

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
NOVEMBER 16, 2016
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:35 p.m.

INVOCATION/PLEDGE

Mark Workman, Yuma Stake President of the Church of Jesus Christ of Latter-Day Saints, gave the invocation. **Lucy Valencia** led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:	Thomas, Shelton, Knight, Craft, Miller, Wright, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	City Administrator, Gregory K. Wilkinson Various Department Heads or their representative City Attorney, Steven W. Moore City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms from members of the audience.

PRESENTATIONS – There were no presentations scheduled at this time.

I. MOTION CONSENT AGENDA

Motion (Knight/Craft): To approve the Motion Consent Agenda as recommended. Voice vote: **approved** 7-0.

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

Regular City Council Worksession	May 3, 2016
City Council Citizen's Forum	September 6, 2016
Regular City Council Worksession	September 6, 2016

B. Approval of Staff Recommendations:

1. 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 Atty)

2. Approve a new Series #5 Government Liquor License application submitted by Gerald Hinkle, Jr., agent for Yuma International Airport located at 2191 E. 32nd Street. (Admin/Clerk)
3. Authorize the City Administrator to execute the required documents for the Arizona Department of Homeland Security Subrecipient Agreement to receive grant funding in the amount of \$9,448.00. (Fire/Admin)
4. Authorize the City Administrator to execute the required documents for the Assistance to Firefighters Grant Program – Fire Prevention and Safety Grants Agreement to receive grant funding in the amount of \$10,000.00. (Fire/Community Risk Reduction)
5. Authorize the City Administrator to execute three grant agreements with the Arizona Governor's Office of Highway Safety for highway projects in accordance with Arizona's Federal Fiscal Year 2017-2018 Highway Safety Plan. (Police/Patrol)
6. Authorize the City Administrator to enter into a one-year contract for Private Branch Exchange (PBX) Telephone System with the option to renew two additional one-year periods for an estimated annual cost of \$56,134.00 to Avaya, Inc. (ITS)
7. Approve the preliminary and final plat for the Gomez Plaza Subdivision. The property is located near the southeast corner of 16th Street and Sunridge Drive, Yuma, AZ. (DCD/Planning)
8. Authorize the City Administrator to execute a Consent Agreement with United States Department of the Interior, Bureau of Reclamation, to reconstruct 24th Street within rights-of-way owned by BOR. (Engineering)

II. RESOLUTION CONSENT AGENDA – There were no resolutions scheduled for adoption at this time.

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Knight/Miller): To adopt the Ordinance Consent Agenda as recommended.

At the Mayor's request, **Bushong** displayed the following titles:

Ordinance O2016-033

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 13 of the Yuma City Code, Chapter 130, Animals and Fowl, Sections 055 and 999, related to removal of wastes; and providing penalties (requires immediate removal of animal waste from property other than that of the animal owner) (Police/Patrol)

Ordinance O2016-035

An ordinance of the City Council of the City of Yuma, Arizona, declaring a certain portion of 4th Avenue right-of-way, hereafter described, surplus for use by the City, conditionally vacating the surplus right-of-way easement to the abutting property owner through the recording of a quitclaim

deed, and authorizing that fee title to certain parcels of real property and a utility easement, each hereafter described, be acquired by the City of Yuma through an exchange for the vacated right-of-way, for the reason that the acquisition is required to improve public roadway and utility infrastructure and other public purposes as may be related thereto, and authorizing the payment of costs necessary for the exchange (vacating the easternmost 25 feet of the 4th Avenue right-of-way easement to 1st Bank Yuma in exchange for fee title to the remaining 75-foot half-width right-of-way) (Engineering)

Roll call vote: **adopted** 7-0.

IV. INTRODUCTION OF ORDINANCES

Introduction of Ordinance O2016-039 – Declare Property Surplus and Authorize Sale: Northeast corner of 1st Street and Madison Avenue (make all or a portion of the parcel available for Phase III development of the Riverfront under the Master Development and Disposition Agreement) (Admin/YCNHA)

Wright noted that the Request for City Council Action (RFCCA) states that this parcel of real property was originally part of the Yuma Town site and has never been developed, but recalled that there had been a number of buildings previously at that location. **Mayor Nicholls** asked how this has any bearing on moving forward with this introduction. **Wright** stated that he wants to ensure that the RFCCA is accurate. **Knight** suggested that it may be referencing the time period since the City acquired the parcel. **Wright** asked if the Master Developer is in compliance with the Master Development and Disposition Agreement (Master DDA). **Moore** stated that the City is not aware of anyone who is out of compliance with the Master DDA at this time. **Wright** asked how the City advertised the property. **Mayor Nicholls** explained that the parcel is included in the Master DDA, which covers both the sale and lease of the property. **Wright** opined that any surplus property should go through the competitive bid process. **Mayor Nicholls** replied that the property went through a competitive bid process when the Master DDA was initially put into place, which was discussed at last night's Worksession.

At the Mayor's request, **Bushong** displayed the following titles:

Ordinance O2016-038

An ordinance of the City Council of the City of Yuma, Arizona, declaring certain real property, hereafter described, surplus for use by the City, and authorizing the sale of the surplus real property through a competitive process (approximately 17 acres located at the northwest corner of 36th Street and Avenue 4-1/2 E) (Admin)

Ordinance O2016-039

An ordinance of the City Council of the City of Yuma, Arizona, declaring vacant real property located at the northeast corner of 1st Street and Madison Avenue, hereafter described, surplus for use by the City, and authorizing the sale of all or any part of the surplus real property (make all or a portion of the parcel available for Phase III development of the Riverfront under the Master Development and Disposition Agreement) (Admin/YCNHA)

V. **PUBLIC HEARINGS** – There were no public hearings scheduled at this time.

VI. **APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Motion (Craft/Knight): To appoint Patrick A. Riley, Sr. to an unexpired term on the Library Board of Trustees with a term expiration of June 30, 2017. Voice vote: **approved** 7-0.

Knight, Craft, Shelton, Thomas, Wright, Miller, and Mayor Nicholls reported on events and meetings they have attended during the last two weeks and upcoming events of note.

Motion (Craft/Knight): That a Special City Council Meeting be scheduled for Monday, November 21, 2016, at 6:00 p.m. in City Hall Chambers for the purpose of canvassing the City's 2016 Special Election. Voice vote: **approved** 7-0.

Motion (Shelton/Wright): To include a discussion on Proposition 407 as a future agenda item: Voice vote: **approved** 5-2; Knight and Thomas voting nay.

Wilkinson noted that an assessment is being conducted on the impact of Proposition 206 on the City budget and will be provided to City Council. The increase of the minimum wage to \$10 per hour will affect more than 300 City employees, and that the increase in pay for the period of January-June 2017 was not included in the current budget.

VII. **SUMMARY OF CURRENT EVENTS**

Wilkinson reported the following events:

- November 18th – North End Art Walk in Downtown Yuma
- November 19th – 46th Annual Community Bazar at the Yuma Civic Center
- November 19th – Disc Golf Tournament at the West Wetlands Park
- November 19th – Rio de Cerveza Brew Fest at Desert Sun Stadium
- November 19th – TEEN Late Night Sand Volleyball at Kennedy Volleyball Courts
- November 28th – Registration begins for the 33rd Annual Senior Games

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms from members of the audience interested in speaking at the Call to the Public.

VIII. **CALL TO THE PUBLIC**

Jeff Brand, 10447 S. Cyclone Drive, thanked the City on behalf of the Yuma Region Bicycle Coalition for the bicycle improvement activities that have occurred over the past few months. The West Main Canal Path is already being significantly used by cyclists and pedestrians, and the addition of a shoulder to Highway 95 will substantially improve vehicular safety and preserve the oldest and longest used bike route into and out

of the City. In May, the Coalition met with City Engineer Joshua Scott and Traffic Engineer Jonathan Fell to discuss the possibility of creating a cut-through in the median of two different roads where there are frequent bicycle crossings. While it was determined that a cut-through at one location would not be possible due to line-of-sight issues, City staff worked professionally and transparently to accomplish a cut-through at the second location, greatly improving the safety of cyclists crossing at that location.

Mary Anne Easterday, 3359 S. 15th Avenue, thanked the Yuma community for getting out and voting at the November 8th election. Voter turnout was excellent, and she appreciates those who stood in line to wait for their opportunity to vote. She extended an invitation to attend the 46th Annual Community Bazar on November 19th from 9 am to 3 pm at the Yuma Civic Center. There will be over 150 vendors, and all proceeds from this event will go back into the community in the form of scholarships. She recommended that anybody organizing an event in Yuma consider utilizing the Civic Center, adding that it is a spacious venue with plenty of parking and the staff is fantastic.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:09 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor