

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
APRIL 4, 2018
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:33 p.m.

INVOCATION/PLEDGE

Pastor Joe Avila, Community Christian Church, gave the invocation. **Steve Irr**, Fire Chief, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:	Shelton, Watts, Thomas, Knight, McClendon, Miller, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	City Administrator, Gregory K. Wilkinson Assistant Director of Community Development, Dan Symer Principal Planner, Jennifer Albers Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms for agenda related items from members of the audience.

PRESENTATIONS

Employer Support of the Guard and Reserve Nomination

Representatives from Employer Support of the Guard and Reserve (ESGR) presented Chief Lekan, who was nominated by Sgt. Henry Valenzuela and Officer Ramirez, with Patriotic Employer awards.

Cocopah Indian Tribe Gaming Proceeds

Mayor Nicholls along with Councilmember Rosa Long from the Cocopah Tribal Council, presented tribal gaming proceeds to the following non-profit organizations:

- Crossroads Mission - \$4,000.00
- Catholic Community Services - \$4,000.00
- Back to School Rodeo (bicycle helmets) - \$2,000.00

I. MOTION CONSENT AGENDA

Motion (Knight/McClendon): To approve the Motion Consent Agenda as recommended. Voice vote: **approved** 7-0.

A. Approval of minutes of the following City Council meeting(s):

Regular City Council Meeting	October 18, 2017
Regular City Council Meeting	November 15, 2017
Council Citizen's Forum	January 16, 2018

B. Approval of Staff Recommendations:

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 Atty)
2. Approve a new Series #12 Restaurant Liquor License application submitted by Robert Rodriguez, agent for Chretien's, 505 E. 16th Street. (LL18-04) (Admin/Clerk)
3. Approve a Special Event Liquor License application submitted by Lindsay Benacka on behalf of the City of Yuma Parks and Recreation Department for ARTbeat 11. The event will take place between the 200-300 blocks of Main Street on Saturday, April 21, 2018, from 3:00 p.m. to 10:00 p.m. (SP18-20) (Admin/Clerk)
4. Authorize the purchase and delivery of 95-gallon containers by utilizing the cooperative purchase agreement originated by the City of Tucson with National Intergovernmental Purchasing Association (NIPA) for a one-year contract with the option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance, at an estimate annual expenditure of \$106,100.00 to: Toter Inc., Statesville, North Carolina. (P – Bid #2018-20000108)
5. Authorize the City Administrator to execute an intergovernmental agreement (IGA) with the City of San Luis for cooperative emergency services. (Fire/Admin)
6. Authorize the City Administrator to execute an intergovernmental agreement (IGA) with the City of San Luis for use of the City of Yuma's Public Safety Training Facility (PSTF) (Fire/Admin)

II. RESOLUTION CONSENT AGENDA

Responding to the Mayor's question from the previous night, **Symer** clarified that the basin will be serving both Phase 1 and Phase 2. The current agreement, however, is for Phase 1 only. As Phase 2 comes on board, they will pay their proportionate share of the basin as a whole.

Motion (Knight /McClendon): To adopt the Resolution Consent Agenda as recommended.

With no speakers and no further discussion, **Bushong** displayed the following title:

Resolution R2018-003

A resolution of the City Council of the City of Yuma, Arizona, declaring its intention to create Municipal Improvement District No. 104, Serving Desert Sky Unit No. 1, to operate, maintain and repair landscaping improvements included within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures of Desert Sky Unit No. 1 (40th Street and Avenue 7 ½ E) (DCD/Planning)

Roll call vote: **adopted** 7-0.

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Shelton expressed concern that only the initial property owners were notified of the annexation. He feels there needs to be an expansion of notification for all those who are affected by an annexation, especially since residents spoke out that they were not properly notified.

At the request of Councilmember Thomas, **Albers**, explained the notification process for annexations as follows:

- The City of Yuma follows State Statutes
 - The property is posted in three different locations visible to neighbors
 - A display add is published in the paper
 - Property owners who are within the annexation boundary are notified

Albers explained that an annexation only changes the taxes paid by the properties that are involved in the annexation. It does not make it any more intense than it was, nor does it change the General Plan. When researching what other communities have done, **Albers** found that most communities follow State statute requirements and some go beyond. **Mayor Nicholls** asked who pays for the notification including the newspaper article and the distribution of information. **Albers** replied there are no fees on their fee schedule for annexations and that the costs are borne by the City of Yuma. **Albers** continued stating there is an application fee for rezoning cases and a base fee with General Plan Amendments based on the number of acres to cover some of the costs in processing those requests. **Mayor Nicholls** opined, and **Albers** agreed, that there would be a costs associated for going above and beyond.

Motion (Knight /Miller): To adopt the Ordinances Consent Agenda as recommended.

Bushong displayed the following title:

Ordinance O2018-012

An ordinance of the City Council of the City of Yuma, Arizona, annexing to the City of Yuma, a portion of Section 17 of Township 9 South, Range 22 West of the Gila and Salt River Base & Meridian, Yuma County, Arizona, and amending Chapter 154 of the Yuma City Code, as amended, designating the zoning of certain property to the Agriculture (AG) Zoning District, and amending the

zoning map to conform with the annexation, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes and its amendments (property generally located at the southwest corner of Avenue 6E and 44th Street) (DCD/Planning)

Roll call vote: **adopted** 7-0.

IV. INTRODUCTION OF ORDINANCES

Being no speakers or City Council discussion, **Bushong** displayed the following title(s) at the request of the Mayor:

Ordinance O2018-013

An ordinance of the City Council of the City of Yuma, Arizona, referencing Chapter 154 of the Yuma City Code, rezoning certain property located in the Light Industrial /Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) District and amending the Zoning Map to conform with the rezoning (approximately 0.16 acres located at 978 S. 1st Avenue) (DCD/Planning)

Ordinance O2018-014

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 154, zoning, by amending Article 19, Sections 19.02, 19.03, and 19.09, and adding Section 19.11, related to Personal Wireless Communications; and providing penalties (Zoning Code text amendment to include guidelines and development standards for personal wireless communication facilities in the public Right-of-Way) (DCD/Planning)

V. PUBLIC HEARINGS

R2018-004: General Plan Amendment: 1421 S. Avenue B - Deny the request to amend the City of Yuma General Plan to change the land use designation from Medium Density Residential to High Density Residential, for property located at 1421 S. Avenue B. The applicant is South Avenue B L.L.C. (GP-19696-2017). (Community development/Community Planning) (Laurie Lineberry)

Mayor Nicholls, explaining that the applicant made a request to continue Resolution R2018-004 and called for the motion.

Motion (Knight/Watts): To continue the public hearing and related actions regarding the General Plan Amendment for South Avenue B, L.L.C., to the July 18, 2018 Regular City Council Meeting, at the request of the applicant. Voice vote: **approved** 7-0.

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms from members of the audience interested in speaking at the Call to the Public.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Appointments

There were no appointments scheduled at this time.

Announcements

Thomas, Shelton, Miller, Watts, Knight and **Mayor Nicholls** reported on events and meetings they have attended during the last two weeks and upcoming events of note.

Mayor Nicholls reported on his trip to Washington DC with the City Administrator. Meetings were held with Senator McCain's staff, Senator Flake and staff, Representative McSally, Representative Sinema, Representative Gosar and Representative Gijalva's staff regarding priorities for Yuma. Meetings were also held with the Department of Defense, Department of Transportation and the Environmental Protection Agency. Mayor Nicholls hoped to meet with the Federal Communications Commission, but given the fact that the City of Yuma filed a complaint it was not possible to meet with them. **Mayor Nicholls** reported that the Yuma Sun put out a great article summarizing the trip and was topic specific for those who want more information. **Mayor Nicholls** stated it was time well spent as evidenced by a \$10 million investment for a home supporting our Veterans. Tackling the Veteran's Home is something that started back during his first term and has taken four to five years to come to fruition.

Scheduling

Miller requested that the [budget] Special Worksession/Roundtable be held in Council Chambers rather than City Hall Conference Room #190 for public viewing. **Mayor Nicholls** and **Wilkinson** agreed as long as Council Chambers is available there is no issue.

Motion (Miller/McClendon) : To schedule a Special Worksession/Roundtable for April 24th, 25th and 26th, 2018, at 5:30 p.m. at City Hall for the purpose of discussing the City's budget. Voice vote: **approved** 7-0.

VII. SUMMARY OF CURRENT EVENTS

Wilkinson reported that the City of Yuma will be hosting an outreach on Monday, April 9th in City Hall Conference Room #190 in regards to Arizona Public Service's mandatory plan changes. The outreach will allow citizens to discuss the different rate plans and choose their best option prior to the deadline when, if missed, a plan will be chosen for you.

Wilkinson reported the following upcoming events:

- April 6th - Pirate/Mermaid Splash at Marcus Pool – April 6th.
- April 7th - Household Hazardous Waste Drop Off at the Civic Center
- April 13th - YRMC Golf Tournament

VIII. CALL TO THE PUBLIC

Eve Mendez-Counts, Executive Director of Catholic Community Services (CCS), 690 E. 32nd Street, reported on the following services CCS provides here in our community:

- Daybreak Adult Day Health Care

- Counselling and behavioral health services
- Senior Nutrition – Congregate and Home Delivered Meals
- Safe House – Domestic Violence Shelter

Mendez-Counts expressed her gratitude for the support the City of Yuma provides to their organization and to the community. She also explained the challenges they are facing due to reductions in funding, stating the Safe House and Senior Nutrition programs are suffering the most. The Cocopah Gaming Funds received were unexpected and very appreciated.

IX. EXECUTIVE SESSION/ADJOURNMENT

Motion (Thomas/McClendon): To adjourn to Executive Session. Voice vote: **approved** 7-0.
Mayor Nicholls adjourned the meeting at 6:18 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor