



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, JUNE 17, 2009
5:30 P.M.**

CALL TO ORDER 5:30 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. Special Worksession/Roundtable April 7, 2009
- APPROVED** 2. Special Worksession/Roundtable April 8, 2009
- APPROVED** 3. Regular Council Meeting continued from May 8, 2009
May 6, 2009
- APPROVED** 4. Special Council Meeting May 27, 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. **Request for Qualifications/Contract Award: Integrated Facility Control & Monitoring Systems Installation Services**

Authorize staff to execute a one-year contract with the option to renew for four additional one-year periods, one period at a time, depending on the appropriation of funds and satisfactory performance, with the sole responsive, responsible bidder for Integrated Facility Control & Monitoring Systems Installation Services: Millennium 3 Technologies, Tucson, Arizona (ITS/City Wide RFQ #2009000330)

APPROVED 3. Contract: Wastewater Treatment Sewer Service for Winterhaven County Water District

Authorize execution of a contract for wastewater treatment services with the Winterhaven County Water District. (Utilities/Administration)

APPROVED 4. Intergovernmental Agreement: Building and Fire Safety Design and Plan Review Services

Approve an Intergovernmental Agreement to provide Building and Fire Safety design and plan review services to the City of San Luis on an as-needed basis. (Community Development/Building Safety)

APPROVED 5. Preliminary Budget for Fiscal Year 2009-2010

Adopt the City of Yuma Preliminary Budget for Fiscal Year 2009-2010 in the amount of \$241,534,562 which includes a Capital Improvement Program Budget of \$94,400,743, and an Operating Budget of \$147,133,819. (Continued from the Regular City Council Meeting of June 3, 2009) (Finance/Administration)

APPROVED 6. Renewal of Insurance: Renewal of City's Insurance Coverage for Fiscal Year 2009-2010

Authorize insurance coverage for Property, Public Liability (including Employee Benefits, Public Officials, Employment Practices, Liquor, Law Enforcement and Auto), Excess Liability, Crime/Dishonesty, Underground Storage Tanks, Excess Workers Compensation, Cyber Liability and Auto Physical Damage coverage for Fiscal year 2009-2010 in the total amount of \$ 525,646. (Human Resources/Risk Management)

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.

ADOPTED A. Resolution R2009-32 Grant Application: Energy Efficiency and Conservation Block Grant

Authorize and direct the City Administrator to receive funds and implement the Energy Efficiency and Conservation Block Grant Program (City Administration/Economic Development)

ADOPTED B. Resolution R2009-34 Enhancement Grant Funds: Expansion of Yuma's Multi-Use Pathway System

Authorize the City Administrator to apply for and execute associated contracts for SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS (SAFETEA-LU) Enhancement grant funds in the amount of \$500,000.00 for the 1.5-mile extension of Yuma's multi-use pathway system from Gateway Park east to the Avenue 2E alignment along the Main Outlet Drain Extension (MODE) levee. (City Administration/Yuma Crossing National Heritage Area)

ADOPTED C. Resolution R2009-37 Development Fee Deferral: Sierra Montana-8E Development, Inc.

Approve a Development Agreement with Sierra Montana-8E Development, Inc., deferring Citywide Development Fees and water and sanitary sewer capacity fees for a portion of Sierra Montana Unit No. 1 Subdivision. (City Engineering/Administration)

ADOPTED D. Resolution R2009-38 Preannexation Development Agreement: Woodman Family Citrus LP

Authorize a Preannexation Development Agreement with Woodman Family Citrus LP for property located at the northwest corner of Avenue 3 1/2 E and County 17th Street. (City Administration/Economic Development)

ADOPTED E. Resolution R2009-39 Preannexation Development Agreement: Vowles ASA William Trust 6-1-81

Authorize a Preannexation Development Agreement with Vowles ASA William Trust 6-1-81 for property generally located at the southwest corner of Avenue 3E and County 16th Street. (City Administration/Economic Development)

ADOPTED F. Resolution R2009-40 Preannexation Development Agreement: Robert and Marilyn Dance Trust 6-24-97

Authorize a Preannexation Development Agreement with Robert and Marilyn Dance Trust 6-24-97 for property located at 1685 E. County 16th Street. (City Administration/Economic Development)

ADOPTED G. Resolution R2009-41 Intergovernmental Agreement: Construction of an Interpretive Plaza connecting Gateway Park and Upper Gateway Park

Authorize the City Administrator to execute an Intergovernmental Agreement with the State of Arizona to secure Federal Aid Enhancement Funding for the Interpretive Plaza connecting the existing Gateway Park and Upper Gateway Park. (City Administration/Yuma Crossing National Heritage Area)

ADOPTED H. Resolution R2009-42 Resolution Supporting the Governor's Budget Proposal

Adopt a Resolution supporting Governor Jan Brewer's Fiscal Year 2009-2010 Budget Proposal. (City Administration/Administration)

ADOPTED I. Resolution R2009-43 Public Record Declaration: Laurel Pattern Book

Declare a certain document entitled the The Pattern Book For Laurel, A Community By Tanimura And Antle (June 2009) a public record and order its filing in the office of the City Clerk. (Z2009-006) (Community Development/Community Planning)

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.

A. Ordinance O2009-38 Annexation Area No. A2009-07: Laurel

**CONTINUED
TO THE RCM
OF 7/1/2009**

Authorize annexation of property generally located south of 24th Street and west of Araby Road. *(Continued from the May 6, 2009 Regular City Council Meeting. The applicant is requesting, and staff concurs, a further continuance to the July 1, 2009 Regular City Council Meeting.)* (Community Development/Community Planning)

ADOPTED B. Ordinance O2009-40 Sign Installation Easement

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

ADOPTED C. 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)

ADOPTED D. 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)

ADOPTED E. 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)

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.

There are no Ordinances for introduction scheduled at this meeting.

VI. PUBLIC HEARINGS & RELATED ACTIONS

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. *(Continued from the June 3, 2009 Regular City Council Meeting. The applicant is requesting, and staff concurs, a further continuance to the July 15, 2009 Regular City Council Meeting.)* (City Engineering)

CONTINUED
TO THE RCM
OF 7/15/2009

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointment to boards, commissions, committees and offices:
 - Design Review Commission: one partial term to expire 08/17/2010 and two full terms to expire 8/17/2013. **Tony Brockington (P&Z Representative) & Gary Snyder reappointed with terms to expire 8/17/2013**
 - Historic District Review Commission (General Building Contractor): one partial term to expire 06/30/2012.
 - Residential Advisory Board (Plumbing Contractor): one partial term to expire 9/1/2011.
 - Water and Sewer Commission: one partial term to expire 07/6/2010 and two full terms to expire 7/6/2014. **Vinod Mohindra & Brian Ewing be reappointed with terms to expire 7/6/2014**
2. Announcements:
 - City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council

APPOINTMENTS
MADE –
REMAINING
VACANCIES
STILL OPEN

REPORTED

representative in their official capacity as the City's representative during the period of June 3, 2009 through June 17, 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.

REPORTED

- City Council report of upcoming meetings.
 - City Council request for agenda items to be placed on future agendas.
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.

VIII. 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.

IX. 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 6:21 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.