

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
MAY 15, 2019
5:30 p.m.

CALL TO ORDER

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

INVOCATION/PLEDGE

Pastor Andy Torres, Church for the City, gave the invocation. **Alyssa Linville**, Assistant Director/ Zoning Administrator Department of Community Development led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:	Shelton, Watts, Thomas, Knight, Miller and Mayor Nicholls
Councilmembers Absent:	McClendon
Staffmembers Present:	Interim City Administrator, John D. Simonton City Engineer, Jeff Kramer Director of Parks and Recreation, Debbie Wendt Finance Officer, Pat Wicks Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms for agenda related items from members of the audience, and further noted that City Council will be attending the Fallen Officers Ceremony scheduled at 7 o'clock therefore there will be no open call to the public tonight.

PRESENTATIONS – There were no presentations scheduled at this time.

I. MOTION CONSENT AGENDA

Motion Consent Agenda Item B.6- Final Plat: Livingston Ranch Unit No. 2 Subdivision. Approve the final plat of the Livingston Ranch Unit No. 2 Subdivision. The property is located at the northwest corner of 40th Street and Avenue B ½, Yuma, AZ. (DCD)

Thomas clarified the exterior fencing and that it may be removed during the construction of pools, in order to access utility or drainage easements, or doing other residential construction, but it must be replaced when such projects are completed at the owner's expense.

Motion (Thomas/Watts): To approve the Motion Item B.6 as stated. Vote: 6-0

Motion (Knight/Thomas): To approve the remaining Motion Consent Agenda items as presented. Voice vote: **approved** 6-0.

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

Regular Council Meeting	February 6, 2019
Regular Council Worksession	March 19, 2019
Council Citizen's Forum	April 30, 2019

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 Lia Littlewood on behalf of Littlewood Fine Art for Pride of Yuma. The event will take place at Gateway Park, 259 N. Gila Street, on Saturday, May 18, 2019, from 9:00 a.m. to 11:00 p.m. (SP19-13) (Admin/ Clerk)
3. Authorize the purchase of mobile data computers (MDCs), equipment and a five-year equipment maintenance plan by utilizing the WSCA-NASPO Cooperative Purchasing Organization for a total amount of \$175,759.77 to: Mobile Concepts Technology, Phoenix, Arizona, (YPD/Patrol (2019-20000001)
4. Authorize the City Administrator to execute a lease-purchase of Audio/Video control system for the Council Chambers with Troxell Solutions through Baystone Government Finance, with five annual payments of \$34,151.88 for a total expenditure of \$170,759.40 to: Baystone Government Finance, a division of KS State Bank, Manhattan, Kansas. (Admin)
5. Authorize the sole source purchase of forensic equipment utilizing grant funds received from Arizona Criminal Justice Commission for \$259,975.00 to: Forensic Technology, Inc. Largo, Florida. (YPD-Evidence Bid #2019-20000137)
6. Approve the final plat of the Livingston Ranch Unit No. 2 Subdivision. The property is located at the northwest corner of 40th Street and Avenue B ½, Yuma, AZ. (DCD)
7. Approve an Infrastructure and Services Report for Annexation Area No. ANEX-24913-2019, identified as the Riedel Annexation, located east of the southeast corner of Avenue 8 ½ E and 40th Street. (DCD)

II. RESOLUTION CONSENT AGENDA

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

Bushong displayed the following title(s):

Resolution R2019-013

A resolution of the City Council of the City of Yuma, Arizona, supporting the application for a “Better Utilizing Investments to Leverage Development” (Build) Transportation Grant to complete the development of a Multi-Modal Transportation Center in Downtown Yuma. (support for the BUILD Grants program as a funding source to complete development of Multi-Modal Transportation Center at the Hotel Del Sol) (Admin)

Resolution R2019-014

A resolution of the City Council of the City of Yuma, Arizona, declaring as public records those certain documents filed with the City Clerk and Titled, Construction Standard Detail Drawings, Dates May 2019. (Declare that certain document entitled Construction Standard Detail Drawings, dated May 2019 a public record and order three copies of each to remain on file with the City Clerk) (Eng)

Roll call vote: **adopted** 6-0.

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Knight/Watts): To adopt the Ordinance Consent Agenda as presented.

Bushong displayed the following title(s):

Ordinance O2019-019

An ordinance of the City Council of the City of Yuma, Arizona, amending the Yuma City Code by updating and amending the North Service Area Development Fees set forth in Chapter 157-06 through 157-13 (Adopt the updated and revised North Service Area Development Fees) (Eng)

Ordinance O2019-020

An ordinance of the City Council of the City of Yuma, Arizona, to update the compensation and benefits for the office of Municipal Judge from and after January 1, 2020 (To establish compensation and benefits for the office of Municipal Judge elected at the 2019 City Election) (HR)

Roll call vote: **adopted** 6-0.

IV. INTRODUCTION OF ORDINANCES

Bushong displayed the following title(s):

Ordinance O2019-021

An ordinance of the City Council of the City of Yuma, Arizona, annexing to the City of Yuma, a portion of Section 14 and Section 11 of Township 9 South, Range 22 West of the Gila and Salt River Base & Meridian, Yuma County, Arizona, and Amending Chapter 154 of the Yuma City Code, as amended, designating the zoning of certain property to the Agriculture (AG) Zoning District, and amending the Zoning Map to conform thereto, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes as amended. (Authorize annexation of property generally located east of the southeast corner of Avenue 8 ½ E and 40th Street. ANEX-24913-2019) (DCD)

Ordinance O2019-022

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, relating to Zoning Regulations, providing for the addition of Definitions and Regulations for Company Housing within the City of Yuma thereof. (Amendments to add definitions and to provide regulations regarding company housing) (DCD)

V. PUBLIC HEARINGS AND RELATED ITEMS

Deputy Mayor Knight opened the public hearing at 5:43 p.m. after Mayor Nicholls stepped out due to a potential conflict of interest on the following:

MC2019-100 – Pubic Hearing: FY20 – FY24 Capital Improvement Program. (Conduct a public hearing for the City of Yuma Capital Improvement Program budget for Fiscal Years 2020 through 2024 pursuant to Yuma City Charter, Article XIII, Section 11.) (Eng)

Speakers

Juan Leal Rubio, non-city resident, stated that 2nd Avenue petitioned for improvements to be included in the CIP budget. He mentioned many grants awarded to other neighborhoods, specifically to improve the streets, except for 2nd Avenue. **Rubio** emphasized how heavily trafficked 2nd Avenue is and how it can be a danger to its residents, especially children who wait for the bus at the street corner. He urged that 2nd Avenue improvement be included as part of the CIP budget before it is finalized. **Rubio** thanked the City Council for their time and consideration.

Shelton, asked if the Community Development Block Grant (CDBG) could be considered. **Rubio** noted that they spoke with City staff regarding CDBG, but this type of program will not work because it is meant to serve a specific area or subdivision and 2nd Avenue serves the general public.

Watts asked if the neighborhood had considered the Pavement Rehabilitation Program or if they be willing participating in a Neighborhood Improvement Program to get the sidewalks and streetlights? **Watts** mentioned the City will take care of the pavement which is the costliest to improve. **Rubio**, mentioned the neighborhood is willing, however, it has been a work in progress with City staff. **Watts**, asked Simonton if he can assist with the Improvement District. **Simonton** mentioned that the City will rehabilitate the asphalt on 2nd Avenue and also stated the Improvement District can put in just the sidewalks and street lighting at a

later date, which will greatly reduce the cost to each resident. **Rubio** asked if the City can assist with the design aspect of the rehabilitation of 2nd Avenue streets. **Shelton** asked who could meet with Mr. Rubio and his neighborhood to walk through the process of Improvement District. **Simonton** stated that the Engineering Department would continue to assist with the design. **Thomas** asked if the neighborhood has had any meetings with the Improvement District. **Rubio** stated that a meeting is pending.

Deputy Mayor Knight asked if the City could provide some guidance to Mr. Rubio in forming an Improvement District. **Simonton** confirmed that he will assist Mr. Rubio to get this matter moving along.

Motion (Thomas/Shelton): To close the Public Hearing. Voice vote: 5-0-1 Mayor Nicholls abstained due to conflict of interest. The public hearing closed at 6:05 p.m.

VI. 2019-2020 CITY OF YUMA PRELIMINARY BUDGET

Pat Wicks, Finance Department presented as follows:

City of Yuma
Property Values and Estimated Property Taxes
Tax Year 2018 and 2019

		Limited Property Value		Rate/Tax	
		(Primary Assessed Value)		\$ 2.2747	\$ 2.3185
		2018	2019	2018	2019
Change					
Commercial (18% Assessment Ratio)					
Property type					
Shopping center	\$33,211,727	\$34,426,830	\$135,984	\$143,673	\$7,689
Chain restaurant	1,284,332	1,328,633	5,259	5,545	286
Office building	1,734,503	1,402,930	7,102	5,855	(1,247)
Supermarket	3,202,500	3,362,625	13,113	14,033	921
Hotel	6,930,000	7,276,500	28,375	30,367	1,992
Manufacturing	9,000,000	9,000,000	36,850	37,560	710
Residential (10% Assessment Ratio)					
Neighborhood					
Near Country Club	\$ 221,496	\$ 232,571	\$ 504	\$ 539	\$ 35
Rancho Sereno	199,171	201,039	453	466	13
Meadowbrook	68,005	71,405	155	166	11
Dunes	420,906	412,858	957	957	(0)
Ocotillo	150,402	149,405	342	346	4

- Two components: 1) the allowed change in the property tax levy based on new construction and new value; and, 2) a tax increase component that represents the 2% allowable increase in the maximum levy.
- Top section is commercial and the bottom is residential – these figures represent existing parcels within the City.
- The first column 2018 under limited property value is the limited property value, which is the basis for primary property taxation, the levy.
- Limited Property Value from 2018 and the actual 2019 value that would appear on property tax statements this year, for each of these properties.

- Last year's projection assessment for 2019 was of a tax rate of \$2.2747, yielding a tax levy for the City.
- The 2018 tax rate, the \$2.2747 is not the maximum tax rate, and did not have the 2% growth factor included in it.
- The 2019 taxes are levied.
- The Truth and Taxation Rate: the portion of the taxes of the upcoming year related to the allowable growth without a tax increase.
- The column called Change is the amount of increase or decrease as you can see the ones in parenthesis are decreases. These numbers represent the difference between the 2019 levy at Truth and Taxation Rate versus the actual tax rate for this last year.
- Commercial properties are assessed at 18% of their value.
- Residential properties are assessed at 10% of their value.
- Anyone over a 5% increase in value would see a tax increase at the Truth and Taxation Rate.
- For those under a 5% increase, they would see a decline based on a Truth and Taxation Rate.
- The reason we have a Truth and Taxation Rate, is the Arizona Revised Statute 42.17107. This statute outlines the means by which a City is allowed to establish a tax levy from one year to the next. Essentially, what it does is it divides the upcoming tax levy, allowed growth between the normal growths of the tax base versus a real increase in actual increase in taxes of individual taxpayers.
- The law allows property taxes to go up, generally 2% a year.
- If the City Council adopts a tax rate that exceeds the Truth and Taxation Rate, a public hearing needs to take place. The law says we need to have a public hearing regarding taxes.

ADJOURNMENT

Mayor Nicholls adjourned the meeting at 6:28 pm so that City Councilmembers could attend the Peace Officers Memorial. He noted that the CIP discussions/presentations would be continued to the June 5, 2019 Council meeting. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor