

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
OCTOBER 17, 2018
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:30 p.m.

INVOCATION/PLEDGE

Pastor Tom Renard with Imagine Nations Church gave the invocation. **Joel Olea**, Director of Public Works 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 Manager of Neighborhood Services, Rhonda Lee James Director of Parks & Recreation, Deborah Wendt Recreation Program Supervisor, Oscar Chavez Principal Planner, Jennifer Albers Various Department Heads or their representative City Attorney, Richard Files 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 for agenda related items.

PRESENTATIONS

Arizona Complete Health Grant Award

Lee-James thanked Arizona Complete Health (Cenpatico) and their Vice President, Greg Taylor for being one of Yuma's strongest community partners and by joining in on the efforts to ensure residents of the community have homes that are free of hazards and safety issues.

Greg Taylor thanked the City of Yuma for allowing them to meet the needs of those individuals by keeping their homes in the conditions they need to be. He informed City Council that between the investments made this year and another that will be made next year, Arizona Complete Health is contributing \$25,000 towards this program to make sure it is successful for those that live in the Yuma community.

Video

Mayor Nicholls displayed a suicide prevention video put together by City staff.

Video

Mayor Nicholls displayed a video on the Officer Memorial put together by the Fraternal Order of Police.

Pacific Avenue Athletic Complex (PAAC) Update

Wendt and **Chavez** presented the following information related to the Pacific Avenue Athletic Complex (PAAC):

- Before the opening of the PAAC
 - ✓ Averaged 16 tournaments per year, which included City and private hosted tournaments
 - ✓ Revenues collected from City Leagues and Tournaments in FY 2016-2017 were \$93,038.00
 - ✓ Rental revenues from private tournaments in FY 2016-2017 were \$8,328.00
- PAAC from September 2017 to September 2018
 - ✓ 28 tournaments hosted
 - ✓ 675 total teams with 275 out of town teams
 - ✓ 136,269 players, spectators & visitors
 - ✓ Out of 365 days of the year, the PAAC was used 270 days
 - ✓ Youth Leagues share the PAAC during their seasons 2-3 days a week
- New Customers - Private Tournaments and Events from 2017-2018
 - ✓ Southwest Premier Tournaments, USBP Toys for Tots, AWC Women's' Fast-pitch, E-1 Sports, 2 Local Teams (Hosted their own tournament), Cal Ripken State Tournament
- New City Tournaments/Leagues included:
 - ✓ Cinco De Mayo Softball Tournament, Additional Co-Rec Softball League, 2 Kickball Tournaments, Kickball League
- Revenues from September 2017 to September 2018
 - ✓ Revenues collected from City only Leagues and Tournaments: \$112,308.00
 - ✓ Rental revenues collected from private tournaments: \$26,031.00
 - ✓ Gate fees collected for all tournaments: \$118,124.00
 - \$88,104.00 went back to the promotor
 - City's share: \$30,020.00
 - ✓ Concession sales totaled \$249,466.00
- Revenue/Expenditure Overview:
 - ✓ Total revenues collected since the PAAC opened: \$447,190.00
 - ✓ Revenues collected for City of Yuma Adult Leagues in fiscal year (FY) 2016-2017: \$93,098.00
 - ✓ Revenues collected for Private tournaments in FY 2016-2017: \$8,382.00
 - ✓ Total Labor Costs for Full-time and Part-time employees to include recreation, concessions and maintenance at the PAAC: \$302,516.00
 - ✓ Estimated Economic Impact: \$1,380,000.00

- Two Percent & Sales Tax:
 - ✓ August 2018 saw an 8.4% increase over last year, improving on the July increase year-to-year of 6.2%, which in turn pushed the fiscal year to date increase to 7.3%.
 - ✓ The two percent and sales tax increase totaled \$18,000 or 4.7% more than last August with an increase of 3.1% fiscal year to date (YTD) and an increase of 6.3% calendar YTD
- Field Usage Requests
 - ✓ Inventory of 8 Softball Facilities: 20 Softball Fields (Including the PAAC) provides:
 - Practice Reservation
 - Scheduled Games
 - Private Rental Opportunities
 - City of Yuma Tournaments
 - Private Tournaments
 - Special Events

Wendt and **Chavez** concluded the presentation by informing City Council that the success of the PAAC will continue. Discussions with several new tournament vendors have been conducted and reservations for new tournaments have been made. The Parks and Recreation Department continues to work with other local organizations to promote potential tournament opportunities within the Community.

