



City of Yuma City Council Meeting Summary

Wednesday, May 4, 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

5:31 PM

INVOCATION

COUNCILMEMBER JACOB MILLER, DESTINY CHRISTIAN CHURCH

PLEDGE OF ALLEGIANCE

RON CORBIN, HUMAN RESOURCES DIRECTOR

ROLL CALL

Present: 7 - Mayor Douglas J. Nicholls, Deputy Mayor William Craft, Councilmember Gary Knight , Councilmember Gary Wright , Councilmember Edward C. Thomas , Councilmember Jacob Miller and Councilmember Michael Shelton

FINAL CALL

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

PRESENTATIONS

There are no presentations scheduled at this time.

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.

Approval of the Consent Agenda

A motion was made by Councilmember Knight, seconded by Councilmember Thomas, to APPROVE the Motion Consent Agenda with the exception of item B.7. The motion carried by the following vote:

Aye: 7 - Mayor Nicholls, Deputy Mayor Craft, Councilmember Knight, Councilmember Wright, Councilmember Thomas, Councilmember Miller, and Councilmember Shelton

A. Approval of minutes of the following City Council meeting(s):

1. [MC 2016-105](#) **Regular City Council Meeting Draft Minutes January 6, 2016**
Attachments: [1. 2016_01_06_RCM_Minutes](#)
APPROVED
2. [MC 2016-106](#) **Regular City Council Meeting Draft Minutes January 20, 2016**
Attachments: [1. 2016_01_20_RCM_Minutes](#)
APPROVED
3. [MC 2016-107](#) **Special Worksession/Legislative Day Draft Minutes January 28, 2016**
Attachments: [1. 2016_01_28_SWS.Legislative Day](#)
APPROVED

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 2016-099](#) **Special Event Liquor License: Yuma Foothills Rotary - Paint the Town Red**

Approve a Special Event Liquor License Application submitted by Angela Mitchell, on behalf of Yuma Foothills Rotary, for the Paint the Town Red event. The event will take place at the Historic Gowan Building located at 370 S. Main Street on Saturday, May 7, 2016, from 6:00 p.m. to 12:00 a.m. (SP16-15) (City Administration/City Clerk) (Lynda L. Bushong)

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

APPROVED

3. [MC 2016-100](#) **Permanent Extension of Premises: Yuma County Airport Authority, Inc. - Yuma International Airport Restaurant**

Approve an Application for Permanent Extension of Premises submitted by Gerald Hinkle, agent for Yuma International Airport Restaurant, located at 2191 E. 32nd Street (EP16-02) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Permanent Extension of Premises: Yuma County Airport Authority](#)

APPROVED

4. [MC 2016-101](#) **Liquor License: Starbucks Coffee #14665**

Approve a new Series #12 Restaurant Liquor License Application submitted by Andrea Lewkowitz, agent for Starbucks Coffee #14665, located at 1630 S. Pacific Ave. (LL16-07) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: Starbucks Coffee #14665](#)

APPROVED

5. [MC 2016-102](#) **Liquor License: The Patio Restaurant**

Approve a Person/Location Transfer for a #06 Bar Liquor License Application submitted by Alejandro Trujillo, agent for Chef Alex Group LLC dba The Patio Restaurant, located at 1245 W. Desert Hills Drive (LL16-08) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: The Patio Restaurant](#)

APPROVED

6. [MC 2016-103](#) **Century Link Managed Services 9-1-1 Agreement with Yuma Public Safety Communications Center**

Authorize the City Administrator to execute an agreement with Century Link to provide next generation services for the 9-1-1 system. (Police/Communications) (John Lekan)

Attachments: [1. RFCCA Century Link MSA Agreement](#)
[2. AGMT CenturyLink MSA Agreement](#)

APPROVED

7. [MC 2016-104](#) **Amended Final Plat: La Tierra Subdivision**

Approve the amended final plat for the La Tierra Subdivision. The subdivision is located at the southwest corner of Avenue C and the Central Drain. The applicant is Core Engineering Group, PLLC, on behalf of Diez Familia, LLC. (SUBD-13498-2016). (Community Development/Community Planning) (Laurie Lineberry)

Attachments: [1. RFCCA Amended Final Plat: La Tierra Subdivision](#)
[2. RPT Amended Final Plat: La Tiera Subdivision](#)

A motion was made by Councilmember Knight, seconded by Councilmember Thomas, that this motion be APPROVED. The motion carried by the following vote:

Aye: 6 - Deputy Mayor Craft, Councilmember Knight, Councilmember Wright, Councilmember Thomas, Councilmember Miller, and Councilmember Shelton

COI: 1 - Mayor Nicholls

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.

There are no resolutions scheduled for adoption at this time.

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. [O2016-010](#) **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. RPT Zoning Code Text Amendment: Off-Site Signs](#)
- [3. ORD Zoning Code Text Amendment: Off-Site Signs.doc](#)

A Motion was made by Councilmember Knight, seconded by Deputy Mayor Craft, that this ordinance be CONTINUED to the Regular City Council Meeting of 6/1/2016. The motion carried by the following vote:

Aye: 7 - Mayor Nicholls, Deputy Mayor Craft, Councilmember Knight, Councilmember Wright, Councilmember Thomas, Councilmember Miller, and Councilmember Shelton

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. [O2016-012](#) **Establishment of a Workers' Compensation Trust and a Worker's Compensation Trust Board**

Adopt an Ordinance establishing a Workers' Compensation Trust and a Worker's Compensation Trust Board. (Human Resources) (Ron Corbin)

Attachments:

- [1. RFCCA Workers Comp Trust and a Workers Comp Board](#)
- [2. ORD Est. a Workers Comp Trust and a Workers Comp Board](#)

INTRODUCED

2. [O2016-013](#) **Rezoning of Property: Approximately .15 acres located 170 feet south of the southwest corner of 5th Avenue and 16th Street, Yuma, AZ.**

Approve the rezone of .15 acres from the Transitional (TR) District to the General Commercial (B-2) District. The property is located 170 feet south of the southwest corner of 5th Avenue and 16th Street, Yuma, AZ (ZONE-13178-2016). (Community Development/Community Planning) (Laurie Lineberry)

Attachments: [1. RFCCA Rezoning: 5th Ave & 16th Street](#)
[2. RPT. Rezoning: 5th Ave & 16th Street](#)
[3. ORD Rezoning: 5th Ave & 16th Street](#)

INTRODUCED

3. [O2016-014](#) **Rezoning of Property: 1101 & 1109 S. 3rd Avenue, Yuma, AZ.**

Rezone approximately 0.48 acres from the Light Industrial (L-I) District to the General Commercial (B-2) District and to the Medium Density Residential (R-2) District. The property is located at 1101 & 1109 S. 3rd Avenue (the southeast corner of 3rd Avenue and 11th Street) Yuma, AZ. (ZONE-13179-2016). (Community Development/Community Planning) (Laurie Lineberry)

Attachments: [1. RFCCA Rezoning of Property: 1101 & 1109 S. 3rd Ave.](#)
[2. RPT. Rezoning of Property: 1101 & 1109 S. 3rd Ave.](#)
[3. ORD Rezoning of Property: 1101 & 1109 S. 3rd Ave](#)

INTRODUCED

The following discussion may result in the adoption of Resolution R2016-012

V. PUBLIC HEARING FOR 2016-2017 BUDGET & RELATED ACTIONS

The following discussion may result in the adoption of Resolution R2016-013

1. [R2016-012](#) **The Capital Improvement Program for Fiscal Years 2017 through 2021**

Adopt the Capital Improvement Program for Fiscal Years 2017 through 2021 pursuant to Yuma City Charter, Article XIII, Section 11. (City Administration) (Czarina Gallegos)

Attachments: [1. RFCCA CIP Budget for FY 2017-2021](#)
[2. RES CIP Budget for FY 2017-2021](#)

ADOPTED

The following discussion may result in the introduction of Ordinance O2016-015

2. [R2016-013](#) **Final Budget Adoption for Fiscal Year 2016-2017**

Adopt the City of Yuma Budget for Fiscal Year 2016-2017 in the amount of \$226,798,413 which includes a Capital Improvement Program Budget of \$53,162,500, and an Operating Budget of \$173,635,913. (Finance/Administration) (Pat Wicks)

Attachments: [1. RFCCA - 2016-2017 final budget](#)
[2. RES - 2016-2017 Final Budget](#)
[3. SUP DOC - 2016-17 Schedules](#)

PUBLIC HEARING HELD/ADOPTED

3. [O2016-015](#) **Adopt the 2016-2017 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy**

Adopt the 2016-2017 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy.
(Finance/Administration) (Pat Wicks)

Attachments: [1. RFCCA Adoption of 2016-2017 Tax Levy](#)
[2. ORD Adoption of 2016-2017 Tax Levy](#)

INTRODUCED

FINAL CALL

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

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

APPOINTMENT MADE

Discussion and possible action on the following items:

1. Appointments:

- *Library Board of Trustees: One reappointment to expire 6/30/2019*

2. Announcements:

REPORTED

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 April 21, 2016 through May 4, 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

REPORTED

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. NOTIFICATION TO MAYOR AND COUNCIL

REPORTED

Pursuant to the Yuma City Charter and Arizona Revised Statutes, the City Clerk will give formal notification of the petition verification on Referendum REF2016-01 related to Ordinance O2016-006, the rezoning of properties located at the northwest corner of 24th Street and Avenue 9E, that was submitted to the Clerk's Office by the Political Action Committee Resident's Again Saguaro Apartments.

IX. CALL TO THE PUBLIC

NO LEGAL ACTION PERMITTED

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.

X. EXECUTIVE SESSION**EXECUTIVE SESSION NOT HELD**

A. Discussion, consultation with and/or instruction to legal counsel, regarding the City of Yuma v. PMG Partnership, LLC. (A.R.S. 38-431.03 A3 & A4)

B. Discussion, consultation with and/or instruction to legal counsel, regarding a contract termination. (A.R.S. 38-431.03 A3 & A4)

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:

ADJOURNMENT**6:41 PM**

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.