



CITY OF YUMA
REGULAR CITY COUNCIL MEETING SUMMARY
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, AUGUST 06, 2014
5:30 P.M.

CALL TO ORDER 5:33 PM

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL for submission of Speaker Request Forms for agenda related items.

PRESENTATIONS

**PRESENTATIONS
MADE**

- Recognition of donations from community businesses and volunteer assistance in the Carver Park neighborhood – Community Development
- Recognition of Archery equipment donation - Parks and Recreation
- Recognition of out-going Board and Commission members – Mayor and City Administrator

I. 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. Citizen's Forum June 3, 2014
- APPROVED** 2. Regular Worksession June 3, 2014

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. Liquor License: SpringHill Suites

Approve a New License #10 Beer and Wine Store, Liquor License application, submitted by Randy D. Nations, agent for Yuma Hotel Group II LLC dba SpringHill Suites, located at 1825 E. 18th Street, Yuma, Arizona. (LL14-17) (City Administration/City Clerk) (Lynda Bushong)

APPROVED 3. Bid Award: Grass Seed

Award to the lowest responsive/responsible bidders, for Grass Seed, a one-year contract at an estimated cost of \$132,323.50 as needed with the following firms:

- 1. Crop Production Services Yuma, AZ
- 2. Helena Chemical Co. Phoenix, AZ
- 3. Simplot Partners Turf Tempe, AZ
- 4. Target Specialty Products Tempe, AZ

(Parks & Recreation - Bid # 2014-20000079) (Debbie Wendt)

APPROVED 4. Cooperative Purchase Agreement: Automated Side Loader Bodies

Authorize the purchase of three Automated Side Loader Bodies, by utilizing the cooperative purchase agreement with the City of Tucson, at a total cost of \$367,957.65 to: Arizona Refuse Sales, LLC, Phoenix, Arizona. (Public Works / Fleet Services - Bid #2015-20000024) (Charlie Caudill)

APPROVED 5. Intergovernmental Agreement: Arizona Department of Transportation

Authorize the execution of an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation regarding the Moving Ahead for Progress in the 21st Century Act. (Police/Quality Assurance) (John Lekan)

APPROVED 6. Final Plat Amendment: Cielo Verde Specific Plan Subdivision

Approve the amendment to the final plat for the Cielo Verde Specific Plan. The property is located at the southeast corner of 32nd Street and Avenue 8E. The applicant is Bruce Jacobson, on behalf of the Cielo Verde Development Limited Partnership. (SUBD-5372-2014) (Community Development/Community Planning) (Laurie Lineberry)

SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:

M/_____ S/_____ VV/_____

II. 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 R2014-25 Facilities Maintenance Agreement: Elks Development Corporation

Authorize the City Administrator to execute a Facilities Maintenance Agreement to permit Elks Development Corporation the use of Yuma County Water Users' Association property under the City of Yuma's license for purposes of Elks Development Corporation's encroachment, construction, installation, operation and maintenance of a berm for storm water retention and landscaping of the property. (Public Works/Engineering) (Josh Scott)

**ADOPTED
AS
AMENDED**

B. Resolution R2014-26 Real Property Exchange and Development Agreement: Yuma Mesa, LLC

Authorize a Real Property Exchange and Development Agreement with Yuma Mesa, LLC for improvements at the southeast corner of 16th Street and 4th Avenue, the Yuma Mesa Shopping Center. (City Administration/Yuma Crossing National Heritage Area) (Charles Flynn)

ADOPTED

C. Resolution R2014-27 Second Amendment: Ocotillo Desert Development, L.L.C. Agreement

Approve a Second Amendment to a Development Agreement for Ocotillo Unit No. 6 subdivision (Community Development/Community Planning) (Laurie L. Lineberry)

ADOPTED

D. Resolution R2014-28 Amendment: License Agreement with Yuma County Water Users' Association

Authorize the City Administrator to execute an amendment to the Yuma County Water Users' Association Encroachment License No. 001-01-001, terminate the use of the East Main Canal right-of-way for use as a storm water retention basin, and include the construction, operation and maintenance of a new berm in the East Main Canal right-of-way. (Public Works/Engineering) (Joshua Scott)

ADOPTED

E. Resolution R2014-29 Support Education in Yuma

The City of Yuma supports efforts to increase the level of education and skill set of its citizens to be productive members of the community. (City Administration/Administration) (Ricky Rinehart)

SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

III. 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 O2014-23 Rezoning of Properties: Southeast Corner of 36th Street and Victoria Way, Yuma, AZ.

Rezone 6.48 acres from the Low Density Residential (R-1-8) / Conditional Low Density Residential (R-1-12) District to the Low Density Residential (R-1-20) District. The property is located at the southeast corner of 36th Street and Victoria Way, Yuma, AZ (ZONE-6152-2014). (Community Development/Community Planning) (Laurie Lineberry)

ADOPTED B. Ordinance O2014-24 Ordinance Repeal: Zoning Ordinance O2003-46

Repeal Ordinance O2003-46 which erroneously amended Ordinance O96-44. (Community Development/Community Planning) (Laurie Lineberry)

SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

IV. 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 O2014-16 Zoning Code Text Amendment: Appendix A: Cielo Verde Specific Plan

Approve the request to amend the City of Yuma Zoning Code, Title 15, Appendix A: Cielo Verde Specific Plan. This is a request by Bruce Jacobson, on behalf of the Cielo Verde Development Limited Partnership. (ZONE-5373-2014) (Community Development/Community Planning) (Laurie Lineberry)

**INTRODUCED
AS
AMENDED**

B. Ordinance O2014-20 Zoning Code Text Amendment: Mobile Food Vending

Amend Title 15, Chapter 154 to provide definitions and regulations for mobile food vendors. (Community Development/Community Planning)
(Laurie L. Lineberry)

V. PUBLIC HEARINGS & RELATED ACTIONS

There are no public hearings scheduled at this time.

FINAL CALL for submission of Speaker Request Forms for Call to the Public.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

**APPOINTMENTS
MADE**

- 1. Appointments:
 - Yuma Area Benefit Consortium: One appointment
 - Yuma Fire Public Safety Board: One appointment expiring 12/31/2015
 - Yuma Public Safety Police Board: One appointment expiring 12/31/2015

REPORTED

- 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 July 17, 2014 through August 6, 2014. 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.

REPORTED

- City Council request for agenda items to be placed on future agendas.

**SPECIAL
WORKSESSION/
ROUNDTABLE
SCHEDULED FOR
9/4/2014 AT 5:30 PM**

- 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.

VII. 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.

VIII. 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.

IX. EXECUTIVE SESSION

EXECUTIVE SESSION HELD An Executive Session may be called during the public meeting for the purpose of receiving legal advice for items on this agenda pursuant to A.R.S. Section 38-431.03 A (3 and/or 4) and the following items:

1. Discussion, consultation with and/or instruction to legal counsel regarding the telecommunication tower erected on the East Main Canal, between 16th Street and 24th Street. (A.R.S. 38-431.03 A3 and A4)
2. Discussion, consultation with and/or instruction to legal counsel regarding Real Property Exchange and Development Agreement with Yuma Mesa, LLC. (A.R.S. 38-431.03 A3 and A4)
3. Discussion, consultation with and/or instruction to legal counsel regarding No Wal Mart for 8th Street Referendum. (A.R.S. 38-431.03 A3 and A4)
4. Discussion, consultation with and/or instruction to legal counsel regarding A.R.S. §9-500.14. (A.R.S. 38-431.03 A3 and A4)
5. Discussion, consultation with and/or instruction to legal counsel regarding the following legal matters (A.R.S. 38-431.03 A3 and A4) :
 - Chelius, et al v. COY
 - Farar, et al v. COY

ADJOURNMENT 7:14 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, Yuma, Arizona 85364-1436; (928) 373-5125 or TTY (928) 373-5149.