



City of Yuma City Council Meeting Summary

Wednesday, April 7, 2021

5:30 PM

Yuma City Hall Council Chambers
One City Plaza, Yuma

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 April 7, 2021 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 applicable agenda item or at Call to the Public and choose to participate via Zoom, must submit an email request to 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 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 April 6, 2021 are cancelled.

CALL TO ORDER

5:30 PM

INVOCATION

PASTOR TOM SAWYER, GRACE BIBLE CHURCH

PLEDGE OF ALLEGIANCE

JOEL OLEA, DIRECTOR OF PUBLIC WORKS

ROLL CALL

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

FINAL CALL

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

PRESENTATIONS**PRESENTATIONS MADE**

- 2021-2025 Consolidated Plan, Housing Market Analysis and Annual Action Plan for Program Year 2021-2022
- Briefing on Parking Regulations
- Strategic Outcomes Update

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 Deputy Mayor McClendon, to approve the Motion Consent Agenda with the exception of item B.4. The motion carried by the following vote:

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

1. [MC 2021-032](#) **Regular Council Meeting Draft Minutes March 3, 2021**

Attachments: [2021 03 03 RCM Minutes](#)

APPROVED

2. [MC 2021-033](#) **Regular Council Meeting Draft Minutes March 17, 2021**

Attachments: [2021 03 17 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)

APPROVED

2. [MC 2021-029](#) **Liquor License: Hampton Inn**

Approve a new Series #10 Beer and Wine Store Liquor License application submitted by Jacob Pimentel, agent for Hampton Inn located at 1600 E. 16th Street. (LL21-02) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments:

[1. RFCCA Liquor License: Hampton Inn](#)

[2. MAP Liquor License: Hampton Inn](#)

APPROVED

3. [MC 2021-030](#) **Liquor License: Four Points by Sheraton**

Approve a new Series #11 Hotel/Motel with a Restaurant Liquor License application submitted by Angelica Medrano Lemmon, agent for Four Points by Sheraton located at 2030 S. Avenue 3E. (LL21-03) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments:

[1. RFCCA Liquor License: Four Points by Sheraton](#)

[2. MAP Liquor License: Four Points by Sheraton](#)

APPROVED

4. [MC 2021-031](#) **Intergovernmental Agreement: Yuma County Flood Control District**

Authorize the City Administrator to execute an Intergovernmental Agreement with the Yuma County Flood Control District (District) for construction, maintenance, and discharge of storm water lift station and force main improvements into the City's 15-inch Storm Drain System between 3rd Street and 4th Street, north of the North Central Retention Basin. (Public Works) (Joel Olea)

Attachments: [1. RFCCA IGA: Storm Water Lift Station Improvements](#)
 [2. AGMT IGA: Storm Water Lift Station Improvements](#)

A motion was made by Councilmember Knight, seconded by Councilmember Morris, that this motion be APPROVED. The motion carried by the following vote:

Aye: 6 - Deputy Mayor McClendon, Councilmember Knight, Councilmember Morris, Councilmember Shelton, Councilmember Shoop, and Councilmember Watts

COI: 1 - Mayor Nicholls

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.

Approval of the Consent Agenda

A motion was made by Deputy Mayor McClendon, seconded by Councilmember Knight, to ADOPT the Resolution Consent Agenda. The motion carried by the following vote:

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

1. [R2021-006](#) **Resolution of Support: Bureau of Reclamation WaterSMART Small-Scale Water Efficiency Projects Grant**

Authorize a resolution of support for the submission of a Small-Scale Water Efficiency grant to the Bureau of Reclamation (BOR) to provide funding to support installation of water distribution systems pressure and temperature monitoring devices. (Utilities) (Jeremy McCall)

- Attachments:**
- [1. RFCCA Resolution of Support: BOR WaterSMART Grant](#)
 - [2. RES Resolution of Support: BOR WaterSMART Grant](#)
 - [3. BOR Resolution of Support: BOR WaterSMART Grant](#)

ADOPTED

2. [R2021-007](#) **Resolution Designating the Chief Fiscal Officer**

Adopt a resolution designating Philip A. Rodriguez as the Chief Fiscal Officer for the purpose of submitting the City's annual expenditure limitation reports (AELR) to the Arizona Auditor General. (Finance) (Barbara Goodrich)

- Attachments:**
- [1. RFCCA Resolution Designating the Chief Fiscal Officer](#)
 - [2. RES Resolution Designating the Chief Fiscal Officer](#)

ADOPTED

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. [O2021-006](#) **Building Easement: 3045 S. Avenue 3E**

Grant a building easement for existing buildings that partially encroach into the City-owned 30th Street right-of-way. (Engineering) (Jeffrey Kramer)

- Attachments:**
- [1. RFCCA - Building Easement - 3045 S Avenue 3E](#)
 - [2. ORD Building Easement: 3045 S Avenue 3E](#)
 - [3. EXH 1 Building Easement: 3045 S Avenue 3E](#)

INTRODUCED

FINAL CALL

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

IV. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments:

- Yuma Area Benefits Consortium (YABC) Trust Board - one appointment
- Workers Compensation Trust Board - one appointment
- Building Advisory Board - two reappointments
- Residential Advisory Board - one reappointment

1) Motion (Knight/McClendon): to appoint Barbara Goodrich to the Yuma Area Benefits Consortium. Voice Vote: approved 7-0.

2) Motion (Morris/McClendon): to appoint Barbara Goodrich to the Workers Compensation Trust Board. Voice Vote: approved 7-0.

3) Motion (Shelton/Watts): to reappoint James Adler and Clint Harrington to the Building Advisory Board with term expirations of December 31, 2025. Voice Vote: approved 7-0.

4) Motion (Shelton/Watts): to reappoint George Wilmot to the Residential Advisory Board with a term expiration of December 31, 2025. Voice Vote: approved 7-0.

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 March 18, 2021 through April 7, 2021. 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.

3. Scheduling:

Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

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

Motion (Knight/McClendon): to adjourn to Executive Session. Voice vote: approved 7-0.

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 COY v. the Salvation Army. (A.R.S. 38-431.03 A3, A4 & A7)
- B. Discussion, consultation with and/or instruction to legal counsel regarding the following legal matters (ARS 38-431.03 A3, A4 and A7):
 - 1. Redden/Woen v. COY
 - 2. Beltran/Garcia v. COY
 - 3. Stevens v. COY
 - 4. Spectrum v. COY
 - 5. BJA Enterprises v. COY
 - 6. Pearce v. COY, et al
 - 7. Angulo-Murrieta v. COY, et al
 - 8. Valtierra, Juan Claim
 - 9. Rodriguez, Roberto Claim
 - 10. Thompson, Terry Claim
 - 11. Lee, Milton Claim
 - 12. San Roman, Mario Claim

ADJOURNMENT

7:24 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.