

MINUTES
REGULAR WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS - YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
December 18, 2018
6:00 p.m.

CALL TO ORDER

Mayor Nicholls called the Regular City Council Worksession to order at 6:00 p.m.

Councilmembers Present: Shelton, Watts, Thomas, Knight, McClendon, Miller, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: City Administrator, Gregory K. Wilkinson
Director of Human Resources, Monica Welch
Chief of Police, John Lekan
City Engineer, Jeff Kramer
Principal Planner, Jennifer Albers
Various department heads or their representatives
City Attorney, Richard W. Files
City Clerk, Lynda Bushong

I. LABOR MARKET STUDY UPDATE

Welch provided a brief update regarding the Labor Market Study (LMS), stating that the consultant is on track to provide the City with a final report next week which will be presented to City Council - along with implementation costs - at the first meeting in January 2019. Based on the raw data provided, the City is roughly 7.5% to 8% below the market.

Mayor Nicholls asked if every community on the list responded to the consultant's request for information. **Welch** confirmed every community responded. However, some of the data that was provided appeared off; for example, when they benchmarked Police Officer positions against the Border Patrol it seemed low. The consultant has been asked to go back and verify that the positions for which information was provided are equitable to the positions here at the City to which they are being compared.

Thomas asked what level Border Patrol positions were used as comparison. **Welch** stated that it was not a specific position but a mid-point based on a range of positions. **Thomas** asked if the City's police officers receive pay comparable to Border Patrol agents. **Welch** clarified that because the City loses police officers to the Border Patrol, they were included to see where their pay rate falls compared to the market rate. **Thomas** asked if compression will be addressed by the LMS. **Welch** replied the implementation plan will address compression. **Thomas** asked how it was determined that the City is 7.5% to 8% below market. **Welch** explained that it is based on the mid-point across the City for all positions.

Shelton asked if **Welch** was prepared to provide any specific comparisons of City positions versus those with other municipalities. **Welch** responded that this information will be in the final report which should be received by December 28th. **Shelton** asked if City Council could be provided with the final report prior to the meeting in January. **Welch** assured that the report will be provided to City Council once it is received.

Thomas expressed concern regarding whether the information used for comparison comes from cities that have a population comparable to Yuma. **Welch** stated that the information comes from cities with a range of populations, and the benchmarks used are equitable for organizations similar in size to the City of Yuma. **Thomas** asked if enough responses were received from cities comparable to Yuma to provide a useful comparison. **Welch** stated that with the exception of two positions, the City was able to receive comparison data for each position from at least 10 cities.

Watts asked if the LMS is only for public safety positions or if it covers all City departments. **Welch** confirmed that the LMS covers all positions.

II. PAY PLAN UPDATE

Wilkinson presented an update on the progress that has been made regarding the public safety pay plan as follows:

- Six different options were considered
 1. 3% step plan
 2. 4% step plan
 3. 5% step plan
 4. Plan B
 5. LMS
 6. Hybrid plan
- After much discussion, the focus has generally been narrowed to the 4% step plan
 - The hybrid plan is still under consideration because it may offer additional benefits
- Compared to Plan B, the 4% step plan is higher paying
 - Entry level pay for an officer under the 4% step plan is \$52,000 compared to \$50,585 for Plan B, and the maximum pay is \$71,165 with the 4% step plan versus \$71,120 with Plan B
 - While a sergeant's starting salary is slightly lower under the 4% step plan at \$74,012 compared to \$74,676 under Plan B, the maximum under the 4% step plan is higher at \$90,047 versus Plan B which tops out at \$87,360
- There is no overlap in pay between officers and sergeants, and between sergeants and lieutenants
 - A 10% difference between the maximum pay for a sergeant and the minimum pay for a lieutenant helps to transition from hourly to salary pay and compensate for the loss of overtime

Wilkinson concluded by stating that he would like to meet with the Police Department Pay Plan Committee one more time after giving them an opportunity to digest the difference between the hybrid plan and the 4% step plan.

McClendon asked how long it would take to reach each step in the pay plan. **Wilkinson** replied that each step is one year. **McClendon** asked when it is expected that the new pay plan will go into effect. **Wilkinson** explained that a 2% increase will take place in January, and the new pay plan will go into effect in July.

Shelton asked how the feelings of the Yuma Police Department (YPD) regarding the proposed pay plan can be gauged. **Lekan** stated that employees are being engaged and discussions are taking place every day. Additionally, the pay plan committee included representatives from YPD ranging from supervisors all the way down to the officer level, as well as representation from the Fraternal Order of Police. This outreach will continue throughout the process and reactions will be watched closely as this is an emotionally charged subject.

McClendon asked if feedback received from employees will be provided to the City Administrator, or if there will be another presentation to City Council. **Lekan** indicated his preference to provide the feedback to the City Administrator, adding that it will be critical to make sure that everyone is receiving accurate information as soon as possible to avoid rumors. While no plan will be 100% agreeable to everyone, a plan that addresses recruitment and retention is a must because YPD is in a critical state right now. **McClendon** stressed the importance of keeping the momentum going regarding the pay plan, and not allowing for second guessing once a plan is selected so that it is ready once it is time to prepare the budget. **Mayor Nicholls** stated that the idea is that the pay plan will be the primary goal around which the rest of the budget is built. It cannot really be thought of as separate because it impacts the overall budget, but if it is established as a priority then no matter how the budget proceeds the City will not lose sight of that goal.

Thomas asked if any of the pay plans address discrepancies between what a newly sworn police officer would earn compared to a more senior officer who may be making less than the new starting wage. **Lekan** stated that possible solutions are still being discussed, noting that there are several different models that can be considered which each have their own issues concerning affordability and sustainability. **Wilkinson** added that going from a pay plan, though not a step pay plan, that essentially has twenty steps to one that has ten or fewer steps will require some maneuvering. Some employees will initially receive more of a pay raise than others, but in the end everyone will be better off than they are now. **Thomas** asked how many officers have applied for positions outside of the City. **Lekan** replied that the last verified count was 12. **Thomas** asked if the proposed pay plan can be sustained with YPD's budget. **Lekan** responded that while that is a difficult question to answer at this time, YPD is currently utilizing overtime at an unprecedented rate and once the staffing level is stabilized and overtime is reduced a competitive pay plan will be more sustainable. **Thomas** asked if the LMS will address the pay compression and discrepancies that YPD is currently experiencing. **Welch** reiterated that the LMS alone will not solve those issues; they will be addressed through the implementation of the pay plan.

Shelton commented that YPD is about 30 officers short. **Lekan** clarified that the current staffing number is 174 and there are two vacancies, however there are approximately 30 officers who are not able to be put out on the streets because they are in training or on light duty/no duty due to injuries.

Watts requested a comparison of the 4% and hybrid pay plans and asked if one would be easier to implement than the other. **Wilkinson** explained that the hybrid plan consists of a combination of 3% and 5% raises depending on the year, while the 4% plan is a consistent 4% raise each year. In terms of the difficulty of implementation, they would both be about equal. **Lekan** added that the hybrid plan, as it has been presented, starts with 5% raises over the first four years and then decreases to 3% raises in successive years, though there has been discussion about reversing the order to encourage retention and reward veteran officers. **Watts** asked if enough information would be available by the next City Council meeting to take action. **Wilkinson** replied that no action will be needed from City Council; the selected pay plan will be built into the budget.

Thomas inquired about the cost of the LMS. **Welch** stated the LMS cost was \$30,000, but added that it may have been more than the typical cost because of the rushed timeframe. **Thomas** asked if the City is planning on increasing all employee's pay to reflect the results of the LMS every three years, noting that not being able to implement the suggested pay increase could lead to discouragement. **Wilkinson** responded that the purpose of completing the LMS every three years is to make sure the City is not slipping behind. The pay increases resulting from the last LMS were implemented over a period of two years due to budget constraints, and it is likely that the new LMS will be handled similarly. He stressed that all employees will be addressed, not just YPD and YFD.

