

MINUTES
REGULAR CITY COUNCIL WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS - YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
September 16, 2025
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, Watts, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: Acting City Administrator, John D. Simonton
Director of Finance, Douglas Allen
Director of Utilities, Jeremy McCall
Building Official, Randall Crist
Assistant Director of Planning, Jennifer Albers
Director of Community Development, Alyssa Linville
Various department heads or their representatives
City Attorney, Richard W. Files
Deputy City Clerk, Janet L. Pierson

I. FINANCING THE CAPITAL IMPROVEMENT PLAN

Allen introduced **Mark Reader**, Managing Director at Stifel, to provide the following briefing on financing options for the City's Capital Improvement Plan (CIP):

- CIP Summary
 - The financing plan supports CIP projects and helps reconcile the City's Expenditure Limitation.
 - Projects are categorized into General Fund-related and Utilities-related
 - General Fund Projects
 - Road Improvements
 - \$35 million funded by the 0.5% voter-approved Road Tax (no sunset provision).
 - The Road Tax generates approximately \$18 million per year.
 - Amortized over 20 years with a 10-year call provision.
 - Park Improvements
 - \$17 million total, funded by the 2% Hospitality Tax (sunsets in 2038, General Fund will be used if not renewed).
 - \$4 million to be paid off in two years; remaining \$13 million amortized over 20 years.
 - Downtown Improvements
 - \$7 million, funded by the General Fund.
 - Targeted to be paid off within two years.

- Public Safety Improvements
 - \$13 million, funded by the Public Safety Tax (sunsets in 2035).
 - Amortized over 10 years to align with the tax's expiration.
- Utilities Projects
 - Water
 - \$22 million total funded by Net Water Revenues
 - \$10 million to be paid off in two years; \$12 million amortized over 20 years.
 - Wastewater
 - Amortized over 20 years with a standard 10-year call provision.
- All projects combined add up to approximately \$116 million
- Aim to retire several million in debt within the next two years.
- City Public Policy Objectives
 - Bonds will fund the CIP, enabling the City to move forward quickly.
 - Repayment will come from already identified, dedicated revenue sources – no new taxes or property tax increases are involved.
 - Similar to past projects (e.g., Desert Dunes), bond proceeds will be invested to earn interest during construction, maximizing financial efficiency.
 - The City intends to repay certain obligations early, reducing interest costs and aligning with its fiscal strategy.
 - The goal is to finalize all transactions by the end of November.
- Expenditure Limit Exemption Summary
 - Arizona's expenditure limit was established by a 1980 voter-approved constitutional amendment.
 - Intended to control growth of spending by tying limits to population and inflation at that time.
 - The Economic Estimates Commission sets each city's limit annually.
 - The formula has not kept pace with significant population growth and inflation, creating a mismatch between actual needs and allowable spending.
 - The limit applies to all expenditures that are not specifically excluded.
 - Cities must seek voter approval to temporarily or permanently adjust their base expenditure limit.
 - Resulted in unintended consequences for growing municipalities.
 - The City is considering a voter-approved permanent adjustment to the base limit, potentially on the November 2026 ballot.
 - Bond proceeds and debt service (principal + interest) are exempt from the Expenditure Limitation.
 - The planned \$116 million bond issuance will help the City stay within its Expenditure Limitation for the remainder of this year and for Fiscal Year (FY) 27.
- Other Jurisdictions
 - Several jurisdictions in Arizona have successfully issued bonds to address expenditure limit challenges, including recent examples like Bullhead City (\$14 million) and Coconino County (\$80 million).
 - 33 Expenditure Limitation elections in Arizona were successful in 2024, demonstrating strong public support when the issue is clearly communicated.

- 83 Arizona cities and towns have adopted an alternative Expenditure Limitation
 - Permanent Base Adjustment: 42 (51%)
 - Home Rule (temporary four-year adjustment): 41 (49%)

Discussion

- Many of the cities who successfully navigated Expenditure Limitation elections formed a citizens committee to help explain the complexities of Arizona's expenditure limitation laws. While not formal campaigning, they focused on sharing clear, factual information with the public about why the adjustment was needed. **(Mayor Nicholls/Reader)**
- The bond issuance will support previously approved CIP projects and is not for new or additional projects. The timing is favorable due to current market rates, and delaying could lead to higher costs and falling behind on community needs. For transparency, staff will post a detailed project list online so residents can clearly see how the funds will be used. **(Morales/Simonton)**
- Separate bonds will be issued due to their distinct funding sources; however, the funding will occur simultaneously, and the bond proceeds will be used over a two- to three-year period. **(Morris/Reader)**

Reader continued his presentation as follows:

- Existing Bonds
 - Overview
 - Two main types of debt:
 - Road Tax debt from a 2015 bond issuance.
 - Pension bonds issued in 2021 to refinance Public Safety Personnel Retirement System (PSPRS) unfunded liability.
 - Approximately 80% of the City's debt is tied to pension obligations; the remaining 20% is related to capital improvements.
 - The City has historically avoided excessive debt, but rising capital costs are making pay-as-you-go strategies more difficult.
 - 2015 Road Tax Bonds
 - Issued \$48 million in revenue bonds – mostly for refinancing, with about \$22–23 million in new capital project funding.
 - Helped the City maintain a pay-as-you-go approach to capital improvements.
 - These bonds may now be eligible for refinancing, as the 10-year lockout period has ended and interest rates are trending downward.
 - 2021 PSPRS Pension Bonds
 - Issued during historically low interest rates (1.26%–2.63%) to refinance debt previously accruing at 7.2%.
 - Resulted in \$72.8 million in expected present value savings.
 - These were taxable bonds, used to clean up the City's balance sheet and reduce long-term pension liabilities.
- General Fund Projects
 - Pledged Revenues
 - The City pledged a diverse mix of revenues (primarily local sales tax) to secure both the 2015 and 2021 bond issues, helping lower interest rates.

- FY 25 closed with about \$100 million in pledged revenues; FY 26 is budgeted slightly higher.
- Revenue sources include:
 - Local Transaction Privilege Tax (sales tax)
 - State-shared income, sales, and vehicle license taxes
 - Fees, services, fines, and forfeitures
- Revenue growth has been strong, increasing from \$63 million in FY 20 to nearly \$100 million in FY 25.
- Bond Structure and Amortization Plans
 - Road Bonds: \$35 million amortized over 20 years, around \$2.7 million per year debt service funded by \$18 million annual Road Tax revenues.
 - Parks Bonds: \$17 million split into:
 - \$4 million paid off in two years
 - \$13 million amortized over 20 years (2% Tax sunsets in 2038; General Fund will cover if not renewed).
 - Public Safety Bonds: \$13 million amortized through 2035 to align with Public Safety Tax sunset.
 - Downtown Improvements: around \$875,000 per year from General Fund, paid off in two years.
 - Total Permanent Debt Service: \$61 million
 - Short-Term Debt (to be retired in two years): \$11 million
- Debt Coverage Ratio
 - The City maintains a 5:1 revenue-to-debt ratio, considered excellent by bondholders.
 - The 2015 road bonds are nearing eligibility for refinancing, potentially freeing up about \$4 million in the budget.
 - The City has flexibility to adjust amortization schedules based on asset life and revenue streams.
- Utilities Projects
 - Utility Debt Overview
 - The City has issued approximately \$100 million in utility debt over the years, including:
 - About \$80 million for the Desert Dunes Project at historically low interest rates (0.2%–1.69%), generating investment returns while funds were spent.
 - A 2015 refinancing of prior utility debt.
 - Utility Revenue and Financial Health
 - FY 25 utility revenues totaled about \$65 million, with around \$33 million in operating costs, leaving approximately \$31 million in net cash flow.
 - These funds support reserves, pay-as-you-go capital, and debt service.
 - The City maintains strong coverage ratios, helping secure favorable bond rates
 - Wastewater Financing
 - Net wastewater revenues were about \$13 million in FY 24 and FY 25.
 - Current debt service is around \$6.5 million per year.
 - New \$22 million bond will be amortized over 20 years, adding about \$1.65 million per year for a total of around \$8.2 million in annual debt service.
 - The coverage ratio of about \$7.72 in revenue per \$1 of debt is strong.

- Water Financing
 - Net water revenues were about \$19 million in FY 24 and FY 25.
 - Current debt service is around \$5.6 million per year.
 - New \$22 million bond split into:
 - Series 2025 A: \$12 million amortized long-term.
 - Series 2025 B: \$10 million to be paid off within two years to support the expenditure limitation strategy.
 - Combined coverage ratio of \$2.50 in revenue per \$1 of debt is strong.

Discussion

- The City's aggregate annual utility debt service is projected to decrease from around \$12 million to \$7 million by 2032–2033. This drop aligns with the end of the current five-year utility rate adjustment period, presenting an opportunity for City Council to reassess rates in light of future CIP needs and community affordability goals. The City is in a healthy position with its current debt coverage ratio of 2.56, which is expected to improve as debt obligations decline. (**Morales**)

Reader concluded his presentation with the following:

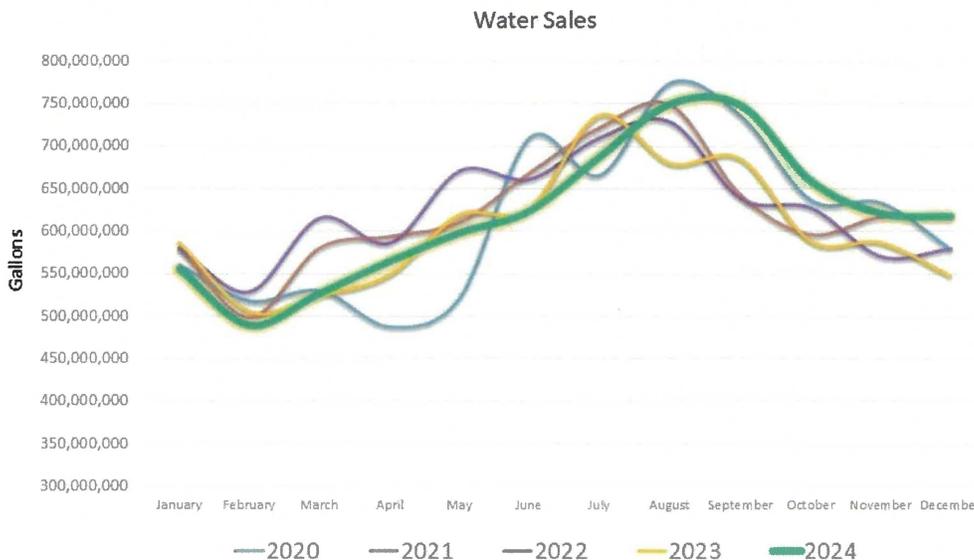
- Refunding Opportunities
 - The City is closely watching the 2015 revenue bonds (non-utility) for a potential refinancing opportunity.
 - Current market conditions suggest present value savings of about \$860,000, nearing the 3% efficiency threshold typically required for action.
 - Recent interest rate drops have improved the likelihood of reaching that threshold soon.
 - Staff is also monitoring utility bonds for potential refinancing.
 - Currently about 0.25% away from achieving the 3% savings threshold.
 - If market conditions improve, refinancing could be incorporated into the upcoming financing package; otherwise, it will be deferred.
- Draft Financing Calendar
 - Ordinances authorizing the issuance of the bonds are scheduled for introduction at tomorrow night's meeting.
 - Adoption is planned for October 1, and a 30-day waiting period will follow.
 - The City expects to enter the bond market the week of November 3 or November 10.
 - Closing is anticipated by the end of November, or early December at the latest.

II. UTILITIES DEPARTMENT UPDATE

McCall presented the following Utilities Department update:

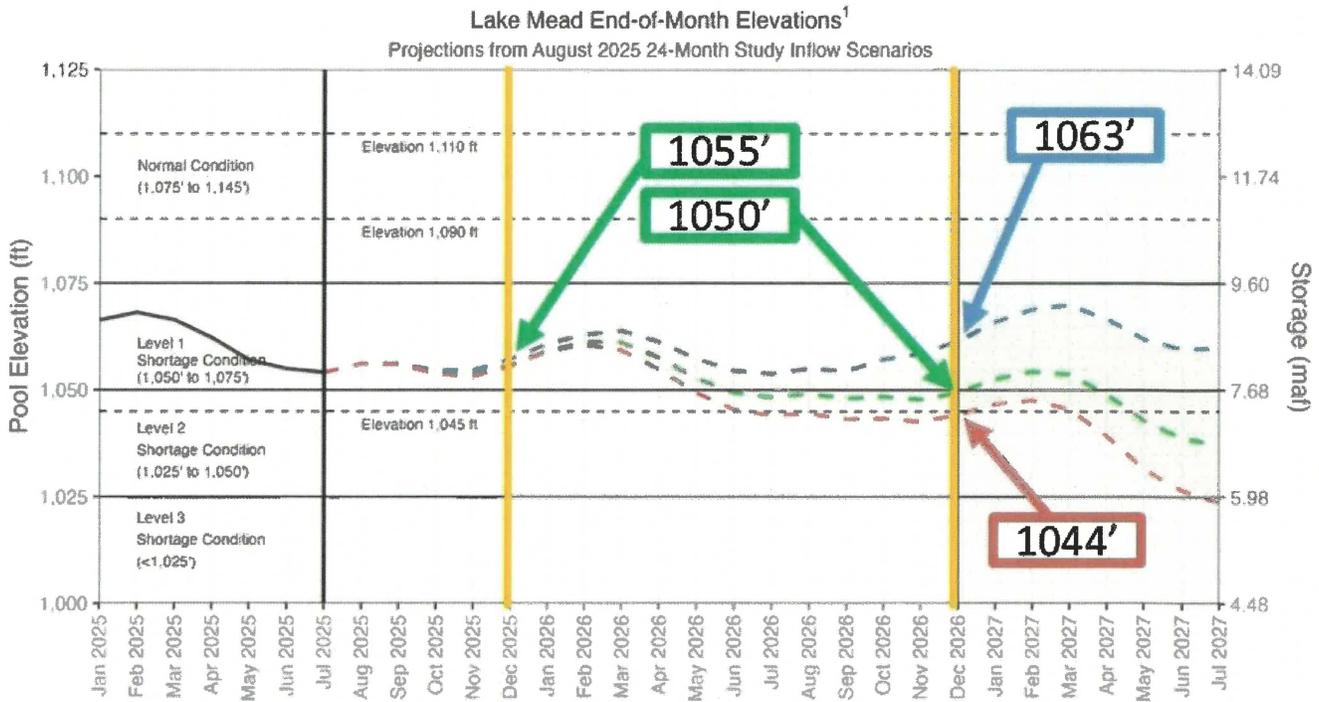
- Mission and Department Staff
 - The Utilities Department's goal and highest priority is to ensure the delivery of a reliable drinking water supply of the highest quality, and the most efficient, environmentally sound reclamation of Yuma's wastewater.
 - 160 employees
 - 148 full-time

- 12 part-time
- Utility Customer Base
 - Approximately 35,000 water accounts
 - 89% residential customers
 - 11% commercial customers
 - 0.1% industrial customers
 - About one-half of the water produced is used by residents, while the other half goes to commercial and industrial processes.
- Customer Interactions
 - Approximately 360,000 customer interactions per year
 - 82% pay online
 - 10% pay in person
 - Almost half of customers use a credit card to pay their bill, while only about 4% use cash.
 - The remaining customers use automatic payment, checks, bank drafts, or other forms of payment.
- Operational Trends
 - Wastewater volumes are closely tied to water usage, so water sales are a key metric tracked to understand wastewater trends.
 - Typically, 40% of the water sold eventually ends up at the wastewater plant.
 - In 2024, water sales followed a typical seasonal pattern:
 - Highest sales occur in August and September.
 - Lowest sales are in February, reflecting reduced irrigation.
 - The four-year overlay below shows consistent seasonal trends.
 - 2024 water sales are equal to or better than several previous years.
 - 2020 data is considered an outlier due to COVID-19 disruptions.



- Colorado River Drought Forecast
 - Drought is a dominant issue in the western U.S., heavily influencing water policy and planning.
 - Lake Mead water levels are the key metric used to determine drought status.
 - A Level 1 Shortage Condition exists at lake levels between 1,050 and 1,075 feet.

- The chart below is a forecast from the Bureau of Reclamation (BOR) showing projected lake elevations.
 - December 2025 forecast: Lake elevation is expected to be around 1,055 feet.
 - December 2026 forecast: Most probable lake elevation is 1,050 feet, indicating a further decline.
 - 10% chance the lake will rise to 1,063 feet, and 10% chance it will drop to 1,044 feet.



- Water Conservation
 - Yuma has a four-stage Drought Preparedness and Response Plan.
 - Since 2022, the City has been in Stage 1 (Warning Stage).
 - Stage 1 requires:
 - Water use reduction at City facilities.
 - Public outreach to raise awareness about water usage.
 - This is the fifth consecutive year of Colorado River water shortage.
 - Shortages have occurred almost every year since 2019, when current rules were implemented.
 - 2022 was the worst year in terms of water shortage impacts.
- Colorado River Operations
 - All current Colorado River agreements expire at the end of 2026, including:
 - The 2007 Interim Guidelines and the 2019 Drought Contingency Plan
 - Minutes 323 and 330
 - These are agreements with Mexico allowing water storage and exchanges at Lake Mead.
 - The Bureau of Reclamation (BOR) is conducting an Environmental Impact Study (EIS) to guide future river operations.

- Following the EIS, one of the following five BOR actions is anticipated:
 - No Action Alternative
 - Federal Authorities Alternative
 - Federal Authorities Hybrid Alternative
 - Cooperative Conservation Alternative
 - Basin Hybrid Alternative
- The Federal government expects the seven basin states to negotiate a new agreement, but talks are contentious, with little progress so far.
 - The main proposal is to allocate water based on the natural flow of the river (i.e., average precipitation).
 - Key conflict is how to divide water between the four Upper Basin states and three Lower Basin states.
 - Upper Basin states are resisting participation in shortage-sharing.
 - Arizona is disadvantaged due to legal precedents favoring California.
- Timeline moving forward:
 - November 2025 – Target date for states to present an agreement.
 - If missed, February 2026 becomes the last chance for consensus.
 - March 2026 – BOR will publish its report.
 - May 2026 – A final federal decision will be made.
 - August 2026 – Deadline to finalize the operational plan for the 2027 water year, which begins in September.
- Desert Dunes Facility Expansion
 - Desert Dunes expansion is likely the largest and most expensive project the City has undertaken.
 - It is a multi-year project with an official completion date of April 2027.
 - There are 93 contracting staff currently on site.
 - Safety record is excellent:
 - No recordable or lost-time accidents.
 - One personal medical issue occurred, but it was not safety-related.
 - Quality control is strong, and the project is on schedule.
 - There is a possibility of early completion, but not before January 2027.
- Advanced Metering Infrastructure (AMI) Meter Conversion
 - The project is a major CIP item, costing approximately \$2 million per year.
 - It involves replacing traditional meters with AMI, transitioning from drive-by to online meter reading.
 - Current progress:
 - 9,000 AMIs installed
 - 26,000 units remaining
 - Average installation rate of 6,000 per year
 - Progress is tracked weekly and reviewed quarterly.
 - Two part-time staff were added this fiscal year to support the project.
 - These staff are expected to continue maintaining and replacing units as needed after the initial rollout.
 - Manufacturer warranty is 20 years (pro-rated), but battery life tends to decline around 14 years due to heat exposure.

- The project is expected to become a continuous maintenance cycle due to the large number of units deployed.
- Environmental Protection Agency (EPA) Revised Lead and Copper Rule
 - The City is complying with the EPA Lead and Copper Rule by conducting a service line inventory.
 - The initiative was briefed to Council last year and focuses on ensuring there is no lead in drinking water.
 - The City emphasizes that there is no lead in the water supply, and there is no lead in the City's infrastructure.
 - The EPA requires inspection of residential service lines, which are non-City assets (from the meter to the home).
 - All service lines installed after 1989 are considered lead-free.
 - For lines installed before 1989, the City:
 - Conducted field surveys
 - Took photos
 - Posted results on an interactive map available on the Utilities website
 - Residents can check their property's status via the online map tool.
 - The second report is due in January 2026, with about 3,000 service lines still to be inventoried.
 - The City is confident no lead will be found, but is committed to verifying all properties.
 - The Arizona Water Association (AWA) does not support the full scope of the EPA's rule and is suing the EPA over what it sees as regulatory overreach.
 - AWA particularly objects to the requirement for municipalities to test school facilities, which the EPA is requiring as of the 2027 report.
- Figueroa Avenue Water Pollution Control Facility Compliance
 - The Figueroa facility discharges into a side channel of the Colorado River, known as Paradise Cove in the West Wetlands area.
 - The blue line on the map represents the Colorado River; the red line marks the discharge area, which is technically not a U.S. water body but is adjacent to the river.
 - This side channel is five feet above the river's actual water level and would be dry without the facility's discharge.



- The facility has been operating under temporary or extended permits due to regulatory disagreements.
 - The only pollutant of concern that is discharged is nitrates, which are not considered environmental pollutants, but are non-permitted in drinking water.
 - The area was not designated as a drinking water source when the plant was built; this changed in the early 2000s when a mixing zone that previously helped with compliance was removed.
 - The facility seeks permanent permit status by having the red-lined area designated as a wetland, not part of the Colorado River.
- The state is actively engaged in a rulemaking process to address this issue.
 - The public comment period, originally ending in August, was extended to September.
 - The reason for the extension is unclear, possibly due to an EPA request.
 - The State of Arizona is supportive of the proposed solution.
 - A decision is expected possibly by February, though delays are anticipated.
 - The facility's current permit remains valid through August 2026.
 - There are no drinking water withdrawals from the side channel.
 - The proposal has received broad stakeholder support, including from:
 - Cocopah Tribe
 - Audubon Society
 - Bureau of Reclamation
 - Bureau of Land Management
 - City Council

Discussion

- Once the new AMI water meters are installed, residents will receive a door hanger with instructions to download the EyeOnWater app. This allows them to monitor daily consumption, receive leak alerts via text or email, and customize notification settings. For those without digital access, printed reports are also available. **(Mayor Nicholls/McCall)**
- If a customer is not sure whether they have an AMI meter installed, Utilities Department staff are happy to assist, answer questions, and follow up with an email that includes step-by-step instructions; staff can also provide the customer with their water account number. There is also information available on the City's website about AMI meters and their features. **(McClendon/McCall)**
- The goal is to use water wisely, not avoid using it altogether. Yuma's natural assets include abundant sunlight and a strong water portfolio, which the City leverages to attract industries that bring jobs and economic benefits. The key is ensuring these industries use water efficiently and return it, rather than wasting it. Although some areas lack direct sewer access, much of the community's water is ultimately returned to the City's water portfolio. **(Watts/McCall)**
- Regarding future water availability, Yuma is well-positioned due to its historical water rights. The City's strategy is to use its water locally to support growth, rather than self-restrict and risk losing that water to other regions like Phoenix, where it may never return. **(Watts/McCall)**

III. REGULAR CITY COUNCIL MEETING AGENDA OF SEPTEMBER 17, 2025

Motion Consent Agenda Item C.2 – Bid Award: Aquatic Center Pool Renovations (award bid for re-plaster and renovation to DWD Construction in the amount of \$304,769.30) (RFB-26-016) (Facilities Mgmt)

Discussion

- Staff will meet with the three swim teams that utilize Valley Aquatic Center to work out a schedule at the City's two other pools during the renovations. **(Morales/Simonton)**
-

Ordinance O2025-030 – Lease: Keithly-Williams Seeds, Inc. (five-year lease for 12.39 acres and the Associated Citrus Packers, Inc. building) (City Admin)

Discussion

- The tenant, who has a business across the street from the property, plans to clean up the site to use as storage and possibly a future thrift store or taxidermy operation. **(Watts/Simonton)**
-

Ordinance O2025-033 – Amend Yuma City Code: 2024 International Building Code with Amendments (amend Chapter 150, Sections 150-015 and 150-016) (Bldg Sfty)

Discussion

- The Building Advisory Board recommended adopting Chapter 11 of the International Building Code (IBC) almost entirely, with just one amendment to permit the use of LULA (Limited Use/Limited Application) elevators. As currently written, Chapter 11 does not require an elevator in every building unless the building exceeds 3,000 on any floor. **(Martinez/Crist)**
- Based on Council's feedback, a proposed amendment was drafted for consideration. This amendment removes the 3,000 square foot threshold, meaning any two-story building would now require an elevator – except in a few very specific cases. To address unintended consequences, an exception was added for mezzanines in Group F (Factory) and S (Storage) occupancies. **(Mayor Nicholls/Crist)**
- If the upper floors of a building is a mezzanine and is not intended for public use, it generally would not require an elevator. For a full two-story building, the proposed amendment would require an accessible route, such as an elevator. Mezzanines, which are typically partial floors open to the space below, are treated differently. **(Martinez/Crist)**
- Accessibility is a core value and a right for all citizens, including those with disabilities, to fully participate in public life. While federal ADA standards already provide strong guidance, a mandate requiring elevators in all two-story buildings could be potentially burdensome – especially for small businesses, nonprofits, and historic properties. Offering incentives like grants or tax credits, rather than imposing a one-size-fits-all rule, are possible alternatives. Community members are encouraged to share their views with City Council to help guide this decision. **(Martinez)**
- Apartments with four or more dwelling units – not necessarily four stories – are addressed in the code. While there are more three-story apartment buildings being developed, the elevator requirement does not apply to apartments if the required number of accessible units can be provided on the ground floor. **(Mayor Nicholls/Crist)**

- A two-story duplex would not fall under the elevator requirement because it's governed by the International Residential Code (IRC), not the IBC. Duplexes are typically built side by side, but some are now being designed with one unit stacked above the other. These stacked designs must meet specific requirements, such as separate stair access. If a triplex is built with two units on the ground floor and one on the second floor, an elevator will not be required if the accessible units are provided on the ground floor in the correct ratio. **(Morris/Crist)**
- Under the proposed amendment, if a two-story commercial building has a single use – such as retail or conference space on the ground floor and private offices on the second floor – it would be required to include an elevator. This requirement applies regardless of whether the upper floor is for public or private use. **(Morris/Crist)**
- Staff will conduct extensive outreach to support the community through the changes introduced in Chapter 11. This will include meetings with design professionals, informational mailings, and in-person training sessions. The outreach will focus on explaining the new requirements, especially those that go beyond ADA standards, and will also cover updates to the IRC. **(McClendon/Crist)**
- Rising costs are inevitable, especially with new construction requirements, but it does not negate the importance of making progress with accessibility. The proposed amendment is a necessary step toward greater accessibility and community growth. Accessibility goes beyond wheelchair users and affects many people, and adopting the amendment would reflect the City's commitment to inclusive growth. **(McClendon/Crist)**
- The estimated cost of installing an elevator in a two-story building ranges from \$95,000 to \$150,000, depending on factors like the elevator type, installation, and construction of the shaft. A LULA elevator, which is only permitted for two-story buildings, typically costs between \$65,000 and \$70,000. Additionally, all elevators require annual maintenance and inspections, which add to the ongoing costs. Governmental or medical buildings would still require a standard elevator rather than a LULA. **(Smith/Crist)**
- Ongoing elevator maintenance costs are about \$20,000 per year, with limited service providers and potential delays for repairs. Businesses often choose to invest in accessibility when it aligns with their needs, without being mandated by code. Instead of imposing a blanket requirement, the City could monitor how the market responds and adjust the code later if necessary, allowing for more incremental progress. **(Mayor Nicholls)**
- The 3,000 square-foot threshold was chosen because, according to the International Code Council, most buildings fall above that size, making it a practical cutoff. However, in Yuma and across Arizona, many two-story buildings exceed that size without having an elevator, since the ADA did not require them. Medical buildings, regardless of size, still require elevators under the ADA. **(Watts/Crist)**
- The Building Advisory Board supported adopting Chapter 11 as written, viewing it as a significant step beyond ADA requirements. They did not see a need to lower the square footage threshold for elevators further, given the rarity of smaller two-story buildings. With the proposed exceptions, most private commercial property owners should be satisfied. **(Watts/Crist)**
- For shopkeeper units, which include retail space on the first floor and residential space on the second floor, such as those on Madison Avenue, an elevator is not required. This is because public access to the residential space is unnecessary. **(Morris/Crist)**
- The exception for mezzanines in Group F and S Occupancies in the draft amendment would only be needed if the motion to amend passes. Otherwise this would be covered by the 3,000 square-foot exception **(Morales/Crist)**

- The City has not recently issued any permits for two-story buildings under 3,000 square feet per story. Rising construction and maintenance costs, especially for multi-unit or investment properties, are a key concern as they impact rental pricing. This issue may be hypothetical or unlikely to arise frequently; however, input from the community is still appreciated. **(Morales/Crist)**
- While this requirement could create barriers for small-scale entrepreneurs, major developers are unlikely to be affected by this provision because they typically do not construct smaller buildings that would be impacted. **(Mayor Nicholls)**
- Historically the City adopted ADA accessibility standards because earlier IBC versions conflicted with ADA requirements. As IBC standards evolved to align more closely with ADA, even becoming more restrictive in some areas, staff proposed its adoption to the Board. It was eventually adopted with minimal amendments after thorough discussion. **(Morris/Crist)**
- There are several existing two-story buildings in Yuma over 3,000 square feet per story that do not have elevators, as they were not previously required under the ADA for non-medical and non-governmental facilities. These buildings would not be required to retrofit elevators under current regulations. **(Martinez/Crist)**
- Renovations exceeding a 50% threshold do not automatically require installation of an elevator. Instead, accessibility improvements are generally guided by a 20% cost requirement. Only in rare cases, such as very large buildings or a change in use to a medical facility, would installation of an elevator be necessary. **(Mayor Nicholls/Crist)**

Ordinance O2025-037 – Text Amendment: Accessory Buildings (amend Title 15, Chapter 154, to update development regulations for Accessory Buildings, Uses and Structures) (Cmty Plng)

Discussion

- The intention of the proposed amendment is to simplify the City Code for accessory buildings by reducing the structure categories from three to two, making it easier for residents to comply with setback requirements. The amendment also introduces a new structure type that will allow shade structures in front yards, addressing past issues and City Council’s request for more flexibility. **(McClendon/Albers)**
- Reducing the front yard setback for open carports from 10 feet to eight feet to accommodate typical public utility easements and increasing the maximum allowable area for shade structures from 200 to 240 square feet or using a percentage-based approach could better fit varying lot sizes and allow coverage for two vehicles. **(Morris)**
- This amendment does not permit storage containers in yards, as those are classified separately and regulated under a different section of the City Code. **(Morales/Albers)**
- The legal easement is eight feet, but footings may encroach. A 10-foot setback matches nearby cities. Small foundations and modern drilling techniques should minimize disruption in public utility easements. **(Mayor Nicholls/Smith/Morris/Linville)**

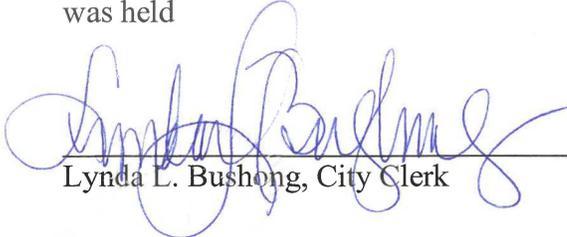
Ordinance O2025-038 – Text Amendment: Industrial Zoning Districts (amend Title 15, Chapter 154 to update development and allowable uses within the Light Industrial (L-I) and Heavy Industrial (H-I) Zoning Districts) (Cmty Plng)

Discussion

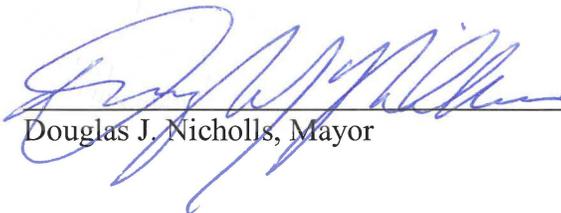
- The vague definition of "minimal environmental impact" may result in varying interpretations. Its intent is to exclude operations that produce odors or loud noises. The requirement for an Arizona Department of Environmental Quality permit does not necessarily prevent operation in Light Industrial districts. **(Mayor Nicholls/Linville)**
- The City's roadway plan includes designated truck routes, but verification is needed to confirm if collector streets are included. **(Mayor Nicholls/Linville)**

EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 7:43 p.m. No Executive Session was held


Lynda L. Bushong, City Clerk

APPROVED:


Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of: <u>NOV 5TH 2025</u>
City Clerk: <u>(B)</u>