



City of Yuma City Council Meeting Agenda

Wednesday, March 15, 2023

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.

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 2023-038](#) **Regular Council Meeting Draft Minutes February 15, 2023**

Attachments: [2023 02 15 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 2023-031](#) **Liquor License: The Chile Pepper**

Approve a Series #12: Restaurant Liquor License application submitted by Andrea Huff, agent for The Chile Pepper located at 1030 W. 24th St. (LL23-04) (City Administration/ City Clerk) (Lynda L. Bushong)

Attachments: [1. MAP Liquor License: The Chile Pepper](#)

2. [MC 2023-032](#) **Bid Award: Office Supplies and Products**

Award the most responsive and responsible bidders a one-year contract for the purchase of office supplies and products with an option to renew for four additional one-year periods, with an estimated annually combined total expenditure of \$135,000.00 to Wist Business Supplies and Equipment, Tempe, AZ and to Hoppstetters Office Products, Yuma, AZ (Finance-RFB-23-162) (Doug Allen/Robin R. Wilson)

Attachments: [1. SUPP DOC Bid Award: Office Supplies and Products](#)

3. [MC 2023-033](#) **Bid Award: Avenue 3½ E Paving, 32nd Street to 40th Street**
Authorize the City Administrator to execute a contract for construction services for the Avenue 3½E Paving, between 32nd Street and 40th Street, to the lowest responsive and responsible bidder in the amount of \$2,059,779.57 to: Gutierrez Canales Engineering, Yuma, AZ (Engineering-RFB-22-145) (David Wostenberg/Robin R. Wilson)

4. [MC 2023-034](#) **Bid Award: Sale of Property-Southeast Corner of Avenue A and 4th Street**
Authorize a bid award for the sale of property on the southeast corner of Avenue A and 4th Street to UBLA Properties of Yuma, AZ in the amount of \$128,000. (City Attorney-RFO-23-186) (Richard Files/Robin R. Wilson)

Attachments: [1. SUPP DOC Bid Award: Sale of Property-SE Corner of Ave A and 4th St.](#)

5. [MC 2023-035](#) **Contract Increase: Tree, Shrub and Bush Trimming Services**
Approve a \$131,000.00 increase for tree, shrub and bush trimming services to Arbor Tech, Yuma, AZ and All Star Tree Service LLC, Yuma, AZ for a total annual estimated cost of \$251,000.00. (Parks & Recreation and Public Works) (RFB-22-177) (Eric Urfer/Joel Olea/Robin R. Wilson)

6. [MC 2023-036](#) **Agreement: Arizona Department of Homeland Security**
Authorize the City Administrator to execute a reimbursement agreement with the Arizona Department of Homeland Security for City funds expended for equipment supporting Operation Stonegarden. (Police/Patrol) (Thomas Garrity)

Attachments: [1. SUPP Arizona Department of Homeland Security: 2022 OPSG](#)
[2. SUPP Arizona Department of Homeland Security: 2022 OPSG](#)
[3. SUPP Arizona Department of Homeland Security: 2022 OPSG](#)
[4. AGMT Arizona Department of Homeland Security: 2022 OPSG](#)

7. [MC 2023-037](#) **Settlement: Ramirez Claim**
Authorize settlement of a Notice of Claim submitted on behalf of Maria Ramirez. (City Attorney) (Richard W. Files)

II. 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. [O2023-007](#)

Rezoning of Property: 2774 S. Avenue B

Rezone approximately .88 acres from the Agriculture (AG) District to the Limited Commercial (B-1) District for the property located at 2774 S. Avenue B. (Planning & Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:

[1. P&Z RPT Rezoning of Property: 2774 S. Avenue B](#)

[2. ORD Rezoning of Property: 2774 S. Avenue B](#)

2. [O2023-008](#)

Rezoning of Property: E. North Frontage Road and S. Avenue 3E

Approve the rezoning of approximately 20 acres from the Agriculture (AG) District to the General Commercial/Aesthetic Overlay (B-2/AO) District for the property located at the northeast corner of E. North Frontage Road and S. Avenue 3E (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:

[1. P&Z RPT Rezoning: Ave 3E & N. Frontage Road](#)

[2. ORD. Rezoning: Ave 3E & N. Frontage Road](#)

3. [O2023-009](#)

Rezoning of Property: Northwest corner of 24th Street and Avenue 9E

Rezone approximately seven acres from the Agriculture (AG) District to the Medium Density Residential (R-2) District for the property located at the northwest corner of 24th Street and Avenue 9E. (Planning and Neighborhood Services/Communtiy Planning) (Alyssa Linville)

Attachments:

[1. P&Z REPORT Rezoning: Northwest Corner of 24th Street and Avenue 9E](#)

[2. ORD Rezoning: Northwest Corner of 24th Street and Avenue 9E](#)

FINAL CALL

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

III. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments:

- Parks, Arts, and Recreation Commission - one appointment
- Yuma County Library Board of Trustees - one reappointment

2. 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 March 2, 2023 through March 15, 2023. 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.

3. Scheduling:

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

IV. 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.

V. 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.

VI. 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 proposed EPA permitted Hazardous Waste Transfer Facility at 2264 E. 13th Street. (A.R.S. 38-431.03 A3 & A4)

B. Discussion, consultation with and/or instruction to legal counsel regarding city-owned real property located at the southwest corner of 16th Street and Fourth Avenue. (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.