

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS, YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**MARCH 4, 2020**  
**5:30 p.m.**

**CALL TO ORDER**

**Mayor Nicholls** called the City Council meeting to order at 5:30 p.m.

**INVOCATION/PLEDGE**

**Pastor Erik Rangel**, Legacy Church, gave the invocation. **Jimmy Sanchez**, Purchasing Division – Buyer, led the City Council in the Pledge of Allegiance.

**ROLL CALL**

Councilmembers Present:	Shelton, Morris, Watts, Knight, McClendon, Shoop, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	City Administrator, Philip A. Rodriguez Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

**FINAL CALL**

**Mayor Nicholls** made a final call for the submission of Speaker Request Forms for agenda related items from members of the audience.

**PRESENTATIONS**

**Mayor Nicholls** read a proclamation for Purchasing Month and recognized Robin Wilson, Purchasing and Contracts Manager, and her team.

**I. MOTION CONSENT AGENDA**

Motion Consent Agenda Item B.7 – Special Event Liquor License: Yuma Visitor’s Bureau – Rio de Cerveza Brew Fest (event to take place on Saturday, March 28, 2020, from 2:00 p.m. to 7:00 p.m. at the Colorado River State Historic Park) (Admin/Clk)

**Councilmember McClendon** declared a conflict of interest on Motion Consent Agenda Item B.7 and left the dais.

**Motion** (Knight/Watts): To approve the Motion Consent Agenda Item B.7 as recommended. Voice vote: **approved** 6-0-1, Councilmember McClendon abstaining due to conflict of interest.

**Councilmember McClendon** returned to the dais.

**Motion** (Knight/McClendon): To approve the Motion Consent Agenda, as recommended, with the exception of item B.7. Voice vote: **approved** 7-0.

## A. Approval of minutes of the following City Council meeting(s):

Council Citizen's Forum	February 18, 2020
Regular Council Meeting	February 5, 2020
Regular Council Worksession	June 18, 2019
Regular Council Meeting	September 4, 2019

## B. Approval of Staff Recommendations:

1. 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 Atty)
2. Approve a Special Event Liquor License application submitted by Lindsay Benacka on behalf of the City of Yuma Parks and Recreation Department for ARTbeat 13. The event will take place on the 100-300 blocks of Main Street on Saturday, April 18, 2020, from 3:00 p.m. to 10:00 p.m. (SP20-11) (Admin/Ck)
3. Approve a Special Event Liquor License application submitted by Isaac Russell on behalf of Littlewood Fine Art & Community Co-Op for project Nunway. The event will take place at Littlewood Fine Art & Community Co-Op, 176 S. Main Street, on Saturday, March 7, 2020, from 5:00 p.m. to 10:00 p.m. (SP20-13) (Admin/Ck)
4. Approve a Special Event Liquor License application submitted by Mary Barkley on behalf of the Yuma County Democratic Party for Spring Fling. The event will take place at the Historic Gowan Building, 370 S. Main Street, on Saturday, May 2, 2020, from 5:00 p.m. to 11:00 p.m. (SP20-12) (Admin/Ck)
5. Approve a Special Event Liquor License application submitted by Isaac Russell on behalf of Littlewood Fine Art & Community Co-Op for the Yuma Art Educators Association Annual Auction. The event will take place at Littlewood Fine Art & Community Co-Op, 176 S. Main Street, on Saturday, March 14, 2020, from 3:00 p.m. to 11:00 p.m. (SP20-14) (Admin/Ck)
6. Approve a Special Event Liquor License application submitted by Kari Tatar on behalf of the Humane Society of Yuma for Come Wine With Us. The event will take place in the City Hall Atrium, One City Plaza, on Thursday, April 16, 2020, from 6:00 p.m. to 8:30 p.m. (SP20-15) (Admin/Ck)
7. Pulled for separate consideration; see above.
8. Approve a Special Event Liquor License application submitted by Carrie Ring on behalf of the City of Yuma for Music on Main. The event will take place on the 100-200 blocks of Main Street on Saturday, March 14, 2020, from 4:00 p.m. to 10:00 p.m. (SP20-20) (Admin/Ck)
9. Authorize the use of cooperative purchase agreement initiated by the Cooperative Purchasing Network, for the purchase, delivery and installation of commercial floor coverings, a one-year contract with the option to renew for four additional one-year periods, depending on the

appropriation of funds and satisfactory performance, for an annual expenditure of \$100,000 as needed to the following: Continental Flooring Company Scottsdale, Arizona (Facilities Maintenance-Bid #2020-20000105)

10. Authorize the City Administrator to execute an agreement with the Arizona Department of Homeland Security for reimbursement of funds expended for equipment in support of the State Homeland Security Grant Program (SHSGP). (Police/Patrol)
11. Approve an Infrastructure and Services Report for Annexation Area No. ANEX-23670-2018, identified as the Trail Estates 1, 2 and 3 Annexation, located at the northwest corner of Avenue 9E and 40<sup>th</sup> Street. (DCD)

## II. RESOLUTION CONSENT AGENDA

Resolution R2020-008 – Grant Application: 2021 Arizona State Parks Recreational Trails Program – (approve the submission of a grant application for an amount up to \$150,000) (P&R)

**Gene Dalbey**, City resident, stated he would like to have seen some language referencing bicycling, but otherwise spoke in favor the resolution **Dalbey** further stated he would like to see Yuma become a destination for bicyclists from all over.

**Motion** (Knight/Watts): To adopt the Resolution Consent Agenda as recommended.

**Bushong** displayed the following title(s):

### **Resolution R2020-005**

**A resolution of the City Council of the City of Yuma, Arizona, declaring its intention to create Municipal Improvement District No. 112, serving Araby North Subdivision, to operate, maintain and repair landscaping improvements included within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures of Araby North Subdivision (intention to create MID No. 112 to serve Araby North Subdivision) (DCD)**

### **Resolution R2020-006**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a Preannexation Development Agreement with the owner of real property located at 961 South Avenue C (authorize the execution of a Preannexation Development Agreement with Martin Reyes) (DCD)**

### **Resolution R2020-007**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing the lease of City-owned property located east of Avenue 6E and North of 40<sup>th</sup> Street, to Daily Farms, Inc., an Arizona Corporation for an agriculture use (approve a two-year lease for 102 acres of vacant land)**

### **Resolution R2020-008**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing the submission of an application for an Arizona State Parks Recreational Trails Program Grant, for construction of new**

**trails in the West Wetlands Park** (approve submission of a grant application in an amount up to \$150,000) (P&R)

**Resolution R2020-009**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing the submission of an application to the Arizona State Land and Water Conservation Fund for Riverfront Regional Park Renovations and Development** (approve submission of a grant application in an amount of \$500,000 with a 10% (\$50,000) administrative fee to be paid from the P&R 2% hospitality account) (P&R)

Roll call vote: **adopted** 7-0.

**III. ADOPTION OF ORDINANCES CONSENT AGENDA**

**Motion** (Knight /Morris): To adopt the Ordinances Consent Agenda as recommended.

**Bushong** displayed the following title(s):

**Ordinance O2020-004**

**An ordinance of the City Council of the City of Yuma, Arizona, authorizing and approving the granting of a Utility Easement to Arizona Public Service along a portion of Tract "A" of Ponderosa Valley Estates Unit 1 Subdivision** (City-owned property located in the vicinity of 26<sup>th</sup> Street and 31<sup>st</sup> Avenue) (Eng)

**Ordinance O2020-005**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Agriculture (AG) District to the Low Density Residential (R-1-6) District and amending the zoning map to conform with the rezoning** (rezone a 19.3 acre parcel located east of the southeast corner of Avenue 8 ½ E and 40<sup>th</sup> Street) (DCD)

**Ordinance O2020-006**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the General Commercial (B-2) District to the High Density Residential (R-3) District, and amending the zoning map to conform with the rezoning** (rezone approximately 14.9 acres for the properties located north of the intersection of E. 8<sup>th</sup> Street and S. Castle Dome Avenue) (DCD)

Roll call vote: **adopted** 7-0.

**IV. INTRODUCTION OF ORDINANCES**

**Bushong** displayed the following title(s):

**Ordinance O2020-007**

**An ordinance of the City Council of the City of Yuma, Arizona, annexing to the City of Yuma a portion of Section 11, Section 12 and Section 14 of Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, and amending Chapter 154 of the Yuma City Code, as amended, designating the zoning of certain property to the Residence-Manufactured**

**Housing (R-MH-10) zoning district, and amending the zoning map to conform thereto, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes as amended** (properties generally located at the northwest corner of Avenue 9E and 40<sup>th</sup> Street) (DCD)

V. **PUBLIC HEARINGS AND RELATED ITEMS** – There were no public hearings scheduled at this time.

#### **FINAL CALL**

**Mayor Nicholls** made a final call for the submission of Speaker Request Forms from members of the audience interested in speaking at the Call to the Public.

#### **VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Appointments – There were no appointments scheduled at this time.

##### Announcements

**Shoop, Shelton, Watts, Knight, McClendon, Morris** and **Mayor Nicholls** reported on events and meetings they have attended during the last two weeks and upcoming events of note.

##### Scheduling

**Councilmember Knight** requested that the resolution he introduced at the retreat, titled “Affirmation of Citizens’ Constitutional Rights and Liberties”, be placed on the March 18<sup>th</sup> Regular City Council Meeting agenda.

#### **VII. SUMMARY OF CURRENT EVENTS**

**Rodriguez** reported the following events:

- March - 2020 Census mailers will be mailed this month.
- Neighborhood Cleanup Program continues.
- March 6-8 - Midnight at the Oasis at the Ray Kroc Complex
- March 14 - Yuma Air Show at Marine Corps Air Station-Yuma
- March 14 - Music on Main

#### **VIII. CALL TO THE PUBLIC**

**Gene Dalbey**, City Resident, reported on the bicycle event held February 29<sup>th</sup> which benefitted the University of Arizona scholarship fund as well as the Cancer Resource Center. Crops were identified this year so that riders would know what was growing in the fields as they rode around. Dalbey recognized the Yuma County Water Users’ Association and the City of Yuma Parks and Recreation Department as well as social media for the success of the event.

**Gary Wright**, City Resident, spoke about the state of our residential streets and stated that the City should make a financial commitment to improving residential streets before it becomes cost prohibitive to do so.

**Connie Uribe**, City Resident and President of the Yuma Chapter of the Arizona Republican Assembly, spoke in favor of an ordinance, and not a resolution, stating Yuma is a second amendment sanctuary city.

**John Gleason**, City Resident, spoke in opposition of making Yuma a second amendment sanctuary city.

**Joanne Schickle**, City Resident, spoke in favor of Yuma as a second amendment sanctuary city.

**Rick Bramhall**, City Resident, spoke in oppositions of making Yuma a second amendment sanctuary city.

**Perry Feder**, City Resident, spoke in favor of Yuma as a second amendment sanctuary city.

**Deborah Rapp**, P.O. Box, spoke in favor of making Yuma a second amendment sanctuary city.

**Elisabeth Haskell**, City Resident, spoke in opposition of Yuma as a second amendment sanctuary city.

**Craig Hill**, City Resident, spoke in opposition of Yuma as a second amendment sanctuary city.

**Justin Brundin**, City Resident, spoke in support of Yuma as a second amendment sanctuary city.

**Gilbert Hernandez**, Non-City Resident and Chairman of the Colorado River Tea Party, spoke in support of Yuma as a second amendment sanctuary city.

#### **IX. EXECUTIVE SESSION/ADJOURNMENT**

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:50 p.m. No Executive Session was held.

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Lynda L. Bushong, City Clerk

APPROVED:

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Douglas J. Nicholls, Mayor