




WELLTON
ARIZONA

Town Council Meeting Council Packet

April 4, 2023

Mayor Scott Blitz

Vice Mayor Cecilia McCollough

Councilmember Barbara Biggs

Councilmember Sylvia Davidson

Councilmember Michelle Jones

Town Manager Richard Marsh



**TOWN OF WELLTON
TOWN COUNCIL MEETING AGENDA
COUNCIL CHAMBERS
28634 OAKLAND AVENUE, WELLTON, ARIZONA
TUESDAY, APRIL 4, 2023
6:00PM**

6:00 PM Convene Regular Session of the Common Council of the Town of Wellton

- **Call to Order**
- **A reminder to please turn your cell phones off or place on vibrate. If you must answer your cell phone or text, please step outside. Thank you.**
- **Pledge of Allegiance**
- **Invocation**
- **Roll Call**
- **Introduction of Guests**
- **Final Call** for submission of Speaker Request Forms
- **Call to the Public**

This is a business meeting of the Wellton Town Council. The Town values and welcomes public input. Please address the Council and not individual Council Members. Do not address staff or members of the audience. The Open Meeting Law limits Council action on items brought up in Call to the Public. The Council may direct staff to study the matter and reschedule for further consideration later. Items on the agenda will not be heard or discussed in Call to the Public. Individuals are limited to three (3) minutes.
- **Presentation**

Presentation by Jordan Cairns, CivicPlus, demonstrating SeeClickFix.
- **Presentation**

Presentation of Employee of the Month: Ashley Rivera
- **Presentation**

Employee Recognition: Salvador Arcos, Assistant Director of Department of Public Works
- **Presentation**

Amberley's Place for Child Abuse Awareness Month
- **Presentation**

Presentation by Town Manager Richard Marsh with an update on the Neighborhood Revitalization Initiative.

Discussion and Action Items

1. **Approval of Minutes:**
 - a. For the Meeting of March 7, 2023 (Regular Meeting).
2. **Discussion and possible action to confirm the continued appointment of Sandra Watts as the Town of Wellton's representative for the Yuma County Library District Board of Trustees for a 3-year term, effective July 1, 2023.**
3. **Discussion and possible action to proclaim April 23 – 29, 2023 as National Library Week.**

4. Discussion and possible action to proclaim April as National Child Abuse Prevention Month.
5. Discussion and possible action to:
 - a. Authorize the Mayor to sign Resolution No. 704 adopting a Fair Housing Policy and describing actions the Town of Wellton shall undertake to Affirmatively Further Fair Housing; and
 - b. Proclaim April as Fair Housing Month.
- **Recess Regular Session of the Common Council and open Public Hearing as Board of Adjustment**
6. Public Hearing for Rezoning Case:
 - a. Rezoning Case #RZ-23-003: Dahl, Robins & Associates, Inc., agents for G-12, LLC request a rezoning of an 878,733 square foot parcel at PID 201-07-016 in Wellton, Arizona, from Residential District to Commercial District.
- **Close Public Hearing.**
7. Discussion and possible action to approve Resolution No. 705 to adopt a minor amendment to the General Plan to allow a commercial use on property located at PID 201-07-016, Wellton, Arizona.
8. Discussion and possible action to adopt Ordinance No. 150, to amend the zoning map of the Town of Wellton for the property located at PID 201-07-016, Wellton, Arizona.
9. Discussion and possible action to adopt Resolution No. 706 to authorize the 5310 Grant Application 2023 on behalf of the Town of Wellton.
10. Discussion and possible action to adopt a statement of expenses and authorize a special assessment against the real property located at 10526 Alice Street, Wellton, AZ, to recoup the abatement process.
- **Future Agenda Items**
- **Town Manager Report**

The Town Manager's report is an informational item to inform the Town Council about current developments with respect to Town business. No action will be taken on any information presented.
- **Council's Report**

There is a Planning and Zoning Workshop scheduled for Wednesday, April 5, 2023, at 6:00PM. There is also a Budget Workshop scheduled for Tuesday, April 11, 2023, at 6:00PM. The next scheduled Regular Council Meeting will be Tuesday, May 2, 2023, at 6:00PM.

- **Executive Session**

An Executive Session may be called during the public meeting on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of receiving legal advice.

- **Adjournment**

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the Town of Wellton does not discriminate based on 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 Town programs, activities, or services contact: ADA/Section 504 Coordinator, Town of Wellton, 28634 Oakland Avenue, Wellton, Arizona 85356, (928) 785-3348 or TTY (928) 785-3349.

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TOWN OF WELLTON

Minutes of the March 7, 2023 Regular Meeting

Mayor Scott Blitz called the regular meeting to order at 6:00PM on Tuesday, March 7, 2023. **Mayor Blitz** led the Pledge of Allegiance and Councilmember **Barbara Biggs** gave the invocation. Roll call was taken.

Councilmembers Present: Mayor Scott Blitz, Mayor Pro Tem (Vice Mayor) Cecilia McCollough, Councilmembers Barbara Biggs, Sylvia Davidson, and Michelle Jones.

Councilmembers Absent: None

Staff Present: Town Manager Richard Marsh, Deputy Town Clerk Sandra Jones, Finance Director Marisol Hernandez, Police Chief David Rodriguez, Grants Administrator Yolanda Galindo, and Attorney John Austin Gaylord (via Zoom).

Guests Present: Lynda Lake, Connie Mason Bennett, Jim Sampson, Crystal Mendoza, Kenny Ward, Dolores Ward, Rob Murdock, Connie Zimmerman, Lisa Alama, Allen Lockwood, Janet Lockwood, Charles Brunet, Larry Adams, Ron Hansen, Evie Pistone, Lou Landers, Brenda Landers, Paige Souza, Derrick Souza, Catherine Blitz, and Wayne Kerley.

Call to the Public

Rob Murdock (28462 Telegraph Avenue) – He wanted to express his concern regarding Ordinance No. 247 and the potential repercussions it could bring.

Presentation

Small Business Development Center (SBDC) Presentation by Crystal Mendoza. Requesting a \$1,000 contribution from the Town of Wellton.

Presentation

Greater Yuma Economic Development (GYEDC) Mid-Year Presentation by Julie Engle, Executive Director.

Presentation

Recognition of volunteers at Coyote Wash Golf Course, presented by Councilmember Barbara Biggs.

Presentation

Presentation by Town Manager Richard Marsh with an update on the Neighborhood Revitalization Initiative.

Presentation

Presentation by Town Manager Richard Marsh on 2022 Accomplishments.

Discussion and Action Items**1. Approval of Minutes:**

- a. **For the Meeting of February 7, 2023 (Work Session).**
- b. **For the Meeting of February 7, 2023 (Regular Meeting).**

Motion made by Councilmember Jones, seconded by Mayor Pro Tem McCollough, to approve Minutes for the Meetings of February 7, 2023 (Work Session) and February 7, 2023 (Regular Meeting).

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

2. Discussion and possible action to adopt Ordinance No. 149 amending the Code of the Town of Wellton, Arizona, by amending certain provisions of Chapter 2, Mayor, and Council, related to the title of the Mayor Pro Tem; and providing for repeal of conflicting ordinances.

Motion made by Councilmember Biggs, seconded by Councilmember Jones, to adopt Ordinance No. 149 amending the Code of the Town of Wellton, Arizona, by amending certain provisions of Chapter 2, Mayor, and Council, related to the title of the Mayor Pro Tem; and providing for repeal of conflicting ordinances.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

• Recess Regular Session of the Common Council and open Public Hearing as Board of Adjustment

Motion made by Councilmember Jones, seconded by Councilmember Davidson, to recess Regular Session of the Common Council and open Public Hearing as Board of Adjustment at 7:09PM.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

3. Public Hearing for Rezoning Case:

- a. Rezoning Case #RZ-23-003: Dahl, Robins & Associates, Inc., agents for G-12, LLC request a rezoning of an 878,733 square foot parcel located at PID 201-07-016 in Wellton, Arizona, from Residential District to Commercial District.**

• **Close Public Hearing.**

Motion made by Councilmember Davidson, seconded by Councilmember Jones, to close the Public Hearing at 7:20PM.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

4. Discussion and possible action to authorize the Mayor to sign Professional Services Agreement between Logan-Simpson Design, Inc. & the Town of Wellton for the Comprehensive Plan Update, in the amount of \$50,000. CDBG Contract #121-23.

Motion made by Vice Mayor McCollough, seconded by Councilmember Davidson, to authorize the Mayor to sign Professional Services Agreement between Logan-Simpson Design, Inc. & the Town of Wellton for the Comprehensive Plan Update, in the amount of \$50,000. CDBG Contract #121-23.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Abstain

Motion carried.

**5. Discussion and possible action to authorize the Mayor to sign the following documents:
1) Contract #145-23 between the Town of Wellton and the Arizona Department of Housing for the use of CDBG Regional Account funds in the amount of \$481,912 and 2) All required forms that are necessary for contract execution.**

Motion made by Vice Mayor McCollough, seconded by Councilmember Jones, to authorize the Mayor to sign the following documents: 1) Contract #145-23 between the Town of Wellton and the Arizona Department of Housing for the use of CDBG Regional Account funds in the amount of \$481,912 and 2) All required forms that are necessary for contract execution.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

6. Discussion and possible action to approve Resolution No. 703 designating the Chief Fiscal Officer for officially submitting the Town's Fiscal Year 2023 Annual Expenditure Limitation Report.

Motion made by Vice Mayor McCollough, seconded by Councilmember Jones, to approve Resolution No. 703 designating the Chief Fiscal Officer for officially submitting the Town's Fiscal Year 2023 Annual Expenditure Limitation Report.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

7. Discussion and possible action to authorize Staff to negotiate the sale of town property located at 29249 San Jose Avenue (PID 709-13-030), Wellton Annex, Block 42, Lot 3.

Motion made by Councilmember Biggs, seconded by Vice Mayor McCollough, to authorize Staff to negotiate the sale of town property located at 29249 San Jose Avenue (PID 709-13-030), Wellton Annex, Block 42, Lot 3 with Council's final approval.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

Future Agenda Items

- The approval of lien for the Alice Street Project.
- SeeClickFix app demonstration.

Town Manager Report

- **Reminder:** Effective February 17, 2023, the Wellton Town Council will hold one meeting per month. It will be the first Tuesday of each month at 6:00PM at the Council Chambers. Additional Special Meetings and Work Sessions will be scheduled as needed.
- Yuma County Public Works will be assisting Staff on some much-needed road maintenance.
- Code Enforcement and Animal Control have been working diligently to mitigate the animal abandonment situation on Carney Drive. I am happy to report that all 20+ dogs have been taken to Yuma County Humane Society.

- Brandon Howard has submitted his resignation. He will remain on staff for 30-days to aid with the transition. The Deputy Director position which Brandon held will remain vacant. Staff has posted in multiple arenas for a Water System Operator vacancy and are anticipating a very smooth change-over. Being a member of the State ADEQ Operators Committee it has afforded me the opportunity to obtain a great working relationship with the ADEQ. They have provided a list of potential candidates, a recruiting agency contact, and they will be helping me secure a suitable candidate. We are interviewing our first candidate on March 13, 2023. Salvador Arcos, Deputy Director of DPW has over 24 years' experience, awesome work ethic and a vast amount of institutional knowledge. He will be promoted to Assistant Director of the Department of Public Works.
- City of Yuma Mayor Nichols held a luncheon meeting on February 27, 2023, with Governor Hobbs and local entities to discuss pertinent issues that are affecting the area.
- The Town posted a Notice of Intent on the Town's website (pursuant to A.R.S. § 9-499.15) to give notice that it may increase the fees charged by the Wellton Municipal Court and provided this written Notice of the proposed increase. The town strives to match the amounts of the Town's Municipal Court Fees to the amounts of the equivalent fees charged by the Wellton Justice Court. Having the same fee schedule for the Wellton Municipal and Justice Courts creates a more equitable system for the disposition of cases and simplifies court operations. Currently, the Town plans to revise the descriptions of its Court Fees in Town Code to clarify the total amount of each fee. this revision will not increase the amount of any town fee currently collected. Still, this notice is being issued in an abundance of caution to ensure that Town residents and visitors are well informed. The proposed fees will be considered for approval at the Regular Council Meeting on May 2, 2023, at 6:00 PM.

Council's Report

- Mayor Blitz challenged the Council to list a task/project they would like to see tackled:
 - Councilmember Jones would like to see water issues addressed.
 - Mayor Blitz would like to see dog licensing, neighborhood watch, and improvements at the golf courses.
 - Councilmember Biggs would like the continued improvements on landscaping and a dog park/amusement park.
 - Vice Mayor McCollough is interested in continued training and understanding of grant writing, community meetings, creating partnerships, etc.
- Councilmember Biggs readdressed the IPMC. She has had a change of heart regarding this issue and would like to review the verbiage at a future date.
- Mayor Blitz participated in the group discussion with the Governor regarding water, the border issue, and other items of concern for this area.
- Mayor Blitz and Vice Mayor McCollough will participate in the discussion regarding the future of Colorado River water on March 8, 2023.
- Mayor Blitz wanted to congratulate Staff for the successful turnout at the Pioneer Day Parade and Fiesta.
- Mayor Blitz also wanted to mention the Yuma Air Show is upcoming on March 11, 2023.

- Mayor Blitz questioned the attorney as to who reviews the agenda packet before distribution.
- Vice Mayor McCollough also discussed the regional funding to widen Highway 95, the pursuit of Direct Congressional Funding, and GoFundMe Grants.

Executive Session

- None requested.

Adjournment

Motion made by Vice Mayor McCollough, seconded by Councilmember Jones to adjourn.

Davidson: Yay

Jones: Yay

Blitz: Yay

McCollough: Yay

Biggs: Yay

Motion carried.

Meeting adjourned at 7:51PM.

Scott Blitz, Mayor

ATTEST:

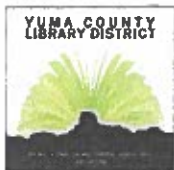
Richard Marsh, Town Manager

CERTIFICATION:

I hereby certify that the forgoing minutes are a true and correct copy of the regular meeting held March 7, 2023, and the meeting was duly called and posted and that a quorum was present.

Richard Marsh, Town Manager

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Administrative Offices • 2951 S. 21st Drive • Yuma, AZ 85364 • 928.782.1871 • www.yumalibrary.org

Yuma Main • Heritage • Dateland • Foothills • Roll • San Luis • Somerton • Wellton

February 16, 2023

Mayor Scott Blitz
Members of the Wellton Town Council
P.O. Box 67
Wellton, AZ 85356

RECEIVED

MAR 13 2023

TOWN OF WELLTON

Dear Mayor and Members of the Town Council,

The term of Sandra "Sandy" Watts, Town of Wellton representative on the Yuma County Library District Board of Trustees, will expire on June 30, 2023.

Ms. Watts has expressed a desire to continue representing the Town of Wellton on this Board for a full three year term. (The new term will take effect July 1, 2023.)

Because it is necessary that appointment be confirmed no later than the June 5, 2023 meeting of the Yuma County Board of Supervisors, please consider her re-appointment, or a new appointment, to the Library District's Board of Trustees, and advise my office of your decision by May 1, 2023.

Thank you.

Sandra Gutierrez
Administrative Assistant

cc: Richard Marsh, Town Manager
Sandy Watts

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PROCLAMATION

A PROCLAMATION OF THE MAYOR OF THE TOWN OF WELLTON, ARIZONA, PROCLAIMING THE WEEK OF APRIL 23 – 29, 2023 AS NATIONAL LIBRARY WEEK.

WHEREAS, libraries connect people to technology, providing access to broadband internet, computers, and training that are critical for accessing education and employment opportunities;

WHEREAS, today's libraries and their services extend far beyond the four walls of a building and everyone is welcome to use their resources;

WHEREAS, in times of crisis, libraries and library professionals play an invaluable role in supporting their communities both in person and virtually;

WHEREAS, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all;

WHEREAS, to adapt to our changing world, libraries are expanding their resources and continuing to meet the needs of their patrons;

NOW, THEREFORE, be it resolved that I, Scott Blitz, Mayor, proclaim National Library Week, April 23-29, 2022. During this week, I encourage all residents to connect with their library online or in person to access resources and services.

ISSUED by the Mayor of the Town of Wellton, Yuma County, Arizona, this 4th day of April 2023.

Scott Blitz, Mayor

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PROCLAMATION

CHILD ABUSE PREVENTION PROCLAMATION, 2023

WHEREAS, in Federal fiscal year 2020, 3.9 million reports were made to child protective services; and

WHEREAS, child abuse and neglect are a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, our children are our most valuable resources and will shape the future of our community state and nation; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS, prevention remains the best defense for our children and families.

NOW, THEREFORE, I, Scott Blitz, Mayor, of the Town of Wellton do hereby proclaim April, 2023 as:

NATIONAL CHILD ABUSE PREVENTION MONTH

in Wellton and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

ISSUED by the Mayor of the Town of Wellton, Yuma County, Arizona, this 4th day of April 2023.

Scott Blitz, Mayor

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Town of Wellton

28634 Oakland Avenue • P.O. Box 67 • Wellton, AZ 85356 • (928) 785-3348 • Fax: (928) 785-4374

Memorandum

To: Mayor & Town Council
From: Richard Marsh, Town Manager
Date: April 4, 2023
Re: AFFIRMATIVELY FURTHER FAIR HOUSING & FAIR HOUSING MONTH PROCLAMATION

Background: The Housing and Community Act of 1974 as amended requires that all applicants/recipients of Community Development Block Grant (CDBG) funds certify that they shall affirmatively further fair housing.

Summary: As a recipient of Community Development Block Grant (CDBG) funds, the Arizona Department of Housing requires that every CDBG fund recipient adopt a Resolution in which the Town of Wellton will Affirmatively Further Fair Housing & Proclaim April as Fair Housing Month in the Town of Wellton. The Resolution must be adopted on a yearly basis.

Fiscal Impact: N/A

Recommendation: Authorize the Mayor to sign Resolution #704 adopting a Fair Housing Policy and describing actions the Town of Wellton shall undertake to Affirmatively Further Fair Housing and Proclamation of the Town of Wellton proclaiming April as Fair Housing Month.

Prepared by:

Yolanda Galindo

Yolanda Galindo, Grants Director

**Approved for
Agenda by:**

Richard Marsh

Richard Marsh, Town Manager

RESOLUTION #704

FAIR HOUSING RESOLUTION

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WELLTON, YUMA COUNTY, ARIZONA, ADOPTING A FAIR HOUSING POLICY, MAKING KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT SHALL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING.

WHEREAS, the Housing and Community Development Act of 1974 as amended requires that all applicants for Community Development Block Grant funds certify that they shall affirmatively further fair housing; and

WHEREAS, the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 declare a national policy to prohibit discrimination in the sale, rental, leasing, and financing of housing or land to be used for the construction of housing or in the provision of brokerage services, on the basis of race, color, religion, sex, disability, familial status or national origin; and

WHEREAS, fairness is the foundation of the American system and reflects traditional American values; and

WHEREAS, discriminatory housing practices undermine the strength and vitality of American and its people;

NOW, THEREFORE, BE IT RESOLVED THAT the Town Council of the Town of Wellton, Arizona, hereby wish all persons living, working, doing business in or traveling through the Town of Wellton to know that:

Discrimination in the sale, rental, leasing, and financing of housing or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the Fair Housing Act Amendments of 1988; and that it is the policy of the Town of Wellton to implement programs, within the constraints of its resources, to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin; and within available resources the Town of Wellton will assist all person who feel they have been discriminated against housing issues on the basis of race, color, religion, sex, handicap, familial status or national origin to seek equity under existing federal and state laws to file a complaint with the Arizona Attorney General's Office or the Department of Housing and Urban Development; and that the properties, developers, builders, and other involved with housing to become aware of their respective responsibilities and rights under the

Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances; and that the Town of Wellton shall undertake the following actions to additionally “affirmatively further fair housing”.

- Mail copies of signed Resolutions to local real estate companies and banks;
- Post Resolution at Town Hall; Post Office, and local health center;
- Post Resolution in Town’s Website;
- Post Resolution on Town’s Facebook page.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Wellton, Arizona, this 4th day of April 2023.

Scott Blitz, Mayor

ATTEST:

APPROVED AS TO FORM:

Richard Marsh, Town Manager

Andrew McGuire, Town Attorney

PROCLAMATION

TOWN OF WELLTON

FAIR HOUSING MONTH

WHEREAS, The Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services on the basis of race, color, religion, sex, disability, familial status or national origin; and

WHEREAS, the 1968 and 1988 Federal Fair Housing Acts declare that it is a national policy to ensure equal opportunities in housing; and

WHEREAS, April has been traditionally designated as Fair Housing Month in the United States;

NOW, THEREFORE, I, Scott Blitz, Mayor of the Town of Wellton do hereby proclaim the month of April as:

FAIR HOUSING MONTH

In the Town of Wellton and do hereby urge all citizens of this community to comply with the letter and the spirit of the Fair Housing Law.

IN WITNESS THEREOF, I have hereunto set my hand and cause the Seal of the Town of Wellton to be affixed this 4th day of April 2023.

