

RESOLUTION NO. R2026-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, FORMALLY CENSURING COUNCILMEMBER ARTURO MORALES FOR ALLEGED DISCLOSURE OF CONFIDENTIAL EXECUTIVE SESSION INFORMATION, FINDING SUCH CONDUCT TO BE INCONSISTENT WITH THE DUTIES OF OFFICE AND THE PUBLIC TRUST, AND REMOVING COUNCILMEMBER MORALES FROM ALL DISCRETIONARY COUNCIL PRIVILEGES

WHEREAS, the City Council is entrusted with conducting the public's business in accordance with the City Charter, state law, and the highest standards of ethical conduct; and,

WHEREAS, executive sessions are authorized by law for limited purposes requiring confidentiality, and the effectiveness of executive sessions depends upon the absolute trust that executive session discussions will remain strictly confidential unless disclosure is authorized by law; and,

WHEREAS, unauthorized disclosure of executive session information undermines the City's legal interests, compromises the integrity of the City's deliberative process, impairs the ability of the Council to receive candid legal advice, weakens the institutional safeguards necessary for sound governmental decision-making, and damages public confidence; and,

WHEREAS, public allegations have been presented to the City Council that Councilmember Arturo Morales may have disclosed, directly or indirectly, confidential executive session information to Henry Valenzuela, and if true, such conduct would constitute a violation of the trust and obligations of placed upon elected officials; and,

WHEREAS, the Council recognizes, that following notice and an opportunity to be heard, that Councilmember Morales denies any violation of executive session confidentiality, however, regardless of whether a legal violation can be established, the allegations and surrounding circumstances have created an appearance that executive session confidentiality may have been compromised, which has caused Council to question Councilmember Morales's ability to safeguard confidential information entrusted to members of the City Council; and,

WHEREAS, the City Council believes this loss of confidence warrants formal censure and the Council's exercise of its legislative discretion regarding discretionary appointments and privileges.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma as follows:

SECTION 1: FORMAL CENSURE.

The City Council hereby formally censures Councilmember Arturo Morales. This censure is based upon the Council's determination that the allegations and surrounding circumstances have, at a minimum, created an appearance that executive session confidentiality may have been compromised. The Council believes that preserving trust in the confidentiality of executive sessions is essential to effective governance. Notwithstanding Councilmember Morales's denial of wrongdoing, the Council finds that even the appearance of an executive session violation represents conduct inconsistent with the standards of integrity expected of Councilmembers.

The City Council declares that, due to the seriousness of the allegations and the resulting erosion of trust, the Council has determined that Councilmember Morales should be removed from discretionary appointments and other privileges on behalf of the City.

The Council adopts this Resolution as an expression of its judgment and legislative discretion. This Resolution is intended to express the Council's position regarding the conduct described herein and is not intended to constitute a judicial, administrative, or criminal determination. Nothing in this Resolution constitutes a finding that Councilmember Morales violated state law or the City Charter.

SECTION 2: LOSS OF DISCRETIONARY PRIVILEGES.

Effective immediately and continuing until the end of Councilmember Morales's term of office, or otherwise modified by a majority vote of the City Council, Councilmember Morales is removed from all discretionary appointments, designations, assignments, and privileges made by or through the City Council, to the extent such participation is discretionary and not otherwise required by the Charter or state law. Such restrictions include, but not limited to:

- A. Liaison assignments to City or outside agencies or organizations;
- B. Ceremonial duties or appearances made on behalf of the City;
- C. Travel authorization and participation in City-funded conferences, delegations, and representational events;
- D. Assignments, such as proclamations, recognitions, and other official City-sponsored functions where participation is discretionary.

The City Council directs the City Administrator, City Attorney, and all appropriate City officials to take such administrative actions as may be necessary to implement this Resolution in a manner consistent with the provisions contained herein.

SECTION 3: SEVERABILITY.


If any provision of this Resolution is determined to exceed the authority of the City Council or otherwise be unenforceable, all remaining provisions shall remain in full force and effect.

SECTION 4: EFFECTIVE DATE.

This Resolution shall become effective immediately upon adoption.

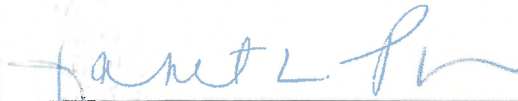
Adopted this 1st day of July, 2026

APPROVED:




Douglas J. Nicholls
Mayor

ATTESTED:



Janet L. Pierson
City Clerk

APPROVED AS TO FORM:



Joseph D. Estes
Special Legal Counsel