

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

**CALL TO ORDER**

**Deputy Mayor Knight** called the City Council meeting to order at 5:31 p.m.

**INVOCATION/PLEDGE**

**Father Manuel Fragoso**, Immaculate Conception Church, gave the invocation. **Rick Powers**, Television Production & Operations Manager, led the City Council in the Pledge of Allegiance.

**ROLL CALL**

Councilmembers Present:	Shelton, Watts, Thomas, Knight, McClendon, and Miller
Councilmembers Absent:	Mayor Nicholls
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**

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

**PRESENTATIONS** – There were no presentations scheduled at this time.

**I. MOTION CONSENT AGENDA**

Motion Consent Agenda Item B.8 – 2019 Annual Action Plan – Community Development Block Grant and HOME Investment Partnership Funds (approve the 2019 Annual Action Plan and execute funding agreements with the U.S. Department of Housing and Urban Development) (DCD)

**Motion** (Thomas/McClendon): To amend Motion Consent Agenda Item B.8, the 2019 Annual Action Plan, to replace the 2018 CDBG and HOME allocation document, contained as a reference item to the staff report, with the correct 2019 version as displayed on the overhead. Voice vote: **approved** 6-0.

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**Motion** (Miller/Thomas): To approve the Motion Consent Agenda as amended. Voice vote: **approved** 6-0.

A. Approval of minutes of the following City Council meetings:  
Regular Council Meeting      March 20, 2019

Council Citizen's Forum      April 2, 2019  
Special Council Meeting      April 26, 2019  
Special Council Meeting      May 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 Series #07 Beer & Wine Bar Liquor License Location/Owner Transfer application submitted by Brenda Lizbeth Maldonado on behalf of Sun of a Gun Cigars located at 1651 S. Arizona Avenue. (LL19-04) (Admin/Clerk)
3. Approve a new Series #12 Restaurant Liquor License application submitted by Phillip Joseph Green, agent for Maria Bonita located at 711 E. 32<sup>nd</sup> Street. (LL19-05) (Admin/Clerk)
4. Approve a new Series #10 Beer and Wine Store Liquor License application submitted by Ragheed Naim Shaya, agent for Yuma Market located at 890 E. 24<sup>th</sup> Street. (LL19-06) (Admin/Clerk)
5. Authorize an Intergovernmental Agreement between the Marine Corps Air Station Yuma and the City of Yuma Public Safety Training Facility. (Police)
6. Authorize an Intergovernmental Agreement between the Drug Enforcement Administration, Phoenix Division and the City of Yuma Public Safety Training Facility. (Police)
7. Authorize the City Administrator to sign a participation letter allowing the Yuma Police Department to participate in the Department of Defense LESO Program, otherwise known as the 1033 Program. (Police)
8. Approve the City of Yuma 2019 Community Development Block Grant (CDBG) and HOME Investment Partnership Annual Action Plan and authorize the Interim City Administrator to execute funding agreements with the U.S. Department of Housing and Urban Development (HUD) (DCD)
9. Authorize settlement of United States District Court Case No. 2:09-CV-00297-JWS, Avenue 6E Investments, LLC v. City of Yuma (City Atty)

**II. RESOLUTION CONSENT AGENDA**

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

**Bushong** displayed the following title:

**Resolution R2019-015**

**A resolution of the City Council of the City of Yuma, Arizona, ordering improvements for Municipal Improvement District No. 108, serving Driftwood Ranch Units No. 1 and 2, 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 Driftwood Ranch Units No. 1 and 2, as more particularly described in this resolution, and declaring the landscape improvements to be of more than local or ordinary public benefit, and the cost of the landscape improvements shall be assessed upon Municipal Improvement District No. 108; improvements shall be performed under Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2 (MID created by Resolution R2019-009 on April 3, 2019) (DCD/Planning)**

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

**III. ADOPTION OF ORDINANCES CONSENT AGENDA**

**Motion** (Miller/McClendon): To adopt the Ordinances Consent Agenda as recommended.

**Bushong** displayed the following titles:

**Ordinance O2019-021**

**An ordinance of the City Council of the City of Yuma, Arizona, annexing to the City of Yuma, a portion of Section 14 and Section 11 of Township 9 South, Range 22 West of the Gila and Salt River Base & Meridian, Yuma County, Arizona, and amending Chapter 154 of the Yuma City Code, as amended, designating the zoning of certain property to the Agriculture (AG) Zoning District, and amending the Zoning Map to conform thereto, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes as amended (21.2 acres of property located east of the southeast corner of Avenue 8 ½ E and 40<sup>th</sup> Street) (DCD/Planning)**

**Ordinance O2019-022**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, relating to zoning regulations, providing for the addition of definitions and regulations for company housing within the City of Yuma thereof (addresses new developments as well as existing company housing) (DCD/Planning)**

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

**IV. INTRODUCTION OF ORDINANCES**

**Bushong** displayed the following titles:

**Ordinance O2019-023**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Title 21, Chapter 210, Section 09 of the Yuma City Code relating to construction standards and adopting by reference Construction Standard Detail Drawings, dated May 2019, for the construction or alteration of streets, public utilities, public rights-of-way and other publicly owned properties within the city limits of the**

**City of Yuma and providing penalties for violations thereof** (to bring the City's construction standards up to date) (Engineering)

**Ordinance O2019-024**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Title 21 of the Yuma City Code, Chapter 210, by adding a new subchapter titled, "Street Preservation," which provides for work within public streets, easements or rights-of-way, with a penalty for violations thereof** (establishes pavement preservation guidelines, pavement restoration fees, and inspection and maintenance fees) (Engineering)

**V. PUBLIC HEARINGS AND RELATED ITEMS** – There were no Public Hearings scheduled at this time.

**VI. 2019-2020 CITY OF YUMA PRELIMINARY BUDGET**

MC2019-111 – Preliminary Budget: FY2019-2020 (adopt the City of Yuma Preliminary Budget for Fiscal Year 2019-2020 in the amount of \$224,696,487 which includes a Capital Improvement Program Budget of \$41,909,592 and an Operating Budget of \$182,786,895) (Finance)

**McClendon** declared a conflict of interest with the Yuma Visitor's Bureau (YVB) Preliminary Budget as she is employed by that agency and left the dais.

**Motion** (Thomas/Watts): To approve the Fiscal Year 2019-2020 Preliminary Budget for the YVB in the amount of \$600,000.

**Shelton** stated that he would like to see YVB bring some movie productions to Yuma.

Voice vote: **approved** 5-0-1, McClendon abstaining due to conflict of interest.

**McClendon** returned to the dais.

**Simonton** displayed the following budget cuts that were made prior to City Council review:

FY 2019-2020 BUDGET REDUCTIONS PRIOR TO COUNCIL REVIEW				
	Dept. Director's Cuts	Administrator's Cuts	Total	
Mayor and Council	\$ -	\$ 17,179	\$	17,179
General City Administration	\$ 35,000	\$ 51,000	\$	86,000
ITS	\$ 423,000	\$ 253,000	\$	676,000
DCD	\$ 96,200	\$ 148,750	\$	244,950
Parks & Rec	\$ 670,000	\$ 259,440	\$	929,440
Police Dept	\$ 384,934	\$ 149,868	\$	534,802
Fire Dept	\$ 1,118,741	\$ 13,650	\$	1,132,391
Engineering	\$ 99,500	\$ -	\$	99,500
Public Works	\$ 330,520	\$ 28,350	\$	358,870
Utilities	\$ 265,000	\$ 58,700	\$	323,700
			\$	-
<b>Totals</b>	<b>\$ 3,422,895</b>	<b>\$ 979,937</b>	<b>\$</b>	<b>4,402,832</b>

**Thomas** asked if the cuts would affect the operational readiness of any of the departments. **Simonton** replied that the cuts were made by the department directors and they feel they can still provide the same level of service even with the cuts. **Thomas** expressed concern that City departments are time and again asked to cut their budgets, while outside agencies do not see a similar reduction of their funding.

**Motion** (Watts/Shelton): To approve the Fiscal Year 2019-2020 Preliminary Budget for an amount of \$224,096,487 which *excludes* the Yuma Visitor's Bureau as approved through the prior motion. Voice vote: **approved 6-0**.

## FINAL CALL

**Deputy Mayor Knight** 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.

## VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

**Motion** (Thomas/Watts): To reappoint Dan Gray to the Industrial Development Authority with a term expiration of June 22, 2024. Voice vote: **approved 6-0**.

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

## VIII. SUMMARY OF CURRENT EVENTS

**Simonton** reported the following events:

- June 6<sup>th</sup> – Shade and Tree Master Plan Community Meeting at the Yuma Art Center
- June 7<sup>th</sup> – Summer Movie Series: The NeverEnding Story at the Historic Yuma Theater
- June 12<sup>th</sup> – Autonomous vehicle presentation in City Hall Council Chambers
- June 1-July 27 – Children's Museum of Yuma County at the Yuma Art Center

**Simonton** stated that the City has hired a consultant and the search for a new City Administrator will begin soon. The consultant will meet with City Council within the next several weeks and anticipates that the process will take four to six months to complete.

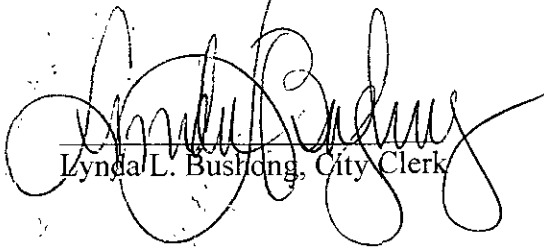
## IX. CALL TO THE PUBLIC

**Al Krieger**, City resident and former Mayor of the City of Yuma, expressed disappointment that the poster for the City's 4<sup>th</sup> of July All American BBQ & Fireworks Spectacular does not mention the word independence even though it is the very reason we celebrate that day as a country.

**Will Katz**, City resident, questioned former City Administrator Wilkinson's continued involvement with City Administration since his retirement was stated to be effective immediately on April 26, 2019.

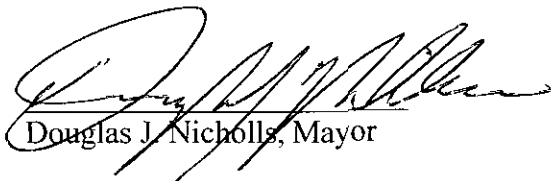
**X. EXECUTIVE SESSION/ADJOURNMENT**

There being no further business, **Deputy Mayor Knight** adjourned the meeting at 6:11 p.m. No Executive Session was held.



Lynda L. Bushong, City Clerk

APPROVED:



Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:
<u>February 5<sup>th</sup> / 2020</u>
City Clerk: 