

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
JANUARY 20, 2016
5:30 p.m.

CALL TO ORDER

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

INVOCATION/PLEDGE

Tom Renard, Pastor of ImagineNations Church, gave the invocation. **Pat Wicks**, Director of Financial Services, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:	Craft, Knight, Miller, Shelton, Thomas, Wright, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	Acting City Administrator and Director of Financial Services, Pat Wicks Utilities Director, Jay Simonton Various Department Heads or their representative City Attorney, Steven W. Moore City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms from members of the audience interested in addressing items scheduled on tonight's agenda.

PRESENTATIONS - No presentations were made at this meeting.

I. MOTION CONSENT AGENDA

Mayor Nicholls opened the meeting to discussions and questions regarding items on the Motion Consent Agenda.

Shelton commented that the seven month delay in approving meeting minutes is unacceptable. If the Clerk's Office does not have the capacity to get minutes completed in a timelier manner, they should seek out other options either internally or externally. Minutes are a legal record, and they need to be approved in a timely fashion. **Thomas** countered that the City Clerk's office has many responsibilities in addition to completing minutes. If information is required prior to the posting of minutes, it can be obtained through a public records request or by other means. **Knight** noted that the content of meetings is available via video long before the minutes are approved. In the past, before everything was recorded on video, it may have been more important for the minutes to be completed closer to the meeting date. The videos are available at any time on the City's website.

Wright asked if there is a statute mandating when minutes need to be made available to the public. **Mayor Nicholls** stated this issue was previously discussed by Council and the minutes are being completed in a manner that was determined to be acceptable. He cautioned against getting caught up in the minutia of a written document when information is accessible to everybody at a level at which it has never been before. Minutes are not verbatim, while video obviously is. He pointed out his support for the Clerk's office, stating that they handle public records requests and many other things in addition to minutes.

B.4 Bid Award: Resilient Gate Valves and Accessories - Authorize the City Administrator to award the bid to the following two lowest responsive/ responsible bidders for Resilient Wedge Gate Valves and Accessories at an estimated annual expenditure of \$29,965 for a one-year contract with the option to renew for four additional one-year periods, one period at a time based on the requirements, service and availability of funds to the following vendors: Yuma Winnelson Company Yuma, Arizona and Ferguson Enterprises Inc. Yuma, Arizona. (Bid #2016-20000071) (Utilities)

Wright asked if the gate valves in this bid are for replacements, and whether they are replaced or rebuilt by Utilities. **Simonton** explained that in the distribution system, valves tend to wear out or need to be installed to isolate a certain section of the system. These are brand-new valves intended to be used as replacements, not to rebuild valves in the system. **Wright** questioned why this item was being presented to City Council for approval, as the City Administrator is authorized to approve contracts up to \$100,000. **Wicks** explained that this is a one-year contract with the option of four one-year extensions. Over the life of the contract, the costs could add up to over \$100,000.

Motion (Knight /Craft): To approve the Motion Consent Agenda as recommended. Voice vote: **approved** 7-0.

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

Council Citizen's Forum	May 5, 2015
Special Council Worksession	May 14, 2015
Council Citizen's Forum	May 19, 2015

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 Attny)
2. Approve a Special Event Liquor License application submitted by Carolyn J. Bennett on behalf of the Yuma Center for Spiritual Living for a Speed Dating event. The event will be held at the Yuma Center for Spiritual Living located at 781 S. 2nd Ave. on Saturday, February 13, 2016 from 6:00 p.m. to 11:00 p.m. (SP16-01) (Admin/Clerk)
3. Approve a Special Event Liquor License application submitted by Steve G. Alameda on behalf of Yuma Fresh Vegetable Association for the Harvest Dinner Event. The event will be held at Yuma Quartermaster Depot located at 201 N. 4th Ave. on Thursday, February 25, 2016 from 6:00 p.m. to 10:30 p.m. (SP1603) (Admin/Clerk)

4. Authorize the City Administrator to award the bid to the following two lowest responsive/responsible bidders for Resilient Wedge Gate Valves and Accessories at an estimated annual expenditure of \$26,965 for a one-year contract with the option to renew for four additional one-year periods, one period at a time based on the requirements, service and availability of funds to the following vendors: Yuma Winnelson Company, Yuma, Arizona and Ferguson Enterprises Inc. Yuma, Arizona. (Bid #2016-20000071) (Utilities)
5. Authorize City Administrator to utilize the cooperative purchasing agreement originated by the City of Tucson through National Intergovernmental Purchasing Alliance (National IPA) for Industrial Supplies and Equipment for an estimated annual expense of \$40,000.00 to: WW Grainger, Inc. Phoenix, Arizona (Bid #2016-20000124) (Admin/Facilities)

II. RESOLUTION CONSENT AGENDA - No resolutions were scheduled at this time.

III. ADOPTION OF ORDINANCES CONSENT AGENDA - No ordinances were scheduled at this time.

IV. INTRODUCTION OF ORDINANCES - No ordinances were scheduled for introduction at this time.

V. PUBLIC HEARINGS - There were no public hearings scheduled at this time.

FINAL CALL – CALL TO THE PUBLIC

Mayor Nicholls made a final call for Speaker Request Cards for those wishing to address the City Council at the Call to the Public.

VI. APPOINTMENTS, ANNOUNCEMENTS, AND SCHEDULING

Motion (Knight/Thomas): To appoint Councilmember Craft to the position of Deputy Mayor for the year 2016. Voice vote: **approved** 7-0.

Motion (Thomas/Knight): To appoint Mayor Nicholls to the Greater Yuma Economic Development Corporation Executive Board. Voice vote: **approved** 7-0.

Motion (Craft/Knight): To appoint Councilmember Miller to the Greater Yuma Economic Development Corporation Board of Directors. Voice vote: **approved** 7-0.

Motion (Thomas/Craft): To appoint Councilmember Knight to the Greater Yuma Port Authority. Voice vote: **approved** 7-0.

Motion (Knight/Thomas): To appoint Councilmember Shelton to the Western Arizona Council of Governments Executive Board, Yuma County Advisory Board, and the Council on Aging. Voice vote: **approved 7-0.**

Motion (Shelton/Thomas): To appoint Councilmembers Craft, Knight, and Miller as members to the Yuma Metropolitan Planning Organization Executive Board. Voice vote: **approved 7-0.**

Motion (Knight/Thomas): To appoint Councilmember Craft to the Yuma Fire Public Safety Board and Yuma Public Safety Police Board. Voice vote: **approved 7-0.**

Motion (Craft/Knight): To appoint Councilmember Wright as a Trustee to the Yuma Fine Arts Association Incorporated. Voice vote: **approved 7-0.**

Craft, Knight, Thomas, Wright, Shelton, and Mayor Nicholls reported on events/meetings they have attended during the last two weeks and upcoming events of note.

Wright requested a roundtable meeting to look at the problem of employee retention, specifically in public safety but also in any departments experiencing difficulty maintaining adequate staffing. **Mayor Nicholls** stated that this topic is on the schedule for the 2016 Special Worksession/ Retreat. The agenda should be out by the end of the week.

VII. SUMMARY OF CURRENT EVENTS

Wicks stated that as usual this time of year, there are numerous events being hosted by the City. One of note is the upcoming Date Festival, scheduled to take place on Saturday, January 30, 2016 from 9:00 a.m. to 5:00 p.m. on Main Street in Historic Downtown Yuma.

VIII. CALL TO THE PUBLIC

Luis Acle, 1280 W. 24th Street, owner of Westbrook Apartments, asked that the City stop the construction at Yuma Regional Medical Center until the parties address their responsibilities under the law. The noise generated by the construction is loud and continuous, and includes jackhammering and metal-on-metal pounding day and night. The construction company and the hospital have been notified of the problem to no avail. Laws and regulations apply to large businesses as they do small businesses, and large businesses should not be allowed to damage small businesses with their actions. Westbrook Apartments is a small, family owned business. It normally approaches full occupancy at this time of year, but currently half of the units are empty and not generating any income due to the noise. The noise has resulted in a loss of tenants as well as prospective tenants. He asked that this issue be placed on the agenda of the February 2, 2016 City Council Worksession and the February 3, 2016, City Council Meeting so that it can be further discussed.

Mayor Nicholls requested that Mr. Wicks collaborate with the City's Building Official to look into the issue.

Erica Acle, 1280 W. 24th Street, asked that the City's ordinance regarding excessive noise be respected and enforced. The hospital makes too much noise, day and night. Between the helicopters and construction noise she is regularly awakened during the night, causing lack of sleep and headaches. No one is above the law, and not even the hospital should be able to ignore it.

Mary McClendon, 1680 E. 1st Street, Program Coordinator for Senior Nutrition Services with Catholic Community Services, presented an overview of the services offered by her organization. Catholic Community Services is a non-profit 501(c)(3) organization that has been serving Yuma since 1961. The programs offered include counseling, Daybreak, Safe House, and Senior Nutrition. They will be holding their first annual Toast for Hope fundraiser in support of these four programs on Saturday, March 19, 2016 starting at 6:00 p.m. at The Patio Restaurant at The Hills. Tickets are \$75 per person, and sponsorships are still available.

Bushong thanked the City Council on behalf of the Clerk's Office for their support. In response to Councilmember Wright's question regarding a statutory time limit as to when minutes must be produced to the public, she stated that A.R.S. § 38-431.01 dictates that legal action must be posted within three working days after the meeting, and that minutes must be posted within two working days of their approval. The Clerk's Office is in compliance with both of these requirements.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:06 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor