

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS, YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**FEBRUARY 7, 2018**  
**5:30 p.m.**

**CALL TO ORDER**

**Mayor Nicholls** called the City Council meeting to order at 5:33 p.m.

**INVOCATION/PLEDGE**

**Councilman Miller** gave the invocation. **Joel Olea**, Director of Public Works, led the City Council in the Pledge of Allegiance.

**ROLL CALL**

Councilmembers Present:	Shelton, Watts, Knight, McClendon, Miller, and Mayor Nicholls
Councilmembers Absent:	Thomas
Staffmembers Present:	City Administrator, Gregory K. Wilkinson Chief Financial Officer, Pat Wicks Director of Engineering, Jeff Kramer Associate Planner, Aubrey Trebilcock Director of Community Development, Laurie Lineberry 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.

**PRESENTATIONS**

Recognition of Distinguished Budget Award

**Mayor Nicholls** recognized **Wicks** and all those who help to prepare the City's budget for having been awarded the Distinguished Budget Award by the Government Finance Officers Association for the 14<sup>th</sup> year in a row.

Presentation of Tribal Gaming Proceeds

**Mayor Nicholls** presented checks to Bully Rehab Awareness Gym, Yuma Community Food Bank, and Catholic Community Services from tribal gaming proceeds from the Quechan Indian Tribe.

Rebound Project Check Presentation

**Anna Chaulk**, Community Affairs Manager for Arizona Public Service (APS), presented the City with a check on behalf of APS and the Phoenix Suns to cover the cost of renovating the floor in the Joe Henry Optimist Center gym as part of the APS' Rebound Project. **Mayor Nicholls** thanked APS for being a great

community partner and noted that this is the second basketball court in Yuma that has been renovated thanks to APS and the Phoenix Suns.

**I. MOTION CONSENT AGENDA**

Motion Consent Agenda Item B.13 – Ratification of Job Order Authorization: Emergency Repairs to Manhole #1345 (not to exceed \$137,376.00 for a manhole located between the Radisson Hotel and Interstate 8) (Engineering)

**Miller** declared a conflict of interest with regard to Motion Consent Agenda Item B.13 and exited the room.

**Motion** (Shelton/McClendon): To approve Motion Consent Agenda Item B.13 as presented. Voice vote: **approved** 5-0-1, **Miller** abstaining due to conflict of interest.

**Miller** returned to the dais.

Motion Consent Agenda Item B.11 – Cooperative Purchase Agreement: Ground Maintenance Vehicles, Equipment and Services (estimated annual expenditure of \$138,000.00 utilizing any of the awarded vendors listed on the Mohave Educational Services Cooperative Purchase Agreement) (Parks & Recreation)

**Motion** (Knight/Miller): To correct the bid file number noted on the agenda and Request for City Council Action from 2016-20000057 to 2018-20000119. Voice vote: **approved** 6-0.

**Motion** (Knight/Miller): To approve the Motion Consent Agenda as modified with the exception of Motion Consent Agenda Items B.13 and B.14. Voice vote: **approved** 6-0.

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

Regular Council Worksession	December 5, 2017
Regular Council Meeting	August 2, 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 Atty)
2. Approve a Special Event Liquor License application submitted by Carolyn Bennett on behalf of the Yuma Center for Spiritual Living for a Talent Show & Auction. The event will take place at the Yuma Center for Spiritual Living, 781 S. 2<sup>nd</sup> Avenue, on Saturday, February 10, 2018, from 6:30 p.m. to 12:00 a.m. (SP18-08) (Admin/Clerk)
3. Approve a Special Event Liquor License application submitted by Barry Olsen on behalf of the Caballeros de Yuma for Midnight at the Oasis. The event will take place at Desert Sun Stadium

located at 1280 W. Desert Sun Drive on Friday, March 2, 2018, from 8:00 a.m. to 12:00 a.m.; Saturday, March 3, 2018, from 8:00 a.m. to 12:00 a.m.; and Sunday, March 4, 2018, from 8:00 a.m. to 2:00 p.m. (SP18-10) (Admin/Clerk)

4. Approve a Special Event Liquor License application submitted by Barry Olsen on behalf of the Caballeros de Yuma for the Bull of the Desert Strongman Event. The event will take place at Desert Sun Stadium located at 1280 W. Desert Sun Drive on Saturday, February 17, 2018, from 9:00 a.m. to 9:00 p.m. (SP18-11) (Admin/Clerk)
5. Approve a Special Event Liquor License application submitted by Anne Fisher on behalf of North End Rotary Club for Lettuce Days. The event will take place on the 200-300 block of Main Street on Friday, February 23, 2018, from 5:00 p.m. to 10:00 p.m. and on Saturday, February 24, 2018, from 10:00 a.m. to 5:00 p.m. (SP18-12) (Admin/Clerk)
6. Award to the lowest responsive and responsible bidders for paint and paint supplies, as needed, a one-year contract, with the option to renew for four additional one-year periods, depending on appropriation of funds and satisfactory performance, at an estimated annual expenditure of \$40,000 to: LG Paint Stores – Yuma, Arizona, Plaza Paint – Yuma, Arizona, and PPG Industries – Peoria, Arizona (BID# 2018-20000096) (Purchasing)
7. Authorize City Administrator to negotiate and execute a one year Job Order Contract for landscape construction and consulting services, with the option to renew for four additional one year periods, one period at a time, depending on the appropriation of funds and satisfactory performance, with the following Contractors: APV Curbing Landscape & Masonry; Yuma, Arizona; Arbor Tech Tree & Landscaping Services; Yuma, Arizona and JSA Company; Yuma, Arizona (PWorks/Streets – RFQ #2018-20000018)
8. Authorize City Administrator to execute a one-year contract for landscape maintenance with the option to renew for four additional one year periods, one period at a time, depending on appropriation of funds and satisfactory performance, with the following Contractors: Arbor Tech Tree & Landscape Services; Yuma, Arizona; JSA Company; Yuma, Arizona and West Coast Arborists, Inc.; Anaheim, California (PWorks/Streets – RFQ #2018-20000056)
9. Authorize the purchase of public safety equipment through a cooperative purchase agreement initiated by US Communities for a period of one year with the option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance, for an estimated annual expenditure of \$120,000 to: Mallory Safety & Supply, LLC, Fremont, California (Bid #2018-20000143 YPD/Public Safety)
10. Authorize the purchase of services for development fee consultant utilizing the City of Tempe contract, at a not to exceed amount of \$125,000 to: TischlerBise Inc., Bethesda, Maryland (Eng – Bid #2016-20000081)
11. Authorize the expenditure for ground maintenance vehicles, equipment and services contract utilizing any one of the awarded vendors listed in the Mohave Educational Services Cooperative purchase agreement an estimated annual expenditure of \$138,000 from the following: A&G Turf Equipment, Phoenix, Arizona; Bingham Equipment Company, Yuma, Arizona; Deere &

Company, Gary, North Carolina; Jacobsen, Tempe, Arizona and Simpson Norton, Goodyear, Arizona (Parks & Rec - Bid File #2018-20000119)

12. Authorize a delivery order with Consultant Engineering, Inc. (CEI), in an amount not to exceed \$249,580.00 for construction management services on the Fleet Services Maintenance Facility pursuant to the City's Professional Engineering and Other Related Consultant Services Job Order Contract (Eng)
13. Pulled for separate consideration; see above.
14. Pulled for separate consideration; below.

Motion Consent Agenda Item B.14 – Public Record Declaration: Maricopa Association of Governments Uniform Standard Specifications and Details for Public Works Construction with City of Yuma Supplement to MAG Uniform Standard Specifications for Public Works Construction (and order filing of those public records in the Office of the City Clerk) (Eng)

**McClendon** requested that this item be continued to the next City Council Meeting to allow time for further discussion and to provide time for further review of the large amount of accompanying paperwork. **Mayor Nicholls** asked if there were any speakers on this item. **Bushong** stated that there were speakers for the corresponding ordinance. **Wilkinson** clarified that this agenda item simply declares these documents public records so it is open to the public for review; it has no bearing on the introduction the ordinance. **McClendon** stated that with that in mind she wants to make it clear that approval of this item does not in any way prevent further review and discussion.

**Motion** (Knight/McClendon): To approve Motion Consent Agenda Item B.14 as presented. Voice vote: **approved** 6-0.

## **II. RESOLUTION CONSENT AGENDA**

**Mayor Nicholls** welcomed Mayor Jacques-Andre Istel of Felicity, California. **Istel** provided City Council with documents regarding the history of Felicity and provided information on upcoming events.

At **Mayor Nicholls'** request, **Bushong** displayed the following title:

### **Resolution R2018-001**

**A resolution of the City Council of the City of Yuma, Arizona, supporting the Museum of History in Granite in the Celebration at Felicity on March 9, 2018** (requested by Mayor Jacques-Andre Istel of Felicity, California) (City Attorney)

**Motion** (Knight/Shelton): To adopt the Resolution Consent Agenda as recommended. Roll call vote: **adopted** 6-0.

### III. ADOPTION OF ORDINANCES CONSENT AGENDA

**Mayor Nicholls** declared a conflict of interest regarding the adoption of Ordinance O2018-005, turned the meeting over to Deputy Mayor Knight, and exited the room.

**Motion** (Miller/McClendon): To adopt the Ordinances Consent Agenda as recommended.

**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 (approximately 14,000 square feet of property located at 633, 641, and 643 S. 5<sup>th</sup> Avenue) (DCD)**

Roll call vote: **adopted** 5-0-1, **Mayor Nicholls** abstaining due to conflict of interest.

**Mayor Nicholls** returned to the dais.

### IV. INTRODUCTION OF ORDINANCES

Introduction of Ordinance O2018-007 – Adopt Standard Specifications for Public Works Construction  
(adopting by reference the Maricopa Association of Government standard construction specifications and the City of Yuma supplement) (Engineering)

**John Weil**, 3064 S. Avenue B, representing Hall's General Contractor, stated that they have built miles of sidewalks through the years according to City specifications which have passed inspection with little or no difficulty. However, beginning in January 2018 approximately 90% of the sidewalks have failed inspection, preventing homebuyers from being able to move into their new homes and creating a hardship and emotional stress for these citizens. In 2016 City staff notified the public that the new specifications would be adopted. At last night's Worksession the City Engineer stated that he was uncertain if the Maricopa Association of Government standards (MAG) applied to residential construction. He had reached out to his peers and was told that they do apply the MAG to residential construction. However, that was not known and therefore Hall's General Contractor had no opportunity to provide input. He requested that this item be continued for at least two weeks so that they can review what has changed.

**Harvey Campbell**, 4155 E. County 13 ½ Street, President of BetterYuma.org, a nonprofit organization that represents most of the major developers, landowners, and business people in Yuma, stated that he was unaware of this ordinance being introduced until Monday night. The MAG is 432 pages long and the City supplement is 64 pages long. He expressed agreement with Weil that these changes have caused hardship and requested that everyone take a step back. Campbell questioned how notice was provided back in 2016 that the City was going to apply it to residential development when the Engineer recently reached out to his peers for an answer. He requested that this item be continued to the first City Council Meeting in March to allow him to meet with his members at the end of the month, provide an opportunity to engage with City staff and have a transparent discussion regarding how this will be implemented, and give those affected the time to review the 432 pages that comprise the MAG regulations and standards.

**Mayor Nicholls** clarified that the City Engineer contacted his peers to verify what he already knew to be the case. He added that having completed work in Maricopa County himself, it has been his experience that those specifications apply to any project in the public right-of-way regardless of who is completing the project. He requested that **Files** explain why it is legal to enforce these standards even though the ordinance is not yet in place. **Files** explained that the reason for the ordinances is only to include a penalty clause to ensure compliance, adding that there would be a long process before any fines or penalties are assessed. **Mayor Nicholls** stated that delaying the introduction of the ordinance will not affect the inspection process.

**Kramer** stated that everyone in the industry was notified of the application of the MAG standards, and he himself has been aware of them because he has been using them since 1993. The reason he reached out to get outside confirmation was so the information was not just coming from him. He offered to provide a list of all of the City Engineers and Public Works Directors who have provided confirmation, some of which have volunteered to come down and speak with City Council.

A public meeting was held on August 12, 2015, for which invitations were sent to Nicklaus Engineering; DPE Construction; Core Engineering Group; Dahl, Robins and Associates; BLT Companies; Yuma Valley; Hall's General Contractors; Yuma County; the City of Somerton; the City of San Luis; James Davey and Associates; and Edais Engineering. The City of Somerton, The City of San Luis, James Davey and Associates, and Edais Engineering, and Hall's General Contractors did not attend the meeting. They were given an opportunity to comment, and a letter was sent by email on August 28<sup>th</sup> extending the comment period out to September 2<sup>nd</sup>. No comments were received. There was also notification of an additional public review period from March 21 through April 11, 2016, on the City News portion of the City's website and an article in the Yuma Sun. That comment period was also extended, and no comments were received at that time either. The specifications were implemented into use on May 15, 2016, and have been in effect since that time.

**Miller** asked why this was not an issue prior to 2016 if the MAG had been utilized prior to that time. Delaying residents from being able to move their homes due to a sidewalk issue is egregious and something that must be addressed. **Kramer** clarified that the City Engineer has absolutely nothing to do with Certificates of Occupancy, which are handled by the Building Safety division of the Department of Community Development. However, Certificates of Occupancy cannot be issued until all items on the lot are completed and pass inspection. The issue with the sidewalks is not brand new; Hall's General Contractors wrote a letter to the City seven or eight years ago alleging the same issues. In October City staff met with Hall's General Contractors who proposed that the final inspection be moved forward to provide contractors with more time between the completion of the sidewalk and closing. The City implemented this change and automated the final inspection process so it takes place within 72 hours of the pre-placement inspection, giving contractors a couple of extra weeks of time. **Wilkinson** stated that the City also believes the homeowner should not be held up just because of the sidewalk, but at the same needs the ability to ensure the defects or deficiencies are going to be corrected. This can be accomplished through a voluntary bond or by attaching a penalty, which is why the ordinance is needed. The Certificate of Occupancy can be issued, but if the builder does not go back and fix the deficiencies in the sidewalks or the streets the City can compel them to do so.

**Mayor Nicholls** asked if **Kramer** had statistics on the total number of inspections that have been done since the beginning of the year. **Kramer** stated that since October 1, 2017, inspection staff has completed a total of 312 final inspections on sidewalks. Of those, 203 were for Hall's General Contractor and the remaining

109 were for the rest of the residential and commercial development in the City. Of the 203 for Hall's General Contractor there were 86 failures, which were limited to 44 lots. Several failed not only the initial final inspection, but failed one or more re-inspections. The largest number was one lot that required five final inspections before it finally passed. **Kramer** clarified the percentage of failure is closer to 33%, not 90% as previously mentioned by Mr. Weil, and that includes re-inspections of the same lot multiple times. **Mayor Nicholls** asked how many inspections the City delayed that would cost valuable construction time or the ability to modify something if it failed. **Kramer** stated that the delay rate is zero. The permit requires a 48-hour notice in advance of the inspection. Hall's General Contractor has had discussions with City staff explaining their challenges in meeting that so the City has worked with them, including sending email reminders about weekend inspections and accepting notice of less than 48 hours from Hall's General Contractor – the only contractor the City makes this allowance for. The City has performed inspections with notice of less than 24 hours, and this year performed two pre-placement inspections on Martin Luther King Day on less than 15 minutes notice each.

**Mayor Nicholls** stated that while he does not have a problem with delaying the introduction, the implication that it is all on the City to make sure that people get into their homes in a timely manner is not a completely fair perspective. The contractor holds the schedule for the construction of the house, and it is their responsibility to make sure any inspection issues are addressed. **Knight** stated that he objects to having the fault placed on the City. It is on the builder to do it right the first time. That being said, since these rules are relatively new and in the interest of being business friendly and helping builders understand the MAG rules, he would have no problem with a continuance until the first meeting in March. **Mayor Nicholls** asked **Kramer** to include any other contractors that failed inspections in the upcoming discussions regarding the MAG. **Kramer** stated that of the other 109 inspections, there were nine entities that failed an inspection. It is applied evenly and equally to all commercial, residential, and Capital Improvement Program contractors. **Wilkinson** asked if Mayor Nicholls would like to see some examples of what would cause a failed inspection. **Mayor Nicholls** stated that **Kramer** could send those examples to City Council.

**Motion** (Knight/McClendon): To continue Ordinance O2018-007 to the first City Council Meeting in March. Voice vote: **approved** 6-0.

## V. PUBLIC HEARINGS

Public Hearing on Ordinance O2018-008 – Rezoning of Property: 1451 S. Avenue B (rezone two parcels located approximately 625 feet north of the intersection of 16<sup>th</sup> Street and Avenue B containing 4.8 acres from the Agriculture District to the High Density Residential District) (DCD)

**Mayor Nicholls** opened the public hearing at 6:39 p.m.

**Trebilcock** presented the following information:

- Request by Dahl, Robins & Associates on behalf of Ghiotto Family Properties AZ, LLC
- Rezoning includes two parcels covering 4.8 acres in total from the Agriculture District to the High Density Residential District
- Parcels are located approximately 625 feet north of the northeast corner of 16<sup>th</sup> Street and Avenue B
- Properties were annexed into the City on September 20, 2017, and a General Plan Amendment was adopted on August 2, 2017, which designated these properties as High Density Residential
- This rezone would allow the subject parcels to be developed in accordance with the General Plan

- While there is no immediate plan for development, this plan will serve to rezone the property for future development under the High Density Residential designation
- A neighborhood meeting was held on November 8, 2017; one neighbor was in attendance and did not oppose the rezone request
- A letter with a request for information was received and was addressed by the City Clerk
- Public opposition was present at the Planning and Zoning Commission meeting on December 11, 2017, as well as the Council Citizen's Forum on February 6, 2018
- Concerns were raised over the number of dwelling units that could occupy the subject parcel as well as the nearby lots
- The maximum units allowed for the 4.8 acres under Medium Density Residential is 62 units, while High Density Residential would allow for a maximum of 86 units
- This rezone request is consistent with actions of City Council and the General Plan, and City staff is therefore in support of the rezone request

**Shelton** asked how many people are anticipated per unit. **Trebilcock** stated that the projected population at a maximum buildout of 86 units would be 251 people. While this is the maximum density allowed, it is often not feasible due to parking and retention requirements and is only really achievable if parking is provided in a parking structure. **Shelton** asked how many are feasible. **Trebilcock** stated that he would not be able to answer that question. **Mayor Nicholls** noted that this would depend on the height of the structure and other factors. **Shelton** stated that it would be helpful to have some projections. **Trebilcock** stated that the population projection is between 181 and 251 people. **Lineberry** stated that DCD always gives a range because they do not always know what the developer is planning. If they are planning stacked units with a garage underneath, more units are possible but at an added cost to the developer. **Trebilcock** stated that there is no formal development plan in place. Apartments have been mentioned by the applicant as the most likely use, but there are no firm plans at this time.

Speakers:

- **Amy Gill**, 1451 S. Hettema Street: Traffic, access, and safety issues make the High Density Residential zoning inappropriate for this property, especially considering there are already 311 acres of property in the City zoned for high density.
- **Jeanne Gale**, 1580 S. Hettema Street: There are significant concerns regarding traffic and public safety, and high density zoning will only make the currently existing traffic congestion worse.
- **Maria Guilla**, 1521 S. Gateway Drive: In addition to the previously expressed concerns, the current infrastructure cannot sustain high density housing in this area and property values could decrease for surrounding homes.
- **Ursula Porter**, 1555 S. Gateway Drive: The greatest concern is the safety of the population that will be living in this area, and the possibility that other properties in the area may also be rezoned for high density.
- **Barry Olson**, 101 E. 2<sup>nd</sup> Street: The last private market apartment complex built in Yuma was 25 years ago, and this is the best and highest use of the property.
- **Larry Hieber**, 1430 S. Avenue B: The apartments will not create a traffic problem; the traffic problem already exists and will be greatly exacerbated by the increased population in the area.
- **Steve Rubisch**, 1460 S. Avenue B: Yuma may need newer apartment complexes, but there are better places for high density development – ideally away from an already existing traffic problem.



**Motion** (Knight/McClendon): To close the Public Hearing. Voice vote: **approved** 6-0. The Public Hearing closed at 7:27 p.m.

**Mayor Nicholls** asked if there are requirements in the zoning code that mandate open space or amenities that must be provided for high density residential or if it is something that is left up to each developer.

**Trebilcock** stated that there is a specific amount of land that needs to be landscaped. **Lineberry** stated that there has not been high density development in Yuma during the 18 years she has been with the City, so she would have to review the City Code.

**Knight** asked if each parcel is owned by a different property owner. **Trebilcock** stated that each parcel has a different owner. They would have to do a lot tie, which would have to be approved by City Council.

**Knight** commented that it was mentioned that the Yuma Police Department (YPD), the Yuma Fire Department (YFD) and other entities did not have any input in the rezoning and they should be consulted. However, the Planning and Zoning report shows that notification was sent out to 34 reviewing agencies including YPD and YFD.

**Miller** asked if the estimate of 181 to 251 people is just for the property being discussed today or if it is for all three properties combined. **Trebilcock** clarified that it is just for the property being discussed today.

**Miller** stated that based on his calculations the estimation for all three properties would be 351 for medium density and 469 for high density, with a difference of 118. The estimated trips per hour for high density is 53, and commercial would be about 195 trips per hour, so commercial would actually add a lot more traffic to the area.

**Trebilcock**, in response to Mayor Nicholl's previous question about open space requirements, stated that 50% of the land would be required to be open space.

**Knight** asked what the current status of Avenue B as far as capacity and how much it can handle in the future. **Charles Gutierrez**, Senior Planning/Mobility Manager for YMPO, stated that engineering staff would need to answer as far as the capacity of the road. However, he gave the following statistics related to traffic, level of service, and functionality of the road:

- The 2017 traffic count for the area of Avenue B just south of 12<sup>th</sup> Street was 20,728 cars per day during the winter and 16,300 cars per day during the summer, with an average of 18,514 cars per day.
- The 2017 traffic count for the area of Avenue B and 20<sup>th</sup> Street was 32,000 cars per day during the winter and 25,000 cars per day during the summer, with an average of 28,673 cars per day.
- 16<sup>th</sup> Street from Avenue A all the way down the hill is a principal arterial.
- Avenue B from 16<sup>th</sup> Street to the border is a principal arterial, and from 16<sup>th</sup> Street to 8<sup>th</sup> Street is a minor arterial.
- The level of service for that area, which is 16<sup>th</sup> Street and Avenue B, is a Level A-C.
  - Level A— traffic flows freely at the posted speed limit, incidents or vehicle breakdowns have minimal impact on others. Level A generally occurs at night in urban areas and frequently in rural areas.
  - Level B—speeds are maintained, maneuverability within the traffic stream is slightly restricted, and motorists have a high level of physical and psychological comfort.
  - Level C— motorists' ability to maneuver between the lanes is noticeably restricted and requires more driver awareness, roads remain uncongested but are approaching capacity, minor incidences begin to lead to traffic delays behind the incidents.

**Mayor Nicholls** asked what level of service is a failure. **Gutierrez** stated that this would be Levels E and F. Level D is borderline, and Yuma is not there yet. **Knight** clarified that Level C service is during peak hours and it falls off to Level B and Level A during non-peak hours and late at night. **Gutierrez** confirmed this is correct.

**Shelton** noted that much of the discussion has been on the high density designation, and asked if it would be possible to zone the area as medium density with the option to later increase to high density if needed.

**Lineberry** stated that they have not had that conversation with the applicant, but explained that the zoning needs to match the General Plan, which is High Density Residential. **Mayor Nicholls** asked if the developer can build to a lesser density. **Lineberry** stated that they need to meet the minimum density requirements.

**Miller** asked what the minimum number of units are for high density. **Lineberry** stated that it is 13 times the acreage. **Mayor Nicholls** declared that it should be around 61-63 for this area.

**Mayor Nicholls** noted that the adjacent parcel has a Planned Unit Development (PUD). **Lineberry** stated that it is an old PUD with commitments from a developer from 2006. If they would like to rezone the property, they would need to update their PUD.

**Knight** noted that condition 4 says the owner shall record a raised median disclosure acknowledging that a median may be constructed on Avenue B frontage, creating access restrictions to the property. **Lineberry** clarified that this is a possibility. The disclosure does not say that there will be a median, but that at some point in the future one may be installed. **Mayor Nicholls** stated that Yuma is a growing city and if every parcel is locked down we are going to stop growing, unless we resort to suburban sprawl which is not sustainable. There is a balance to strike with this and it is not an easy decision, but as a City leader it is exciting to see infill development.

At **Mayor Nicholls'** request, **Bushong** displayed the following title:

#### **Ordinance O2018-008**

**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 High Density Residential (R-3) District and amending the zoning map to conform with the rezoning** (rezone two parcels located approximately 625 feet north of the intersection of 16<sup>th</sup> Street and Avenue B containing 4.8 acres from the Agriculture District to the High Density Residential District) (DCD)

**Shelton** asked what the next step is in this process. **Mayor Nicholls** explained that the ordinance will next be addressed at the City Council Meeting on February 21<sup>st</sup> where it could be continued, adopted, or denied.

#### **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**

**Motion** (Miller/Knight): To appoint Terry W. Frydenlund to the Greater Yuma Port Authority for the year 2018. Voice vote: **approved** 6-0.

**Motion** (Knight/Shelton): To appoint Lisa Marlin as Finance Director of the City of Yuma. Voice vote: **approved** 6-0.

**Motion** (Miller/Knight): To reappoint Terry Collins, Bill DeNise and Jerry Griffin to the Building Advisory Board with term expirations of December 31, 2022. Voice vote: **approved** 6-0.

**Motion** (Knight/McClendon): To appoint Bill Craft to the Merit Board with a term expiration of December 31, 2022. Voice vote: **approved** 6-0.

**Motion** (Miller/McClendon): To appoint Greg Counts to the Planning and Zoning Commission with a term expiration of December 31, 2022. Voice vote: **approved** 6-0.

**Motion** (Knight/McClendon): To reappoint Charles Alka to the Residential Advisory Board with a term expiration of December 31, 2022. Voice vote: **approved** 6-0.

**Motion** (Watts/Shelton): To appoint Bill Craft to the Yuma Fire Public Safety Board and Yuma Public Safety Police Board with term expirations of December 31, 2021. Voice vote: **approved** 6-0.

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**Miller, Shelton, McClendon, Knight, and Mayor Nicholls** reported on events and meetings they have attended during the last two weeks and upcoming events of note.

## **VII. SUMMARY OF CURRENT EVENTS**

**Wilkinson** invited City Council to meet the artist MOMO, who is in Yuma painting the mural on the Art Center.

**Wilkinson** reported the following events:

- February 9<sup>th</sup> - Fort Yuma Rotary Mardi Gras Block Party
- February 10<sup>th</sup> - Great Yuma Road Race
- February 10<sup>th</sup> - Silver Spur Rodeo Parade
- February 17<sup>th</sup> - Rally for the Cure Women's Golf Clinic
- February 17<sup>th</sup> - Boogie, Brews and Blues Festival

## **VIII. CALL TO THE PUBLIC**

**Eva Mendez Counts**, 690 E. 32<sup>nd</sup> Street, Executive Director of Catholic Community Services (CCS), provided an overview of the services offered by CCS in Yuma and invited City Council attend the upcoming Toast to Hope Fundraiser Dinner on Saturday, February 17<sup>th</sup> at the St. John Friel Center. She thanked the City for the donation from the Quechan gaming funds, noting that the funds are needed due to their funding for emergency shelter services was reduced by \$117,000 effective October 2017, leaving CCS with the challenge of providing victims in need of emergency shelter with the limited funding that remains. This has resulted in CCS reducing their capacity from 40 to 20 beds, cutting a staff position, and reducing staffing levels.

**IX. EXECUTIVE SESSION/ADJOURNMENT**

There being no further business, **Mayor Nicholls** adjourned the meeting at 8:20 p.m. No Executive Session was held.

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Lynda L. Bushong, City Clerk

APPROVED:

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Douglas J. Nicholls, Mayor