER programs, funds for the FY 2015 Tiger Discretionary Grant program are to be awarded on a competitive basis for projects that will have a significant impact on the nation, a metropolitan area or a region. DOT is soliciting applications for TIGER Discretionary Grants. The City submitted applications for funding for capital improvement projects of the Kingman Crossing Traffic Interchange and Rancho Santa Fe Parkway Traffic Interchange through the TIGER, TIGER II, TIGER III, TIGER IV, TIGER V, and VI Discretionary Grant programs. None of these projects were funded in any of the previous TIGER grant programs. If the City desires to submit applications for funding of the Kingman Crossing Traffic Interchange and Rancho Santa Fe Parkway Traffic Interchange projects through the FY 2015 TIGER Discretionary Grant program, Council will need to authorize the Mayor to sign any and all documents and certifications necessary to submit these applications, including the Federal Wage Certification stating that the City of Kingman will comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code (Federal wage rate requirements), as required by the FY 2015 Consolidated and Further Continuing Appropriations Act. Applications are to be submitted by 5:00 p.m. EDT on June 5th, 2015. **Staff recommends approval.**

Public Works Project Manager Burley Hambrick addressed the Council and stated the grant process was a yearly cycle and the City submitted applications for both projects for the last six years. Mr. Hambrick stated the City asked for 100% coverage for the construction costs and there was no preference towards either project.

Councilmember Miles asked if the grant applications were updated each year with current information.

Mr. Hambrick stated the applications were updated. Mr. Hambrick stated he added information about the Interstate 11 project as well as updated letters of support from the City Mayor, Mohave County, ADOT and the Kingman Airport Authority.

Councilmember Miles recommended obtaining a letter from the Kingman and Mohave Manufacturing Association and asked to review the applications before they were submitted.

Mr. Hambrick stated the due date for the applications was June 5th, 2015 and they were filed electronically.

Councilmember Miles made a MOTION to TABLE the item until the applications could be reviewed at the Council's Regular Meeting on May 19th, 2015. Councilmember Abram SECONDED and it was APPROVED by a vote of 6-0.

6. REPORTS

Board, Commission and Committee Reports by Council Liaisons

Councilmember Abram stated he attended a Planning & Zoning Commission meeting on Tuesday, April 14th, 2015, which included a public hearing for the proposed General Plan Amendment. Councilmember Abram stated there were good arguments on both sides of the issue and the participants were evenly split. Councilmember Abram stated the second hearing would be on April 28th, 2015 at 9:00 A.M. at the Mohave County Administration Building.

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 encouraged the citizens of Kingman to celebrate Earth Day by picking up trash around the City. Mr. Dougherty stated there would be a budget workshop in the Council Chambers on Thursday, April 23, 2015 at 8:00 A.M. Mr. Dougherty stated volunteers were needed to help clean up trash at Stockton Hull Road and Atlantic Avenue on Saturday, April 25th, 2015 at 7:30 A.M. Mr. Dougherty stated there would be a tree planting in Monsoon Park on Saturday April 25th, 2015 to celebrate Arbor Day. Mr. Dougherty stated there would be a Tri-City Council meeting at the Kingman Police Department on Wednesday, April 22nd, 2015 at 10:00 A.M.

Councilmember Young stated the Third Annual Badges of Courage Basketball Game would be May 16th, 2015 at 2:00 P.M. at Lee Williams High School. Councilmember Young stated advanced tickets were available for \$3 at the City Complex and Lee Williams High School. Councilmember Young stated tickets would be available at the door for \$5 and children would be free with a paying adult.

Vice-Mayor Wimpee, Sr. stated the May 5, 2015 Council Meeting would be held at the Mohave County Administration Building in the auditorium.

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

ADJOURNMENT 6:30 P.M.

ATTEST:

APPROVED:

Sydney Muhle

Richard Anderson

City Clerk

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 April 21, 2015.

Dated this 5th day of April, 2015.

Erin Roper, Deputy City Clerk and Recording Secretary

DRAFT

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Kathy McCoy, Kingman Magistrate Court

MEETING DATE: May 5, 2015

AGENDA SUBJECT: Renewal of Indigent Defense Contract

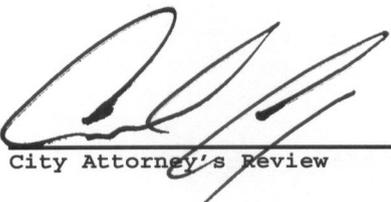
SUMMARY: The current agreement between The City and Whitney and Whitney PLLC will expire on 6-30-2015. The Court would ask the Council to approve renewal of the contract for a one year period. The parties have agreed there will be no increase in payment for services.

ATTACHMENT: Agreement

FISCAL IMPACT: This item is budgeted for next fiscal year.

**STAFF
RECOMMENDATION:** Recommend renewal of the contract.

Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 4a

PROFESSIONAL SERVICES AGREEMENT FOR REPRESENTATION OF INDIGENT DEFENDANTS IN THE KINGMAN MAGISTRATE COURT

This Agreement is made and entered into this _____ day of _____, 2015, by and between the City of Kingman, Arizona, an Arizona municipal corporation (“City”), and Whitney and Whitney, PLLC, (“Attorney”), sometimes collectively referred to as the “Parties”.

WHEREAS, the Presiding Magistrate of City’s Municipal Court (hereinafter the “Municipal Court” or “Court”) appoints defense attorneys to provide legal representation services to defendants; and

NOW, THEREFORE, City agrees to retain and does hereby retain Attorney and Attorney agrees to provide the services required according to the terms and conditions set forth below:

1. SCOPE OF WORK: Attorney agrees to perform the following professional services:

Attorney shall serve as the City of Kingman’s Contract Defense Attorney. The Attorney shall provide the legal defense of persons assigned by the City Magistrate whom have been deemed to be indigent.

Prepare for and appear at all Court proceedings pertaining to assigned defendants including, but not limited to, pretrial conferences, motions, jury and non-jury trials, evidentiary hearings, sentence reviews, revocation of probation hearings, special hearings, oral arguments, sentencing, order to show cause hearings, appellate proceedings and special actions. Attorney will not be required to be present at arraignments except where defendants request appointment of counsel and qualify for legal defense facilitated by City. Once appointed, Attorney shall represent each defendant throughout all stages of the proceedings, including appeals and other appropriate post-conviction reliefs, until Attorney is relieved from the case by Court.

Provide personal consultation with clients prior to pretrial disposition conferences as required by Order Appointing Counsel. Attorney shall maintain personal contact with all clients until assigned cases are terminated and shall use reasonable diligence in notifying such clients of official Court action resulting from their clients’ nonappearance at scheduled court sessions.

Conduct the defense of indigent defendants in conformance with the minimum standards and requirements set forth in *State v. Watson*, 134 Ariz. 1, 653 P.2d 351 (1982); and in *State v. Smith*, 140 Ariz. 355, 681 P.2d 1374 (1984); and in *State v. Lee*, Arizona 142 Ariz. 210, 689 P.2d 153 (1984). In the event that a case involves two or more defendants or Attorney declares a conflict of interest, a Magistrate or Pro Tem may assign one or more defendants to another Attorney.

Pay for interpreters for all out-of-court matters not approved by the Court. Municipal Court will provide interpreters for non-English speaking defendants for all in-court and pretrial proceedings.

Pay all costs incurred in the representation of indigent defendants assigned by Municipal Court pursuant to this agreement including, but not limited to, office space, telephones, transportation, photocopies, office supplies, office overhead, reports, and secretarial services.

Obtain Court approval of all expert witnesses and costs.

Give precedence to court settings in the Municipal Court over civil cases and all other criminal cases in other courts which do not have precedence as provided by the Arizona Rules of Criminal Procedure.

2. OFFICE: Attorney shall have an office or make arrangements to use office that is located within the corporate limits of City to provide personal consultation with clients when requested and otherwise appropriate.

3. COMPENSATION: In accordance with the terms and conditions of this Agreement, City shall compensate Attorney for its professional services as follows:

Attorney shall receive compensation in the amount of \$100,000 annually, payable at quarterly installments of \$25,000.

4. TERM: This Agreement shall be effective beginning July 1, 2015 and shall continue through June 30, 2016, subject to the Termination provisions set forth in this Agreement.

5. CITY'S STANDARD OF PERFORMANCE: City shall furnish the Attorney with all data, information and other supporting services necessary and reasonable for Attorney to perform the services set forth within this agreement.

6. ATTORNEY'S STANDARD OF PERFORMANCE: While performing the services, Attorney shall exercise the reasonable professional care and skill customarily exercised by an attorney licensed to practice law in Arizona, and in accordance with the rules of professional conduct. Attorney shall be responsible for all errors and omissions Attorney commits in the performance of this Agreement.

7. NOTICES: All notices to the other party required under this Agreement shall be in writing and sent by first class certified mail, postage prepaid, return receipt requested, addressed to the following personnel:

If to City: Kathy McCoy
Presiding Magistrate
City of Kingman
310 North 4th Street
Kingman, AZ 86401

And to: Sydney Muhle
City Clerk
310 North 4th Street Kingman, AZ 86401

If to Attorney: Whitney and Whitney, PLLC
111 North 4th Street
Kingman, AZ 86401

8. TERMINATION: This Agreement may be terminated by either party upon sixty (60) calendar days' written notice. If this Agreement is terminated, Attorney shall be paid for services performed to the date of receipt of such termination notice. In the event of such termination, Attorney shall deliver to successor counsel all work in any state of completion, not including personal attorney work product, at the date of effective termination.

9. INDEPENDENT CONTRACTOR: The relationship created under this agreement between Attorney and City shall be solely that of an independent contractor, and nothing contained herein shall be construed to create a relationship of principal-agent, employer-employee, partnership, joint venture, or any relationship of any kind other than independent contractor.

10. RECORDS: Records of Attorney's labor, payroll, and other costs pertaining to this Agreement shall be kept on a generally recognized accounting basis and made available to City for inspection on request. Attorney shall maintain records for a period of at least two (2) years after termination of this Agreement or for such time as is required by applicable ethical rules and/or opinions, and shall make such records available during that retention period for examination or audit by City personnel during regular business hours. City shall have no obligation to pay or withhold state or federal taxes or provide workers' compensation or unemployment insurance for or on behalf of Attorney.

11. INSURANCE: The Attorney agrees to:

- A. Obtain insurance coverage of the types and amounts required in this section and keep such insurance coverage in force throughout the life of this Agreement and until all work or services required to be performed under the terms of the Agreement is satisfactorily completed and formally accepted; failure to do so may, at the sole discretion of City, constitute a material breach of this Agreement.
- B. All policies will contain an endorsement providing that written notice be given to the City at least thirty (30) days prior to expiration, cancellation, or any material change to requirements herein.
- C. The Attorney agrees that the insurance hereunder will be primary and that any insurance carried by the City will be excess and not contributing.
- D. Provide and maintain minimum insurance limits as applicable.
 - Professional Liability Insurance (Errors and Omissions) - \$1,000,000 single limit
\$2,000,000 aggregate (Minimum)
- E. Attorney will present to the City written evidence (Certifications of Insurance and endorsement) of compliance with Items A, B, C and D above. Said evidence shall be to the City Attorney's satisfaction and underwritten by a company with an AM BEST rating of A+ or above.

- F. City shall not be obligated, however, to review or to advise Attorney of any deficiencies in such policies and endorsements, and such receipt shall not relieve Attorney from, or be deemed a waiver of, City's right to insist on strict fulfillment of Attorney's obligations under this Agreement.
- G. Any failure to comply with the claim reporting provisions of the insurance policies or any breach of an insurance policy warranty shall not affect coverage afforded under the insurance policies to protect City.

12. RIGHT TO CONTRACT WITH OTHERS: The City is not obligated to obtain the services described herein with only this particular Attorney, nor does this agreement prohibit the Attorney from providing services outside of this agreement as long as it does not conflict with the terms of this agreement.

13. UNCONTROLLABLE FORCES: City and Attorney shall exert all efforts to perform their respective responsibilities under this Agreement. However, neither party shall hold the other party responsible for inability to render timely performance if such inability is a direct result of a force beyond its control, including but not limited to the following: strikes, lockouts, embargoes, failure of carriers, inability to obtain transportation facilities, acts of God, terrorists, pandemic disease, or declared public enemies, or other events beyond the control of the other or the other's employees and agents.

14. INDEMNIFICATION: To the fullest extent permitted by law, Attorney shall defend, indemnify and hold harmless City, its agents, officers, officials and employees from and against all tortious claims, damages, losses and expenses (including but not limited to attorney fees, court costs, and the cost of appellate proceedings), relating to, arising out of, or alleged to have resulted from the acts, errors, mistakes, omissions, work or services of Attorney, its agents or employees. Attorney's duty to defend, hold harmless and indemnify City, its agents, officers, officials and employees shall arise in connection with any tortious claim, damage, loss or expense that is attributable to bodily injury, sickness, disease, death, or injury to, impairment, or destruction of property including loss of use resulting therefrom, caused by an Attorney's acts, errors, mistakes, omissions, work or services in the performance of this Agreement including any employee of the Attorney, or any other person for whose acts, errors, mistakes, omissions, work or services the Attorney may be legally liable. The amount and type of insurance coverage requirements set forth herein will in no way be construed as limiting the scope of the indemnity in this paragraph.

15. WAIVER OF TERMS AND CONDITIONS: The failure of City or Attorney to insist in any one or more instances on performance of any of the terms or conditions of this Agreement or to exercise any right or privilege contained herein shall not be considered as thereafter waiving such terms, conditions, rights or privileges, and they shall remain in full force and effect.

16. GOVERNING LAW AND VENUE: The terms and conditions of this Agreement shall be governed by and interpreted in accordance with the laws of the State of Arizona. Any action at law or in equity brought by either party for the purpose of enforcing a right or rights provided for in this Agreement shall be tried in Mohave County, State of Arizona. In the event either party shall bring suit to enforce any term of this Agreement or to recover any damages for and on

account of the breach of any term or condition in this Agreement, it is mutually agreed that the prevailing party in such action shall recover all costs including: all litigation and appeal expenses, collection expenses, reasonable attorneys' fees, necessary witness fees and court costs to be determined by the court in such action.

17. MODIFICATION OF CONTRACT: This contract shall be automatically modified to comply and conform to any subsequent change (regarding indigent representation) imposed by case law or rules promulgated by the Arizona Supreme Court.

18. LICENSE: Attorney represents and warrants that any license necessary to perform the work under this Agreement is current and valid; such license includes but is not limited to an Arizona license to practice law and a City of Kingman business/privilege license.

19. MISCELLANEOUS:

All agreements shall be interpreted to avoid questions of unethical conduct by Attorney or City.

Attorney shall not collect or receive any payment or remuneration from defendants assigned to Attorney under this Agreement for services provided on the assigned cases.

Attorney shall maintain current case logs and disposition records.

Attorney shall not discriminate against any employee, or applicant for employment because of race, religion, color, sex, handicap, or national origin.

Attorney shall permit the authorized representatives of City to inspect and audit records of Attorney relating to his/her performance under this contract within the confines of confidentiality.

20. NONASSIGNMENT: This is a personal service contract based on the personal reputation, expertise, and qualifications of Attorney and Attorney's duties under this Agreement are therefore not assignable.

21. ENTIRE AGREEMENT: This Agreement and any attachments represent the entire agreement between City and Attorney and supersede all prior negotiations, representations or agreements, express or implied, written or oral. It is mutually understood and agreed that no alteration or variation of the terms and conditions of this Agreement shall be valid unless made in writing and signed by the parties hereto. Written and signed amendments shall automatically become part of the Supporting Documents, and shall supersede any inconsistent provision therein; provided, however, that any apparent inconsistency shall be resolved, if possible, by construing the provisions as mutually complementary and supplementary.

22. SEVERABILITY: If any part, term or provision of this Agreement shall be held illegal, unenforceable or in conflict with any law, the validity of the remaining portions and provisions hereof shall not be affected.

23. CONFLICTS OF INTEREST: The provisions of A.R.S. § 38-511 relating to cancellation of contracts due to conflicts of interest shall apply to this contract.

24. IMMIGRATION LAW COMPLIANCE WARRANTY: Immigration: Under the provisions of A.R.S. §41-4401, Contractor hereby warrants to the Company that the Contractor and each of its subcontractors (“Subcontractors”) will comply with, and are contractually obligated to comply with, all Federal Immigration laws and regulations that relate to their employees and A.R.S. §23-214(A) (hereinafter “Contractor Immigration Warranty”).

A breach of the Contractor Immigration Warranty shall constitute a material breach of this Agreement and shall subject the Contractor to penalties up to and including termination of this Agreement at the sole discretion of the Company.

The Company retains the legal right to inspect the papers of any Contractor or Subcontractor’s employee who works on this Agreement to ensure that Contractor or Subcontractor is complying with the Contractor Immigration Warranty. The Company may, at its sole discretion, conduct random verification of the employment records of Contractor and any of Subcontractors to ensure compliance with Contractor’s Immigration Warranty. Contractor agrees to assist the Company in regard to any such inspections. Contractor and its Subcontractors warrant to keep the papers and records open for random inspection during normal business hours by the Company. The Contractor and its Subcontractors shall cooperate with the Company’s random inspections including granting the Company entry rights onto its property to perform the random inspections and waiving their respective rights to keep such papers and records confidential.

Neither Contractor nor any of its Subcontractors shall be deemed to have materially breached the Contractor Immigration Warranty if Contractor or Subcontractor establishes that it has complied with the employment verification provisions prescribed by sections 274A and 274B of the Federal Immigration and Nationality Act and the E-Verify requirements prescribed by A.R.S. §23-214(A).

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized representatives as of the day and year first above written.

CITY OF KINGMAN,
an Arizona municipal corporation:

Kathy McCoy
Presiding Magistrate

WHITNEY AND WHITNEY, PLLC

Bryan Whitney, Esq.

Andraya Whitney, Esq.

APPROVED AS TO FORM:

Carl Cooper
City Attorney

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Kathy McCoy, Kingman Magistrate Court

MEETING DATE: May 5, 2015

AGENDA SUBJECT: Expenditure from Local Court Enhancement Fund

SUMMARY: The Court needs to replace eight (8) staff chairs due to age and wear and tear. These chairs are 8-10 years old.

ATTACHMENT: Quote from Office Max

FISCAL IMPACT: There are sufficient funds in the local court enhancement fund to cover the purchase.

STAFF RECOMMENDATION: Recommend Council appropriate \$3,000.00 from the local court enhancement fund.

Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 4b

1415 Western Ave Suite 600
 Seattle WA 98101

Lindsey Johnson
 Furniture Account Manager
 425-891-6062 ph
 fax
 Lindsey.Johnson@OfficeDepot.com

KINGMAN CITY COURT

Proposal

Date: 3/31/2015
 Reference #:

GLOBAL CHAIRS

Item	Qty	Product	Sell Price:	Unit	Extended
1	1	GRAHAM-Low Back Ergo-Tilter w/arms, seat height adj, tilt tension control, ratchet back adj		\$269.83	\$269.83
		FINISHES ~03	GRADE 03		
		GRADE 03 ~SPKL	SPRINKLE		
		SPRINKLE S110	1-BLACK		
		ARM 3N	A-(STD) HT/ADJ T-ARMS CURVED UTH		
		FRAME/EDGE BK	F-(STD) BLACK		
		CASTER/KEYS (OPT) C10	C-(STD) 2" INTEGR DUAL-WHL - BLCK		
		BACK OPTION (OPT) ~	(STD)		
		SEATING FOAM (OPT) ~	(STD)		
		PACKAGING (OPT) ~	(STD)		
		ARM WIDTH (OPT) ~	(STD)		
2	1	GOAL-Low Back Pneumatic Multi-Tilter w/arms, Forward and rearwardseat tilt, Back/seat ht adj		\$270.35	\$270.35
		FINISHES ~03	GRADE 03		
		GRADE 03 ~SPKL	SPRINKLE		
		SPRINKLE S110	1-BLACK		
		ARM 3N	A-(STD) HT/ADJ T-ARMS CURVED UTH		
		FRAME/EDGE BK	F-(STD) BLACK		
		MECHANISM (OPT) ~	(STD)		
		CASTER/KEYS (OPT) C65	C-(STD) 2" DUAL WHEEL CASTER		
		BACKS (OPT) ~	(STD)		
		3" CYLINDER (OPT) ~	(STD)		
		SEATING FOAM (OPT) ~	(STD)		
		LOGOS (GI MUST PROVIDE QUOTE) (O) ~	(STD)		
		PACKAGING (OPT) ~	(STD)		
		SPECIAL ORDER (OPT) ~	(STD)		
		ARM WIDTH (OPT) ~	(STD)		
3	1	SUPRA-X-Medium Back Pneumatic Multi-Tilter w/arms - Fabric		\$314.39	\$314.39
		FINISHES ~03	GRADE 03		
		GRADE 03 ~SPKL	SPRINKLE		
		SPRINKLE S110	1-BLACK		
		ARM	ARMLESS		
		FRAME/EDGE BK	F-(STD) BLACK		
		MECHANISM (OPT) ~	(STD)		
		CASTER/KEYS (OPT) C65	C-(STD) 2" DUAL WHEEL CASTER		
		BACK OPTION (OPT) ~	(STD)		

1415 Western Ave Suite 600
 Seattle WA 98101

Lindsey Johnson
 Furniture Account Manager
 425-891-6062 ph
 fax

Lindsey.Johnson@OfficeDepot.com

KINGMAN CITY COURT

Proposal

Date: 3/31/2015
 Reference #:

GLOBAL CHAIRS

Item	Qty	Product	Sell Price:	Unit	Extended
		BASE OPTION (OPT) ~ (STD)			
		CYLINDER OPTION (OPT) ~ (STD)			
		FOAM OPTION (OPT) ~ (STD)			
		PACKAGING (OPT) ~ (STD)			
4	1	SUPRA-X-Medium Back Pneumatic Multi-Tilter w/arms - Fabric		\$314.39	\$314.39
		FINISHES ~03 GRADE 03			
		GRADE 03 ~SPKL SPRINKLE			
		SPRINKLE S110 1-BLACK			
		ARM TD A-HT/ADJ TEARDROP T-ARM			
		FRAME/EDGE BK F-(STD) BLACK			
		MECHANISM (OPT) ~ (STD)			
		CASTER/KEYS (OPT) C65 C-(STD) 2" DUAL WHEEL CASTER			
		BACK OPTION (OPT) ~ (STD)			
		BASE OPTION (OPT) ~ (STD)			
		CYLINDER OPTION (OPT) ~ (STD)			
		FOAM OPTION (OPT) ~ (STD)			
		PACKAGING (OPT) ~ (STD)			
5	4	MALAGA-Low Back Task w/arms, Fixed back, seat depth and heoght adjust		\$347.80	\$1,391.20
		FINISHES ~03 GRADE 03			
		GRADE 03 ~SPKL SPRINKLE			
		SPRINKLE S110 1-BLACK			
		ARM TD A-(STD) HT/ADJ TEARDROP T-ARM			
		FRAME/EDGE BK F-BLACK			
		CASTER/KEYS (OPT) C10 C-(STD) 2" INTEGR DUAL-WHL - BLCK			
		BACKS (OPT) ~ (STD)			
		CHAIR BASES (OPT) ~ (STD)			
		GAS CYLINDER (OPT) ~ (STD)			
		SEATING FOAM (OPT) ~ (STD)			
		SHROUD (OPT) ~ (STD)			
				Subtotal	\$2,560.16
				Total:	\$2,560.16

+ 8.3% tax
 No Shipping

1415 Western Ave Suite 600
Seattle WA 98101

Lindsey Johnson
Furniture Account Manager
425-891-6062 ph
fax

Lindsey.Johnson@OfficeDepot.com

KINGMAN CITY COURT

Proposal

Date: 3/31/2015

Reference #:

GLOBAL CHAIRS

Item	Qty	Product	Sell Price:	Unit	Extended
------	-----	---------	-------------	------	----------

Proposal Notes

Deposit Required:

Additional Information:

Special Instructions:

Proposal valid for 30 days

Please note: a deposit is required on all furniture orders prior to order placement

One of the following is required prior to placing your order: Signed Terms and Condition, Furniture Agreement on file or an OfficeMax Workplace | Interiors Furniture Addendum on file

OfficeMax Workplace | Interiors may require additional credit information, prior to placing your order

The appropriate tax will be applied at the time of invoicing

This proposal contains **Special Order** items that are **Not Returnable**

Once an order is placed, cancellations are **Not Allowed**.

Estimated leadtime is subject to the manufactures production / shipping schedule

Your signature below indicates your approval to order the items listed on this proposal.

Purchase Order: _____

Signature: _____

Date: _____

Printed Name: _____

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Robert Riley, Director Economic Development, Kingman Airport Authority, Inc.

MEETING DATE: May 5, 2015

AGENDA SUBJECT: Award of Bid for Shipping Lane Site Cleanup to McCormick Construction - \$188,932

SUMMARY:

The City of Kingman and Kingman Airport Authority, Inc. (KAA) accepted a grant offer from the Arizona Commerce Authority (ACA), Resolution No. 4925, in the amount of \$216,000, plus \$24,000 local match (KAA), for a 30 acre site cleanup located along Shipping Lane.

A mandatory pre-bid meeting was held on March 31st with four contractors in attendance: Combs Construction, Lewis Equipment Service, McCormick Construction and T.R. Orr Construction. Of these four companies only two submitted formal bids on April 7th. Lewis Equipment Services bid \$189,900 and McCormick Construction bid \$188,932. C&S Engineers prepared the comparison between the two bids and is recommending the Award go to McCormick Construction, as the apparent low and most responsive bidder, in the amount of \$188,932.

At their meeting on April 23rd, the Board of Directors of Kingman Airport Authority, Inc. approved the Award and authorized the President to execute the contract documents. They further acted to recommend the City of Kingman approve the Award to McCormick Construction in the amount of \$188,932 and authorize the Mayor to execute the contract documents pursuant to Resolution No. 4925.

ATTACHMENT:

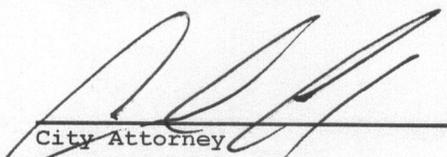
C&S Engineers bid comparison and Contract Agreement - McCormick Construction, City of Kingman and Kingman Airport Authority, Inc.

FISCAL IMPACT: NONE, Grant \$170,038.80 ACA - \$18,893.20 KAA

STAFF RECOMMENDATION: Approve Award of Bid for Shipping Lane Cleanup to McCormick Construction in the amount of \$188,932 and authorize the Mayor to execute the contract documents.



Kingman Airport Authority,
Inc.



City Attorney
Approved as to form



City Manager's Review

AGENDA ITEM: 4c



C&S Companies
9200 E. Pima Center Pkwy.
Suite 240
Scottsdale, AZ 85258
p: (602) 997-7536
f: (602) 997-7592
www.cscos.com

April 10, 2015

Mr. Robert Riley
Director, Economic Development
Kingman Airport Authority
7000 Flightline Drive
Kingman, Arizona 86401

Re: Shipping Lane Site Clearing Project

Dear Mr. Riley,

We have reviewed the bids received on April 7, 2015, for the above referenced project. Two bid proposals were received as follows:

	Bid Amount
McCormick Construction Co.	\$188,932.00
Lewis Equipment Services, LLC	\$189,900.00
<i>Engineer's Estimate</i>	<i>\$146,000.00</i>

The apparent low bidder, McCormick Construction Co., Bullhead City, Arizona, has a current and active Type 'A' General Engineering License No.073438 with no valid complaints on file for a two-year reporting period. Based on our review of the bid documents submitted, we recommend that the project be awarded to **McCormick Construction Co.** of Bullhead City, Arizona for **\$188,932.00**.

Attached, please find the Bid Tabulation sheet. If you have any questions, feel free to call.

Best regards,

C&S COMPANIES, INC.

Richard D. Graham, P.E.
Senior Project Engineer

\Attachments

KINGMAN AIRPORT AUTHORITY
SHIPPING LANE SITE CLEARING PROJECT

BIDS OPENED: APRIL 7, 2015

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	ENGINEER'S ESTIMATE C&S ENGINEERS, INC.		MCCORMICK CONSTRUCTION CO.		LEWIS EQUIPMENT SERVICES, LLC	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
BASE BID									
1	MISCELLANEOUS REMOVALS & OTHER WORK (SP-28)	1	LS	\$ 45,000.00	\$ 45,000.00	\$ 121,203.00	\$ 121,203.00	\$ 88,553.00	\$ 88,553.00
2	CLEARING, GRUBBING & SITE GRADING (P-151)	26	ACRE	\$ 2,000.00	\$ 52,000.00	\$ 1,460.00	\$ 37,960.00	\$ 3,040.35	\$ 79,049.00
3	STORMWATER POLLUTION PREVENTION (P-156)	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 12,429.41	\$ 12,429.41	\$ 10,660.00	\$ 10,660.00
4	MAINTENANCE & PROTECTION OF TRAFFIC (M-100)	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 900.00	\$ 900.00	\$ 1,500.00	\$ 1,500.00
5	PROJECT SURVEY & STAKEOUT (M-150)	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 4,100.00	\$ 4,100.00	\$ 3,500.00	\$ 3,500.00
6	MOBILIZATION (M-200)	1	LS	\$ 19,000.00	\$ 19,000.00	\$ 12,339.59	\$ 12,339.59	\$ 6,638.00	\$ 6,638.00
TOTAL BID					\$ 146,000.00		\$ 188,932.00		\$ 189,900.00
CONTRACTOR'S CERTIFICATION OF ELIGIBILITY									
NON-COLLUSIVE BIDDING CERTIFICATE									
RESOLUTION FOR CORPORATE BIDDERS									
CERTIFICATION FOR RECEIPT OF ADDENDA									
STATEMENT OF SURETY'S INTENT									
LIST OF SUBCONTRACTORS									
PRE-QUALIFICATION FORM									
CONTRACTOR LICENSE CHECK									
				YES		YES		YES	
				YES		YES		YES	
				YES		YES		YES	
				YES - No Addenda		YES - No Addenda		YES - No Addenda	
				YES		YES		YES	
				YES		YES		YES - No Subs	
				YES - Waiting on Letter from ADOT		YES - Waiting on Letter from ADOT		YES	
				073438 - Class A (Current)		073438 - Class A (Current)		187408 - Class A (Current)	

**KINGMAN AIRPORT AUTHORITY, INC.
KINGMAN AIRPORT
SHIPPING LANE – SITE CLEARING PROJECT**

CONTRACT AGREEMENT

This CONTRACT AGREEMENT (this "Contract"), is made and entered into this _____ day of _____, 2015, by and between the City of Kingman and the Kingman Airport Authority, Inc. organized and existing under and by virtue of the laws of the State of Arizona, (the "Owner"), and McCormick Construction Co. of the City of Bullhead City, County of Mohave, and State of Arizona, (the "Contractor").

WITNESSETH:

WHEREAS, Contractor has been awarded the contract to complete Work on the Project as described in the Shipping Lane – Site Clearing Project Specifications and Contract Documents, dated March 13, 2015 (the "Project Manual");

WHEREAS, Owner and Contractor desire to memorialize Contractor's agreement to complete the Project under the terms and conditions set forth herein;

AGREEMENTS

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner and Contractor agree as follows:

1. Performance of the Work. For and in consideration of the payments made as provided for in the Project Manual, to Contractor by Owner, and under the penalty expressed in the bond hereto attached, Contractor hereby covenants and agrees, at his proper cost and expense, to do all the Work and furnish all materials, tools, labor, and all appliances and appurtenances called for by this Contract, free from all claims, liens and charges whatsoever, in the manner, and under the conditions hereinafter specified, that are necessary for the Shipping Lane - Site Clearing Project for the City of Kingman, all to be performed within the Contract Time.

2. Compliance with Contract Documents. All Work done and materials and equipment furnished by Contractor or Contractor's suppliers shall be strictly pursuant to and in conformity with the Project Manual. The Project Manual furnished to the Contractor with his proposal and the additional drawings or prints and other information to be furnished by the Contractor in accordance with the Project Manual, and the Plans and Specifications, supplemental information, plans, drawings, or prints furnished by the Contractor and approved in writing by Owner and the Engineer, shall be complementary to each other and any Work appearing in or upon the one and not mentioned in the others shall be executed according to the true intent and meaning of the Project Manual, drawings, or prints the same as though the said Work were contained and described in all.

3. Incorporation of other Contract Documents. The Project Manual, Plans and Specifications, Special Notice of Offerors, Notice Inviting Proposals, Instruction to Offerors, Offer Response Form, General and Special Provisions, Proposal, Payment Bond, Performance Bond,

Certificate of Insurance, Contractor's Affidavit, Technical Provisions, Appendix, Plans, Addenda No.'s NONE, and Change Orders issued and any additional or supplemental specifications, notices, instructions and drawings issued in accordance with the provisions of the Contract Documents are hereby understood to be a part of this Contract and are hereby incorporated herein in their entirety. Unless otherwise defined herein, all capitalized terms in this Contract shall have the same meanings as defined in the General or Special Provisions.

4. Oversight and Approval of Work. The parties covenant and agree that the Work shall be executed under the direction of the Engineer, acting under the supervision of the Owner or Owner's properly authorized agents, on whose inspection all Work shall be accepted or rejected. Owner shall have full power to reject or condemn all materials furnished or Work performed under this Contract which do not conform to the terms and conditions herein expressed.

5. Resolution of Disputes. To prevent all disputes and litigation, it is further agreed by and between Owner and Contractor, that the Engineer shall determine all questions in relation to the Work and the construction thereof, and it shall in all cases decide all questions which may arise relative to the execution of the Work under this Contract on the part of Contractor and its estimates and decisions shall be final and conclusive; and such estimates and decisions, in case any questions may arise, shall be a condition precedent to the right of said Contractor to receive any money or compensation for anything done or furnished under this Contract.

6. Cancellation Pursuant to A.R.S. Section 38-511. Pursuant to A.R.S. Section 38-511, Owner may cancel this Contract, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating this Contract on behalf of Owner is, at any time while the Contract or any extension of this Contract is in effect, an employee or agent of any other party to this Contract in any capacity or a consultant to any other party of this Contract with respect to the subject matter of this Contract. In the event of the foregoing, Owner further elects to recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating, securing, drafting or creating this Contract arising as a result of this Contract.

7. Owner's Right to Offset. Prior to the final payment or any progress payment due to Contractor, Owner shall be entitled to deduct therefrom any and all unpaid taxes, fees and any and all other unpaid monies due to Owner from the Contractor, and shall apply those monies to the appropriate account. Contractor shall provide to Owner any information necessary to enforce the rights of the parties of this Contract.

8. Default by Contractor. Upon the occurrence of any violation or breach of the terms of this Contract on the part of the Contractor and if such breach or default remains uncured after the expiration of any applicable notice or cure period, Owner may suspend or terminate this Contract, or exercise any other enforcement remedies as set forth in the Contract Documents. All of Owner's remedies in this Contract are distinct and cumulative to any other right or remedy under this Contract, the other Contract Documents or applicable law, and may be exercised concurrently, independently or successively.

9. Independent Contractor. Contractor warrants and represents to Owner that it is fully experienced and properly qualified as an expert to perform the Work required hereunder and that it is properly licensed, equipped, organized and financed to perform such Work. Contractor shall finance its own operations, shall operate as an independent contractor and not as the agent of Owner, and shall

indemnify and hold Owner free and harmless from all liabilities, costs, and charges by reason of any act, omission, or representation of Contractor or of its subcontractors, agents, or employees.

10. Notices. All notices required or permitted to be given hereunder shall be in writing and shall be deemed to have been given when delivered in person or on the third business day after posting in the United States Post Office, postage prepaid by certified mail or registered mail, return receipt requested, to a party as follows, or to such address as a party may later designate by like notice to any other:

TO OWNER:	President Kingman Airport Authority 7000 Flightline Drive Kingman, Arizona 86401	City Manager City of Kingman 310 N. 4 th St. Kingman, AZ 86401
-----------	---	--

With a copy to: Jeffrey A. Goldberg
BRUNO, BROOKS & GOLDBERG, P.C.
730 East Beale Street
Kingman, AZ 86401

TO CONTRACTOR: McCormick Construction Co.
P.O. Box 545
Bullhead City, AZ

11. Successors in Interest. This Contract shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

12. Authorizations. The signatories to this Contract warrant each to the other that they have the authorization to enter into this Contract and to bind themselves to the terms and conditions of this Contract.

13. Attorney's Fees. In the event a party commences litigation to enforce any of the terms or conditions of this Contract and/or to recover damages or for other relief on account of the breach of this Contract, the prevailing party in such litigation shall be entitled to receive, in addition to all other relief to which such party shall be entitled, all costs and expenses, including reasonable attorneys' fees, incurred by the prevailing party.

15. Severability and Waiver. The invalidity or unenforceability of any provision hereof shall in no way effect the validity or enforceability of any provision hereof. Any waivers must be in writing and signed by the party sought to be charged. The waiver by any party of a right provided thereunder shall not be deemed to be a continuing waiver of that right or a waiver of any other right.

16. Construction. The parties agree that each party has reviewed this Contract and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply to the interpretation of this Contract.

17. Interpretation. The paragraph headings used in this Contract are for convenience only and shall not be used in the interpretation hereof. This Contract shall be interpreted and enforced in accordance with the laws of the State of Arizona, except when preempted by Federal laws.

18. Time of the Essence. Time shall be of the essence of the terms hereof.

IN WITNESS WHEREOF, five (5) identical counterparts of this Contract, each of which shall for all purposes be deemed an original thereof, have been duly executed by the parties hereinabove named, on the date and year first herein written.

OWNER:

City of Kingman

Kingman Airport Authority, Inc.

CONTRACTOR:

McCormick Construction Co.



C&S Companies
9200 E. Pima Center Pkwy.
Suite 240
Scottsdale, AZ 85258
p: (602) 997-7536
f: (602) 997-7592
www.cscos.com

April 10, 2015

Mr. Robert Riley
Director, Economic Development
Kingman Airport Authority
7000 Flightline Drive
Kingman, Arizona 86401

Re: Shipping Lane Site Clearing Project

Dear Mr. Riley,

We have reviewed the bids received on April 7, 2015, for the above referenced project. Two bid proposals were received as follows:

	Bid Amount
McCormick Construction Co.	\$188,932.00
Lewis Equipment Services, LLC	\$189,900.00
<i>Engineer's Estimate</i>	<i>\$146,000.00</i>

The apparent low bidder, McCormick Construction Co., Bullhead City, Arizona, has a current and active Type 'A' General Engineering License No.073438 with no valid complaints on file for a two-year reporting period. Based on our review of the bid documents submitted, we recommend that the project be awarded to **McCormick Construction Co.** of Bullhead City, Arizona for **\$188,932.00**.

Attached, please find the Bid Tabulation sheet. If you have any questions, feel free to call.

Best regards,

C&S COMPANIES, INC.

Richard D. Graham, P.E.
Senior Project Engineer

Attachments

KINGMAN AIRPORT AUTHORITY
 SHIPPING LANE SITE CLEARING PROJECT

BIDS OPENED: APRIL 7, 2015

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	ENGINEER'S ESTIMATE C&S ENGINEERS, INC.		MCCORMICK CONSTRUCTION CO.		LEWIS EQUIPMENT SERVICES, LLC	
				UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
BASE BID									
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TOTAL BID					\$ 146,000.00		\$ 188,932.00		\$ 189,900.00
CONTRACTOR'S CERTIFICATION OF ELIGIBILITY						YES		YES	
NON-COLLUSIVE BIDDING CERTIFICATE						YES		YES	
RESOLUTION FOR CORPORATE BIDDERS						YES		YES	
CERTIFICATION FOR RECEIPT OF ADDENDA						YES - No Addenda		YES - No Addenda	
STATEMENT OF SURETY'S INTENT						YES		YES	
LIST OF SUBCONTRACTORS						YES		YES - No Subs	
PRE-QUALIFICATION FORM						YES - Waiting on Letter from ADOT		YES	
CONTRACTOR LICENSE CHECK						073438 - Class A (Current)		187408 - Class A (Current)	

**KINGMAN AIRPORT AUTHORITY, INC.
KINGMAN AIRPORT
SHIPPING LANE – SITE CLEARING PROJECT**

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WHEREAS, Owner and Contractor desire to memorialize Contractor's agreement to complete the Project under the terms and conditions set forth herein;

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NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner and Contractor agree as follows:

1. Performance of the Work. For and in consideration of the payments made as provided for in the Project Manual, to Contractor by Owner, and under the penalty expressed in the bond hereto attached, Contractor hereby covenants and agrees, at his proper cost and expense, to do all the Work and furnish all materials, tools, labor, and all appliances and appurtenances called for by this Contract, free from all claims, liens and charges whatsoever, in the manner, and under the conditions hereinafter specified, that are necessary for the Shipping Lane - Site Clearing Project for the City of Kingman, all to be performed within the Contract Time.

2. Compliance with Contract Documents. All Work done and materials and equipment furnished by Contractor or Contractor's suppliers shall be strictly pursuant to and in conformity with the Project Manual. The Project Manual furnished to the Contractor with his proposal and the additional drawings or prints and other information to be furnished by the Contractor in accordance with the Project Manual, and the Plans and Specifications, supplemental information, plans, drawings, or prints furnished by the Contractor and approved in writing by Owner and the Engineer, shall be complementary to each other and any Work appearing in or upon the one and not mentioned in the others shall be executed according to the true intent and meaning of the Project Manual, drawings, or prints the same as though the said Work were contained and described in all.

3. Incorporation of other Contract Documents. The Project Manual, Plans and Specifications, Special Notice of Offerors, Notice Inviting Proposals, Instruction to Offerors, Offer Response Form, General and Special Provisions, Proposal, Payment Bond, Performance Bond,

Certificate of Insurance, Contractor's Affidavit, Technical Provisions, Appendix, Plans, Addenda No.'s NONE, and Change Orders issued and any additional or supplemental specifications, notices, instructions and drawings issued in accordance with the provisions of the Contract Documents are hereby understood to be a part of this Contract and are hereby incorporated herein in their entirety. Unless otherwise defined herein, all capitalized terms in this Contract shall have the same meanings as defined in the General or Special Provisions.

4. Oversight and Approval of Work. The parties covenant and agree that the Work shall be executed under the direction of the Engineer, acting under the supervision of the Owner or Owner's properly authorized agents, on whose inspection all Work shall be accepted or rejected. Owner shall have full power to reject or condemn all materials furnished or Work performed under this Contract which do not conform to the terms and conditions herein expressed.

5. Resolution of Disputes. To prevent all disputes and litigation, it is further agreed by and between Owner and Contractor, that the Engineer shall determine all questions in relation to the Work and the construction thereof, and it shall in all cases decide all questions which may arise relative to the execution of the Work under this Contract on the part of Contractor and its estimates and decisions shall be final and conclusive; and such estimates and decisions, in case any questions may arise, shall be a condition precedent to the right of said Contractor to receive any money or compensation for anything done or furnished under this Contract.

6. Cancellation Pursuant to A.R.S. Section 38-511. Pursuant to A.R.S. Section 38-511, Owner may cancel this Contract, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating this Contract on behalf of Owner is, at any time while the Contract or any extension of this Contract is in effect, an employee or agent of any other party to this Contract in any capacity or a consultant to any other party of this Contract with respect to the subject matter of this Contract. In the event of the foregoing, Owner further elects to recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating, securing, drafting or creating this Contract arising as a result of this Contract.

7. Owner's Right to Offset. Prior to the final payment or any progress payment due to Contractor, Owner shall be entitled to deduct therefrom any and all unpaid taxes, fees and any and all other unpaid monies due to Owner from the Contractor, and shall apply those monies to the appropriate account. Contractor shall provide to Owner any information necessary to enforce the rights of the parties of this Contract.

8. Default by Contractor. Upon the occurrence of any violation or breach of the terms of this Contract on the part of the Contractor and if such breach or default remains uncured after the expiration of any applicable notice or cure period, Owner may suspend or terminate this Contract, or exercise any other enforcement remedies as set forth in the Contract Documents. All of Owner's remedies in this Contract are distinct and cumulative to any other right or remedy under this Contract, the other Contract Documents or applicable law, and may be exercised concurrently, independently or successively.

9. Independent Contractor. Contractor warrants and represents to Owner that it is fully experienced and properly qualified as an expert to perform the Work required hereunder and that it is properly licensed, equipped, organized and financed to perform such Work. Contractor shall finance its own operations, shall operate as an independent contractor and not as the agent of Owner, and shall

indemnify and hold Owner free and harmless from all liabilities, costs, and charges by reason of any act, omission, or representation of Contractor or of its subcontractors, agents, or employees.

10. Notices. All notices required or permitted to be given hereunder shall be in writing and shall be deemed to have been given when delivered in person or on the third business day after posting in the United States Post Office, postage prepaid by certified mail or registered mail, return receipt requested, to a party as follows, or to such address as a party may later designate by like notice to any other:

TO OWNER:	President Kingman Airport Authority 7000 Flightline Drive Kingman, Arizona 86401	City Manager City of Kingman 310 N. 4 th St. Kingman, AZ 86401
-----------	---	--

With a copy to: Jeffrey A. Goldberg
BRUNO, BROOKS & GOLDBERG, P.C.
730 East Beale Street
Kingman, AZ 86401

TO CONTRACTOR: McCormick Construction Co.
P.O. Box 545
Bullhead City, AZ

11. Successors in Interest. This Contract shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

12. Authorizations. The signatories to this Contract warrant each to the other that they have the authorization to enter into this Contract and to bind themselves to the terms and conditions of this Contract.

13. Attorney's Fees. In the event a party commences litigation to enforce any of the terms or conditions of this Contract and/or to recover damages or for other relief on account of the breach of this Contract, the prevailing party in such litigation shall be entitled to receive, in addition to all other relief to which such party shall be entitled, all costs and expenses, including reasonable attorneys' fees, incurred by the prevailing party.

15. Severability and Waiver. The invalidity or unenforceability of any provision hereof shall in no way effect the validity or enforceability of any provision hereof. Any waivers must be in writing and signed by the party sought to be charged. The waiver by any party of a right provided thereunder shall not be deemed to be a continuing waiver of that right or a waiver of any other right.

16. Construction. The parties agree that each party has reviewed this Contract and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply to the interpretation of this Contract.

17. Interpretation. The paragraph headings used in this Contract are for convenience only and shall not be used in the interpretation hereof. This Contract shall be interpreted and enforced in accordance with the laws of the State of Arizona, except when preempted by Federal laws.

18. Time of the Essence. Time shall be of the essence of the terms hereof.

IN WITNESS WHEREOF, five (5) identical counterparts of this Contract, each of which shall for all purposes be deemed an original thereof, have been duly executed by the parties hereinabove named, on the date and year first herein written.

OWNER:

City of Kingman

Kingman Airport Authority, Inc.

CONTRACTOR:

McCormick Construction Co.

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: City Clerk's Office

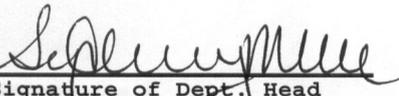
MEETING DATE: May 5, 2015

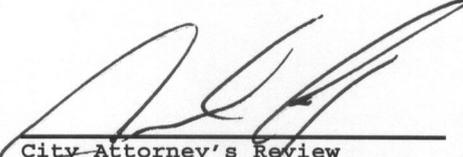
AGENDA SUBJECT: Special Event Liquor License Application

SUMMARY: Applicant Billy Ward of Boys and Girls Club of Kingman has applied for a Series 15 Special Event Liquor License for an event to take place Saturday, June 27, from 5:00 P.M. to 11:59 P.M., at 301 N First 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: 4d

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

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: Boys & Girls Club of Kingman

SECTION 2 Non-Profit/IRS Tax Exempt Number: 86-0743950

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: Boys & Girls Club of Kingman

Address of Location: 301 N First St Kingman, Mohave, 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: Ward, Billy T

Last

First

Middle

Date of Birth

2. Applicant's mailing address: PO Box 4362 Kingman, AZ 86402

Street

City

State

Zip

3. Applicant's home/cell phone: [REDACTED] Applicant's business phone: (928) 718-0033

4. Applicant's email address: [REDACTED]

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Jackie Walker, Human Resources/Risk Mgt Director

MEETING DATE: May 5, 2015

AGENDA SUBJECT: IGA with ADOT Data Access Agreement

SUMMARY:

The purpose of this communication is to seek authorization to allow the Human Resources Director to sign the attached agreement with ADOT to access MVR's database for the purpose of employee driver history records.

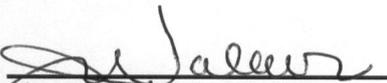
Background:

City of Kingman Human Resources has a due diligence to perform a Motor Vehicle Record check as a condition of employment and periodically thereafter. Currently the process is manual and takes weeks to receive the results of the records check.

Electronic access to ADOT's motor vehicle records request system (MVRRS) will provide immediate results. Electronic access will also reduce staff time to complete paperwork and seek notary services, reduce costs by eliminating postage to mail the paper request to the Phoenix office, and reduces liability by providing immediate results rather than waiting weeks to receive the results.

Fiscal Impact: None

Recommendation: Authorize the Human Resources Director to sign the attached IGA with ADOT for electronic access to MVRRS for the purpose of employee driver history records.


Signature of Dept. Head


City Attorney's Review


City Manager's Review

AGENDA ITEM: 4e



Motor Vehicle Division

Douglas A. Ducey, Governor
John S. Halikowski, Director
Eric R. Jorgensen, Division Director

GEN-15-0005288-M
City of Kingman Human Resources Department

Database Access Agreement

Arizona Department of Transportation
Motor Vehicle Division

Commercial Licensing and Specialty Services
Electronic Data Services

DATABASE ACCESS AGREEMENT – Government Non-AZ State

The Department (as defined below) hereby requests authorization for connectivity to the records database(s) of the Arizona Department of Transportation, Motor Vehicle Division (MVD). The Department's specific access capabilities are set forth and further described in the attached Addendum, which shall be considered a part of this Agreement between the Department and MVD.

The Department understands and agrees that it shall only access MVD's database(s) in accordance with the terms and conditions set forth herein. If at any time MVD believes the Department is using such access in an unauthorized or unlawful manner, MVD reserves the right, in its sole discretion, to immediately terminate this Agreement.

Definitions

"ADOT" means the Arizona Department of Transportation.

"Arizona @ Your Service Web Portal" or "Portal" means the single entry point through which the Company may access MVD's database(s) under this Agreement.

"Authorized users" mean those persons who are employed or contracted by the Department to perform the activities authorized hereunder.

"Confidential information" means all information used by and proprietary to MVD which is not generally known by non-MVD personnel. This includes, but is not limited to, the following types of information (whether or not reduced to writing or designated as confidential):

- Viewed or printed information resulting from or related to the access provided under this Agreement;
- All computer software and accompanying documentation (i.e. operating systems, user's guide, etc.) provided by MVD, its agents, vendors or other contractors;
- MVD's personnel, financial, marketing and other internal business information, including the manner and method of conducting business;
- MVD's strategic, operations and other business plans, measurements and forecasts; and
- Information regarding MVD's employees, electronic data access customers, vendors and other contractors.

"Connectivity" means to make and/or maintain a computer connection with MVD, through the Arizona @ Your Service Web Portal, for the purpose of performing the activities authorized under this Agreement.

“Data Access Security Level” means the level of access privileges granted to the Department’s authorized users to retrieve and/or modify MVD data based upon the Department’s stated eligibility for such data, as provided in Sections II and III of the Agreement Addendum.

“Department” means the government entity identified and referred to in Section I of the Agreement Addendum.

“Encrypted” means the scrambling of computerized information in order to secure data by using special algorithms for transmission or other purposes.

“MVD” means the Arizona Department of Transportation, Motor Vehicle Division.

“Motor Vehicle Record Request System” or “MVRRS” means the system used by the Portal provider to facilitate the Department’s electronic access to MVD record information through the Arizona @ Your Service Web Portal.

“Personal information” means information that identifies an individual, including an individual's photograph, social security number, driver identification number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status.

“Portal provider” means the private entity to which the State of Arizona has awarded a statewide contract to provide for the transmission of MVD’s record information to its pre-approved electronic data access customers via the Portal’s MVRRS.

