



City of Yuma City Council Meeting Agenda

Wednesday, March 2, 2016

5:30 PM

Yuma City Hall Council Chambers
One City Plaza, Yuma

Notice is hereby given, pursuant to Resolution R2008-55 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.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL

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

PRESENTATIONS

- Recognition of Distinguished Budget Presentation Award

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 2016-063](#) **Special Worksession/Roundtable Draft Minutes May 26, 2015**
Attachments: [1. 2015_05_26_SWS_minutes](#)
2. [MC 2016-064](#) **Special Worksession/Roundtable Draft Minutes June 15, 2015**
Attachments: [1. 2015_06_15_SWS_Budget](#)

3. [MC 2016-065](#) **Special City Council Meeting Draft Minutes August 13, 2015**
Attachments: [1. 2015_08_13_SCM_minutes](#)
4. [MC 2016-066](#) **Council Citizen's Forum Draft Minutes September 15, 2015**
Attachments: [1. 2015_09_15_CCF_minutes](#)
5. [MC 2016-067](#) **Regular City Council Worksession Draft Minutes November 3, 2016**
Attachments: [1. 2015_11_03_RWS_minutes](#)
6. [MC 2016-068](#) **Regular City Council Meeting Draft Minutes November 18, 2015**
Attachments: [1. 2015_11_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 2016-056](#) **Temporary Extension of Premises: Richard Martin Good - Ricky's Other Place**

Approve an application for a Temporary Extension of Premises/Patio Permit submitted by Richard Good, agent for Ricky's Other Place located at 3950 W. 24th Street. (EP16-01) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Temporary Ext of Premises: Ricky's Other Place](#)
3. [MC 2016-057](#) **Liquor License: Hilton Garden Inn Yuma**

Approve a new Series #11 Hotel/Motel Liquor License application submitted by Andrea Lewkowitz, agent for Hilton Garden Inn Yuma located at 310 N. Madison Avenue. (LL16-03) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: Hilton Garden Inn Yuma](#)

4. [MC 2016-058](#)**Liquor License: Pivot Point Conference Center**

Approve a new Series #12 Restaurant Liquor License application submitted by Andrea Lewkowitz, agent for Pivot Point Conference Center located at 200 N. Madison Avenue. (LL16-04) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments:

[1. RFCCA Liquor License: Pivot Point Conference Center](#)

5. [MC 2016-059](#)**Bid Award: Nuts & Bolts (Fasteners and Related Hardware)**

Approve the award for Nuts & Bolts (Fasteners and Related Hardware) to the lowest responsive/responsible bidder with the option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance for an estimated annual cost of \$24,000.00 to: Copper State Bolt & Nut Co. Yuma, Arizona (Citywide - Bid #2016-20000096) (Robin R. Wilson)

Attachments:

[1. RFCCA - Nuts and Bolts \(Fasteners and Related Hardware\)](#)

[2. SPRDSHEET Nuts and Bolts](#)

6. [MC 2016-062](#)**Bid Award: 16th Street and 4th Avenue Intersection Improvements**

Award to the lowest responsive and responsible bidder for the construction of the 16th Street and 4th Avenue Intersection Improvements project, in the amount of \$5,134,700.88 to: Cemex Construction Materials South LLC, Yuma, Arizona. (Public Works - Bid #2016-20000098) (Joel Olea)

Attachments:

[1. RFCCA 16th Street and 4th Avenue Intersection Improvements](#)

[2. SPRDSHEET - 16th Street and 4th Avenue Intersection Improvements](#)

7. [MC 2016-060](#)**Consent to Assignment: Professional Title and Escrow Services**

Authorize the City Administrator to execute documents consenting to the assignment of a contract for professional title and escrow services, RFQ #2011000422, from Citizens Title and Trust to Stewart Title and Trust of Phoenix, Inc. (RFQ #2011000422 / City Administration) (Ricky Rinehart)

Attachments:

[1. RFCCA Consent to Assignment Agreement Title & Escrow Svcs.](#)

[2. GUARANTY Consent to Assignment Agreement Title & Escrow Svcs.](#)

[3. ASSIGNMENT Consent to Assignment Agreement Title & Escrow Services](#)

8. [MC 2016-061](#) **Intergovernmental Agreement Amendment No. 5: Bureau of Reclamation - Colorado River Water Delivery**

Authorize the City Administrator to execute Amendment No. 5 to the Colorado River Water Delivery Contract 14-06-W-106 with the United States Department of Interior--Bureau of Reclamation, which extends the current contract to October 1, 2017. (Utilities/Administration) (Jay Simonton)

Attachments: [1. RFCCA Amend. 5 IGA Colorado River Contract](#)
[2. CONTRACT Amend. 5 IGA Colorado River Contract](#)

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.

There are no resolutions scheduled for adoption at this time.

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. [O2016-007](#) **Extinguish a right-of-way easement while reserving the previously dedicated utility easement: Gomez Plaza**

Authorize extinguishment of a portion of the right-of-way easement pursuant to Arizona Revised Statutes (A.R.S.) § 28-7214, while reserving the current utility easement, dated 7/22/2015 (Yuma County Recorder's Fee # 2015-16117). The extinguished right-of-way easement will be memorialized by the recording of a quitclaim deed or other instrument that reserves the utility easement. (Engineering) (Joshua Scott)

Attachments: [1. RFCCA Gomez Plaza Easement](#)
[2. MAP Gomez Plaza Easement](#)
[3. ORD Gomez Plaza Easement](#)
[4. EXH A Gomez Plaza Easement](#)

2. [O2016-008](#) **Amend Legal Description and Ratify Staff Actions: Kenyon's Market Inc.**

Amend the legal description of Parcel 2 set forth in Exhibit 2 to Ordinance O2015-041, which authorized the land exchange between the City of Yuma and Kenyon's Market, Inc. at the northwest corner of 16th Street and 4th Avenue intersection, and amend the legal description of Parcel 2 set forth in Exhibits 5 and 15 to the Real Property Exchange and Development Agreement, attached as Exhibit "A" to Resolution R2015-045, which approved and authorized the execution of the agreement with Kenyon's Market, Inc., including the terms of the exchange. The proposed Ordinance also ratifies City staff's actions in correcting the legal description including on the deed from Kenyon's Market Inc. to the City of Yuma. (Engineering) (Joshua Scott)

Attachments: [1. RFCCA Amended Ord to Kenyons Markets Land Exchange Legal Desrip Pa](#)
[2. ORD Amendment to O2015-45 and R2015-41 to Correct Error to Parcel 2.dc](#)

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.

There are no ordinances scheduled for introduction at this time.

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:

- *Parks, Arts and Recreation Commission: One appointment to an unexpired term.*
- *Housing Authority of the City of Yuma: Appointment of Chair and Vice Chair*

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 February 18, 2016 through March 2, 2016. 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

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 the Yuma City Charter and City Code provisions related to local preference, including:

- Climatec
- Bid protest: Catalina Drive Reconstruction Project
- Hirshman v. City of Tucson
- Yuma Valley Park
- Pacific Athletic Complex
- Intersection Improvements at 16th Street / 4th Avenue

(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.