

MINUTES
REGULAR CITY COUNCIL WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS - YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
March 19, 2024
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the Regular City Council Worksession to order at 5:30 p.m.

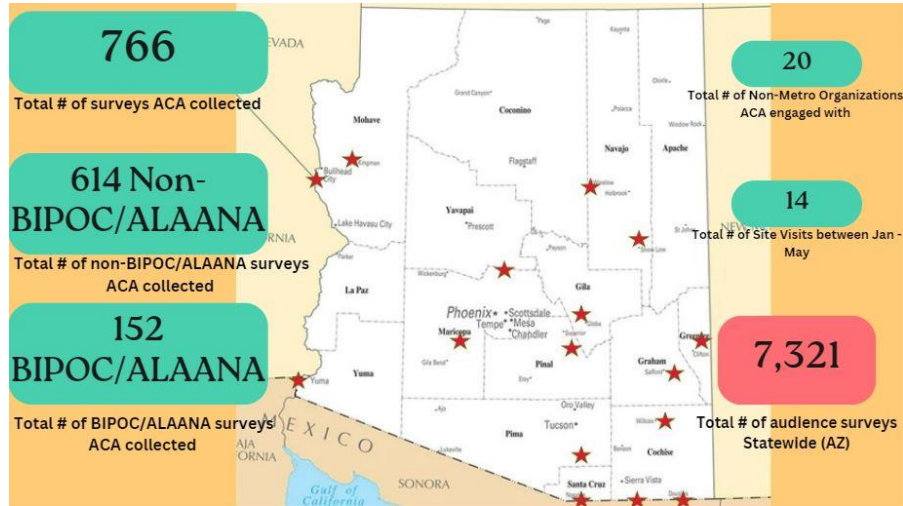
Councilmembers Present: Morales, Smith, Knight, Morris, Shoop, and Mayor Nicholls
Councilmembers Absent: Shelton
Staffmembers Present: Acting City Administrator, John D. Simonton
Assistant Director of Parks and Recreation, Kami Ellsworth
Director of Engineering, David Wostenberg
Assistant Director of Engineering, Steve Wilson
Fire Chief, Dustin Fields
Chief of Police, Thomas Garrity
Director of Planning and Neighborhood Services, Alyssa Linville
Various department heads or their representatives
City Attorney, Richard W. Files
City Clerk, Lynda L. Bushong

I. ARTS AND ECONOMIC PROSPERITY STUDY

Ellsworth introduced **Chris Elliott**, Special Initiatives and Communications Coordinator, and **Brad DeBiase**, Organization Programs Manager, both from the Arizona Commission on the Arts (ACA), to present a summary of the Arts and Economic Prosperity 6 (AEP6) Study as follows:

- What is the AEP6?
 - Captures data on how the arts and culture industry serves as an economic engine and supports a multitude of other industries
 - Conducted by Americans for the Arts (AFTA), the nation's leading nonprofit for advancing, serving, and leading arts and arts education
 - Provides detailed findings on 373 regions from across all 50 states, Washington D.C., and Puerto Rico
- How was the AEP6 completed?
 - Audience intercept surveys collected data from attendees at arts events during the period of May 2022 through June 2023
 - Surveys captured data relating to audience spending across a variety of categories such as travel, lodging, food and beverages, retail, caregiving, etc.
 - Additionally, arts organizations were surveyed to capture sector-wide data
 - Nine regional partner organizations completed data collection in Phoenix, Tempe, Scottsdale, Mesa, the West Valley Region, Chandler, Flagstaff, Sedona, and Pima County
 - ACA completed data collection in the remainder of Arizona's non-metro regions, including Yuma

- AEP6 Engagement Across Arizona



- What Did AEP6 Tell Us?

- Spending
 - Statewide - \$1.1 billion
 - Audiences - \$598 million
 - Organizations - \$501 million
 - Non-Metro - \$37.9 million
 - Audiences - \$25.4 million
 - Organizations - \$12.5 million
- Tax Revenue
 - Statewide - \$38 million
 - Non-Metro - \$2.25 million
- Jobs Supported
 - Statewide - 19,427
 - Non-Metro - 785
- Event-Related Spending
 - Non-Metro Attendees



- Resident vs. Non-Resident Spending
 - Statewide, 10% of attendees were not Arizona residents
 - Resident - \$35.82 per event
 - Non-Resident - \$90.90 per event
- Arts Volunteerism
 - Statewide
 - 56,000 volunteers
 - 1.4 million hours
 - \$42 million value
 - Non-Metro
 - 9,154 volunteers
 - 260,215 hours
 - \$7.8 million value
- Arts and Culture is Valued by the American Public
 - 86% say arts and culture is important to their community's quality of life and livability
 - 79% believe arts and culture is important to their community's businesses, economy, and local jobs
- Arts Build Empathy and Understanding
 - 72% agree that arts and culture provide shared experiences with people of different races, ethnicities, ages, beliefs, etc.
 - 63% say that arts and culture help them better understand other cultures in their community

Discussion

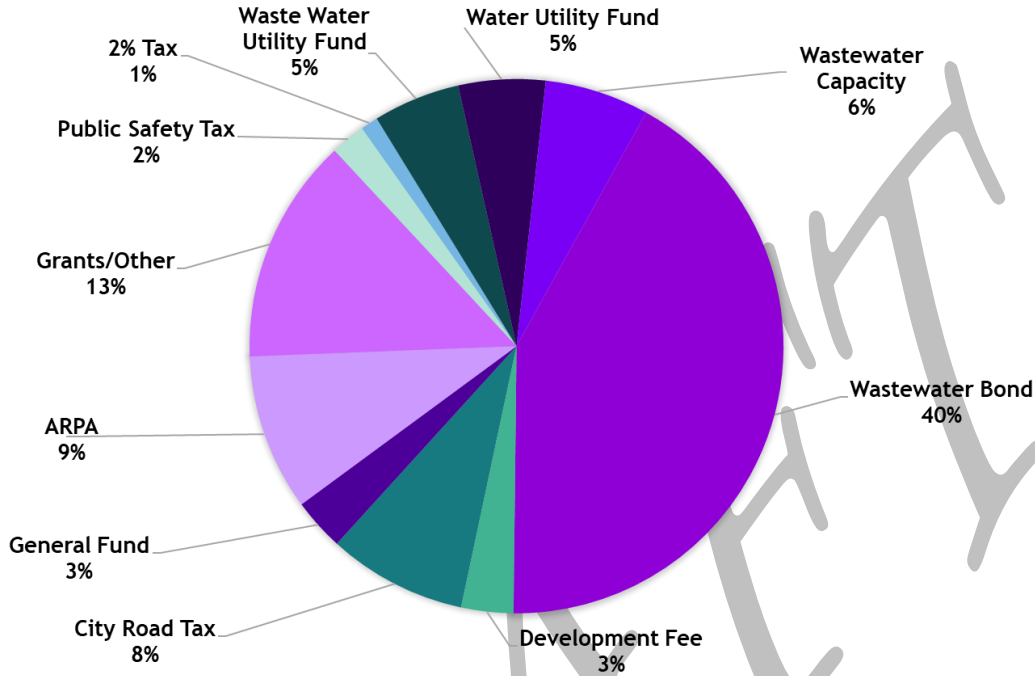
- The pandemic had a devastating impact on the arts and culture industry; spending patterns are climbing close to pre-pandemic levels, but the audiences themselves are coming back at a slower rate than anticipated (**Mayor Nicholls/Elliott/DeBiase**)
- Pandemic relief funding has slowed significantly; general operating support programs are not able to fund capital expenditures such as the construction of an arts facility, however there may be opportunities available through community investment or community impact grants (**Shoop/DeBiase**)
- The non-metro data reported is aggregated, so Yuma's numbers are not available separately; for the AED7, it may be possible for Yuma to be its own distinct participating region for data collection (**Morales/DeBiase/Elliott**)
- The AED6 did not report the specific locations from which non-local participants traveled; this will be suggested to AFTA for future studies as it could be useful for marketing purposes (**Morales/DeBiase**)

II. CAPITAL IMPROVEMENT PROGRAM QUARTERLY UPDATE FOR FY 2024

Mayor Nicholls declared a potential conflict of interest on the Capital Improvement Program Quarterly Update for FY 2024 as his firm participates in capital improvement projects, turned the meeting over to **Deputy Mayor Morris**, and left the dais.

Wostenberg introduced **Wilson**, who presented the Capital Improvement Program (CIP) quarterly update for Fiscal Year (FY) 2024 as follows:

- FY 2024 CIP Funding Sources



- FY 2024 Budget Summary
 - Funding Sources - Executed to Date

Funding Source	Original Budget	Revised Budget	Encumbered	Expensed	Budget Balance	Revised Budget Expended
CDBG	\$0	\$96,000	\$0	\$94,882	\$1,118	99%
CIP Grant	\$26,526,637	\$26,430,637	\$722,896	\$1,505,542	\$23,983,200	8%
City Road Tax	\$15,959,050	\$15,959,050	\$4,088,030	\$4,672,709	\$7,198,311	55%
Dev Fees	\$42,485,687	\$42,485,687	\$4,810,926	\$6,273,133	\$31,182,629	26%
General Fund	\$6,411,275	\$6,411,275	\$327,806	\$99,413	\$5,984,056	7%
Grant ARPA	\$17,531,200	\$17,531,200	\$1,191,777	\$1,245,570	\$15,093,853	14%
Public Safety Tax	\$3,821,500	\$3,821,500	\$1,689,644	\$424,855	\$1,707,000	55%
Two Percent Tax	\$2,339,600	\$2,339,600	\$1,232,508	\$329,877	\$777,215	67%
Wastewater Bond	\$83,100,000	\$83,100,000	\$83,100,000	\$0	\$0	100%
Wastewater Capacity	\$12,900,000	\$12,900,000	\$11,975,269	\$924,731	\$0	100%
Wastewater Utility	\$13,736,000	\$13,736,000	\$2,271,848	\$1,444,214	\$10,019,938	27%
Water Utility	\$16,825,000	\$16,825,000	\$5,849,837	\$5,943,780	\$5,031,384	70%
Total	\$206,040,262	\$206,040,262	\$113,895,857	\$18,994,633	\$72,930,772	64%

○ Program Area - Executed to Date

Departments	Original Budget	Revised Budget	Encumbered	Expensed	Balance	Revised Budget Expended
Community Dev	\$775,000	\$1,391,063	\$528,000	\$43,962	\$819,101	41%
Engineering	\$10,485,069	\$11,183,625	\$3,399,585	\$1,919,693	\$5,864,347	48%
Facilities	\$1,074,500	\$1,074,500	\$202,355	\$258,810	\$613,336	43%
Fire Dept	\$4,721,337	\$4,721,337	\$1,907,768	\$2,431,102	\$382,466	92%
General Gov	\$18,246,003	\$18,478,509	\$758,963	\$151,750	\$17,567,796	5%
Parks & Rec	\$21,777,379	\$21,308,029	\$1,879,588	\$891,008	\$18,318,433	13%
Police Dept	\$6,500,000	\$6,500,000	\$86,382	\$26,954	\$6,386,664	2%
Public Works	\$14,856,590	\$14,423,851	\$2,285,227	\$5,755,523	\$6,383,102	56%
Utilities	\$126,255,000	\$125,609,964	\$102,847,989	\$7,515,831	\$15,246,145	88%
Unfunded	\$1,349,384	\$1,349,384	\$0	\$0	\$1,349,384	0%
Total	\$206,040,262	\$206,040,262	\$113,895,857	\$18,994,633	\$72,930,772	64%

• Project Counts

Status	Project Count	Department	Project Count
Assessment	2	CDBG	1
Awarded	1	Community Dev	7
Cancel	5	Engineering	20
Complete	1	Facilities	12
Construction	18	Fire	1
Contingency	8	General Gov	8
Design	26	Parks & Rec	22
Executing	16	Police	1
Hold	15	Public Works	31
Ongoing	3	Utilities	32
Planning	23	Grand Total	135
Substantial Completion	5		
Unfunded	4		
Warranty	8		
Grand Total	135		

• Projects Impacted by Budget

- Avenue B Reconstruction, 24th Street to 16th Street
 - Bids for the project were higher than expected, so all were rejected
 - Staff will reevaluate and reprogram the project in the FY 2025 CIP
 - A new bid will be released in late FY 2024, with an award expected June of this year
- 28th Street Widening, 45th Avenue to 33rd Drive
 - Multiple construction phase have been ongoing in FY 2024
 - Due to timing and funding issues, the bridge project on Avenue 7E and 40th Street over A Canal was prioritized
 - Final construction phase will now be delayed until FY 2025

- Valley Aquatic Center Slide Maintenance
 - The boilers at the Valley Aquatic Center failed, so funding was diverted to make the emergency replacement of the boilers
 - This effort is captured in the proposed FY 2025 CIP
- Main Street Water Treatment Plant (WTP) Basin 1 & 2 Renovations
 - This project was delayed by the Utilities Department to prioritize the Main Street WTP Filter System Upgrade II and various other water related projects that had funding shortfalls
- Emergency Projects Added
 - Smucker Park Detention Basin
 - The contractor working on Yuma County's detention basin has damaged the City's wastewater infrastructure, necessitating emergency repairs funded at \$316,000
 - Las Casitas Storm Water Drain Failure
 - Emergency repairs are currently underway
 - Funding allocated is \$1.3 million, with current costs at \$1.04 million
 - Budget authority from various projects – including Avenue B, 24th Street to 16th Street – is being utilized for this effort
 - Emergency Sewer Replacement, Gila Street and 5th Street
 - On December 13, 2023, a section of 21-inch sewer line failed
 - \$79.4K budget authority utilized from the wastewater contingency fund
- CIP/Engineering Grant Efforts FY24 - \$38.15M Total
 - Safe Streets For All - \$480K (grant received)
 - Carbon Reduction Program - \$474K (grant received)
 - Transportation Alternatives - \$418K (grant received)
 - Highway Safety Improvement Program - \$4.9M (grant received)
 - AZ Strengthening Mobility and Revolutionizing Transportation (SMART) Grant - \$3.58M (grant received)
 - Promoting Resilient Operations for Transformative, Effective, and Cost-Saving Transportation (PROTECT) - \$4.0 M (application pending)
 - Off System Bridge - \$294K (application pending)
 - Bridge Infrastructure Program - \$24.0M (application pending)
- Project Highlights
 - Fire Station #7
 - Construction underway
 - Projected construction costs \$5.6M
 - Project progress is delayed
 - Anticipated completion April 2024
 - North End Pavement Replacement
 - Project Improvements
 - 3.85 miles of pavement
 - 60 sidewalk ramps
 - 7,500 square feet of new concrete sidewalks
 - 15 new fire hydrants
 - 105 new water services
 - 1.1 miles of new 6" PVC watermain lines
 - Projected Construction Costs - \$4,703,006

- Project is trending ahead of schedule
- Desert Dunes Water Reclamation Facility Capacity Increase

Services	Amount
Design – <i>Carollo Engineers</i>	\$2,993,771
Pre-Construction – <i>PCL Construction</i>	\$664,386
Construction Admin – <i>Consultant Engineering, Inc.</i>	\$2,618,866
Engineering Services During Construction – <i>Carollo Engineers</i>	\$1,456,212
Guaranteed Maximum Price – <i>PCL Construction</i>	\$94,069,589
Owners Allowance	\$3,000,000
Potential Change Order (PCO) – <i>Consultant Engineering, Inc.</i>	To Be Determined
Total	\$104,802,824

- Police Storage Facility
 - Construction budget \$6,500,000
- Kennedy Hockey Rink
 - Total cost of project \$282,000

Discussion

- With the exception of a few projects that have been deferred to future budget years, the City is on track to be able to complete all of the currently scheduled CIP projects; future updates can include information on budget versus actual costs to date (**Morris/Wilson**)
- The City receives an updated schedule for the Smucker Park Detention Basin project approximately every two weeks from the Yuma County Flood Control District (YCFCD); the City is also updating the Master Drainage Area Plan for the areas that are experience repeated flooding and looking for grant opportunities to address those issues (**Morales/Wostenberg**)
- The costs for the emergency repairs related to the Smucker Park Detention Basin project will be reimbursed by the YCFCD; the \$316,000 is just the utility portion of the damages, and the total will also include repairs to the roadways, park, and storm sewer manhole (**Knight/Wostenberg**)

Mayor Nicholls returned to the dais.

III. DRONE PROGRAM BRIEFING

Fields and **Garrity** presented the following briefing on the development of a citywide drone program:

- Goals for the Program
 - Privacy
 - Safety
 - Efficiency
 - Oversight
- Citywide Drone Policy
 - Incorporates Federal law and Federal Aviation Administration (FAA) regulations into one

- location for ease of reference
- Adopts national best practices for privacy, accountability, and transparency
- Sets a City-wide standard for record retention
- Sets a City-wide standard for notice to the community
- Yuma Fire Department (YFD) Uses
 - Fire-ground Operations
 - Search and Rescue
 - Fire Investigations
 - Training Evolutions
 - Wildland Fires
 - Hazardous Materials Response
 - Water Rescue
 - Public Education
- Operational Procedures
 - Small Unmanned Aircraft System (sUAS) Crew
 - Operations will consist of a Pilot in Command and a Visual Observer for all flights
 - Safety Measures
 - Air Traffic Control will be notified of all sUAS operations
 - Certificate of Authorization and supplementary waivers from the FAA
- Training and Record Keeping
 - Flight Documentation and Tracking
 - Pilot Training
 - Licensing
 - Record Retention
- Yuma Police Department (YPD) Overview
 - Aerial Support
 - Emergency and natural disaster response
 - Optimized response and recovery with distance, including real-time environment assessment
 - Assessment of situations from a safer distance and reduced risk to law enforcement and hostile parties, limiting conflict
 - Accident Reconstruction/Crime Scene Documentation
 - Enhance and expedite evidence collection and scene reconstruction while reducing cost and risk
 - Public Requests/Retention
 - While maintaining transparency with our community, all footage associated with an incident may be obtained through a public records request
 - All retained and stored images follow the same process and guidelines as the current body worn camera deployed program
- Additional Drone Usage
 - Parks and Recreation
 - Engineering
 - Building Safety
 - Communications

Discussion

- YPD plans to eventually have a drone on every squad, plus additional units, so that they can be quickly deployed when needed; YFD will assess staffing levels to determine the best way to implement the program so drones can be available when needed (**Smith/Garrity/Fields**)
- When it comes to emergency response, public safety drones have airspace priority over drones used for recreational or other business purposes (**Shoop/Garrity**)

IV. REGULAR CITY COUNCIL MEETING AGENDA OF MARCH 20, 2024

Adoption of Ordinance O2024-010 – Vacation of Surplus Right-of-Way and Correction of Scrivener’s Error (vacate a portion of right-of-way on Arizona Avenue to the abutting landowner upon negotiating a fair market value purchase price, and correct a scrivener’s error contained in Ordinance O2008-36 and subsequent deed for the abutting land) (Eng)

Deputy Mayor Morris declared a conflict of interest on Ordinance O2024-010 as his firm is involved in the design work on the project.

Introduction of Ordinance O2024-011 – Text Amendment: Residential Development Standards (update development standards for lot coverage, setbacks, open space, and height requirements within the residential zoning districts) (Plng & Nbhd Svcs/Cmty Plng)

Discussion

- With the adoption of this ordinance, the maximum building height restriction of 20 feet for multi-family structures will apply to those located within 40 feet of adjacent parcels, a reduction from the 60-foot boundary currently in place; areas of a structure located beyond the 40-foot boundary can exceed 20 feet (**Deputy Mayor Morris/Linville**)
- The additional 5% lot coverage allowed with an Accessory Dwelling Unit will not be affected by the proposed text amendment (**Deputy Mayor Morris/Linville**)
- The City did not previously have minimum standards for open space, but as densities increase it has become more important to ensure there is adequate private or common open space for residents; retention basins and setbacks will both count towards meeting open space requirements (**Mayor Nicholls/Morales/Linville**)

EXECUTIVE SESSION/ADJOURNMENT

Motion (Morales/Knight): To adjourn the meeting to Executive Session. Voice vote: **adopted** 7-0. The meeting adjourned at 6:40 p.m.

APPROVED:

Lynda L. Bushong, City Clerk

Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of: _____ City Clerk: _____
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