



City of Yuma City Council Meeting Agenda

Wednesday, February 4, 2026

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.

ROLL CALL

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 2026-033](#) **Regular Council Meeting Draft Minutes November 5, 2025**

Attachments: [2025 11 05 RCM Minutes](#)

2. [MC 2026-034](#) **Regular Council Meeting Draft Minutes January 7, 2026**

Attachments: [2026 01 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 2026-023](#) **Bid Award: Emergency Dispatch Backup Center**

Award a construction services contract for Emergency Dispatch Backup Center to the lowest responsive and responsible bidder in the amount of \$805,201.81 to Yuma Valley Contractors Inc., Yuma, Arizona (Engineering-RFB-26-149) (David Wostenberg/Robin R. Wilson)

2. [MC 2026-024](#) **Declaration and Bid Award: Sale of Firearms**

Declare surplus and award sale of firearms to the highest responsive and responsible offer for the Sale of Firearms (100) for a total of \$14,703.61 from the following vendors: ProForce Marketing, Inc. Prescott, AZ, \$13,613.61 and Spragues Sports LLC., Yuma, AZ, \$1,090.00. (Police Department - RFO-26-129) (Thomas Garrity/Robin R. Wilson)

3. [MC 2026-025](#)**Cooperative Purchase Agreement: Institutional Custody Banking Services**

Authorize the use of a City of Mesa cooperative purchase agreement for institutional custody services, one-year professional services contract, with the option to renew annually for up to four additional years. Renewals contingent upon funding appropriations and satisfactory performance to U.S. Bank National Association of Cincinnati, Ohio. (Finance-CPA-26-185) (Douglas Allen/Robin R. Wilson)

4. [MC 2026-026](#)**Cooperative Purchase Agreement: Investment Banking Services**

Authorize a one-year professional services contract for Investment Banking Services with the option to renew annually for up to four additional years through a Crane School District Cooperative Purchase Agreement. Renewals are contingent upon funding appropriations and satisfactory performance to Stifel, Nicolaus & Company, Inc. of Phoenix, Arizona. (Finance-CPA-26-177) (Douglas Allen/Robin Wilson)

5. [MC 2026-027](#)**Contract Award: Professional Architectural Services (On-Call)**

Award a one-year contract with the option to renew for up to four additional years, one year at a time, depending on the appropriation of funds and satisfactory performance, for Professional Architectural Services on a Delivery Order basis to the following five firms: GH2 Architects LLC, Scottsdale, Arizona, GLHN Architects & Engineers, Tucson, Arizona, Nicklaus Engineering, Inc, Yuma, Arizona, Perlman Architects, Phoenix, Arizona, Thompson Design Architects, Yuma, Arizona. (Engineering-RFQ-26-122) (David Wostenberg/Robin R. Wilson)

6. [MC 2026-028](#)**Grant Acceptance: Arizona Department of Public Safety Local Border Support**

Authorize acceptance of a \$971,723.75 grant agreement (DPS Contract # 2025-353) between the Arizona Department of Public Safety and the City of Yuma through the Police Department for equipment and software. (Police/Administration) (Thomas Garrity)

Attachments:

[1. AGMT DPS and YPD Local Border Support](#)

7. [MC 2026-029](#) **Grant Acceptance: Arizona Department of Public Safety Anti-Human Trafficking Fund**
Authorize acceptance of a \$11,500 grant agreement (DPS Contract # 2025-306) between the Arizona Department of Public Safety and the City of Yuma through the Yuma Police Department for equipment and software. (Police/Administration) (Thomas Garrity)
- Attachments:** [1. AGMT AZ DPS AHTF](#)
8. [MC 2026-030](#) **Declare Surplus and Authorize Donation: Police Motorcycle**
Authorize the donation of a surplus police motorcycle to the Sierra Vista Police Department. (Finance/Police) (Thomas Garrity/Robin R. Wilson)
- Attachments:** [1. SUPP Sierra Vista Consideration Letter](#)
9. [MC 2026-031](#) **Ratification of Purchase Order: Emergency Pavement Replacement, 1st Avenue**
Ratify and approve a Purchase Order issued to Gutierrez Canales Engineering, PC - Yuma, Arizona in the amount of \$157,646.00 for the emergency pavement replacement on 1st Avenue. (Engineering RFQ-22-089) (David Wostenberg/Robin R. Wilson)

II. 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. [O2026-005](#) **Right-of-Way Vacation and Property Exchange: Cha Cha, L.L.C.**
Authorize vacation of the north half width of 42nd Street (County 12¼ Street) right-of-way in exchange for fee title to the west half of the Avenue 4½ E right-of-way with Cha Cha, L.L.C. (Engineering) (David Wostenberg)
- Attachments:** [1. MAP ROW Vacation and Exchange Cha Cha,LLC an AZ LLC](#)
[2. ORD ROW Vacation and Exchange Cha Cha,LLC an AZ LLC](#)
[3. QCD ROW Vacation and Exchange Cha Cha,LLC an AZ LLC](#)
[4. DEED ROW Vacation and Exchange Cha Cha,LLC an AZ LLC](#)

2. [O2026-006](#)**Approve the Housing Authority of the City of Yuma (HACY) Acquisition, Development and Operation of an Affordable Housing Apartment Complex, Tentatively known as Vista Apartments**

Authorize the Housing Authority of the City of Yuma (HACY) to: (1) undertake acquisition and ownership of the former Vista Alternative High School site (Property), subject to an affordable housing covenant; (2) form a project-based 501(c)(3) non-profit entity (HACY 501(c)(3) Non-Profit) which, together with the Arizona Housing Development Corporation (AHDC) will form a managing member entity which will then form an ownership entity for the apartments (Ownership Entity); (3) enter into an option for a long-term ground lease for the Property between HACY as the lessor and Ownership Entity as the lessee and should the Ownership Entity exercise the option, to enter into a long term ground lease; and (4) enter into a Development Consulting Agreement with Gorman & Company through the Ownership Entity, to facilitate development of the Vista Apartments as a proposed three phase, 200-unit, low-income housing tax credit (LIHTC) project (Project). (Community Development /Neighborhood and Economic Development) (Cynthia Blot)

Attachments:[1. ORD HACY](#)**III. LIVINGSTON RANCH WALL**

This agenda item covers the adoption of Ordinance O2026-004, which vacates the right-of-way and allows the City to sell the surplus property to the adjacent landowners to expand their backyards; followed by a Bid Award for the construction of the block wall.

1. [O2026-004](#)**Vacation and Authorization to Sell Surplus Property: Livingston Ranch Phase I**

Vacate 1,457 feet of 30-foot right-of-way north of Livingston Ranch Phase I and authorize the City of Yuma to sell the surplus property to adjacent landowners in Livingston Ranch. (Community Development) (Alyssa Linville)

Attachments:[1. MAP Vacation/Sale of Property: Livingston Ranch Phase 1](#)[2. ORD Vacation/Sale of Property: Livingston Ranch Phase 1](#)

2. [MC 2026-015](#)**Bid Award: Livingston Ranch Wall**

Authorize a bid award for the construction of a block wall in the Livingston Ranch subdivision, to the lowest responsive and responsible bidder in the amount of \$128,923.50 to Maya's Construction, Yuma, Arizona. (Engineering RFQ-25-090) (David Wostenberg/Robin R. Wilson)

IV. PUBLIC HEARING AND RELATED ITEMS1. [MC 2026-032](#)**Annexation Area No. ANEX-44726-2025 Livingston Ranch Unit Nos. 5-7**

This is a public hearing to consider the annexation of property located at the northwest corner of 38th Street and Avenue C. (ANEX-44726-2025). (Community Development/Community Planning) (Alyssa Linville)

Attachments:[1. PET Annex: Livingston Ranch Unit Nos. 5-7](#)[2. MAP Annex: Livingston Ranch Unit Nos. 5-7](#)[3. PZ RPT Annex Livingston Ranch Unit Nos. 5-7](#)**V. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Discussion and possible action on the following items:

1. Appointments:

- Library Board of Trustees

2. 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 January 22, 2026 through February 4, 2026. 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.

3. 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.

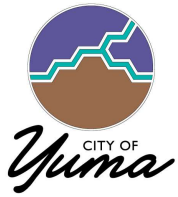
VIII. EXECUTIVE SESSION

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 and/or direction to legal counsel regarding the lawsuit of Quinn v. City of Yuma. (A.R.S. §38-431.03 A3 & A4)

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 2026-033

Agenda Date: 2/4/2026

Agenda #: 1.

Regular Council Meeting Draft Minutes November 5, 2025

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
NOVEMBER 5, 2025
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:34 p.m.

INVOCATION/PLEDGE

Samuel G. Loveless, Second Councilor in the Yuma Arizona Stake Presidency, The Church of Jesus Christ of Latter-day Saints, gave the invocation. **Justin Lewis**, Director of Facilities Management, led the City Council in the Pledge of Allegiance.

FINAL CALL

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

ROLL CALL

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

I. MOTION CONSENT AGENDA

Motion (McClendon/Morales): To approve the Motion Consent Agenda as recommended. Voice vote: **approved 7-0.**

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

Regular Council Meeting Minutes	September 3, 2025
Regular Council Worksession Minutes	September 16, 2025
Regular Council Worksession Minutes	September 30, 2025

B. Executive Session

Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Atty)

C. Approval of Staff Recommendations

1. Authorize the award for a one-year locksmith supplies and services contract with the option to renew for four additional one-year periods, one year at a time, at an estimated annual expenditure of \$40,000.00, depending on the appropriation of funds and satisfactory performance, to G&T Locksmith Safe Co., Yuma, Arizona. (RFB-25-207) (Fac/Purch)
2. Authorize the purchase of six AXS dispatch consoles, 16 backup radios and related equipment and services, for the Emergency Dispatch Backup Center using a Cooperative Purchase Agreement through the State of Arizona, from Motorola Solutions, Chicago, Illinois for a total expenditure of \$834,041.45. (CPA-26-120) (Eng/YPD/Purch)
3. Authorize the purchase of five annual renewals of the Bonfire Procurement Software Subscriptions from Euna Solutions, Inc., Sandy Springs, Georgia, utilizing a Cooperative Purchase Agreement through Sourcewell contract, for an estimated annual expenditure of \$44,522.00. (CPA-26-130) (IT/Purch)
4. Authorize the purchase of Automated License Plate Readers (ALPR) and subscriptions utilizing a Cooperative Purchase Agreement originated by Houston-Galveston Area Council, for a five-year agreement with Motorola, Chicago, Illinois for an estimated amount of \$130,094.40. (CPA-26-115) (YPD)
5. Authorize the purchase and delivery of Decorative Light Poles and Decorative Lighting for the 200 block of Main Street through WESCO Distribution, Phoenix, Arizona utilizing the Sourcewell Contract for an expenditure of \$151,210.24. (CPA-26-140) (Eng/Purch)
6. Authorize the purchase of 9-1-1 Call Handling Equipment and Services for the Emergency Dispatch Backup Center using a Cooperative Purchase Agreement through the State of Arizona, from vendor AT&T, Bedminster, New Jersey for total expenditure of \$394,655.78. (CPA-26-142) (Eng/YPD/Purch)
7. Authorize the purchase of one Pierce Velocity PUC Pumper, utilizing the Cooperative Purchase Agreement originated by the Houston-Galveston Area Council, at a cost of \$1,431,037.83 to: Hughes Fire Equipment, Inc. / Pierce Manufacturing, Inc., Appleton, Wisconsin. (CPA-26-126) (YFD/Purch)
8. Authorize the City Administrator to execute Change Order No. 1 to the construction management services contract for the Desert Dunes Water Reclamation Facility Capacity Increase Project in the amount of \$1,727,603.20 for a total cost not to exceed \$4,346,471.20 to Consultant Engineering Inc. (CEI) of Phoenix, Arizona. (RFQ-22-201) (Eng/Purch)
9. Authorize a contract increase for additional bid alternates to East Mesa Community Park, Phase 1, from bond and donation funding in the amount of \$3,018,556.03 for a total expenditure of \$20,971,593.72 to Gutierrez Canales Engineering, PC, Yuma, Arizona. (RFQ-23-258) (Utl/Eng/Purch)
10. Authorize the donation of various safety equipment that is no longer needed at the Yuma Fire Department to the Los Algodones, Mexicali B.C. Fire Department. (YFD/Purch)

11. Authorize the renewal of the annual software subscription for a total expenditure of \$179,965.61 to: Tyler Technologies, Inc., Dallas, TX. (RFP 2011000118) (Fin/IT/Purch)
12. Authorize the City Administrator to execute all necessary documents to adopt the Mutual Aid Agreement between the City of Yuma, on behalf of the Yuma Fire Department, and Rural Metro Fire Department, Inc., for cooperative fire protection and emergency medical services. (YFD)
13. Approve the final plat for the Livingston Ranch Unit No. 4 Subdivision. The property is located at the northeast intersection of 38th Street and the Avenue B ½ alignment. (Cmty Dev/Cmty Plng)
14. Approve the final plat for Desert Sands Unit 5 Subdivision. The property is located near the intersection of 45th Street and Buckthorn Drive. (Cmty Dev/Cmty Plng)
15. Ratify settlement of the claim submitted by Josefina Mendoza. (Atty)

II. RESOLUTION CONSENT AGENDA

Resolution R2025-099 – Order Improvements: Municipal Improvement District No. 129 Desert Ridge Townhomes (order improvements for Municipal Improvement District (MID) No. 129 to serve Desert Ridge Townhomes, to maintain landscaping improvements within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures (Landscape Improvements); declaring the Landscape Improvements to be of more than local or ordinary benefit, and that the costs of the Landscape Improvements for MID No. 129 shall be assessed upon the properties in MID No. 129 shall be assessed upon the properties in MID No. 129 according to acreage; providing that the proposed Landscape Improvements shall be performed in accordance with Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2) (Cmty Dev/Cmty Plng)

Morris declared a conflict of interest on Resolution R2025-099 and left the dais.

Motion (Smith/McClendon): To adopt Resolution R2025-099 as recommended.

Bushong displayed the following title(s):

Resolution R2025-099

A resolution of the City Council of the City of Yuma, Arizona, ordering improvements for Municipal Improvement District No. 129, serving Desert Ridge Townhomes to operate, maintain and repair landscaping improvements included within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures of Desert Ridge Townhomes, as more particularly described in this resolution, and declaring the landscape improvements to be of more than local or ordinary public benefit, and the cost of the landscape improvements shall be assessed upon Municipal Improvement District No. 129; improvements shall be performed under Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2 (located at the southeast corner of Avenue 7½ E and 24th Street) (Cmty Dev/Cmty Plng)

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

Morris returned to the dais.

Motion (Morris/Morales): To adopt the Resolution Consent Agenda as recommended with the exception of Resolution R2025-099 which was approved by a previous vote.

Bushong displayed the following titles:

Resolution R2025-094

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the adoption and execution of a Wastewater Treatment Service Agreement with the Winterhaven County Water District (district may discharge an average daily flow of up to 55,000 gallons per day of wastewater to the Figueroa Avenue Water Pollution Control Facility for treatment) (Utl)

Resolution R2025-096

A resolution of the City Council of the City of Yuma, Arizona, supporting the application for “Arizona Commerce Authority (ACA) Economic Strength Project (ESP) Grant” to implement the roadway improvement project (funds to advance the design and construction of the roadway near Interstate 8 and Avenue 4E) (Cmty Dev/Nbhd Svcs)

Resolution R2025-097

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving a development agreement permitting the deferral of City of Yuma Development Fees and Water and Sanitary Sewer Capacity Charges for Saguaro Unit No. 6 Subdivision (deferral for a period of three years upon collection of a \$500.00 administrative fee) (Eng)

Resolution R2025-098

A resolution of the City Council of the City of Yuma, Arizona, authorizing an Intergovernmental Agreement between the Arizona Department of Housing and the City of Yuma for the enforcement of installation standards for manufactured homes and factory-built buildings (assisting Arizona Department of Housing with inspections of manufactured homes and factory-built buildings to ensure consistency with the installation standards) (Cmty Dev/Bldg Sfty)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Speaker

Tom Pancrazi, City resident, expressed concern about the requirement for a Conditional Use Permit (CUP) when a permitted use is within 600 feet of residential property. He noted that this creates delays and costs for industrial users, especially as residential development encroaches on industrial areas. He recommended removing this requirement to make the process smoother and fairer for existing industrial properties.

Discussion

- When an industrial property is located within 600 feet of a residential property it is required to obtain a conditional use permit for any industrial use. This requirement applies to both residential zoning districts and residential uses. (**Mayor Nicholls/Linville**)
- Any Industrial Use within the Light Industrial zoning would require a CUP, including businesses coming in to replace existing businesses, both within Light Industrial zoning. (**Morris/Linville**)

- The section of the code has been around for many years. There was an update around 2017 to add the requirements for both residential zoning and residential use, fixing issues of properties zoned residential when in fact were not residential in nature. **(Morris/Linville)**
- The City of Yuma contains a great amount of legacy industrial zoning surrounded by residential areas. Therefore, causing concern among staff if the zoning is removed entirely. **(Morris/Linville)**
- At least one hazardous recycling facility located near residential areas has been previously denied a CUP. However, there are significant industrial zones along 8th Street and 14th Avenue, mingled with residential areas and we have also had several Community Improvement Projects (CIPs) in that region, and none have been denied. **(Morris/Linville)**
- The ordinance can be adopted tonight, and the code can be modified at a future date to allow for a more in-depth discussion about the code. **(McClendon/Simonton)**
- There are possibilities for additional approvals beyond a zoning modification. It is possible to implement blanket Conditional Use Permits (CUPs) for specific industrial properties, allowing them to avoid the need for a CUP every time a new use is introduced. This approach has been utilized in other cases. **(Watts/Linville)**
- A property operating commercial use with commercial zoning and within 600 feet of residential property does not need a CUP. **(Morris/Linville)**

Motion (Morris/Mayor Nicholls): To adopt the Ordinances Consent Agenda as recommended.

Bushong displayed the following title(s):

Ordinance O2025-038

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, relating to zoning code to update development regulations and expand the allowable uses within the Light Industrial (L-I) and Heavy Industrial (H-I) zoning districts (text amendment will update the list of permitted, conditional, and prohibited uses within the Light Industrial (L-I) and Heavy Industrial (H-I) Zoning Districts) (Cmty Dev/Cmty Plng)

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

IV. INTRODUCTION OF ORDINANCES

Bushong displayed the following title(s):

Ordinance O2025-044

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and approving a lease of City-owned property with Yuma Multiversity Campus Corporation, DBA Elevate Southwest, A 501-C3 non-profit Arizona Corporation (interim use of the vacant facility activates a City-owned property while advancing the long-term vision for a regional Innovation Hub) (Admn)

Ordinance O2025-045

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 (rezoning three properties along 1st Avenue between 12th Street and 13th Street. Approximately 1.29 acres) (Cmty Dev/Cmty Plng)

Ordinance O2025-046

An ordinance of the City Council of the City of Yuma, Arizona, creating Title 19, Chapter 196 of the Yuma City Code relating to cross-connection control; repealing conflicting provisions; and establishing a penalty for violations thereof (moving regulatory provisions from a resolution to a municipal ordinance) (Utl)

V. PUBLIC HEARING AND RELATED ITEMS

MC 2025-174 – Annexation Area No. ANEX-44331-2025 Cha Cha, LLC (This is a public hearing to consider the annexation of properties located west of the southwest corner of 40th Street and Avenue 4 ½ E.) (ANEX-44331-2025) (Cmty Dev/Cmty Plng)

Mayor Nicholls opened the public hearing at 6:00 p.m.

Peterson presented the following information:

- This is an annexation request from Cha Cha, LLC for property located west of the southwest corner of 40th Street and 4 ½ E with the intent to market the site for industrial development
- Annexation area is approximately 65.86 acres that were previously used as citrus groves
- The annexation area contains four parcels, the adjacent 40th Street right-of-way and Avenue 4 ½ E right-of-way.
- The four parcels are respectively owned by
 - Cha Cha, LLC, parcel 724-02-003, which is undeveloped
 - Tangerine & Tonic, LLC, parcel 724-01-007, citrus groves
 - * Subject of Pre-annexation Development Agreement: R2025-77, adopted July 16, 2025
 - JD&B Yuma R P, LLC, parcel 724-09-002, citrus groves
 - * Subject of Pre-annexation Development Agreement: R2025-80, adopted August 6, 2025
 - Humane Society of Yuma, Inc., parcel 724-02-004, is undeveloped
 - * This parcel is included in the annexation process to provide a seamless annexation
- General Plan land use designation: Agriculture/Industrial
- County Zoning: Light Industrial (L-I) and Rural Area 10 (RA-10)
- Zoning upon annexation:
 - Light Industrial (L-I) for APNs 724-02-003 and 724-02-004
 - Agriculture (AG) for APNs 724-09-002 and 724-01-007
- Infrastructure: Future connections to City utilities will be required

Motion (Smith/McClendon): To close the Public Hearing. Voice vote: **approved** 7-0. The Public Hearing closed at 6:02 p.m.

Discussion

- Any new developments would prompt infrastructure to be put in place. The parcel owner who will develop on the single parcel is required to extend any needed utilities. The roads on 40th Street are currently paved and any sections inside the parcels would be the responsibility of the property owner. If annexing the full right-of-way, the City can maintain them. How long before the development is to take place is unknown at this time. (**Morris/Peterson**)

Resolution R2025-100 – Minor General Plan Amendment: Southwest Corner of 17th Street and Madison Avenue (Following a public hearing, approve the request to amend the City of Yuma General Plan to change the land use designation from Mixed Use to High Density Residential) (Cmty Dev/Cmty Plng)

Morris declared a conflict of interest on Resolution R2025-100 due to his firm's involvement with the project and left the dais.

Mayor Nicholls opened the public hearing at 6:04 p.m.

Peterson presented the following information:

- This is a minor general plan amendment for the property located on the southwest corner of 17th Street and Madison Avenue
- Property currently zoned Light Industrial
- Proposed Change: Mixed Use to High Density Residential
- Area is approximately .48 acres in size
- Surrounding Land Uses:
 - North: Light Industrial
 - South: Light Industrial
 - East: Light Industrial and Low Density Residential
 - West: Light Industrial
- Development Potential:
 - Pursue a rezone to High Density Residential (R-3) for multi-family dwellings
 - Dwelling Units – Potential development of 14 dwelling units
 - Population – Potential expected population of 11 to 25 people
- Neighborhood Meeting
 - August 7, 2025, at City Hall
 - Neighbors within 660 feet of property notified
 - Nine neighbors in attendance
 - Seventeen neighbors called or emailed letters in opposition
 - Comments regarding compatibility, traffic, noise, parking
- Subject property is within the General Plan's Mesa Heights revitalization area and Arizona Avenue and 16th Street growth area which both encourage infill development that can be served by existing infrastructure in the area
- Community Planning staff recommended approval of this request
- The Planning and Zoning Commission recommended denial of this request at the Public Hearing on October 13, 2025

Speakers

Amanda DeLara, City resident, expressed concerns about the proposed residential development near her workplace, CrossFit Yuma, located in the southwest corner from the property in question. She cited high traffic volumes, including frequent 18-wheeler activity, and significant noise from the gym operating from 5 a.m. to 8 p.m. as factors that could negatively impact residents' quality of life. She urged the Council to consider the potential effects on families with young children and overall neighborhood safety before approving the amendment.

Maribel Acosta, City resident, and owner of Anthony A. Martino & Co. (AAMCO) Transmissions, located at the corner of First Avenue and 17th Street, expressed concerns about the proposed amendment's impact on her long-standing business of 45 years. She cited potential issues with reduced parking and customer access. She also mentioned a recent incident involving a police complaint about a blocked driveway, which she believes may have stemmed from a lack of communication with the project developer. **Acosta** noted that the developer has not engaged with neighboring businesses or shared project plans. She also raised concerns about how changes to CUP (Conditional Use Permit) regulations could affect future business decisions, such as leasing or selling. She concluded by stating that the project may lead to increased conflict and is not compatible with the existing business environment.

Jennifer Ingram, City resident, shared concerns about traffic and safety near her workplace due to current congestion and the potential impact of a new apartment complex. AAMCO uses 17th Street for overflow parking and vehicle testing because of limited space. She noted that the area already sees heavy traffic from construction, school buses, and business activity. She's especially worried about the safety of children if more residents move in, and how new traffic rules like crosswalks could further reduce available space. She emphasized that AAMCO has been part of the neighborhood for 45 years and asked that these safety and operational concerns be considered.

Keith Dennis, City resident, expressed concerns about the proposed development near his property, which has been in his family since 1958. Although his construction business has slowed, the property is still used by tenants operating large trucks, including refrigerated semis that run continuously. He emphasized safety concerns on 17th Street, which is narrow and heavily used by trucks and parked vehicles. He also raised concerns about future property value impacts and the added burden of CUP requirements if he decides to sell. While supportive of affordable housing in general, **Dennis** believes this location is not a good fit due to the surrounding businesses and traffic conditions.

Patrick K. Hodges Jr., City resident, stated that the proposed residential development is not compatible with the surrounding area, which is primarily zoned for light industrial use. He noted that while a few nearby homes were rezoned in the past for financing purposes, the neighborhood has maintained a cooperative, business-focused environment. He expressed concern that new residents may complain about existing industrial noise, such as from nearby CrossFit operations, which could unfairly impact current businesses.

Tom Pancrazi, City resident, opposed the proposed residential development, citing incompatibility with nearby industrial uses. He expressed concern about noise complaints from future residents due to early-morning activity at the CrossFit facility, including music and equipment noise. He noted that the Zoning Code offers little protection for existing businesses and that the project would create costly burdens, delays, and potential property devaluation. **Pancrazi** emphasized his long-standing involvement in local housing projects and urged the City Council to find a more suitable location for this development.

Jose Salazar, City resident, and owner and developer of the property in question, spoke in support of the rezoning. He stated that the proposed high-density housing aligns with the City's 2022 General Plan goals, including affordable and diverse housing in redevelopment areas. He noted the site has existing infrastructure and is surrounded by residential uses, making the current light industrial zoning outdated. **Salazar** emphasized that rezoning is key to encouraging housing development and that noise concerns can be addressed during the design process. He is committed to working with City staff to optimize the project.

Motion (Morales/Watts): To close the Public Hearing. Voice vote: **approved** 7-0. The Public Hearing closed at 6:27 p.m.

Discussion

- While the property is being considered for high-density zoning, the final number of units will be determined based on what is realistically feasible. (**McClendon/Salazar**)
- A blanket Conditional Use Permit (CUP) could be applied to the interested property owners to identify allowable uses now and in the future to continue their existing operations, future sales, or to lease for other commercial uses. This has been done in other areas of the community. (**Nicholls/Linville**)
- If a property is purchased with an existing CUP, and the intended use matches the approved use under that permit, the new owner may continue operating under the existing CUP. (**Smith/Linville**)
- CUP might be a short-term option, but CUP's lack long-term protection, and they expire. A Development Agreement with the City is preferred to provide long-term protection. It is also preferred to include commercial uses to avoid needing a CUP. (**Smith/Pancrazi**)
- If a CUP does not continue to be used for a period of one or two years, the CUP will expire. (**Mayor Nicholls/Linville**)
- A few CUP's have previously been processed through development agreements. This process will help address concerns about the permit's long-term stability. (**Mayor Nicholls/ Files**)
- A property wall has been discussed in relation to the noise from the CrossFit building. The wall is a standard-height block wall, and the building uses modern, sound-absorbing materials to help with blocking out noise. Also, it was noted that tenants would be informed prior to signing a lease that the business operates during specific hours, ensuring transparency. There was also a suggestion that tenants might be gym members themselves, which could reduce potential complaints. (**Watts/Salazar**)
- In 2021 the legislature repealed the renters tax credit. The statute currently states that only the property owner, specifically those who own the property out right, can request relief for nuisances or seek a rebate on property taxes. Also, the statute is very specific about what issues it covers. It targets certain areas like public alcohol consumption, but noise is not included. There's no case law that has expanded it to cover noise. While someone could try to argue for that, it hasn't happened yet. Generally, statutes are interpreted based on what they explicitly say, not what they might imply. (**Mayor Nicholls/Files**)
- After reviewing the proposition, it was speculated if noise could be considered "offensive to the senses." It seems possible a lawyer might argue that. While renters may not qualify for credits, property owners could, especially if noise affects their ability to rent out spaces—whether from the gym, mechanics, or other nearby sources. (**Smith**)
- General Plan amendments are not conditioned. Conditions would be added at the zoning state. The conditions could run with land in the event the property is sold. (**Mayor Nicholls/Linville**)
- The proposal will add eight or nine housing units to the area, but the high-density development on the corner could negatively impact the existing businesses where owners have heavily invested and also provided jobs to families, especially the industrial activity and mechanics. The significant opposition from the community to amend the General Plan has been taken into consideration and as the proposal currently stands the amendment would not be allowed. (**Morales**)

- Delaying the amendment for the opportunity to get a blanket CUP seems to be a good middle ground. Salazar will have to wait a little longer for his project, but at least the process will be started on the CUP. (**Mayor Nicholls**)
- There are a few items Salazar still needs to address from the Pre-Development meeting before the amendment is voted on, giving the impression that there is not a rush on the project. Therefore, delaying the project is supported. (**Morales**)
- Property owners within 600 feet of the project area can be included in the blanket CUP if they choose to participate. Hence why the project will be delayed instead of approved, giving property owners the opportunity to participate in the blanket CUP. (**Smith/Mayor Nicholls**)
- Salazar attended both the public hearing and the planning and zoning meetings. Residents in the area did not attend the meetings or provide input about the project, it was mostly the business owners in the area that provided their thoughts. (**Martinez/Salazar**)
- Potential residents will be made aware of the noise from the surrounding businesses before signing a rental agreement. (**Martinez/Salazar**)
- Appreciation was expressed to allow further discussion/clarification of the process, as well as addressing the potential impacts raised by the business owners. City Council recognizes the importance of affordable housing and views this as a possible opportunity to add more attainable units (**Martinez**)
- The mixed use land use designation currently permits several zoning districts. One of those zoning districts is the R-2, which is the medium density residential that does permit duplexes and some multifamily housing with the mixed use land use designation. The developer for this property would get between five and 10 dwelling units an acre, so the property owner could choose to rezone the property to a zoning district that is permitted by right within that land use designation to R-2. (**McClendon/Peterson**)
- The land use designation for the property is currently mixed use. If the designation is left as is, the developer will need to rezone the area to build any residential dwellings as it is currently zoned as light industrial. However, R-2 is a zoning district permitted by right within the land use designation of mixed use. (**McClendon/Peterson**)
- Parking spaces per unit are based on the number of bedrooms each unit would have. A two-bedroom unit would require a one and a half parking space. Required parking must be maintained on site for multifamily development. Working with Salazar on previous projects, he provides two parking spaces per unit. (**Mayor Nicholls/Peterson**)
- It should be cautioned to label the proposal as affordable housing, noting there is no guarantee of affordability and that details such as whether units would be market rate or HUD-subsidized remain unclear. While acknowledging the addition of housing units, it is questioned whether the project would address the City's housing or affordable housing challenges. Input from the applicant and local businesses is appreciated, but without a delay for further review, the proposal will not be supported at this time. (**Smith**)

Motion (Mayor Nicholls/Smith): To delay the decision on resolution R2025-100 to the December 3, 2025, City Council meeting. Voice vote: **approved** 6-0-1, **Morris** abstaining due to conflict of interest.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Appointments – No appointments were made at this time.

Announcements

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

- Arizona Western College (AWC) Soiree
- Good Morning Yuma
- Harvest Preparatory Academy Hispanic Heritage Month Concert
- Western Area Council of Governments Monthly Meeting
- Annual Transportation Policy Summit
- Emmanuel Southern Baptist Church
- La Paz Pitch Competition at AWC
- Cocopah Indian Tribe Last Beam Ceremony
- Opening of New Somerton Family Resource Center
- Yuma Metropolitan Planning Organization Monthly Meeting
- Coffee with a Copy at Mostly Muffins
- Yuma County Anti-Drug Coalition Meeting
- Amberly's Place Luncheon
- An Evening with Dean Johnson: Shaping the Future of Nursing in Yuma Event
- Mayors' International Bike Ride
- Inaugural Domestic Violence Conference
- Yuma County Nurses Foundation Meeting
- Round Table Discussion with Governor Katie Hobbs
- Clarios' 3 Years Safety Celebration
- Southwest Technical Education District (STEDY) of Yuma 10 Year Anniversary Ribbon Cutting
- Wheel Fun Bike Club Meeting
- Chamber of Commerce Mega Mixer
- American with Disabilities Act (ADA) Commission Meeting
- Somerton Domestic Violence Survivors Walk and Vigil
- Scary and Safe: Trick or Treat
- SEMICON West Convention
- Intelligent Transpiration Society (ITS) of America Arizona Conference
- American Society of Civil Engineers (ASCE) Centennial Celebration
- Rural Advisory Board Meeting with Arizona Commerce Authority (ACA)
- Elevate Southwest Board Meeting
- Sprouts Foothills Ribbon Cutting
- Bubba's 33 Restaurant Ribbon Cutting
- Yuma High School Hall of Fame Event
- Madrid Chiropractic Ribbon Cutting
- Bridget's Gift Concert and Fundraiser
- American Defense Community Association Installation Innovation Forum

Scheduling – No meetings were scheduled at this time.

Watts suggested looking for an available funding source for emergency funds to help the Yuma Community Food Bank with the impact of the federal withholding of the Supplemental Nutrition Assistance Program

NOVEMBER 5, 2025

(SNAP) benefits and the nutrition program for Women, Infant, and Children (WIC). **Simonton** confirms some research will be done to come up with ideas of where the funds would come from and the information will be added to the next meeting agenda. **Simonton** also reminded the community that the City of Yuma and Arizona Public Service (APS) will be help delay payments for water and electricity during the federal withholding.

VII. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- November 8th – Salute Your Heroes 5K/10K
- November 15th – Turkey Trot 5k in partnership with Onvida Health
- November 14th – Tribute of the Muses Awards

Simonton reminded the community that City Hall will be closed on November 11th in honor of Veteran's Day, the trash schedule will be affected by the holiday. He also invited the community to sign up for the Neighborhood Leadership Academy to get a behind-the-scenes look at how the City operates.

VIII. CALL TO THE PUBLIC - There were no speakers at this time.

IX. EXECUTIVE SESSION/ADJOURNMENT

Motion (Morales/Smith): To adjourn the meeting to Executive Session. Voice vote: **approved** 7-0. The meeting adjourned at 7:19 p.m.

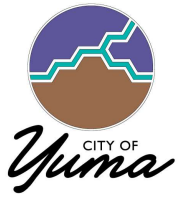
Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:

City Clerk: _____



City of Yuma

City Council Report

File #: MC 2026-034

Agenda Date: 2/4/2026

Agenda #: 2.

Regular Council Meeting Draft Minutes January 7, 2026

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
JANUARY 7, 2026
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:33 p.m.

INVOCATION/PLEDGE

Deacon Joel Olea, Immaculate Conception Church, gave the invocation. **Isaiah Kirk**, Chief Information Officer, led the City Council in the Pledge of Allegiance.

FINAL CALL

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

ROLL CALL

Councilmembers Present:	Martinez, Morris, McClendon, Smith, Morales, Watts, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	Acting City Administrator, John D. Simonton Senior Planner, Erika Peterson Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

I. MOTION CONSENT AGENDA

Motion Consent Item C.5 – Bid Award: Water Distribution Line 5th Street – Gila Street to Redondo (Authorize the award of a construction services contract to the lowest responsive and responsible bidder, Taylor Engineering, for the Water Distribution Line, 5th Street, Gila Street to Redondo Project in the amount of \$1,381,777.00) (RFB-25-283) (Eng/Purch)

Mayor Nicholls declared a conflict of interest on Motion Consent Agenda Item C.5 due to his firm's involvement in the contract, turned the meeting over to **Deputy Mayor Smith**, and left the dais.

Motion (Morales/McClendon): To approve the Motion Consent Item C.5 as recommended. Voice vote: approved 6-0-1, **Mayor Nicholls** abstaining due to conflict of interest.

Mayor Nicholls returned to the dais.

Motion (Smith/Morris): To approve the Motion Consent Agenda as recommended, with the exception of Item C.5 which was approved through a previous vote. Voice vote: approved 7-0.

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

Regular Council Meeting Minutes
Regular Council Worksession Minutes

October 1, 2025
December 2, 2025

B. Executive Session

Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Atty)

C. Approval of Staff Recommendations

1. Approve a Series #07: Beer and Wine Bar Liquor License application submitted by Tory Valencia, agent for Birdie Swing Bays located at 2680 S. 4th Ave. (LL25-21) (Admn/Clk)
2. Approve a request submitted by David Johnson, agent for Showcase Sports Bar for an Off-track Parimutuel Wagering license for the Showcase Sports Bar, located at 2703 S. 4th Avenue, with a term to expire on May 31, 2027. (OTB25-01) (Admn/Clk)
3. Award a construction services contract for Sewer Line Replacement – 4th Street to 6th Street Project to the lowest responsive and responsible bidder in the amount of \$452,777.00 to Taylor Engineering, Yuma, Arizona. (RFB-26-141) (Eng/Purch)
4. Award a construction services contract for a Water Line Replacement at George Bell Avenue to the lowest responsive and responsible bidder in the amount of \$301,824.46 to Yuma Valley Contractors Inc., Yuma, Arizona. (RFB-26-148) (Eng/Purch)
5. Pulled for separate consideration; see above
6. Authorize the award of a one-year cleanup, boarding and securing building services contract with the option to renew for four additional one-year periods, one year at a time, at an estimated annual expenditure of \$35,000.00, depending on the appropriation of funds and satisfactory performance, to Yuma Valley Contractors, Yuma, Arizona. (RFB-26-109) (DCD/Purch)
7. Authorize the purchase of access control system hardware, services and installation, as well as subscription renewal from Benson Security, Gilbert, Arizona, utilizing a cooperative purchase agreement for an estimated expenditure of \$150,000.00. (CPA-26-187) (FacI/Purch)
8. Approve a State Legislative Appropriation – Mission Support Agreement with Onvida Health to support the development of a rural Regional Medical Branch of the University of Arizona College of Medicine – Phoenix and medical education, generally, within the City.

II. RESOLUTION CONSENT AGENDA

Resolution R2026-003 – Preannexation Development Agreement: 2108 W. 26th Street (Authorize a Preannexation Development Agreement for the property located at 2108 W. 26th Street (APN 694-06-026)) (DCD/Cmty Plng)

Morris declared a conflict of interest on Resolution R2026-003 due to his firm being involved in the design process and left the dais.

Motion (Smith/Morales): To adopt Resolution R2026-003 as recommended.

Bushong displayed the following title(s):

Resolution R2026-003

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a Preannexation Development Agreement with UBLA Properties, LLC for Assessor Parcel Number 694-06-026 located at 2108 W. 26th Street (property currently undeveloped, applicant proposing to split the parcel into four lots for a new residential development) (DCD/Cmty Plng)

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

Morris returned to the dais.

Motion (Smith/McClendon): To adopt the Resolution Consent Agenda as recommended with the exception of Resolution R2026-003 which was approved by a previous vote.

Bushong displayed the following title(s):

Resolution R2026-002

A resolution of the City Council of the City of Yuma, Arizona, providing for a Call of Election for the 2026 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 (current terms for Mayor, three Councilmembers, and one Presiding Municipal Judge will expire December 31, 2026) (Admn/Clk)

Resolution R2026-004

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a Preannexation Development Agreement with Hector and Claudia Alvarez for Assessor Parcel Number 663-08-065 located at 4286 W. Verde Street (owners to install manufactured home on parcel and connect to City services) (DCD/Cmty Plng)

Resolution R2026-006

A resolution of the City Council of the City of Yuma, Arizona, adopting the 2025 Integrated Multimodal Transportation Master Plan (developed based on community values and specific policies and expectations outlined in the 2022 City of Yuma General Plan) (Eng)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

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

Bushong displayed the following title(s):

Ordinance O2025-050

An ordinance of the City Council of the City of Yuma, Arizona, annexing to the City of Yuma, a portion of Section 18, Township 9 South, Range 22 West of the Gila and Salt River Base & Meridian, Yuma County, Arizona, and amending Chapter 154 of the Yuma City Code, as amended, designating the zoning of certain property to the Light Industrial (L-I) and designating certain property to the Agriculture (AG) Zoning District, and amending the zoning map to conform thereto, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes as Amended (area consists of four parcels of real property totaling approximately 65.86 acres) (DCD/Cnty Plng)

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

IV. INTRODUCTION OF ORDINANCES

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

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

Bushong displayed the following title(s):

Ordinance O2026-002

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Manufactured Housing Park (MHP) District to the High Density Residential (R-3) District, and amending the zoning map to conform with the rezoning (High Density Residential land use designation allows for a maximum of 83 dwelling units) (DCD/Cnty Plng)

Morris returned to the dais.

V. PUBLIC HEARING AND RELATED ITEMS

Resolution R2026-005 – Minor General Plan Amendment: Vision Assets, LLC (Following a public hearing, approve the request to amend the City of Yuma General Plan to change the land use designation from Low Density Residential to Medium Density Residential, for the property located at 2080 W. 27th Street) (DCD/Cnty Plng)

Mayor Nicholls opened the public hearing at 5:44 p.m.

Peterson presented the following information:

- The request is for a Minor General Plan amendment for approximately 2.49 acres of property located at 2080 West 27th Street.
- Proposed Change: Low Density Residential to Medium Density Residential.

- Surrounding Land Uses:
 - North: Mixed Use
 - South: Public/Quasi Public
 - East: Low Density Residential
 - West: Low Density Residential
- Development Potential
 - Pursue a rezone to Medium Density Residential (R-2) for multi-family residential lots
 - 11 lots with a duplex on each lot
 - Potential development would increase from 12 to 32 dwelling units
 - Potential expected population between 26 and 70 people
 - Neighbors within 660 feet of the subject property were notified of the request
 - Neighborhood meeting was held on site with several neighbors attending
 - The Planning and Zoning Commission recommended approval of the request on December 8, 2025

There were no speakers on this matter.

Motion (Smith/Morales): To close the Public Hearing. Voice vote: **approved** 7-0. The Public Hearing closed at 5:46 p.m.

Discussion – There was no discussion at this time.

Motion (Morris/Morales): To adopt the Resolution R2026-005 as recommended

Bushong displayed the following title(s):

Resolution R2026-005

A resolution of the City Council of the City of Yuma, Arizona, amending Resolution R2022-011, the City of Yuma 2022 General Plan, to change the land use designation of approximately 2.49 acres from Low Density Residential to Medium Density Residential located at 2080 W. 27th Street (DCD/Cnty Plng)

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

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Appointments

Motion (Smith/Morales): to nominate Councilmember McClendon to serve as the Deputy Mayor for the year 2026. Voice vote: **approved** 7-0.

***McClendon** will be referred to as Deputy Mayor for the remainder of the meeting.

Motion (McClendon/Watts): to appoint Mayor Nicholls to the Greater Yuma Economic Development Corporation, Executive Board. Voice vote: **approved** 7-0.

Motion (Morales/Watts): to appoint Councilmember Morris to the Greater Yuma Economic Development Corporation, Board of Directors. Voice vote: **approved** 7-0.

Motion (Smith/McClendon): to appoint Councilmember Morris to the Greater Yuma Port Authority. Voice vote: **approved** 7-0.

Motion (Morris/Morales): to appoint Deputy Mayor McClendon, Councilmember Martinez and Councilmember Smith to the Arizona Western Council of Governments, Executive Board, Council on Aging, and Yuma County Advisory Board. Voice vote: **approved** 7-0.

Motion (Smith/Watts): to appoint Mayor Nicholls and Councilmember Morris to the Yuma Crossing National Heritage Area Board. Voice vote: **approved** 7-0.

Motion (McClendon/Morris): to appoint Councilmembers Smith, Martinez, and Watts to the Yuma Metropolitan Planning Organization, Executive Board. Voice vote: **approved** 7-0.

Motion (Morris/Smith): to appoint Deputy Mayor McClendon to the Yuma Fire Public Safety Board and the Yuma Public Safety Police Board. Voice vote: **approved** 7-0.

Motion (Watts/McClendon): to appoint Councilmembers Morales and Smith to the newly formed Board and Commission Review Committee. Voice vote: **approved** 7-0.

Announcements

Mayor Nicholls reported on the following meetings attended and upcoming events:

- Posadas En El Jardin, hosted by the Yuma County Historical Society
 - Elevate Southwest Board Meeting
-

Scheduling – No meetings were scheduled at this time.

VII. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- January 10 & 11 – Art in the Park
- January 10 – Jukebox January 5K/10K
- January 10 – Household Hazardous Waste Collection

Simonton informed the community that a press release would be issued announcing the City's Yuma Salutes America's 250th Celebration, scheduled for April 18. The event will feature live entertainment by Randy Houser, Parmalee, and Bobby McClendon Jr. Tickets for the celebration will be available for purchase beginning January 8, 2026.

VIII. CALL TO THE PUBLIC

David Wilkinson, member of the National Association of Advancement for Colored People (NAACP) Yuma Chapter 1016, invited City Council and the citizens of Yuma to celebrate Dr. Martin Luther King Jr. (MLK) Day by attending a Community Walk on January 19, 2026, at 11:00 a.m. to celebrate the life and legacy of MLK. The walk will begin at City Hall and will conclude at the MLK Youth Career Center.

IX. EXECUTIVE SESSION/ADJOURNMENT

Motion (Morales/Smith): To adjourn the meeting to Executive Session. Voice vote: **approved** 7-0. The meeting adjourned at 6:00 p.m.

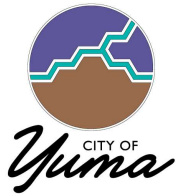
Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:

City Clerk: _____



City of Yuma

City Council Report

File #: MC 2026-023

Agenda Date: 2/4/2026

Agenda #: 1.

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

TITLE:

Bid Award: Emergency Dispatch Backup Center

SUMMARY RECOMMENDATION:

Award a construction services contract for Emergency Dispatch Backup Center to the lowest responsive and responsible bidder in the amount of \$805,201.81 to Yuma Valley Contractors Inc., Yuma, Arizona (Engineering-RFB-26-149) (David Wostenberg/Robin R. Wilson)

STRATEGIC OUTCOME:

This item supports the City Council's strategic outcome of Safe and Prosperous by providing an Emergency Dispatch Backup Center to ensure that Public Safety entities continue to provide premier services in the event of unforeseen emergencies.

REPORT:

The City of Yuma Public Safety Dispatch Center is located at 1500 S. 1st Avenue inside the Yuma Police Department building. The existing backup dispatch center is housed at City Hall; however, this space is insufficient to operate as a fully functional dispatch center during a natural disaster.

The current backup facility cannot provide adequate support if the police building sustains structural damage or if citywide infrastructure is compromised. In 2023, a minor power outage exposed a critical vulnerability: both the Police Department and City Hall share the same power grid. As a result, the Public Safety Dispatch Center lost power in both its primary and backup locations, and the redundancy measures in place did not perform as intended.

Relocating the backup center to the Agua Viva Water Plant addresses these concerns. This site is on a separate power grid and already has much of the necessary infrastructure to support the addition, ensuring greater resilience and continuity of operations during emergencies.

This project will consist of interior construction and system upgrades, including new walls and ceilings, access flooring, painting, HVAC improvements, plumbing and electrical work, fire suppression installation, and integration of communications infrastructure to create a fully functional emergency dispatch backup center.

Yuma Valley Contractors submitted the sole bid in the amount of \$805,201.81. This project is anticipated to begin in mid-March 2026 and is expected to be completed in 120 days.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 805,201.81	BUDGETED:	\$ 2,000,000.00
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	\$ 805,201.81	2025 Excise Tax Revenue Bonds: Public Safety T	

FISCAL IMPACT STATEMENT:

Sufficient budget authority is available in the City Council FY 2026 approved budget and Capital Improvement Plan.

ADDITIONAL INFORMATION:

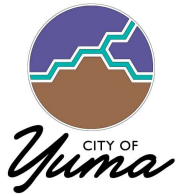
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026



City of Yuma

City Council Report

File #: MC 2026-024

Agenda Date: 2/4/2026

Agenda #: 2.

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

TITLE:

Declaration and Bid Award: Sale of Firearms

SUMMARY RECOMMENDATION:

Declare surplus and award sale of firearms to the highest responsive and responsible offer for the Sale of Firearms (100) for a total of \$14,703.61 from the following vendors: ProForce Marketing, Inc. Prescott, AZ, \$13,613.61 and Spragues Sports LLC., Yuma, AZ, \$1,090.00. (Police Department - RFO-26-129) (Thomas Garrity/Robin R. Wilson)

STRATEGIC OUTCOME:

Awarding to the two vendors provides a Respected and Responsible way of declaring the firearms surplus and awarding to the highest responsible vendors who have a current Federal Firearms License.

REPORT:

The Police Department declared 100 firearms for sale through a Request for Offer (RFO). The firearms were made available for sale in accordance with Section 38-02 of the City Code of Ordinances. The state and federal computer systems were checked and none of the firearms were listed as stolen or missing.

Staff received bid offers from the following:

- Proforce Marketing Inc.
- Sprague's Sports LLC.

Staff recommends awarding each lot (containing 10 firearms in each lot) to the highest bidders as stated above as the two offers met all the requirements outlined in the solicitation.

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	-	

FISCAL IMPACT STATEMENT:

Revenue received from this program will be deposited into the general fund.

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026



City of Yuma

City Council Report

File #: MC 2026-025

Agenda Date: 2/4/2026

Agenda #: 3.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Finance	<input type="checkbox"/> Safe & Prosperous	<input checked="" type="checkbox"/> Motion
	<input type="checkbox"/> Active & Appealing	<input type="checkbox"/> Resolution
	<input 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:

Cooperative Purchase Agreement: Institutional Custody Banking Services

SUMMARY RECOMMENDATION:

Authorize the use of a City of Mesa cooperative purchase agreement for institutional custody services, one-year professional services contract, with the option to renew annually for up to four additional years. Renewals contingent upon funding appropriations and satisfactory performance to U.S. Bank National Association of Cincinnati, Ohio. (Finance-CPA-26-185) (Douglas Allen/Robin R. Wilson)

STRATEGIC OUTCOME:

This item supports the City Council's strategic outcome of Respected and Responsible by ensuring prudent management of public funds and using the knowledge of a highly qualified firm to provide the City with a secure, compliant, and cost-effective solution for managing its financial assets, aligning with best practices.

REPORT:

The procurement of institutional custody services will ensure that taxpayer dollars are handled securely, transparently, and in compliance with state and federal legal and regulatory standards. Services provided may include asset safekeeping (ensuring the security of assets), accounting and reporting (providing transparent financial records), securities lending (generating additional income), asset pricing (accurate valuation of assets), securities transaction management (efficient handling of transactions), and coordination with the City's investment pool managers (ensuring alignment with investment strategies).

US Bank would serve as the custodial bank for the City's general investment pool. US Bank is also the City's custodial bank and fiscal agent for all bond payments funds, except for the 2015 Series.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 20,000.00	BUDGETED:	\$ 20,000.00
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	\$ 20,000.00	Proportionate share of all funds in the City's investment pool.	

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

FISCAL IMPACT STATEMENT:

Like other banking fees, fees for custodial banking services are offset by earnings in the investment pool.

ADDITIONAL INFORMATION:

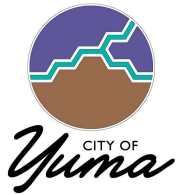
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026



City of Yuma

City Council Report

File #: MC 2026-026

Agenda Date: 2/4/2026

Agenda #: 4.

	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 <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:

Cooperative Purchase Agreement: Investment Banking Services

SUMMARY RECOMMENDATION:

Authorize a one-year professional services contract for Investment Banking Services with the option to renew annually for up to four additional years through a Crane School District Cooperative Purchase Agreement. Renewals are contingent upon funding appropriations and satisfactory performance to Stifel, Nicolaus & Company, Inc. of Phoenix, Arizona. (Finance-CPA-26-177) (Douglas Allen/Robin Wilson)

STRATEGIC OUTCOME:

This item supports the City Council's strategic outcome of Respected and Responsible by ensuring prudent management of public funds and using the knowledge of highly qualified firms to strengthen the City's investment strategies.

REPORT:

Procuring investment banking services will aid investment management in the specialized area of tax-exempt utility system revenue obligation (bond) proceeds, which are funds raised through bonds that are exempt from certain taxes. Stifle's expertise will help the City secure favorable financing terms. It will also ensure transparency and compliance with all regulatory requirements. This includes investing as allowed under Arizona Revised Statutes, the City's Investment Policy, and Federal Arbitrage Restrictions, which are rules to prevent profit from differences in interest rates.

Stifle will also provide financial advisory services related to cash flow analysis, such as forecasting future cash needs, and bond proceed draw schedules, including timing and amounts of bond issuance. They will assist with financial reporting for investments by preparing quarterly reports and offer ongoing guidance on market trends, such as interest rate changes, and regulatory matters, such as new municipal finance regulations, that may impact the City's financial position related to municipal investment management.

Stifle has been managing City proceeds from the Utility Service Revenue Obligations Series 2021 for the Desert Dunes plant expansion. This includes project financing, compliance monitoring, and reporting. This award would continue services with proceeds from the Utility Service Revenue Obligations Series 2025 and Excise Tax Revenue Obligations Series 2025 proceeds issued in November. It will encompass similar responsibilities such as financing, monitoring, and reporting.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 20,000.00	BUDGETED:	\$ 20,000.00
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	\$ 20,000.00	Proportionate share of all funds in the City's investment pool.	

FISCAL IMPACT STATEMENT:

Like other investment management fees, fees for investing municipal bond proceeds are offset by investment earnings. Total program expenditures may exceed \$100,000 over five years. Expenditure per investment depends on the amount invested.

The City's investment programs earned \$17.9 million in FY2025; \$16.5 million in FY 2024; and \$11.6 million in FY 2023. The use of investment earnings is excluded from the Arizona Expenditure Limitation.

Retaining professional investment services is vital to continued success for the City's investment program.

ADDITIONAL INFORMATION:

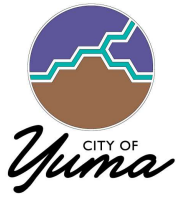
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

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

Acting City Administrator: John D. Simonton	Date: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026



City of Yuma

City Council Report

File #: MC 2026-027

Agenda Date: 2/4/2026

Agenda #: 5.

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

TITLE:

Contract Award: Professional Architectural Services (On-Call)

SUMMARY RECOMMENDATION:

Award a one-year contract with the option to renew for up to four additional years, one year at a time, depending on the appropriation of funds and satisfactory performance, for Professional Architectural Services on a Delivery Order basis to the following five firms: GH2 Architects LLC, Scottsdale, Arizona, GLHN Architects & Engineers, Tucson, Arizona, Nicklaus Engineering, Inc, Yuma, Arizona, Perlman Architects, Phoenix, Arizona, Thompson Design Architects, Yuma, Arizona. (Engineering-RFQ-26-122) (David Wostenberg/Robin R. Wilson)

STRATEGIC OUTCOME:

This on-call contract furthers the City Council's Safe and Prosperous and Connected and Engaged strategic outcomes. The on-call contract will provide professional architectural services needed to provide facilities for the City of Yuma.

REPORT:

The City has utilized on-call consultant contracts for engineering and architectural services on a delivery order basis for over 30 years. These contracts provide study and design services, bid assistance, construction administration, land surveying, and other professional services for Capital Improvement Program (CIP) and departmental projects.

A Request for Qualifications (RFQ) was issued to select firms for on-call architectural services in compliance with Arizona Board of Technical Registration rules. Each project will be authorized by a delivery order specifying scope, schedule, and fee. Delivery orders will not exceed \$500,000; those over \$100,000 require City Council approval.

Nine firms submitted Statements of Qualifications (SOQs):

- 4Line Studio LLC
- **GH2 Architects LLC**
- **GLHN Architects & Engineers**
- LAST Architects
- Line and Space LLC
- **Nicklaus Engineering Inc.**
- **Perlman Architects**

- STERNCO Engineers Inc.
- **Thompson Design Architects**

City staff recommend awarding contracts to the five highest-ranked firms based on evaluation committee scoring.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 1,500,000.00	BUDGETED:	\$ 1,500,000.00
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	\$ 1,500,000.00	Various	

FISCAL IMPACT STATEMENT:

Sufficient budget capacity is provided in the FY 2026 City Council approved budget.

ADDITIONAL INFORMATION:

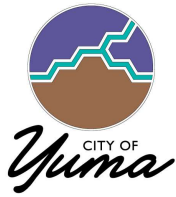
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026



City of Yuma

City Council Report

File #: MC 2026-028

Agenda Date: 2/4/2026

Agenda #: 6.

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

TITLE:

Grant Acceptance: Arizona Department of Public Safety Local Border Support

SUMMARY RECOMMENDATION:

Authorize acceptance of a \$971,723.75 grant agreement (DPS Contract # 2025-353) between the Arizona Department of Public Safety and the City of Yuma through the Police Department for equipment and software. (Police/Administration) (Thomas Garrity)

STRATEGIC OUTCOME:

The grant agreement emphasizes the integration of advanced equipment and software to enhance the City Council's strategic outcome of Safe and Prosperous, particularly in addressing safety. This initiative will strengthen the Police Department's interagency collaboration, intelligence sharing, and enforcement capacity, ultimately fostering a more effective response to border-related criminal activity.

REPORT:

In a continued effort to address border-related criminal activity within the State of Arizona, the Yuma Police Department (YPD) has secured Local Border Support funding from the Arizona Department of Public Safety (DPS). This funding supports statewide initiatives aimed at strengthening law enforcement coordination and enhancing public safety in border communities.

The proposed agreement between the City of Yuma and DPS provides financial assistance to enhance YPD's operational capacity to deter, apprehend, and investigate criminal activity occurring within the City of Yuma. Through this agreement, DPS has committed to provide funding in an amount of \$971,723.75.

The funding will support the acquisition of approved equipment necessary to conduct enhanced enforcement and intelligence-sharing activities in coordination with DPS. All expenditures will be reimbursed in accordance with the approved Local Border Support application and applicable state requirements, with no local matching funds required.

Approval of this agreement will authorize the City, through YPD, to enter into the Local Border Support Agreement with DPS, reinforcing the City of Yuma's commitment to regional collaboration, public safety, and the protection of community well-being.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 971,723.75	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 971,723.75	-	

FISCAL IMPACT STATEMENT:

Grant funds will be used to reimburse all associated costs.

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026

AGREEMENT REGARDING LOCAL BORDER SUPPORT

This agreement is entered into between the State of Arizona through its Department of Public Safety, hereinafter referred to as “DPS” and the City of Yuma through the Yuma Police Department, hereinafter referred to as “YPD”.

DPS is authorized and empowered to enter into this Agreement pursuant to A.R.S. § 41-1713(B)(3). Both parties are authorized and empowered to enter into the Agreement pursuant to A.R.S. § 11-952.

In consideration of the mutual promises set forth herein, the parties to this Agreement hereby agree to the following conditions.

I. PARTICIPATION

The purpose of the Agreement shall be to enhance law enforcement services to deter, apprehend, prosecute and detain individuals charged with drug trafficking, human smuggling, illegal immigration and other border-related crimes within the City of Yuma, through cooperative efforts of DPS and the YPD - Local Border Support, hereinafter referred to as “LBS.”

Additionally, ongoing information exchange and intelligence sharing will occur between DPS and YPD.

II. DISBURSMENT AND REPORTING

DPS agrees to disburse LBS funding as requested in the Local Border Support application at a total of \$971,723.75.

Category	Description	Amount
Equipment	Viavi CX300 Service Monitor	\$ 61,137.69
Equipment	Anritsu Land Mobile Radio (LMR) Site Spectrum Analyzer	\$ 76,544.61
Equipment	(6) Emergency Backup Dispatch Console	\$ 834,041.45

At the close of the agreement’s performance period, a summary and evidence of expenditures shall be prepared and submitted to DPS. The end of program summary report shall be received electronically no later than the last business day of the month immediately following the month in which all grant funds are exhausted or June 30, 2027, whichever is earlier. Expenditures must align with the approved budget and be incurred within the performance period.

III. IMMIGRATION

DPS and YPD agree to comply with A.R.S. §§23-214 and 41-4401.

IV. NON-DISCRIMINATION

DPS and YPD agree to comply with the non-discrimination provisions of the Governor's Executive Order 2023-001.

V. INDEMNIFICATION

DPS and YPD (as "Indemnitor") agree to indemnify, defend, and hold harmless the other party (as "Indemnatee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees, hereinafter collectively referred to as "claims") arising out of bodily injury (including death) of any person or property damage, but only to the extent that such claims which result in vicarious/derivative liability to the Indemnatee, are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, agents, employees, or volunteers.

VI. RECORDKEEPING

All records regarding the Agreement, including time accounting logs, must be retained for five (5) years in compliance with A.R.S. § 35-214.

VII. FEES

In no event shall DPS or YPD charge the other for any administrative fees for any work performed pursuant to the Agreement.

VIII. JURISDICTION

YPD agrees to permit its staff to work outside of their regular jurisdictional boundaries.

IX. ARBITRATION

In the event of a dispute under this Agreement, the parties agree to use arbitration to the extent required under A.R.S. §§ 12-1518 and §§ 12-133.

X. LIMITATIONS

This Agreement in no way restricts DPS or YPD from participating in similar activities with other public or private agencies, organization, and individuals. Nothing in this agreement shall be construed as limiting or expanding statutory responsibilities of the parties.

XI. EFFECTIVE DATE/DURATION

The terms of this agreement shall become effective on July 1, 2025, and shall remain in effect until June 30, 2027. All equipment must be received and fully paid for by June 30, 2027. Any funds unexpended will be de-obligated and returned to DPS.

