



City of Yuma City Council Meeting Agenda

Wednesday, March 6, 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.

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

- Briefing on the upcoming Marine Corps Air Station-Yuma (MCAS) WTI Exercise
- Greater Yuma Economic Development Corporation Mid-Year Update
- Introduction of Hansen House

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 2024-027](#) **Regular City Council Meeting Draft Minutes February 7, 2024**

Attachments: [2024 02 07 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 2024-023](#) **Bid Award: Replace Air Handler Units at Police Department and Municipal Court**

Authorize the purchase of seven HVAC Air Handler units to the lowest responsive and responsible bidder to Trane, Tucson, Arizona for a total cost of \$113,797.00. (Building Safety 2018-20000076/ RFB-24-197) (Justin Lewis/Robin R. Wilson)

2. [MC 2024-024](#) **Bid Award: Police Uniforms and Accessories**

Authorize the award of a Police Uniforms and Accessories contract for one year to the two lowest responsive and responsible bidders with an option to renew for four additional one-year periods, depending on appropriation of funds and satisfactory performance, to Galls, LLC, Lexington, Kentucky, and Precision Protective Services LLC, Yuma, Arizona, at an estimated annual expenditure of \$93,365.00. (Police-RFB-24-130) (Thomas Garrity/Robin R. Wilson)

3. [MC 2024-026](#) **Agreement: Joint Land Use Plan Update**

Authorize the City Administrator to execute an agreement for the Joint Land Use Plan Update services with White & Smith, LLC of Charleston, South Carolina at an expenditure of \$364,960.00. (RFP-24-177 Planning and Neighborhood Services) (Alyssa Linville/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. [R2024-009](#) **Call of Election: City of Yuma 2024 Primary and General Elections**

Adopt a resolution that serves as a Call of Election for the City of Yuma's 2024 primary and general elections to be held pursuant to Arizona Revised Statutes (A.R.S.) § 16-204 on July 30, 2024 and November 5, 2024, respectively. Any additional qualifying propositions for the November General Election shall be separately approved by City Council. (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. RES Call of Election: 2024 Primary and General Elections](#)

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. [O2024-009](#) **Rezoning of Property: 1749 S. Arizona Avenue and the Northeast Corner of Riley Avenue and 18th Street**

Rezone approximately 2.82 acres from the General Commercial (B-2) District to the High Density Residential (R-3) District, while maintaining the existing Infill Overlay (IO) District, for the properties located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street. (Planning and Neighborhood Services / Community Planning) (Alyssa Linville)

Attachments: [1. P&Z RPT Rezoning of Property: 1749 S. Arizona Ave and NE Corner of Riley Ave and 18th St](#)
[2. ORD Rezoning of Property: 1749 S. Arizona Ave and the NE Corner of Riley Ave and 18th St.](#)

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. [O2024-010](#) **Vacation of Surplus Right-of-Way and Correction of Scrivener's Error**

Vacate a portion of right-of-way (ROW) on Arizona Avenue to the abutting land owner (T3AZ, LLC) upon negotiating a fair market-value purchase price for the vacated ROW and correct a scrivener's error contained in O2008-36 and in T3AZ, LLC's subsequent deed for the abutting land. (Engineering/Development) (David Wostenberg)

Attachments: [1. ORD Right-of-Way vacation and correction of Scrivener's Error](#)

FINAL CALL

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

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 February 22, 2024 through March 6, 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 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.

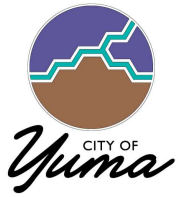
VIII. EXECUTIVE SESSION

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:

There are no additional Executive Session agenda items 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.



City of Yuma

City Council Report

File #: MC 2024-027

Agenda Date: 3/6/2024

Agenda #: 1.

Regular City Council Meeting Draft Minutes February 7, 2024

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
FEBRUARY 7, 2023
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:32p.m.

INVOCATION/PLEDGE

Deacon Joel Olea, Immaculate Conception Church, gave the invocation. **Jeremy McCall**, Director of Utilities, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Morales, Smith, Knight, Morris, Shoop, Shelton, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: Acting City Administrator, John D. Simonton
Director of Engineering, David Wostenberg
Assistant City Attorney, John LeSueur
Various Department Heads or their representative
City Attorney, Richard W. Files
City Clerk, Lynda L. Bushong

FINAL CALL

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

I. MOTION CONSENT AGENDA

Motion Consent Agenda Item C.2 – Bid Award: Sand, Gravel, and Decorative Rock (award a one-year contract for sand, gravel, and decorative rock to each of the three lowest responsive and responsible bidders with an option to renew for four additional one-year periods, depending on appropriation of funds and satisfactory performance to: BLT Companies, LLP, Yuma, Arizona; IMAC Rock and Landscape, LLC, Yuma, Arizona; and Yuma Nursey, LLC, Yuma, Arizona, at an estimated annual expenditure of \$30,000.00) (RFB-23-303) (Fin/Purch)

Mayor Nicholls declared a conflict of interest on Motion Consent Agenda Item C.2, turned the meeting over to Deputy Mayor Morris, and left the dais.

Motion (Knight/Morales): To approve Motion Consent Agenda Item C.2 as recommended. Voice vote: **approved 6-0-1**, **Mayor Nicholls** abstaining due to conflict of interest.

Mayor Nicholls returned to the dais.

Motion Consent Agenda Item C.4 – Request for Qualifications Award: Integrated Multimodal Transportation Master Plan (authorize the City Administrator to execute a contract to provide planning for the Integrated Multimodal Transportation Master Plan to Kimley-Horn Associates, Mesa, Arizona, in the amount of \$421,430.68) (RFQ-24-100) (Eng/Fin)

Discussion:

- \$300,000 was set aside for the Transportation Master Plan from the Road Tax Fund; the amount was based off the cost of the 2014 Transportation Master Plan, which was between \$250,000 and \$275,000. The cost is higher for the 2024 plan due to the implementation of a bike plan and a transit system, as well as addressing some climate and equity issues for the City to be prepared to apply for grants. \$120,000 came from the Avenue 3 ½ E project that was finished early and under budget. To comply with regulations, the City updates the Transportation Master Plan every 10 years, and the last upgrade was done in 2014. **(Shoop/Wostenberg)**
- Road needs, additional infrastructure, and capacity improvements will be looked at when updating the Transportation Master Plan. **(Shelton/Wostenberg)**

Motion Consent Agenda Item C.3 – Bid Award: Uniform Rental and Laundry Services (award uniform rental and laundry services to the lowest responsive and responsible bidder through a one-year contract, with an option to renew for four additional one-year periods, depending on appropriation of funds and satisfactory performance to Unifirst Corporation, San Diego, California, at an estimated annual expenditure of \$90,000.00) (RFB-24-170) (Fin/Purch)

Discussion:

- Local vendors received all pertinent information for submitting a bid for the contract. There was an oversight on behalf of one local vendor and they failed to submit their bid on time. **(Knight/Simonton)**

Motion (Morales/Knight): To approve the Motion Consent Agenda as recommended, with the exception of Item C.2 which was adopted through a previous vote. Voice vote: **approved** 7-0.

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

Regular City Council Meeting Minutes	January 3, 2024
Regular Council Worksession Minutes	January 16, 2024

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 #12: Restaurant Liquor application submitted by Juanita Esparza, agent for La Fonda De Mr. Burros Mexican Food located at 1095 S. 3rd Avenue. (LL24-01) (Admn/Clk)

2. Pulled for separate consideration; see above.
3. Award uniform rental and laundry services to the lowest responsive and responsible bidder through a one-year contract, with an option to renew for four additional one-year periods, depending on appropriation of funds and satisfactory performance to Unifirst Corporation, San Diego, California, at an estimated annual expenditure of \$90,000.00. (RFB-24-170) (Fin/Purch)
4. Authorize the City Administrator to execute a contract to provide planning for the Integrated Multimodal Transportation Master Plan to Kimley-Horn Associates, Mesa, Arizona, in the amount of \$421,430.68. (RFQ-24-100) (Eng/Fin)
5. Authorize the purchase of narcotics (controlled substances) for a five-year period from the City's Medical Director, International Medical Direction, LLC, Phoenix, Arizona for emergency medical aid at an estimated annual expenditure of \$80,000.00. (Fire/EMS 24-201) (YFD/Fin)
6. Approve the final plat for Desert Sands Unit No. 4 Subdivision. The property is located at the northwest corner of 48th Street and Avenue 8E. (Plng & Nbhd Svcs/Cmty Plng)

II. RESOLUTION CONSENT AGENDA

Resolution R2024-001 – Preannexation Development Agreement: NAT-95 Group, LLC (authorize a Preannexation Development Agreement with NAT-95 Group, LLC for a portion of the property located at 10206 S. Avenue 4E) (Plng & Nbhd Svcs/ Cmty Plng)

Mayor Nicholls declared a conflict of interest on Resolution R2024-001, turned the meeting over to Deputy Mayor Morris, and left the dais.

Motion (Knight/Smith): To adopt Resolution R2024-001 as recommended.

Bushong displayed the following title(s):

Resolution R2024-001

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a preannexation development agreement with NAT-95 Group, LLC, for a portion of the real property located at 10206 S. Avenue 4E (owner intends to establish a business in the existing building located on the northeast corner of the parcel for the inspection of trucks manufactured in Mexico) (Plng & Nbhd Svcs/Cmty Plng)

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

Mayor Nicholls returned to the dais.

Motion (Morales/Morris): To adopt the Resolution Consent Agenda as recommended, with the exception of Resolution R2024-001 which was adopted through a previous vote.

Bushong displayed the following title(s):

Resolution R2024-004

A resolution of the City Council of the City of Yuma, Arizona, authorizing the City Administrator to execute certain access agreements on behalf of the City of Yuma (standardizing and streamlining the approval process for entering into access agreements such as licenses, encroachment permits and right of use agreements) (Admin/Eng)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Smith/Knight): To adopt the Ordinances Consent Agenda as recommended.

Bushong displayed the following title(s):

Ordinance O2024-006

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 Light Industrial/Infill Overlay (L-I/IO) District to the Medium Density Residential/Infill Overlay ((R-2/IO) District, and amending the zoning map to conform with the rezoning (1010 and 1012 S. 2nd Avenue; approximately 14,000 sqft.) (Plng & Nbhd Svcs/Cmty Plng)

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

IV. INTRODUCTION OF ORDINANCES

Bushong displayed the following title(s):

Ordinance O2024-007

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, relating to Cielo Verde Specific Plan to update the list of uses within the Cielo Verde Residential District (request to allow a religious institution at the southeast corner of 36th Street and Avenue 8E) (Plng & Nbhd Svcs/Cmty Plng)

Ordinance O2024-008

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 Medium Density Residential (R-2) District to the High-Density Residential (R-3) District, and amending the zoning map to conform with the rezoning (approximately 1.17 acres located at 430 and 440 S. Magnolia Avenue) (Plng & Nbhd Svcs/Cmty Plng)

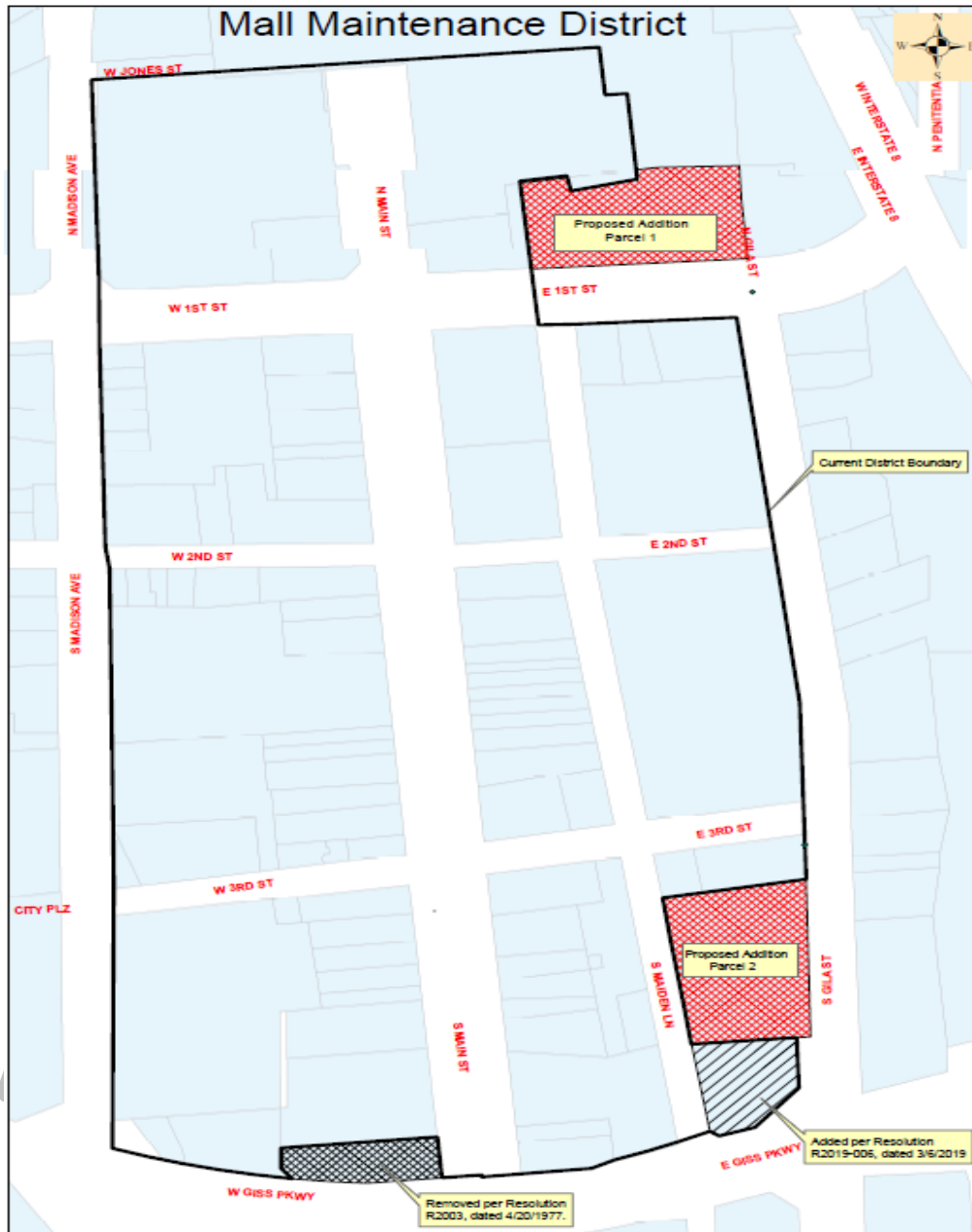
FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms from members of the audience interested in speaking at the Call to the Public.

V. PUBLIC HEARING

Mayor Nicholls opened the public hearing at 5:50 p.m.

Resolution R2024-002 – Expansion of the Main Street Mall and Off Street Parking Maintenance District No. 1 (following a public hearing, approve the expansion of the Main Street Mall and Off Street Parking Maintenance District No. 1 to include parcels owned by the City of Yuma) (Atty)



John LeSueur presented the following information:

- This is a statutorily required Public Hearing to consider expanding the Main Street Mall and Off Street Parking Maintenance District No. 1 to include two parcels owned by the City
- The Mall Maintenance District No. 1 (MMD) was created in 1969 by City Council
- The purpose of the MDD is to operate, maintain, repair and improve the pedestrian mall, off street parking facilities, and parkways within the Historic Downtown region of the City of Yuma
- The City’s creation and governance of the MMD is governed by A.R.S § 48-574 (J)

- City Council adjusted the boundaries of the MMD in 1977 and 2019
 - In 1977 the City Council removed the Historic Lee Hotel
 - In 2019 City Council added a parcel in the southeast corner of the district at the landowner's request
- City staff is recommending the addition of two parcels to the MDD
 - Parcel 1, the Adult Center parcel; located on 1st Street
 - Parcel 2 is located in the area south of Hotel Del Sol, and north of the parcel added in 2019
- Under A.R.S § 48-574 (J) City Council has the authority to expand the MDD if the following three conditions are met:
 - Hold a Public Hearing
 - Public Hearing held on February 7, 2024
 - Provide proper notice of the Public Hearing
 - Notice was published in the Yuma Daily Sun Newspaper from January 29, 2024 to February 1, 2024
 - Public Notices were sent on January 24, 2024 via first class mail to approximately 80 property owners within the MDD as listed in the Yuma County Assessor's Office database
 - Conclude how the district would benefit by including the parcels to the MDD
 - These parcels will fill in existing gaps, rounding out the boundaries of the district and simplifying them
 - If City Council decides to develop these two parcels in the future, inclusion of the parcels within the MDD will ensure that as the parcels are developed; developers are participating with other property owners in the area in maintaining the off street parking and pedestrian mall facilities

Motion (Knight/Morales): To close the Public Hearing. Voice vote: **approved** 7-0. The Public Hearing closed at 5:57 p.m.

Discussion

- Parcel 2 is currently fenced in. Inclusion of these parcels does not mean they need to be accessible for parking on-site (**Knight/LeSueur/Simonton**)
- Inclusion of the two parcels to the MDD will allow developers to use the benefit of off-street parking to the same extent as other landowners. Developers will also pay an assessment on their property tax bill to help maintain the facilities once the area is developed (**Knight/LeSueur**)
- Adopting the Resolution will not impose any changes to the Yuma North End Community Center (**Shelton/LeSueur/Simonton**)

Mayor Nicholls called for a motion to adopt Resolution R2024-002.

Motion (Knight/Smith): To adopt Resolution R2024-002 as presented.

Bushong displayed the following title:

Resolution R2024-002

A resolution of the City Council of the City of Yuma, Arizona, authorizing the inclusion of new parcels within the Main Street Mall and Off Street Parking Maintenance District No. 1 (addition of two City owned parcels to the Mall Maintenance District) (Atty)

Voice vote: **approved** 7-0.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Appointments

Motion (Shelton/Shoop): To appoint **Danielle Ross** to the Americans with Disabilities Act (ADA) Advisory Commission with a term expiration of December 31, 2025. Voice vote: **approved** 7-0.

Announcements

Knight, Shelton, Morales, Smith, Morris, and Mayor Nicholls reported on events and meetings they have attended during the last two weeks and upcoming events of note.

Scheduling – No meetings were scheduled at this time.

VII. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- City's Annual Neighborhood Clean Up starts January 29 – Information can be found on the City of Yuma website
- February 13th to February 15th - Camp Inferno – A program providing young ladies with hands-on experience into the duties of a firefighter
- February 24 – Spring Archery Tournament at the Pacific Avenue Athletic Complex (PAAC)

Mayor Nicholls declared a need for an Executive Session prior to Call to The Public and called for a motion.

Motion (Knight/Morris): To recess to Executive Session. Voice vote: **approved** 7-0. The meeting recessed at 6:14 p.m. City Council left the dais to convene Executive Session in the conference room.

Mayor Nicholls reconvened the City Council meeting at 7:15 p.m.

VIII. CALL TO THE PUBLIC

Bruce Luna, City resident, spoke regarding an incident involving a minor that took place at a public event at the Yuma County Fair Grounds. Yuma Police officers were dispatched to the incident; no action was taken by the police. **Luna** thanked **Simonton** for looking into the matter. **Luna** also spoke about House Bill 2310 relating to grooming, and the fact that a representative from District 23, representing the Yuma community, did not vote on the Bill.

The following speakers requested the City of Yuma adopt a Resolution calling for the release of hostages and ceasefire in Gaza:

- **Charlene Young**, City resident
- **Sherri Levek**, City resident
- **Holly Danielle**, City resident
- **Jennifer Reger**, City resident

- **Sinai Lopez**, City resident
- **Karla Sanchez**, City resident
- **Layla Hassin**, City resident

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 7:41 p.m. No additional Executive Session was held.

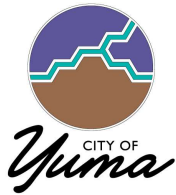
Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

DRAFT

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

City Council Report

File #: MC 2024-023

Agenda Date: 3/6/2024

Agenda #: 1.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Finance	<input type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction
DIVISION: Procurement	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Bid Award: Replace Air Handler Units at Police Department and Municipal Court

SUMMARY RECOMMENDATION:

Authorize the purchase of seven HVAC Air Handler units to the lowest responsive and responsible bidder to Trane, Tucson, Arizona for a total cost of \$113,797.00. (Building Safety 2018-20000076/ RFB-24-197) (Justin Lewis/Robin R. Wilson)

STRATEGIC OUTCOME:

This item supports the City Council's strategic outcome of Respected and Responsible, as it assures the City is being a good steward of public funds by utilizing the lowest responsive and responsible bid.

REPORT:

Facilities Management has maintained the seven aging air handlers at the Police Department and Municipal court for several years; the existing units are over 20 years old, no longer serviceable, and need replacement.

The replacement units have a serviceable life of approximately 15 to 20 years, and due to being more efficient, will result in significant operating and maintenance cost reduction.

The City requested bids from Hansberger Refrigeration, Trane and Polar Cooling; all three vendors are currently under City contract for HVAC Services. As the lowest responsive and responsible (and only) bidder, Trane shall provide and install the units.

The replaced units will be disposed of through the surplus process.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 113,797.00	BUDGETED:	\$ 125,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$113,797.00			
111-97-77.8140 Public Safety Tax			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

Sufficient budget authority is provided in the City Council FY 2024 approved budget to award this bid.

ADDITIONAL INFORMATION:

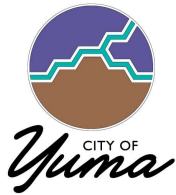
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 02/27/2024
Reviewed by City Attorney: Richard W. Files	Date: 02/23/2024



City of Yuma

City Council Report

File #: MC 2024-024

Agenda Date: 3/6/2024

Agenda #: 2.

	STRATEGIC OUTCOMES	ACTION
DEPARTMENT: Finance	<input type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Resolution
DIVISION: Procurement	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Introduction <input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Bid Award: Police Uniforms and Accessories

SUMMARY RECOMMENDATION:

Authorize the award of a Police Uniforms and Accessories contract for one year to the two lowest responsive and responsible bidders with an option to renew for four additional one-year periods, depending on appropriation of funds and satisfactory performance, to Galls, LLC, Lexington, Kentucky, and Precision Protective Services LLC, Yuma, Arizona, at an estimated annual expenditure of \$93,365.00. (Police-RFB-24-130) (Thomas Garrity/Robin R. Wilson)

STRATEGIC OUTCOME:

The award of this contract will provide City Police Officers with various uniforms and accessories while ensuring the best use of City funds aligning with the City Council's strategic outcome of Respected and Responsible.

REPORT:

This contract provides for two vendors to supply Police Uniforms and Accessories. The award is based on a percentage off discount offered for catalog items per category. Bids were received by Galls LLC, Lexington, Kentucky, and Precision Protective Services, LLC, Yuma, AZ. Staff recommends awarding to both responsive and responsible bidders.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 93,365.00	BUDGETED:	\$ 100,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	PATROL: 001-60-12.6806 INVESTIGATIONS: 001-60-11-6806 ANIMAL CONTROL: 001-60-11-6806	

TOTAL \$ 0.00

-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

Sufficient budget capacity is provided int the City Council approved FY 2024 for this bid award.

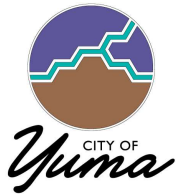
ADDITIONAL INFORMATION:

None

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 02/27/2024
Reviewed by City Attorney: Richard W. Files	Date: 02/23/2024



City of Yuma

City Council Report

File #: MC 2024-026

Agenda Date: 3/6/2024

Agenda #: 3.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Finance	<input checked="" type="checkbox"/> Safe & Prosperous	<input checked="" type="checkbox"/> Motion
	<input type="checkbox"/> Active & Appealing	<input type="checkbox"/> Resolution
	<input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
DIVISION:	<input checked="" type="checkbox"/> Connected & Engaged	<input type="checkbox"/> Ordinance - Adoption
Procurement	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

TITLE:

Agreement: Joint Land Use Plan Update

SUMMARY RECOMMENDATION:

Authorize the City Administrator to execute an agreement for the Joint Land Use Plan Update services with White & Smith, LLC of Charleston, South Carolina at an expenditure of \$364,960.00. (RFP-24-177 Planning and Neighborhood Services) (Alyssa Linville/Robin R. Wilson)

STRATEGIC OUTCOME:

Awarding this project will support the updating of the Joint Land Use Plan while seeking to Connect and Engage all residents within Yuma County to ensure the Safe and Prosperous and Respected and Responsible growth of area communities and Marine Corps Air Station Yuma.

REPORT:

The City recently sought proposals from qualified consulting firms providing the professional services needed to update the 1996 Joint Land Use Plan (1996 JLUP). An update to the 1996 JLUP presents the opportunity to create a community-driven, strategic planning process between Marine Corps Air Station Yuma (MCAS Yuma), the City, and other area communities, (Yuma County and the City of Somerton), with the intent of identifying compatible development opportunities which will reduce operational impacts on lands adjacent to military reserves. A primary component of this effort will focus heavily on community outreach, with outreach opportunities to occur for community residents and those residents who may be impacted by the plan.

In 2019, MCAS Yuma completed an updated Air Installations Compatible Use Zones update (2019 AICUZ), which recommended restrictions far greater than the previously, mutually agreed upon 1996 JLUP. The recommendations identified within the 2019 AICUZ greatly restrict development opportunities within the community surrounding MCAS Yuma and are inconsistent with the regional, long-term planning documents. Since the adoption of the 1996 JLUP, the operations of MCAS Yuma and the needs of the area communities have evolved. These proposed changes have created a need for a new, mutually agreed upon plan, which helps protect the operations of the military installation, while also enabling and fostering growth in a predictable and planned manner within the area communities.

In 2023, the City applied for and was awarded a grant from the Office of Local Defense Community Cooperation in the amount of \$365,000 to assist in the updating of the 1996 JLUP. With this grant award, the City will need to provide a ten percent match in the form of in-kind services. These in-kind services will be

provided through the staff time dedicated to the project. The City anticipates the outreach efforts and development of the plan to take approximately 15 months to complete, with a resolution presented for adoption by City Council in June 2025.

The City received two qualified proposals. Through the evaluation and scoring process, City staff chose to move forward with the highest-ranking firm, White & Smith, LLC.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 365,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 364,960.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

Sufficient federal funding and budget authority is in the City Council approved FY 2024 budget to execute this contract.

ADDITIONAL INFORMATION:

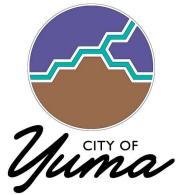
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 02/27/2024
Reviewed by City Attorney: Richard W. Files	Date: 02/23/2024



City of Yuma

City Council Report

File #: R2024-009

Agenda Date: 3/6/2024

Agenda #: 1.

	STRATEGIC OUTCOMES	ACTION
DEPARTMENT: City Administration	<input type="checkbox"/> Safe & Prosperous	<input type="checkbox"/> Motion
	<input type="checkbox"/> Active & Appealing	<input checked="" type="checkbox"/> Resolution
	<input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
DIVISION: City Clerk	<input checked="" type="checkbox"/> Connected & Engaged	<input type="checkbox"/> Ordinance - Adoption
	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

TITLE:

Call of Election: City of Yuma 2024 Primary and General Elections

SUMMARY RECOMMENDATION:

Adopt a resolution that serves as a Call of Election for the City of Yuma’s 2024 primary and general elections to be held pursuant to Arizona Revised Statutes (A.R.S.) § 16-204 on July 30, 2024 and November 5, 2024, respectively. Any additional qualifying propositions for the November General Election shall be separately approved by City Council. (City Administration/City Clerk) (Lynda L. Bushong)

STRATEGIC OUTCOME:

Calling the election at a public meeting aligns with City Council’s Respected and Responsible and Connected and Engaged strategic outcomes, as it provides formal notification in a public setting for the upcoming election, and the election process allows eligible voters to vote for local officials and propositions that impact their community.

REPORT:

City Council has historically adopted, by resolution, a Call of Election that is published in the local newspaper to engage citizens in the nonpartisan election process. The proposed resolution designates the 2024 election dates, sets forth the dates and locations to file nomination papers, provides voter registration deadlines, and states the purpose of the elections. Pursuant to A.R.S. § 16-204, the resolution provides notice of the following designated election dates:

- Primary Election - July 30, 2024
- General Election - November 5, 2024

The current terms for three Councilmembers and one Municipal Judge will expire December 31, 2024. Therefore the purpose of the Primary Election will be to nominate candidates to fill the upcoming vacancies, with a run-off (if necessary) being held at the General Election.

The July 30, 2024, Primary and November 5, 2024 General Election ballots will contain the following for consideration by eligible voters:

- Primary Election - Three councilmembers and one Municipal Judge

- General Election - Candidate run-off for the above offices not filled at the Primary Election
- General Election - Additional qualified propositions, which shall be presented for City Council approval through a future agenda item, if any.

In January 2024, nomination packets for candidates seeking municipal office were made available on the City’s website and from the City Clerk’s Office. The first day to file nomination and other associated forms is Monday, March 4, 2024 and the last day to file is 5:00 p.m. on Monday, April 1, 2024. Nomination packets must be filed in the City Clerk’s Office, located within City Hall.

Candidates who are elected to the above-noted offices serve a four-year term beginning January 1, 2025 and ending December 31, 2028.

These elections will be conducted as a Voting Center Election, which allows voters to utilize any Voting Center that is convenient for them on Election Day.

City electors must be registered to vote by the following deadlines to submit a ballot for the 2024 elections: Primary - July 1, 2024 / General - October 7, 2024.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 150,000.00	BUDGETED:	\$ 150,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 150,000.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

The budgeted amount includes costs for both the Primary and General Elections.

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk’s Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 02/27/2024
Reviewed by City Attorney: Richard W. Files	Date: 02/23/2024

RESOLUTION NO. R2024-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, PROVIDING FOR A CALL OF ELECTION FOR THE 2024 PRIMARY AND GENERAL ELECTIONS, DESIGNATING THE ELECTION DATES AND PURPOSE, DESIGNATING THE DEADLINE AND LOCATION FOR CANDIDATES TO FILE NOMINATION PETITIONS, AND DESIGNATING THE DEADLINE FOR VOTER REGISTRATION

WHEREAS, pursuant to Arizona Revised Statutes §16-204, the City of Yuma primary and general elections for 2024 are required to be held on July 30, 2024 and November 5, 2024, respectively; and,

WHEREAS, pursuant to the Yuma City Charter, City of Yuma elections are required to fill the offices of: three City Councilmember seats and one Municipal Judge, whose terms expire December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yuma as follows:

SECTION 1: July 30, 2024 is hereby designated the date for holding the Primary Election in the City of Yuma, Arizona, for the purpose of nominating candidates for the office of three City Councilmembers and one Municipal Judge. Pursuant to the Yuma City Charter Article IV, Section 5, any candidate receiving a number of votes constituting a majority of all the ballots cast at the Primary Election shall be declared elected to the office for which the candidate is running effective as of the date of the General Election, provided that if more candidates receive the number of votes constituting a majority of all the ballots cast than there are offices to be filled, then those candidates, equal in number of the offices to be filled receiving the highest number of votes shall be declared to be elected as of the date of the General Election.

SECTION 2: November 5, 2024 is hereby designated the date for holding the General Election in the City of Yuma, Arizona, for the purpose of electing three City Councilmembers and one Municipal Judge, if they have not been declared elected after the Primary Election, as well as other ballot items approved by City Council through a future agenda item.

SECTION 3: Nomination packets were made available to candidates seeking municipal office on the City's website and from the City Clerk's Office, located at Yuma City Hall, One City Plaza, beginning January 2024. The first day to file nomination papers is Monday, March 4, 2024 and the last day to file nomination papers is 5:00 p.m. on Monday, April 1, 2024. Candidate nomination papers are required to be filed at the City Clerk's Office in order for a candidate's name to appear on the Primary Election ballot.

SECTION 4: Yuma County registration and voting lists will be used for the Primary and General Elections. In order to be qualified to vote in the Primary Election, voters must be registered by July 1, 2024, and by October 7, 2024 to qualify to vote in the General Election.

Adopted this _____ day of _____, 2024.

APPROVED:

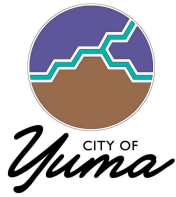
Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney



City of Yuma
City Council Report

File #: O2024-009

Agenda Date: 2/21/2024

Agenda #: 1.

Table with 3 columns: DEPARTMENT, STRATEGIC OUTCOMES, ACTION. DEPARTMENT: Planning & Neighborhood Svc, DIVISION: Community Planning. STRATEGIC OUTCOMES: Safe & Prosperous, Active & Appealing, Respected & Responsible, Connected & Engaged, Unique & Creative. ACTION: Motion, Resolution, Ordinance - Introduction, Ordinance - Adoption, Public Hearing.

TITLE:

Rezoning of Property: 1749 S. Arizona Avenue and the Northeast Corner of Riley Avenue and 18th Street

SUMMARY RECOMMENDATION:

Rezone approximately 2.82 acres from the General Commercial (B-2) District to the High Density Residential (R-3) District, while maintaining the existing Infill Overlay (IO) District, for the properties located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street. (Planning and Neighborhood Services / Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

Approval of this rezone supports residential development in the City that will be responsibly constructed, meeting all codes and requirements. This rezone assists in furthering the City Council's strategic outcomes of Safe and Prosperous and Respected and Responsible.

REPORT:

The subject properties are located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street as depicted in the ordinance. In their entirety, the subject parcels are approximately 8.19 acres. The requested rezone only relates to a portion of the properties, 2.82 acres as indicated, which were part of a Major General Plan Amendment approved on November 15, 2023, changing the land use designation from Commercial to High Density Residential.

With this request, the applicant seeks to rezone the subject areas to the High Density Residential (R-3) District, with the intent to develop the properties with a multi-family residential development, while maintaining the existing Infill Overlay (IO) District.

Some permitted principal uses in the High Density Residential (R-3) District include: one single-family dwelling, one two-family dwelling, multi-family dwellings, schools, parks, and community gardens.

Yuma City Code §154-07.03, describes the development standards required of development within the High Density Residential (R-3) District:

- 1. The density within the High Density Residential (R-3) District shall be 13 to 30 dwelling units/acres (meeting the density as identified in the General Plan);
2. The maximum lot coverage in the High Density Residential (R-3) District shall be 35% of the lot area.

An additional 5% lot coverage is permitted for common recreation buildings. The covered parking provided shall be permitted in addition to the maximum lot coverage percentages listed above, provided that the total lot coverage does not exceed 50% of the lot area;

3. A minimum front yard setback of twenty feet;
4. The minimum side yard setbacks of 7 feet;
5. A minimum rear yard setback of ten feet;
6. A minimum street side yard setback of ten feet.

The request to rezone the property from the General Commercial (B-2) District to the High Density Residential (R-3) District is in conformance with the General Plan.

On February 12, 2024, the Planning and Zoning Commission voted 7-0 to recommend the rezoning from the General Commercial/Infill Overlay (B-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District, subject to the following conditions:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance.

PUBLIC COMMENTS - EXCERPTS FROM PLANNING AND ZONING COMMISSION MEETING MINUTES:

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion:

“Motion by Lorraine Arney - Planning and Zoning Commissioner, second by Ashlie Pendleton - Planning and Zoning Commissioner to APPROVE ZONE-42076-2023 as presented.

“Motion carried unanimously, (7-0).”

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

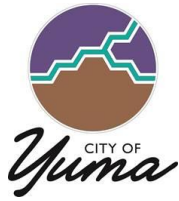
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 02/12/2023
Reviewed by City Attorney: Richard W. Files	Date: 02/09/2023



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: ERIKA PETERSON

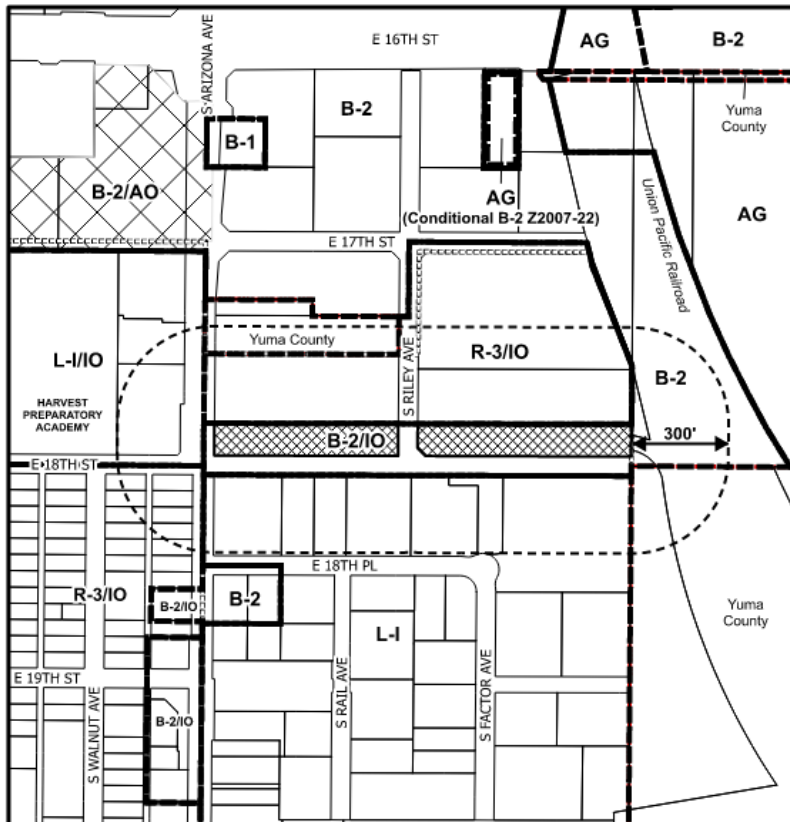
Hearing Date: February 12, 2024

Case Number: ZONE-42076-2023

Project Description/Location: This is a request by Dahl, Robins & Associates, Inc. on behalf of Bruce and Linda Butcher, to rezone approximately 2.82 acres from the General Commercial/Infill Overlay (B-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District, for a portion of the properties located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	General Commercial/Infill Overlay (B-2/IO) District	Undeveloped	High Density Residential
North	High Density Residential (R-3)	Undeveloped	High Density Residential
South	Light Industrial (L-I) District	Retail and industrial uses	Industrial
East	General Commercial (B-2) District	Union Pacific Railroad	Commercial
West	Light Industrial (L-I) District	Church	Commercial

Location Map



Prior site actions: Pre-Development Meeting: 9/29/2022; Annexation: Ordinance O2023-004 (3/17/2023); General Plan Amendment: Resolution R2023-052 (12/15/2023)

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the General Commercial/Infill Overlay (B-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-42076-2023 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council for the request to rezone approximately 2.82 acres from the General Commercial/Infill Overlay (B-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District for a portion of the properties located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street, Yuma, AZ, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The subject properties are located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street. In their entirety, the subject parcels are approximately 8.19 acres. However, the requested rezone only relates to a portion of the properties, 2.82 acres as indicated. The portion of subject properties were recently part of a Major General Plan Amendment which was approved on November 15, 2023, changing the land use designation from Commercial to High Density Residential.

With this request, the applicant is seeking to rezone the subject areas to the High Density Residential (R-3) District, with the intent to develop the properties with a multi-family residential development, while maintaining the existing Infill Overlay (IO) District.

Some permitted principal uses in the High Density Residential (R-3) District are as follows: one single-family dwelling, one two-family dwelling, multi-family dwellings, schools, parks, and community gardens.

As discussed in further detail in §154-07.03, the following are some of the main development standards required of development within the High Density Residential (R-3) District:

1. The density within the High Density Residential (R-3) District shall be 13 to 30 dwelling units/acres (meeting the density as identified in the General Plan);
2. The maximum lot coverage in the High Density Residential (R-3) District shall be 35% of the lot area. An additional 5% lot coverage is permitted for common recreation buildings. The covered parking provided shall be permitted in addition to the maximum lot coverage percentages listed above, provided that the total lot coverage does not exceed 50% of the lot area;
3. A minimum front yard setback of twenty feet;
4. The minimum side yard setbacks of 7 feet;
5. A minimum rear yard setback of ten feet;
6. A minimum street side yard setback of ten feet.

The request to rezone the property from the General Commercial (B-2) District to the High Density Residential (R-3) District is in conformance with the General Plan.

1. Does the proposed zoning district conform to the Land Use Element?

Yes.

Land Use Element:										
Land Use Designation:				High Density Residential						
Issues:				None						
Historic District:		Brinley Avenue		Century Heights		Main Street		None		X
Historic Buildings on Site:			Yes		No		X			

2. Are there any dedications or property easements identified by the Transportation Element?

Yes.

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
Arizona Avenue- Collector	40 FT HW	33 FT HW				X
18 th Street- Local	29 FT HW	30 FT HW				
Bicycle Facilities Master Plan	Arizona Avenue - Proposed bike lane					
YCAT Transit System	Arizona Avenue- Green Route 4A					
Issues:	Right-of-way dedication will be needed along Arizona Avenue.					

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan?

Yes.

Parks, Recreation and Open Space Element:									
Parks and Recreation Facility Plan									
Neighborhood Park:		Existing: Joe Henry Optimist Park				Future: Joe Henry Optimist Park			
Community Park:		Existing: Kennedy Park				Future: Kennedy Park			
Linear Park:		Existing: East Mesa Canal Linear Park				Future: "B" Canal Linear Park			
Issues:		None							
Housing Element:									
Special Need Household:		N/A							
Issues:		None							
Redevelopment Element:									
Planned Redevelopment Area:		N/A							
Adopted Redevelopment Plan:		North End:		Carver Park:		None:		X	
Conforms:		Yes		No		N/A			
Conservation, Energy & Environmental Element:									
Impact on Air or Water Resources		Yes		No		X			
Renewable Energy Source		Yes		No		X			
Issues:		None							
Public Services Element:									

Population Impacts Population projection per 2018-2022 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person	Dwellings & Type		Projected	Police	Water		Wastewater
	<i>Multi-Family</i>		Population	Impact	Consumption		Generation
	Maximum	Per Unit		Officers	GPD	AF	GPD
	84	1.6	134	0.25	27,821	31.2	9,408
	Minimum						
	36	1.6	58	0.11	11,923	13.4	4,032
Fire Facilities Plan:	Existing: Fire Station No. 3			Future: Fire Station No. 3			
Water Facility Plan:	Source:	City	X	Private	Connection:	8" PVC on Riley Ave., 36" PVC of 18 th St & 24" on Arizona Ave	
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 12" PVC on 17 th St and 12" PVC on Riley Ave	
Issues:	None						
Safety Element:							
Flood Plain Designation:	500 Year Flood			Liquefaction Hazard Area:	Yes	No	X
Issues:	None						
Growth Area Element:							
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16 th St	X	Avenue B & 32 nd St.	
	North End		Pacific Ave & 8 th St		Estancia		None
Issues:	None						

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes.

5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

Yes. A General Plan Amendment which was approved on November 15, 2023, changing the land use designation from Commercial to High Density Residential.

Public Comments Received: None Received.

External Agency See Attachment C.

Comments:

Neighborhood Meeting No Meeting Required.

Comments:

Proposed conditions delivered to applicant on: 12/28/2023

Final staff report delivered to applicant on: 1/9/2024

- Applicant agreed with all of the conditions of approval on: 1/11/2024
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant –

Attachments

A	B	C	D	E	F
Conditions of Approval	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: *Erika Peterson*

Date: 1/8/2024

Erika Peterson
Associate Planner

Erika.Peterson@YumaAZ.Gov (928)373-5000, x3071

Reviewed By: *Jennifer L. Albers*

Date: 1/9/24

Jennifer L. Albers
Assistant Director of Planning

Approved By: *Alyssa Linville*

Date: 01/11/2023

Alyssa Linville
Director, Planning and Neighborhood Services

**ATTACHMENT A
CONDITIONS OF APPROVAL**

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

Community Planning, Erika Peterson, Associate Planner, (928) 373-5000 x3071

3. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

**ATTACHMENT B
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 12/29/2023
- **300' Vicinity Mailing:** 12/4/2023
- **34 Commenting/Reviewing Agencies noticed:** 12/7/2023
- **Site Posted on:** 1/16/2024
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 1/22/2024
- **Comments due:** 12/18/2023

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	12/7/2023	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	12/7/2023	X		
Yuma County Planning & Zoning	YES	12/7/2023	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	12/11/2023	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	YES	12/28/2023		X	
Fire	YES	12/7/2023	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	12/11/2023			X
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT C
AGENCY COMMENTS**


Conditions of approval must be written in the form of a formal condition for use in staff's report. Your conditions will be used verbatim. If you also have a comment, please indicate below.

Condition(s)

No Condition(s)

Comment

Enter conditions here: Subject parcel (APN 665-37-031) is located near a known flight path. It is requested an Avigation Disclosure statement be recorded to recognize the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, and its associated flight paths. Please send a copy of the recorded easement to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE:	11 Dec 2023	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
CITY DEPT:	MCAS Yuma				
PHONE:	928-269-2103				
RETURN TO:	Erika Peterson				
	Erika.Peterson@YumaAZ.gov				

**ATTACHMENT D
NEIGHBOR NOTIFICATION LIST**

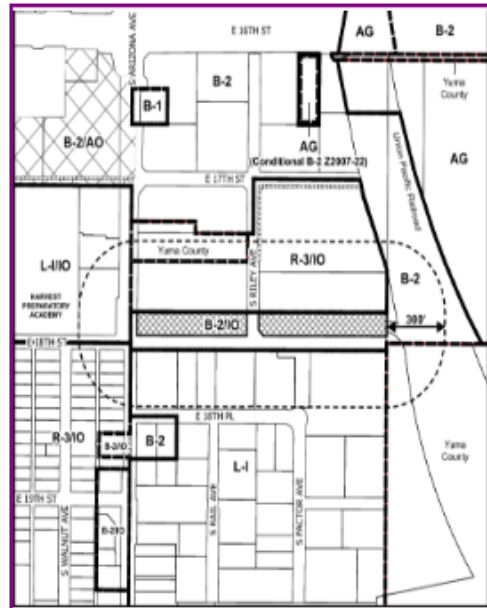
Property Owner	Mailing Address		City/State/Zip Code	
AMERICAN BUILDERS & CONTRACTORS SUPPLY CO INC	ONE ABC PARKWAY	BELOIT	WI	53511
BEJ FAMILY AZ LLC	1821 S ARIZONA AVE	YUMA	AZ	85364
BEJ FAMILY AZ LLC	1821 S ARIZONA AVE	YUMA	AZ	85364
BEJ FAMILY LLC AZ LLC	1821 S ARIZONA AVE	YUMA	AZ	85364
BEJ FAMILY LLC AZ LLC	1821 S ARIZONA AVE	YUMA	AZ	85364
CARRUTHERS JAMES R & JACQUELINE	800 E COUNTRY CLUB DR UNIT 18	YUMA	AZ	85365
CITIZENS TITLE & TRUST NO 398	1101 W 16TH ST	YUMA	AZ	85364
CITIZENS TITLE & TRUST NO 398	1101 W 16TH ST	YUMA	AZ	85364
CITIZENS TITLE & TRUST NO 398	1101 W 16TH ST	YUMA	AZ	85364
DI-MARK OF YUMA AZ LLC	660 E 18TH PL STE A	YUMA	AZ	85365
E & C NEGRONI LLC	2616 N OAKMONT DR	FLAGSTAFF	AZ	86004
HARVEST POWER COMMUNITY DEVELOPMENT	350 E 18TH ST	YUMA	AZ	85364
HUTCHESON DOUGLAS E & NANCY I JT	1813 S WALNUT AVE	YUMA	AZ	85364
MC CAIN MARTHA LOU	690 E 18TH PL	YUMA	AZ	85365
MCNEEL KAREN J ETAL	1466 S 8TH AVE	YUMA	AZ	85364
MCNEEL KAREN J ETAL	1466 S 8TH AVE	YUMA	AZ	85364
POWER HOUSE CHURCH OF YUMA INC	1798 S ARIZONA AVE	YUMA	AZ	85364
UNION PACIFIC RAILROAD CO	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179
UNION PACIFIC RAILROAD CO	1400 DOUGLAS ST STOP 1640	OMAHA	NE	68179
USA	7341 E 30TH ST STE A	YUMA	AZ	85365
USA	7341 E 30TH ST STE A	YUMA	AZ	85365
VALENZUELA MARIA DE JESUS & VERDUZCO ISRAEL FRIAS	PO BOX 223	BEARDSTOWN	IL	62618
YUMA CITY OF	1805 S WALNUT AVE	YUMA	AZ	85364
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ	85364
YUMA COUNTY FLOOD CONTROL DISTRICT	2351 W 26TH ST	YUMA	AZ	85364

**ATTACHMENT E
NEIGHBOR MAILING**

This is a request by Dahl, Robins & Associates, Inc. on behalf of Bruce and Linda Butcher, to rezone approximately 2.82 acres from the General Commercial/Infill Overlay (B-2/IO) District to the High Density Residential/Infill Overlay (R-3/IO) District, for a portion of the properties located at located at 1749 S. Arizona Avenue and the northeast corner of Riley Avenue and 18th Street, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-42076-2023**

PUBLIC HEARING
01/22/2024 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 1749 S. Arizona Avenue and the northeast corner of Riley Avenue & 18th Street, you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Erika Peterson by phone at (928) 373-5000 ext. 3071 or by email at Erika.Peterson@YumaAz.gov

ATTACHMENT F
AERIAL PHOTO



ORDINANCE NO. O2024-009

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 GENERAL COMMERCIAL/INFILL OVERLAY (B-2/IO) DISTRICT TO THE HIGH DENSITY RESIDENTIAL/INFILL OVERLAY (R-3/IO) DISTRICT, AND AMENDING THE ZONING MAP TO CONFORM WITH THE REZONING

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on February 12, 2024 in Zoning Case No: ZONE- 42076-2023 in the manner prescribed by law for the purpose of rezoning 2.82 acres of real property hereafter described to the High Density/Infill Overlay (R-3/IO) District as provided in Chapter 154 of the Yuma City Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance and manner provided by law, including publication of notice of the hearing in the Yuma Sun on December 29, 2023; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE- 42076-2023 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this rezoning, and finds that the recommendation complies with and conforms to the goals and objectives of the Yuma General Plan, as amended.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: That the following described real property, depicted in Exhibit A, attached:

(Portion of APN 665-37-018)

The South 130.00 feet of the Southeast quarter of the Northwest quarter of the Northwest quarter of Section 34, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

(Portion of APN 665-37-031)

The South 130.00 feet of the Southwest quarter of the Northwest quarter of the Northwest quarter of Section 34, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

shall be placed in the High Density Residential/Infill Overlay (R-3/IO) District, as defined by Chapter 154 of the Yuma City Code as amended; that upon this Ordinance becoming final, the described real property shall be subject to all rules, regulations and requirements

of Chapter 154 of the Yuma City Code, as amended, pertaining to the High Density Residential/Infill Overlay (R-3/IO) District and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, is ordered to be changed and amended so as to show that the real property described in this Ordinance will be located within the High Density Residential/Infill Overlay (R-3/IO) District.