“Secure location” means an area designated specifically for the Department’s authorized users to access MVD’s database(s) pursuant to this Agreement and to which all unauthorized individuals shall be prohibited from accessing or viewing MVD data. The designated secure location does not necessarily need to be a segregated or separately enclosed area within the Department’s place of business. However, reasonable measures must be undertaken at all times to ensure that the computers used to access MVD’s database(s) are accessibly only to Department personnel with assigned user-IDs and passwords and are, therefore, shielded from the view of the public and/or any unauthorized individuals.

Records Access

The Department understands that its exclusive access to MVD records pursuant to this Agreement is through the Portal provider’s MVRRS application. Upon execution of this Agreement between the Department and MVD, the Department’s authorized users will be assigned user identifications (user IDs) and passwords based on the Department’s approved data access security level to receive such records under federal and state law.

The Department will have three (3) access options under MVRRS, as described below:

- Via a web browser over the Internet;
- Via file (request/reply) transfers using file transfer protocol (FTP) over a dedicated and secured line; or

- Via sockets-based messaging over a dedicated and secured line.

Location of Activities

The Department may conduct authorized activities only at those locations which have been pre-approved by MVD. Any disapproval of location by MVD must be based on reasonable cause.

Equipment

The Department shall obtain computer equipment and software that is compatible with the information systems and connectivity requirements of the Portal provider and MVD, and which will allow access only to the specific database(s) listed in the Addendum to this Agreement.

Data Security

The Department shall provide a secure location for all computer equipment used to access MVD's database(s).

The Department shall provide access to MVD's database(s) only to Department personnel or contractors who are authorized users, and to no one else. If at any time MVD believes that an authorized user is utilizing such access in an unauthorized or unlawful manner, MVD reserves the right to immediately suspend or revoke that user's database access and/or to terminate the Department's authorization under this Agreement.

The Department shall comply with all policies, procedures and directives regarding security and database access made available to the Department by MVD during the course of this Agreement, including any future amendments thereto. All subcontractors utilized to perform the activities authorized by this Agreement must abide by the same security and access requirements as the Department.

Upon request by MVD, the Department must disclose any existing strategic alliances, partnerships, or subcontracting arrangements that the Department has which involve the processing and/or use of MVD data acquired pursuant to this Agreement.

Both during the term of this Agreement and subsequent to any termination of this Agreement, the Department, its officers, agents, employees, contractors and representatives shall not, without the prior written approval of MVD, disclose, distribute, or utilize in any manner not expressly authorized under this Agreement, any confidential and/or personal information which is connected or otherwise associated with this Agreement.

The Department shall maintain all hard copy information and electronic data related to this Agreement in a secure location at all times.

Data Privacy

The Department understands that both the manner in which MVD may release information from the records contained in its databases and the manner in which the Department may access and/or utilize such information are regulated by the Federal Driver’s Privacy Protection Act (DPPA), 18 U.S.C. §§ 2721-2725, as well as Title 28, Chapter 2, Article 5 of the Arizona Revised Statutes. It is the responsibility of the Department, and any authorized user acting on the Department’s behalf, to gain knowledge of all laws and applicable MVD policies and procedures which govern access to and use of MVD records, and to determine whether the Department is legally eligible to obtain such records from MVD.

MVD is not an agent of the Department or its subcontractors, and is in no way responsible or liable for the decisions or interpretations made by the Department or its officers, agents, employees, contractors and representatives, unless the contrary is specifically stated in writing by the MVD Director.

Anyone who knowingly obtains, uses or otherwise discloses personal information from an MVD record for a use not permitted under 18 U.S.C. § 2721, and anyone requesting the disclosure of personal information who misrepresents his/her identity or makes a false statement in connection thereto, with the intent to obtain such information in a manner not authorized by law, is subject to civil and/or criminal penalties. A violation of the DPPA or any other applicable federal or state law will cause the immediate termination of this Agreement.

In reference to motor vehicle records access, the Department shall not utilize its connectivity to MVD’s records database(s) under this Agreement for any purpose other than the purpose(s) specified in the Addendum to this Agreement. If the Department seeks access to or information from MVD’s database(s) for a reason other than that specifically authorized by this Agreement, the Department must submit a completed hard copy of the Motor Vehicle Record Request form to the appropriate MVD Unit.

Network Security

The Department understands and agrees that any and all MVD information that it sends over external or public computer networks, such as the Internet, must be encrypted.

The Department further understands and agrees that all computers which are permanently or intermittently connected to the Department’s internal computer network(s) must employ a pre-approved rule and/or privilege-based access control system that, in MVD’s sole judgment will serve to identify and authenticate each user in a manner which adequately protects MVD data from unauthorized access, disclosure and/or dissemination.

Scrutinized Business Operations

Pursuant to A.R.S. §§ 35-391.06 and 35-393.06, the DEPARTMENT (or private contractor) certifies that it does not have a scrutinized business operation in Sudan or Iran. For purposes of this Agreement, the term “scrutinized business operations” shall have the meanings set forth in A.R.S. § 35-391 and/or § 35-393, as applicable. If ADOT/MVD determines that the DEPARTMENT (or private contractor)

submitted a false certification, ADOT may impose remedies as provided by law, including the cancellation or termination of this Agreement.

Personnel

The Department shall notify MVD in writing within two business days of any change in its list of authorized users, including, but not limited to, any subtractions from this list which may occur as a result of the termination of an authorized user’s employment, a job transfer, or any other change in status which establishes that the individual no longer requires access to MVD data.

The Department shall also respond immediately to all MVD inquiries concerning its list of authorized users.

Non-exclusivity

This Agreement shall not preclude MVD from entering into the same or similar Agreement with other public or private entities, including those performing identical or similar functions as the Department.

Notification

The Department shall assign a contact person who possesses, at a minimum, the authority to communicate on behalf of and to answer for the Department with respect to this Agreement. The contact person will sign individual user access agreements, receive and distribute user IDs within the Department, and will maintain responsibility for record retention, problem resolution and notification of procedural changes.

The Department shall provide MVD in writing a description of the contact person’s scope of authority regarding department operations in general and the activities to be performed under this Agreement in particular. The Department shall advise MVD within two business days of any change in its designated contact person and provide a statement as to that person’s scope of authority. All notices to or demands upon MVD shall be in writing and shall be delivered in person, by fax, by email, or by U.S. mail addressed as follows:

Motor Vehicle Division
Commercial Licensing and Specialty Services
Electronic Data Services
P.O. Box 2100, Mail Drop 502M
Phoenix, AZ 85001
Fax: 602-712-3145
Email: eds@azdot.gov

All notices to or demands upon the Department by MVD will be addressed as specified in Section VI of the Agreement Addendum.

Records

The Department shall maintain a log or register of all MVD records it requests and all MVD records it obtains by virtue of the access provided herein. The Department shall retain this log or register either manually or electronically, along with all other books, papers, records, data, and accounting records relating to this Agreement, for a period of five (5) years; or such greater or lesser time as may be required by federal or state law, rule, or the ADOT Records Retention Schedule.

It is further agreed that ownership of all records relating to this Agreement resides exclusively with MVD.

Audit and Inspection

The Department understands and agrees that all records described in the preceding section shall be subject to audit and inspection by authorized representatives of MVD or by any law enforcement agency at all times during the term of this Agreement, and for a period of five (5) years thereafter. If MVD determines that an on-site audit or inspection of the Department outside of Arizona is necessary, the Department shall pay for the auditors' travel expenses in an amount equal to the Arizona Department of Administration (ADOA) reimbursement rate for out-of-state travel as authorized by A.R.S. Title 38, Chapter 4, Article 2 and Sections II-D of the Arizona Accounting Manual prepared by ADOA.

At MVD's sole discretion, the Department shall be required to retain a pre-approved independent professional organization to audit or assess the adequacy of the Department's information technology security procedures, including the methods and practices employed in the processing and use of MVD data. A written report of the results of each audit or assessment shall be provided to MVD within thirty (30) days of its completion. The Department shall have an audit or assessment performed based on a frequency specified by MVD and shall not, without the express written approval of MVD, discontinue or modify this schedule. The Department shall also pay any and all costs associated with such security audits or assessments.

If any security and/or control deficiencies are identified as a result of an audit report, the Department understands and agrees that it must immediately take any and all corrective measures necessary to resolve those deficiencies. Within thirty (30) days of the issuance of the audit report, the Department shall also provide MVD with a written corrective action plan which, in MVD's sole judgment, adequately describes the steps the Department has taken (or will take) in order to fully resolve each and every deficiency identified in a security audit.

Compliance

The Department shall comply with all of the terms set forth in this Agreement, together with all applicable federal and state statutes, rules, and regulations. The Department shall also comply with all relevant policies, procedures and directives made available to the Department by MVD during the course of this Agreement. All Department subcontractors are held to the same compliance standards, and any failure to comply on the part of the subcontractor will be deemed a failure on the part of the Department.

Non-Compliance

If the Department fails to comply as provided above, MVD reserves the right to take any remedial action that it deems necessary and appropriate, including the revocation of the department's account and termination of its Agreement in its entirety. In case of a violation of law, the Agreement shall be subject to immediate termination by MVD.

Cancellation

Either party may cancel this Agreement for cause or convenience upon thirty (30) days prior written notice to the other party. MVD reserves the right to cancel this Agreement at any time, without prior notice, if it determines that the public interest so requires, and the exercise of such right shall be without penalty and without recourse against MVD by the Department or any of its subcontractors.

This Agreement is also subject to cancellation by the Governor of Arizona pursuant to A.R.S. § 38-511.

Except as otherwise directed by MVD, upon receipt of a notice of cancellation or termination (and to the extent specified in such notice), the Department shall:

1. Immediately cease any and all activities previously authorized under this Agreement;
2. Place no further request for records pursuant to this Agreement;
3. Remit any outstanding monies owed to MVD and/or the Portal provider within forty-eight (48) hours; and
4. Ensure that its continued use of any records obtained prior to the effective date of cancellation or termination is restricted solely to the use(s) authorized by this Agreement.

Duration

This Agreement shall commence upon approval by the Motor Vehicle Division Director and execution by both parties, and shall thereafter continue in effect for a term of three (3) years, unless previously canceled or terminated as provided herein. Upon expiration of this three-year period, the parties may mutually agree to extend the term of the Agreement for another three (or fewer) years by entering into a "Joint Letter of Renewal."

Applicable Law and Forum

This agreement shall in all respects be governed by and construed in accordance with the laws of the State of Arizona, without regard to the conflict-of-laws provisions thereof. Any action, suit, claim or dispute arising under or related to this Agreement which the parties are unable to resolve informally shall be brought in the state or federal courts of Arizona.

Amendment and Modification of Agreement

The Department shall accept any modification of the Agreement for reasonable cause, if set forth in writing and deemed necessary by MVD. Upon the amendment of any applicable law, rule or regulation, the Agreement shall automatically be modified to reflect such amendment. Any

modification of the Agreement shall be incorporated herein and shall be subject to all other provisions of this Agreement.

Non-Assignability

Unless the Department obtains the express written consent of MVD, this Agreement is not assignable to any other entity, in whole or in part.

Waiver/Severability

The Department agrees that a waiver of any provision of this Agreement shall not act as a waiver of any other provision of this Agreement. If a provision of this Agreement is for any reason declared invalid, illegal, or unenforceable, that declaration shall not affect the remainder of the provisions of the Agreement.

Liability

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.

Insurance

Except as provided below, and without limiting any liabilities or any other obligation of the Department, the Department shall purchase and maintain (and cause any relevant subcontractors to purchase and maintain), in a Department or companies lawfully authorized to do business in the State of Arizona, and rated at least A VII in the current A.M. Best's, the minimum insurance coverage below:

Commercial General Liability, with minimum limits of \$1,000,000 per occurrence, and an unimpaired products and completed operations aggregate limit and general aggregate minimum limit of \$2,000,000. Coverage shall be at least as broad as the Insurance Service Office, Inc. Form CG00010196, issued on an Occurrence basis, and endorsed to add the State of Arizona and Arizona Department of Transportation as an Additional Insured with reference to this contract.

MVD reserves the right to request and receive certified copies of all policies and endorsements.

Certificates of Insurance acceptable to MVD shall be issued and delivered prior to the commencement of the work defined in this contract, and shall identify this contract and include certified copies of endorsements naming the State of Arizona and Arizona Department of Transportation as Additional Insured for liability coverages. The certificates, insurance policies and endorsements required by this paragraph shall contain a provision that coverages afforded will not be suspended, voided, cancelled, reduced in coverage or in limits except after sixty (60) days prior written notice has been given to

MVD. All coverages, conditions, limits and endorsements shall remain in full force and effect as required in this contract.

Failure on the part of the Department to meet these requirements shall constitute a material breach of contract, upon which MVD may immediately terminate this Agreement. Costs for coverages broader than those required or for limits in excess of those required shall not be charged to the State of Arizona and Arizona Department of Transportation.

If the Department is self-insured by its State, County or Municipality, then this section of the Agreement does not apply. Nevertheless, MVD reserves the right to request and receive evidence of self-insurance.

AGREEMENT ADDENDUM

THIS ADDENDUM is made and entered into pursuant to Arizona Revised Statute (A.R.S.) §§ 28-401 et seq. and § 28-455, as part of the foregoing Database Access Agreement between the Arizona Department of Transportation, Motor Vehicle Division (hereinafter referred to as MVD) and the City of Kingman Human Resources Department (hereinafter referred to as the Department).

RECITALS

- I. The Agreement provides authorization for connectivity to MVD’s specified records database(s) by the following Department:

Name of Department: City of Kingman Human Resources Department
Doing Business As: City of Kingman Human Resources Department
Business Address: 310 N 4th Street, Kingman, AZ 86401
Mailing Address: 310 N 4th Street, Kingman, AZ 86401
Telephone Number: (928) 753-5561

- II. In accordance with the Federal Driver’s Privacy Protection Act (DPPA), 18 U.S.C. §§ 2721 – 2725 and A.R.S. Title 28, Chapter 2, Article 5, the Department requests authorization to access MVD’s Driver License Database solely for the purpose of carrying out the Department’s official functions as a governmental entity pursuant to the following permissible use(s) allowed in A.R.S. § 28-455: (C) 1.

- III. In reliance on Recital II, MVD grants the Department authorization to access its Driver License Database via MVRRS, and to thereby retrieve non-restricted records information contained in such databases according to the terms and conditions stated in this Agreement between the parties.

- IV. Per this Agreement Addendum, the Department shall have authority to access the above-referenced database(s) by utilizing the approved segment access, which is attached.

- V. Per this Agreement Addendum and Batch Specifications Attachment, the Department shall have authority to submit the following batch accounts:
N/A

- VI. All notices to or demands upon the Department by MVD shall be in writing and shall be delivered in person, by fax, by email, or by U.S. mail addressed as follows:

Business Contact Person:
Michael Paterson
310 N 4th Street
Kingman, AZ 86401
Fax: (928) 753-3544
Email: mpaterson@city of kingman.gov

- VII. This Addendum supersedes the Addendum signed on NA.

The foregoing Agreement and Addendum are mutually agreed to:

Motor Vehicle Division

City of Kingman Human Resources Department

Signature

Signature

Mark Vessella

Name Printed

Name Printed

Program Manager

Title

Title

Date

Date

Certification

On behalf of the Department identified below, I hereby request approval of this Agreement. I certify that all of the information set forth herein by the Department is true and accurate, and that any records or information obtained from MVD's database(s) pursuant to this Agreement will be used solely for the purpose(s) specified in the Addendum to this Agreement, and for no other purposes. I further certify that I have the authority to execute this Agreement on behalf of the Department. I understand that the Department must abide by the provisions of this Agreement if approved by the MVD Director and executed by both parties.

City of Kingman Human Resources Department

Signature

Name Printed

Title

Date

For MVD USE ONLY

Received this date _____ . Signed _____

AUTHORIZATION

On behalf of the Arizona Department of Transportation, Motor Vehicle Division, the authorization requested by **City of Kingman Human Resources Department** pursuant to this Agreement (including the attached Addendum) is hereby approved.

DATED THIS _____ DAY OF _____, 20_____.

MOTOR VEHICLE DIVISION

Eric R. Jorgensen
Director, Motor Vehicle Division
Arizona Department of Transportation



QDSEE Segment Access Attachment

Name of Agency: City of Kingman Human Resources Department

Per the Agency's Data Request Form, MVD grants access to the following QDSEE segments:

Base Segment	Segment Description	Access Granted
DM00	Base Segment	Yes
DM01	Previous License Segment	No
DM02	Violation Segment	Yes
DM05	Driver Improvement Segment	Yes
DM06	Traffic Survival School Segment	No
DM07	Financial Responsibility / Mandatory Insurance Segment	No
DM08	Financial Responsibility / Proof Segment	No
DM09	Mailing Address Segment	No
DM10	Traffic Complaint Suspension Segment	No
DM11	Permit / Identification License Segment	No
DM12	CDLIS Out of State Accident Violation Segment	No
DM13	Cross Reference and AKA Names Segment	No
DM14	Nonresident Violator Compact Segment	No
DM24	Customer Characteristics Segment	No

GEN#15-0005288-M
ADOT DATABASE ACCESS AGREEMENT

APPROVED AS TO FORM:

Carl Cooper, City Attorney

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: George Sedich Water Superintendent

MEETING DATE: May 5th 2015

AGENDA SUBJECT: Water Department - one Portable Power Generating System for
Fiscal Year 2014/2015

SUMMARY: The Public Works Water Department received a bid on 04/27/2015
for one Portable Power Generating System for the fiscal year
2014/2015 budget.

Empire Power Systems = \$59,500.00 + tax

ATTACHMENT: Bid tabulation sheet, bid specifications

FISCAL IMPACT: Water Budget 501-3510-590-93-10 = \$85,000 Budgeted

Empire Power Systems' bid for a QT-220 series Portable Power
Generating System meets all bid specifications and local
service contract requirements as requested. This portable
unit will provide emergency power for the following booster
stations: Hualapai Booster Station, providing water to the
Rancho Santa-Fe tank and Hualapai Foot-hills tank, as well as
Long Mountain 4 Booster station, providing water to the
Camelback Tank.

STAFF RECOMMENDATION: Award bid to Empire Power systems. Phoenix, Arizona


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 4F

CITY OF KINGMAN

INVITATION TO BID

Prime 200/160KVA/KW Portable Power Generating System W/Trailer

The City of Kingman invites sealed bids for one (1) Power Generating System W/Trailer. Sealed bids are to be submitted to the City of Kingman City Clerk's Office, 310 North 4th Street, Kingman, AZ 86401, **by 04-27-2015, at 9:30 a.m. M.S.T.** Bids will be opened at that time.

Detailed specifications and bidding packets may be obtained from the City of Kingman Public Works office, 3700 E. Andy Devine, Kingman, AZ 86401, (928) 757-7467. **Bid will be awarded by action of the Common Council on the next scheduled meeting.**

The City reserves the right to reject any and all bids.

CITY OF KINGMAN
Water Department
INVITATION TO BID

Portable Power Generating System

The City of Kingman invites sealed bids for the supply of one (1) Portable Power Generating System, in accordance with the provisions, specifications and bidding instructions set forth in this invitation for bids. Bids must be received by the City Clerk's office, 310 North 4th Street, Kingman, Arizona 86401, **by 04-27-2015**. The bids will be opened and publicly read immediately thereafter in the City Council Chambers. Late bids will not be accepted.

A printed copy of the bid tabulation will be available upon written request to the City Clerk's Office. Each written request must contain a self-addressed, stamped envelope and must reference the bid title and number. Bid tabulations will be posted and available for public viewing in the reception room of the office of the City Clerk for a period of 60 calendar days after the bid opening date.

1. **ADDITIONAL CONDITIONS OF PURCHASE**

1.1 DELIVERY

- A. Specified equipment to be delivered to the City of Kingman Public Works facility **SIX MONTHS AFTER PURCHASE ORDER HAS BEEN RECEIVED BY BIDDER.**
- B. The successful bidder agrees that if they fail to deliver the specified equipment at the specified intervals, the successful bidder shall pay the City of Kingman liquidated damages in the sum of \$50.00 per day for each day and each occurrence after the final date for delivery, per sub-paragraph A. above, until all units and equipment have been delivered.

1.2 FOB POINT

Price quoted shall be **FOB City of Kingman.**

1.3 PRICE

All prices quoted shall be firm and fixed.

1.4 PROGRESS PAYMENTS

Progress payments are not authorized in this procurement.

1.5 METHOD OF PAYMENT

Vendor to submit invoice or signed delivery invoice for payment.

ADDITIONAL CONDITIONS OF PURCHASE - continued

2. SCOPE

The specifications contained in the Submittal section of this bid are the established minimums for each piece of equipment. Bidders shall indicate in the offered column of the specifications any variances or exceptions taken.

Any references to brand names shall be construed to indicate the minimum quality and performance levels acceptable. Brands by other manufacturers shall be indicated and complete technical data for evaluation shall be included with the bid.

Specifications shall be returned with the bid submitted.

3. BID SUBMITTALS

In order to be considered, Bidder must complete and submit the attached bid forms to the City of Kingman City Clerk, 310 North 4th Street, Kingman, AZ 86401, by no later than the opening date and time cited on page one, paragraph one of this document . Please identify as a sealed bid.

Bids submitted as alternates, as "equals," or on the basis of exceptions to specific conditions of purchase and/or required specifications, must be submitted with an attachment referencing the specific paragraph numbers and adequately defining the exception submitted. Detailed product or service literature, suitable for evaluation, must be submitted with the bid. If no exceptions are taken, Bidder need only complete Bid Price Schedule below and City will expect and require complete compliance with the specifications and all Conditions of Purchase.

**Portable Power Generating System
FOR THE CITY OF KINGMAN
BID PRICE AND DELIVERY SCHEDULE**

Note: Please do not include any sales or use tax in your bid. The City of Kingman will add as applicable.

MANUFACTURER AND MODEL **Southwest Products, Model QP 220**

QUANTITY: **one**

UNIT PRICE EXCLUDING TAX: **\$ 59,500.00**

TOTAL PRICE EXCLUDING TAX: **\$ 59,500.00 FOB Kingman, AZ**

DELIVERY - NUMBER OF CALENDAR DAYS: **30 days**

WARRANTY 12 months

Bidder guarantees that the supplies/equipment offered shall be warranted as follows:

Please specify the vendor or dealership where warranty work will be done.

Vendor/Dealership information:

Name: **Empire Power Systems**

Street Address: **3255 Rutherford Dr.**

City, State, Zip: **Kingman, AZ. 86401**

Telephone: **928.714.2825**

CERTIFICATIONS:

Bidder certifies it is a (check one): Proprietorship:

Partnership:
Corporation: **X**

Arizona Sales Tax No: **TIN# 86-0894087**

Arizona Use Tax No: **TPT# 07-556587G**

CERTIFICATE OF UNDERSTANDING

Bidder certifies that he/she has read, understands, and will fully and faithfully comply with this invitation for bid, its attachments, and any referenced documents. Bidder also certifies that the prices offered were independently developed without consultation with any of the other bidders or potential bidders.

Bidder's Legal Name:

Empire Power Systems

Address:

3255 Rutherford Dr.

Telephone Number:

928.714.2825

FAX Number:

928.714.2859

Printed Name and Title:

Greg Ames , Northern AZ. Account Manager, Empire Power Systems

Authorized Signature:



Date: 04.23.2015

QUIET POWER RENTAL SERIES

QP 220

Complete Power Solutions



Quiet Power Rental Series - QP 220 *w/ Trailer*

Southwest Products' Quiet Power 220 generators include large capacity dual containment fuel cells with environmental containment basins that allows for extended run times. The durable features provide a quality appearance while delivering continuous operating data on the easy-to-read display screen and redundant analog gauges.

QP 220

Standby Rating: 219 kVA / 175 kW

Prime Rating: 200 kVA / 160 kW

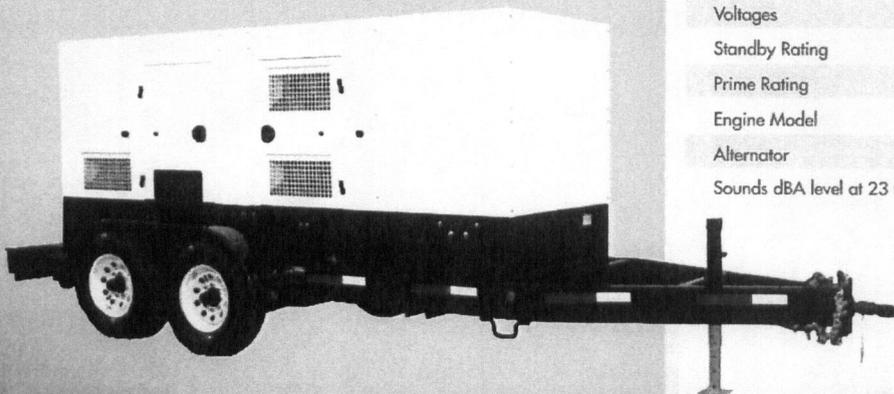
Reliable, Sturdy, and Environmentally Friendly

- Heavy duty, 4-cycle, direct injection, turbo charged diesel engine
- Oversized alternator with PMG for better motor starting
- Heavy gauge, powder coated, lockable enclosure
- Dual containment fuel cell with environmental containment basin
- Robust construction

Extremely Quiet and Fuel Efficient

- Sound attenuation for superior noise reduction
- EPA FLEX products (Tier 3 technology) JP-8 compatible
- Electric fuel system and governor control
- Large capacity fuel cell for long run times

Quiet Power Rental Series - QP 220



Technical Specifications

Model	QP 220
Voltages	120/240 120/208 277/480
Standby Rating	219 kVA / 175 kW
Prime Rating	200 kVA / 160 kW
Engine Model	1106D-E66TAG4
Alternator	SWP, Newage
Sounds dBA level at 23 ft.	71 dBA

QP 220

Quiet Power Rental Series - QP 220

Easy to Use Connection and Service Points

- Up to 500 hour service intervals
- Multi-voltage switch with utility outlet power in all voltage modes
- Bus bar, cam-loc, and utility outlets for customer connections
- SWP Tough Series TG410 digital genset controller
- Digital engine/generator controller with redundant analog gauges/meters
- Single point lift

ENCLOSURE SPECIFICATIONS

Length - Enclosure Only	153"
Width	50.5"
Height	68.13"
Weight - Dry	6,495 lbs
Length With Trailer	233"
Width With Trailer	82"
Height With Trailer	84"
Weight With Trailer	8,495 lbs
Weight Ready to Run	10,200 lbs

ENGINE SPECIFICATIONS

Engine Mfg	PERKINS
Model Number	1106D-E66TAG4
Spec #	PJ70696
Prime Output HP	233
Standby Output HP	257
Emissions Certification	Tier 3 / Flex

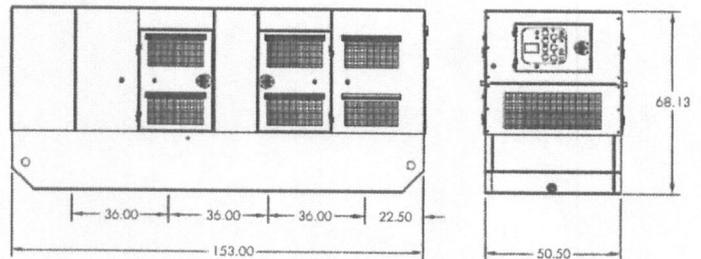
ALTERNATOR SPECIFICATIONS

Available Voltages	120/240 120/208 277/480
277/480 Volt Prime Amps	236
277/480 Volt Standby Amps	263
120/208 Volt Prime Amps	544
120/208 Volt Standby Amps	607
120/240 Volt Prime Amps	364
120/240 Volt Standby Amps	401

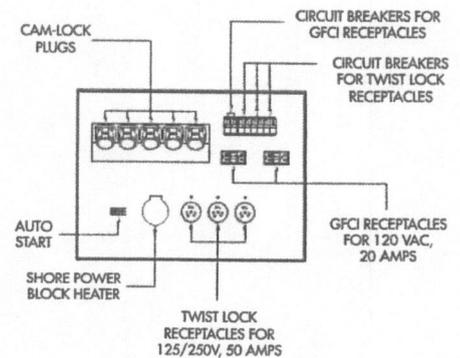
FUEL CONSUMPTION

Fuel tank capacity - Gallons	230
Fuel consumption at prime rating	12.7 gal/h
25% load	4
50% load	7.5
75% load	10.6
100% load	13.7

Dimensions



Generator Output Panel



Current Date: 4.23.2015
Quotation Number: GA0422015A
Quotation Expires: 06.30.2015

Customer Name: City of Kingman, Public Works
Customer Address: City Clerk's Office, 310 N.4th Street, Kingman, AZ, 86401

In accordance with your request, we are pleased to submit the following proposal for the above-mentioned project. Empire Power Systems proposes to furnish this equipment at the attached quoted price.

This proposal meets the functional intent of the specification and the one line electrical design provided with any exceptions noted in the body of the attached quote.

We will arrange for initial start-up services at no additional charge. These services include an onsite installation and operational inspection of the equipment supplied by Empire Power Systems. A summary of our basic start up scope of work is included in the attached quote document.

The initial diesel fuel required for startup services and testing **is not** included in this proposal.

Thank you for the opportunity to provide the attached quote. Empire Power Systems remains at your disposal for any additional information or assistance that you may require.

Sincerely yours,

Greg Ames
Northern Arizona Account Manager
Empire Power Systems
Office: 928.714.2825
Mobile: 928.606.1815
Fax: 928.714.2859
greg.ames@empire-cat.com

Bill of Materials Packaged Generator Set.**“QP220”, portable power generator****Freight is included FOB truck job site, City of Kingman****Total price \$ 59,500.00ea.****Option, 1-Year Customer Support Agreement.****\$ 1300.00/year**

- We are pleased to offer a Customer Support Agreement (CSA) plan which provides for routine maintenance of your new Caterpillar power product for the first year. On a semi-annual basis Empire will complete a comprehensive system inspection of your power system equipment. Also included is the first year oil and filter replacement service inclusive of engine oil and coolant samples submitted for laboratory analysis. You will be provided with complete documentation of all results and services performed.

Basic Packaged Generator Set Start up includes:**All work to be performed during regular business hours, 7:00 a.m. to 4:00 p.m. Monday – Friday.**

- Install acid in the batteries
- Hook up batteries
- Visually inspect unit for damage or missing parts
- Check Fluid levels
- Adjust isolators
- Hook up auto start wires to Generator
- Verify Battery Charger is working
- Verify Block Heater is working
- Prime fuel system
- Hook up to Control Panel verify settings are at factory default settings
- Copy Configuration of panel and give to sales department.
- Service meter extend days out.
- Start up unit verify operation at no-load
- Verify correct voltage and hertz
- Check Safeties
- Verify all gauges are reading correctly
- Connect and disconnect pure resistive load bank with one 75 foot run.



- Load bank for 1 hour
- Perform Startup Inspection Form and give paper work to the sales department

Submittals and Drawings:

- Standard Submittal package includes: 1 paper copies and 1 electronic copy on CD

This Quote Specifically Excludes:

- Any applicable Taxes
- Installation
- Diesel Fuel
- Crane or Rigging at Job Site

Subject to the attached terms and conditions
This quote automatically expires 6.30.2015

The undersigned acknowledge that the preceding proposal has been read in its entirety, is understood and is hereby accepted:

Company: Empire Power Systems

Company: City of Kingman, Water

Printed Name: Greg Ames

Printed Name: _____

Signature: _____

Signature: _____

Date: 4.23.2015

Date: _____

Purchase Order: _____

TERMS & CONDITIONS

- A)** Customer is responsible for any and all installation of the equipment supplied by **Empire Power Systems**, unless otherwise specified in writing. All equipment needed to perform any loading or unloading of the equipment supplied by **Empire Power Systems** is the responsibility of the buyer.
- B)** **Empire Power Systems** limits the scope of supply for this quotation to the equipment and services listed in our bill of material. Unless specifically listed in our bill of material, equipment not indicated is assumed to be supplied by others. We have detailed the equipment proposed in the bill of material. Please check it to be certain that it meets your requirements.
- C)** **Empire Power Systems** reserves the right to correct any errors or omissions. Standard warranty of the manufacturer applies. Copies are available upon request.
- D)** Contracts which include penalty or liquidated damage clauses, waivers of subrogation, or naming a third party additionally insured are not acceptable or binding on **Empire Power Systems**, unless accepted and confirmed in writing by an officer of **Empire Power Systems** at its Phoenix division office.
- E)** Unless agreed to in writing, **Empire Power Systems** will not accept purchase orders which:
- Require **Empire Power Systems** to pay any and all legal expenses for the purchaser in the event of a dispute
 - Require that **Empire Power Systems** be responsible for design work and/or guarantee that a performance standard for a system be met
 - Require completion and acceptance of the project by the owner before payment
- F)** There will be a **25%** of order cancellation fee for any orders cancelled, once placed and accepted by **Empire Power Systems**.
- G)** **Empire Power Systems'** standard and extended terms and conditions are included in the quotation and hereby become part of this quotation. These same terms need to be noted on any purchase order received by **Empire Power Systems** in order to process your order.
- H)** **Empire Power Systems** will not be responsible for any labor or material charges by others associated with the start-up and installation of this equipment unless previously agreed upon, in writing by **Empire Power Systems**.
- I)** **Empire Power Systems** is a supplier of materials and related services and not a contractor. Retention is not acceptable.
- J)** Credit is subject to **Empire Power Systems**, approval at its sole discretion. This quote in no way constitutes approval of credit.
- K)** **Empire Southwest LLC** has entered a like-kind exchange (LKE) program. If the equipment described herein qualifies and is purchased, notice is hereby given that **Empire Southwest LLC** will assign its rights under the sales contract to **Empire Exchange LLC** including, if applicable, the right to purchase any trade-in property. If this contract is assigned to **Empire Exchange LLC** sales proceeds must be remitted according to the invoice rendered.
- L)** Sales payments are due Net 10; all others Net 30. Unless otherwise agreed in writing by a corporate officer of Empire Southwest, LLC ("Empire"), the purchase of goods (including, but not limited to, new and used equipment, attachments, parts and technology) or services from Empire will be governed solely by Empire's Terms and Conditions of Sales and Service (the "Terms"), which are available at www.empire-cat.com/termsandconditions or such other successor website at which Empire posts its Terms from time to time. A hard copy of the Terms is available upon written request to terms.conditions@empire-cat.com. Empire's Terms are hereby incorporated by reference into this document and all other documents related to your purchase of goods or services from Empire. By purchasing goods or services from Empire, you agree to be bound by Empire's Terms.

Terms and conditions of this quotation govern over any conflict between this document and customer's purchase order or other document.

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Common Council
FROM: Development Services Department
MEETING DATE: May 5, 2015

AGENDA SUBJECT: Public Hearing and Consideration Resolution #4949, Concerning a Major General Plan Amendment to Amend the Projected Land Use Map of the City of Kingman General Plan Update 2030 to designate 151.32-acres of the 168.42-acres located in the south portion of Section 9, Township 21 North, Range 16 West, Gila and Salt River Meridian from "Parks/Open Space" to "Regional Commercial". The location of this property is located south of Interstate-40, north of the Airfield Avenue alignment, between the Sage Street and Cherokee Street alignments. Case No. GPA15-001

=====

SUMMARY: The Kingman General Plan designates the 168.42-acres located south of I-40, north of the Airfield Avenue alignment, and between the Sage Street and Cherokee Street alignments as "Parks/Open Space". On February 3, 2015, the City Council initiated an application for a major general plan amendment to change the designation of the eastern 151.32 acres of this property from "Parks/Open Space" to "Regional Commercial". The current Projected Land Use Map was adopted on March 4, 2014 with the adoption of the City of Kingman General Plan Update 2030. The citizens ratified the General Plan Update on November 4, 2014, 3249 (55.43%) in the affirmative to 2612 (44.57%) in the negative.

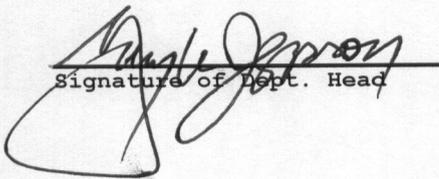
An element of the General Plan Update is the Transportation Element. This element adopts the Kingman Area Transportation Study Update (KATS), which was adopted May 3, 2011. The KATS Study identified two new traffic interchanges on I-40. One interchange is the Kingman Crossing Interchange and the other is the Rancho Santa Fe Parkway Interchange. Neither interchange has been funded.

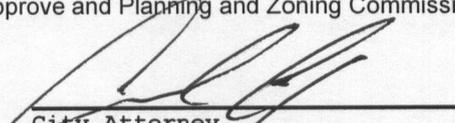
On May 7, 2007, the City Council adopted Resolution #4425 which amended the General Plan to designate the City's land "Regional Commercial". The citizens repealed Resolution #4425 by referendum on November 6, 2007 by a vote of 1498 (39.35%) "for" and 2309 (60.65%) "against". The Design Concept Report for the Kingman Crossing Traffic Interchange was subsequently amended to have no access south of the interchange across the City's property.

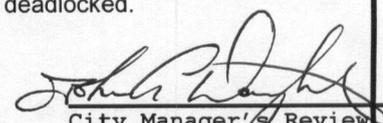
The Planning and Zoning Commission held two public hearings in two different locations on this application. The first public hearing was held on April 14, 2015 in the City Council Chambers, and second public hearing was held on April 28, 2015 in the Mohave County Board of Supervisors Room. Planning and Zoning Commission deadlocked with a three-to-three vote with one abstention, on a motion to recommend approval of the Kingman Crossing Major General Plan Amendment.

The City Council is to hold at least one public hearing, which is scheduled for May 5, 2015 and then consider Resolution #4949. In order for this application to be approved, there must be at least a two-thirds majority (a minimum of five votes). Major General Plan Amendments can be considered only in one month a year, which is the month of May.

ATTACHMENTS: Application; Planning and Zoning Commission Report, and Resolution #4949
FISCAL IMPACT: None
RECOMMENDATION: Staff Recommends Approve and Planning and Zoning Commission is deadlocked.


Signature of Dept. Head

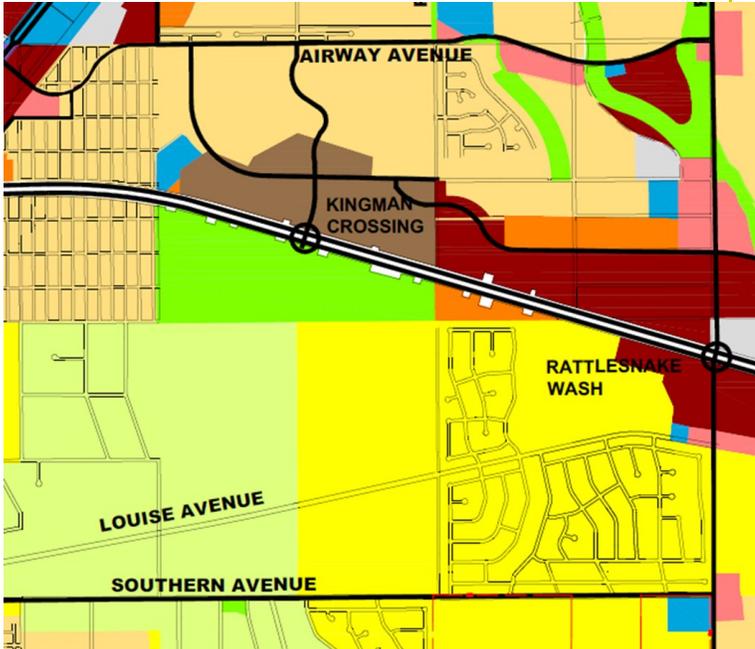

City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 5a



General Plan 2030 Proposed Amendment



To help inform the public of factual information surrounding the proposed amendment to the General Plan 2030, the City of Kingman has compiled this fact sheet of statistical data and statutory requirements the City of Kingman must follow.

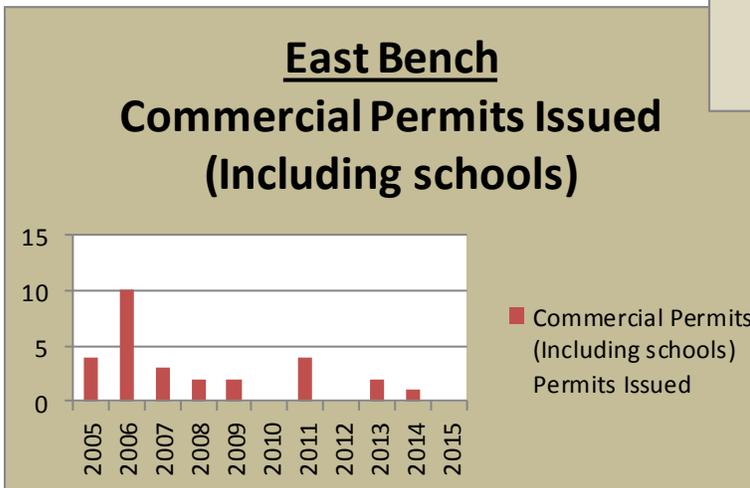
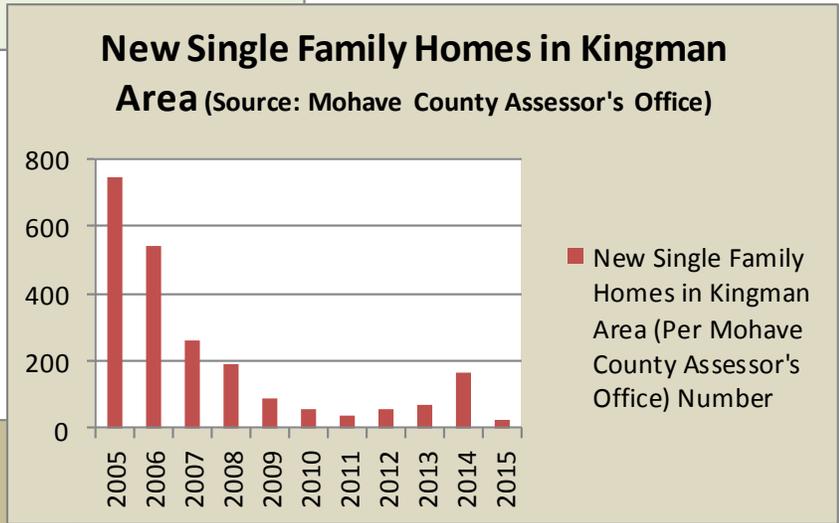
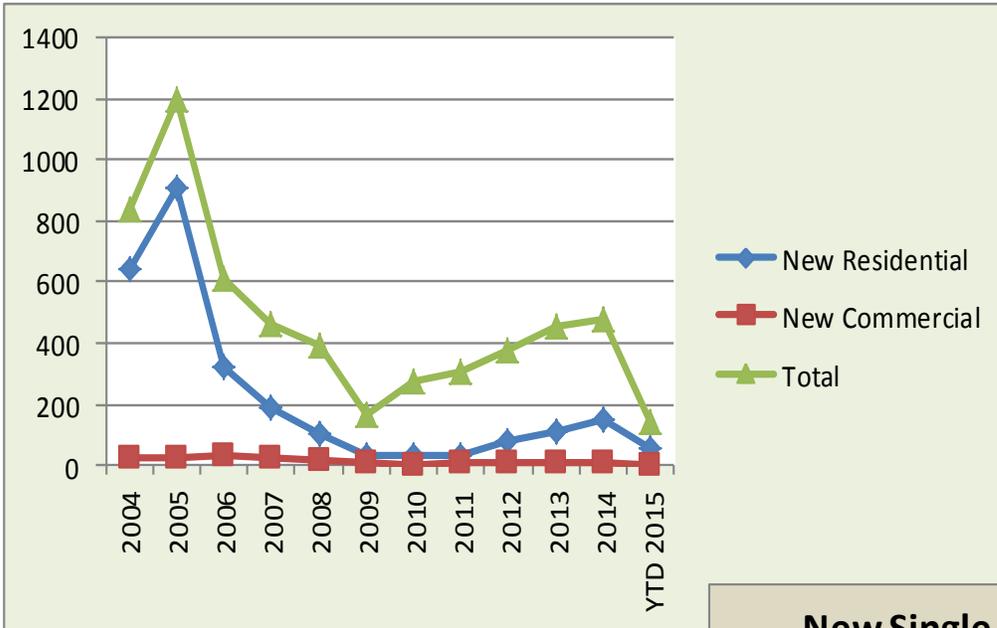
For additional information, please visit www.cityofkingman.gov or contact City Administration at (928)753-8102.

Just the Facts:

City of Kingman General Plan 2030

- ◆ Planning and Zoning Commission started reviewing and updating the General Plan **September 2012**
- ◆ **July 9, 2013** the Planning and Zoning Commission completed its review of the General Plan and directed staff to distribute it for the required 60-day review
- ◆ The Commission reviewed the 60-day comments at the **September 10, 2013** meeting
- ◆ The first Planning and Zoning Commission public hearing was held **October 8, 2013** and a second public hearing was held **October 22, 2013**. There were no public comments at the first public hearing. At the second public hearing a citizen spoke about the City applying for grant on economic development and a second citizen spoke in opposition to the Kingman Crossing traffic interchange
- ◆ The City Council's public hearing took place **December 3, 2013**
- ◆ The City Council adopted Resolution #4868 **March 4, 2014** which adopted the General Plan Update
- ◆ The ratification of the adopted General Plan Update took place at the **November 4, 2014** general election

Just the Facts: Recent Growth in Kingman A Ten Year Comparison

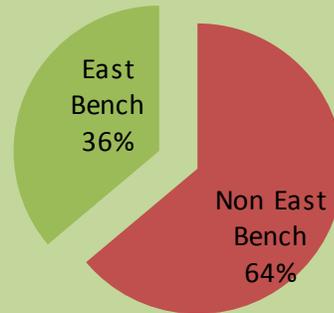


Just the Facts:

Recent Growth in Kingman A Ten Year Comparison

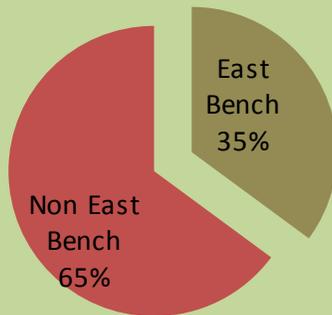
Residential Comparison

2005-2015



Commercial Comparison

2005-2015



The December 2010 Buxton Retail Leakage and Surplus Analysis revealed the City was losing retail sales in



Proposal:

- ◆ 148-acres on the North side of I-40 is designated on the General Plan as “Regional Commercial”
- ◆ The City of Kingman owns 168.42 acres located South of I-40 and North of the State Trust Land Section (Section 16)
 - The land is currently designated on the General Plan as being entirely “Parks/Open Space”
- ◆ The General Plan is proposed to be amended in the following way
 1. Keep the west 17.1 acres as “Parks/Open Space”
 2. Have the remaining 151.32 acres be re-designated as “Regional Commercial”

***This proposal is for re-designation **only**. Any **zoning** for the property must be heard by the Planning and Zoning Commission and approved by the City Council according to Arizona Revised Statutes and the City of Kingman Zoning Regulation at a later date.

Rezoning

- ◆ The City Council has not discussed a zoning classification if the General Plan Amendment is approved
- ◆ The property to the North is a C-3 Planned Development District and a C-2 Zoning District. The Planned Development Districts limits C-3 Zoning District uses to prohibit truck sales and service, recreational vehicles parks, billboards, BMX tracks, motocross tracks, swap meets and tire recapping
- ◆ Similar zoning classification can be developed for the City’s parcel by the City Council

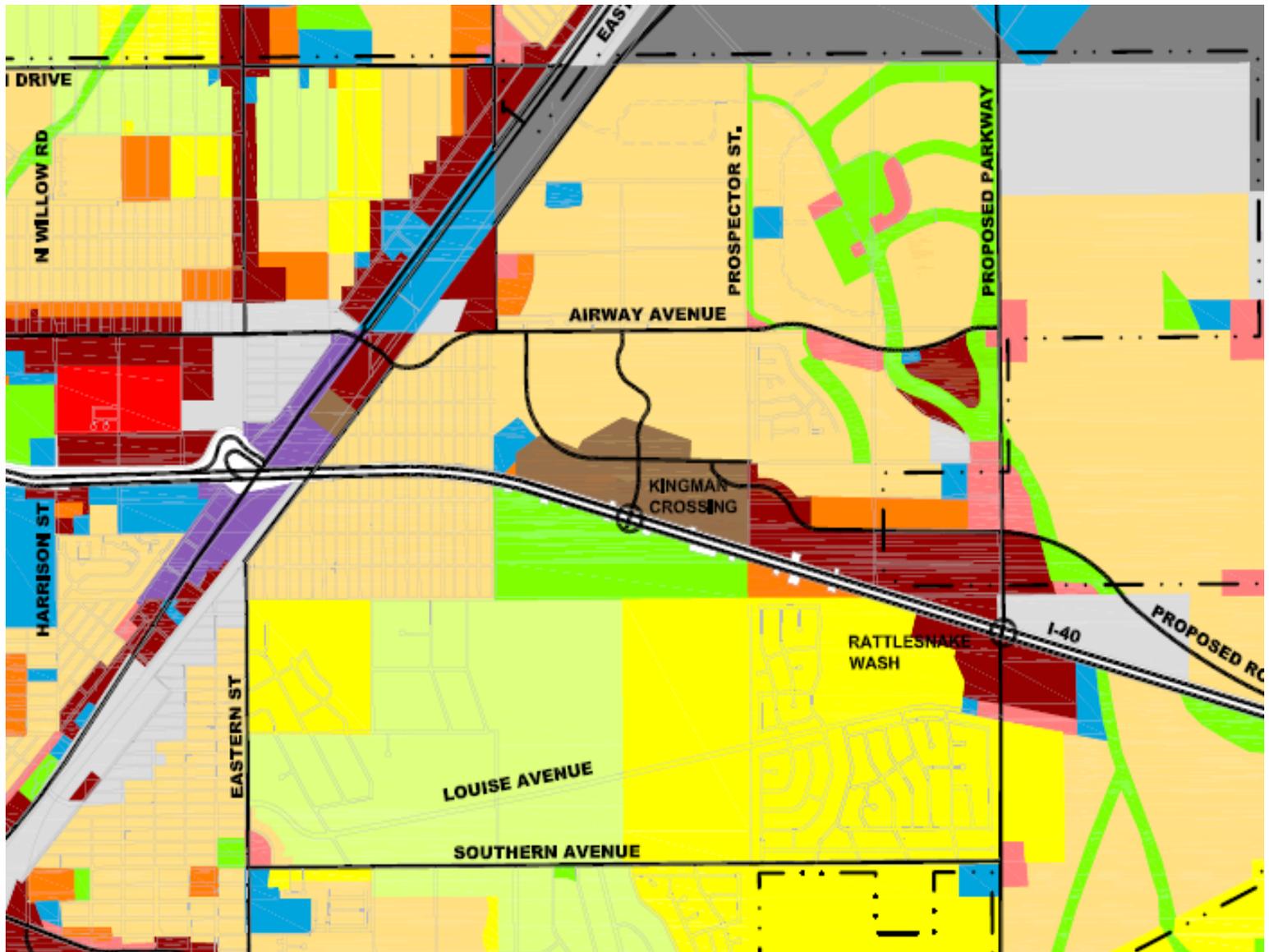
***Rezoning of ANY property must be conducted through the **Public Hearing** process as outline in the Arizona Revised Statutes and the City of Kingman Zoning Regulation.

Potential Sale of City Owned Property:

- ◆ If the proposed General Plan Amendment is approved and subsequent rezoning occurs the City of Kingman (per Arizona Revised Statutes 9-403.A) must have approval from the voters to sell any property valued at **\$500,000 or more**
- ◆ If the proposed General Plan Amendment is approved and subsequent rezoning occurs, the City of Kingman intends to send a question to the voters in November, 2016 to approve sale of the property should the property appraise for \$500,000 or more

Traffic Interchange:

- ◆ The Kingman Crossing traffic interchange is at the 35% design stage
- ◆ The Change of Access Report permits the interchange to only go North
- ◆ An amended Change of Access Report would have to be commissioned that would permit the interchange to have a southern access to the City’s parcel
- ◆ The access link would have to connect to a collector street such as Louise Avenue
- ◆ The City Council can place restrictions on development of the current City owned property that construction of the interchange must be complete prior to construction on the property. This has already been done for the privately owned property to the North



**KINGMAN
GENERAL PLAN 2030
PROJECTED LAND USE MAP**

LAND USE DESIGNATION

- RURAL DENSITY RESIDENTIAL
(1 DU OR LESS / AC)
- LOW DENSITY RESIDENTIAL
(1-2 DU/AC)
- MEDIUM DENSITY RESIDENTIAL
(3-8 DU/AC)
- INTERMEDIATE DENSITY RESIDENTIAL
(9-16 DU/AC)
- HIGH DENSITY RESIDENTIAL
(17-28 DU/AC)
- NEIGHBORHOOD COMMERCIAL
- COMMUNITY COMMERCIAL
- REGIONAL COMMERCIAL
- HIGHWAY SERVICE COMMERCIAL
- LIGHT INDUSTRIAL
- MANUFACTURING INDUSTRIAL
- PUBLIC / QUASI-PUBLIC
- PARKS / OPEN SPACE

LEGEND

- PROPOSED INTERCHANGE
- GENERAL PLAN BOUNDARY
- MUNICIPAL CITY LIMITS
- MAJOR STREETS



CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Tina D. Moline, Financial Services Director

MEETING DATE: May 5, 2015

AGENDA SUBJECT: Resolution 4948 - Adoption of Fiscal Year 2015-2016 Tentative Budget

SUMMARY: The tentative budget as presented includes changes recommended at the budget work sessions on April 13, 2015 and April 23, 2015. Additional modifications made to the tentative budget tonight will be incorporated into the final budget scheduled for adoption in two weeks, on May 19, 2015.

The tentative budget sets a ceiling on appropriations. This essentially means the final budget adopted May 19, 2015 can meet but not exceed the amounts adopted with this resolution. The tentative budget is within the state expenditure limitation as modified by the home rule option.

The package presented to you tonight contains a resolution and tentative budget forms as required by the State of Arizona. The final budget book and capital improvements plan will be printed and distributed after adoption of the final budget.

ATTACHMENT: Resolution Number 4948 and Summary Schedules for Fiscal Year 2015-2016 Tentative Budget are attached for your review. *(Please bring your preliminary budget workbook from the April 13, 2015 meeting if you would like to discuss specific items within the proposed tentative budget.)*

FISCAL IMPACT: Adoption of the tentative budget sets appropriations for all funds for FY2015-2016 in the approximate amount of \$165 million prior to any additional modifications that may be voted on tonight.

STAFF RECOMMENDATION: Staff recommends Council adopt resolution 4948 thereby adopting the City's tentative budget for fiscal year 2015-2016.


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 5b

City of Kingman
Modifications for Tentative Budget FY2015-2016

Fund/Page No.	Dept	Description	Amount
Revenues			
<u>Capital Projects</u> p.215	Capital	Increase Development Investment Fees - Fire Station 5	\$68,248
		Total Revenues	\$68,248
Expenditures			
<u>General</u> p.49	Council	Decrease City Promotions - moved to City Manager	(\$27,000)
p.53	City Manager	Increase Professional Services - Economic Development	\$27,000
p.65	Court	Increase Personnel Expenses for magistrates salary range increase	\$30,019
p.85	Police	Increase Personnel Expenses for upgrade of admin secretary to admin assist	\$3,489
p.209	General	Increase Personnel Expenses for compression salary increase	\$289,322
<u>HURF</u> p.210	Hurf	Increase Personnel Expenses for compression salary increase	\$27,647
<u>Transit</u> p.143	Transit	Increase Professional Services for dispatch software annual maintenance	\$4,000
p.211	Transit	Increase Personnel Expenses for compression salary increase	\$15,344
<u>Capital Projects</u> p.215	Capital	Increase Capital for Fire Station 5 - architect costs	\$200,000
<u>Water</u> p.219	Water	Increase Personnel Expenses for compression salary increase	\$23,792
<u>Sanitation</u> p.226	Sanitation	Increase Personnel Expenses for compression salary increase	\$25,314
<u>Fleet</u> p.228	Fleet	Increase Personnel Expenses for compression salary increase	\$10,360
<u>Information Technology</u> p.231	IT	Increase Personnel Expenses for compression salary increase	\$11,717
		Total Expenditures	\$641,004

CITY OF KINGMAN, ARIZONA

TENTATIVE BUDGET FOR FISCAL YEAR 2015 - 2016

RESOLUTION NO. 4948

WHEREAS, in accordance with the provisions of Title 42, Chapter 17, Articles 1-5, Arizona Revised Statutes (A.R.S.), the City Council did, on May 5, 2015, make an estimate of the different amounts required to meet the public expenditures/expenses for the ensuing year, also an estimate of revenues from sources other than direct taxation, and that the City of Kingman has no primary or secondary taxation upon real and personal property within the City of Kingman, Arizona; and

WHEREAS, in accordance with said chapter of said title, and following due public notice, the Council will meet on May 19, 2015 at 5:30 p.m. at the City Complex located at 310 N. 4th Street, Kingman, Arizona, at which meeting any taxpayer will be privileged to appear and be heard in favor of or against any of the proposed expenditures/expenses.

NOW THEREFORE, BE IT RESOLVED that the said estimates of revenues and expenditures/expenses shown on the accompanying schedules as now increased, reduced, or changed are hereby adopted as the tentative budget of the City of Kingman, Arizona, for the fiscal year 2015 - 2016.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona, this 5th day of May 2015.

ATTEST:

APPROVED:

Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

CITY OF KINGMAN
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2016

Fiscal Year	S c h	FUNDS								
		General Fund	Special Revenue Fund	Debt Service Fund	Capital Projects Fund	Permanent Fund	Enterprise Funds Available	Internal Service Funds	Total All Funds	
2015	Adopted/Adjusted Budgeted Expenditures/Expenses*	E	26,750,808	12,387,781	1,917,795	71,064,997	0	36,558,176	10,596,901	159,276,458
2015	Actual Expenditures/Expenses**	E	24,011,601	7,120,956	1,918,970	789,875	0	24,639,539	9,399,104	67,880,045
2016	Fund Balance/Net Position at July 1***		11,337,946	2,461,160	2,661,470	3,320,963	0	37,224,428	4,562,705	61,568,672
2016	Primary Property Tax Levy	B	0							0
2016	Secondary Property Tax Levy	B	0							0
2016	Estimated Revenues Other than Property Taxes	C	24,654,700	11,460,947	770,119	70,138,660	0	20,861,051	4,654,768	132,540,245
2016	Other Financing Sources	D	0	0	0	0	0	0	0	0
2016	Other Financing (Uses)	D	0	0	0	0	0	0	0	0
2016	Interfund Transfers In	D	1,202,553	633,817	269,938	0	0	5,118,057	5,130,734	12,355,099
2016	Interfund Transfers (Out)	D	3,754,253	889,769	33,440	0	0	7,384,255	293,382	12,355,099
2016	Reduction for Amounts Not Available:									
	LESS: Amounts for Future Debt Retirement:									0
										0
										0
										0
2016	Total Financial Resources Available		33,440,946	13,666,155	3,668,087	73,459,623	0	55,819,281	14,054,825	194,108,917
2016	Budgeted Expenditures/Expenses	E	24,823,552	12,028,157	1,883,149	72,560,245	0	30,813,218	10,623,139	152,731,460

EXPENDITURE LIMITATION COMPARISON

1. Budgeted expenditures/expenses
2. Add/subtract: estimated net reconciling items
3. Budgeted expenditures/expenses adjusted for reconciling items
4. Less: estimated exclusions
5. Amount subject to the expenditure limitation
6. EEC expenditure limitation

	2015	2016
	\$ 159,276,458	\$ 152,731,460
	159,276,458	152,731,460
	132,362,207	119,885,786
	\$ 26,914,251	\$ 32,845,674
	\$ 42,110,773	\$ 41,719,057

The city/town does not levy property taxes and does not have special assessment districts for which property taxes are levied. Therefore, Schedule B has been omitted.

* Includes Expenditure/Expense Adjustments Approved in the current year from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts on this line represent Fund Balance/Net Position amounts except for amounts not in spendable form (e.g., prepaids and inventories) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

CITY OF KINGMAN
Revenues Other Than Property Taxes
Fiscal Year 2016

SOURCE OF REVENUES	ESTIMATED REVENUES 2015	ACTUAL REVENUES* 2015	ESTIMATED REVENUES 2016
GENERAL FUND			
Local taxes			
Transaction Privilege Tax	\$ 13,700,000	\$ 14,111,456	\$ 14,100,000
Room Tax	350,000	388,123	360,000
Licenses and permits			
Franchise Fees	710,000	709,836	705,000
Business Licenses	102,600	97,303	95,500
Building Permits	490,000	569,709	516,000
Intergovernmental			
State Transaction Privilege Tax	2,415,000	2,421,267	2,415,000
State Revenue Sharing	3,275,000	3,397,803	3,275,000
Charges for services			
Charges for Services	1,338,700	1,279,328	1,276,600
Fines and forfeits			
Magistrate Court	260,000	250,040	250,000
Interest on investments			
Interest Earned	50,000	38,817	40,000
In-lieu property taxes			
Auto Lieu Tax	1,300,000	1,302,666	1,300,000
Miscellaneous			
Miscellaneous Revenue	303,100	24,618	321,600
Total General Fund	\$ 24,294,400	\$ 24,590,966	\$ 24,654,700

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

SPECIAL REVENUE FUNDS

HURF State Fuel Tax	\$ 2,200,000	\$ 2,343,587	\$ 2,300,000
Restaurant & Bar Tax	650,000	707,241	700,000
Miscellaneous	5,000	3,000	3,000
	\$ 2,855,000	\$ 3,053,828	\$ 3,003,000
Transit System Fund	\$ 742,898	\$ 500,974	\$ 647,672
Grants Fund	6,659,251	2,699,549	7,772,377
Powerhouse Fund	38,000	31,192	35,000
Improvement District Repayment Fund	3,300	3,400	2,898
	\$ 7,443,449	\$ 3,235,115	\$ 8,457,947
Total Special Revenue Funds	\$ 10,298,449	\$ 6,288,943	\$ 11,460,947

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

DEBT SERVICE FUNDS

Municipal Property Corp	\$	450	\$
Improvement District Debt Funds	1,106,635	1,421,581	770,119
	\$ 1,106,635	\$ 1,422,031	\$ 770,119
Total Debt Service Funds	\$ 1,106,635	\$ 1,422,031	\$ 770,119

CITY OF KINGMAN
Revenues Other Than Property Taxes
Fiscal Year 2016

SOURCE OF REVENUES	ESTIMATED REVENUES 2015	ACTUAL REVENUES* 2015	ESTIMATED REVENUES 2016
CAPITAL PROJECTS FUNDS			
Capital Projects	\$ 682,400	\$ 438,993	\$ 69,569,393
Flood Control	729,491	3,000	569,267
	\$ 1,411,891	\$ 441,993	\$ 70,138,660
Total Capital Projects Funds	\$ 1,411,891	\$ 441,993	\$ 70,138,660

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

ENTERPRISE FUNDS

Water Operating	\$ 6,966,490	\$ 6,676,464	\$ 6,656,500
Water Capital Renewal	846,000	846,819	845,000
Water Projects	1,125,350	533,073	1,009,051
Colorado River Water	1,205,000	505,000	505,000
	\$ 10,142,840	\$ 8,561,356	\$ 9,015,551
Wastewater Operating	\$ 8,075,500	\$ 8,354,584	\$ 8,325,500
Wastewater Capital Renewal		30,000	120,000
Wastewater Projects	25,000	25,000	25,000
	\$ 8,100,500	\$ 8,409,584	\$ 8,470,500
Sanitation	\$ 3,361,140	\$ 3,425,768	\$ 3,375,000
	\$ 3,361,140	\$ 3,425,768	\$ 3,375,000
Total Enterprise Funds	\$ 21,604,480	\$ 20,396,708	\$ 20,861,051

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

INTERNAL SERVICE FUNDS

Fleet Services	\$ 1,000	\$ 1,000	\$ 1,000
Facilities Maintenance	3,000	3,500	2,500
Information Technology	400	1,000	1,000
Insurance Services	7,000	6,000	6,000
Benefits Reserve	4,114,827	4,108,658	4,433,010
911 Dispatch Services	145,892	167,276	211,258
	\$ 4,272,119	\$ 4,287,434	\$ 4,654,768
Total Internal Service Funds	\$ 4,272,119	\$ 4,287,434	\$ 4,654,768
TOTAL ALL FUNDS	\$ 62,987,974	\$ 57,428,075	\$ 132,540,245

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

CITY OF KINGMAN
Other Financing Sources/<Uses> and Interfund Transfers
Fiscal Year 2016

FUND	OTHER FINANCING 2016		INTERFUND TRANSFERS 2016	
	SOURCES	<USES>	IN	<OUT>
GENERAL FUND				
General Fund	\$	\$	\$ 1,202,553	\$ 3,754,253
Total General Fund	\$	\$	\$ 1,202,553	\$ 3,754,253
SPECIAL REVENUE FUNDS				
Highway Users Rev Fund	\$	\$	\$ 248,745	\$ 573,030
Grants Fund			35,072	235,100
Transit System			250,000	74,239
Powerhouse			100,000	7,400
Total Special Revenue Funds	\$	\$	\$ 633,817	\$ 889,769
DEBT SERVICE FUNDS				
Municipal Property Corp	\$	\$	\$ 269,938	
Imp District Debt Funds				33,440
Total Debt Service Funds	\$	\$	\$ 269,938	\$ 33,440
CAPITAL PROJECTS FUNDS				
Kingman Crossing TI Construction				
Rancho Santa Fe Parkway TI Const				
Total Capital Projects Funds	\$	\$	\$	\$
ENTERPRISE FUNDS				
Water Operating	\$	\$	\$ 483,997	\$ 2,300,569
Water Capital Renewal			1,000,000	
Wastewater Operating				4,221,003
Wastewater Project Fund			3,634,060	
Sanitation				862,683
Total Enterprise Funds	\$	\$	\$ 5,118,057	\$ 7,384,255
INTERNAL SERVICE FUNDS				
Fleet Services	\$	\$	\$ 1,399,687	\$ 40,344
Facilities Maintenance			682,600	2,150
Information Technology			1,182,952	11,474
Insurance Services			605,000	
Benefits Reserve			100,000	
911 Dispatch Center			1,160,495	239,414
Total Internal Service Funds	\$	\$	\$ 5,130,734	\$ 293,382
TOTAL ALL FUNDS	\$	\$	\$ 12,355,099	\$ 12,355,099

CITY OF KINGMAN
Expenditures/Expenses by Fund
Fiscal Year 2016

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2015	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2015	ACTUAL EXPENDITURES/ EXPENSES* 2015	BUDGETED EXPENDITURES/ EXPENSES 2016
GENERAL FUND				
Office of the Mayor/Council	\$ 203,966	\$	\$ 158,866	\$ 140,885
City Attorney	698,425		677,344	685,848
Magistrate	1,392,165		1,347,081	1,517,109
City Manager	225,169		208,497	245,796
TDC	1,072,510		322,211	802,500
EDMC	25,000		18,000	25,000
City Clerk	306,856		309,922	289,023
Human Resources	507,411		517,606	458,638
Risk Management	137,592		104,289	134,715
Police	7,778,743		7,545,471	7,610,757
Fire	5,684,792		5,352,845	6,000,714
Finance	872,528		820,066	832,172
Development Services	1,116,827		1,079,867	1,043,304
Parks, Rec, Pools, Golf	3,924,633		3,745,345	4,037,091
Contingency	2,804,191		1,804,191	1,000,000
Total General Fund	\$ 26,750,808	\$	\$ 24,011,601	\$ 24,823,552
SPECIAL REVENUE FUNDS				
Highway Users Rev Fund	\$ 3,879,819	\$	\$ 3,358,402	\$ 3,182,400
Transit System Fund	950,034		783,370	812,752
Grants Fund	7,391,728		2,814,516	7,898,705
Improvement Dist Repayment	25,000		25,000	
Powerhouse Fund	141,200		139,668	134,300
Total Special Revenue Funds	\$ 12,387,781	\$	\$ 7,120,956	\$ 12,028,157
DEBT SERVICE FUNDS				
Municipal Prop Corp Debt	\$ 269,063	\$	\$ 269,063	\$ 271,188
Improvement District Debt	1,648,732		1,649,907	1,611,961
Total Debt Service Funds	\$ 1,917,795	\$	\$ 1,918,970	\$ 1,883,149
CAPITAL PROJECTS FUNDS				
Small Imp Dist Const	\$ 350,000	\$	\$	\$ 350,000
Capital Projects Fund	69,514,997		448,379	70,410,245
Flood Control Const	1,200,000		341,496	1,800,000
Total Capital Projects Funds	\$ 71,064,997	\$	\$ 789,875	\$ 72,560,245
ENTERPRISE FUNDS				
Water Operating	\$ 9,233,313	\$	\$ 8,112,590	\$ 7,308,070
Water Capital Renewal	4,404,000		803,610	5,674,000
Water Projects Fund	3,367,500		65,000	4,947,500
Colorado River Water	500,000			500,000
Wastewater Operating	9,028,323		8,304,813	2,756,926
Wastewater Projects Fund	6,641,892		4,145,392	6,363,060
Wastewater Capital Renewal				150,000
Sanitation	3,383,148		3,208,134	3,113,662
Total Enterprise Funds	\$ 36,558,176	\$	\$ 24,639,539	\$ 30,813,218
INTERNAL SERVICE FUNDS				
Fleet Services	\$ 1,367,028	\$	\$ 1,347,416	\$ 1,288,760
Facilities Maintenance Services	825,421		755,498	890,625
Information Technology	1,229,613		1,151,426	1,327,424
Insurance Services	1,010,000		723,506	935,000
Benefits Reserve	4,782,500		4,369,976	4,796,880
911 Dispatch Center	1,382,339		1,051,282	1,384,450
Total Internal Service Funds	\$ 10,596,901	\$	\$ 9,399,104	\$ 10,623,139
TOTAL ALL FUNDS	\$ 159,276,458	\$	\$ 67,880,045	\$ 152,731,460

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

CITY OF KINGMAN
Expenditures/Expenses by Department
Fiscal Year 2016

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2015	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2015	ACTUAL EXPENDITURES/ EXPENSES* 2015	BUDGETED EXPENDITURES/ EXPENSES 2016
GENERAL				
Office of the Mayor/Council	\$ 203,966	\$	\$ 158,866	\$ 140,885
City Attorney	698,425		677,344	685,848
Magistrate	1,392,165		1,347,081	1,517,109
City Manager	225,169		208,497	245,796
TDC	1,072,510		322,211	802,500
EDMC	25,000		18,000	25,000
City Clerk	306,856		309,922	289,023
Human Resources	507,411		517,606	458,638
Risk Management	137,592		104,289	134,715
Police	7,778,743		7,545,471	7,610,757
Fire	5,684,792		5,352,845	6,000,714
Finance	872,528		820,066	832,172
Development Services	1,116,827		1,079,867	1,043,304
Parks, Rec, Pools, Golf	3,924,633		3,745,345	4,037,091
Cash Transfers-Contingency	2,804,191		1,804,191	1,000,000
Department Total	\$ 26,750,808	\$	\$ 24,011,601	\$ 24,823,552
SPECIAL REVENUE				
Public Works Administration	\$ 310,374	\$	\$ 304,825	\$ 311,218
Street	3,569,445		3,053,577	2,871,182
Transit Admin	166,041		160,269	144,133
Transit Operations	783,993		623,101	668,619
Grants Fund	7,391,728		2,814,516	7,898,705
Improvement Dist Repayment	25,000		25,000	
Powerhouse Fund	141,200		139,668	134,300
Department Total	\$ 12,387,781	\$	\$ 7,120,956	\$ 12,028,157
DEBT SERVICE				
Municipal Prop Corp Debt	\$ 269,063	\$	\$ 269,063	\$ 271,188
East Golden Gate ID	384,738		385,663	380,511
Airway RR Crossing ID	820,425		820,425	799,263
Wallapai-Marlene ID	10,961		10,961	10,962
Kingman Airport/Banks Airport	432,608		432,858	421,225
Department Total	\$ 1,917,795	\$	\$ 1,918,970	\$ 1,883,149
CAPITAL PROJECTS				
Small Imp Dist Const	\$ 350,000	\$	\$	\$ 350,000
Capital Projects Fund	1,012,252		448,379	1,907,500
Kingman Crossing TI Const	19,207,000			19,207,000
Rancho Santa Fe Parkway TI	49,295,745			49,295,745
Flood Control	1,200,000		341,496	1,800,000
Department Total	\$ 71,064,997	\$	\$ 789,875	\$ 72,560,245
ENTERPRISE				
Water Operating	\$ 6,656,652	\$	\$ 5,658,451	\$ 4,810,628
Water Capital Renewal	4,404,000		803,610	5,674,000
Billing Services	998,298		969,084	847,433
Engineering	1,578,363		1,485,055	1,650,009
Water Projects Fund	3,367,500		65,000	4,947,500
Colorado River Water	500,000			500,000
Wastewater Operating	9,028,323		8,304,813	2,756,926
Wastewater Projects Fund	6,641,892		4,145,392	6,363,060
Wastewater Capital Renewal				150,000
Sanitation	3,383,148		3,208,134	3,113,662
Department Total	\$ 36,558,176	\$	\$ 24,639,539	\$ 30,813,218
INTERNAL SERVICES				
Fleet Services	\$ 1,367,028	\$	\$ 1,347,416	\$ 1,288,760
Facilities Maintenance Services	825,421		755,498	890,625
Information Technology	1,229,613		1,151,426	1,327,424
Insurance Services	1,010,000		723,506	935,000
Benefits Reserve	4,782,500		4,369,976	4,796,880
911 Dispatch Center	1,382,339		1,051,282	1,384,450
Department Total	\$ 10,596,901	\$	\$ 9,399,104	\$ 10,623,139

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

CITY OF KINGMAN
Full-Time Employees and Personnel Compensation
Fiscal Year 2016

FUND	Full-Time Equivalent (FTE) 2016	Employee Salaries and Hourly Costs 2016	Retirement Costs 2016	Healthcare Costs 2016	Other Benefit Costs 2016	Total Estimated Personnel Compensation 2016
GENERAL FUND	202	\$ 10,434,323	\$ 2,960,251	\$ 2,351,770	\$ 810,855	= \$ 16,557,199
SPECIAL REVENUE FUNDS						
HURF	14	\$ 725,147	\$ 87,326	\$ 185,015	\$ 81,342	= \$ 1,078,830
TRANSIT	11	395,036	49,588	85,280	47,018	576,922
Total Special Revenue Funds	25	\$ 1,120,183	\$ 136,914	\$ 270,295	\$ 128,360	= \$ 1,655,752
DEBT SERVICE FUNDS						
		\$	\$	\$	\$	= \$
Total Debt Service Funds		\$	\$	\$	\$	= \$
CAPITAL PROJECTS FUNDS						
		\$	\$	\$	\$	= \$
Total Capital Projects Funds		\$	\$	\$	\$	= \$
INTERNAL SERVICES FUNDS						
FLEET	7	\$ 330,297	\$ 38,171	\$ 84,550	\$ 36,992	= \$ 490,010
FACILITIES MAINTENANCE	6	203,421	23,620	56,844	22,740	306,625
INFORMATION TECHNOLOGY	7	427,621	49,221	93,628	33,624	604,094
911 DISPATCH SERVICES	16	640,323	82,618	176,689	54,630	954,260
Total Permanent Funds	36	\$ 1,601,662	\$ 193,630	\$ 411,711	\$ 147,986	= \$ 2,354,989
ENTERPRISE FUNDS						
WATER	43	\$ 2,176,781	\$ 258,109	\$ 500,271	\$ 198,879	= \$ 3,134,040
WASTEWATER	11	657,884	80,618	147,515	73,109	959,126
SANITATION	17	677,095	82,714	233,948	91,320	1,085,077
Total Enterprise Funds	71	\$ 3,511,760	\$ 421,441	\$ 881,734	\$ 363,308	= \$ 5,178,243
TOTAL ALL FUNDS	334	\$ 16,667,928	\$ 3,712,236	\$ 3,915,510	\$ 1,450,509	= \$ 25,746,183

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

FROM: Development Services Department

MEETING DATE: May 5, 2015

AGENDA SUBJECT: Consideration of Resolution No. 4947 approving a preliminary plat for Airway Plaza, Tract 1984, a subdivision of airspace

SUMMARY: A request from Mohave Engineering Associates, Inc., applicant and project engineer, and Airway Plaza Association, LLC, property owner, for the approval of a preliminary plat for Airway Plaza, Tract 1984. The subject property is located at the southeast corner of Airway Avenue and N. Burbank Street and is 3.62 acres.

This will be a subdivision of airspace otherwise known as a condominium. The intent is to subdivide eight suites in an existing commercial building into eight separate condominium units. Each unit will be bounded and contained within the interior finished surfaces of the perimeter walls, floors and ceilings of the unit. The area of each unit is 56 to 64 feet wide and 130 feet long. A property owner's association will be established to maintain areas held in common including the exterior parking lot and landscaping, utilities not within the units, bearing walls, and other walls and ceiling not contained within the units.

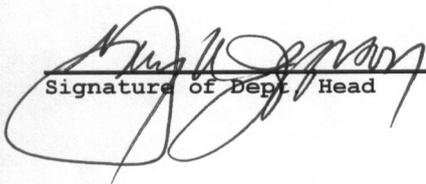
The building was inspected by the Fire and Building Departments as required and no significant problems were identified that would need to be corrected before the approval of the final plat. The City Engineer, however, indicated that three existing driveways and sidewalk ramp at Burbank and Airway do not appear to meet current ADA standards. These areas should be required to be revised. The project engineer indicated that the property owner did not want to make those revisions. There are several additional conditions that were recommended by staff as a result of department and agency comments.

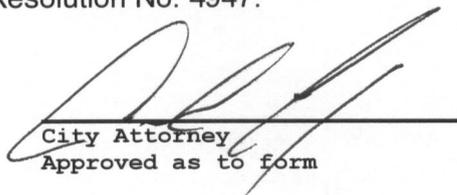
The Planning and Zoning Commission voted 6-1 on April 14, 2015 to recommend approval of the preliminary plat with the recommended conditions in the commission report. Commissioner Kirkham voted no.

ATTACHMENT: Proposed Resolution No. 4947, P&Z Commission Report

FISCAL IMPACT: None expected at this time.

RECOMMENDATION: Approve Resolution No. 4947.


Signature of Dept. Head


City Attorney
Approved as to form


City Manager's Review

AGENDA ITEM: 6a

WHEN RECORDED HOLD FOR
KINGMAN CITY CLERK
310 N. 4th Street
Kingman, Arizona 86401

PAGE 1 OF 3

CITY OF KINGMAN RESOLUTION NO. 4947

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: APPROVING A PRELIMINARY SUBDIVISION PLAT FOR AIRWAY PLAZA, TRACT 1984 AND PRESCRIBING CONDITIONS.

WHEREAS, Airway Plaza Association, LLC, property owner, and Mohave Engineering Associates, Inc., applicant and project engineer, have requested the approval of a preliminary plat of a subdivision of airspace (condominium), known as Airway Plaza, Tract 1984, located on property described as a Portion of the North Half of the Northwest Quarter of Government Lot 2, Section 7, T.21N., R.16W., of the G&SRM, Mohave County, Arizona, as shown in the attached Exhibit "A", and

WHEREAS, said proposed subdivision is 3.62 acres and will consist of eight condominium units within an existing commercial building with exterior common areas, and

WHEREAS, a preliminary plat was prepared by Mohave Engineering Associates, Inc., a licensed engineering firm in the State of Arizona, and

WHEREAS, the proposed preliminary plat, original site and building construction plans, and draft of the property owner's association Articles of Incorporation, CC&Rs and bylaws, have been reviewed by the City Engineer, City Development Services Department, and other concerned agencies, and were found to be generally in compliance with the Subdivision Ordinance, the Zoning Ordinance, and other applicable codes, and

WHEREAS, the preliminary plat was reviewed and recommended for approval with certain conditions by the City of Kingman Planning and Zoning Commission at the regular meeting of April 14, 2015 by a 6-1 vote, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Kingman, Arizona: That upon the recommendation of the Planning and Zoning Commission, the preliminary plat for Airway Plaza, Tract 1984, as shown in Exhibit "A", and generally described as a Portion of the North Half of the Northwest Quarter of Government Lot 2, Section 7, T.21N., R.16W., of the G&SRM, Mohave County, Arizona, is hereby approved, with the following conditions:

1. Driveways and sidewalk ramps shall be revised to meet current ADA standards where any deficiencies occur.
2. The final plat shall address the City Surveyor's comments regarding the benchmark for this subdivision as well as the boundary markers.
3. Existing and any proposed easements shall be clearly identified on the final plat.
4. UniSource facilities shall be located within public utility easement(s).
5. Per Section 4.15(3) provide an updated Articles of Incorporation for the property owners association, a declaration of CC&Rs, and bylaws, to include provisions for the maintenance of common areas.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 5th day of May, 2015.

ATTEST:

APPROVED:

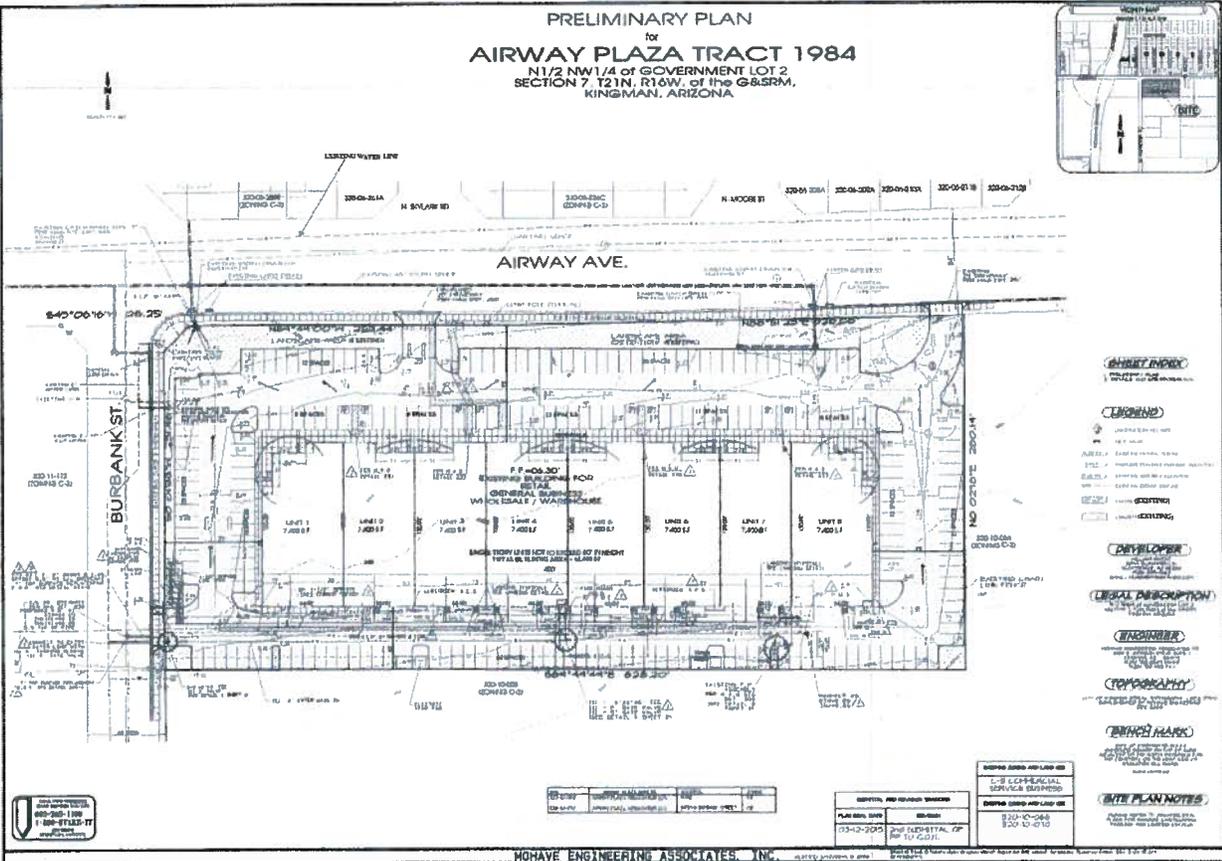
Sydney Muhle, City Clerk

Richard Anderson, Mayor

APPROVED AS TO FORM:

Carl Cooper, City Attorney

EXHIBIT "A"





CITY OF KINGMAN
Development Services Department
Airway Plaza, Tract 1984
Preliminary Plat Case: SB15-001
Planning and Zoning Commission Report

Summary of Request: This request is for the approval of a preliminary subdivision plat for Airway Plaza, Tract 1984. The proposal is to create a commercial condominium consisting of eight units within an existing commercial building located at 2110-2180 Airway Avenue.

Applicant: Mohave Engineering Associates, Inc.
P.O. Box 6547
Kingman, Arizona 86402
(928) 753-2627
ju@meaiaz.com

Property Owner: Airway Plaza Association, LLC
4653 Carmel Mountain Road, Suite 308-321
San Diego, CA 92130
(928) 699-0162
wlnugent48@yahoo.com

RECOMMENDATION

The Planning and Zoning Commission voted 6-1 to recommend approval of the preliminary plat for Airway Plaza, Tract 1984 with certain conditions, based on the standards for review, findings of fact, and conclusions as stated in the commission report.

STANDARDS FOR REVIEW

APPLICABLE GOALS, OBJECTIVES AND POLICIES OF THE KINGMAN GENERAL PLAN 2030:

- Chapter 4: Land Use Element, Land Use Categories: Community Commercial.
- Projected Land Use Map.

APPLICABLE SECTIONS OF THE CITY OF KINGMAN ZONING ORDINANCE:

- Section 13.000: C-3: Commercial Service Business

APPLICABLE SECTIONS OF THE CITY OF KINGMAN SUBDIVISION ORDINANCE:

- Section 2.2: Preliminary Plat
- Section 4.15: Subdivisions of Airspace (Condominiums)

FINDINGS OF FACT

Location and Size: The proposed subdivision is on property that is approximately 3.90 acres and is located at the southeast corner of Airway Avenue and N. Burbank Street. The property consists of two parcels; one parcel that is 3.62 acres and the other one that is 0.28 acres. The existing commercial building, located on the larger parcel, has an address range of 2110 to 2180 Airway Avenue.

Legal Description: Subject property is described as a Portion of the N ½ of the NW ¼ of Government Lot 2, Section 7, T.21N., R.16W. of the G&SRM, Mohave County, Arizona.

Existing Land Use and Zoning: The subject property is developed with a 62,400 square foot commercial building with eight separate suites. A medical lab currently occupies proposed Unit 1, while a physical therapy business occupies proposed Unit 2. The building is surrounded by a parking lot with 220 spaces and landscaped areas. The property is zoned C-3: Commercial Service Business.

General Plan Designation: The property is designated as Community Commercial under the Kingman General Plan 2030. The C-3 zoning is in compliance with the General Plan.

Surrounding Land Use and Zoning:

- North across Airway Avenue are several commercial businesses and other uses including a mosque, a body shop, a chiropractic clinic and an optometrist all zoned C-3.
- East of the site are several utility yards, an electric substation, and offices for UniSource on property zoned C-3.
- South of the site is the Kingman Academy of Learning High School located on property zoned R-1-40: Residential, Single Family, 40,000 square foot lot minimum.
- West across Burbank Street is the ARC Center and Store. Vacant property, which is owned by Mohave County, is located to the south of this parcel. All property to the west is zoned C-3.

Zoning and Development History:

- The subject property was annexed into the City of Kingman on November 8, 1971. The property was zoned R-1-40 at that time and it included a residence with horse stables.
- On December 19, 1988, the Council passed Ordinance No. 731 which rezoned a 0.38 acre portion of the northwest corner of the subject property from R-1-40 to C-3. The purpose of the rezoning was for the construction of a video rental and wood stove sales store. The development did not occur.
- Airway Avenue was widened with street improvements in the mid-1990s.

- The residence and horse stables on this site were demolished in 2003.
- On March 15, 2004, the rest of the subject property was rezoned to C-3 under Ordinance No. 1415 and a preliminary plat was approved for Airway Plaza, Tract 1984 under Resolution No. 3934.
- In February, 2005 a final plat was submitted for review for Airway Plaza. During the review process the developer, Bill Nugent, decided to construct the building first, and then have an as-built survey done for the building and record the plat creating the condominium.
- The building was completed in April, 2006.
- The preliminary plat approvals for Airway Plaza lapsed after 24 months in March, 2006 since the final plat was never approved and no extensions of time were sought or approved for the preliminary plat.

Physical Characteristics:

- The topography of the subject property is generally flat with drainage flowing north into several catch basins which lead to a 48-inch storm sewer in Airway Avenue.
- According to FIRM Map Number 04015C4557G dated 11-18-09 the subject property lies within Zone "X." This is an area of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

Public Utilities:

- There are 8-inch city water and sewer lines in Airway Avenue and N. Burbank Street. The building is served from public utility lines which are extended from the lines located in N. Burbank Street.

Transportation:

- There are two existing 25-foot wide driveways that access Airway Avenue.
- Airway has an 84-foot wide right-of-way with four lanes and a center turn lane. The street is fully improved with curb, gutter and sidewalk on both sides of the street.
- There is one existing 25-foot wide driveway that accesses N. Burbank Street.
- N. Burbank has a 60-foot wide right-of-way and is improved with curb, gutter and sidewalk adjacent to the subject property.
- A traffic count conducted on February 20, 2015 in the east bound lanes of Airway Avenue just west of Harrison Street showed 8,157 vehicle trips, while west bound Airway east of Harrison Street showed 7,136 trips. Effectively the traffic in the area on Airway is 15,293 vehicles per day. That compares to 15,116 trips per day in the same location on July 7, 2010 which is the last previous count in this area.

Public Noticing/Comments:

- The site was posted with a public notice on March 27, 2015.
- A public notice ran in the Kingman Daily Miner on March 29, 2015 and April 19, 2015.
- No comments have been received from the public as of the time this report was finished on April 22, 2015.

Department and Agency Comments:

- *Mohave County Flood Control District:* The site is not within a FEMA designated Special Flood Hazard Area. No objections to this development.
- *City Engineering Department:* Comments are attached and have been incorporated in this report.
- *City Surveyor:* 1) Benchmark shown is over two miles away from this project, over on Stockton Hill Road next to cemetery. 2) If any easements exist for sewer and water or are to be given it should be addressed and shown. 3) Boundary markers for property should also be identified and reference to recorded surveys.
- *City Building Department:* Comments are for the final plat submittal there are no objections to processing of the preliminary plat. These comments are attached. Additional inspection comments are incorporated into this report and are attached.
- *City Fire Department:* No objection to the processing of the preliminary plat. Additional inspection comments are incorporated into this report and are attached.
- *UniSource:* UNS electric and gas facilities must be located within a public utility easement or within common areas which are designated as PUEs. Existing facilities are not contained within the designated 20' PUE shown on the plan.

ANALYSIS

The preliminary plat for Airway Plaza, Tract 1984 proposes to subdivide eight business suites in an existing commercial building located at 2110 to 2180 Airway Avenue into eight separate condominium units. Each unit is depicted on the plat as 7,400 square feet in size and is approximately 56 to 64 feet wide and 130 feet long. The exterior areas of the building, including the landscape areas and the existing 220-space parking lot, will be common areas.

Sections 4.3, 4.4, & 4.5: BLOCKS, LOTS, AND LOT NUMBERING:

Each proposed condominium unit is identified on the preliminary plat. No block or lots numbers are needed or required. The unit numbering sequence appears to be in accordance with the Subdivision Ordinance.

Section 4.6: ROADS:

Airway Avenue and N. Burbank Street are currently improved to City standards adjacent to the subject site with full pavement width, vertical curb, and sidewalks. The proposed subdivision contains two existing driveways on Airway and one existing driveway on Burbank.

The City Engineer has noted that the driveways do not meet current ADA standards which require a three foot "flat" area behind the driveway pan. Likewise the existing

sidewalk ramp at the intersection of Airway and Burbank does not meet current ADA requirements with respect to truncated domes. The sidewalk ramp has not been surveyed to verify whether it meets current ADA slope requirements.

Section 4.7: DRAINAGE:

Drainage on the site currently is collected in the landscape area along Airway Avenue. At that point storm water enters into two catch basins which tie into a 48-inch storm sewer in Airway Avenue. Any drainage flowing into Burbank Street and Airway Avenue ultimately enters the Mohave Wash via the Airway storm sewer. No changes are proposed to the existing drainage pattern.

Sections 4.8 & 4.9: WATER AND SEWER FACILITIES:

An 8-inch sewer line and an 8-inch water line run along the length of the property on Airway Avenue. 8-inch water and sewer lines are also located in Burbank Street.

The existing 8-inch sewer line, which serves the building, is located to the rear of the building and ties into the 8-inch sewer line in Burbank Street. Additionally there is an 8-inch water line behind the building that connects to the water line in Burbank Street. This water line services a fire riser between Units 4 and 5 and a fire hydrant assembly located near the rear of Unit 7. These water and sewer lines are shown as being located in a 20-foot wide public utility easement. The recording information for this public utility easement and any other existing or proposed easement on the subject site will need to be identified on the final plat.

Section 4.12: UTILITIES:

The commercial building is currently served by gas, electric, and telephone facilities. According to an inspection by the City Building Department, there are four gas meters at both the southeast corner and at the southwest corner of the building. Electric service is split between two locations on the south side of the building.

UniSource commented that their existing facilities will need to be placed within a public utility easement or within common areas which must then be designated as public utility easements. Their existing facilities are not contained within the existing 20-foot wide PUE south of the building.

Section 4.15: SUBDIVISION OF AIRSPACE (CONDOMINIUMS):

As required by Section 4.15(2)a, a detailed site plan has been submitted showing the existing building location, drainage control, parking areas, streets, driveways, sidewalks, and landscaping. In accordance with Section 4.15(2)b, the original 2005 plans for the construction of the building were submitted. Finally, per Section 4.15(3), a draft of the property owner's association Articles of Incorporation, CC&Rs, and bylaws has been submitted. A final version of these documents will be required to be submitted at the final plat stage for recordation with the plat.

As this development is proposed to be a subdivision of airspace, each unit will be bounded and contained within the interior finished surfaces of the perimeter walls, floors

and ceilings. The area of each unit will be about 130-feet in length and 56-feet to 64-feet in width. The vertical height of each unit will be about 20 feet. A property owner's association is proposed to be established to maintain the areas held in common such as the parking lot, landscaping area, utilities, except those within each unit, bearing walls, other walls and ceilings not contained within the unit.

In accordance with Section 4.15(6) of the Subdivision Ordinance the conversion of an existing building to subdivisions of airspace is required to undergo a pre-conversion inspection. An inspection was conducted by the City of Kingman Building and Fire Departments on April 2, 2015. Written findings from these inspections are attached.

Currently only Units 1 and 2 are completely finished inside and are occupied. The remaining units have partial demising walls between the units. These walls will need to be completed between each unit will require a 1-hour fire rating. There is already a 4-hour CMU wall between Units 5 and 6. The Building Inspector wrote in his inspection that water and gas lines for the units run through the trusses and into each unit or space. According to the draft Articles of Incorporation for the condominium association, such utilities will be among the common elements for the condominium. The association board will retain an easement over these common elements for maintenance purposes.

The entire building has a fire sprinkler system. Fire Department inspection revealed an issue with the fire alarm at the sprinkler riser that will need to be fixed. As each unit is completed the Fire Code will require each unit to have a fire alarm for duct or smoke detection along with an audio/visual device to indicate water flow from the sprinkler system.

Overall the inspections did not reveal any significant deficiencies that will need to be corrected prior to the approval of the final plat.

RECOMMENDATION

Based on the standards for review, findings of fact, and conclusions contained in this report, the Planning Zoning Commission voted 6-1 to recommend that the preliminary plat for Airway Plaza, Tract 1984 be approved with the following conditions:

1. Driveways and sidewalk ramps shall be revised to meet current ADA standards where any deficiencies occur.
2. The final plat shall address the City Surveyor's comments regarding the benchmark for this subdivision as well as the boundary markers.
3. Existing and any proposed easements shall be clearly identified on the final plat.
4. UniSource facilities shall be located within public utility easement(s).
5. Per Section 4.15(3) provide an update Articles of Incorporation for the property owners association, a declaration of CC&Rs, and bylaws, to include provisions for the maintenance of common areas.

ATTACHMENTS

1. Section 13.000 of the Zoning Ordinance
2. Sections 2.2 and 4.15 of the Subdivision Ordinance
3. Preliminary Plat Subdivision Application
4. Zoning Map
5. Aerial Map
6. Preliminary Plat Map
7. Existing Site Plan
8. Existing Building Floor Plan
9. Department and Agency Comments

13.000 COMMERCIAL: SERVICE BUSINESS (C-3)

13.100 INTENT AND PURPOSE

This district is intended to provide for the development of business and service uses designed to meet the needs of the community, region and public at large. Such areas will provide a wide variety of goods and services in establishments whose operating characteristics require good exposure in a readily identifiable and accessible commercial setting. Provisions of this district are designed to ensure that such commerce will be compatible with adjacent, non-commercial development and to minimize any undesirable effects of heavy traffic or other operating characteristics.

13.200 GENERAL PROVISIONS

13.210 PERMITTED USES

Land shall be used and buildings/structures shall hereafter be erected, altered, enlarged, or otherwise modified for the following permitted uses:

All uses enumerated as **permitted uses** in the **C-2** district, **also**,
All uses enumerated as permitted by Conditional Use Permit in the C-2 district, unless otherwise noted, **and**

Animal hospitals

Automobile and truck sales and service, new and used

Automobile body repair, conducted entirely in an enclosed building

Automobile, truck and trailer rental and service

Building material sales

Building material yards

Cabinet shops

Caskets and casket supplies – not including outside storage

Catering establishments

Cleaning and dyeing, coin operating, pick-up station and/or using non-explosive solvents

Cold storage lockers

Computer services

Contractor's and construction offices – including equipment rental or storage yards

Drafting service

Equipment and appliances, household – service and repair shops

Exterminating shops

Food lockers

Fuel and ice sales – retail only

Furniture transfer and storage

Glass replacement and repair (including auto glass)

Greenhouses, does not include medical marijuana cultivation facilities.

Heating, plumbing, ventilating, refrigeration and air-conditioning sales and service

High-density multiple-family developments

Instructional Schools or Trade Schools, not involving any danger of fire, explosion nor offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences (not providing housing, dormitories or sleeping overnight)

Linen supply services

Machinery and tool rental

Mail order houses

Medical Marijuana Dispensary and Cultivation only in conjunction with the dispensary, subject to the following conditions and limitations:

- a. Applicant shall provide a copy of the Application for a Dispensary Registration Certificate to the Arizona Department of Health Services.
- b. Shall be located in a permanent building and may not locate in a trailer, cargo container or motor vehicle.

- c. Shall not be located within 500-feet of the same type of use. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.
- d. Shall not be located within 500-feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.
- e. Shall not be located within 2500-feet of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, mental health facility, substance abuse rehabilitation center or public community center. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.
- f. Shall have operating hours not earlier than 8:00 a.m. and not later than 6:00 p.m. of the same day and only Monday through Saturday.
- g. Drive-through services are prohibited.
- h. Shall provide for proper disposal of marijuana remnants or by-products, and not to be placed within the facility's exterior refuse containers.

Microfilm service

Monument sales

Motor vehicle and motor equipment sales

Music and dance studios

Packing and crating

Parcel delivery services

Parking lots and storage garages for automobiles

Public and private utility service yards

Recording studios

Restaurants – including live entertainment and dancing

Schools, commercial or trade, not involving any danger of fire, explosion nor offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences

Secretarial services

Second hand stores and rummage shops

Sheet metal shops

Sign printing shops

Small animal boarding

Taxidermists

Tool and cutlery sharpening or grinding

Trailer, camper and mobile home sales

Travelers aid societies

Vehicle towing and storage – subject to the following conditions:

1. There shall be a business building of at least one-thousand (1,000) square feet on the site. Thus within C-3, a fenced storage yard alone is not allowed to be established,
2. For the opportunity to have a towing and storage yard, the proposed site for the business must be at least forty-thousand (40,000) square feet in area,
3. No more than one (1) acre of the total site of the business can be used for outdoor storage of vehicles, unless storage occurs inside a building,
4. Total number of vehicles stored outdoors at any one time shall not exceed thirty (30),
5. The storage area shall be fenced with site obstructing fences, in accord with Section 26.800 of the Zoning Ordinance,
6. No vehicle stored shall be observed above the fence line,
7. No parting out, crushing, wrecking, or similar activities concerning the stored vehicles are permitted. **NOTE: IF A TOWING AND STORAGE BUSINESS WISHES TO OPERATE OUTSIDE OF THE CONDITIONS ABOVE, THEY SHOULD BE LOCATED IN I-1 OR I-2 ZONING DISTRICTS AS APPROPRIATE.**

Warehousing of non-noxious products or materials

Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is fifty (50) feet. (See also

Subsection 26.1000: WIRELESS COMMUNICATION FACILITIES in Section 26.000: GENERAL DEVELOPMENT STANDARDS.)

Accessory uses to the above permitted uses. 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 conditional uses elsewhere in this ordinance.

13.220 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:

Auction rooms

BMX racetrack

Car washes

Dog kennels

Instructional Schools or Trade Schools, not involving any danger of fire, explosion nor offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences (providing housing, dormitories or sleeping overnight)

Mechanical equipment, such as but not limited to vehicle hoists, used for vehicle repair and service that are located outside of an enclosed building.

Mini-storages

Off-premises signs (billboards) subject to bulk regulations within the Sign Code

One (1) detached caretaker, owner or manager's residence only. Residence may be site built or manufactured home. Recreational vehicles shall not be caretaker's residence. Any such residence will adhere to the bulk regulations of the C-3 Commercial District.

Pre-fabrication units – used for offices only

Recreational vehicle parks

Research, development and testing laboratory facilities

Schools, Private School, Charter School, or Community College (providing housing, dormitories or sleeping overnight)

Storage of gasoline and/or diesel fuel in an above-ground tank with a maximum 15,000 gallon capacity for use in vehicles associated with permitted activities on the premises. An approved structure must be provided that will contain on-site 100-percent of any fuel in the event of a tank leak or rupture.

Swap Meet, Indoor; Also, by Conditional Use Permit in I-1 (Light Industry).

1. Permanent restroom facilities shall be available on site prior to opening to the public.
2. All uses associated with the operation of a swap meet other than parking, including but not limited to concession stands shall take place indoors.
3. Parking shall be improved in the manner prescribed under Section 22.000 of this code that is with improved surfaces. The number of parking spaces shall be one (1) space for each vendor space and one (1) space for each one-hundred (100) feet of vendor area.

Swap Meet, Outdoor; Also, by Conditional Use Permit in I-1 (Light Industry).

1. This activity or any accessory use, including concession stands, shall take place no closer than two-hundred-fifty (250) lineal feet from a residentially zoned area.
2. Parking is permitted within the two-hundred-fifty (250) foot buffer and shall be improved in the manner prescribed under Section 22.000 of this code that is with improved surfaces.
3. The number of improved parking spaces shall be one (1) space for every three-hundred (300) square feet of lot area where the swap meet exists, plus one (1) parking space for each vendor space.
4. Site obstruction fences may be required based on the circumstances of the site, intensity of use and adjacent uses.
5. Permanent restroom facilities shall be provided on site prior to opening to the public.
6. Operation of swap meet shall be limited to the hours of 6:00 A.M. to 9:00 P.M. The site shall be cleared of all storage containers, merchandise and tables between the hours of 9:30 P.M. and 5:30 A.M.

7. No vendor storage will be allowed unless the swap meet site has specific permanent indoor storage facilities in place.

Tire retreading and recapping

Travel trailer park

Truck stops – for truck stop facilities (not withstanding all other conditions and standards set forth in this ordinance) performance standards for these facilities shall include:

1. The site for a truck stop must be a minimum of two (2) acres;
2. Any fuel dispenser, perimeter of underground storage tanks or pumps must be one-hundred (100) feet from any residence or residential district line and at least forty (40) feet from a right-of-way line;
3. A sight obstructing masonry fence of not less than six (6) feet in height or more than eight (8) feet in height shall be erected between the perimeter of the truck stop and any residential district or use;
4. All truck washing shall be under a canopied bay;
5. Truck engine repair shall be under a roofed structure.

Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is two-hundred-fifty (250) 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 conditional uses elsewhere in this ordinance.

13.300 GENERAL

13.310 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.

13.320 LOT WIDTH

Not less than seventy-five (75) feet

13.330 YARDS

Yard abutting street: no minimum

Side yard and rear yard: There shall be no requirements, except where a side or rear lot line coincides with a lot line in an adjacent residential district. Such yard shall not be less than ten (10) feet in depth and such yard may be used for parking.

13.340 BUILDING HEIGHT

Not to exceed fifty (50) feet

13.350 DISTANCE BETWEEN BUILDINGS

Buildings not actually adjoining shall be provided with a minimum six (6) foot separation.

13.360 OFF-STREET PARKING AND OFF-STREET LOADING

See Section 22.000: OFF-STREET PARKING AND LOADING REQUIREMENTS

13.370 CONDUCT OF USES

All business, service, storage, and merchandise display shall be conducted wholly within an enclosed building or an opaque enclosure, including porches, except for off-street automobile parking, off street loading, and the usual pumping operations of gasoline sales and permitted open sales or storage lots. Vehicle repair and service work may be performed outside of an enclosed building. Any vehicle that does not have the repair completed by the end of the business day must be placed in an enclosed building or behind a screen enclosure that meets the standards of Section 26.800 STORAGE FACILITIES, subsection 26.810 ALL COMMERCIAL AND INDUSTRIAL USES HAVING PERMITTED OUTSIDE STORAGE OR DISPLAY OF MERCHANDISE, MATERIAL, OR EQUIPMENT. Mechanical equipment erected or constructed outside an enclosed building necessary to repair or service vehicles may be permitted by conditional use permit.

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 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.

Revised 2/05/03 per Ord. No. 1362
Revised 4/07/03 per Ord. No. 1370
Revised 5/04/09 per Ord. No. 1652
Revised 6/04/10 per Ord. No. 1675
Revised 4/05/11 per Ord. No. 1700-B

SECTION 2.000
SUBDIVISION APPLICATION PROCEDURE
AND APPROVAL PROCESS

2.1 GENERAL PROCEDURE

Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision is granted, the subdividing owner, or his authorized agent, shall apply for and secure approval of such proposed subdivision in accordance with the following procedure.

2.2 PRELIMINARY PLAT

(1) Application Procedure

- a. Before preparing the preliminary plat for a subdivision, the applicant should discuss with the Development Services Director, the procedure for processing a subdivision plat and the requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection, zoning and similar matters, as well as the availability of existing services. The Development Services Director shall also advise the applicant, where appropriate, to discuss the proposed subdivision with those officials who must eventually approve these aspects of the subdivision plat coming within their jurisdiction. The Development Services Director shall assign a tract number to the proposed subdivision if it is evident that action will be taken to pursue the development.
- b. The subdivider or his representative shall submit fifteen (15) copies of the preliminary plat to the Development Services Director.
- c. The subdivider or his agent shall submit the required application fee.

(2) Data Requirements

- a. The preliminary plat shall meet the minimum standards for design and the requirements as set forth by these regulations.
- b. The preliminary plat shall be clearly and legibly drawn to a scale of 1" = 200', or 1" = 100', or 1" = 50'. A scale of 1" = 100' is preferred. Whenever possible, scales should be adjusted to produce an overall drawing not exceeding 24" x 36" in size, providing sufficient detail can still be shown.

(3) Map Contents

- a. The proposed name and assigned tract number, north point, scale and date of preparation.
- b. The names and addresses of the subdividers, owner, planner, surveyor and/or engineer associated with the project.
- c. A sufficient description to locate the proposed subdivision, including the township, range, and section.

- d. The location, names, width, and purpose of all existing or proposed highways, streets, rights-of-way, utilities, lots, blocks, easements, or drainage channels within the proposed subdivision or contiguous to it.
- e. The approximate boundaries, if any, of all areas subject to special flood hazards, as indicated on the Flood Insurance Maps. Arrows should indicate general flow in all water courses and streets.
- f. The following contour intervals, as established by field or aerial survey methods, under the direction of a qualified registrant shall be required sufficient to indicate drainage for all lots and streets:

Gradual Slopes	0 to 2% - 2 foot intervals
Medium Slopes	2 to 15% - 5 foot intervals
Steep Slopes	above 15% - 10 foot intervals

Topography shall be based on the City of Kingman datum. At least one permanent bench mark shall be established for each 160 acres of subdivision or fractional part thereof and a description and location of same shall be included as a part of the preliminary plat. Regular U.S.G.S. topographic maps, enlargements or similarities of same will not be acceptable as a source of topography.

- g. The approximate lot boundaries (location and dimensions) and the proposed lot number shall be identified.
 - h. The acreage of proposed subdivision, number of lots proposed, approximate area of the lots, minimum lot size, and density (lots per acre).
 - i. A small scale location or vicinity map showing the relative location of the subdivision with respect to township, range, section, existing roads, existing or proposed access to the tract, the nature and status of such access roads, and the ownership of lands traversed by the access roads.
 - j. The date, name, seal, and registration number of the engineer responsible for the preparation of the subdivision.
- (4) Additional Requirements and Accompanying Statements. The following information shall be included as a part of the preliminary plat, or accompanying statement:
- a. The existing uses of the land and existing zoning classification.
 - b. The proposed use of each lot or parcel and the proposed zoning classification.
 - c. An application for proposed rezoning where applicable.
 - d. A statement regarding the availability, location, and type of water system for domestic use and fire protection.
 - e. A statement as to the type of facilities or method of sewage disposal proposed.
 - f. A statement regarding availability of utilities and the direction and distance to the nearest such useable utility as required by these regulations.
 - g. In addition to statements about water and sewer locations, general preliminary water and sewer layouts should be shown on a map submittal. For sewers, this will include location and minimum size of proposed lines; and location and depths of existing manholes and cleanouts. For proposed and existing water installations, this should include a map showing locations for lines, fire hydrants, valves, meter vaults, etc., along with minimum proposed line sizes. Detailed and specific construction improvement plans may be submitted at the Final Plat Stage.

- h. A list of proposed street names.
- i. A general summary description of any protective covenants or private restrictions to be incorporated in the final plat.

(5) Preliminary Drainage Report

A preliminary drainage report, prepared by an engineer registered to practice in the State of Arizona, covering the details of flood conditions and the specific effects of floods on the area being subdivided, shall be submitted with from upstream flows on the project, and impacts of the project on downstream properties and shall be prepared as required by the Kingman Area Drainage Design and Administrative Manual.

The Preliminary Drainage Report shall be typed and five (5) copies shall be submitted.

(6) Staff Review of the Preliminary Plat

- a. The Development Services Director shall forward a copy of the preliminary plat to the following agencies for evaluation and recommendations: Engineering Department, Health Department, Fire Department, Public Works Department, utility companies, and other agencies who may be concerned. Interested agencies shall have twenty (20) working days from the date the preliminary and "all" supportive information is received by the Development Services Director, to complete their review. Agencies shall submit their evaluation report to the Development Services Director. No reply by an agency within the time limit specified shall be deemed as having no objection.
- b. When all replies have been received, or the specified date of reply reached, the Development Services Director shall prepare a correlated report, including replies or comments from the reviewing agencies, and forward a copy to the reviewing agencies, and forward a copy to the subdivider's and/or agent's engineer. If the preliminary plat is in conformance with these regulations, the Development Services Director shall schedule the review of the preliminary plat by the Planning and Zoning Commission at their next regularly scheduled public meeting.

(7) Planning and Zoning Commission Review of the Preliminary Plat

- a. The subdividers or their representatives shall be notified by mail fifteen (15) days prior to a meeting of the time and place set for review of the preliminary plat.
- b. The Planning and Zoning Commission shall, upon said review or such further meeting to which said matter may be continued, hear or consider all evidence relating to said preliminary plat.
- c. If satisfied that all objectives of these regulations have been met, the Planning and Zoning Commission may recommend approval, conditional approval, or denial of the preliminary plat and by the conclusion of their next regularly scheduled meeting shall make their recommendation to the Common Council.
- d. If the Commission finds that the preliminary plat requires a major revision, the preliminary plat may be held over until the next regularly schedule Planning and Zoning Commission meeting.

- e. The recommendations of the Planning and Zoning Commission on said preliminary plat shall be written.
- f. If the Planning and Zoning Commission does not make a recommendation to the Common Council by the conclusion of the next regularly scheduled meeting held after the public hearing, the preliminary plat shall be submitted to the Common Council without a recommendation.
- g. A subdivider may withdraw the preliminary plat or request postponement at any time, through a written signed statement, submitted to the Development Services Director. Any withdrawal shall mean that the property owner(s) must resubmit a new preliminary plat application.

(8) Common Council Review of the Preliminary plat

- a. On receipt of the recommendation from the Planning and Zoning Commission, the Common Council shall, at their next regularly scheduled meeting, approve, conditionally approve, or deny the preliminary plat. If a preliminary plat is denied by the Common Council, the new filing of another preliminary plat for the same tract, or any part thereof, shall follow the aforementioned procedures and shall be subject to the required fee. The Common Council shall forward within fifteen (15) days, in writing, a statement to the subdivider stating the reason the preliminary plat was denied.
- b. Preliminary plat approval is based upon the following terms and conditions:
 - (i) The basic conditions under which the preliminary plat is approved shall not be changed prior to expiration date.
 - (ii) Approval of the preliminary plat is valid for a period of twenty-four (24) months from the date of Council action.
 - (iii) Preliminary plat approval may, upon written application to the Development Services Department by the subdivider, be considered for an extension of time. The Common Council may extend the original preliminary plat approval two-years if there is no change in conditions within or adjoining the preliminary plat that would warrant a revision in the design of the original preliminary plat. If there have been major changes in the area affecting the preliminary plat or changes in development standards, the Common Council may extend the preliminary plat validity for an additional 95-days to allow the subdivider to redesign the preliminary plat to include the necessary modifications and resubmit the modified preliminary plat for review by the Planning and Zoning Commission and subsequently by the City Council. The City Council may then determine whether to approve the modified preliminary plat or not extend the approval of the preliminary plat. The City Council may grant a greater than a 95-day modification period at its discretion.
 - (iv) If the subdivider does not process the final plat or phase thereof within the twenty-four (24) month time frame, or ask for and received an extension of time, then all proceedings relating to the preliminary plat shall be terminated.
- c. The Common Council approval of the preliminary plat shall specify that required improvements shall be completed to minimum City Standards prior to recording of the final plat; or an agreement in writing shall be arrived at prior to said recordation assuring construction of all required improvements, utilizing one or more of the methods described in Section 3.000 of these regulations and acceptance of said improvements into the City maintenance system upon completion to City standards and the approved improvement plans.
- d. If any other improvements are required, at this time by the Common Council, they shall be so specified.

A non-residential subdivision shall also be subject to all the requirements of site plan approval and development standards set forth in the City of Kingman Zoning Ordinance. Site plan approval and non-residential subdivision plat approval may proceed simultaneously at the discretion of the Planning and Zoning Commission. A non-residential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the City Council, and shall conform to the proposed land use and standards established in the City of Kingman Master Plan, Official Map, Zoning Ordinance and Standard Specifications for Public Works Improvements.

(2) Standards

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the commission that the street, parcel and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity.

4.15 SUBDIVISIONS OF AIRSPACE (CONDOMINIUMS)

(1) General

A subdivision of airspace shall be subject to all the requirements of site plan approval and development standards set forth in the City of Kingman Zoning Ordinance. A subdivision of airspace shall be subject to all applicable requirements of these regulations, as well as such additional standards required by the City Council, and shall conform to the proposed land use, density, and standards established in the City of Kingman Master Plan, Official Map, Zoning Ordinance and Standard Specifications for Public Works Improvements.

(2) Standards

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the density, internal street system, common area, and recreational amenities are specifically adapted to the development anticipated and take into account other uses in the vicinity. The following principles, standards and information shall be incorporated into the preliminary plan.

a. Detailed Site Plan

The preliminary plan shall include the following information:

- (i) Location of the proposed building site(s), indicating relationship to adjoining areas, existing structures and proposed uses.
- (ii) Drainage control and systems of drainage.
- (iii) Outline of motor vehicle parking.
- (iv) General traffic circulation features, public and private streets, width of right-of-way and roadways; location of vehicular access points thereto.
- (v) Pedestrian circulation features, walks and paved areas.
- (vi) Swimming pools and other recreational facilities.
- (vii) Landscaping features.
- (viii) Internal street, pedestrian and security lighting.

b. Building Plans

At the time the preliminary plat is submitted, three (3) prints of the building plan shall be submitted showing the following:

- (i) Typical floor plans of the buildings indicating horizontal dimension and the floor area.
- (ii) General floor and roof elevations of the buildings, indicating height and number of stories.

NOTE: The detailed building plans, submitted at the time a building permit is applied for, shall be prepared and stamped by an architect registered to practice in the State of Arizona.

c. Utilities

- (i) Available and necessary utilities with connections to each dwelling unit within the subdivision shall be constructed, including electricity, water and sewerage.
- (ii) Where available, natural gas, telephone and cable television should be installed.
- (iii) All service utility lines shall be placed underground. The owner or developer shall be responsible for complying with this requirement and shall make necessary arrangements with the serving agencies for the installation of such facilities.
- (iv) For the purpose of this section, appurtenances and associated equipment such as, but not limited to, surface mounted transformers, concealed ducts, and pedestal mounted terminal boxes and meter cabinets may be placed above ground.
- (v) Fire Protection. Fire hydrants conforming to these regulations and/or the City of Kingman Fire Marshal's recommendation. Additional fire protection measures may be required by the Fire Marshal.

d. Accessways, Driveways, and Parking Areas

All accessways, driveways, and parking areas shall be paved to City Standards as outlined in the City of Kingman Standard Specifications for Public Works Improvements, Article XV of the Kingman Code of Ordinances.

(3) Property Owners' Association

A property owners' association that is compulsory and non-revocable shall be established by recordation of the following, at the same time the final plat is recorded.

- a. Articles of Incorporation of the Association.
- b. Declaration of covenants, conditions and restrictions.
- c. Bylaws of the Association, to include provisions for maintenance of common open space.
- d. Included in the recorded documents specified above, shall be provisions for at least, but not limited to, the following:
 - (i) The association shall be responsible for the maintenance of all facilities in private vehicular access ways whenever the facilities are not maintained by a public utility agency.
 - (ii) A statement that in the case of a public nuisance or emergency any emergency vehicle or personnel may enter the property to abate the nuisance or respond to the emergency.

- (iii) A provision that an individual owner cannot avoid liability for his prorated share of the expenses for the common area by renouncing his rights in the common area except as provided by law.
- (iv) The City shall have the power to enforce the maintenance provisions of the property owners' association if the property owners' association failed to do so, and shall have the right to recover all costs incurred by the City in a shared, prorate basis by all parcels, collected as assessment along with the City/County property taxes.

(4) Horizontal Property Regimes

At the time the final plat is filed with the City for review, the applicant shall also submit the Horizontal Property Regime to be recorded along with the final plat, as required by law.

(5) Management by Council of Co-owners: Rules and Regulations

- a. The Council of Co-owners shall be required to make provisions for maintenance of common elements, limited common elements where applicable, assessment of expenses, payment of losses, division of profits, disposition of hazard insurance proceeds, and similar matters, and shall be required to adopt bylaws, rules and regulations.
- b. The bylaws, rules and regulations, as amended, shall be reduced to writing and be available to every owner of any interest in the horizontal property regime.

(6) Conversion to Subdivision of Airspace

In addition to any other applicable requirements, conversion projects shall comply with the following:

- a. All existing units proposed for conversion to subdivisions of airspace shall be subject to a pre-conversion inspection. These inspections shall be performed by the City staff for compliance with all current codes and ordinances. The developer shall agree to provide access to all buildings.
- b. Following the inspection, the City staff shall forward written findings of fact to the developer and the Planning and Zoning Commission.
- c. The Planning and Zoning Commission shall consider the aforementioned findings of fact in conjunction with the preliminary plan. Corrections of deficiencies may be required by the City Council prior to approval of the final plat.
- d. All existing developments proposed for conversion to subdivisions of air space shall meet all requirements and standards as set forth in these regulations.

(7) Improvements to be Covered by Assurance

All off-site improvements shall be covered by the Assurance for Completion and Maintenance of Improvements, as outlined by Section 3.000 of these regulations. The off-site improvements shall include streets (public and/or private), water, sewerage, curb, gutters, sidewalks, parking areas, and lighting. Additional amenities, such as swimming pools, tennis courts, recreation buildings, etc., are not required to be covered by the off-site improvements assurance for the City; however, if included in the plans, these amenities shall be included on the State Subdivision Questionnaire.

MAR 16 2015

RCY'D
TIME



CITY OF KINGMAN
PRELIMINARY SUBDIVISION PLAT APPLICATION FORM
CASE # SB- 15 - 001

APPLICATION FEE \$500 PLUS \$10.00 PER LOT, TRACT OR PARCEL

STAFF USE ONLY: FEE PAID? YES NO PAYMENT DATE 3/16/15

Application Date: 03-10-2015

Proposed Subdivision Name and Tract Number: Airway Plaza Tract 1984

Description of Location and/or Legal Description: Portion of Section 07, T 21N, R16W
Kingman, Mohave County, AZ

Mohave County Tax Parcel Number(s): 320-10-068 and 320-10-070 Size of Parcel(s): 3.90 Acres

PROPERTY OWNER'S NAME: OWNER(S) MUST SIGN APPLICATION. ATTACH ADDITIONAL SIGNATURE PAGES FOR EACH OWNER (IF ANY) AND DATES OF SIGNATURE(S).

Airway Plaza Association LLC

Mailing Address: 4653 Carmel Mountain Road, Suite 308-321

City/State/Zip: San Deigo, California 92130

Phone Number: 928-6990162 E-mail: wlnugent48@yahoo.com

I (WE) THE UNDERSIGNED PROPERTY OWNER(S) REQUEST THE APPROVAL OF THE ABOVE DESCRIBED PRELIMINARY SUBDIVISION PLAT.

Signature: _____ Date: 03-10-2015

OWNER'S AGENT OR REPRESENTATIVE:

Mohave Engineering Associates, Inc

Mailing Address: PO Box 6547

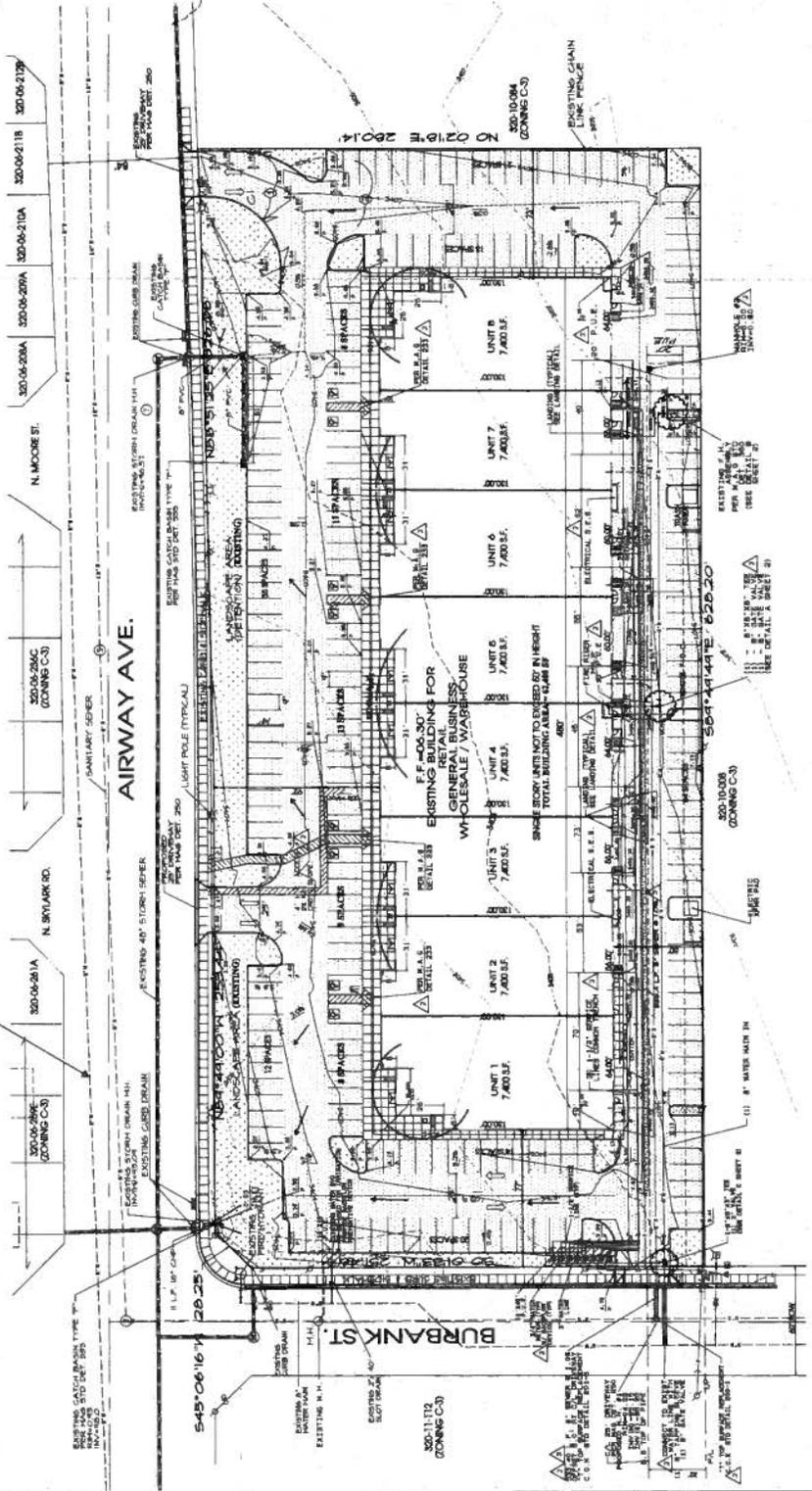
City/State/Zip: Kingman, AZ 86402

Phone Number: 928-7532627 E-mail: ju@meaiaz.com

Signature: *[Signature]* Date: 03-10-2015

ITEMS FROM THE "PRELIMINARY SUBDIVISION PLAT APPLICATION CHECKLIST" SHALL BE SUBMITTED WITH THIS PRELIMINARY SUBDIVISION PLAT APPLICATION FORM.

PRELIMINARY PLAN
for
AIRWAY PLAZA TRACT 1984
N1/2 NW1/4 of GOVERNMENT LOT 2
SECTION 7, T21N, R16W, of the G&SRM,
KINGMAN, ARIZONA



DATE	DESCRIPTION
03-15-00	PRELIMINARY PLAN
07/27/05	REVISED PER COMMENTS
08-12-2005	REVISED PER COMMENTS
09-12-2005	REVISED PER COMMENTS

MHOAYE ENGINEERING ASSOCIATES, INC.
405 E. MALL STREET
KINGMAN, ARIZONA 86401
PH: 929-753-7823
FAX: 929-753-7824

PROJECT
PRELIMINARY PLAN
AIRWAY PLAZA TRACT 1984
SECTION 7, T21N, R16W, of the G&SRM,
KINGMAN, ARIZONA



DATE	DESCRIPTION
03-15-00	PRELIMINARY PLAN
07/27/05	REVISED PER COMMENTS
08-12-2005	REVISED PER COMMENTS
09-12-2005	REVISED PER COMMENTS

SHEET INDEX
1. PRELIMINARY PLAN

LEGEND
 (Symbol) CONSTRUCTION SET NOTE
 (Symbol) DATE TAPE
 (Symbol) EXISTING UTILITY, DRAIN
 (Symbol) PROPOSED EXISTING UTILITY, DRAIN
 (Symbol) EXISTING EXHAUST SYSTEM
 (Symbol) EXISTING DRAIN CENTER
 (Symbol) EXISTING DRAIN CENTER
 (Symbol) EXISTING DRAIN CENTER
 (Symbol) EXISTING DRAIN CENTER

DEVELOPER
MHOAYE ENGINEERING ASSOCIATES, INC.
405 E. MALL STREET
KINGMAN, ARIZONA 86401

LEGAL DESCRIPTION
N1/2 NW1/4 of GOVERNMENT LOT 2
SECTION 7, T21N, R16W, of the G&SRM,
KINGMAN, ARIZONA

ENGINEER
MHOAYE ENGINEERING ASSOCIATES, INC.
405 E. MALL STREET
KINGMAN, ARIZONA 86401

TOPOGRAPHY
CITY OF KINGMAN, ARIZONA
CITY OF KINGMAN, ARIZONA
CITY OF KINGMAN, ARIZONA

BENCH MARK
CITY OF KINGMAN, ARIZONA
CITY OF KINGMAN, ARIZONA
CITY OF KINGMAN, ARIZONA

SITE PLAN NOTES
1. THIS PLAN IS FOR THE PROPOSED DEVELOPMENT OF THE AIRWAY PLAZA TRACT 1984.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KINGMAN, ARIZONA.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KINGMAN, ARIZONA.

APPROVED ZONING AND LAND USE	320-10-008 (COMMERCIAL)
APPROVED ZONING AND LAND USE	320-10-006 (COMMERCIAL)
APPROVED ZONING AND LAND USE	320-10-010 (COMMERCIAL)

DATE	DESCRIPTION
09-12-2005	REVISED PER COMMENTS
09-12-2005	REVISED PER COMMENTS
09-12-2005	REVISED PER COMMENTS

PROJECT	AIRWAY PLAZA TRACT 1984
CLIENT	MHOAYE ENGINEERING ASSOCIATES, INC.
DATE	09-12-2005
REVISION	REVISED PER COMMENTS
DATE	09-12-2005
REVISION	REVISED PER COMMENTS
DATE	09-12-2005
REVISION	REVISED PER COMMENTS



MHOAYE ENGINEERING ASSOCIATES, INC.

NO. 101	DATE	BY	CHKD.

MOHAVE ENGINEERING ASSOCIATES, INC.
 405 E. SCALE STREET
 KINSMAN, ARIZONA 86011
 (928) 753-8287

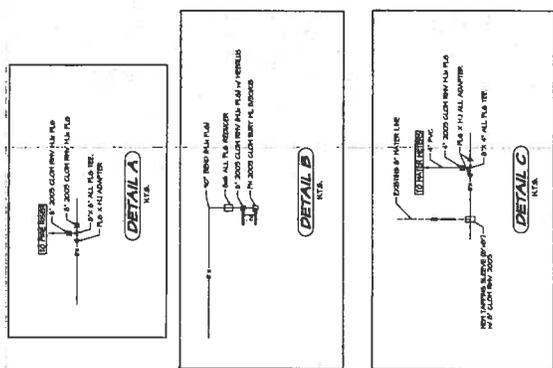
PROJECT
 N1/2 NW1/4 OF GOVERNMENT LOT 2
 SECTION 7, T13N, R14W, OF THE GOSMALL,
 KINSMAN, ARIZONA

SHEET TITLE
 SPECS. & DETAILS



DATE PLOTTED	01/26/05
DATE PRINTED	01/26/05
PROJECT	PROFFIT
TOWN	
COUNTY	
SHEET NO.	1 OF 2

405 E. SCALE STREET
 KINSMAN, ARIZONA 86011
 (928) 753-8287



UTILITIES

WATER, CITY OF KINSMAN - PUBLIC MAINS - 6\"/>

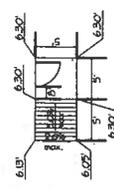
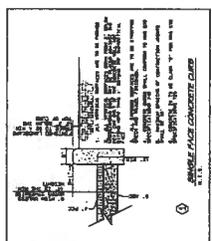
DRAINAGE NOTES

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CONSTRUCTION KEY NOTES

1. ALL CONCRETE SHALL BE 3000 PSI STRENGTH CONCRETE.

2. ALL REINFORCEMENT SHALL BE #4 BARS.



ADJACENT OWNERS

SECTION	ADJACENT OWNER	ADDRESS	SECTION	ADJACENT OWNER	ADDRESS
100-0-008	KINSMAN ACADEMY OF LEARNING	100-0-008	100-0-008	KINSMAN ACADEMY OF LEARNING	100-0-008
100-0-009	CITY OF KINSMAN	100-0-009	100-0-009	CITY OF KINSMAN	100-0-009
100-0-010	CITY OF KINSMAN	100-0-010	100-0-010	CITY OF KINSMAN	100-0-010
100-0-011	CITY OF KINSMAN	100-0-011	100-0-011	CITY OF KINSMAN	100-0-011
100-0-012	CITY OF KINSMAN	100-0-012	100-0-012	CITY OF KINSMAN	100-0-012
100-0-013	CITY OF KINSMAN	100-0-013	100-0-013	CITY OF KINSMAN	100-0-013
100-0-014	CITY OF KINSMAN	100-0-014	100-0-014	CITY OF KINSMAN	100-0-014
100-0-015	CITY OF KINSMAN	100-0-015	100-0-015	CITY OF KINSMAN	100-0-015
100-0-016	CITY OF KINSMAN	100-0-016	100-0-016	CITY OF KINSMAN	100-0-016
100-0-017	CITY OF KINSMAN	100-0-017	100-0-017	CITY OF KINSMAN	100-0-017
100-0-018	CITY OF KINSMAN	100-0-018	100-0-018	CITY OF KINSMAN	100-0-018
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100-0-028	CITY OF KINSMAN	100-0-028	100-0-028	CITY OF KINSMAN	100-0-028
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100-0-031	CITY OF KINSMAN	100-0-031	100-0-031	CITY OF KINSMAN	100-0-031
100-0-032	CITY OF KINSMAN	100-0-032	100-0-032	CITY OF KINSMAN	100-0-032
100-0-033	CITY OF KINSMAN	100-0-033	100-0-033	CITY OF KINSMAN	100-0-033
100-0-034	CITY OF KINSMAN	100-0-034	100-0-034	CITY OF KINSMAN	100-0-034
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100-0-036	CITY OF KINSMAN	100-0-036	100-0-036	CITY OF KINSMAN	100-0-036
100-0-037	CITY OF KINSMAN	100-0-037	100-0-037	CITY OF KINSMAN	100-0-037
100-0-038	CITY OF KINSMAN	100-0-038	100-0-038	CITY OF KINSMAN	100-0-038
100-0-039	CITY OF KINSMAN	100-0-039	100-0-039	CITY OF KINSMAN	100-0-039
100-0-040	CITY OF KINSMAN	100-0-040	100-0-040	CITY OF KINSMAN	100-0-040

SITE NOTES

THIS TRACT HAS 8 BENTS OR 8 AS FACE PARCEL.

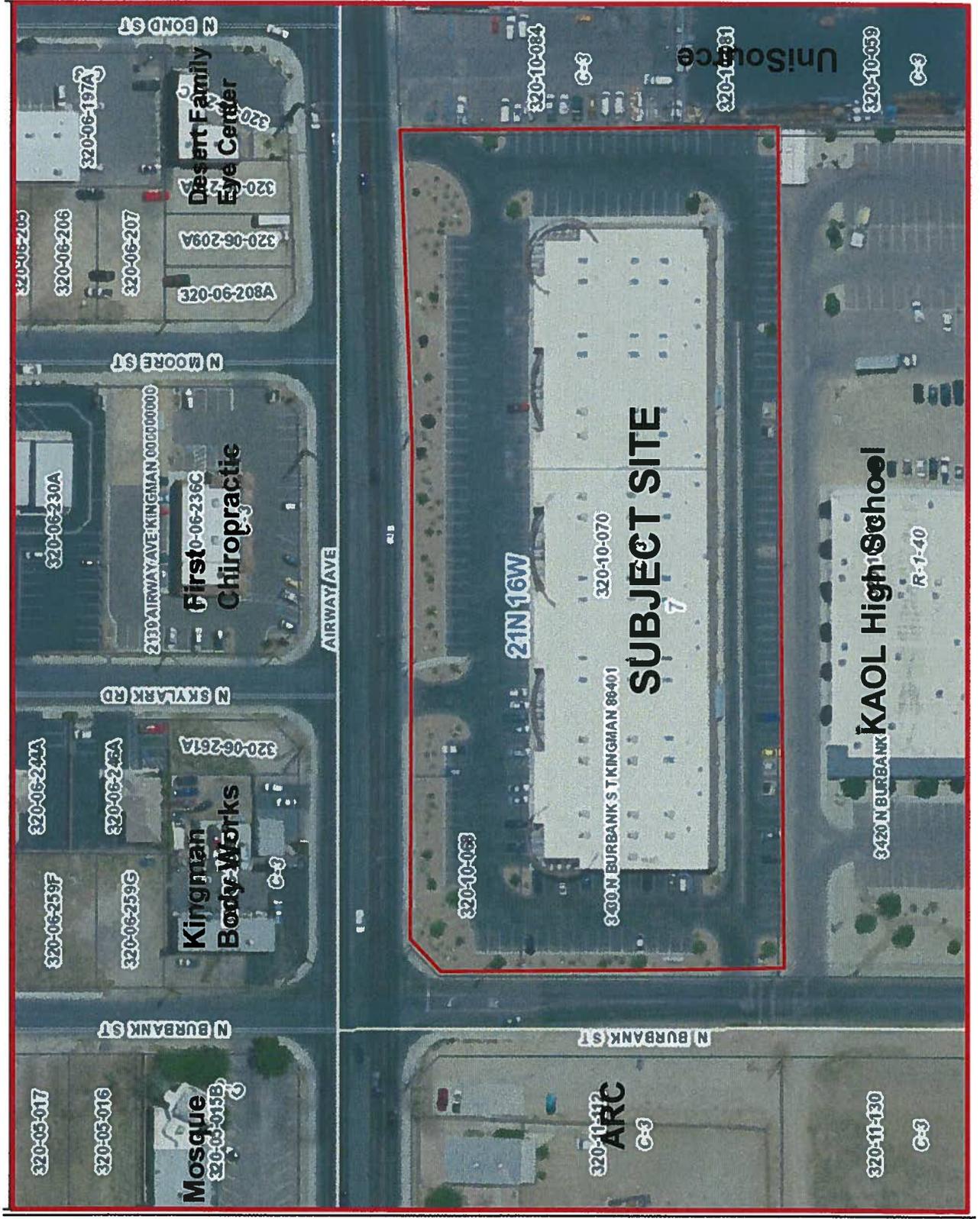
THE PURPOSE OF THIS PLAN IS TO SUBMIT THE LOCATION AND DIMENSIONS OF THE PROPOSED CONCRETE CURB AND LANDING DETAIL TO THE KINSMAN CITY ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL.

THE CURB AND LANDING DETAIL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND DETAILS SHOWN ON THIS PLAN.

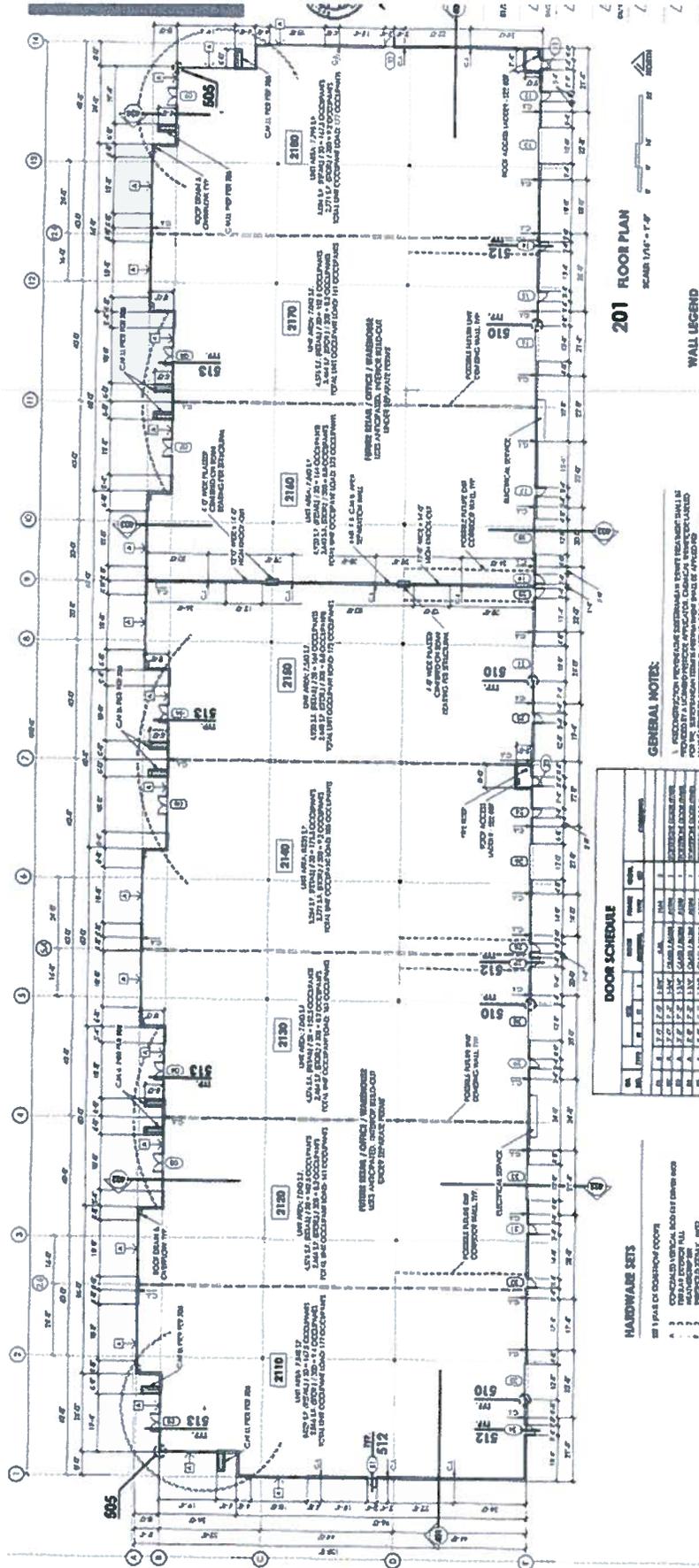
THE CURB AND LANDING DETAIL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND DETAILS SHOWN ON THIS PLAN.

THE CURB AND LANDING DETAIL SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND DETAILS SHOWN ON THIS PLAN.

AERIAL MAP



FLOOR PLAN





City of Kingman

DEVELOPMENT SERVICES---BUILDING DEPARTMENT
310 NORTH FOURTH STREET • KINGMAN • ARIZONA • 86401

Rich,

Good morning.

March 18, 2015

Re: Airway Plaza Commercial Subdivision
Project No: SB15-001

GENERAL COMMENTS:

1. This Building was originally constructed under COK Building Permit BLD05-0270. PDF plans are available at <K:\Building\Historic Permits Plan File\2005 Building Grading Sign Plans\BLD05-0270 Airway Plaza Shell 2110-2180 Airway\Plans> which specify the following original design criteria:

CODE SUMMARY

GOVERNING CODES: 1997 UNIFORM BUILDING CODE (UBC)
1997 UNIFORM MECHANICAL CODE (UMC)
1994 UNIFORM PLUMBING CODE (UPC)
1997 UNIFORM FIRE CODE (UFC)
1996 NATIONAL ELECTRIC CODE
CITY OF KINGMAN CODES & ORDINANCES
ADAAG (AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES)

SEISMIC ZONE: 2B

WIND SPEED: 80 MPH

EXPOSURE: C

SNOW LOAD: 20 PSF (NON-REDUCIBLE)

RAINFALL: SIX INCHES PER HOUR

 OCCUPANCY: M / B / F-1 / S-1 ANTICIPATED

TYPE OF CONSTRUCTION: II-N

FIRE SPRINKLERS: YES

FIRE ALARM: NO

OCCUPANT LOAD: SEE FLOOR PLAN FOR ANTICIPATED OCCUPANT LOAD PER UNIT BASED ON A COMBINATION OF RETAIL AND STORAGE USES.

NUMBER OF EMPLOYEES: UNKNOWN. SHELL BUILDING FOR FUTURE OCCUPANTS.

 ALLOWABLE BUILDING AREA: FOR OCCUPANCIES M, B, F-1, S-1: BASIC = 12,000 S.F.
(EACH SIDE OF AREA SEPARATION WALL) INCREASE FOR YARD ON TWO SIDES (60') = $(60' - 20') \times 0.125 = 50\%$
THEREFORE, ALLOWABLE AREA WITH YARD INCREASE IS 12,000 + 6,000 = 18,000 S.F.
INCREASE FOR FIRE SPRINKLERS IN A ONE STORY BUILDING IS THREE TIMES,
THUS, TOTAL ALLOWABLE AREA = $3 \times 18,000 \text{ S.F.} = 54,000 \text{ S.F.}$

BUILDING AREA PROVIDED: 37,660 S.F. (WEST OF AREA SEPARATION WALL, UNITS 2110 - 2150)
22,440 S.F. (EAST OF AREA SEPARATION WALL, UNITS 2160 - 2180)
60,000 S.F. TOTAL

 EXTERIOR WALL RATING REQ'D: FOUR HOUR
EXTERIOR WALL OPENING PROTECTION REQ'D: NONE

OCCUPANCY SEPARATIONS: NO OCCUPANTS AT THIS TIME. FUTURE DEMISING WALLS WILL MOST LIKELY BE 1-HR TO ACCOMMODATE VARIOUS TYPES OF OCCUPANTS.

HAZARDOUS MATERIALS: SPEC BUILDING FOR FUTURE OCCUPANTS - ANY AND ALL HAZARDOUS MATERIALS USED AND / OR STORED SHALL BE VERIFIED AND APPROVED BY THE CITY OF KINGMAN UNDER FUTURE INTERIOR IMPROVEMENT APPLICATIONS.

2. The original proposed CCRs are also available on the COK K drive. For the **Final Plat** submittal, the current CCRs shall be submitted. The Final Plat combined with the CCRs shall address each and all of the following:
 - a) Identify the Boundary for each condominium.
 - b) Shared utility pipes, conduits etc.. for – electric, water, sewer, gas, etc...
 - c) Water Line Backflow Protection locations and maintenance.
 - d) Exterior water and electric, lighting, landscape irrigation, etc...
 - e) On-Site Utility facilities such as Transformers, Junction Boxes, Pull Boxes,
 - f) Fire Department Access to the building
 - g) Egress from all current man doors shall have a legal clear path to the ROW which shall be maintained. [Just a heads-up: These units are 7,400sf – Depending upon the floor plan and use, Occupant loads > 50ppl are more than possible and will require not less than two separated ADA EXITS.]
 - h) Allowable Conex Box locations – if any!
 - i) Roof Drainage Discharge shall be unobstructed.
 - j) Structural Building Members not to be altered. [Any question will require the applicant to provide sealed calculations by an AZ licensed Engineer.
 - k) Common Ownership Walls between units shall be designed and constructed as **Fire Walls** per the current adopted Building Code at the time of permit application.
 - l) Roof Access – Common or Each Unit has its own.

3. The Building Department has no general objection to approving the Preliminary Plat application.

If you have any questions regarding these comments or would prefer to schedule an appointment please don't hesitate to call me.

Respectfully,

Jim McErlean

Jim McErlean
Building Official
(928)753 8136 office
(928)753 8579 fax
e-mail: jmcerlean@cityofkingman.gov

cc:

Rich Ruggles

From: Rod Ward
Sent: Thursday, March 19, 2015 8:44 AM
To: Rich Ruggles
Subject: Preliminary Plan Airway Plaza Review

As far as these plans are concerned my comments at this time are as follows;

- 1.) Benchmark shown is over Two miles away from this project, over on Stockton Hill Rd. next to cemetery.
- 2.) If any easements exist for sewer and water or are to be given it should be addressed and shown.
- 3.) Boundary markers for property should also be identified and reference to recorded surveys.

Rod Ward
City Surveyor

Memo

To: Rich Ruggles
From: Greg Henry
CC: File
Date: March 30, 2015
Re: Airway Plaza Tract 1984
File SB15-001



Engineering Department

We have reviewed the proposed Preliminary Subdivision Plat and have no objection to its continued processing. The following comments are provided:

1. The proposed subdivision contains two existing driveways on Airway Avenue and one existing driveway on Burbank Street. It is noted that the driveways do not meet current ADA standards which require a three foot "flat" area behind the driveway pan. Likewise, the existing sidewalk ramp at the intersection of Airway and Burbank does not meet current ADA requirements with respect to truncated domes. The sidewalk ramp has not been surveyed to verify whether it meets current ADA slope requirements.

Rich Ruggles

From: Dave Lash
Sent: Thursday, April 02, 2015 3:58 PM
To: Rich Ruggles
Subject: 2110 thru 2180 airway

Rich

The water mains are all on the west side of the building and run thru the trusses to each unit or space.

Gas meter are split 4 at each end of the building with 2 gas stub ups from the gas co. and run thru the trusses, east and west sides.

The electric services are split up at two locations and are on the south side of the building.

Please contact the fire department for any questions regarding the sprinkler system.

Rich Ruggles

From: Chris Weaver
Sent: Friday, April 03, 2015 9:51 AM
To: Rich Ruggles
Cc: Keith Eaton
Subject: RE: Proposed Preliminary Plat for Airway Plaza Tract 1984 at 2110-2180 Airway Avenue

Rich,

The phone line for the Fire Alarm at the Sprinkler Riser shows “low voltage” which usually means either the phone line has an issue or is disconnected. After discussing this with Frank Moore he is looking into remedying this issue now. The Sprinkler System itself is in operation and it is due its annual inspection which Frank is also taking care of. As the spaces are built out it will be required for tenants to install a Fire Alarm for duct or smoke detection along with having an Audio/Visual device to indicate water flow from the sprinkler system. This will all be during the build out.

Let me know if you have any further questions.

From: Rich Ruggles
Sent: Friday, April 03, 2015 8:58 AM
To: Chris Weaver
Cc: Keith Eaton
Subject: Proposed Preliminary Plat for Airway Plaza Tract 1984 at 2110-2180 Airway Avenue

Chris:

I understand you inspected this building yesterday with Dave Lash. They are in the process of converting the building into a commercial condominium with eight separate units. Dave mentioned to me that there was an issue with the fire alarm being tied into a phone line that was apparently disconnected. I was just wondering if you had any comments on this. Also I don't know if there are any issues with the fire sprinkler system. Thanks.

Rich Ruggles

Principal Planner

City of Kingman Development Services Dept.

Phone: (928) 753-8160

E-mail: rruggles@cityofkingman.gov



MOHAVE COUNTY FLOOD CONTROL DISTRICT

DEPARTMENT OF DEVELOPMENT SERVICES

P. O. Box 7000, Kingman, Arizona 86402-7000 3250 E Kino Ave, Kingman, AZ 86409 Telephone (928) 757-0925 FAX (928) 757-0912

www.mohavecounty.us

David West, P.E., C.F.M.
Flood Control District Engineer

Nicholas S. Hont, P.E.
Department Director

MEMORANDUM

Date: March 20, 2015

To: Rich Ruggles, Principal Planner

From: Randall Gremlich, PE, CFM, MCFCD project manager *RKG*

Thru: Dave West, PE CFM, MCFCD Engineer

Re: Submittal of the Preliminary Plan for: Airway Plaza Tr. 1984, a proposed commercial condominium on Airway in Kingman. Subdivision Case SB15-001

I have reviewed the submittal by Mohave Engineering Associates, Inc. for the subject development. The site is not located in a FEMA designated Special Flood Hazard Area. The MCFCD has no objections to this development.



Rich Ruggles

From: LHawkins@tep.com
Sent: Monday, April 06, 2015 1:23 PM
To: Rich Ruggles
Cc: MGibelyou@uesaz.com; JFjeld@uesaz.com
Subject: RE: Case SB15-001 Pre.Plat Airway Plaza Track 1984
Attachments: map1.pdf

Rich:

We have no objection to this request. However, if the intent is for separately owned condominium parcels, we would like to know how the areas outside these units/parcels will be held. Assuming this would be common area of an HOA ownership, then from UNS Electric and UNS Gas perspectives, our existing facilities serving the proposed units must be within either a proposed PUE area or within common areas which must then be designated as PUEs. Note that our existing facilities are not contained within the designated 20' PUE shown on this plan.

Thank you,

Laurie Hawkins, SRWA, CGREA
Right of Way Agent
UniSource Energy Services, Inc.
6405 Wilkinson Dr
Prescott, AZ 86301
lhawkins@uesaz.com
928.226.2245
7am – 3:30pm

From: Rich Ruggles [<mailto:rruggles@cityofkingman.gov>]
Sent: Friday, March 27, 2015 11:39 AM
To: Hawkins, Laurie
Subject: RE: Case SB15-001 Pre.Plat Airway Plaza Track 1984

Laurie:

Here you go. Just let me know if you have any questions or concerns. Thanks!

Rich Ruggles
Principal Planner
City of Kingman Development Services Dept.
Phone: (928) 753-8160
E-mail: rruggles@cityofkingman.gov

From: LHawkins@tep.com [<mailto:LHawkins@tep.com>]
Sent: Friday, March 27, 2015 11:29 AM
To: Rich Ruggles
Subject: Case SB15-001 Pre.Plat Airway Plaza Track 1984

Hi Rich:

Thanks for letting me know you would scan this map for me. I only have your letter dated 3/17/15 and work out of Prescott.

We not sure when Mike will return, but I'm trying to cover as best possible for him.

Thank you,

Laurie Hawkins, SRWA, CGREA

Right of Way Agent

UniSource Energy Services, Inc.

UNS Gas, Inc.

6405 Wilkinson Dr

Prescott, AZ 86301

lhawkins@uesaz.com

928.226.2245

7am – 3:30pm

Rich Ruggles

From: Jaimini Upadhyaya <jupadhyaya@meaiaz.com>
Sent: Monday, April 13, 2015 4:33 PM
To: Rich Ruggles
Cc: Peter Proffit
Subject: Re: Preliminary Plat for Airway Plaza, Tract 1984

Follow Up Flag: Follow up
Flag Status: Completed

Hi Rich

We have reviewed the staff recommendations for Airway plaza and feel that the sidewalk ramps at the corner of the Burbank and Airway Avenue were built with the street improvements for Airway Avenue much before this development was approved/constructed and the 3 existing driveways were previously approved by the city before granting the certificate of occupancy for this project in 2005. Due to this we feel that the developer is not responsible to make modifications to the existing Sidewalk ramps and driveway entrances. Thanks.

On Wed, Apr 8, 2015 at 3:43 PM, Rich Ruggles <rruggles@cityofkingman.gov> wrote:

Jaimini:

I have attached a cover letter and a staff report for the preliminary plat for Airway Plaza, Tract 1984. Thanks!

Rich Ruggles

Principal Planner

City of Kingman Development Services Dept.

Phone: [\(928\) 753-8160](tel:(928)753-8160)

E-mail: rruggles@cityofkingman.gov

CITY OF KINGMAN COMMUNICATION TO COUNCIL



TO: Honorable Mayor and Council Members

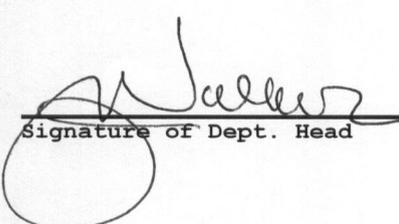
FROM: Jackie Walker, Human Resources/Risk Mgt Director

MEETING DATE: May 5, 2015

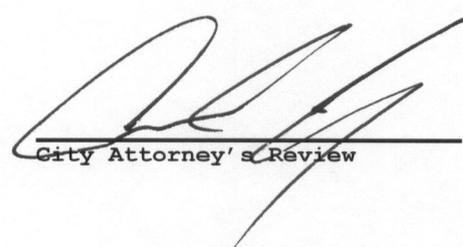
AGENDA SUBJECT: Follow up - City Magistrate Recruitment

SUMMARY:

The purpose of this communication is to discuss the Council review of the City Magistrate applications and select Semi-Finalists to move on to the next phase of the recruitment process.



Signature of Dept. Head



City Attorney's Review



City Manager's Review

AGENDA ITEM: 9