

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
AUGUST 7, 2019
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:31 p.m.

INVOCATION/PLEDGE

Pastor Reed Lohrenz, Central Church of Christ, gave the invocation. **Dustin Fields**, Assistant Fire Chief led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:	Shelton, Watts, Thomas, Knight, McClendon, and Mayor Nicholls
Councilmembers Absent:	Miller
Staffmembers Present:	Interim City Administrator, John D. Simonton Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms for agenda related items from members of the audience.

PRESENTATIONS

Mayor Nicholls and **Cocopah Tribal Councilmember Rosa Long** presented tribal gaming proceeds to the following non-profit organizations: United Way, Yuma Community Food Bank and Catholic Community Services. **Councilmember Long** explained that the profit share takes place once a year and is a requirement of the Arizona Department of Gaming. The City of Yuma assists in distributing the funds to non-profit organizations which they deem fit.

I. MOTION CONSENT AGENDA

Motion Consent Agenda Item B.4 – Guarantor Letter: Greater Yuma Port Authority (GYPA) Refinance.
(Authorize the City Administrator to provide a guarantor letter confirming City of Yuma will act as Guarantor, on a pro-rata share basis, along with the City of San Luis, Yuma County and the Cocopah Indian Nation)

Mayor Nicholls declared a conflict of interest with regard to Motion Consent Agenda Item B.4, turned the meeting over to Deputy Mayor Knight and left the dais.

There being no questions by City Council, **Deputy Mayor Knight** called for the motion.

Motion (Thomas/McClendon): To approve Motion Consent Agenda item B.4 as recommended. Voice vote: **approved** 5-0-1, **Mayor Nicholls** abstaining due to conflict of interest

Mayor Nicholls returned to the dais.

Motion (Knight/McClendon): To approve the Motion Consent Agenda as recommended with the exception of Item B.4. Voice vote: **approved** 6-0.

A. Approval of minutes of the following City Council meeting(s):

Regular Council Meeting	November 7, 2018
Council Citizen's Forum	July 16, 2019

B. Approval of Staff Recommendations:

1. 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 Atty)
2. Approve a new Series #12 Restaurant Liquor License application submitted by Alma Angelica Licon, agent for El Buen Taquito located at 810 S. 13th Avenue. (LL19-09) (Admin/Ck)
3. Approve a Special Event Liquor License application submitted by Tim D. Hardy on behalf of the Kids at Hope Yuma County AZ Chapter for a Concert to Benefit Kids at Hope. The event will take place at the Colorado River State Historic Park, 201 N. 4th Avenue, on Saturday, October 5, 2019, from 4:00 p.m. to 12:30 a.m. (SP19-16) (Admin/Ck)
4. Pulled for separate consideration; see above.

II. RESOLUTION CONSENT AGENDA

Motion (Thomas/Knight): To adopt the Resolution Consent Agenda as recommended.

Bushong displayed the following title(s):

Resolution R2019-026

A resolution of the City Council of the City of Yuma, Arizona, declaring its intention to create Municipal Improvement District No. 111, serving Villa Serena Unit No. 1, to operate, maintain and repair landscaping improvements included within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures of Villa Serena Unit No. 1 (Municipal Improvement District area: Avenue 6E and Tract 'A' Retention Basins) (DCD)

Resolution R2019-027

A resolution of the City Council of the City of Yuma, Arizona, approving the execution and delivery of an equipment lease through an equipment schedule to a Master Lease and Sublease Agreement and related documents by the Industrial Development Authority of the City of Yuma, Arizona (Equipment Schedule No. 3 was approved by the IDA on July 16, 2019, in an amount not to exceed \$20,000,000 to be used to purchase equipment for YRMC) (Atty)

Resolution R2019-028

A resolution of the City Council of the City of Yuma, Arizona, appointing election boards (Poll Workers) to serve at the City Primary and General Elections to be held on August 27, 2019 and November 5, 2019, respectively, and further approve voting centers as adopted by the Yuma County Board of Supervisors, pursuant to state statute, and therefore an election process of the current Intergovernmental Agreement (the voting center process has been used by the City since its November 2012 election/approved through Resolution R2012-41. 2019 Voting Centers: Civic Center, MLK Neighborhood Center and Araby Substation) (Admin/Clk)

Roll call vote: **adopted** 6-0.