Scott Blitz, Mayor

ATTEST:

Richard Marsh, Town Manager

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Town of Wellton

28634 Oakland Avenue • P.O. Box 67 • Wellton, Arizona 85356 • (928) 785-3348 • Fax (928) 785-4374 • wellton@town.wellton.az.us

Staff Report

To: Board of Adjustment
From: Sandra Jones
Deputy Town Clerk
Date: April 4, 2023
Re: Rezoning Case RZ-23-003

1. Requested Action

Dahl, Robins & Associates, Inc., agents for G-12, LLC request a rezoning of an 878,733 square foot parcel located at PID 201-07-016 in Wellton, Arizona, from Residential District to Commercial District.

2. Summary

The location is within PID 201-07-016.

3. Fiscal Impact

N/A

4. Recommended Motion

It is recommended the Town Council approve Rezoning Case RZ-23-003.

Prepared by:


Sandra Jones, Deputy Town Clerk

Approved for
Agenda by:


Richard Marsh, Town Manager



Town of Wellton
Department of Planning and Zoning

PO Box 67 • 28634 Oakland Avenue
Wellton, Arizona 85356
(928) 785-3348 • (928) 785-4374 Fax


APPLICATION

- ☒ REZONING ☐ VARIANCE ☐ CONDITIONAL USE PERMIT
☐ MAJOR AMENDMENT ☐ MINOR AMENDMENT ☐ LOT SPLIT/LOT TIE
☐ OTHER: _____

Case Number: R2-23-003 Public Hearing Date: 3/7/2023

Property Information	
Address/Parcel No.: 201-07-016	Current Zoning: Residential
Area (acres/sq ft) to be affected: 20.1729 acres / 878,733 sq ft	Proposed Zoning or Number of Lot Splits/Ties: Commercial
Current Use: Undeveloped/Vacant Land	Proposed Use: Car Wash
Request: Rezoning	Valuation of Work: N/A
Purpose of the above requested actions? Rezoning for the development of the property	

Property Owner(s) / Agent(s) Information	
Property Owner's Name(s): G-12, LLC	Agent's Name(s): Dahl, Robins & Associates, Inc.
Mailing Address: P.O. Box 6407	Mailing Address: 1560 S. 5th Avenue
City, State, & Zip: Yuma, AZ 85366	City, State, & Zip: Yuma, AZ 85364
Phone: (928) 920-4315	Phone: (928) 819-0825
E-mail: gcurtis51@gmail.com	E-mail: crobins@dahlrobins.com
Fax:	Fax: (928) 819-0826

<i>I affirm that I am the owner of record of the subject property. If an agent is named, I hereby authorize that person to act on my behalf in matters relating to this application. Property Owner's signature is mandatory on all applications.</i>		<i>I hereby declare that all of the above information contained in this application is true and correct to the best of my knowledge and belief. I acknowledge that errors in this application may delay review.</i>	
	1.23.23		
Property Owner's Signature	Date	Agent's Signature	Date
Property Owner's Signature	Date	Agent's Signature	Date

at the request of
When recorded mail to
G-12, L.L.C.
P.O. Box 6407
Yuma, AZ 85366

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Tax Parcel No.:

QUIT CLAIM DEED

For consideration of Ten Dollars, and other valuable considerations, I or we,

L.S.S., INC., an Arizona corporation

hereby quit-claim to

G-12, L.L.C., an Arizona limited liability company

all right, title or interest in the following real property situated in Yuma County, Arizona:

SEE EXHIBIT "A" ATTACHED HERETO

ARS 11-1134 EXEMPT - NO CONSIDERATION PAID

Dated: February 6, 2018

L.S.S., INC., an Arizona corporation

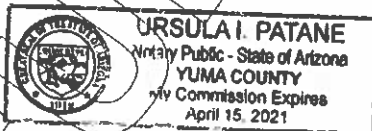
By: L. Scott Spencer, President

State of Arizona

} ss.

County of Yuma

The foregoing instrument was acknowledged before me this 13 day of February, 2018, by L. Scott Spencer, President of L.S.S., Inc., an Arizona corporation



NOTARY PUBLIC

My commission expires:

Exhibit "A"

That portion of the Northeast quarter of Section 7, Township 9 South, Range 18 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 7;

THENCE North $00^{\circ}50'23''$ West along the East line of said Section 7, a distance of 928.37 feet to the South right of way line of Interstate 8;

THENCE South $58^{\circ}16'07''$ West along said South right of way line of Interstate 8, a distance of 116.53 feet to an angle point of said Interstate 8 right of way;

THENCE North $00^{\circ}50'23''$ West along said Interstate 8 right of way line, a distance of 155.76 feet to a point on the North right of way line of the Wellton Canal, said point being the TRUE POINT OF BEGINNING;

THENCE South $58^{\circ}16'07''$ West along said North right of way line of the Wellton Canal, a distance of 1788.96 feet;

THENCE North $00^{\circ}13'11''$ West, a distance of 1313.67 feet to a point on said South right of way line of Interstate 8;

THENCE North $80^{\circ}35'05''$ East along said South right of way line of Interstate 8 a distance of 254.65 feet to an angle point of said South right of way line of Interstate 8;

THENCE South $85^{\circ}57'16''$ East continuing along said South right of way line of Interstate 8 a distance of 425.43 feet to another angle point of said South right of way line of Interstate 8;

THENCE South $69^{\circ}54'30''$ East continuing along said South right of way line of Interstate 8 a distance of 46.81 feet;

THENCE leaving said South right of way line of Interstate 8, South $20^{\circ}05'30''$ West a distance of 376.00 feet;

THENCE South $69^{\circ}54'30''$ East a distance of 379.22 feet to the beginning of a curve to the right;

THENCE Southeasterly along said curve of radius 314.50 feet an arc distance of 6.29 feet and a central angle of $01^{\circ}08'42''$ to a point;

THENCE North $20^{\circ}05'30''$ East a distance of 376.08 feet to a point on said South right of way line of Interstate 8;

THENCE South $69^{\circ}54'30''$ East along said South right of way line a distance of 386.90 feet to another angle point in said South right of way line;

THENCE North $89^{\circ}15'04''$ East continuing along said South right of way line a distance of 80.01 feet to another angle point of said Interstate 8 right of way;

THENCE South $00^{\circ}50'23''$ East continuing along said South right of way line a distance of 104.07 feet to the TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION MORE PARTICULARY DESCRIBED AS FOLLOWS:

BEGINNING at the East quarter corner of said Section 7;

THENCE North $00^{\circ}50'23''$ West along the East line of said Section 7, a distance of 928.37 feet to the South right of way line of Interstate 8;

THENCE South $58^{\circ}16'07''$ West along said South right of way line of Interstate 8 a distance of 116.53 feet to an angle point of said Interstate 8 right of way;

THENCE North $00^{\circ}50'23''$ West along said Interstate 8 right of way line a distance of 155.76 feet to a point on the North right of way line of the Wellton Canal, said point being the TRUE POINT OF BEGINNING;

THENCE South $58^{\circ}16'07''$ West along said North right of way line of the Wellton canal a distance of 486.59 feet;

THENCE North $31^{\circ}43'53''$ West distance of 12.84 feet to the beginning of a tangent curve to the left;

THENCE along said curve to the left, a radius 314.50 feet, an arc length of 203.27 feet and a central angle of $37^{\circ}01'55''$;

THENCE North $20^{\circ}05'30''$ East a distance of 376.06 feet to a point on the South right of way line of Interstate 8;

THENCE South $69^{\circ}54'30''$ East along said South right of way line a distance of 386.90 feet to another angle point of said Interstate 8 right of way;

THENCE North $89^{\circ}15'04''$ East along said South right of way line a distance of 80.01 feet to another angle point of said Interstate 8 right of way;

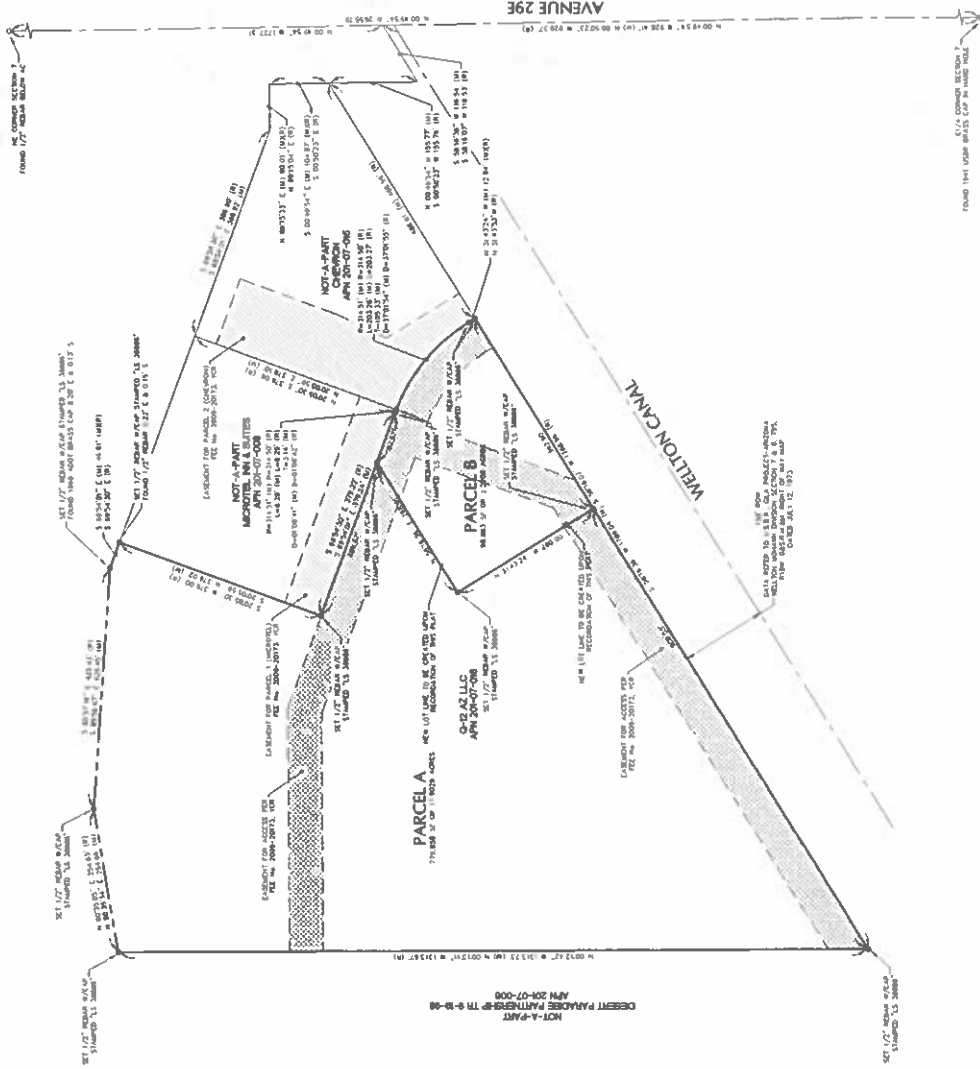
THENCE South $00^{\circ}50'23''$ East along said South right of way line a distance of 104.07 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH those certain easements and rights set forth in Reciprocal Easement Agreement recorded July 21, 2009 in Document No. 2009-20173.

TROPIC CAR WASH LOT SPLIT (LS23-XXX)

A LOT SPLIT OF APN 201-07-016, FEE No. 2018-04687 QUIT CLAIM DEED IN YUMA COUNTY RECORDS LOCATED IN A PORTION OF THE NE1/4 OF SECTION 7, TOWNSHIP 9 SOUTH, RANGE 18 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA

*LOT SPLIT FOR QUIT CLAIM DEED TO G-12, LLC AN ARIZONA LIMITED LIABILITY COMPANY



LEGEND

0	BOUNDARY LINE
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100	RECORDING

DATE PREPARED

FEBRUARY 2022

BASIS OF BEARINGS

BEARINGS AND DISTANCES TO THE NE1/4 SECTION 7, TOWNSHIP 9 SOUTH, RANGE 18 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, AS SHOWN ON THE SURVEY MAP.

ZONING

UNCLASSIFIED (GENERAL) ZONING

OWNER OF RECORD

G-12, LLC AN ARIZONA LIMITED LIABILITY COMPANY
APN 201-07-016
FEE No. 2018-04687

ACKNOWLEDGEMENT

THE SIGNATURE AND ACKNOWLEDGEMENT OF THE OWNER OF RECORD, G-12, LLC AN ARIZONA LIMITED LIABILITY COMPANY, IS HEREBY ACKNOWLEDGED BY THE LAND SURVEYOR, DAHL, ROBINS & ASSOCIATES, INC.

APPROVED

DATE

DATE PREPARED

FEBRUARY 2022

BASIS OF BEARINGS

BEARINGS AND DISTANCES TO THE NE1/4 SECTION 7, TOWNSHIP 9 SOUTH, RANGE 18 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, AS SHOWN ON THE SURVEY MAP.

ZONING

UNCLASSIFIED (GENERAL) ZONING

CERTIFICATION

I, DAHL, ROBINS & ASSOCIATES, INC., A PROFESSIONAL LAND SURVEYING FIRM, HAVE BEEN ENGAGED BY THE OWNER OF RECORD, G-12, LLC AN ARIZONA LIMITED LIABILITY COMPANY, TO PREPARE THIS SURVEY MAP. THE SURVEY MAP IS BASED ON THE INFORMATION PROVIDED BY THE OWNER OF RECORD AND THE LAND SURVEYOR'S FIELD NOTES. THE SURVEY MAP IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED BY THE OWNER OF RECORD. THE SURVEY MAP IS NOT A GUARANTEE OF THE ACCURACY OF THE LAND SURVEYOR'S FIELD NOTES. THE SURVEY MAP IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED BY THE LAND SURVEYOR'S FIELD NOTES. THE SURVEY MAP IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED BY THE LAND SURVEYOR'S FIELD NOTES.

LAND SURVEYOR

DAHL, ROBINS & ASSOCIATES, INC.

YUMA, ARIZONA

APRIL 12, 2022

APRIL 12, 2022

APRIL 12, 2022

APRIL 12, 2022

APRIL 12, 2022

APRIL 12, 2022

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RESOLUTION NO. 705

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF WELLTON, ARIZONA,
AMENDING THE TOWN OF WELLTON GENERAL PLAN LAND-USE
DESIGNATION OF APPROXIMATELY 878,733 SQUARE FEET LOCATED AT
201-07-016, WELLTON, ARIZONA.**

WHEREAS, the Town of Wellton General Plan (the "General Plan") was adopted by the Mayor and Council in 2013; and,

WHEREAS, the Town Council desires to amend the General Plan to change the land-use designation for approximately 878,733 square feet of real property generally located at PID 201-07-016, Wellton, Arizona (the "General Plan Amendment"); and;

WHEREAS, pursuant to ARIZ. REV. STAT.§ 9-461.06 and the General Plan, the Town of Wellton (the "Town") has consulted with, advised, and provided the opportunity for public comment on the General Plan Amendment; and;

WHEREAS, all due and proper notice of the public hearings on the General Plan Amendment held before the Town Council was given in the time, form and substance provided by ARIZ. REV. STAT.§ 9-461.06; and;

WHEREAS, pursuant to the General Plan, the Town Council held a public hearing on the proposed General Plan Amendment in the Town Council Chambers on March 7, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Wellton, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The General Plan is hereby amended to change the land-use designation for approximately 878,733 square foot parcel, parcel #201-07-016, Wellton, Arizona from Residential to Commercial.

SECTION 3. The Mayor, the Town Manager, the Town Clerk, and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Common Council of the Town of Wellton, Arizona, 4th day of April 2023.

Scott Blitz, Mayor

ATTEST:

Richard Marsh, Town Manager

APPROVED AS TO FORM:

Andrew McGuire, Town Attorney

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WHEN RECORDED RETURN TO:

**TOWN MANAGER/TOWN CLERK
TOWN OF WELLTON
PO BOX 67
WELLTON AZ 85356**

TOWN OF WELLTON

ORDINANCE NO. 150

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF WELLTON, ARIZONA, AMENDING THE ZONING MAP OF APPROXIMATELY 878,733 SQUARE FOOT PARCEL, LOCATED AT #201-07-016, WELLTON, ARIZONA, FROM RESIDENTIAL TO COMMERCIAL.

WHEREAS, this Ordinance has been properly noticed for public hearing and the necessary hearings were completed on March 7, 2023; and

WHEREAS, changing the zoning district of the property will enhance the health, safety, and welfare of the community, and will not depreciate surrounding property values, and at the same time is in harmony with the purposes and intent of the Town of Wellton General Plan, as amended.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Town Council of the Town of Wellton, Arizona, that:

Section 1: The Zoning Map of the Town of Wellton is hereby amended by changing the property described in Exhibit A, attached hereto, from the Residential Zoning District to Commercial District.

Section 2: All present and future owners of the property described in Exhibit A, attached hereto, shall develop the property in accordance with the requirements of the Commercial Zoning District.

Section 3: The Mayor, Town Manager, Town Clerk, and the Town Attorney are hereby authorized to take all steps and to execute all documents necessary to implement the purpose and intent of this ordinance.

(Signatures on the following page)

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Wellton, Arizona, this 4th day of April 2023.

Scott Blitz, Mayor

ATTEST:

Richard Marsh, Town Manager/Town Clerk

APPROVED AS TO FORM:

Gust Rosenfeld PLC, Town Attorney
By: Andrew J. McGuire

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RESOLUTION NO. 706

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF WELLTON, ARIZONA, AUTHORIZING A GRANT AGREEMENT BETWEEN THE TOWN AND THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) MULTIMODAL PLANNING DIVISION (MPD), AND AUTHORIZING THE TOWN MANAGER TO EXECUTE AND DELIVER SAID AGREEMENT ON BEHALF OF THE TOWN.

WHEREAS, pursuant to 49 U.S.C. 5310, the Federal Transit Administration (FTA) provides grant assistance related to enhancing the mobility of seniors and individuals with disabilities; and

WHEREAS, pursuant to A.R.S. § 28-334, the Arizona Department of Transportation (ADOT) has been designated as the responsible agency to assist the FTA with administration of such grant assistance in the State of Arizona; and

WHEREAS, ADOT, through its Multimodal Planning Division, has made available an agreement for such grant assistance, which the Town of Wellton believes would greatly benefit the Town and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF WELLTON, ARIZONA, as follows:

SECTION 1. The foregoing recitals are hereby incorporated as if fully set forth herein.

SECTION 2. The Mayor and Council of the Town hereby authorize Grant Agreement P0012013003419, E-Grant Application Number: 5310-2023\2024-Town of We-00053, between the Town of Wellton and the Arizona Department of Transportation (ADOT) Multimodal Planning Division (MPD) acting for and on behalf of the State of Arizona (the "Grant Agreement"), a copy of which is on file with the Town Clerk as set forth in Exhibit A.

SECTION 3. The Town Manager is hereby authorized to execute and deliver the Grant Agreement on behalf of the Town of Wellton.

SECTION 4. The Mayor, the Town Manager, the Town Clerk, and the Town Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Mayor and Council of the Town of Wellton, Arizona, on April 4, 2023.

Scott Blitz, Mayor

ATTEST:

Richard Marsh, Town Manager/Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney

**EXHIBIT A
TO
RESOLUTION NO. 706**

[Grant Agreement]

On File with the Town Clerk

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Town of Wellton
28634 Oakland Avenue
P.O. Box 67
Wellton, Arizona 85356
(928) 785-3348 (928) 785-4374 Fax

NOTICE – EXPENSES OF ABATEMENT

2/27/23

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO:
P.O. Box 112 Wellton, AZ 85356

POSTED CONSPICUOUSLY AT:
10526 Alice St. Wellton, AZ 85356

Under Section 10-4.11 of the Wellton Town Code, you are hereby notified as follows:

Upon investigation and inspection of the property located at **10526 Alice St.**, the Town determined that said property was in violation of Wellton Town Code Article 10-4, Nuisances, Section 10-4.1, Declaration of Nuisances.

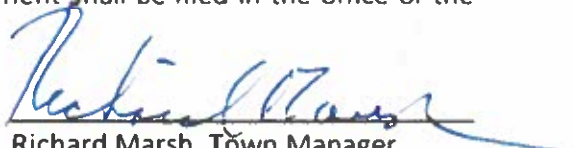
You were notified of such violations on September 12, 2022. Specifically, you were notified:

The Town will re-inspect your property on 10/13/2022 at approximately 2:00 pm. At this time, the Town will commence abatement of any remaining nuisance conditions.

WARNING: If the violation(s) are not abated within 30 days of the date of this notice, the Town may abate the violation(s), keep an itemized account of the expenses involved in abating the violations, assess the property owner the cost of such abatement, and record a lien on the property for the assessment.

As noticed, the Town took action to abate the nuisances on October 31, 2022.

The attached Statement of Expenses will be considered by the Wellton Town Council, at 28634 Oakland Avenue, Wellton Arizona 85356 (Wellton Town Hall), on March 7, 2023 at 6:00 PM. At that time, the Council may confirm the attached Statement of Expenses, and upon such confirmation these expenses shall become a special assessment against the property at 10502 Alice St. Wellton, AZ 85356. Notice of such special assessment shall be filed in the office of the County Recorder.


Richard Marsh, Town Manager
Nuisance Abatement Officer

Enclosure: Statement of Expenses

**Town of Wellton
Statement of Expenses**

The following actual expenses were incurred by the Town of Wellton (completed on November 7, 2022) to abate the nuisance conditions at:

10526 Alice Street
Wellton AZ 85356

Multi Service Work LLC Labor, Equipment, and Fuel	\$12,000.00
Republic Services 1 Waste Container - 40 cu yd, On Call Service	\$ 2,215.00
Total:	\$14,215.00