XII. AVAILABILITY OF FUNDS

Every payment obligation of DPS under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of the Agreement, the Agreement may be terminated by DPS at the end of the period for which funds are available. No liability shall accrue to DPS in the event this provision is exercised, and DPS shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

XIII. CANCELLATION

This Agreement is subject to cancellation for conflicts of interest under A.R.S. § 38-511.

XIV. TERMINATION

DPS and YPD may terminate the Agreement for convenience or cause upon thirty (30) days written notice to the other party. Upon termination, DPS shall pay all outstanding amounts up through the time upon which the termination becomes effective. All property purchased by a party pursuant to that party's respective duties pursuant to this Agreement shall be returned to the purchasing party upon termination of this Agreement for any reason.

Any notice required to be given under the Agreement will be provided by mail to:

Mike Dodd, Budget Officer
Arizona Department of Public Safety
P.O. Box 6638, Mail Drop 1330
Phoenix, AZ 85005-6638

Thomas Garrity, Chief of Police
Yuma Police Department
1500 S 1st Avenue
Yuma, AZ 85364

XV. VALIDITY

This document contains the entire Agreement between the parties and may not be modified, amended, altered or extended except through a written amendment signed by all parties. If any portion of this Agreement is held to be invalid, the remaining provision shall not be affected.

The parties hereto have caused this Agreement to be executed by the proper officers and officials.

STATE OF ARIZONA

BY: _____
Jeffrey D. Glover, Director
Arizona Department of Public Safety

DATE: _____

CITY OF YUMA

BY: _____
John D. Simonton, City Administrator

DATE: _____

ATTEST

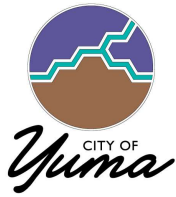
BY: _____
Lynda Bushong, City Clerk

DATE: _____

APPROVED AS TO FORM

BY: _____
Richard W. Files, City Attorney

DATE: _____



City of Yuma

City Council Report

File #: MC 2026-029

Agenda Date: 2/4/2026

Agenda #: 7.

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

TITLE:

Grant Acceptance: Arizona Department of Public Safety Anti-Human Trafficking Fund

SUMMARY RECOMMENDATION:

Authorize acceptance of a \$11,500 grant agreement (DPS Contract # 2025-306) between the Arizona Department of Public Safety and the City of Yuma through the Yuma Police Department for equipment and software. (Police/Administration) (Thomas Garrity)

STRATEGIC OUTCOME:

The grant agreement emphasizes the integration of advanced equipment and software to enhance the City Council's strategic outcome of Safe and Prosperous, particularly in addressing safety. This initiative will strengthen the Police Department's interagency collaboration, intelligence sharing, and enforcement capacity, ultimately fostering a more effective response to human trafficking related criminal activity.

REPORT:

In a continued effort to combat human trafficking and related criminal activity within the State of Arizona, the Yuma Police Department (YPD) has secured Anti-Human Trafficking funding from the Arizona Department of Public Safety (DPS). This funding supports statewide initiatives focused on reducing human trafficking through enhanced law enforcement coordination, intelligence sharing, and targeted enforcement efforts.

The proposed agreement between the City of Yuma and DPS provides financial assistance to enhance YPD's operational capacity to identify, investigate, and disrupt human trafficking activities occurring within the City of Yuma. Through this agreement, DPS has committed to provide funding in an amount not to exceed \$11,500.00 for the purchase of approved equipment.

The funding will support the acquisition of equipment necessary to support anti-human trafficking enforcement and investigative activities in coordination with DPS. All expenditures will be reimbursed in accordance with the approved DPS Anti-Human Trafficking agreement and applicable state requirements.

Approval of this agreement will authorize the City, through YPD, to enter into the Anti-Human Trafficking Agreement with DPS, reinforcing the City of Yuma's commitment to regional collaboration, victim-centered enforcement, and the protection of public safety and community well-being.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 11,500.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 11,500.00		

FISCAL IMPACT STATEMENT:

Grant funds will be used to reimburse all associated costs.

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026

AGREEMENT REGARDING ANTI-HUMAN TRAFFICKING

This Agreement is entered into between the State of Arizona through its Department of Public Safety, hereinafter referred to as “DPS” and the City of Yuma through the Yuma Police Department, hereinafter referred to as “YPD.”

The purpose of the Agreement shall be the enhance law enforcement services that reduce human trafficking within the state as allowed in A.R.S. § 26-106 through the cooperative efforts of the parties to this Agreement.

DPS is authorized and empowered to enter into this Agreement pursuant to A.R.S. § 41-1713(B)(3). Both parties are authorized and empowered to enter into the Agreement pursuant to A.R.S. § 11-952.

In consideration of the mutual promises set forth herein, the parties to this Agreement hereby agree to the following conditions.

I. PARTICIPATION

This agreement provides Fiscal Year 2026 (July 1, 2025 through June 30, 2026) Anti-Human Trafficking funding up to \$11,500.00 for equipment.

Quarterly, the YPD will report statistical activity and progress for the agreed upon performance measures. Additionally, ongoing information exchange and intelligence sharing will occur between DPS and YPD.

II. REIMBURSEMENT

DPS agrees to reimburse YPD for equipment up to \$11,500. License Plate Readers (LPRs) are not permissible.

Category	Description	Amount
Equipment	(3) Tracker Technology	\$ 1,500
Equipment	Alternate Light Source	\$ 10,000

Evidence of expenditures shall be provided by June 30, 2026, or as soon as practicable, for the fiscal year just ended. Quarterly statistical reports shall be provided on the same schedule as the expenditure information. Expenditures must align with the approved budget and be incurred within the performance period.

III. NON-AVAILABILITY OF FUNDS

Every payment obligation of State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of the Agreement, the Agreement may be terminated by the State at the end of the period for which funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be

obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

IV. NON-DISCRIMINATION

The parties shall comply with the non-discrimination provisions of the Governor's Executive Order 2023-001, which mandates that all persons, regardless of race, color, religion, sex, age, national origin, or political affiliation, shall have equal access to employment opportunities, and all other applicable State and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act. The parties shall take affirmative action to ensure the applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin or disability.

V. INDEMNIFICATION

Each party (as "indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees, hereinafter collectively referred to as "claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such claims which result in vicarious/derivative liability to the indemnitee, are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers, agents, employees, or volunteers.

VI. RECORDKEEPING

All records regarding the Agreement, including the officers' time accounting logs, must be retained for five (5) years in compliance with A.R.S. § 35-214, entitled Inspection and Audit of Contract Provisions.

VII. FEES

In no event shall either party charge the other for any administrative fees for any work performed pursuant to the Agreement.

VIII. ARBITRATION

The parties to this Agreement agree to resolve all disputes arising out of or relating to this agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. §§ 12-1518 except as may be required by other applicable statutes.

IX. EFFECTIVE DATE/DURATION

The terms of this agreement shall become effective upon the date the last signature is obtained, shall be retroactive to July 1, 2025, and shall expire June 30, 2026. If funds are not allocated to support this agreement, DPS will provide written notice to YPD notifying them of the termination of funding and cancellation of this Agreement.

X. CANCELLATION

All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor for conflicts of interest pursuant to A.R.S. § 38-511.

XI. TERMINATION

Either party may terminate the Agreement for convenience or cause upon thirty (30) days written notice to the other party. Upon termination, DPS shall pay all outstanding amounts up through the time upon which the termination becomes effective. All property shall be returned to the owning party upon termination.

Any notice required to be given under the Agreement will be provided by mail to:

Mike Dodd, Budget Officer
Arizona Department of Public Safety
P.O. Box 6638, Mail Drop 1330
Phoenix, AZ 85005-6638

Thomas Garrity, Chief of Police
Yuma Police Department
1500 S 1st Avenue
Yuma, AZ 85364

XII. VALIDITY

This document contains the entire Agreement between the parties and may not be modified, amended, altered or extended except through a written amendment signed by all parties. If any portion of this Agreement is held to be invalid, the remaining provision shall not be affected.

The parties hereto have caused this Agreement to be executed by the proper officers and officials.

STATE OF ARIZONA

BY: _____
Jeffrey D. Glover, Director
Arizona Department of Public Safety

DATE: _____

CITY OF YUMA

BY: _____
John D. Simonton, City Administrator

DATE: _____

ATTEST

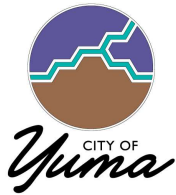
BY: _____
Lynda Bushong, City Clerk

DATE: _____

APPROVED AS TO FORM

BY: _____
Richard W. Files, City Attorney

DATE: _____



City of Yuma

City Council Report

File #: MC 2026-030

Agenda Date: 2/4/2026

Agenda #: 8.

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

TITLE:

Declare Surplus and Authorize Donation: Police Motorcycle

SUMMARY RECOMMENDATION:

Authorize the donation of a surplus police motorcycle to the Sierra Vista Police Department.
(Finance/Police) (Thomas Garrity/Robin R. Wilson)

STRATEGIC OUTCOME:

This action supports the City Council's strategic outcome of Respected and Responsible by demonstrating prudent management of public assets. The donation enables a City-owned motorcycle, which is no longer required by the City, to continue serving a public safety purpose with another government agency, thereby avoiding the costs associated with storage, maintenance, or disposal.

Furthermore, the donation aligns with the City Council's strategic outcome of Connected and Engaged by strengthening regional public safety partnerships through collaboration with another Arizona law enforcement agency.

REPORT:

The Yuma Police Department has identified a 2015 Harley Davidson police motorcycle that, while still operational, can be designated as surplus without adversely affecting departmental operations. The Department maintains sufficient motorcycle resources to meet current and anticipated operational needs.

The Sierra Vista Police Department is establishing a motorcycle unit and has identified a need for a serviceable motorcycle suitable for training and operational use. The donation of this motorcycle will allow the asset to remain in active law enforcement service with another governmental agency.

Yuma City Code, Chapter 38-01, requires City Council to authorize the donation with an estimated value of more than \$2,500 in the form of a Motion. The motorcycle has a Kelley Blue Book value of \$7,490.00.

Staff request that the motorcycle be donated to the Sierra Vista Police Department.

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		

FISCAL IMPACT STATEMENT:

There is no fiscal impact to the City of Yuma associated with this action. No funds are exchanged as part of the donation, and the City will not incur any ongoing maintenance, insurance, or operational costs for the motorcycle after the transfer.

ADDITIONAL INFORMATION:

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

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026



City of Sierra Vista
Police Department
911 N. Coronado Drive
Sierra Vista, AZ 85635
(520) 452-7500



Dear Chief Garrity,

The Sierra Vista Police Department is in the process of establishing a dedicated Traffic Unit to enhance roadway safety and address the growing number of traffic-related collisions within our community. Over the past year, we have seen a notable increase in collisions, particularly within high-volume intersections where enforcement and visibility are most challenging when operating from a patrol vehicle.

Motorcycle enforcement provides officers with the agility and mobility necessary to effectively monitor these problem areas, conduct proactive enforcement, and reduce collision rates through increased visibility and deterrence. Unfortunately, due to current budget limitations, we do not have the funding available to purchase a police motorcycle, and our existing motorcycle is outdated, with operability concerns that raise safety issues for our officers.

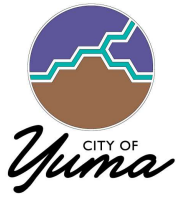
In light of this, we understand that the Yuma Police Department may be rotating out a 2015 Harley-Davidson motorcycle. We respectfully request your consideration in donating this motorcycle to assist our department in launching our new Traffic Unit. This contribution would allow us to deploy a trained motor officer much sooner than anticipated, providing an immediate and measurable impact on roadway safety within Sierra Vista.

Your department's generosity would not only strengthen our enforcement capabilities but also exemplify the spirit of partnership and mutual support that defines Arizona law enforcement agencies. Should the Yuma Police Department be able to assist, we are committed to ensuring the motorcycle continues to serve the mission of public safety and reflect the professionalism and cooperation shared between our agencies.

Thank you for your time and thoughtful consideration of this request. Please extend my sincere appreciation to your command staff for their continued support and commitment to strengthening law enforcement partnerships throughout the state.

Respectfully,

Lieutenant Justin Dannels
Patrol Bureau Commander
Sierra Vista Police Department
(520) 520-7500



City of Yuma

City Council Report

File #: MC 2026-031

Agenda Date: 2/4/2026

Agenda #: 9.

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 type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
DIVISION:	<input type="checkbox"/> Connected & Engaged	<input type="checkbox"/> Ordinance - Adoption
Procurement	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

TITLE:

Ratification of Purchase Order: Emergency Pavement Replacement, 1st Avenue

SUMMARY RECOMMENDATION:

Ratify and approve a Purchase Order issued to Gutierrez Canales Engineering, PC - Yuma, Arizona in the amount of \$157,646.00 for the emergency pavement replacement on 1st Avenue. (Engineering RFQ-22-089) (David Wostenberg/Robin R. Wilson)

STRATEGIC OUTCOME:

This item supports the City Council's strategic outcome of Safe and Prosperous by replacing the damaged asphalt on 1st Avenue between 7th Street and 8th Street to provide safe roadways and prevent vehicle damage, accidents and increase driver comfort.

REPORT:

During the last quarter of 2025, a water leak occurred on 1st Avenue between 7th Street and 8th Street. The leak caused displacement of the surrounding materials, resulting in noticeable bumps and unevenness along the 280 feet of the roadway.

The Utilities Department repaired the leak, and the Engineering Department contacted the qualified vendors with the scope of work and the City received one response from Gutierrez Canales Engineering. The Contractor restored the roadway by placing a 1-inch of ABC material and applying 3 inches of AC paving and thermoplastic striping has been completed for a safe roadway.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$157,646.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 157,646.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$157,646.00	2025 Excise Tax Revenue Bonds:	Water Fund

FISCAL IMPACT STATEMENT:

Sufficient budget capacity is available in the City Council FY 2027 approved budget in other Water CIP

projects to move this project up without impacting the Water CIP or operations.

ADDITIONAL INFORMATION:

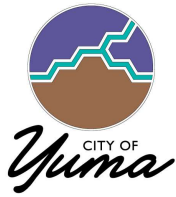
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: Jennifer Reichelt for John D. Simonton	Date: 01/28/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/27/2026



City of Yuma

City Council Report

File #: O2026-005

Agenda Date: 2/4/2026

Agenda #: 1.

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

TITLE:

Right-of-Way Vacation and Property Exchange: Cha Cha, L.L.C.

SUMMARY RECOMMENDATION:

Authorize vacation of the north half width of 42nd Street (County 12¼ Street) right-of-way in exchange for fee title to the west half of the Avenue 4½ E right-of-way with Cha Cha, L.L.C. (Engineering)(David Wostenberg)

STRATEGIC OUTCOME:

The right-of-way exchange will put unutilized property on the tax rolls and provide greater opportunity for Cha Cha, L.L.C. to develop their property, while providing the City of Yuma with fee title ownership of the west half Avenue 4½E right-of-way in support of the City Council's strategic outcome of Respected and Responsible.

REPORT:

Cha Cha, L.L.C. owns property generally bound north-south by 40th Street (County 12th Street), 42nd Street (County 12¼ Street), and east-west by Avenue 4¼E to Avenue 4½E, except for the Yuma Humane Society. Cha Cha, L.L.C. ownership includes the 30 feet wide north half-width easement right-of-way of 42nd Street, and the West 40 feet half-width right-of-way of Avenue 4½E. The City easement is shown on the southern side and eastern portion of Cha Cha, LLC property in the location map attached to this City Council Report.

