



City of Yuma City Council Meeting Agenda

Wednesday, September 19, 2018

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

There are no presentations scheduled at this time.

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 2018-174](#) **Regular Council Meeting Draft Minutes April 18, 2018**
Attachments: [2018 04 18 RCM Minutes](#)
2. [MC 2018-175](#) **Regular Council Worksession Draft Minutes May 1, 2018**
Attachments: [2018 05 01 RWS Minutes](#)

3. [MC 2018-176](#) **Council Citizen's Forum Draft Minutes August 14, 2018**

Attachments: [2018 08 14 CCF 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 2018-165](#) **Permanent Extension of Premises: The Pint House**

Approve a Permanent Extension of Premises/Patio Permit application submitted by Amy Marie Biallas, agent for The Pint House, 265 S. Main Street (EP18-01) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Permanent Extension of Premises: The Pint House](#)

3. [MC 2018-166](#) **Special Event Liquor License: Kids at Hope Benefit Concert**

Approve a Special Event Liquor License application submitted by Tim D. Hardy on behalf of Kids at Hope Yuma County AZ Chapter for Kids at Hope Benefit Concert. The event will take place at Desert Sun Stadium, 1280 W. Desert Sun Drive, on Sunday, November 11, 2018, from 4:00 p.m. to 9:00 p.m. (SP18-30) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Kids at Hope Yuma County AZ Chapter](#)

4. [MC 2018-167](#) **Special Event Liquor License: Somerton Tamale Festival, Inc. - ASU Halloween Bash**

Approve a Special Event Liquor License application submitted by Arturo Anaya on behalf of Somerton Tamale Festival, Inc., for ASU Halloween Bash. The event will take place at the Colorado River State Historic Park, 201 N. 4th Avenue, on Friday, October 26, 2018, from 8:00 p.m. to 2:00 a.m. (SP18-31) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Somerton Tamale Festival, Inc.](#)

5. [MC 2018-168](#)**Special Event Liquor License: Yuma Pink Sox - Bachata Workshop/Social**

Approve a Special Event Liquor License application submitted by Maria G. Vega on behalf of Yuma Pink Sox for a Bachata Workshop/Social. The event will take place at the Golden Roadrunner Ballroom, 273 S. Madison Avenue, on Saturday, October 6, 2018, from 8:00 p.m. to 1:00 a.m. (SP18-32) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments:

[1. RFCCA Special Event Liquor License: Bachata by Luis & Sandra](#)

6. [MC 2018-169](#)**Special Event Liquor License: Yuma County Democrats - Burritos & Champagne**

Approve a Special Event Liquor License application submitted by Mary Barkley on behalf of the Yuma County Democrats for Burritos & Champagne. The event will take place at the Historic Gowan Building, 370 S. Main Street, on Saturday, October 20, 2018, from 6:00 p.m. to 12:00 a.m. (SP18-33) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments:

[1. RFCCA Special Event Liquor License: Yuma County Democrats](#)

7. [MC 2018-170](#)**Bid Award: Figueroa Avenue Water Pollution Control Facility Electrical Improvements**

Authorize the City Administrator to execute a contract for Construction Services for the Figueroa Avenue Water Pollution Control Facility (FAWPCF) in the amount of \$2,477,245.67 to the following lowest responsive and responsible bidder: Mac Electric, Inc., Yuma, Arizona. (Engineering / Bid #2018-20000140) (Jeff Kramer / Robin R. Wilson)

Attachments:

[1. RFCCA Bid Award: Figueroa Ave WPCF Electrical Improvements](#)

[2. SPRDSHEET Bid Award: Figueroa Ave WPCF Electrical Improvements](#)

8. [MC 2018-171](#)**Grant Award: Arizona Complete Health**

Authorize the City Administrator to accept a grant award from Arizona Complete Health in the amount of \$25,000.00 to support the City's Emergency Home Repair Program. (City Administration) (Laurie Neinast)

Attachments:

[1. RFCCA Arizona Complete Health Grant Award](#)

9. [MC 2018-172](#)**Special Use Permit: Yuma River Tubing**

Authorize a Special Use Permit to Yuma River Tubing for use of City property for the purpose of operating a commercial river tubing concession. (Parks and Recreation) (Debbie Wendt)

Attachments:[1. RFCCA Special Use Permit: Yuma River Tubing](#)[2. AGMT Special Use Permit: Yuma River Tubing](#)10. [MC 2018-173](#)**Subrecipient Agreements: 2018 Community Development Block Grant (CDBG)**

Authorize the City Administrator to execute six subrecipient agreements totaling \$121,250.00 in accordance with the 2018 Annual Action Plan (Community Development /Neighborhood Services) (Laurie Lineberry)

Attachments:[1. RFCCA 2018 CDBG Subrecipient Agreements](#)[2. AGMT 2018 CDBG Subrecipient Agreements: ACHIEVE Orange Ave Apts](#)[3. AGMT 2018 CDBG Subrecipient Agreements: ADULT LITERACY Roof Repair](#)[4. AGMT 2018 CDBG Subrecipient Agreements: AZ CLASSICAL BALLET](#)[5. AGMT 2018 CDBG Subrecipient Agreements: CCS Home-Delivered Meals](#)[6. AGMT 2018 CDBG Subrecipient Agreements: CROSSROADS MISSION Nutrition Program](#)[7. AGMT 2018 Subrecipient Agreements: WACOG Fair Housing](#)**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. [R2018-025](#)**Municipal Improvement District No. 104: Desert Sky Unit 1 - Order Improvements**

Order Improvements for Municipal Improvement District (MID) No. 104 to serve Desert Sky Unit 1, to operate, maintain and repair landscaping improvements within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures (Landscape Improvements); declaring the Landscape Improvements to be of more than local or ordinary public benefit, and that the costs of the Landscape Improvements for MID No. 104 shall be assessed upon the properties in MID No. 104; providing that the proposed Landscape Improvements shall be performed under Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2. (Community Development/Community Planning) (Laurie Lineberry)

Attachments:[1. RFCCA MID No. 104: Desert Sky-Order Improvements](#)[2. RES MID No. 104: Desert Sky-Order Improvements](#)[3. EXHIBITS A & B MID No. 104: Desert Sky-Order Improvements](#)2. [R2018-026](#)**Municipal Improvement District No. 100: Park West Units 4 and 5 - Order Improvements**

Order Improvements for Municipal Improvement District (MID) No. 100 to serve Park West Units 4 and 5, to operate, maintain and repair landscaping improvements within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures (Landscape Improvements); declaring the Landscape Improvements to be of more than local or ordinary public benefit, and that the costs of the Landscape Improvements for MID No. 100 shall be assessed upon the properties in MID No. 100; providing that the proposed Landscape Improvements shall be performed under Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2. (Community Development /Community Planning) (Laurie Lineberry)

Attachments:[1. RFCCA MID No. 100: Park West Units 4 and 5 - Order Improvements](#)[2. RES MID No. 100: Park West Units 4 and 5 - Order Improvements](#)[3. EXHIBITS A & B MID No. 100: Park West Units 4 & 5 - Order Improvements](#)

3. [R2018-027](#) **Preannexation Development Agreement: McDonalds - 1195 E. 16th Street**

Authorize a Preannexation Development Agreement with McDonald's Real Estate Company for a property located at 1195 E. 16th Street. (Community Development/Community Planning) (Laurie Lineberry)

Attachments: [1. RFCCA PDA McDonalds 1195 E 16th Street](#)
 [2. RES PDA McDonalds 1195 E 16th Street](#)
 [3. EXH A PDA McDonalds 1195 E 16th Street](#)

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.

There are no ordinances to be adopted at this time.

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. [O2018-039](#) **Declare Real Property Surplus and Authorize Sale or Exchange - SW Corner of 16th Street and 4th Avenue**

Declare approximately 3.85 acres of City-owned real property on the southwest corner of 16th Street and 4th Avenue as surplus, preserving the established Aesthetic Easement, and authorize the sale, lease or exchange of the surplus property. (Administration/Economic Development) (Jeff Burt)

Attachments: [1. RFCCA Real Property Sale or Exchange: SW Corner of 16th St. and 4th Ave.](#)
 [2. ORD Real Property Sale or Exchange: SW Corner of 16th St. and 4th Ave.](#)
 [3. EXH A Real Property Exchange: SW Corner of 16th St. and 4th Ave.](#)

V. PUBLIC HEARING AND RELATED ITEMS

Resolution R2018-004 may be adopted in conjunction with the below noted public hearing.

1. [R2018-004](#) **General Plan Amendment: 1421 S. Avenue B**

Deny the request to amend the City of Yuma General Plan to change the land use designation from Medium Density Residential to High Density Residential, for property located at 1421 S. Avenue B. The applicant is South Avenue B L.L.C. (GP-19696-2017). (Community development/Community Planning) (Laurie Lineberry)

Attachments:

[1. RFCCA PH General Plan Amendment: 1421 S. Ave B](#)

[2. P&Z PH Report General Plan Amendment: 1421 Ave B](#)

[3. RES PH General Plan Amendment: 1421 Ave 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:

- *Parks, Arts, and Recreation Commission: Four appointments*
- *Merit System Board: One appointment*

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 September 6, 2018 through September 19, 2018. 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, 5 and/or 7) and the following items:

A. Discussion, consultation with and/or instruction to legal counsel regarding potential legislation (Arizona Proposition 126) affecting the Tax Code of the City of Yuma. (ARS 38-431.03 A3 & A4)

B. Discussion or consultation with City Council in order to consider its position and instruct the City Administrator and City Attorney regarding negotiations with employee organizations on salaries, salary schedules or compensation paid to employees. (ARS 38-431.03 A1, A3, A4 & A5)

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.