



City of Yuma City Council Meeting Agenda

Wednesday, October 7, 2020

5:30 PM

Yuma City Hall Council Chambers
One City Plaza, Yuma

Notice is hereby given, pursuant to Resolution R2015-047 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.

Consistent with the March 13, 2020 Arizona Attorney General opinion Relating to Arizona's Open Meeting Law and COVID-19, in order to protect the public and reduce the chance of COVID-19 transmission, the October 7, 2020 Regular City Council meeting will be conducted remotely through technological means along with limited public, in-person access, consistent with social distancing requirements.

City Council Chambers will be open with limited public access in addition to participation through Zoom.

Those wishing to speak on any applicable agenda item or at Call to the Public and choose to participate via Zoom, must submit an email request to publiccomment@yumaaz.gov no later than 60 minutes prior to the start of the scheduled meeting. Further instructions will be given at that time.

Members of the public are encouraged to view the meeting through either of the following two venues:

- 1) Zoom: Residents will need to connect through the following website:
<https://cityofyuma.zoom.us/>. Click on "Calendar" then select the City meeting and click "Join".
- 2) City of Yuma live stream: Use the Video and TV Stream quick link at www.yumaaz.gov and search for Yuma Live Playlist 73. Watch live on TV cable channel 73.

A recording of the meeting will be available on the City's website after the meeting.

The Worksession and Citizen's Forum previously scheduled for October 6, 2020 are cancelled.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL**FINAL CALL**

Final call for submission of Speaker Request Forms for agenda related items.

PRESENTATIONS

- Fire Awards Presentation
- Financial briefing from City Administrator, Philip Rodriguez, and Director of Financial Services, Lisa Marlin

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 2020-178](#) **Regular Council Meeting Draft Minutes June 3, 2020**
Attachments: [2020 06 03 RCM Minutes](#)
2. [MC 2020-179](#) **Regular Council Meeting Draft Minutes September 16, 2020**
Attachments: [2020 09 16 RCM 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 2020-167](#)**Bid Award: 3rd Avenue Waterline Replacement, 4th Street to 5th Street**

Authorize the City Administrator to execute a contract for Construction Services for the 3rd Avenue Waterline Replacement, between 4th and 5th Streets, to the lowest responsive and responsible bidder in the amount of \$134,969.65 to: Yuma Valley Contractors, Yuma, Arizona. (Engineering / Bid #2020-20000162) (Robin R. Wilson/Jeffrey A. Kramer)

Attachments:

- [1. RFCCA Bid Award: 3rd Ave Waterline Replacement](#)
- [2. SPRDSHEET Bid Award: 3rd Avenue Waterline Replacement.xls](#)

3. [MC 2020-168](#)**Bid Award: Thomas F. Allt Utilities Complex**

Authorize the City Administrator to execute a contract for Construction Services for the Thomas F. Allt Utilities Complex to the lowest responsive and responsible bidder in the amount of \$5,096,166.28 to: Pilkington Contracting Co., Inc. dba Pilkington Construction Co., Yuma, Arizona. (Engineering / Bid #2021-20000025) (Robin R. Wilson/Jeffrey A. Kramer)

Attachments:

- [1. RFCCA Bid Award: Thomas F. Allt Utilities Complex](#)
- [3. SPRDSHEET Bid Award: Thomas F. Allt Utilities Complex](#)

4. [MC 2020-169](#)**Change Order: Thomas F. Allt Utilities Complex**

Authorize the City Administrator to execute a change order to the approved Design Services Contract with Nicklaus Engineering Inc, in the amount not to exceed \$172,485.00 for architectural services for the Thomas F. Allt Utilities Complex. (Engineering) (Jeffrey A. Kramer)

Attachments:

- [1. RFCCA Change Order: Thomas F. Allt Utilities Complex](#)

5. [MC 2020-170](#)**Cooperative Purchasing Agreement: One Stop Payment Services**

Authorize the purchase of One Stop Payment Services initiated by a Cooperative Purchase Agreement through the City of Peoria, AZ for a period of three years with the option to renew for two one-year periods, depending on the appropriation of funds and satisfactory performance, with an estimated annual expenditure of \$356,884.08 to: Invoice Cloud, Inc. Braintree, Massachusetts (Finance - Bid #2021-20000053) (Lisa Marlin/Robin R. Wilson)

Attachments:[1. RFCCA Cooperative Purchase Agreement: One Stop Payment Services](#)[2. SUPP DOC Cooperative Purchase Agreement: One Stop Payment Services](#)6. [MC 2020-171](#)**Request for Proposal (RFP): Solid Waste Transfer, Disposal & Recycling Services**

Authorize the City Administrator to execute a 10-year contract with the option to renew for two additional five-year periods, one period at a time, depending on the appropriation of funds and satisfactory performance, with the following vendor: Allied Waste Transportation Inc., dba Republic Services of Yuma, Yuma, Arizona (Public Works/Solid Waste - RFP #2020-20000052) (Joel Olea/Robin R. Wilson)

Attachments:[1. RFCCA RFP: Solid Waste Transfer, Disposal & Recycling Svcs.](#)[2. SPRDSHEET RFP: Solid Waste Transfer, Disposal & Recycling Svcs.](#)[3. AGMT RFP: Solid Waste Transfer, Disposal & Recycling Services](#)7. [MC 2020-172](#)**Grant Award Edward Byrne Memorial Justice Assistance Grant (JAG) Program**

Authorize the City Administrator to execute the grant award documents from the U.S. Department of Justice for the Edward Byrne Memorial Justice Grant Program (JAG): Local Solicitation. (Police/Admin) (Susan Smith)

Attachments:[1. RFCCA Grant Award: JAG Program](#)[2. AWARD Grant Award: JAG Program](#)[3. SUPP DOC Grant Award: JAG Program](#)

8. [MC 2020-173](#)**Second Allocation: CDBG funds for COVID-19 Emergency Response**

Authorize the use of CDBG funds from the CARES Act in an amount of \$775,575 to continue an Emergency Rental Assistance Program for households economically impacted by COVID-19-related job losses and continued unemployment. Additionally, funds will be used for equipment and supplies needed to halt virus spread in the homeless population. (Community Development/Neighborhood Services) (Rhonda Lee-James)

Attachments:[1. RFCCA CDBG Funds for COVID-19 Emergency Response](#)[2. 1ST AMENDMENT CDBG Funds for COVID-19 Emergency Response-WACOG](#)[3. 1ST AMENDMENT CDBG Funds for COVID-19 Emergency Response-Crossroads Mission](#)9. [MC 2020-174](#)**Final Plat: Cielo Verde Unit 2B Subdivision**

Approve the final plat for Cielo Verde Unit 2B Subdivision. The property is located at the northeast corner of E. Paraiso Parkway and S. Cielo Verde Drive. The applicant is Jacobson Companies, Inc., on behalf of Stewart Title and Trust of Phoenix, Inc. (SUBD-31315-2020) (Community Development/Community Planning) (Randall D. Crist)

Attachments:[1. RFCCA Final Plat: Cielo Verde Unit 2B Subdivision](#)[2. P&Z REPORT Final Plat: Cielo Verde Unit 2B Subdivision](#)10. [MC 2020-175](#)**Final Plat: Cielo Verde Unit 4 (Phase 1) Subdivision**

Approve the final plat for Cielo Verde Unit 4 (Phase 1) Subdivision. The property is located at the northeast corner of E. 34th Lane and S. Eagle Drive. The applicant is Jacobson Companies, Inc., on behalf of Stewart Title and Trust of Phoenix, Inc. (SUBD-31316-2020) (Community Development/Community Planning)(Randall D. Crist)

Attachments:[1. RFCCA Final Plat: Cielo Verde Unit 4 \(Phase 1\) Subdivision](#)[2. P&Z REPORT Final Plat: Cielo Verde Unit 4 \(Phase 1\) Subdivision](#)

11. [MC 2020-176](#)**Final Plat: Cielo Verde Unit 6 (Phase 1) Subdivision**

Approve the final plat for Cielo Verde Unit 6 (Phase 1) Subdivision. The property is located at the northwest corner of E. 36th Street and S. Eagle Drive. The applicant is Jacobson Companies, Inc., on behalf of Stewart Title and Trust of Phoenix, Inc. (SUBD-31317-2020) (Community Development/Community Planning)(Randall D. Crist)

Attachments:[1. RFCCA Final Plat: Cielo Verde Unit 6 \(Phase 1\) Subdivision](#)[2. P&Z REPORT Final Plat: Cielo Verde Unit 6 \(Phase 1\) Subdivision](#)12. [MC 2020-177](#)**Final Plat: Saguaro Unit No. 4 Subdivision**

Approve the final plat of the Saguaro Unit No. 4 Subdivision. The property is located at the northeast corner of S. Mississippi Avenue (Avenue 7 1/2E) and E. 44th Street. The applicant is Saguaro Desert Development LLC. (Community Development/Community Planning) (Randall Crist)

Attachments:[1. RFCCA Final Plat: Saguaro Unit No. 4 Subdivision](#)[2. P&Z RPT Final Plat: Unit No. 4 Subdivision](#)13. [MC 2020-163](#)**Infrastructure & Services Report: ANEX-30780-2020 Sunset Mobile Home Park**

Approve an Infrastructure and Services Report for Annexation Area No. ANEX-30780-2020, identified as the Sunset Mobile Home Park Annexation, located at 3285 E. 32nd Street. (Community Development/Community Planning) (Randall Crist)

Attachments:[1. RFCCA Infrastructure & Svcs Rpt: Sunset Mobile Home Park](#)

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. [R2020-039](#) **Approval of Election Consolidation, Voting Center Locations and the Election Board**

Approve the voting center locations and consolidation of the precincts, and appoint an election board for the November 3, 2020 Special Election. (City Administration/City Clerk) (Lynda L. Bushong)

Attachments:

- [1. RFCCA 2020 Election Board, Consolidation, Pollworkers](#)
- [2. RES 2020 Election Board, Consolidation, Pollworkers](#)
- [3. EXH A 2020 Election Board, Consolidation, Pollworkers](#)

2. [R2020-041](#) **Re-Order Improvements: Municipal Improvement District No. 104**

Re-Order Improvements for Municipal Improvement District No. 104 to serve Desert Sky Unit 1, to operate, maintain and repair landscaping improvements within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures (Landscape Improvements); declaring the Landscape Improvements to be of more than local or ordinary benefit, and that the costs of the Landscape Improvements for MID No. 104 shall be assessed upon the properties in MID No. 104; providing that the proposed Landscape Improvements shall be performed under Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2. (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Re-Order Improvements MID 104 Desert Sky Unit 1](#)
- [2. RES Re-Order Improvements MID 104 Desert Sky Unit 1](#)
- [3. EXHIBIT A and B MID 104 Desert Sky Unit 1](#)

3. [R2020-043](#)**Re-Order Improvements: Municipal Improvement District No. 107**

Re-Order Improvements for Municipal Improvement District No. 107 to serve Saguaro Units 3 and 4, to operate, maintain and repair landscaping improvements within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures (Landscape Improvements); declaring the Landscape Improvements to be of more than local or ordinary benefit, and that the costs of the Landscape Improvements for MID No. 107 shall be assessed upon the properties in MID No. 107; providing that the proposed Landscape Improvements shall be performed under Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2. (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Re-Order Improvements MID 107 Saguaro Unit 3 and 4](#)
- [2. RES Re-Order Improvements MID 107 Saguaro Units 3 and 4](#)
- [3. EXHIBIT A and B MID 107 Saguaro Units 3 and 4](#)

4. [R2020-044](#)**Preannexation Development Agreement: Avenue C and 5th Street**

Authorize a Preannexation Development Agreement with Celerino A. Gallardo and Vianey Vega for property located at the southeast corner of Avenue C and 5th Street known as the Hueneme West Lot Split in exchange for the City vacating adjacent right-of-way (City Attorney's Office) (Richard Files)

Attachments:

- [1. RFCCA PDA: Ave C & 5th St.](#)
- [2. RES PDA: Ave C & 5th St.](#)
- [3. EXH A PDA: Ave C & 5th St.](#)

5. [R2020-045](#) **Waiver and Acceptance of Abandoned/Vacated State of Arizona Right-of-Way**

Authorize waiver of the four-year advanced notice of abandonment and pavement quality report required in A.R.S. §28-7209, and accept abandoned right-of-way from the Arizona Department of Transportation. (Engineering) (Jeff Kramer)

Attachments:

- [1. RFCCA Waiver and acceptance of abandoned and vacated State of Arizona right-of-way](#)
- [2. RES Waiver and acceptance of abandoned and vacated State of Arizona right-of-way](#)
- [3. EXH A Waiver and acceptance of abandoned and vacated State of Arizona right-of-way](#)
- [4. EXH B Waiver and acceptance of abandoned and vacated State of Arizona right-of-way](#)

6. [R2020-046](#) **Resolution Opposing the Transfer of 4th Priority Colorado River Water from GSC Farms, LLC to the Town of Queen Creek**

Adopt a Resolution Opposing the Transfer of 4th Priority Colorado River Water from GSC Farms, LLC to the Town of Queen Creek. The proposed transfer seeks to move 2,083.1 acre-feet of water to the Town of Queen Creek in Pinal and Maricopa Counties (Transfer). The Resolution urges the Secretary of the Interior to i) require the Bureau of Reclamation to fully comply with all federal environmental laws and the preparation of an Environmental Impact Statement in connection with the Transfer; and ii) delay consideration of the Transfer until the Arizona Reconsultation Committee has had an opportunity to formulate guidance's and policies relating to future Colorado River water transfers that take into account the needs of all Colorado River water users; and iii) deny the Transfer. The Resolution also directs the Yuma City Clerk to provide a copy of the Resolution, as adopted, to the Mayor and Council of the Town of Queen Creek, Arizona, the City of Yuma's Federal and State Legislators, the Governor of Arizona, the Commissioner of the Bureau of Reclamation, the Director of the Arizona Department of Water Resources, and the Statutory Agent of GSC Farm, LLC. (City Administration) (Jay Simonton)

Attachments:

- [1. RFCCA GSC Farms Water Transfer Opposition.docx](#)
- [2. RES GSC Farms Water Transfer Opposition.doc](#)

7. [R2020-047](#)**Second Amendment: Yuma County Intergovernmental Public Transportation Authority**

Authorize the City Administrator to execute a Second Amendment to the Intergovernmental Agreement (IGA) with the Yuma County Intergovernmental Public Transportation Authority (YCIPTA) extending the IGA through December 31, 2023. (Engineering) (Jeff Kramer)

Attachments:[1. RFCCA 2020 IGA Amendment w- YCIPTA.docx](#)[2. RES 2020 IGA Amendment w-YCIPTA.docx](#)[3. EX A 2020 IGA Amendment w-YCIPTA.doc](#)**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. [O2020-020](#)**Zoning Code Text Amendment: Planned Area Development**

Amend Title 15, Chapter 154, Article 14 to establish the Planned Area Development Overlay District (PAD) (Community Development/Community Planning) (Randall Crist)

Attachments:[1. RFCCA Zoning Code Text Amendment: Planned Area Dev.](#)[2. P&Z RPT Zoning Code Text Amendment: Planned Area Dev.](#)[3. ORD Zoning Code Text Amendment: Planned Area Dev.](#)

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. [O2020-019](#) **Annexation Area No. ANEX-30780-2020: Sunset Mobile Home Park**

Authorize annexation of property located at 3285 E. 32nd Street. (ANEX-30780-2020) (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Annexation ANEX-30780-2020: Sunset Mobile Home Park](#)
- [2. PET Annexation ANEX-30780-2020: Sunset Mobile Home Park](#)
- [3. ORD Annexation ANEX-30780-2020: Sunset Mobile Home Park](#)
- [4. MAP Annexation ANEX-30780-2020: Sunset Mobile Home Park](#)

2. [O2020-021](#) **Declare City Right-of-Way Surplus and Authorize Sale: Southeast Corner of Avenue C and 5th Street**

Declare certain City owned right-of-way at the southeast corner of Avenue C and 5th Street surplus for City use and authorize the vacation of the surplus right-of-way to the adjacent property owner pursuant to A.R.S. § 28-7205, in exchange for a new Preannexation Development Agreement. (City Attorney's Office) (Richard Files)

Attachments:

- [1. RFCCA Surplus Property: Ave C and 5th St. ROW](#)
- [2. ORD Surplus Property: Ave C and 5th St. ROW](#)

3. [O2020-022](#)**Declare Surplus and Real Property Exchange and Development Agreement: Arizona West RV Park**

Authorize the City Administrator to execute the appropriate documents to declare certain right-of-way surplus in order to exchange the surplus right-of-way property for fee title to one parcel of 32nd Street right-of-way, and one parcel of Avenue 7E right-of-way, and vacate the surplus right-of-way to the abutting property owner through the recording of a quit claim deed. (Engineering) (Jeffrey Kramer)

Attachments:

[1. RFCCA Real Property Exchange and Development Agreement: Birmingham LLC](#)

[2. ORD Real Property Exchange and Development Agreement: Birmingham LLC](#)

[3. EXH A Real Property Exchange and Development Agreement: Birmingham LLC](#)

FINAL CALL

Final call for submission of Speaker Request Forms for Call to the Public.

V. APPOINTMENTS AND ANNOUNCEMENTS

Discussion and possible action on the following items:

1. Appointments: Various Board and Commission Appointments
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 17, 2020 through October 7, 2020. 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.

VI. 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.

VII. 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.

VIII. 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 Resolution R2020-046 related to opposing the transfer of 4th Priority Colorado River Water from GSC Farms, LLC. (A.R.S. 38-431.03 A3 & A4)
- B. Discussion, consultation with and/or instruction to legal counsel regarding potential sale of properties. (A.R.S. 38-431.03 A3, A4 & A7)

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.