Miller expressed his concern regarding future implementation, considering that the pay plans presented span five to ten years. **Mayor Nicholls** asked if it is possible to commit a future City Council to a pay plan put into place by the current City Council. **Wilkinson** responded that it is not possible to say a future City Council must follow through with the pay plan, however the priorities of the City Council and City Administration today are almost certainly the same as they will be in the future and it will most likely not be an issue. **Miller** stated that he would like to see what other cities are doing. **Mayor Nicholls** pointed out that the City operates under a lot of plans that are meant to guide the City into the future and allow for reasonable assumptions to be made. Plans are documents that reflect the reality of the present time and they must be able to be adjusted as variables change.

III. REGULAR CITY COUNCIL MEETING AGENDA OF DECEMBER 19, 2018

Motion Consent Agenda Item B.7 – Special Event Liquor License: Yuma Visitors Bureau – Iceberg Drop (100-200 blocks of Main Street on Monday, December 31, 2018, from 8:00 p.m. to 1:00 a.m.) (SP18-41) (Admin/Clerk)

McClendon declared a potential conflict of interest with regard to Motion Consent Agenda Item B.7 due to her employment.

Motion Consent Agenda Item B.9 – Cooperative Purchase Agreement: Projectmates Software License (purchase of a subscription for a Program Management Information System offered by Systemates, Inc., to be used by the Engineering Department for an estimated expenditure of \$123,900) (Bid #2019-20000089) (Eng)

Thomas asked if the purchase of the software allows for future upgrades. **Kramer** clarified that this item is for the purchase of a software license, not the software itself, and the company that offers the license automatically rolls out upgrades as they occur.

Miller asked what software is currently in place. **Kramer** explained that the Engineering Department does not currently have a system in place for program management and currently uses a combination of multiple standard office software programs that must be manually manipulated. This program will be a fully-integrated system that provides document management, schedule management, cash flow projections, and capital planning. **Miller** asked if the Capital Improvement Program (CIP) projects will be managed through this program. **Kramer** confirmed that it would, adding that it has an outward-facing portal that industry

partners can use to upload information and can automatically send notifications as well as create and send reports. **Miller** asked about the duration of the license. **Kramer** stated that this agreement is for five years and the initial cost of \$123,900 covers implementation, configuration, and consulting. The renewal fee will be less than half of the upfront cost because it does not include consulting.

Knight asked how many staff hours will be saved by implementing this program. **Kramer** stated that there would be no way of tracking that at this point, however the larger impact will be the efficiency and more comprehensive knowledge gained.

Thomas asked if the implementation team will be working with the City's Information Technology Department (IT). **Kramer** replied that IT was involved with the selection of the program and will be participating in the implementation and configuration. **Thomas** asked what the plan was beyond the initial five-year agreement. **Kramer** stated that the agreement is renewable at a lower cost, or if it is found after five years that the program is not satisfactory another program can be chosen at that time. **Thomas** asked about the implementation timeline. **Kramer** explained that it is a three to four month process, however it will have no impact on the current operations other than a commitment of staff time to get the workflows set up and product templates created.

Shelton asked if there is an option to terminate the agreement if it is found that the program does not work as well as is hoped. **Kramer** responded that it is a one-year agreement with four one-year renewals, so it can be discontinued after a year if it is not working as expected. **Shelton** asked if it would be possible to receive a refund if that is the case. **Kramer** noted that most likely the implementation, consulting, and configuration time would likely not be recoverable because it is paying for staff hours, and he would need to consult Systemates to see if the actual license fee is refundable.

Motion Consent Agenda Item B.10 – Job Order Contract: Water & Wastewater Plants and Facilities (three-year contract with option to renew for two additional one-year periods with KE&G Construction, PCL Construction, and Pilkington Commercial Co., Inc.) (RFP #2019-20000042) (Eng)

Motion Consent Agenda Item B.11 – Job Order Contract: Concrete Flatwork & Structures (three-year contract with option to renew for two additional one-year periods with Stormwater Plans, LLC) (RFP #2019-20000053) (Eng)

Motion Consent Agenda Item B.12 – Job Order Contract: Utility Infrastructure Services (three-year contract with option to renew for two additional one-year periods with DPE Construction, PCL Construction, and Yuma Valley Contractors, Inc.) (RFP #2019-20000053) (Eng)

Mayor Nicholls declared a potential conflict of interest on Motion Consent Agenda Items B.10, B.11, and B.12, turned the meeting over to Deputy Mayor Knight, and left the dais.

Regarding item B.11, **Deputy Mayor Knight** asked if Stormwater Plans, LLC, has an office in Yuma. **Kramer** replied that their office is located in Somerton. **Deputy Mayor Knight** noted that on items B.10 and B.12 several contractors were selected, and asked why just one contractor was selected for B.11. **Kramer** explained that regarding items B.10 and B.12 there is a dedicated CIP budget for projects in those programs and approximately \$5 million to \$6 million worth of work will occur on those two Job Order

Contracts. On Item B.11, the Job Order Contract was put into place in the event that something comes up that requires concrete flatwork or structures and will likely amount to less than \$75,000 worth of work.

Mayor Nicholls returned to the dais.

Motion Consent Agenda Item B.16 – Intergovernmental Agreement: State of Arizona (with the Arizona Department of Veterans Services for the provision of engineering services in support of the proposed Veterans Home project) (Admin)

Knight asked if this project will include a median with dual street lights similar to the area in front of the Ocotillo Subdivision. **Kramer** replied that the intent of this agreement is to recover staff costs for doing the design work for the creation of 34th Street and turn lanes onto 34th Street. The City will not be installing any other improvements on Avenue 6E as a result of this particular project.

Thomas asked if this project will be affected by the possible government shutdown. **Kramer** stated that while this has not been specifically discussed, it is the City's intent to complete the roadway and utility plans and turn them over to the Arizona Department of Veterans Services for completion of the project. **Wilkinson** pointed out that the project has already been funded and should not be affected by a shutdown. **Mayor Nicholls** added that this project is something that the City has been working on for the past five years, and prior to his passing Senator McCain's staff helped to get it on the funded list.

Introduction of Ordinance O2019-001 – Zoning Code Text Amendment: Composting (amend Title 15, Chapter 154, to add definitions related to composting and add regulations regarding Backyard Compositing, Large Composting, and Agricultural Composting) (DCD)

Knight asked what the size and zoning designation was for the property located on Avenue 5E that was the site of illegal composting last summer. **Albers** stated she believed it was zoned Agricultural, and the property was 4.9 acres. **Knight** asked which composting category the property would fall under based on this text amendment. **Albers** replied that being less than five acres, the property would fall into the Large Composting category. It would require a Conditional Use Permit before it could be utilized for composting, and the area used for composting would be limited to 120 cubic yards. **Knight** asked if the text amendment would prevent similar issues in the future. **Albers** responded that the current zoning code does not address composting. The City was addressing composting issues as nuisances and trying to clear up any health and safety concerns. This text amendment will allow the City to regulate the size and location of any composting sites. **Knight** asked if the prospective composting sites would be inspected prior to issuing a permit. **Albers** explained that anyone wishing to operate a composting site would go through the Conditional Use Permit process including going before the Planning and Zoning Commission for review prior to approval. **Knight** asked why agricultural composting would be allowed within City limits. **Albers** stated that it is an option that a large agricultural operation may want available. **Wilkinson** added that due to the increase in organic farming, which does not allow for the use of chemical fertilizers, an onsite composting option is important. **Knight** asked if there is a category for commercial composting. **Albers** stated that this would be covered by the Large Composting category.

Thomas asked if backyard composting would be allowed in the City. **Albers** replied that the text amendment does include an option for backyard and community garden composting as an accessory use to residential or community garden activity. A permit would not be required for these functions.

IV. EXECUTIVE SESSION

Motion (Thomas/Knight): To adjourn the meeting to Executive Session. Voice vote: **adopted** 7-0. The meeting adjourned at 7:38 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

DRAFT