



City of Yuma City Council Meeting Agenda

Wednesday, October 4, 2023

5:30 PM

Yuma City Hall Council Chambers
One City Plaza, Yuma

Notice is hereby given, pursuant to Resolution R2015-047 that one or more members of the Yuma City Council may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

City Council Chambers will be open with public access in addition to participation through Zoom

Those wishing to speak on any applicable agenda item or at Call to the Public and choose to participate via Zoom, must submit an email request to publiccomment@yumaaz.gov no later than 60 minutes prior to the start of the scheduled meeting. Further instructions will be given at that time.

Members of the public are encouraged to view the meeting through either of the following two venues:

- 1) Zoom: Residents will need to connect through the following website: <https://cityofyuma.zoom.us/>. Click on "Calendar" then select the City meeting and click "Join".
- 2) City of Yuma live stream: Use the Video and TV Stream quick link at www.yumaaz.gov and search for Yuma Live Playlist 73. Watch live on TV cable channel 73.

A recording of the meeting will be available on the City's website after the meeting.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL

Final call for submission of Speaker Request Forms for agenda related items.

PRESENTATIONS

- *Domestic Violence Awareness Month Proclamation*
- *Yuma Fire Department Accreditation Presentation*
- *Overview of the Arizona Avenue Housing Projects*
- *Parks, Arts, Recreation and Trails Public Input Phase Presentation*

I. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action may be taken separately.

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

1. [MC 2023-155](#) **Regular Council Meeting Draft Minutes September 6, 2023**
Attachments: [2023 09 06 RCM Minutes](#)

B. Executive Sessions

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). (City Attorney)

C. Approval of staff recommendations:

1. [MC 2023-151](#) **Declare Surplus and Authorize Donation: Computer Peripherals**
Authorize the donation of various computer peripherals to Achieve Enterprise Services, Yuma and to the Yuma Union High School District. (Finance/Procurement) (Robin R. Wilson)
2. [MC 2023-152](#) **Ratification: Valley Aquatic Center Commercial Pool Heater Replacement**
Ratify and approve the purchase order for the Valley Aquatic Center Commercial Pool Heater Replacement project to Polar Cooling, Yuma, AZ for a total cost of \$122,436.00. (Parks and Recreation - Bid No. 2018-20000076) (Eric Urfer/Robin R. Wilson)

3. [MC 2023-153](#) **Cooperative Purchase Agreement: Field Lighting at Ray Kroc Fields**
Authorize the purchase, delivery and installation of athletic field and batting cage lighting at Ray Kroc Sports Complex, Fields 2 and 3, to Musco Sports Lighting, Oskaloosa, IA, utilizing 1GPA Cooperative Purchase Agreement for an expenditure of \$1,413,450.00 (Parks and Recreation - CPA-24-086) (Eric Urfer/Robin Wilson)
4. [MC 2023-154](#) **Job Order Contract: Underground Utilities at Sanguinetti Ball Field Park**
Authorize the purchase and installation of underground water, sewer, and electrical utilities for a prefabricated restroom to Yuma Valley Contractors, utilizing the Job Order Contract agreement for an estimated expenditure of \$155,606.50. (Park and Recreation - No. 2019-20000049) (Eric Urfer/Robin R. Wilson)

II. RESOLUTION CONSENT AGENDA

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action may be taken separately.

1. [R2023-043](#) **Development Fee Deferral: Desert Sands Unit No. 3 Subdivision**
Adopt a resolution authorizing the City Administrator to execute an agreement to defer City of Yuma development fees and water and sewer capacity charges for Desert Sands Unit No. 3 Subdivision, and to collect a \$500.00 administrative fee for the deferral agreement. The effective length of the deferral agreement is for three years from date of execution. (Engineering) (David Wostenberg)

Attachments:

- [1. MAP Dev. Fee Deferral: Desert Sands Unit 3](#)
- [2. RES Dev. Fee Deferral: Desert Sands Unit 3](#)
- [3. AGR Dev. Fee Deferral: Desert Sands Unit 3](#)

2. [R2023-044](#)**Development Fee Deferral: Driftwood Ranch Unit No. 2 Subdivision**

Adopt a resolution authorizing the City Administrator to execute an agreement to defer City of Yuma development fees and water and sewer capacity charges for Driftwood Ranch Unit No. 2 Subdivision, and to collect a \$500.00 administrative fee for the deferral agreement. The effective length of the deferral agreement is for three years from date of execution. (Engineering) (David Wostenberg)

Attachments:[1. MAP Dev. Fee Deferral: Driftwood Ranch Unit No. 2](#)[2. RES Dev. Fee Deferral: Driftwood Ranch Unit No. 2](#)[3. AGR Dev. Fee Deferral: Driftwood Ranch Unit No. 2](#)3. [R2023-045](#)**Intergovernmental Agreement: Pedestrian Hybrid Beacons**

Authorize the City Administrator to execute an Intergovernmental Agreement (IGA) with the State of Arizona Department of Transportation for the design and construction of Pedestrian Hybrid Beacons (PHB) at three locations. This is a Highway Safety Improvement Program (HSIP) project and is 100% grant funded. (Engineering) (David Wostenberg)

Attachments:[1. RES IGA: Pedestrian Hybrid Beacons](#)[2. AGMT IGA: Pedestrian Hybrid Beacons](#)**III. INTRODUCTION OF ORDINANCES**

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

1. [O2023-032](#)**Lease Amendment: Tesla Motors, Inc.**

Authorize an amendment to the Ground Lease with Tesla Motors, Inc. to allow the charging of third-party electric vehicles. (Administration/City Attorney) (Jay Simonton/Richard Files)

Attachments:[1. ORD: Amend Tesla Ground Lease](#)

2. [O2023-033](#)**Development Agreement and Transfer of City-Owned Property:
Mesa Heights Affordable Housing Project**

Declare City-owned property surplus and approve a development agreement with the Arizona Housing Development Corporation for the construction of six two-bedroom affordable rental housing units on three parcels owned by the City in the Mesa Heights neighborhood. (Planning and Neighborhood Services) (Jay Nance)

Attachments:

1. [MAP: Mesa Heights Affordable Housing Project](#)
2. [ORD: Mesa Heights Affordable Housing Project](#)
3. [AGMT: Mesa Heights Affordable Housing Project](#)

IV. PUBLIC HEARING AND RELATED ITEMS

The public hearing may result in the adoption of Resolution R2023-046

1. [R2023-046](#)**General Plan Amendment: Avenue A**

Following a public hearing, adopt a resolution to amend the City of Yuma General Plan to change the land use designation from Public/Quasi-Public to High Density Residential, for property located at the southeast corner of Avenue A and 4th Street. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:

1. [P&Z RPT GP Amendment Avenue A](#)
2. [RES General Plan Amendment](#)

FINAL CALL

Final call for submission of Speaker Request Forms for Call to the Public.

V. ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Announcements:

City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of September 21, 2023 through October 4, 2023. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.

City Council report of upcoming meetings.

City Council request for agenda items to be placed on future agendas.

2. Scheduling:

Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

VI. SUMMARY OF CURRENT EVENTS

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

VII. CALL TO THE PUBLIC

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

VIII. EXECUTIVE SESSION

An Executive Session may be called during the public meeting for the purpose of receiving legal advice for items on this agenda pursuant to A.R.S. Section 38-431.03 A (1, 3, 4 and/or 7) and the following items:

A. Discussion, consultation with, and/or instruction to legal counsel regarding the One Arizona Opioid Settlement Memorandum of Understanding. (A.R.S. § 38-431.03 A3 & A4)

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, Yuma, AZ 85364-1436; (928) 373-5125 or TTY (928) 373-5149.