



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, FEBRUARY 16, 2011
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

**PRESENTATION
MADE**

- Recognition of Citizen Action

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):

- APPROVED** 1. Special Joint City Council/County Board of Supervisors Meeting November 18, 2010
- APPROVED** 2. Regular City Council Meeting December 15, 2010
- APPROVED** 3. Regular City Council Meeting January 5, 2011

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. Special Event Liquor License: Sunrise Rotary Club

Approve a Special Event Liquor License application submitted by Clyde Robert Nidiffer, on behalf of the Sunrise Rotary Club, for the Sunrise Rotary Beer Tasting event. The fundraiser event will be held at the Arizona Historical Society Sanguinetti House Museum located at 240 S. Madison Avenue, on April 15, 2011 from 6:00 p.m. to 10:00 p.m. (SP11-15) (City Administration/City Clerk) (Lynda Bushong)

APPROVED 3. Special Event Liquor License: Yuma Crossing National Heritage Area Corporation

Approve a Special Event Liquor License application submitted by Ali Beichler, on behalf of the Yuma Crossing National Heritage Area Corporation, for the 2nd Annual 3:10 to Yuma event. The fundraiser event will be held at the Yuma Territorial Prison located at 1 Prison Hill Road, on April 2, 2011 from 5:00 p.m. to 11:00 p.m. (SP11-16) (City Administration/City Clerk) (Lynda Bushong)

APPROVED 4. Special Event Liquor License: Caballeros de Yuma, Inc

Approve a Special Event Liquor License application submitted by Barry Olsen, on behalf of Caballeros de Yuma, Inc for the Midnight at the Oasis Festival. The event will be held at the Ray Kroc Complex, located at 3500 S. Avenue A, on March 3, 2011 from 3:00 p.m. to 11:30 p.m., March 4, 2011 from 3:00 p.m. to 11:30 p.m., and March 5, 2011 from 8:00 a.m. to 12:00 a.m. (SP11-17) (City Administration/City Clerk) (Lynda Bushong)

APPROVED 5. Request for Qualifications (RFQ): Landscape Architect - Final Design Smucker Park Development and Improvements

Authorize staff to negotiate and execute a contract for a Landscape Architect - Final Design Smucker Park Development and Improvements with the following firm:

1) Olsson Associates, Tucson, Arizona. (City Engineering Department - Bid # 2010000422) (Paul Brooberg)

APPROVED 6. Bid Award: Quartermaster Depot State Historic Park Roof Replacement

Award to the lowest responsive/responsible bidder for Quartermaster Depot State Historic Park Roof Replacement at a total cost of \$145,080.10 to: John H. Wright & Company, Inc., Casa Grande, Arizona. (City Engineering Department - Bid # 2011000224) (Charles Flynn)

APPROVED 7. Ratification: Intergovernmental Agreement with Yuma County

Authorize an Intergovernmental Agreement (IGA) with Yuma County for a traffic control beacon installation at Avenue D and 32nd Street, at a cost of \$3,671.25. (City Engineering/Administration) (Paul Brooberg)

APPROVED 8. Final Plat: Ponderosa Valley Estates #6 Subdivision

Approve the amended final plat of the Ponderosa Valley Estates #6 Subdivision. The property is located at the southwest corner of 24th Street and 31st Avenue. The applicant is Dahl, Robins and Associates, on behalf of Yuma Land and Cattle Company. (S2010-002-01R). (Community Development/Community Planning) (Laurie Lineberry)

APPROVED 9. Final Plat Time Extension: Triple S Industrial Park Subdivision Phase #2

Approve the time extension of the final plat for the Triple S Industrial Park Subdivision Phase #2. The property is located at the southeast corner of Arizona Avenue and 36th Street. The applicant is Dahl, Robins & Associates, on behalf of YLI, LLC. (S2005-017-01TE2) (Community Development/Community Planning) (Laurie Lineberry)

APPROVED 10. Agreements: Arizona Public Service.

Authorize staff to negotiate and execute the following Agreements with Arizona Public Service (APS) for a 30 kW photovoltaic (PV) system (Project) to be installed on City owned property at the Yuma Civic Center: (1) Funding Agreement - Agreement for APS to fund the Project using Federal Funds, and to provide for the design and installation of the photovoltaic system; and, (2) Interconnection Agreement - Agreement allowing the Project to connect to APS's electrical grid; and, (3) Credit Purchase Agreement - Assigning renewable energy credits to APS for a period of twenty years, and requiring the City of Yuma to operate the PV system for the same period. (Administration/Facilities Maintenance) (Gregory K. Wilkinson)

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 R2011-03 Preannexation Development Agreement: Ironwood Veterinary Clinic

Authorize a Preannexation Development Agreement with Robert & Judy Perry Trust dated 4-1-98 for property at the southwest corner of 26th Street and Avenue B (105-33-092). (Community Development/Community Planning) (Laurie Lineberry)

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.

**RE-
INTRODUCED
AS
AMENDED**

A. Ordinance O2011-03 Animal Control Regulations

Amend the Yuma City Code, Chapter 130, Sections 001-999 pertaining to animal control regulation within city limits. (City Administration) (Gregory K. Wilkinson)

ADOPTED

B. Ordinance O2011-04 Rezoning of Property: Add Public Designation Overlay to City Parks.

Approve the rezoning to add the Public Designation (P) Overlay District to various City-owned and maintained parks subject to the recommended condition. The applicant is the City of Yuma. (Z2008-004) (Community Development/Community Planning) (Laurie Lineberry)

ADOPTED

C. Ordinance O2011-05 Zoning Code Text Amendment: School Signage Requirements

Amend the City of Yuma Zoning Code, Title 15, Chapter 154, Section 17.03.F. to remove the word "public" from the On-Site Signage Criteria for Schools. (Community Development/Community Planning) (Laurie Lineberry)

**RE-
INTRODUCED
AS
AMENDED**

D. Ordinance O2011-06 Zoning Code Text Amendment: Medical Marijuana

Amend the City of Yuma Zoning Code adding Article 22 Non-Profit Medical Marijuana Dispensaries as a result of the approval of State Proposition 203 in the November 2010 General Election. (Community Development/Community Planning) (Laurie Lineberry)

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 O2011-07 Conveyance of Easement: Arizona Public Service Company

Authorize the conveyance of an easement to Arizona Public Service Company for a powerline along 1st Avenue. (City Engineering/ Administration) (Paul Brooberg)

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:

REPORTED

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 3, 2011 through February 16, 2011. 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

REPORTED

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 **7:39 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.