

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 17, 2018
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:32 p.m.

INVOCATION/PLEDGE

Pastor Reed Lohrenz, Central Church of Christ gave the invocation. **Steve Irr**, Fire Chief, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:	Watts, Thomas, Knight, McClendon, Miller and Mayor Nicholls
Councilmembers Absent:	Shelton
Staffmembers Present:	City Administrator, Gregory K. Wilkinson Director of Utilities, Jay (John) Simonton Director of Public Works, Joel Olea Various Department Heads or their representative City Attorney, Richard Files City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms from members of the audience for agenda related items.

PRESENTATIONS

University of Arizona's "Water Festival Program"

Simonton introduced Kerry Schwartz who has worked with the City of Yuma Utilities Department on educational and outreach programs, more specifically the Yuma Water Festival. **Kerry Schwartz**, Director of the Arizona Project WET Water Education Program and part of the University of Arizona and Arizona Cooperative Extension, presented an award to the City of Yuma Utilities Department for their ten-year partnership in sponsoring and delivering the Yuma Water Festival Program. Swartz noted that through the help of the Utilities Department and others, this program has engaged 5,848 Yuma area students and 223 teachers in learning about watersheds, ground water, the water cycle and water technology.

Bicycle Friendly Community Award from the League of American Bicyclists

Wilkinson presented Mayor Nicholls with the Bicycle Friendly Community Bronze-Level Award the City received from the American Bicycles League for providing a community with impressive commitments to bicycling.

Jeff Brand of the Yuma Regional Bicycle Coalition congratulated City Council and staff for all the work done to make the City of Yuma bicycle friendly. He is looking forward to working on future improvements together.

I. MOTION CONSENT AGENDA

Item B.7. Bid Award: 3rd Avenue Improvements – Award a contract for the construction of the 3rd Avenue Improvements in the amount of \$1,191,086.05 to the lowest responsive and responsible bidder: DPE Construction, Inc., Yuma, Arizona (Engineering – Bid #20000070)

Miller declared a conflict of interest on Item B.7 and left the dais.

In response to Deputy Mayor Knight's question from last night's Worksession regarding why the bid was so far off, **Wilkinson** explained there were a number of additions to this project including replacing more water lines than originally estimated.

Motion (Knight/McClendon): To approve Motion Consent Agenda item B.7. Voice vote: **approved** 5-0-1. **Miller** abstained due to conflict of interest.

Miller returned to the dais.

Item B.11. Agreement: City Administrator – Authorize an agreement and terms of employment with Gregory K. Wilkinson to serve as City Administrator for the City of Yuma. (Mayor and Council)

Deputy Mayor Knight stated the agreement reads as if the Administrator will receive a salary increase as stated in the agreement, and also when the rest of the City of Yuma employees get one later in the year. He recommends amending the agreement by striking the second sentence in Section 4. **Mayor Nicholls** asked Deputy Mayor Knight to read the section of the Agreement he is referring to out loud for clarification. **Deputy Mayor Knight** read: "In addition, the City agrees to increase said base salary and/or benefits of the employee in such amounts and at the same time as similar considerations are given to other City employees generally." **Mayor Nicholls** clarified the motion will be to strike the noted language since the Administrators pay adjustments are provided for within the contract, either as an amendment or when renewed.

Motion (Knight/Thomas): To strike the second sentence in section four on Motion Consent Agenda item B.11. Voice vote: **approved** 6-0.

Miller questioned the Administrators salary amount and percentage increase over the last two years. **Wilkinson** explained all City of Yuma employees, himself included, received a 2.5% raise in July of 2016. However, neither the City employees nor he received a pay raise in July 2017. The 2018 budget includes a 2% increase for the employees, plus a possible Pay for Performance increase. This agreement before you includes only a 2% increase for the City Administrator.

Motion (Knight/Thomas): To approve Motion Consent Agenda item B.11 as amended. Voice vote: **approved** 5-1. **Miller** voting nay.

Item B.8. Cooperative Purchase Agreement: Articulating Telescopic Aerial Truck – Authorize the purchase of an Articulating Telescopic Aerial Truck utilizing a Cooperative Purchase Agreement through National Joint Powers Alliance (NJPA) for a total cost of \$162,701.00 to: Altec Industries, Phoenix, Arizona. (Bid #2018-20000111) (Public Works) (Finance)

Miller questioned replacing the aerial truck due to the low mileage and years used. He recommended just having the platform truck as it can do more than the aerial truck. **Olea** explained the aerial and platform truck have two completely different functions in the way Public Works utilizes them in the field. He mentioned the safety aspect of replacing aerial trucks after a ten year life and noted the truck is currently in Phoenix being repaired. Once fixed it will be certified which will increase the resale value, allowing the City to potentially get a higher return. **Mayor Nicholls** asked if there is any location in Yuma that can certify these trucks and lifts. **Olea** responded there was not and explained that is why the vehicle is currently in Phoenix having the hydraulic lift system repaired and to have the truck recertified. **Knight** clarified that although the mileage on the vehicle is not excessive, it is the time and use on the hydraulics where the failures are occurring. **Olea** confirmed that is correct.