Cha Cha, L.L.C. has requested that the City vacate by quitclaim deed, the north 30 feet of 42nd Street right-of-way along the Cha Cha, L.L.C. frontage.

In exchange for the return of the 30-foot strip of land to private use and the tax rolls, Cha Cha, L.L.C. will deed the underlying fee title of the west 40 feet of Avenue 4½E right-of-way to the City.

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	

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

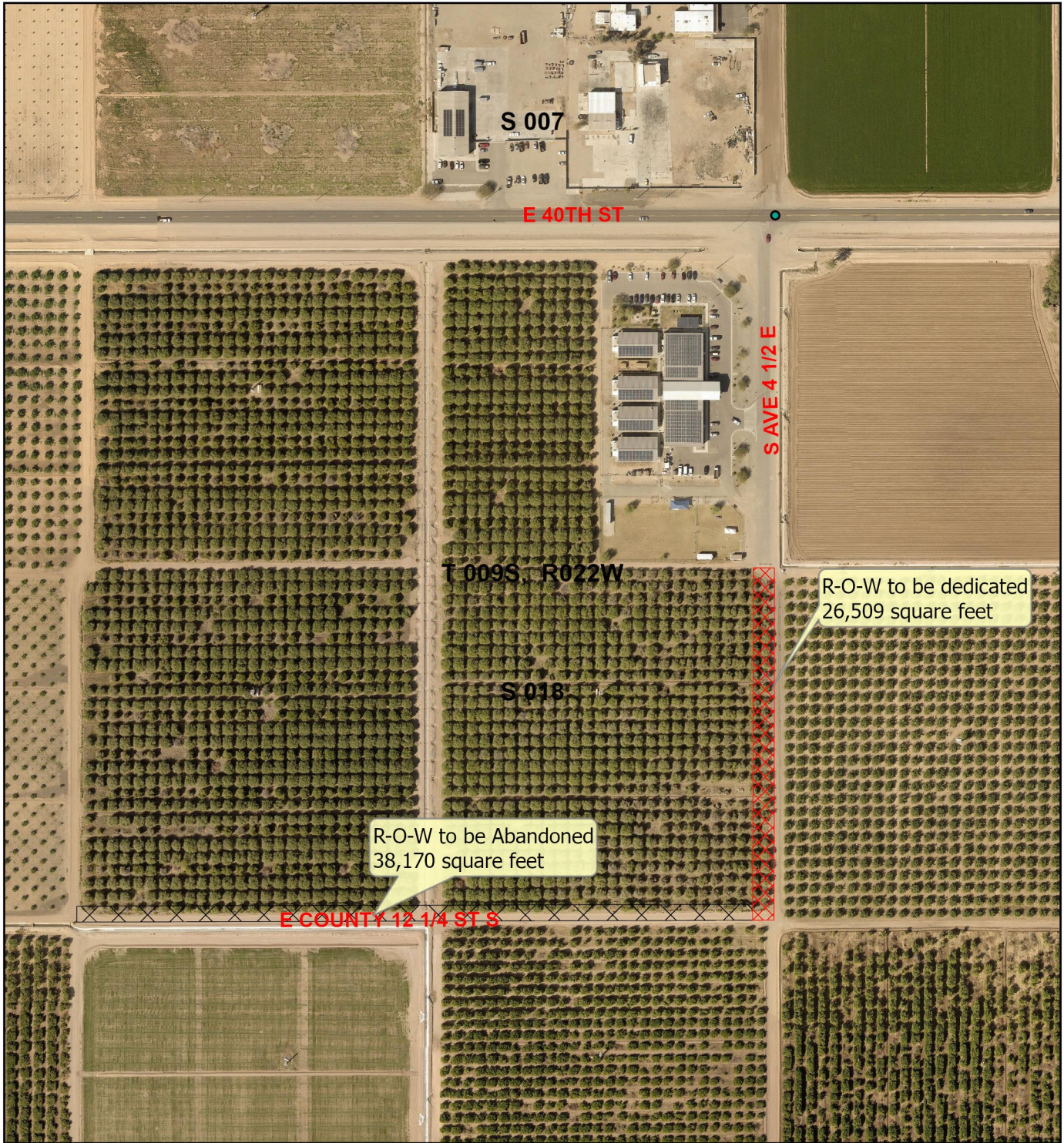
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026



AFFECTED AREA

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

Checked by:

CITY OF YUMA
ENGINEERING
DEPARTMENT

DATE: 11/17/2025

SCALE: N.T.S

REVISED:

CIP NO.

ORDINANCE NO. O2026-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, DECLARING A CERTAIN PARCEL OF REAL PROPERTY, HEREAFTER DESCRIBED, SURPLUS FOR USE BY THE CITY, VACATING THE SURPLUS 30 FOOT RIGHT-OF-WAY EASEMENT TO THE ABUTTING PROPERTY OWNER UPON THE RECORDING OF A QUITCLAIM DEED, AND AUTHORIZING AN EXCHANGE OF THE SURPLUS 30 FOOT RIGHT-OF-WAY FOR THE UNDERLYING FEE TITLE TO THE 40 FOOT RIGHT-OF-WAY DESCRIBED IN THIS ORDINANCE

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

WHEREAS, Yuma County obtained an easement over the south 30 feet of 42nd Street (County 12¼ Street) and the West 40 feet of Avenue 4½ E, dated October 14th, 2003, recorded in Fee # 2003-37622, Yuma County Records; and,

WHEREAS, the Yuma County Easement was annexed into the City of Yuma on January 16, 2026 per project ANEX-44331-2025, with a December 3, 2025 introduction to City Council, and a December 17, 2025 adoption by City Council; and,

WHEREAS, the City is the owner of that portion of a right-of-way easement described in the quitclaim deed attached as Exhibit A and by this reference made a part of this ordinance, to be declared surplus for City use and vacated by quitclaim deed to abutting property owner; and,

WHEREAS, in exchange for vacating the City's right-of-way easement on the south 30 feet along 42nd Street (County 12¼ Street), Cha Cha L.L.C. will deed the underlying fee title to the west 40 feet of Avenue 4½ E right-of-way to the City as described in the warranty deed attached as Exhibit B, made a part of this Ordinance by reference, as necessary for roadway and other related infrastructure use of public benefit;

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

SECTION 1: It is deemed necessary and essential, as a matter of public necessity and public welfare, that fee title to certain real property described in the warranty deed attached as Exhibit B be acquired by the City of Yuma through an exchange for vacating the right-of-way easement described in the quitclaim deed attached as Exhibit A, as such acquisitions will be in the public interest of the City and would be of public benefit.

SECTION 2: The portion of the City-owned 42nd Street (County 12¼ Street) right-of-way easement described in quitclaim deed Exhibit A is declared surplus for the City and public use and shall be vacated to the abutting property owner in accordance with Arizona Revised

Statutes (A.R.S.) § 28-7205(2) upon the recording of a quitclaim deed conveying to the City of Yuma the underlying fee simple title to the real property described in the warranty deed Exhibit B.

SECTION 3: The duly authorized disbursing officers of the City of Yuma are hereby authorized and directed to pay all sums necessary to acquire the Avenue 4½ E property, together with recording fees, escrow, title insurance, closing and all other costs necessary in the acquisition.

Adopted this _____ day of _____, 2026.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

Applicable exhibits on file at the Office of the City Clerk, One City Plaza, Yuma, AZ.

When Recorded, return to:

Cha Cha, LLC
4400 E HIGHWAY 80
YUMA, AZ 85365

QUIT CLAIM DEED

GRANTOR (Name, Address, Zip Code)	GRANTEE (Name, Address, Zip Code)
City of Yuma, a Municipal Corporation One City Plaza Yuma, AZ 85364	Cha Cha, LLC 4400 E HIGHWAY 80 YUMA, AZ 85365

Subject Real Property (Legal Description)

See EXHIBIT "A" attached hereto and by this reference incorporated herein.

EXEMPT from affidavit and filing fees (A.R.S. 11-1134 A.3.)

For valuable consideration and subject to the reservation of a utilities easement in, under and over the described real property, Grantor quit claims to Grantee all right, title and interest of Grantor in Subject Real Property together with all rights and privileges appurtenant or to become appurtenant to Subject Real Property on the effective date, being the date and time of recordation of this instrument.

City of Yuma, a Municipal Corporation

By:

John D. Simonton
City Administrator

Attested:

Approved as to Form:

Lynda L. Bushong
City Clerk

Richard W. Files
City Attorney

NOTARIAL ACKNOWLEDGEMENT

State of Arizona)
) ss.
County of Yuma)

The foregoing instrument was acknowledged before me this ____ day of _____
2026, by John D. Simonton, City Administrator.

IN WITNESS WHEREOF, I have hereunto set by hand and official seal.

Notary Public

My Commission Expires:

EXHIBIT A

The South 30.00 feet of the Northeast quarter of the Northwest quarter of Section 18,
Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian,
Yuma County, Arizona,

EXCEPT the East 40.00 feet thereof.

Containing 38,170 Square feet or 0.876 of an acre, more or less.

Description Verified By:	
City Engineering Department	Date:

WHEN RECORDED MAIL TO:

Office of the City Clerk
City of Yuma
One City Plaza
Yuma, Arizona 85364-1436

WARRANTY DEED

EXEMPT from Affidavit and Filing Fees (A.R.S. 11-1134 A.3.)

This Warranty Deed is made by:

Cha Cha, L.L.C., an Arizona limited liability company
4400 E Highway 80
Yuma, AZ 85365
(**Grantor**)

To the:

City of Yuma, an Arizona municipal corporation
One City Plaza
Yuma, Arizona 85364
(**Grantee**)

For the consideration of Ten Dollars (\$10.00), and other valuable consideration, Grantor does hereby convey to Grantee, that parcel of real property situated in Yuma County, Arizona described in Exhibit "A" attached hereto and by this reference incorporated herein.

Subject to, reservations in patents, all easements, covenants, conditions, and restrictions, as may appear of record.

Grantor warrants title against all persons whomsoever, subject to the matters set forth above.

Dated this _____ day of _____, 2026.

Cha Cha L.L.C., an Arizona limited liability
company

By: _____
[Name]
[Title]

NOTARIAL ACKNOWLEDGEMENT

State of Arizona)
) ss.
County of Yuma)

The foregoing instrument was acknowledged before me this ____ day of _____, 2026, by [Name] _____ [Title], _____ on behalf of Cha Cha L.L.C., an Arizona limited liability company.

IN WITNESS WHEREOF, I have hereunto set by hand and official seal.

Notary Public

My Commission Expires:

ACCEPTED AND APPROVED, by the City of Yuma, Arizona, as right-of-way for roadways and other purposes related thereto.

City of Yuma

Dated: _____

John D. Simonton
Acting City Administrator

Attest:

Dated: _____

Lynda L. Bushong
City Clerk

Approved as to form:

Dated: _____

Richard W. Files
City Attorney

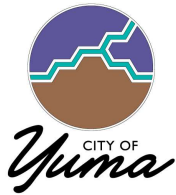
EXHIBIT A

The East 40.00 feet of the Northeast quarter of the Northwest quarter of Section 18,
Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma
County, Arizona,

Except the North 662.74 feet thereof.

Containing 26,509.449 square feet or 0.609 of an acre, more or less.

Description Verified By:	
City Engineering Department	Date



City of Yuma

City Council Report

File #: O2026-006

Agenda Date: 2/4/2026

Agenda #: 2.

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

TITLE:

Approve the Housing Authority of the City of Yuma (HACY) Acquisition, Development and Operation of an Affordable Housing Apartment Complex, Tentatively known as Vista Apartments

SUMMARY RECOMMENDATION:

Authorize the Housing Authority of the City of Yuma (HACY) to: (1) undertake acquisition and ownership of the former Vista Alternative High School site (Property), subject to an affordable housing covenant; (2) form a project-based 501(c)(3) non-profit entity (HACY 501(c)(3) Non-Profit) which, together with the Arizona Housing Development Corporation (AHDC) will form a managing member entity which will then form an ownership entity for the apartments (Ownership Entity); (3) enter into an option for a long-term ground lease for the Property between HACY as the lessor and Ownership Entity as the lessee and should the Ownership Entity exercise the option, to enter into a long term ground lease; and (4) enter into a Development Consulting Agreement with Gorman & Company through the Ownership Entity, to facilitate development of the Vista Apartments as a proposed three phase, 200-unit, low-income housing tax credit (LIHTC) project (Project). (Community Development /Neighborhood and Economic Development) (Cynthia Blot)

STRATEGIC OUTCOME:

HACY development and operation of a 200-unit, affordable housing apartment complex supports City Council's strategic outcomes of Connected and Engaged and Safe and Prosperous promoting community stability through reduction of housing insecurity and displacement, supporting workforce retention, and lowering the burden of housing cost for federally qualifying families.

REPORT:

HACY acts as agent for the City to construct, maintain, operate and manage housing projects of the City. Pursuant to Yuma City Code § 150-002, HACY must seek additional authority from City Council in order to acquire, own and dispose of real property, as well as to create any ownership interest in a business entity. Approval of the proposed ordinance will grant HACY project specific authority to acquire the former Vista Alternative High School site (Property), create a 501(c)(3) entity that will then form a management entity with AHDC. The management entity will then form an Ownership Entity, which will lease the Property from HACY for the development of the 200-unit, low-income housing tax credit project (Project), tentatively known as the Vista Apartments. The Project is intended to provide modern, safe, and energy-efficient affordable rental

housing for low-income residents in the City of Yuma.

As outlined in the proposed ordinance, HACY will acquire a 7.64-acre site (the former Vista Alternative High School, located at 221 E. 26th Place), subject to an affordable housing restrictive covenant. Similar to the 56-unit Mesa Heights Apartments project, HACY will seek to secure low-income housing tax credit approval from the Arizona Department of Housing, then take the necessary actions to facilitate the development of the first phase (approximately 69 units) of the affordable housing Project consistent with the City's housing and community development objectives.

In order to develop the Property, HACY will enter into a long-term ground lease with the newly formed Ownership Entity in which the management entity will serve as the managing member. The management entity will be 51% owned by HACY's 501(c)(3) and 49% owned by AHDC, a non-profit HACY affiliate whose purpose is to promote the general social welfare of the Yuma community including development of housing for low- and moderate-income families pursuant to federal regulations.

Gorman & Company will consult on the management, financing and development of the Vista apartments Project. This structure will ensure HACY's long-term ownership of the Property as well as involvement and oversight in the operation of the Project, at the same time leveraging AHDC's and Gorman & Company's development and financing expertise in these types of projects.

Approval of the ordinance will authorize HACY to create the necessary entity structures and enter into development, ownership, and related agreements that will move the Project forward in accordance with all applicable laws, local ordinances, and adopted housing policies

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	-	

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:

Date:

Jennifer Reichelt for John D. Simonton	01/28/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/27/2026

ORDINANCE NO. O2026-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, APPROVING CERTAIN TRANSACTIONS IN CONNECTION WITH THE ACQUISITION, DEVELOPMENT AND OPERATION OF AN AFFORDABLE HOUSING APARTMENT RENTAL COMPLEX TENTATIVELY KNOWN AS VISTA APARTMENTS

WHEREAS, the Housing Authority of the City of Yuma, Arizona (“HACY”) seeks to acquire, develop and operate a three phase, 200-unit affordable housing apartment rental complex (the “Project”) on 7.64 acres of real property located at the former Vista Alternative High School site, 221 E. 26th Place (the “Property”); and,

WHEREAS, HACY’s desired structure for undertaking this Project is to establish a 501(c)(3) non-profit corporation which will then form a managing member entity which will then seek to secure low-income housing tax credits from the Arizona Department of Housing and form an “Owner Entity” for the Project; and,

WHEREAS, the Owner Entity will enter into long term lease of the Property from HACY with an affordable housing covenant on the Property; and,

WHEREAS, Yuma City Code § 150-002 authorizes HACY to act as agent for the City to construct, maintain, operate and manage housing projects of the City, but requires separate ordinance approval from the City Council in order to acquire and own real property; and,

WHEREAS, the City Code further gives the City Council final authority to decide whether HACY may create any ownership interest in a business entity (or entities), or form a corporation or subsidiary; and,

WHEREAS, City Council believes HACY development and operation of a 200-unit, affordable housing apartment complex will promote community stability through reduction of housing insecurity and displacement, support workforce retention, and lower the burden of housing cost for federally qualifying families; and,

WHEREAS, the City Council finds it to be in the best interest of the City to grant such approvals as necessary for HACY to develop the Project including acquiring and leasing the Property, but desires to only grant authority to do so for this specific Project and location and no other projects or properties at the current time.

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

SECTION 1: Yuma City Code § 150-002 notwithstanding, the Housing Authority of the City of Yuma is authorized to:

- a. Undertake acquisition and ownership of the 7.64 acre former Vista Alternative High School site located at 221 E. 26th Place (the “Property”), subject to an affordable housing covenant;
- b. Form a project-based 501(c)(3) non-profit entity which, together with the Arizona Housing Development Corporation (“AHDC”), will form a managing member entity which will then form an ownership entity for the apartments (“Ownership Entity”);
- c. The managing member entity shall be 51% owned and controlled by HACY’s 501(c)(3) non-profit corporation and 49% owned and controlled by AHDC, a non-profit HACY affiliate whose purpose is to promote the general social welfare of the Yuma community including development of housing for low- and moderate-income families pursuant to federal regulations;
- d. Enter into an option for a long-term ground lease for the Property between HACY as the lessor and the Ownership Entity as the lessee and should the Ownership Entity exercise the option, enter into a long-term ground lease for the Property;
- e. Enter into a Development Consulting Agreement with Gorman & Company through the Ownership Entity, to facilitate development of the Vista Apartments as a proposed three phase, 200-unit, low-income housing tax credit apartment rental project.

SECTION 2: This ordinance intends to authorize HACY to create the necessary entity structures and enter into development, ownership, operation, and related agreements that will move the Project forward in accordance with all applicable laws, local ordinances, and adopted housing policies, but only for purposes of the described Project and Property.

Adopted this _____ day of _____, 2026.

APPROVED:

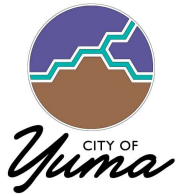
Douglas J. Nicholls Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney



City of Yuma

City Council Report

File #: O2026-004

Agenda Date: 1/21/2026

Agenda #: 1.

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

TITLE:

Vacation and Authorization to Sell Surplus Property: Livingston Ranch Phase I

SUMMARY RECOMMENDATION:

Vacate 1,457 feet of 30-foot right-of-way north of Livingston Ranch Phase I and authorize the City of Yuma to sell the surplus property to adjacent landowners in Livingston Ranch. (Community Development) (Alyssa Linville)

STRATEGIC OUTCOME:

This request supports the City Council's strategic outcomes of Safe and Prosperous and Respected and Responsible, by ensuring City-owned land is used in a practical and beneficial way. Abandoning unused right-of-way allows the land to be incorporated into neighboring properties, returning it to productive use and the tax base. This approach reflects the City's commitment to efficient land management, responsible use of public resources, and thoughtful decision-making that benefits the community as a whole.

REPORT:

The City of Yuma ("City") owns approximately 43,710 square feet of right-of-way (1,457 feet by 30 feet) north of Livingston Ranch Phase I and south of Central Canal in Yuma, Arizona (the "ROW") that the City does not plan to pave or otherwise develop as shown on the attached location map. The ROW is adjacent to nineteen residential properties located between 3620 West and 3958 West on 36th Street in Livingston Ranch. Since the City has no plans to improve or use the ROW, most of the adjacent nineteen homeowners have asked the City to vacate the ROW, pursuant to A.R.S. § 28-7205, so the homeowners can expand their backyards and place the land into beneficial use.

A.R.S. § 28-7205 allows the City to vacate right-of-way to adjacent landowners (here, the nineteen homeowners), but A.R.S. § 28-7208 requires adjacent landowners to pay the City "an amount deemed by the governing body to be commensurate with the value of the abandoned roadway." A.R.S. § 28-7215(B) further provides: "If a governing body determines that a public roadway has no public use or no market value, the governing body may vacate the public roadway without compensation . . . if the person taking the public roadway agrees to assume the costs of maintaining the public roadway and the liability for the public roadway."

City staff recommends City Council vacate the ROW with a finding that it has no public use. Next, City staff recommends City Council authorizes the City to sell the nineteen separate segments of the ROW property to the nineteen adjacent homeowners, contingent upon each homeowner accepting the cost and liability for the applicable ROW segment and reimbursing the City, on a proportionate basis, for the following costs incurred

by the City:

- \$9,000 -- to clean up the ROW and remove cement remnants of an old irrigation ditch;
- \$20,000 - for legal surveys to obtain legal descriptions of the ROW and all the nineteen ROW segments;
- \$20,000 - to complete a lot tie for each ROW segment and the adjacent homeowner's parcel;
- \$128,924 - estimated cost to construct a uniform 6" concrete block subdivision wall along the north and west side boundaries of the ROW.
- Total: \$177,924

The total cost (\$177,924) divided by the ROW length (1,457 feet) equals \$122.12 per linear foot. The amount homeowners will reimburse the City depends on the width of their backyards (i.e., the length of the ROW segments they receive from the City). For example, if the ROW segment received is 100 feet, the homeowner will pay the City \$12,212, or \$4.07 per square foot. If the ROW segment received is 50 feet, the homeowner will pay the City \$6,106, or \$4.07 per square foot for the ROW segment.

Title to each ROW segment will not transfer to the applicable homeowner until payment from the homeowner is received in full by the City. Additionally, upon receiving ownership, the homeowner must allow the City to complete the lot-tie within ninety days or the ROW segment reverts back to the City. Each homeowner will be responsible for demolition costs associated with removing the existing backyard subdivision wall and for extending backyard sidewalls to the new subdivision wall. The homeowners also agree to maintain, repaint, and repair as needed, the new subdivision wall into the future.

The City has collected fourteen signed purchase and sale agreements from the nineteen property owners agreeing to these conditions. The ROW segment associated with the five remaining properties will remain City property until the applicable homeowners agree to reimburse the City's costs as described above.

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	.	

FISCAL IMPACT STATEMENT:

Vacating the ROW and approving the sale of surplus property will benefit the homeowners in Livingston Ranch Phase I and be revenue neutral to the City.

ADDITIONAL INFORMATION:

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

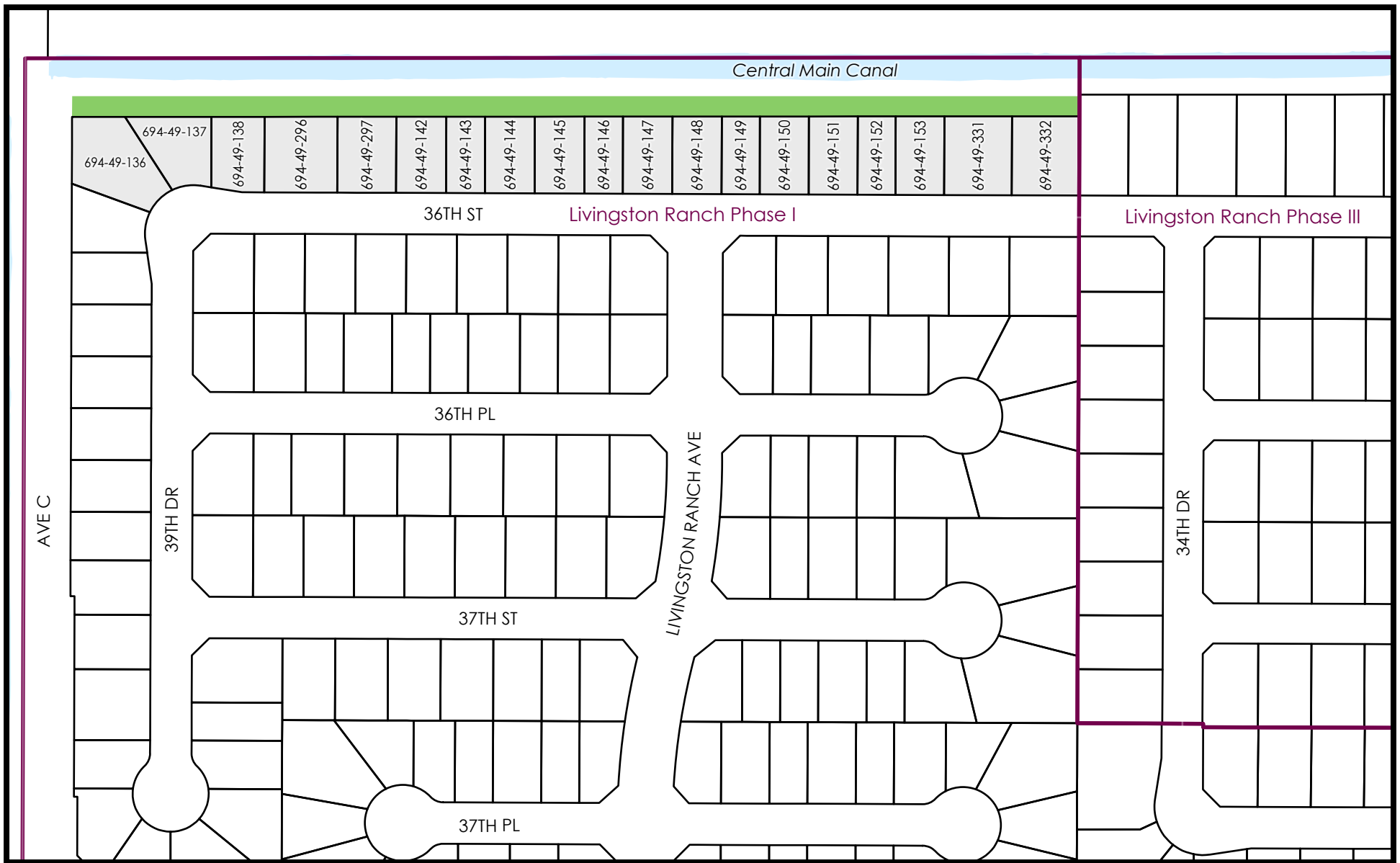
NONE

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: 1/12/2026
Reviewed by City Attorney: Richard W. Files	Date: 1/12/2026

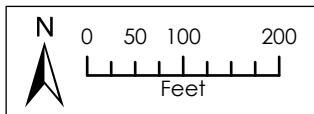


Livingston Ranch Phase I Proposed ROW Acquisition

Subject Properties

Proposed ROW Acquisition

Subdivision Boundary



Prepared by: DG

Checked by: AL

Department of
Community Development GIS

Date: 1/8/2026

Revised:



ORDINANCE NO. O2026-004

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
YUMA, ARIZONA, VACATING RIGHT-OF-WAY AND
APPROVING THE SALE OF RIGHT-OF-WAY TO NINETEEN
ADJACENT LANDOWNERS IN LIVINGSTON RANCH PHASE I**

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

WHEREAS, the City owns approximately 43,710 square feet of right-of-way (1,457 feet by 30 feet) north of Livingston Ranch Phase I and south of Central Canal in Yuma, Arizona (“ROW Property”), which is legally described in Exhibit “A” attached; and,

WHEREAS, Arizona Revised Statutes (A.R.S.) §§ 28-7205(2) and 28-7208 authorize the City to vacate portions of right-of-way 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 right-of-way and supports vacating and selling segments of the ROW Property to the nineteen owners of residential property in Livingston Ranch Phase I whose property abuts the ROW Property; and,

WHEREAS, the ROW Property contains remnants of an abandoned concrete irrigation ditch that needs removal before the ROW segments are sold to the abutting landowners; and,

WHEREAS, a legal description of the ROW Property and each ROW segment must be created by a registered engineer before each ROW segment is sold; and,

WHEREAS, City will construct a uniform subdivision wall along the northern and western boundary of the ROW Property before selling the ROW segments; and,

WHEREAS, after the City sells each ROW segment, the buyer/abutting landowner must complete a lot-tie to tie the ROW segment to the buyer’s existing residential property; and,

WHEREAS, each buyer will bear the cost of (1) demolition of the existing backyard subdivision wall on the buyer’s property and (2) extending the sidewalls in the buyer’s backyard to connect to the new subdivision wall constructed by the City; and,

WHEREAS, on file with the City Clerk are fourteen purchase and sale agreements signed by the property owners of the following addresses on 36th Street in Livingston Ranch Phase I: 3620, 3648, 3662, 3676, 3732, 3760, 3788, 3836, 3850, 3878, 3916, 3930, 3944, and 3958; and,

WHEREAS, the fourteen agreements each call for the property owner to reimburse, on a proportionate basis, the City for its costs of cleaning up the ROW Property, creating legal descriptions of the ROW Property and ROW segments, constructing a new subdivision wall, and completing a lot-tie (“City Costs”).

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

SECTION 1: The City Council finds that vacating the ROW Property is in the public interest of the City and would be of public benefit.

SECTION 2: The City Council authorizes the sale of ROW Property to property owners of land abutting the ROW Property upon reimbursing, on a proportionate basis, City Costs.

SECTION 3: The fourteen purchase and sale agreements on file with the City Clerk are approved and the City Administrator is authorized and directed to execute each agreement on behalf of the City.

SECTION 4: The City Administrator is authorized to execute additional purchase and sale agreements for segments of the ROW Property that are substantially similar to the fourteen purchase and sale agreements approved by this ordinance.

Adopted this ____ day of _____ 2026.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

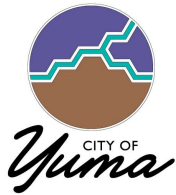
Richard W. Files
City Attorney

Applicable exhibits on file at the Office of the City Clerk, One City Plaza, Yuma, AZ.

Exhibit A
Legal Description of the ROW Property

The South 30.00 feet of the North 85.00 of the East 1457.00 feet of the West 1525.00 feet of the Southwest quarter of Section 7, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona.





City of Yuma

City Council Report

File #: MC 2026-015

Agenda Date: 2/4/2026

Agenda #: 2.

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

TITLE:

Bid Award: Livingston Ranch Wall

SUMMARY RECOMMENDATION:

Authorize a bid award for the construction of a block wall in the Livingston Ranch subdivision, to the lowest responsive and responsible bidder in the amount of \$128,923.50 to Maya's Construction, Yuma, Arizona. (Engineering RFQ-25-090) (David Wostenberg/Robin R. Wilson)

STRATEGIC OUTCOME:

Awarding this contract reflects the City Council's strategic outcome of Unique and Creative by vacating surplus property to the abutting homeowners at a cost proportionate to the construction of the new wall.

REPORT:

The right-of-way line on the north side of the Livingston Ranch subdivision, along County Road 11½ Street, is no longer needed as City right-of-way.

Several homeowners approached Community Development to explore options for acquiring the land. Community Development collaborated with the City's Legal Department to develop a solution.

The proposed plan involves vacating the surplus right-of-way to the homeowners at no cost for the land itself. In return, the homeowners must agree to contribute their proportionate share of the costs associated with clearing the land, survey work, and constructing a new block wall.

For the construction of the matching subdivision wall, the City requested bids from Westerner General Contracting, Maya's Construction and Brown and White Inc.; all three vendors are currently under City contract for Fence Repair and Installation Services. As the lowest responsive and responsible bidder, Maya's Construction shall provide and install the block wall.

The project is expected to begin in mid-February 2026 and be completed within 60 days, contingent upon City Council approval of Ordinance O2026-004, which vacates the surplus right-of-way.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 128,923.50	BUDGETED:	\$ 200,000.00
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	\$ 128,923.50	Not Bond Funded Capital Improvement Plan - General Fund	

FISCAL IMPACT STATEMENT:

Sufficient budget capacity is provided in the FY 2026 City Council approved budget and Capital Improvement Plan. The City will front funding for this project and be reimbursed by the local homeowners for their proportionate share.

ADDITIONAL INFORMATION:

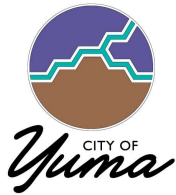
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026



City of Yuma

City Council Report

File #: MC 2026-032

Agenda Date: 2/4/2026

Agenda #: 1.

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

TITLE:

Annexation Area No. ANEX-44726-2025 Livingston Ranch Unit Nos. 5-7

SUMMARY RECOMMENDATION:

This is a public hearing to consider the annexation of property located at the northwest corner of 38th Street and Avenue C. (ANEX-44726-2025). (Community Development/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

The approval of this annexation will provide access to City resources and services. This annexation assists in furthering City Council's strategic outcome of Respected and Responsible.

REPORT:

The annexation area consists of one parcel located at the northwest corner of 38th Street and Avenue C. The annexation area totals approximately 97.9 acres. The property is owned by Barkley Farms Limited Partnership.

The City of Yuma received a request from Barkley Farms Limited Partnership, to annex their property with the intent to develop the future phases of the Livingston Ranch residential development, Livingston Ranch Unit Nos. 5-7.

The annexation does not include the adjacent right-of-way on Avenue C as it is already in the City of Yuma.

In accordance with Arizona law, a blank petition with a legal description and a map of the area to be annexed was filed with the Yuma County Recorder on January 8, 2026. There is a 30-day waiting period after recording the map and petition with the County Recorder before signatures can be obtained. During that time, a public hearing must be held by the City Council within the last 10 days of the 30-day waiting period. All appropriate and necessary notice and posting requirements have been met. After the 30-day waiting period and the public hearing, the following procedures must be followed.

- The signatures of property owners must be obtained such that at least one-half of the value of real and personal property is represented and such that more than one-half of the parcel owners are represented.
- Within one year after the last day of the 30-day waiting period, completed petitions must be filed with

the County Recorder.

- An ordinance must be adopted by the City Council effectively changing the City boundaries to include the annexation area. The ordinance will become effective 30 days after adoption. No modifications, including increases or decreases to the territory to be annexed, may be made after the first property owner in the area signs the petition. This public hearing is held to comply with the annexation law, Section 9-471 of the Arizona Revised Statutes. The purpose is to notify all property owners of the proposed annexation and take public comment.

Pending receipt of the signed petition from the property owners after the annexation hearing, it is anticipated that the annexation ordinance will be heard by the City Council for introduction on March 4, 2026, with adoption on March 18, 2026.

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		

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: 01/23/2026
Reviewed by City Attorney: Richard W. Files	Date: 01/23/2026

ANNEXATION PETITION ANEX-44726-2025
Livingston Ranch Unit Nos. 5-7 Annexation

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF YUMA, ARIZONA:

We, the undersigned, owners of real and personal property, being the real property hereinafter described and all personal property that we may own in the area to be annexed, request the City of Yuma to annex our property, said property being located in a territory contiguous to the City of Yuma, Arizona, and being located within the following described area:

The North half of the Southeast quarter and the Northeast quarter of the Southwest quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 9 South, Range 24 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona;

EXCEPT the West 3 acres of the Northeast quarter of Southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$); and

EXCEPT the Eagle 20 Lot Tie/Lot Split, including Parcel "A", Parcel "B", and all right-of-way's, dated 7/8/2010, FEE 2010-16882, recorded in Book 25 of Plats, Page 82, Yuma County Records, also described as follows:

EXCEPT the part of the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) described as follows:

BEGINNING at a point on the North line of the North half of the Southeast quarter N $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 12 said point bears South 89°40'50" West, a distance of 525.0 feet from the Northeast corner of the North half of Southeast quarter of Section 12; thence South 0°15'30" East, along the West line of the East 525.0 feet of said North half of the Southeast quarter of Section 12, a distance of 738.0 feet; thence South 89°40'50" West, a distance of 180.0 feet; thence South 0°15'30" East, a distance of 363.28 feet; thence South 89°40'50" West, a distance of 140.58 feet; thence North 66°30' West, a distance of 150.0 feet; thence North 23°30' East, a distance of 630.0 feet; thence North 100°00' East, a distance of 472.0 feet to a point on the North line of said North half of the Southeast quarter of section 12; thence North 89°40'50" East, a distance of 120.0 feet to the Point of Beginning; and

EXCEPT, that portion beginning at the Northeast corner of the North half of the Southeast quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 12; thence South 89°40'50" West, a distance of 525.0 feet; thence South 0°15'30" East, a distance of 738.0 feet; thence South 89°40'50" West, a distance of 180.0 feet; thence South 0°15'30" East, a distance of 363.28 feet; thence North 89°40'50" East, a distance of 705.0 feet to the East line of the North half of the Southeast quarter; thence North along said East line, a distance of 1101.28 feet to the Point of Beginning.

Containing a total of 97.9 acres, more or less.

In addition to the above description, any and all county rights-of-way and roadways with no taxable value that are within or contiguous to the exterior boundaries of the proposed annexation are part of the territory proposed to be annexed and will be included in any ordinance of annexation adopted as a result of this petition.

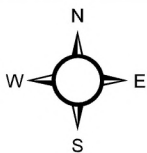
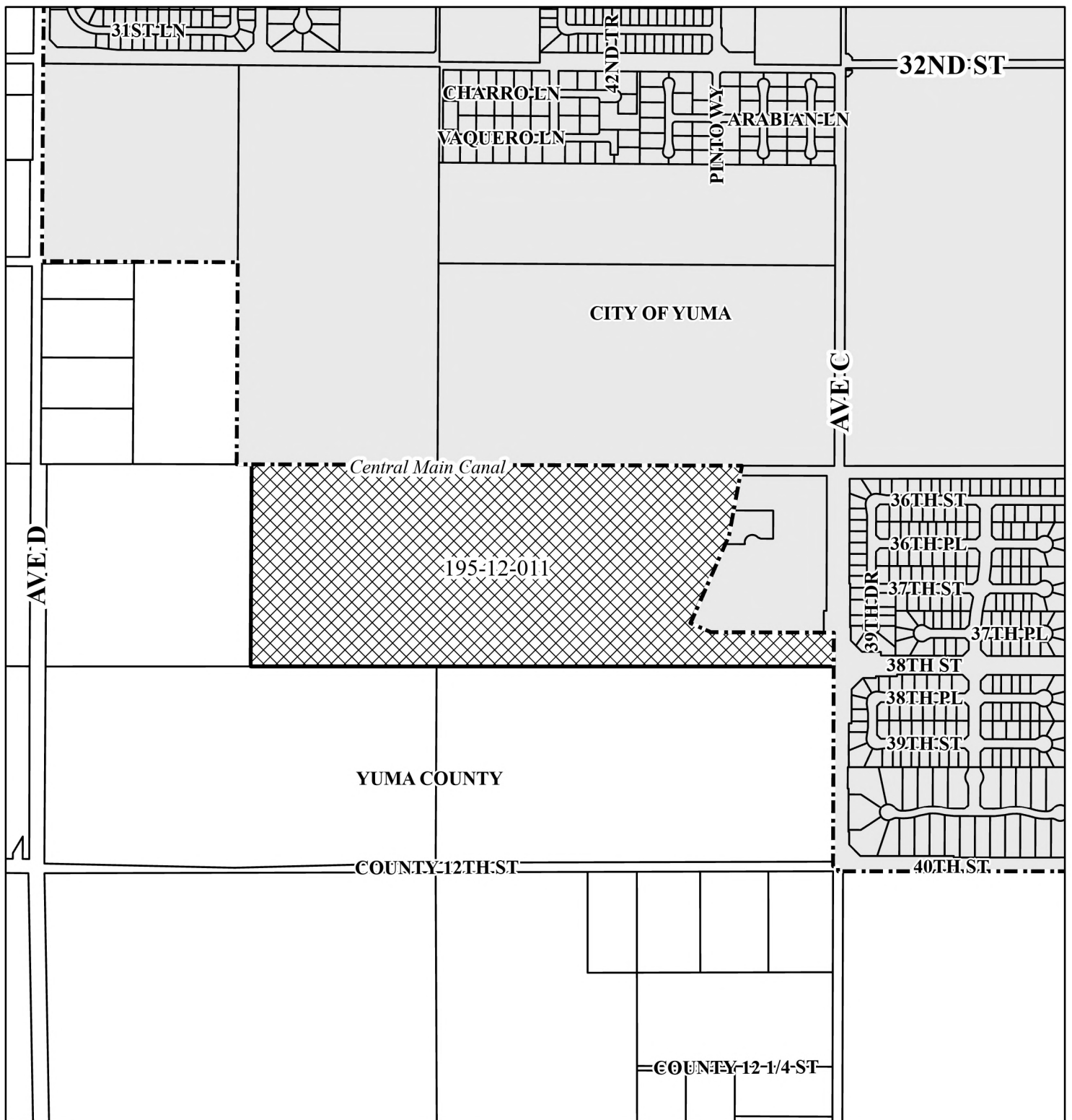
The City Council may determine the exact boundary of said territory to be annexed; provided, however, that said annexation area lies wholly within the above described area, and provided further, that the provisions of Section 9-471, Arizona Revised Statutes, are fully observed and complied with.

DATE	SIGNATURE	MAILING ADDRESS	PARCEL ID/ LEGAL DESCRIPTION

(Legal description can be Lot/Block/Subdivision; Book/Map/Parcel; or Metes and Bounds)

Print Name of Signatory above: _____



Property Owner



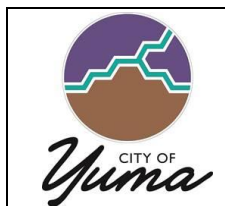
Annexation Map Produced Pursuant to A.R.S. §9-471

NOT TO SCALE
DEPARTMENT OF COMMUNITY
DEVELOPMENT GIS

City of Yuma, Arizona
Annexation Area No. 44726-2025

 City of Yuma
 Annexation Area

The City of Yuma shall maintain the rights-of-way and roadways that are within the annexation boundaries. Yuma County shall maintain the rights-of-way and roadways that are contiguous to and outside the annexation boundaries.



ATTACHMENT A
STAFF RESEARCH – ANNEXATION
CASE #: ANEX-44726-2025
CASE PLANNER: ERIKA PETERSON

I. PROJECT DATA

Project Location:		Northwest corner of 38 th Street and Avenue C intersection												
Parcel Number(s):		195-12-011												
Parcel Size(s):		97.9												
Total Acreage:		97.9												
Proposed Dwelling Units:		Maximum:		480		Minimum:		98						
Address:														
Applicant:		Barkley Farms Limited Partnership												
Applicant's Agent:		Dahl Robins and Associates, Inc.												
Land Use Conformity Matrix:		Current Zoning District Conforms:				Yes	X	No						
Zoning Overlay:	Public		AO		Auto		B&B		Historic		Infill		None	X
Airport		Noise Contours	65-70		70-75		75+		APZ1		APZ2		CLEAR ZONE	

	Existing Zoning	Current Use	General Plan Designation
Site	County Rural Area-40 (RA-40)	Agriculture	Low Density Residential
North	Conditional Agriculture and Low Density Residential (AG/R-1-20)	Agriculture	Low Density Residential
South	County Rural Area-40 (RA-40)	Agriculture	Low Density Residential and Suburban Density Residential
East	Low Density Residential (R-1-6/R-1-20)	Agriculture and single-family homes	Low Density Residential
West	County Rural Area-40	Agriculture	Low Density Residential

Prior Cases or Related Actions:				
<u>Type</u>	<u>Conforms</u>			<u>Cases, Actions or Agreements</u>
Pre-Annexation Agreement	Yes		No	N/A
Annexation	Yes		No	N/A
General Plan Amendment	Yes		No	N/A
Development Agreement	Yes		No	N/A
Rezone	Yes		No	N/A
Subdivision	Yes		No	N/A
Conditional Use Permit	Yes		No	N/A
Pre-Development Meeting	Yes		No	Date: N/A
Enforcement Actions	Yes		No	N/A
Land Division Status:		Legal lot of record		
Irrigation District:		Yuma County Water Users		
Adjacent Irrigation Canals & Drains:		Central Main Canal		
Water Conversion: (5.83 ac ft/acre)		570.75 Acre Feet a Year		
Water Conversion Agreement Required		Yes	X	No

II. CITY OF YUMA GENERAL PLAN

Land Use Element:	
Land Use Designation:	Low Density Residential

Issues:											
Historic District:	Brinley Avenue		Century Heights			Main Street			None	X	
Historic Buildings on Site:	Yes		No	X							
Transportation Element:											
FACILITY PLANS											
Transportation Master Plan		Planned	Existing	Gateway	Scenic	Hazard	Truck				
Avenue C- 2 Lane Collector		40' HW plus canal ROW	33' HW				X				
Bicycle Facilities Master Plan		Avenue C- Proposed Bike Lane, 38 th Street- Bike Lane									
YCAT Transit System		None									
Issues:											
Parks, Recreation and Open Space Element:											
Parks and Recreation Facility Plan											
Neighborhood Park:	Existing: Las Casitas Park				Future: Las Casitas Park						
Community Park:	Existing: Yuma Valley Park				Future: Yuma Valley Park						
Linear Park:	Existing: East Main Canal Linear Park				Future: East Main Canal Linear Park						
Issues:											
Housing Element:											
Special Need Household:	N/A										
Issues:											
Redevelopment Element:											
Planned Redevelopment Area:	N/A										
Adopted Redevelopment Plan:	North End:		Carver Park:		None:	X					
Conforms:	Yes		No								
Conservation, Energy & Environmental Element:											
Impact on Air or Water Resources	Yes		No	X							
Renewable Energy Source	Yes		No	X							
Issues:											
Public Services Element:											
Population Impacts Population projection per 2023 5-Year 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 Population	Police Impact	Water Consumption		Wastewater Generation			
		<i>Single Family</i>									
		Maximum	Per Unit		Officers	GPD	AF	GPD			
		480	2.8	1344	2.54	278,208	311.7	94,080			
		Minimum									
		98	2.8	274	0.52	56,801	63.6	19,208			
Fire Services Plan:	Existing: Yuma Fire Station No. 6				Future: Yuma Fire Station No. 6						
Water Facility Plan:	Source:	City	X	Private		Connection:	12" PVC on Avenue C				
Sewer Facility Plan:	Treatment:	City	X	Septic		Private	Connection: Small gravity line in the intersection of 32 nd Street and Pinto Way				
Issues:		Nearest connection to sewer is at 32 nd Street and Pinto Way									
Safety Element:											
Flood Plain Designation:	500 Year Flood				Liquefaction Hazard Area:		Yes	X	No		
Issues:											
Growth Area Element:											
	Araby Rd & Interstate 8			Arizona Ave & 16 th St			Avenue B & 32 nd St.				

Growth Area:	North End		Pacific Ave & 8 th St		Estancia		None	X	
Issues:									

AERIAL

