



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, OCTOBER 21, 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

- Caballeros Annual Report:

NO INFORMATIONAL UPDATE **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.

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):

- CONTINUED TO RCM OF 11/4** 1. Regular City Council Meeting September 16, 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. **Liquor License: Shay Oil Co., Inc. dba Shay Self Serve #22**

Approve a #10, Beer and Wine Store, New License/Interim Permit Liquor License application submitted by Daniel Craig Shay, agent for Shay Oil Co., Inc., dba Shay Self Serve # 22, 6440 E. 32nd Street, Yuma, Arizona. (LL09-19) (City Administration/City Clerk)

- APPROVED** 3. **Maintenance Agreement: Bureau of Reclamation, Multi-Species Conservation Program**

Authorize the City Administrator to execute a contract with the Yuma Crossing National Heritage Area Corporation to undertake long-term maintenance of the Yuma East Wetlands as part of a program supported by the Bureau of Reclamation, Multi-Species Conservation Program. (City Administration/Yuma Crossing National Heritage Area)

APPROVED 4. Intergovernmental Agreement: Mutual Aid and Assistance - Town of Wellton, Arizona

Authorize execution of an Intergovernmental Agreement with the Town of Wellton, Arizona for automatic and mutual assistance for fire, medical, hazardous materials, chemical, biological, radiological, nuclear, and high yield explosives (CBRNE), mass casualty emergencies and operation support, replacing the existing agreement approved May 4, 1994. (Fire/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 R2009-80 Repeal Resolution No. 2789: Mutual Aid Agreement

Repeal Resolution No. 2789 which adopted a Mutual Aid Agreement between the Town of Wellton and the City of Yuma. (Fire/Administration)

ADOPTED B. Resolution R2009-81 Development Fee Deferral: RCT Properties, LLC, an Arizona limited liability company

Approve a Development Agreement with RCT Properties, LLC permitting the deferral of Citywide Development Fees and water and sanitary sewer capacity fees for Westmain Estates Subdivision. (City Engineering/Administration)

ADOPTED C. Resolution R2009-82 Development Agreement and Development Fee Deferral: Palms RV

Approve a Development Agreement with Palms RV Resort Development, Inc., an Arizona corporation, deferring Citywide Development Fees, permitting temporary signage, and supporting uniform development of setbacks through the Project. (Community 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.

ADOPTED A. Ordinance O2009-54 Zoning Code Text Amendment: Chapter 154-282 Design and Historic Review Commission.

Merge the Design Review Commission and the Historic District Review Commission into the Design and Historic Review Commission. (Z2009-010) (Community Development/Community Planning)

ADOPTED B. Ordinance O2009-60 Zoning Code Text Amendment: Add Definition for Lot Coverage

Amend the City of Yuma Zoning Code, Title 15, Chapter 154, Section 004 to add a definition for Lot Coverage. (Community Development/Community Planning)

ADOPTED C. Ordinance O2009-61 Right-of-Way Acquisition: Casa Mañana Subdivision Fire Hydrants

Authorize the acquisition of certain easements for Casa Mañana fire hydrant operation, maintenance and replacement. (City Engineering/Administration)

ADOPTED D. Ordinance O2009-62 2009 Amendments to the Tax Code of the City of Yuma

Amend the City Tax Code by adopting the certain document filed with the City Clerk entitled "2009 Amendments to the Tax Code of the City of Yuma", containing amendments adopted by the Model City Tax Code Commission. (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.

INTRODUCED A. Ordinance O2009-63 Exchange and Acquisition of Real Property: 16th Street and Avenue A Improvements

Authorize staff to exchange and acquire property for 16th Street and Avenue A intersection improvements. (City Attorney)

VI. PUBLIC HEARINGS & RELATED ACTIONS

There are no Public Hearings scheduled at this time.

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

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

**APPOINTMENTS
MADE –
REMAINING
VACANCIES
OPEN**

- Census 2010 Complete Count Committee **Anayansi Root**
- Design Review Commission: one partial term to expire 08/17/2010
- Historic District Review Commission: two partial terms (one General Building Contractor and one Rio Colorado Chapter of AZ Historical Society)

**APPOINTMENTS
MADE –
REMAINING
VACANCIES
OPEN**

- to expire 06/30/2012
- Housing Authority of the City of Yuma (HACY): Appoint Chair **Ryan Hengl/Chair & James Allen /Vice Chair**
- Merit System Board: one term to expire 01/15/2012
- Residential Advisory & Appeals Board: two partial (one citizen and one Plumbing Contractor) terms to expire 9/1/2011
- Water and Sewer Commission: one partial term to expire 07/6/2013

2. 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 October 7, 2009 through October 21, 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.

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 of November 3, 2009 moved to the Council Chambers, due to Room #190 is being used as a General Election polling place.

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

**NO 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 6:35 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.