

Mark Nexsen - Chair  
Buster Johnson – Vice Chairman  
Donna McCoy – Secretary/Treasurer  
David Lane – Board Member  
Deanna Beaver – Board Member



Lake Havasu MPO  
2360 McCulloch Blvd., N.  
Police Facility Meeting Room  
Lake Havasu City, AZ 86403  
[www.LHMPO.org](http://www.LHMPO.org)

**LAKE HAVASU METROPOLITAN  
PLANNING ORGANIZATION (LHMPO)  
EXECUTIVE BOARD MEETING AGENDA  
Tuesday, September 12, 2017, **2:00 PM****

One or More Executive Board Members May Attend and Vote Telephonically

The Lake Havasu MPO Executive Board may vote to hold an Executive Session for the purposes of obtaining legal advice from the Attorney on any matter listed on the agenda under A.R.S §38-431.03(A)(3)

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CALL TO THE PUBLIC:** This item is to provide an opportunity for citizens wishing to address the Executive Board on issues within the jurisdiction of the LHMPO planning area that are not on the Agenda. Your comments SHALL be limited to five (5) minutes or less. Please be advised that Executive Board Members may not respond to comments or questions brought up during call to the public.
- 5. CONSENT AGENDA**

The following items will be considered as one item by the Executive Board and will be enacted with one motion with no separate discussion unless a board member requests to so, in that event the item will be removed.

  - 5.1** Approve the Executive Board Meeting Minutes of June 13, 2017  
(Task #102)
  - 5.2** Approve the Executive Board Meeting Minutes of August 28, 2017  
(Task #102)
  - 5.3** Call for Executive Session Pursuant to A.R.S. § 38-431.03(A), 2:00 p.m., Tuesday, October 10, 2017
- 6. ANNOUNCEMENTS, COMMUNICATIONS, UPDATE REPORTS**
  - 6.1** PRESENTATION – ADOT Safety Targets – Kerry Wilcoxon
  - 6.2** ADOT Northwest District Update Report
  - 6.3** Technical Advisory Committee (TAC) Update Report
  - 6.3** LHMPO Updates

**7. PUBLIC HEARINGS**

- 7.1** Discussion and Possible Action to Approve a Resolution to Encourage the Arizona Department of Transportation (ADOT) to Seek Alternate Funding Sources for the Interstate 15 Transportation Roadway Improvements.  
(Chris Bridges/CYMPO-Jeanette Buckley LHMPO)  
(Task #700)
- 7.2** Discussion and possible action to approve lease agreement between Lake Havasu City and Lake Havasu MPO  
(Jeanette Buckley, LHMPO)  
(Task #101)
- 7.3** Discussion and possible action for the LHMPO to pursue 5305 grant for a 5307 Transit Plan for Havasu Mobility  
(Jeanette Buckley, LHMPO)  
(Task #800)

**8. FUTURE AGENDA ITEMS**

**9. UPCOMING MEETING SCHEDULE**

- Arizona State Transportation Board Meeting: **September 15, 2017**, Tuba City, AZ
- LHMPO TAC Meeting: **September 19, 2017, 1:30 p.m.**, 900 London Bridge Rd, Bldg. B, Lake Havasu City, AZ 86404,
- Bicycle Pedestrian Implementation Plan Public Meeting: **September 19, 2017, 6:00 p.m.**, Police Facility Meeting Room, 2360 McCulloch Boulevard N, Lake Havasu City, AZ 86403
- Executive Board Regular Meeting: **TBD**, Lake Havasu City Police Facility Meeting Room, 2360 McCulloch Boulevard N, Lake Havasu City, AZ 86403

**10. ADJOURNMENT**

*Pursuant to the Americans with Disabilities Act (ADA), the Lake Havasu Metropolitan Planning Organization endeavors to ensure the accessibility of all of its programs, projects and services to all persons with disabilities. If you need an accommodation for this meeting, please contact Jeanette Buckley, Lake Havasu MPO at (928) 453-2823 at least 48 hours prior to the meeting so that accommodations may be arranged.*

Agenda Item # 5.1

**LAKE HAVASU MPO  
REQUEST FOR ACTION  
September 12, 2017**

**SUBJECT:     ACTION TO APPROVE THE CONSENT AGENDA**

**SUBMITTED BY:**     Jeanette Buckley, Administrative Specialist II

**AGENDA TYPE:**     **CONSENT AGENDA**

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**ATTACHMENTS:**

Executive Board Meeting minutes of June 13, 2017

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**SUMMARY/BACKGROUND:**

Approve the minutes from the Executive Board meeting held June 13, 2017

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**ACTION OPTION:**

Motion to approve the Consent Agenda

**OR**

Motion to approve the Consent Agenda, with the noted changes

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**RECOMMENDATION:**

Motion to approve the Consent Agenda



**LAKE HAVASU METROPOLITAN  
PLANNING ORGANIZATION (LHMPO)  
EXECUTIVE BOARD MEETING MINUTES  
Tuesday, June 13, 2017, 2:00 PM**

One or More Executive Board Members May Attend and Vote Telephonically

The Lake Havasu MPO Executive Board may vote to hold an Executive Session for the purposes of obtaining legal advice from the Attorney on any matter listed on the agenda under A.R.S §38-431.03(A)(3)

**1. CALL TO ORDER**

Chairman Nexsen called the meeting to order at 2:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was not performed at this meeting.

**3. ROLL CALL**

The roll call was performed by Jeanette Buckley:

Present: Mark Nexsen, Donna McCoy, David Lane and participating telephonically Buster Johnson and Alvin Stump.

**4. CALL TO THE PUBLIC:**

There were no public comments.

**5. CONSENT AGENDA**

The following items will be considered as one item by the Executive Board and will be enacted with one motion with no separate discussion unless a board member requests to so, in that event the item will be removed.

**5.1** Approve the Executive Board Meeting Minutes of May 9, 2017

**5.2** Approve FY16 – 20 Transportation Improvement Program (TIP) Amendment 3

**5.3** Approve Amended Title VI Plan

**5.4** Call for Executive Session Pursuant to A.R.S. § 38-431.03(A), 2:00 p.m., Tuesday, July 11, 2017

**MOTION**

Member Lane presented a motion to approve the Consent Agenda as presented. Motion was seconded by Secretary/Treasurer McCoy.

**VOTE ON MOTION**

The vote on the motion was unanimous.

**6. ANNOUNCEMENTS, COMMUNICATIONS, UPDATE REPORTS**

**6.1 ADOT Northwest District Update Report**

Alvin Stump, District Engineer

- A signal warrant study was done for the Kiowa/SR95 project at the entrance closest to Staples
- The signal warrant study warranted a traffic signal was needed
- Alvin Stump advised the Executive Board that diagrams were emailed of where the traffic light will be located

**6.2 Technical Advisory Committee (TAC) Update Report**

- No updates at this time

**6.2 LHMPO Manager Report**

- No updates at this time

**7. PUBLIC HEARINGS**

**7.1 Discussion and Possible Action to Award the Professional Services Agreement with Amec Foster Wheeler to Perform the Bicycle & Pedestrian Implementation Plan**

Stuart Schmeling advised the Executive Board that the LHMPO did receive two responses, and the Technical Advisory Committee unanimously chose Amec Foster Wheeler as the consultant. Jean Knight, LHMPO Manager, negotiated a professional services agreement with Amec Foster Wheeler before she retired. Stuart Schmeling, requests the Executive Board approve, and sign Amec Foster Wheeler's Professional Services Agreement in the amount of \$99,992.00.

**MOTION**

Secretary/Treasurer McCoy presented a motion to approve and authorize the Chairman to sign the Professional Services Agreement with Amec Foster Wheeler. Motion seconded by Member Lane.

**VOTE ON MOTION**

The vote on the motion was unanimous.

**7.2. Discussion and Possible Action to Approve a New Technical Advisory Committee (TAC) Member**

Stuart Schmeling informed the Executive Board with the changes that were approved in the By-Laws in March; it added one person from Lake Havasu City, and one person from Mohave County to the Technical Advisory Committee. Steven Latoski nominated Tim Walsh, Jr. to the Technical Advisory Committee as the Mohave County representative.

The Technical Advisory Committee is requesting the Executive Board approve and appoint Tim Walsh, Jr. to the Technical Advisory Committee.

Vice Chairman Johnson advised the Executive Board that Tim Walsh, is the appropriate person for the Technical Advisory Committee.

**MOTION**

Member Lane presented a motion to appoint Tim Walsh, Jr. to the Technical Advisory Committee. Motion seconded by Secretary/Treasurer McCoy.

**VOTE ON MOTION**

The vote on the motion was unanimous.

**7.3. Discussion and Possible Action Related to Recruitment of the Lake Havasu MPO Manager**

Chairman Nexsen updated the Executive Board the top candidate took another position; the second candidate was offered a better position where she was working when in negotiations for the LHMPO Manager position. Chairman Nexsen asked Human Resources if there was a third candidate and asked Stuart Schmeling and the TAC to do an informal interview to see if the candidate was qualified.

Stuart Schmeling informed the Executive board that the Technical Advisory Committee performed the interview, and the third candidate did not meet the qualifications.

Chairman Nexsen advised the Executive Board that they would have to decide what direction to go on for recruiting. One option is to reopen the position and start over. Another option is to make it a city employee under Stuart, and still have them report to the Executive Board; the position would have still to reposted.

