



# City of Yuma City Council Meeting Summary

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Wednesday, June 1, 2016

5:30 PM

Yuma City Hall Council Chambers  
One City Plaza, Yuma

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*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

5:33 P.M.

## INVOCATION

CAPTAIN RANDY HARTT, SALVATION ARMY

## PLEDGE OF ALLEGIANCE

JOEL OLEA, DIRECTOR OF PUBLIC WORKS

## 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

### 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):

Approval of the Consent Agenda

**A motion was made by Deputy Mayor Craft, seconded by Councilmember Knight, to APPROVE the Motion Consent Agenda. 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

1. [MC 2016-124](#) **Regular City Council Worksession Draft Minutes February 16, 2016**

**Attachments:** [1. 2016\\_02\\_16\\_RWS\\_Minutes](#)

**APPROVED**

2. [MC 2016-125](#) **Regular City Council Meeting Draft Minutes March 2, 2016**

**Attachments:** [1. 2016\\_03\\_02\\_RCM\\_Minutes](#)

**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 2016-120](#) **Special Event Liquor License: Yuma Rotary Club - Dueling Pianos**

Approve a Special Event Liquor License Application submitted by Lonie Ross-Misenhimer on behalf of Yuma Rotary Club for Dueling Pianos. The event will take place at the Arizona Western College Schoenig Conference Center located at 2020 S. Avenue 8E on Saturday, July 23, 2016, from 5:00 p.m. to 12:00 a.m. (SP16-16) (City Administration/City Clerk) (Lynda L. Bushong)

**Attachments:** [1. RFCCA Special Event LL: Yuma Rotary Club](#)  
[2. MAP Special Event LL: Dueling Pianos.pdf](#)  
[3. SUMMARY Special Event LL: Dueling Pianos](#)

**APPROVED**

3. [MC 2016-121](#) **Memorandum of Understanding: Crane School District No. 13**

Authorize the City Administrator to execute a Memorandum of Understanding with Crane Elementary School District No. 13 in support of the United States Department of Justice Community Oriented Policing Services 2013 Hiring Program Grant.  
(Police/Patrol) (John Lekan)

**Attachments:**     [1. RFCCA MOU Crane School District for NSRO](#)  
                                 [2. MOU Crane School District for NSRO](#)

**APPROVED**

4. [MC 2016-122](#) **Memorandum of Understanding: Yuma Elementary School District No. 1**

Authorize the City Administrator to execute a memorandum of understanding with Yuma Elementary School District No. 1 in support of the United States Department of Justice Community Oriented Policing Services 2013 Hiring Program Grant.  
(Police/Patrol) (John Lekan)

**Attachments:**     [1. RFCCA MOU Yuma Elementary School District 1 for NSRO](#)  
                                 [2. MOU Yuma Elementary School District 1 for NSRO](#)

**APPROVED**

5. [MC 2016-123](#) **Memorandum of Understanding: Naval Criminal Investigative Service for SoCal LInX**

Authorize the City Administrator to sign a Memorandum of Understanding with the Naval Criminal Investigative Service (NCIS) to share and access law enforcement information and records with NCIS and other partnering agencies via SoCal LInx.  
(Police/Administration) (John Lekan)

**Attachments:**     [1. RFCCA MOU LInx](#)  
                                 [2. AGR MOU LInx](#)  
                                 [3. APPENDIX MOU LInx](#)

**APPROVED**

## 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 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](#)

**RE-INTRODUCED AS AMENDED**

### 2. [O2016-011](#)      **Lease: Yuma Private Industry Council**

Authorize the City Administrator to execute a lease agreement with Yuma Private Industry Council for use of the Dr. Martin Luther King, Jr., Neighborhood Center. (Community Development/Neighborhood Services) (Laurie Lineberry).

**Attachments:**      [1. RFCCA MLK Center Lease](#)  
[2. AGR MLK Center Lease](#)  
[3. ORD MLK Center Lease](#)

**This ordinance was ADOPTED by a unanimous vote of all City Councilmembers in attendance.**

3. [O2016-016](#) **Rezoning of Property: Approximately 5.82 acres located at 5635 E. Gila Ridge Road**

Approve the rezone of 5.82 acres from the Agriculture (AG) District to the Light Industrial (L-I) District. The property is located at 5635 E. Gila Ridge Road (ZONE-13271-2016). (Community Development/Community Planning) (Laurie Lineberry)

**Attachments:**     [1. RFCCA Rezoning of Property: 5635 E. Gila Ridge Rd.](#)  
[2. P&Z Rpt. Rezoning of Property: 5635 E. Gila Ridge Road](#)  
[3. ORD Rezoning of Property: 5635 E. Gila Ridge Rd.](#)

**This ordinance was ADOPTED, by a unanimous vote of all City Councilmembers in attendance.**

#### 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. [O2016-017](#) **Government Property Land and Improvements Lease: Sixteen & Four, LLC.**

Authorize (1) accepting title to land and improvements at the northwest corner of 16th Street and 4th Avenue; (2) an eight-year government property land and improvements lease with Sixteen & Four, LLC, as the statutory prime lessee; (3) abatement of the government property lease excise tax for the term of the lease; and, (4) reconveyance of the land and improvements to the prime lessee at the conclusion of the lease. (This item must be adopted by a simple majority vote without the use of the consent calendar) (City Administration/YCNHAC) (Charles Flynn)

**Attachments:**     [1. RFCCA Sixteen & Four LLC](#)  
[2. LEASE Sixteen & Four](#)  
[3. ORD Sixteen & Four LLC](#)  
[4. NOTICE Sixteen & Four LLC](#)  
[5. NOTICE Sixteen & Four LLC](#)  
[6. MEMO Sixteen & Four LLC](#)

**INTRODUCED**

## 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:

#### **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 May 19, 2016 through June 1, 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. 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.*

## IX. EXECUTIVE SESSION

### EXECUTIVE SESSION NOT HELD

*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)
- B. Discussion, consultation with and/or instruction to legal counsel, regarding LaMarche v. CO et al (A.R.S 38-431.03 A3 & A4)
- C. 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)
- D. Discussion, consultation with and/or instruction to legal counsel, regarding the Government Property Land and Improvements Lease with Sixteen & Four, LLC. (A.R.S 38-431.03 A3 & A4)

## ADJOURNMENT

### 6:45 P.M.

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.