



# City of Yuma City Council Meeting Summary

---

Wednesday, April 17, 2024

5:30 PM

Yuma City Hall Council Chambers  
One City Plaza, Yuma

---

**Out of respect for the family of Councilmember Knight, the City has modified this agenda to include business items only. The City appreciates your understanding of City Council's and Administration's request.**

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 and choose to participate via Zoom, must submit an email request to [publiccomment@yumaaz.gov](mailto: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](http://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**

**5:31 PM**

## **INVOCATION**

**PASTOR LT. JOHN HERZOG, SALVATION ARMY**

## **PLEDGE OF ALLEGIANCE**

**STEPHANIE GARCIA, JUDICIAL CHIEF OF STAFF**

## ROLL CALL

- Present:** 6 - Mayor Douglas J. Nicholls, Deputy Mayor Chris Morris, Councilmember Arturo Morales, Councilmember Michael Shelton, Councilmember Ema Lea Shoop and Councilmember Carol Smith
- Absent:** 1 - Councilmember Gary Knight

## FINAL CALL

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

## 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):

Approval of the Consent Agenda

**A motion was made by Deputy Mayor Morris, seconded by Councilmember Morales, to APPROVE the Motion Consent Agenda. The motion carried by the following vote:**

**Aye:** 6 - Mayor Nicholls, Deputy Mayor Morris, Councilmember Morales, Councilmember Shelton, Councilmember Shoop, and Councilmember Smith

**Absent:** 1 - Councilmember Knight

1. [MC 2024-042](#) **Regular Council Meeting Draft Minutes March 6, 2024**

Attachments: [1. 2024 03 06 RCM Minutes](#)

**APPROVED**

2. [MC 2024-044](#) **Regular Council Worksession Draft Minutes March 19, 2024**

Attachments: [2024 03 19 RWS Minutes](#)

**APPROVED**

3. [MC 2024-043](#) **Regular Council Meeting Draft Minutes March 20, 2024**

Attachments: [2024 03 20 RCM Minutes](#)

**APPROVED**

## 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 2024-038](#) **Bid Award: Hot and Cold Mix (Asphaltic Concrete)**  
Authorize the award for Hot and Cold Mix (Asphaltic Concrete) to each of the responsive and responsible bidders a one year contract with the option to renew for four additional one-year periods, one period at a time, depending on the availability of funds and satisfactory performance for an estimated annual expenditure of \$236,810.00 with the primary vendor DPE Construction, Yuma, Arizona; and secondary vendor BLT Asphalt, LLC, Yuma, Arizona; (Public Works/Streets - RFB-24-166) (Joel Olea/Robin R. Wilson)  
**APPROVED**
  
2. [MC 2024-039](#) **Ratify Contract Increase: East Mesa Community Park Lake Reduction Design**  
Authorize ratification of a change order for the redesign portion of phase 1 of East Mesa Community Park to J2 Engineering & Environmental, LLC Phoenix, Arizona in the amount of \$84,547.00 for a total cost of \$1,027,981.90. (Engineering-RFQ-21-179) (Eric Urfer/David Wostenberg/Robin R. Wilson)  
**APPROVED**
  
3. [MC 2024-040](#) **Appointment and Employment Agreement: City Attorney**  
Appoint Richard W. Files as City Attorney under the amended City Charter, Article III, section 3(c), and authorize an agreement with terms of employment.  
**APPROVED**
  
4. [MC 2024-041](#) **Approval of Land Use for “Parcel B” pursuant to the January 23, 2023, Development Agreement**  
Authorize the construction and operation of Bubba’s 33 on Parcel B. (Administration) (Jay Simonton)  
**APPROVED**

## 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. [R2024-011](#) **Intent to Create Municipal Improvement District (MID) No. 127: Riverview Terrace Subdivision**

Approve the creation of Municipal Improvement District (MID) No. 127 to serve Riverview Terrace Subdivision located at the northeast corner of Avenue A and 3rd Street. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville).

**Attachments:** [1. RES MID 127 Intent to Create Riverview Terrace Subdivision](#)  
[2. EXH A MID 127 Intent to Create Riverview Terrace Subdivision](#)

**A motion was made by Councilmember Morales, seconded by Councilmember Smith, to ADOPT the Resolution Consent Agenda. The motion carried by the following vote:**

**Aye:** 6 - Mayor Nicholls, Deputy Mayor Morris, Councilmember Morales, Councilmember Shelton, Councilmember Shoop, and Councilmember Smith

**Absent:** 1 - Councilmember Knight

## 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. [O2024-012](#) **Wastewater Discharge Local Limits Update**

Pursuant to the Environmental Protection Agency (EPA) Pretreatment Regulations 40 Code of Federal Regulations (CFR) 403, amend City Code § 191-02 General Sewer Use Requirements, to update the existing wastewater Local Limits in accordance with the findings of the Local Limits Figueroa Avenue Water Pollution Control Facility (WPCF) Report. (Utilities/Administration) (Jeremy McCall)

**Attachments:** [1. ORD Wastewater Discharge Local Limits Update](#)

**A motion was made by Councilmember Smith, seconded by Deputy Mayor Morris, to ADOPT the Ordinance Consent Agenda. The motion carried by the following vote:**

**Aye:** 6 - Mayor Nicholls, Deputy Mayor Morris, Councilmember Morales, Councilmember Shelton, Councilmember Shoop, and Councilmember Smith

**Absent:** 1 - Councilmember Knight

#### 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. [O2024-014](#) **Text Amendment: Short-Term Rentals (Vacation Rentals)**  
Amend Title 7 of the Yuma City Code to add a new Chapter 77: Short-Term Rentals (STRs) to provide for regulations consistent with Arizona Revised Statutes, Titles 9 and 42 (Finance) (Doug Allen/Rodney Short)

**Attachments:** [1. ORD Text Amendment: Short Term Rentals](#)  
[2. EXH A Text Amendment: Short Term Rentals](#)

**INTRODUCED**

#### V. UPDATE REGARDING COUNCILMEMBER KNIGHT

**REPORTED**

*The City Administrator will provide an update relating to Councilmember Knight.*

#### VI. EXECUTIVE SESSION

**Motion (Morales/Morris): to adjourn to Executive Session. Voice vote: approved (6-0)**

*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, and/or direction to legal counsel regarding different aspects of A.R.S. § 38-431 et seq. (A.R.S.38-431.03 A(3) and A(9)).
- B. Discussion, consultation, and or direction to legal counsel regarding Article VI. City Officials, of the Yuma City Charter. (A.R.S. 38-431.03 A(3) and A(4)).

**ADJOURNMENT****5:42 PM**

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.