



City of Yuma City Council Meeting Agenda

Wednesday, April 17, 2019

5:30 PM

Yuma City Hall Council Chambers
One City Plaza, Yuma

Notice is hereby given, pursuant to Resolution R2015-047 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

- Formal Badge presentation for Police Chief Smith

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 2019-082](#) **Regular Council Worksession Draft Minutes December 4, 2018**
Attachments: [2018 12 04 RWS Minutes](#)
2. [MC 2019-083](#) **Regular Council Meeting Draft Minutes December 5, 2018**
Attachments: [2018 12 05 RCM Minutes](#)

3. [MC 2019-084](#) **Council Citizen's Forum Draft Minutes March 19, 2019**

Attachments: [2019 03 19 CCF Minutes](#)

4. [MC 2019-085](#) **Special Council Meeting Draft Minutes April 9, 2019**

Attachments: [2019 04 09 SCM 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 2019-076](#) **Temporary Extension of Premises: The Maverick**

Approve a Temporary Extension of Premises application submitted by Monica Lanora Beard, agent for The Maverick located at 1460 S. 4th Avenue, for an outdoor concert on Saturday, May 18, 2019 (EP19-02) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Temporary Extension of Premises: The Maverick](#)
[2. MAP Temporary Extension of Premises: The Maverick](#)

3. [MC 2019-077](#) **Special Event Liquor License: Bridget's Gift/Foundation of YRMC - Cinco de Mayo Block Party**

Approve a Special Event Liquor License application submitted by Wendy Ruth McKay on behalf of Bridget's Gift/Foundation of YRMC for the Cinco de Mayo Block Party. The event will take place between the 100-300 blocks of Main Street on Saturday, May 4, 2019, from 9:00 a.m. to 11:00 p.m. (SP19-12) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event LL Application: Bridget's Gift/Foundation of YRMC](#)
[2. MAP Special Event LL Application: Bridget's Gift/Foundation of YRMC](#)

4. [MC 2019-078](#) **Bid Award: Fertilizers & Chemicals for Grounds Maintenance**

Award to the lowest responsive/responsible bidders, one-year contracts for Fertilizers & Chemicals for Grounds Maintenance, with the option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance, at an estimated annual budget expenditure of \$125,000 to: Fertizona, Yuma, Arizona; Harrell's LLC, Lakeland, Florida; Horizon Distributors Inc., Tucson, Arizona; Nutrien Ag Solutions, Yuma, Arizona; Wilber Ellis Company, Tempe, Arizona (Parks-Bid #2019-20000121) (Debbie Wendt/Robin R. Wilson)

Attachments:

- [1. RFCCA Bid Award: Fertilizers & Chemicals for Grounds Maintenance](#)
- [2. SPRDSHEET Bid Award: Fertilizers & Chemicals for Grounds Maintenance](#)

5. [MC 2019-079](#) **Cooperative Purchase Agreement: Medium and Heavy Trucks & Truck Bodies**

Authorize the purchase of two 2020 Peterbilt/McNeilus 25-Yard automated side loaders utilizing the cooperative purchase agreement originated by Houston-Galveston Area Council, for \$332,613.24 each, at a total expenditure of \$665,226.48 to: Rush Truck Center of Yuma Yuma, Arizona. (Public Works - Bid #2019-20000131) (Joel Olea / Robin R. Wilson)

Attachments:

- [1. RFCCA CPA: Medium and Heavy Trucks & Truck Bodies](#)

6. [MC 2019-080](#) **Job Order Authorization: Desert Dunes Water Reclamation Facility Improvements Project**

Authorize the City Administrator to execute a job order with PCL Construction Inc, in an amount not to exceed \$602,636.86, for capital improvements to the Desert Dunes Water Reclamation Facility via the City's job order contracting program. (Engineering) (Jeffrey A. Kramer)

Attachments:

- [1. RFCCA JOA: Desert Dunes WRF Improvements Project](#)

7. [MC 2019-081](#) **Final Plat: Villa Serena Subdivision, Unit 1**

Approve the final plat for Villa Serena Subdivision, Unit 1. The property is located at the northwest corner of S. Avenue 6E and E. 48th Street, Yuma, AZ. The applicant is Dahl, Robins and Associates, on behalf of Jakolin, LLC (SUBD-24804-2019) (Community Development)(Laurie Llineberry)

Attachments: [1. RFCCA Final Plat: Villa Serena Subdivision, Unit 1](#)
[2. P&Z Rpt Final Plat: Villa Serena Subdivision, Unit 1](#)

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.

There are no resolutions scheduled for adoption at this time.

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. [O2019-016](#) **Correct Scrivener's Error on Ordinance No.: O2019-010**

Authorize the correction of scrivener's errors for zoning districts and area in Ordinance No. O2019-010 for property located at 2920 S. Kish Avenue. (Community Development/Community Planning)(Laurie Lineberry)

Attachments: [1. RFCCA Correct Scrivener's Error: O2019-010](#)
[2. ORD Correct Scrivener's Error: O2019-010](#)

2. [O2019-017](#) **Amend Yuma City Code: Title 19, Chapter 193, Section 71 Delinquent Payments**

Amend the Yuma City Code Title 19, Chapter 193, Section 71 entitled Delinquent Payments, to increase the current rate of collection fee from 15% to 20% in order to cover the associated costs with the City's delinquent inactive water customer accounts that are being placed with a collection agency. (Finance/Customer Services) (Teresa Laurent)

Attachments:

1. [RFCCA Amend Yuma City Code: Delinquent Payments](#)
2. [ORD Amend Yuma City Code: Delinquent Payments](#)

3. [O2019-018](#) **Rezoning of Property: Southeast corner of S. Araby Road and E. 32nd Street**

Rezone a 4.87 acre parcel from the General Commercial (B-2) District to the Low Density Residential (R-1-6) District, for the property located at the southeast corner of S. Araby Road and E. 32nd Street, Yuma, AZ (ZONE-24682-2019)(Community Development/Community Planning)(Laurie Lineberry)

Attachments:

1. [RFCCA Rezoning of Property: SE Corner of S. Araby Road and E. 32nd St.](#)
2. [P&Z RPT Rezoning of Property: SE Corner of S Araby Road and E. 32nd St.](#)
3. [ORD Rezoning of Property: SE Corner of S. Araby Road and E. 32nd St.](#)

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.

There are no ordinances scheduled for introduction at this time.

V. PUBLIC HEARING AND RELATED ITEMS

There are no public hearings scheduled at this time.

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:

There are no appointments scheduled at this time.

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 April 4, 2019 through April 17, 2019. 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 COY v. the Salvation Army. (A.R.S. 38-431.03 A3, A4 & A7)
- B. Discussion, consultation with and/or instruction to legal counsel regarding Avenue 6E Investments, et al v. COY. (ARS 38-431.03 A3 & A4)
- C. Discussion, consultation with and/or instruction to legal counsel regarding Guzman v. COY. (ARS 38-431.03 A3 & A4)
- D. Discussion, consultation with and/or instruction to legal counsel regarding two potential contract negotiations. (A.R.S. 38-431.03 A3, A4 & A7)

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.