

**MINUTES**  
**REGULAR WORKSESSION**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS - YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**June 18, 2019**  
**6:00 p.m.**

**CALL TO ORDER**

**Deputy Mayor Knight** called the Regular City Council Worksession to order at 6:03 p.m.

Councilmembers Present: Shelton, Watts, Thomas, Deputy Mayor Knight, McClendon and Miller  
Councilmembers Absent: Mayor Nicholls  
Staffmembers Present: Interim City Administrator, John D. Simonton  
Finance Director, Lisa Marlin  
Purchasing and Contracts Manager, Robin Wilson  
Asst. Director Community Development/Zoning Administrator,  
Alyssa Linville  
Various department heads or their representatives  
City Attorney, Richard W. Files  
City Clerk, Lynda Bushong

**I. REGULAR CITY COUNCIL MEETING AGENDA OF JUNE 19, 2019**

Motion Consent Agenda Item B.4 Lease Agreement: Dell Financial Services - Authorize the Interim City Administrator to execute a four-year tax-exempt municipal lease for Personal Computers (PCs) with Dell Financial Services, at an annual payment of \$242,097.75 for a total cost of \$968,391.00. At the conclusion of the lease period, Dell Financial Services will transfer ownership of all equipment to the City for a fee of \$1.00. (ITS/Support)

**Thomas** asked why there is a difference in the amounts noted on the Request for City Council Action (RFCCA) form at \$968,391.00 and the lease agreement at \$943,272.72. **Marlin** stated that the difference of a little over \$25,000 was due to City tax being included in the amount provided on the RFCCA.

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Motion Consent Agenda Item B.3 Contract Award: Professional Audit Services - Authorize the Interim City Administrator to execute a one-year contract, with the option to renew for an additional four one-year periods, at an estimated annual cost of \$65,000.00, depending on appropriation of funds and satisfactory performance to: Heinfeld Meech & Co., P.A., Tucson, Arizona; (Finance-Bid #2019-20000148)

**Deputy Mayor Knight** inquired if Heinfeld Meech & Co. is the City's current auditing firm and if there are any local firms that are capable of this type of auditing. **Wilson** confirmed the City has used the services of Heinfeld Meech & Co. for several years and stated that eight Yuma firms and local CPA's were contacted by the City and none of them perform this type of service. Solicitations were also provided on Arizonapurchasing.org, and 15 different firms downloaded the solicitation, including firms from Phoenix, Scottsdale, San Diego, Tucson, Tempe, Flagstaff, Albuquerque New Mexico and Vancouver Washington.

**Shelton** asked if Heinfeld Meech & Co. is the same company that appeared before City Council last year when the matter of the Pacific Avenue Athletic Complex (PAAC) were being discussed. **Wilson** confirmed they are. **Shelton** opined that their representative was unresponsive and gave excuses of not dealing with political issues at the time she was addressing the PAAC audit. **Shelton** stated for these reasons he will vote against approval of the contract.

**Thomas** stated he does not believe an audit company should have a political agenda and asked if they have specific tasks assigned to them when they come to the City. **Marlin** stated the company is hired to audit the City's financial statements, the Comprehensive Annual Financial Report (CAFR) and statements within the CAFR. They perform a series of samplings to ensure the financial statements are materially correct and represented in a fashion that meets the guidelines of State requirements and those of the Government Finance Officers Association (GFOA), which includes making sure the City is spending funds from the appropriate accounts.

**Deputy Mayor Knight** commented that the firm is registered with the State and would face dire consequences if the audit wasn't performed in accordance with the States Statutes. **Marlin** agreed and stated Heinfeld Meech & Co. is one of the highest recognized firms with respect to governmental financial standards and auditing.

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Motion Consent Agenda Item B.6 Outside Agency Agreement; Yuma Visitors Bureau, Inc.- Authorize the Interim City Administrator to execute an agreement with the Yuma Visitors Bureau providing for Fiscal Year 2019-2020 funding in the amount of \$600,000.00 and setting performance standards for the Yuma Visitors Bureau. (Admin)

**McClendon** stated that she will be declaring a conflict of interest on this item due to her employment.

**Shelton** noted that the Yuma Visitors Bureau (YVB) agreement states they will work with the established state level filming office. **Shelton** mentioned he has supported this collaboration and has provided a list of volunteers who could work with YVB and would like to know where YVB is at with this task. **Linda Morgan**, Executive Director of YVB, stated that YVB has a limited budget of approximately \$1.2 million of which \$600,000 comes from the City. Although they are doing the most they can with the budget they have, Yuma just doesn't have the infrastructure; such as studios, equipment, staffing and an airline from Los Angeles to accommodate the filming industry. The nature of filming has changed and Yuma is not what motion picture people are looking for. **Morgan** stated that YVB has been working with the state office to attract more filming here as well as attended meetings with those in Tucson who are light-years ahead of where Yuma is in the filming industry. **Morgan** added that it is her understanding that filming in Mexico is subsidized and she believes there may be an opportunity for Yuma to possibly get involved through the 4FrontED.

Motion Consent Agenda Item B.7 Renewal of City's Insurance Coverage for Fiscal Year 2019-20 -

Authorize insurance coverage for Property, Public Liability (including Employee Benefits, Public Officials, Employment Practices, Liquor, Law Enforcement and Auto), Excess Liability, Crime/Dishonesty, Excess Workers Compensation, Cyber Liability and Auto Physical Damage coverage for fiscal year 2019-20 in the total amount of \$951,476 (City Attorney)

**Deputy Mayor Knight** requested clarification on liability coverage for vehicles valued under \$30,000 or that are older than 2014 are not covered by the City's policy. **Files** stated that vehicles older than 2014 or valued at less than \$30,000 are covered with comprehensive liability coverage.

**Thomas** questioned the \$3 million Cyber Coverage noted in the renewal. **Files** stated this is a \$2 million increase over last year which is comparable to most cities the size of Yuma. **Files** noted that with all the events of viruses and such, it can cost over \$10 million dollars to recover from the damages. After discussing this with the City Administrator, it was recommended the City increase their coverage. Regarding a cyber-security event, **Thomas** asked if this will prevent the City from being held hostage. **Files** stated it would not necessarily prevent a hostage situation, but the coverage will help the City to pay for the damage if such an event did happen.

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Resolution Consent Agenda Item 1. R2019-016 2019 Charter Review Committee - Establish a City of Yuma 2019 Charter Review Committee. (Admin)

**McClendon** asked for details on how the Charter Review Committee will be started. **Simonton** stated that establishing the 2019 Charter Review Committee (Committee) was a request made by City Council and that once the resolution is adopted, staff can move forward with compiling name recommendations from City Council. **Simonton** suggested it would be helpful for City Council to provide a list of Charter items that they have questions and/or concerns on to start the Committees review.

**Thomas** stated that he was a member of the 2011 Charter Review Committee and that committee was tasked with what City Council recommended. **Thomas** would like the 2019 Charter Review Committee to review the Charter from start to finish and bring back recommendations to City Council. **Simonton** noted that he foresees the Committee will do exactly that. However, Simonton reiterated that it would be good to provide Charter topics that City Council has concerns on.

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Resolution Consent Agenda Item 2. R2019-017: Intent to Create Municipal Improvement District No. 109: Livingston Ranch Unit No. 2: Approve the creation of Municipal Improvement District No. 109 to serve Livingston Ranch Unit No. 2. (DCD)

**Thomas** asked if staff could explain the intended purpose of this Municipal Improvement District (MID). **Linville** explained that MID's are established to help maintain future landscaping within each development; this MID is specific to Phase 2 of the Livingston Ranch subdivision. The intent for MID 109 is to collect a tax from the property owners that would be used specifically to maintain the landscaping, common areas or potential retention basins. If the property owners are not happy with the common areas this also gives them the opportunity to increase those standards to include walking paths, more shrubs and/or trees. **Linville** stated that MIDs are a requirement for new developments.

**Thomas** noted that the agenda states that upkeep will be offered to non-city entities. **Simonton** stated the City is going to use contractors to perform these improvements through bid, just like other City projects are done. **Thomas** asked if the residents will have a say in the matter if they are not satisfied with the contractor's performance. **Simonton** stated that during the process when the rates are set, the homeowners will have an opportunity to voice their opinion of the amenities that are put in place. Currently the process is to call the Public Works Division and offer suggestions. **Simonton** added the City foresees the homeowners will have a greater participation than they have had in the past.

**McClendon** asked if the tax will be designated to a specific account for the sole purpose to be used on improvements at their subdivision. **Linville** confirmed that to be correct.

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Budget and Related Actions Item 1. R2019-20: Capital Improvement Program Fiscal Years 2020-2024:  
Adopt the Capital Improvement Program for Fiscal Years 2020 through 2024 pursuant to Yuma City Charter, Article XIII, Section 11 (Admin)

**Thomas** asked for a status pertaining to the CIP for the 2<sup>nd</sup> Avenue improvement. **Simonton** stated that there have been some preliminary conversations with Mr. Rubio and the neighborhood. He stated that they have started the leg work for the sidewalks, curb, gutter and street lights. **Simonton** mentioned he will have an update for Council in the near future.

**II. EXECUTIVE SESSION - No Executive Session Held.**

There being no further business, **Deputy Mayor Knight** adjourned the meeting at 6:48 p.m.

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Lynda L. Bushong, City Clerk

APPROVED:

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Douglas J. Nicholls, Mayor