



City of Yuma City Council Meeting Summary

Wednesday, August 7, 2019

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 5:31 PM

INVOCATION

PASTOR REED LOHRENZ, CENTRAL CHURCH OF CHRIST

PLEDGE OF ALLEGIANCE

ASSISTANT FIRE CHIEF, DUSTIN FIELDS

ROLL CALL

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

Absent: 1 - Councilmember Jacob Miller

FINAL CALL

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

PRESENTATIONS

PRESENTATIONS MADE

- *Presentation of tribal gaming proceeds from Cocopah 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 McClendon, to APPROVE the Motion Consent Agenda with the exception of item B.4. The motion carried by the following vote:

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

Absent: 1 - Councilmember Miller

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

1. [MC 2019-153](#) **Regular Council Meeting Draft Minutes November 7, 2018**

Attachments: [2018 11 07 RCM Minutes](#)

APPROVED

2. [MC 2019-154](#) **Council Citizen's Forum Draft Minutes July 16, 2019**

Attachments: [2019 07 16 CCF 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 2019-149](#) **Liquor License: El Buen Taquito**

Approve a new Series #12 Restaurant Liquor License application submitted by Alma Angelica Licon, agent for El Buen Taquito located at 810 S. 13th Avenue (LL19-09) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: El Buen Taquito](#)
[2. MAP Liquor License: El Buen Taquito](#)

APPROVED

3. [MC 2019-150](#) **Special Event Liquor License: Kids at Hope Yuma County AZ Chapter - Concert to Benefit Kids at Hope**

Approve a Special Event Liquor License application submitted by Tim D. Hardy on behalf of the Kids at Hope Yuma County AZ Chapter for a Concert to Benefit Kids at Hope. The event will take place at the Colorado River State Historic Park, 201 N. 4th Avenue, on Saturday, October 5, 2019, from 4:00 p.m. to 12:30 a.m. (SP19-16) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Special Event Liquor License: Kids at Hope](#)
[2. MAP Special Event Liquor License: Kids at Hope](#)

APPROVED

4. [MC 2019-152](#) **Guarantor Letter: Greater Yuma Port Authority (GYPA) Refinance**

Authorize the City Administrator to provide a guarantor letter confirming City of Yuma will act as Guarantor, on a pro-rata share basis, along with the City of San Luis, Yuma County and the Cocopah Tribal Nation, for the Greater Yuma Port Authority land refinance loan. (Admin/Economic Development) (Jay Simonton)

Attachments: [1. RFCCA Guarantor Letter: GYPA Refinance](#)

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

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

Absent: 1 - Councilmember Miller

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.

Approval of the Consent Agenda

A motion was made by Councilmember Thomas, seconded by Deputy Mayor Knight, to ADOPT the Resolution Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Miller

1. [R2019-026](#) **Intent to Create Municipal Improvement District No. 111: Villa Serena Unit No. 1**

Approve the creation of Municipal Improvement District No. 111 to serve Villa Serena Unit No. 1. (Community Development/Community Planning) (Laurie Lineberry)

Attachments:

- [1. RFCCA Intent to Create MID No. 111: Villa Serena Unit No.1](#)
- [2. RES Intent to Create MID No. 111: Villa Serena Unit No. 1](#)
- [3. PET Intent to Create MID No. 111 Villa Serena Unit No. 1](#)

ADOPTED

2. [R2019-027](#) **Equipment Schedule No. 3 to Master Lease and Sublease**

Approve Equipment Schedule No. 3 to the Master Lease and Sublease between the Industrial Development Authority of the City of Yuma, Banc of America Public Capital Corp, and Yuma Regional Medical Center (2019 Project). (City Attorney) (Richard W. Files)

- Attachments:**
- [1. RFCCA Equipment Schedule No. 3 to Master Lease and Sublease](#)
 - [2. SUPP DOC Equipment Schedule No. 3 to Master Lease and Sublease](#)
 - [3. SUPP DOC Equipment Schedule No. 3 to Master Lease and Sublease](#)
 - [4. RES Equipment Schedule No. 3 to Master Lease and Sublease](#)
 - [5. EXH A BOND APP Equipment Schedule No. 3 to Master Lease and Sublease](#)
 - [6. EXH A IDA RES Equipment Schedule No. 3 to Master Lease and Sublease](#)
 - [7. EXH A LEASE Equipment Schedule No. 3 to Master Lease and Sublease](#)
 - [8. EXH A EQUIP SCH 3 Equipment Schedule No. 3 to Master Lease and Sublease](#)

ADOPTED

3. [R2019-028](#) **Approval of Election Consolidation, Voting Center Locations and the Election Board**

Approve the voting center locations and consolidation of the precincts, and appoint an election board for the 2019 City of Yuma Primary and General Elections to be held August 27, 2019 and November 5, 2019, respectively. (City Administration/City Clerk) (Lynda L. Bushong)

- Attachments:**
- [1. RFCCA Approval of Election Board](#)
 - [2. RES Approval of Election Board](#)
 - [3. EXH A Approval of Election Board](#)

ADOPTED

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.

Approval of the Consent Agenda

A motion was made by Deputy Mayor Knight, seconded by Councilmember Thomas, to ADOPT the Ordinances Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Miller

1. [O2019-025](#) **Adopt the 2019-2020 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy**

Adopt the 2019-2020 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy (Finance/Administration) (Lisa Marlin)

Attachments: [1. RFCCA 2019-2020 Prim Tax Levy & Mall Maint District](#)
[2. ORD 2019-2020 Prim Tax Levy & Mall Maint District](#)

ADOPTED

2. [O2019-026](#) **Rezoning of Property: 1874 S. Avenue B**

Rezone approximately .93 acres from the Transitional/Aesthetic Overlay (TR/AO) District to the Limited Commercial District. (Community Development/Community Planning)(Laurie Lineberry)

Attachments: [1. RFCCA Rezoning: 1874 S. Avenue B](#)
[2. P&Z RPT Rezoning: 1874 S. Avenue B](#)
[3. ORD Rezoning: 1874 S. Avenue B](#)

ADOPTED

3. [O2019-027](#) **Rezoning of Property: Northwest corner of the Avenue 5E and 32nd Street**

Rezone approximately 5.34 acres from the Agriculture/Airport Overlay (AG/AD) District to the General Commercial/Airport Overlay (B-2/AD) District. (Community Development/Community Planning)(Laurie Lineberry)

Attachments: [1. RFCCA Rezoning: Ave. 5E and 32nd St.](#)
[2. P&Z RPT Rezoning: Ave. 5E and 32nd St.](#)
[3. ORD Rezoning: Ave. 5E and 32nd St.](#)

ADOPTED

4. [O2019-028](#) **Rezoning of Property: Southeast corner of W. 16th Street and S. 44th Avenue**

Rezone approximately 5.36 acres from the Suburban Ranch (SR-1) District to the Low Density Residential (R-1-6) District, for the property located at the southeast corner of W. 16th Street and S. 44th Avenue. (Community Development) (Laurie Lineberry)

Attachments:

- [1. RFCCA Rezoning: 16th St. and S. 44th Ave.](#)
- [2. P&Z RPT Rezoning: 16th St. and S. 44th Ave.](#)
- [3. ORD Rezoning: 16th St. and S. 44th Ave.](#)

ADOPTED

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.

There are no introductions scheduled at this time.

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 July 18, 2019 through August 7, 2019. 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 COY v. the Salvation Army. (A.R.S. 38-431.03 A3, A4 & A7)
- B. Discussion, consultation with and/or instruction to legal counsel regarding potential acquisition of Far West Water & Sewer. (A.R.S. 38-431.03 A3, A4 & A7)
- C. Discussion, consultation with and/or instruction to legal counsel regarding potential annexation of Mesa del Sol. (A.R.S. 38-431.03 A3 & A4)
- D. Discussion, consultation with and/or instruction to legal counsel, regarding Riverfront phases, leases and the Master Development and Disposition Agreement (DDA). (ARS 38-431.03 A3, A4 & A7)

ADJOURNMENT

6:01 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.