

**MINUTES**  
**REGULAR CITY COUNCIL WORKSESSION**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS - YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**February 18, 2020**  
**6:00 p.m.**

**CALL TO ORDER**

**Deputy Mayor Watts** called the Regular City Council Worksession to order at 6:00 p.m.

Councilmembers Present: Shelton, Morris, Knight, McClendon, Shoop, and Deputy Mayor Watts  
Councilmembers Absent: Mayor Nicholls  
Staffmembers Present: City Administrator, Philip A. Rodriguez  
Executive Director of YCNHA, Lowell Perry  
Director of Parks & Recreation, Debbie Wendt  
Finance Director, Lisa Marlin  
Arts & Culture Program Manager, Lindsay Benacka  
Director of Engineer, Jeff Kramer  
Fire Chief, Steve Irr  
Various department heads or their representatives  
City Attorney, Richard W. Files  
City Clerk, Lynda Bushong

**I. YUMA SPECIAL OLYMPICS & CIRCLE OF FRIENDS PROGRAMS**

**Judy Phillips** and **Deana Flermoen**, representatives of the Yuma Special Olympics and Circle of Friends Programs, provided an overview of both programs as follows:

- The Yuma Special Olympics is a community-based program with athletes ranging in age from five to 75 years old who participate in a wide range of sports activities
- Yuma Special Olympics organizers and athletes appreciate the care the City takes in maintaining its facilities and the assistance of City staff
- Additionally, the Yuma Police Department sponsors and oversees the Law Enforcement Torch Run, which helps to fund athlete participation in events taking place in Phoenix
- Circle of Friends is an adaptive recreation program that provides activities that encourage socialization and cultivation of genuine friendships
- Parks and Recreation staff help facilitate weekly activities and host special events throughout the year

**II. YUMA CROSSING NATIONAL HERITAGE AREA UPDATE**

**Perry** provided an update on the Yuma Crossing National Heritage Area (YCNHA) and associated mission-critical historic preservation projects:

- What is a National Heritage Area?
  - A combination of natural, cultural, historic and recreational resources designated by Congress for its unique nationally significant qualities and resources

- What is the YCNHA?
  - Encompasses seven square miles along the Lower Colorado River in Yuma, Arizona, and Winterhaven, California, with over three miles of contiguous riverfront parks and trails and 400 acres of restored wetlands
  - Includes the Yuma Territorial Prison, the Colorado River State Historic Park, and the Fort Yuma Indian Reservation
- Needed Investments
  - Historic City Hall
    - Celebrating 100 years in 2020, Yuma's Historic City Hall is on the National Register of Historic Places and is in much need of restoration and preservation work on its exterior as well as some updating of the interior
  - Colorado River State Historic Park
    - The old corral house and storehouse need to be updated and brought up to code
  - Yuma Territorial Prison
    - The sally port requires removal of latex paint and preservation of stucco and adobe
  - East Wetlands
    - Park benches and trails to make the area more navigable by foot or bicycle
- Historic Yuma 'Mega Park' Concept
  - Will be made possible through investment in Historic Downtown Yuma to add to the existing parks, bars, restaurants, stores, theatres, and galleries
    - Corporate and private investment opportunities are being explored
  - A self-guided tour application (app) has been developed for the Colorado River State Historic Park with the help of the Southwest Technical Education District of Yuma (STEDY)
    - The next incoming STEDY class will work to add the Territorial Prison to the app
  - Future construction of The Center for the Future of the Colorado River, which is intended to raise awareness of the challenges facing the Colorado River
  - Potential future additions
    - A zip line from Fort Yuma to Gateway Park
    - A ride that simulates flying over the Colorado River
    - An interactive, life-sized replica steamboat at the Colorado River State Historic Park

#### Discussion

- Public/private partnerships are definitely an option being considered in order to realize the 'mega park' concept (**Knight/Perry**)
- Matching funds for grants generally include both cash and in-kind contributions (**Knight/Perry**)
- YCNHA continues to utilize collective impact initiatives to encourage the community to come together and raise funds for the parks (**Shelton/Perry**)
- Academic institutions may be interested in contributing to the YCNHA either financially or through student projects (**Shelton/Perry**)
- The Council Chambers portion of the Historic City Hall building is considered an add-on in terms of the National Register of Historic Places (**Shoop/Perry**)
- Yuma should take advantage of its place as the 'front door' to the development that is taking place for scuba diving at Rocky Point and the Sea of Cortez (**Shoop/Perry**)
- Heritage areas generally have a \$5.50 average return on every federal dollar spent in generating local, state, and private funding; in Yuma the return is closer to \$10 per dollar spent (**Morris/Perry**)
- The steamboat at the Colorado River State Historic Park would not necessarily be in the river as water levels may not be sufficient to accommodate a vessel of that size (**Watts/Perry**)

- A flat-bottom paddleboat may be a viable option in lieu of a steamboat given the water depth limitations (**Shoop/Perry**)

### III. SPECIAL EVENT VENDOR BUSINESS LICENSE REQUIREMENTS

**Wendt** introduced **Marlin** to provide a summary of the business licensing process that takes place in the Finance Department.

- The Yuma City Code requires any person to obtain a business license prior to committing any trade or any type of business within City limits
- The City offers four types of business licenses:
  - Commercial
  - Residential
  - Secondary
  - Itinerant
- Itinerant business licenses are those obtained on a per-day basis by those who wish to sell items at City special events and do not otherwise have a City business license
  - The application process takes roughly 10 days to complete and costs \$20 per event day.
- The City's business license application requires the applicant to provide a Transaction Privilege Tax (TPT) number, which the applicant must obtain from the State

#### Discussion

- Commercial business license fees vary based on the type of business, with some fees being paid quarterly and some annually (**Knight/Marlin**)
- Business license fees are set forth in the Yuma City Code, and the Finance Department abides by those fees (**McClendon/Marlin**)
- Some cities charge an annual fee rather than a daily fee for itinerant business licenses (**McClendon/Wendt**)
- Retail business licenses are based upon gross receipts and can be anywhere from \$10 to \$30 per quarter (**Knight/Marlin**)

**Files** explained that TPT reporting is required by State law, and the TPT number is used to track individual reporting. City business licenses are required by ordinance; however, City Council has the authority to change that requirement.

**Wendt** presented the following overview of the vendor application process for special events:

- Vendors have always been responsible for collecting and remitting TPT on all goods sold, and the City of Yuma business licenses require that the applicant obtain a TPT number
- Vendors – specifically artists – have provided feedback that it is difficult and costly to apply to be a vendor and obtain a business license in order to participate in a City event
- Vendor application fees range anywhere from \$55 to about \$225 depending on the location of the event and the size of the booth
- The process has been simplified by modifying the vendor application to include the business license application, and City staff forwards the application to the Finance Department for approval
- The City has also made it less expensive for artists to participate as a vendor by absorbing the \$20 business license fee into the existing vendor application fees

- For Art in the Park in January, the City offered the additional option of processing vendor sales through a centralized Point of Sale (POS)
  - The centralized POS collected the cost of the item and the TPT for the vendor, and the City then paid the cost of the item back to the vendor via check and remitted the TPT to the State

#### Discussion

- TPT numbers can be obtained online and are valid until the vendor reports to the State that they no longer need it (**Watts/Wendt**)
- Vendors who utilize the centralized POS are still required to report their revenues to the State and must fill out and provide the City with a W9 form (**Knight/Wendt**)
- The centralized POS eliminates the need for the vendor to provide the City with a TPT number (**Knight/Benacka**)
- There is no additional fee charged by the City for a vendor to utilize the centralized POS system (**Watts/Benacka**)
- The centralized POS is entirely optional and was implemented for the benefit of the vendors in response to feedback (**Shelton/Wendt**)
- A City business license is not required for nonprofit organizations to participate in City events (**Shelton/Knight/Wendt**)
- Licensing fees charged by other communities vary widely, including some that charge no fee and others that charge an annual fee (**Shelton/Knight/Wendt**)
- Staff has discussed options such as an annual or quarterly fee or adding a special event business license, but such changes may require amendment of the City Code (**Shelton/Knight/Wendt**)
- A sliding fee scale based on the amount of sales a vendor makes at an event might be considered; this would be especially helpful to artists that make fewer sales (**Watts/Wendt**)
- The only change to the vendor application for Art Center events is the requirement for the vendor to provide the City with their TPT number (**McClendon/Benacka**)
- Business license applications that are submitted without a TPT number will not be processed (**McClendon/Marlin**)
- It may be appropriate to collect a fee from the vendors for processing credit card payments in order to recover costs incurred by the City for processing those payments (**Morris/Wendt**)

#### **IV. REGULAR CITY COUNCIL MEETING AGENDA OF FEBRUARY 19, 2020**

Motion Consent Agenda Item B.6 – Change Order Authorization: 16<sup>th</sup> Street Paving – Avenue B to Avenue C (execute a change order to the approved job order with CEMEX Construction Materials South in the amount not to exceed \$318,592.00) (Eng)

#### Discussion

- Based on geotechnical testing conducted prior to the beginning of the project, it was decided that only the top three inches of pavement would be removed and replaced; however, once the roadwork began on the south half of the road it was found that the remaining pavement was not as stable as previously thought and that a reconstruction of the entire pavement thickness would be required for the north half of the road (**Morris/Kramer**)
- The transfer of Highway User Revenue Fund money comes from authorized but unassigned funds in the Capital Improvement Program budget (**Morris/Kramer**)

- Job Orders are different than low bid contracts in that they do not have a contingency reserve built into the contract, but in this case there was unallocated money budgeted for the project but not included in the purchase order that essentially serves this purpose (**Morris/Kramer**)

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Resolution Consent Agenda R2020-004 – Mutual Aid Agreement: Rural Metro Fire Department, Inc. (for cooperative fire protection and emergency medical services) (Fire)

Discussion

- As part of this agreement Rural Metro will not bill the City or a City resident for responding to a fire within City limits, though they are able to bill a City resident for ambulance services provided within the City just as the City is able to bill Yuma County residents for ambulance services provided within Yuma County (**Kramer/Irr**)

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Introduction of Ordinance O2020-002 – Rezoning of Property: East of the Southeast Corner of S. Avenue 8-1/2 E and E. 40<sup>th</sup> Street (rezone 19.3 acre parcel from the Agriculture District to the Low Density Residential District) (DCD)

Discussion

- Staff will look in to whether the reduction of the half-width on 40<sup>th</sup> Street from 62 feet to 50 feet will still allow for the construction of a bicycle or multi-use path (**Knight/Rodriguez**)

**V. EXECUTIVE SESSION**

There being no further business, **Deputy Mayor Watts** adjourned the meeting at 7:58 p.m. No Executive Session was held

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Lynda L. Bushong, City Clerk

APPROVED:

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Douglas J. Nicholls, Mayor