

MINUTES
REGULAR WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS - YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
November 5, 2019
6:00 p.m.

CALL TO ORDER

Mayor Nicholls called the Regular City Council Worksession to order at 6:00 p.m.

Councilmembers Present: Shelton, Watts, Thomas, Knight, Miller, and Mayor Nicholls
Councilmembers Absent: McClendon
Staffmembers Present: City Administrator, Philip A. Rodriguez
 City Engineer, Jeffrey Kramer
 Yuma Police Department, Lieutenant Robert Conley
 Police Chief, Susan Smith
 Various department heads or their representatives
 City Attorney, Richard W. Files
 City Clerk, Lynda Bushong

I. REGULAR CITY COUNCIL MEETING AGENDA OF NOVEMBER 6, 2019

Motion Consent Agenda Item B.8 - Contract Award: Professional Architectural Services for Police Storage Facility - Negotiate and execute a contract for Professional Architectural Services for the Police Storage Facility to: Architekton, Tempe, Arizona. (ENG)

Discussion

- The full scope of the project is a new police property storage facility, which includes long-term vehicle storage as well as storage of other property that the police take possession of, and to create a consolidated location where all of the property would be processed and stored. The first phase, which is what City Council is being asked to award, is a programming study and master plan. **(Mayor Nicholls/ Kramer)**
- Once City Council awards the contract, purchasing will be able to debrief the unsuccessful firms. **(Mayor Nicholls/ Kramer)**
- Location of new facility will be at the Public Safety Facility. The facility site is designed to maximize the ability to use multiple electrical and mechanical for multiple areas of the facility. **(Watts/Kramer)**
- Type of building will be a typical commercial storage building with recommended standards on security features. **(Thomas/Kramer)**
- Facility will replace the current storage facilities; those will be reassigned to other uses. **(Knight/Kramer)**

Introduction to Ordinance O2019-036 – Amend Yuma City Code Chapter 114: Weapons - Repeal Yuma City Code (Code) sections 114-02, 114-03, 114-04, 114-05, 114-17, 114-31, 114-32 and amend Code sections 114-15 (renumbered to 114-02), 114-16 (renumbered to 114-03-Forfeiture), to align with recent changes in state laws. (YDP)

Lt. Robert Conley briefed City Council on the purpose of Ordinance O2019-036. **Conley** stated that a question came up about a year ago, pertaining to knives, which then prompted a look at the Yuma City Code. City staff discovered that a State law, enacted in 2012, prohibits cities and towns from creating laws that would control how knives are carried. This Code amendment also cleans up antiquated terminology no longer needed.

Discussion

- The part of the ordinance that allows YPD to confiscate or cause a person to forfeit a weapon when they have been charged and convicted of a crime using that weapon will be left in place. (**Shelton/Conley**)
- Not all of the weapons being deleted from this ordinance can be found in the State statutes. There are State statutes and laws in place stating you can be charged or your crime can be enhanced if you use certain items that are defined as a dangerous instrument or a deadly weapon and you use those in the course or the commission of a crime. (**Knight/Conley**)
- Section 114.03 of the Arizona Revised Statutes (ARS), limits the use of weapons within City Parks and on private property. (**Mayor Nicholls/Conley**)
- It is illegal to shoot a BB gun in your back yard, as well as crossbows and other weapons such as soft air guns, per ARS. (**Knight/Conley**)
- Licensed shooting galleries mentioned in Section 114.03 are exempt from the ARS. (**Mayor Nicholls/Smith**)
- The purpose of the Ordinance is to protect the rights of Yuma's residents in regards to the weapons they can legally own and/or use. (**Mayor Nicholls/Smith**)
- State law will set precedence if there is a misuse of weapons. (**Shelton/Conley**)

Resolution Consent Agenda Item 3. - R2019-048 Declare a Public Record: Chapter 137: Trees, Dated October 2019 - Declare that certain document entitled Chapter 137: Trees, Dated October 2019 a public record and order three copies of each to remain on file with the City Clerk. (P&R)

Discussion

- Correction to title on Section II Item 3. R2019-048 should be Chapter 137 and not 37. (**Simonton**)

II. EXECUTIVE SESSION

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:20 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor