

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

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

INVOCATION/PLEDGE

John McMurran, Pastor of Stone Ridge Church, gave the invocation. **Becky Chavez**, Director of Parks and Recreation, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Mendoza, Beeson, McClendon, Brooks, Johnson, and Mayor Krieger
Councilmembers Absent: Stuart
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 out-going Board and Commission members, Peter Young of the Water and Sewer Commission; and Brian Hall of the Residential Advisory and Appeals Board.
- **Mayor Krieger** and **Wilkinson** recognized the City of Yuma employees who volunteered in the United Way campaign, which earned the City of Yuma the United Way's "Most Increased Employee Campaign" Award.
- **Terry Frydenlund**, El Presidente, presented the Caballeros de Yuma, Inc, Annual Report:
 - Attendance and Economic Impact for Events Sponsored by Caballeros:
 - Midnight at the Oasis Festival
 - Estimated attendance in 2011 was over 50,000 people.
 - Approximately 80% of entries are from out of town.
 - The festival continues to grow and there are already over 800 entrants for the March 2012 show.
 - Over the last 19 years, the event has raised \$600,000 for the non-profit organizations that participate in the event each year.
 - Colorado River Crossing Balloon Festival
 - 3 Day event that brings 25-35 hot air balloons and their crews.
 - Estimated 15,000 spectators participate in the sunrise launches and the Glow/Fireworks.

- Yuma Territorial Marathon and Half Marathon
 - The event is a Boston Marathon qualifying event, which saw over 200 entrants from as far away as Japan and England.
 - Colorado River Floatdown (Yuma Territorial River Regatta)
 - An old Yuma Tradition, brought back July 2011 with the cooperation of the City of Yuma.
 - Attendance was low, but it is intended to be an annual event.
 - El Toro Bowl, presented by Time Warner Cable
 - The event is in the planning stage with Caballeros partners, Arizona Western College and the Matador Athletic Association, for a National Junior College Athletic Association sanctioned bowl game.
 - The event is anticipated to be a 3-4 day event with multiple activities beyond the bowl game.
- Caballeros de Yuma donates thousands of hours to plan, organize, and work at events.
 - The Caballeros are proud of the financial impact the events have had on Yuma, considering the numbers of people who come in from out of town to participate and attend the events.
 - The 2010-2011 scholarships and donations to Yuma County was just over \$90,000.

I. CALL TO THE PUBLIC

Robert Johnson, 1439 S. 35th Avenue, pointed out that it has been a month since he asked the City Council what the difference was between San Luis City Councilmember Torres and Yuma City Councilmember Beeson not returning City money in a timely manner. Documents received via the Request for Public Records process shows that Councilmember Beeson has failed to return money on two separate travels (2009 and 2010), both of which were to the Arizona League of Cities and Towns annual conferences. In a newspaper article Beeson claimed that the money and paperwork were on his desk, but receipts show he paid with either a debit or credit card. Both Councilmembers eventually returned the money; why was one convicted and not the other? There have been no explanations from staff, nor has anyone come to Councilmember Beeson's defense. Will somebody answer this question, or is it going to go under the radar? Why didn't someone in accounting catch this? What is being done to stop this in the future?

Beeson stated that he didn't recall the 2009 incident of not repaying City money, and if the research were done, the difference would be obvious. He asked that Johnson take time to review his voting record as he consistently votes for smaller government, against taxes, fee increases, and elected officials pay raises. This crusade of focusing on something so petty and silly is life consuming and not prosperous. He suggested Johnson devote his time, effort, and energy into something that will promote the community, instead of detracting from it. The negativity has not discouraged him from his duties, as he still meets with constituents and still works to resolve real City problems. He serves the City by putting in time, creativity, and resources to build the community into something great and challenged Johnson to do the same.

Mary Ann Easterday, 3359 S. 15th Avenue, reminded the public of the Household Hazardous Waste collection occurring on Saturday, October 8, 2011, at the Public Works yard located at 13th Street and 2nd Avenue. She also reminded the public of the Yuma Police Department's (YPD) prescription drop off box located in the foyer of YPD, which is accessible 24 hours a day, 7 days a week. The box is intended for unwanted and unused prescription drugs. She reminded the public to remove the labels from the prescription bottles.

Diane Umphress, 1350 W. Colorado Street, reminded the City Council that October is Domestic Violence Awareness month, which is set aside to help victims of domestic violence reach out and get support. She thanked the City Council for their continued support of Amberly's Place and invited them to celebrate the 10th anniversary on October 24, 2011.

II. MOTION CONSENT AGENDA

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

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

Special Worksession	May 25, 2011
Regular City Council Meeting	July 6, 2011
Regular Worksession	July 19, 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. Approve a New Restaurant, #12, Liquor License application submitted by Ki Hoon Kang, agent for Blue Fin Sushi & Grill, Inc. dba Blue Fin Sushi & Grill, located at 2905 S. 4th Avenue, Yuma, Arizona. (LL11-13) (Admin/Clerk)
3. Authorize staff to negotiate and execute a one-year contract with the option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance, for Professional Real Estate Appraisal Services on a Delivery Order Basis with the following firms: Baker, Peterson, Baker & Associates, Inc., Tucson, Arizona; Sell & Associates, Inc., Tempe, Arizona; Philip M. Barlow & Associates, LLC, Gilbert, Arizona; Consultant Engineering, Inc. (CEI), Phoenix, Arizona; EAD PLLC dba Every Appraisal Service, Tucson, Arizona; and, SignValue, Inc., Mesa, Arizona (Bid 2011000458) (Eng)

III. RESOLUTION CONSENT AGENDA - none

IV. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Brooks/Johnson): To adopt the Ordinance Consent Agenda as recommended.

Bushong displayed the following titles:

Ordinance O2011-09

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, rezoning certain property hereinbefore located in the General Commercial

(B-2) District to the General Commercial / Aesthetic Overlay (B-2/AO) District and amending the zoning map to conform thereto

(Introduced April 6, 2011, Regular City Council Meeting; Applicant: the City of Yuma on behalf of Stephen and Shirley Kleppe, Bobby and Elizabeth Merritt; property located at northeast corner of Avenue B and 31st Street; Z2010-015) (DCD/Planning)

Ordinance O2011-34

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 130 Section 110 of the Yuma City Code to allow the Yuma Police Department to enforce City animal control regulations (Police/Admin)

Roll call vote: **adopted** 4-2; Beeson and McClendon voting nay.

Beeson stated that although the ordinances are being heard together, his nay vote is due to the fact that he opposes Ordinance O2011-09.

V. INTRODUCTION OF ORDINANCES

Bushong displayed the following titles:

Ordinance O2011-35

An ordinance of the City Council of the City of Yuma, Arizona, relating to the Privilege License Tax; adopting the "2010-2011 Amendments to the Tax Code of the City of Yuma" by reference; establishing an effective date; providing for severability and providing penalties for violations (2010-2011 Amendments to the Tax Code of the City of Yuma; declared public record R2011-28) (Fin/Admin)

Ordinance O2011-36

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that certain parcels 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 parcels of real property (Acquisition of abandoned Interstate Route 8 right-of-way at Avenue 9E) (Eng)

VI. PUBLIC HEARINGS - none

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Motion (Mendoza/McClendon): To appoint Jazmine Garcia as a Student Commissioner to the Parks, Arts, and Recreation Commission with a term to expire on June 30, 2012. Voice vote: **approved** 6-0.

Motion (Brooks/Johnson): To amend the appointment date of Community Tree Board member Dalene Kelly, to an unexpired term of September 29, 2013. Voice vote: **adopted** 6-0.

Announcements

Beeson reported attending the following:

- September 28 – Magic History Tour, put together by the local downtown businesses to coordinate activity downtown on the fourth Tuesday of every month.
- September 29 - YMPO meeting held at City Hall followed by a meeting with Planned Pethood.
- October 3 – the quarterly meeting for the Yuma Crossing National Heritage Area, the Christmas Village at the Quartermaster Depot will be returning this year.

Mendoza reported attending the following:

- September 21 – Operation Wounded Warrior, hosted by the American Legion Post 19 - elected officials were the servers.
- September 22 –
 - The United Way of Yuma Annual Meeting and Recognition along with Councilmember McClendon.
 - Day of Remembrance, held in observation of murder victims at the West Wetlands Park.
- September 23 - Western Arizona Council of Governments 40th Anniversary and Recognition at the Pivot Point Conference Center.
- September 24 - The Bushmaster Memorial at Desert Lawn Memorial Park, along with Mayor Krieger.
- September 29, the Hispanic Heritage Luncheon at Yuma Proving Grounds (YPG) where the Developmental Test Director, David Jimenez, was the guest speaker.
- October 1 - The Octoberfest Celebration at the Yuma Art Center.
- October 3 – A Meet and Greet Luncheon along with Mayor Krieger, and Jay Randall Robinson, US Army Installation Management Commander for the Western United States Region.
- October 5 - Yuma Private Industry Council Job Fair held at the Civic Center.

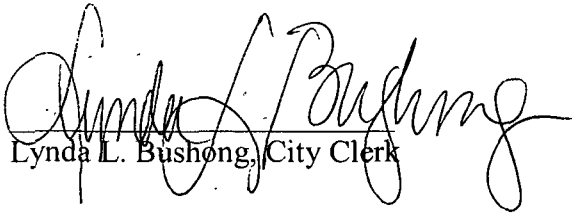
VIII. SUMMARY OF CURRENT EVENTS

Wilkinson thanked the organization Southern Arizona Human Resources Association (SAHRA) for the opportunity to serve on a panel with four other CEO's and/or managers from the area, and to participate in a questions and answers forum regarding personnel and Human Resources. Next, YPD is in Glendale today to accept an award from the Special Olympics for raising over \$17,000 for the organization. He also reported upcoming events:

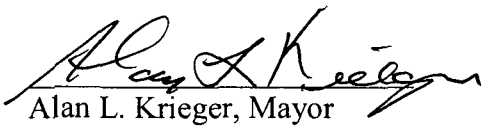
- October 7 – 5K Moonlight Run/Walk hosted by the City of Yuma Parks and Recreation department, to be held at the West Wetlands Park.
- October 8 –
 - The Household Hazardous Waste Collection Day from 8:00 a.m. to 12:00 p.m. at the Public Works Yard located at 13th Street and 2nd Avenue.
 - A Getting Arizona Involved in Neighborhoods (GAIN) event to be held by Target, in the Yuma Palms Mall from 5:00 p.m. to 8:00 p.m, where local public safety officers will offer information on various topics ranging from careers, public safety issues and safety programs.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Krieger** adjourned the meeting at 6:05 p.m. No Executive Session was held.


Lynda L. Bushong, City Clerk

APPROVED:


Alan L. Krieger, Mayor

Approved at the City Council Meeting of:
November 2, 2011
City Clerk: 