



## City of Yuma City Council Meeting Agenda

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Wednesday, November 16, 2022

5:30 PM

Yuma City Hall Council Chambers  
One City Plaza, Yuma

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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.

### **City Council Chambers will be open with 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](mailto: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](http://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.

### **CALL TO ORDER**

### **INVOCATION**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **FINAL CALL**

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

## 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 2022-209](#) **Regular Council Meeting Draft Minutes**

Attachments: [2022 11 02 RCM Minutes](#)

### B. 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)*

### C. Approval of staff recommendations:

1. [MC 2022-198](#) **Liquor License: Mariscos La Apoma**

Approve a Series #12: Restaurant Liquor License application submitted by Cristian Yllescas, agent for Mariscos La Apoma located at 2500 S. 4th Avenue, Suites 6 & 7. (LL22-18) (City Administration/City Clerk)

Attachments: [1. MAP Liquor License: Mariscos La Apoma](#)

2. [MC 2022-199](#) **Liquor License: Diego's Mexican Food**

Approve a Series #12: Restaurant Liquor License application submitted by Luis Morales Olvera, agent for Diego's Mexican Food located at 2401 S. 4th Avenue. (LL22-19) (City Administration/City Clerk)

Attachments: [1. MAP Liquor License: Diego's Mexican Food](#)

3. [MC 2022-200](#) **Liquor License: The Hills Gastropub**

Approve a Series #6: Bar Liquor License application submitted by Heriberto Guzman, agent for The Hills Gastropub located at 1245 W. Desert Hills Drive. (LL22-20) (City Administration/City Clerk)

Attachments: [1. MAP Liquor License: The Hills Gastropub](#)

4. [MC 2022-201](#)**Concession Services Agreement: Guzman Hospitality Group, LLC**

Authorize the City Administrator to execute a five-year Concession Services Agreement with the option to renew for three additional, three-year terms for the operation of "The Hills Gastropub" Restaurant at the Desert Hills Golf Course to: Guzman Hospitality Group LLC, Yuma, AZ (Parks & Recreation-RFP-22-163) (Eric Urfer/Robin R. Wilson)

**Attachments:**[1. AGMT Guzman Hospitality Group, LLC](#)[2. ATTACHMENT A Guzman Hospitality Group, LLC](#)[3. ATTACHMENT B Guzman Hospitality Group, LLC](#)[4. ATTACHMENT C Guzman Hospitality Group, LLC](#)5. [MC 2022-202](#)**Contract Increase: Fire Sprinkler System Maintenance, Repairs and Related Services**

Approve an increase to the current 5-year contract for System Maintenance, Repairs and Related Services by \$120,000 for a total of \$280,000 to American Fire Equipment. (2017-20000008) (Randall Crist/Justin Lewis/Robin R. Wilson)

6. [MC 2022-203](#)**Cooperative Purchase Agreement: Access Control System Replacement Project**

Authorize the utilization of a State of Arizona cooperative purchase agreement for the purchase of an Access Control System at an estimated total amount of \$252,836.07 excluding tax to: Benson Security Systems, Inc., Gilbert, AZ (Building Safety-CPA-23-001) (Randall Crist/Robin R. Wilson)

7. [MC 2022-204](#)**Cooperative Purchase Agreement: Additional Microsoft Subscription Volume License**

Authorize a cooperative purchase through Omnia Partners for additional Microsoft Subscription Volume Licenses for an estimated annual increase of \$285,000.00 from SHI, Somerset, New Jersey (IT-CPA-23-001) (Isaiah Kirk/Robin R. Wilson)

8. [MC 2022-205](#)**Cooperative Purchase Agreement: Restaurant Equipment**

Authorize the purchase of various commercial restaurant equipment to Arizona Restaurant Supply, Tucson, AZ utilizing the Mohave Educational Services cooperative purchase agreement for an estimated expenditure of \$131,000.00. (Parks and Recreation-CPA-23-125) (Eric Urfer/Robin R. Wilson)

**Attachments:**[1. SUPP DOC CPA: Restaurant Equipment](#)

9. [MC 2022-206](#)**Grant Agreement: Critical Incident Stress Management and Mental Health Resiliency Training**

Authorize the City Administrator to execute a pass through grant agreement with the Community Foundation for Southern Arizona, Howard V. Moore Foundation. (Police/Patrol) (Susan Smith)

**Attachments:**

[1. AGMT Grant Agreement: Howard V. Moore Grant](#)

[2. SUPP Grant Agreement: Howard V. Moore Grant](#)

10. [MC 2022-207](#)**Software Subscription Renewal: Tyler Technologies**

Authorize the renewal of the annual software subscription for a total expenditure of \$153,994.49 to: Tyler Technologies, Inc., Dallas, Texas (Finance/IT/RFP #2011000118) (Douglas Allen/Isaiah Kirk/Robin R. Wilson)

**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. [R2022-044](#)**Intent to Create Municipal Improvement District No. 124: La Vida Subdivision**

Approve the creation of Municipal Improvement District (MID) No. 124 to serve La Vida Subdivision located at the northwest corner of 8E and 36th Street. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

**Attachments:**

[1. MAP MID 124: Intent to Create - La Vida Subdivision](#)

[2. RES MID 124: Intent to Create - La Vida Subdivision](#)

[3. EXH A MID 124: Intent to Create - La Vida Subdivision](#)

**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. [O2022-035](#)      **Annexation Area No. ANEX-39735-2022: Faulkner**  
Authorize annexation of property located at 868 and 920 S. Avenue B. (ANEX-39735-2022). (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)  
  
**Attachments:**      [1. PET Annex: 868 and 920 S. Ave B](#)  
                                 [2. ORD Annex: 868 and 920 S. Ave B](#)
  
2. [O2022-050](#)      **Declare Real Property Surplus and Authorize Sale**  
Declare City of Yuma owned real property surplus and authorize sale to the adjacent property owner: 1651 S. 1st Avenue; APN: 665-36-062. (City Engineer) (David Wostenberg)  
  
**Attachments:**      [1. MAP Declare Surplus and Authorize Sale: 1651 S. 1st Avenue](#)  
                                 [2. ORD Declare Surplus and Authorize Sale: 1651 S. 1st Avenue.](#)

#### 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. [O2022-053](#)      **Text Amendment: Subdivision Code**  
Amend Title 15, Chapter 153 of the Yuma City Code (YCC) to update provisions related to the Subdivision Code. (Planning and Neighborhood Svc./Community Planning) (Alyssa Linville)  
  
**Attachments:**      [1. P&Z REPORT Subdivision Code Amendment](#)  
                                 [2. ORD Subdivision Code Amendment](#)

#### V. PUBLIC HEARING AND RELATED ITEMS

1. [MC 2022-208](#)      **Annexation Area No. ANEX-40532-2022: Avenue B**  
This is a public hearing to consider the annexation of property located at the northeast corner of 28th Street and Avenue B. (ANEX-40532-2022). (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)  
  
**Attachments:**      [1. PET Annex: northeast corner of 28th Street and Ave B](#)  
                                 [2 RESEARCH Annex: northeast corner of 28th Street and Avenue B](#)  
                                 [3 MAP Annex: northeast corner of 28th Street and Ave B](#)

*The following Public Hearing may result in the adoption of Resolution R2022-045*

2. [R2022-045](#)

**Major General Plan Amendment: Windhaven RV Park**

Hold a Public Hearing and adopt a resolution to amend the City of Yuma General Plan to change the land use designation from Commercial to High Density Residential for properties located at 6580 and 6620 E. 32nd Street. The applicant is E.M. Capital Inc. (GP-40072-2022) (Planning and Neighborhood Services) (Alyssa Linville)

**Attachments:**

[1. P&Z RPT GP Amendment: Windhaven RV Park](#)

[2. RES GP Amendment: Windhaven RV Park](#)

## **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:

- Building Advisory Board - three reappointments
- Design and Historic Review Commission - two reappointments
- Merit System Board - two reappointments
- Parks, Arts, and Recreation Commission - two reappointments
- Planning and Zoning Commission - two appointments
- Residential Advisory Board - one reappointment
- Water and Sewer Commission - two reappointments

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 November 3, 2022 through November 16, 2022. 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 potential sale of multiple parcels of real property. (A.R.S. 38-431.03 A3, A4 & A7)
- B. Discussion, consultation with and/or instruction to legal counsel regarding acquisition of different parcels of real property. (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.