



City of Yuma City Council Meeting Agenda

Wednesday, September 21, 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

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 2016-196 | Regular City Council Meeting Draft Minutes April 6, 2016 |
| | <u>Attachments:</u> | 1. 2016_04_06_RCM_Minutes.docx |
| 2. | MC 2016-197 | Regular City Council Meeting Draft Minutes April 20, 2016 |
| | <u>Attachments:</u> | 1. 2016_04_20_RCM_Minutes.docx |

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 2016-188](#) **Special Event Liquor License: Yuma Crossing National Heritage Area - 6th Annual 3:10 to Yuma Fundraiser**

Approve a Special Event Liquor License Application submitted by Rebecca Fox on behalf of the Yuma Crossing National Heritage Area for the 6th Annual 3:10 to Yuma Fundraiser. The event will take place at the Yuma Territorial Prison located at 220 N. Prison Hill Road on Saturday, November 5, 2016, from 5:00 p.m. to 12:00 a.m. (SP16-20) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Yuma Crossing National Heritage Area](#)

3. [MC 2016-189](#) **Special Event Liquor License: St. Francis of Assisi Roman Catholic Parish - St. Francis Parish Feast**

Approve a Special Event Liquor License Application submitted by Arturo Sanchez on behalf of the St. Francis of Assisi Roman Catholic Parish for the St. Francis Parish Feast. The event will take place at the St. Francis of Assisi Roman Catholic Parish located at 1815 S. 8th Avenue on Friday, September 30, 2016, from 5:00 p.m. to 12:00 a.m.; Saturday, October 1, 2016, from 3:00 p.m. to 9:00 p.m.; and Sunday, October 2, 2016, from 11:00 a.m. to 5:00 p.m. (SP16-21) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: St. Francis Parish Feast](#)

4. [MC 2016-190](#)**Request for Qualifications (RFQ): Environmental Engineering Services for Brownfields Assessment**

Authorize the City Administrator to negotiate and execute a single contract for Environmental Engineering Services for Brownfields Assessment with the below listed firms. If negotiations for fees and services are successful with the first selected firm, as determined by the City, a contract for the service will be prepared. In the event that negotiations for fees and services are not successful, the City will terminate those negotiations in writing and begin negotiations with the second firm listed. 1. Ayres Associates, Tempe, Arizona; 2. Stantec, Tempe, Arizona. (City Administration - RFQ #2016-20000104) (Greg Wilkinson)

Attachments:

- [1. RFCCA RFQ: Environmental Engineering Svcs.](#)
- [2. SPRDSHEET RFQ: Environmental Engineering Svcs.](#)
- [3. MAP RFQ: Environmental Engineering Services for Brownfields Assessment](#)
- [4. SMPL.CON RFQ: Environmental Engineering Svcs.](#)

5. [MC 2016-191](#)**Consent Agreement: Unite Private Network, LLC**

Authorize and direct the City Administrator to execute a consent agreement with Unite Private Network, LLC to authorize, under certain conditions, a change of control license from Unite Private Network, LLC to Fiber Platform Holdings, LLC. (City Administration) (Ricky Rinehart)

Attachments:

- [1. RFCCA Consent Agreement: Unite Private Network, LLC](#)
- [2. AGMT. Consent Agreement: Unite Private Network, LLC](#)

6. [MC 2016-192](#)**Cooperative Purchase Agreement: Business Continuity, Disaster Recovery and Backup System**

Authorize the purchase of a Business Continuity, Disaster Recovery and Backup system to provide recovery of citywide Information Technology (IT) systems in the event of a data disaster, through Dell Marketing LLP by utilizing a cooperative agreement originated by the State of Arizona, for an estimated cost of \$160,000. Dell Marketing LLP, Round Rock, Texas. (Information Technology - Bid #2017-20000001) (Jim Hamersley)

Attachments:

- [1. RFCCA ITS Enterprise System Backup Restore Hardware and Software](#)

7. [MC 2016-194](#) **Notice of Intention - Adjustment of Water and Wastewater Utility Rates and Fees**

Approve the Notice of Intention pursuant to Arizona Revised Statutes § 9-511.01, to adjust water and wastewater utility rates and fees. (Utilities/Administration) (Jay Simonton)

Attachments:

[1. RFCCA Notice of Intention: Water and Wastewater](#)

[2. NOTICE Notice of Intention: Water and Wastewater](#)

8. [MC 2016-195](#) **Intergovernmental Agreement Amendment: Yuma County Election Services**

Approve a First Amendment to Intergovernmental Agreement between the County of Yuma, the Yuma County Recorder and City of Yuma for the provision of election services and extending the intergovernmental agreement through the end of 2016. (City Administration/City Clerk) (Lynda L. Bushong)

Attachments:

[1. RFCCA Election Services](#)

[2. IGA Election Services](#)

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. [R2016-029](#) **Amendment: Resolution R2013-38 Temporary Easement**

Authorize the City Administrator to execute an amendment to the Yuma Regional Medical Center (YRMC) Development Agreement, which extends the duration of a temporary construction easement from Hospital District No. 1 to the City of Yuma. (Engineering) (Joshua Scott)

Attachments:

[1. RFCCA 2nd Amend to YRMC Dev Agmt Smucker Basin](#)

[2. RES 2nd Amend to Dev Agmt Smucker Basin](#)

[3. DEV AGMT 2nd Amend to YRMC Dev Agmt. Smucker Park Basin](#)

2. [R2016-030](#)**Consent Agreement Amendment: United States of America - Bureau of Reclamation**

Authorize the City Administrator to execute an amendment to a consent agreement (Agreement) with the United States of America - Bureau of Reclamation (Reclamation) for the construction, reconstruction, installation, ownership, operation and maintenance of improvements within and/or across portions of Reclamation's reserved rights-of-way, as they relate to the Yuma Valley Area Park. (Engineering) (Joshua Scott)

Attachments:

- [1. RFCCA BOR Amend Yuma Valley Area Park](#)
- [2. Location Map BOR Amend Yuma Valley Area Park](#)
- [3. RES BOR Amend Yuma Valley Area Park](#)
- [4. EXHIBIT A BOR Agmt Amend Yuma Valley Area Park](#)

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. [O2016-026](#)**Rezoning of Property: 925 Arizona Avenue**

Rezone approximately 1.86 acres located near the northeast corner of 10th Street and Arizona Avenue, from the Agriculture (AG) District to the Light Industrial (L-I) District. (ZONE-14155-2016). (Community Development/Community Planning) (Laurie Lineberry)

Attachments:

- [1. RFCCA Rezoning of Property: 925 Arizona Ave.](#)
- [2. P&Z Rezoning of Property: 925 Arizona Ave.](#)
- [3. ORD Rezoning of Property: 925 Arizona Ave.](#)

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. [O2016-027](#) **Declare Surplus & Authorize Sale of Properties: 3401 S. 18th Avenue & 1771 W. 34th Street**

Declare two parcels of City-owned real property surplus and authorize the sale of the surplus properties. (City Administration) (Ricky Rinehart)

Attachments:

- [1. RFCCA Declare Surplus/Authorize Sale: Dunes Properties \(2\)](#)
- [2. MAP Declare Surplus/Authorize Sale: Dunes Properties \(2\)](#)
- [3. ORD Declare Surplus/Authorize Sale: Dunes Properties \(2\)](#)
- [4. LGL DESC Declare Surplus/Authorize Sale: Dunes Properties \(2\)](#)

2. [O2016-028](#) **Zoning Code Text Amendment: Off-Site Signs**

Amend Title 15, Chapter 154 (Sections: 01.07 and 17.04) to provide definitions and add regulations regarding off-site signage. (ZONE-13006-2016) (Community Development/Community Planning) (Laurie Lineberry)

Attachments:

- [1. RFCCA Zoning Code Text Amendment: Off-Site Signs](#)
- [2. FINAL RPT Zoning Code Text Amendment: Off-Site Signs](#)
- [3. ORD Zoning Code Text Amendment: Off-Site Signs](#)

3. [O2016-030](#) **Rezoning of Property: La Tierra Subdivision**

Rezone approximately 6.24 acres from the Medium Density Residential (R-2) District to the Medium Density Single-Family Residential (R-2-5) District. The property is located at the southwest corner of Avenue C and the Central Drain, Yuma, AZ. (ZONE-14639-2016) (Community Development/Community Planning) (Laurie Lineberry)

Attachments:

- [1. RFCCA LaTierra Rezoning](#)
- [2. P&Z LaTierra Rezoning](#)
- [3. ORD LaTierra Rezoning](#)

V. PUBLIC HEARING AND RELATED ITEMS

The following public hearing may result in the introduction of Ordinance O2016-029.

1. [O2016-029](#) **Statutory Compliance Hearing/Amendment: Ordinance O2013-51; 2nd Avenue and 12th Street**

Conduct a public hearing pursuant to A.R.S. § 9-462.01 to determine compliance with the conditions of approval for rezoning through Ordinance O2013-51, and introduce an ordinance that extends the time to comply with the rezoning conditions. (Community Development/Community Planning) (Laurie Lineberry)

Attachments:

- [1. RFCCA Statutory Compliance Hrg/Amendment: 2nd Ave. and 12th St.](#)
- [2. RPT Statutory Compliance Hrg/Amendment: 2nd Ave. and 12th St.](#)
- [3. ORD Statutory Compliance Hrg/Amendment: 2nd Ave. and 12th St.](#)

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:

- *City of Yuma Workers' Compensation Trust Board: One appointment expiring 12/31/2021*

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 September 8, 2016 through September 21, 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 City of Yuma v. Clark et al. (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.