

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
JANUARY 15, 2020
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:32 p.m.

INVOCATION/PLEDGE

Father Timothy Imbya, Immaculate Conception Church, gave the invocation. **Randy Crist**, Assistant Director of Community Development, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:	Shelton, Morris, Watts, Knight, McClendon, Shoop, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	City Administrator, Philip A. Rodriguez Director of Community Development, Laurie Lineberry 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

Recognition of Years of Service and Retirement

Mayor Nicholls recognized **Lineberry** for her 20-plus years of service to the City and wished her a great retirement.

Performance Recognition at the Southern AZ High-Risk Deployment K9 Seminar

This presentation was not given at this time.

I. MOTION CONSENT AGENDA

Motion Consent Agenda Item B.13 – Job Order Authorization: 8th Street and Castle Dome Intersection Improvements (execute a job order with SWP Contracting & Paving in the amount of \$1,150,241.89) (Engineering)

Mayor Nicholls declared a conflict of interest on Motion Consent Agenda Item B.13, turned the meeting over to Deputy Mayor Knight, and left the dais.

Shoop requested a roll call vote.

Motion (Watts/McClendon): To approve Motion Consent Agenda Item B.13 as recommended. Roll call vote: **approved** 6-0-1, Mayor Nicholls abstaining due to conflict of interest. Shoop abstained, stating that she was not a part of the City Council when the Job Order Contract was put into place, which is noted as an affirmative vote pursuant to Yuma City Charter Article VII, Section 6.

Mayor Nicholls returned to the dais.

Motion Consent Agenda Item B.16 – Settlement of Lawsuit (approve and ratify a \$50,000 settlement in Yuma County Superior Court Case No. S1400CV2019-00080) (City Atty)

Motion (Knight/Shelton): That the budgeted amount on the Request for City Council Action for Motion Consent Agenda Item B.16, the Settlement of Lawsuit, be noted as \$50,000.00 and that it will be funded from the City Attorney's Office settlement account. Voice vote: **approved** 7-0.

Motion (Knight/McClendon): To approve the Motion Consent Agenda, as amended, with the exception of Item B.13. Voice vote: **approved** 7-0.

A. Approval of minutes of the following City Council meetings:

Regular Council Worksession	September 18, 2018
Regular Council Meeting	March 6, 2019
Council Citizen's Forum	December 17, 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 Special Event Liquor License application submitted by Pamela Tomkins on behalf of Yuma Art Symposium, Inc., for Yuma Art Symposium. The event will take place at the Historic Gowan Building, 370 S. Main Street, on Saturday, February 22, 2020, from 4:00 p.m. to 9:00 p.m. (SP19-38) (Admin/Clk)
3. Approve a Special Event Liquor License application submitted by Barry Olsen on behalf of the Caballeros de Yuma for the Bull of the Desert Strongman Competition. The event will take place at Desert Sun Stadium, 1280 W. Desert Sun Drive, on Saturday, February 15, 2020, from 8:00 a.m. to 7:00 p.m. (SP20-01) (Admin/Clk)
4. Approve a Special Event Liquor License application submitted by Oscar Chavez on behalf of Immaculate Conception Church for the Valentine's Day Dinner & Dance. The event will take place at Immaculate Conception Church, 501 S. Avenue B, on Friday, February 14, 2020, from 5:30 p.m. to 9:00 p.m. (SP19-34) (Admin/Clk)

5. Approve a Special Event Liquor License application submitted by Isaac Russell on behalf of Littlewood Fine Art and Community Co-Op for Chicano Artwalk 2020. The event will take place at Littlewood Fine Art and Community Co-Op, 176 S. Main Street, on Saturday, January 25, 2020, from 4:00 p.m. to 11:59 p.m. (SP20-06) (Admin/Clk)
6. Approve a Special Event Liquor License application submitted by Isaac Russell on behalf of Littlewood Fine Art and Community Co-Op for a Folk Music Festival. The event will take place at Littlewood Fine Art and Community Co-Op, 176 S. Main Street, on Saturday, February 1, 2020, from 12:00 p.m. to 11:59 p.m. (SP20-07) (Admin/Clk)
7. Approve a Special Event Liquor License application submitted by Isaac Russell on behalf of Littlewood Fine Art and Community Co-Op for Comedy Night. The event will take place at Littlewood Fine Art and Community Co-Op, 176 S. Main Street, on Friday, February 7, 2020, from 6:00 p.m. to 11:59 p.m. (SP20-08) (Admin/Clk)
8. Approve a Special Event Liquor License application submitted by Isaac Russell on behalf of Littlewood Fine Art and Community Co-Op for Yuma Love Hip Hop. The event will take place at Littlewood Fine Art and Community Co-Op, 176 S. Main Street, on Saturday, February 8, 2020, from 4:00 p.m. to 11:59 p.m. (SP20-09) (Admin/Clk)
9. Approve a Temporary Extension of Premises/Patio Permit application submitted by Clifford Beesley, agent for Fat Harvey's located at 303 W. 26th Street, for a Super Bowl Playoff Barbeque on Sunday, February 2, 2020. (EP19-02) (Admin/Clk)
10. Authorize the City Administrator to increase the contract amount by \$119,094.00 for a contract total of \$329,094.00 for the Lucity Enterprise Asset Management solution, which includes annual maintenance, support and to purchase an additional software module. (RFP #2016-20000054) (ITS)
11. Authorize the Yuma Fire Department to accept grant funding from Walmart's Community Grants in the amount of \$7,500.00 to purchase training material for community education of bleeding control/traumatic injury training and fire extinguisher training. (Fire)
12. Authorize the City Administrator to execute a lease agreement, in substantially similar form as attached Exhibit A, between the City of Yuma and the Arizona Housing Development Corporation (AHDC) for premises located at 1100 S. 13th Avenue. (City Atty)
13. Pulled for separate consideration; see above.
14. Approve the final plat for The Village on 19th Subdivision. The property is located at the southeast corner of S. 13th Avenue and W. 19th Street, Yuma, AZ. The applicant is Dahl Robins and Associates, on behalf of the First Church of the Nazarene of Yuma. (SUBD-27629-2019) (DCD)
15. Approve the final plat for Araby North Subdivision. The property is located at the southeast corner of S. Araby Road and E. 32nd Street, Yuma, AZ. The applicant is Colvin Engineering, Inc., on behalf of Elliot Construction Inc. (SUBD-27862-2019) (DCD)

16. Approve and ratify settlement of Yuma County Superior Court Case No. S1400CV2019-00080.
(City Atty)

II. RESOLUTION CONSENT AGENDA

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

Bushong displayed the following title:

Resolution R2020-001

A resolution of the City Council of the City of Yuma, Arizona, declaring as public records those certain documents filed with the City Clerk and titled, 2020 Tree & Shade Master Plan (regarding the care and maintenance of the urban forest and shade structures) (DCD)

Roll call vote: **adopted** 7-0.

- ## III. ADOPTION OF ORDINANCES CONSENT AGENDA
- There were no ordinances scheduled for adoption at this time.

IV. INTRODUCTION OF ORDINANCES

Ordinance O2020-002 – Rezoning of Property: Southeast Corner of Avenue 7 ½ E and 44th Street (approximately 19.3 acres of property from the Agriculture District to the Medium Density Residential and Medium Density Single-Family Residential Districts) (DCD)

Motion (Watts/McClendon): That the Request for City Council Action be amended in the first line of the report to replace S. Avenue 7 ½ E with S. Avenue 8 E to reflect the Planning and Zoning Report. Voice vote: **approved** 7-0.

Bushong displayed the following titles:

Ordinance O2020-001

An ordinance of the City Council of the City of Yuma, Arizona, declaring 758 square feet of City-owned real property surplus and authorizing the sale of the surplus property to the abutting property owner upon the recording of a quit claim deed from the City of Yuma (property generally located at 1916 S. Ridgeview Drive) (ENG)

Ordinance O2020-002

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 (AG) District to the Medium Density Residential (R-2) District and Medium Density Single-Family Residential (R-2-5) District and amending the zoning map to conform with the rezoning (approximately 19.3 acres of property located at the southeast corner of Avenue 7 ½ E and 44th Street) (DCD)

V. PUBLIC HEARINGS AND RELATED ITEMS – There were no public hearings 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

Council Appointed Positions/Committees

Motion (Knight/McClendon): To appoint Councilmember Watts to serve as the Deputy Mayor for the year 2020. Voice vote: **approved** 7-0.

Motion (Watts/McClendon): To appoint Mayor Nicholls to the Greater Yuma Economic Development Corporation Executive Board. Voice vote: **approved** 7-0.

Motion (Knight/Watts): To appoint Councilmember McClendon to the Greater Yuma Economic Development Corporation Board of Directors. Voice vote: **approved** 7-0.

Motion (McClendon/Shelton): To appoint Councilmember Knight to the Greater Yuma Port Authority. Voice vote: **approved** 7-0.

Motion (Knight/Morris): To appoint Councilmember Shoop to the Western Arizona Council of Governments Executive Board and Council on Aging. **Shoop** declined the appointment and **Knight** rescinded his motion.

Motion (Morris/Knight): To appoint Councilmember Shelton to the Western Arizona Council of Governments Executive Board and Council on Aging. Voice vote: **approved** 7-0.

Motion (Watts/Knight): To appoint Councilmember Shoop to the Western Arizona Council of Governments Yuma County Advisory Board. Voice vote: **approved** 7-0.

Motion (Shelton/McClendon): To appoint Councilmember Knight, Councilmember Morris, and Deputy Mayor Watts to the Yuma Metropolitan Planning Organization Executive Board. Voice vote: **approved** 7-0.

Board and Commission Appointments

Motion (Watts/Morris): To appoint Councilmember Shelton to the Yuma Fire Public Safety Board and the Yuma Public Safety Police Board. Voice vote: **approved** 7-0.

Motion (Watts/McClendon): To appoint Bill Craft to the Workers' Compensation Trust Board with a term expiration of December 31, 2024. Voice vote: **approved** 7-0.

Announcements

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

Scheduling

McClendon requested a discussion item be placed on a future Worksession agenda regarding Transaction Privilege Tax, as it relates to vendors at festivals and special events.

VII. SUMMARY OF CURRENT EVENTS

Rodriguez reported the following events:

- January 17th-18th – Wood Carving Expo at the Yuma Readiness and Community Center
- January 18th – German Fest at Desert Sun Stadium
- January 20th – Martin Luther King Jr. March starting at United Fellowship Church
- A half-day City Council retreat will be scheduled in February, followed by a strategic planning meeting in April.

VIII. CALL TO THE PUBLIC

Gene Dalbey, City resident, spoke regarding bicycle safety and the importance of building safe and functional bicycle facilities throughout Yuma.

Will Katz, City resident, addressed second amendment rights and requested that City Council support second amendment rights in Yuma and throughout Arizona.

Diane Umphress, Executive Director of Amberly's Place, presented information regarding services provided by Amberly's Place to the citizens of Yuma.

Rick Cruz, City resident, invited the community to come to a hiring event at Home Depot on January 16th from 4:00 p.m. to 9:00 p.m.

IX. EXECUTIVE SESSION/ADJOURNMENT

Motion (Knight/Watts): To adjourn the meeting to Executive Session. Voice vote: **approved** 7-0. The meeting adjourned at 6:28 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor