



City of Yuma City Council Meeting Agenda

Wednesday, October 6, 2021

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 October 6, 2021 Regular City Council meeting will be conducted remotely through technological means along with public, in-person access.

City Council Chambers will be open with 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 October 5, 2021 are cancelled.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL**FINAL CALL**

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

PRESENTATIONS

- Reading of Domestic Violence Awareness Proclamation

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):

1. [MC 2021-113](#) **Regular Council Meeting Draft Minutes August 4, 2021**

Attachments: [Regular Council Meeting Draft Minutes August 4, 2021](#)

B. 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)

C. Approval of staff recommendations:

1. [MC 2021-107](#) **Liquor License: Nice Beverages**

Approve a new Series #04 Wholesaler Liquor License application submitted by Theresa June Morse, agent for Nice Beverages located at 4136 E. 32nd Street. (LL21-11) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: Nice Beverages](#)
 [2. MAP Liquor License: Nice Beverages](#)

2. [MC 2021-108](#)**Special Event Liquor License: Fort Yuma Rotary Club - Penitentiary Pint Fest**

Approve a Special Event Liquor License application submitted by Kari Tatar on behalf of Fort Yuma Rotary Club for Penitentiary Pint Fest. The event will take place at the Yuma Territorial Prison State Historic Park, 220 Prison Hill Road, on Saturday, November 6, 2021, from 4:00 p.m. to 8:00 p.m. (SP21-04) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments:[1. RFCCA Special Event Liquor License: Fort Yuma Rotary Club](#)[2. MAP Special Event Liquor License: Fort Yuma Rotary Club](#)3. [MC 2021-109](#)**Special Event Liquor License: Children's Museum of Yuma County - UnWined**

Approve a Special Event Liquor License application submitted by Melissa Irr on behalf of the Children's Museum of Yuma County for UnWined. The event will take place at 200 S. Main Street and outside of the building on a portion of 2nd Street on Friday, November 5, 2021, from 6:00 p.m. to 11:59 p.m. (SP21-05) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments:[1. RFCCA Special Event Liquor License: Children's Museum of Yuma County](#)[2. MAP Special Event Liquor License: Children's Museum of Yuma County](#)4. [MC 2021-110](#)**Bid Award: Arizona Avenue Paving - Palo Verde to Country Club Drive**

Authorize the City Administrator to execute a contract for construction services for the Arizona Avenue Paving, from Palo Verde Street to Country Club Drive, to the lowest responsive and responsible bidder in the amount of \$969,169.49 to: Gutierrez Canales Engineering, Yuma, Arizona. (Engineering RFB-22-013) (Henry Hash/Robin R. Wilson)

Attachments:[1 RFCCA Bid Award: Arizona Avenue Paving](#)

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.

1. [R2021-024](#) **Intergovernmental Agreement: Yuma County**

Authorize the City Administrator to execute an Intergovernmental Agreement (IGA) with Yuma County for joint participation in a pavement rehabilitation project on Avenue B between 32nd Street and 24th Street. (Engineering) (Jay Simonton).

Attachments:

- [1. RFCCA Intergovernmental Agreement: Yuma County](#)
- [2. RES Intergovernmental Agreement: Yuma County](#)
- [3. AGMT Intergovernmental Agreement: Yuma County](#)

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. [O2021-030](#) **Zoning Code Text Amendment: Old Town Zoning District and Main Street Mall and Off Street Parking Maintenance District No. 1**

Amend Title 15, Chapter 154, Article 16 and Article 10 relating to parking regulations in the Main Street Mall and Off Street Parking Maintenance District No. 1 (an Improvement District) and the residential density limitations for the Old Town Zoning District - the Planning and Zoning Commission recommended denial (City Attorney/Planning & Neighborhood Svc.) (Richard Files/Alyssa Linville)

Attachments:

- [1. RFCCA Zoning Code Text Amendment: Old Town District](#)
- [2. P&Z REPORT Zoning Code Text Amendment: Old Town District](#)
- [3. ORD Zoning Code Text Amendment: Old Town District](#)

2. [O2021-031](#)**Declare City Right-of-Way Surplus, Authorize Vacation of the Surplus Right-of-Way To The Abutting Property Owner, and the Acceptance of a Sight Triangle**

Declare certain City-owned right-of-way on the south side of W. 6th Street, east of the intersection with S. 12th Avenue, surplus for City use and authorize vacating title to the abutting property owner pursuant to a lot tie and the acceptance of a 31.76 square foot sight triangle. (Planning and Neighborhood Services/ Neighborhood Services and Engineering) (Rhonda Lee-James/ Andrew McGarvie)

Attachments:[1. RFCCA Declare and Authorize Surplus: 6th Street ROW](#)[2. SUPP DOC Declare and Authorize Surplus: 6th Street ROW](#)[3. ORD Declare and Authorize Surplus: 6th Street ROW](#)[4. LOT TIE MAP Declare and Authorize Surplus: 6th Street ROW](#)**IV. PUBLIC HEARING AND RELATED ITEMS**

The following public hearing may result in the adoption of Resolution R2021-025

1. [R2021-025](#)**General Plan Amendment: Perricone Heritage Properties**

Approve a request to amend the City of Yuma General Plan to change the land use designation from Medium Density Residential to Commercial, for property located east of the northeast corner of Araby Road and Interstate 8. The applicant is Perricone Heritage Properties (GP-34714-2021) (Planning and Neighborhood Services/Community Planning) (Randall Crist)

Attachments:[1. RFCCA General Plan Amendment: Perricone Heritage Properties](#)[2. RES General Plan Amendment: Perricone Heritage Properties](#)[3. P&Z RPT General Plan Amendment: Perricone Heritage Properties](#)

2. [MC 2021-111](#) **Annexation Area No. ANEX-35396-2021: Ibarra Annexation**

This is a public hearing to consider the annexation of property located at the southeast corner of 16th Street and 48th Avenue. (ANEX-35396-2021) (Planning and Neighborhood Services) (Randall Crist)

Attachments:

- [1. RFCCA PH ANEX-35396-2021: Ibarra Annexation](#)
- [2. MAP PH ANEX-35396-2021: Ibarra Annexation](#)
- [3. RESEARCH PH ANEX-35396-2021: Ibarra Annexation](#)
- [4. PETITION PH ANEX-35396-2021: Ibarra Annexation](#)

3. [MC 2021-112](#) **Annexation Area No. ANEX-35528-2021: Premier Storage**

This is a public hearing to consider the annexation of property located at the northwest corner of 34th Street and Avenue 4E. (ANEX-35528-2021) (Planning and Neighborhood Services/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA PH ANEX-35528-2021: Premier Storage](#)
- [2. PET PH ANEX-35528-2021: Premier Storage](#)
- [3. RESEARCH PH ANEX-35528-2021: Premier Storage](#)
- [4. MAP PH ANEX-35528-2021: Premier Storage](#)

FINAL CALL

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

V. ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

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 September 16, 2021 through October 6, 2021. 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.

2. Scheduling:

Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

VI. SUMMARY OF CURRENT EVENTS

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

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

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 a proposed land exchange. (A.R.S. 38-431.03 A3, A4 & A7)

ADJOURNMENT

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.