

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
APRIL 20, 2016
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:32 p.m.

INVOCATION/PLEDGE

Glen Connell, Pastor of Valley Baptist Church, gave the invocation. **Amber Santos**, AmeriCorps staff, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:	Thomas, Shelton (arrived at 5:45), Knight, Craft, Miller, Wright, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	City Administrator, Gregory K. Wilkinson Police Chief, John Lekan Director of Financial Services, Pat Wicks Senior Planner, Naomi Leeman Neighborhood Services Manager, Rhonda Lee-James 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

Mayor Nicholls announced that the check presentation from the Cocopah Tribe has been rescheduled for our next meeting.

Donation from Optimist Club of Yuma

Lieutenant Governor Ron Contreras, President Veronica Shay and past Lieutenant Governor Kathleen Pollerson from the Optimist Club of Yuma presented a check to Parks and Recreation, in the amount of \$18,083.50 for the Smucker Park exercising equipment project and for collaboration of fixing up the Joe Henry Optimist Center Gym. **Shay** thanked the citizens of Yuma for their participation and support from their fundraising efforts.

Internal Customer Service Awards

Wilkinson announced the following awards for the best customer service: 1st Place - Facilities Maintenance Division, 2nd Place - Yuma Fire Department and 3rd Place – Utilities Department

Mayor Nicholls pulled the below noted Public Hearing forward on the agenda, due to time constraints of the applicant.

Mayor Nicholls opened the Public Hearing at 5:45 p.m.

Resolution R2016-009: General Plan Amendment: Valley Baptist Church - Amend the City of Yuma General Plan to change the land use designation from Low Density Residential to Mixed Use, for property located at the northwest corner of 24th Street and 34th Drive. The applicant is Valley Baptist Church. (GP-12351-2015). (DCD/Community Planning) (Laurie Lineberry)

Leeman explained that this is a request by Dahl Robins Associates on behalf of Valley Baptist Church to change the land use designation for approximately seven acres located at the northwest corner of 24th Street and 34th Drive from low density residential to mixed use. It is the applicant's intent to develop a mix of uses on the site including a church on one portion and reserving the other portion for commercial development. We received one email in support of the project and during a neighborhood meeting concern was expressed about the potential for 24 hour businesses. It is not the applicant's intent, but they would be allowed within the zoning regulations.

Nicholls questioned if the parcel is big enough for a potential liquor application in that area since there is a separation between a church and a liquor store. **Leeman** responded that there is a separation between an existing church and a liquor store, but the potential would be that a liquor store could be developed prior to the church being built.

Motion (Knight/Craft) Motion to close the public hearing. Voice vote: **approved** 7-0. The Public Hearing was closed at 5:49 p.m.

Motion (Thomas/Knight) Motion to adopt Resolution R2016-009 General Plan Amendment Valley Baptist Church as recommended.

At the request of the Mayor, **Bushong** displayed the following title:

Resolution R2016-009

A resolution of the City Council of the City of Yuma, Arizona, amending Resolution R2012-029, the City of Yuma 2012 General Plan to change the land use designation from low density residential to mixed use for property located at the Northwest corner of 24th Street and 34th Drive (Applicant: Valley Baptist Church) (DCD/Planning)

Roll Call Vote: **adopted** 7-0.

I. MOTION CONSENT AGENDA

Nicholls declared a potential conflict of interest on item B4 due to his firm's involvement in the project. He turned the meeting over to Deputy Mayor Craft and exited the room.

B.4 Revised Final Plat: Plaza del Este Subdivision, Units 1 and 2 - Approve the revised final plat for the Plaza del Este Subdivision, Units 1 and 2. The property is located at the northeast corner of 32nd Street and Avenue 7E. The applicant is Core Engineering Group, PLLC, on behalf of Yuma Ventures Fund 1, LLC. (SUBD-13014-2016) (Community Development/ Community Planning) (Laurie Lineberry)

Motion (Knight/Thomas) to approve Motion Consent Agenda Item B4. Voice Vote: **approved** 6-0-1. Mayor Nicholls abstaining due to conflict of interest.

