

*REVISED: March 1, 2010*



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING AGENDA  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, MARCH 03, 2010  
5:30 P.M.**

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**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

- Recognition of Census 2010 Complete Count Committee members

**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.

**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):**

- 8. 1. Regular Worksession December 15, 2009
  
- 11. 2. Regular Worksession January 19, 2010

**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)

**17. 2. Special Event Liquor License: Yuma Fine Arts Association**

Approve a Special Event Liquor License application submitted by Carolyn Bennett, on behalf of the Yuma Fine Arts Association for "A Taste of Fine Art". The event will be held March 12, 2010, from 6:00 p.m. to 9:00 p.m., at the Yuma Art Center, 254 S. Main Street. (SP10-04) (City Administration/City Clerk)

**19. 3. Liquor License: 4th Ave. Liquor**

Approve a #9 (Person/Location Transfer) Liquor Store, Liquor License application submitted by Emad Elia Yousif, agent for 4th Ave. Liquor, 1111 South 4th Avenue, Yuma, Arizona. (LL10-02) (City Administration/City Clerk)

**21. 4. Liquor License: Walgreens #02611**

Approve a New #10 Beer and Wine Store Liquor License application submitted by Randy Allen Guse, agent for Walgreen Arizona Drug Co. dba Walgreens #02611, 1150 West 8th Street, Yuma, Arizona. (LL10-03) (City Administration/City Clerk)

**23. 5. Liquor License: Walgreens #02219**

Approve a New #10 Beer and Wine Store Liquor License application submitted by Randy Allen Guse, agent for Walgreen Arizona Drug Co. dba Walgreens #02219, 2801 South 4th Avenue, Yuma, Arizona. (LL10-04) (City Administration/City Clerk)

**25. 6. Intergovernmental Agreement: Yuma County Public Health Services District**

Authorize the execution of an Intergovernmental Agreement (IGA) between the Yuma County Public Health Services District and the City of Yuma Parks and Recreation Department for the Arizona Nutrition Network Program. (Parks & Recreation/Administration)

**31. 7. Intergovernmental Agreement: Yuma County**

Authorize the execution of an Intergovernmental Agreement (IGA) with Yuma County for the review, permitting and approval of the 4E Investments, L.L.C. agricultural processing facility. (Community Development/Community Planning)

**38. 8. Appointment of Acting City Administrator**

Designation of the Acting City Administrator by the City Administrator, pursuant to the Yuma City Charter, Article VIII, Section 3, during the absence or disability of the City Administrator. (City Administration)

**41. 9. Agreement: City Administrator**

**ADDITION** Authorize execution of an agreement and terms of employment with Mark S. Watson to serve as City Administrator for the City of Yuma. (Mayor & Council)

**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.

**48. A. Resolution R2010-07 Amended Wastewater Discharge Local Limits**

Amend the City of Yuma Utility Regulations Article IV, Sections 4.3.1, 4.3.4, and 4.3.5, governing the discharge limitations into the City's wastewater treatment system. (Utilities/Administration)

**53. B. Resolution R2010-08 Capital Improvement Program Budget Adjustment: Fiscal Year 2010**

Adjust the Fiscal Year 2010 Capital Improvement Program budget a total of \$41,000.00 by reducing and increasing specific project funds for Speese Addition roadway improvements, funded by Community Development Block Grant monies. (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.

**58. A. Ordinance O2010-14 Amendment: Citywide Development Fees**

Amend City Code, Title 15, Chapter 157, Sections 157-001 through 157-004 to add a definition of "construction permit," amend the definition of "new development," and conform the remainder of Chapter 157 in accordance with the changes. (City Engineering/Administration)

**70. B. Ordinance O2010-15 Rezoning of Property: 2951 S. 21st Drive, Yuma AZ  
(Yuma County Main Library)**

Rezone property from the Low Density Residential (R-1-6) District to the Low Density Residential / Public Overlay (R-1-6/P) District. The applicant is the City of Yuma on behalf of the Yuma County Library District. (Z2009-023) (Community Development/Community Planning)

**80. C. Ordinance O2010-16 Right-of-Way Acquisition: 12th Street - Lots 263 and 264  
of Magnolia Village Unit No. 3**

Authorize the acquisition of Lots 263 and 264 of Magnolia Village Unit No. 3 for 12th Street widening and reconstruction, between Avenue B and Avenue A. (City Engineering/Administration)

**85. D. Ordinance O2010-17 Right-of-Way Acquisition: 12th Street - Lot 300 of  
Magnolia Village Unit No. 3**

Authorize the acquisition of a portion of Lot 300 of Magnolia Village Unit No. 3 for 12th Street widening and reconstruction, between Avenue B and Avenue A. (City Engineering/Administration)

**90. E. Ordinance O2010-18 Right-of-Way Acquisition: Avenue A**

Authorize the acquisition of an expanded drainage easement at 1910 South Avenue A for street reconstruction and widening of Avenue A, between 16th Street and 24th Street, by amending Ordinance No. O2002-26. (City Engineering/Administration)

**96. F. Ordinance O2010-19 Wastewater Discharge Local Limits**

Amend the Yuma City Code, Title 19, Chapter 191, Section 191-49 and Section 191-51 governing the discharge limitations to the City's wastewater treatment system. (Utilities/Administration)

**102. G. Ordinance O2010-20 Special Election: Yuma City Charter, Article XII, Section 2, Local Preference**

Delete all references to an all mail ballot Special Election on May 18, 2010 previously called by Ordinance O2010-08 and renumber the proposition to Proposition 400 in order to comply with State statutes. (City Administration/City Clerk)

**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 for introduction at this time.*

**VI. PUBLIC HEARINGS & RELATED ACTIONS**

*There are no public hearings scheduled at this time.*

**VII. ANNOUNCEMENTS AND SCHEDULING**

Discussion and possible action on the following items:

1. 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 February 16, 2010 through March 3, 2010. 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.
2. 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**

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**

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.