

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
JANUARY 21, 2026
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:31 p.m.

INVOCATION/PLEDGE

Pastor Vince Harmon, Christ Lutheran Church, gave the invocation. **Christian Magana**, Public Information Officer, led the City Council in the Pledge of Allegiance.

FINAL CALL

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

ROLL CALL

Councilmembers Present:	Martinez, Morris, McClendon, Smith, Morales, Watts, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	Acting City Administrator, John D. Simonton Director of Engineering, David Wostenberg Director of Community Development, Alyssa Linville Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

I. MOTION CONSENT AGENDA

Motion Consent Agenda Item C.4 – Ratification of Contract Increase: Entertainment Promoter Services (Approve and ratify a contract increase for entertainment promoter services to BMC Productions & Entertainment LLC, Yuma Arizona, in the amount of \$164,600.00 for a total estimated cost of \$272,600.00. (RFB-24-172) (Admn/Purch)

Deputy Mayor McClendon declared a conflict of interest on Motion Consent Agenda Item C.4 and left the dais.

Motion (Morris/Smith): To approve Motion Consent Agenda Item C.4 as recommended. Voice vote: **approved 6-0-1**, **Deputy Mayor McClendon** abstaining due to conflict of interest.

Deputy Mayor McClendon returned to the dais.

Motion (Smith/Morales): To approve the Motion Consent Agenda with the exception of Item C.4, which was approved through a previous vote. Voice vote: **approved 7-0**.

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

Regular Council Meeting Minutes	November 19, 2025
Regular Council Meeting Minutes	December 3, 2025
Regular Council Worksession Minutes	December 16, 2025
Regular Council Meeting Minutes	December 17, 2025

B. Executive Session

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)

C. Approval of Staff Recommendations

1. Approve a Series #07: Beer and Wine Bar Liquor License application submitted by Cathy Douglas, agent for Yuma Territorial Prison located at 220 Prison Hill Road. (LL25-22) (Admin/Clk)
2. Approve a Series #12: Restaurant Liquor License application submitted by Juanita Esparza, agent for Tacos & Mariscos Costa Baja located at 1150 W. 24th Street. (LL25-23) (Admn/Clk)
3. Award a construction services contract for pavement replacement within the La Mesa Vista/La Mesa Hermosa subdivisions to the lowest responsive and responsible bidder: Gutierrez Canales Engineering, Yuma, Arizona, in the amount of \$2,171,326.66. (RFB-24-275) (Eng/Purch)
4. Pulled for separate consideration; see above.
5. Authorize the purchase and delivery of traffic signal poles and components from Paradigm Traffic Systems Inc., Arlington, Texas; Advanced Traffic Products, Everett, Washington, Cem-Tec Corporation, Phoenix, Arizona; Clark Electric Sales, Inc., dba Clark Transportation Solutions, Phoenix, Arizona; Sierra Transportation Technologies, Henderson, Nevada and Solar Traffic Control, LLC of Phoenix, Arizona, utilizing a cooperative purchase agreement from Maricopa County for two years with the option to renew for four additional one year periods, one period at a time, depending on the appropriation of funds and satisfactory performance on an as needed basis, at a total estimated annual expenditure of \$215,000.00. (CPA-26-199) (Pub Wrks/Purch)

II. RESOLUTION CONSENT AGENDA

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

Bushong displayed the following title(s):

Resolution R2026-001

A resolution of the City Council of the City of Yuma, Arizona, authorizing the City of Yuma to enter into an Intergovernmental Agreement with the Drug Enforcement Administration (for use of the City of Yuma Public Safety Training Facility for the training of sworn peace officers, special agents, and other personnel) (YPD)

Resolution R2026-007

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a Preannexation Development Agreement with Chavira Construction, LLC for Assessor Parcel Number 632-43-098 located at 2963 W. Columbia Avenue (Chavira Lot Split presently undeveloped; agreement to allow for connection to the City of Yuma's water and sewer services) (Cmty Dev/Cmty Plng)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Ordinance O2026-002 – Rezoning of Property: 1980 W. Colorado Street (Rezone approximately 2.78 acres located at 1980 W. Colorado Street, Yuma, AZ, from the Manufactured Housing Park (MHP) District to the High Density Residential (R-3) District) (Cmty Dev/Cmt Plng)

Morris declared a conflict of interest on Ordinance O2026-002 due to his firms involvement in the design process and left the dais.

Speaker

Dylan Freeman, City resident and agent for the project, addressed the street light condition that has been applied to the project by the engineering department and provided the following points:

- The property has historically operated as an RV and mobile home park using the same public street and lighting conditions that exist today without documented safety issues.
- The proposed redevelopment does not increase traffic, pedestrian activity, or public safety risk beyond historical levels.
- Under Arizona Revised Statute §9-500.12, conditions on development approvals must be directly related and reasonably proportionate to the impacts caused by the project.
- The street light condition requires a public infrastructure improvement, but the project does not create additional impacts that justify this requirement.
- City engineering standards for street lighting primarily apply to new subdivisions or new public street construction; this project is an infill redevelopment with no new right-of-way or public infrastructure proposed.
- Applying the street light condition in this context functions as a retroactive upgrade to an existing street rather than addressing a project-related impact.

