

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
DECEMBER 2, 2020
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:34 p.m.

INVOCATION/PLEDGE

City Administrator, Philip Rodriguez, gave the invocation. **Interim Director of Community Development, Randy Crist**, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Shelton, Morris, Deputy Mayor Watts, Knight, McClendon, Shoop, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: City Administrator, Philip A. Rodriguez
Various Department Heads or their representative
City Attorney, Richard W. Files (via Zoom)
Deputy City Attorney, Rodney Short
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

Vision Statement and Strategic Outcomes

Rodriguez stated that City Council held a planning retreat on October 26th and 27th to strategize on a vision for the City. The Strategic Plan that is presented is the first version said **Rodriguez**, and asked City Council to review it for the next couple weeks and provide input so that a final version can be brought forth for approval at the December 16th City Council meeting; also noting that the public is invited to provide input as well.

Rodriguez stated that through the two-day retreat City Council participated in several activities for the purpose of working together to create the vision and goals of how we get there. **Rodriguez** noted City Council identified five strategic outcomes that are purposeful in staying within the vision, and presented the following:

Vision

- Yuma is a thriving, safe and prosperous community with opportunities powered by innovation, partnerships, collaboration and robust education-a unique place that all generations are proud to share.

Strategic Outcomes

- Safe & Prosperous
- Active & Appealing
- Connected & Engaged
- Unique & Creative
- Respected & Responsible

Within the Strategic Outcomes, the following initiatives were identified:

- Safe & Prosperous included:
 - City Council Priority Initiatives such as:
 - ❖ Update zoning regulations
 - ❖ Boost right-sized economic development effort
 - ❖ Support Yuma Multiversity Campus effort
 - ❖ Focus on sites for industry growth-identify five sites
 - ❖ Focus on distribution industries
 - ❖ Pursue widening US 95 to YPG
 - ❖ Enhance coordination with the private sector
 - ❖ Increase Downtown use and visibility
 - ❖ Tie 4th Avenue to the Downtown area
 - Proposed Initiatives from Staff included:
 - ❖ Cancer prevention strategies for fire personnel: annual, PPE, facilities
 - ❖ Fire Emergency Medical Devices: CPR and inventory tracker
 - ❖ Technology refresh and replacements across organization-telephone system, Police Mobile Device Computers (MDC's), regional radio system upgrades
 - ❖ Flood control improvements to address local flooding in residential areas
 - ❖ Continue residential pavement preservation program
 - ❖ Pedestrian facility improvement projects- bus shade structures, sidewalk infill, multi-use pathways
 - ❖ Resolve Air Installation Compatible Use Zone
 - ❖ Strengthen Police recruiting program to attract and retain officers
 - ❖ Implement Intelligent Transportation System
 - ❖ Tenant-based rental assistance
 - ❖ Bathroom upgrades at Joe Henry Memorial Park and Carver Park
 - ❖ Update mechanical, plumbing and electrical codes
 - ❖ Strengthen Utility regulation- water, wastewater and backflow
 - ❖ Sweetwater Creek Wastewater Utility acquisition
- Active & Appealing
 - City Council Priority Initiatives such as:
 - ❖ Build park facility on the East Mesa
 - ❖ Develop a plan for and support Riverfront Development
 - ❖ I-8 visual improvements
 - ❖ Revitalize the Kennedy Skate Park
 - Proposed Initiatives from Staff included:
 - ❖ Citywide beautification projects to rights of way
 - ❖ Maintenance improvement districts- create path for existing subdivisions

- ❖ Smart irrigation- automate irrigation schedules and improve efficiency
- ❖ Sign code update
- Connected & Engaged
 - City Council Priority Initiatives such as:
 - ❖ Develop additional broadband infrastructure projects
 - ❖ Joint K-20 education opportunities; particularly STEM
 - Proposed Initiatives from Staff included:
 - ❖ *Online public document portal*
 - ❖ Transition to “Invoice Cloud”, and improve community communication
 - ❖ Build city owned fiber optic network infrastructure to improve service delivery and reduce cost
- Unique & Creative
 - City Council Priority Initiatives such as:
 - ❖ Support Space Port as a hub for science and regional attraction
 - ❖ Create a simplified process for murals
 - Proposed Initiatives from Staff included:
 - ❖ Bring ambulance billing in-house to reduce expenses and increase revenue
 - ❖ Deploy Intranet to improve internal communications
 - ❖ Update contractor self-inspection program for lath, drywall, roof nailing
- Respected & Responsible
 - City Council Priority Initiatives such as:
 - ❖ Issue a bond or seek a voter approved tax to fix the PSPRS shortfall
 - ❖ Prioritize Public-Private Partnerships (P3)
 - ❖ Keep taxes low and relevant to residents desire for services
 - Proposed Initiatives from Staff included:
 - ❖ Transition to electronically signed documents
 - ❖ Revamp trainings for Boards & Commissions
 - ❖ Streamline financial reporting and implement “Workviva” & “Bonfire” software systems
 - ❖ Transition vendor payments to ACH/EFT
 - ❖ Plan for and fund Fire Station 7
 - ❖ Assess and replace aging fleet in critical areas of the organization
 - ❖ Update policies and procedures related to total compensation, recommend timeline to increase cost offset for benefit plans
 - ❖ Citywide Training Program through LEARN
 - ❖ Implement Print Management Citywide
 - ❖ Implement Enterprise Document Management
 - ❖ Privatization of parks and city facility grounds maintenance
 - ❖ Enhanced police training with Permanent Police Academy
 - ❖ Create a program for transient population
 - ❖ Develop a comprehensive equipment replacement and budget program
 - ❖ Improve consistency and quality of CIP delivery
 - ❖ Revise Job Order Contracting program
 - ❖ 2022 General Plan and subdivision code updates
 - ❖ Formalize operating procedures near MCAS (DCD)

- ❖ Finalize the Figueroa Ave Water Pollution Control Facility Discharge Permit Renewal
- ❖ Improvements to Desert Dunes Water Reclamation Facility

Rodriguez stated that much of what is reflected in the strategy document is what was heard out in the community through the listening tour and survey. Concluding, **Rodriguez** indicated this document will continually be in a state of forward motion and will need to be revisited annually to ensure the vision and strategic outcomes still fit City Council's intent.

Discussion

- Compliments were given to the City Administrator and staff for putting together the Strategic Plan and for involving the community in the process. (**Mayor Nicholls & City Council**)
- City Council initiatives are presented in no particular order of priority (**Morris/Rodriguez**)

I. MOTION CONSENT AGENDA

Motion (Knight/Watts): To approve the Motion Consent Agenda as recommended. Voice vote: **approved**
7-0

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

Regular Council Meeting November 18, 2020

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 #9 Liquor Store Liquor License application submitted by Kim Kenneth Kwiatkowski, agent for Circle K Store #1756 located at 2400 S. Arizona Avenue (LL20-10) (City Clerk)
3. Authorize award of bid to reconstruct a single-family home under the Neighborhood Services Housing Rehabilitation Program to the lowest responsive and responsible bidder in the amount of \$113,118.03 to: Latin Builders. (DCD)
4. Authorize the City Administrator to execute a contract for construction services for the Mesa Heights Street Light Expansion project to the lowest responsive and responsible bidder in the amount of \$185,195.00 to: DPE Construction, Inc. Yuma, AZ. (Bid #2021-20000007) (Eng)
5. Authorize the City Administrator to execute a change order to the approved construction contract with Gutierrez Canales Engineering, PC (GCE), in the amount not to exceed \$13,216.60 for construction services for Downtown Raised crosswalk & Spot Drainage Improvements. (Eng)

II. RESOLUTION CONSENT AGENDA

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

Bushong displayed the following titles:

Resolution R2020-055

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a Preannexation Development Agreement with the owner of real property located at 818 South Dora Avenue (Authorizes agreement with owners Pedro A. Ramirez Valenzuela and Griselda Padro Cervantes) (DCD)

Resolution R2020-056

A resolution of the City Council of the City of Yuma, Arizona, declaring its intention to create Municipal Improvement District No. 116, serving Cielo Verde Units 2B, 4, and 6 Subdivision, to operate, maintain and repair landscaping improvements included within, near and adjacent to the retention and retention basins and parkings and parkways and related facilities together with appurtenant structures of Cielo Verde Units 2B, 4, and 6 Subdivision (Creation of MID No. 116 to serve Cielo Verde Units 2B,4, and 6 Subdivision) (DCD)

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

III. INTRODUCTION OF ORDINANCES

Introduction of Ordinance O2020-026 – Amend Yuma City Code Title 13: Health and Safety (by adding a new Chapter 140, titled Recreational Marijuana)

Mayor Nicholls stated that this introduction was to amend the City's health and safety code to address a change in the state law regarding recreational marijuana stemming from the passage of Prop 207. **Mayor Nicholls** advised City Council that an alternative motion was on the dais if the City Council would like to review it.

Discussion:

- Opposition and concern was expressed with the proposed motion stating:
 - It would remove permitted marijuana testing facilities,
 - As a matter of consumer safety, it is important for the consumer and law enforcement to know the concentration of the product(s),
 - It should be about science and safety, not sales or encouraging people to consume and,
 - Private business and labs should be allowed to operate within the City limits [**Watts**]
- Addressing the noted concerns:
 - The proposed motion continues to allow the University and all law enforcement, as well as state and federal agencies, to do the testing they need to do. [**Mayor Nicholls**]
 - The Ordinance is specific to Yuma City limits and does not include Yuma County.[**Knight**]
 - Prohibiting the testing facilities within the City of Yuma does not lighten the regulations currently in place. [**Morris**]
- There would be no revenue gain for the City of Yuma.[**Mayor Nicholls, Knight, Shoop**]

Motion (Knight/Morris): To amend Ordinance O2020-026 by striking the entirety of Section 140-05 titled "Marijuana Testing Facility Permitted" and replace it with a new Section 140-05 titled "Marijuana Testing Facility Prohibited" to read as follows: Sec. 140-05 Marijuana Testing Facility Prohibited. To the fullest extent allowable by law, the operation of a marijuana testing facility is prohibited in the City of Yuma. This prohibition does not apply to marijuana testing facilities operated by the federal government and its agencies, the State of Arizona and its agencies and political subdivisions, or by public or private universities or colleges engaged in research. This prohibition shall supersede any Yuma City Code provision in conflict with this Section to the extent of the conflict. **Voice Vote:** Approved 6-1 (Watts voted Nay).

There being no speakers, **Bushong** displayed the following title:

O2020-026

An ordinance of the Council of the City of Yuma, Arizona, amending the Yuma City Code by adopting a new Title 13, Chapter 140 relating to the regulation of recreational marijuana; establishing a purpose; setting forth definitions; prohibiting marijuana on public property; regulating marijuana establishments and marijuana testing facilities; establishing residential regulations for recreational marijuana; authorizing retail sales from marijuana and marijuana products; imposing fees; setting forth violations; and providing for enforcement and penalties (adopt an ordinance amending the City of Yuma Health and Safety code in Title 13 of the Yuma City Code, by adding a new Chapter 140, titled, Recreational Marijuana) (Admin)

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.

IV. ANNOUNCEMENTS AND SCHEDULING

Announcements:

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

Motion (Knight/Deputy Mayor Watts): To schedule a Special City Council meeting for December 7, 2020 at 5:30 p.m. in City Hall Council Chambers. Voice vote: **approved** 7-0.

V. SUMMARY OF CURRENT EVENTS

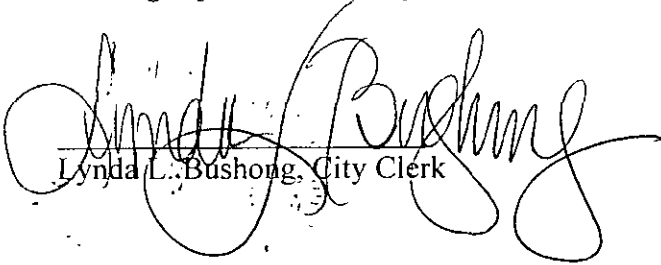
Rodriguez reported on the following:

- December 4th - Christmas Tree Lighting will take place online
- *Infrastructure improvement taking place for the next three weeks at Catalina Drive North of 30th Street and also on the Big Curve on 4th Avenue and 32nd, Palo Verde Street and First Avenue, and lastly on Main Street*
- Reminded everyone in the community to practice safety when out shopping during this holiday season

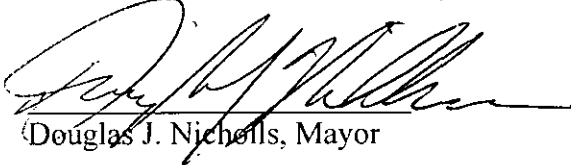
VI. CALL TO THE PUBLIC - There were no speakers signed up to speak.

VII. EXECUTIVE SESSION/ADJOURNMENT

Motion (Knight/McClendon): To adjourn the meeting to Executive Session. Voice vote: **adopted** 7-0. The meeting adjourned at 6:25 p.m.


Lynda L. Bushong, City Clerk

APPROVED:


Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:
January 20 th , 2021
City Clerk: 