



City of Yuma City Council Meeting Summary

Wednesday, February 7, 2018

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.

CALL TO ORDER

5:33 PM

INVOCATION

COUNCILMEMBER JACOB MILLER

PLEDGE OF ALLEGIANCE

JOEL OLEA, DIRECTOR OF PUBLIC WORKS

ROLL CALL

Present: 6 - Mayor Douglas J. Nicholls, Deputy Mayor Gary Knight, Councilmember Leslie L. McClendon, Councilmember Jacob Miller, Councilmember Michael Shelton and Councilmember Karen Watts
Absent: 1 - Councilmember Edward C. Thomas

FINAL CALL

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

PRESENTATIONS

PRESENTATIONS MADE

- Recognition of Distinguished Budget Award from the Government Finance Officers Association
- Presentation of tribal gaming proceeds from Quechan Indian Tribe

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 Deputy Mayor Knight, seconded by Councilmember Miller, to APPROVE the Motion Consent Agenda as recommended and amended with the exception of items B.13 and B.14. The motion carried by the following vote:

Aye: 6 - Mayor Nicholls, Deputy Mayor Knight, Councilmember McClendon, Councilmember Miller, Councilmember Shelton, and Councilmember Watts

Absent: 1 - Councilmember Thomas

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

1. [MC 2018-027](#) **Regular Council Worksession Draft Minutes December 5, 2017**

Attachments: [2017 12 05 RWS Minutes](#)

APPROVED

2. [MC 2018-028](#) **Regular Council Meeting Draft Minutes August 2, 2017**

Attachments: [2017 08 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 2018-014](#) **Special Event Liquor License: Yuma Center for Spiritual Living - Talent Show & Auction**

Approve a Special Event Liquor License application submitted by Carolyn Bennett on behalf of the Yuma Center for Spiritual Living for a Talent Show & Auction. The event will take place at the Yuma Center for Spiritual Living, 781 S. 2nd Avenue, on Saturday, February 10, 2018, from 6:30 p.m. to 12:00 a.m. (SP18-08) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Yuma Center for Spiritual Living](#)

APPROVED

3. [MC 2018-015](#) **Special Event Liquor License: Caballeros de Yuma - Midnight at the Oasis**

Approve a Special Event Liquor License application submitted by Barry Olsen on behalf of the Caballeros de Yuma for Midnight at the Oasis. The event will take place at Desert Sun Stadium located at 1280 W. Desert Sun Drive on Friday, March 2, 2018, from 8:00 a.m. to 12:00 a.m.; Saturday, March 3, 2018, from 8:00 a.m. to 12:00 a.m.; and Sunday, March 4, 2018, from 8:00 a.m. to 2:00 p.m. (SP18-10) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Caballeros de Yuma](#)

APPROVED

4. [MC 2018-016](#) **Special Event Liquor License: Caballeros de Yuma - Bull of the Desert Strongman Event**

Approve a Special Event Liquor License application submitted by Barry Olsen on behalf of the Caballeros de Yuma for the Bull of the Desert Strongman Event. The event will take place at Desert Sun Stadium located at 1280 W. Desert Sun Drive on Saturday, February 17, 2018, from 9:00 a.m. to 9:00 p.m. (SP18-11) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Caballeros de Yuma](#)

APPROVED

5. [MC 2018-017](#) **Special Event Liquor License: North End Rotary Club - Lettuce Days**

Approve a Special Event Liquor License application submitted by Anne Fisher on behalf of North End Rotary Club for Lettuce Days. The event will take place on the 200-300 block of Main Street on Friday, February 23, 2018, from 5:00 p.m. to 10:00 p.m. and on Saturday, February 24, 2018, from 10:00 a.m. to 5:00 p.m. (SP18-12) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: North End Rotary Club](#)

APPROVED

6. [MC 2018-018](#) **Bid Award: Paint and Paint Supplies**

Award to the lowest responsive and responsible bidders for paint and paint supplies, as needed, a one-year contract, with the option to renew four additional one-year periods, depending on appropriation of funds and satisfactory performance, at an estimated annual expenditure of \$40,000.00 to: LG Paint Store - Yuma, Arizona, Plaza Paint - Yuma, Arizona, and PPG Industries - Peoria, Arizona. (Bid #2018-20000096 - Citywide) (Robin Wilson)

Attachments: [1. RFCCA Bid Award: Paint and Paint Supplies](#)
[2. SPRDSHEET Bid Award: Paint and Paint Supplies](#)

APPROVED

7. [MC 2018-019](#) **Contract: Landscape Services - Consulting and Construction**

Authorize City Administrator to negotiate and execute a one year Job Order Contract for landscape construction and consulting services, with the option to renew for four additional one year periods, one period at a time, depending on the appropriation of funds and satisfactory performance, with the following Contractors: APV Curbing Landscape & Masonry; Yuma, Arizona; Arbor Tech Tree & Landscape Services; Yuma, Arizona and JSA Company; Yuma, Arizona. (Public Works / Streets - RFQ #2018-20000018) (Joel Olea / Robin R. Wilson)

Attachments: [1. RFCCA Contract: Landscape Services - Consulting and Construction](#)

APPROVED

8. [MC 2018-020](#) **Contract: Landscape Services - Maintenance**

Authorize City Administrator to execute a one-year contract for landscape maintenance with the option to renew for four additional one year periods, one period at a time, depending on the appropriation of funds and satisfactory performance, with the following Contractors: Arbor Tech Tree & Landscape Services; Yuma, Arizona; JSA Company; Yuma, Arizona and West Coast Arborists, Inc.; Anaheim, California; (Public Works / Streets - RFQ #2018-20000056) (Joel Olea / Robin R. Wilson)

Attachments: [1. RFCCA Contract: Landscape Services - Maintenance](#)

APPROVED

9. [MC 2018-021](#) **Cooperative Purchase Agreement: Public Safety and Emergency Preparedness Equipment**

Authorize the purchase of public safety equipment through a cooperative purchase agreement initiated by US Communities for a period of one year with the option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance, for an estimated annual expenditure of \$120,000 to: Mallory Safety & Supply, LLC, Fremont, California (Bid #2017-20000143 Police/Public Safety) (Lisa Culp)

Attachments: [1. RFCCA Cooperative Purchasing Agreement: Public Safety and Emergency Preparedness Equipment](#)

APPROVED

10. [MC 2018-022](#) **Cooperative Purchase Agreement: Consultant for Development Fee Updates**

Authorize the purchase of services for development fee consultant utilizing the City of Tempe contract, at a not to exceed amount of \$125,000.00 to: TischlerBise Inc., Bethesda, Maryland, (Engineering - Bid #2016-20000081) (Andrew McGarvie/Robin R. Wilson)

Attachments: [1. RFCCA Cooperative Purchase Agreement: Development Fee Updates](#)

APPROVED

11. [MC 2018-023](#) **Cooperative Purchase Agreement: Ground Maintenance Vehicles, Equipment and Services**

Authorize the expenditure for ground maintenance vehicles, equipment and services contract utilizing any one of the awarded vendors listed on the Mohave Educational Services Cooperative purchase agreement an estimated annual expenditure of \$138,000.00 from the following: A&G Turf Equipment, Phoenix, Arizona; Bingham Equipment Company, Yuma, Arizona; Deere & Company, Gary, North Carolina; Jacobsen, Tempe, Arizona and Simpson Norton, Goodyear, Arizona. (Parks and Recreation / Bid File #2016-20000057) (Debbie Wendt / Robin Wilson)

Attachments: [1. RFCCA Bid #2018-20000119 Ground Maintenance Vehicles, Equipment and Services .docx](#)

APPROVED AS AMENDED

12. [MC 2018-024](#) **Delivery Order Authorization: Construction Management Services for Fleet Services Maintenance Facility**

Authorize a delivery order with Consultant Engineering, Inc. (CEI), in an amount not to exceed \$249,580.00 for construction management services on the Fleet Services Maintenance Facility pursuant to the City's Professional Engineering and Other Related Consultant Services Job Order Contract. (Engineering) (Jeffrey A. Kramer)

Attachments: [1. RFCCA Job Order Authorization CMS for Fleet Maintenance Facility](#)

APPROVED

13. [MC 2018-026](#) **Ratification of Job Order Authorization: Emergency Repairs to Manhole #1345**

Ratify a job order issued to DPE Construction, Inc. (DPE) in an amount not to exceed \$137,376.00, for emergency repairs to a manhole located between the east side of the Radisson Hotel and Interstate 8, pursuant to the City's Utility and Roadway Infrastructure Job Order Contract. (Engineering) (Jeffrey A. Kramer)

Attachments: [1. RFCCA JOC Authorization Radisson Hotel Manhole #1345](#)

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

Aye: 6 - Mayor Nicholls, Deputy Mayor Knight, Councilmember McClendon, Councilmember Miller, Councilmember Shelton, and Councilmember Watts

Absent: 1 - Councilmember Thomas

14. [MC 2018-025](#) **Public Record Declaration: Maricopa Association of Governments Uniform Standard Specifications and Details for Public Works Construction with City of Yuma Supplement to MAG Uniform Standard Specifications for Public Works Construction**

Declare certain documents entitled "Maricopa Association of Governments Uniform Standard Specifications and Details for Public Works Construction" and "City of Yuma Supplement to MAG Uniform Standard Specifications for Public Works Construction" public records and order filing of those public records in the office of the City Clerk. (Engineering) (Jeff Kramer)

Attachments: [1. RFCCA Public Record Declaration Maricopa Association of Governments](#)

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

Aye: 6 - Mayor Nicholls, Deputy Mayor Knight, Councilmember McClendon, Councilmember Miller, Councilmember Shelton, and Councilmember Watts

Absent: 1 - Councilmember Thomas

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. [R2018-001](#) **Resolution of Support: Celebration At Felicity**

Adopt a resolution supporting the Friday, March 9, 2018 Celebration At Felicity, requested by Mayor Jacques-Andre Istel of Felicity, California. (City Administration) (Greg Wilkinson)

Attachments: [1. RFCCA Res of Support: Celebration at Felicity](#)
[2. RES Res of Support: Celebration at Felicity](#)

A motion was made by Deputy Mayor Knight, seconded by Councilmember Shelton, that this resolution be ADOPTED. The motion carried by the following vote:

Aye: 6 - Mayor Nicholls, Deputy Mayor Knight, Councilmember McClendon, Councilmember Miller, Councilmember Shelton, and Councilmember Watts

Absent: 1 - Councilmember Thomas

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. [O2018-005](#) **Rezoning of Property: 633, 641, and 643 S. 5th Avenue**

Rezone approximately 14,000 square feet from the General Commercial/Bed and Breakfast Overlay/Infill Overlay (B-2/BB/IO) District to the Medium Density Residential/Bed and Breakfast Overlay/Infill Overlay (R-2/BB/IO) District (ZONE-19958-2017). (Community Development/Community Planning) (Laurie Lineberry)

Attachments: [1. RFCCA Rezoning of Property: 633, 641 and 643 S. 5th Ave](#)
[2. P&Z RPT Rezoning of Property: 633, 641 and 643 S. 5th Ave](#)
[3. ORD Rezoning of Property: 633, 641 and 643 S. 5th Ave](#)

A motion was made by Councilmember Miller, seconded by Councilmember McClendon, that this ordinance be ADOPTED. The motion carried by the following vote:

Aye: 5 - Deputy Mayor Knight, Councilmember McClendon, Councilmember Miller, Councilmember Shelton, and Councilmember Watts

Absent: 1 - Councilmember Thomas

COI: 1 - Mayor Nicholls

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. [O2018-007](#) **Adopt Standard Specifications for Public Works Construction**

Adopt standard specifications relating to the construction or alteration of streets, public utilities, public rights-of-way and other publicly owned properties within the city limits of the City of Yuma and amend Chapter 210 of the Yuma City Code to incorporate and adopt, by reference, standard construction specifications published by Maricopa Association of Governments with the Yuma Supplement as the standard requirements in the City of Yuma. (Engineering) (Jeffrey A. Kramer)

- Attachments:** [1. RFCCA Adopt Construction Specifications for Public Works Construction](#)
[2. ORD Adopt Construction Specifications for Public Works Construction](#)

**ORDINANCE O2018-007 WAS CONTINUED TO THE MARCH 7, 2018,
REGULAR CITY COUNCIL MEETING.**

V. PUBLIC HEARING AND RELATED ITEMS

1. [O2018-008](#) **Rezoning of Property: 1451 S. Avenue B**

Rezone two parcels containing 4.8 acres from the Agriculture (AG) Zoning District to the High Density Residential (R-3) District. The properties are located approximately 625 feet north of the northeast corner of 16th Street and Avenue B. (Community Development/Community Planning) (Laurie Lineberry)

- Attachments:** [1. RFCCA Rezoning of Property: 1451 S. Ave. B](#)
[2. P&Z Rpt. Rezoning of Property: 1451 S. Ave. B](#)
[3. ORD Rezoning of Property: 1451 S. Ave. B](#)

PUBLIC HEARING HELD. ORDINANCE O2018-008 INTRODUCED.

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:

APPOINTMENTS MADE

MAYOR'S COMMITTEES:

- Greater Yuma Port Authority (GYPA): Citizen Appointment

APPOINTIVE OFFICERS:

- Finance Director

BOARD AND COMMISSION APPOINTMENTS:

- Building Advisory Board: Three reappointments
- Merit Board: One appointment
- Planning and Zoning: One appointment
- Residential Advisory Board: One reappointment
- Yuma Fire Public Safety Board: One appointment
- Yuma Public Safety Police Board: One appointment

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 January 18, 2018 through February 7, 2018. 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. PMG Partnership, LLC. (A.R.S 38-431.03 A3 & A4)

B. Discussion, consultation with and/or instruction to legal counsel, regarding Avenue 6E Investments, et al v. COY (A.R.S 38-431.03 A3 and A4)

ADJOURNMENT

8:20 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.