Mayor Nicholls returned to the dais.

Motion (Knight/Thomas) to approve the Motion Consent Agenda as presented with the exception of Item B.4. Voice vote: **approved 7-0**.

A. Approval of minutes of the following City Council meetings:

Regular Council Meeting	December 16, 2015
Special Council Meeting	December 28, 2015
Regular Council Worksession	January 5, 2016
Special Council Meeting	March 30, 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). (Attny)
2. Approve a Special Event Liquor License Application submitted by Linda Sue Morgan on behalf of Yuma 50, Inc. for Operation Yuma Strong. The event will take place at the Joe Foss Hanger at Yuma International Airport, located at 141 E. 40th Street on Friday, April 29, 2016 from 6:00 p.m. to 11:00 p.m. (SP16-14) (City Admin/Clerk)
3. Award to the lowest responsive and responsible bidder for the construction of the Pecan Grove Neighborhood Waterline Replacement project, in the amount of \$407,000.00 to: DPE Construction, Inc., Yuma, Arizona (Utilities- Bid #2016-20000147)
4. Pulled for separate consideration; see above.

II. RESOLUTION CONSENT AGENDA

Motion (Knight/Thomas) to adopt the Resolution R2016-010

At the request of the Mayor, **Bushong** displayed the following title:

Resolution R2016-010

A resolution of the City Council of the City of Yuma, Arizona, Approving Modification of Assessment Nos. 1.1 and 1.2 for Improvement District No. 68 of the City of Yuma, Arizona (Finance/Administration)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA - there were no ordinance scheduled for adoption at this time.

IV. INTRODUCTION OF ORDINANCES

Brandy Wright 2133 W. 13th Lane. General Manager of Dell Outdoor Advertising was available for questions.

Nicholls asked if Dell Outdoor was involved in the development of the amendments to the zoning code and if they are completely comfortable with the amendment. **Wright** responded that Dell Outdoor was comfortable about moving forward with the text amendment. It will help Dell Outdoor stay in the community and be able to grow and not deplete assets as with the current billboard ordinances.

Bushong displayed the following title:

Ordinance O2016-010

An ordinance of the City Council of the City of Yuma, Arizona, amending chapter 154 of the Yuma City Code, as amended, relating to zoning regulations, providing for changes to the zoning code to provide definitions related to off-site signage in the light industrial (L-I) District, heavy industrial (H-I) District, and general commercial (B-2) District, and providing penalties for violations thereof (DCD/Community Planning)

V. PUBLIC HEARING AND RELATED ITEMS

Capital Improvement Budget for Fiscal Years 2017-2021 – pursuant to Yuma City Charter, Article XIII, Section 11 (Admin) (Czarina Gallegos)

Mayor Nicholls opened the Public Hearing at 5:55 p.m.

Phillip Clark, 4296 W. County 15th Street made the following points:

- Of the list of meetings regarding the Pacific Avenue Athletic Complex (PAAC) presented at the April 19, 2016 City Council Worksession -none took place prior to June 2013.
- There are inconsistencies in the sequence of dates involving the purchase of the property for the PAAC.
- The \$15,000 earnest money paid for the PAAC property was not a budgeted item, and per the Charter any funds that are expended that exceed \$5,000 must be approved by the City Council.
- The project of the PAAC was not included in the previous CIP.
- City Council was advised that the PAAC would be purchased with carry over bond funds - by statute unexpended bond funds must be used to retire the bond indebtedness.
- The owner of the property that was purchased for the PAAC was a member of the MPC when the 2007 bonds were issued.

[in error a motion was made to close the public hearing. However, discussion ensued so the hearing was re-closed below]

Discussion

Mayor Nicholls declared a potential conflict of interest on items in the CIP regarding Storm Water, Transportation and Parks and Recreation. He turned the meeting over to Deputy Mayor Craft and exited the room.

Motion (Shelton/Wright) to remove the expansion of the Sunset Terrace patio from the budget. Voice Vote: **failed** 3-3, Craft, Thomas and Knight voting Nay.

Shelton commented that this is a needless expense. **Wright** agreed, stating at this point in the budget process any unnecessary items should be moved or cut. **Knight** disagreed, stating the terrace is spacious and includes valuable amenities. However it is underused because of lack of shade. **Shelton** responded that a shade structure could be rented for the area.

Craft stated he would like to see the Interstate 8 right-of-way included in the CIP.

Mayor Nicholls returned to the dais.

Motion (Knight/Craft) to close the Public Hearing. Voice Vote: **approved** 6-1; **Shelton** voting Nay. The Public Hearing Closed at 6:15 p.m.

2016-2020 City of Yuma Consolidated Plan – Analysis of impediments to Fair Housing Choice and 2016 Community Development Block Grant (CDBG) Annual Action Plan (DCD) (Lineberry)

Mayor Nicholls opened the Public Hearing at 6:15 p.m.

Lee-James addressed City Council regarding the 2016 Consolidated Plan, 2016-2020 Analysis of Impediments to Fair Housing Choice and the 2016 Community Development Block Grant Action Plan. She noted that the 30-day comment period had ended without any comments from the public and she invited the citizens to provide their input. **Bushong** noted that there were no speakers

Motion (Knight/Shelton) to close the Public Hearing. Voice Vote: **approved** 7-0 Public Hearing closed at 6:18 p.m.

Motion (Knight/Craft) to approve Motion Consent Agenda 2016-098 - 2016-2020 City of Yuma Consolidated Plan Analysis Impediments to Fair Housing Choice and 2016 Community Development Block Grant (CDBG) Annual Action Plan. Voice Vote: **approved** 7-0

FINAL CALL

Mayor Nicholls made the final call for those who wish to speak at the Call to the Public.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

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

VII. SUMMARY OF CURRENT EVENTS

Wilkinson noted the following upcoming events for April 21, 2016;

- United Way 10K Centennial
- Baby Shower Kids Expo

- Archery classes
- Fairy Party

VIII. CALL TO THE PUBLIC

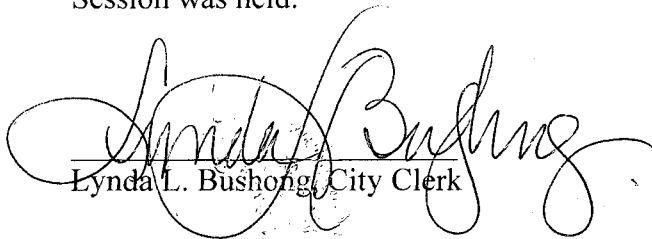
Eva Mendez- Counts, 690 E. 32nd St., thanked the Mayor, City Administrator and Chief Lekan for their support at the Catholic Community Services' Inaugural Toast Hope Dinner. She noted that they were able to reach the netted goal of \$10,000. and explained how vital the funds are for the program.

John Curtis, 2522 S. Elmwood, suggested that there were several unnecessary items in the budget that could be cut to make up the budget deficit and eliminate the property tax increase, including several City sponsored programs and events. **Wilkinson** explained that the City sponsored events were actually a revenue source.

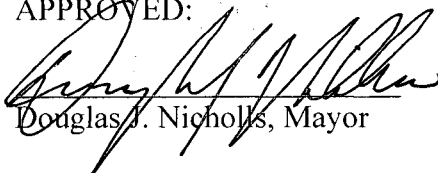
John Patch 4313 W 14th Ln, expressed concern that the City Council did not have enough time to review the preliminary budget. Mr. Patch explained that he disagreed with building the PAAC because the City could use the money on more important things. He also questioned why the City decided to convert basins with desert landscape since citizens use the current basins for recreational purposes.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:57 p.m. No Executive Session was held.


Lynda L. Bushong, City Clerk

APPROVED:


Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:
September 21, 2016
Deputy City Clerk: 