



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING **SUMMARY**  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, DECEMBER 07, 2011  
5:30 P.M.**

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**CALL TO ORDER 5:32 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

**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. Regular Worksession September 20, 2011
- APPROVED** 2. Regular Worksession October 4, 2011
- APPROVED** 3. Regular City Council Meeting October 19, 2011

**B. Approval of Staff Recommendations:**

**Page Item**

- 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: Bikers Fighting Cancer**  

Approve a Special Event Liquor License application submitted by Ronald P. Craven, on behalf of the Bikers Fighting Cancer, for the 1st Annual Yuma Children's Ride. The event will be held in the parking lot of the Palm Plaza, 2241 S. Avenue A, on Saturday, December 17, 2011 from 10:00 a.m. to 6:00 p.m. (SP11-35) (City Administration/City Clerk) (Lynda L. Bushong)
  
- APPROVED** 3. **Request for Offer: Award the Sale of Firearms**  

Award to the highest responsive/responsible offer for the Sale of Firearms (161) for a total of \$29,122.00 to: Sierra Auction Management, Inc., Phoenix, Arizona. (Finance/Purchasing - RFO #2012-20000069) (Robin R. Wilson)

**APPROVED 4. Declare Surplus and Authorize Sale of Equipment**

Declare as surplus and authorize sale of equipment through the online auction utilizing the cooperative purchase agreement between the City of Tucson and the City of Yuma with Public Surplus, LLC, Provo, Utah. (Finance/Purchasing Division - Bid # 2012-20000090) (Robin Wilson)

**APPROVED 5. Sole Source Contract: Private Branch Exchange Telephone System Maintenance Agreement**

Award a sole source maintenance contract for a three-year maintenance agreement (one year at a time) for the Private Branch Exchange (PBX) Telephone System in accordance with the Yuma City Code, Section 36-39, Sole Source Procurement in the total amount of \$120,538.08 to: Avaya Inc., Phoenix, Arizona. (ITS - Bid #2012-20000138)(Laurie Neinast)

**APPROVED 6. Bid Award: 4th Avenue Waterline Crossings**

Award to the lowest responsive/responsible bidder for the 4th Avenue Waterline Crossings at a total cost of \$662,499.47 to: Yuma Valley Contractors, Inc., Yuma, Arizona. (City Engineering - Bid #2012-20000099) (Paul Brooberg)

**APPROVED 7. Cooperative Purchase Agreement: Variable Frequency Drives**

Authorize the purchase of four Variable Frequency Drives (VFD's) utilizing the cooperative purchase agreement between the National Intergovernmental Purchasing Alliance with the City of Tucson (W.W. Grainger) and the City of Yuma at an estimated total cost of \$104,578.24 (including tax). (Utilities/Water Treatment Plant - Bid #2012-20000130) (Jay Simonton)

**APPROVED 8. Grant Award: Governor's Office of Highway Safety - Occupant Protection Program**

Authorize the City Administrator to execute a contract with the Arizona Governor's Office of Highway Safety for highway safety projects in accordance with Arizona's Federal Fiscal Year 2012 Highway Safety Plan. (Police/Patrol) (Jerry Geier)

**APPROVED  
AS  
AMENDED**

**9. Intergovernmental Agreement: Crane School District No. 13**

Authorize execution of an Intergovernmental Agreement with Crane School District No. 13 for the 2011-2012 School Safety Program for the period of one year. (Police/Patrol) (Jerry Geier)

**APPROVED**

**10. Intergovernmental Agreement: Yuma Elementary School District No. 1**

Authorize execution of an Intergovernmental Agreement with Yuma Elementary School District No. 1 for the 2011-2012 School Safety Program for the period of one year. (Police/Patrol) (Jerry Geier)

**APPROVED**

**11. Final Plat: Desert Plaza Shopping Center Subdivision**

Approve the Final Plat of the Desert Plaza Shopping Center Subdivision, subject to conditions 1 through 11. The property is located at the northwest corner of Palo Verde Street and Pacific Avenue. The applicant is Dahl, Robins & Associates, on behalf of Pacific & Palo Verde Investments, LLC. (S2011-001-01) (Community Development/Community Planning) (Laurie Lineberry)

**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 R2011-34 Grant Application: Arizona Department of Housing**

Authorize the submission of a grant application to the Arizona Department of Housing (ADOH) in the amount of \$330,000.00 for State Housing Funds and authorize the City Administrator to execute the contract documents associated with the grant. (City Administration/Economic Development) (Gregory K. Wilkinson)

**CONTINUED  
TO THE  
RCM OF  
2/1/12 AT THE  
APPLICANT'S  
REQUEST**

**B. Resolution R2011-37 Preannexation Development Agreement: Smith**

Authorize a Preannexation Development Agreement with Jim D. Smith for property located at 2770 S. Avenue B. (Community Development/Community Planning) (Laurie Lineberry)

**ADOPTED**

**C. Resolution R2011-38 Rename Yuma Cemetery to Yuma Pioneer Cemetery**

Change the name of Yuma Cemetery, generally located between the 1200 block and 1400 block on the east side of 1st Avenue, to Yuma Pioneer Cemetery. (City Administration) (Gregory K. Wilkinson)

**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.

There are no adoptions scheduled at this time.

**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 O2011-41 Right-of-way Acquisition: Avenue 3E**

Authorize the acquisition of right-of-way with the Union Pacific Railroad to allow for the widening of the Avenue 3E Overpass. (City Engineering/Administration) (Paul Brooberg)

**CONTINUED TO THE RCM OF 12/21/11 B. Ordinance O2011-42 Rezoning of Properties: Northwest corner of 4th Ave and 44th Street and the Northeast corner of Avenue A and 44th Street.**

Rezone two adjacent properties from the Agriculture (AG) District to the Heavy Industrial/Public Overlay (H-I/P) District. The applicant is Nicklaus Engineering on behalf of Yuma County. (Z2011-006). (Community Development/Community Planning) (Laurie Lineberry)

**CONTINUED TO THE RCM OF 12/21/11 C. Ordinance O2011-43 Rezoning of Properties: Northeast corner of 1st Avenue and 44th Street.**

Rezone two adjacent properties from the Agriculture (AG) District to the Heavy Industrial/Public Overlay (H-I/P) District. The applicant is Nicklaus Engineering on behalf of Yuma County. (Z2011-007). (Community Development/Community Planning) (Laurie Lineberry)

**CONTINUED TO THE RCM OF 12/21/11 D. Ordinance O2011-44 Rezoning of Properties: Generally Located East of Arizona Avenue and South of 39th Place**

Rezone properties from Light Industrial (L-I) District to the Heavy Industrial/Public Overlay (H-I/P) District. (Z2011-005) (Community Development/Community Planning) (Laurie Lineberry)

**INTRODUCED E. Ordinance O2011-45 Rezoning of Property: 3265 S. Avenue 3 ¼ E**

Rezone property from the Agriculture (AG) District to the Light Industrial/Aesthetic Overlay (L-I/AO) District. (Z2011-004) (Community Development/Community Planning) (Laurie Lineberry)

**INTRODUCED F. Ordinance O2011-46 Development Fees: Repeal Sanitation and Public Works Facilities Fees**

Revise Yuma City Code Title 15, Chapter 157 to repeal Section 8 (Sanitation Facilities Development Fee) and Section 12 (Public Works Facilities Development Fee). (City Engineering/Development Engineering) (Paul Brooberg)

**VI. PUBLIC HEARINGS & RELATED ACTIONS**

**PUBLIC HEARING CONTINUED TO THE RCM OF 12/21/11**

**A. Resolution R2011-39 General Plan Amendment: City of Yuma 2012 General Plan**

The Planning and Zoning Commission recommended that City Council approve the request to adopt the City of Yuma 2012 General Plan, September 1, 2011 Hearing Draft (GP2011-001). (Community Development/Community Planning) (Laurie Lineberry)

**SUGGESTED MOTION: To adopt Resolution R2011-39 as recommended:**

M/ \_\_\_\_\_ S/ \_\_\_\_\_  
RV/ \_\_\_\_\_

**PUBLIC HEARING HELD**

**B. Annexation Area No. A2011-04: Yuma Community Food Bank**

Hold a public hearing to consider the annexation of property located at 2404 E. 24th Street. (A2011-004) (Community Development/Community Planning) (Laurie Lineberry)

**VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Discussion and possible action on the following items:

1. Appointments:

**APPOINTMENTS MADE**

- Water and Sewer Commission: 1 unexpired term to expire 7/6/2012
- Water and Sewer Commission: 1 unexpired term to expire 7/6/2013

2. Announcements:

REPORTED

- 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 November 17, 2011 through December 7, 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.

REPORTED

- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

3. 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 HELD

An Executive Session may be held during this meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. Section 38-431.03 A(1), (3), (4), & (7). An agenda will be posted 24 hours in advance.

### ADJOURNMENT 6:33 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.