

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS, YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**JULY 6, 2016**  
**5:30 p.m.**

**CALL TO ORDER**

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

**INVOCATION/PLEDGE**

**Paul Killingsworth**, Pastor of First Assembly of God, gave the invocation. **Steve Moore** 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<br>Fire Chief, Steve Irr<br>Budget and Treasury Manager, Wendy Wrenn<br>Various Department Heads or their representative<br>City Attorney, Steven W. Moore<br>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**

**Mayor Nicholls** presented checks, equaling \$9,655.39, received from tribal gaming proceeds from the Fort Yuma Quechan Indian Tribe to the following local agencies:

- Crossroads Mission - \$6,000.00
- Children's Museum of Yuma County- \$3,655.39

**Wilkinson** presented **Irr** with a pin in recognition of his 30 years of service to the City of Yuma Fire Department. **Irr** expressed his gratitude for the opportunity to serve the community and appreciation of the firefighters he has the pleasure of leading.

**I. MOTION CONSENT AGENDA**

**Motion** (Craft/Knight): To approve the Motion Consent Agenda as recommended. Voice vote: **approved** 7-0.

A. Approval of minutes of the following City Council meeting(s):

|   |                |
|---|----------------|
| Special City Council Worksession/Roundtable | March 8, 2016  |
| City Council Citizen's Forum                | March 15, 2016 |
| City Council Citizen's Forum                | April 5, 2016  |
| City Council Citizen's Forum                | April 19, 2016 |
| City Council Citizen's Forum                | May 17, 2016   |
| City Council Citizen's Forum                | May 31, 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). (Attorney)
2. Approve a new Series #12 Restaurant Liquor License Application submitted by Jared Repinski, agent for La Resaca located at 1725 S. 3<sup>rd</sup> Avenue (LL16-11) (Admin/Clerk)
3. Authorize the City Administrator to enter into the second amendment to the agreement with Dennis L. Lopez & Associates, LLC. (Admin)
4. Authorize the purchase of one 2017 Vactor 2100 Plus – Sewer Cleaner/Vacuum System Mounted on a Heavy Duty Truck Chassis by utilizing the cooperative purchase agreement originated by National Joint Powers Alliance (NJPA) at a total cost of \$392,569.45 to: Rush Truck Centers, Yuma, Arizona (Utilities)
5. Authorize the purchase of Information Technology Products and Services utilizing any one of the below listed cooperative purchase agreements at an estimated amount of \$4,275,020.00 to:
  1. Mohave Educational Services Cooperative
  2. State of Arizona
  3. The Cooperative Purchasing Networks (TCPN)
  4. US Communities
  5. Western States Contracting Alliance/National Assn of State Procurement Officials
  6. General Service Administration (GSA)
  7. National Intergovernmental Purchasing Alliance (NIPA)
  8. Strategic Alliance for Volume Expenditures (SAVE)
  9. National Joint Powers Alliance (NJPA)
  10. Public Procurement Authority (PPA)
 (ITS)

6. Authorize the City Administrator to execute an agreement with the Yuma Crossing National Heritage Area Corporation (YCNHAC) for the operation and maintenance of the Yuma Territorial Prison State Historic Park (YTP) for Fiscal Year 2016-2017; and to provide performance standards for YCNHAC (Admin/YCNHA)
7. Authorize the City Administrator to negotiate and execute a two-year contract for a GIS Centric Computerized Maintenance Management System (CMMS) and Asset Management Software, Integration and Implementation Services with the option to renew for three additional one-year periods. If negotiations are successful with the selected firm, as determined by the City, a Contract for the service will be prepared. In the event that negotiations are not successful, the City will terminate those negotiations in writing and begin negotiations with the next firm listed: Lucity, Inc., Overland Park, KS and Beehive Industries, LLC, Lincoln, NE (ITS)

## II. RESOLUTION CONSENT AGENDA

**Motion** (Knight/Craft): To adopt the Resolution Consent Agenda as recommended.

At the Mayor's request, **Bushong** displayed the following titles:

### **Resolution R2016-021**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing the execution of an amendment to an Intergovernmental Agreement with the State of Arizona for the construction of capacity improvements along Avenue 3E between Interstate 8 and U.S. Highway 95 and pavement rehabilitation along U.S. Highway 95 between Avenue 3E and Araby Road (Additional \$9,069 in matching funds to be provided by the City for a total of \$275,291) (Engineering)**

### **Resolution R2016-022**

**A resolution of the City Council of the City of Yuma, Arizona, declaring as a public record a certain document titled Amendments to the Tax Code of the City of Yuma for Cities and Towns in the State Collection System Performing Supplementary Local Audits, and ordering the filing of three copies in the Office of the City Clerk (Allow the City to perform supplementary audits in concert with the Department of Revenue and under its guidance) (Finance/Administration)**

Roll call vote: **adopted** 7-0.

## III. ADOPTION OF ORDINANCES CONSENT AGENDA

There are no ordinances scheduled for adoption at this time.

## IV. INTRODUCTION OF ORDINANCES

Introduction of Ordinance O2016-022 – City of Yuma 2016 Special Election (Calling a Special Election to be held on November 8, 2016, regarding an increase to the Transaction Privilege Tax levy by three-tenths of one percent)

**Wright** suggested that the proposed ballot language be modified to specify how the additional tax revenue will be allocated to public safety and roads. **Mayor Nicholls** expressed his preference that the ballot language remains as is to provide flexibility to City Council regarding the allocation of those funds during the yearly budget process.

**Shelton** stated that he is glad to see a direct reference to the City Council's intent to limit increases to the property tax levy through Fiscal Year 2019. **Miller** recommended that there be no increase to property taxes – not even the 2% allowed under Truth in Taxation– for a minimum of three years. **Wilkinson** stated that it was his understanding that the Truth in Taxation rate does not include the 2% increase. **Wrenn** stated that she wished to confirm that information with the Finance Director. **Mayor Nicholls** asked that the information be provided to City Council by e-mail as soon as it is available.

**Wright** asked how an increase of 0.3% was determined. **Mayor Nicholls** explained that it was suggested during previous discussions on the topic. He added that the current sales tax rate is 1.7%, so an increase of 0.3% would bring it up to an even 2%.

**Knight** expressed his agreement with **Mayor Nicholls** that allocation of the additional tax revenue should be determined during the budget process. Otherwise it would limit future decision making and it is difficult to predict what might be needed for future budgets.

At the Mayor's request, **Bushong** displayed the following titles:

**Ordinance O2016-018**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 150 of the Yuma City Code, governing the powers of the Housing Authority of the City of Yuma (Allow the Housing Authority of the City of Yuma to own and dispose of the assets and real property of the Arizona Housing Development Corporation and the real property located at 433 S. 1<sup>st</sup> Avenue) (City Administration)**

**Ordinance O2016-019**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Low Density Residential (R1-8) District to the Limited Commercial (B-1) District and the Transitional (TR) District and amending the zoning map to confirm with the rezoning (Rezoning of approximately 7.42 acres located on the northwest corner of 34<sup>th</sup> Drive and 24<sup>th</sup> Street) (Community Planning)**

**Ordinance O2016-020**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Title 13, Health and Safety, Chapter 131, Fire Prevention and Protection, Section 16, Amendments, of the Yuma City Code to add Section 13.1.5.1 "Systems and Equipment Service Records" with established penalties for the violations thereof (Providing the Fire Chief with authority to mandate the method in which persons performing required inspection, testing, and/or maintenance services on fire and life safety systems submit reports to the Yuma Fire Department) (Fire/Community Risk Reduction)**

**Ordinance O2016-021**

**An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that a certain parcel of real property, hereafter described, be acquired by the City of Yuma through an**

exchange for City-owned property, hereafter described and declared surplus for City use, for the reason that fee title to the property to be acquired is necessary for other public purposes as may be related thereto, upon the recording of a warranty deed from the City and property owner, and authorizing payment of certain costs for the acquisition and exchange in accordance with a Real Property Exchange and Development Agreement to be approved separately by City Council resolution (Exchange of City-owned property located at 925 S. Arizona Avenue with property owned by Crossroads Mission located at 541 S. Gila Street) (City Administration/YCNHA)

#### **Ordinance O2016-022**

**An ordinance of the City Council of the City of Yuma, Arizona, ordering a Special Election for the qualified electors of the City of Yuma, Arizona, for the purpose of increasing the Transaction Privilege Tax by 0.3% (three-tenths of one percent) (Tax revenues generated as a result of the increase will be used to fund public safety and roads and will reduce the need to increase property taxes) (Administration)**

**V. PUBLIC HEARINGS** - There are no public hearings scheduled at this time.

#### **FINAL CALL**

**Mayor Nicholls** made a final call for the submission of Speaker Request Forms from members of the audience interested in speaking at the Call to the Public.

#### **VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

**Motion** (Knight/Shelton) to appoint Theresa Francesco to an unexpired term on the Clean and Beautiful Commission with a term expiration of December 31, 2020. Voice vote: **approved** 6-0-1, **Craft** absent from the dais.

**Motion** (Knight/Thomas) to appoint Thomas B. Lund to an unexpired term on the Planning and Zoning Commission with a term expiration of December 31, 2018. Voice vote: **approved** 6-0-1, **Craft** absent from the dais.

**Knight, Shelton, Miller, Nicholls, and Craft** reported on events/meetings they attended since the last Regular Meeting and noted upcoming events/meetings.

#### **VII. SUMMARY OF CURRENT EVENTS**

**Wilkinson** stated that he attended the annual Arizona Public Service meeting where it was reported that the City has received over \$285,000 in rebates and saved 9 megawatts of power – which will result in savings of about \$1 million annually – due to various projects that have been implemented throughout the City. He noted that these figures do not include the savings from projects in conjunction with Climatec which will be presented to City Council in a few months.

**Wilkinson** reported the following upcoming events:

- July 6 – Xolos vs. Morelia Preseason Soccer Exhibition at Desert Sun Stadium
- July 7-9 and 14-16 – Countess Dracula at the Yuma Art Center
- July 9 – Indoor Swap Meet at the Yuma Civic Center
- July 19-21 – Catch Fire Archery Camp at the Yuma Civic Center
- July 23 – Back to School Rodeo at the Yuma Civic Center

#### **VIII. CALL TO THE PUBLIC**

**Eric Egan**, President of the Fraternal Order of Police (FOP) Yuma Lodge, commended the community on their tremendous support of the City of Yuma 4<sup>th</sup> of July All American BBQ & Fireworks Spectacular and expressed gratitude on behalf of the FOP for the privilege of working in a community that has the support of law enforcement in their hearts. He thanked City Council for their spirited conversation last night regarding the proposed sales tax increase and pledged the support of the FOP in ensuring that it is on the ballot in November.

#### **IX. EXECUTIVE SESSION/ADJOURNMENT**

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:15 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