



## City of Yuma City Council Meeting REVISED Agenda

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Wednesday, September 6, 2017

5:30 PM

Yuma City Hall Council Chambers  
One City Plaza, Yuma

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*Notice is hereby given, pursuant to Resolution R2008-55 that one or more members of the Yuma City Council may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.*

### CALL TO ORDER

### INVOCATION

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### FINAL CALL

*Final call for submission of Speaker Request Forms for agenda related items.*

### PRESENTATIONS

- *Recognition of the Cocopah Indian Tribes 100th Anniversary*

### 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):

1. [MC 2017-183](#)      **Regular Council Worksession Draft Minutes June 6, 2017**  
Attachments:      [2017 06 06 RWS Minutes](#)
2. [MC 2017-184](#)      **Regular Council Worksession Draft Minutes July 18, 2017**  
Attachments:      [2017 07 18 RWS Minutes](#)

## B. Approval of staff recommendations:

1. [MC 2015-000](#) **Executive Sessions**

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)

2. [MC 2017-166](#) **Special Event Liquor License: AWC Foundation - Taste of Yuma**

Approve a Special Event Liquor License application submitted by Gladys Anaya on behalf of the AWC Foundation for Taste of Yuma. The event will take place at Yuma Quartermaster Depot State Historic Park located at 201 N. 4th Avenue on Friday, October 13, 2017, from 3:00 p.m. to 11:00 p.m. (LL17-19) (City Administration/CityClerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: AWC Foundation](#)

3. [MC 2017-167](#) **Special Event Liquor License: Yuma 50 - Operation Yuma Strong**

Approve a Special Event Liquor License application submitted by Julie Engel on behalf of Yuma 50 for Operation Yuma Strong. The event will take place at Joe Foss Hangar located at 171 E. 40th Street on Saturday, November 4, 2017, from 5:30 p.m. to 11:00 p.m. (SP17-23) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Yuma 50](#)

4. [MC 2017-168](#) **Special Event Liquor License: City of Yuma Parks and Recreation - Adult Softball League**

Approve a Special Event Liquor License application submitted by Joe Cox on behalf of City of Yuma Parks and Recreation for Adult Softball League. The event will take place at the Pacific Avenue Athletic Complex located at 1700 E. 8th Avenue on Monday, September 25, 2017, from 5:00 p.m. to 12:00 a.m. (SP17-25) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: City of Yuma Parks and Recreation](#)

5. [MC 2017-169](#)**Special Event Liquor License: City of Yuma Parks and Recreation - Adult Softball League**

Approve a Special Event Liquor License application submitted by Joe Cox on behalf of City of Yuma Parks and Recreation for Adult Softball League. The event will take place at the Pacific Avenue Athletic Complex located at 1700 E. 8th Avenue on Wednesday, September 27, and Thursday, September 28, 2017, from 5:00 p.m. to 12:00 a.m. (SP17-26) (City Administration/City Clerk) (Lynda L. Bushong)

**Attachments:**

[1. RFCCA Special Event Liquor License: City of Yuma Parks and Recreation](#)

6. [MC 2017-182](#)**Special Event Liquor License: City of Yuma Employees Association - Adult Softball League**

Approve a Special Event Liquor License application submitted by Linda Johnson on behalf of City of Yuma Employees Association for Adult Softball League. The event will take place at the Pacific Avenue Athletic Complex located at 1700 E. 8th Avenue on Monday, September 18 through Thursday, September 21, 2017, from 5:00 p.m. to 12:00 a.m. (SP17-28) (City Administration/City Clerk) (Lynda L. Bushong)

**Attachments:**

[1. RFCCA Special Event Liquor License: City of Yuma Employees Association](#)

7. [MC 2017-170](#)**Special Event Liquor License: Saint Francis of Assisi Catholic Church - Gala Dinner**

Approve a Special Event Liquor License application submitted by Arturo Sanchez on behalf of Saint Francis of Assisi Catholic Church for the Gala Dinner. The event will take place at Saint Francis of Assisi Catholic Church located at 1815 S. 8th Avenue on Saturday, September 30, 2017, from 6:00 p.m. to 11:30 p.m. and Sunday, October 1, 2017, from 8:00 a.m. to 7:00 p.m. (SP17-27) (City Administration/City Clerk) (Lynda L. Bushong)

**Attachments:**

[1 RFCCA Special Event Liquor License: Saint Francis of Assisi Catholic Church](#)

8. [MC 2017-171](#)**Temporary Extension of Premises: Ricky's Other Place**

Approve a Temporary Extension of Premises/Patio Permit application submitted by Richard Good, agent for Ricky's Other Place located at 3950 W. 24th Street, for an outdoor concert on October 13-14, 2017 (EP17-02) (City Administration/City Clerk) (Lynda L. Bushong)

**Attachments:**

[1. RFCCA Extension of Premises: Ricky's Other Place](#)

9. **MC 2017-185****Liquor License: Takos & Beer - ADDITION**

Approve a Series #12 Restaurant Liquor License application submitted by Heriberto Guzman, agent for Takos & Beer located at 2071 S. 4th Avenue (LL17-11) (City Administration/City Clerk) (Lynda L. Bushong)

**Attachments:**

1. RFCCA Liquor License: Takos & Beer

10. [MC 2017-173](#)**Cooperative Purchase Agreement: The Interlocal Purchasing Systems (TIPS)**

Authorize the City Administrator to enter into a Cooperative Purchase Agreement with The Interlocal Purchasing System (TIPS), (Finance/Purchasing) (Robin R. Wilson)

**Attachments:**

[1. RFCCA CPA: The Interlocal Purchasing Systems \(TIPS\)](#)

[2. AGMT CPA: The Interlocal Purchasing Systems \(TIPS\)](#)

11. [MC 2017-174](#)**Request for Qualifications (RFQ): Professional Architectural Services for Utilities Department Administration Complex**

Authorize the City Administrator to negotiate and execute a contract for Professional Architectural Services for the Utilities Department Administration Complex to the following firm: Nicklaus Engineering, Inc., Yuma, Arizona (Utilities Department - RFQ #2017-20000225) (Jay Simonton/Robin R. Wilson)

**Attachments:**

[1 RFCCA RFQ: Professional Architectural Services: Utilities Admin Complex](#)

[2 SPRDSHEET RFQ: Professional Architectural Svcs for Utilities Admin Complex](#)

12. [MC 2017-175](#)**Amendment to Intergovernmental Agreement: Yuma County Intergovernmental Public Transportation Authority**

Approve an amendment to the Intergovernmental Agreement to provide Information Technology Services to Yuma County Intergovernmental Public Transportation Authority. (Information Technology Services/Administration) (Ron Corbin)

**Attachments:**[1. RFCCA IGA Amendment: YCIPTA](#)[2. SUPP DOC IGA Amendment: YCIPTA](#)[3. AGMT IGA Amendment: YCIPTA](#)13. [MC 2017-176](#)**Grant Award: National Recreation and Parks Association (NRPA)**

Authorize the City Administrator to execute a memorandum of understanding (MOU) to accept a grant titled 'Meet Me at the Park Play Spaces Program' in the amount of \$35,000 from NRPA to create a Candy Land-inspired play space at the Joe Henry Optimist Center Park located at 1793 S. 1st Avenue. (Parks and Recreation/Administration) (Debbie Wendt)

**Attachments:**[1. RFCCA National Recreation and Parks Association Grant: Candy Land](#)[2. FINAL MOU National Recreation and Parks Association Grant: Candy Land](#)14. [MC 2017-177](#)**Grant Award: Staffing Adequate Fire and Emergency Response (SAFER) Grant Award**

Authorize the City Administrator to accept and execute the required documents for the Fiscal Year 2016 Staffing Adequate Fire and Emergency Response (SAFER) Grant Award No. EMW-2016-FH-00628 in the amount of \$1,457,208.00. (Fire Department) (Fire Chief Steve Irr)

**Attachments:**[1. RFCCA SAFER Grant Award](#)[2. AWARD LTR SAFER Grant Award](#)[3. SUPP DOC SAFER Grant Award](#)

15. [MC 2017-179](#)**Final Plat: Premier Storage Condominiums of Yuma Unit 2 Subdivision, Phase VI**

Approve the final plat for Premier Storage Condominiums of Yuma Unit 2 Subdivision, Phase VI. The property is located at the southeast corner of Avenue 3 3/4 E and 32nd Street, Yuma, AZ. The applicant is Premier Storage Condominiums of Yuma Unit 2, LLC. (SUBD-18331-2017) (Community Development/Community Planning) (Laurie Lineberry)

**Attachments:**

- [1. RFCCA Final Plat: Premier Storage Condominiums of Yuma](#)
- [2. FINAL RPT Final Plat: Premier Storage Condominiums of Yuma](#)

16. [MC 2017-180](#)**Infrastructure and Services Report: ANEX-16663-2017 Avenue B**

Approve an Infrastructure and Services Report for Annexation Area No. ANEX-16663-2017, identified as the Avenue B Annexation, located at the northeast corner of 15th Street and Avenue B. (Community Development/Community Planning) (Laurie Lineberry)

**Attachments:**

- [1. RFCCA Avenue B Infra Report ANEX-16663-2017](#)

**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.*

1. [R2017-022](#)**Accept Transfer and Annexation of a Portion of 8th Street**

Approve a resolution transferring and annexing a portion of 8th Street/County 8th Street, to the City of Yuma in compliance with the terms of an intergovernmental agreement (IGA) with Yuma County for the reconstruction and widening of a portion of County 8th Street between Avenue C to east of Avenue D. (City Attorney) (Richard W. Files)

**Attachments:**

- [1. RFCCA Accept Transfer/Annex Portion of County 8th St.](#)
- [2. MAP Accept Transfer/Annex Portion of County 8th St.](#)
- [3. RES Accept Transfer/Annex Portion of County 8th St.](#)
- [4. EXH 1 Accept Transfer/Annex Portion of County 8th St.](#)

2. [R2017-024](#) **Yuma Pivot Point Phase Three Component: Real Property Sale and Development Agreement, Partial Assignment of Master Developer's Interest, Covenants, and Fifth Amendment of Master DDA**

Approve the terms of the Yuma Pivot Point Phase Three Component Real Property Sale and Development Agreement, Partial Assignment of Master Developer's Interest, Covenants, and Fifth Amendment of Master DDA (Phase Three Agreement), and authorize the City Administrator to sign the necessary documents on behalf of the City for the development of a 112 room extended stay hotel. (City Administration/Yuma Crossing National Heritage Area) (Charles Flynn)

**Attachments:**

- [1. RFCCA Pivot Point Phase III](#)
- [2. RES Pivot Point Phase III](#)
- [3. AGR Pivot Point Phase III](#)

3. [R2017-025](#) **2017 City of Yuma Primary Election Canvass**

Declare the official canvass of the August 29, 2017 City of Yuma Primary Election.

**Attachments:**

- [1. RFCCA Primary Canvass](#)
- [2. RES Primary Canvass](#)
- [3. SPRDSHEET Primary Canvass](#)

### **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.*

1. [O2017-029](#) **Development Fees Code Text Amendment: Waivers and Infill**

Amend Title 15 Land Usage, Chapter 157 City of Yuma Development Fees (Sections: 01 and 02) to correct the use of Waivers and to include the Infill Overlay District as an area eligible for a Waiver of Development Fees. (Community Development/Community Planning) (Laurie Lineberry)

**Attachments:**

- [1. RFCCA Code Amendment: Waivers and Infill](#)
- [2. ORD Code Amendment: Waivers and Infill](#)

2. [O2017-030](#)**Declare Surplus and Authorize Sale: 9503 S. Avenue 7E**

Adopt an ordinance declaring a City-owned residential structure, located on non-city-owned property at 9503 S. Avenue 7E, as surplus property and authorize sale of the surplus residence to the owners of the real property on which the structure is located. (City Attorney) (Richard W. Files)

**Attachments:**[1. RFCCA Surplus Property Declaration: Avenue 7E](#)[2. MAP Surplus Property Declaration: Avenue 7E](#)[3. ORD Surplus Property Declaration: Avenue 7E](#)3. [O2017-031](#)**Code Text Amendment: Water and Sewer Security Deposits**

Amend the Yuma City Code as it pertains to the collection of utility customer social security numbers (SSN). (Finance/Administration) (Pat Wicks)

**Attachments:**[1. RFCCA Text Amendment: Water and Sewer Security Deposits](#)[2. ORD Text Amendment: Water and Sewer Security Deposit](#)



#### 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.*

1. [O2017-032](#)      **Right-of-Way Easement and Line Extension: Fleet Services Maintenance Shop**

Grant a right-of-way easement and line extension to Arizona Public Service Company (APS) for the construction, installation, reconstruction, replacement, removal, repair, operation and maintenance of a line, or lines of poles or towers, together with appurtenant structures, facilities and fixtures, to facilitate the relocation of their powerlines crossing the City's new Fleet Services Maintenance Shop site to the perimeter of the property. (Engineering/Administration) (Jay Simonton)

**Attachments:**

- [1. RFCCA APS Fleet Services Shop Easement](#)
- [2. AGR APS Fleet Services Shop Easement](#)
- [3. LOCATION MAP APS Fleet Services Shop Easement](#)
- [4. ORD APS Fleet Services Shop Easement](#)
- [5. EXH 1 APS Fleet Services Shop Easement](#)

2. [O2017-033](#)      **Annexation Area No. ANEX-16663-2017: Avenue B**

Authorize annexation of property generally located at the northeast corner of 15th Street and Avenue B. (ANEX-16663-2017). (Community Development/Community Planning)(Laurie Lineberry)

**Attachments:**

- [1. RFCCA ANEX-16663-2017 Avenue B](#)
- [2. Petition ANEX-16663-2017 Avenue B](#)
- [3. MAP ANEX-16663-2017 Avenue B](#)
- [4. ORD ANEX-16663-2017 Avenue B](#)

3. [O2017-034](#) **Vacate Surplus Alley Right-of-Way: Lot South of 501 S. 4th Avenue**

Declare certain described right-of-way surplus for City use, and authorize vacating the surplus right-of-way to the abutting property owner upon payment of the purchase price and recording of a quit claim deed. (City Attorney) (Richard W. Files)

**Attachments:**

- [1. RFCCA Vacate ROW](#)
- [2. MAP Vacate ROW](#)
- [3. ORD Vacate ROW](#)
- [4. EXH A Vacate ROW](#)

4. [O2017-035](#) **Zoning Code Text Amendment: Accessory Structures Code Update**

Amend Title 15, Chapter 154, Section 15.15 to update the size limitations permitted for accessory structures. (Community Development/Community Planning) (Laurie Lineberry)

**Attachments:**

- [1. RFCCA Zoning Code Text Amendment: Accessory Structures](#)
- [2. P&Z Zoning Code Text Amendment: Accessory Structures](#)
- [3. ORD Zoning Code Text Amendment: Accessory Structures](#)

5. [O2017-036](#) **Rezoning of Property: 1606 S. 6th Avenue, Yuma, AZ.**

Rezone approximately 14,802 square feet from the Low Density Residential (R-1-6) District to the Transitional (TR) District. This property is located near the southwest corner of 6th Avenue and 16th Street. (ZONE-18022-2017). (Community Development/Community Planning) (Laurie Lineberry)

**Attachments:**

- [1. RFCCA Rezoning of Property: 6th Ave](#)
- [2. P&Z Rezoning of Property: 6th Ave](#)
- [3. ORD Rezoning of Property: 6th Ave](#)

6. [O2017-038](#) **Authorize Exchange of Surplus Real Property with Sixteen & Four, LLC and Acceptance of an Easement**

Approve an ordinance (i) declaring a remnant parcel (8,973 square feet) of vacant, City-owned real property located in the 1500 block of 4th Avenue, surplus for City use, (ii) authorizing the exchange of the surplus remnant parcel to Sixteen & Four, LLC, (iii) repealing Ordinance No. O2015-024, and (iv) accepting a permanent public access and underground utilities easement (4,901.59 square feet). (City Administration) (Greg Wilkinson)

**Attachments:**     [1 RFCCA Declaration of Surplus Property: Vacant Parcel 1500 Block of 4th Ave](#)  
[2 MAP Declaration of Surplus Property: Vacant Parcel 1500 Block of 4th Ave](#)  
[3 ORD Declaration of Surplus Property: Vacant Parcel 1500 Block of 4th Ave](#)

## V. PUBLIC HEARING AND RELATED ITEMS

Resolution R2017-023 may be adopted in conjunction with the below noted public hearing.

1. [R2017-023](#) **General Plan Amendment: Avenue B**

Approve the request to amend the City of Yuma General Plan to change the land use designation from Medium Density Residential to Mixed Use, for properties located at 1401 and 1411 S. Avenue B. The applicant is the City of Yuma. (GP-17253-2017). (Community Development/Community Planning)(Laurie Lineberry)

**Attachments:**     [1. RFCCA PH General Plan Amendment GP-17253-2017 Avenue B](#)  
[2. RES PH General Plan Amendment GP-17253-2017 Avenue B](#)  
[3. P&Z RPT PH General Plan Amendment GP-17253-2017 Avenue B](#)

## FINAL CALL

*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:

- *Clean and Beautiful Commission: one appointment to an unexpired term*
- *Library Board of Trustees: one appointment to an unexpired term*
- *Water and Sewer Commission: one appointment to an unexpired term*

### 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 August 17, 2017 through September 6, 2017. 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.

### 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

*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

*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**

*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 (1, 3, 4 and/or 7) and the following items:*

A. Discussion, consultation with and/or instruction to legal counsel regarding a potential purchase and contract negotiations. (A.R.S. 38-431.03 A3, A4 & A7)

B. Discussion, consultation with and/or instruction to legal counsel, regarding the legal matter of Loucel et al v. COY et al. (ARS 38-431.03 A3 and A4)

**ADJOURNMENT**

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, AZ 85364-1436; (928) 373-5125 or TTY (928) 373-5149.