Freeman requested that the City remove or waive the street light condition, as it is not necessary for public safety and is not directly tied to the impacts of this redevelopment.

Discussion

- Historically, this site was used as a manufactured home park with 43 units. Under the proposed zoning request, the property could accommodate up to 83 dwelling units with the potential for a significant impact to the area. (**Mayor Nicholls/Linville**)
- The mobile home park is no longer in operation, and the owners plan to redevelop the site with multifamily and single-family homes. A concept plan submitted with the rezoning application shows single-family homes along Colorado Street and some on 19th Avenue, with multifamily units accessed from 19th Avenue. The request for new Streetlights is located near 19th Avenue. (**Mayor Nicholls/Linville**)
- Rezoning could potentially double the density compared to the current configuration. (**Mayor Nicholls/Freeman**)

- Any changes would mean reintroducing the item, which could cause at least a one-month delay. (Mayor Nicholls/Freeman)
- Without having enough information, waiving safety requirements like street lighting is a concern. (Mayor Nicholls/Freeman)
- Requesting two streetlights does not seem excessive when building new homes, as homeowners will expect well-lit streets. It is important to consider safety in a new development from the outset. (McClendon)
- The code requiring lights applies to private properties, not public rights-of-way. The lights installed on 19th Avenue would fall under City responsibility for maintenance and power costs, creating a partnership to ensure neighborhood safety. (Mayor Nicholls)
- Installing streetlights and pulling conduits is a significant expense; it is best to postpone the item for a month. (Freeman)
- It would be preferable to install Streetlights during the development phase rather than after completion. Addressing this need upfront will prevent future issues as the number of residents increases. (Watts)
- After considering the comments shared, it was decided to proceed with the adoption of the ordinance. (Freeman/Mayor Nicholls)

Motion (Morales/Watts): To adopt the Ordinances Consent Agenda as recommended.

Bushong displayed the following title(s):

Ordinance O2026-002

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Manufactured Housing Park (MHP) District to the High Density Residential (R-3) District, and amending the zoning map to conform with the rezoning (rezone approximately 2.78 acres located at 1980 W. Colorado Street) (Cmty Dev/Cmty Plng)

Roll call vote: **adopted** 6-0-1, **Morris** abstaining due to conflict of interest.

Morris returned to the dais.

IV. INTRODUCTION OF ORDINANCES

Bushong displayed the following title(s):

Ordinance O2026-004

An ordinance of the City Council of the City of Yuma, Arizona, vacating right-of-way and approving the sale of right-of-way to nineteen adjacent landowners in Livingston Ranch Phase I (property vacate is 1,457 feet of 30-foot right of way north of Livingston Ranch Phase I so the homeowners can expand their backyards) (Cmty Dev)

V. PUBLIC HEARING – VARIANCE APPEAL

MC 2026-018 - Variance Appeal: VAR-44509-2025-1220 S. 8th Avenue (The City Council will hear and decide this variance appeal in a quasi-judicial capacity as a statutory board of adjustments pursuant to Arizona Revised Statutes (A.R.S.) Section 9-462.06 and Yuma City Code (Y.C.C) § 154-02.02) (Cmty Dev/Cmty Plng)

Motion (Smith/Watts): Move that the Public Hearing/Variance Appeal for the property located at 1220 S. 8th Avenue be removed from the agenda pursuant to the owner's request. Voice vote: **approved** 7-0.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Appointments

Motion (McClendon/Smith): To appoint Pamela Clark, Mark Rummel and Virginia Avelar to the ADA Advisory Commission, with term expirations of December 31, 2030. Voice vote: **approved** 7-0.

Motion (Morris/Watts): To appoint Sandra Anthony, James Adler, Clint Harrington to the Building Advisory Board, with term expirations of December 31, 2030. Voice vote: **approved** 7-0.

Motion (Smith/Morales): To appoint Aron Bronnimann, Kyla Smith, Andrea Berezna, Deirdre MacDonald, Lonna Brazeel, and Alfred Knapp to the Clean and Beautiful Commission, with term expirations of December 31, 2030. Voice vote: **approved** 7-0.

Motion (Smith/Watts): To appoint Sandra Anthony and Juan Leal Rubio to the Design and Historic Review Commission, with term expirations of December 31, 2030. Voice vote: **approved** 7-0

Motion (Watts/Morales): To appoint Liz Laster, J. Glendon Moss, Katrina Lozano, and James Allen to the Housing Authority Commission, with term expirations of December 31, 2030. Voice vote: **approved** 7-0

Motion (Morris/McClendon): To appoint Sean Allen and Keli Osborn to the Merit System Board, with term expirations of December 31, 2030. Voice vote: **approved** 7-0

Motion (Morales/McClendon): To appoint Stacy Gutierrez, Ray Face, Bill Craft and Sara Aivazian to the Municipal Property Corporation, with term expirations of December 31, 2030. Voice vote: **approved** 7-0

Motion (Morales/Watts): To appoint Kwadwo Fodwo, Jose Dorame and Nora Morris to the Parks, Arts and Recreation Commission, with term expirations of December 31, 2030. Voice vote: **approved** 7-0

Motion (Smith/Watts): To appoint Jorge A. Gonzalez to the Planning and Zoning Commission, with a term expiration of December 31, 2030. Voice vote: **approved** 7-0

Motion (Morris/Watts): To appoint George Wilmot and Sharon Merz to the Residential Advisory Board, with term expirations of December 31, 2030. Voice vote: **approved** 7-0

Motion (Morales/Watts): To appoint William Regenhardt to the Workers' Compensation Trust Board, with a term expiration of December 31, 2030. Voice vote: **approved** 7-0

Motion (Watts/Morales): To appoint Bill Craft and Robert Valleni to the Yuma Fire Public Safety Board, with term expirations of December 31, 2030. Voice vote: **approved** 7-0

Motion (Smith/Watts): To appoint Jillian Attaway and Bill Craft to the Yuma Public Safety Police Board, with term expirations of December 31, 2030. Voice vote: **approved** 7-0

Smith expressed her gratitude to all the citizens who dedicate their time, effort, and knowledge to serve the Yuma community. She emphasized the importance of this commitment and shared her appreciation for those who step up to make a difference.

Announcements

Smith, Watts, McClendon, Martinez, and Mayor Nicholls reported on the following meetings attended and upcoming events:

- Yuma County Anti-Drug Coalition & Mental Health Coalition Monthly Meeting
- Arizona Space Commission Dinner Reception
- Arizona Space Commission Monthly Meeting
- Guest Speaker at Yuma Catholic High School (YCHS) – Importance of Communication
- City of Yuma Boards and Commission Review Committee Meeting
- Civic Craft Leadership Program Virtual Class – Community Intelligence
- Arizona League of Cities and Towns Legislative Update Call
- Yuma Water Safety Alliance Meeting
- Yuma Coalition to End Homelessness Meeting
- National Association for the Advancement of Colored People (NAACP) Annual Martin Luther King Jr. Commemorative Walk
- Elevate Southwest and Greater Yuma Economic Development Corporation Zoom Meeting
- Western Arizona Council of Governments Executive Meeting
- Hovering Angels Event at YCHS
- Yuma County Victims Right Committee Meeting
- Opening Day Ceremony of the State Legislature
- State of the State Address
- Canada, Arizona Business Council’s Subcommittee Meeting on Project Energy (Virtual)
- Citizens Neighborhood Leadership Academy
- OneAZ Credit Union Ribbon Cutting

Watts requested that staff explore available weatherization grants as part of neighborhood revitalization efforts. She noted that rising energy costs and prolonged high temperatures make weatherization an important investment for the desert community and suggested inviting Neighborhood Services to present on the topic at a future meeting.

Scheduling – No meetings scheduled at this time.

VII. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

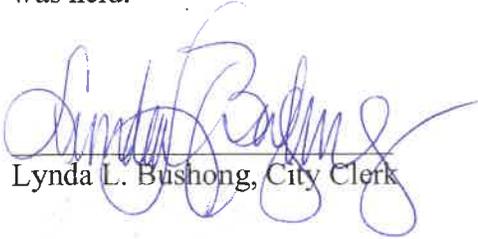
- January 24 – Yuma AgFest
- January 26 – Neighborhood Cleanup Begins

VIII. CALL TO THE PUBLIC

Henry Valenzuela, City resident, spoke about the significance of Kennedy Pool to the community and his family's history with it. He expressed concern that the pool has not been revitalized despite previous estimates of \$1 million for improvements. Valenzuela urged City Council to place Kennedy Pool on a future agenda for discussion and noted that funding could be sourced from the 2% fund, which has an annual carryover. He emphasized the importance of preserving amenities that define Yuma and called for community collaboration to restore Kennedy Pool.

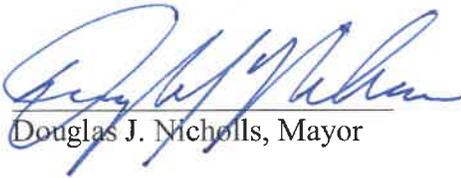
IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:21 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>MAR 15 2026</u>
City Clerk: <u>(Signature)</u>