



# City of Yuma City Council Meeting Summary

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Wednesday, May 20, 2020

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 May 20, 2020 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 at the Public Hearing or on any agenda item that will be participating 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 May 19, 2020 are cancelled.

## **CALL TO ORDER**

**5:32 P.M.**

## **INVOCATION**

**RICHARD FILES, CITY ATTORNEY**

## **PLEDGE OF ALLEGIANCE**

**ERIC EGAN, YPD SERGEANT AND FOP PRESIDENT**

**ROLL CALL**

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

**PRESENTATIONS****PRESENTATIONS MADE**

- Recognition of:
  - o National Police Week – May 10 through May 16, 2020
  - o National Peace Officer Memorial Day – May 15, 2020
  - o National EMS Week – May 17 through May 23, 2020
  - o National Public Works Week – May 17 through May 23, 2020

**FINAL CALL**

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

**I. MOTION CONSENT AGENDA**

**A motion was made by Councilmember Knight, seconded by Deputy Mayor Watts, to APPROVE the Motion Consent Agenda as presented. The motion carried by a unanimous vote.**

*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 2020-111](#)      **Regular Council Worksession Draft Minutes July 16, 2019**  
Attachments:      [2019 07 16 RWS Minutes](#)  
  
**APPROVED**
2. [MC 2020-112](#)      **Regular Council Worksession Draft Minutes November 5, 2019**  
Attachments:      [2019 11 05 RWS Minutes](#)  
  
**APPROVED**
3. [MC 2020-113](#)      **Special Worksession/Roundtable Draft Minutes February 25, 2020**  
Attachments:      [2020 02 25 SWS Retreat](#)  
  
**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**

**II. RESOLUTION CONSENT AGENDA**

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

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

*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.*

1. [R2020-021](#) **Resolution of Support: Better Utilizing Investments to Leverage Development Transportation Discretionary Grants Program**

Adopt a resolution supporting the application for a Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants program, to complete the development of a Multi-Modal Transportation Center in downtown Yuma at the historic Hotel Del Sol. (Administration) (Philip Rodriguez)

**Attachments:** [1. RFCCA BUILD Grant Resolution of Support](#)  
[2. RES BUILD Grant Resolution of Support](#)

**ADOPTED**

2. [R2020-022](#) **Resolution: Extension of Time**

Approve a resolution granting a 180-day extension of time for a permittee to exercise rights under certain permits and authorizations issued by the City pursuant to Title 15 of the Yuma City Code and creating certain exceptions. (Administration) (Philip Rodriguez)

**Attachments:**     [1. RFCCA Extension of Time for Permits](#)  
                              [2. RES Extension of Time for Permits](#)

**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. [O2020-012](#) **City of Yuma 2020 Special Election**

Call for a Special Election to be held November 3, 2020, for the purpose of allowing the qualified electors to determine whether to amend the Yuma City Charter Article IV (Sections 4 and 6), Article VI (Sections 2, 3c and 14a), Article VIII (Section 2) and Article XI (Section 3). (City Attorney) (Richard Files)

**Attachments:**     [1. RFCCA 2020 Special Election - Charter Amendments](#)  
                              [2. ORD 2020 Special Election - Charter Amendments](#)

**INTRODUCED**

### IV. PUBLIC HEARING AND RELATED ITEMS

1. [MC 2020-110](#) **Public Hearing: Capital Improvement Program Fiscal Years 2021 through 2025**

Conduct a public hearing for the City of Yuma Capital Improvement Program for Fiscal Years 2021 through 2025 pursuant to Yuma City Charter, Article XIII, Section 11 (Engineering) (Jeffrey A. Kramer)

**Attachments:**     [1. RFCCA CIP Public Hearing FY21- FY25](#)

**PUBLIC HEARING HELD**

**2.     [R2020-023](#)           **Capital Improvement Program Fiscal Years 2021-2025****

Adopt the Capital Improvement Program for Fiscal Years 2021 through 2025 pursuant to Yuma City Charter, Article XIII, Section 11. (City Administration) (Philip Rodriguez)

**Attachments:**       [1. RFCCA Adoption of CIP: FY2021-2025](#)  
                              [2. RES Adoption of CIP FY2021-2025](#)

**A motion was made by Councilmember Shoop and second by Councilmember Knight to AMEND Resolution R2020-023 by incorporating the delivery method clarifications provided as a supplemental document. The motion was APPROVED by the following vote: AYES (6) Shelton, Morris, Knight, McClendon, Shoop & Watts. Mayor Nicholls declared a conflict of interest.**

**A motion was made by Councilmember Shelton and second by Councilmember Morris to replace the second sentence of the project justification related to the Ave. 3E and 32nd St Median Landscape project. The motion FAILED by the following vote: AYE (2) - Shelton & Morris, NAY(4) - Knight, McClendon, Shoop & Watts. Mayor Nicholls declared a conflict of interest.**

**A motion was made by Councilmember Shelton to replace the last sentence of the project description related to the 16th St Widening project. The motion FAILED for lack of a second. Mayor Nicholls declared a conflict of interest.**

**ADOPTED AS AMENDED**

**FINAL CALL**

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

## V. ANNOUNCEMENTS

### REPORTED

*Discussion and possible action on the following items:*

#### 1. Announcements:

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 7, 2020 through May 20, 2020. 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.

## VI. 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.*

## VII. 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.*

## VIII. EXECUTIVE SESSION

**A motion was made by Councilmember Knight, seconded by Deputy Mayor Watts, to ADJOURN to EXECUTIVE SESSION. The motion carried by a unanimous vote.**

*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 three items of potential litigation. (A.R.S. 38-431.03 A3, A4 & A7)

B. Discussion, consultation with and/or instruction to legal counsel regarding potential sale of real property located at the southwest corner of 16th Street and Fourth Avenue. (A.R.S. 38-431.03 A3, A4 & A7)

## **ADJOURNMENT**

**7:23 P.M.**

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.