



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, JULY 01, 2009
5:30 P.M.**

CALL TO ORDER

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 May 6, 2009
- APPROVED** 2. Special Worksession/Roundtable May 19, 2009
- APPROVED** 3. Regular City Council Meeting May 20, 2009
- APPROVED** 4. Regular City Council Meeting June 3, 2009

B. Approval of Staff Recommendations:

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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. Cooperative Purchase Agreement: International Broom Bear Street Sweeper

Authorize the purchase of an International Broom Bear Street Sweeper at an estimated cost of \$202,465.77. This purchase will utilize cooperative agreement SW04-08 issued by the Houston-Galveston Area Council (HGAC) to the following firm: Norwood Equipment Company, Phoenix, Arizona. (Fleet Services and Public Works - Streets and Solid Waste- Bid #2009000429)

APPROVED 3. Bid Award: 16th Street and Arizona Avenue Intersection Improvements

Award to the lowest responsive/responsible bidder for 16th Street and Arizona Avenue Intersection Improvements at a total cost of \$2,837,033.82 to: DPEConstruction, Inc., Yuma, Arizona. (City Engineering Department - Bid # 2009000450)

APPROVED 4. Intergovernmental Agreement: Yuma County

Authorize execution of an Intergovernmental Agreement with Yuma County for roadway maintenance. (Public Works/Street Maintenance)

APPROVED 5. Disbursal Agreement: Catholic Community Services Safe House Program

Authorize the execution of an agreement between Catholic Community Services Safe House and the City of Yuma providing for Fiscal Year 2009-2010 funding by the City of Yuma in the amount of \$22,500.00 and setting performance standards for Catholic Community Services Safe House Program. (Police/Administration)

APPROVED 6. Disbursal Agreement: Yuma Family Coalition dba Amberly's Place

Authorize the execution of an agreement between Yuma Family Advocacy Coalition, dba Amberly's Place, and the City of Yuma providing for Fiscal Year 2009-2010 funding in the amount of \$41,580.00, and setting performance standards for Yuma Family Advocacy Coalition, dba Amberly's Place. (Police/Administration)

APPROVED 7. Subrecipient Agreement: 2009 Community Development Block Grant

Authorize the City Administrator to execute subrecipient agreements in the amount of \$176,000.00 in accordance with the 2009 Community Development Block Grant Action Plan. (City Administration/Economic Development)

APPROVED 8. Outside Agency Agreement: Yuma Film Commission, Inc.

Authorize the execution of an agreement between Yuma Film Commission, Inc. and the City of Yuma providing for Fiscal Year 2009-2010 funding by the City of Yuma in the amount of \$9,000.00 and setting performance standards for Yuma Film Commission, Inc. (Parks & Recreation/Arts and Culture)

APPROVED 9. Outside Agency Agreement: Cultural Council of Yuma

Authorize the execution of an agreement between the Cultural Council of Yuma and the City of Yuma providing for fiscal year 2009-2010 funding by the City in the amount of \$22,500 and setting performance standards for the Cultural Council of Yuma. (Parks & Recreation/Arts and Culture)

APPROVED 10. Outside Agency Agreement: Yuma Heritage Festivals

Authorize the execution of an agreement between Yuma Heritage Festivals and the City of Yuma providing for fiscal year 2009-2010 funding by the City of Yuma in the amount of \$81,000.00 and setting performance standards for Yuma Heritage Festivals. (Parks & Recreation/Arts and Culture)

APPROVED 11. Outside Agency Agreement: Yuma Fine Arts Association

Authorize the execution of an agreement between Yuma Fine Arts Association and the City of Yuma providing for Fiscal Year 2009-2010 funding by the City of Yuma in the amount of \$35,000.00 and setting performance standards for Yuma Fine Arts Association. (Parks & Recreation/Arts and Culture)

APPROVED 12. Outside Agency Agreement: Yuma Visitors Bureau

Authorize the execution of an agreement between the Yuma Visitors Bureau and the City of Yuma providing for fiscal years 2010-2012 funding by the City in the amount of \$650,000 and setting performance standards for the Yuma Visitors Bureau. (City Administration/Strategic Communications/Public Affairs)

APPROVED 13. Outside Agency Agreement: Community Legal Services

Authorize the execution of an agreement between Community Legal Services and the City of Yuma providing for Fiscal Year 2009-2010 funding by the City of Yuma in the amount of \$5,400.00 and setting performance standards for Community Legal Services. (City Attorney)

APPROVED 14. Outside Agency Agreement: Greater Yuma Economic Development Corporation

Authorize the execution of an agreement between Greater Yuma Economic Development Corporation and the City of Yuma providing for Fiscal Year 2009-2010 funding by the City of Yuma in the amount of \$247,500.00 and setting performance standards for Greater Yuma Economic Development Corporation. (City Administration)

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 R2009-35 Preannexation Development Agreement: Active Tire Company

Authorize a Preannexation Development Agreement with Active Tire Company for property located at 3414 E. 32nd Street. (Community Development/Community Planning)

ADOPTED B. Resolution R2009-44 Yuma High Neighborhood Revitalization Plan

Approve the Yuma High Neighborhood Revitalization Plan and authorize City staff to begin implementation. (City Administration/Economic Development)

ADOPTED C. Resolution R2009-51 Development Agreement: Kammann Properties, Inc.

Authorize a Development Agreement with Kammann Properties, Inc., for properties located at the northeast corner of Avenue C and 40th Street. (Community Development/Community Planning)

ADOPTED D. Resolution R2009-52 Grant Application: Assistance to Firefighters - Federal Emergency Management Agency

Authorize the submittal of a grant application in the amount of \$4,608,267, and execute contracts, if granted, for the construction of a new Fire Station No. 1 through the Assistance to Firefighters Grant Program. (Fire/Community Risk Reduction)

ADOPTED E. Resolution R2009-53 Grant Application: Highway Safety Program

Authorize the submittal of a grant application in the amount of \$12,881.00, and execute contracts, if granted, for highway safety projects in accordance with Arizona Fiscal Year 2009 Highway Safety Plan, for the purpose of purchasing extrication equipment. (Fire/Suppression)

ADOPTED F. Resolution R2009-54 2010 League of Arizona Cities and Towns Proposed Resolutions

Authorize the submittal of the proposed resolutions to the League of Arizona Cities and Towns (League) for consideration as part of the 2010 League platform and to submit at a later date, or co-sponsor, additional resolutions on issues of importance to the City of Yuma. (City Administration/Administration)

ADOPTED G. Resolution R2009-57 Modification of Resolution R2006-25 - Related to Sanitary Sewer Costs

Authorize the modification of Resolution No. R2006-25, related to sanitary sewer costs. (City Engineering/Administration)

ADOPTED H. Resolution R2009-45 Development Fee Deferral: Kammann Development, LLC

Approve a Development Agreement with Kammann Development, LLC 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 I. Resolution R2009-46 Development Fee Deferral: 8E Investments, LLC

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

ADOPTED J. Resolution R2009-47 Development Fee Deferral: Elliott Construction Inc.

Approve a Development Agreement with Elliott Construction Inc., deferring Citywide Development Fees and water and sanitary sewer capacity fees for a portion of Araby Crossing Subdivision. (City Engineering/Administration)

ADOPTED K. Resolution R2009-48 Development Fee Deferral: Citrus Springs Development, Inc.

Approve a Development Agreement with Citrus Springs Development, Inc. deferring Citywide Development Fees and water and sanitary sewer capacity fees for Citrus Springs Subdivision. (City Engineering/Administration)

ADOPTED L. Resolution R2009-49 Development Fee Deferral: First American Title Insurance Company

Approve a Development Agreement with First American Title Insurance Company, for Barkley Farms Limited Partnership and Kammann Properties, Inc., deferring Citywide Development Fees and water and sanitary sewer capacity fees for portion of La Quinta at Barkley Ranch (Phase 2) subdivision. (City Engineering/ Administration)

ADOPTED M. Resolution R2009-50 Development Fee Deferral: Kammann Properties, Inc.

Approve a Development Agreement with Kammann Properties, Inc. deferring Citywide Development Fees and water and sanitary sewer capacity fees for Livingston Ranch Estates Phase 1E Subdivision. (City Engineering/Administration)

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 7/15/09 A. O2009-38 Annexation Area No. A2009-07: Laurel

Authorize annexation of property generally located south of 24th Street and west of Araby Road. *(Introduced at the Regular City Council Meeting on May 6, 2009; continued at the applicant's request at the Regular City Council Meeting on June 17, 2009. The applicant is requested a further continuance.)* (Community Development /Community Planning)

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 O2009-45 Right-of-Way Acquisition Modification: Avenue 3E

Authorize the modified acquisition of right-of-way for Avenue 3E street construction between Gila Ridge Road and 32nd Street, by amending Ordinance No. O2007-09. (City Engineering/Administration)

VI. PUBLIC HEARINGS & BUDGET RELATED ACTIONS

PUBLIC HEARING HELD A. Combined Public Hearing: Truth-in-Taxation & Final Budget for Fiscal Year 2009-2010.

Hold one combined Public Hearing that includes the Truth-in-Taxation for Fiscal Year 2009-2010, pursuant to ARS 42-17107, and the Final Budget for Fiscal Year 2009-2010. (Finance/Administration)

ADOPTED B. Resolution R2009-36 Final Budget Adoption for Fiscal Year 2009-2010; Boards and Commissions; Outside Legal Counsel

Adopt the City of Yuma 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; approving boards and commissions; authorizing outside legal counsel. (Finance/Administration)

M/_____ S/_____ RV/_____

INTRODUCED C. Ordinance O2009-44 2009-2010 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy

Introduce Ordinance O2009-44 to adopt the 2009-2010 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy. (Finance/Administration)

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

**RESIGNATION
ACCEPTED –
APPOINTMENT
MADE**

- 1. City Council
 - Accept Councilmember Hieb’s resignation
 - Appoint Deputy Mayor **COUNCILMEMBER SHOOP**

**APPOINTMENTS
MADE –
REMAINING
VACANCIES OPEN**

- 2. Appointment to boards, commissions, committees and offices:
 - Provisional Deputy City Clerk **FLORA HATCH**
 - Design Review Commission: one partial term to expire 08/17/2010.
 - Greater Yuma Port Authority (City of Yuma appointee): one term to expire on 5/7/2013. **BOB STULL**
 - 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

3. Announcements:

REPORTED

- 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 June 17, 2009 through July 1, 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.

4. 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

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 7:17 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.

**NO
EXECUTIVE
SESSION
HELD**