



**CITY OF YUMA**  
**REGULAR CITY COUNCIL MEETING SUMMARY**  
**COUNCIL CHAMBERS – YUMA CITY HALL**  
**ONE CITY PLAZA, YUMA, ARIZONA**  
**WEDNESDAY, SEPTEMBER 17, 2014**  
**5:30 P.M.**

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**CALL TO ORDER 5:33 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**PRESENTATIONS**

**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/Budget Meeting

April 30, 2014

- |                 |    |                                |                |
|-----------------|----|--------------------------------|----------------|
| <b>APPROVED</b> | 2. | Special Worksession/Roundtable | May 14, 2014   |
| <b>APPROVED</b> | 3. | Citizen Forum                  | July 15, 2014  |
| <b>APPROVED</b> | 4. | Special City Council Meeting   | July 31, 2014  |
| <b>APPROVED</b> | 5. | Citizen's Forum                | August 5, 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: Estrellita Mexican Restaurant**  
  
Approve a New License #12 Restaurant, Liquor License application, submitted by Placido Lopez, agent for Estrellita Mexican Restaurant, located at 2100 S. 4th Avenue, Yuma, Arizona. (LL14-20) (City Administration/City Clerk) (Lynda L. Bushong)
  
- APPROVED 3. Special Event Liquor License: Yuma Visitors Bureau - Rio de Cerveza**  
  
Approve a Special Event Liquor License application submitted by Clyde Robert Nidiffer, on behalf of the Yuma Visitors Bureau, for the Rio de Cerveza event. The event will be held at the Desert Sun Stadium, located at 1280 W. Desert Sun Drive, on Saturday, November 1, 2014 from 12:00 p.m. to 5:00 p.m. (SP14-20) (City Administration/City Clerk) (Lynda L. Bushong)
  
- APPROVED 4. Off-Track Betting License: Turf Paradise at The Mine Shaft**  
  
Approve a request submitted by David Johnson, Vice President of Turf Paradise, for an Off-Track Betting License at The Mine Shaft, located at 3905 S. 4th Avenue, with a term to expire May 31, 2015, to coincide with the term of Turf Paradise's State license. The owners of The Mine Shaft have expressed their support for the Off-Track Betting operation. (OTB14-01) (City Administration/City Clerk) (Lynda L. Bushong)

**APPROVED 5. Bid Rejection: Madison Avenue Improvements**

Reject all bids for Madison Avenue Improvements. (City Engineering - Bid# 2015-20000013) (Kevin Eatherly)

**APPROVED 6. Request for Qualifications (RFQ): Geotechnical and Materials Testing and Other Related Consultant Services.**

Authorize City Administrator to negotiate and execute a one-year contract with the option to renew for four additional one-year periods, one period at a time, depending on the appropriation of funds and satisfactory performance, for Geotechnical and Materials Testing and Other Related Consultant Services with the following firms:

- 1) EDAIS Engineering, Inc. Yuma, Arizona
- 2) Geotechnical Testing Services, Inc., Yuma, Arizona
- 3) Kleinfelder Tempe, Arizona
- 4) Nicklaus Engineering, Inc. Yuma, Arizona

(City Engineering - RFQ #2015-20000012) (Kevin Eatherly)

**APPROVED 7. Grant Award: Governor's Office of Highway Safety - Occupant Protection Program**

Authorize the City Administrator and City Staff to execute contracts with the Arizona Governor's Office of Highway Safety for highway safety projects in accordance with Federal Fiscal Year 2015 Highway Safety Plan. (Police/Patrol) (John Lekan)

**APPROVED 8. Grant Award: Governor's Office of Highway Safety - Selective Traffic Enforcement Overtime**

Authorize the City Administrator and City Staff to execute contracts with the Arizona Governor's Office of Highway Safety for highway safety projects in accordance with Federal Fiscal Year 2015 Highway Safety Plan. (Police/Patrol) (John Lekan)

**APPROVED 9. Intergovernmental Agreement: Yuma County Intergovernmental Public Transportation Authority**

Approve an Intergovernmental Agreement to provide Information Technology Services to Yuma County Intergovernmental Public Transportation Authority. (Information Technology Services/Administration) (Jim Hamersley)

**APPROVED AS AMENDED 10. Notice of Intention to Adjust Water and Wastewater Utility Rates and Fees**

Approve the Notice of Intention pursuant to Arizona Revised Statutes § 9-511.01, to adjust (increase) water and wastewater utility rates and fees. (Utilities/Administration) (Jay Simonton)

**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 R2014-31 Real Property Exchange and Development Agreement: Runyan Enterprises LLC**

Authorize a real property exchange and development agreement with Runyan Enterprises for property located at the Northeast corner of 32nd Street and Avenue A. (City Administration) (Ricky Rinehart)

**ADOPTED B. Resolution R2014-32 Development Fee Deferral: Basera Holdings, LLC**

Approve a Development Agreement request with Basera Holdings, LLC, permitting the deferral of City of Yuma Development Fees and water and sewer capacity charges for properties in Basera Subdivision. (Public Works/City Engineering) (Joshua Scott /Joel Olea)

**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 O2014-27 Declaration of Surplus and Authorization of Transfer of Land: Arizona Department of Veteran's Services**

Declare certain property at the southeast corner of Avenue 6E and the 34th Street alignment as surplus and authorize conveyance of the property to the State of Arizona, Department of Veterans' Services, which will automatically revert to the City if certain conditions are not met. (City 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 O2014-29 Zoning Code Text Amendment: Accessory Structures**

Amend the City of Yuma Zoning Code to add Title 15, Chapter 154, Section 15.15 to provide regulations for accessory structures and to permit accessory structures within certain identified residential zoning districts. (ZONE-6490-2014). (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:

1. Appointments:

APPOINTMENT  
MADE

- Planning & Zoning Commission: One appointment expiring 1/31/2017

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 September 4, 2014 through September 17, 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.

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.

**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. NOTIFICATION TO MAYOR AND COUNCIL**

REPORTED

Pursuant to the Yuma City Charter and Arizona Revised Statutes, the City Clerk will give Mayor and Council formal notification of the petition verification related to Referendum REF2014-03 / Resolution R2014-23: General Plan Amendment: B-8 Yuma, L.L.C., filed on behalf of the Political Action Committee No Wal Mart on 8<sup>th</sup> Street.

**IX. 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.

**X. 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:

*There are no items scheduled at this time.*

**ADJOURNMENT 6:29 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, Yuma, Arizona 85364-1436; (928) 373-5125 or TTY (928) 373-5149.