



City of Yuma City Council Meeting Agenda

Wednesday, September 4, 2024

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.

Those wishing to speak on an agenda item or during Call to the Public must complete a Speaker Request Form prior to the start of the meeting. Speaker Request Forms can be found on the City's website, in the Clerk's Office, as well as in the Council Chambers.

"Call to the Public" comments are limited to non-agenda items that pertain to City business under the authority and legislative functions of the City Council. The total time for "Call to the Public" is limited to 30 minutes.

Speaker Request Forms should be submitted to City clerk staff prior to the start of each meeting. All speakers, whether speaking on an agenda item or during "Call to the Public" are provided 3 minutes, with no more than 5 speakers permitted per topic/issue.

City Council Worksessions and Regular City Council Meetings can be viewed through the following platforms:

- Cable – Meetings are broadcast live on Spectrum Cable Channel 73.
- Live Stream – Residents can watch meetings on their computer or mobile device at www.yumaaz.gov/telvue. Previous Council meetings are also available on-demand.
- Virtual – Residents can watch meetings via Teams on their computer or mobile device at www.yumaaz.gov/publicmeetings. Click on "Calendar" then select the City meeting and click "Join".

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

FINAL CALL

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

ROLL CALL

PRESENTATIONS

- Reading of Library Card Sign-Up Month Proclamation
- Briefing on the upcoming Marine Corp Air Station-Yuma (MCAS-Yuma) WTI Exercise
- Bond Buy-Back Program Presented by Stifel
- Information Technology Department Update

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 2024-131](#) **Special Council Meeting Draft Minutes August 13, 2024**
Attachments: [2024_08_13_SCM_Minutes](#)
2. [MC 2024-132](#) **Regular Council Worksession Draft Minutes August 20, 2024**
Attachments: [2024_08_20_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 2024-123](#) **Liquor License: Oriental House**
Approve a Series #12: Restaurant Liquor License application submitted by Feifei Zhao, agent for Oriental House located at 2951 S. 4th Avenue. (LL24-11) (City Administration/City Clerk) (Lynda L. Bushong)
Attachments: [1. MAP Liquor License: Oriental House](#)

2. [MC 2024-124](#) **Liquor License: A Swanky Place LLC**
Approve a Series #06: Bar Liquor License application submitted by Maria Stefanakos, agent for A Swanky Place LLC located at 3950 W. 24th Street. (LL24-10) (City Administration/City Clerk) (Lynda L. Bushong)
- Attachments:** [1. MAP Liquor License: A Swanky Place LLC](#)
3. [MC 2024-125](#) **Bid Award: High Density Polyethylene (HDPE) Irrigation Pipe**
Authorize the purchase of HDPE Pipe to the lowest responsive and responsible bidder, Ferguson Waterworks of Yuma, Arizona in an amount of \$189,777.00 (excluding tax) for the Desert Hills Golf Course irrigation upgrades. (Engineering-RFB-25-024) (David Wostenberg/Robin R. Wilson)
4. [MC 2024-126](#) **Cooperative Purchase Agreement: Freshworks Freshservice Enterprise IT Ticketing Software**
Authorize the use of the State of Arizona Cooperative Purchase Agreement for a three-year IT Ticketing Software subscription for a total estimated expenditure of \$260,000.00 to: CDWG, Chicago, IL. (CPA-25-094) (Isaiah Kirk/Robin Wilson)
5. [MC 2024-127](#) **Request for Qualifications (RFQ): Pavement Preservation Services**
Authorize the City Administrator to execute a one-year contract for pavement preservation services with the option to renew for four additional one-year periods, one year at a time, depending on the appropriation of funds and satisfactory performance, to the following contractors: Cactus Asphalt, Tolleson, Arizona; Holbrook Asphalt Company, St. George, Utah; Sunland Asphalt & Construction, LLC., Phoenix, Arizona and VSS International, Inc., West Sacramento, California, for an estimated annual expenditure of \$2,354,000.00. (Public Works/Utilities/Engineering-RFQ-24-350) (Joel Olea/ Robin R. Wilson)
6. [MC 2024-128](#) **Agreement: Law Enforcement Support Office Program**
Authorize the City Administrator to sign a participation letter allowing the Yuma Police Department to participate in the Department of Defense Law Enforcement Support Office (LESO) Program, otherwise known as the 1033 Program. (Police/Administration) (Thomas Garrity)

Attachments: [1. AGMT 2024 LESO Program](#)

7. [MC 2024-129](#) **Subrecipient Agreements: Community Development Block Grant (CDBG) and HOME Investment Partnerships Program**
Authorize the City Administrator to execute five Subrecipient Agreements for fiscal year 2024-2025, totaling \$317,824.00, awarding CDBG and HOME funding in accordance with the Annual Action Plan adopted by City Council on June 26, 2024. (Planning & Neighborhood Services/Neighborhood Services) (Nikki Hoogendoorn)

Attachments:

1. [AGMT Subrecipient Agreement: ACHIEVE](#)
2. [AGMT Subrecipient Agreement: Crossroads Mission](#)
3. [AGMT Subrecipient Agreement: WACOG](#)
4. [AGMT Subrecipient Agreement: SWFHC](#)
5. [AGMT Subrecipient Agreement: HOME](#)

8. [MC 2024-130](#) **Infrastructure and Services Report: ANEX-42924-2024 Irwin Trust**
Approve an Infrastructure and Services Report for Annexation Area No. ANEX-42924-2024, identified as the Irwin Trust Annexation, located in the vicinity of E. 28th Street and S. Rebecca Avenue. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

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. [R2024-044](#) **Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan**
Adopt the ADA Self-Evaluation and Transition Plan, dated September 2023 (Engineering) (Dave Wostenberg/Steve Wilson)

Attachments:

1. [RES ADA Self-Evaluation and Transition Plan](#)
2. [EXH A ADA Self- Evaluation and Transition Plan](#)

2. [R2024-045](#) **Addendum to Real Property Exchange and Development Agreement: Southgate Mall, LLC**
Authorize the City Administrator to execute an Addendum to Real Property Exchange and Development Agreement with the Southgate Mall, LLC (Planning and Neighborhood Services) (Alyssa Linville)
- Attachments:** [1. RES Addendum to Dev. Agreement: Southgate Mall](#)
 [2. EXH A Addendum to Dev. Agreement: Southgate Mall](#)
3. [R2024-047](#) **Lease and Operating Agreement: Yuma County Historical Society**
Approve and authorize the City Administrator to sign a Lease and Operating Agreement with the Yuma County Historical Society for the City-owned properties at 240 South Madison Avenue and 272 Madison Avenue. (Administration) (Jennifer Reichelt)
- Attachments:** [1. RES YCHS Lease and Operating Agreement](#)
 [2. AGMT YCHS Lease and Operating Agreement](#)
4. [R2024-048](#) **City of Yuma Title VI Implementation Plan 2025-2028**
Adopt the City of Yuma Title VI Implementation Plan.
- Attachments:** [1. RES City of Yuma: Title VI Implementation Plan](#)
 [2. EXH A City of Yuma: Title VI Implementation Plan](#)

III. 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. [O2024-028](#) **Annexation Area No. ANEX-42924-2024: Irwin Trust**
Authorize annexation of property located in the vicinity of E. 28th Street and S. Rebecca Avenue. (ANEX-42924-2024). (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)
- Attachments:** [1. PET Annex: Irwin Trust](#)
 [2. ORD Annex: Irwin Trust](#)

IV. INDUSTRIAL DEVELOPMENT AUTHORITY HOSPITAL REVENUE BOND SERIES 2024A

Presented for discussion and consideration of adoption.

1. [R2024-046](#) **Industrial Development Authority Hospital Revenue Bonds Series 2024A**
Approve the Issuance of Hospital Revenue Bonds, Series 2024A (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 Series 2024A](#)

V. ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. 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 August 22, 2024 through September 4, 2024. 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.

2. Scheduling:

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

VI. 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.

VII. CALL TO THE PUBLIC

Members of the public may address the City Council on matters within City Council's authority and jurisdiction that are not listed on the agenda during the "Call to the Public" segment of the meeting. All speakers must complete a Speaker Request Form and submit it to City Clerk staff no later than the "Final Call for Speaker Request Forms" is made at the beginning of each meeting.

"Call to the Public" comments are limited to non-agenda items that pertain to City business under the authority and legislative functions of the City Council.

Speakers are limited to 3 minutes, with no more than 5 speakers permitted per topic/issue. The total time for "Call to the Public" is limited to 30 minutes.

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.

VIII. 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:

A. Discussion, consultation with and/or instruction to legal counsel regarding the following legal matters (ARS 38-431.03 A3, A4 and A7):

- 1) BJA v. COY
- 2) Mohave County, et al. v. BOR, et al.
- 3) Quinn v. Yuma County, et al.
- 4) Aguilera for O.A.
- 5) Jaramillo, et al. v. COY
- 6) Roberts v. COY
- 7) Tortora v. COY
- 8) Candela v. COY

- 9) Blankenship v. Allo, et al.
- 10) Meadows v. COY, et al.
- 11) MacDonald v. COY
- 12) Rodriguez v. COY
- 13) Claims against the City

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.