

MINUTES
REGULAR WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
September 20, 2011
5:00 p.m.

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

Councilmembers Present: Stuart, Mendoza, McClendon, Brooks, Johnson (via telephone) and Mayor Krieger
Councilmembers Absent: Beeson
Staffmembers Present: City Administrator, Greg Wilkinson
Director of City Engineering, Paul Brooberg
Police Chief, Jerry Geier
Assistant City Engineer, Andrew McGarvie
Fire Chief, Jack McArthur
Various department heads or their representatives
City Clerk, Lynda Bushong

I. REGULAR CITY COUNCIL MEETING AGENDA OF SEPTEMBER 21, 2011

Mayor Krieger asked if Council had any questions on the September 21, 2011 agenda.

McClendon requested additional information and a tentative start date on the project related to R2011-27, an Intergovernmental Agreement with the State of Arizona. **Brooberg**: Currently we do not have a firm date for going to bid on this project. There are two reasons: the first is that the Federal Highway Administration has not locked in the funding for this project, but that is supposed to occur before the end of this month; the second reason is we need to have an agreement with Union Pacific Railroad regarding access to their rights-of-way, and that agreement is currently being reviewed in the Railroad's legal department and not anticipated for a couple of months. **McClendon** clarified, this agreement is for the State to allocate the funding to us so we are ready to move forward when Union Pacific Railroad agreement is finalized? **Brooberg**: That is part of the agreement, but first, it commits the City and State to the funding of the project. The State grant is for \$7 million and the City will make up the difference. So, if the bid comes in at \$8.3 million, which is the current estimate, the City is responsible for \$1.3 million of that cost. Second, the State will take care of the bidding, with the concurrence of the City, as well as handle the construction administration and the inspections on behalf of the City.

McClendon then requested clarification on Ordinance Introduction O2011-34 the City Code amendment regarding animal control; specifically on what the Yuma Police Department is going to be doing and how they are handling animal control. There are concerns from citizens that the police officers are going to be so busy with animal control that they will not be protecting our community. **Geier**: We are establishing an Animal Control Division which will be staffed by an Animal Control Supervisor, two Animal Control Officers and an Administrative Assistant. The Animal Control Officers will be tasked with handling the general animal complaints. Police Officers will respond if it

is a serious situation, such as a nuisance animal or a dog bite. **McClendon**: Is this additional personnel? **Geier**: Yes, we are currently in the process of hiring.

Brooks requested information specific to item B.8 - Bid Award: Landscaping and Beautification (16th Street from Arizona Avenue to Yuma Palms Parkway), regarding the procedure on how bids are sent out? I am concerned since we sent out 11 bids and only 1 came back. **Broberg**: It is a two-fold procedure. Purchasing sends out a notification to various vendors/contractors/parties who have indicated they are interested in this type of work; based on the responses received by Purchasing, bid packages are sent out which includes the plan specifications and the bidding sheets. **Brooks**: How are the vendor/contractor names obtained? **Broberg**: Many of them contact the City or just walk in and register. Once the vendor/contractor names are in the City's depository, they are notified when a bid comes out with their specified interest. If they are interested they can request the bid package.

II. MARINE AVIATION WEAPONS AND TACTICS SQUADRON ONE (MAWTS-1)

Col. Kuckuk, the new Commander of Marine Corps Air Station (MCAS) – Yuma, stated that this was his first Weapons and Tactics Instructor Course (WTI) as the Commander and he wanted to assure Council that the safety of the town and how the training integrates with our town is very important to him. As the station Commander, his phone is available day or night to answer any questions or issues about what is going on at the base. Col. Kuckuk then introduced the Commanding Officer of Marine Aviation Weapons and Tactics Squadron 1 (MAWTS-1) Col. Carson Heckl.

Col. Heckl stated that this was his third WTI as Commanding Officer of MAWTS-1 and thanked the City of Yuma for their support. The Non-Combatant Evacuation Operation (NEO) is a very real mission. With all the turmoil we are experiencing in various parts of the world the training opportunity is priceless. Col. Heckl then turned it over to the Mission Coordinator, Major Smith.

Major Josh Smith presented the following specifics:

- The mission:
 - A dual site NEO in two states:
 - Yuma, Arizona and Twentynine Palms, CA.
- Date: Friday, October 21, 2011.
- The purpose:
 - To give WTI students a realistic training opportunity that is consistent with a mission that they may be called upon to execute.
- The largest NEO exercise in the United States Marine Corps (USMC)
 - Over the last 61 years the Marine Corps has been called upon 16 times to execute this mission since the Korean war.
- Air
 - 28 aircraft involved (13 in Yuma)
 - Operating in flights of 1-2 aircraft at a time
 - 5.5 hour flight window (4:00 p.m. to 9:30 p.m.)
 - Yuma sites:
 - Kiwanis Park – main evacuation site and Trinity Christian Center

- Ground
 - Helicopter-borne Security Force
 - Evacuation Control Center (ECC) with one or two Consular Affairs Officers from the Department of State.
 - Quick Reaction Force (QRF) Convoy
- 3-phase Mission
 - Phase 1 – Insert security forces and evacuation control center in Kiwanis
 - Phase 2 – Conduct the evacuation
 - Phase 3 – Collapse site and extract the forces back to the air station
- Safety and coordination
 - No ordnance will be carried on any aircraft or individual
 - Role players will be identified by reflective belts
 - No public or recreational events scheduled for this time period at Kiwanis Park or Trinity Christian Center
 - Military Crash Fire Rescue, Yuma Police, Military Police and Site commander on site throughout exercise
 - Strict adherence by aircraft to all Federal Aviation Administration (FAA) regulations and de-conflicted with Air Traffic Control activities
 - A public notice announcing the training will be run in the *Yuma Sun*
 - A press conference announcing the training will be held October 18th

Maj. Smith displayed the route the QRF will use to go from MCAS-Yuma to Trinity Christian Center and then to the Kiwanis Park and back to MCAS-Yuma. Safety is always a primary consideration. He displayed the contact information for the Noise Complaint Hotline, the MAWTS-1 Supervisor of Flight and the MCAS-Yuma Public Affairs Officer and Officer of the Day.

III. CITYWIDE DEVELOPMENT FEES AFTER SENATE BILL 1525 AND OTHER RELATED ISSUES:

McGarvie presented the following on Citywide Development Fees:

Why update the City Development Fees?

- Fees were last updated in 2007
- The Capital Improvement Program (CIP) for FY2012-2021 was reduced
- Arizona Senate Bill 1525 eliminated some citywide development fee categories

Arizona Senate Bill 1525 requires the following three documents to be prepared:

- Land Use Assumptions
- Infrastructure Improvements Plan
- Citywide Development Fees

Land Use Assumptions

The Land Use Assumptions try to predict the amount of growth that is going to happen in the community. The City map was looked at to determine where development fees should be applied. It was decided up front to eliminate the Estancia because there are Development Agreements in place where they will apply their own infrastructure for fire, police and water and sewer.

Other Land Use Assumptions:

- Residential growth is 1.2% and is based on the historical average of our growth over the past 10 years in the City of Yuma.
- Commercial growth is 2.1% and is based on 10 year historical averages from census data.
- Current population and work force

Projections are then made for the next 10 years utilizing the key growth assumptions, including:

- Estimates of new residential development
- Estimates of new jobs for non-residential development
- Estimates of vehicle trips for residential and non-residential development.

Infrastructure Improvement Plan (IIP)

The Infrastructure Improvement Plan is essentially going through our CIP and looking at what part of it is attributable to development fees or what part of the CIP is necessary due to growth in the infrastructure.

Pursuant to SB 1525, Infrastructure Improvements are only applicable to the following:

- Parks and Recreational Facilities
- Fire Facilities
- Police Facilities
- General Government Facilities
- Streets Facilities

The following Infrastructure Improvements were previously included but have since been dropped:

- Public Works Facilities which would have paid for graders and dump trucks.
- Sanitation Facilities which would have paid for new sanitation trucks to serve the new growth areas.
- Arts & Culture

IIP Key Assumptions:

- Used the FY2012-2021 CIP for the basis of the Infrastructure Improvements
- Adjusted the estimated cost for each project based on what would be attributable to new growth for both residential and non-residential
- Removed the Potential Infrastructure Projects (PIP) from the 2012 CIP except for the New Fleet Services Maintenance Shop.

Results:

- Calculated the current level of service of each applicable category based on a common parameter such as park acres & length of walking paths for Park Facilities. Square feet of Police and Fire Facilities per City resident and peak population that City Hall serves for Government Facilities.
- Review the FY 2012-2021 CIP for each facility in the approved categories from Senate Bill 1525 and includes only the portions of facilities attributable to new development in the IIP.
- Justifies each category as required by Senate Bill 1525. (There is a 7 step justification for each facility.)

Further modifications include:

- Removed Fire Station #9 from the IIP. The anticipated rate of growth for the City may not justify Fire Station #9 being built in the 2012-2021 CIP.
- Removed Avenue 3 ½ E and 24th Street connection from the IIP. The money will have to come from grants only for this portion.

- Reduced the value of the 800 MHZ radio system. The numbers were reduced based on money spent and future money to be put into it.
- Revised the City Hall utilization based on employee count.
- Revised the ratio of residential versus non-residential Fire Department calls based on better data.

Schedule

Land Use Assumptions and the Infrastructure Improvements Plan:

- 11/2/11 Public Hearing.
- 12/7/11 Adoption.

Development Fees:

- 1/18/12 Public Hearing
- 3/7/12 Adoption
- 5/21/12 Citywide development fees effective

McGarvie concluded his presentation by stating Senate Bill 1525 has strict time schedules that have to be followed, which is the reason there is such a time difference between all the meetings.

Wilkinson stated that Senate Bill 1525 is a new bill and City Staff is working through it with a group of individuals from the development community and the Chamber of Commerce. Due to significant changes in the economy, major changes have been made in the CIP including pulling out a number of projects that were not realistic for the City of Yuma to do in the next 10 years. City Staff is close to coming up with final numbers that will be presented to City Council.

Mayor Krieger expressed his concern about charging impact fees on a structure that is replacing a pre-existing building. Although the footprint of the structure increases, the number of employees doesn't always change and the consumption doesn't change; the only change may be in the water usage. **McGarvie:** Our procedure includes reviewing the 'uses' of the new plans and the old building and then crediting back the previous 'uses' towards the new building. Essentially, if the credit for 'uses' exceed the increase of square footage, the fees would be waived. **Wilkinson:** The City recently worked with a couple individual cases where builders said they were paying a large amount of impact fees; once the City reviewed the case it was found that they didn't pay impact fees and a credit was applied for future use. Also, if we standardize the impact fees, a one-size-fits-all theory, in some cases it is no longer affordable to build. **Mayor Krieger:** Can we create categories, say from 0-9,000/square feet; 9,000-25,000/square feet etc. to give contractors the chance to build one-square foot underneath the minimum? **Wilkinson** stated that although City Council is free to change the figures, he believes the current schedule is in 10,000 foot increment, which would allow for contractors to build up to the next increment.

Mayor Krieger we also need to consider the effect the CIP could have on impact fees. We have an opportunity to review our capital improvement programs and identify the absolute critical projects. We can no longer look out to 10-year projects and assume we will have the revenue for those projects. **Wilkinson:** Staff has also reviewed and reduced the CIP by eliminating several projects, such as one of three of the planned fire stations, we are down to one park and some roadway projects have been cut. **Mayor Krieger** suggested that if we can go back in a couple of years and re-visit this issue, then why couldn't we just plan for one fire station. The fact is that demands for services are going to increase all over, particularly on municipalities; however, the revenue to provide those services are

going to decrease. **Wilkinson** responded that we would not have the money to build the second fire station if decided at a later date. City Staff is trying to put together the best recommendation and believes Council will see a significant reduction in fees from what is being put forward – commercial and residential. Mayor and Council can make any changes once presented.

McClendon requested a representative from the committee that is meeting with City Staff be available at the public hearing.

Johnson asked whether or not the ISO standards the Fire Department has to meet were considered when the changes were made on the ratio between commercial responses and residential responses? **McArthur** responded that, in this case, the number of trucks was not taken into account but rather a longer view of the average of commercial to residential responses over many more years which gave a different look at the number of responses.

IV. CITY COUNCIL DISCUSSION

Mayor Krieger stated that he had asked City Staff to put this item on the agenda to create an opportunity to have some dialogue concerning ideas on how the City Council could work together more effectively and also to improve policies. He received two documents from the City of Glendale, a Code of Conduct and a Code of Ethics, which could be useful for defining some of the procedures that help Councilmember's follow policy and work with staff as some of those areas are currently vague.

Although **Stuart** agrees with **Mayor Krieger** he suggests a less formal venue and recommends discussing this topic at a retreat. **Mayor Krieger** agreed.

Mendoza believes the diverseness of this Council is what makes it unique. Further, a Mayor/Councilperson's job is not 9:00-5:00 but rather 24/7.

McClendon also agrees with a retreat as a means to open communication and to begin working on things that the public expects from City Council and that City Council expects from staff.

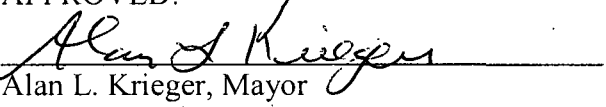
V. ADDITIONAL ITEMS FOR POSSIBLE DISCUSSION - None

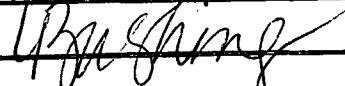
VI. ADJOURNMENT/EXECUTIVE SESSION

Mayor Krieger adjourns the meeting at 6:15 p.m. No Executive Session was held.


Lynda L. Bushong, City Clerk

APPROVED:


Alan L. Krieger, Mayor

Approved at the City Council Meeting of: <u>December 7, 2011</u>
City Clerk: <u></u>