



City of Yuma City Council Meeting Summary

Wednesday, June 3, 2020

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 June 3, 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 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 June 2, 2020 are cancelled.

CALL TO ORDER

5:31 P.M.

INVOCATION

CITY ADMINISTRATOR, PHILIP RODRIGUEZ

CIT PLEDGE OF ALLEGIANCE

CITY ENGINEER, JEFF KRAMER

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

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

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 Councilmember McClendon, to APPROVE the Motion Consent Agenda. 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

1. [TMP-2260](#) **Regular Council Worksession Draft Minutes May 14, 2019**
Attachments: [2019_05_14_RWS_Minutes](#)
APPROVED
2. [TMP-2261](#) **Regular Council Worksession Draft Minutes December 3, 2019**
Attachments: [2019_12_03_RWS_Minutes](#)
APPROVED
3. [TMP-2262](#) **Regular City Council Meeting Draft Minutes May 6, 2020**
Attachments: [2020_05_06_RCM_Minutes](#)
APPROVED

4. [TMP-2263](#) **Council Budget Roundtable Draft Minutes May 12, 2020**

Attachments: [2020 05 12 SWS 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 2020-114](#) **Liquor License: J.T. Bros Sandwich Company**

Approve a new Series #12 Restaurant Liquor License application submitted by Alejandro Trujillo, agent for J.T. Bros Sandwich Company located at 712 E. 32nd Street (SP20-06) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: J.T. Bros Sandwich Company](#)
[2. MAP Liquor License: J.T. Bros Sandwich Company](#)

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.

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](#)

REINTRODUCED AS AMENDED

A motion was made by Mayor Nicholls, seconded by Councilmember Knight to reintroduce the ordinance as amended. RCV: 6-1 (Shoop voting Nay)

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. [O2020-009](#) **Yuma City Code Text Amendment: Animals Disturbing the Peace**

Amend Title 13, Chapter 130, Article 5 (Yuma City Code § 130-005) to define "excessively," update the definition of "animal," clarify that provocation exists as a defense, and modify the penalty to civil sanctions with a warning provision. (City Attorneys Office) (Richard Files)

- Attachments:**
- [1. RFCCA Animals and Fowl Code Text Amendment](#)
 - [2. ORD Animals and Fowl Code Text Amendment](#)

INTRODUCED

2. [O2020-013](#) **Rezoning of Property: 7600 E. 32nd Street**

Rezone approximately 3.25 acres from the Agriculture (AG) District to the General Commercial (B-2) District. (Community Development/Community Planning) (Randall Crist)

- Attachments:**
- [1. RFCCA Rezoning of Property: 7600 E. 32nd Street](#)
 - [2. P&Z RPT Rezoning of Property: 7600 E. 32nd Street](#)
 - [3. ORD Rezoning of Property: 7600 E. 32nd Street](#)

INTRODUCED

IV. 2020-2021 CITY OF YUMA PRELIMINARY BUDGET**1. [MC 2020-115](#) Proposed Annual Budget for Fiscal Year 2021**

Adopt the Fiscal Year 2021 Proposed Annual Budget in the amount of \$249,330,796 which includes a Capital Improvement Program budget of \$51,444,152; an Operating Expenditure Budget of \$185,651,999; Interfund Transfers \$12,041,577; and, Wastewater Interfund Borrowing of \$193,068. (Administration/Finance) (Philip Rodriguez/Lisa Marlin)

Attachments:

[1. RFCCA Proposed Annual Budget: FY2020-2021](#)

[2. SCHEDULES A-G Proposed Annual Budget: FY2020-2021](#)

[3. SCHEDULE H 2020-2021 Proposed Annual Budget.pdf](#)

A motion was made by Councilmember Shoop, seconded by Deputy Mayor Watts to approve and publish for the June 17th budget hearing, the Fiscal Year 2021 Proposed Budget for Visit Yuma in the amount of \$450,000, with an additional amount of up to \$22,024 to be shared with Visit Yuma, contingent upon actual 2% fund revenues. VV: APPROVED 6-0 (COI-Councilmember McClendon)

A motion was made by Councilmember Knight, seconded by Councilmember Morris to approve and publish for the June 17th budget hearing, the Fiscal Year 2021 Proposed Budget for the Capital Improvement Program in the amount of \$51,444,152.00. VV: APPROVED 6-0 (COI-Mayor Nicholls)

A motion was made by Deputy Mayor Watts, seconded by Councilmember Shelton to approve and publish for the June 17th budget hearing, the Fiscal Year 2021 Proposed Budget for an amount of \$197,414,620 which excludes the Visit Yuma and Capital Improvement Program, as approved through the prior motions. VV: APPROVED 7-0.

FINAL CALL

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

V. 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 21, 2020 through June 3, 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.

2. Scheduling:

A motion was made by Councilmember Knight, seconded by Councilmember McClendon to CANCEL the Citizens Forum and City Council Worksession scheduled for June 30, 2020, and the City Council meeting scheduled for July 1, 2020, due to the Independence Day holiday. VV: APPROVED 7-0.

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

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 Councilmember McClendon to ADJOURN into Executive Session. VV: 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 three items of potential litigation. (A.R.S. § 38-431.03 A3,A4 & A7)

ADJOURNMENT

6:54 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.