



CITY OF YUMA
REGULAR CITY COUNCIL MEETING SUMMARY
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, DECEMBER 03, 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 Paint-A-Thon Team Leaders

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. Special Worksession/Roundtable

September 4, 2014

APPROVED 2. Citizen’s Forum September 16, 2014

APPROVED 3. Regular Worksession September 16, 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. Special Event Liquor License: Fort Yuma Rotary Club, Inc. - Traxx Christmas Party

Approve a Special Event Liquor License application submitted by Xanthi Panos, on behalf of the Fort Yuma Rotary Club, Inc., for the Traxx Christmas Party. The party will be held at the Quartermaster Depot, located at 201 N. 4th Avenue, on Friday, December 19, 2014 from 4:00 p.m. to 10:00 p.m. (SP14-29) (City Administration/ City Clerk) (Lynda L. Bushong)

APPROVED 3. Special Event Liquor License: Yuma Rotary Club - German Fest on Madison

Approve a Special Event Liquor License application submitted by George Craig Davis, on behalf of Yuma Rotary Club, for the German Fest on Madison. The event will be held in the area of Madison Avenue between 1st Street and 2nd Street on Saturday, January 17, 2015 from 10:00 a.m. to 8:00 p.m. (SP15-01) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED 4. Final Plat: Park West Unit #2 Subdivision

Approve the final plat for the Park West Unit #2 Subdivision. The property is located at the southwest corner of 42nd Drive and 24th Street. The applicant is Dahl, Robins and Associates, on behalf of Yuma Valley Land Company, LLC. (SUBD-7248-2014) (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 R2014-44 Amendment: Resolution No. R2013-38 Legal Description and Temporary Easement

Approve amending the legal description to the YRMC Ring Road Easement and the granting of a temporary construction easement from Hospital District No. 1 to the City of Yuma as part of a First Amendment to the Development Agreement previously approved by Resolution R2013-38. (City Administration/ CIP Administration)

ADOPTED B. Resolution R2014-45 License Agreement: Joseph W. Fisher II & Barbara A. Fisher Trust

Authorize the City Administrator to execute a License Agreement (License) to permit the Fisher Trust to utilize City rights-of-way adjacent to their property for landscaping and automobile display pads. (Public Works/Engineering) (Joshua Scott)

ADOPTED C. Resolution R2014-46 License Agreement: Yuma County Water Users' Association

Approve and ratify the City Administrator's execution of Yuma County Water Users' Association Encroachment License No. 001-14-001, authorizing construction and maintenance of landscaping within a portion of the Patterson Lateral right-of-way. (Public Works/Engineering) (Joshua Scott)

ADOPTED D. Resolution R2014-47 Facilities Maintenance Agreement: Yuma SW Development Group LLC

Authorize the City Administrator to execute a Facilities Maintenance Agreement (sublicense) permitting Yuma SW Development Group, LLC, a North Carolina limited liability company, to use Yuma County Water Users' Association property under a license granted to the City of Yuma. (Public Works/Engineering) (Joshua Scott)

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/
AMENDED
STAFF
REPORT**

A. Ordinance O2014-32 Amendment to City Code: Chapter 193 Water and Sewers

Amend City Code Section 193-67 to assess a delinquency fee, increase the reconnect fee, and increase the dishonored check fee. (Finance/Customer Services) (Pat Wicks)

ADOPTED

B. Ordinance O2014-33 Ordinance Amendment: Authorization of Transfer of Land to Arizona Department of Veteran's Services

Amend ordinance authorizing conveyance of real property at the southeast corner of Avenue 6E and the 34th Street alignment to the State of Arizona, Department of Veterans' Services. (City Administration/Administration) (Ricky Rinehart)

ADOPTED

C. Ordinance O2014-34 Grant of Easement and Real Property Exchange: Yuma Elementary School District and JV Farms, Inc.

Authorize the granting of a temporary (15 year) easement for school access, parking, pick-up and drop-off on City-owned real property (a remnant vacant lot and a portion of the adjacent alley to be vacated with a permanent utilities and access easement reserved to the City), and the subsequent exchange of of the described real property (subject to the easements) for necessary right-of-way owned by JV Farms, Inc., at the southwest corner of 16th Street and 7th Avenue. (City Administration/Administration) (Ricky Rinehart)

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 O2014-35 Amendment: Ordinance No. O2013-52 Legal Description**

Approve amending the legal description to the YRMC Ring Road Easement previously adopted as Ordinance No. O2013-52. (City Administration/Right-of-Way)

INTRODUCED **B. Ordinance O2014-36 Amend Yuma City Code: NFPA 1 Fire Code 2012 adoption with local amendments**

Amend Yuma City Code Chapter 131, Sections 131-15 through 131-19 and adopt by reference NFPA 1 Fire Code 2012, commonly known as National Fire Protection Association 1 Fire Code 2012, including Annexes A, B, D, E and G, and local amendments. (Fire/Community Risk Reduction) (Steve Irr)

INTRODUCED **C. Ordinance O2014-38 Yuma City Code Amendment: Title 15, Chapter 157, Section of City Code 157-01 (Definitions)**

Amend the Yuma City Code, Title 15, Chapter 15, Section 157-001 to add a definition of "biennial certified audit" and correct the title to Ordinance No. 2012-10 adopted May 2, 2012. (City Attorney)

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:

TERM EXTENSIONS
MADE

1. Appointments:
 - Industrial Development Authority – 3 term extensions
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 20, 2014 through December 3, 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.
- City Council request for agenda items to be placed on future agendas.

MOTION TO CANCEL
THE 1/20/15 RWS AND
THE 1/21/15 RCM

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

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
NOT 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 ARS § 9-463.05 (A.R.S. 38-431.03 A3 and A4):
2. Discussion, consultation with and/or instruction to legal counsel, regarding flooding related claims and lawsuit (Myers and other claims). (A.R.S. 38-431.03 A3 and A4)

ADJOURNMENT 6:25 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.