

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
JULY 7, 2010
5:30 p.m.

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

INVOCATION/PLEDGE

Austin Mansfield, Pastor of Christ the Redeemer Church, gave the invocation. **Mendoza** led the City Council in the pledge of allegiance.

ROLL CALL

Councilmembers Present: Stuart, Mendoza, Beeson, McClendon, Brooks-Gurrola, Johnson and Mayor Krieger
Councilmembers Absent: none
Staffmembers Present: City Administrator, Gregory K. Wilkinson
Various Department Heads or their representative
City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Krieger made a final call for the submission of Speaker Request Forms from members of the audience.

PRESENTATIONS

- **Wilkinson** recognized Neighborhood Services staff for their work in the community.
- **Wilkinson** presented a Community Service Award to the Yuma Stake Young Men and Women, Church of Jesus Christ of Latter-day Saints for their efforts in the community.

I. CALL TO THE PUBLIC

Ann Harrison, no address provided, stated that in less than two years the State of Arizona will be celebrating a century of statehood and Labor Day in two months. She urged the City Council to make Labor Day as important as other holidays and more than just a day of fun and barbeques.

Mary Ann Easterday, 3359 S. 15th Avenue, reminded the public that Saturday, July 24, 2010, is the next Household Hazardous Waste Program drop-off day. She thanked Parks and Recreation for cleaning up the tennis courts by the Yuma Civic Center and asked the public to take care of the parks and to teach their children to throw trash in the bins. Another area of concern is the traffic on 32nd Street between Avenue A and Avenue B. It has been stated several times that 32nd Street would be fixed but other than the bridge, nothing has been done. She urged the City Council to address the street for the sake of safety.

Ron Spencer, 1471 Mia Lane, briefed the City Council on the history of the City of Yuma airplane and urged the City Council to let it live in City Hall for all to enjoy. The pilots and families of the original flight crew would be proud to see it displayed in City Hall, rather than in a museum outside of Yuma.

Sharon Merz, 3823 S. 18th Avenue, stated that 32nd Street has been ignored for nearly 20 years. The promise of fixing 32nd Street was instrumental in votes passing the one-half cent sales tax for roads. As recently as two years ago, residents were told of actual bid dates, start dates, and completion dates for 32nd Street, but nothing has begun. Keep in mind the thousands of drivers that use 32nd Street. It should have been redesigned and repaired many years ago. She urged the City Council to put 32nd Street on the agenda, address the issues, inform the citizens of the decision and explain the decision. Perhaps there are valid reasons why the road has not been repaired; however, as it currently sits, the road is dangerous.

Mendoza expressed his support of the airplane being displayed in the lobby of City Hall. Regarding 32nd Street, between Avenue A and Avenue B, he asked that a staff update on the project and its history be placed on the agenda. **Johnson** requested that the briefing be scheduled at a regular worksession to afford the public a televised presentation.

II. MOTION CONSENT AGENDA

Motion (Beeson/Mendoza): To adopt the Motion Consent Agenda as recommended, with the exception of B.6 which was removed by Mayor Krieger. Voice vote: **approved** 7-0.

A. Approval of minutes of the following City Council meetings:

Regular Worksession	March 2, 2010
Regular City Council Meeting	March 17, 2010
Special Worksession/Roundtable	April 6, 2010
Regular Worksession	April 6, 2010
Special Council Meeting	April 9, 2010
Special Worksession/Roundtable	April 20, 2010

B. Approval of Staff Recommendations:

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). (Attny)
2. Approve a #7, Beer and Wine Bar, Interim Permit/Probate Will Assignment Liquor License application submitted by Regina Herndon, agent for Village Inn Pizza Parlor, 41 E. 16th Street, Yuma, Arizona. (LL10-12) (Admin/Clerk)
3. Authorize the City Administrator to enter into an Intergovernmental Cooperative Purchasing Agreement with the City of San Luis, Arizona. (Purch)
4. Authorize City Staff to sign the Memorandum of Understanding with the Federal Bureau of Investigation (FBI) for participation in the Safe Streets Task Force. (Police/Admin)
5. Authorize settlement in Schlamann v. City of Yuma (Attny)
6. Removed for separate consideration; see below.

7. Authorize the execution of an agreement between Yuma Fine Arts Association and the City of Yuma providing for Fiscal Year 2010-2011 funding by the City of Yuma in the amount of \$31,500.00 and setting performance standards for Yuma Fine Arts Association. (Parks & Rec/Arts and Culture)
8. Approve an Infrastructure and Services Report for Annexation Area No. A2010-02, identified as the Greengate Annexation, located at the southeast corner of Avenue 3½E and 32nd Street. (DCD/Planning)
9. Approve an Infrastructure and Services Report for Annexation Area No. A2010-003, identified as the Humane Society of Yuma Annexation, located at the southwest corner of Avenue 4 1/2 E and 40th Street. (DCD/Planning)
10. Approve an Agreement between the City of Yuma and the State of Arizona, authorizing the City of Yuma to conduct manufactured home installation inspections for the State of Arizona (DCD/Building Safety)

Motion Consent Agenda Item Removed for Separate Consideration

- B.6. Authorize the execution of an agreement between Salvation Army Boys & Girls Club of Yuma and the City of Yuma providing for Fiscal Year 2010-2011 funding by the City of Yuma in the amount of \$10,800.00 and setting performance standards for Salvation Army Boys & Girls Club of Yuma. (Parks & Rec)

Discussion

Mayor Krieger stated that he couldn't understand why the City is funding the Salvation Army Boys and Girls Club when there are departments with unfunded positions. Parks and Recreation programs essentially provide the same services as the Boys and Girls Club. Another concern is funding the program through the Contingency Fund. The Contingency Fund is set aside as a financial cushion for unforeseen events; it shouldn't be used to provide funding to the Boys and Girls Club.

Mendoza disagreed. The non-profits in the community perform duties that the local government can't. The Boys and Girls Club may offer the same sports as the City; however, City programs are only provided at certain times and require user fees. The Boys and Girls Club acts as a gang, graffiti and truancy prevention program and is an investment to the youth of the community. The kids go to this club to entertain themselves, or to work in the computer lab until a parent or relative can pick them up. As police officers can attest, the Boys and Girls Club serves a certain segment of the community that cannot afford the Parks and Recreation programs.

Beeson stated that \$5,400 was budgeted for the Boys and Girls Club out of the General Fund and the remaining balance of \$5,400 through the Contingency Fund. Is that correct? **Wilkinson**: Yes.

Motion (Beeson/Mendoza): To approve the Motion Consent Agenda Item, B6 as recommended.

Johnson stated he failed to see why the Boys & Girls Club is being singled out when the Yuma Fine Arts Association is on the agenda for \$31,500. The Boys & Girls Club is for children whereas the Yuma Fine Arts Association serves adults.

Voice vote: **adopted** 6-1; Mayor Krieger voting nay.

III. RESOLUTION CONSENT AGENDA

Motion (McClendon/Mendoza): To approve the Resolution Consent Agenda as recommended.

Bushong displayed the following titles:

Resolution R2010-40

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a Preannexation Development Agreement with the owner of real property located at the southeast corner of Avenue B and the 30th Street alignment

(Owner: Stephen D. Kleppe, Shirley R. Kleppe, Bobby J. Merritt and Elizabeth L. Merritt; property: southeast corner of Avenue B and the 30th Street alignment; Sonic) (DCD/Planning)

Resolution R2010-41

A resolution of the City Council of the City of Yuma, Arizona, authorizing an Intergovernmental Agreement with the State of Arizona, related to the replacement of pavement surfacing on Highway Business 8, between West Catalina Drive and Avenue 3E

(CIP 5.1102) (Eng)

Roll call vote: **adopted** 7-0.

IV. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (McClendon/Mendoza): To adopt the Ordinance Consent Agenda as recommended.

Bushong displayed the following titles:

Ordinance O2010-31

An ordinance of the City Council of the City of Yuma, Arizona, fixing, levying, and assessing primary property taxes upon property within the City of Yuma subject to taxation, each in a certain sum upon each one hundred dollars (\$100) of valuation, sufficient to raise the amount estimated to be required in the annual budget for the Fiscal Year 2010-2011 less the amounts estimated to be received from other sources of revenue and the unencumbered balances from the previous fiscal year, providing a general fund; and fixing, levying, and assessing upon property within the boundaries of the Main Street Mall and Offstreet Parking Maintenance District No. 1 subject to taxation, each in a certain sum upon each one hundred dollars of valuation, sufficient to raise the amount estimated to be required for the operation, maintenance, repair and improvement of the facilities of said district, all for the fiscal year ending June 30, 2011

(Rate of \$1.4691 on each \$100.00 of assessed valuation) (Finance)

Ordinance O2010-32

An ordinance of the City Council of the City of Yuma, Arizona, adopting by reference a reformat of the Yuma City Code Chapter 154 titled, "Zoning Code Reformat (March 2010)" and providing penalties for violations thereof
(DCD/Planning)

Ordinance O2010-33

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that a certain parcel of real property, hereinafter described, be acquired by the City of Yuma by gift or purchase for the reason that such property would be of benefit to the City of Yuma, ratifying any actions taken by city staff to acquire, protect and preserve the property or title to the property, and authorizing payment of certain outstanding taxes and costs necessary for the acquisition of said parcel of real property
(Owners: 360 Networks (USA), Inc; Property Acquisition: 28th Street and Kyla Avenue)(Eng)

Ordinance O2010-34

An ordinance of the City Council of the City of Yuma, Arizona, ordering a Special Election for the qualified electors of the City of Yuma, Arizona, for the purpose of extending and modifying the 0.2% (two-tenths of one percent) Transaction Privilege Tax dedicated to Public Safety
(November 2, 2010) (Fire/Admin)

Roll call vote: **adopted** 7-0.

V. INTRODUCTION OF ORDINANCES

Bushong displayed the following titles:

Ordinance O2010-35

An ordinance of the City Council of the City of Yuma, Arizona, annexing to said City a portion of Sections 1 and 12, all lying within Township 9 South, Range 23 West of the Gila & Salt River Base & Meridian, Yuma County, Arizona, and amending Chapter 154 of the Yuma City Code, as amended, designating the zoning of certain property to the Light Industrial District, and amending the zoning map to conform thereto, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes and amendments thereto
(Annexation Area A2010-002: Greengate) (DCD/Planning)

Ordinance O2010-36

An ordinance of the City Council of the City of Yuma, Arizona, annexing to said City a portion of Section 18 of Township 9 South, Range 24 West of the Gila & Salt River Base and Meridian, Yuma County, Arizona, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes and amendments thereto
(Annexation Area A2010-003: Humane Society of Yuma) (DCD/Planning)

VI. PUBLIC HEARINGS - none

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Motion (Beeson/Mendoza): To reappoint Luis Acle to the Water and Sewer Commission with a term to expire June 6, 2014. Voice vote: **approved 7-0.**

Motion (Johnson/McClendon): To reappoint Tom Rushin to the Design and Historic Review Commission with a term to expire on June 30, 2014. Voice vote: **approved 7-0.**

Motion (Brooks-Gurrola/Mendoza): To reappoint Raul Pino to the Design and Historic Review Commission with a term to expire on June 30, 2014. Voice vote: **approved 7-0.**

Mayor Krieger asked that the Capital Improvement Program be presented in a format that allows the City Council to prioritize the projects. Also, he reported on a meeting of the League of Arizona Cities and Towns Resolution Committee.

Mendoza gave kudos to Community Development for its assistance in solving a re-occurring code compliance issue.

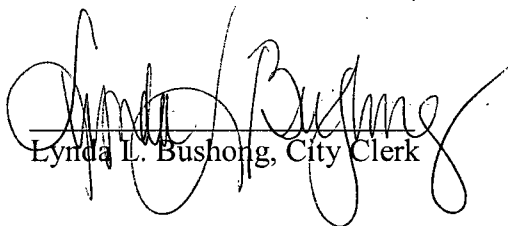
VIII. SUMMARY OF CURRENT EVENTS

Wilkinson reported:

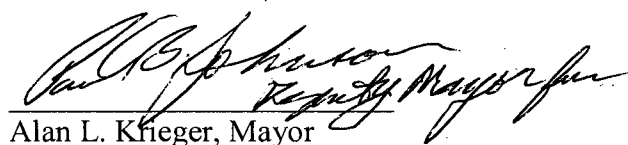
- Various contracts awarded locally by the City Council.
- The completion of the Deyo Complex Tennis Court rehabilitation; he complimented DPE's work.
- Repaving of 32nd Street from Avenue 3E to Catalina bid will open on July 30, 2010.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Krieger** adjourned the meeting at 6:21 p.m. No Executive Session was held.


Lynda L. Bushong, City Clerk

APPROVED:


Alan L. Krieger, Mayor

Approved at the City Council Meeting of:
December 1, 2010
Deputy
City Clerk: Janet Flor