



City of Yuma City Council Meeting Agenda

Wednesday, July 20, 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 Emergency Civilian Actions

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 2016-157](#) **Regular City Council Worksession Draft Minutes January 19, 2016**
Attachments: [1. 2016_01_19_RWS_Minutes](#)
2. [MC 2016-158](#) **City Council Citizen's Forum Draft Minutes May 3, 2016**
Attachments: [1. 2016_05_03_CF_Minutes](#)

3. [MC 2016-159](#) **City Council Citizen's Forum Draft Minutes June 14, 2016**

Attachments: [1. 2016_06_14_CF_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 2016-148](#) **Liquor License: Showcase Sports Bar**

Approve a Series #6 Bar/Person Transfer Liquor License application submitted by John Spaugh, agent for Showcase Sports Bar located at 2703 S. 4th Avenue (LL16-12) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: Showcase Sports Bar](#)

3. [MC 2016-149](#) **Special Event Liquor License: Fort Yuma Rotary - Beat the Heat Block Party**

Approve a Special Event Liquor License application submitted by Kortnee Garcia on behalf of Fort Yuma Rotary for the Beat the Heat Block Party. The event will take place on Main Street in Historic Downtown Yuma on Friday, August 19, 2016, from 5:30 p.m. to 11:30 p.m. (SP16-17) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Fort Yuma Rotary](#)

4. [MC 2016-150](#) **Special Event Liquor License: Humane Society of Yuma - Fur Ball**

Approve a Special Event Liquor License application submitted by Cristyn Weil on behalf of the Humane Society of Yuma for the Fur Ball. The event will take place at the Arizona Western College, Schoening Conference Center, on Saturday, September 17, 2016, from 5:00 p.m. to 12:00 a.m. (SP16-18) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Humane Society of Yuma](#)

5. [MC 2016-151](#) **Bid Award: 24th Street Reconstruction - Avenue B to Avenue C**

Award to the lowest responsible and responsive bidder for the construction of the 24th Street Reconstruction - Avenue B to Avenue C - project in the amount of \$1,568,733.27 to: DPE Construction, Inc., Yuma, Arizona. (Finance/Purchasing - Bid #2016-20000195) (Pat Wicks)

Attachments:

[RFCCA 24th Street Reconstruction - Avenue B to Avenue C](#)

[SPRDSHEET - 24th Street Reconstruction - Avenue B to Avenue C](#)

6. [MC 2016-152](#) **2016 Community Development Block Grant Subrecipient Agreements**

Authorize the City Administrator to execute nine subrecipient agreements totaling \$169,000.00 in accordance with the 2016 Community Development Block Grant (CDBG) Action Plan. (Community Development/Neighborhood Services) (Laurie Lineberry)

Attachments:

[1. RFCCA 2016 Subrecipient Agreements](#)

[2. AGR Arizona Classical Ballet](#)

[3. AGR Bully Rehab Awareness Gym](#)

[4. AGR Saguaro Foundation](#)

[5. AGR The Healing Journey](#)

[6. AGR United Way of Yuma County](#)

[7. AGR WACOG - Fair housing](#)

[8. AGR WACOG - Sustainable homeowners](#)

[9. AGR Yuma Community Food Bank](#)

[10. AGR Yuma Neighborhood Development Organization](#)

7. [MC 2016-153](#) **Outside Agency Agreement: Yuma Visitor's Bureau, Inc.**

Authorize the execution of an agreement with the Yuma Visitors Bureau, Inc. providing for Fiscal Year 2016-2017 funding in the amount of \$650,000.00 and setting performance standards for the Yuma Visitors Bureau, Inc. (City Administration) (Greg Wilkinson)

Attachments:

[1. RFCCA Outside Agency Agreement: Yuma Visitor's Bureau, Inc.](#)

[2. AGMT Outside Agency Agreement: Yuma Visitors Bureau](#)

8. [MC 2016-154](#)**Outside Agency Agreement: Greater Yuma Economic Development Corporation**

Authorize the execution of an agreement with Greater Yuma Economic Development Corporation providing for Fiscal Year 2016-2017 funding in the amount of \$212,000.00 and setting performance standards for Greater Yuma Economic Development Corporation. (City Administration) (Greg Wilkinson)

Attachments:

[1. RFCCA Outside Agency Agreement: GYEDC](#)

[2. AGMT Outside Agency Agreement GYEDC FY2016-2017](#)

9. [MC 2016-156](#)**Outside Agency Agreement: Western Arizona Council of Governments**

Authorize the City Administrator to execute an agreement with the Western Arizona Council of Governments to provide funding in the amount of \$50,000 for FY2016-17 to provide qualified, City utility customers with assistance to meet a delinquent utility bill payment, avoid a disconnection for non-payment, and receive educational support regarding conservation and financial management. (Utilities/Administration) (Jay Simonton)

Attachments:

[1. RFCCA OAA: Western Council of Government](#)

[2. AGMT. OAA: Western Council of Government](#)

10. [MC 2016-155](#)**Agreement: City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant**

Authorize the City Administrator to execute the grant agreement and accept monies received under the City of Tucson HIDTA grant program to support the Yuma Police Department Officer assigned to the U.S. Marshals Arizona Warrant Apprehension Network and Tactical Enforcement Detail (WANTED). (Police/Admin) (John Lekan)

Attachments:

[1. RFCCA HIDTA Grant 2016-2017](#)

[2. AGMT HIDTA Grant 2016-2017](#)

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. [R2016-023](#) **Development Fee Deferral: Saguaro Unit No. 2 Subdivision**

Adopt a resolution authorizing the City Administrator to execute a deferral agreement to defer development fees and water and sewer capacity charges for Saguaro Unit No. 2 Subdivision, and to collect a \$500.00 administrative fee. The term of the deferral agreement is for three years from the date of execution. (Engineering/Development Engineering) (Joshua Scott)

Attachments:

1. [RFCCA Development Fee Deferral Saguaro No 2](#)
2. [MAP Development Fee Deferral Saguaro No 2](#)
3. [RES Development Fee Deferral Saguaro No 2](#)
4. [AGMT Development Fee Deferral Saguaro No 2](#)

2. [R2016-024](#) **City of Yuma 2016 Special Election**

Call for a Special Election to be held November 8, 2016, for the purpose of referring Ordinance O2016-006 to the qualified electors of the City of Yuma.

Attachments:

1. [RFCCA Call of 2016 Spc Election - Referendum](#)
2. [RES Call of 2016 Spc Election - Referendum](#)

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. [O2016-018](#) **Amendment: Yuma City Code § 150-002 "Housing Authority"**

Amend Yuma City Code § 150-002(A)(1) to the Housing Authority of the City of Yuma the power to own and dispose of the assets and real property of the Arizona Housing Development Corporation and the real property located at 433 S. 1st Avenue, Yuma, Arizona. (City Administration) (Ricky Rinehart)

Attachments:

1. [RFCCA Amend to YC Code: HACY](#)
2. [ORD Amend to YC Code: HACY](#)
3. [EXH A Amend to YC Code: HACY](#)

2. [O2016-019](#) **Rezoning of Property: Approximately 7.42 acres located on the northwest corner of 34th Drive and 24th Street, Yuma, AZ.**

Rezone approximately 7.42 acres from the Low Density Residential (R-1-8) District to the Limited Commercial (B-1) District and to the Transitional (TR) District. The property is located at 2376 S. 34th Drive, Yuma, AZ. (ZONE-13840-2016). (Community Development/ Community Planning) (Laurie Lineberry)

Attachments:

1. [RFCCA Rezoning of Property: 7.42 Acres](#)
2. [P&Z RPT Rezoning of Property: 7.42 acres](#)
3. [ORD Rezoning of Property: 7.42 acres](#)

3. [O2016-020](#) **Amend Yuma City Code § 131-16 "Amendments"**

The Yuma Fire Department is requesting that City Council approve the proposed amendment to Yuma City Ordinance 02014-36, Section 2, Chapter 13. This amendment provides the Fire Chief the authority to mandate the method in which contractors who perform required inspection, testing, and/or maintenance services on fire and life safety systems submit reports to the department. (Fire/Community Risk Reduction) (Steve Irr)

Attachments:

1. [RFCCA Amendment to City Code](#)
3. [ORD Amendment to City Code](#)

4. [O2016-021](#) **Declaration of Surplus and Real Property Exchange: Crossroads Mission, LLC**

Subject to the terms and conditions of a separately approved Real Property Exchange and Development Agreement, declare certain City-owned real property surplus, and authorize the exchange of such surplus property for fee simple title to a parcel owned by Crossroads Mission, LLC, located at 541 S Gila Street. (City Administration/YCNHA) (Charles Flynn)

Attachments:

1. [RFCCA Real Property Exchange: Crossroads Mission, LLC](#)
2. [ORD Real Property Exchange: Crossroads Mission LLC](#)

5. [O2016-022](#) **City of Yuma 2016 Special Election**

Call a special election to be held the same time as the City of Yuma General Election on November 8, 2016 to submit to those persons qualified to vote in the City of Yuma the question of increasing the Transaction Privilege Tax levy by three-tenths of one percent (0.3%). (Administration) (Gregory K. Wilkinson)

Attachments: [1. RFCCA City of Yuma 2016 Special Election \(TPT\)](#)
[2. ORD City of Yuma 2016 Special Election \(TPT\)](#)

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. [O2016-023](#) **2016 Amendments to the Tax Code of the City of Yuma**

Adopt the "Amendments to the Tax Code of the City of Yuma for Cities and Towns in the State Collection System Performing Supplementary Local Audits", which were declared a public record by Resolution R2016-022 at the Regular City Council Meeting on July 6, 2016. (Finance/Administration) (Pat Wicks)

Attachments: [1. RFCCA Tax Code Ordinance](#)
[2. SUP DOC 2016 Amendment to the Tax Code](#)
[3. ORD Tax Code Ordinance](#)

2. [O2016-024](#) **Rezoning of Property: 142 W. 10th Street**

Rezone approximately 0.23 acres from the Light Industrial (L-I) District to the Low Density Residential (R-1-6) District. The property is located at 142 W. 10th Street (the northwest corner of 1st Avenue and 10th Street) Yuma, AZ. (ZONE-13910-2016) (Community Development/Community Planning) (Laurie Lineberry)

Attachments: [1. RFCCA Rezoning of Property: 142 W. 10th St.](#)
[2. P&Z RPT. Rezoning of Property: 142 W. 10th St.](#)
[3. ORD Rezoning of Property: 142 W. 10th 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 July 7, 2016 through July 20, 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 following legal matters: (ARS 38-431.03 A3, A4 and A7)

1. Dyer v. COY
2. Avenue 6E Investments v. COY
3. Esquivel v. Carrillo & COY
4. LaMarche v. COY
5. Smith v. COY, et al
6. Loucel, et al v. COY, et al
7. Armendariz v. Padilla, et al
8. COY v. Clark, et al
9. U.S. v. Clark
10. Pixley v. COY
11. Yuma Mesa Land, LLC, et al v. Lynda Bushong, et al
12. Siegfried v. COY
13. Pearce v. COY
14. Camacho Claim
15. Moore Claim
16. Orta Claim
17. Tekelu Claim
18. State Farm Mutual v. Martinez & COY
19. COY v. Valdez
20. COY v. Medina-Tapia
21. COY v. PMG, et al

B. Discussion, consultation with and/or instruction to legal counsel regarding the Pivot Point Phase II DDA and Pivot Point Phase II Land and Improvement Lease. (A.R.S. 38-431.03 A3 and 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.