



CITY OF YUMA
REGULAR CITY COUNCIL MEETING SUMMARY
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, JANUARY 07, 2015
5:30 P.M.

CALL TO ORDER 5:34 PM

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

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

PRESENTATIONS

PRESENTATIONS
MADE

- Recognition of Emergency Civilian Actions
- Recognition of Long-Term Retiring Employee

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. City Council Citizen's Forum October 14, 2014
- APPROVED** 2. Regular Worksession October 14, 2014
- APPROVED** 3. City Council Citizen's Forum November 4, 2014
- APPROVED** 4. Regular Worksession November 4, 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: The Hills Restaurant Patio & Bar**

Approve a Person/Location Transfer #6 Bar, Liquor License application, submitted by Frank Maisano, agent for Frank's Family Dining of Yuma 2, LLC dba The Hills Restaurant Patio & Bar, located at 1245 Desert Hills Drive, Yuma, Arizona.
(LL15-01) (City Administration/City Clerk) (Lynda L. Bushong)

- APPROVED** 3. **Special Event Liquor License: Yuma County Historical Society - Redondo Days Dinner & Auction**

Approve a Special Event Liquor License application submitted by Yanna L. Kruse, on behalf of the Yuma County Historical Society, for the Redondo Days Dinner & Auction. The event will be held at the Sanguinetti House Museum, located at 240 Madison Avenue, on Saturday, February 7, 2015 from 3:00 p.m. to 12:00 a.m. (SP15-04) (City Administration/City Clerk) (Lynda Bushong)

APPROVED 4. Special Event Liquor License: Country Roads RV Village Property Owners Association Inc. - 30th Anniversary Celebration

Approve a Special Event Liquor License application submitted by Valeri J. Shoemaker, on behalf of the Country Roads RV Village Property Owners Association Inc., for the 30th Anniversary Celebration. The event will be held at the Country Roads RV Village Ballroom, located at 5707 E. 32nd Street, on the following dates/times in January 2015:

- Sunday, January 18th - 4:00 p.m. to 11:59 p.m.
- Monday, January 19th through Wednesday, January 21st- 12:00 p.m. to 11:59 p.m.
- Thursday, January 22nd and Friday, January 23rd - 9:00 a.m. to 11:59 p.m. (SP15-05) (City Administration/City Clerk) (Lynda L. Bushong) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED 5. Special Event Liquor License: Southwest Performing Arts Foundation - Dancing with the Yuma Stars

Approve a Special Event Liquor License application submitted by Danielle Renee Duran, on behalf of the Southwest Performing Arts Foundation, for the Dancing with the Yuma Stars event. The event will be held at the Gowan Building, located at 370 S. Main Street, on Saturday, February 14, 2015 from 6:00 a.m. to 11:59 p.m. (SP15-06) (City Administration/City Clerk) (Lynda Bushong)

APPROVED 6. Special Event Liquor License: Fort Yuma Rotary Club Inc. - Mardi Gras

Approve a Special Event Liquor License application submitted by Annette Lagunas, on behalf of the Fort Yuma Rotary Club Inc., for the Mardi Gras event. The event will be held in Downtown Yuma, in the 100 block through the 300 block of South Main Street, on Friday, February 13, 2015 from 4:00 p.m. to 12:00 a.m. (SP15-07) (City Administration/City Clerk) (Lynda Bushong)

APPROVED 7. Special Event Liquor License: City Parks and Recreation Department - River Daze / Boogie, Brews and Blues Festival 2015

Approve a Special Event Liquor License application submitted by Joe Cox, on behalf of the City Parks and Recreation Department, for the River Daze / Boogie, Brews and Blues Festival 2015 event. The event will be held at Gateway Park, located at 259 N. Gila Street, on Saturday, February 7, 2015 from 11:00 a.m. to 7:00 p.m. (SP15-09) (City Administration/City Clerk) (Lynda Bushong)

APPROVED 8. Agreements: Installation; Measurements and Verification

Authorize the City Administrator to execute an Installation Agreement and a Measurements and Verification Agreement to upgrade the energy efficiency of 20 City-owned facilities as identified in the scope of work, by utilizing a cooperative purchase agreement with the State of Arizona and the following firm: Climatec, LLC, Phoenix, Arizona. (Administration) (Ricky L. Rinehart)

APPROVED 9. Declaration of Surplus and Approval of Intergovernmental Agreement: Apache Junction Water Utilities Community Facilities District

Declare surplus of water treatment equipment and authorize the City Administrator or his designee to execute an intergovernmental agreement ("IGA") with the City of Apache Junction Water Utilities Community Facilities District (WUCFD). (Utilities/Administration) (Jay Simonton)

APPROVED 10. Agreement: Arizona Department of Homeland Security

Authorize the City Administrator or his designee to execute an agreement with the Arizona Department of Homeland Security for reimbursement of funds expended for overtime and mileage for activities in support of Operation Stonegarden. (Police/Patrol) (John Lekan)

APPROVED 11. Amendment: City Administrator Agreement

Authorize an amendment to the City Administrator's agreement. (Mayor and Council)

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 R2015-01 Public Record Declaration: 2013 Amendments to the Tax Code of the City of Yuma

Declare a certain document titled "2013 Amendments to the Tax Code of the City of Yuma," a public record and order three copies to remain on file with the City Clerk. (Finance/Administration) (Pat Wicks)

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 O2015-01 Real Property Acquisition: 3401 S. 18th Avenue and 1771 W 34th Street

Authorize the purchase of two parcels of real property to resolve water drainage issues with the Desert Hills Golf Course. (City Attorney) (Steven W. Moore)

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 O2015-02 Amendment to the Yuma City Code: Chapter 37 Taxation

Amend City Code Section 37-02(F) setting a new repeal date for the two-level tax rate. (Finance/Administration) (Pat Wicks)

INTRODUCED B. Ordinance O2015-03 Amend Yuma City Tax Code

Amend the City of Yuma (City) Tax Code to transfer the collection of the City's special two percent (2%) tax to the Arizona Department of Revenue (ADOR). (Finance/Administration) (Pat Wicks)

INTRODUCED C. Ordinance O2015-05 Zoning Code Text Amendment: Off-site Signs

Amend the City of Yuma Zoning Code to add Title 15, Chapter 154, Section 17.04 (A) for off-site signs. (ZONE-7851-2014). (Community Development/Community Planning) (Laurie L. Lineberry)

V. PUBLIC HEARINGS & RELATED ACTIONS

PUBLIC HEARING HELD A. Annexation Area No. ANEX-7505-2014: Ranchos el Toreo

This is a public hearing to consider the annexation of property located at the southwest corner of 36th Street and Avenue 10E. (ANEX-7505-2014). (Community Development/Community Planning) (Laurie Lineberry)

SUGGESTED MOTION: To close the public hearing.

M/_____ S/_____ VV/_____

The following Public Hearing may result in the introduction of Ordinance O2015-04 should the City Council vote to do so.

**PUBLIC
HEARING
HELD/
ORDINANCE
INTRODUCED**

B. Ordinance O2015-04 Rezoning of Property: 12th Street and 14th Avenue

The Planning and Zoning Commission by a 6-0 vote, recommend approval of rezoning of approximately .49 acres located on the southwest corner of 12th Street and 14th Avenue from Medium Density Residential (R-2)/ PUD District to the High Density Residential (R-3) District. (ZONE-7532-2014). (Community Development/Community Planning) (Laurie Lineberry)

SUGGESTED MOTION: To close the public hearing.

M/_____ S/_____ VV/_____

**PUBLIC
HEARING
HELD/
RESOLUTION
ADOPTED AS
AMENDED**

C. Resolution R2015-02 Water and Wastewater Utility Rates and Fees

Pursuant to Arizona Revised Statutes, Section 9-511.01, adopt by Resolution the recommended water and wastewater utility rates and fees adjustments, by staff. (Utilities/Administration) (Jay Simonton)

SUGGESTED MOTION: To close the public hearing.

M/_____ S/_____ VV/_____

SUGGESTED MOTION: To adopt Resolution R2015-02 as recommended.

M/_____ S/_____ RV/_____

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

VI. ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. 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 December 18, 2014 through January 7, 2015. 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.

NOT REPORTED

2. 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 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 the following agenda items:
 - Agreements: Installation; Measurements and Verification
 - Ordinance O2015-02 Amendment to the Yuma City Code: Chapter 37 Taxation
 - Ordinance O2015-03 Amend Yuma City Tax Code
2. Discussion, consultation with and/or instruction to legal counsel, regarding Evangelista claim. (A.R.S. 38-431.03 A3 and A4)
3. Discussion, consultation with and/or instruction to legal counsel, regarding GPLET Lease with Zee Tacos. (A.R.S. 38-431.03 A3 and A4)

ADJOURNMENT 8:54 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.