



# City of Yuma City Council Meeting Summary

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Wednesday, June 2, 2021

5:30 PM

Yuma City Hall Council Chambers  
One City Plaza, Yuma

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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 June 2, 2021 Regular City Council meeting will be conducted remotely through technological means along with public, in-person access.

## **City Council Chambers will be open with 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](mailto: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](http://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 June 1, 2021 are cancelled.

## **CALL TO ORDER**

**5:33 PM**

## **INVOCATION**

**PASTOR FRED DANIELS, SEVENTH DAY ADVENTIST CHURCH**

## **PLEDGE OF ALLEGIANCE**

**LIEUTENANT ROBERT WRIGHT, YUMA POLICE DEPARTMENT**

**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****PRESENTATION MADE**

- Arizona Public Service Summer Preparedness

**I. MOTION CONSENT AGENDA**

**A motion was made by Councilmember Knight, seconded by Deputy Mayor McClendon, to APPROVE the Motion Consent Agenda as recommended with the exception of Item B.5. 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

*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):

1. [MC 2021-053](#) **Regular Council Meeting Draft Minutes May 5, 2021**

**Attachments:** [2021 05 05 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 2021-046](#) **Teletrack Wagering License: Turf Paradise at Showcase Sports Bar**

Approve a request submitted by David Johnson, Vice President of Turf Paradise, for the renewal of a Teletrack Wagering (formerly known as Off-Track Betting) License at Showcase Sports Bar, located at 2703 S. 4th Avenue, with a term to expire on May 31, 2024, to coincide with the term of Turf Paradise's State license. The owners of Showcase Sports Bar have expressed their support for the Teletrack Wagering operation. (OTB21-01) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Teletrack Wagering License: Showcase Sports Bar](#)

**APPROVED**

3. [MC 2021-047](#) **Bid Award: Electrical Services**

Award to the lowest responsive/responsible bidders, a one-year contract for electrical services with an option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance, for an estimated combined expenditure of \$78,000.00 annually to the following vendors: O&M Electrical, Inc. Yuma, Arizona and Westmoor Electric, Inc. Yuma, Arizona. (RFB-21-165 Building Safety) (Justin Lewis/Robin R. Wilson)

Attachments: [1. RFCCA Bid Award: Electrical Services](#)

**APPROVED**

4. [MC 2021-048](#) **Bid Award: Street Light Components and Accessories**

Award to the lowest responsive/responsible bidders, a one-year contract for street light components and accessories with the option to renew for four additional one-year periods, depending on the appropriation of funds and satisfactory performance, for an estimated expenditure of \$25,000.00 annually to the following vendors: Border States, Tucson, Arizona; Yuma Winlectric, Yuma, Arizona. (RFB-21-116 - Public Works) (Joel Olea/Robin R. Wilson)

Attachments: [1. RFCCA Bid Award: Street Light Components and Accessories](#)

**APPROVED**

5. [MC 2021-049](#) **Contract Award: Architectural & Engineering Services for Fire Station 7**

Authorize the City Administrator to execute a contract for Architectural & Engineering Services for Fire Station 7 to the following firm: Perlman Architects of Arizona, Phoenix, Arizona (Engineering - RFQ 21-141) (Jeffrey Kramer/Robin R. Wilson)

**Attachments:** [1. RFCCA Contract Award: Architectural & Engineering Svcs - Fire Station 7](#)

**A motion was made by Councilmember Knight, seconded by Councilmember Watts, to APPROVE item B.5 as recommended. 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

6. [MC 2021-050](#) **Designation of Acting City Administrator**

Designation of an Acting City Administrator during the absence or disability of the City Administrator, pursuant to the Yuma City Charter, Article VIII, Section 3. (City Administration) (Philip A. Rodriguez)

**Attachments:** [1. RFCCA Designation of Acting City Administrator](#)  
[2. LETTER Designation of Acting City Administrator](#)

**APPROVED**

7. [MC 2021-051](#) **Agreement: Humane Society of Yuma**

Authorize the City Administrator to execute a one-year agreement with the Humane Society of Yuma (HSOY) to provide animal services to residents of the City of Yuma. (Police/Admin)(Susan Smith)

**Attachments:** [1. RFCCA Agreement: Humane Society of Yuma](#)  
[2. AGMT Agreement: Humane Society of Yuma](#)

**APPROVED**

8. [MC 2021-052](#) **Grant Ratification: Arizona Department of Homeland Security Grant**

Ratify the acceptance of Arizona Department of Homeland Security Grant 20-AZDOHS-HSGP- 200410-01 in the amount of \$13,500.00. (Information Technology/YRCS) (Kathleen Fernandez)

Attachments: [1. RFCCA Grant Ratification: Arizona Dept. of Homeland Security](#)

**APPROVED**

## II. ADOPTION OF ORDINANCES CONSENT AGENDA

*All items listed on the Ordinances 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 Ordinance Consent Agenda and the vote or action will be taken separately.*

**A motion was made by Councilmember Knight, seconded by Councilmember Watts, to ADOPT the Ordinances Consent Agenda. The motion was 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

1. [O2021-010](#) **Utility Easement: Southwest Gas Corporation**

Grant a utility easement to Southwest Gas Corporation in Block 14 of Yuma Townsite (from Madison Avenue to Main Street, between 2nd Street and 3rd Street) to replace an existing undefined easement. (Engineering) (Jeff Kramer)

Attachments: [1. RFCCA Utility Easement: Southwest Gas Corporation](#)  
[2. ORD Utility Easement: Southwest Gas Corporation](#)  
[3. GRANT OF EASEMENT Utility Easement: Southwest Gas Corporation](#)

**ADOPTED**

### III. BUDGET AND RELATED ITEMS

*The following discussion may result in the adoption of Resolution R2021-011*

1. [R2021-011](#)      **Adoption: Fiscal Year 2022 - Fiscal Year 2026 Capital Improvement Program**

Adopt a resolution approving the FY 2022 - FY 2026 Capital Improvement Program, pursuant to Yuma City Charter, Article XII, Section 11. (City Engineering) (Jeffrey Kramer)

**Attachments:**      [1. RFCCA FY2022-2026 Capital Improvement Program](#)  
[2. RES FY2022-2026 Capital Improvement Program](#)

**A motion was made by Councilmember Knight, seconded by Councilmember Shelton, to ADOPT Resolution R2021-011 as presented. 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

*The following discussion may result in the approval of the Proposed Annual Budget: Fiscal Year 2022*

2. [MC 2021-045](#)      **Proposed Annual Budget for Fiscal Year 2022**

Approve the Fiscal Year 2022 Proposed Annual Budget in the amount of \$522,455,502 which includes a Capital Improvement Program budget of \$158,300,018; an Operating Expenditure Budget of \$343,717,123; Interfund Transfers of \$20,245,293; and, Wastewater Interfund Borrowing of \$193,068. (Administration/Finance) (Philip Rodriguez/Barbara Goodrich)

**Attachments:**      [1. RFCCA Proposed Annual Budget for Fiscal Year 2022](#)  
[2. SCHEDULES Proposed Annual Budget for Fiscal Year 2022](#)

**Motion (Knight/Morris): To APPROVE the Fiscal Year 2022 Proposed Budget for Visit Yuma in the amount of \$600.00. Voice vote: 6-0-1, Deputy Mayor McClendon declared COI.**

**Motion (Morris/Watts): To APPROVE the Fiscal Year 2022 Proposed Budget for the Capital Improvement Program in the amount of \$158,300,018. Voice vote: 6-0-1, Mayor Nicholls declared COI.**

**Motion (Knight/Watts): To APPROVE the Fiscal Year 2022 Proposed Budget for an amount of \$363,577,284 which excludes the Visit Yuma and Capital Improvement Program that were approved through the prior motions. Voice vote: 7-0.**

## FINAL CALL

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

## IV. ANNOUNCEMENTS AND SCHEDULING

*Discussion and possible action on the following items:*

### 1. 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 May 20, 2021 through June 2, 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.

### 2. Scheduling:

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

**Motion (Knight/McClendon): That a Special Worksession/Joint Council with the Design and Historic Review Commission be scheduled for June 23, 2021 beginning at 5:00 pm with an agenda to be posted in accordance with Arizona Open Meeting Law. Voice vote: 7-0.**

**Motion (Shoop/Watts): That a Special Worksession/Joint Council with the Planning and Zoning Commission be scheduled for July 19, 2021 beginning at 5:00 pm with an agenda to be posted in accordance with Arizona Open Meeting Law. Voice vote: 7-0.**

## 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

**A motion was made by Councilmember Knight, seconded by Deputy Mayor McClendon, to ADJOURN to EXECUTIVE SESSION. 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

*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 potential sale of real property. (A.R.S. 38-431.03 A3, A4 & A7)
- B. Discussion, consultation with and/or instruction to legal counsel regarding Spectrum Pacific West, LLC v. City of Yuma. (A.R.S. 38-431.03 A3 & A4 )
- C. Discussion, consultation with and/or instruction to legal counsel regarding potential contract. (A.R.S. 38-431.03 A3 & A4 )
- D. Discussion, consultation with and/or instruction to legal counsel regarding gift and loan clause and donation requests. (A.R.S. 38-431.03 A3 & A4 )

## ADJOURNMENT

**6:35 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.