

REVISED: December 19, 2011



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, DECEMBER 21, 2011
5:30 P.M.**

CALL TO ORDER 5:00 pm

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL for submission of Speaker Request Forms

PRESENTATIONS

- Recognition of the 2011 “Sportsman of the Year” and “Volunteer Coach of the Year”
- A Year in Review – End of Year Presentation

I. CALL TO THE PUBLIC

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.

**NO LEGAL
ACTION
PERMITTED**

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 November 1, 2011
- APPROVED** 2. Regular City Council Meeting November 2, 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. Liquor License: Yuma Beverage House #1

Approve a location transfer of a Liquor Store (#9) Liquor License application submitted by Arthur Ramo, agent for Hadaya, Inc. dba Yuma Beverage House #1, 166 W. 32nd Street, Yuma, Arizona. (LL11-15) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED 3. Special Event Liquor License: Rotary Club of Yuma North End

Approve a Special Event Liquor License application submitted by William F. Bowles, on behalf of the Rotary Club of Yuma North End, for the German Fest on Madison. The event will be held at the 100-206 blocks of Madison Avenue on Saturday, January 21, 2012 from 10:00 a.m. to 9:00 p.m. (SP11-36) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED 4. Contract Increase: New 12" Watermain & Pavement Replacement - 5th Avenue from 8th Street to 16th Street.

Approve a contract increase in the amount of \$149,749.08 (15.3%) to DPE Construction, Inc. (City Engineering - Bid #2010-000440) (Paul Brooberg)

APPROVED 5. Bid Award: Heating, Ventilation and Air Conditioning (HVAC) & Refrigerant Services

Authorize the City Administrator to execute one-year contracts for Heating, Ventilation and Air Conditioning (HVAC) & Refrigerant Services, with the option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance at an estimated annual cost of \$100,000.00 (including tax).

Hansberger Refrigeration & Electric	Yuma, Arizona
Polar Cooling	Yuma, Arizona
Bowling Refrigeration	Yuma, Arizona
Trane US, Inc.	Tempe, Arizona

(Citywide - Bid# 2012-20000047) (Richard Nichols)

APPROVED 6. Bid Award: Manhole Replacement - 32nd Street from Avenue 2E to Avenue 3E

Award to the lowest responsive/responsible bidder for the Manhole Replacement - 32nd Street from Avenue 2E to Avenue 3E at a total cost of \$204,270.00 to: Merrill/Walker Builders, Yuma, Arizona. (City Engineering Bid #2012-20000104) (Paul Brooberg)

APPROVED 7. Bid Award: Scott SCBA's Parts and Service

Award a one-year contract for Scott SCBA's Parts and Service with the option to renew for four additional one-year periods at an estimated annual cost of parts, supplies and repairs of \$9,500.00. During some point in this contract term the current SCBAs will need to be replaced, which would cost approximately \$324,000.00. Renewals will be based on the appropriation of funds and satisfactory performance as needed with the following firms:

Municipal Emergency Services Inc.	Tempe, Arizona
Thermo-Fisher Scientific Inc.	Wildomar, California

(Fire - Bid #2012-20000085) (Chief McArthur)

APPROVED 8. Request for Proposal: Animal Shelter Services

Authorize the City Administrator 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 Animal Shelter Services in conjunction with the City's Animal Control Unit to: Humane Society of Yuma (HSOY), Yuma, Arizona. (RFP #2012-20000016 City Administration & Police Department) (Greg Wilkinson and Chief Geier)

APPROVED 9. Agreement Amendment: Amberly's Place

Authorize the City Administrator to execute an amendment to the June 30, 2011 Outside Agency Agreement with Amberly's Place to reduce the total amount paid by the City in FY 2011-2012 by \$3,600.00 and to provide use of City facilities by Amberly's Place. (Police/Administration) (Jerry Geier)

APPROVED 10. Development Agreement: Richard W. and Janet L. Wilson Trust

Authorize a Development Agreement with the Richard W. and Janet L. Wilson Trust as owner of real property located at 1335 S. 3rd Avenue, for cost-sharing in the installation of a new sanitary sewer extension. (Utilities/Administration) (Jay Simonton)

APPROVED 11. Settlement of Centro Familiar Christiano Buenas Nuevas Church lawsuit

Authorize settlement in Centro Familiar v. City of Yuma (City Attorney) (Steven W. Moore)

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 R2011-40 Development Agreement: Mesa Verde RV, LLC

Approve a Development Agreement with Mesa Verde RV, LLC, related to stormwater collection and disposal improvements. (City Engineering/Administration) (Paul Brooberg)

ADOPTED B. Resolution R2011-41 Development Fee Deferral: Bill Alexander Automotive Center, Inc.

Approve a Development Agreement with Bill Alexander Automotive Center, Inc. deferring Citywide Development Fees for property described in the Alexander Imports Lot Split plat. (City Engineering/Administration) (Paul Brooberg)

CONTINUED TO RCM OF 1/4/2012 C. Resolution R2011-42 Land Use Assumptions and the Infrastructure Improvements Plan dated December 13, 2011

Adopt the Land Use Assumptions and the Infrastructure Improvements Plan dated December 13, 2011 (City Engineering/Development Engineering) (Paul Brooberg)

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.

ADOPTED 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)

ADOPTED B. Ordinance O2011-45 Rezoning of Property: 3265 S. Avenue 3 3/4 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)

ADOPTED C. 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)

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 O2011-42 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)

INTRODUCED B. 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)

INTRODUCED C. **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)

VI. PUBLIC HEARINGS & RELATED ACTIONS

PUBLIC HEARING CONTINUED TO RCM OF 2/1/2012

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/_____

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments:

- Parks, Arts, and Recreation Commission: 1 unexpired term to expire 12/31/12.

APPOINTMENT MADE

2. 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 December 8, 2011 through December 21, 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.

REPORTED

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. PERSONNEL ISSUE

REMOVED BY MOTION City Council discussion regarding the City Administrator's performance.

IX. SUMMARY OF CURRENT EVENTS

REPORTED This is the City Administrator's opportunity to present a brief summary of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

X. EXECUTIVE SESSION

EXECUTIVE SESSION NOT 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 7:56 pm

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.