Kelly Garry, Lake Havasu City Attorney, stated to the Executive Board that the question that was posed to her was there any legal restrictions or requirements of the structural organization of the MPO. Looking at the federal regulations there are no specific requirements. Looking across the nation MPO's are organized a variety of ways: MPO's can stand alone, or MPO's can use the services of another entity like a city or county. What was being suggested is possibly putting the MPO under the Planning division and making the position Planner/MPO Manager under Lake Havasu City.

Member Lane asked how the LHMPO effects the expenditure limitations. Kelly Garry responded it would not have any effect since it is federal funding, and it would be recorded by Lake Havasu City as it currently is.

Vice Chair Johnson brought up that at the beginning of the MPO it was brought up before about the MPO Manager being a part-time position. He recollects that Jean Knight was adamant that the MPO Manager's job is a full time position. Vice Chair Johnson also remembers it being stated before that it would be a conflict to use someone already working in Lake Havasu City.

Chairman Nexsen advised Vice Chair Johnson that the City Attorney, Kelly Garry, researched it, and Lake Havasu City can use someone already on staff; creating a part-time position and get reimbursed for the part-time position. Or the Executive Board can keep the position independent.

Member Stump indicated that Member Beaver would want the position kept independent, and repost the position. Also explained as things go along you will see the need for the full-time position.

Member Lane asked if there was any city staff at this time that has the qualifications. Chairman Nexsen stated very unlikely. Member Lane indicated then reposting the position would be for the best.

Chairman Nexsen stated that the minimum requirements might need to be changed if the Executive Board chooses to fill the position as a part-time Lake Havasu City / MPO Manager position.

Kelly Garry, Lake Havasu City Attorney, explained that even if they put the MPO under the city and the employee is a part-time planner, their first responsibility would be to the MPO.

David Lane asked if the employee would report to the Executive Board, or to the City Manager. Chairman Nexsen responded that they would report to the Executive Board.

Chairman Nexsen asked Vice Chair Johnson if he wanted the position to be independent or fill it internally. Vice Chair Johnson felt that Lake Havasu City would not benefit since it seems it is a full time job, and a lot of traveling is required by the LHMPO Manager.

Member Stump advised the Executive Board that MPO Manager's do attend board meetings to be advised of upcoming projects, and that they might want their MPO Manager to do this also.

Member Lane wants the position to be independent for now, and the MPO Manager needs to concentrating on the MPO.

Jason Bottjen, ADOT MPD Regional Planner, stated he thought that the original posting was only eight calendar days and that it needs to be a longer posting time.

Chairman Nexsen asked the Executive Board how long they wanted to leave the job posting up and it was decided it should be three weeks.

Vice Chair suggested posting it on League of Cities and Arizona Association of Counties. Stuart Schmeling suggested posting it on the APA for transportation planning expertise.

**8. FUTURE AGENDA ITEMS**

No future agenda items were given.

**9. UPCOMING MEETING SCHEDULE**

- LHMPO TAC Meeting: **TBD**, 900 London Bridge Rd, Bldg. B, Lake Havasu City, AZ 86404
- State Transportation Board Meeting: **June 16, 2017, 9:00 AM, Payson, AZ**
- Executive Board Regular Meeting: **July 11, 2017, 2:00 PM**, Lake Havasu City Police Facility Meeting Room, 2360 McCulloch Boulevard N, Lake Havasu City, AZ 86403

**10. ADJOURNMENT**

Motion to adjourn was presented by Member Lane. Motion was seconded by Secretary Treasurer McCoy. Vote on the motion was unanimous. Meeting adjourned at 2:28 p.m.

Agenda Item # 5.2

**LAKE HAVASU MPO  
REQUEST FOR ACTION  
September 12, 2017**

**SUBJECT:     ACTION TO APPROVE THE CONSENT AGENDA**

**SUBMITTED BY:**     Jeanette Buckley, Administrative Specialist II

**AGENDA TYPE:**     **CONSENT AGENDA**

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**ATTACHMENTS:**

Executive Board Meeting minutes of August 28, 2017

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**SUMMARY/BACKGROUND:**

Approve the minutes from the Executive Board meeting held August 28, 2017

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**ACTION OPTION:**

Motion to approve the Consent Agenda

**OR**

Motion to approve the Consent Agenda, with the noted changes

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**RECOMMENDATION:**

Motion to approve the Consent Agenda





**LAKE HAVASU METROPOLITAN  
PLANNING ORGANIZATION (LHMPO)  
SPECIAL MEETING MINUTES  
Monday, August 28, 2016, 10:30 AM**

One or More Executive Board Members May Attend Telephonically.

**1. CALL TO ORDER**

Chairman Nexsen called the meeting to order at 10:30 a.m.

**2. PLEDGE OF ALLEGIANCE**

There was no flag available in the room.

**3. ROLL CALL**

The roll call was performed by City Clerk Kelly Williams:

Present: Mark Nexsen, Deanna Beaver, and Steven Latoski.

Absent: Donna McCoy and David Lane.

Staff Present: Terri Meyers (Human Resources/Risk Management) and Kelly Williams (City Clerk)

**4. CALL TO THE PUBLIC:**

There were no public comments.

**5. PUBLIC HEARINGS**

**5.1** Vote to adjourn to Executive Session under A.R.S. § 38-431.03(A):

- 1) Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body. (A.R.S. § 38-431(A)(1)).

- 1.1) Interview of Candidates for the Lake Havasu Metropolitan Planning Organization Manager position.

Any records or document distributed to the Lake Havasu Metropolitan Planning Organization Executive Board and any conversations occurring during the Executive Session shall be kept confidential.

**MOTION**

Board Member Beaver presented a motion to adjourn to executive session under A.R.S. § 38-431.03(A). Motion was seconded by Vice Chairman Latoski.

**VOTE ON MOTION**

The vote on the motion was unanimous.

The Board adjourned to Executive Session at 10:35 a.m.

**5.2** Reconvene to Special Meeting

The Chairman reconvened to Special Meeting at 12:24 p.m.

- 5.3** Discussion and possible action, if needed, to comply with the Arizona Open Meeting Law requirements following Executive Session noticed-above regarding Interview of Candidates for the Lake Havasu Metropolitan Planning Organization Manager position.

Chairman Nexsen asked Ms. Terri Meyers, Human Resources/Risk Management, how much time the candidate is given to accept the position, to which Ms. Myers said staff will typically make the offer and if the candidate does not accept or has questions they may give them the weekend, approximately 48 hours, to respond.

- 5.4** Discussion and possible action, if needed, to direct staff to proceed with the hiring process and employment contract negotiations.

Chairman Nexsen asked if there was a consensus from the Board to proceed with the hiring process and employment contract negotiations as discussed in Executive Session. Vice Chairman Latoski said he would support that decision; however, he would like to respectfully represent that he is comfortable with the other candidate as an alternate. Board Member Beaver said she would support both Chairman Nexsen and Vice Chairman Latoski's decision. There was discussion regarding salary expectations. Board Member Beaver asked about relocation costs, to which Chairman Nexsen said he thought the Board would be supportive of including moving expenses. There was consensus from the Board to proceed with the hiring process and employment contract negotiations for Vincent Gallegos with a salary offer of \$82,000, to be increased if needed, and include a moving allowance.

## **6. ADJOURNMENT**

Chairman Nexsen moved to adjourn the meeting and seconded. Meeting adjourned at 12:31 p.m.

### **CERTIFICATION**

I hereby certify that the foregoing is a true and correct copy of the Special Meeting Minutes of the Lake Havasu Metropolitan Planning Organization on the 28<sup>th</sup> day of August, 2017. I further certify that the meeting was duly called and posted, and that a quorum was present.

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Kelly Williams, City Clerk

**LAKE HAVASU MPO  
REQUEST FOR ACTION  
September 12, 2017**

**SUBJECT:** Discussion and Possible Action to Adopt the Resolution of Supporting the Sun Corridor MPO Request to Encourage ADOT to seek funding for I-15 improvements

**SUBMITTED BY:** Jeanette Buckley

**AGENDA TYPE:** DISCUSSION/POSSIBLE ACTION

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**ATTACHMENTS:**

Resolution of Support for Alternate Funding for I-15  
Sun Corridor Resolution of Support  
WACOG Resolution of Support

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**SUMMARY/BACKGROUND:**

Sun Corridor MPO (SCMPO) has requested the Lake Havasu MPO support a resolution to encourage ADOT to seek alternate funding sources for the Interstate 15 (I-15) transportation roadway improvements.

- ADOT has determined that there is a \$63 billion funding gap between statewide transportation needs and anticipated revenues
- I-15 serves as a vital link between the states of California, Nevada and Utah with a 29 mile stretch through Arizona
- I-15 provides very little to no congestion mitigation, Interstate mobility or economic benefits to the citizens of Arizona
- I-15 is a commercial trade route in North America used by more than 1.4 million trucks annually
- The funding available for the Greater Arizona may not be sufficient for adequately maintaining all of the existing roadways
- Gap between available funds and the funding needs for the rest of Greater Arizona is significantly widened when available funds are allocated to costly I-15 roadway improvements include a substantial level of bridge replacement
- The tolling that was talked about would just be on the commercial trucks and not the individual people

Sun Corridor MPO (SCMPO), Central Yavapai MPO (CYMPO) Executive Boards have passed a Resolution of Support for Alternate Funding for I-15. WACOG TAC approved the Resolution of Support and it is now going to the WACOG Board for approval.

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**ACTION OPTION:**

A motion to approve the Resolution to Encourage ADOT to Seek Alternate Funding for Interstate Transportation Roadway Improvements

**OR**

Not approve

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**RECOMMENDATION:**

A motion to support the request to encourage ADOT to seek alternate funding for Interstate Transportation Roadway Improvements

**RESOLUTION NO. 2017-01**

**A RESOLUTION OF THE LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION ENCOURAGING THE ARIZONA DEPARTMENT OF TRANSPORTATION TO SEEK ALTERNATIVE FUNDING SOURCES FOR THE INTERSTATE 15 TRANSPORTATION ROADWAY IMPROVEMENTS**

**WHEREAS, Interstate 15 (I-15)** serves as a vital link between the states of California, Nevada, and Utah; and,

**WHEREAS,** this 29-mile stretch of I-15 through Arizona, is a critical commercial trade route in North America used by more than 1.4 million trucks annually; and,

**WHEREAS,** I-15 provides very little to no congestion mitigation, Interstate mobility or economic benefits to the citizens of Arizona; and,

**WHEREAS, the Arizona Department of Transportation (ADOT)** has determined that there is a \$63 billion funding gap between statewide transportation needs and anticipated revenues; and,

**WHEREAS,** the limited funding available for Greater Arizona may not be sufficient for adequately maintaining all of the existing roadways; and,

**WHEREAS,** the gap between available funds and funding needs for the rest of Greater Arizona is significantly widened when available funds are allocated to costly I-15 transportation roadway improvements including a substantial level of bridge replacement and repair work; and,

**WHEREAS, the Lake Havasu Metropolitan Planning Organization** encourages ADOT to seek alternative funding sources to fund roadway improvements for I-15 such as TIGER, FASTLANE Grants and roadway tolling.

**NOW THEREFORE, BE IT RESOLVED** that Executive Board of the Lake Havasu Metropolitan Planning Organization supports the request for Arizona Department of Transportation, the Federal Highway Administration, the State Transportation Board, Arizona's Congressional Delegation, the Arizona Legislature, and other public and private stakeholders to explore additional funding alternatives, creative financing, to include roadway tolling and additional statutory flexibility in order to finance I-15 transportation improvements in the ADOT Five-Year Transportation Facilities Construction Program with minimal negative impact to the availability of funding allocated to the remainder of Greater Arizona.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the  
LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION.

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Mark S. Nexsen, Chair  
Lake Havasu MPO Executive Board

ATTEST:

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Jeanette Buckley  
Lake Havasu MPO

APPROVED AS TO FORM:

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Lake Havasu MPO Attorney

**RESOLUTION NO. 2017-02**

**RESOLUTION OF THE SUN CORRIDOR METROPOLITAN PLANNING ORGANIZATION (MPO) TO ENCOURAGE THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) TO SEEK ALTERNATIVE FUNDING SOURCES FOR THE INTERSTATE 15 (I-15) TRANSPORTATION ROADWAY IMPROVEMENTS**

**WHEREAS**, I-15 serves as a vital link between the states of California, Nevada, and Utah; and,

**WHEREAS**, this 29-mile stretch of I-15 through Arizona, is a critical commercial trade route in North America used by more than 1.4 million trucks annually; and,

**WHEREAS**, I-15 provides very little to no congestion mitigation, Interstate mobility or economic benefits to the citizens of Arizona; and,

**WHEREAS**, ADOT has determined that there is a \$63 billion funding gap between statewide transportation needs and anticipated revenues; and,

**WHEREAS**, the limited funding available for Greater Arizona may not be sufficient for adequately maintaining all of the existing roadways; and,

**WHEREAS**, the gap between available funds and funding needs for the rest of Greater Arizona is significantly widened when available funds are allocated to costly I-15 transportation roadway improvements including a substantial level of bridge replacement and repair work; and,

**WHEREAS**, to encourage ADOT to seek alternative funding sources to fund roadway improvements for I-15 such as TIGER, FASTLANE Grants and roadway tolling;

**NOW THEREFORE, BE IT RESOLVED** that it is the intent of the Sun Corridor MPO to work cooperatively to jointly advocate to the Arizona Department of Transportation, the Federal Highway Administration, the State Transportation Board, Arizona's Congressional Delegation, the Arizona Legislature, and other public and private stakeholders to explore additional funding alternatives, creative financing, to include roadway tolling and additional statutory flexibility in order to finance I-15 transportation improvements in the ADOT Five-Year Transportation Facilities Construction Program with minimal negative impact to the availability of funding allocated to the remainder of Greater Arizona.

**IT IS FURTHER RESOLVED** that this Resolution is effective upon approval and execution of this Resolution.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the SUN  
CORRIDOR METROPOLITAN PLANNING ORGANIZATION.

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Joel Belloc, Chair  
Sun Corridor MPO Executive Board  
Mayor, City of Eloy

ATTEST:

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Irene Higgs  
Sun Corridor MPO Executive Director

APPROVED AS TO FORM:

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Denis Fitzgibbons  
Sun Corridor MPO Attorney

**RESOLUTION NO. 2017-01**

**RESOLUTION OF THE WESTERN ARIZONA COUNCIL OF GOVERNMENTS (WACOG) TO ENCOURAGE THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) TO SEEK ALTERNATIVE FUNDING SOURCES FOR THE INTERSTATE 15 (I-15) TRANSPORTATION ROADWAY IMPROVEMENTS**

**WHEREAS**, I-15 serves as a vital link between the states of California, Nevada, and Utah; and,

**WHEREAS**, this 29-mile stretch of I-15 through Arizona, is a critical commercial trade route in North America used by more than 1.4 million trucks annually; and,

**WHEREAS**, I-15 provides very little to no congestion mitigation, Interstate mobility or economic benefits to the citizens of Arizona; and,

**WHEREAS**, ADOT has determined that there is a \$63 billion funding gap between statewide transportation needs and anticipated revenues; and,

**WHEREAS**, the limited funding available for Greater Arizona may not be sufficient for adequately maintaining all of the existing roadways; and,

**WHEREAS**, the gap between available funds and funding needs for the rest of Greater Arizona is significantly widened when available funds are allocated to costly I-15 transportation roadway improvements including a substantial level of bridge replacement and repair work; and,

**WHEREAS**, to encourage ADOT to seek alternative funding sources to fund roadway improvements for I-15 such as National Highway Freight Program, and other related federal grant opportunities.

**NOW THEREFORE, BE IT RESOLVED** that it is the intent of the Western Arizona Council of Governments to work cooperatively to jointly advocate to the Arizona Department of Transportation, the Federal Highway Administration, the State Transportation Board, Arizona's Congressional Delegation, the Arizona Legislature, and other public and private stakeholders to explore additional funding alternatives, creative financing, to include such as National Highway Freight Program, other related federal grant opportunities and additional statutory flexibility in order to finance I-15 transportation improvements in the ADOT Five-Year Transportation Facilities Construction Program with minimal negative impact to the availability of funding allocated to the remainder of Greater Arizona.

**IT IS FURTHER RESOLVED** that this Resolution is effective upon approval and execution of this Resolution.



**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the WESTERN ARIZONA COUNCIL OF GOVERNMENTS.

\_\_\_\_\_  
Jacqueline Price, Chairperson  
Western Arizona Council of Governments (WACOG) - Executive Board

ATTEST:

\_\_\_\_\_  
Brian Babiars  
WACOG - Executive Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Smith  
Western Arizona Council of Governments (WACOG) - Attorney

**LAKE HAVASU MPO  
REQUEST FOR ACTION  
September 12, 2017**

**SUBJECT: DISCUSSION AND POSSIBLE ACTION TO APPROVE LEASE AGREEMENT BETWEEN LAKE HAVASU CITY AND LAKE HAVASU MPO**

**SUBMITTED BY:** Jeanette Buckley, Lake Havasu MPO

**AGENDA TYPE: DISCUSSION/POSSIBLE ACTION**

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**ATTACHMENTS:**

Lease Agreement

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**SUMMARY/BACKGROUND:**

The MPO is an entity and it is appropriate to have an agreement with the “host agency”, Lake Havasu City for use of space for the MPO. The lease amount is reasonable and will not be a hard dollar charge to the MPO; it will be calculated as “in-kind” usage. The Lease Term is for 5-years expiring June 30, 2022. The total annual rent amount is \$6,345.00 and includes phone service (excluding long distance), use of a shared color copier/printer, shared use of the conference room, building and ground maintenance, janitorial services and all utility services.

The lease agreement will be presented to the City Council on September 12, 2017, with an effective date of September 1, 2017. The MPO has been in the building since June 2015 but has relocated to a new office space in the same building with a added storage room.

The lease agreement has already been signed by the County Attorney and the Lake Havasu City Attorney.

As the MPO Chairman will be signing on behalf of the City, the MPO Vice-Chair will need to sign on behalf of the MPO. Staff is requesting the Board approve.

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**ACTION OPTION:**

Motion to authorize the Vice-Chairman to approve the Lease Agreement with Lake Havasu City  
**OR**

Motion to authorize the Vice-Chairman to approve the Lease Agreement with Lake Havasu City with the noted changes

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**RECOMMENDATION:**

Motion to approve the Lease Agreement with Lake Havasu City

**LEASE AGREEMENT**  
Lake Havasu Metropolitan Planning Organization

This Lease Agreement ("Agreement") is made and entered into September 1, 2017, by and between Lake Havasu City, Arizona ("Landlord") and the Lake Havasu Metropolitan Planning Organization ("Tenant").

**Recitals**

Landlord is the owner of land and improvements located at 900 London Bridge Road, Lake Havasu City, Arizona ("Building").

Landlord is making available for lease, a portion of the Building, further described as 493 square feet of the space currently allocated for general government use at the Lake Havasu City Transit Building ("Leased Premises").

Landlord desires to lease the Leased Premises to Tenant, and Tenant desires to lease the Leased Premises from Landlord for the term, at the rental amount, and upon the terms in this Agreement.

**NOW THEREFORE**, the parties agree as follows:

**1. Term.**

Landlord agrees to lease the Leased Premises to Tenant for a term beginning September 1, 2017, and ending June 30, 2022.

**2. Rental.**

Tenant agrees to pay to Landlord during the term of this Agreement rental of \$6,345.00 per year payable in twelve (12) equal installments of \$528.75, commencing September 1, 2017. Tenant also agrees to pay each month the amounts billed by the Landlord for all charges incurred by the Tenant for use of the Landlord's telephone system, including specific long distance charges. Landlord agrees to provide utility services, use of shared color copier/printer, shared use of a conference room, building and ground maintenance and janitorial services to the Leased Premises as part of the lease rental fee set forth above. The parties agree that payments identified in this Section are an in-kind match and will be applied only to the Transit - Section 5310 grant.

**3. Use.**

The use of the Leased Premises is for the operation of the Lake Havasu Metropolitan Planning Organization office.

**4. Indemnification.**

Each party (as "Indemnitor") agrees to indemnify, defend, save 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, arising out of an act, omission, negligence, misconduct of the Indemnitor, its officers, officials, agents, employees, or volunteers.

**5. Insurance.**

Tenant shall be responsible, at its expense, for fire and extended coverage insurance on all of its personal property, including removable trade fixtures, located in the Leased Premises.

The insurance must be with a company licensed to transact business in the State of Arizona.

The insurance policies required by this Lease shall name Lake Havasu City, its agents, representatives, officers, directors, officials and employees as Additional Insureds. The Tenant agrees that the insurance required hereunder will be primary and that any insurance carried by the City will be excess and not contributing.

**6. Damage rendering property untenable.**

In the event that the Leased Premises becomes untenable due to damage from (not by limitation) flood, fire, accident or acts of God, Landlord has the option to restore or repair the premises or to terminate this Agreement entirely.

**7. Assignment.**

Tenant may not assign its rights or interests in this Agreement without written consent of the Landlord.

**8. Improvements.**

Tenant shall not construct any permanent improvements to the Leased Premises without the prior written consent of the Landlord and at the end of the Agreement by termination or otherwise the title to any improvements automatically vests in the Landlord. Tenant agrees to keep the Leased Premises free and clear from any liens for services, construction, or otherwise.

**9. Termination.**

This Agreement may be terminated, upon a material breach of its terms by the Tenant, and failure to cure the breach upon thirty (30) days' written notice from Landlord. This Agreement may also be terminated by the Landlord, at any time, with or without cause upon six (6) months' written notice. Tenant may terminate this Agreement by giving at least thirty (30) days' written notice to the Landlord. It may be otherwise terminated upon the written mutual consent of the parties.

**10. Notice.**

Any notice required or permitted under this Agreement or required by law is considered sufficiently given or served if sent by United States certified mail, return receipt requested, and delivered to the following:

If to Landlord to:

Lake Havasu City Manager  
2330 McCulloch Blvd., N.  
Lake Havasu City, AZ 86403

If to Tenant to:

Lake Havasu Metropolitan Planning Organization  
Metropolitan Planning Manager  
900 London Bridge Road, Transit Bldg.  
Lake Havasu City, Arizona 86404

**11. Final Agreement.**

This Agreement terminates and supersedes all prior understandings or agreements on the subject matter.

**12. Conflict of Interest**

This Agreement may be cancelled pursuant to Arizona Revised Statutes § 38-511.

**13. Counterparts**

This Agreement may be executed in multiple counterparts, including facsimile, email, or other electronic means, each of which shall be deemed an original and all of which shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, the parties execute this Agreement effective as of the date written above.

**Lake Havasu MPO**

**Lake Havasu City**

\_\_\_\_\_  
Buster Johnson, Vice Chairman

\_\_\_\_\_  
Mark S. Nexsen, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**ATTEST:**

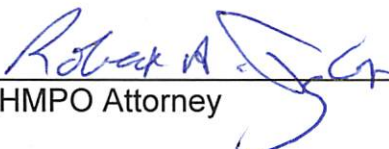
**ATTEST:**

\_\_\_\_\_  
Jeanette Buckley,  
LHMPO

\_\_\_\_\_  
Kelly Williams, City Clerk

**Approved as to form:**

**Approved as to form:**

  
\_\_\_\_\_  
LHMPO Attorney

  
\_\_\_\_\_  
Kelly Garry, City Attorney

**LAKE HAVASU MPO  
REQUEST FOR ACTION  
September 12, 2017**

**SUBJECT: DISCUSSION AND POSSIBLE ACTION FOR THE LAKE HAVASU MPO TO PURSUE A 5305 GRANT FOR 5307 TRANSIT PLAN FOR HAVASU MOBILITY.**

**SUBMITTED BY:** Jeanette Buckley, Lake Havasu MPO

**AGENDA TYPE: DISCUSSION/POSSIBLE ACTION**

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**ATTACHMENTS:**

Grant Announcement

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**SUMMARY/BACKGROUND:**

With the vision of the 20/20 plan and future needs of the community the opportunity has been made available for Lake Havasu MPO to pursue 5305 funding for a strategic transportation plan.

Havasu Mobility cannot pursue the 5307 Transit funding available to Lake Havasu City until they have a Transit Plan. ADOT Transit Programs announced that there are planning funds available for fiscally constrained plans and Transportation Improvement Programs. Havasu Mobility is not eligible to apply for this grant it has to be applied for through the MPO and COGs.

The 5307 Transit Plan will document the current conditions and transit needs of the study area; provide Lake Havasu City with alternatives to a transit system and the operational and management requirements for a future transit network.

Lake Havasu City will have a clearer picture of what the needs and operational requirement would be for a future transit system. Havasu Mobility is interested in building the transit system to coordination with the 20/20 Vision Goals starting with the downtown corridor.

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**ACTION OPTION:**

Motion to approve Lake Havasu MPO to pursue a 5305 grant for a 5307 Transit Plan for Lake Havasu City.

**OR**

Motion to approve Lake Havasu MPO to pursue a 5305 grant for a 5307 Transit Plan for Lake Havasu City with the noted changes

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**RECOMMENDATION:**

Motion to approve Lake Havasu MPO pursue the 5305 grant for a 5307 Transit Plan for Lake Havasu City.



August 23, 2017

### **FFY 2017 FTA SECTION 5305(e) NOTICE OF FUNDING AVAILABILITY**

This notice is to announce the availability of Federal Transit Administration (FTA) grant funding for Federal Fiscal Year 2017 apportionment administered by the Arizona Department of Transportation (ADOT).

ADOT's Multimodal Planning Division (MPD) administers the Statewide and Nonmetropolitan transportation planning program (49 U.S.C. 5305(e)). Historically known under Section 5304, Section 5305(e) funds are apportioned annually to states for use in planning and research. Other eligible uses, at the State's discretion, include statewide planning and other technical assistance activities, planning support for nonurbanized areas, research and development, demonstration projects, university research, and human-resource development. The State may also allocate a portion of the funds to MPOs to aid in the preparation of fiscally constrained plans and Transportation Improvement Programs.

#### **Program Overview**

FTA Section 5305(e) funding will be made available to fund local rural and small urban transit planning needs. The funding will also be available for use by Councils of Government (COGs) and Metropolitan Planning Organizations (MPOs) to support these efforts. Up to \$1,000,000 will be available for planning projects / activities.

#### **Eligible Entities—COGs and MPOs**

Local and regional public agencies, tribes, and operators of transit services may coordinate with the COG / MPO, but the COG / MPO must be the lead applicant for this funding application. Rural providers of transit including public, tribal, and non-profit agencies may apply directly to ADOT for transit planning funding through the 5311 application process.

#### **Management of Transit Planning Projects**

The COG or MPO will administer the funds on behalf of a local applicant or tribal entity.

Those who are awarded FTA funds will:

- Add the Project to their Work Program and submit confirmation to ADOT transit.
- Comply with all FTA and program requirements.
- Submit a scope of work to ADOT Transit prior to procurement.
- Manage and procure, where needed, the appropriate planning activity.
- Invite ADOT Staff to serve on the Technical Advisory Committee and notify ADOT of all public outreach activities
- Provide monthly / quarterly updates of the progress and reimbursement requests to ADOT in alignment with the work program requirements.



### **Application Information**

The application cycle will begin **September 12<sup>th</sup>** and close **October 26<sup>th</sup>**. All application materials are to be completed in E-grants. The E-grants help desk is available at 1-866-449-1425 or [azhelpdesk@agatesoftware.com](mailto:azhelpdesk@agatesoftware.com).

### **Evaluation Criterion:**

- Benefit to the Community / Region
- Defined Purpose and Need
- Supporting Documentation
- Community & Local Support
- Alignment with ADOT's Planning Goals and Priorities generally in the following order of priority:
  - Rural transit planning for existing transit agencies
  - New Rural transit plans
  - Regional transit planning and Small Urban Transit Planning

If you have any questions about this notice or the associated program, please feel free to contact Sara Allred, Transit Program Manager at [sallred@azdot.gov](mailto:sallred@azdot.gov) or 602-712-4498. We look forward to receiving your application before October 26<sup>th</sup>, 2017. Thank you for your interest in FTA funding.

Sincerely,



Jill Dusenberry  
Transit Group Manager  
Arizona Department of Transportation

*ADOT operates its programs and services without regard to race, color, national origin or disability in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA).*