



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, AUGUST 05, 2009
5:30 P.M.**

CALL TO ORDER 5:30 PM

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL for submission of Speaker Request Forms

PRESENTATIONS

- Formal swearing in of newly-appointed City Councilmember Douglas J. Nicholls

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 June 16, 2009
- APPROVED** 2. Special Worksession June 30, 2009
- APPROVED** 3. Regular City Council Meeting July 1, 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. **Declare Surplus and Authorize Sale of Specialized Equipment**

Declare as surplus and authorize sale of specialized equipment deemed appropriate for online auction using the cooperative purchase agreement between the City of Tucson and the City of Yuma with Public Surplus, LLC, Provo, Utah. (Finance/ Purchasing Division - Bid #2007000461)

- APPROVED** 3. **Bid Award: Water Tank Diving and Cathodic Protection Services**

Award to the lowest responsive/responsible bidder, for Water Tank Diving and Cathodic Protection Services, a one-year contract with the option to renew for four additional one-year periods, at an estimated annual cost of \$10,000.00 which may exceed \$50,000.00 over the 5-year life of the contract depending on the appropriation of funds and satisfactory performance, on an as-needed basis with the following firm: Advanced Diving Services, Inc. / Longview Construction, New Harmony, Utah. (Utilities / Water Treatment - Bid #2009000432)

APPROVED 4. Sole Source Contract: Heavy Equipment Parts

Award of Sole Source contracts in accordance with the Yuma City Code, Section 36-39, Sole Source Procurement for Heavy Equipment Parts at an estimated annual cost of \$100,000.00 (including tax) to:

| | |
|---|-------------|
| Bridgeport Truck Manufacturing, Inc., Bridgeport, Texas | \$20,000.00 |
| Empire Southwest dba Empire Machinery, Yuma, Arizona | \$ 5,000.00 |
| Norwood Equipment, Inc., Phoenix, Arizona | \$60,000.00 |
| Simpson Norton Corporation, Goodyear, Arizona | \$15,000.00 |

(Public Works/Fleet Services - Bid #2010000101)

APPROVED 5. Outside Agency Agreement: Humane Society of Yuma, Inc.

Authorize the execution of an agreement between the Humane Society of Yuma, Inc., and the City of Yuma providing for Fiscal Year 2009-2010 funding in the amount of \$457,875.00, and setting performance standards for the Humane Society of Yuma, Inc. serving as the City's animal control enforcement agent. (Police/Administration)

APPROVED 6. Grant Agreement: United States Department of the Interior, Bureau of Reclamation

Approve the 2009 Grant Agreement with the U.S. Bureau of Reclamation for \$1,475,000.00 in grant funds for continued restoration of the Yuma East Wetlands. (City Administration/Yuma Crossing National Heritage Area)

APPROVED 7. Subrecipient Agreement: Yuma Crossing National Heritage Area

Approve an agreement with the Yuma Crossing National Heritage Area to implement a grant totaling \$1,475,000.00 from the Bureau of Reclamation for enhancement and maintenance of the North and South Channel projects within the Yuma East Wetlands. (City Administration/Yuma Crossing National Heritage Area)

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 AS AMENDED A. Resolution R2009-61 Area Service Highway Alternatives

Adopt Resolution R2009-61 supporting Alternative F and Alternative H, each connecting US Highway 95 to State Route 195, also known as the Area Service Highway, opposing Alternative B3 and not supporting Alternative A. *(Continued from the Regular City Council Meeting of July 15, 2009)* (City Administration)

ADOPTED B. Resolution R2009-63 Census 2010 Complete Count Committee

Establish a Census 2010 Complete Count Committee to increase awareness about the census and motivate residents in the community to respond. (Community Development/Community Planning)

ADOPTED C. Resolution R2009-64 Preannexation Development Agreement: Aguilar

Authorize a Preannexation Development Agreement with Rebecca and Jesse Aguilar for property located at 960 S. George Bell Avenue. (Community Development/Community Planning)

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

M/_____ S/_____ RV/_____

IV. ADOPTION OF ORDINANCES CONSENT AGENDA

There are no ordinances scheduled for adoption at this time.

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 O2009-47 Rezoning of Property: Located south of 24th Street, north of the Gila Main Canal, east of the Avenue 4⁵/₈E alignment, and west of the Avenue 6¹/₈E alignment - Laurel**

Rezone property from the Agriculture (AG) District to the Smart Growth Overlay (SGO) District and to the underlying base zoning districts. The applicant is Wayne C. Benesch, on behalf of Tanimura & Antle, General Partnership; Laurel Properties, LLC; and La Mesa Ranch, LLC. (Z2009-006) (Community Development/Community Planning)

INTRODUCED **B. Ordinance O2009-48 Rezoning of Property: Located approximately 300 feet west of the southwest corner of 3rd Street and 28th Avenue**

Rezone a 0.34-acre parcel from the Agriculture (AG) District to the Low Density Residential (R-1-6) District. The applicant is Roy Tyler, on behalf of RCT Properties LLC (Z2009-008). (Community Development/Community Planning)

VI. YUMA RIVERFRONT DEVELOPMENT:

City Council discussion, deliberation and possible action on contracts and agreements for Yuma Riverfront development, including, but not limited to:

- **Resolution R2004-85:** *Yuma Riverfront Master and First Phase Development and Disposition Agreement*
- **Resolution R2008-09:** *Amended and Restated Yuma Riverfront Master and First Phase Development and Disposition Agreement*
- **Ordinance O2005-06:** *Yuma Riverfront Development First Phase Land and Improvements Lease*
- **Ordinance O2005-62:** *Amendment to Yuma Riverfront Development First Phase Land and Improvements Lease*
- **Resolution R2009-07:** *First Amendment to Amended and Restated Yuma Riverfront Master and First Phase Development and Disposition Agreement*
- **Memorandum of Understanding** for Riverfront Development of Yuma Amendment
- **Resolution R2001-82:** *Yuma Riverfront Master Redevelopment Plan of November 2001*

CONTINUED
TO THE RCM
OF 8/19/09

VII. PUBLIC HEARINGS & RELATED ACTIONS

There are no Public Hearings scheduled at this time.

VIII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

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

- Hearing Officer **Pamela Walsma & John S. Garcia**
- 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
- Parks & Recreation: one term to expire on 9/1/2014 **James B. Rhodes**
- Residential Advisory & Appeals Board: (Plumbing Contractor) one partial term to expire 9/1/2011 and three terms to expire on 9/14/2014 **Sean E. Kerley, Curtis Lee, & Fowler Malone**
- 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 June 3, 2009 through August 5, 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.

**SPECIAL WORKSESSION AND REGULAR WORKSESSION OF SEPT 1ST RESCHEDULED TO SEPT 8TH.
REGULAR COUNCIL MEETING OF SEPT 2ND RESCHEDULED TO SEPT 9TH, 2009**

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 6:39 PM

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.