

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 18, 2020
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:31 p.m.

INVOCATION/PLEDGE

Philip Rodriguez, City Administrator, gave the invocation. **Richard Files**, City Attorney, 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 Deputy City Administrator, John D. Simonton Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Nicholls noted that due to the current COVID-19 issue this meeting is closed to the public and Call to the Public, which is normally held towards the end of the meeting, has been cancelled. Moving forward, the public is able to submit comments regarding items on City Council Meeting agendas to the email address listed on the agenda and posted on the City's website.

PRESENTATIONS

Wellness Committee presentation and Juvenile Opioid status by Judge Reeves - Cancelled

I. MOTION CONSENT AGENDA

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

A. Approval of minutes of the following City Council meeting:

Regular Council Meeting	July 17, 2019
Regular Council Meeting	October 16, 2019
Regular Council Meeting	February 19, 2020
Council Citizen's Forum	March 3, 2020

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 Taryn Struck on behalf of Fort Yuma Rotary Club for Penitentiary Pint Fest. The event will take place at the Yuma Territorial Prison, 220 Prison Hill Rd., on Saturday, April 25, 2020, from 5:30 p.m. to 9:30 p.m. (SP20-17) (Clk)
3. Approve a Special Event Liquor License application submitted by Oscar Chavez, on behalf of Immaculate Conception Church, for Mother's Day Dinner & Dance. The event will take place at Immaculate Conception Church St. Ann's Hall, 501 S. Avenue B, on Saturday, May 9, 2020, from 5:00 p.m. to 11:00 p.m. (SP20-21) (Clk)
4. Authorize the purchase of 20 Zoll X Series Manual Monitor/Defibrillators utilizing a cooperative purchase agreement originated by the City of Tucson, for an estimated cost of \$776,819.14 to: Zoll Medical Corporation; Chelmsford, Massachusetts. (Bid #2020-20000076) (YFD)
5. Authorize the City Administrator to execute two separate agreements with the Arizona Department of Homeland Security for reimbursement of funds expended for overtime, mileage, and equipment for activities in support of Operation Stonegarden. (YPD)
6. Approve an amendment to the existing Intergovernmental Agreement with Arizona Western College (AWC) and the Yuma County Sheriff's Office for the regional Law Enforcement Training Academy facility. (YPD)
7. Approve the final plat for Spirit Park Subdivision located on the southeast corner of 38th Street and Avenue 3E, Yuma, AZ. (DCD)
8. Approve the final plat of the Autumn Valley Subdivision located at the southeast corner of W. 16th Street and S. 44th Avenue, Yuma, AZ. (DCD)
9. Authorize the City Administrator to execute a First Amendment to the agreement with Caballeros de Yuma in connection with the co-sponsorship of the City's 2020 Tunes and Tacos event. (Admin)
10. Authorize the City Administrator to execute an Intergovernmental Agreement (IGA) to provide engineering support services to the City of San Luis. (Eng)

II. RESOLUTION CONSENT AGENDA

Resolution Consent Agenda R2020-012 – Intent to Create Improvement District No. 114: 2nd Avenue between 10th Street and 12th Street (to construct and install curb, gutter, sidewalk and streetlight improvements) (Engineering)

Public Comments

- Joe Nunez asked how soon residents would know about the progress and approval of the road improvements and when construction would start once approved.
- Gregorio Perez complained of flooding issues due to stormwater coming down 11th Street from Orange Avenue and flowing down the alleyway on the side of his house.

Discussion

- The project is currently in the design phase which is expected to be complete in early- to mid-summer, and the project will go out to bid in September or October of 2020 (**Simonton**)
 - The flooding issue will be addressed in the design of the improvements to this area, and the Engineering Department will make contact with Mr. Perez (**Simonton**)
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Resolution Consent Agenda R2020-013 – Resolution Affirming the Yuma Citizen’s Constitutional Rights and Liberties (including the right to keep and bear arms as guaranteed by the Second Amendment to the Constitution of the United States and Article II, Section 26 of the Constitution of Arizona)

Public Comments

- City Council received a two-page letter from Congressman Paul Gosar which expressed his support of Resolution R2020-013.
 - The following submitted comments in support of Resolution R2020-013:
 - Winnie Moir
 - Patrick Headington
 - Albert Mrofka
 - Sandra Batura
 - Louis Gutierrez
 - Jim Slater
 - Tom Thomas
 - Tom Ozbirn
 - Apryl Brand
 - Jack and Dianne DeBell
 - Karen and Gordon Muetz
 - Connie Uribe
 - Richard Sprague
 - Luis (no last name given)
 - Gilbert Hernandez
 - Joe Reese
 - John Gleason requested that City Council defer consideration of this resolution to a later date once the current state of emergency has passed.
-

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

Bushong displayed the following titles:

Resolution R2020-010

A resolution of the City Council of the City of Yuma, Arizona, ordering improvements for 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, as more particularly described in this resolution, and declaring the landscape improvements to be of more than local or ordinary public benefit, and the cost of the landscape improvements shall be assessed upon Municipal Improvement District No. 112; improvements shall

be performed under Arizona Revised Statutes Title 48, Chapter 4, Article 2 (located at the southeast corner of S. Araby Rd. and E. 32nd St.) (DCD)

Resolution R2020-011

A resolution of the City Council of the City of Yuma, Arizona, declaring its intention to create **Municipal Improvement District No. 113, serving Autumn Valley 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 Autumn Valley Subdivision** (located at the southeast corner of 16th Street and 44th Avenue) (DCD)

Resolution R2020-012

A resolution of the City Council of the City of Yuma, Arizona, declaring its intention to create **Improvement District No. 114 serving 2nd Avenue between 10th Street and 12th Street, to construct and install curb, gutter, sidewalk and streetlighting improvements on 2nd Avenue between 10th and 12th Streets** (pursuant to the Petition for formation presented by approximately 52% of the real property owners in the proposed district) (Engineering)

Resolution R2020-013

A resolution of the City Council of the City of Yuma, Arizona, affirming the Yuma citizen's **constitutional rights and liberties** (including the right to keep and bear arms as guaranteed by the Second Amendment to the Constitution of the United States and Article II, Section 26 of the Constitution of Arizona)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

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

Bushong displayed the following title:

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 & 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 (Trail Estates 1, 2 and 3 located at the northwest corner of Avenue 9E and 40th Street) (ANEX-23670-2018) (DCD)

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

IV. INTRODUCTION OF ORDINANCES

Bushong displayed the following title:

Ordinance O2020-008

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 General Commercial (B-2) District and amending the zoning map to conform with the rezoning (2.28 acre parcel of property located at 6544 E. 32nd Street) (ZONE-28855-2019 (DCD))

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

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Appointments

Motion (Shoop/McClendon): To appoint Janice Edgar to an unexpired term on the Planning and Zoning Commission with a term expiration of December 31, 2020. Voice vote: **approved** 7-0.

Motion (Morris/Watts): To appoint Joshua Scott to the Planning and Zoning Commission with a term expiration of December 31, 2024. Voice vote: **approved** 7-0.

Announcements

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

Scheduling

No future meetings were scheduled at this time.

VII. SUMMARY OF CURRENT EVENTS

Rodriguez stated that all City of Yuma facilities, with the exception of the Municipal Court which is directed by the Arizona Supreme Court, are closed to the public in order to protect the health of the community and the City's workforce. However, City services are not being shut down and staff will continue to work to meet the needs of the community it serves. Utility bills can continue to be paid online, by phone, or at the payment drop box at City Hall. Anyone experiencing issues with making payments due to income insecurity is encouraged to call the City of Yuma main line at (928) 373-5000 for assistance. The City will continue to respond to emergency calls, maintain City roadways, parks, and golf courses, issue building permits, and complete inspections.

VIII. CALL TO THE PUBLIC - Cancelled

IX. EXECUTIVE SESSION/ADJOURNMENT

Motion (Knight/Watts): To adjourn the meeting to Executive Session. Voice vote: **adopted** 7-0. The meeting adjourned at 6:21 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor