



CITY OF YUMA
REGULAR CITY COUNCIL MEETING SUMMARY
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, NOVEMBER 19, 2014
5:30 P.M.

CALL TO ORDER 5:32 PM

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

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

PRESENTATIONS

- Recognition of services by Catholic Community Services

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. Regular City Council Meeting August 27, 2014
- APPROVED** 2. City Council Citizen’s Forum September 30, 2014
- APPROVED** 3. Regular Worksession September 30, 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: Wal-Mart Neighborhood Market #7320

Approve a Person/Location Transfer #9 Liquor Store, Liquor License application, submitted by Clare Hollie Abel, agent for Wal-Mart Stores, Inc. dba Wal-Mart Neighborhood Market #7320, located at 2545 West 8th Street, Yuma, Arizona. (LL14-24) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED 3. Liquor License: Wingstop

Approve a New License #12 Restaurant, Liquor License application, submitted by Michael Dean Nelson, agent for West of PCH LLC dba Wingstop, located at 290 W. 32nd Street, Yuma, Arizona. (LL14-25) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED 4. Liquor License: A&R Beer Bar and Grill

Approve a New License #12 Restaurant, Liquor License application, submitted by Rafael M. Arroyo, agent for A&R Beer Bar and Grill, located at 712 S. 4th Avenue, Yuma, Arizona. (LL14-26) (City Administration/City Clerk) (Lynda L. Bushong)

**MOTION
TO
CONTINUE
TO THE
12/17/2014
RCM**

5. Liquor License: Val's Drive Thru Liquor

Approve an Interim Permit/Person Transfer #9 Liquor Store, Liquor License application, submitted by Rivan Saad Nona, agent for Val's Drive Thru Liquor LLC dba Val's Drive Thru Liquor, located at 2500 W. 8th Street, Yuma, Arizona. (LL14-27) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED

6. Special Event Liquor License: Yuma Fine Arts Association - All Galleries Opening Reception

Approve a Special Event Liquor License application submitted by David L. Woodward, on behalf of the Yuma Fine Arts Association, for the All Galleries Opening Reception. The reception will be held at the Yuma Art Center, located at 254 S. Main Street, on Friday, December 5, 2014 from 5:00 p.m. to 10:00 p.m. (SP14-28) (City Administration/City Clerk) (Lynda L. Bushong)

**APPROVED
AS
AMENDED**

7. Cooperative Purchase Agreement: Energy Performance Contracts

Authorize the City Administrator to negotiate and execute a 25-year contract to construct, install, operate and maintain a solar panel system at no cost to the City, as well as, negotiate and execute a guaranteed savings agreement and the proposed improvement agreement for the remaining 20 City 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 Rinehart)

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 R2014-41 Public Record Declaration: NFPA 1 Fire Code 2012

Authorize the declaration of a certain document titled NFPA 1 Fire Code 2012 (National Fire Protection Association 1 Fire Code 2012), a public record and order three copies to remain on file with the City Clerk. (Fire/Administration) (Steve Irr)

ADOPTED B. Resolution R2014-43 Industrial Development Authority Charter School Revenue Bonds Series 2014

Approve the Issuance of Charter School Revenue Bonds, Series 2014 (Juniper Tree Academy, dba Desert View Academy) of the Industrial Development Authority of the City of Yuma, Arizona. (City Attorney)

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 O2014-31 Rezoning of Property: Northwest corner of 32nd Street and Talon Avenue, Yuma, AZ.

Rezone approximately 0.74 acres from the General Commercial/Aesthetic Overlay (B-2/AO) District to the General Commercial (B-2) District. The property is located at the northwest corner of 32nd Street and Talon Avenue, Yuma, AZ. (ZONE-7131-2014) (Community Development/Community Planning) (Laurie L. 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 O2014-32 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)

INTRODUCED **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)

INTRODUCED
AS
AMENDED **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)

V. PUBLIC HEARINGS & RELATED ACTIONS

**PUBLIC
HEARING
HELD/
RESOLUTION
R2014-42
ADOPTED**

A. Resolution R2014-42 Major General Plan Amendment: 5th Avenue and 16th Street

Amend the City of Yuma General Plan to change the land use designation from Mixed Use and Low Density Residential to Commercial, for property located in proximity to the 5th Avenue and 16th Street intersection. The applicants are the Kenyons Market, Inc. and the City of Yuma (GP-6521-2014). (Community Development/Community Planning) (Laurie L. Lineberry)

SUGGESTED MOTION: To close the public hearing.

M/_____ S/_____ VV/_____

SUGGESTED MOTION: To adopt Resolution R2014-42 as recommended.

M/_____ S/_____ RV/_____

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:
 - Part-time Municipal Court Judge Pro Tem (3)

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 November 6, 2014 through November 19, 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.

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.

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 Authorization of Transfer of Land to Arizona Department of Veteran Services. (A.R.S. 38-431.03 A3, A4 and A7)
- 2. Discussion, consultation with and/or instruction to legal counsel regarding the Grant of Easement and Real Property Exchange: Yuma Elementary School District and JV Farms, Inc. (A.R.S. 38-431.03 A3, A4 and A7)

ADJOURNMENT 6:56 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, Yuma, Arizona 85364-1436; (928) 373-5125 or TTY (928) 373-5149.