

MINUTES
REGULAR WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
January 5, 2016
6:00 p.m.

CALL TO ORDER

Mayor Nicholls called the Regular City Council Worksession to order at 6:00 p.m.

Councilmembers Present:	Craft, Knight, Miller, Shelton, Thomas, Wright, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	City Administrator, Gregory K. Wilkinson Senior Buyer, Melinda Holmes Assistant Director of Parks & Recreation, Damon Chango YPD Police Captain, Rod Hamilton YPD Police Chief, John Lekan Various department heads or their representatives City Attorney, Steven W. Moore City Clerk, Lynda Bushong

I. REGULAR CITY COUNCIL MEETING AGENDA OF JANUARY 6, 2016

Mayor Nicholls opened the meeting to discussions and questions on items before the City Council for action tomorrow.

Motion Consent Agenda: B.13 – Authorize extension of an agreement and terms of employment with Gregory K. Wilkinson to serve as City Administrator for the City of Yuma.

Knight expressed concern regarding the sentence added to Section 4 of the Employment Agreement which states, “In addition, the City agrees to increase said base salary and/or benefit of the Employee in such amounts and at the same time as similar consideration is given to other City employees generally.” It implies that the City Administrator will be receiving two pay increases each year, one in January and one in July. **Mayor Nicholls** explained that in the past the City Administrator’s pay raises have taken place in January, but were based upon the City employee’s increase that took place the prior July. This resulted in him essentially being 6 months behind on the whole process. The intention of adding the sentence was to correct that inconsistency.

Knight stated that according to his understanding of the City Charter, the City Administrator’s contract is re-done every two years when the new Council is seated. The Councilmembers at that time may not be aware of the Mayor’s intention. **Mayor Nicholls** pointed out that one of the benefits of having staggered City Council terms is that the remaining Council would be aware of that history. **Wilkinson** explained that traditionally when the new Council is seated every two years the City Administrator’s contract is revised/reviewed. Additionally, at the end of one year it is amended to reflect the same pay increases that have been budgeted for City employees. **Mayor Nicholls** stated that this change to the agreement would simplify and standardize the process - the City Administrator’s pay increases would occur at the same time as all other City employees.

Wright asked if the new Councilmembers had the opportunity to review the City Administrator's 2015 Performance Evaluation that took place in an Executive Session last year. **Mayor Nicholls** explained that the Executive Session minutes are sealed by State law. Unless someone in attendance at the Executive Session releases that information, it is not available to anyone. **Wright** asked who prepared the City Administrators Employment Agreement. **Mayor Nicholls** stated that the agreement is a result of discussion and negotiation between himself and Mr. Wilkinson, which is then prepared and presented to the Council for consideration.

Wright asked if Mr. Wilkinson is currently a retired City employee receiving retirement benefits. Upon acknowledgement by Mr. Wilkinson, **Mayor Nicholls** stated that was correct. **Wright** requested clarification on the retirement contribution process. **Wilkinson** explained that for the Arizona State Retirement System, the employee contributes 11.5% and the City matches those funds. **Wright** asked for clarification of the fund in which the 7% Deferred Compensation contribution referred to in Section 7. **Wilkinson** explained that the City has a contract with two different companies which are open to all City employees. **Wright** asked whether the 7% contribution was a deduction from or an addition to the yearly base salary. **Mayor Nicholls** stated that it is an employer contribution in addition to the salary amount. **Wilkinson** stated that it would not be a part of the agreement if it was a personal contribution.

Knight opined that whether Mr. Wilkinson being retired is irrelevant. These benefits are offered by the City as compensation to whoever is doing the job as City Administrator. **Wright** stated that he merely wanted to clarify that the 7% was contributed by the City.

Wright requested clarification on the maximum hours/weeks of annual leave referred to in Section 9. **Mayor Nicholls** explained that 600 hours or 15 weeks is the maximum amount of leave that may be accrued. It does not refer to the amount accrued in a year, but the maximum amount of unused leave that is allowed to accrue.

Motion Consent Agenda: B.9 – Authorize the purchase of Lighting Materials for the Sanguinetti Athletic Fields, utilizing the National Joint Powers Alliance (NJPA) cooperative purchase agreement at an estimated amount of \$254,944.77 to: Musco Sports Lighting, LLC., Avondale, Arizona. (Parks & Recreation – Bid #2016-20000114)

Knight asked whether the \$254,944.77 budgeted is only for the purchase of materials or if installation is also included. **Holmes** stated that it includes installation and labor. **Knight** contended that the agreement states it is for the purchase of lighting materials only. **Chango** confirmed that the NJPA agreement is for fixtures and installation. It is a national contract and everything is covered in the quoted price.

Wright asked if the lights will be replaced as they are taken down with LED lights similar to the ones installed at the tennis courts. **Chango** explained that all of the lighting was taken down immediately in November 2014 when the first pole fell. When the remaining bases were exposed, it was found that the other poles were also rusted and full of holes. The lights will be replaced with LED lighting, but it will look different than the lighting at the tennis courts. **Shelton** stated that residents in the area commented they did not know what was going on with the lack of lighting, and will be very glad once it is re-established.

Motion Consent Agenda: B.10 – Authorize the City Administrator to execute a contract for False Alarm Management Services to Public Safety Corporation, Waldorf, MD. (Police Department – RFP #2016-20000061)

Knight requested confirmation that the vendor who performs the services described in Ordinance O2015-13 will be paid solely from the fines collected as a result of enforcing the ordinance. **Hamilton** confirmed that there will be no exchange of money from the City for that service. All costs will be taken out of the percentage of fines that are paid to the City. It is unknown what amount, if any, the City will receive because that depends on the number of false alarms and fines levied.

Motion Consent Agenda: B.11 – Authorize the City Administrator, or his designee, to execute the grant agreement and accept monies received under the City of Tucson HIDTA grant program to support the YPD Officer assigned to the U.S. Marshals Arizona Warrant Apprehension Network and Tactical Enforcement Detail (WANTED) (Police/Administration)

Knight asked if the task force officer was a full-time assignment, or if the duties were in addition to the officer's regular duties. **Lekan** explained that the officer is a full-time employee assigned to the U.S. Marshals Service, and the grant pays for a portion of any overtime accrued during his duties. **Knight** asked if any of his regular salary is paid for with grant money, and where the officer is based. **Lekan** stated that the officer's regular salary is paid by the City, and his home area is Yuma. If a fugitive warrant is issued on a case, WANTED can use their resources to locate and arrest that person. They are also in charge of the sex offender registration databases. Utilizing WANTED has freed up a significant amount of time previously spent by YPD detectives on these duties.

Knight stated that the agreement is from January 1, 2015 to December 31, 2016, and asked why this was coming before the Council after already having been in effect for a year. **Lekan** stated that it was an oversight due to communication issues.

II. ADJOURNMENT

The meeting adjourned at 6:33 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor