



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, OCTOBER 20, 2010
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

- Recognition of new Winsor Rotary Park basketball courts
- Recognition of award received by Neighborhood Services
- Caballeros de Yuma, Inc. – Annual 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. Amended Regular City Council Meeting July 21, 2010
(originally approved at the 9/29/10 Regular City Council Meeting)
- APPROVED** 2. Regular Worksession August 3, 2010
- APPROVED** 3. Regular Worksession August 17, 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)
- APPROVED** 2. **Special Event Liquor License: Yuma High School Class of 1970 - Class Reunion**

Approve a Special Event Liquor License application submitted by George Paul Mitchell, on behalf of the Yuma High School (YHS) Class of 1970 - Class Reunion, for a 40th Class Reunion. The event will be held at the Yuma Territorial Prison State Historical Park, 1 Prison Hill Road, on October 30, 2010 from 6:00 p.m. to 11:45 p.m. (SP10-17) (City Administration/City Clerk) (Lynda L. Bushong)
- APPROVED** 3. **Special Event Liquor License: Ghouls Car Club**

Approve a Special Event Liquor License application submitted by Geoff R. Montgomery, on behalf of the Ghouls Car Club for a Los Ghouls vs. El Cancer. The fundraiser event will be held November 20, 2010, at the Gateway Park, 259 S. Gila Street, from 2:00 p.m. to 9:00 p.m. (SP10-18) (City Administration/City Clerk) (Lynda L. Bushong)

- APPROVED** 4. **Temporary Extension of Premises/Patio Liquor License: LZ Bar and Grill**
- Approve an application for a Temporary Extension of Premises/Patio Liquor License Permit submitted by William Edward Malo, agent for LZ Bar & Grill, for "Winter Bash" on November 13, 2010 to be held at 2175 S. Harley Drive, Yuma, Arizona. (EP10-07) (City Administration/City Clerk) (Lynda L. Bushong)
- APPROVED** 5. **RFP Rejection: Golf Course Management & Operation Services**
- Reject all proposals for Golf Course Management & Operation Services (RFP #2011000026 Parks) (Becky Chavez)
- APPROVED** 6. **Bid Award: Slurry Seal Services**
- Award to the lowest responsive/responsible bidder for Slurry Seal Services at an estimated annual cost of \$480,000.00 to: American Pavement Preservation Las Vegas, Nevada. (Public Works/Streets - Bid #2010000419) (Joel Olea)
- APPROVED** 7. **Bid Award: Resilient Wedge Gate Valves and Accessories**
- Award to the lowest two responsive/responsible bidders for Resilient Wedge Gate Valves and Accessories at an estimated annual cost of \$24,000.00 to: Ferguson Enterprises Inc., Yuma, Arizona. Yuma Winnelson Company, Yuma, Arizona (Utilities - Bid #2010000129) (Jay Simonton)
- APPROVED** 8. **Outside Agency Agreement: Greater Yuma Economic Development Corporation**
- Authorize the execution of an agreement between Greater Yuma Economic Development Corporation and the City of Yuma providing for Fiscal Year 2010-2011 funding by the City of Yuma in the amount of \$225,000.00 and setting performance standards for Greater Yuma Economic Development Corporation. (City Administration) (Greg Wilkinson)
- APPROVED
AS
AMENDED** 9. **Final Plat: Ponderosa Valley Estates #6 Subdivision**
- Approve the final plat of the Ponderosa Valley Estates #6 Subdivision, subject to the conditions set forth numbered 1 - 23, and the additional condition recommended by City staff. The property is located at the southwest corner of 31st Avenue and 24th Street. The applicant is Dahl, Robins, and Associates, on behalf of the Yuma Land and Cattle Company, LLC. (S2010-002) (Community Development/Community Planning) (Laurie Lineberry)

APPROVED 10. Final Plat Time Extension: Produce Industrial Park Subdivision Unit #2

Approve the time extension of the final plat for the Produce Industrial Park Subdivision Unit #2. The property is located at the southeast corner of 44th Street and Avenue 3E. The applicant is Dahl, Robins & Associates, on behalf of Curtis Citrus, LLC, Sam and Mary Louise Perricone Trust, and Cha Cha, LLC. (S2006-015-02TE) (Community Development/Community Planning) (Laurie Lineberry)

APPROVED 11. Request for Qualifications: Figueroa Avenue Water Pollution Control Facility Permit Renewal Consultant

Authorize Staff to negotiate and execute a contract for Figueroa Avenue Water Pollution Control Facility (FAWPCF) National Pollutant Discharge Elimination System (NPDES) Permit Renewal Consultant with the following firm: 1) Carollo Engineers PC, Phoenix, Arizona. (RFQ#2011000087 - Utilities) (Jay Simonton)

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 R2010-56 Preannexation Development Agreement: Premier Storage Condominiums of Yuma Unit 2 LLC

Authorize a Preannexation Development Agreement with Premier Storage Condominiums of Yuma Unit 2 LLC for property at the southwest corner of 32nd Street and Avenue 4E (105-46-075). (Community Development/Community Planning) (Laurie Lineberry)

ADOPTED B. Resolution R2010-57 Purchase, Settlement and Pre-Annexation Development Agreement: Country Life Development, Inc., Norman R. Johnson and Louise C. Johnson Revocable Trust, and Roger L. Johnson Revocable Trust

Authorize a Purchase, Settlement and Pre-Annexation Development Agreement with Country Life Development, Inc., Norman R. Johnson and Louise C. Johnson Revocable Trust, and Roger L. Johnson Revocable Trust for the purchase of property for the 9E Raw Water Pumping Station, Fire Station #7, and annexation of the two trust properties located at the southeastern corner of the South Frontage Road and Avenue 8 1/2 E. (City Attorney) (Richard Files for Steven W. Moore)

**ADOPTED
AS
AMENDED**

C. Resolution R2010-58 Intergovernmental Agreement: Intergovernmental Public Transportation Authority

Authorize the City Administrator, in accordance with A.R.S. § 28-9101 et seq., to take the necessary steps and actions for the formation of an Intergovernmental Public Transportation Authority. (City Administration/Administration) (Gregory K. Wilkinson)

**CONTINUED
TO RCM OF
11/3/10**

D. Resolution R2010-59 Amended And Restated Development Agreement: Palms RV Resort Development, Inc.

Approve an Amended and Restated Development Agreement with Palms RV Resort Development, Inc., an Arizona corporation, deferring Citywide Development Fees, permitting permanent signage, and establishing uniform setbacks. (City Attorney)

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 O2010-50 Rezoning of Property: Southeast corner of Avenue 7E and 36th Street

Rezone property from the Agriculture (AG) District to the Low Density Residential (R-1-5) District and the Medium Density Residential (R-2-5) District. The applicant is Dahl, Robins, and Associates on behalf of Yuma Desert Land, LLC. (Z2010-009) (Community Development/Community Planning) (Laurie Lineberry)

ADOPTED B. Ordinance O2010-51 Right-of Way Acquisition: 16th Street Widening

Authorize the acquisition of property at the southwest corner of 16th Street and Maple Avenue for Capital Improvement Program (CIP) Project No. 5.0574. (City Engineering/Administration) (Paul Brooberg)

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 O2010-52 Conveyance of Easement: Arizona Public Service Company**

Authorize the conveyance of an easement to Arizona Public Service Company for a powerline to a City of Yuma sanitary sewer lift station. (City Engineering/Administration) (Paul Brooberg)

INTRODUCED **B. Ordinance O2010-53 Right-of-Way Acquisition: Avenue 3E**

Authorize the acquisition of right-of-way from the State of Arizona for Avenue 3E street construction between Gila Ridge Road and 24th Street Extension. (City Engineering/Administration) (Paul Brooberg)

INTRODUCED **C. Ordinance O2010-54 Declaration of Surplus Property**

Declare vacant real property at the northeastern corner of the intersection of Palmcroft Drive and Avenue A surplus and authorize a Request for Proposals (RFP) for disposition of the property. (City Engineering/Administration) (Paul Brooberg)

INTRODUCED **D. Ordinance O2010-55 Scrivener's Error Correction: Ordinance No. O2010-22**

Authorize the correction of scrivener's errors in Ordinance No. O2010-22. (City Engineering/Administration) (Paul Brooberg)

VI. PUBLIC HEARINGS & RELATED ACTIONS

PUBLIC HEARING HELD **A. Statutory Compliance Hearing: Ordinance O2007-72**

Public Hearing pursuant to A.R.S. § 9-462.01 to determine compliance with the conditions of approval for rezoning Ordinance O2007-72

(Presentation by Laurie Lineberry) (Community Development/Community Planning)
(Laurie Lineberry)

VII. ANNOUNCEMENTS AND SCHEDULING

REPORTED

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 September 30, 2010 through October 20, 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.

REPORTED

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

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 6:37 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.