

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
MAY 18, 2011
5:30 p.m.

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

INVOCATION/PLEDGE

Chuck Stewart, Pastor of the Calvary Temple of Yuma, gave the invocation. **Councilmember Stuart** led the City Council in the pledge of allegiance.

ROLL CALL

Councilmembers Present: Stuart, Mendoza, Beeson, McClendon, Brooks, Johnson and Mayor Krieger
Councilmembers Absent: none
Staffmembers Present: City Administrator, Gregory K. Wilkinson
Parks and Recreation Director, Becky Chavez
Finance Director, Pat Wicks
C.I.P Administrator, Ana Lugo
Director of Engineering, Paul E. Brooberg
Senior Planner, Noah Cullis
Various Department Heads or their representative
City Attorney, Steven W. Moore
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 - none

I. CALL TO THE PUBLIC

Bill Butler – Yuma Fine Arts Association, 577 9th Avenue, introduced dancers from Arizona Classical Ballet. The dancers performed before the City Council to show their appreciation of the City's continued support for the arts in Yuma.

Phil Clark, P.O. Box 2824, spoke in regards to the City Clerk's presentation on public records from last night's worksession. He felt the presentation fell short as it focused primarily on frequent requestors. The presentation declared that although ARS § 39-121.01 states records must be provided promptly, frequent requestors delay the prompt release of records that others request. The majority of his requests have taken up to two months to fulfill, which is not prompt. Another area that needs clarification is public records versus public information. After speaking to a City Councilmember regarding public information, he (Clark) filed a Request for Public Records in which the previous City Administrator responded, in a letter, that his request was not for a public record, rather for public information. The maintaining of accurate

knowledge of official activities pertains to both elected and appointed officials. Councilmember Johnson stated that he was required to pay for copies upon a public record request form he submitted; citizens should be charged for their copies but not public officials elected to represent the community. He stated that he would volunteer his time to help review the request for public records process.

II. MOTION CONSENT AGENDA

Johnson asked for clarification in regards to Item B.4: Third Agreement Amendment for Diamond Sports and Entertainment, Inc., dba The Golden Baseball League, and the City of Yuma, for use of the Ray Kroc Baseball Complex. Will the charge for parking be for the Civic Center paved parking lot. **Chavez:** Yes.

Motion (Mendoza/Brooks): To approve the Motion Consent Agenda as recommended, with the exception of Item B.4, which was removed for separate consideration by Councilmember Johnson. Voice vote: **approved 7-0.**

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

Regular Worksession	March 1, 2011
Regular Council Meeting	March 2, 2011
Regular Worksession	March 15, 2011

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 a contract amendment to extend the contract for one (1) year with Heinfeld, Meech & Co., Tucson, Arizona for Professional Auditing Services at an estimated total cost of \$43,825.00. (RFP #2005000541) (Finance)
3. Approve an Intergovernmental Agreement with Yuma County to provide initial appearances at Municipal Court that occur on weekends and holidays. (Muni Court)
4. Removed for separate consideration; see below.
5. Approve an Infrastructure and Services Report for Annexation Area No. A2011-03, identified as the Barco Annexation, located at 2220 S. Pacific Avenue (Avenue 2E). (DCD/Planning)
6. Accept a donation of \$2,000.00 from the Regional Center for Border Health, Inc. for training efforts of the Yuma Fire Department. (Fire/Admin)

Motion Consent Agenda Item Pulled for Separate Consideration

- B.4. Authorize the execution of a third agreement amendment for Diamond Sports and Entertainment, Inc., dba The Golden Baseball League, and the City of Yuma, for use of the Ray Kroc Baseball Complex. (Parks & Rec)

Motion (Mendoza/Mayor Krieger): To approve item B.4: Third Agreement Amendment - Diamond Sports and Entertainment, Inc., dba The Golden Baseball League.

Discussion

McClendon asked what would happen to the payment schedule if the amended agreement were not approved. **Chavez** stated that the agreement would revert back to the original agreement and the league would not be able to charge for parking nor make payments on their per-game fees. **McClendon** asked if the City Council could approve the schedule of payments, but not the charge for parking. **Moore** stated the City Council could amend the motion to delete the reference changes to Section 6, parking.

Johnson objected to charging taxpayers for parking in a parking lot that their tax dollars paid for. He reminded the City Council that when the Padres had Spring Training in Yuma, they allowed civic organizations to charge for parking and also keep the money they raised. It served as a fundraiser for charitable organizations.

Mendoza stated that although it is true that tax payer dollars built the parking lot and the baseball stadium, citizens are still charged to attend a baseball game and sit in the bleachers. The Scorpions should be allowed the option to charge for parking if they so choose. He believes the Caballeros de Yuma operated the parking lot in previous years and donated parking fees to local charities. The General Manager of the Scorpions stated at the May 17, 2011 Regular Worksession that if charging for parking does not work out, they would stop charging the fee. **Mayor Krieger** stated that he believes that the Caballeros de Yuma charge for parking at the Midnight at the Oasis Car Show. There are charges frequently assessed above the tax payers' regular burden on various properties throughout the year. Having the Scorpions in Yuma benefits the community through hotel and restaurant sales and other activities in the community.

Beeson expressed his concern with the parking fee being construed as a hidden fee. If extra revenue is truly needed, the Scorpions should increase their ticket prices. Therefore, he moved to delete section 6 from the agreement. **Johnson** seconded the motion. **Bushong** reminded the City Council that a motion is currently on the table. **Mayor Krieger** stated the motion would then need to be amended.

Amended Motion (Beeson/McClendon): To amend the motion to amend the agreement by deleting Section 6 of part 1 from the agreement.

Stuart expressed concern that the City Council may be edging towards micromanagement of another's business by delegating what they can and cannot charge. The league needs to be given the opportunity to decide whether or not they need to charge for parking. The City Council should be concerned with retaining ball clubs that wish to reside in Yuma. **Mayor Krieger** agreed; if people don't agree with the parking fee, they won't attend the games. The message will be clear to the ball club and they will have the opportunity to cease parking fees. **Stuart** asked the City Clerk to restate the amendment. **Bushong** read the amended motion "To amend the motion to amend the agreement by deleting Section 6 of part 1 from the agreement"

and reminded the City Council that once the vote has been taken on the amendment, there will need to be a following vote to approve the entire agreement with, or without, the amendment.

Beeson stated he has no desire to micromanage the organization; however, it is a public facility and the City Council is responsible for keeping the balance. Although the City has nothing to do with the ball club, the City Council is still contacted when concession prices are too high. **Mayor Krieger** stated that the City Council does not intervene with concession and ticket prices because of an existing agreement. The parking fee is not a hidden fee as it will be obvious when one pulls into the parking lot.

Roll call vote: **failed** 3-4; Stuart, Mendoza, Brooks and Mayor Krieger voting nay.

Roll call vote (original motion): **approved** 6-1; Johnson voting nay.

III. RESOLUTION CONSENT AGENDA

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

Speakers

Ken Rosevear, 180 W. 1st Street, corrected the Mayor, the Caballeros de Yuma do not charge for parking at Midnight at the Oasis Car Show. Rosevear asked why there is an emergency clause in Resolution R2011-10: Pledge of General Government Facilities Development Fees. **Wilkinson** explained that in order to continue collecting impact fees related to General Government, the City has to have the money pledged to a specific project by June 1, 2011. Through the normal process, adopted ordinances and resolutions take 30 days to become effective and in this case it the resolution wouldn't take effect until after the deadline. In order to meet the deadline, the emergency clause was added to Resolution R2011-10 to make it immediately effective after its adoption. The provision that allows cities who had incurred debt and set a side development fees to pay for that debt was agreed to both by the home developers and the League of Arizona Cities and Towns. There are four areas where the development fees went away: general government, sanitation, public works, and arts and culture. The City does not have debt in three of the four areas; therefor, the resolution only addresses general government to pay for an existing structure. The development fees are pledged for as long as there is debt; once the debt has been paid, the fees will cease. **Moore** noted that the dollar amount of the fees is subject to the review by the City and approval of the City Council. The resolution allows the City to continue collecting development fees towards general government to pay down debt. **Rosevear** stated the fees could only be charged until the date specified in the new law, then the general government fees will go away. **Wilkinson**: The date the fees go away is the date the debt is paid.

Rosevear: What is dollar amount of the bonds? **Wicks**: approximately \$29 million. **Rosevear**: Was the original intent of these projects to be funded by impact fees? **Wilkinson**: yes. **Rosevear** stated that couldn't be the case as some projects were started before the impact fees were in place. Is City Hall a project under the category of General Government Development fees? **Moore**: Yes. **Rosevear** asked how; impact fees weren't in place when City Hall was built. **Mayor Krieger** clarified that the impact fees are charged to the debt that the building incurred.

Rosevear stated that the intent of the change in the law is to prevent cities and towns from not having specific projects tied to an impact fee. It is disingenuous to keep charging impact fees for projects that are not tied to an impact; the building of City Hall does not impact anybody's project. When a project is built, the developer pays for the installation of streets, sidewalks, streetlights, sewer lids, fire hydrants, and right turn lanes, which are turned over to the City. **Mayor Krieger** noted that the stipulation was agreed to by the homebuilders and all parties concerned. The financing of City Hall was based on the revenue stream from impact fees. **Rosevear** noted that the City Council has approved the building of a police station, Public Works building, City Hall, and the Art Center all before impact fees existed and now developers are paying for these buildings even though they have no impact on their projects. In the new impact fee law, cities will be required to tie the fee to a project.

Johnson pointed out that in the proposed Capital Improvement Program (CIP), it calls for finishing the third floor of City Hall at the cost of \$2,340,000, of which \$1 million is from Bond – Transportation and \$1,340,000 is from Bond – General carryover.

Mayor Krieger stated that at the last minute, the ability of cities to honor their debt was negotiated and agreed upon by all parties. The fees are not hidden or these changes wouldn't be proposed today. **Rosevear** asked if he were to start a project today, would he pay the impact fees in place now or the fees solely related to the project. **Wilkinson** stated that until the new fee structure is implemented, a developer would still pay what is currently in place. **Rosevear** suggested, from a business standpoint, that one would wait to start a project until after the new fee structure is set to avoid extra fees.

Wilkinson stated that with the revisions brought on by SB1525, it will take a while to revamp the fee structure because of the restrictions and timelines put in place. Although staff was trying to get something in place faster, that may not happen. **Rosevear** pointed out that he had asked for the impact fees to be reviewed two and a half years ago, before the fees would become an issue; however, the only resolution the City reached was to roll the fees from the start of a project the completion of a project. The impact fee matrix is unlike any other community in the state especially for commercial developers, which is one of the highest fees in the state and it hurts economic development

Mayor Krieger reiterated that impact fees would continue to be charged from the current fee structure until the new fee structure is implemented. **Rosevear** stated that the freeze of impact fees in the state law does not restrict fees from being lowered; it restricts new fees and the raising of fees. **Rosevear** stated that although the developers agreed to sign an agreement, it didn't happen because the agreement was never created and brought forward. **Mayor Krieger** stated that the opportunity was there but the developers didn't take it.

Rob Ingold, 1650 El Paseo Real, 202 S. 1st Avenue, stated that impact fees are an issue in the community and since the beginning he has stated that the impact fees need to be structured correctly. During the process of getting impact fees into place the commercial side was left on the back burner while the residential portion had all the focus, which resulted in excessive commercial fees. Recently he converted an industrial building from 10% office space to 50% office space, through a Conditional Use Permit. When the building was built initially, the impact fees were \$47,000; however, the conversion required an additional \$53,000 in fees. The building will be leased to Immigration and Customs Enforcement who will be moving from an old building with old streets to a new building with new streets: what is the impact of their move on the City? There isn't one. Impact fees are necessary for projects that have an on the community but, again, they need to be reasonable. Currently he has two buildings that are vacant today. Potential tenants

immediately walk away when they learn the cost of moving into the buildings. It is no longer affordable to build in the City with the current fee schedule and knowing the building may sit vacant. He owns the land, the infrastructure has been paid for so he can afford to let his buildings remain vacant, but the City can't continue to move backwards or continue to pay for debts through impact fees because the laws are changing. Development has nearly halted; subsequently, the City hasn't been collecting fees as normal. Regarding the completion of the third floor of City Hall, he noted that key talks in the nation today are about downsizing government, not growing it. Are all the current employees necessary? Can the City afford the project? He urged the City Council to reasonably review impact fees and begin attracting development back to Yuma. Developers build approximately \$3 million worth of infrastructure during their process and that money is not credited to them against impact fees. How did the City pay for projects before impact fees were implemented? He asked the City Council to consider what the City's revenue sources are and how the money is expended. Yuma is in a great location, but opportunities will pass it by.

Johnson stated the reason the expansion of City Hall was mentioned was to make a point that the City Council is told there is no money for roads yet the expansion of City Hall is being paid through transportation bond money. There are 154 less employees today than there were three years ago, the roads are falling apart and the millions of dollars worth of design for roadways is being thrown away. Why is City Hall being expanded and why is \$800,000 of transportation bond money being used to landscape the 16th Street overpass? **Mayor Krieger** cautioned Johnson that the discussion might be leading towards CIP discussions and straying from the current agenda item of impact fees. **Johnson** stated his comments were relevant to Ingold's comments. The City of Yuma has downsized government by 154 employees, but through the CIP are requesting to spend \$1 million worth of transportation funds to expand City Hall while the streets are falling apart. **Ingold** asked what good will it be to expand 3E to four lanes when the money for the bridge has depleted. **Wilkinson** stated the bridge would be done in the next year. **Ingold** asked why the bridge wasn't completed when the rest of the street was. **Wilkinson** stated the timelines with receiving grant money didn't line up; therefore, the City did not have the funding for the bridge.

Mayor Krieger stated that the City is currently evaluating the impact fee structure. **Ingold** suggested paying for only what the City needs, the City needs to pay for City Hall. The City has lost a tremendous amount of Highway Users' Revenue Fund money because the State swept it; therefore the revenue stream that was once there is now gone. Impact fees are not the reason tenants are shying away from renting vacant buildings in Yuma. **Ingold** stated potential tenants made remarks about not having the ability to pay for sewer and water fees. A lot of projects were done over budget and the City and the developers are paying the price today. At the same time the impact fees were being developed, a new mall was being built and most areas along Pacific Avenue are not up to par. The City needs to slow down and come to a negotiable agreement on the impact fee structure. **Mayor Krieger** reminded Ingold that the State has taken the oversight of development fees from the City and is mandating what can and cannot be done. **Ingold** stated the State had to step in because of the problems cities have had in the past. There is no reason why the developers can't get with City staff to make impact fees work for the community.

Wilkinson stated the process will be difficult, but the City must move forward. Ingold has some valid points and he hopes some points will be implemented in the process. SB 1525 has thrown a wrench in mix in regards to what he wanted done, but he is confident that in working together staff can bring something to the table regarding lowering the fee structure for the development fees. Retail and industrial development are two areas that will need to be focused on, as they are the two areas that create jobs.

Bushong displayed the following titles:

Resolution R2011-08

A resolution of the City Council of the City of Yuma, Arizona, authorizing the execution of an agreement with the State of Arizona for a Transportation Enhancement grant for the construction of the East Wetlands Shared-Use Pathway
(East Wetlands Shared-Use Pathway) (Eng)

Resolution R2011-09

A resolution of the City Council of the City of Yuma, Arizona, supporting the goals of the Arizona Solar Challenge
(Challenge: Get 5% of owner occupied homes to utilize solar energy by 2015) (Admin)

Resolution R2011-10

A resolution of the City Council of the City of Yuma, Arizona, pledging General Government Facilities Development Fee revenues to debt service repayment related to construction of the City Hall Municipal Complex, and authorizing the taking of all other actions necessary for the consummation of the transactions contemplated by this resolution and declaring this legislative act to be an emergency with the reasons therefore
(Finance)

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 O2011-17

An ordinance of the City Council of the City of Yuma, Arizona, amending Ordinance O2010-58, for the purpose of revising a certain legal description contained therein and authorizing and directing that a certain parcel of real property, hereinafter described, be acquired by the City of Yuma, by gift, easement, purchase or under the power of eminent domain, for the reason that such property 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 of said parcel of real property
(Property Acquisition Modification: traffic signal located at 8th Street and 14th Avenue) (Eng)

Ordinance O2011-18

An ordinance of the City Council of the City of Yuma, Arizona, fixing compensation and benefits for the office of Municipal Judge from and after January 1, 2012
(HR)

Ordinance O2011-19

An ordinance of the City Council of the City of Yuma, Arizona, authorizing a second amendment to the *Yuma Riverfront Development First Phase Land and Improvements Lease* between the City of Yuma and Clark-Lankford, L.L.C for certain parcels of real property, hereinafter described
(Admin/YCNHA)

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

V. INTRODUCTION OF ORDINANCES

Bushong displayed the following title:

Ordinance O2011-20

An ordinance of the City Council of the City of Yuma, Arizona, annexing to said city a portion of Section 34 of 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 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 No. A2011-03, Barco; 2220 S. Pacific Avenue[Avenue 2E]) (DCD/Planning)

VI. PUBLIC HEARINGS

- A. Draft Fiscal Years 2012-2021 Capital Improvement Program Budget – Public Hearing on the Draft Fiscal Years 2012-2021 Capital Improvement Program budget, pursuant to the Yuma City Charter, Article XIII, Section 11. (Admin)**

Mayor Krieger opened the public hearing at 6:43 p.m.

Lugo stated the CIP is a planning tool to help forecast and match estimated revenues and major capital needs over a ten-year period, and beyond. She presented the following information:

Capital Improvement Program

- Changes
 - Project Number – no project numbers
 - Page Numbers – there are now page numbers and an index in front
 - Draft Organization – landscape oriented
 - Proposed Funding
 - Carry-Over Funding
- Project Organization (year/department/priority)
 - FY2012 - front
 - FY2013-2016 - middle
 - FY2017-2021 - back
- Updates
 - Comments
 - Suggestions
 - Project progress

FY2012 Capital Improvement Program

- Departments
 - General Government
 - Information Technology
 - Parks and Recreation

- Stormwater Control
- Transportation
- Wastewater Utility
- Water Utility
- Yuma Crossing National Heritage Area
- Yuma Public Safety
- Yuma Fire Department
- Yuma Police Department
 - 94 Total Project and 1 Budget Authority Project

Program Development

1. November – December
 - a. Capital Project status review
 - b. Manage, project and initiate project
 - c. Submit Capital Projects.
2. January – February
 - a. Project Final analysis
 - b. Project impact analysis
3. March – April
 - a. Funding source projections
 - b. Fund allocations
 - c. Capital plan review
4. May – June
 - a. Planning & Zoning Commission Public Hearings
 - b. City Council Public Hearing
 - c. C.I.P adoption.

Capital Budget

2007-2017	\$285,708,795
2006-2007	\$301,754,156
2005-2006	\$183,434,918
2004-2005	\$189,386,825
2003-2004	\$142,091,459
2002-2003	\$92,512,103
2001-2002	\$83,674,654
2000-2001	\$36,718,682
1999-2000	\$40,535,766

CIP Comparison

1999-2004	\$115,029,115
2000-2005	\$119,625,737
2001-2006	\$238,749,634
2002-2007	\$238,771,087
2003-2008	\$280,000,000
2004-2009	\$318,631,310
2005-2010	\$457,920,577
2006-2011	\$1,094,570,328
2006-2016	\$1.4 Billion
2008-2017	\$1,030,000

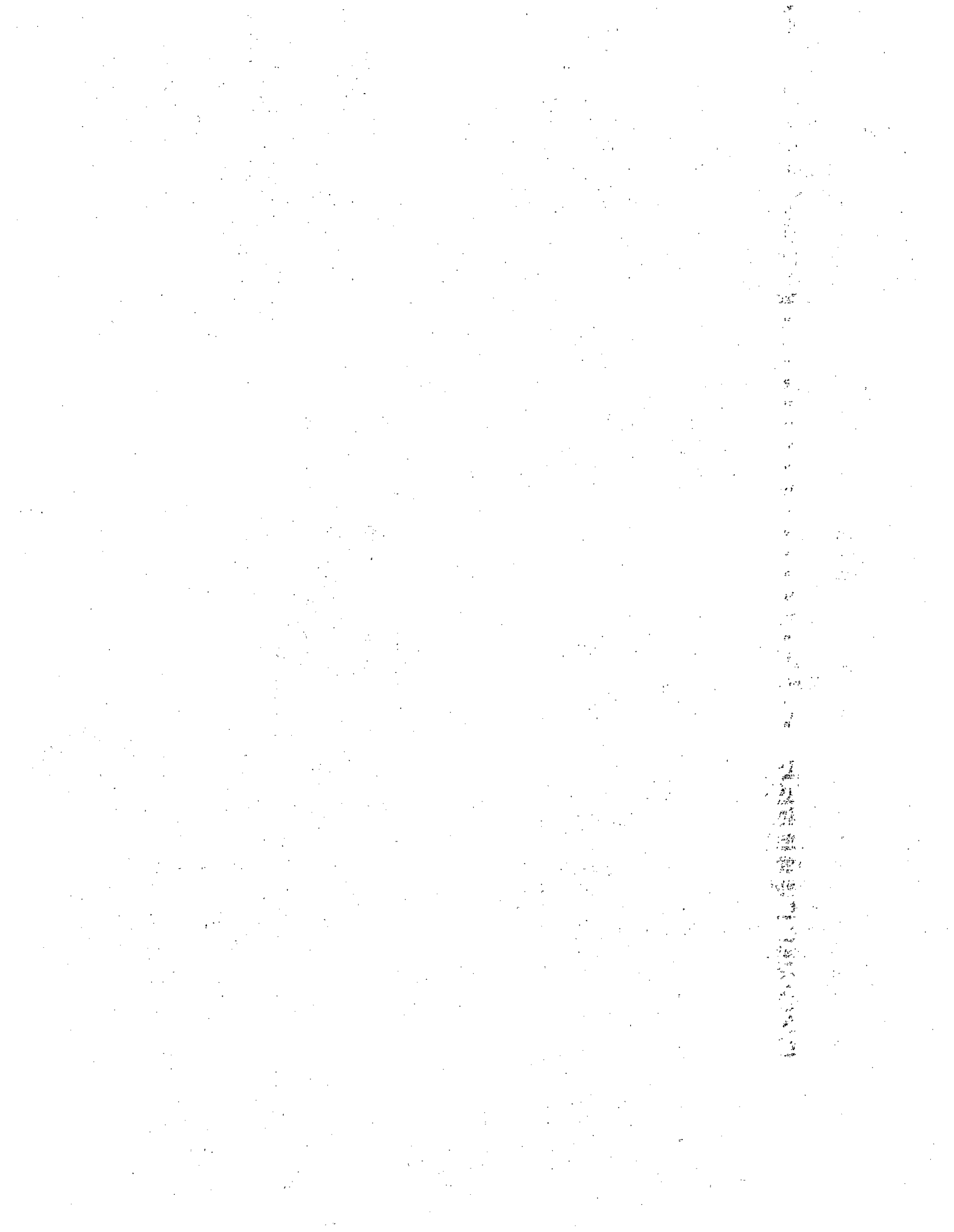
Funding

- 2% Tax
 - Parks & Recreation
 - Yuma Crossing National Heritage Area
- Community Development Block Grant
- Bond
 - General Government
 - Public Safety

- Water
- Wastewater
- City Road Tax – Road projects
- Development Fee
 - Parks & Recreation
 - Arts & Culture
 - Solid Waste
 - Fire
 - Police
 - General Government
 - Public Works
 - Transportation
- Developer Deposits – project specific
- Grant
- Other
 - Yuma County Flood Control District
 - Arizona Department of Transportation
 - State
 - Yuma County
- Sewer Utility Fund
- Sewer Capacity Fund
- Water Utility Fund

Funding Sources and Capital Budget

- Fiscal Year 2012 (Capital Budget)
 - \$89,309,313
 - Proposed Funding
 - \$39,046,037
 - Grant Funding
 - Other Funding (Joint Agency Participation)
- Fiscal Year 2012 CIP Projects
 - General Government(incl. budget authority project) \$4m
 - City Hall Modifications
 - Information Technology \$9m
 - Financial Administration Software
 - 800 MHZ New Radio Site
 - Parks and Recreation \$4m
 - Yuma Valley Area Park
 - Yuma East Regional Park
 - Deyo Complex Restrooms
 - Stormwater Control \$10m
 - 28th Street Storm Drainage
 - Transportation \$29m
 - 4th Ave. – Catalina Dr. to 1st St. paving
 - Avenue 3E – Gila Ridge Rd. to 32nd St.
 - 32nd Street – Avenue A to Avenue B repaving and minor improvements
 - Avenue A – 8th Street to 16th Street paving



- 16th Street – Arizona Ave. to Pacific Ave. landscaping
- Wastewater Utility \$7m
 - Figueroa Water Pollution Control Facility
 - Digester Improvements
 - Co-Generation Project
 - Power Improvements
 - Corrosion Control Improvements
 - Manhole Rehabilitation Project
- Water Utility \$11m
 - 4th Avenue Waterline Crossings – nine crossings; joint project with Transportation repaving project
 - 8th Avenue Waterline – 24th to 32nd Streets
 - Urban Lake
 - 22nd Street – Avenue A to 4th Avenue Waterline
 - Avenue C Waterline – 16th to 18th Street
 - Avenue 3E 12” Waterline – 12th to 15th Street
 - Agua Viva Solar Project
- Yuma Crossing National Heritage Area \$6m
 - Yuma Territorial Prison – Sally Port
 - 4th Avenue Gateway
 - Giss Parkway Downtown Entrance
 - Pivot Point Retail Village – Canal Walk
- Yuma Public Safety - no joint Police and Fire projects
- Yuma Fire Department \$6m
 - Fire Station No. 1 Replacement
 - Fire Department Training Facility
- Yuma Police Department \$2m
 - Police Storage Facility
 - Police Substation

Fund Type (year one)

Bond (Carry-Over)	\$29,014,500
City Road Tax	2,288,467
Community Development Block Grants	30,000
Developer Deposits	91,294
Development Fee	5,490,000
Grant	23,422,000
Other	18,836,067
Pro Rata Funds (Carry-Over)	2,810,245
Sewer Capacity Funds	2,700,000
Sewer Utility Fund	1,153,100
Two Percent Tax	2,153,000
Water Utility Fund	1,320,640
Total	\$89,309,313

CIP Project Prioritization

- Capital assets that require repair, maintenance, or replacement that, if not addressed, will result in higher costs in future years
- Infrastructure improvements needed to support new development or redevelopment
- Projects with revenue-generating potential
- Changes in policy or community needs

Discussion

Johnson reiterated the City Council does not participate in the development of the CIP nor the budget; it is up to City staff per the Yuma City Charter. With the City being less 154 employees, why is it necessary to expand City Hall? **Wilkinson** stated the intent is to consolidate facilities as there are departments working out of the old Arizona Public Service (APS) facilities that are failing and require a number of improvements – such as the leaks in the roof and a deteriorating air conditioning unit. The plan is to move the employees out of those buildings and demolish them at some point in the future. In doing so, the City will save money operation, maintenance, air conditioning costs, and electric costs as those buildings are not energy efficient. The employees located in those buildings would move over to the Public Works building and Public Works Engineering would move into the third floor of City Hall.

Johnson stated that although the transition may save money on utilities it is important to remember the money spent to build the Public Works building. The City is proposing moving Engineering out of a new building, and relocating them in the new section of City Hall, which will be built using Transportation Bond money that could better be used to fix streets. City staff claims there isn't money for roadway projects but transportation money will be used to expand City Hall, which seems logically inconsistent. **Wilkinson:** stated that the Engineering department is currently split, part of the department is currently in City Hall while the other part is in the Public Works building. The project would consolidate Engineering into one building, which will increase communications and management of the CIP and interface Community Development with City Engineering. **Johnson:** Better interface and communications between departments may be necessary, but should not require street money to be used to expand City Hall. **Lugo** pointed out the changes to the funding would come from General Government money.

Johnson stated that on another project for the widening of 24th Street, there won't be money available until 2022; however, the CIP shows \$800,000 is available to landscape the 16th Street interchange with \$800,000 coming from Bond Transportation carryover this year and \$550,000 from the City Road Tax in 2016, is that still true? **Lugo** stated the changes reflect \$800,000 in transportation bond money to be used for the project. **Johnson** noted there are state and federal programs available, such as Transportation Enhancement Grants, for these types of projects. With that, why is \$800,000 of transportation money being used for landscape as opposed to fixing roads? **Mayor Krieger** reminded Johnson that the community has been vocal in their desire to see 16th Street interchange landscaped. **Brooberg** explained that the City Council did ask the ADOT district Engineer whether landscaping was going to be included in the 16th Street bridge project. ADOT advised the City Council that landscaping was precluded in the stimulus money; therefore, it would be up to the City to landscape the interchange. The City hopes to partner with ADOT and work with them to obtain grants or share the project costs. City staff already has a good portion of the design for the interchange landscaping completed. It is the intent of staff to apply for up to \$1 million On System Enhancement Grant; however, if the City doesn't get a grant the last resort would be to use the Road Tax monies.

Johnson stated that after several millions of dollars were spent on the 32nd Street design, right-of-way purchase, and building the bridge. However, the design has been discarded and the plan now is just to replace the pavement. What is the plan to control dust blowing in the area? Will it be landscaped?

Broberg stated that there are no plans for landscaping at the time, however a dust suppressant will be used in that area to control blowing dust. **Johnson** stated the City is going to repave the street without replacing the base material keeping in mind the water table in that area is approximately four to six feet deep. **Broberg** corrected Johnson: the water table is eleven feet. A full reconstruction is planned at the intersection of Avenue B and 32nd Street; there will be six inches of asphalt over 14 inches of Aggregate Base Coarse (ABC) material. **Johnson** asked if the remaining roadway, besides the intersection, would also have the base material replaced. The design calls for 14 inches of base material and five inches of asphalt. **Broberg**: The intent is to reconstruct the pavement with full depth asphalt. **Mendoza** stated the discussions are getting off tract and asked if the conversation could be redirected to the item on the agenda. **Johnson** stated that the project is a multi-million dollar project that deserves the attention of the public, not speaking about it would be a disservice to the voters.

Mayor Krieger closed the Public Hearing at 7:14 p.m.

B. Annexation Area No. A2011-002: Premier Storage – This is a public hearing to consider an annexation of a property generally located at 3265 S. Avenue 3 ¾ E. (A2011-002) (DCD/ Planning)

Mayor Krieger opened the public hearing at 7:14 p.m.

Cullis presented the following information:

Annexation: Premiere Storage

- Generally located at the southwest corner of Avenue 4E and 32nd Street
- Approximately 27.7 acres
- Surrounding land uses:
 - North – Agriculture
 - South – Agriculture
 - East – Commercial
 - West – Agriculture
- Staff has not received public comment for or against the annexation.

Discussion

Mayor Krieger mentioned he noticed the posted annexation signs in that area. Does the irrigation district have issues with the annexation? **Cullis**: No, the irrigation district does not have any issues. Staff has done its due diligence and no comments have been received.

Mayor Krieger closed the Public Hearing at 7:16 p.m.

VII. ANNOUNCEMENTS AND SCHEDULING

Mayor Krieger reminded the community the funeral for the fallen Border Patrol Agents will be on Friday, traffic interruptions are expected.

Stuart outlined the events he attended, and will attend, in May:

- May 1 - the funeral for the late formal council woman Harriet Pinsker
- May 4 - dedication of the Quechan Park
- May 9 - Chamber of Commerce Legislative Affairs Committee meeting
- May 12 Future Farmers of America Installation of Officers and Awards Banquet
- May 13 – City of Yuma Parks and Recreation’s Art Walk
- May 15 - Peace Officers Memorial service at the Quartermaster Depot
- May 16 - was City of Yuma Pre-development meeting – he stated he was impressed by the preparation of staff
- May 17 - Chamber of Commerce’s Board of Directors meeting
- May 20 – Funeral for the fallen Border Patrol Agents

Johnson stated that he also attended the grand opening of the Quechan Indian Tribe’s Sunrise Park; and, he will be attending the Rural Transportation Advocate Council meeting in Phoenix and the State Transportation Board Meeting in Flagstaff.

Stuart stated that the City Council addressed the issue of advertisement flyers propagating in people’s yards a few years back. Does the City still offer the help for those citizens who do not wish to receive such items? Does the City have an anti-littering ordinance? **Moore** explained that there is an anti-littering ordinance however it may or may not apply to flyers due to first amendment rights (Freedom of Speech). A few years back, the City was dealing primarily with the Yuma Sun as they were the prominent distributor of flyers. If a resident did not want to have the flyers delivered to their property, they would notify the Yuma Sun and the City Attorney’s office. The City Attorney’s office stayed on top of problems that arose. There were other distributors of flyers but at that time the Yuma Sun was the predominate distributor. **Mayor Krieger** suggested the item be placed on a future agenda for further discussion.

VIII. SUMMARY OF CURRENT EVENTS

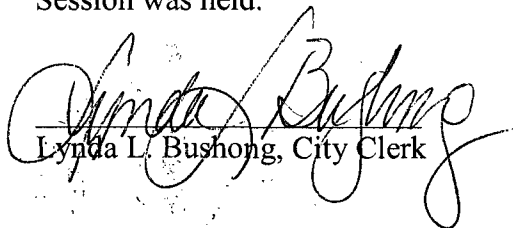
Wilkinson reported the following:

- The funeral procession for the two fallen Border Patrol Agents will commence at the Yuma Civic Center, travel down Avenue A, up 16th Street to 1st Avenue. He asked that the citizens avoid those areas.
- The City of Yuma Fire Department was recognized by the Yuma Union High School District as “Co-Op Employer of the Year”
- City of Yuma Fire fighter, Tony Deanda, was recognized by Yuma Regional Medical Center with the Star Award for immediate assistance on January 25, 2011, with a three car accident in front of Yuma Regional Medical Center.

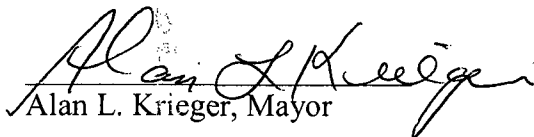
Mendoza announced that May 15-21 is National Emergency Medical Services week and May 15-23 is National Public Works week and thanked all the employees for their hard work.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Krieger** adjourned the meeting at 7:27 p.m. No Executive Session was held.


Lynda L. Bushong, City Clerk

APPROVED:


Alan L. Krieger, Mayor

Approved at the City Council Meeting of:
August 3, 2011
City Clerk: 