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Adoption of Ordinances Consent Agenda O2019-025 – Adopt the 2019-2020 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy

Shelton stated that when he voted for the property tax, it was with the intent that it would help to settle the police pay issue. One of the candidates in a recent Candidate Forum mentioned a discrepancy in the amount of pay the police received that Shelton found disappointing. **Shelton** trusts that the discrepancy will be rectified in the conversations the Interim City Administrator is having with the police department and others.

Knight stated that when the budget process began he was committed to making sure that public safety got their new pay plan and that the rest of the employees got at least half the Labor Market Study. This property tax increase, from \$2.2747 last year to \$2.3185 this year is minimal, but will get us across the line. **Knight** stated he would be voting in favor of it.

Motion (Knight /Thomas): To adopt the Ordinances Consent Agenda as recommended.

Bushong displayed the following title(s):

Ordinance O2019-025

An ordinance of the City Council of the City of Yuma, Arizona, fixing, levying, and assessing primary property taxes upon property within the City of Yuma subject to taxation, each in a certain sum upon each one hundred dollars of valuation, sufficient to raise the amount estimated to be required in the annual budget for the fiscal year 2019-2020 less the amounts estimated to be received from other sources of revenue and the unencumbered balances from the previous fiscal year, providing a general fund; and fixing, levying, and assessing upon property within the boundaries of the Main Street Mall and Offstreet Parking Maintenance District No. 1 subject to taxation, each in a certain sum upon each

One Hundred Dollars of Valuation, sufficient to raise the amount estimated to be required for the operation, maintenance, repair and improvement of the facilities of said district, all for the fiscal year beginning July 1, 2019 and ending June 30, 2020 (adopt the 2019-2020 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy) (FIN)

Ordinance O2019-026

An ordinance of the City Council of the City of Yuma, Arizona, referencing Chapter 154 of the Yuma City Code, rezoning certain property located in the Transitional/Aesthetic Overlay (TR/AD) District to the Limited Commercial (B-1) District, and amending the zoning map to conform with the rezoning (approximately .94 acres located at 1874 South Avenue B; the applicants are Ricardo and Eva Jaramillo) (DCD)

Ordinance O2019-027

An ordinance of the City Council of the City of Yuma, Arizona, referencing Chapter 154 of the Yuma City Code, rezoning certain property located in the Agriculture/Airport overlay (AG/AD) District to the General Commercial/Airport Overlay (B-2/AD) District, and amending the zoning map to conform with the rezoning (approximately 5.34 acres located at the northwest corner of 32nd Street and Avenue 5E; the applicants are Elias Z. Guijarro & Frank Ramirez) (DCD)

Ordinance O2019-028

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in Suburban Ranch (SR-1) District to the Low Density Residential (R-1-6) District, and amending the zoning map to conform with the rezoning (approximately 5.36 acres for property located at the southeast corner of W. 16th Street and S. 44th Avenue; the applicant is Saul Albor, Jr. on behalf of Trinity Christ Center Assembly of God) (DCD)

Roll call vote: **adopted** 6-0.

IV. INTRODUCTION OF ORDINANCES - No ordinances were scheduled for introduction at this time.

V. PUBLIC HEARINGS AND RELATED ITEMS - No public hearings were scheduled at this time.

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms from members of the audience interested in speaking at the Call to the Public.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Appointments:

There are no appointments scheduled at this time.

Announcements:

Shelton, Watts, Knight, Thomas, McClendon and Mayor Nicholls reported on events and meetings they have attended during the last two weeks and upcoming events of note.

Scheduling:

There was nothing to schedule at this time.

VII. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- Early Voting has started for the City's Primary Election that is scheduled for August 27, 2019.
- August 16th – Three day dance class/festival at the Historic Yuma Theater.
- August 25th - The Fall/Winter (2019-2020) Activity Guide comes out.

VIII. CALL TO THE PUBLIC

Eva Mendez-Counts, Executive Director of Catholic Community Services (CCS), 690 E. 32nd Street, thanked City Council for considering CCS for the contributions of the gaming proceeds. CCS is struggling with their home delivered meal program. The demand for home delivered meals has been high and a waiting list has been implemented since the fall of 2018. **Mendez-Counts** also thanked Council for Community Development Block Grant (CDBG) funding that allows CCS to serve households that may not have been able to be served with funding through the Area Agency on Aging.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:01 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor