



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING **SUMMARY**  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, JUNE 03, 2009  
5:30 P.M.**

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**CALL TO ORDER 5:00 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

**COMMUNICATIONS / FACTUAL RESPONSES**

**INFORMATIONAL**

**UPDATE** This is the City Administrator's opportunity to clarify facts regarding statements circulating in the Yuma community in recent weeks concerning City issues and projects. The City Administrator's comments are intended to be informational only and no discussions, deliberations or decisions will occur on this item.

**I. CALL TO THE PUBLIC**

**NO LEGAL ACTION**

**PERMITTED** Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

**II. MOTION CONSENT AGENDA**

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

**A. Approval of minutes of the following City Council meeting(s):**

- APPROVED** 1. Regular City Council Meeting (*Continued from the Regular City Council Meeting of 5/20/2009*) April 15, 2009
- APPROVED** 2. Special Worksession/Roundtable May 5, 2009
- APPROVED** 3. Regular Worksession May 5, 2009

**B. Approval of Staff Recommendations:**

**Page Item**

- 1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)
- APPROVED** 2. **Liquor License: Senora Night Club**  
  
Approve a Person and Location Transfer of a (#7) Beer & Wine Liquor License application submitted by Jamie Shaaia, agent for Senora Night Club, 185 S. Main Street, Yuma, Arizona. (LL09-10) (City Administration/City Clerk)
- APPROVED** 3. **Substantial Amendment: 2007-2010 Community Development Block Grant (CDBG) Consolidated Plan and 2008 CDBG Action Plan**  
  
Approve an amendment to the City of Yuma 2007-2010 CDBG Consolidated Plan and 2008 CDBG Action Plan that uses CDBG funds that were designated for the City from the American Recovery and Reinvestment Act of 2009. (City Administration/Economic Development)

**APPROVED 4. Amendment to Agreement: Diamond Sports and Entertainment, Inc. dba The Golden Baseball League (League)**

Authorize the City Administrator to execute the Amendment of the Agreement with the League to modify the payment terms for the 2009 summer season.  
(Parks & Recreation)

**SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:**

M/ \_\_\_\_\_ S/ \_\_\_\_\_ VV/ \_\_\_\_\_

**III. RESOLUTION CONSENT AGENDA**

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

**FAILED A. Resolution R2009-30 City Employee Car Allowances**

City Administrator shall obtain City Council's approval before offering car allowances to any employees not already receiving a car allowance. (Mayor and Council)

**ADOPTED B. Resolution R2009-31 Pre-Annexation Agreement: Estancia, L.L.C.**

Authorize the Pre-Annexation Agreement with Estancia, L.L.C.. (City Administration/Economic Development)

**SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:**

M/ \_\_\_\_\_ S/ \_\_\_\_\_ RV/ \_\_\_\_\_

**IV. ADOPTION OF ORDINANCES CONSENT AGENDA**

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which

event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

**CONTINUED  
TO RCM OF  
9/2/2009**

**A. Ordinance O2009-29 Zoning Code Text Amendment – Zoning, Chapter 154:  
4-H/FFA Project Animals**

*City staff is requesting this item be continued.* Amend the Yuma City Code, Title 15, Chapter 154, Section 003 to allow 4-H and Future Farmers of America (FFA) project animals in all residential districts subject to requirement; to amend Section 004 to add a definition of 4-H and FFA Projects; and to delete conflicting text in Sections 037 & 067. (Continued from the Regular City Council Meeting of April 15, 2009) (Z2008-015)

**ADOPTED B. Ordinance O2009-39 Annexation Area No. A2009-08 - Estancia**

Authorize annexation of territory generally located east to west from Avenue 4E to Avenue A and north to south from the County 15 ½ Street to County 19th Street alignments. Continued from the Regular City Council Meeting of May 20, 2009. (City Administration/Economic Development)

**SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_

**V. INTRODUCTION OF ORDINANCES**

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

**INTRODUCED A. Ordinance O2009-40 Sign Installation Easement**

Authorize an easement to relocate the Arizona Western College sign at 24th Street and Araby Road. (City Engineering)

**INTRODUCED B. Ordinance O2009-41 Right-of-Way Acquisition: 1195 S. 12th Avenue**

Authorize the acquisition of right-of-way for 12th Street widening and reconstruction, between Avenue B and Avenue A. (City Engineering)

**INTRODUCED C. Ordinance O2009-42 Stormwater Basin Acquisition: Barkley Ranch Unit 3**

Authorize the acquisition of stormwater basin property in Barkley Ranch Unit 3, at the southeast corner of Avenue D and 28th Street. (City Engineering)

**INTRODUCED D. Ordinance O2009-43 Amendment to Ordinance No. O2007-64: Avenue 7E Right of Way Acquisition**

Amend Ordinance No. O2007-64 to correct the legal description. (City Engineering)

**VI. CAPITAL IMPROVEMENT PROGRAM AND PRELIMINARY BUDGET ITEMS**

**ADOPTED A. Resolution R2009-29 2010-2019 Ten-Year Capital Improvement Program**

Adopt the 2010-2019 Ten-Year Capital Improvement Program, pursuant to the Yuma City Charter, Article XIII, Sections 10 and 11. (City Engineering)

**SUGGESTED MOTION: To adopt Resolution R2009-29: 2010-2019 Ten-Year Capital Improvement Program as recommended:**

M/ \_\_\_\_\_ S/ \_\_\_\_\_ RV/ \_\_\_\_\_

**CONTINUED TO RCM OF 6/17/2009 B. Preliminary Budget for Fiscal Year 2009-2010**

Adopt the City of Yuma Preliminary Budget for Fiscal Year 2009-2010 in the amount of \$245,690,478 which includes a Capital Improvement Program Budget of \$98,832,673, and an Operating Budget of \$146,857,805. (Finance/Administration)

**SUGGESTED MOTION: To approve the Preliminary Budget for Fiscal Year 2009-2010 as recommended:**

M/ \_\_\_\_\_ S/ \_\_\_\_\_ RV/ \_\_\_\_\_

**VII. PUBLIC HEARINGS & RELATED ACTIONS**

CONTINUED  
TO RCM OF  
6/17/2009

**A. Development Fee Appeal: Savant Estates Subdivision**

City Council to hear and decide the Savant Estates LLC/Pacesetter Homes LLC, Development Fee Appeal pursuant to City Code Section 157-04. The appeal seeks a credit against transportation development fees in the amount of \$153,430.00 and a refund of \$228,654.32 for a total of \$382,084.32 in credits and refunds. (City Engineering)

M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_

**VIII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Discussion and possible action on the following items:

1. Appointment to boards, commissions, committees and offices:

- Design Review Commission: one unexpired term of 08/17/2010
- Historic District Review Commission (member of the Rio Colorado Chapter of Arizona Historical Society): one unexpired term of 6/30/2012 **Pat Rosas appointed**
- Historic District Review Commission (General Building Contractor): one unexpired term of 06/30/2012
- Historic District Review Commission: one term to expire 6/30/2012 **William J. Moody re-appointed**
- Residential Advisory Board (Plumbing Contractor): one unexpired term of 9/1/2011
- Industrial Development Authority: two terms to expire on 6/22/2015 **Sandra Griffin and Dave Sellers re-appointed**
- Water and Sewer Commission: one unexpired term of 07/6/2010
- Water and Sewer Commission: two terms to expire on 7/6/2014
- Yuma Area Benefits Consortium: one term to expire on 7/1/2012 **Jack Dodd re-appointed**

2. Announcements:

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City’s representative during the period of May 20, 2009 through June 3, 2009. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.
- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

APPOINTMENTS  
MADE –  
VACANCIES  
REMAIN OPEN

REPORTED

3. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

## **IX. SUMMARY OF CURRENT EVENTS**

### **INFORMATIONAL UPDATE**

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

## **X. EXECUTIVE SESSION**

### **EXECUTIVE SESSION NOT HELD**

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

## **ADJOURNMENT 6:42 P.M.**

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.