



City of Yuma City Council Meeting Summary

Wednesday, August 19, 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 August 19, 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 on any 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 August 18, 2020 are cancelled.

CALL TO ORDER

5:38 P.M.

INVOCATION

PASTOR VINCE HARMAN FROM CHRIST LUTHERAN CHURCH

PLEDGE OF ALLEGIANCE

ERIKA PETERSON, DCD ASSISTANT PLANNER

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**

- Marine Corps - WTI Presentation

I. MOTION CONSENT AGENDA

A motion was made by Councilmember Knight and second by Councilmember Morris, to APPROVE the Motion Consent Agenda. 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. [TMP-2308](#) **Special Council Meeting Draft Minutes June 19, 2020**

Attachments: [2020 06 19 SCM 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 2020-142](#) Liquor License: Curries

Approve a new Series #12 Restaurant Liquor License application submitted by Anand Sabapathy, agent for Curries, located at 711 E. 32nd Street (LL20-08) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: Curries](#)
 [2. MAP Liquor License: Curries](#)

APPROVED

3. [MC 2020-143](#) Liquor License: Daybreakers Cafe

Approve a new Series #12 Restaurant Liquor License application submitted by Larry Vernon Cunningham, agent for Daybreakers Cafe, located at 3101 S. 4th Avenue (LL20-09) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RFCCA Liquor License: Daybreakers Cafe](#)
 [2. MAP Liquor License: Daybreakers Cafe](#)

APPROVED

4. [MC 2020-144](#) Grant Award: Yuma County 911 System Annual Funding Award

Authorize the City Administrator to execute the required documents with Arizona Department of Administration/Office of Grants and Federal Resources (ADOA/GFR) to disperse awarded grant funds from the emergency telecommunication services revolving fund to pay for authorized contractual costs related to equipment and services used in the operation of 911 services in the Yuma region.
(YRCS/Administration) (Eddie Carrera/Heather Pyeatt-Morris)

Attachments: [1. RFCCA Grant Award: Yuma County 911 System](#)
 [2. AGMT Grant Award: Yuma County 911 System](#)

APPROVED

5. [MC 2020-145](#) **Grant Award and Cooperative Purchase Agreement: Body-Worn Cameras**

Authorize the City Administrator to execute the grant award documents from the U.S. Department of Justice for body-worn cameras. Upon acceptance of the grant funds, authorize the purchase of body-worn camera hardware and software through a cooperative state contract with Axon (OMNIA Contract No. 151089). (Police/Administration) (Susan Smith)

Attachments:

- [1. RFCCA Body-Worn Camera Program](#)
- [2. GRANT AWARD Body-Worn Camera Program](#)
- [3. AGMT Body-Worn Camera Program](#)
- [4. PROPOSAL Body-Worn Camera Program](#)
- [5. POLICY Body-Worn Camera Program](#)

APPROVED

6. [MC 2020-146](#) **Final Plat: La Estancia Subdivision**

Approve the final plat for La Estancia Subdivision. The property is located at the southeast corner of S. Avenue 8½E and E. 40th Street, Yuma, AZ. The applicant is Edais Engineering, Inc., on behalf of Riedel Construction Company, LLC. (SUBD-30285-2020)(Community Development/Community Planning)(Randall Crist)

Attachments:

- [1. RFCCA Final Plat: La Estancia Subdivision](#)
- [2. P&Z REPORT Final Plat: La Estancia Subdivision](#)

APPROVED

II. RESOLUTION CONSENT AGENDA

A motion was made by Councilmember Knight and second by Deputy Mayor Watts, to ADOPT the Resolution 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

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. [R2020-027](#) **Intent to Create Municipal Improvement District No. 115: La Estancia Subdivision**

Approve the creation of Municipal Improvement District No. 115 to serve La Estancia Subdivision. (Community Development/ Community Planning) (Randall D. Crist)

Attachments: [1. RFCCA MID No. 115 La Estancia Subdivision: Intent to Create](#)
[2. RES MID No. 115 La Estancia Subdivision: Intent to Create](#)
[3. EXH A MID No. 115 La Estancia Subdivision: Intent to Create](#)

ADOPTED

III. ADOPTION OF ORDINANCES CONSENT AGENDA

A motion was made by Councilmember Knight and second by Councilmember McClendon, to ADOPT the Ordinance 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

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. [O2020-017](#) **Waterline Easement: Patagonia**

Authorize the acquisition of an easement adjoining parcels 2 through 5 described in the Patagonia Land Division (LDP14-04) plat extending east from Avenue 9E for a waterline extension, operation and maintenance. (Engineering) (Jeffrey Kramer)

Attachments: [1. RFCCA Waterline Easement: Patagonia](#)
[2. GRANT Waterline Easement: Patagonia](#)
[3. ORD Waterline Easement: Patagonia](#)
[4. EXH A Waterline Easement: Patagonia](#)

ADOPTED

IV. 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. [O2020-018](#) **Rezoning of Property: Southwest corner of Avenue 7½E and 36th Street**

Rezone approximately 18.3 acres from Agriculture (AG) to Medium Density Residential/Planned Unit Development (R-2/PUD), for the property located at the southwest corner of S. Avenue 7½E and E. 36th Street, Yuma, AZ. (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA Rezoning of Property: SW Corner of Ave 7 1/2 E & 36th St](#)
- [2. FINAL RPT Rezoning of Property: SW Corner of Ave 7 1/2 E & 36th St](#)
- [3. ORD Rezoning of Property: SW Corner of Ave 7 1/2 E & 36th St](#)

INTRODUCED

V. PUBLIC HEARING AND RELATED ITEMS

The Public Hearing was opened at 6:15 P.M and by a motion from Councilmember Knight and second by Councilmember McClendon, was closed at 6:18 P.M.

1. [MC 2020-147](#) **Annexation Area No. ANEX-30780-2020: Sunset Mobile Home Park**

This is a public hearing to consider the annexation of property located at 3285 E. 32nd Street. (ANEX-30780-2020). (Community Development/Community Planning) (Randall Crist)

Attachments:

- [1. RFCCA PH ANEX-30780-2020 Sunset Mobile Home Park](#)
- [2. MAP PH ANEX-30780-2020 Sunset Mesa](#)
- [3. SUPPDOG PH ANEX-30780-2020: Sunset Mobile Home Park](#)
- [4. PET PH ANEX-30780-2020: Sunset Mobile Home Park](#)

PUBLIC HEARING WAS HELD

FINAL CALL

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

VI. ANNOUNCEMENTS

Discussion and possible action on the following item:

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 August 6, 2020 through August 19, 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.

VII. 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.

VIII. 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.

IX. EXECUTIVE SESSION

A motion was made by Councilmember Shoop and second by Councilmember Knight, to ADJOURN into 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 Spectrum lawsuit. (A.R.S. 38-431.03 A3 & A4)
- B. Discussion, consultation with and/or instruction to legal counsel regarding potential annexation. (A.R.S. 38-431.03 A3 & A4)
- C. Discussion, consultation with and/or instruction to legal counsel regarding potential sale of real property located at Avenue C and 5th Street. (A.R.S. 38-431.03 A3, A4 & A7)

ADJOURNMENT

6:37 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.