



City of Yuma City Council Meeting Summary

Wednesday, September 16, 2020

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.

Consistent with the March 13, 2020 Arizona Attorney General opinion Relating to Arizona's Open Meeting Law and COVID-19, in order to protect the public and reduce the chance of COVID-19 transmission, the September 16, 2020 Regular City Council meeting will be conducted remotely through technological means along with limited public, in-person access, consistent with social distancing requirements.

City Council Chambers will be open with limited public access in addition to participation through Zoom.

Those wishing to speak on any applicable agenda item or at Call to the Public and choose to participate via Zoom, must submit an email request to publiccomment@yumaaz.gov no later than 60 minutes prior to the start of the scheduled meeting. Further instructions will be given at that time.

Members of the public are encouraged to view the meeting through either of the following two venues:

- 1) Zoom: Residents will need to connect through the following website:
<https://cityofyuma.zoom.us/>. Click on "Calendar" then select the City meeting and click "Join".
- 2) City of Yuma live stream: Use the Video and TV Stream quick link at www.yumaaz.gov and search for Yuma Live Playlist 73. Watch live on TV cable channel 73.

A recording of the meeting will be available on the City's website after the meeting.

The Worksession and Citizen's Forum previously scheduled for September 15, 2020 are cancelled.

CALL TO ORDER

5:35 PM

INVOCATION

PASTOR TYRONE JONES, CHURCH FOR THE CITY

PLEDGE OF ALLEGIANCE

CHIEF OF POLICE, SUSAN SMITH

ROLL CALL

Present: 7 - Mayor Douglas J. Nicholls, Deputy Mayor Karen Watts, Councilmember Gary Knight, Councilmember Leslie L. McClendon, Councilmember Chris Morris, Councilmember Michael Shelton and Councilmember Ema Lea Shoop

FINAL CALL

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

PRESENTATIONS

PRESENTATIONS MADE

- Proclamation in support of the Arizona Education Progress Meter
- Briefing on the solid waste and recycling services contract
- Update and future scheduling of Parks and Recreation facilities

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 Councilmember Knight, seconded by Councilmember Morris, to approve the Motion Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Nicholls, Deputy Mayor Watts, Councilmember Knight, Councilmember McClendon, Councilmember Morris, Councilmember Shelton, and Councilmember Shoop

1. [MC 2020-165](#) **Regular Council Meeting Draft Minutes August 5, 2020**

Attachments: [2020 08 05 RCM Minutes](#)

APPROVED

2. [MC 2020-166](#) **Regular Council Meeting Draft Minutes August 19, 2020**

Attachments: [2020 08 19 RCM Minutes](#)

APPROVED

3. [MC 2020-164](#) **Special Council Meeting Draft Minutes September 1, 2020**

Attachments: [2020 09 01 SCM 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)

APPROVED

2. [MC 2020-149](#) **Bid Award: Catalina Drive & Palo Verde Street Pavement Replacement**

Authorize the City Administrator to execute a contract for Construction Services for the Catalina Drive & Palo Verde Street Pavement Replacement to the lowest responsive and responsible bidder in the amount of \$893,551.95. Gutierrez Canales Engineering, PC, Yuma, Arizona (Engineering / Bid #2020-20000163) (Robin Wilson/Jeffrey A. Kramer)

Attachments: [1. RFCCA Bid Award: Pavement Replacement Catalina Dr. & Palo Verde St.](#)
[2. SPRDSHEET Bid Award: Pavement Replacement Catalina Dr. & Palo Verde St.](#)

APPROVED

3. [MC 2020-150](#) **Bid Award: Downtown Raised Crosswalk and Spot Drainage Improvements**

Authorize the City Administrator to execute a contract for Construction Services for the Downtown Raised Crosswalk and Spot Drainage Improvements to the lowest responsive and responsible bidder in the amount of \$75,891.42. Gutierrez Canales Engineering, PC Yuma, Arizona (Engineering / Bid #2021-20000018) (Robin Wilson/Jeffrey A. Kramer)

Attachments: [1. RFCCA Downtown Raised Crosswalk & Spot Drainage Imprvmnts](#)
[2. SPDSHEET Downtown Raised Crosswalk & Drainage Imprvmnts](#)

APPROVED

4. [MC 2020-151](#) **Cooperative Purchase Agreement: Telephone Circuit Services**

Authorize the City Administrator to execute an agreement with CenturyLink for citywide telephone circuit services for a total of \$95,634 (excluding taxes) for a three-year period utilizing the cooperative purchase agreement originated by the State of Arizona. (Bid #2021-20000001 - Information Technology) (Kathleen Fernandez)

Attachments: [1. RFCCA Cooperative Purchase Agreement: Telephone Circuit Services](#)
[2. SUPPDOG Cooperative Purchase Agreement: Telephone Circuit Services](#)

APPROVED

5. [MC 2020-152](#) **Cooperative Purchase Agreement: Electronic Control Devices**

Authorize the City Administrator to execute a cooperative purchase agreement in the amount of \$212,723.60 for the purchase of electronic control devices through Axon (OMNIA Contract No. 151089 - Bid #2021-20000047) (Susan Smith)

Attachments: [1. RFCCA Coop Purchase Agmt: Electronic Control Device](#)
[2. AGMT Coop Purchase Agmt: Electronic Control Device](#)
[3. QUOTE Coop Purchase Agmt: Electronic Control Device](#)

APPROVED

6. [MC 2020-153](#) **Cooperative Purchase Agreement: Janitorial and Sanitation Supplies, Equipment, & Related Services**

Authorize the purchase of Janitorial and Sanitation Supplies, Equipment & Related Services initiated by Mohave Educational Services Cooperative (Mohave) through a one-year contract with the option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance, with an estimated annual expenditure of \$220,000.00 to: Waxie Sanitary Supply San Diego, California (Bid #2021-20000035 - Facilities & Maintenance) (Robin Wilson/Justin Lewis)

Attachments: [RFCCA Janitorial Supplies & Equipment](#)

APPROVED

7. [MC 2020-154](#) **Contract Award: Hotel Del Sol Multi-Modal Transportation Center**

Authorize the City Administrator to execute a contract for design-build services for the Hotel Del Sol Multi-Modal Transportation Center project in the amount of \$1,015,000 to the selected vendor: CORE Construction, Inc., Phoenix, Arizona (RFQ #2020-20000136 Engineering) (Robin Wilson/Jay Simonton)

Attachments: [1. RFCCA Contract Award: Hotel Del Sol Multi-Modal Transportation Center](#)
[2. SPRD SHEET Contract Award: Hotel Del Sol](#)

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

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

Nay: 1 - Councilmember Shoop

8. [MC 2020-155](#) **Change Order: Police Storage Facility**

Authorize the City Administrator to execute a change order in the amount of \$370,205. to the contract with Architekton, Inc., for design services for the Police Storage Facility project. (Contract #2020-2000004 Engineering) (Jeffrey A. Kramer)

Attachments: [RFCCA Change Order: Police Storage Facility](#)

APPROVED

9. [MC 2020-156](#) **License Agreement: Uniform Video Service License Agreement**

Approve a template Uniform Video Service License Agreement, Application and Licensee Affidavit for video service within the municipal boundaries and authorize the City Administrator to execute such Uniform Video License Agreements on behalf of the City. (City Attorney's Office) (Richard W. Files)

Attachments:

- [1. RFCCA License Agreement: Uniform Video Service License Agreement](#)
- [2. AGMT License Agreement: Uniform Video Service License Agreement](#)
- [3. SUPP DOC License Agreement: Uniform Video Service License Agreement](#)

APPROVED

10. [MC 2020-157](#) **Cooperative Agreement: Axon In-Car Camera System**

Authorize the City Administrator to execute a five-year cooperative purchase agreement (OMNIA Contract No. 151089) for the purchase of seven Axon in-car camera systems in an amount of \$80,396.65. Of this amount \$31,000.00 was provided to the Yuma Police Department from the Arizona Attorney General's Office through a multistate settlement. (Bid #2021-20000048) (Police/ Administration) (Susan Smith)

Attachments:

- [1. RFCCA Cooperative Agreement: Axion In-Car Camera](#)
- [2. SUPP DOC Cooperative Agreement: Axon In-Car Camera System](#)
- [3. AGMT Cooperative Agreement: Axon In-Car Camera System](#)
- [4. QUOTE Cooperative Purchase Agreement: Axon In-Car Camera System](#)

APPROVED

11. [MC 2020-158](#) **Intergovernmental Agreement: Yuma Elementary School District No. 1**

Authorize the City Administrator to execute an intergovernmental agreement with Yuma Elementary School District No.1 for the School Safety Program for a three-year period. (Police/Patrol) (Susan Smith)

Attachments:

- [1. RFCCA IGA: Yuma Elementary School District No. 1](#)
- [2. AGMT IGA: Yuma Elementary School District No. 1](#)

APPROVED

12. [MC 2020-159](#) **Grant Award: U.S Department of Commerce, Economic Development Administration Public Works Construction Funding Program (EDA)**

Authorize the City Administrator to accept the awarded grant funds for the construction of a sewer line project in the Yuma Commerce Center area and utilize the grant matching funds provided in the City's Fiscal Year 2021 Capital Improvement Program budget. (Administration/Jay Simonton)

Attachments:

- [1. RFCCA Grant Award: EDA Public Works Construction Funding Program](#)
- [2. AWARD Grant Award: EDA Public Works Construction Funding Program](#)
- [3. MAP Grant Award: EDA Public Works Construction Funding Program](#)

APPROVED

13. [MC 2020-160](#) **Grant Award: Arizona Governor's Office of Highway Safety**

Authorize the City Administrator to execute two grant agreements with the Arizona Governor's Office of Highway Safety for roadway safety programs in accordance with Arizona's Federal Fiscal Year 2020-2021 Highway Safety Plan. (Police/Patrol/Traffic) (Susan Smith)

Attachments:

- [1. RFCCA 2021 Grant Award: GOHS](#)
- [2. AWARD LTR Grant Award: GOHS](#)

APPROVED

14. [MC 2020-161](#) **Victim Rights Program Grant Award**

Authorize the City Administrator to execute the Award Agreement between the Arizona Attorney General's Office and City of Yuma for the Victim Rights Program in the amount of \$7,000.00 for Fiscal Year 2021. (City Attorneys Office) (Richard Files)

Attachments:

- [1. RFCCA Victims' Rights Program Agreement](#)
- [2. Letter Victims' Rights Program Agreement](#)
- [3. AGR Victims' Rights Program Agreement](#)

APPROVED

15. [MC 2020-162](#) Final Plat: Desert Sands Subdivision Unit 2

Approve the final plat of the Desert Sands Subdivision Unit 2. The property is located at the southwest corner of E. 44th Street and S. Avenue 7½E, Yuma, AZ. (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Final Plat: Desert Sands Subdivision Unit 2](#)
- [2. P&Z RPT Final Plat: Desert Sands Subdivision Unit 2](#)
- [3. SUPP DOC Final Plat: Desert Sands Subdivision Unit 2](#)
- [4. SUPP DOC Final Plat: Desert Sands Subdivision Unit 2](#)

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.

Approval of the Consent Agenda

A motion was made by Councilmember Knight, seconded by Councilmember McClendon, to ADOPT the Resolution Consent Agenda as amended. The motion carried by the following vote:

Aye: 7 - Mayor Nicholls, Deputy Mayor Watts, Councilmember Knight, Councilmember McClendon, Councilmember Morris, Councilmember Shelton, and Councilmember Shoop

1. [R2020-028](#) Rescind and Replace Original Intent to Create Municipal Improvement District No. 100: Park West Units 4 & 5

Rescind and replace the original intent to create for Municipal Improvement District No. 100 to serve Park West Units 4 & 5. (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Rescind & Replace Intent to Create MID #100: Park West Units 4 & 5](#)
- [2. RES Rescind & Replace Intent to Create MID #100: Park West Units 4 & 5](#)
- [3. PET Rescind & Replace Intent to Create MID #100: Park West Units 4 & 5](#)

ADOPTED

2. [R2020-029](#) **Rescind and Replace Original Intent to Create Municipal Improvement District No. 104: Desert Sky Unit 1**

Rescind and replace the original intent to create for Municipal Improvement District No. 104 to serve Desert Sky Unit 1. (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Rescind & Replace Intent to Create MID #104: Desert Sky Unit 1](#)
- [2. RES Rescind & Replace Intent to Create MID #104: Desert Sky Unit 1](#)
- [3. PET Rescind & Replace Intent to Create MID #104: Desert Sky Unit 1](#)

ADOPTED

3. [R2020-030](#) **Rescind and Replace Original Intent to Create Municipal Improvement District No. 107: Saguaro Units 3 & 4**

Rescind and replace the original intent to create for Municipal Improvement District No. 107 to serve Saguaro Units 3 & 4. (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Rescind & Replace Intent to Create MID #107: Saguaro Units 3 & 4](#)
- [2. RES Rescind & Replace Intent to Create MID #107: Saguaro Units 3 & 4](#)
- [3. PET Rescind & Replace Intent to Create MID #107 Saguaro Units 3 & 4](#)

ADOPTED

4. [R2020-031](#) **Rescind and Replace Original Intent to Create Municipal Improvement District No. 108: Driftwood Ranch Units 1 & 2**

Rescind and replace the original intent to create for Municipal Improvement District No. 108 to serve Driftwood Ranch Units 1 & 2. (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Rescind & Replace Intent to Create MID #108: Driftwood Ranch Units 1 & 2](#)
- [2. RES Rescind & Replace Intent to Create MID #108: Driftwood Ranch Units 1 & 2](#)
- [3. PET Rescind & Replace Intent to Create MID #108: Driftwood Units 1 & 2](#)

ADOPTED

5. [R2020-032](#) **Development Fee Deferral: Cielo Verde Unit 5**

Adopt a resolution authorizing the City Administrator to execute an agreement to defer City of Yuma development fees and water and sewer capacity charges for Cielo Verde Unit 5 Subdivision, and to collect a \$500.00 administrative fee for the deferral agreement. The effective length of the deferral agreement is for three years from date of execution. (Engineering) (Jeffrey Kramer)

Attachments: [1. RFCCA Development Fee Deferral: Cielo Verde Unit 5](#)
[2. AGMT Development Fee Deferral: Cielo Verde Unit 5](#)
[3. RES Development Fee Deferral: Cielo Verde Unit 5](#)
[4. MAP Development Fee Deferral: Cielo Verde Unit 5](#)

ADOPTED

6. [R2020-033](#) **Preannexation Development Agreement: Keechler Living Trust**

Authorize a Preannexation Development Agreement with the Marsha L. Keechler Living Trust for property located at 2946 S. Avenue B. (Community Development/Community Planning) (Randall Crist)

Attachments: [1. RFCCA Preannexation Development Agmt: Keechler](#)
[2. RES Preannexation Development Agmt: Keechler](#)
[3. AGMT Preannexation Development Agmt: Keechler](#)

ADOPTED

7. [R2020-034](#) **Renewal of Slum and Blight Designation**

Approve the renewal of the slum and blight designations in accordance with A.R.S. § 42-6209 for properties located within the Central Business District of the City of Yuma. (City Attorney's Office) (Richard W. Files)

Attachments: [1. RFCCA Renewal of Slum and Blight Designation](#)
[2. RES Renewal of Slum and Blight Designation](#)

ADOPTED

8. [R2020-035](#) **Amend Resolution R2016-037: Wastewater Capacity Fees**

Amend Resolution R2016-037 setting all wastewater capacity fee charges according to water meter size. (Utilities)(Jeremy McCall/Jay Simonton)

Attachments:

- [1. RFCCA Amend Resolution R2016-037: Wastewater Capacity Fees](#)
- [2. RES Amend Resolution R2016-037: Wastewater Capacity Fees](#)

**Motion (Knight/Watts): To correct Resolution R2020-035 related to Wastewater Capacity Fees, by changing the number noted above the title from R2016-035 to R2020-035. Voice vote: Approved 7-0.
ADOPTED AS AMENDED**

9. [R2020-036](#) **Development Agreement: 4550 and 4560 E. 32nd Street**

Authorize a Development Agreement with LLT Development, LLC for approximately 10 acres of property located at 4550 and 4560 E. 32nd Street, Yuma, Arizona 85365 (Community Development/ Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Development Agreement: 4550 & 4560 E. 32nd Street](#)
- [2. RES Development Agreement: 4550 and 4560 E. 32nd Street](#)
- [3. EXH A Development Agreement: 4550 and 4560 E. 32nd Street](#)

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.

1. [O2020-018](#) **Rezoning of Property: Southwest corner of Avenue 7½E and 36th Street**

Rezone approximately 18.3 acres from Agriculture (AG) to Medium Density Residential/Planned Unit Development (R-2/PUD), for the property located at the southwest corner of S. Avenue 7½E and E. 36th Street, Yuma, AZ. (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Rezoning of Property: SW Corner of Ave 7 1/2 E & 36th St](#)
- [2. FINAL RPT Rezoning of Property: SW Corner of Ave 7 1/2 E & 36th St](#)
- [3. ORD Rezoning of Property: SW Corner of Ave 7 1/2 E & 36th St](#)

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

Aye: 7 - Mayor Nicholls, Deputy Mayor Watts, Councilmember Knight, Councilmember McClendon, Councilmember Morris, Councilmember Shelton, and Councilmember Shoop

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. [O2020-020](#) **Zoning Code Text Amendment: Planned Area Development**

Amend Title 15, Chapter 154, Article 14 to establish the Planned Area Development Overlay District (PAD) (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Zoning Code Text Amendment: Planned Area Dev.](#)
- [2. P&Z RPT Zoning Code Text Amendment: Planned Area Dev.](#)
- [3. ORD Zoning Code Text Amendment: Planned Area Dev.](#)

INTRODUCED

FINAL CALL

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

V. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

REPORTED**1. Announcements:**

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 August 20, 2020 through September 16, 2020. 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.

VI. 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.

VII. 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.

VIII. 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:

There are no items scheduled at this time.

ADJOURNMENT

7:42 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.