Discussion:

Shelton asked several questions all of which were marketing oriented. He questioned what Parks and Recreation have been doing to market the PAAC locally with tournaments. **Wendt** informed City Council that although they do not have the funds to publicize upcoming tournaments on television or at the Yuma Sun it is however available on the City of Yuma website [www.yumaaz.gov], the Parks and Recreation Activity Guide, along with being broadcasted on the radio every Thursday. **Shelton** expressed his concern in having certain people in the community still not aware of the local activities occurring at the PAAC. He suggested having a local business owner donate and promote a marque that stands out front of the PAAC so all the Yuma community can see the schedule of upcoming events.

Watts asked if the PAAC is being used during the summer months, especially in July and August. **Chavez** advised during the summer months they host late night tournaments starting around 8:00 p.m. that go till early in the morning.

Knight explained that the money paying for the PAAC and the bond payments on the PAAC is 2% funding, which is restricted and cannot be used for roads or public safety. He asked if there are any general funds to pay down the debt on the PAAC. **Wilkinson** stated there were not. **Knight** noted that the PAAC is doing as City Council intended. He asked if there will be more reservations next year or if it is anticipated to be the same. **Chavez** answered that things are looking close to what they were last year but Parks and Recreation is continuing to work with vendors and outside people who want to come into Yuma for tournaments.

Thomas asked what the annual bond payment is for the PAAC. **Wendt** estimated the bond payment is just over one million dollars a year.

Mayor Nicholls questioned the current timeframe on naming rights for the PAAC. He stated "PAAC" does not necessarily provide an identity of the complex and suggested marketing to have someone pay to name the complex. **Wendt** agreed.

Proclamation-Cities/Town Week

Mayor Nicholls read a Proclamation joining in support with the League of Arizona Cities and Towns declaring October 21-27, 2018 as Cities and Towns Week.

I. MOTION CONSENT AGENDA

Motion Consent Agenda Item B.6 – Bid Award: 4th Avenue Paving – 32nd Street to 40th Street: Award a contract for the construction on the 4th Avenue paving from 32nd Street to 40th Street in the amount of \$1,616,631.50 to the lowest responsive and responsible bidder. DPE Construction, Inc. Yuma, Arizona (Bid #2019-20000014) (Eng)

Miller declared a conflict of interest with regard to Motion Consent Agenda Item B.6 and left the dais.

Motion: (Knight/Thomas): To approve Motion Consent Agenda Item B.6 as recommended. Voice vote: **approved** 6-0-1, **Miller** abstaining due to conflict of interest.

Miller returned to the dais.

Motion Consent Agenda Item B.9 – Final Plat: Park West Unit #5 Subdivision- Approve the final plat for Park West Unit #5 Subdivision. The property is located at the northeast corner of S. 43rd Trail and W. 28th Street, Yuma, AZ. The applicant is Dahl, Robins and Associates, on behalf of Yuma Valley Land Company, LLC (SUBD-22789-2018) (DCD)

Motion: (Knight/McClendon): To approve the Final Plat for Park West Unit #5 with the 11 original Conditions of Approval, which includes Condition #6 related to landscaping 28th Street. Voice vote: **approved** 7-0.

Motion: (Knight/Thomas): To approve the Motion Consent Agenda as recommended with the exception of Item B.6 and Item B.9. Voice vote: **approved** 7-0.

A. Approval of minutes of the following City Council meetings:

Council Citizen's Forum	October 2, 2018
Regular Council Worksession	May 15, 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 Permanent Extension of Premises/Patio Permit application submitted by Robert Lutes, agent for Lutes Casino located at 221 S. Main Street. (EP18-04) (Admin/Clerk)

3. Approve a Special Event Liquor License application submitted by Isaac Daniel Russell on behalf of Love Tree Farm, Inc., for Trick or Treat on Main Street. The event will take place on the 100-300 block of Main Street on Wednesday, October 31, 2018, from 3:30 p.m. to 10:30 p.m. (Admin/Clerk)
4. Approve a Special Event Liquor License application submitted by Barry Olsen on behalf of the Caballeros de Yuma for the Colorado River Crossing Balloon Festival. The event will take place at Desert Sun Stadium, 1280 W. Desert Sun Drive, on Saturday, November 17, 2018, from 11:00 a.m. to 10:00 p.m. (SP18-36) (Admin/Clerk)
5. Amend and Restate the existing Concessionaire Agreement with Chef Alex Group, LLC, for operation of the restaurant at Desert Hills Golf Course (Admin)
6. Pulled for separate consideration; see above.
7. Authorize the City Administrator to execute the required documents for the Assistance to Firefighters Grant Program – Operations and Safety Grant Agreement No. EMW-2017-FO-06904 to receive grant funding in the amount of \$18,424.00 (Fire)
8. Authorize the City Administrator to execute four HOME agreements totaling \$774,935 in accordance with the 2018 Annual Action Plan (DCD)
9. Pulled for separate consideration; see above.

II. RESOLUTION CONSENT AGENDA

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

Bushong displayed the following titles:

Resolution R2018-034

A resolution of the City Council of the City of Yuma, Arizona, declaring that a certain document entitled NFPA 1 Fire Code 2018, commonly known as the National Fire Protection Association Fire Code 2018, be declared a public record and ordering its filing in the office of the City Clerk (order three copies to remain on file with the City Clerk)

Resolution R2018-035

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 properties located on 5th Street east of Avenue C (authorize a Preannexation Development Agreement with Tierra Del Sol Construction, L.L.C. for properties located on 5th Street east of Avenue C)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

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

Bushong displayed the following titles:

Ordinance O2018-040

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 13 of the Yuma City Code, Chapter 137: Trees, by repealing Section 2, entitled Community Tree Board (abolishing the Community Tree Board and allow certain duties to be assumed by the Parks, Arts, and Recreation Commission, thereby continuing to recognize the importance of the mission and goals of the committee)

Ordinance O2018-041

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 5 of the Yuma City Code, Chapter 50, by amending section 6, pertaining to the functions of the Parks, Arts, and Recreation Commission (broaden the functions of the Commission to include the importance of maintenance and protection of City-owned trees and other woody plants, and to further define the Commission's role as it relates to public art advocacy)

Ordinance O2018-042

An ordinance of the City Council of the City of Yuma, Arizona, declaring certain right-of-way, hereafter described, surplus for use by the City and authorizing the vacating of the surplus right-of-way to the adjacent property owner upon payment of the purchase price and the recording of a deed from the City (southwest corner of Avenue B and 28th Street, 2505 W. 28th Street)

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

IV. INTRODUCTION OF ORDINANCES - there were no ordinances scheduled for introduction at this time.

V. PUBLIC HEARING AND RELATED ITEMS

Resolution R2018-036– General Plan Amendment: Barkley Limited Partnership – Approve the request to amend the City of Yuma General Plan to change the land use designation from Suburban Density Residential to Low Density Residential, for property located at the northwest corner of the Avenue B ½ alignment and 40th Street. The applicant is Barkley Limited Partnership (GP-22312-2018)

Mayor Nicholls opened the public hearing at 6:50 p.m.

Albers recapped that this request is to amend the General Plan changing the land use designation from Suburban Density Residential to Low Density Residential. She explained the property that is currently under farm agriculture use is located at the northwest corner of the Avenue B ½ alignment and 40th Street. The applicant intends to develop a single-family home subdivision similar to the Livingston Ranch subdivision to the north with the R-1-6 Low Density Residential zoning district. She informed

City Council that the request was approved by the Planning and Zoning Commission at their September 24, 2018 meeting.

Upon having no speaker requests or questions from City Council, **Mayor Nicholls** called for a motion to close the public hearing.

Motion: (Thomas/Knight): To close the public hearing on R2018-036 at 6:52 p.m. Voice vote: **approved 7-0.**

Motion: (Knight/Thomas): To adopt resolution R2018-036 as recommended.

Bushong displayed the following title:

Resolution R2018-036

A resolution of the City Council of the City of Yuma, Arizona, amending resolution R2012-29, the City of Yuma 2012 General Plan, to change the land use designation from Suburban Density Residential to Low Density Residential for property located at the northwest corner of the Avenue B ½ alignment and 40th Street (applicant is Barkley Limited Partnership, GP-22312-2018)

Roll call vote: **adopted 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

Announcements:

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

Scheduling:

Motion: (Knight/Shelton): To cancel the Citizens Forum, Worksession, and Council meeting scheduled for January 1st and 2nd, 2019 due to the New Year holiday. Voice vote: **approved 7-0.**

Motion: (Watts/Knight): To cancel the Citizens Forum, Worksession, and Council meeting scheduled for July 2nd and 3rd, 2019 due to the Independence Day holiday. Voice vote: **approved 7-0.**

Motion: (Thomas/Knight): To cancel the Citizens Forum, Worksession, and Council meeting scheduled for August 20th and 21st, 2019 due to the Arizona League of Cities and Towns meetings. Voice vote: **approved 7-0.**

Motion: (Thomas/McClendon): To cancel the Citizens Forum and Worksession scheduled for December 31st, 2018 due to the New Year holiday. Voice vote: **approved 7-0.**

VII. SUMMARY OF CURRENT EVENTS

Wilkinson reported on the following upcoming events:

- October 31st – 4:00 p.m. – 10:00 p.m. - Trunk or Treating on Main Street
- October 31st – 5:30 p.m. – 8:30 p.m. – Trick or Treating at the Yuma County Fair Grounds to benefit Special Olympics
- October 20th – Bi-National Bike Ride to Mexico starting at 7:00 a.m. at the Yuma Civic Center

VIII. CALL TO THE PUBLIC

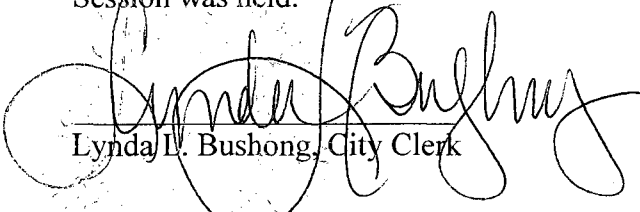
MaryAnn Easterday, 3359 S. 15th Avenue, encouraged Yuma citizens to take pride in the Yuma community. She mentioned ways of keeping the community clean and how adopting a street can help.

Eric Egan, 13393 E. 43rd Lane, expressed his appreciation for the opportunity in showing the trailer of the Fallen Officer Monument Project video at tonight's City Council meeting. He stated the Fraternal Order of Police members are anxious to see the pay plan presentation at the November 7th City Council meeting and further expressed how important it is to the community that decisions are made quickly.

Will Katz, 2866 S. 47th Avenue, commended the City of Yuma and the City Clerk's office for their professionalism in keeping him informed on the status of his request for public records.

EXECUTIVE SESSION/ADJOURN

There being no further business, **Mayor Nicholls** adjourned the meeting at 7:20 p.m. No Executive Session was held.


Lynda L. Bushong, City Clerk

APPROVED:


Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:

January 16, 2019

City Clerk: 