

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS, YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**DECEMBER 15, 2010**  
**5:30 p.m.**

**CALL TO ORDER**

**Mayor Krieger** called the City Council meeting to order.

**INVOCATION/PLEDGE**

**Nathan Shepherd**, Pastor of Generations Church, gave the invocation. **Councilmember McClendon** led the City Council in the Pledge of Allegiance.

**ROLL CALL**

Councilmembers Present: Stuart, Mendoza, McClendon, Brooks-Gurrola, Johnson and Mayor Krieger  
Councilmembers Absent: Beeson  
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**

- **Mayor Krieger** and **Wilkinson** recognized and presented Awards of Service to the following out-going Board or Commission members:
  - Mark Ericson, Clean and Beautiful Commission
  - Vonne Nicklaus, Building Advisory Board
  - Elizabeth Tibbs, Arts and Culture Commission
  - Rebecca Taylor, Arts and Culture Commission
  - Patty Wilbur, Clean and Beautiful Commission
- **Wilkinson** recognized The City of Yuma Utilities Crew for their appearance on KYMA's "*Maria, do my job*".

**I. CALL TO THE PUBLIC**

**Wayne Benesch**, 230 W. Morrison, on behalf of [betteryuma.org](http://betteryuma.org), stated the community has a lot of pride in itself, which is a good image throughout the community. The City has a beautiful new entrance from the freeway at 16<sup>th</sup> Street. However, there are intersections within the City that need to be addressed, for example, the intersection at Avenue B and 16<sup>th</sup> Street doesn't measure up to the standard that the City of Yuma has set. On behalf of [betteryuma.org](http://betteryuma.org), he urged the City Council to look at the major intersections to make them more appealing to residents and visitors alike.

## II. MOTION CONSENT AGENDA

**Motion** (McClendon/Mendoza): To adopt the Motion Consent Agenda as recommended. Voice vote: **approved 6-0.**

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

Regular City Council Meeting	August 18, 2010
Regular City Council Meeting	September 1, 2010
Regular City Council Meeting	October 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. Authorize the purchase of Warehouse Stock Tires and Tubes for a one-year contract, on an as-needed basis with the option to renew by mutual written contract amendment. Contract may be extended for supplemental periods up to 48 months at an estimated annual cost of \$330,000.00 (including tax) depending on the appropriation of funds and satisfactory performance. These purchases will utilize various cooperative purchasing agreements issued by the State of Arizona. (Bid #2011000243) (PW/Fleet Services/Warehouse)
3. Approve an Infrastructure and Services Report for Annexation Area No. A2010-006, identified as the Yuma Pacific Avenue LLC Annexation, located at the southeast corner of Pacific Avenue and 16th Street. (DCD/Planning)
4. Authorize settlement of Industrial Commission of Arizona (ICA) Claim No. 20082730568. (HR)
5. Authorize the execution of an agreement between Yuma Territory Live Steamers and the City of Yuma for the use of Joe Henry Memorial Park for operation of a recreational railroad on a temporary basis. (P&R/Admin)
6. Accept donation of 25 granite tables. (Admin)

## III. RESOLUTION CONSENT AGENDA

**Motion** (Brooks/McClendon): To adopt the Resolution Consent Agenda as recommended.

**Bushong** displayed the following title:

### **Resolution R2010-67**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing an application for Local Transportation Assistance Fund II (LTAF II) monies for transit services from the Arizona Department of Transportation**

(Funding for support of public transit through the Intergovernmental Public Transit Authority) (Admin)

Roll call vote: **adopted** 6-0.

**IV. ADOPTION OF ORDINANCES CONSENT AGENDA:**

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

**Bushong** displayed the following titles:

**Ordinance O2010-64**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, relating to zoning regulations, providing for changes to the Zoning Code to revise the density of the Residential Districts to conform to the General Plan Land Use Designation and Zoning Conformity Matrix, and providing penalties for violations thereof (Z2009-005R; Zoning Code Text Amendment) (DCD/Planning)**

**Ordinance O2010-65**

**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, purchase or under the power of eminent domain for the reason that such property would be of benefit to the City of Yuma and authorizing payment therefor, together with costs necessary for the acquisition of said parcel of real property (Property acquisition: 1651 S. 1<sup>st</sup> Avenue) (Eng)**

Roll call vote: **adopted** 6-0.

**V. INTRODUCTION OF ORDINANCES**

**Motion** (Johnson/Mayor Krieger): To remove Ordinance O2010-66 for separate consideration. Voice vote: **approved** 6-0.

**Bushong** displayed the following titles:

**Ordinance O2010-68**

**An ordinance of the City Council of the City of Yuma, Arizona, authorizing a grant of easement for a power line to the Yuma County Water Users' Association, authorizing and directing that certain parcels of street rights-of-way be abandoned for public use as street right-of-way, and establishing authority to subsequently place a restrictive covenant on 11.16 acres of city-owned real property for the purpose of creating upland habitat in mitigation of unpermitted activities within the Yuma West Wetlands Park (Right-of-way abandonment: portions of 9<sup>th</sup> Avenue, 11<sup>th</sup> Avenue and 12<sup>th</sup> Avenue) (Admin/YCNHA)**

**Ordinance O2010-69**

**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**

**transfer, for the reason that such property is required to provide additional cemetery property and other public purposes as may be related thereto, and authorizing payment of the costs necessary for the acquisition of said parcel of real property**

(Property acquisition located in the City cemetery from the Benevolent and Protective Order of the Elks for use as burial plots) (Parks and Rec/Admin)

**Ordinance O2010-70**

**An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that a certain easement, hereinafter described, be acquired by the City of Yuma, for the reason that such easement is required to improve the public roadway and utility infrastructure and other public purposes as may be related thereto, and authorizing payment therefor, together with costs necessary for the acquisition thereof**

(Right-of-way acquisition: Avenue 3E) (Eng)

**Ordinance O2010-71**

**An ordinance of the City Council of the City of Yuma, Arizona, annexing to said city a portion of Section 35 all lying within Township 8 South, Range 23 West of the Gila and 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 General Commercial District and Aesthetic Overlay 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 A2010-006: Yuma Pacific Avenue LLC; property located at the southeast corner of Pacific Avenue and 16<sup>th</sup> Street) (DCD/Planning)

**Introduction of Ordinances Removed for Separate Consideration**

**Ordinance O2010-66 Board and Commission Term Alignment** Approve an ordinance amending the Yuma City Code sections 34-02, 34-05, 50-02, 50-21, 70-31, 137-02, 150-016, 150-175, 154-283, 154-538, 170-18, and 193-86 to standardize City of Yuma Board and Commission members' terms to five years, with terms expiring on December 31 of the respective year. (Admin/Clerk)

**Motion** (Johnson/McClendon): To amend Ordinance O2010-66 in the last WHEREAS clause by changing the singular reference from 'City of Yuma Board and Commission' to a plural reference of 'City of Yuma Boards and Commissions'.

Further, to amend Section 5, Subsection B by deleting the phrase "who are appointed at the first regular City Council meeting of January," and adding the following sentence to the end of the paragraph:

"Beginning July 1, 2011, all terms will expire on December 31 of the term expiration year."

**Bushong** displayed the following titles:

**Ordinance O2010-66, as amended**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Yuma City Code Sections 34-02, 34-05, 50-02, 50-21, 70-31, 137-02, 150-016, 150-175, 154-283, 154-538, 170-18, and 193-86 to**

**standardize City of Yuma Board and Commission members' terms to five years, with terms expiring on December 31 of the respective year**  
(Board and Commission Term Alignment) (Admin/Clerk)

Roll call vote: **adopted** 6-0.

**Motion** (Johnson/Brooks): To introduce Ordinance O2010-66, as amended. Roll call vote: **approved** 6-0.

**VI. PUBLIC HEARINGS – none**

**VII. SUMMARY OF PAST YEAR MEETINGS AND EVENTS**

**Johnson** reported that he will be attending a State Transportation Board meeting tomorrow. He wished everyone a Merry Christmas and Happy New Year.

**Mayor Krieger** reviewed his past year activities he participated in serving on the City Council:

- Monthly meetings in the capacity of Mayor are the Greater Yuma Economic Development Corporation Board of Directors, the National Heritage Area Corporation Board of Directors, Yuma Metropolitan Planning Organization Executive Board, Transportation Action Committee, Greater Yuma Port Authority and the Chamber of Commerce Legislative Affairs meetings and regular Board meetings.
- Other City memberships that require travel to attend around the state and other areas in the United States are the Arizona League of Cities and Towns annual meeting, quarterly League of Arizona Cities and Towns Executive Board meetings.
- Two meetings in Phoenix tomorrow of the League of Arizona Cities and Towns, in which a steering committee is being formed to facilitate next years National League of Cities and Towns meetings.
- The State Centennial Committee meets as needed in Phoenix.
- Other events with expected attendance are ribbon cuttings, open houses, special events, reading of proclamations, the Chamber of Commerce's *Good Morning Yuma*, interviews at City 73 and the Thursday KBLU City program in which the councilmembers and staff cycle through.
- Meeting the Governor, Senator John McCain, or Senator Jon Kyle when they come into Yuma along with Senators from Senora, Mexico and Baja California, Mexico
- A ribbon cutting ceremony in Mexico with the President of Mexico at the Mexican side of the new the Port of Entry

**VIII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

**Motion** (Brooks/Mendoza): To re-appoint Lisa Rammelt to the Arts and Culture Commission with an expiration term of December 15, 2013. Voice vote: **approved** 6-0.

**Motion** (Brooks/Mendoza): To re-appoint Isaac Russell to the Arts and Culture Commission with an expiration term of December 15, 2013. Voice vote: **approved** 6-0.

**Motion** (Brooks/Mendoza): To re-appoint Ted Martinez to the Clean and Beautiful Commission with an expiration term of December 15, 2013. Voice vote: **approved** 6-0.

**Motion** (Brooks/Mendoza): To re-appoint Linda Collins to the Clean and Beautiful Commission with an expiration term of December 15, 2013. Voice vote: **approved** 6-0.

**Mendoza** wished everyone a Merry Christmas.

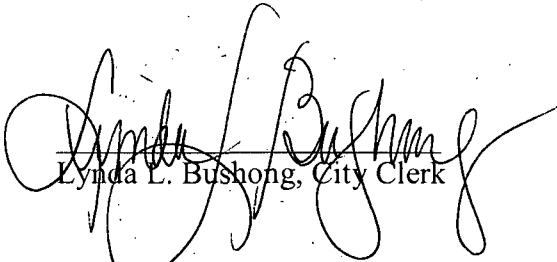
**IX. SUMMARY OF CURRENT EVENTS**

**Wilkinson** announced the following:

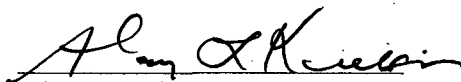
- Councilmember Brooks has a child graduating from ASU.
- There is a CDBG meeting December 16, 2010, at 5:30; the meeting will be located in City Hall Room 190 and is open to the public
- There is a meeting regarding the waterline project in the alley between 8<sup>th</sup> Avenue and 9<sup>th</sup> Avenue, 12<sup>th</sup> Street to 14<sup>th</sup> Street at 5:00 p.m. located at the Public Works building.
- Introduction of three new hires to Strategic Communications: Rebecca Buchanan, Public Outreach; Alexis Duran, TV Production; and, Delbert Vega, Public Service Information.

**X. EXECUTIVE SESSION/ADJOURNMENT**

There being no further business, **Mayor Krieger** adjourned the meeting at 6:09 p.m. No Executive Session was held.

  
Lynda L. Bushong, City Clerk

APPROVED:

  
Alan L. Krieger, Mayor

Approved at the City Council Meeting of:  
February 16, 2011  
City Clerk: 