



# City of Yuma City Council Meeting Summary

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Wednesday, August 5, 2020

5:30 PM

Yuma City Hall Council Chambers  
One City Plaza, Yuma

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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 August 5, 2020 Regular City Council meeting will be conducted remotely through technological means along with limited public, in-person access, consistent with social distancing requirements.

## **City Council Chambers will be open with limited public access in addition to participation through Zoom.**

**Those wishing to speak on any agenda item or at Call to the Public and choose to participate via Zoom, must submit an email request to [publiccomment@yumaaz.gov](mailto: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](http://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.

The Worksession and Citizen's Forum previously scheduled for August 4, 2020 are cancelled.

## **CALL TO ORDER**

**5:30 PM**

## **INVOCATION**

**DEACON DAVID CLARK FROM IMMACULATE CONCEPTION CHURCH**

## **PLEDGE OF ALLEGIANCE**

**RHONDA LEE-JAMES, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT**

**ROLL CALL**

**Present:** 7 - Mayor Douglas J. Nicholls, Deputy Mayor Karen Watts, Councilmember Gary Knight , Councilmember Leslie L. McClendon , Councilmember Chris Morris, Councilmember Michael Shelton and Councilmember Ema Lea Shoop

**FINAL CALL**

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

**PRESENTATIONS****PRESENTATIONS MADE**

- Update from Yuma County Public Health Services District's Chief Health Officer, Diana Gomez
- 'Life Saving Award' recognition by Fire Chief Irr
- Fiscal Year 2020 Financial briefing from City Administrator, Philip Rodriguez, and Director of Financial Services, Lisa Marlin

**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):

Approval of the Consent Agenda

**A motion was made by Councilmember Knight, seconded by Councilmember McClendon, to APPROVE the Motion Consent Agenda as amended. The motion carried by the following vote:**

**Aye:** 7 - Mayor Nicholls, Deputy Mayor Watts, Councilmember Knight, Councilmember McClendon, Councilmember Morris, Councilmember Shelton, and Councilmember Shoop

1. [MC 2020-140](#) **Regular Council Meeting Draft Minutes July 15, 2020**

**Attachments:** [2020.07.15 RCM Minutes](#)

**APPROVED**

## B. Approval of staff recommendations:

1. [MC 2015-000](#) **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)

2. [MC 2020-136](#) **Liquor License: Pizza Hut #036975**

Approve a new Series #12 Restaurant Liquor License application submitted by Kevin Arnold Kramber, agent for Pizza Hut #036975, located at 580 E. 32nd Street (LL20-07) (City Administration/City Clerk) (Lynda L. Bushong)

**Attachments:** [1. RFCCA Liquor License: Pizza Hut #036975](#)  
[2. MAP Liquor License: Pizza Hut #036975](#)

**APPROVED**

3. [MC 2020-137](#) **Bid Award: Grass Seed (Various Types)**

Authorize the purchase of various types of grass seed for an estimated expenditure of \$105,005.00 with the following firms: Mirimar Hardware LLC, Tucson, Arizona - \$110.00; Nutrien Ag Solutions Inc., Yuma, Arizona - \$104,895.00. (Parks and Recreation) (Bid #2020-20000119 John Simonton/Robin R. Wilson)

**Attachments:** [RFCCA Grass Seed 2020-20000119](#)  
[SPRDSHEET Grass Seed 2020-20000119](#)

**APPROVED**

4. [MC 2020-138](#) **Agreement: 2020-2021 Community Development Block Grant (CDBG) Subrecipient Agreements and 2020 HOME Investment Partnership Program (HOME) Agreement**

Authorize the City Administrator to execute five CDBG subrecipient agreements totaling \$268,062 and one HOME Agreement for \$270,000 in accordance with the 2020 Annual Action Plan. (Community Development/Neighborhood Services) (Rhonda Lee-James)

- Attachments:**
- [1. RFCCA Subrecipient Agreements 2020](#)
  - [2. AGMT Achieve CDBG 2020](#)
  - [3. AGMT CCS CDBG 2020](#)
  - [4. AGMT Comite HOME 2020](#)
  - [5. AGMT Crossroads CDBG 2020](#)
  - [6. AGMT SWFHC CDBG 2020](#)
  - [7. AGMT WACOG CDBG 2020](#)

**APPROVED**

5. [MC 2020-141](#) **City of Yuma Small Business Relief Grants - Additional Allocation of Funds**

Increase funding in the amount up to \$230,000 for City of Yuma COVID-19 related small business relief grant program utilizing a portion of the federal CARES Act allocation to the City of Yuma. (Administration) (Philip Rodriguez)

- Attachments:**
- [1. RFCCA Yuma CARES Funding increase](#)

**Motion (Knight/McClendon): To increase the funding in Consent Agenda item B5, City of Yuma Small Business Relief Grants, by an additional 1.9%, or \$10,450, for a total of \$240,450 to pay for the third party administration fee, so that the entire \$550,000 is available for local eligible businesses. Voice Vote: adopted 7-0.**

**APPROVED AS AMENDED**

## 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. [R2020-025](#) **Preannexation Development Agreement: Cruz**

Authorize a Preannexation Development Agreement with Roberto Cruz Leon and Belinda Vargas Acosta for property located at 1038 S. Pagent Avenue. (Community Development/Community Planning) (Randall Crist)

- Attachments:**
- [1. RFCCA PDA 1038 Pagent Avenue](#)
  - [2. RES PDA 1038 Pagent Avenue](#)
  - [3. AGMT PDA 1038 Pagent Avenue](#)

**A motion was made by Councilmember Knight, seconded by Councilmember McClendon, that this resolution be ADOPTED. The motion**

carried by the following vote:

**Aye:** 7 - Mayor Nicholls, Deputy Mayor Watts, Councilmember Knight, Councilmember McClendon, Councilmember Morris, Councilmember Shelton, and Councilmember Shoop

2. [R2020-026](#) **Lease Agreement: Amberly's Place, Inc.**

Authorize the City Administrator to renew a 12-month lease agreement with Amberly's Place, Inc. of the City property located at 812 South Avenue A.

**Attachments:**

- [1. RFCCA Lease Agreement: Amberly's Place](#)
- [2. RES Lease Agreement: Amberly's Place](#)
- [3. AGMT Lease Agreement: Amberly's Place](#)

**A motion was made by Councilmember Knight, seconded by Councilmember Shelton, that this resolution be ADOPTED. The motion carried by the following vote:**

**Aye:** 6 - Mayor Nicholls, Councilmember Knight, Councilmember McClendon, Councilmember Morris, Councilmember Shelton, and Councilmember Shoop

**COI:** 1 - Deputy Mayor Watts

### III. 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. **O2020-017** **Waterline Easement: Patagonia**

Authorize the acquisition of an easement adjoining parcels 2 through 5 described in the Patagonia Land Division (LDP14-04) plat extending east from Avenue 9E for a waterline extension, operation and maintenance. (Engineering) (Jeffrey Kramer)

**Attachments:**

1. RFCCA Waterline Easement: Patagonia
2. GRANT Waterline Easement: Patagonia
3. ORD Waterline Easement: Patagonia
4. EXH A Waterline Easement: Patagonia

**INTRODUCED**

### FINAL CALL

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

#### IV. APPOINTMENTS AND ANNOUNCEMENTS

*Discussion and possible action on the following items:*

1. Appointments:

**Motion (Shoop/Watts): To appoint Sonia M. Ramirez Sardinias as Hearing Officer for the City of Yuma. Voice Vote: approved 7-0.**

- Hearing Officer - one appointment

2. Announcements:

**REPORTED**

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 July 16, 2020 through August 5, 2020. 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.

#### V. SUMMARY OF CURRENT EVENTS

**REPORTED**

*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.*

#### VI. CALL TO THE PUBLIC

**NO LEGAL ACTION PERMITTED**

*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.*

## VII. EXECUTIVE SESSION

**A motion was made by Councilmember Knight, seconded by Councilmember Morris, to ADJOURN to EXECUTIVE SESSION. The motion carried by the following vote:**

**Aye:** 7 - Mayor Nicholls, Deputy Mayor Watts, Councilmember Knight, Councilmember McClendon, Councilmember Morris, Councilmember Shelton, and Councilmember Shoop

*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 Amicus Brief related to the SB1487 Tucson lawsuit. (A.R.S. 38-431.03 A3 & A4)
- B. Discussion, consultation with and/or instruction to legal counsel regarding consideration of the City of Yuma Small Business Relief Grants. (A.R.S. 38-431.03 A3 & A4)

## ADJOURNMENT

**7:22 PM**

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.