

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
JANUARY 18, 2017
5:30 p.m.

CALL TO ORDER

Protem Mayor Craft called the City Council meeting to order at 5:30 p.m.

INVOCATION/PLEDGE

Councilmember Jacob Miller, gave the invocation. **Robin Wilson**, Purchasing and Contracts Manager, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Shelton, Deputy Mayor Knight (attending telephonically), Craft, Miller, Wright
Councilmembers Absent: Thomas and Mayor Nicholls
Staffmembers Present: City Administrator, Gregory K. Wilkinson
Various Department Heads or their representative
Director of Parks & Recreation, Debbie Wendt
Senior Planner, Alyssa Linville
Deputy City Attorney, Richard Files
City Clerk, Lynda L. Bushong

FINAL CALL

Pro Tem Mayor Craft made a final call for the submission of Speaker Request Forms from members of the audience.

PRESENTATIONS – There are no presentations scheduled at this time.

I. MOTION CONSENT AGENDA

Item B.6. Cooperative Purchase Agreement: Park and Playground Equipment – Authorize the purchase and delivery of playground equipment for the Pacific Avenue Athletic Complex by utilizing a cooperative purchase agreement originated by US Communities contract, for a total cost of \$105,157.35 to: GameTime, Fort Payne, Alabama (Bid#2017-20000147 Parks & Recreation) (Wendt/Wilson)

Miller declared a conflict of interest on Item B.6 and left the dais.

Wright asked if the playground equipment would be fenced in or open to the public at any time. **Wilson** responded that she believed the park would be fenced and secured. **Wendt** confirmed the park would be enclosed within the complex. **Wright** questioned what time of day the playground would be available. **Wendt** stated that the playground would be available to the public during softball games Monday through Saturday and also during some games on Sundays as well as during tournaments. **Wright** asked if the playground equipment would be mostly for children or if it would also include

exercise stations like Smucker Park. **Wendt** stated the equipment will be for children including hands-on equipment which will also be shaded.

Motion (Shelton/Wright) to approve Motion Consent Agenda item B.6. Voice vote: **approved** 4-0-1. **Miller** abstained due to conflict of interest.

Miller returned to the dais.

Motion (Shelton/Miller) to approve the Motion Consent Agenda as presented with the exception of Item B.6 Voice Vote: **approved** 5-0.

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

Regular Council Meeting	May 18, 2016
Council Citizen's Forum	November 1, 2016
Council Citizen's Forum	January 3, 2017

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 Chris Wheeler on behalf of Nexgen Leadership Council, Inc. for the Boogie, Brews and Blues Festival. The event will take place at Gateway Park located at 259 S. Gila Street on Saturday February 18, 2017, from 11:00 a.m. to 8:00 p.m. (SP17-03) (Admin/Clerk)
3. Approve a Special Event Liquor License application submitted Pamela Neely Tomkins on behalf of Yuma Art Symposium, Inc., for the Yuma Art Symposium. The event will take place at the Historic Gowan Building located at 370 S. Main Street on Saturday, February 25, 2017, from 3:30 p.m. to 12:00 a.m. (SP17-06) (Admin/Clerk)
4. Approve a Special Event Liquor License Application submitted by Steve Alameda on behalf of the Yuma Fresh Vegetable Association for the Harvest Dinner. The event will take place at the Yuma Quartermaster Depot State Historic Park located at 201 N. 4th Avenue on Thursday , February 23, 2017, from 6:00 p.m. to 11:30 p.m. (SP17-07) (Admin/Clerk)
5. Authorize the City Administrator to execute a contract for Motor Vehicle Fuel for one year with four one-year renewals, depending on the appropriation or funds and satisfactory performance of vendors, at an estimated annual cost of \$1,200,000.00 to the following qualified vendors: HB Petroleum dba Sellers Petroleum, Yuma, Arizona; IPC USA, Inc., Santa Ana, California; Petroleum Traders Corporation, Fort Wayne, Indiana; Senergy Petroleum , Phoenix, Arizona. (PW RFQ #2017-20000094)
6. Authorize the purchase and delivery of playground equipment for the Pacific Avenue Athletic Complex by utilizing a cooperative purchase agreement originated by US Communities

contract, for a total cost of \$105,157.35 to: GameTime, Fort Payne, Alabama (Bid #2017-20000147) (Parks) (Wendt/Wilson)

- II. **RESOLUTION CONSENT AGENDA** – There were no resolutions scheduled for adoption at this time.
- III. **ADOPTION OF ORDINANCES CONSENT AGENDA** – There were no ordinances scheduled for adoption at this time.
- IV. **INTRODUCTION OF ORDINANCES** – There were no ordinances scheduled for introduction at this time.
- V. **PUBLIC HEARING AND RELATED ITEMS**

O2017-001 Statutory Compliance Hearing/Amendment: – Ordinance O2014-02, Desert Sky PUD – Conduct a public hearing pursuant to A.R.S. §9-462.01 to determine compliance with the conditions of approval for rezoning Ordinance O2014-02, and introduce an ordinance to amend O2014-02 to extend the time to comply with the rezoning conditions. (DCD/Planning) (Lineberry)

Pro Tem Mayor Craft opened the public hearing at 5:41 p.m.

Linville explained that the original rezone for this subdivision was approved in 2014 through Ordinance O2014-02. Typically rezones are required to satisfy all of their conditions in two years and in this case the developer was unable to satisfy those conditions, which expired in 2016. Following the expiration, the developer and their agent came forward to discuss options as to how they could satisfy those conditions. She further explained that City staff reviewed those conditions and determined that a number of them could not be completed until their subdivision was approved by City Council, including the amenities for the subdivision. Staff has since removed those conditions and made them part of a development agreement, which was approved by City Council at the end of last year. City staff is asking that the original ordinance be amended to extend the timeframe from two years to the effective date of this ordinance, which would potentially be effective March 1, 2017 and approval of the rezone.

Motion (Miller/Shelton) to close the Public Hearing. Voice Vote: **approved 5-0**.
The Public Hearing closed at 5:43 p.m.

At the request of the **Pro Tem Mayor, Bushong** displayed the following title for introduction of the ordinance:

Ordinance O2017-001

An ordinance of the City Council of the City of Yuma Arizona, amending Ordinance O2014-02 to update the required right-of-way dedications, remove condition 9 of O2014-02 and to extend the time for compliance with conditions for the rezoning of certain properties from Agriculture (AG) District to the Low Density Residential/Planned Unit Development Overlay (R-1-6/PUD) District and the Medium Density Residential/Planned Unit Development Overlay (R-2/PUD) District, and amending the zoning map to conform thereto (To determine the compliance with the conditions of approval for rezoning Ordinance O2014-02 located at the northwest corner of 40th Street and Avenue 7 ½ E)

FINAL CALL

Pro Tem Mayor Craft made the final call for those who wish to speak at the Call to the Public.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Motion (Miller/Shelton) to appoint Christopher R. Hamel to the Design and Historic Review Commission with a term expiration of December 31, 2021. Voice vote: **approved 5-0.**

Shelton and Miller reported on events and meeting they have attended during the last two weeks and upcoming events of note.

Shelton requested that information on the University of Yuma Campus be formally presented to City Council.

Wright requested to revisit an ordinance pertaining to vacant commercial buildings and the 24 month no activity/tenant compliance conditions after listening to concerns from 3 residents.

VII. SUMMARY OF CURRENT EVENTS

Wilkinson noted the following events:

- The Home and Garden Show will take place on January 20th – 22nd from 9:00 a.m. – 5:00 p.m. at the Yuma Civic Center
- The Wood Carving Expo will take place on January 20th - 21st from 9:00 a.m. – 4:00 p.m. at the Yuma Readiness Center
- The Volksmarch will take place on January 21st from 9:00 a.m. – noon at East Wetlands
- The Date Festival will take place on January 28th from 9:00 a.m. – 5:00 p.m. in downtown Yuma on Main Street

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 5:51 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor