

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
JULY 19, 2017
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:32 p.m.

INVOCATION/PLEDGE

Pastor George Boundey, 7th Day Adventist Church, gave the invocation. **Susan Smith**, Deputy Chief of Police, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Shelton, Wright, Miller, Knight, Thomas, Craft, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: City Administrator, Gregory K. Wilkinson
Fire Chief, Steve Irr
Fire Captain, Tony Deanda
Accounting Manager, Lisa Marlin
Director of Public Works, Joel Olea
Various Department Heads or their representative
City Attorney, Steven W. Moore
City Clerk, Lynda L. Bushong

FINAL CALL

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

PRESENTATIONS

Recognition of Citizen Support

Chief Irr recognized Nathan Alleyne, Albert Lopez, Adam Olivarez, and Hendrix Orzal from DaVita Dialysis for their efforts in assisting a person who had become unresponsive in the parking lot outside of their place of business. Using CPR and an Automated External Defibrillator (AED) they were able to revive the patient by the time the crew from the Yuma Fire Department (YFD) arrived on the scene.

Chief Irr and **Captain Deanda** recognized Dr. Edward Boehringer, Carlos Gaxiola, Kenia Berna, Vanessa Quemal, and Luis Gerardo Castro Roa from Yuma Dentistry 4 Kids who also assisted a person who was found unresponsive behind their place of business. They had to make their way over a fence to access the patient and administered CPR and utilized an AED until YFD arrived.

Board & Commission Quarterly Recognition

Mayor Nicholls recognized Leslie McClendon for her participation on the Merit System Board. In addition to stepping in to fill an unexpired term on this board she also served as councilmember on the Yuma City Council from 2008-2015.

Recognition of Achievement for Excellence in Financial Reporting

Mayor Nicholls presented the Government Finance Officers Association award for excellence in financial reporting to Accounting Manager Lisa Marlin, who received the award on behalf of Finance Director Pat Wicks. This is the 34th consecutive year that the City has received this award.

Yuma Boxing History Day Proclamation

Mayor Nicholls read a proclamation declaring July 19, 2017, as Yuma Boxing History Day in recognition of the contributions that the sport of boxing has made in building character in countless young people for many generations.

I. MOTION CONSENT AGENDA

Motion Consent Agenda Item B.6 – Cooperative Purchase Agreement: Automated Side Loaders (authorize the purchase of three solid waste collection trucks at \$297,630.85 each for a total cost of \$892,892.55) (Public Works)

Wright asked if the last trucks that were replaced were at a similar cost or if the cost has increased since that time. **Olea** stated that the last two replacements were approved last fiscal year were approximately the same cost. **Wright** asked if a warranty is included in the purchase price. **Olea** stated that a warranty is included that covers the trucks for one or two years. **Wright** asked what the status of the solid waste fleet will be once these three trucks are replaced. **Olea** stated that two trucks are scheduled to be replaced in Fiscal Year 2019 and two more trucks in Fiscal Year 2020; after that, the fleet will be in good condition. He added that these trucks are being purchased and serviced locally. **Wright** asked what the typical lifecycle is of a solid waste truck. **Olea** stated that the City is expecting a minimum of eight to ten years from the new trucks.

Miller shared that he reached out to a local waste disposal company who confirmed that in the event the City chooses to privatize trash collection they would purchase the City's equipment as part of taking over that service.

Mayor Nicholls asked if the funds for this purchase will come out of the Solid Waste Enterprise Fund. **Olea** confirmed that is correct.

Motion (Knight/Craft): 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 Council Meeting	March 1, 2017
Regular Council Worksession	March 14, 2017
Special Worksession/Roundtable	March 28, 2017
Council Citizen's Forum	May 2, 2017
Council Citizen's Forum	May 16, 2017
Special Council Meeting	June 28, 2017

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 Special Event Liquor License Application submitted by Chris Wheeler on behalf of the Yuma Rotary Club for the Celebrate the Heat on Yuma's Main Street event. The event will take place on the 100-200 block of Main Street on Friday, August 18, 2017, from 6:00 p.m. to 11:00 p.m. (SP17-17) (Admin/Clerk)
3. Approve a Series #12 Restaurant Liquor License Application submitted by Hongying He, agent for Asian Star located at 276 W. 32nd St. Ste. 1 (LL17-06) (Admin/Clerk)
4. Approve a Series #6 Bar/Person Transfer Liquor License Application submitted by Sarah Lee Sparks, agent for 8th Street Tavern located at 1300 W. 8th Street (LL17-05) (Admin/Clerk)
5. Approve a Series #12 Restaurant Liquor License Application submitted by Feifei Zhao, agent for Oriental House located at 2951 S. 4th Avenue (LL17-07) (Admin/Clerk)
6. Authorize the purchase of three Automated Side Loaders, Peterbilt/McNeilus collection trucks, by utilizing the cooperative purchase agreement originated by the Houston-Galveston Area Council at \$297,630.85 each, for a total of \$892,892.55 to: Rush Truck Centers – Yuma; Yuma, Arizona (PW – Bid #2018-20000005)
7. Authorize the City Administrator to execute a one-year contract for Electrical Services: Streetlights, Traffic Signals and Storm Water Lift Station Repairs 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 with the following contractors: MGI North American Services, Yuma, Arizona; Westmoor Electric, Inc., Yuma, Arizona (PW/Streets – RFQ #2017-20000165)
8. Authorize the City Administrator to execute a one-year contract for Job Order Contract (JOC) – Municipal Water and Wastewater Treatment Plant Infrastructure Refurbishment & Replacement 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, with the following contractor: PCL Construction, Inc., Tempe, Arizona (Utilities/Eng – RFQ #2017-20000213)

9. Authorize the purchase of Bermuda and Rye Grass, for an estimated cost of \$118,500.00 with the following firms: Crop Production Services, Yuma, Arizona, and Helena Chemical, Phoenix, Arizona (P& Rec – Bid #2017-20000208)
10. Authorize the purchase of a 2018 Peterbilt Vactor 2100 Plus – Sewer Cleaner/Vacuum System mounted on a heavy duty truck chassis by utilizing the cooperative purchasing agreement originated by National Joint Powers Alliance, at a total cost of \$402,499.05 to: Rush Truck Centers, Yuma, Arizona (Utilities – Bid #2018-20000006)
11. Request approval of the City of Yuma 2017 Community Development Block Grant (CDBG) and HOME Investment Partnership Annual Action Plan and authorize the City Administrator to execute a funding agreement with the US Department of Housing and Urban Development (HUD) (DCD/Neighborhood Svc)
12. Approve the final plat for Desert Sky Unit No. 1 Subdivision. The property is located at the northwest corner of Avenue 7 ½ E and 40th Street, Yuma, AZ. The applicant is Dahl, Robins, and Associates, Inc., on behalf of Smoketree Desert Land Company LLC (SUBD-17955-2017) (DCD)
13. Approve the final plat of the Desert Oasis Subdivision Unit #3. The property is located at the southeast corner of Avenue 7E and 37th Street, Yuma, AZ. The applicant is Dahl, Robins, and Associates, Inc. on behalf of Yuma Desert Oasis Development, LLC. (DCD)

II. RESOLUTION CONSENT AGENDA

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

Bushong displayed the following titles:

Resolution R2017-12

A resolution of the City Council of the City of Yuma, Arizona, declaring a certain document entitled *Landscape Regulations* a public record and ordering its filing in the Office of the City Clerk (sets forth changes to Title 15, Chapter 154, Articles 01.07 and 20 of the Yuma City Code) (DCD)

Resolution R2017-15

A resolution of the City Council of the City of Yuma, Arizona, appointing Election Boards (poll workers) to serve at the City Primary and General Elections to be held on August 29, 2017 and November 7, 2017, respectively, and further approve Voting Centers as adopted by the Yuma County Board of Supervisors, pursuant to State Statute, and therefore an election process of the current Intergovernmental Agreement (approve voting centers at the Yuma Civic Center, the Martin Luther King Jr. Neighborhood Center, and Community Christian Church and appoint an Election Board for each respective voting center) (Admin/Clerk)

Resolution R2017-16

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a Preannexation Development Agreement with the owner of real property located at 1421

S. Avenue B (property is largely undeveloped and located primarily within the City, with .6 acres located outside of City limits) (DCD)

Resolution R2017-17

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving a Development Agreement permitting the deferral of City of Yuma Development Fees and Water and Sanitary Sewer Capacity Charges for Cielo Verde Unit 5 Subdivision (deferral for a period of three years upon execution of a Development Agreement and payment of a \$500 administrative fee) (Utilities)

Resolution R2017-18

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving a Development Agreement permitting the deferral of City of Yuma Development Fees and Water and Sanitary Sewer Capacity Charges for Ellington Subdivision (deferral for a period of three years upon execution of a Development Agreement and payment of a \$500 administrative fee) (Utilities)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

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

Bushong displayed the following title:

Ordinance O2017-023

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 211 of the Yuma City Code, as amended, relating to Truck Routes and Traffic, and providing penalties for violations thereof (amend Title 21, Chapter 211, Sections 21 and 22 of the Yuma City Code to update the listing of Truck Routs within the City) (DCD)

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

IV. INTRODUCTION OF ORDINANCES

Bushong displayed the following title:

Ordinance O2017-024

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code relating to landscape regulations, adopting the changes to the Zoning Code by reference, and providing penalties for violations thereof (amend Title 15, Chapter 154, Article 01.07 and 20 of the Yuma City Code) (DCD)

V. INDUSTRIAL DEVELOPMENT AUTHORITY

Mayor Nicholls explained that there is no need for further discussion on this matter as it has been resolved.

VI. PUBLIC HEARINGS

Resolution R2017-010 – Public Hearing: Old Town South Subarea Revitalization Plan 2016 Implementation Strategy (approve and adopt the Old Town South Subarea Revitalization Plan 2016 Implementation Strategy) (Admin/YCNHA)

Shelton suggested that the Public Hearing on Resolution R2017-010 be rescheduled to a later date to allow the President of Arizona Western College, Dr. Daniel Corr, to present his views on this matter. **Mayor Nicholls** stated that he would like to give Dr. Corr an opportunity to speak tonight if he arrives prior to the end of the meeting but will entertain a motion to reschedule later in the meeting if necessary.

[Public Hearing moved to end of meeting]

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

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

Wright requested, as a future agenda item, a presentation regarding the Desert Hills Golf Course fund. **Mayor Nicholls** stated that this agenda item will be scheduled once the Golf Operations Manager's presentation is complete. **Wilkinson** stated that he would reach out to the Golf Operations Manager to check on the status of the presentation.

VII. SUMMARY OF CURRENT EVENTS

Wilkinson reported the following events:

- July 22nd – Back to School Rodeo
- July 26th – Grand Opening of Sprouts
- July 31st – Grand Opening of Black Bear Diner

VIII. CALL TO THE PUBLIC

Phil Clark, 4296 W. County 15th Street, stated that he has submitted four public records requests since the June 6, 2017, Regular Council Worksession for a copy of the documentation regarding the revenue generated at Desert Sun Stadium in the amount of \$340,033.99 which was presented at that meeting. It is now over a month later and those documents have yet to be provided. Ultimately it falls on City Council to ensure that the City is complying with the State Statutes regarding public records requests.

VII. PUBLIC HEARINGS

Resolution R2017-010 – Public Hearing: Old Town South Subarea Revitalization Plan 2016 Implementation Strategy (approve and adopt the Old Town South Subarea Revitalization Plan 2016 Implementation Strategy) (Admin/YCNHA)

Motion (Shelton/Knight): To reschedule the Public Hearing and any action on Resolution R2017-010 to a future date to be determined after coordination with Dr. Corr. Voice vote: **approved** 7-0.

X. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:22 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor