

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 19, 2016
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:33 p.m.

INVOCATION/PLEDGE

Tom Renard, pastor from Imagine Nations Church, gave the invocation. **James Craig**, Purchasing Specialist, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:	Thomas, Shelton, Knight, Craft, Miller, Wright, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	City Administrator, Gregory K. Wilkinson Various Department Heads or their representative Director of Engineering, Joshua Scott C.I.P Manager, Jason Harris Director of Parks and Recreation, Debbie Wendt Senior Planner, Naomi Leeman City Attorney, Steven W. Moore 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.

PRESENTATIONS

Check Presentation from Cenpatco Integrated Care

Maria Chavoya, Regional Manager from Cenpatco Integrated Care presented a check in the amount of \$10,000 to the City of Yuma for community re-investment funding that has been designated to the Anti-Meth Yuma Campaign.

I. MOTION CONSENT AGENDA

B.5 Contract Increase: Professional Design Services for Pacific Avenue Athletic Complex -

Authorize the execution of a change order to increase the current contract in an amount not to exceed \$175,000 to Kimley-Horn and Associates, Inc., for post-design services for the Pacific Avenue Athletic Complex. (Parks and Rec/RFQ #2016-20000104) (Scott/Wilson)

Mayor Nicholls declared a conflict of interest, turned the meeting over to Deputy Mayor Craft and left the dais.

Due to some misinformation in the paper, **Knight** requested clarification on the need for this contract increase from the original \$149,000 with Kimley-Horn for post design services. **Scott** explained the City would like Kimley-Horn to have a bigger presence on site during construction to help with writing the addenda, answering questions on plans and specification and record drawing since the original proposal included limited the site visits to and limited weekly construction meeting attendance. He emphasized that this is not a project budget increase; in fact, the City is still under the estimates that were put together when the budget was approved. **Knight** asked if it would be detrimental to go forward without post design services. **Scott** responded that the City does not have the expertise when it comes to mechanical engineering elements, electrical engineering, architecture and landscape architecture. While we may be able to supplement with the use of some of our on-call contracts on a limited basis, there are limits we cannot exceed by state law. **Knight** asked if a lack of design services would cause construction to be delayed or halted. **Wilkinson** stated that construction would continue however there would be issues to consider. **Scott** added that the biggest risk would be to the project schedule and the quality of the finished project. **Knight** opined that it would be very short-sighted to risk possible construction mistakes to save \$175,000 on a multi-million dollar project. **Wilkinson** noted that a similar situation occurred which ended up requiring an additional year to fix the project. In response to a question asked by Councilmember Wright at last night's meeting regarding whether the city could select the best company for a project without an interview, based on information provided by the Purchasing and Contracts Manager, a company score is not significantly affected by the interview.

Miller asked if Kimley-Horn is still under contract for post-design services. **Scott** stated that they were. **Miller** asked if there were any changes in the design during the design process. **Scott** stated that there were 3 or 4 design changes. **Harris** added that the original post design as Josh mentioned was significantly scaled back because they did not know if the design team was going to be able to administer construction. **Miller** asked if the City has engineers with expertise in post design work. **Harris** explained that the engineering department within the City is staffed with civil engineers who primarily specialize in horizontal construction such as roadways, water lines, and sewer lines. **Shelton** asked if it would be acceptable to postpone this item to better provide council with a breakdown of where these monies would go. **Scott** responded that it would be up to Council; however the project is on a tight deadline. **Deputy Mayor Craft** stated that he does not to delay this but asked if they could schedule a Special Worksession. **Wilkinson** noted that the additional \$175,000 is a maximum amount and the city is not committed to spend the entire amount. He emphasized his confidence in the engineering department and their ability to manage and oversee this project, but Council can be provided with a breakdown of where these monies would go.

Motion(Knight/Wright) to continue this meeting upon completion of the rest of this agenda to Tuesday the 25th of October at 5:30 p.m. Voice Vote: **approved** 6-0-1 Mayor abstained due to a conflict of interest.

Mayor Nicholls returned to the dais.

Motion(Craft/Knight) to approve the Motion Consent Agenda as recommended with the exception of item B.5 Voice Vote: **approved** 4-3 Councilmembers Wright, Miller, and Shelton voting Nay.

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

Regular Council Meeting

January 6, 2016

Special Council Meeting

January 20, 2016

Special Council Worksession

January 28, 2016

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). (Attny)
2. Approve a Special Event Liquor License Application submitted by Dustin Mylius on behalf of the Yuma Visitor's Bureau for the Rio de Cerveza Brew Fest. The event will take place at Desert Sun Stadium located at 1280 W. Desert Sun Drive on Saturday November 19, 2016, from 4:00 p.m. to 9:00 p.m. (SP-16-25) (Admin/Clerk)
3. Approve a Special Event Liquor License Application submitted by Barry Olsen on behalf of Caballeros de Yuma for the Colorado River Crossing Balloon Festival. The event will take place at Desert Sun Stadium located at 1280 W. Desert Sun Drive on Saturday, November 12, 2016 from 11:00 a.m. to 9:00 p.m. (SP-16-26) (Admin/Clerk)
4. Award to the lowest responsive and responsible bidder for Athletic Field Marking Paint, as needed, a one-year contract, with the option to renew four additional one-year periods, depending on the appropriation of funds and satisfactory performance, at an estimated annual expenditure of \$17,000.00 to Pioneer Manufacturing Company, Cleveland, Ohio. (Bid #2017-20000010 – P & Rec)
5. Pulled for separate consideration; see above.
6. Authorize the purchase of Ground and Turf Maintenance Replacement Equipment utilizing the Mohave Education Services cooperative purchase agreement, at a total cost of \$233,660.05 for Ground and Turf Equipment for fiscal year 2017. Simpson Norton Corporation, Goodyear, Arizona (P & Rec – Bid #201720000064)
7. Authorize the City Administrator to execute a contract for Construction Administration Services for the Pacific Avenue Athletic Complex to the following firm. In the event that negotiations for fees or services are not successful, the City will terminate those negotiations in writing and begin negotiations with the next consultant listed. The H2 Group, LLC Scottsdale, Arizona, Abacus Project, Inc., Phoenix, Arizona. (Eng/ RFQ #2017-20000056)
8. Ratify the City's acceptance of a grant award from Firehouse Subs Public Safety Foundation, Inc., and authorize the City Administrator to accept title to a 2016 Polaris utility terrain vehicle donated to the City by Firehouse Subs Public Safety Foundation, Inc. (Fire /Admin)
9. Authorize the City Administrator to execute an agreement with the Arizona Public Safety Procurement Program to allow the City of Yuma's continued participation in the Federal Excess Property 1033 Program to acquire excess federal property to support the Yuma Police Department (Police/Admin)
10. Approve the final plat time extension for the Triple "S" Industrial Park Unit No. 2 Subdivision. The property is located at the southeast corner of Arizona Avenue and Gillaspie

Place. The applicant is Dahl, Robins, and Associates, Inc., on behalf of YLI, LLC (TIMEX-14783-2016((DCD/Planning)

II. RESOLUTION CONSENT AGENDA

Motion (Knight/Shelton) to adopt the Resolution Consent Agenda as presented.

At the request of the **Mayor, Bushong** displayed the following title:

Resolution R2016-033

A resolution of the City Council of the City of Yuma, Arizona, approving and authorizing the execution of a real property exchange and development agreement with Crossroads Mission, an Arizona non-profit corporation, providing for the exchange of surplus City owned real property and for the redevelopment of the surplus real property located at 925 South Arizona Avenue (Exchange of property at 541 South Gila Street)

Roll Call Vote: **adopted** 7-0.

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Knight/Craft) to adopt the Ordinance Consent Agenda as presented.

At the request of the **Mayor, Bushong** displayed the following title:

Ordinance O2016-031

An ordinance of the City Council of the City of Yuma, Arizona, regarding appointment and term of office of Municipal Court Judge Pro Tempore (Setting the manner of appointment and term of office)

Roll Call Vote: **adopted** 6-1 Councilmember Wright voting Nay.

IV. INTRODUCTION OF ORDINANCES

O2016-032 Yuma City Code Amendment: Chapter 39 Municipal Court - Amend Chapter 39 of the Yuma City Code to add a provision related to the Municipal Court Officer. (Admin) (Wilkinson)

Motion (Knight/Craft) to continue Ordinance O2016-032, a Yuma City Code Amendment of Chapter 39 related to Municipal Court. Voice Vote: **approved** 7-0.

At the request of the **Mayor, Bushong** displayed the following title:

Ordinance O2016-034

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a transfer agreement and promissory note with the Housing Authority of the City of Yuma (Up to \$1,900,000 to allow conversion to the Rental Assistance Demonstration program)

V. PUBLIC HEARING AND RELATED ITEMS

Public Hearing opened at 6:29 p.m.

R2016-034 General Plan Amendment: 2016 Parks & Recreation Master Plan – Approve the request to adopt the 2016 Parks & Recreation Master Plan and amend the City of Yuma 2012 General Plan to incorporate the Master Plan. (DCD/Planning) (Lineberry)

Wendt presented an overview of the Parks and Recreation Master Plan that included process, analysis, and conclusions as well as recommendations provided by Council at last night's worksession. The purpose and mission were broken down into five different strategies; assess the current facilities, public outreach and input, analyze and edit the information, create a long range plan, and create a detailed implementation plan. The document overview is likewise broken up into five sections; executive summary, existing facilities, community trends, desired facilities, and level of service analysis.

Leeman explained that the long range plan is largely the same as the former plan with the exception of the proposed projects and desired facilities. Based on comments heard last night the North and South Mesa Community Parks will be moved to the mid-range timeline and other projects will be phased in as funding becomes available. There will also be future discussions of the basin near Walmart with Engineering to look at other use possibilities. The last section is the implementation plan which includes an action plan and a list of funding sources.

Wendt mentioned that they met with the Parks Arts and Recreation Commission six times before the plan was approved. She stated that the City has been doing public outreach since June including the City website, Parks & Recreation email contacts, and approximately 54 agencies within Yuma County; such as City of San Luis, Somerton, Bureau Of Reclamation, Arizona Game & Fish, the Bureau of Land Management, all of the school districts and Arizona Public Service to name a few. Some of the public comments that were received were recommendations for youth and adult soccer fields, basketball courts, hockey rinks, as well as other programs and facilities. The citizen's also expressed concern about a property tax increase. Additionally, the irrigation district would like to receive advanced notice so they could be part of the process with anything dealing with the East and West Main Canals, and possible expansion along their irrigation districts.

Wright asked if any public comments were recieved on the parking and the availability of Smucker Park. **Wendt** stated that it is proposed on the long range plan to be reviewed, but ultimately it is based on funding availability.

Motion (Knight/Craft) to amend Resolution R2016-034 Exhibit A of the Parks and Recreation Master Plan and Chapter 4 of the City of Yuma 2012 General Plan to change the timeline for the North Mesa Community Park from Long-Term (10+ years) to Short-Term and the South Mesa Community Park project from Long Term (10+ years) to Mid-term (5-10 years). Voice Vote: **approved** 7-0.

Motion (Knight/Thomas) to close the public hearing. Voice vote: **approved** 7-0. The Public Hearing was closed at 6:49 p.m.

Motion (Knight/Thomas) to adopt Resolution R2016-034 General Plan Amendment, as amended.

At the request of the **Mayor, Bushong** displayed the following title:

Resolution R2016-034

A resolution of the City Council of the City of Yuma Arizona, adopting the 2016 Parks & Recreation Master Plan and amending Resolution R2012-29, the City of Yuma 2012 General Plan to incorporate the 2016 Parks & Recreation Master Plan (2016 Parks & Recreation Master Plan)

Roll Call Vote: **adopted** 7-0.

FINAL CALL

Mayor Nicholls made the final call for those who wish to speak at the Call to the Public.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Knight, Shelton, Thomas, Wright, Craft, Miller and Mayor Nicholls reported on events and meeting they have attended during the last two weeks and upcoming events of note.

VII. SUMMARY OF CURRENT EVENTS

Wilkinson noted the following events:

- Session 1 Adult Painting - October 21st through November 18th
- 29th Annual Catfish Rodeo - October 22nd from 7:00 a.m. to 12:00 p.m.
- Halloween Ball Bash Co-Rec Softball Tournament - October 22nd through 23rd
- ACF Heart of Yuma Awards Ceremony - October 25th

VIII. CALL TO THE PUBLIC – There were no speakers at this time.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting 7:04 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor