



City of Yuma City Council Meeting Agenda

Wednesday, December 6, 2023

5:30 PM

Yuma City Hall Council Chambers
One City Plaza, Yuma

Notice is hereby given, pursuant to Resolution R2015-047 that one or more members of the Yuma City Council may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

City Council Chambers will be open with public access in addition to participation through Zoom

Those wishing to speak on any applicable agenda item or at Call to the Public and choose to participate via Zoom, must submit an email request to publiccomment@yumaaz.gov no later than 60 minutes prior to the start of the scheduled meeting. Further instructions will be given at that time.

Members of the public are encouraged to view the meeting through either of the following two venues:

- 1) Zoom: Residents will need to connect through the following website: <https://cityofyuma.zoom.us/>. Click on "Calendar" then select the City meeting and click "Join".
- 2) City of Yuma live stream: Use the Video and TV Stream quick link at www.yumaaz.gov and search for Yuma Live Playlist 73. Watch live on TV cable channel 73.

A recording of the meeting will be available on the City's website after the meeting.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL

Final call for submission of Speaker Request Forms for agenda related items.

PRESENTATIONS

- Employee Recognition - 50 years of Service to the City of Yuma
- Annual Stormwater Report provided by City Engineer, Dave Wostenberg

I. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action may be taken separately.

A. Approval of minutes of the following City Council meeting(s):

1. [MC 2023-190](#) **Regular Council Meeting Draft Minutes November 1, 2023**
Attachments: [2023 11 01 RCM Minutes](#)
2. [MC 2023-191](#) **Regular Council Worksession Draft Minutes November 14, 2023**
Attachments: [2023 11 14 RWS Minutes](#)

B. Executive Sessions

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 Attorney)

C. Approval of staff recommendations:

1. [MC 2023-186](#) **Bid Award: Heating, Ventilation and Air Conditioning (HVAC) Replacement**
Authorize the purchase of a HVAC unit to the lowest responsive and responsible bidder to Polar Cooling, Yuma, Arizona for a total cost of \$153,634.00. (Building Safety 2018-20000076/RFB-24-119) (Justin Lewis/Robin R. Wilson)
2. [MC 2023-188](#) **Settlement: Calder and Calder-Phillips v. City of Yuma**
Authorize settlement of the Calder and Calder-Phillips Claims. (City Attorney) (Richard Files)

3. [MC 2023-189](#) **RFQ Award: Desert Dunes Water Reclamation Facility Capacity Increase**

Authorize the City Administrator to execute a contract for the construction of the Desert Dunes Water Reclamation Facility (WRF) Capacity Increase Project to the Construction Manager at Risk (CMAR) contractor PCL Construction, Inc., Tempe, Arizona in the amount not to exceed, \$94,069,589.00. (Engineering-RFQ-21-178) (David Wostenberg/ Robin R. Wilson)

II. RESOLUTION CONSENT AGENDA

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action may be taken separately.

1. [R2023-050](#) **Acceptance of Greater Yuma Port Authority (GYPA) Distribution**
Accept GYPA's proposed distribution of \$155,000.00 to each member agency. (City Administration) (Jay Simonton)

Attachments: [1. RES GYPA Distribution](#)

III. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item may be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

1. [O2023-038](#) **Declare Real Property Surplus and Authorize Sale: 150 N. Madison Avenue and 120 N. Main Street**
Declare vacant City of Yuma-owned real property surplus and authorize the sale through a request for proposal (RFP) process (or other competitive process) for the City-owned properties located at 150 N. Madison Avenue and 120 N. Main Street. (Economic Development) (Jeff Burt)

Attachments: [1. ORD Declare Surplus and Authorize Sale: Madison Ave and Main St.](#)

IV. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

1. [O2023-039](#)

Text Amendment: Home Occupations

Amend Title 15, Chapter 154 of the Yuma City Code, to update the permitted Home Occupations. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:

[1. P&Z Rpt Home Occupation Text Amendment](#)

[2. ORD Home Occupation Text Amendment](#)

2. [O2023-040](#)

Text Amendment: Off-Street Parking

Amend Title 15, Chapter 154 of the Yuma City Code, Article 16 Off-Street Parking and Loading Regulations, to update provisions related to off-street parking (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:

[1. P&Z REPORT Off Street Parking Text Amendment](#)

[2. ORD Off Street Parking Text Amendment](#)

V. INDUSTRIAL DEVELOPMENT AUTHORITY HOSPITAL REVENUE BONDS SERIES 2023A

Presented for discussion and consideration of adoption.

1. [R2023-054](#)

Industrial Development Authority Hospital Revenue Bonds Series 2023A

Approve the Issuance of Hospital Revenue Bonds, Series 2023A (Yuma Regional Medical Center) by the Industrial Development Authority (IDA) of the City of Yuma, Arizona and declare an emergency. (City Attorney) (Richard W. Files)

Attachments:

[1. RES IDA Hospital Revenue Bonds](#)

[2. AGR IDA Hospital Revenue Bonds](#)

FINAL CALL

Final call for submission of Speaker Request Forms for Call to the Public.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments:

- Greater Yuma Port Authority, citizen appointment

2. Announcements:

City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of November 16, 2023 through December 6, 2023. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.

City Council report of upcoming meetings.

City Council request for agenda items to be placed on future agendas.

3. Scheduling:

Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

VII. SUMMARY OF CURRENT EVENTS

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

VIII. CALL TO THE PUBLIC

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

IX. EXECUTIVE SESSION

An Executive Session may be called during the public meeting for the purpose of receiving legal advice for items on this agenda pursuant to A.R.S. Section 38-431.03 A (1, 3, 4 and/or 7) and the following items:

There are no additional executive session items scheduled at this time.

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, Yuma, AZ 85364-1436; (928) 373-5125 or TTY (928) 373-5149.