



City of YUMA

CITY OF YUMA
REGULAR CITY COUNCIL MEETING SUMMARY
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, JULY 15, 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

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.

**NO
REPORT**

I. CALL TO THE PUBLIC

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.

**NO LEGAL
ACTION
PERMITTED**

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 Worksession | 2009 | May 19, |
| APPROVED | 2. Special Worksession | 2009 | June 2, |
| APPROVED | 3. Regular Worksession | 2009 | June 2, |
| APPROVED | 4. Regular Worksession | 2009 | June 16, |
| APPROVED | 5. Regular City Council Meeting | 2009 | June 17, |

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. **Special Event Liquor License: Hospice of Yuma**

Approve a Special Event Liquor License application submitted by John E. Williams, on behalf of the Hospice of Yuma, for an Ocean to Ocean Gala. The event will be held at the Yuma Territorial Prison Complex, One Prison Hill Road, on October 17, 2009 from 6:00 p.m. to 11:45 p.m. (SP09-08) (City Administration/City Clerk)

**RECOMMENDATION
FOR
DISAPPROVAL**

3. Liquor License: Sodexo America, LLC

Approve a new # 7 Beer and Wine Bar Liquor License application submitted by Jon Giesler, agent for Sodexo America, LLC. The liquor license is for the College Community Center (commonly referred to as the 3C Building) at Arizona Western College, located at 2020 S. Avenue 8E, Yuma, Arizona. (LL09-11) (City Administration/City Clerk)

APPROVED

4. Liquor License: Eat Asian Super Buffet

Approve a new #12 Restaurant Liquor License application submitted by Kit Man Lau, agent for Eat Asian Super Buffet, 1960 E. Palo Verde Street, Yuma, Arizona. (LL09-12) (City Administration/City Clerk)

APPROVED

5. Cooperative Purchase Agreement: Pothole Patching Machine, Bergkamp FP5 Flameless

Authorize the purchase of one (1) Pothole Patching Machine, Bergkamp FP5 Flameless, by utilizing the cooperative purchase agreement between the Houston Galveston Area Council (HGACBuy) and the City of Yuma, at a total cost of \$55,504.64 to: Bergkamp, Inc., Salina, Kansas. (Public Works, Bid #2009000493)

APPROVED

6. Cooperative Purchase Agreement: Information Technology Products and Services

Authorize the purchase of Information Technology Products and Services utilizing various cooperative purchase agreements, at an estimated amount of \$2,605,462.00 (excluding tax) to:

Mohave Educational Services Cooperative
State of Arizona
The Cooperative Purchasing Network (TCPN)
US Communities
Western States Contracting Alliance (WSCA)

City anticipates spending \$2,305,462.00 for computer hardware/software, communications equipment and technical and training services plus potential grant purchases estimated at \$300,000.00 in support of the Yuma Regional Communications Systems. (Information Technology Services – Bid #2009000484)

APPROVED 7. Disbursal Agreement: Crossroads Mission

Authorize the execution of an agreement between Crossroads Mission and the City of Yuma providing for Fiscal Year 2009-2010 funding by the City of Yuma in the amount of \$27,000.00, and setting performance standards for Crossroads Mission. (Police/Administration)

APPROVED 8. Intergovernmental Agreement: Yuma Elementary School District No. 1

Authorize the City Administrator and City Staff to execute an Intergovernmental Agreement with Yuma Elementary School District No. 1 for one 10-month position for the 2009-2010 grant funded School Safety Program. (Police/Patrol)

APPROVED 9. Outside Agency Agreement: Salvation Army Boys & Girls Club of Yuma

Authorize the execution of an agreement between the Salvation Army Boys & Girls Club of Yuma and the City of Yuma providing for Fiscal Year 2009-2010 funding by the City of Yuma in the amount of \$10,800.00 and setting performance standards for the Salvation Army Boys & Girls Club of Yuma. (Parks & Recreation/Administration)

APPROVED 10. Outside Agency Agreement: Catholic Community Services in Western Arizona Adult Day Health Care Program "Daybreak"

Authorize the execution of an agreement between Catholic Community Services in Western Arizona Adult Day Health Care Program, "Daybreak", and the City of Yuma providing for Fiscal Year 2009-2010 funding by the City of Yuma in the amount of \$4,500.00 and setting performance standards for Catholic Community Services in Western Arizona Adult Day Health Care Program, "Daybreak". (Parks & Recreation/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 R2009-58 Election Board Officers (Poll Workers)

Approve the appointment of election board officers (poll workers) for the 2009 City of Yuma Primary and General/Special Election to be held September 1, 2009 and November 3, 2009, respectively. (City Administration/City Clerk)

ADOPTED B. Resolution R2009-59 Grant Application: Governor's Office of Highway Safety FY 2010 Highway Safety Projects

Authorize the City Administrator and City Staff to submit grant applications and execute contracts, if granted, with the Arizona Governor's Office of Highway Safety for highway safety projects in accordance with Arizona's Fiscal Year 2010 Highway Safety Plan in a total amount of \$176,066. (Police/Patrol)

ADOPTED C. Resolution R2009-60 Grant Application: 2009 Federal Historic Preservation Certified Local Government Pass-Through Grant

Authorize and direct the City Administrator to receive funds and implement the Certified Local Government Pass-Through Grant for the Historic Yuma Corridor Plan in a total amount of \$20,667. (Community Development/Community Planning)

CONTINUED TO RCM OF 8/05/09 D. Resolution R2009-61 Area Service Highway Alternatives

Adopt Resolution R2009-61 expressing support for Alternative A, Alternative F, and Alternative H, each connecting US Highway 95 to State Route 195, also known as the Area Service Highway (ASH) (City Administration)

ADOPTED E. Resolution R2009-62 Development Agreement: Tanimura & Antle, La Mesa Ranch, L.L.C., and Laurel Properties, L.L.C.

Authorize a Development Agreement with Tanimura & Antle, La Mesa Ranch, L.L.C., and Laurel Properties, L.L.C., on 240 acres generally located south of 24th Street and west of Araby Road. (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.

ADOPTED A. Ordinance 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 of May 6, 2009; continued at the June 17, 2009 & July 1, 2009, Regular City Council Meetings, at the request of the applicant*) (Community Development/Community Planning)

ADOPTED B. 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)

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

Adopt the 2009-2010 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy. (Finance/Administration)

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 scheduled at this time.

VI. PUBLIC HEARINGS & RELATED ACTIONS

**CONTINUED
TO RCM OF
9/16/09**

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 Regular City Council Meetings of June 3 & June 17, 2009*) (City Engineering)

**PUBLIC
HEARING
HELD**

B. Public Hearing: Annexation A2009-09 - Associated Citrus Packers

This is a Public Hearing to consider the annexation of property located at the southwest corner of County 16th Street and the Avenue 1 1/2 E alignment. (City Administration/Economic Development)

**PUBLIC
HEARING
HELD**

C. Public Hearing: Annexation A2009-10 - Woodman Family Citrus

This is a Public Hearing to consider the annexation of property located at the southwest corner of County 17 1/2 Street and the Avenue 2 E. (City Administration/Economic Development)

**PUBLIC
HEARING
HELD**

D. Public Hearing: Annexation A2009-11 - Curtis Family Citrus

This is a Public Hearing to consider the annexation of property located at the southwest corner of County 18th Street and the Avenue 2 E. (City Administration/Economic Development)

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

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

- City Council Vacant Seat **DOUGLAS J. NICHOLLS**
- Hearing Officer
- Municipal Judge Pro Tem **JANET H. METCALF**
- Design Review Commission: one partial term to expire 08/17/2010
- Historic District Review Commission (General Building Contractor): two partial terms 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

**APPOINTMENTS
MADE –
REMAINING
VACANCIES OPEN**

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 July 1, 2009 through July 15, 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.

**NOT
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.

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
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 6:46 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.