Motion (Thomas/Knight): To approve Motion Consent Agenda item B.8. Voice vote: **approved** 5-1. **Miller** voting nay.

Motion (Thomas/McClendon): To approve Motion Consent Agenda with the exception of B.7., B.8., and B.11. Voice vote: **approved** 6-0.

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

Regular Council Meeting	July 19, 2017
Special Council Meeting	December 14, 2017
Council Citizen's Forum	December 19, 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). (City Attorney)
2. Approve a new Series #12 Restaurant Liquor License application submitted by Marina Jimenez-Barajas, agent for Carnitas El Taste located at 3250 S. 4th Avenue Suite D (LL18-01) (Admin/Clerk)
3. 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 Colorado River State Historic Park, 201 N. 4th Avenue, on Thursday, February 22, 2018, from 6:00 p.m. to 11:30 p.m. (SP18-03) (Admin/Clerk)
4. Approve a Special Event Liquor License application submitted by Yanna Kruse on behalf of the Yuma County Historical Society for the Redondo Days Dinner & Auction. The event will take place at the Sanguinetti House Museum, 240 S. Madison Avenue, on Saturday, February 3, 2018, from 3:00 p.m. to 12:00 a.m. (SP18-04) (Admin/Clerk)
5. Approve a Special Event Liquor License application submitted by Damon Chango on behalf of the City of Yuma Parks and Recreation Department for the Boogie, Brews & Blues Festival. The event will take place at Gateway Park located at the north end of Gila Street on Saturday, February 17, 2018, from 9:00 a.m. to 9:00 p.m. (SP18-09) (Admin/Clerk)

6. Approve a Temporary Extension of Premises/Patio Permit application submitted by Clifford Beesley, agent for Fat Harvey's located at 303 W. 26th Street, for a football playoff game barbeque on February 4, 2018, from 8:00 a.m. to 8:00 p.m. (EP18-01) (Admin/Clerk)
7. Pulled for separate consideration (see above)
8. Pulled for separate consideration (see above)
9. Authorize the City Administrator to enter into a Cooperative Purchase Agreement with Premier Educational Purchasing Program (PEPPM)/Central Susquehanna Intermediate Unit (CSIU). (ITS/Purchasing)
10. Approve the final plat of the Alta Vista Estates Subdivision. The property is located at 1900 S. 14th Avenue, Yuma, AZ. (DCD/Planning)
11. Pulled for separate consideration (see above)
12. Designation of an Acting City Administrator during the absence or disability of the City Administrator, pursuant to the Yuma City Charter, Article VIII, Section 3. (Admin)

II. RESOLUTION CONSENT AGENDA – There were no resolutions scheduled for adoption at this time.

III. ADOPTION OF ORDINANCES CONSENT AGENDA

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

Bushong displayed the following titles:

Ordinance O2018-001

An ordinance of the City Council of the City of Yuma, Arizona, Amending Chapter 154 of the Yuma City code, rezoning certain property located in the General Commercial/Infill Overlay (B-2/IO) District and the Transitional/Infill Overlay (TR-IO) District and amending the zoning map to conform with the rezoning (Rezone two parcels totaling 0.32 acres located at 632, 636, and 642 S. 4th Avenue, Yuma, AZ) (ZONE—19717-2017) (DCD) (Planning)

Ordinance O2018-002

An ordinance of the City Council of the City of Yuma, Arizona, Amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Agriculture (AG) District to the Light Industrial (L-I) District and Amending the zoning map to conform with the rezoning (rezone approximately 20 acres, northeast corner of 36th Street and Avenue 4 ½ E) (ZONE-19718-2017) (DCD) (Planning)

Ordinance O2018-003

An ordinance of the City Council of the City of Yuma, Arizona, Amending Chapter 154 of the Yuma City code, rezoning certain property located in the Agriculture (AG) District to the Light

Industrial (L-I) District and Amending the zoning map to conform with the rezoning (rezone approximately 20 acres, 36th Street and the B 3.7 Canal Lateral) (ZONE-19719-2017) (DCD) (Planning)

Ordinance O2018-004

An ordinance of the City Council of the City of Yuma, Arizona, Annexing to the City of Yuma, a portion of Section 13, Section 12, Section 11 and Section 14 of Township 9 South, Range 23 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 Light Industrial (L-I) Zoning District, and amending the zoning map to conform with the annexation, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona revised statutes and its amendments (Annexation Area No. ANEX-19716-2017) (Property located at the Southeast corner of Avenue 3E and 40th Street) (DCD) (Planning)

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

IV. INTRODUCTION OF ORDINANCES

Mayor Nicholls declared a potential conflict of interest with regard to the introduction of Ordinance O2018-005. He turned the meeting over to Deputy Mayor Knight and exited the room.

Bushong displayed the following title:

Ordinance O2018-005

An Ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the General Commercial (B-2) District to the Medium Density Residential (R-2) District and amending the zoning map to conform with the rezoning (Rezone approximately 14,000 square feet located at 633, 641, and 643 S. 5th Avenue) (ZONE-19958-2017) (DCD) (Planning)

Mayor Nicholls returned to the dais.

V. PUBLIC HEARING AND RELATED ITEMS – There were no public hearings scheduled at this time.

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms from members of the audience interested in speaking at the Call to the Public.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Council appointed positions/committees:

Motion (McClendon/Thomas): To nominate Councilmember Knight to the position of Deputy Mayor for the year 2018. Voice vote: **approved** 6-0.

Motion (Thomas/Knight): To appoint Mayor Nicholls to the Greater Yuma Economic Development Corporation, Executive Board. Voice vote: **approved** 6-0.

Motion (Knight/Thomas): To appoint Councilmember McClendon to the Greater Yuma Economic Development Corporation, Board of Directors. Voice vote: **approved** 6-0.

Motion (Thomas/McClendon): To appoint Deputy Mayor Knight to the Greater Yuma Port Authority. Voice vote: **approved** 6-0.

Motion (Knight/Thomas): To appoint Councilmember Shelton to the Western Arizona Council of Governments, Executive Board and Council on Aging. Voice vote: **approved** 6-0.

Motion (Knight/McClendon): To appoint Councilmember Thomas to the Western Arizona Council of Governments, Yuma County Advisory Board. Voice vote: **approved** 6-0.

Motion (Thomas/McClendon): To appoint Deputy Mayor Knight, Councilmember Miller and Councilmember Watts as members to the Yuma Metropolitan Planning Organization, Executive Board. Voice vote: **approved** 6-0.

Motion (Knight/Thomas): To appoint Councilmember Watts to the Yuma Fire Public Safety Board and the Yuma Public Safety Police Board. Voice vote: **approved** 6-0.

Board and Commission appointments:

Motion (Thomas/Watts): To reappoint Connie Jerpseth to the Housing Authority of the City of Yuma with a term expiration of December 31, 2022. Voice vote: **approved** 6-0.

Committee appointments:

Mayor Nicholls read a summary of current committee appointments as follows:

- Chamber of Commerce - Greg Wilkinson on behalf of Mayor Nicholls
- Chamber Transportation Subcommittee - Deputy Mayor Knight
- National Heritage Area Corporation - Mayor Nicholls and Councilmember Thomas
- Visit Yuma - Councilmember Miller
- Local Emergency Planning Organization - Chief Irr on behalf of Mayor Nicholls
- 4front ED - Mayor Nicholls

Announcements:

Miller, Thomas, Knight, Watts, and **Mayor Nicholls** reported on events and meetings they have attended during the last two weeks and upcoming events of note. **Mayor Nicholls** welcomed new Councilmembers McClendon and Watts. **Thomas** and **Knight** thanked the City of Yuma staff members whom assisted in the coordination of the inauguration.

Future agenda items:

Greater Yuma Port Authority Citizen appointment for February 7th, 2018

VII. SUMMARY OF CURRENT EVENTS

Wilkinson noted the following events:

- Attended the MLK March and presentation which included guest speaker, Councilmember Shelton
- March 19th -21st- Home and Garden Show
- January 20th -21st - Civil War Days at The Colorado River State Historic Park
- January 20th - Volksmarch
- January 20th – German Fest on Madison
- January 23rd – The Shanghai Circus
- January 25th – Scottish Burns Supper
- January 27th – Medjool Date Festival
- Grant application to APS and The Phoenix Suns for the Arizona Rebound project regarding Joe Henry Gym was selected

Wilkinson announced that Joe Henry Gym was selected for a grant application to APS and The Phoenix Suns for The Arizona Rebound Project.

VIII. CALL TO THE PUBLIC

Mary Ann Easterday, 3359 S. 15th Avenue, began by welcoming the incumbent and newly elected City Councilmembers. She announced the upcoming annual 4H barbeque fundraiser held at the Yuma Fairgrounds and encouraged the support of this youth program. Easterday noted that for all the Mayor and Council do for the City, they should be paid better. She recommended establishing a Charter Review Committee to help increase City Council's pay.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:30 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor