



City of Yuma City Council Meeting Agenda

Wednesday, April 20, 2022

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 April 20, 2022, 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.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL

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

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 2022-080](#) Regular Council Meeting Draft Minutes April 6, 2022

Attachments: [2022 04 06 RCM Minutes](#)

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 2022-072](#) **Declaration of Surplus and Bid Award: Sale of Firearms**
Declare surplus and award bid to the highest responsive and responsible offer for the sale of 89 firearms for a total of \$23,270.00 to the following vendors: (1) Nine Lives Auction, Phoenix, Arizona, \$16,380.00; (2) Sprague's Sports, LLC, Yuma, Arizona, \$6,890.00. (Police Department-RFO-22-125) (Susan M. Smith/Robin R. Wilson)
2. [MC 2022-073](#) **Grant Purchase: Ambulance and Supplies**
Authorize the purchase of one ambulance, various medical equipment, and supplies utilizing different cooperative purchase agreements or sole source contracts for an estimated expenditure (excluding tax) of \$402,828.00 (Fire-GNT-22-122) (Steve Irr/Robin R. Wilson)
3. [MC 2022-075](#) **Sole Source Purchase: UCapIt (Medication Dispensers)**
Authorize the purchase of seven UCapIt (medication dispensers) from Bound Tree, Dublin, Ohio for an estimated total expenditure of \$105,331.82 (including tax). (SS-22-144-Fire) (Steve Irr/Robin R. Wilson)

4. [MC 2022-076](#) **Arizona Office of Tourism Legacy Golf Course Revitalization Grant**
Authorize the City Administrator to accept and execute the grant agreement with the Arizona Office of Tourism for the Legacy Golf Course Revitalization Project. (Parks and Recreation/Administration) (Jason Nau/Madeleine Coil)

Attachments: [1. Arizona Office of Tourism Grant](#)
5. [MC 2022-077](#) **Arizona Office of Tourism Outdoor Revitalization Grant**
Authorize the City Administrator to accept and execute the grant agreement with the Arizona Office of Tourism for the Outdoor Revitalization Grant Project. (Parks & Recreation/Administration) (Jason Nau/Madeleine Coil)

Attachments: [1. Arizona Office of Tourism Grant](#)

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. [R2022-022](#) **Agreement: Wastewater Treatment Sewer Service for Quechan Indian Tribe**
Authorize execution of an agreement for Wastewater Treatment Sewer Service with the Quechan Indian Tribal Council. (Utilities Department/Administration) (Jeremy McCall)

Attachments: [1. RES Agreement: Wastewater Treatment Svc for Quechan Indian Tribe](#)
[2. EXH A Agreement: Wastewater Treatment Svc for Quechan Indian Tribe](#)
[3. SUPP DOC Quechan Indian Tribe Resolution](#)
2. [R2022-023](#) **Preannexation Development Agreement: Galpin Trust**
Authorize a Preannexation Development Agreement with the Galpin Trust for property located at 4131 W. El Dorado Road. (Community Development/ Community Planning) (Alyssa Linville)

Attachments: [1 RES PDA 4131 W El Dorado Road](#)
[2 AGMT PDA 4131 W El Dorado Road](#)

3. [R2022-024](#)**Development Fee Credit Agreement: Santana Subdivision**

Approve a resolution authorizing a Development Fee Credit Agreement with Santana 142 Re Holdings L.L.C. for the construction of the outside lanes and edges of 40th Street at the Santana Subdivision (Engineering) (Chris Young)

Attachments:[1. MAP Dev Fee Credit Agmt: Santana Subdivision](#)[2. RES Dev Fee Credit Agmt: Santana Subdivision](#)[3. AGMT Dev Fee Credit Agmt: Santana Subdivision](#)[4. SUPP DOC Dev Fee Credit Agmt: Santana Subdivision](#)**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. [O2022-004](#)**Amend Yuma City Code Title 3, Section 39: Court Technology Fee**

Amend Yuma City Code Title 3, Section 39 to allow the Yuma Municipal Court (Court) to assess a \$10.00 Court Technology Fee to offset the technology cost associated with each case. (Municipal Court) (Del Miller)

Attachments:[1. ORD Amend Yuma City Code-Court Technology Fee](#)2. [O2022-005](#)**Rezoning of Property: 12th Street between S. Castle Dome Avenue and S. Pacific Avenue**

Rezone approximately 4.1 acres from the Agriculture (AG) District to the General Commercial/Aesthetic Overlay (B-2/AO) District, for the property located on 12th Street between S. Castle Dome Avenue and S. Pacific Avenue, Yuma, Arizona. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:[1. P&Z RPT Rezoning: 12th St between S. Castle Dome Ave and S. Pacific Ave](#)[2. ORD Rezoning: 12th St between S. Castle Dome Ave and S. Pacific Ave](#)

3. [O2022-006](#)**Rezoning of Property: Avenue A and 3rd Street**

Approve the rezoning of approximately 0.79 acres from the General Commercial (B-2) District to the Medium Density Residential (R-2) District, while maintaining the Infill Overlay (IO) District, for the property located at 271 S. Avenue A, Yuma, AZ. (SUBD-37971-2021) (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:[1. P&Z RPT Rezone: Avenue A and 3rd Street](#)[2. ORD Rezone: Avenue A and 3rd Street](#)4. [O2022-007](#)**Right-of-Way Acquisition: 28th Street Road Widening**

Authorize the acquisition of rights-of-way necessary for the construction/widening of 28th Street between 45th Avenue and 33rd Drive. (Engineering) (Chris Young)

Attachments:[1. ORD Right-of-Way Acquisition: 28th Street Road Widening](#)[2. DIAGRAM Right-of-Way Acquisition: 28th Street Road Widening](#)**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. [O2022-008](#)**Amend Yuma City Code: 2018 International Plumbing Code and the Local Amendments dated December 15, 2021**

Amend Yuma City Code Chapter 150, Sections 150-060 and 150-061 (Building Safety/ Building Safety)(Randall Crist)

Attachments:[1. ORD International Plumbing Code](#)2. [O2022-009](#)**Amend Yuma City Code: 2018 International Mechanical Code and the Local Amendments dated December 15, 2021**

Amend Yuma City Code Chapter 150, Sections 150-045 and 150-046. (Building Safety/ Building Safety)(Randall Crist)

Attachments:[1. ORD Mechanical Code](#)3. [O2022-010](#)**Amend Yuma City Code: 2018 International Fuel Gas Code and the Local Amendments dated January 12, 2022**

Amend Yuma City Code Chapter 150, Sections 150-065 and 150-067. (Building Safety/ Building Safety)(Randall Crist)

Attachments:[1. ORD Fuel Gas Code](#)

4. [O2022-011](#) **Amend Yuma City Code: NFPA 70 National Electrical Code 2020 Edition and the Local Amendments dated February 2, 2022**

Amend Yuma City Code Chapter 150, Sections 150-076 and 150-077. (Building Safety/ Building Safety)(Randall Crist)

Attachments: [1. ORD Electric Code](#)

5. [O2022-012](#) **Declare Real Property Surplus and Vacate of Right-of-Way: Northwest Corner of 25th Lane and Avenue C**

Declare certain City owned right-of-way north of the northwest corner of 25th Lane and Avenue C surplus for City use and authorize the vacation of the surplus right-of-way to the adjacent property owners of Lots 82, 83, 84, 85, 86 of the Park West Unit No. 1 subdivision pursuant to A.R.S. § 28-7205 upon the recordation of the lot tie for each of the five lots. (City Attorney's Office) (Richard Files)

Attachments: [1. ORD Declare Surplus and Vacate Right-of-Way: NW Corner of 25th Ln and Ave C](#)

6. [O2022-013](#) **Right-of-Way Acquisition: Avenue 4E Sewer Line Extension**

Authorize the acquisition of right-of-way necessary for the construction and operation of a 15-inch sanitary sewer line along Avenue 4E (Engineering)(Chris Young)

Attachments: [1. ORD Right-of-Way Acquisition: Ave 4E Sewer Line Extension](#)

7. [O2022-014](#) **Ratification of a Grant of Easement**

Ratify the acquisition of an easement west of the southwest corner of East Palo Verde Street and South Avenue 3E. (City Attorney's Office)(Richard Files)

Attachments: [1. ORD Ratification of a Grant of Easement: Yuma Mesa Storage](#)

8. [O2022-015](#)**Assignment and Partial Termination of Master Development and Disposition Agreement and Phase Two Lease**

Approve the attached Termination of the Yuma Pivot Point Phase Two Amended and Restated Land and Improvements Lease; Partial Termination of the Yuma Pivot Point Amended and Restated Phase Two Component Development and Disposition Agreement; Assignment of Master Developer and Phase Two Component Developer's Interests and Duties to the Municipal Property Corporation as Successor Master Developer; Termination of the Master Development and Disposition Agreement (Master DDA) as to Certain Parcels with the Exception of the Pivot Point Hotel and Conference Center Parcel and the Home2 Suites Parcel; and Mutual Release Between the Parties. (City Attorney) (Richard W. Files)

Attachments:

- [1. ORD Assignment and Partial Termination of Master DDA and Phase Two Lease](#)
- [2. AGMT Assignment and Partial Termination of Master DDA and Phase Two Lease](#)

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 April 7, 2022 through April 20, 2022. 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. RETIREMENT RECOGNITION OF YUMA CITY FIRE CHIEF, STEVE IRR

City Council recognition of the many years of service from Fire Chief Irr.

VIII. 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.

IX. 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 ARS §28-8461 through §28-8486 (A.R.S. 38-431.03 A3, A4 & A7)
- B. Discussion, consultation with and/or instruction to legal counsel regarding possible loan guarantee on behalf of the Greater Yuma Port Authority. (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.

