



City of Yuma City Council Meeting Agenda

Wednesday, November 1, 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

- Quarterly Financial Briefing - Fiscal Year 2024 1st Quarter

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 2023-170](#) **Regular Council Meeting Draft Minutes September 20, 2023**
Attachments: [2023 09 20 RCM Minutes](#)
2. [MC 2023-171](#) **Regular Council Meeting Draft Minutes October 17, 2023**
Attachments: [2023 10 17 RCM 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 2023-163](#) **Declaration and Bid Award: Sale of Firearms**
Declare surplus and award the sale of (175) firearms to the highest responsive and responsible offer for a total of \$33,741.00 from the following vendors: (1) Kings Firearms, Columbia, TN. \$2,870.00; (2) Nine Lives Auction, Phoenix, AZ. \$30,586.00; and (3) Sprague's Sports, LLC, Yuma, AZ. \$285.00. (Police Department-RFO 23-293) (Thomas Garrity/Robin R. Wilson)
2. [MC 2023-164](#) **Cooperative Purchase Agreement: Switch Refresh Project (Access Layer)**
Authorize the purchase of Cisco Network devices, equipment, and licensing utilizing a Cooperative Purchase Agreement through the State of Arizona for an estimated total amount of \$368,215.00 to Advanced Network Management, Inc., Scottsdale, AZ. (Information Technology - CPA-24-001) (Jason Smith/Robin R. Wilson)

3. [MC 2023-165](#) **Cooperative Purchase Agreement: Stewart Vincent Wolfe Playground Inclusive Play Project**
Authorize the purchase, delivery and installation of inclusive playground equipment from Exerplay, Cedar Crest, MN, utilizing the Mohave Educational Services Cooperative Purchase Agreement at an estimated expenditure of \$223,262.76 (Parks-CPA-24-124) (Eric Urfer/Robin R. Wilson)
4. [MC 2023-166](#) **Cooperative Purchase Agreement: Parks Playground Equipment Shade Structures**
Authorize the purchase, delivery, and installation of two shade structures to Exerplay, Cedar Crest, MN, utilizing the Mohave Educational Services Cooperative Purchase Agreement for an estimated expenditure of \$190,913.86. (Parks-CPA-24-108) (Eric Urfer/Robin R. Wilson)
5. [MC 2023-168](#) **Sole Source: Badger Meters and Automated Meter Infrastructure**
Authorize a sole source purchase of Badger Water Meters, encoders, and endpoints to replace existing water meters at an expenditure of \$618,099.62 to: Badger Meter, Milwaukee, WI (SS-24-127) (Jeremy McCall/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. [O2023-034](#)

Amendment: Ordinance O2019-037

Pursuant to A.R.S. § 9-462.01, conduct a public hearing to determine compliance with the conditions of approval for rezoning Ordinance O2019-037, and introduce an ordinance to amend O2019-037 to extend the time to comply with the rezoning conditions. (Planning and Neighborhood Services/ Community Planning) (Alyssa Linville)

Attachments:

[1. ORD Statutory Compliance: SEC Ave 3E and 38th St Alignment](#)

[2. MAP Statutory Compliance: SEC Ave 3E and 38th St Alignment](#)

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. [O2023-035](#)

Text Amendment: Accessory Dwelling Units

Amend Title 15, Chapter 154, to update the placement, size and height of accessory dwellings. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:

[1 P&Z Text Amendment: Accessory Dwelling Units](#)

[2 ORD Text Amendment: Accessory Dwelling Units](#)

2. [O2023-036](#)

Text Amendment: Nursing & Personal Care Facilities and Residential Care Homes

Amend Title 15, Chapter 154, of the Yuma City Code to update the definitions and allowable zoning districts for Nursing & Personal Care Facilities and Residential Care Homes. (Planning and Neighborhood Services/ Community Planning) (Alyssa Linville)

Attachments:

[1 P&Z RPT Nursing & Personal Care Facilities and Residential Care Homes](#)

[2 ORD Nursing & Personal Care Facilities and Residential Care Homes](#)

3. [O2023-037](#)**Yuma City Code Text Amendment: Fireworks**

Amend Title 13, Chapter 139 (Yuma City Code §§ 139-004 through 139-010, and § 139-009) to comply with the State preemption of the regulation of Fireworks and Permissible Consumer Fireworks, and incorporate the amendments enacted by Senate Bill 1188, of the Fifty-sixth Legislature, First Regular Session, 2023. (City Attorney) (Richard Files)

Attachments: [1. ORD Text Amendment Fireworks](#)

V. PUBLIC HEARING AND RELATED ITEMS

The following public hearings may result in the adoption of Resolutions R2023-048 and R2023-049

1. [R2023-048](#)**General Plan Amendment: YRMC Yuma East Outpatient Medical Campus**

Following a public hearing, approve the request to amend the City of Yuma General Plan to change the land use designation from Mixed Use to Commercial, for the properties located at the southeast corner of 24th Street and Avenue A. (GP-41613-2023) (Planning and Neighborhood Services/ Community Planning) (Alyssa Linville)

Attachments: [1. P&Z RPT GP Amendment: YRMC Yuma East Outpatient Medical Campus](#)
[2. RES GP Amendment: YRMC Yuma East Outpatient Medical Campus](#)

2. [R2023-049](#)**General Plan Amendment: YRMC/AWC Medical Education Building**

Following a public hearing, approve the request to amend the City of Yuma General Plan to change the land use designation from Mixed Use to Commercial, for the property located at the northwest corner of 24th Street and Elks Lane. (GP-41614-2023) (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments: [1. P&Z RPT GP Amendment: YRMC/AWC Medical Education Building](#)
[2. RES GP Amendment: YRMC/AWC Medical Education Building](#)

VI. VARIANCE APPEAL - 2475 S. 43RD TRAIL**1. [MC 2023-169](#) Variance Appeal: VAR-41582-2023 - 2475 S. 43rd Trail**

The City Council will hear and decide this variance appeal in a quasi-judicial capacity as a statutory board of adjustment pursuant to Arizona Revised Statutes (A.R.S.) Section 9-462.06 and Yuma City Code (Y.C.C.) §154-02.02. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:

[1. HO RPT Variance: 2475 S. 43rd Trail](#)

[2. Hearing Officer Minutes](#)

[3. August 14, 2023 Notice of Right to Appeal](#)

[4. August 24, 2023 Appellant's Notice of Appeal](#)

[5. September 6, 2023 Appeal Schedule](#)

[6. Appellee Department of Planning and Neighborhood Services brief in support of the Hearing Officer's decision dated October 6, 2023](#)

FINAL CALL

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

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments:

- Americans With Disabilities Act (ADA) Advisory Commission - one 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 October 18, 2023 through November 1, 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.

VIII. 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.

IX. 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.

X. 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 agenda 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.