

City of Yuma City Council Meeting Agenda

Wednesday, April 1, 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**PRESENTATIONS**

- Reading of Proclamation: Month of the Military Child
- Greater Yuma Economic Development Corporation Update

I. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action may be taken separately.

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

1. [MC 2026-062](#) **Regular Council Worksession Draft Minutes January 20, 2026**
Attachments: [2026 01 20 RWS Minutes](#)
2. [MC 2026-063](#) **Regular Council Worksession Draft Minutes February 17, 2026**
Attachments: [2026 02 17 RWS Minutes](#)

B. Executive Sessions

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

C. Approval of staff recommendations:

1. [MC 2026-056](#) **Bid Award: Colorado River Interceptor Manhole Replacements (Phase II)**
Authorize the award of a construction services contract for the Colorado River Interceptor Manhole Replacement Phase II project to the lowest responsive and responsible bidder in the amount of \$1,384,468.50 to Taylor Engineering PLLC, Yuma, Arizona. (Engineering-RFB-26-228) (David Wostenberg/Robin R. Wilson)

2. [MC 2026-057](#) **Bid Award: Pavement Replacement, Yuma Country Club Estates Unit 1**

Authorize the award of a construction services contract for Pavement Replacement, Yuma Country Club Estates Unit 1, to the lowest responsive and responsible bidder, DPE Construction, Inc., Yuma, Arizona, in the amount of \$1,867,800.00. (Engineering RFB-26-144) (David Wostenberg/Robin R. Wilson)
3. [MC 2026-058](#) **Bid Award: Bark Park Block Wall Repair**

Authorize a bid award for the repair of a block wall at the Bark Park, to the lowest responsive and responsible bidder in the amount of \$104,590.00 to Maya's Construction, Yuma, Arizona. (Engineering RFQ-25-090) (David Wostenberg/Robin R. Wilson)
4. [MC 2026-059](#) **Contract Award: Professional Engineering Services**

Authorize an engineering design services contract for 1st Street Pavement Replacement Project from Avenue B to 4th Avenue utilizing the Professional Engineering Services On-Call contract at an expenditure of \$159,760.00 to Dahl, Robins and Associates Inc., Yuma, Arizona. (Engineering-RFQ-26-110) (David Wostenberg/ Robin R. Wilson)
5. [MC 2026-060](#) **Cooperative Purchase Agreement: Email Security and Protection**

Authorize the purchase of Proofpoint Email Security and Protection licensing utilizing a Cooperative Purchase Agreement through the State of Arizona for three years at an annual expenditure of \$145,000.00, totaling \$435,000.00 to SHI, Somerset, New Jersey. (Information Technology-CPA-26-257) (Isaiah Kirk/Robin R. Wilson)
6. [MC 2026-064](#) **Scheduling: 2026 City Council Retreat**

Approve the scheduling of the annual City Council Retreat to be held on April 6 and 7, 2026, with an agenda posted in accordance with state law.

II. RESOLUTION CONSENT AGENDA

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action may be taken separately.

1. [R2026-013](#) **Intergovernmental Agreement: Yuma County - Avenue B, 16th Street to 1st Street**

Authorize the City Administrator to execute an Intergovernmental Agreement (IGA) with Yuma County to proportionately split construction costs for project (0430-ROAD39) Pavement Replacement on Avenue B, from 16th Street to 1st Street. (Engineering) (David Wostenberg)

Attachments:

[1. RES IGA: Yuma County, Ave B, 16th St to 1st St.](#)

[2. AGMT IGA: Yuma County, Ave B, 16th St to 1st St.](#)

[3. EXH A TO IGA: Yuma County, Ave B, 16th St to 1st St.](#)

III. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item may be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

1. [O2026-012](#) **Right-of-Way Exchange: The Palms RV Resort Development, Inc.**

Authorize the vacation of a portion of 32nd Street right-of-way to The Palms RV Resort Development, Inc. in exchange for fee title to 32nd Street and Michigan Avenue (Engineering/City Attorney) (David Wostenberg/Richard Files)

Attachments:

[1. MAP LOC1- ROW Exchange The Palms RV Resort Development](#)

[2. MAP LOC2- ROW Exchange The Palms RV Resort Development](#)

[3. ORD ROW Exchange: The Palms RV Resort Development](#)

IV. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

1. [O2026-013](#)

Rezone of Property: Vision Assets

Rezone approximately 2.42 acres, from the Residence Manufactured Housing (R-MH-20) District to the Medium Density Residential (R-2) District. (Community Development/Community Planning) (Alyssa Linville)

Attachments:

[1. PZ RPT Rezoning of Property: Vision Assets](#)

[2. ORD Rezoning of Property: Vision Assets](#)

V. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments:

- Building Advisory Board
- Residential Advisory Board

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 March 18, 2026 through April 1, 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.

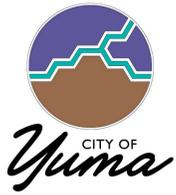
VIII. EXECUTIVE SESSION

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:

There are no additional Executive Session items scheduled at this time.

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, Yuma, AZ 85364-1436; (928) 373-5125 or TTY (928) 373-5149.



City of Yuma
City Council Report

File #: MC 2026-062

Agenda Date: 4/1/2026

Agenda #: 1.

Regular Council Worksession Draft Minutes January 20, 2026

MINUTES
REGULAR CITY COUNCIL WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS - YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
January 20, 2026
5:30 p.m.

CALL TO ORDER

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

Councilmembers Present: Martinez, Morris, McClendon, Smith, Morales, Watts, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: Acting City Administrator, John D. Simonton
Executive Director (YCNHA), Cathy Douglas
Deputy City Attorney, Rodney Short
Director of Engineering, David Wostenberg
Chief of Police, Thomas Garrity
Director of Community Development, Alyssa Linville
Various department heads or their representatives
City Attorney, Richard W. Files
Deputy City Clerk, Janet L. Pierson

III. YUMA CROSSING NATIONAL HERITAGE AREA UPDATE

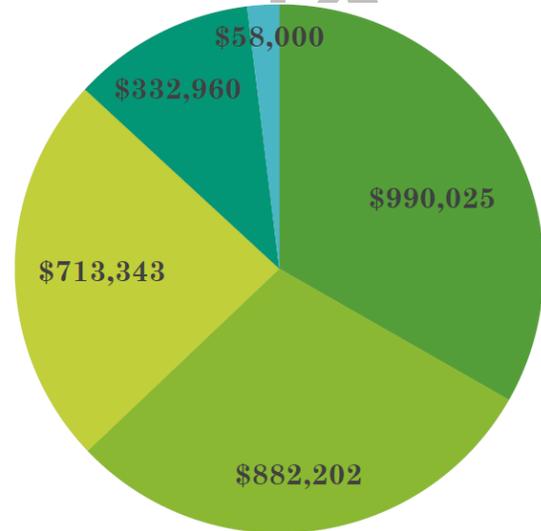
Douglas presented the Yuma Crossing National Heritage Area (YCHNA) update as follows:

- 2025 Primary Accomplishments
 - All figures are based on the fiscal year running from October 1 through September 30.
 - Continued management of the 380-acre East Wetlands conservation area.
 - Planning began for a major infrastructure improvement project funded by a Bureau of Reclamation grant administered through the City.
 - Maintained operations at the Yuma Territorial Prison and the Colorado River State Historic Park (Colorado River Park) without receiving State funding.
 - For every \$1 of National Heritage Area funding, \$6.15 was leveraged, with annual funding totaling \$500,000.
 - Hosted 75 special events and educational programs that served more than 8,500 people.
 - Developed four new signature fundraising events: the Prison-to-Prison Beer Run, Día de los Muertos Festival, Christmas at the Crossing Festival, and Wild West Days.
 - Provided 114 free school field trips for over 6,200 fourth and fifth graders, continuing a program that has been popular for five years.
 - More than 72,000 people participated in YCNHA tours, educational programs, special events, and state park visits.
 - The Arizona Travel Award recognized Yuma Riverfront development projects in the revitalization category, including the Sunset View Wildlife Area at East Wetlands and a seven-acre park improvement at West Wetlands in collaboration with the Parks and Recreation Department.

- Fiscal Year 2025 Revenue

- Total revenue Fiscal Year (FY) 2025 was \$2.9 million.
- Heritage Area federal funding, grants, and private donations accounted for \$990,025, including \$500,000 in National Heritage Area Federal funding.
- Revenue from the 2% Hospitality Tax, of which 10% is allocated to YCNHA, totaled \$882,202.
- State park admissions and gift shop sales generated \$713,343.
- Special events and rental revenue contributed \$333,960.
- In-kind contributions amounted to \$58,000.

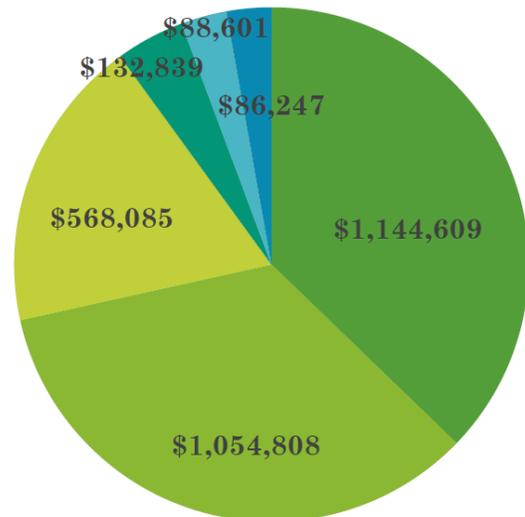
- Heritage Area Federal Funding, Grants & Private Donations (\$990k)
- 2% Hospitality Tax (\$882k)
- State Park Admissions & Gift Shop Sales (\$713k)
- Special Events & Rentals (\$333k)
- In-Kind Contributions (\$58k)



- FY 2025 Expenses

- Total expenses for FY 2025 were slightly over \$3 million.
- Approximately \$1.14 million was allocated to operate the state parks.
- Personnel, general, and administrative expenses for East Wetlands totaled \$1.55 million.
- State parks maintenance and repairs accounted for \$586,085.
- Heritage programming, educational programs, and exhibits required \$132,839.
- Maintenance and improvements for the Historic City Hall building amounted to \$86,601.

- State Parks Operations (\$1.14M)
- Personnel, General and Administration (\$1.05M)
- East Wetlands Personnel, Operation & Maint (\$586k)
- State Parks Maintenance & Repairs (\$133k)
- Heritage Programming, Education & Exhibits (\$88k)
- Historic City Hall (\$86k)



- East Wetlands
 - Operations
 - The East Wetlands is a 380-acre wetlands restoration area maintained by a staff of five on behalf of partners including the City of Yuma, the Quechan Indian Tribe, the Arizona Game and Fish Department, YCNHA, and the Bureau of Reclamation.
 - Federal funding for this site comes from the Bureau of Reclamation as part of the Lower Colorado River Conservation Program.
 - For 2025, \$218,000 was received.
 - For 2026, \$227,000 will be received.
 - An additional \$50,000 from the 2% Hospitality Tax is allocated on behalf of the City.
 - YCNHA contributes a minimum of \$50,000 annually, often exceeding that amount, and actively pursues additional grants.
 - The Arizona Department of Forestry and Fire Management has supported East and West Wetlands projects for several years.
 - In 2025, a \$124,000 grant was received for invasive vegetation removal at East Wetlands and the lower bench of West Wetlands.
 - For 2026, another \$90,000 grant was awarded to control invasive weeds in both wetland areas
 - Improvements
 - An \$8.7 million infrastructure and capital improvement project is being planned in collaboration with the City and East Wetlands partners.
 - The project will replace existing diesel pumps with electric pumps, requiring the addition of an electrical connection to the site.
 - Improvements will enhance water delivery into marsh areas through canal line extensions and replacement of aging infrastructure within the East Wetlands.
 - Completion of the project is scheduled for February 2028.
- Arizona Travel Award – Revitalization Award

YUMA RIVERFRONT WINS REVITALIZATION AWARD



- Historic City Hall Exterior Restoration
 - The historic City Hall building has served as YCNHA’s operational base since its opening.
 - Space within the building is leased to other nonprofits to help offset maintenance expenses.
 - A community-directed spending allocation from Senator Sinema was approved for FY 2025, but the funding was not received because the budget did not pass.
 - The intended allocation would have funded window replacements and restoration of the building’s façade.
 - An application for FY 2026 was submitted, but the project was not taken up by Senator Kelly or Representative Gallego.
 - Efforts will continue to secure funding for these improvements in the future.
- Ongoing Management of State Parks
 - Successes
 - The Colorado River Park and the Yuma Territorial Prison have been managed since 2009 and 2010, respectively.
 - Operations are supported by six full-time staff and six part-time seasonal staff, making for a lean team.
 - Last year, the parks welcomed 55,414 visitors, generating \$713,000 in admissions and gift shop revenue, although visitation has been trending downward due to economic factors and fewer Canadian visitors.
 - Efforts to improve the visitor experience included creating multiple exhibits and new programs to attract guests.
 - Volunteer engagement increased significantly, with 30,594 hours of service valued at \$121,000, supporting tours, programs, and special events.
 - The Yuma Territorial Prison improved its ranking on USA Today’s Best Haunted Destination list, moving from fourth place to third, and continues to draw visitors interested in paranormal activity.
 - Challenges
 - Funding remains a major challenge since the State does not provide operational or maintenance funding for the parks.
 - Both parks have aging infrastructure, requiring significant recent expenditures for plumbing repairs, electrical upgrades, and sidewalk and lighting replacements.
 - Inflation continues to increase costs, and millions of dollars are needed for historic preservation of the buildings.
 - The State has begun contributing some funding for the Yuma Territorial Prison, but operational expenses remain a concern.
 - The Yuma Territorial Prison is nearly operationally self-sufficient due to its strong visitor draw, while the Colorado River Park struggles financially despite being a popular venue for events and weddings.
 - Significant investments of YCNHA funding and 2% Hospitality Tax revenue are required to support the Colorado River Park.
 - The Intergovernmental Agreement between the State and the City to operate the parks locally will expire in 2032, leaving six years to plan and discuss future arrangements with the YCNHA Board and the City.
- Yuma Territorial Prison Sally Port Historic Restoration
 - Last year, the State paid a consultant to create a historic preservation plan for the Yuma Territorial Prison.

- This is the first time the State has contributed funding to the park since the City took over in 2009.
- A large investment was anticipated, but due to the State's budget crisis, funds were not allocated.
- Limited restoration work on the sally port is scheduled to begin next month, addressing multiple structural issues.
 - A contractor has been hired to perform initial drainage work to divert rainwater away from the building and protect the adobe.
 - The existing tarp covering the structure will be replaced with a new one to provide continued protection for several years.
 - Adobe restoration will be limited to approximately three feet from the ground up.
- The State's contribution marks a positive step toward preserving the structure, and the progress of the project will be monitored.
- New Exhibits
 - Yuma Territorial Prison
 - The Dark Cell now features a reproduction of the original cage, providing a visual representation of the conditions and how terrifying confinement was.
 - A hologram exhibit has been added to the newly designated Insane Cell.
 - An unveiling of the newest exhibit, the Prison Barber Shop, is scheduled for January 21 at 10:00 a.m.
 - Colorado River Park
 - Several new exhibits have been added to the Corral House building that focus on telling the story of the river, water rights, and the Bureau of Reclamation's role in river allocation.
- Historic and Educational Programming
 - A total of 235 group and general public tours were provided, serving 30,391 people.
 - Sixty-seven outreach, educational, and historical programs were delivered to over 1,700 participants.
 - A new six-week educational youth summer camp was developed and held at the Colorado River Park last year, receiving highly positive reviews. Plans are in place to offer the youth summer camp again this summer.
- Free School Field Trip Program
 - The free school field trip program has been largely funded through grants from the National Park Foundation, private donations, and smaller foundation grants.
 - Free field trips were provided for Yuma County third, fourth, and fifth graders to the Yuma East Wetlands, the Yuma Territorial Prison, and the Colorado River Park.
 - These trips are Science, Technology, Engineering, and Mathematics (STEM)-based and include a full curriculum along with an educational video series that teachers can implement virtually in classrooms.
 - A total of 6,200 students participated in these field trips last year.
- Cultural and Community Events
 - Eight cultural and community events were hosted, attracting a total of 7,000 guests.
 - Four signature community fundraising events were developed as part of these efforts.
 - Engagement with the business community increased, with 46 local businesses providing sponsorships to help fund the events.

- The next major event is Wild West Days, scheduled for Saturday, January 31. This popular fundraiser supports park operations and was a big success last year, so a strong turnout is anticipated again.
- America's 250th birthday and the Yuma Territorial Prison's 150th anniversary will be celebrated this year.
 - For the Prison's 150th anniversary, musicians will be invited to recreate the historic prison band.
 - Additionally, the YCNHA has been selected to host the Arizona 250 traveling museum exhibit, which is expected to arrive in Yuma on February 24, with additional details to be announced soon.
- 2026 Primary Goals
 - Work will continue with East Wetlands partners to ensure the facilitation of the \$8.7 million grant and completion of all planned improvements.
 - Operations and maintenance will be sustained for the East Wetlands, Historic City Hall, and the two state parks.
 - The YCNHA management plan is scheduled for an update this year.
 - Educational programming will be implemented and cultural and community events will be improved to increase traffic and raise funds for operational and historic preservation needs.
 - A new revenue stream is anticipated through a Series 7 Beer and Wine Bar liquor license application for the Yuma Territorial Prison, which is expected to support prison operations.
 - Funding will continue to be sought for state park and Historic City Hall preservation projects.
 - Several capital improvement projects are planned for next year, including roofing repairs and replacements, work at City Hall and the Colorado River Park, and major repairs to the new yard wall at the Territorial Prison.
 - Development of the historic downtown walking tour will continue.
 - Congress has approved the Department of Interior budget for FY 2026, which includes \$500,000 for YCNHA.

Discussion

- Significant investment was made last year in café lights that illuminate the Colorado River Park and its rooflines, which are visible from the highway. Seasonal lights used for holiday events will also be installed for special occasions such as weddings and corporate events, and will likely be left on starting in October and remaining through the busy season. **(Morales/Douglas)**
- An education grove area was created several years ago in the West Wetlands using grant funding, and the contractor initially built a teepee with available wood. Community members have since expanded on the idea by constructing additional teepees using loose limbs and branches. There is currently no signage explaining the history or purpose of the teepees. **(Morales/Douglas)**
- The school field trips are not funded by the regular \$500,000 allocation but primarily through grants, notably from the National Park Foundation, along with additional support from other foundations and private donations. The program relies on continued external funding to keep providing free field trips, as regular funding alone would not sustain it. **(Smith/Douglas)**
- No State funding has been provided to YCNHA since 2009. When requests are made, the response is that there is no budget available. Despite hopes that COVID-related funds might help, none were allocated to YCNHA. **(Smith/Douglas)**

- This year Christmas at the Crossing generated a small profit, but required significant investment in decorations and resources. While expanding the event would be appealing, financial and staffing constraints make it challenging. Additionally, scheduling is limited to avoid competing with other local holiday events, leaving only the last weekend before Christmas as a viable option.
(Watts/Douglas)
- The alcohol license will be used for everyday operations, allowing beer and wine sales at the Yuma Territorial prison. Visitors can enjoy drinks at picnic tables and benches throughout the park. For special events where liquor will be served, the regular license must be suspended and replaced with a special event license. (Watts/Douglas)
- Sunrise Point has recently undergone improvements, including a major tree planting that is thriving despite the area's high salt content in the soil. These trees will eventually provide ample shade, enhancing the beauty of the entrance to the East Wetlands and creating a scenic and welcoming gateway to the area. (Watts/Douglas)
- In 2009, the State planned to close the state parks and heritage areas, but the City partnered with the YCNHA to keep them open. Securing State investment will require ongoing advocacy across multiple legislative sessions. Additionally, the parks are significant for historic preservation and lie within the Yuma Crossing National Historic Landmark, making renewal of the agreement a priority. (Nicholls/Douglas)

II. LEGISLATIVE UPDATE

Short presented the following update on proposed State and Federal legislation affecting the City:

- City Council's Guiding Legislative Principles
 - Support legislation that protects and enhances the City Council's ability to efficiently serve Yuma residents and visitors in a cost-effective manner
 - Protect local decision-making
 - Protect local revenues and mandates that are unfunded
 - Protect the City's water rights and support water remaining in the region
- State Legislature
 - Commenced on Monday, January 12, 2026, with each political caucus' priorities and then the Governor provided a State of the State to joint session of the Senate and House
 - Tax comity, data centers, and water were notable issues
- State Legislature Important Items and Dates
 - Seven bill limit for each elected State Legislator
 - January 20 (Senate) and February 6 (House) – Last day for legal review
 - February 2 (Senate) and February 9 (House) – Last day for introductions
 - February 20 – Last day for bills in committee
 - February 23 – Cross-Over Week
 - April 17 – Last day for Conference Committees
 - April 21 – 100th Day of Session
- City Council's State Legislative Priorities
 - Maintain shared, voter-approved local revenues
 - Maintain the directed revenue sources
 - Preserve local authority over local taxation
 - Preserve and expand local economic development and job-creation
 - Preserve and expand support for public safety

- Preserve and expand local growth and housing
- Preserve and expand investments in infrastructure, quality of life, and community investment
- Protect local water rights for City of Yuma and region
- City Council's Federal Legislative Priorities
 - Federal support for:
 - Infrastructure projects
 - Public safety
 - Economic development and regional economic opportunities
 - Water
- Post 2026 Operational Guidelines and Strategies for Colorado River Operations
 - On Friday, January 9, the Department of the Interior released the draft Environmental Impact Statement (EIS).
 - Local leaders are actively engaged with the release, and the document has been widely shared publicly.
 - The draft outlines five possible alternatives, ranging from taking no action – which would likely result in severe river failure – to full federal control. The final path will likely fall somewhere between these extremes.
 - The Upper Basin (Colorado, Wyoming, Utah, and New Mexico) and Lower Basin (California, Nevada, Arizona, and Mexico) still have not agreed on a unified plan, creating significant tension during discussions.
- Post 2026 Guidelines Key Deadlines
 - The public comment period for the EIS opened on Friday, with comments due by March 2.
 - A meeting between the Upper Basin and Lower Basin representatives has been scheduled to discuss the EIS.
 - Additional comments or submissions are due on February 14.
 - There is hope that the discussions will produce a consensus among U.S. stakeholders.

Discussion

- Staff are reviewing options to prepare an official position on the water issue and will present them in a future worksession, then prepare a resolution for adoption. **(Mayor Nicholls/Simonton)**
- The City's water contract is federal, so Arizona cannot change it directly but may influence federal action. Yuma has strong water rights, though some proposals could penalize its conservation efforts. Unused Yuma water can also be reallocated to the Central Arizona Project under federal law. **(Mayor Nicholls/Short)**
- Arizona's new property-tax relief for 100% disabled veterans now includes a \$46,000 income cap, and state lawmakers are still reviewing multiple related bills as they determine how to cover the revenue impacts. Progress is slow until updated budget numbers and federal funding estimates are available, and it will take time to see which proposals advance. **(Martinez/Short)**
- The state eliminated the tax on long-term residential rentals, but short-term rentals like Airbnb's are still taxed and treated the same as hotel stays. Short-term rental taxes remain in effect under local ordinances and the Model City Tax Code. The only rentals no longer taxable are stays of 30 days or more, which previously provided revenue the City had to replace during the budget process. **(Watts/Short)**
- Regular legislative updates will be presented during worksessions to keep Councilmembers and the public informed. Future presentations will include bill numbers along with short titles to make them easier to follow. **(Mayor Nicholls/Simonton)**

III. REGULAR CITY COUNCIL MEETING AGENDA OF JANUARY 21, 2026

Motion Consent Agenda Item C.4 – Ratification of Contract Increase: Entertainment Promoter Services (ratify a contract increase for entertainment promoter services to BMC Productions & Entertainment LLC in the amount of \$164,600.00 for a total estimated cost of \$272,600.00) (RFB-24-172) (City Admin/Comm)

McClendon declared a conflict of interest on Motion Consent Agenda Item C.4. There being no questions or discussion, **McClendon** remained on the dais.

Motion Consent Agenda Item C.3 – Bid Award: La Mesa Vista and La Mesa Hermosa Pavement Replacement (construction services contract with Gutierrez Canales Engineering in the amount of \$2,171,326.66) (RFB-24-275) (Eng)

Discussion

- The \$339,326.66 listed as Available to Transfer on the City Council Report is covered by the Series 2025 Bonds and funds pulled from a project for the 16th Street Corridor that has been delayed due to the complexity of the utility and right-of-way acquisition. (**Morales/Wostenberg**)
- The project on 16th Street, which is the main artery of Yuma, will be delayed about six months; the design contract is expected to be finalized within the next month. (**Morales/Wostenberg**)

Resolution R2026-001 – Intergovernmental Agreement: United States Drug Enforcement Administration – Yuma (five-year intergovernmental agreement for use of the City of Yuma Public Safety Training Facility) (YPD)

Discussion

- The intergovernmental agreement is only for Drug Enforcement Administration training, not Immigration and Customs Enforcement. It is a continuation of a previous five-year agreement and covers co-training sessions only – when training occurs, YPD is always present. (**Watts/Garrity**)

Ordinance O2026-002 – Rezoning of Property: 1980 W. Colorado Street (rezone approximately 2.78 acres from the Manufactured Housing Park (MHP) District to High Density Residential (R-3) District) (ZONE-44544-2025) (Comm Dev/Comm Plng)

Morris declared a conflict of interest on Ordinance O2026-002 as his firm is involved in the design process. There being no questions or discussion, **Morris** remained on the dais.

Ordinance 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 sale of the surplus property to adjacent landowners in Livingston Ranch) (Comm Dev)

Discussion

- Fourteen out of 19 property owners have signed agreements with the City. The remaining five owners have not signed; until they do, they cannot use the land, and it will remain under City ownership. This option will stay available for them or future owners whenever they are ready to participate. The average reimbursement amount per household is not currently available but will be provided to City Council. **(Morales/Linville)**
- The City plans to build the entire wall as one continuous structure, even if all 19 agreements are not signed. If the remaining five residents choose to participate later, they can add to their side walls to connect and expand their yards. **(Watts/Linville)**
- If a property owner does not sign the agreement but adjacent owners do, the City will still build the wall, leaving the non-participating property enclosed by its existing three walls. That owner cannot remove the back wall or use the extended area until they reimburse the City. The City will monitor compliance to ensure non-participating residents do not use the land prematurely. **(Morris/Linville)**

EXECUTIVE SESSION/ADJOURNMENT

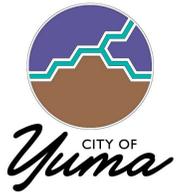
Motion (Morales/McClendon): To adjourn the meeting to Executive Session. Voice vote: **approved** 7-0. The meeting adjourned at 6:42 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

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

File #: MC 2026-063

Agenda Date: 4/1/2026

Agenda #: 2.

Regular Council Worksession Draft Minutes February 17, 2026

MINUTES
REGULAR CITY COUNCIL WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS - YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
February 17, 2026
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the Regular City Council Worksession to order at 5:31 p.m.

Councilmembers Present: Martinez, Morris, McClendon, Smith, Morales (telephonic), Watts, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: Acting City Administrator, John D. Simonton
Director of Facilities Management, Justin Lewis
Finance Director, Douglas Allen
Deputy City Attorney, Rodney Short
Director of Engineering, David Wostenberg
Director of Utilities, Jeremy McCall
Director of Community Development, Alyssa Linville
Various department heads or their representatives
City Attorney, Richard W. Files
Deputy City Clerk, Janet L. Pierson

I. FACILITIES MANAGEMENT DEPARTMENT UPDATE

Lewis presented the following Facilities Management Department (Department) update:

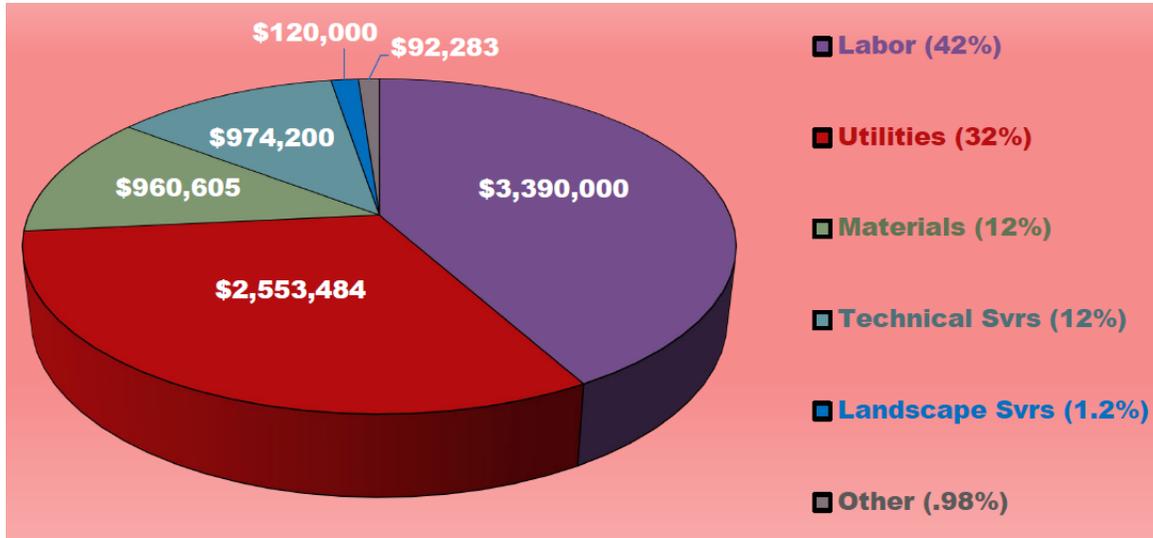
- Facilities Management Staff
 - 53 dedicated employees work across all shifts to keep facilities safe, clean, and well maintained.
 - Employee retention has improved significantly in recent years, supported by competitive pay.
 - Staff tenure is now strong, averaging just over 13 years.
- Mission Statement



• THE FACILITIES MANAGEMENT DEPARTMENT ENSURES SAFE, EFFICIENT, AND WELL-MAINTAINED CITY FACILITIES THAT SUPPORT THE DELIVERY OF PUBLIC SERVICES. WE PROVIDE RESPONSIVE SERVICE, STRATEGIC MAINTENANCE, AND LONG-TERM STEWARDSHIP OF CITY-OWNED BUILDINGS AND INFRASTRUCTURE.

• WE WILL PROVIDE OUR CUSTOMERS WITH HIGH QUALITY SERVICE, REFLECTING THE BEST STEWARDSHIP OF THE CITIZENS TRUST AND RESOURCES.

- The Department’s mission focuses on providing safe, well-maintained facilities that support departmental needs and enhance public enjoyment.
- Staff take great pride in their work, which is reflected in the quality of the facilities.
- This mission aligns with several strategic outcomes, including creating a safe and prosperous community and fostering an active and appealing environment.
- Current Facilities Portfolio
 - The City’s facilities – 68 sites, covering almost 900,000 square feet – range from newly constructed buildings to historic structures over a century old.
 - Average age of City buildings is approximately 38 years old
 - The Department also oversees all City-operated pools.
 - Because public pool maintenance presents unique challenges, staff receive comprehensive training, and all employees assigned to pool facilities are Certified Pool Operators through the nationally recognized Pool and Hot Tub Professionals Association.
 - With 20 certified staff members, this training ensures that City pools operate safely and meet or exceed all health and safety standards.
- Facilities Snapshot FY 2025
 - The Department completed nearly 11,500 work orders, including 6,600 preventive maintenance tasks and over 4,600 customer service requests.
 - Another 256 items were classified as projects, which are tracked separately because they often take weeks or months to complete, such as renovations or remodels.
 - Separating projects helps maintain accurate tracking of work order times without skewing the data.
- Core Facilities Management Functions
 - The Department prioritizes health, safety, and compliance by first addressing urgent maintenance needs that impact safety or operational continuity, followed by preventive maintenance and routine repairs.
 - In addition to these core functions, the team also manages space planning, sustainability efforts, and vendor performance.
 - Once contracts are established by Procurement, Facilities oversees vendors providing essential services such as electrical, plumbing, HVAC, elevator, and fire alarm system maintenance.
- Key Performance Indicators
 - Key performance indicators focus on response times, maintenance quality, efficiency, and responsible budgeting.
 - In Fiscal Year 25, the team responded to 98% of Priority 1 work orders the same day, outperforming national norms despite operating lean – managing nearly 60,000 square feet per technician for cleaning services and about 30,000 square feet per custodian.
 - The department also aims to fully utilize its budget; budgeting and spending wisely avoids deferred maintenance, which can multiply future repair costs by four to seven times.
- Budget 2025
 - The Department’s budget is approximately \$8 million, with the largest costs being labor and utilities, followed by materials and supplies, technical services, and landscaping.
 - The remaining 1% of the budget falls under “other,” which includes smaller accounts such as fuel, uniforms, and training.



- Building Automation, Control Systems and Security
 - Building automation, control systems, and smart scheduling tools are utilized to help reduce utility costs while improving comfort, air quality, and operational efficiency.
 - A unified, web-based control system – replacing five older independent systems – now allows staff to monitor and adjust building conditions remotely, greatly improving after-hours response times.
 - Over 800 devices, including 355 security cameras, are managed through upgraded automation, security, and cloud-based camera systems, enhancing both efficiency and safety.
 - Additionally, the outdated 1998 card access system was replaced in partnership with IT, with Department staff completing installation and programming to build in-house expertise and reduce reliance on outside vendors.

Discussion

- Visitors to City Hall are often surprised to learn the building is more than twenty years old, noting how well-maintained it looks – a reflection of the strong work of the Facilities team. With only three administrative staff out of a 53-person department, most employees are hands-on, which contributes to high efficiency and effective operations. (Mayor Nicholls/Lewis)
- The department is strengthening employee retention by developing a career-ladder program that supports internal promotion and long-term growth. Providing clear advancement opportunities allows entry-level employees to progress, increase their earnings, and remain with the organization longer. (Martinez/Lewis)

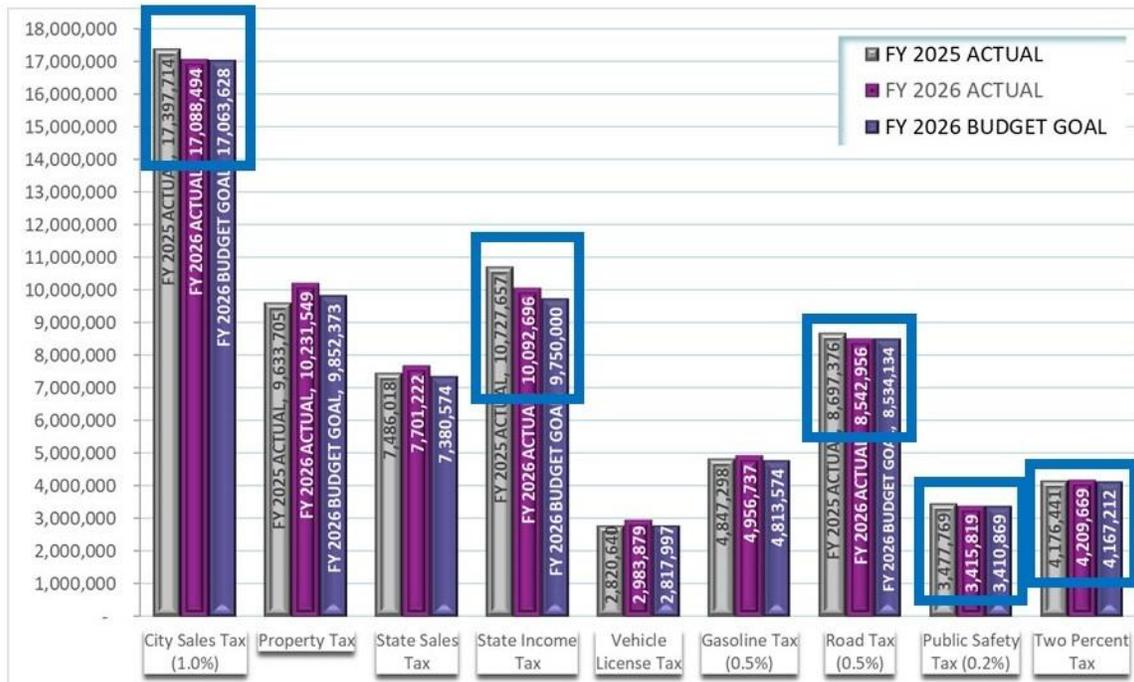
II. Q2 FY FINANCIAL BRIEFING

Allen presented the following information relating to the City’s Fiscal Year (FY) 2025 year-end results, FY 2026 financial status, and FY 2027 budget preview:

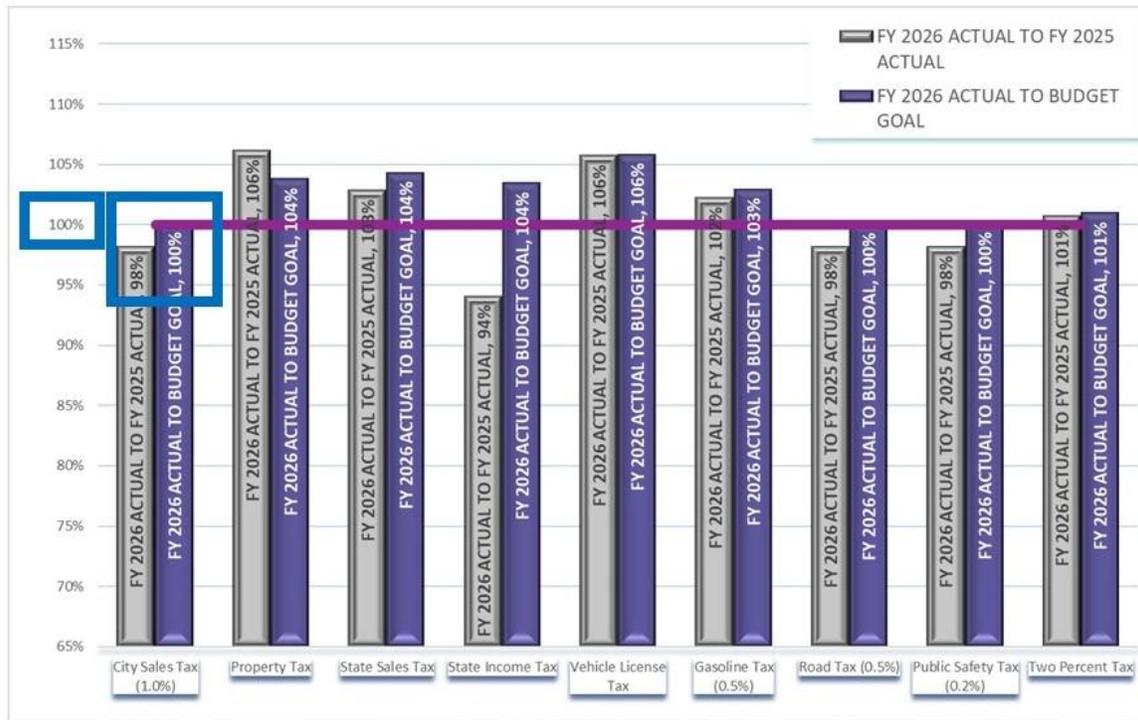
- FY 2025: Year-End Results
 - Annual Financial Reporting
 - The primary report is the Annual Comprehensive Financial Report, which is 236 pages, highly technical, and audited by independent auditors.

- State statute requires the independent auditors to present their findings to the City Council in a meeting, and this presentation cannot be placed on the consent agenda.
- The auditors, Baker Tilly, have issued an unqualified (clean) opinion for the second consecutive year, and there are no findings in the audit.
- This year, the City has also produced a Popular Financial Report, which is more reader-friendly and approximately 16 pages in length.
- Both the Annual Comprehensive Financial Report and the Popular Financial Report are currently available on the City's website.
- The next steps include the auditors presenting their report to the City Council on May 4, 2026, and the City filing all required legal documents afterward.
- Overview
 - Governmental fund revenues exceeded expenditures and transfers out by \$4.8 million, resulting in a year-end General Fund balance of \$33.3 million (about 26% of revenues), which will carry forward into 2026 and is expected to remain similar for 2027.
 - The Arizona Department of Emergency and Military Affairs (AZDEMA) fund was designated as a major fund this year due to a \$6.4 million in state reimbursement grants related to border fencing and technology, but it is not expected to be a major fund again next year.
 - The Public Safety Personnel Retirement System (PSPRS) valuation, which uses market values rather than seven-year smoothing, shows the plan remains over 95% funded even without the \$15.2 million reserve included, and additional details on contribution rates will be provided in the actuarial report as part of the 2027 budget process.
 - All departments remained within their final 2025 budgets, aided by fourth-quarter spending curbs implemented to address expenditure-limitation concerns and a brief period of flat revenues, which ultimately helped stabilize the start of FY 2026.
 - The Note Disclosure explains that the financial statements list \$93.7 million in pledged debt obligations, while project budgets show \$100.7 million in proceeds because premium bonds generated higher receipts than the obligation amount, with an additional \$41 million in utility service bonds also factoring into the reconciliation.
- Investment Earnings and Findings
 - The City earned \$17 million in investment earnings over the last few fiscal years, driven by higher interest rates and strong cash balance.
 - These earnings are being set aside to help mitigate next year's expenditure-limitation impacts until the matter goes before Yuma voters.
 - This year's audit reported no findings, either new or recurring, reflecting strong performance across the entire City organization and the collective effort required to achieve that result.
- Bond Rating Upgrade 2025
 - The City received a bond rating increase in 2025, rising to AA, supported in part by strong pledged revenues – primarily City sales tax and state-shared revenues, which together make up 86% of pledged revenue.

- Closing FY 2025
 - No adjustments are needed to the 2026 budget as a result of the 2025 audit, though mitigation measures remain in place for 2026 due to softening revenues and potential impacts from state legislative actions.
- FY 2026: Financial Status
 - Bottom Line Up Front
 - Revenues for 2026 are essentially unchanged from 2025, coming in only \$42,000 lower – a positive outcome given expected declines related to the State’s income-tax formula changes and the first full year of eliminating the local residential rental tax.
 - By the end of quarter two, major revenue sources are outperforming their benchmarks by approximately 2%, which equals about \$1.4 million above the amount needed to stay on track with the 2026 budget goal.
 - City Sales Tax Basis
 - The City uses two bases of accounting for revenue reporting:
 1. the Arizona Department of Revenue (ADOR) basis for quarterly reports, which records revenues in the month the State receives them,
 2. and the activity basis for financial statements and audits, which records revenues in the month the underlying economic activity occurs.
 - While the timing differences between these two methods can appear significant in monthly or quarterly cutoffs, especially because revenue collections are much higher in some months, such as December – the difference over an entire fiscal year is less than half a percent.
 - Major Revenues



- Sales tax, property tax, and state-shared revenues together make up approximately 76–80% of the City’s total revenues, which is why they are closely monitored and protected.
- The actual revenues received through the first two quarters on the ADOR basis show that City sales tax collections are slightly lower than the same point last fiscal year due to previously noted factors, including changes to state income-tax formulas.
- When compared to the 2026 budget goal, City sales tax is tracking as expected, state-shared income tax is performing slightly higher due to favorable population adjustments, and while City sales-tax categories (road tax, public safety tax, and the 2% tax) are slightly below last year, other tax categories are collecting more, with state-shared sales tax helping offset the difference.



- All major revenues are currently exceeding their 2026 budget goals, and on the year-over-year percentage view, City sales tax is at 98% of last year’s level, while property tax collections are at 106% (mostly due to prior-year receipts).
- Against the budget benchmarks, City sales tax is meeting the goal – so no mitigation actions are needed – and state income tax is exceeding its baseline goal.

○ City Sales Tax

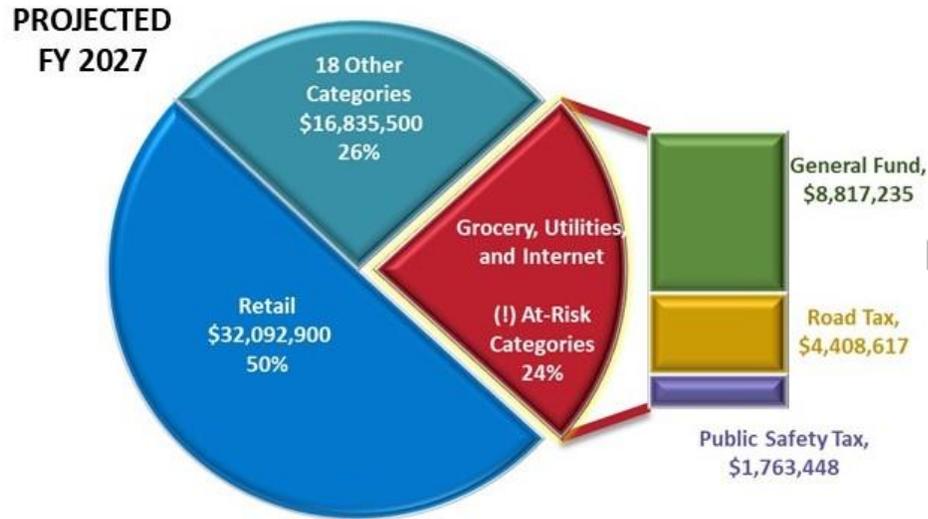
CITY'S 1.7% SALES TAX (1.0% General; 0.5% Road; 0.2% Public Safety)				REPORTED IN MONTH OF ACTIVITY		
Category as Reported by ADOR	July-Dec FY 2026	July-Dec FY 2025	July-Dec FY 2024	July-Dec FY 2023	Change in FY26/FY25	
					\$	%
Retail	\$ 15,417,143	\$ 15,565,812	\$ 15,052,618	\$ 14,015,929	\$ (148,669)	-1%
Grocery (!)	3,844,425	3,716,601	3,487,791	3,140,606	127,824	3%
Restaurants and bars	3,118,959	3,015,937	3,000,944	2,825,506	103,022	3%
Utilities (!)	1,716,282	1,815,432	1,557,257	1,515,463	(99,150)	-5%
Internet sales (!)	1,593,143	1,448,470	1,239,676	1,005,158	144,673	10%
Hotels	512,397	562,877	589,684	641,419	(50,480)	-9%
All 15 other categories	1,636,255	1,794,070	1,680,400	1,505,580	(157,815)	-9%
Total Recurring	\$ 27,838,604	\$ 27,919,199	\$ 26,608,370	\$ 24,649,661	\$ (80,595)	0%
Residential rental leasing*	35,667	279,917	283,324	238,464	(244,250)	-87%
Construction	2,759,562	2,615,168	1,969,584	1,660,036	144,394	6%
Total City's 1.7% Tax	\$ 30,633,833	\$ 30,814,284	\$ 28,861,278	\$ 26,548,161	\$ (180,451)	-1%

* Category Excluded (Jan 2025) (!) AT RISK 2026 STATE LEGISLATIVE SESSION

TWO PERCENT TAX (2.0%)				REPORTED IN MONTH OF ACTIVITY		
Category as Reported by ADOR	July-Dec FY 2026	July-Dec FY 2025	July-Dec FY 2024	July-Dec FY 2023	Change in FY26/FY25	
					\$	%
Restaurants and bars	\$ 3,663,093	\$ 3,541,867	\$ 3,543,990	\$ 3,329,402	\$ 121,226	3%
Hotels	588,616	643,095	676,804	731,613	(54,479)	-8%
Total Two Percent Tax	\$ 4,251,709	\$ 4,184,962	\$ 4,220,794	\$ 4,061,015	\$ 66,747	2%

- Retail and internet sales combined have shown strong year-to-year growth in earlier periods, but over the last four quarters growth has flattened to around 0-1%, meaning revenues have held prior gains but are not increasing further.
 - Construction activity, which is an indicator of future tax-base growth, has shown nine consecutive months of year-over-year increases, providing a positive outlook.
 - The City's 2% tax overall is showing roughly a 2% increase, driven largely by stronger bar and restaurant activity, while hotel revenue – measured only through room-tax collections and including short-term rentals – continues to lag.
 - When comparing the activity basis to the ADOR basis, the results remain very similar, showing only a 1% difference, and retail performance. While lower than 2025, it is still higher than 2024, indicating ongoing improvement.
 - The red exclamation points in the chart above indicate which revenue categories the State Legislature is currently considering for exemption from the TPT.
 - FY 2027: Budget Preview
 - General Fund Major Revenues
 - The General Fund's major revenues collected in 2023 totaled \$86.2 million; revenue growth in 2024 was significant, increasing to \$96.6 million.
 - In 2025, revenues declined slightly to \$96 million, and revenues for 2026 are estimated to remain flat at about \$96 million; for 2027, revenues are projected to increase modestly.
 - These fluctuations are partly due to state actions that have removed or substantially reduced certain revenue sources in each fiscal year.

○ City Sales Tax



- Retail alone makes up 50% of the City’s tax base, excluding the 2% hospitality tax.
- The remaining 18 tax categories account for 26%, while the at-risk categories (grocery, utilities, and internet sales) together make up 24% of TPT, totaling \$14.9 million.
- These at-risk categories affect multiple funds – including a projected \$8.8 million to the General Fund, \$4.4 million to Road Tax, and \$1.8 million to Public Safety Tax in FY 2027 – which were pledged in the recent bond issuance.
- Replacing all three at-risk categories would require approximately a 2.25% TPT increase, due to shrinking taxable categories.

○ Other Considerations

- If the City lost its property tax share, a 0.5% TPT increase – matching the Road Tax rate – would need to be approved by voters to recover the \$17.8 million loss.
- The newly formed Town of San Tan Valley had an estimated population of about 100,000 at incorporation, and its addition reduces Yuma’s shared revenues; if applied today, it would mean a \$651,000 reduction, with the full impact occurring next year.
- The change in vehicle tax will not affect the City because it is calculated county by county, and San Tan Valley is in Pima County.
- If a new city were created within Yuma County, the state shared revenue allocation is roughly \$432 per person.
- During the upcoming budget session, the City will review financial forecast stress tests to evaluate how revenues support expenditures, including a model showing how relying on an unusually high one-year increase in state-shared income tax would have caused spending to outpace revenue over time.

o FY 2027 Budget Calendar

	Budget Task	Responsible Party	2026 Budget Due Date	2027 Budget Due Date	Comment
REVIEW	Position Budgeting - entered in New World	Budget Office	Week of February 3	Week of January 20	Accuracy important
	Current year- FY 2026 revenue estimates uploaded to New World	Budget Office	February 10, 2025	February 9, 2026	Validate department revenues
	Department meetings with City Administration	Departments	February 24-27, 2025	February 17-20, 2026	Be prepared
	Performance measures due- FY 2026 estimates and FY 2027 targets	Departments	March 10, 2025	March 9, 2026	Can turn in early, but please don't be late
	Final department budget monitoring before proposed budget	Departments	March 17, 2025	March 16, 2026	Final date for material changes
PROPOSED	City Council Review sessions	Administration	April 9, 10, 14	TBD	
	City Council Work session: Proposed budget presented	Administration	April 15, 2025	April 14, 2026	
	City Council Work session: CIP presented	Administration	May 20, 2025	May 19, 2026	
	City Council Regular meeting: CIP Public Hearing	CIP / City Council	May 21, 2025	May 20, 2026	
	City Council Regular meeting: Tentative Budget Adoption	City Council	May 21, 2025	May 20, 2026	
ADOPTED	Publish in Yuma Sun	City Council	June 3 and June 10	June 2 and June 9	
	City Council Special Budget meeting: Combined Public Hearing Truth-in-Taxation/ CIP Adoption/ Adoption of FY 2027 Budget/ Introduction of Tax Levy (if applicable)	City Council	June 18, 2025	June 17, 2026	
	Adopt Tax Levy	City Council	July 2, 2025	July 1, 2026	

Discussion

- The \$33.3 million year-end balance being discussed represents the unassigned portion of the General Fund, meaning it is not already designated for specific purposes. The City’s policy requires the General Fund balance to remain at no less than 20% of revenues or next-year expenditures, and the current level of 26% meets that standard. Within the total fund balance, other portions are already restricted or designated, such as \$15 million for PSPRS, one year of debt service, and amounts for capital financing and the Capital Improvement Program (CIP). **(Morales/Allen)**
- The unassigned funds function essentially as a rainy-day reserve, meaning they are not immediately assigned to specific uses but are available for emergencies, cash flow needs, investment stability, and working capital. If the balance ever fell below the 20% policy minimum, City Council would need to create a plan to restore it, ensuring long-term financial stability. **(Morales/Allen)**
- If the expenditure limit increase is not passed by voters, the operational impact would be significant, because the City is already relying on strategies – such as short-term bonds and exempt debt proceeds – to stay under the cap. The 2025 bond issuance was structured partly to relieve pressure on the expenditure limit, since major CIP projects had the cash but not the expenditure limit capacity. Investment earnings, which are excluded from the expenditure limit, currently act as the City’s safety net, but that approach could only sustain operations for two to three years. The City would eventually face real operational constraints and would need to consider cuts or other adjustments. **(Morales/Allen)**

- There is concern that grocery, utilities, and internet taxes may be at risk, with roughly \$14 million potentially impacted in 2027. Preparing a letter to state representatives could be appropriate if those legislative actions appear likely to pass. The idea can be discussed further during the related agenda item so the City Council can determine whether to formally express opposition. **(Mayor Nicholls/Morales/Allen)**
- Standard and Poor (S&P) upgraded the City's rating to AA, supported by a growing tax base, strong reserves, consistent positive financial results, solid management practices, and effective long-range planning. While S&P questioned the decline in state-shared revenues, the City's explanations addressed those concerns and the rating still improved, demonstrating confidence in the City's financial position. **(Mayor Nicholls/Allen)**
- The \$15 million set aside for PSPRS is restricted by City Council action, meaning it is considered committed rather than available as part of the General Fund's flexible, unassigned balance and cannot be used for general purposes. **(Mayor Nicholls/Allen)**
- The improvement to the PSPRS valuation is based on the Governmental Accounting Standards Board (GASB) valuation, which measures assets at true market value as of June 30. This is separate from the actuarial valuation, which smooths results over seven years to prevent sharp swings. Both valuations are currently showing similar improvement, though the actuarial metric is generally more useful for City Council because it drives required contribution rates and decisions about whether to use PSPRS reserves. **(Morris/Allen)**

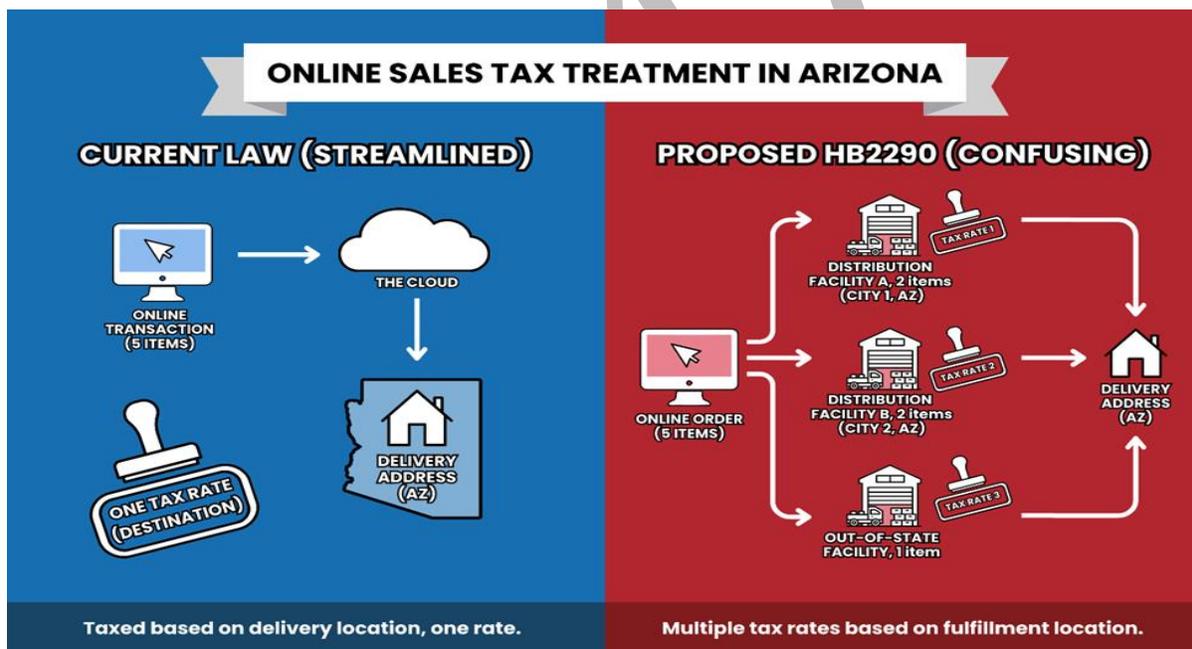
III. LEGISLATIVE UPDATE

Short presented an update on proposed State and Federal legislation affecting the City as follows:

- City Council's Guiding Legislative Principles
 - Support legislation that protects and enhances the City Council's ability to efficiently serve Yuma residents and visitors in a cost-effective manner
 - Protect local decision-making
 - Protect local revenues and mandates that are unfunded
 - Protect the City's water rights and support water remaining in the region
- State Legislature Important Items/Dates
 - Seven bill limit for each elected State Legislator
 - February 20 – Last day for bills in committee
 - February 23 – Cross-Over Week
 - April 17 – Last Day for Conference Committees
 - April 21 – 100th Day of Session
- City Council's State Legislative Priorities
 - Maintain shared, voter-approved local revenues
 - Maintain the directed revenue sources
 - Preserve local authority over local taxation
 - Preserve and expand local economic development and job-creation
 - Preserve and expand support for public safety
 - Preserve and expand local growth and housing
 - Preserve and expand investments in infrastructure, quality of life, and community investment
 - Protect local water rights for City of Yuma and region

- Local Revenue Decision Preemptions
 - Senate Bill (SB) 1090, House Concurrent Resolution (HCR) 2028, and House Bill (HB) 2839
 - The food-for-home-consumption (grocery) tax is used by 72 of Arizona’s 92 cities and towns and is a core component of the Model City Tax Code.
 - Rural communities depend heavily on this tax to fund public safety, unlike larger cities such as Phoenix and Tucson that do not levy it.
 - Yuma’s overall sales tax rate is only 1.7%, the lowest in the state, so removing major taxable categories would significantly strain its broad but low tax base.
 - New legislative bills aim to eliminate or sharply limit the food tax by exempting Supplemental Nutrition Assistance Program (SNAP)-eligible items, which would cut Yuma’s food-tax revenue by about 95%.
 - Losing this revenue would force staffing cuts and reductions in programs and recreation services; for Yuma, the tax represents 11% of TPT revenue, and for nearby cities the impact is even greater.
 - HB 4030 and HCR 2052
 - Proposes a local rate, fee, and tax limitation that could restrict cities from increasing rates after fiscal year 2026.
 - HCRs can bypass the governor and go directly to voters, making tax-related measures harder for cities to manage because voters often approve tax decreases without considering long-term impacts.
 - If passed, these would lock in current rates at a time when cities anticipate a fiscal cliff, preventing them from adjusting revenues to maintain services.
 - Because rate increases would be prohibited, any financial shortfall could only be addressed through significant service cuts.
 - SB 1745
 - Creates limits on local excise taxes and rates, similar to the restrictions proposed in earlier legislation.
 - The bill currently applies only to larger cities such as Glendale, Scottsdale, Phoenix, and Tucson, due to population thresholds added to ensure it could pass out of committee.
 - Yuma had a fiscally responsible rental-tax structure that taxed only landlords with four or more rental properties, but that authority was removed along with the broader statewide change.
 - The loss of residential rental tax revenue significantly impacted cities, including Yuma, where the amount lost closely matched the funding needed for the public safety step pay plan.
 - Because that revenue source has been eliminated, the City must now rely on other funds to cover public safety raises and commitments, highlighting how these legislative changes ripple through local budgets.
 - HB 2946
 - Proposes new caps on development fees, a change driven largely by issues affecting metropolitan areas rather than communities like Yuma.
 - Many of the valley cities are imposing very high development fees – often in the upper \$10,000 range and sometimes exceeding \$20,000 – due to water-supply pressures such as the failing Colorado River negotiations.
 - In contrast, Yuma’s development fee is only \$2,572, which appears to be the lowest in the state.

- The bill’s percentage-based cap would limit Yuma’s ability to raise development fees in the future, and a four-year moratorium would further restrict needed adjustments.
- A separate major concern is TPT sourcing, often referred to as the “internet tax,” which represents a significant financial risk similar to other red-flag items previously discussed.
- An additional bill, HB 2269, concerning utility TPT, has unexpectedly re-entered consideration after being assigned to appropriations, meaning all major revenue-threatening proposals remain active.
- HB 2290
 - Stems from the U.S. Supreme Court’s Wayfair v. South Dakota decision, which changed how sales tax is applied to remote and online purchases.
 - Under Wayfair, in-person purchases are taxed at the store where the purchase occurs, while online purchases are taxed at the delivery address of the buyer.
 - HB 2290 would significantly disrupt that system by causing single online orders to be taxed at multiple rates because items could come from different store locations or fulfillment centers.
 - Because the bill treats fulfillment centers – not distribution centers – as the tax origin, Yuma would lose most internet-based TPT revenue from major retailers.
 - Yuma would retain only small amounts of revenue from locally originated online sales or small independent sellers.



- Local Decision-Making
 - SB 1431
 - Introduces statewide preemptions that limit local decision-making authority over planned developments, known Planned Unit Developments in Yuma.
 - Some developers who initially agreed to specific project features are now seeking to change those commitments after construction by pushing for statewide legislation.

- The bill would weaken City Council’s ability to enforce development agreements and uphold expectations tied to major projects.
- Yuma’s City Council has historically been highly business-friendly and development-friendly, making these preemptions especially concerning because they disrupt a system that already works well locally.
- SB 1241
 - Addresses problems caused by out-of-state solar companies that performed unsafe, unpermitted installations in rural Arizona communities, including Yuma.
 - Local inspectors observed serious fire hazards, such as overheated wiring near combustible materials, raising concerns from fire marshals and fire departments.
 - A similar bill failed last year due to opposition from rural counties, but SB1241 returns with expanded scope covering solar, water heaters, and other installations.
 - The bill shifts more responsibility to company-affiliated inspectors, whose limited credentials and ties to the installer raise safety and accountability concerns.
 - Long liability periods for faulty installations mean homes could face fire risks after warranties expire, making local oversight especially important.
 - Because of these safety and enforcement concerns, the preference is to maintain strong local control rather than adopt the bill’s proposed statewide framework.
- Additional Positive Legislation
 - HB 2793
 - Simplifies and improves the annexation process, addressing challenges such as newspaper notice requirements and procedural barriers.
 - The proposal aligns closely with Yuma’s existing annexation practices, which already emphasize coordination, communication, and readiness before bringing areas into the city.
 - The City frequently uses pre-annexation development agreements to ensure that entire neighborhoods can be annexed together when property owners are ready.
 - The bill supports practices that Yuma already excels at, making it a reform the City views positively and considers beneficial for continued effective annexation management.
 - HB 2375
 - Protects zoning authority and local historic district registers in response to concerns raised after last year’s passage of HB 2447.
 - HB 2447 had limited public comment and was viewed as infringing on First Amendment participation rights, prompting renewed interest in restoring local input in historic districts.
 - The new bill helps ensure that historic and redevelopment areas can maintain their established agreements, where developers receive flexibility in exchange for meeting specific design or preservation standards.
 - The intent of HB 2375 is to restore balance by preserving necessary local control while preventing statewide changes from undermining longstanding historic district practices.
 - SB 1683
 - Strengthens protections around military bases by implementing federal Committee on Foreign Investment in the United States (CFIUS) standards at the state level.

- The bill addresses past incidents where foreign-linked businesses operated near sensitive areas, such as activity near Luke Air Force Base that allowed adversarial countries to photograph aircraft.
- A key issue was that the questionable business operated on State land, which lacked safeguards because Arizona had no applicable law at the time.
- With this bill, Arizona becomes roughly the 40th state to adopt CFIUS-aligned protections, helping prevent foreign adversaries from gaining proximity to critical military operations.

Discussion

- Preparing a formal letter stating the City's position on upcoming legislative matters would be helpful and should be drafted once it is clear which proposals advance later in the week. The letter is intended to support upcoming meetings with state leaders and could be both submitted in advance of and hand-delivered during scheduled visits to the Capitol. The plan is to have a draft ready for the next meeting, refine it based on new developments, and use it as part of coordinated outreach with regional partners. **(Mayor Nicholls/Morales/Short)**
- The historic zoning in HB 2375 is based on a local designation, using the Encanto District in Phoenix as an example. Because the criteria are set locally, there may be opportunities to use such designations to navigate certain state-level restrictions. Further details will be researched and provided to City Council. **(Mayor Nicholls/Short)**
- Approvals for planned developments function much like contracts, raising concerns that new state actions may interfere with previously negotiated arrangements. Legal professionals have questioned how such measures cleared review, since these agreements are voluntary, tailored, and often central to determining density and other project features. Additional elements of the proposal would also restrict forming homeowners' associations, which is more consequential in some regions than others. **(Mayor Nicholls/Short)**
- Shifting TPT sourcing will reduce local revenue because some sales – especially out-of-state online transactions – will no longer generate the local portion of the tax. While the tax is still collected at the state level, local jurisdictions lose funding they previously relied on, including amounts they were receiving even before the Wayfair ruling. Some communities may see revenues drop to zero from certain retailers, making the impacts difficult to offset. **(Mayor Nicholls/Short)**
- Although the bill does not include an emergency clause, the proposed moratorium in HB 4030 and HCR 2052 would lock utility rates to the existing levels set for FY 2026, so rapid action or special sessions cannot be used to work around the restriction. **(Mayor Nicholls/Short)**
- HB 2946 would impose a four-year cap on development fees, focused mainly on residential projects, in response to rapidly rising fees in certain regions tied to new water supply costs. The cap limits increases to no more than 25% of a city's current fee structure, effectively requiring jurisdictions to raise fees in set increments to keep pace with rising infrastructure and public safety costs. **(Morris/Short)**
- The renewed proposal to eliminate the grocery-tax is largely the same as last year, with the main nuance being that most food purchased through federal and state assistance programs is already untaxed, leaving only a very small portion of items still subject to local tax. Because eligible food categories are so broad, the proposal would effectively eliminate nearly all local grocery tax revenue. The local tax burden on residents is minimal – about 85 cents per \$50 of groceries – while the revenue is vital for funding public safety and ensuring visitors also contribute to community services. **(Smith/Short)**

IV. REGULAR CITY COUNCIL MEETING AGENDA OF FEBRUARY 18, 2025

Motion Consent Agenda Item C.2 – Contract Award: Professional Engineering Services (On-Call) (award a one-year contract with the option to renew for four additional one-year periods to the following eight firms: Core Engineering Group, PLLC; Dahl, Robins and Associates, Inc.; Entellus, Inc.; Kimley-Horn and Associates, Inc.; Nicklaus Engineering, Inc.; Psomas; Stanley Consultants, Inc.; Wilson and Company, Inc. Engineers & Architects) (RFQ-26-110) (Eng)

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

Discussion

- On-call contracts allow the City to quickly hire pre-qualified engineering firms for projects without going through a full Request For Qualifications process each time. These contracts are capped at \$500,000 and help keep smaller CIP projects moving efficiently. The budgeted amount is an estimate based on anticipated work over the nine-year CIP. The eight firms selected were chosen from 18 submittals, ranked by score, including several local firms. **(Smith/Wostenberg)**
- Firms are ranked using a points-based evaluation system with four to five weighted criteria that assess factors such as staffing, timely project delivery, and relevant experience. The resulting scores, totaling up to 100 points, are available through the Procurement Department, with evaluator identities removed. Once firms are selected, work is distributed as evenly as possible, giving some preference to local firms while ensuring all firms on the on-call list receive opportunities. **(Martinez/Wostenberg)**
- Various firms have different specialties, and the City selects among them based on project needs. Any contract that exceeds \$100,000 must return to City Council for approval. If a firm reaches a cumulative total of \$500,000 in a year across multiple projects, the limit is triggered for that firm. Each project is still handled as an individual contract and follows the same approval thresholds. **(Morris/Wostenberg)**
- Three of the eight selected firms are local, specifically Nicklaus Engineering; Dahl, Robins and Associates, and Core Engineering Group. **(Martinez/Wostenberg)**

Mayor Nicholls returned to the dais.

Resolution R2026-010 – Post-2026 Guidelines for the Operation of the Colorado River – City of Yuma City Council Comments to Draft Environmental Impact Statement (direct and authorize comments to the Draft Environmental Impact Statement for the Post-2026 Guidelines for the Operation of the Colorado River on the Federal Register) (City Admin)

McCall presented the following information:

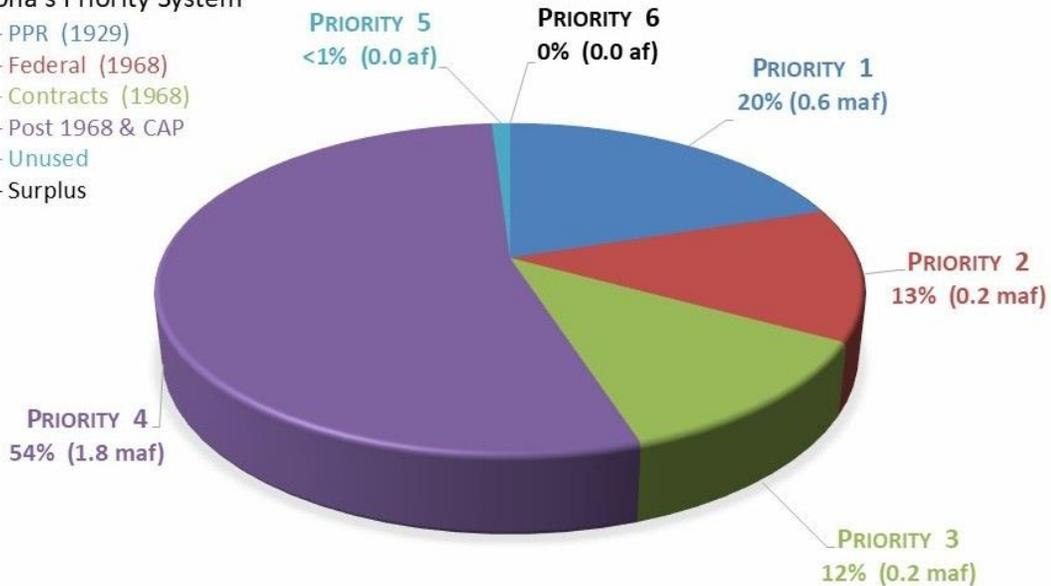
- Post-2026 Operational Guidelines
 - The Environmental Impact Statement (EIS) process is nearing completion, with public comments due by March 3.
 - The upcoming changes to river management rules will not maintain current conditions, and each proposed alternative could significantly affect both Arizona and the Yuma community.
 - Due to these potential changes, it is important for City Council to discuss the alternatives and provide direction reflecting local priorities.

- Law of the River
 - The Law of the River is a century-long collection of negotiated agreements, congressional acts, treaties, and court decisions that define how the Colorado River is divided and managed.
 - It begins with the 1922 Compact, which split the river between the Upper and Lower Basins and allocated 7.5 million acre-feet to each; the 1944 Treaty later added 1.5 million acre-feet for Mexico, bringing total allocations to 16.5 million acre-feet – more water than the river typically produces, creating a long-term structural deficit.
 - Major federal acts built the key infrastructure that governs river operations today, including Hoover Dam and Lake Mead (1928) and Glen Canyon Dam and Lake Powell (1956).
 - For Arizona, the Colorado River Basin Project Act authorized the Central Arizona Project, while the 1963 Arizona v. California decision and subsequent 1970 operating guidelines established how these laws are applied, shaping Yuma’s water priorities and the framework still used in current Colorado River negotiations.
- Arizona v. California
 - The 1963 Arizona v. California Supreme Court decision resolved long-standing disputes over how much Colorado River water each state was entitled to, particularly the question of whether Arizona’s Gila River system – which includes the Salt, Verde, and Hassayampa Rivers – should count against Arizona’s Colorado River allocation.
 - The Court confirmed that these tributaries were Arizona’s own water and did not reduce its 2.8 million acre-feet Colorado River entitlement.
 - However, when Arizona sought authorization for the Central Arizona Project in 1968, California required Arizona to accept junior priority for all post-1968 uses.
 - As a result, nearly all Arizona water – including most of the City’s water – is subordinate to California’s senior rights, with only Present Perfected Rights (PPR’s) retaining top priority.
- Arizona Priority System

2.8 million acre-feet

Arizona's Priority System

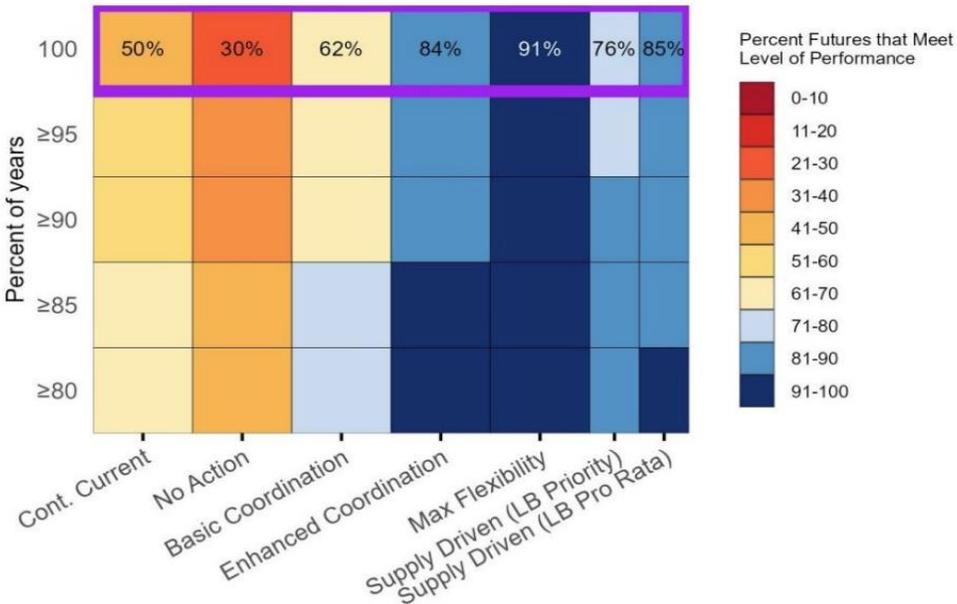
- 1 – PPR (1929)
- 2 – Federal (1968)
- 3 – Contracts (1968)
- 4 – Post 1968 & CAP
- 5 – Unused
- 6 – Surplus



- Arizona’s water system operates on a strict hierarchy of priorities, which determines who gets cut first during shortages.
- At the top are PPR’s, representing about 20% of Arizona’s supply – roughly 0.6 million acre-feet – which are highly protected and rarely subject to shortage.
- Priorities 2 and 3, including the City’s Priority 3 contracts, are co-equal and senior to later uses.
- More than half of Arizona’s total allocation falls under Priority 4, largely serving the Phoenix metro area, giving it significant influence in statewide water discussions.
- Priorities 5 and 6 are essentially unused or negligible; Priority 6 is so small it is effectively zero, available only when all higher priorities have taken their full supply and excess water remains.
- City of Yuma Water
 - Locally, the City’s water portfolio totals about 78,000 acre-feet per year, most of which – roughly 50,000 acre-feet – is Priority 3.
 - The City also holds a small amount of Priority 1 water (about 1,400 acre-feet) and purchases an additional 18,000 acre-feet of Priority 1 supply from the Yuma County Water Users Association.
 - Because Yuma is on the main stem of the Colorado River, the City receives approximately 10,000 acre-feet in return-flow credits each year.
 - Although the City orders around 26,000 acre-feet annually, about 10,000 acre-feet is returned, resulting in a net use of roughly 16,000 acre-feet – only about 20% of the total portfolio – indicating significant room for growth and little short-term vulnerability.
- Considerations for Deciding
 - When considering the EIS options, the goal is to choose an approach that avoids pushing the community into a sudden risk cliff, where nothing seems wrong until an unexpected crisis forces abrupt emergency cuts.
 - The preferred path is one that creates predictable, gradual shortages so the community can plan ahead and adjust over time.
 - It should also preserve long-term water reliability for Yuma and uphold established water rights, honoring priority systems that have existed for more than a century.
 - As noted, long-standing senior rights – some dating back to the 1800s – should not be displaced by much newer users who entered the system decades later.
- Post-2026 EIS Alternatives
 - (1) No Action and (2) Basic Coordination
 - From the City’s perspective, EIS Alternatives 1 and 2 are not favorable because they significantly increase the likelihood of emergency conditions.
 - In particular, the No Action alternative would push the system toward the same risk cliff described earlier, where a lack of early, predictable reductions leads to sudden and severe shortages.
 - (3) Enhanced Coordination
 - Enhanced Coordination is generally a strong, well-balanced choice; it increases system storage, helps protect critical infrastructure, and reduces the risk of sudden or catastrophic failures.
 - It also includes structured approaches for implementing shortages, making it a stable and predictable option overall.
 - However, its major drawback for Arizona and the Yuma community is that it does not preserve existing local water-right priorities.

- Because it uses a pro rata sharing method, junior users – such as Priority 4 holders – would receive reductions equal to senior users in Priorities 1-3.
 - This makes the option less favorable locally, as it is not aligned with the long-standing priority system that protects senior water-right holders.
 - (4) Maximum Operational Flexibility
 - Maximum Operational Flexibility is one of the more extreme approaches; its primary goal is to protect major river infrastructure by storing very large amounts of water in the system.
 - While this maximizes reservoir levels, it also means the system holds back more water than is necessary for many beneficial uses, keeping reservoirs artificially high.
 - As a result, too much water is reserved for infrastructure protection, and the needs of water users become secondary under this option.
 - (5) Supply Driven Alternatives
 - Supply-Driven Alternatives is modeled on the idea that water availability should be determined by what the river actually produces: the natural supply over a rolling three-year period becomes the basis for sharing water among the Upper Basin, Lower Basin, and Mexico.
 - While recent state-to-state negotiations have leaned toward this supply-driven concept, the EIS version differs.
 - Still, Option 5 does not fully strengthen long-term river preservation compared to other alternatives.
- Post-2026 EIS Goals

Percent of futures in which dead pool-related reductions are avoided in the percent of years specified by each row



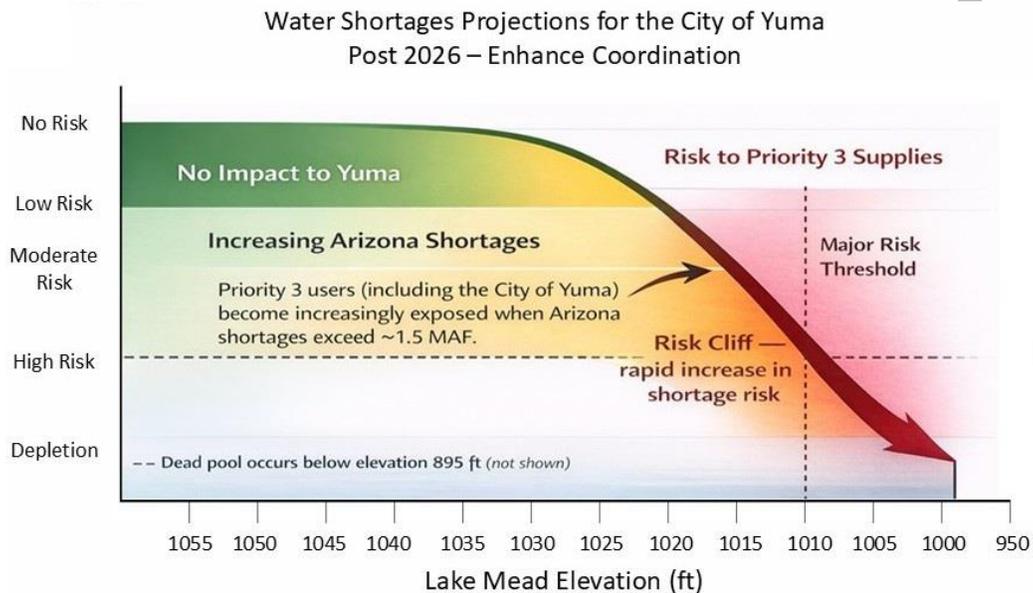
- The EIS modeling compares today’s rules (2007 Guidelines and 2019 Drought Contingency Plan) against several alternatives and shows that doing nothing pushes the system toward dead pool roughly 70% of the time over the 100-year model.

- By contrast, Maximum Operational Flexibility (Option 4) achieves about 91% certainty of avoiding dead pool every year, but it keeps reservoirs artificially high and limits beneficial downstream uses.
- Enhanced Coordination (Option 3) is more balanced and asks the Upper Basin to share in shortages, yet its pro-rata cuts ignore long-standing priority rights (a problem for senior holders like Yuma).
- Supply-Driven (Option 5) uses a three-year natural-flow baseline; Reclamation’s version splits into a priority-based path and a pro-rata path, but the priority-based variant does not adequately protect infrastructure and still leaves a risk cliff.
- Given these trade-offs, the City favors a hybrid approach that blends predictability and rights protection
 - However, negotiations have been difficult because Arizona’s fixed 2.8 million acre feet (MAF) framework does not map cleanly to the Upper Basin’s proportional, watershed-based entitlements, limiting the commitments those states were willing to make.

Alternative	Planned Shortage Approach	Likelihood of Priority 3 Impact	Risk of Emergency Delivery Disruption (Lake Mead)	Predictability for City Planning	Overall Effect on City of Yuma
No Action	Minimal planned shortages	Very low initially	Highest risk – least reservoir protection	Low	Protects short-term supply but creates highest long-term reliability risk
Basic Coordination	Moderate shortages (up to ~1.48 maf); Mead elevation triggers	Low initially; CAP likely absorbs early cuts	High risk under dry conditions; limited reservoir protection	Low to Moderate	Slight improvement over No Action, but still elevated long-term risk
Enhanced Coordination	Larger early shortages (1.3–3.0 maf); based on combined system storage	Low initially; Priority 3 affected only in severe statewide shortages	Lower risk – significantly better protection of Lake Mead	High	Best balance of long-term reliability and planning
Maximum Operational Flexibility	Largest shortages (up to ~4.0 maf); early and aggressive response	Moderate risk earlier than other alternatives due to larger reductions	Lowest risk – strongest reservoir protection	High	Maximizes system protection but imposes the largest volume reductions
Supply Driven	Moderate shortages (up to ~2.1 maf); releases tied to hydrology	Low in early years; Priority 3 protected longer	Moderate to High risk; vulnerable to critically low reservoir conditions	Moderate	Short-term benefit but increased risk of sudden disruption later

- When comparing the five EIS options – ranging from No Action to Supply Driven – the City focuses on how each alternative affects Yuma’s senior water rights and long-term reliability.
- Enhanced Coordination (Option 3) stands out as the midpoint between two extremes: it generally benefits the overall river system and provides meaningful protection, but it does not fully safeguard Yuma’s Priority 3 entitlement, which has long been recognized as a senior right in Arizona.

- Supply Driven (Option 5) includes several features the City favors, such as respecting Yuma’s established water-right priority and accounting for real-world river conditions, including seasonal fluctuations and the system’s structural deficit.
 - These elements were also central to what the seven basin states had been negotiating before their deadline passed.
- Enhanced Coordination



- Under an Enhanced Coordination or hybrid approach, the modeling shows how Yuma’s risk changes as Lake Mead’s elevation shifts.
 - With Lake Mead currently around elevation 1,057, the community sits safely on the low-risk end of the chart.
 - Historically, elevations have never dropped below roughly 1,045, a level that previously triggered major concern because it signaled large cuts for Arizona and California.
 - Federal modeling indicates that true dead pool occurs near 950 feet, and operations will not be allowed to approach that threshold.
- For Yuma, meaningful risk begins near elevation 1,020, but under Enhanced Coordination, the system remains structurally stable across most conditions.
- As long as the framework preserves Yuma’s Priority 3 water rights, the community can endure most shortage scenarios.
- While no model can eliminate the possibility of extreme conditions where water is unavailable, such scenarios would be basin-wide events – shared across all states – rather than something Yuma would face on its own.
- Recommendation
 - A hybrid approach combining Alternative 3 with lower-basin priority protections is recommended, because it minimizes the risk of sudden, catastrophic delivery interruptions seen in other options.
 - This alternative offers predictable, storage-based shortage triggers, allowing the City to anticipate and plan for reductions.

- While the EIS references potential pro-rata cuts at the state level, Arizona can still maintain its internal priority system, preserving Yuma's Priority 3 rights even if Arizona and California share reductions equally at the interstate level.
- Among the available choices, this option provides the best balance of system stability, predictability, and protection of Yuma's long-standing water-right structure.
- **Council Takeaway**
 - The recommended approach fully preserves Yuma's Priority 3 water rights, meaning the community would not lose any of its core supply under this framework.
 - Any reductions that do occur would be predictable and visible in advance, allowing for thoughtful planning rather than emergency reactions.
 - The approach also offers a balanced level of infrastructure protection – not too rigid and not too lax – creating the middle ground that the system needs.
 - Because these rules will guide Colorado River operations for the next 20 years, the goal is long-term reliability without having to reopen the process again.

Discussion

- The recommendation centers on incorporating preferred provisions from both Option 3, Enhanced Coordination, and Option 5, Supply Driven Alternatives. This hybrid approach preserves the Lower Basin priority structure and relies on actual available supply, allowing for realistic allocation. **(Mayor Nicholls/McCall)**
- Yuma's water supply is quantified within Arizona's 2.8 MAF allocation established under the 1922 Compact, even though Yuma holds a direct federal contract. The federal government sets the state's total allocation, and Arizona must divide whatever amount it receives among its users, which is why pro rata reductions are a concern. **(Mayor Nicholls/McCall/Short)**
- The hybrid model, combining elements of Options 3 and 5, is preferred because it allows cuts to be distributed by priority – meaning higher-priority users like Priority 1 would see smaller reductions. The broader issue is that while Yuma's rights remain superior, their protection ultimately depends on how much total water the federal government allocates to Arizona. **(Mayor Nicholls/McCall/Short)**
- The EIS presents mixed approaches regarding Intentionally Created Surplus (ICS): some eliminate it immediately, others phase it out, and some remain silent. ICS has long been controversial because off-river users could store surplus water – often originating from unused on-river allocations – while on-river communities were excluded, making the system widely viewed as inequitable. There is broad support for ending ICS entirely, and hybrid management options are likely to adopt some version of that change. Recent years have not seen ICS withdrawals, raising questions about whether a phased approach is even necessary. **(Mayor Nicholls/McCall/Short)**
- High-water-use industries are not necessarily harmful to Yuma because, as an on-river community with a consumptive-use contract, much of the water used returns to the system and earns return-flow credits. Yuma typically orders more water than it actually consumes, and federal modeling assumes full depletion even though that does not reflect real operations. Return flows are carefully tracked and integrated into the broader river management system, sometimes offsetting upstream orders. Because these returns help the federal government meet treaty obligations to Mexico, Yuma's practices give it a meaningful role in regional water negotiations. The larger concern is that future cuts might target consumptive use rather than allocation, which would put Yuma's efficient water policies at greater risk. **(Watts/McCall/Short)**

- The resolution could be simplified and made more direct so key priorities – such as emphasizing lower-basin priority and prohibiting intentionally created shortages – are clear. Staff will prepare potential amendments and a strong accompanying letter based on the guidance provided. (**Mayor Nicholls/Short/Files**)

Ordinance O2026-003 – Rezoning of Property: Southeast Corner of Michigan Avenue and 32nd Street (rezone approximately 12,000 square feet from General Commercial (B-2) to Recreational Vehicle Subdivision (RVS)) (ZONE-44631-2025) (DCD)

Discussion

- The proposal seeks to transition existing agricultural land into single-family residential use by shifting the area’s land use designations entirely toward suburban and low-density categories, removing industrial uses. The northern section is expected to feature large lots between two and five acres, while the southern portion would have smaller lots around 12,000 square feet, with most of the project consisting of larger lots. Required roadway improvements will include paving existing dirt roads, and street layouts will be identified later through the subdivision process once rezoning is approved. (**Watts/Linville**)

EXECUTIVE SESSION/ADJOURNMENT

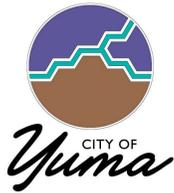
Motion (Smith/Morales): To adjourn the meeting to Executive Session. Voice vote: **approved** 7-0. The meeting adjourned at 7:42 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

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

City Council Report

File #: MC 2026-056

Agenda Date: 4/1/2026

Agenda #: 1.

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

TITLE:

Bid Award: Colorado River Interceptor Manhole Replacements (Phase II)

SUMMARY RECOMMENDATION:

Authorize the award of a construction services contract for the Colorado River Interceptor Manhole Replacement Phase II project to the lowest responsive and responsible bidder in the amount of \$1,384,468.50 to Taylor Engineering PLLC, Yuma, Arizona. (Engineering-RFB-26-228) (David Wostenberg/Robin R. Wilson)

STRATEGIC OUTCOME:

This project aligns with the City Council’s strategic outcome of Respected and Responsible as well as Safe and Prosperous. The construction of the Colorado River Interceptor Manhole Replacement Phase II project will improve and extend the life of the City’s sewer infrastructure along the Colorado River Interceptor and a sewer manhole at 32nd Street and Arizona Avenue.

REPORT:

The project consists of the rehabilitation and reconstruction of eight sewer manholes with polymer insert manholes, bases and two polymer sewer manholes along the Colorado River. In addition, the project includes the rehabilitation of old and damaged sewer manholes located at the southwest corner of 32nd Street and Arizona Avenue.

Three bids were received by the following general contractors:

Gutierrez Canales Engineering	\$1,489,550.83
Taylor Engineering PLLC	\$1,384,468.50
TF Contracting	\$1,577,620.00

Approving this motion authorizes the City Administrator to execute the described contract with Taylor Engineering. Construction of this project is anticipated to start by mid-April 2026 and completed by June 2026.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 1,384,468.50	BUDGETED:	\$ 1,315,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 69,468.,50
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 1,384,468.50	Wastewater Bond proceeds	

FISCAL IMPACT STATEMENT:

Sufficient budget authority is provided in the FY 2026 City Council approved budget and Capital Improvement Plan. Budget authority is available to transfer from other Wastewater projects without impacting their completion timeline or Wastewater operations.

ADDITIONAL INFORMATION:

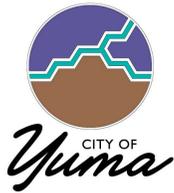
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: John D. Simonton	Date: 03/20/2026
Reviewed by City Attorney: Richard W. Files	Date: 03/20/2026



City of Yuma

City Council Report

File #: MC 2026-057

Agenda Date: 4/1/2026

Agenda #: 2.

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

TITLE:

Bid Award: Pavement Replacement, Yuma Country Club Estates Unit 1

SUMMARY RECOMMENDATION:

Authorize the award of a construction services contract for Pavement Replacement, Yuma Country Club Estates Unit 1, to the lowest responsive and responsible bidder, DPE Construction, Inc., Yuma, Arizona, in the amount of \$1,867,800.00. (Engineering RFB-26-144) (David Wostenberg/Robin R. Wilson)

STRATEGIC OUTCOME:

Awarding this contract aligns with City Council’s Safe and Prosperous and Respected and Responsible strategic outcomes by enhancing public safety, mitigating future roadway issues and extending longevity of the community’s infrastructure. This project also supports the Americans with Disabilities Act (ADA) by upgrading sidewalk ramps to meet ADA standards.

REPORT:

The project was identified for rehabilitation by the City’s Pavement Management System due to a poor Pavement Condition Index (PCI) rating. The PCI rating indicates a need for reconstruction as it includes severe block and alligator cracking, significant raveling.

This project entails repaving of the subdivision with three inches of asphalt concrete over six inches of aggregate base course. The installation of 3,750 linear feet of water main with the replacement of sidewalk and ramps to comply with ADA Standards. The last application of slurry was applied in 2020 and this pavement replacement is expected to last for 20 or more years.

Bids were received from the following general contractors:

Accurate Excavation of Arizona, LLC.	\$2,133,672.97
DPE Construction, Inc.	\$1,867,800.00
Gutierrez Canales Engineering	\$2,760,829.90

The project is anticipated to begin in mid-April and will take approximately 120 days with a completion date of September 2026.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$1,867,800.00	BUDGETED:	\$ 1,810,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 57,800.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING ACCOUNT/FUND #/CIP:	0429A-SUB1
TOTAL	\$ 1,867,800.00	Road Tax and Water	

FISCAL IMPACT STATEMENT:

Sufficient budget capacity is provided in the FY 2026 City Council approved budget and Capital Improvement Plan.

ADDITIONAL INFORMATION:

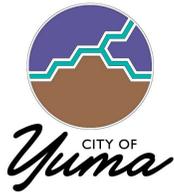
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: 03/20/2026
Reviewed by City Attorney: Richard W. Files	Date: 03/20/2026



City of Yuma

City Council Report

File #: MC 2026-058

Agenda Date: 4/1/2026

Agenda #: 3.

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

TITLE:

Bid Award: Bark Park Block Wall Repair

SUMMARY RECOMMENDATION:

Authorize a bid award for the repair of a block wall at the Bark Park, to the lowest responsive and responsible bidder in the amount of \$104,590.00 to Maya's Construction, Yuma, Arizona. (Engineering RFQ-25-090) (David Wostenberg/Robin R. Wilson)

STRATEGIC OUTCOME:

Awarding this contract aligns with City Council's Safe and Prosperous strategic outcome by providing long-term integrity of the facility and safety for our residents by preventing further deterioration. Additionally, this project reflects the City's commitment to being a Respected and Responsible organization by maintaining safe infrastructure, adhering to code requirements, and protecting public assets.

REPORT:

The proposed project involves removing and replacing 374 feet of existing 4 inch block wall with 344 feet of new 6 inch concrete block wall, along with 30 feet of concrete masonry retaining wall. Additional work includes removing and replacing 127 feet of loose tip courses on the existing 4 inch block wall to improve long term performance and structural integrity.

This project was brought to the attention of City staff by the community, who reported concerns regarding the deteriorating condition of the existing block wall on the west side of the park, which was creating an unsafe environment for park patrons. The City's Engineering Department conducted an evaluation earlier this year confirming the need for repair.

For the repair of the wall, the City requested bids from Western 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 the repairs.

This project is expected to begin in April 2026 and be completed by May 2026.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 104,590.00	BUDGETED:	\$ 110,000.00
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	\$ 104,590.00	Special Two Percent Tax for Parks Bond Proceed	

FISCAL IMPACT STATEMENT:

Sufficient budget capacity is provided in the FY 2026 City Council approved budget to award this bid.

ADDITIONAL INFORMATION:

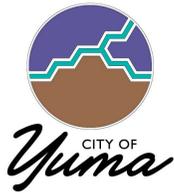
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

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

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

Acting City Administrator: John D. Simonton	Date: 03/20/2026
Reviewed by City Attorney: Richard W. Files	Date: 03/20/2026



City of Yuma

City Council Report

File #: MC 2026-059

Agenda Date: 4/1/2026

Agenda #: 4.

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:
Contract Award: Professional Engineering Services

SUMMARY RECOMMENDATION:
 Authorize an engineering design services contract for 1st Street Pavement Replacement Project from Avenue B to 4th Avenue utilizing the Professional Engineering Services On-Call contract at an expenditure of \$159,760.00 to Dahl, Robins and Associates Inc., Yuma, Arizona. (Engineering-RFQ-26-110) (David Wostenberg/ Robin R. Wilson)

STRATEGIC OUTCOME:
 This item supports the City Council’s strategic outcome of Safe and Prosperous for the community by upgrading 1st Street from Avenue B to 4th Avenue. These road improvements will enhance safety, support mobility, and extend the lifespan of the City’s transportation infrastructure.

REPORT:
 On February 18, 2026, City Council awarded the Request for Qualification (RFQ) on a Delivery Order basis to eight professional engineers for services to provide various civil engineering services, planning, design and construction support.

This project is for roadway improvements and replacement of the old, damaged asphalt with new pavement and striping.

Design services are projected to start by April 2026 and to be completed by June 2026.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 159,760.00	BUDGETED:	\$ 160,000.00
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	\$ 159,760.00	City Road Tax Fund CIP	

FISCAL IMPACT STATEMENT:

Sufficient budget capacity is provided in the FY 2026 City Council approved budget and Capital Improvement Plan.

ADDITIONAL INFORMATION:

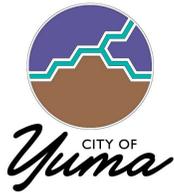
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

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

Acting City Administrator: John D. Simonton	Date: 03/20/2026
Reviewed by City Attorney: Richard W. Files	Date: 03/20/2026



City of Yuma

City Council Report

File #: MC 2026-060

Agenda Date: 4/1/2026

Agenda #: 5.

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

TITLE:

Cooperative Purchase Agreement: Email Security and Protection

SUMMARY RECOMMENDATION:

Authorize the purchase of Proofpoint Email Security and Protection licensing utilizing a Cooperative Purchase Agreement through the State of Arizona for three years at an annual expenditure of \$145,000.00, totaling \$435,000.00 to SHI, Somerset, New Jersey. (Information Technology-CPA-26-257) (Isaiah Kirk/Robin R. Wilson)

STRATEGIC OUTCOME:

The continued protection of email corresponds with City Council’s strategic outcome of Respected and Responsible by ensuring that Citywide email services remain secure and operational, as well as compliant with Cyber Security best practices.

REPORT:

Proofpoint email security and protection software protects against email viruses, encrypts emails, detects and blocks known and unknown threats, and detects, analyzes, and blocks advanced threats. Threat Response Auto-Pull (TRAP) allows messaging and security administrators to examine emails and shift harmful or undesired communications to quarantine. These email security modules have repeatedly proven their ability to protect against phishing attacks, malware, and other dangerous activities, contributing to the overall resilience of the City’s communication channels. As cyber threats evolve, Proofpoint continually upgrades its modules to address evolving risks, ensuring the City’s defenses remain effective against cyber attackers’ latest techniques.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 435,000.00	BUDGETED:	\$ 435,000.00
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	\$ 435,000.00	General Fund	

FISCAL IMPACT STATEMENT:

Budget capacity is provided for this multi-year service in the FY 2026 City Council approved budget and will be

programmed in the next two years' budgets, pending adoption by City Council.

ADDITIONAL INFORMATION:

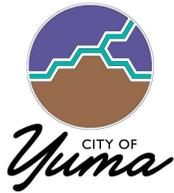
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: 03/20/2026
Reviewed by City Attorney: Richard W. Files	Date: 03/20/2026



City of Yuma

City Council Report

File #: MC 2026-064

Agenda Date: 4/1/2026

Agenda #: 6.

DEPARTMENT: City Administration	STRATEGIC OUTCOMES	ACTION
DIVISION: -	<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 checked="" type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction <input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:
Scheduling: 2026 City Council Retreat

SUMMARY RECOMMENDATION:
 Approve the scheduling of the annual City Council Retreat to be held on April 6 and 7, 2026, with an agenda posted in accordance with state law.

STRATEGIC OUTCOME:
 Approval of the annual Retreat aligns with City Council’s Respected and Responsible strategic outcome as it provides for a venue and agenda for City Council and City staff to discuss current and future issues. No legal action will be taken by the City Council at the retreat.

REPORT:
 The Yuma City Council has scheduled an annual retreat for over 20 years in order to talk in an informal setting regarding City strategies and to address current and future needs of the City.

This year the Retreat is scheduled on April 6th and 7th to be held at the San Luis Cultural Center. Holding the Retreat outside of City Hall allows for City staff and City Council to work together with the help of a facilitator. The Retreat meeting is open to the public as required by state law.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 30,000	BUDGETED:	\$ 30,000
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

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

Acting City Administrator: John D. Simonton	Date: 03/26/2026
Reviewed by City Attorney: Richard W. Files	Date: 03/26/2026



City of Yuma

City Council Report

File #: R2026-013

Agenda Date: 4/1/2026

Agenda #: 1.

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

TITLE:

Intergovernmental Agreement: Yuma County - Avenue B, 16th Street to 1st Street

SUMMARY RECOMMENDATION:

Authorize the City Administrator to execute an Intergovernmental Agreement (IGA) with Yuma County to proportionately split construction costs for project (0430-ROAD39) Pavement Replacement on Avenue B, from 16th Street to 1st Street. (Engineering) (David Wostenberg)

STRATEGIC OUTCOME:

Adoption of this Intergovernmental Agreement supports the City Council's Safe and Prosperous as well as Respected and Responsible strategic outcomes by improving roadway conditions, enhancing drivability, and reducing safety risks for motorists. Additionally, partnering with Yuma County and allocating costs demonstrates responsible stewardship of public resources and reinforces effective intergovernmental collaboration.

REPORT:

A public need exists for pavement rehabilitation along Avenue B from 16th Street to 1st Street, an area primarily within the City of Yuma. The purpose of this agreement is to provide funding for the construction of this project, which serves the mutual benefit of both the City of Yuma and Yuma County. Under the terms of the intergovernmental agreement, construction costs for pavement rehabilitation and related improvements will be allocated based on proportionate share, with the City of Yuma responsible for 75.6% of the costs and the Yuma County responsible for 24.4%. The total estimated project cost is \$4,132,366.50, and the project is planned for construction in Fiscal Year 2027.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 3,124,069.07	BUDGETED:	\$ 4,470,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 1,008,297.43	FUNDING ACCOUNT/FUND #/CIP:	
TOTAL	\$ 4,132,366.50	City Road Tax	

FISCAL IMPACT STATEMENT:

This project will be using City funding from the City Road Tax Fund in the estimated amount of \$4,132,366.50; Yuma County will reimburse the City of Yuma for their estimated proportionate share of \$1,008,297.43.

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: 03/20/2026
Reviewed by City Attorney: Richard W. Files	Date: 03/20/2026

RESOLUTION NO. R2026-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH YUMA COUNTY FOR THE CONSTRUCTION OF AVENUE B FROM 16TH STREET TO 1ST STREET

WHEREAS, the City of Yuma (City) desires to enter an Intergovernmental Agreement (Agreement) with Yuma County (County) for the construction of Avenue B from 16th Street to 1st Street referred to as the “Project;” and,

WHEREAS, the Project lies within the jurisdiction of the City of Yuma and Yuma County; and,

WHEREAS, a public need exists for pavement rehabilitation as described; and,

WHEREAS, the County and the City have agreed that the completion of the Project is necessary for public safety and public welfare and each desires to cooperate in the completion of the Project; and,

WHEREAS, it is to the mutual benefit of the County and the City to enter into this Agreement for the construction of the Project.

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

SECTION 1: The Intergovernmental Agreement between the County and the City for the construction and financing of the Project for the benefit of the citizens and residents of Yuma, attached as Exhibit A and incorporated by reference, is approved.

SECTION 2: The City Administrator is authorized and directed to execute the Intergovernmental Agreement for and on behalf of the City.

SECTION 3: The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this resolution.

Adopted this _____ day of _____, 2026.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

APPROVED AS TO FORM:

Lynda L. Bushong
City Clerk

Richard W. Files
City Attorney

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF YUMA AND YUMA COUNTY
FOR THE CONSTRUCTION OF
AVENUE B PAVEMENT REPLACEMENT 16TH STREET TO 1ST STREET**

This Intergovernmental Agreement (“Agreement”) is entered into by and between the City of Yuma, Arizona, a municipal corporation of the State of Arizona (“City”) and Yuma County, a political body of the State of Arizona (“County”). County and City are sometimes hereafter referred to collectively as the “Parties.”

RECITALS

WHEREAS, A.R.S. § 11-251 and A.R.S. § 11-951 *et seq.* authorize the County to enter into this Agreement, and A.R.S. § 11-951 *et seq.* and the City’s Charter authorize the City to enter into this Agreement; and

WHEREAS, a public need exists for pavement rehabilitation on Avenue B between City 16th Street and City 1st Street, an area mostly within the City limits of the City, as depicted on the map contained in Exhibit “A” attached hereto and incorporated as though fully set forth herein, (the “Project”), and

WHEREAS, the Parties have agreed that the completion of the Project is necessary for public safety and welfare, and desire to cooperate in the completion of the Project; and

WHEREAS, it is to the mutual benefit of the City and the County to enter into this Agreement for the construction of the Project.

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the Parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to provide funding for the construction of the Project which is a benefit for the City and the County.
2. **Duration.** This Agreement shall become effective on the date it is fully executed by the City and the County and shall continue until the Project has been completed and accepted in writing by the City and the County.
3. **Design.** The Project shall be designed by the City and their consultant in accordance with State, City, and County requirements.
4. **Right-of-Way Acquisition.** The City and the County presently own adequate right-of-way to construct the Project.
5. **Project Financing.** The Project design costs and other costs associated with development of the Project are to be borne by the City. The estimated total Project construction costs are \$3,317,695.00. Project construction costs for pavement rehabilitation and related costs are to be paid 75.6% by the City and 24.4% by the County (As shown in Exhibit “A”). The estimated Project

construction costs will be adjusted to actual costs at the stated percentages following the completion of the Project.

6. Obligations of the Parties.

A. City Obligations.

1. The City shall provide all funding for Project design costs.
2. The City shall provide a Project design plan to the County for review and approval before finalization.
3. The City shall provide 75.6% of the funding for pavement rehabilitation and associated costs of construction of the Project.
4. At the completion of the Project, invoice the County for its portion of costs of the Project.

B. County Obligations

1. The County shall provide timely reviews and provide comments on the Project design plans and shall not unreasonably withhold approval of the plan.
2. The County shall provide the City, its agents and/or contractors, at no cost, the right to enter County's right-of-way as required to conduct any and all preconstruction and construction related activities for the Project, including without limitation temporary construction easements or rights of entry.
3. The County shall provide 24.4% of the funding for pavement rehabilitation and associated costs of construction of the Project.
4. Upon receipt of invoice from the City, the County shall pay such invoice within 30 days of receipt if there are no discrepancies.

7. Ownership and Maintenance. Upon completion of the Project, the City and the County will each be responsible for maintaining the portions of the Project within its jurisdiction. This maintenance obligation shall survive the termination of this Agreement.

8. Authorization. The governing bodies of the City and the County approved this Agreement and authorized and directed the undersigned to execute this Agreement.

9. Conflict of Interest. This Agreement is subject to the conflict-of-interest provisions of A.R.S. § 38-511, as amended, the provisions of which are incorporated herein.

10. Termination. This Agreement shall terminate upon the completion of the Project or upon written agreement between the Parties, whichever occurs first.

11. Compliance with Law. The County and the City will comply with all Federal, State, and Local Laws and Ordinances applicable to its performance under this Agreement.

12. Attorney Fees and Costs. If an action or proceeding is brought for failure to observe any of the terms or provisions of this Agreement, the prevailing party shall be entitled to reasonable attorney fees and costs as determined by the court.

13. Severability. If any provision of this Agreement is determined to be void or unenforceable, such determination shall not affect the remainder of this Agreement, which shall continue to be enforceable.

14. Integration. This Agreement contains the entire agreement between the Parties, and no oral or written statements, promises, or inducements made by the City or the County, or its agents not contained or specifically referred to in this Agreement is valid or binding. All modifications to this Agreement must be in writing, signed and executed by the Parties.

15. No Partnership. Nothing in this Agreement constitutes a partnership or joint venture between the Parties, and neither the City nor the County is the principal or agent of the other.

16. Hold Harmless/Indemnification Clause. 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 the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers, officials, agents, employees, or volunteers.

17. Notices. All notices or demands upon the City or County to this Agreement shall be in writing and all shall be delivered in person or sent by certified mail addressed as follows:

City of Yuma
City Engineer
155 W. 14th Street
Yuma, Arizona 85364

Yuma County Dept. of Engineering
County Engineer
2351 W. 26th Street
Yuma, Arizona 85364

18. Employment Eligibility. The City and the County warrant and shall require all subcontractors to warrant compliance with all federal immigration laws, regulations that relate to employees, and A.R.S. § 23-214 relating to the verification of employment eligibility. A breach of this warranty shall be deemed a material breach of the Agreement and is subject to penalties up to and including termination of this Agreement. The Parties retain the legal right to inspect the citizenship documents of any Party to ensure that the other Party or its subcontractors are complying with the warranty.

19. Third-Party Beneficiaries. The terms of this Agreement are intended only to define the respective rights and obligations of the Parties. Nothing expressed herein shall create any rights or duties in favor of any potential third-party beneficiary or other person, agency, or organization. Nothing expressed herein shall affect the legal liability of either the City or County to this Agreement by imposing any standard of care different from the standard of care imposed by law.

20. Assignment. This Agreement is not assignable without the mutual written consent of both Parties.

21. Applicable Law; Venue. Any action to enforce any provision of this Agreement or to obtain any remedy with respect to this Agreement shall be brought exclusively in the Superior Court, Yuma County, Arizona (or, as may be appropriate, in the United States District Court for the District of Arizona, if, and only if, the Superior Court lacks jurisdiction over such action). The

Parties expressly and irrevocably consent to the exclusive jurisdiction and venue of such courts and expressly waive the right to transfer or remove such action.

22. Counterparts. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original as against the City or County signing such counterpart, but which shall constitute one and the same instrument.

23. Insurance. Each Party acknowledges and agrees that the other Party is self-insured.

IN WITNESS WHEREOF, this Agreement has been executed on the dates and year below.

DATE: _____, 2026

DATE: _____, 2026

CITY OF YUMA

YUMA COUNTY

John D. Simonton

City Administrator

ATTEST:

Martin Porchas, Chairman

Board of Supervisors

ATTEST:

Lynda Bushong

City Clerk

Desiree Philipps

Yuma County Clerk of the Board

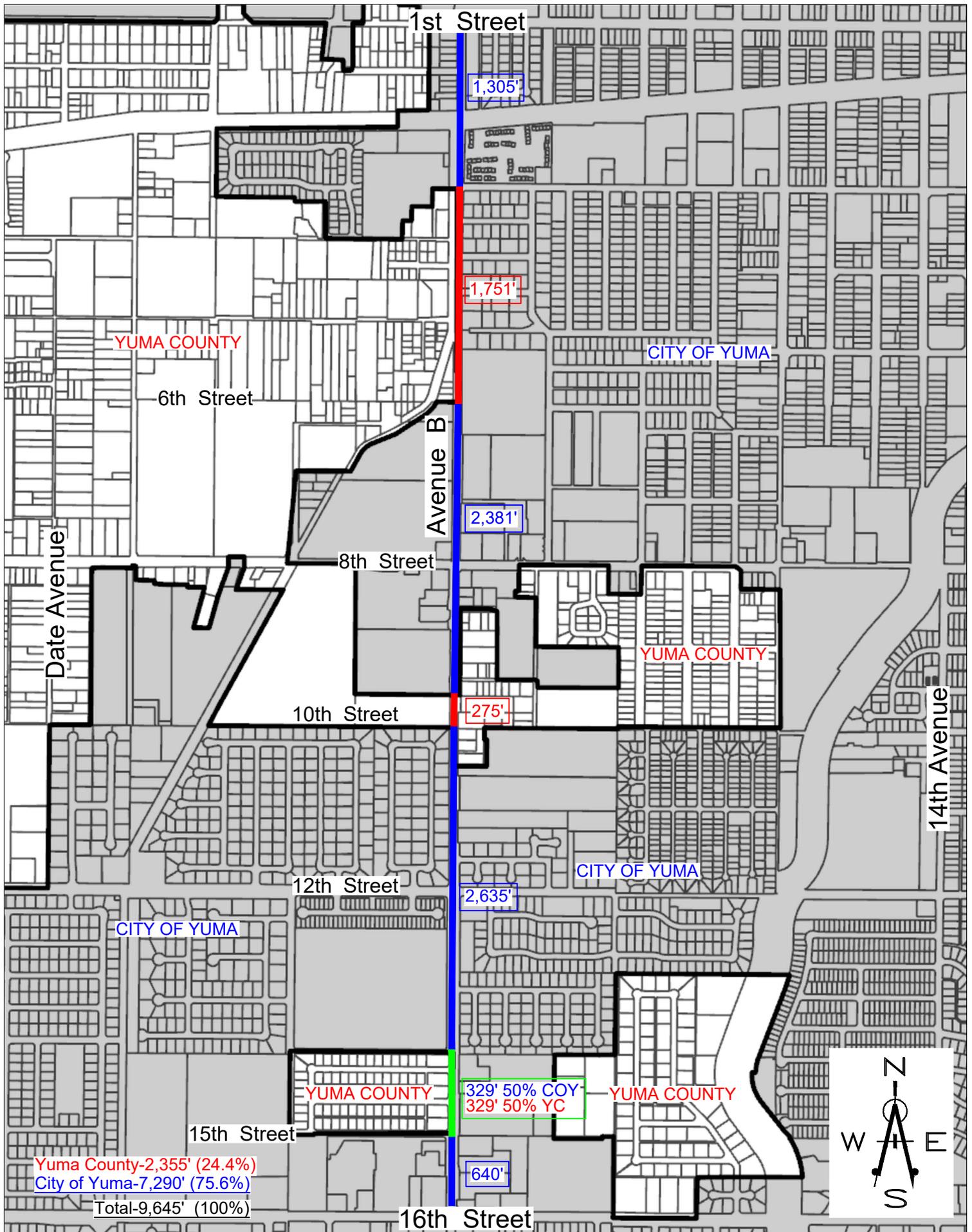
Pursuant to A.R.S. § 11-952, the foregoing Agreement has been submitted to the undersigned City Attorney for the City of Yuma, Arizona. The undersigned has determined this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona and City Charter to the City of Yuma.

Richard W. Files, City Attorney

Pursuant to A.R.S. § 11-952, the foregoing Agreement has been submitted to the undersigned County Attorney for Yuma County, Arizona. The undersigned has determined this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona to Yuma County.

Kesia Morrison, Deputy County Attorney, Civil Division

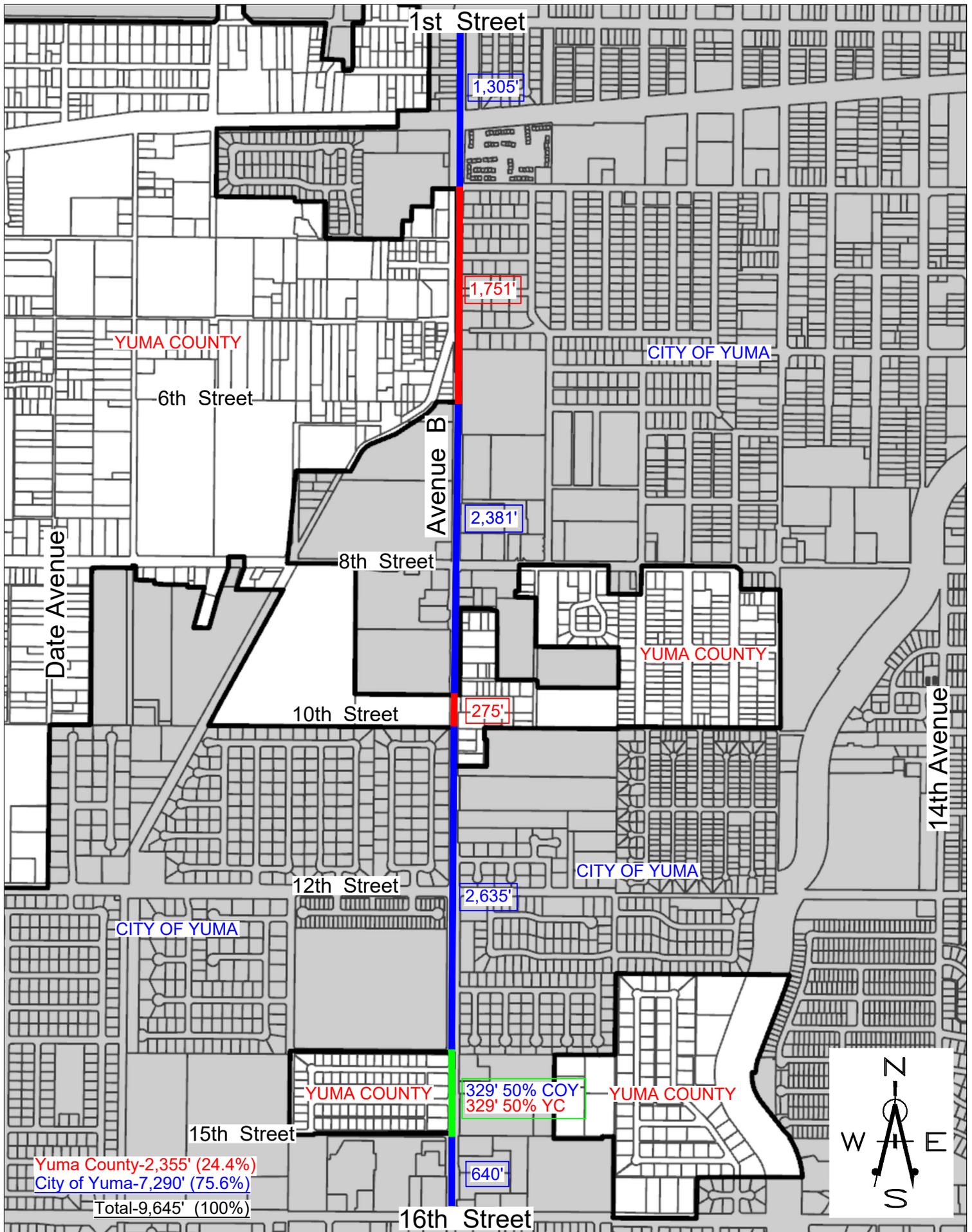
EXHIBIT "A"



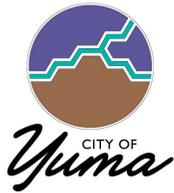
PROJECT VICINITY MAP

AVENUE B PAVEMENT REPLACEMENT, 16TH STREET TO 1ST STREET

EXHIBIT "A"



PROJECT VICINITY MAP
 AVENUE B PAVEMENT REPLACEMENT, 16TH STREET TO 1ST STREET



City of Yuma

City Council Report

File #: O2026-012

Agenda Date: 3/18/2026

Agenda #: 1.

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

TITLE:

Right-of-Way Exchange: The Palms RV Resort Development, Inc.

SUMMARY RECOMMENDATION:

Authorize the vacation of a portion of 32nd Street right-of-way to The Palms RV Resort Development, Inc. in exchange for fee title to 32nd Street and Michigan Avenue (Engineering/City Attorney) (David Wostenberg/Richard Files)

STRATEGIC OUTCOME:

This right-of-way exchange supports the City Council's strategic outcome of Respected and Responsible providing the City of Yuma fee title ownership of the south 80 feet of 32nd Street and the Michigan Avenue rights-of-way.

REPORT:

The Palms RV Resort Development, Inc. owns property located at 6793 E. 32nd Street. The company's ownership includes the 100-foot-wide south half-width fee title to 32nd Street right-of-way. A City easement originally obtained by the Arizona State Highway Department is located along the northern side of The Palms RV Resort Development, Inc. property, as shown on the two location maps attached to the proposed ordinance.

Additionally, the east half of Michigan Avenue, previously dedicated to the City of Yuma, has a cloud on the title because ownership of the property changed a few months prior to the Warranty Deed being recorded, with the previous owner listed as the Grantor. Therefore, the deed must be re-recorded with the correct ownership information as part of this Council action. This item is identified as Step 1 on Location Map #1.

In exchange, the Palms RV Resort Development, Inc. has requested that the City vacate, by deed, the south 20 feet of the 32nd Street right-of-way along its frontage, subject to a 20-foot-wide utility easement reserved to the City. Vacating the 20-foot portion of right-of-way will result in the City obtaining fee title to an 80-foot half-width right-of-way for 32nd Street. This complies with the City's 2005 Major Roadways Plan, which requires an 80-foot half-width for an expressway classification along the frontage of The Palms RV Resort property. An 80-foot half-width right-of-way is consistent with previous 32nd Street vacations approved by the City and is shown as Steps 3 and 4 on Location Map #2.

In exchange for returning the 20-foot strip of land to private ownership and the tax rolls, The Palms RV Resort Development, Inc. will deed to the City its underlying fee title to the remaining 80 feet of the 4th Avenue right-of-way, together with a new corner triangle at Michigan Avenue and 32nd Street. The company will also re-

record the Warranty Deed for the east half of the Michigan Avenue frontage with the corrected ownership information. These actions are identified as Steps 1 and 2, respectively, on Location Map #1.

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	\$ 100.00	FY 2023 City Engineering Budget	

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

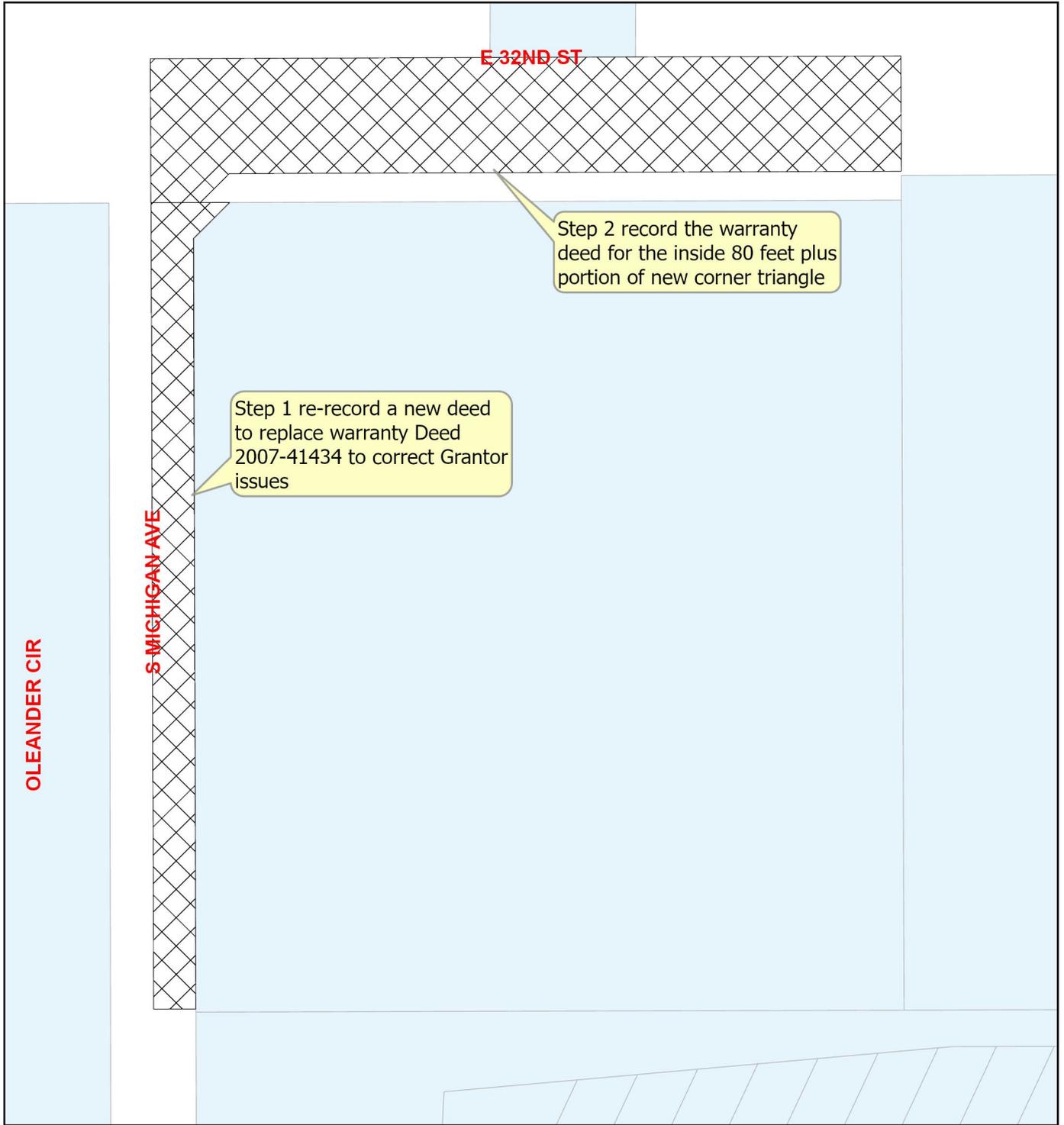
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

Resolution of Abandonment dated 7/16/2010
Grant of Right-of-way dated 2/19/1940

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: 03/09/2026
Reviewed by City Attorney: Richard W. Files	Date: 03/06/2026



AFFECTED AREA

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



LOCATION MAP # 1

Prepared by: **ANDREW MCGARVIE**

Checked by:

**CITY OF YUMA
ENGINEERING
DEPARTMENT**

DATE: **2/17/2026**

SCALE: **N.T.S**

REVISED:

CIP NO.

E 32ND ST

Step 3 Record the Deed for the outside 20 feet r-o-w minus new corner triangle.

Step 4 record the deed for the old corner triangle vacation.

OLEANDER CIR

S MICHIGAN AVE



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: 3/5/2026

SCALE: N.T.S

REVISED:

CIP NO.

ORDINANCE NO. O2026-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ACCEPTING A CORRECTED WARRANTY DEED FOR THE EAST HALF OF MICHIGAN AVENUE; DECLARING THE SOUTH 20 FEET OF 32ND STREET (9,440 SQUARE FEET) AND A 300-SQUARE-FOOT CORNER TRIANGLE OF RIGHT-OF-WAY AS SURPLUS; VACATING THE SURPLUS 20-FOOT RIGHT-OF-WAY EASEMENT AND CORNER TRIANGLE TO THE ABUTTING PROPERTY OWNER UPON THE RECORDING OF A DEED RESERVING A 20-FOOT UTILITY EASEMENT FOR WATER, SANITARY SEWER AND OTHER PUBLIC PURPOSES; AND AUTHORIZING AN EXCHANGE OF THE SURPLUS RIGHT-OF-WAY FOR THE UNDERLYING FEE TITLE TO THE 80-FOOT 32ND STREET RIGHT-OF-WAY DESCRIBED IN THIS ORDINANCE

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

WHEREAS, in order to correct a defective Special Warranty Deed recorded as Yuma County Recorder’s Fee # 2007-33532, The Palms RV Resort Development, Inc. will re-record a warranty deed to the City for the Michigan Avenue right-of-way, described in Exhibit A and shown on Location Map No. 1; and,

WHEREAS, The Palms RV Resort Development, Inc. is the fee title owner of the south half (100 feet) of 32nd Street, and the City holds a right-of-way easement originally acquired by the State of Arizona Highway Department and transferred to the City; and,

WHEREAS, in exchange for vacating the south 20 feet of the City’s 32nd Street right-of-way easement (with the City reserving a 20-foot utility easement) and a portion of the existing corner triangle at 32nd Street and Michigan Avenue, both of which are described in Exhibit B and shown in Location Map No. 2 , The Palms RV Resort Development, Inc. will deed fee title to the City of the remaining (north) 80 feet of 32nd Street, together with a new corner triangle for Michigan Avenue, as described in Exhibit C and shown in Location Map No. 1; and,

WHEREAS, the exchange of the above-described properties will result in the City acquiring fee title to land necessary for the Michigan Avenue and 32nd Street public roadway, while maintaining a utility easement in the vacated 20 feet of right-of-way for water, sanitary sewer, and other related public uses.

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 Exhibits A and C, be acquired by the City of Yuma in exchange for vacating the right-of-way easement and corner triangle described in

Exhibit B (while maintaining a utility infrastructure easement in the vacated right-of way), as such acquisitions are in the public interest and will provide a public benefit.

SECTION 2: The portion of the City-owned 32nd Street right-of-way easement described in Exhibit B is hereby declared surplus to the needs of the City and public use and shall be vacated to the abutting property owner in accordance with Arizona Revised Statutes § 28-7205(2), upon the recording of a deed conveying to the City of Yuma the underlying fee simple title to the real property described in Exhibits A and C.

SECTION 3: The City’s vacating of the surplus property shall be complete upon the recording of a deed of conveyance from the City to The Palms RV Resort Development, Inc., and shall reserve a municipal utility infrastructure easement in favor of the City.

SECTION 4: The disbursing officer of the City of Yuma is authorized and directed to pay all costs necessary to acquire the described property, together with recording fees and other costs necessary for acquisition of the described 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

EXHIBIT A

That portion of the Northwest quarter of the Northeast quarter of the Northeast quarter of Section 9, Township 9 South, Range 22 West of the Gia and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:

Beginning at the Northeast corner of the Northwest quarter of said section 9.

Thence South 89°47'10" West along the North line of the Northeast quarter of said Section 9 a distance of 1,332.01 feet to the northwest corner of the Northwest quarter of the Northeast quarter of the Northeast quarter of said Section 9;

Thence South 00°10'36" East along the West line of the Northwest quarter of the Northeast quarter of the Northeast quarter of said Section 9 a distance of 100.00 feet to a point on the southerly right-of-way line of U.S. Highway 80 and the TRUE POINT OF BEGINNING;

Thence continuing South 00°10'36" East along the West line of the Northwest quarter of the Northeast quarter of the Northeast quarter of said Section 9 a distance of 559.76 feet to the southwest corner of the Northwest quarter of the Northeast quarter of the Northeast quarter of said Section 9;

Thence North 89°49'57" East along the South line of the Northwest quarter of the Northeast quarter of the Northeast quarter of said Section 9 a distance of 29.00 feet;

Thence North 00°10'36" West parallel with and 29.00 feet easterly of the West line of the Northwest quarter of the Northeast quarter of the Northeast quarter of said Section 9 a distance of 534.79 feet;

Thence North 44°48'17" East a distance of 35.37 feet to point on the southerly right-of-way line of U.S. Highway 80;

Thence South 89°47'10" West along the southerly right-of-way line of U.S. Highway 80 a distance of 54.00 feet to a point on the West line of the Northwest quarter of the Northeast quarter of the Northeast quarter of said Section 9 and the TRUE POINT OF BEGINNING;

Said parcel contains 16,545 square feet, more or less.

Description Verified By:	<i>Andrew Mc Gannie</i>
City Engineering Department	Date 3/5/2025

EXHIBIT B

**SEC 32ND STREET AND MICHIGAN AVENUE
QUIT CLAIM DEED RESERVING A UTILITY EASEMENT – COY TO PALMS
32ND STREET 20' WIDE UTILITY EASEMENT
LEGAL DESCRIPTION**

That portion of the Northeast quarter of the Northeast quarter of Section 9, Township 9 South, Range 22 West, Gila and Salt River Base and Meridian, Yuma County, Arizona more particularly described as follows:

Beginning at the northeast corner of the Northeast quarter of said Section 9;

Thence South 89°47'34" West along the North line of the Northeast quarter of said Section 9 a distance of 816.00 feet;

Thence South 00°07'39" East parallel with and 816.00 feet westerly of the East line of the Northeast quarter of said Section 9 a distance of 80.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 00°07'39" East parallel with and 816.00 feet westerly of the East line of the Northeast quarter of said Section 9 a distance of 20.00 feet;

Thence South 89°47'34" West parallel with and 100.00 feet southerly of the North line of the Northeast quarter of said Section 9 a distance of 481.92 feet to a point which lies 34.00 feet easterly of the West line of the Northeast quarter of the Northeast quarter of said Section 9;

Thence North 44°48'56" East a distance of 28.30 feet to a point which lies 80.00 feet southerly of the North line of the Northeast quarter of said Section 9 and 54.00 feet easterly of the West line of the Northeast quarter of the Northeast quarter of said Section 9;

Thence North 89°47'34" East parallel with and 80.00 feet southerly of the North line of the Northeast quarter of said Section 9 a distance of 461.93 feet to the TRUE POINT OF BEGINNING.

Said parcel contains 9,438 square feet, more or less.



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**SEC 32ND STREET AND MICHIGAN AVENUE
QUIT CLAIM DEED – COY TO PALMS
MICHIGAN AVENUE ROW ABANDONMENT
LEGAL DESCRIPTION**

That portion of the Northeast quarter of the Northeast quarter of Section 9, Township 9 South, Range 22 West, Gila and Salt River Base and Meridian, Yuma County, Arizona more particularly described as follows:

Beginning at the northeast corner of the Northeast quarter of said Section 9;

Thence South 89°47'34" West along the North line of the Northeast quarter of said Section 9 a distance of 816.00 feet;

Thence South 00°07'39" East parallel with and 816.00 feet westerly of the East line of the Northeast quarter of said Section 9 a distance of 100.00 feet;

Thence South 89°47'34" West parallel with and 100.00 feet southerly of the North line of the Northeast quarter of said Section 9 a distance of 461.92 feet to a point which lies 54.00 feet easterly of the West line of the Northeast quarter of the Northeast quarter of said Section 9 and the TRUE POINT OF BEGINNING;

Thence South 44°48'56" West a distance of 35.37 feet to a point which lies 125.00 feet southerly of the North line of the Northeast quarter of said Section 9 and 29.00 feet easterly of the West line of the Northeast quarter of the Northeast quarter of said Section 9;

Thence North 00°09'42" West parallel with and 29.00 feet easterly of the West line of the Northeast quarter of the Northeast quarter of said Section 9 a distance of 20.00 feet to a point which lies 105.00 feet southerly of the North line of the Northeast quarter of said Section 9;

Thence North 44°48'56" East a distance of 7.07 feet to a point which lies 100.00 feet southerly of the North line of the Northeast quarter of said Section 9 and 34.00 feet easterly of the West line of the Northeast quarter of the Northeast quarter of said Section 9;

Thence North 89°47'34" East parallel with and 100.00 feet southerly of the North line of the Northeast quarter of said Section 9 a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

Said parcel contains 300 square feet, more or less.



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EXHIBIT C

SEC 32ND STREET AND MICHIGAN AVENUE WARRANTY DEED – PALMS TO COY 32ND STREET RIGHT-OF-WAY LEGAL DESCRIPTION

That portion of the Northeast quarter of the Northeast quarter of Section 9, Township 9 South, Range 22 West, Gila and Salt River Base and Meridian, Yuma County, Arizona more particularly described as follows:

Beginning at the northeast corner of the Northeast quarter of said Section 9;

Thence South 89°47'34" West along the North line of the Northeast quarter of said Section 9 a distance of 816.00 feet to the TRUE POINT OF BEGINNING;

Thence South 00°07'39" East parallel with and 816.00 feet westerly of the East line of the Northeast quarter of said Section 9 a distance of 80.00 feet;

Thence South 89°47'34" West parallel with and 80.00 feet southerly of the North line of the Northeast quarter of said Section 9 a distance of 461.93 feet to a point which lies 54.00 feet easterly of the West line of the Northeast quarter of the Northeast quarter of said Section 9;

Thence South 44°48'56" West a distance of 28.30 feet to a point which lies 100.00 feet southerly of the North line of the Northeast quarter of said Section 9 and 34.00 feet easterly of the West line of the Northeast quarter of the Northeast quarter of said Section 9;

Thence South 89°47'34" West parallel with and 100.00 feet southerly of the North line of the Northeast quarter of said Section 9 a distance of 34.00 feet to the West line of the Northeast quarter of the Northeast quarter of said Section 9;

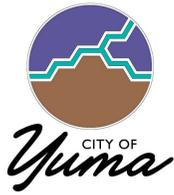
Thence North 00°09'42" West along the West line of the Northeast quarter of the Northeast quarter of said Section 9 a distance of 100.00 feet to the northwest corner of the Northeast quarter of the Northeast quarter of said Section 9;

Thence North 89°47'34" East along the North line of the Northeast quarter of said Section 9 a distance of 515.98 feet to the TRUE POINT OF BEGINNING.

Said parcel contains 42,156 square feet, more or less.



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City of Yuma

City Council Report

File #: O2026-013

Agenda Date: 4/1/2026

Agenda #: 1.

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

TITLE:
Rezone of Property: Vision Assets

SUMMARY RECOMMENDATION:
 Rezone approximately 2.42 acres, from the Residence Manufactured Housing (R-MH-20) District to the Medium Density Residential (R-2) District. (Community Development/Community Planning)
 (Alyssa Linville)

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

REPORT:
 The property is located on the northwest corner of 27th Street and 20th Avenue and is approximately 2.42 acres in size. The property was annexed into the City of Yuma on August 15, 2025, and was recently the subject of a General Plan Amendment to change the land use designation from Low Density Residential to Medium Density Residential.

With this request the applicant is seeking to rezone the property from the Residence-Manufactured Housing (RMH-20) District to the Medium Density Residential (R-2) District for the development of a duplex subdivision. The applicant intends to subdivide the parcel into 11 lots following the successful rezoning request and construct duplexes on each lot.

Permitted principal uses in the Medium Density Residential (R-2) District include one single-family dwelling, one two-family dwelling, multi-family dwellings, public and private schools, public parks, and community gardens.

All development will be required to meet the City of Yuma development standards for the Medium Density Residential (R-2) District. Discussed in further detail in §154-07.01, the following are some of the main development standards required of development within the Medium Density Residential (R-2) District:

1. The minimum lot size in the Medium Density Residential (R-2) District shall be 4,500 square feet.
2. The minimum lot width in the Medium Density Residential (R-2) District shall be 50 feet.
3. A minimum front yard setback of twenty feet.

4. The minimum side yard setbacks of five feet.
5. A minimum rear yard setback of ten feet.
6. A minimum street side yard setback of ten feet.
7. The maximum lot coverage in the Medium Density Residential (R-2) District shall be 55% of the lot area.
8. The maximum building height in the Medium Density Residential (R-2) District shall be 40 feet.
9. Landscaping and irrigation shall be provided in the manner set forth in Article 20 of this chapter.

The request to rezone the property from the Residence-Manufactured Housing (RMH-20) District to the Medium Density Residential (R-2) District is in conformance with the General Plan.

EXCERPT FROM PLANNING AND ZONING COMMISSION MEETING MINUTES 2/23/26:

Erika Peterson, Senior Planner, summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

“**Commissioner Malouff-Craig** asked whether the Commission would review the subdivision plat if the rezoning was approved. **Peterson** replied due to recent changes in state law the subdivision plat does not need to be reviewed by the Commission.

Commissioner Chelsea Malouff-Craig asked whether the City or a HOA would be responsible for maintaining the roads within the development. **Andrew McGarvie, Engineering Manager** stated that the roads will be public. **Commissioner Malouff-Craig** asked whether the roads would be sufficiently wide to accommodate parking, traffic, and city maintenance vehicles. **McGarvie** answered that the road will be constructed at half width with an easement on the east side and noted that there will be limited space for on-street parking.

Peterson then stated that each developed parcel will need to ensure adequate on-site parking is provided as part of the development standard. **Commissioner Malouff-Craig** asked whether there would be space to accommodate four cars for each duplex. **Peterson** replied yes and that the developer would be required to provide parking on site for each parcel. **Commissioner Malouff-Craig** asked will each unit have a two car garage. **Peterson** stated that covered parking is not required, but legal parking must be located outside the front setback and that staff will ensure that each unit meets the standard two-car parking requirement.

Vice Chairman Mahon asked for confirmation that the R-2 zoning district requires a minimum lot size of 4,500 square feet and that a duplex can be placed on each of the proposed lots. **Peterson** answered yes.

Chairman Chris Hamel asked whether the trees located on the east side of the property would be removed once development begins. **Peterson** replied yes, stating that the east side of the property will be dedicated for the proposed road.

Vice Chairman Mahon referred to the site plan and asked whether there is already a dedication for 20th Avenue. **McGarvie** replied that there is an easement for right-of-way, but not a full dedication.

APPLICANT/APPLICANT’S REPRESENTATIVE

Alejandro Carlos, 1057 West Mustang Avenue, Yuma, AZ was available for questions.

Chairman Hamel thanked the applicant for developing the area and for providing more housing for the community.

Vice Chairman Mahon agreed with Chairman Hamel.

PUBLIC COMMENT

NONE

“Motion by Commissioner Lorraine Arney, second by Vice Chairman John Mahon, to APPROVE ZONE-44797-2025 as presented.

“Motion carried unanimously, (5-0) with one absent and one vacancy.’

Planning and Zoning Staff Report - Attached

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:

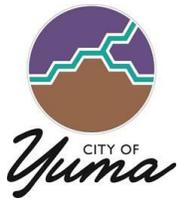
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

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: 03/20/2026
Reviewed by City Attorney: Richard W. Files	Date: 03/20/2026



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

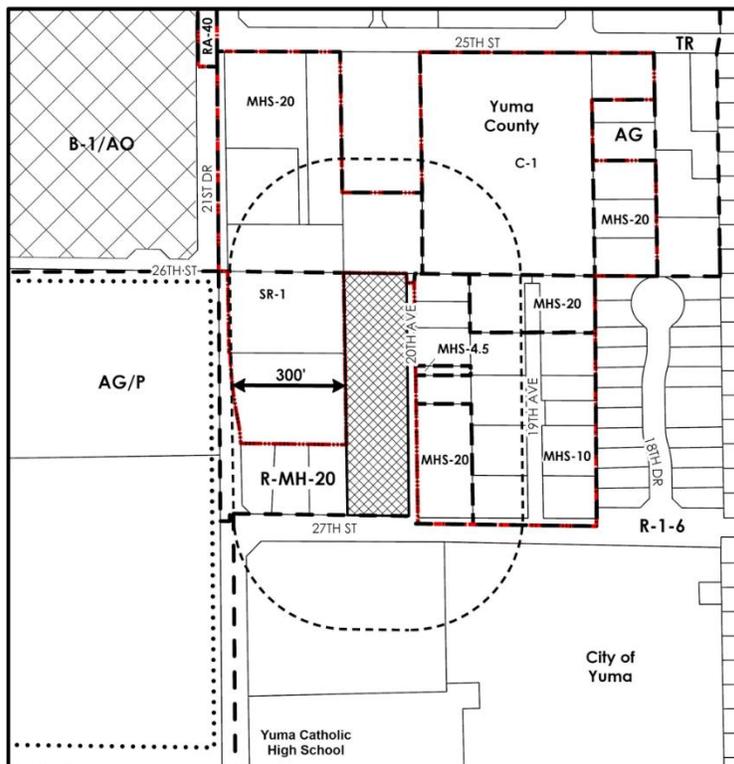
Hearing Date: February 23, 2026

Case Number: ZONE-44797-2025

Project Description/ Location: This is a request by Dahl, Robins & Associates, Inc., on behalf of Vision Assets, LLC, to rezone approximately 2.49 acres from the Residence Manufactured Housing (R-MH-20) District to the Medium Density Residential (R-2) District, for the property located at 2080 W. 27th Street, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	City Residence-Manufactured Housing (RMH-20)	Undeveloped	Medium Density Residential
North	County Manufactured Home Subdivision (MHS-20)	Undeveloped	Mixed Use
South	City Low Density Residential (R-1-6)	Yuma Catholic High School	Public/Quasi Public
East	County Manufactured Home Subdivision (MHS-4.5/MHS-10/MHS-20)	Mobile home park & single-family homes	Low Density Residential
West	City Residence-Manufactured Housing (RMH-20) and County Suburban Ranch (SR-1)	Single-family homes and vacant	Low Density Residential

Location Map



Prior site actions: Annexation, Ord. 2025-025, effective 8/15/2025; General Plan Amendment, Low Density Residential to Medium Density Residential, effective 2/8/2026.

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Residence Manufactured Housing (R-MH-20) District to the Medium Density Residential (R-2) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE- 44797-2025 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommended approval to City Council for the request to rezone approximately 2.49 acres from the Residence Manufactured Housing (R-MH-20) District to the Medium Density Residential (R-2) District for the property located at 2080 W. 27th Street, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The property is located on the northwest corner of 27th Street and 20th Avenue and is approximately 2.49 acres in size. The property was annexed into the City of Yuma on August 15, 2025, and was recently subject of a General Plan Amendment to change the land use designation from Low Density Residential to Medium Density Residential.

With this request the applicant is seeking to rezone the property from the Residence-Manufactured Housing (RMH-20) District to the Medium Density Residential (R-2) District for the development of a duplex subdivision. The applicant intends to subdivide the parcel into 11 lots following the successful rezoning request and construct duplexes on each lot.

Permitted principal uses in the Medium Density Residential (R-2) District include one single-family dwelling, one two-family dwelling, multi-family dwellings, public and private schools, public parks, and community gardens.

All development will be required to meet the City of Yuma development standards for the Medium Density Residential (R-2) District. Discussed in further detail in §154-07.01, the following are some of the main development standards required of development within the Medium Density Residential (R-2) District:

1. The minimum lot size in the Medium Density Residential (R-2) District shall be 4,500 square feet.
2. The minimum lot width in the Medium Density Residential (R-2) District shall be 50 feet.
3. A minimum front yard setback of twenty feet.
4. The minimum side yard setbacks of five feet.
5. A minimum rear yard setback of ten feet.
6. A minimum street side yard setback of ten feet.
7. The maximum lot coverage in the Medium Density Residential (R-2) District shall be 55% of the lot area.
8. The maximum building height in the Medium Density Residential (R-2) District shall be 40 feet.

9. Landscaping and irrigation shall be provided in the manner set forth in Article 20 of this chapter.

The request to rezone the property from the Residence-Manufactured Housing (RMH-20) District to the Medium Density Residential (R-2) District is in conformance with the General Plan.

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

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

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

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
27 th Street – Local Street	29' HW	Varies				
21 st Drive – 2 Lane Collector	40' HW	Varies				
20 th Avenue- Local Street	29' HW	0'				
Bicycle Facilities Master Plan	27 th Street - Bike Route					
YCAT Transit System	21 st Drive - Purple & Yellow Routes					
Issues:	None					

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

Parks, Recreation and Open Space Element:		
Parks and Recreation Facility Plan		
Neighborhood Park:	Existing: Ponderosa Park	Future: Ponderosa 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:	None	
Housing Element:		
Special Need Household:	N/A	
Issues:	None	
Redevelopment Element:		
Planned Redevelopment Area:	N/A	
Adopted Redevelopment Plan:	North End:	Carver Park: None: X
Conforms:	Yes	No N/A
Conservation, Energy & Environmental Element:		
Impact on Air or Water Resources	Yes	No X
Renewable Energy Source	Yes	No X
Issues:	None	

Public Services Element:							
<u>Population Impacts</u> 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>2-4 Units</i>						
	Maximum	Per Unit		Officers	GPD	AF	GPD
	32	2.2	70	0.13	14,573	16.3	4,928
Minimum							
12	2.2	26	0.05	5,465	6.1	1,848	
Fire Facilities Plan:	Existing: Fire Station No. 6			Future: Fire Station No. 6			
Water Facility Plan:	Source:	City	X	Private	Connection:	6" PVC on 20 th Ave & 8" PVC on 27 th St.	
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: Manhole & stub out on 27 th St. between 20 th Ave & 19 th Ave.	
Issues:	None						
Safety Element:							
Flood Plain Designation:	500 Year Flood		Liquefaction Hazard Area:		Yes	X	No
Issues:	None						
Growth Area Element:							
Growth Area:	Araby Rd & Interstate 8		Arizona Ave & 16 th St		Avenue B & 32 nd St.		X
	North End	Pacific Ave & 8 th St		Estancia	None		
Issues:	None						

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

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

External Agency Comments: See Attachment D

Neighborhood Meeting Comments: See Attachment E

Proposed conditions delivered to applicant on: 1/9/2026

Final staff report delivered to applicant on: 1/29/2026

- Applicant agreed with all of the conditions of approval on 1/9/2026
- Applicant did not agree with the following conditions of approval: (list #'s)
- Conditions emailed to applicant on 1/9/2026.

Attachments

A	B	C	D	E	F	G	H
Conditions of Approval	Conceptual Site Plan	Agency Notifications	Agency Comments	Neighborhood Meeting Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By:

Erika Peterson

Erika Peterson

Senior Planner

Erika.Peterson@YumaAZ.Gov

Date: 1/12/2026

(928) 373-5000, x3071

Reviewed By:

Jennifer L. Albers

Jennifer L. Albers

Assistant Director of Planning

Date: 1/13/26

Approved By:

Alyssa Linville

Alyssa Linville

Director, Community Development

Date: 01/28/2026

**ATTACHMENT A
CONDITIONS OF APPROVAL**

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

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

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

Department of Engineering, Jerry Anaya, Engineering Manager, (928) 373-5000 x 5182:

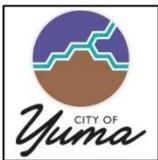
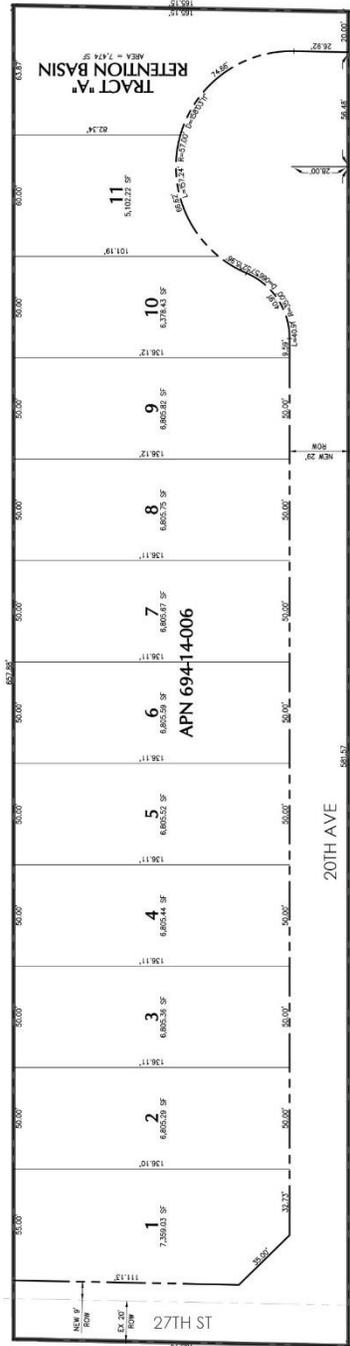
3. Owner/Developer shall dedicate a 25-foot by 25-foot corner sight visibility triangle at the intersection of 27th Street and 20th Avenue, in accordance with City of Yuma Roadways Plan.
4. 20th Avenue is classified as a Local Road per the City of Yuma Roadways Plan. Owner/developer shall dedicate right-of-way, such that the City of Yuma obtains 29 feet to meet the required right-of-way half width.
5. 27th Street is classified as a Local Road per the City of Yuma Roadways Plan. The existing right-of-way half width is 20 feet; therefore, the owner/developer shall dedicate an additional 9 feet of right-of-way to meet the required 29-foot right-of-way half width.

Community Planning, Erika Peterson, Senior Planner, (928) 373-5000 x 3071:

6. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

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

ATTACHMENT B CONCEPTUAL SITE PLAN



Prepared by:
DG
Date:
12/17/2025

ZONE-77797-2025
APN 694-14-006

Site Plan

Plan/Case:

44797



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun 01/16/2026
- 300' Vicinity Mailing: 12/22/2025
- 34 Commenting/Reviewing Agencies noticed: 12/24/2025
- Site Posted on: 12/29/2025
- Neighborhood Meeting: 01/05/2026
- Hearing Date: 02/09/2026
- Comments due: 01/05/2026

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	NR				
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	1/5/2026		X	
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Charter Cable	NR				
Southwest Gas	NR				
CenturyLink Communications	NR				
Quechan Tribe	NR				
Bureau of Reclamation (USBR)	NR				
Bureau Land Management (BLM)	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Yuma Mesa Irrigation (YMIDD)	NR				
Unit B Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
Yuma Proving Ground	NR				
El Paso Natural Gas Co.	NR				
Western Area Power (WAPA)	YES	12/29/2025	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	YES	1/7/2026		X	
Fire	YES	1/5/2026			X
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	1/5/2026	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D
AGENCY COMMENTS**

<input type="checkbox"/> Condition(s)	<input type="checkbox"/> No Condition(s)	<input checked="" type="checkbox"/> Comment			
<p>Enter conditions here: This site plan does not meet fire department access requirements and will be disapproved when plan review is submitted. Dead end fire department access roads in excess of 150' require code compliant turn arounds.</p>					
DATE:	1/5/26	NAME:	Kayla Warren	TITLE:	Fire Marshal
CITY DEPT:	Fire				
PHONE:	928-373-4865				
RETURN TO:	Erika Peterson				
	Erika.Peterson@YumaAZ.gov				

Good morning Erika,

The only YCWUA comment for this is that a water conversion (YCWUA Serial No. 1510-6) will need to be processed accordingly. Please have the landowner fill out the attached application. Do you know approximately when the application can be provided?

Please let me know about any questions.

Thanks!



Omar Peñuñuri
Sr. Engineering Tech, Lands and Right-of-Way
Yuma County Water Users' Association
Office: (928) 512-5531
Cell: (928) 581-5200

Office: 3800 W. County 15th Street
Somerton, Arizona 85350
Mail: P.O. Box 5775
Yuma, Arizona 85366-5775
[Yuma County Water Users' Association | Somerton AZ | Facebook](#)

ATTACHMENT E
NEIGHBORHOOD MEETING COMMENTS

Date Held: 01/05/2026

Location: 2080 W. 27th Street

Attendees:

Staff: Erika Peterson;

Applicant: Alejandro Carlos;

Neighbors: Alexis Covarrubias, Gabriela Covarrubias

SUMMARY OF ATTENDEE(S)' COMMENTS RELATED TO THE PROJECT:

- Staff explained the request.
- Applicant also explained the request.
- Neighbor asked about the access to the proposed development.
 - Applicant explained that the homes will be accessed off of 20th Avenue.
- Neighbor asked about the sewer line where it is and where it will go.
 - Applicant stated the sewer line is by the Yuma Catholic side fence on 27th Street and will be dragged/extended to the proposed development up on 20th Avenue.
- Neighbor also asked if all the improvements were only on the subject property of if they extended to other properties.
 - Applicant stated new road and streetlights will be on subject parcel, within the ROW that will be dedicated for improvements.
- Neighbor commented that the area is quiet.

**ATTACHMENT F
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City	State	Zip Code
AWARS LTD AZ LLC	3205 S PINTO WAY	YUMA	AZ	85365
AWARS LTD LLC AND	3205 S PINTO WAY	YUMA	AZ	85365
CABRERA ROSALINDA LEPE AND	202 S 15TH AVE	YUMA	AZ	85364
COVARRUBIAS ADRIAN	2130 W 27TH ST	YUMA	AZ	85364
COVARRUBIAS IGNACIO R	2130 W 27TH ST	YUMA	AZ	85364
DANIELS REVOCABLE LIVING TRUST	2101 W 26TH ST	YUMA	AZ	85364
DANIELS REVOCABLE LIVING TRUST	2101 W 26TH ST	YUMA	AZ	85364
FAMILIA AGUIRRE TRUST 4-7-2017	3760 W 20TH LN	YUMA	AZ	85364
GONZALEZ CARLOS ABEL ACOSTA &	2602 S 19TH AVE	YUMA	AZ	85364
JMF FAMILY LIMITED PARTNERSHIP	1445 W 18TH STREET	YUMA	AZ	85364
MARTINEZ MARCELINA	2893 W JULIE LN	YUMA	AZ	85365
MCGINNIS MICHAEL R LIVING TRUST 8-15-2013	3465 S SIESTA RD	YUMA	AZ	85365
ORTEGA JOSEFINA F	2622 S 19TH AVE	YUMA	AZ	85364
PASQUE PARTNERS AZ LP	2144 W 24TH ST STE 1	YUMA	AZ	85364
RAY CYNTHIA ANN SUB- TRUST	23 OXFORD DR	LATHAM	NY	12110
RAY CYNTHIA ANN SUB- TRUST	23 OXFORD DR	LATHAM	NY	12110
RAY CYNTHIA ANN SUB- TRUST	23 OXFORD DR	LATHAM	NY	12110
RVCBD AZ LLC	PO BOX 330	YUMA	AZ	85366
RVCBD AZ LLC	PO BOX 330	YUMA	AZ	85366
TMD25 LLC	2093 W 25TH ST	YUMA	AZ	85364
UBLA PROPERTIES LLC	PO BOX 6531	YUMA	AZ	85366
VALDEZ JORGE L	37671 W SMITH ENKE RD	MARICOPA	AZ	85138
VILLARREAL HECTOR & CIRA C JT	PO BOX 1215	YUMA	AZ	85366
VISION ASSETS LLC	1036 S MUSTANG AVE	YUMA	AZ	85364
VISION ASSETS LLC	1036 S MUSTANG AVE	YUMA	AZ	85364
YCHS PROPERTY HOLDINGS LLC	2100 W 28TH ST	YUMA	AZ	85364

ATTACHMENT G NEIGHBOR MAILING

This is a request by Dahl, Robins & Associates, Inc., on behalf of Vision Assets, LLC, to rezone approximately 2.49 acres from the Residence Manufactured Housing (R-MH-20) District to the Medium Density Residential (R-2) District, for the property located at 2080 W. 27th Street, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-44797-2025**

NEIGHBORHOOD MEETING
01/05/2026 @ 5:00pm
On-site

PUBLIC HEARING
02/09/2026 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ.



Because you are a neighbor within 300' of 2080 W. 27th Street, Yuma, AZ you are invited to attend this public meeting to voice your comments. If you have questions or wish to submit written comments, please contact Erika Peterson by phone at (928) 373-5000 ext. 3071 or by email at Erika.Peterson@YumaAz.gov. All written comments must be submitted by 12:00 pm **(the day of the hearing)** to be included in the public record for consideration during the hearing.

ATTACHMENT H
AERIAL PHOTO



ORDINANCE NO. O2026-013

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 RESIDENCE MANUFACTURED HOUSING (R-MH-20) DISTRICT TO THE MEDIUM DENSITY RESIDENTIAL (R-2) DISTRICT, AND AMENDING THE ZONING MAP TO CONFORM WITH THE REZONING

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on February 23, 2026 in Zoning Case No: ZONE- 44797-2025 in the manner prescribed by law for the purpose of rezoning approximately 2.42 acres of real property hereafter described to the Medium Density Residential (R-2) District as provided in Chapter 154 of the Yuma City Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance and manner provided by law, including publication of notice of the hearing in the Yuma Sun on January 10, 2026; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE- 44797-2026 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this rezoning, and finds that the recommendation complies with and conforms to the goals and objectives of the Yuma General Plan, as amended.

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

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

The West half of the East half of the Northwest quarter of the Southeast quarter of the Northwest quarter of Section 5, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

EXCEPT the South 20 feet thereof for road right-of-way as conveyed in instrument recorded in Docket 877, Page 121 in the records of Yuma County, Arizona.

Containing a total of 105,415.2 square feet or 2.42 acres more or less.

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

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

3. Owner/Developer shall dedicate a 25-foot by 25-foot corner sight visibility triangle at the intersection of 27th Street and 20th Avenue, in accordance with City of Yuma Roadways Plan.
4. 20th Avenue is classified as a Local Road per the City of Yuma Roadways Plan. Owner/developer shall dedicate right-of-way, such that the City of Yuma obtains 29 feet to meet the required right-of-way half width.
5. 27th Street is classified as a Local Road per the City of Yuma Roadways Plan. The existing right-of-way half width is 20 feet; therefore, the owner/developer shall dedicate an additional 9 feet of right-of-way to meet the required 29-foot right-of-way half width.

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

Adopted this _____ day of _____, 2026.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

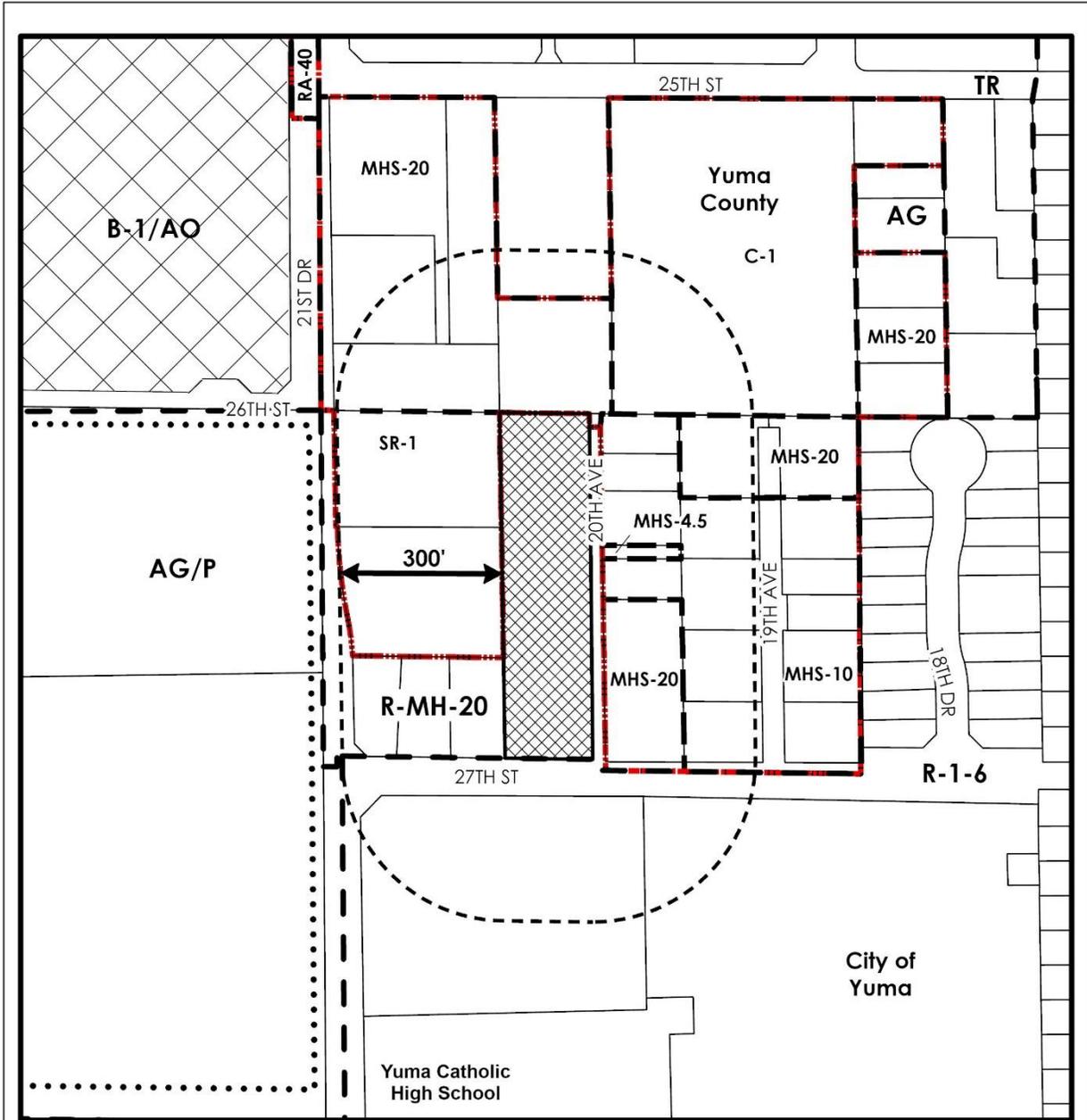
Lynda L. Bushong
City Clerk

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



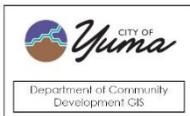
LOCATION MAP



LOCATION OF SUBJECT PROPERTY
2080 W 27TH ST (APN: 694-14-006)



Prepared by: DG
Checked by: EP



Date: 12/17/2025
Revised:

Case #:
ZONE-44797-2025