



City of Yuma City Council Meeting Agenda

Wednesday, April 15, 2020

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.

Consistent with the March 13, 2020 Arizona Attorney General opinion Relating to Arizona's Open Meeting Law and COVID-19, in order to protect the public and reduce the chance of COVID-19 transmission, the April 15, 2020 Regular City Council meeting will be conducted remotely through technological means.

City Council Chambers will be closed to the public as there are no public hearings scheduled.

Members of the public may view the meetings live streamed on the City of Yuma website and City Channel 73. Recordings of the meetings will be available on the City's website after the meeting.

Public comment regarding any agenda item shall be limited to those provided in written format to the City Clerk at email address publiccomment@yumaaz.gov no later than 30 minutes prior to the start of the scheduled meeting. Comments received timely will be entered or read into the record when the referenced agenda item is discussed.

The Call to the Public portion of the April 15, 2020 regular City Council Meeting is cancelled. The Worksession and Citizens's Forum previously scheduled for April 14, 2020 are cancelled.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL

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

PRESENTATIONS

There are no presentations scheduled at this time.

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 will be taken separately.

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

1. [MC 2020-095](#) **Regular City Council Worksession Draft Minutes: October 15, 2019**

 Attachments: [2019_10_15_RWS_Minutes](#)
2. [MC 2020-096](#) **Regular City Council Worksession Draft Minutes: February 18, 2020**

 Attachments: [2020_02_18_RWS_Minutes](#)
3. [MC 2020-097](#) **City Council Citizens Forum Draft Minutes: March 17, 2020**

 Attachments: [2020_03_17_CCF_Minutes](#)
4. [MC 2020-098](#) **Regular City Council Worksession Draft Minutes: March 17, 2020**

 Attachments: [2020_03_17_RWS_Minutes](#)
5. [MC 2020-099](#) **Regular City Council Meeting Draft Minutes: March 18, 2020**

 Attachments: [2020_03_18_RCM_Minutes](#)

B. Approval of staff recommendations:

1. [MC 2015-000](#) **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)

2. [MC 2020-090](#) **Liquor License: Holy Smokes**

Approve a new Series #12 Restaurant Liquor License application submitted by Danielle Louise Sundwall, agent for Holy Smokes located at 251 S. Main Street (LL20-03) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: Holy Smokes](#)
[2. MAP Liquor License: Holy Smokes](#)

3. [MC 2020-091](#) **Liquor License: Da Boyz Express**

Approve a new Series #12 Restaurant Liquor License application submitted by Torrey Julia Dempsey, agent for Da Boyz Express located at 2431 S. 4th Avenue (LL20-04) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: Da Boyz Express](#)
[2. MAP Liquor License: Da Boyz Express](#)

4. [MC 2020-093](#) **Job Order Authorization: Fire Station No. 2**

Authorize the City Administrator to execute a Job Order with Cemex Construction Materials South, LLC, in an amount not to exceed \$266,141.83, for capital improvements to Fire Station No. 2. (Engineering) (Jeffrey A. Kramer)

Attachments: [1. RFCCA - Replace Parking Lot Fire Station No.2](#)
[2. JOB ORDER - Replace Parking Lot Fire Station No. 2](#)

5. [MC 2020-094](#) **Special allocation of CDBG funds for COVID-19 emergency response**

Authorize the use of CDBG funds from the CARES Act for an Emergency Rental Assistance Program for households economically impacted by COVID-19-related job losses and for public services addressing critical community needs (Community Development/Neighborhood Services) (Jay Simonton)

Attachments: [1. RFCCA CDBG-CARES Act](#)

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 will be taken separately.

1. [R2020-015](#) **Preannexation Development Agreement: Venegas**

Authorize a Preannexation Development Agreement with Maria E. Reynoso De Venegas for property located at 310 S. 44th Avenue. (Community Development/Community Planning)(Jay Simonton)

Attachments:

[1. RFCCA PDA 310 S 44th Avenue](#)

[2. RES PDA 310 S 44th Avenue](#)

[3. AGMT PDA 310 S 44th Avenue](#)

2. [R2020-016](#) **Municipal Improvement District No. 111: Villa Serena Unit No. 1
Subdivision - Order Improvements**

Order Improvements for Municipal Improvement District (MID) No. 111 to serve Villa Serena Unit 1 Subdivision, to operate, maintain and repair landscaping improvements within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures (Landscape Improvements); declaring the Landscape Improvements to be of more than local or ordinary benefit, and that the costs of the Landscape Improvements for MID No. 111 shall be assessed upon the properties in MID No. 111; providing that the proposed Landscape Improvements shall be performed under Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2. (Community Development/Community Planning) (Jay Simonton)

Attachments:

[1. RFCCA MID No. 111 Villa Serena Unit No. 1 Subd - Order Improvements](#)

[2. RES MID No. 111 Villa Serena Unit 1 Subd - Order Improvements](#)

[3. EXH A MID No. 111 Villa Serena Unit No. 1 Subd - Order Improvements](#)

III. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances 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 Ordinance Consent Agenda and the vote or action will be taken separately.

1. [O2020-010](#) **Business Regulations Text Amendment: Swap Meets**

Amend Title 7, Chapter 70 General Business Regulations to update the licensing requirements for swap meets. (Community Development/Community Planning) (Jay Simonton)

Attachments: [1. RFCCA Business Regulations Text Amendment: Swap Meets](#)
[2. ORD Business Regulations Text Amendment: Swap Meets](#)

IV. 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. [O2020-011](#) **Rezoning of Properties: Northwest corner of Arizona Avenue and 34th Street**

Rezone approximately 18.34 acres from the Agriculture (AG) District to the Light Industrial (L-I) District, for the properties located at the northwest corner of Arizona Avenue and 34th Street, Yuma, AZ. (Community Development/Community Planning) (Jay Simonton)

Attachments: [1. RFCCA Rezoning of Properties: NW Corner of Arizona Ave and 34th St](#)
[2. P&Z RPT Rezoning of Properties: NW Corner of Arizona Ave and 34th St](#)
[3. ORD Rezoning of Properties: NW Corner of Arizona Ave and 34th St](#)

V. PUBLIC HEARING AND RELATED ITEMS

There are no public hearings scheduled at this time.

FINAL CALL

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

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments:

There are no appointments scheduled at this time.

2. 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 April 2, 2020 through April 15, 2020. 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.

3. Scheduling:

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

VII. 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.

VIII. CALL TO THE PUBLIC

CANCELLED

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.

IX. 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 COVID-19 legalities. (A.R.S. 38-431.03 A3 & A4)
- B. Discussion, consultation with and/or instruction to legal counsel regarding potential annexation(s). (A.R.S. 38-431.03 A3 & A4)
- C. Discussion, consultation with and/or instruction to legal counsel regarding potential litigation. (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.