



City of Yuma City Council Meeting Summary

Wednesday, March 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

5:32 PM

INVOCATION

DEACON DAVID CLARK, IMMACULATE CONCEPTION CHURCH

PLEDGE OF ALLEGIANCE

FINANCE DIRECTOR, LISA MARLIN

ROLL CALL

Present: 7 - Mayor Douglas J. Nicholls, Deputy Mayor Gary Knight, Councilmember Leslie L. McClendon, Councilmember Jacob Miller, Councilmember Michael Shelton, Councilmember Edward C. Thomas and Councilmember Karen Watts

FINAL CALL

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

PRESENTATIONS

PRESENTATIONS MADE

- Board and Commission Recognitions
- Proclamation for Purchasing Month

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 Thomas, to APPROVE the Motion Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Nicholls, Deputy Mayor Knight, Councilmember McClendon, Councilmember Miller, Councilmember Shelton, Councilmember Thomas, and Councilmember Watts

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

1. [MC 2018-045](#) **Regular Council Meeting Draft Minutes September 6, 2017**

Attachments: [2017 09 06 RCM Minutes](#)

APPROVED

2. [MC 2018-046](#) **Regular Council Worksession Draft Minutes December 19, 2017**

Attachments: [2017 12 19 RWS 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 2018-040](#) **Special Event Liquor License: Immaculate Conception Church - Mother's Day Dinner & Dance**

Approve a Special Event Liquor License application submitted by Oscar Chavez on behalf of Immaculate Conception Church for the Mother's Day Dinner & Dance. The event will take place at Immaculate Conception Church, 501 S. Avenue B on Saturday, May 12, 2018, from 6:00 p.m. to 11:30 p.m. (SP18-14) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Immaculate Conception Church](#)

APPROVED

3. [MC 2018-041](#) **Special Event Liquor License: Yuma County Democratic Party - Spring Fling**

Approve a Special Event Liquor License application submitted by Xanthe Bullard on behalf of the Yuma County Democratic Party for Spring Fling. The event will take place at the Historic Gowan Building, 370 S. Main Street, on Saturday, April 14, 2018, from 6:00 p.m. to 12:00 a.m. (SP18-15) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Yuma County Democratic Party](#)

APPROVED

4. [MC 2018-042](#) **Special Event Liquor License: North End Rotary Club - Music On Main**

Approve a Special Event Liquor License application submitted by Anne Fisher on behalf of North End Rotary Club for Music On Main. The event will take place between the 100-200 blocks of Main Street on Saturday, March 17, 2018, from 6:00 p.m. to 11:00 p.m. (SP18-16) (City Administration/City Clerk) (Lynda L. Bushong)

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

APPROVED

5. [MC 2018-043](#) **Declare Surplus and Sale of Firearms Award**

Declare surplus and award bid to the highest responsive/responsible bidder for the sale of 72 firearms for a total of \$12,247.00 from the following vendors: Sierra Auction - \$8,047.00, Phoenix Arizona; Sprague's Sports - \$4,200.00, Yuma Arizona. (Police Department - RFO #2018-20000110) (John Lekan / Robin R. Wilson)

Attachments: [1. RFCCA Declare Surplus and Sale of Firearms](#)
[2. SPRDSHEET Declare Surplus and Sale of Firearms](#)

APPROVED

6. [MC 2018-044](#) **Donation Request: United States Army Tank**

Approve submission of a donation request for a United States Army Tank for public display at Yuma Armed Forces Memorial Park (City Administration) (Greg Wilkinson)

Attachments: [1. RFCCA Donation Request: United States Army Tank](#)

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 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. [O2018-009](#) **Right-Of-Way Acquisition: Avenue 10E**

Authorize acquisition of approximately 17 feet of right-of-way generally located on the east side of Avenue 10E, from 32nd Street to 34th Street, by dedication. (Engineering/Development Engineering) (Jeff Kramer)

Attachments: [1. RFCCA ROW Acquisition Ave 10E](#)
[2. MAP ROW Acquisition Ave10E map](#)
[3. ORD ROW Acquisition Ave 10E](#)

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

Aye: 7 - Mayor Nicholls, Deputy Mayor Knight, Councilmember McClendon, Councilmember Miller, Councilmember Shelton, Councilmember Thomas, and Councilmember Watts

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](#) **Code Amendment: Construction Specifications for Public Works Construction**

Adopt construction 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, 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](#)

INTRODUCED

2. [O2018-010](#) **Grant of Easement: Airport Loop Road**

Authorize acceptance from the United States of America, acting through the Secretary of the Navy, of a 50-year easement underlying a portion of the Airport Loop Road. (City Attorney) (Richard W. Files)

Attachments: [1. RFCCA Grant of Easement: Airport Loop Road](#)
[2. ORD Grant of Easement: Airport Loop Road](#)
[3. EXH 1 Grant of Easement: Airport Loop Road](#)
[4. EXH A Grant of Easement: Airport Loop Road](#)
[5. EXH B Grant of Easement: Airport Loop Road](#)

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:

APPOINTMENT MADE

- *Yuma County Library District Board of Trustees: One reappointment*

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 February 22, 2018 through March 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 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. PKC, et al. (A.R.S 38-431.03 A3 & A4)
- B. Discussion, consultation with and/or instruction to legal counsel, regarding the City of Yuma v. Green Waste Solutions, LLC. (A.R.S 38-431.03 A3 & A4)
- C. Discussion, consultation with and/or instruction to legal counsel, regarding the City agreement with Spectrum. (ARS 38-431.03 A3 & A4)
- D. Discussion, consultation with and/or instruction to legal counsel, regarding Infill, the City Code and a potential agreement. (ARS 38-431.03 A3 & A4)

ADJOURNMENT

6:23 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.