

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS, YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**AUGUST 3, 2016**  
**5:30 p.m.**

**CALL TO ORDER**

**Mayor Nicholls** called the City Council meeting to order at 5:32 p.m.

**INVOCATION/PLEDGE**

**Councilmember Miller** gave the invocation. **Janet Pierson**, Deputy City Clerk, 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 Chief of Police, John Lekan Various Department Heads or their representative 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 by the Knights of Columbus

**Matt Young**, Member of the Knights of Columbus, presented a check to **Mayor Nicholls** and the City of Yuma in the amount of \$154.00 for the Stewart Vincent Wolfe Creative Playground.

Presentation of certificates to Yuma Police Department from downtown merchants

**Fred Earle**, owner of Yuma's Main Squeeze, presented over 100 gift certificates to **Chief Lekan** and the Yuma Police Department thanking them for their dedication to the community. **Chief Lekan** thanked the community and the downtown merchants for their support of the Yuma Police Department.

30 year pin presented to Chief Lekan

**Greg Wilkinson** presented **Chief Lekan** with a pin for his 30 years of service with the Yuma Police Department.

Gabe Zimmerman Award and recognition given to Greg Wilkinson

**Mayor Nicholls** congratulated **Greg Wilkinson** for being awarded the statewide Gabe Zimmerman Award as a community builder for his efforts to advance community pride and connectedness through such areas as job creation and training, a healthy community, environmental and historic preservation, and efforts in educational advancement.

**I. MOTION CONSENT AGENDA**

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

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

Regular Council Worksession	April 19, 2016
Council Citizen's Forum	July 19, 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. Authorize the purchase of Grass Seed, for an estimated cost of \$123,000.00 with the following firms: Crop Production Services, Yuma, Arizona; Helena Chemical Co., Phoenix, Arizona and Simplot Partners Turf, Tempe, Arizona. (Parks & Rec – Bid # 2015-20000188)
3. Award to the sole responsive and responsible bidder a one-year contract with the option to renew for four additional one-year periods, renewable one year at a time, depending on the availability of funds and satisfactory performance for Radio and Telecommunication Installation Services with an approximate annual cost of \$50,000.00 to: Gila Electronics, Yuma, AZ. (ITS – 2016-20000169)
4. Authorize the purchase and delivery of Asphalt Sealcoat Materials, utilizing a cooperative contract initiated by the City of Mesa. Contract term is for a three-year term with a maximum renewal of two, one-year periods, depending on the appropriation of funds and satisfactory performance, with an estimated annual expenditure of \$100,000.00 with the following vendor: Wright Asphalt Products Company, Phoenix, Arizona. (PW/Streets – Bid #2016-20000193)
5. Authorize a \$51,000.00 settlement of the LaMarche v. City of Yuma lawsuit. (Atty)
6. Authorize the City Administrator to execute a modification to an intergovernmental agreement with the State of Arizona Department of Revenue regarding the uniform administration, licensing, collection, and auditing of transaction privilege tax, severance tax, jet fuel excise and rental occupancy taxes imposed by the State of municipalities. (Finance/Admin)
7. Authorize City Administrator to issue a purchase order in an amount not to exceed \$855,492.00 to the Arizona Public Service Company (APS) to pay APS to relocate its underground and overhead power lines as part of the construction of the Fleet Services Maintenance Shop. (PW/Fleet)

## II. RESOLUTION CONSENT AGENDA

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

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

### **Resolution R2016-025**

**A resolution of the City Council of the City of Yuma, Arizona, Authorizing the City Administrator to execute a contract with the Arizona Power Authority to provide the City of Yuma with approximately one megawatt of power generated from the Hoover Dam** (Power Sales Contract expected to result in savings of \$12,500 per year for the first five years and \$26,000 per year thereafter)

### **Resolution R2016-026**

**A resolution of the City Council of the City of Yuma, Arizona, Authorizing the execution of an intergovernmental agreement with the Bureau of Reclamation for the construction, operation and maintenance of the Smucker Park Retention Basin** (Bureau of Reclamation has granted the City access to encroach onto BOR right-of-way to construct, own, operate, and maintain Smucker Park Retention Basin)

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

## III. ADOPTION OF ORDINANCES CONSENT AGENDA

O2016-022 City of Yuma 2016 Special Election: – Call a special election to be held the same time as the City of Yuma General Election on November 8, 2016 to submit to those persons qualified to vote in the City of Yuma the question of increasing the Transaction Privilege Tax levy by three-tenths of one percent (0.3%). (Admin)

### Discussion

**Wright** stated he read an editorial in the Yuma Sun that may have caused some confusion about the sales tax proposal. He expressed those concerns to Greg Wilkinson and asked if Mr. Wilkinson could clarify to the public to help ease the confusion about the ordinance. **Wilkinson** clarified the difference between the levy (the dollar amount the City receives) and the tax rate (percentage assessed on a property's value). He also explained that while the levy may not increase outside of the City's natural growth, the rate may still fluctuate. The Truth in Taxation Rate does not include the 2% that the City is allowed to raise in property taxes each year.

**Motion** (Knight/Thomas) to adopt the Ordinance Consent Agenda as recommended.

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

### **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) (2016 Special Election re increasing the TPT levy by three-tenths of one percent)**

**Ordinance O2016-023**

**An ordinance of the City Council of the City of Yuma, Arizona, Relating to the Privilege License Tax; adopting the “Amendments to the Tax Code of the City of Yuma for Cities and Towns in the State Collection System performing supplementary local audits” by reference; establishing effective dates and providing for severability (Adopt the “Amendments to the Tax Code of the City of Yuma for Cities and Towns in the State Collection System Performing Supplementary Local Audits)**

**Ordinance O2016-024**

**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 Light Industrial (L-I) District to the Low Density Residential (R-1-6) District and amending the zoning map to conform with the rezoning (Rezone approximately 0.23 acres located at 142 W. 10<sup>th</sup> Street)**

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

**IV. INTRODUCTION OF ORDINANCES** – There were no ordinances scheduled for introduction.

**V. PUBLIC HEARING AND RELATED ITEMS** - There were no public hearing items scheduled.

**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, Wright, Deputy Mayor Craft, Miller, Thomas and Mayor Nicholls** reported on events and meetings they have attended during the last two weeks and upcoming events of note.

**VII. SUMMARY OF CURRENT EVENTS**

**Wilkinson** noted the following upcoming events:

- August 4 – Tip-A-Cop at Chili’s from 11:00 a.m. to 9:00 p.m. to benefit the Special Olympics
- August 6 – Sunrise Kayaking at 5:00 a.m.
- August 6 – Indoor Swap meet at the Yuma Civic Center
- August 8 – Yoga Tree Classes at the Yuma Civic Center: Mondays from 5:45 p.m. to 6:45 p.m.
- August 13 – Washoes Tournament inside Lute’s Casino from 2:00 p.m. to 10:00 p.m.

**VIII. CALL TO THE PUBLIC**

**Junegrid Baker**, 16214 S Ave B ½ Somerton, AZ, invited the Yuma Community to the Esther Pageantry - Queen Hadassah Star Title. The registration deadline is on September 30<sup>th</sup> and the pageant

takes place on December 3<sup>rd</sup>. The pageant is designated for teenagers from the ages of 13 to 19 to participate.

**IX. EXECUTIVE SESSION/ADJOURNMENT**

**Motion** (Knight/Shelton): To adjourn the meeting to Executive Session. Voice vote: **adopted** 7-0. The meeting adjourned at 6:02 p.m.

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Lynda L. Bushong, City Clerk

APPROVED:

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Douglas J. Nicholls, Mayor