

**MINUTES**  
**REGULAR WORKSESSION**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS - YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**May 16, 2017**  
**6:00 p.m.**

**CALL TO ORDER**

**Deputy Mayor Knight** called the Regular City Council Worksession to order at 6:00 p.m.

Councilmembers Present:	Shelton, Wright, Miller, Thomas, Craft, and Deputy Mayor Knight
Councilmembers Absent:	Mayor Nicholls
Staffmembers Present:	Deputy City Administrator, Ricky Rinehart
	CIP Administrator, Czarina Gallegos
	Director of Public Works, Joel Olea
	Finance Director, Pat Wicks
	Senior Planner, Naomi Leeman
	Utilities Director, Jay Simonton
	Various department heads or their representatives
	City Attorney, Richard W. Files
	City Clerk, Lynda Bushong

**I. REGULAR CITY COUNCIL MEETING AGENDA OF MAY 17, 2017**

Motion Consent Agenda Item B.3 – Request for Qualifications Job Order Contract – Municipal Utility and Roadway Infrastructure Refurbishment and Replacement (execute a one-year contract for projects up to \$2,000,000 with DPE Construction, Cemex Construction Materials South, and Nicklaus Engineering) (Utilities)

**Miller** declared a potential conflict of interest on Motion Consent Agenda Item B.3 due to his employment.

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Motion Consent Agenda Item B.4 – Marketing Agreement: Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America (use of the City's name and logo in marketing materials to advertise warranties to residential property owners) (Admin)

**Thomas** asked what would happen to the residents who purchase a warranty if the Marketing Agreement is not renewed. **Rinehart** explained that the Marketing Agreement between the vendor and the the City would not have any bearing on the agreements between the vendor and residents who purchase a warranty.

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Resolution Consent Agenda R2017-006 – Capital Improvement Program Fiscal Years 2018 through 2022 (pursuant to Yuma City Charter, Article XIII, Section 11) (Admin)

**Miller** stated that he received a legal opinion from outside legal counsel regarding the Capital Improvement Program (CIP) and will have something figured out by tomorrow night's meeting.

**Deputy Mayor Knight** noted that Shelton had some questions on this item and asked Miller if he needed to recuse himself while it is discussed. **Miller** stated that he would recuse himself at this time. **Thomas** asked if DPE Construction would be bidding on any of the CIP projects since the CIP being voted on tomorrow is through the year 2022. **Miller** answered that he could not speak for DPE Construction; however, he has a legal opinion stating there is no conflict of interest.

**Miller** left the dais.

**Shelton** asked what work still needs to be completed regarding the 4<sup>th</sup> Avenue and Big Curve turn lane. **Gallegos** stated that all work has been complete but not all of the conditions of the agreement have been fulfilled, therefore the City needs to have budget authority in the event that any monies need to be paid to the developer.

**Shelton** asked what is planned for the Xeriscape Conversion along 32<sup>nd</sup> Street. **Olea** explained that they are currently working with a local contractor on a basin on 16<sup>th</sup> Street across from Fire Station #4 and will have a better understanding of how they will move forward once it is completed.

**Shelton** asked if the property owners in the area of the Avenue 10E Improvements are aware that they are required to design and construct roadway improvements. **Rinehart** explained that the project area is a part of a preannexation agreement that includes improvements that must be made by the developer and the City. **Shelton** pointed out that the document states that the property owner, not developer, is responsible for the improvements and suggested that the language be changed accordingly. **Gallegos** stated that she would consult with legal staff regarding the suggested changes.

**Shelton** additionally commented that the Yuma Multimodal Center (Hotel Del Sol) should be returned to the private sector whether the City receives the TIGER grant or not. He asked to be informed whether the grant funds can be used to rehab the building and turn it over to the private sector or if it must remain in the ownership of the City.

**Wright** asked if the City has already put out a Request for Proposal (RFP) for the Streetlight LED System Retrofit project. **Rinehart** explained that the City has not put out an RFP because it is utilizing a contract between various contractors and the State of Arizona. Three contractors are completing investment grade audits that will be used to put together a package that will be brought before City Council. **Wright** asked if it was City staff or the contractors who came up with the \$3.2 million budget. **Rinehart** stated that a staff analysis of the lights in the City's inventory and the known cost for LED technology were used to come up with that figure. **Wright** asked if there was any reason that all of the City's streetlights will be replaced at once rather than completing the project in phases. **Rinehart** explained that the sooner the City changes out its High Pressure Sodium streetlights with LED technology the sooner it will realize the associated savings. **Wright** asked to be provided with information supporting the \$600,000 savings that is being anticipated. **Rinehart** stated that information will be provided at a City Council Meeting in June. **Wright** requested that the information be provided prior to voting on the CIP tomorrow night. **Rinehart** explained that this item has already been voted on and approved.

**Wright** asked if Mayor Nicholls has declared a conflict of interest on the adoption of the CIP during tomorrow night's meeting. **Deputy Mayor Knight** stated that Mayor Nicholls is not present tonight and will not be present at tomorrow night's meeting. There is no need for him to recuse himself because he will not be voting on this item. **Wright** stated that he believes it is important for transparency and public perception for a conflict to be declared publicly even if a councilmember will not be present to vote on an item. **Deputy Mayor Knight** stated that Mayor Nicholls mentioned at the last meeting that he would recuse himself from the CIP.

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Adoption of Ordinance O2017-015 – Rezoning of Property: 2500 W. 8<sup>th</sup> Street (approximately 17,000 square feet located at the northwest corner of 8<sup>th</sup> Street and Avenue B) (DCD)

**Shelton** asked for an overview of the proposed rezoning. **Deputy Mayor Knight** explained that the rezoning involves the liquor store on the northwest corner of the intersection across from Circle K and the new Walmart. It is currently zoned for agriculture and needs to be rezoned to commercial.

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Adoption of Ordinance O2017-016 – Zoning Code Text Amendment: Off-Street Parking & Loading Regulations (reduce required parking spaces for certain uses and clarify language regarding prohibited parking) (DCD)

**Deputy Mayor Knight** noted that it appears that the change on page 7, section 22, from 'two spaces plus one space for each 50 storage cubicles' to 'one space for each 50 storage cubicles plus two spaces' does not change the item in any way. **Leeman** clarified that this is simply a change in the wording for the sake of consistency with other sections of the Zoning Code.

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Introduction of Ordinance O2017-019 – Real Property Purchase: 292 W. 13<sup>th</sup> Street and 1258 S. 2<sup>nd</sup> Avenue (acquire approximately 128,910 square feet of vacant land for future construction of a new facility for Utility Department personnel) (Admin)

**Wright** asked what will occupy the new facility being built on this property. **Simonton** explained that it will be the Systems Division of the Utilities Department, which consists of about 50 staff and their supervisors, meter readers, and field customer service technicians as well as the parts warehouse and the SCADA (Supervisory Control And Data Acquisition) staff. **Wright** asked if there is a cost estimate for the building. **Simonton** stated that currently there is \$3 million budgeted in the CIP for this project - \$1.5 million out of both the Water Fund and the Wastewater Fund. **Wright** asked if these staff members could be relocated to the vacant third floor of City Hall. **Simonton** explained that there is not sufficient parking available at City Hall to accommodate the vehicles and equipment utilized by staff. **Wright** asked if the clerical staff could utilize that vacant space. **Simonton** explained that part of the purpose of the new facility is to create one central location that allows for more efficient operations - splitting up the staff would defeat that purpose.

**Deputy Mayor Knight** asked if the entire property being purchased will be used for the new facility. **Simonton** confirmed that it would, with the building being spread across the front half of the property and storage on the back half.

**Wright** asked if bonds would be used to finance this project. **Wicks** stated that it would be paid for with the revenues from the water and sewer charges paid by utility customers.

## **II. EXECUTIVE SESSION**

There being no further business, **Deputy Mayor Knight** adjourned the meeting at 6:44 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