SECTION 2: That the following conditions (s) must be met and/or completed in order for the zoning amendment to be final:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

SECTION 3: With the exception of Condition 2, each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a building permit or business license for this site, whichever occurs first. If the conditions of approval are not completed within the above time frame, then the rezone shall be subject to A.R.S. § 9-462.01.

Adopted this _____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

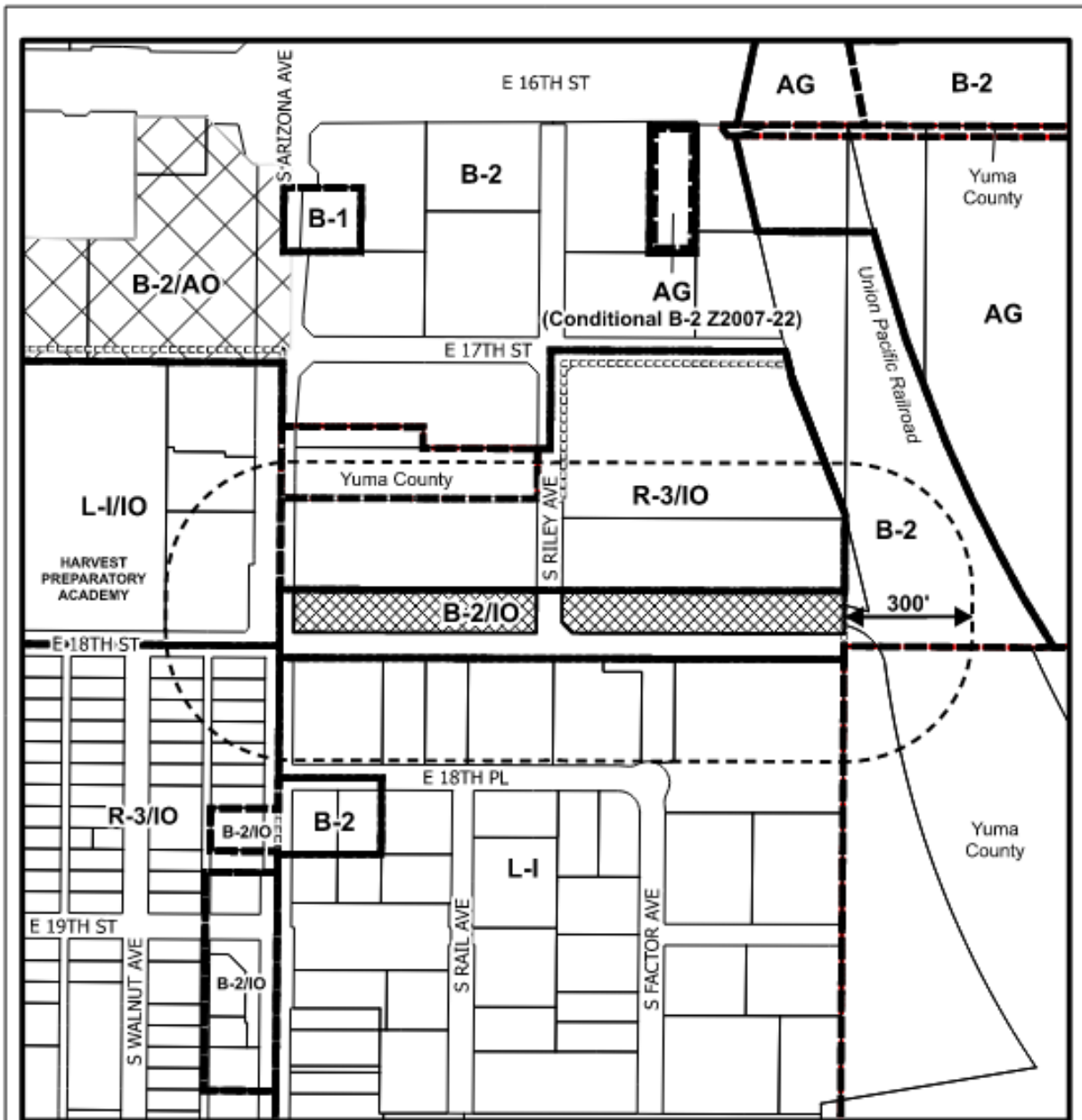
ATTESTED:

Lynda L. Bushong
City Clerk


APPROVED AS TO FORM:

Richard W. Files
City Attorney

Exhibit A



LOCATION MAP

 LOCATION OF SUBJECT PROPERTY

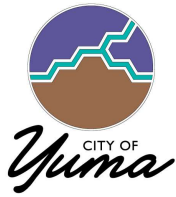


Prepared by: DG
 Checked by: EP



Date: 11/20/2023
 Revised:
 Revised:

Case #:
 ZONE-42076-2023



City of Yuma

City Council Report

File #: O2024-010

Agenda Date: 3/6/2024

Agenda #: 1.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Engineering	<input type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Motion <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance - Introduction
DIVISION: Development	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Vacation of Surplus Right-of-Way and Correction of Scrivener's Error

SUMMARY RECOMMENDATION:

Vacate a portion of right-of-way (ROW) on Arizona Avenue to the abutting land owner (T3AZ, LLC) upon negotiating a fair market-value purchase price for the vacated ROW and correct a scrivener's error contained in O2008-36 and in T3AZ, LLC's subsequent deed for the abutting land. (Engineering/ Development) (David Wostenberg)

STRATEGIC OUTCOME:

This item furthers City Council's strategic outcome of Respected and Responsible by placing unused ROW on the tax rolls and by eliminating a scrivener's error that creates a cloud on T3AZ, LLC's title.

REPORT:



Correction of Scrivener’s Error

On September 3, 2008, the City Council adopted Ordinance No. O2008-36, authorizing the City of Yuma (City) to exchange property with the Davis Family Trust whereby the City would acquire Parcel A in exchange for giving the Davis Family Trust Parcels B and C near 19th Street and Arizona Avenue.

Unfortunately, the legal description of Parcels B and C in Ordinance No. O2008-36 contains a scrivener’s error, resulting in the City erroneously retaining ownership of an 8-foot strip of land between Parcels B and C. After acquiring Parcels B and C from the City in 2009, the Davis Family Trust assumed control over all portions of Parcels B and C (including the 8-foot strip of land erroneously retained by the City) (the “Property”), and the scrivener’s error has not yet been addressed in subsequent deeds.

On August 14, 2023, the Davis Family Trust transferred ownership of the Property to T3AZ, LLC. To prevent a potential cloud on T3AZ, LLC’s title to the Property, City staff recommends issuing a quitclaim deed transferring all the City’s interest and ownership of the Property to T3AZ, LLC. This will remove the cloud on the title and stop the perpetuation of the scrivener’s error going forward.

Vacation of ROW on 19th Street and Arizona Avenue

T3AZ, LLC wants to develop a mixed use project (Project) on the Property but lacks sufficient space for its current design. T3AZ, LLC wants the City to vacate a portion of ROW along the southwest corner of 19th Street and Arizona Avenue, as depicted in Exhibit A attached to the proposed ordinance. The ROW in this area was originally acquired to facilitate the expansion of Arizona Avenue into a major arterial street, based on the 1997 Major Roadways Plan. However, the City’s 2018 Transportation Master Plan downgrades Arizona Avenue to a major collector street. Due to this change, the City Engineer believes the City has excess ROW and supports vacating the ROW identified in Exhibit A to T3AZ, LLC, provided T3AZ, LLC is willing to pay fair market value for the vacated ROW.

Upon T3AZ, LLC agreeing to pay the City fair market value for the vacated ROW, the City would quitclaim the vacated ROW to T3AZ, LLC. Before the Project begins, T3AZ, LLC would need to tie the vacated ROW to the Property through a recorded lot tie.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 100.00	BUDGETED:	\$ 100.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	

TOTAL \$ 0.00

FY 2023 City Engineering Budget		
To total; right click number & choose "Update Field"		

FISCAL IMPACT STATEMENT:

This ordinance would generate a positive fiscal impact.

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 02/27/2024
Reviewed by City Attorney: Richard W. Files	Date: 02/23/2024

ORDINANCE NO. O2024-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, DECLARING A PORTION OF RIGHT-OF-WAY SURPLUS FOR CITY USE AND VACATING TITLE TO THE ABUTTING PROPERTY OWNER UPON PAYMENT TO THE CITY OF FAIR MARKET VALUE AND CORRECTING A SCRIVENER'S ERROR

WHEREAS, the City of Yuma (City) is authorized pursuant to the Yuma City Charter, Article II, Section 2, to acquire and dispose of real property; and,

WHEREAS, Ordinance No. O2008-36 authorized the City to dispose of Parcels B and C, as depicted in Exhibit 1, to the Davis Family Trust; and,

WHEREAS, the legal description in Ordinance No. O2008-36 contained a scrivener's error resulting in the City erroneously retaining a strip of land approximately 8-feet wide along the northern boundary of Parcel B, as depicted in Exhibit 1; and,

WHEREAS, after obtaining title to Parcels B and C in Quitclaim deed, Fee # 2009-04227, the Davis Family Trust assumed control over all portions of Parcels B and C (including the 8-foot strip erroneously retained by the City) (the "Property") and, on August 14, 2023, sold the Property to T3AZ, LLC; and,

WHEREAS, the legal description of Parcels B and C (including the 8-foot strip erroneously retained by the City) is attached as Exhibit 2 and incorporated as part of this ordinance by reference; and,

WHEREAS, in addition to clearing the cloud on title created by the 8-foot strip, T3AZ, LLC wants the City to vacate that portion of right-of-way ("ROW") depicted and described in Exhibit 1 to facilitate the construction of a mixed-use project on the Property; and,

WHEREAS, Arizona Revised Statutes (A.R.S.) § 28-7205(2) and A.R.S. § 28-7208 authorizes the City to vacate portions of ROW to the "owners of the land abutting the vacated portion" upon payment to the City of consideration commensurate with the value of the right-of-way; and,

WHEREAS, the City Engineer believes the City has excess ROW and supports vacating to T3AZ, LLC the ROW depicted and described in Exhibit A, provided T3AZ, LLC is willing to pay fair market value as defined in A.R.S. § 12-1136 for the vacated ROW.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: The City Administrator is authorized and directed to correct the scrivener's error contained in Ordinance No. O2008-36 by recording a quitclaim deed transferring all the City's interest and ownership of the Property to T3AZ, LLC.

SECTION 2: The portion of ROW depicted and described in Exhibit 1, attached and incorporated by reference, is declared surplus for the City and public use and the City is authorized to record this Ordinance and a quitclaim deed transferring ownership of the vacated right-of-way to T3AZ, LLC upon T3AZ, LLC paying the fair market value for the surplus ROW.

SECTION 3: The City shall not issue any construction permit for the Property until such time as a lot tie of the vacated ROW to the Property shall be recorded in the records of the Yuma County Recorder.

Adopted this ____ day of March 2024.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk


APPROVED AS TO FORM:

Richard W. Files
City Attorney

EXHIBIT 1



 **ROW Area to be vacated**

 **Area Erroneously Retained by City due to scriveners error**

NOTE: THIS MAP IS PREPARED TO SHOW GENERAL SITE LOCATION ONLY AND REPRESENTS NO SPECIFIC DIMENSIONS RELATED TO THE SITE.



LOCATION MAP

Prepared by: Andrew McGarvie	CITY OF YUMA ENGINEERING DEPARTMENT	DATE: 2-13-2024	CIP NO.
Checked by: John LeSueur		SCALE: N.T.S	
	REVISED:		

Legal Description
(ROW to be quitclaimed)

A portion of the South half of the Southeast quarter of the Northeast quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 33, Township 8 South, Range 23 West of the Gila and Salt River Base and Meridian, City of Yuma, Yuma County, State of Arizona, also being a portion of Block 8, Sunset Heights, dated 5/19/1946, recorded in Book 3 of Plats, Page 9, Yuma County Records (YCR) and further described in Record of Survey LOTS 1-5, Block 8, Sunset Heights, dated 11/20/2008, FEE # 2008-33744, Recorded in Book 7 of Surveys, Pages 54-55, YCR, and more particularly described as follows:

Commencing at the Southeast corner of Lot 5, said Block 8, Sunset Heights subdivision;

Thence North 89°30'47" West along the South line of said Lot 5, a distance of 19.00 feet to a point, point also being the **True Point of Beginning**

Thence North 00°28'02" East along a line parallel to and 52.00 feet West of the East line of said Section 33, a distance of 75.23 Feet to a point;

Thence North 89°31'58" West, a distance of 5.00 feet to a point;

Thence North 00°28'02" East along a line parallel to and 57.00 feet West of the East line of said Section 33, a distance of 120.00 feet to a point;

Thence North 44°32'39" West a distance of 56.56 feet to a point;

Thence North 89°33'20" West along a line parallel to and 47.00 feet south of 19th Street centerline, a distance of 60.75 feet to a point lying on the West line of Lot 1, said Block 8, Sunset Heights;

Thence South 00°27'52" West along the West line of said Lot 1 a distance of 17.11 feet, to the Northwest corner of real property described as Parcel No. 1 in Quitclaim Deed, dated 2/18/2009, recorded in Fee # 2009-04227 YCR;

Thence South 89°33'20" East along the North line of said Parcel 1, a distance of 44.25 feet to a point;

Thence South 44°32'39 East along the corner triangle of said Parcel No. 1 a distance of 56.56 feet to a point;

Thence South 00°28'02 West, along the East line of Said Parcel No. 1 a distance of 106.41 feet to the Southeast corner of said Parcel No. 1, also being the Northeast corner of Parcel No. 2 described in said Quitclaim deed dated 2/18/2009, recorded in Fee # 2009-04227, YCR;

Thence South 00°28'02" West along the East line of said Parcel No. 2, a distance of 13.59 feet to a point;

Thence South 89°31'58" East a distance of 5.00 feet to a point;

Thence South 00°28'02" West along the East line of said Parcel No. 2, a distance of 58.10 feet to the Southeast corner of said Parcel No. 2;

Thence South 89°30'47" East along the South line of said Lot 5 described in said Record of Survey, a distance 16.50 feet to the **True Point of Beginning**.

Containing 5,409.045 square feet, or 0.124 acres, more or less.

Description Verified By:	Andrew McGarvie
City Engineering Department	2/13/2024

EXHIBIT 2

Legal Description

Parcels B and C (including the 8-foot strip erroneously retained by the City)

A parcel of land being a portion of lots 1 through 5, block 8, Sunset Heights subdivision, as recorded in Book 3 of Subdivision Plats, Page 9, dated March 1, 1946, records of the Yuma county Recorder, City of Yuma, Yuma County, Arizona, and being more particularly described as follows:

Beginning at the East quarter corner of Section 33, Township 8 South, Range 23 West, of the Gila and Salt River Base and Meridian;

Thence North 00°28'02" East along the section line a distance of 380.07 feet to a point on the East line of said Section 33;

Thence North 89°30'47" West a distance of 33.00 feet to the Southeast corner of Lot 5;

Thence North 89°30'47" West along the South line of Lot 5 a distance of 35.50 feet to the **True Point of Beginning**;

Thence North 00°28'02" East along a line parallel with the East line of said Section 33 a distance of 58.10 feet;

Thence North 89°31'58" West a distance of 5.00 feet;

Thence North 00°28'02" East along a line parallel with the East line of said Section 33 a distance of 120.00 feet;

Thence North 44°32'39" West a distance of 56.56 feet;

Thence North 89°33'20" West a distance of 44.25 feet to a point on the West line of Lot 1;

Thence South 00°27'52" West a distance of 218.04 to the Southwest corner of Lot 5;

Thence South 89°30'47" East along the South line of Lot 5 a distance of 89.24 feet to a point being 68.50 feet west of the East line of said Section 33 and the **True Point of Beginning**.

Containing a gross area of 17,862.20 square feet or 0.410 of an acre.

Description Verified By:	Andrew McGarvie
City Engineering Department	2/13/2024