



City of Yuma City Council Meeting Agenda

Wednesday, August 21, 2024

5:30 PM

Yuma City Hall Council Chambers
One City Plaza, Yuma

Notice is hereby given, pursuant to Resolution R2015-047 that one or more members of the Yuma City Council may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

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

FINAL CALL

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

ROLL CALL

PRESENTATIONS

- Finance Quarterly Budget 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 2024-121](#) **Regular Council Worksession Draft Minutes June 25, 2024**
Attachments: [2024 06 25 RWS Minutes](#)
2. [MC 2024-122](#) **Regular Council Meeting Draft Minutes July 17, 2024**
Attachments: [2024 07 17 RCM Minutes](#)

B. Executive Sessions

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

C. Approval of staff recommendations:

1. [MC 2024-115](#) **Bid Award: Yuma Police Storage Facility**
Authorize the City Administrator to execute a contract for Yuma Police Storage Facility construction services to the lowest responsive and responsible bidder in the amount of \$6,309,361.88 for the base bid to Yuma Valley Contractors, Inc., Yuma, Arizona. (Engineering - RFB-24-075) (David Wostenberg/Robin R. Wilson)

2. [MC 2024-116](#) **Bid Award: Heating Ventilation and Air Conditioning Services**
Award a one-year contract for purchase of Heating, Ventilation and Air Conditioning (HVAC) services, with an option to renew for four additional one-year periods, to the three responsive and responsible bidders (depending on the appropriation of funds and satisfactory performance), for an estimated annual expenditure of \$345,000.00 to Polar Cooling of Yuma, Arizona, Hansberger Refrigeration of Yuma, Arizona, and Trane US, Inc. of Tucson, Arizona (Building Safety-RFB-24-307) (Justin Lewis/Robin R. Wilson)
3. [MC 2024-117](#) **Cooperative Purchasing Agreement: Janitorial and Sanitation Supplies, Equipment, and Related Services**
Authorize the City Administrator to enter into a one-year janitorial supplies and services agreement with an option to renew for up to four additional years with Waxie Sanitary Supply of San Diego, California, utilizing a Cooperative Purchase Agreement through the Mohave Cooperative Agency at an estimated annual expenditure of \$240,000.00. (Building Safety-CPA-25-013) (Justin Lewis/Robin R. Wilson)
4. [MC 2024-118](#) **Cooperative Purchase Agreement: Esri Small Government Term Enterprise License Agreement (SGEA)**
Authorize the use of the State of Arizona Cooperative Purchase Agreement for a three-year SGEA for a total expenditure of \$204,000 to: Environmental Systems Research Institute, Inc. (Esri) Redlands, California. (IT-CPA-25-001) (Isaiah Kirk/Robin R. Wilson)
5. [MC 2024-119](#) **Cooperative Purchase Agreement: ClearGov CIP Budget Management Software Subscription**
Authorize the purchase of two annual renewals of the ClearGov CIP budgeting software subscription through ClearGov, Maynard, Massachusetts, utilizing BuyBoard Cooperative Purchase Agreement for an estimated annual expenditure of \$35,000.00. (CPA-22-001) (David Wostenberg/ Isaiah Kirk/Robin R. Wilson)
6. [MC 2024-120](#) **Software Subscription Renewal: Tyler Technologies**
Authorize the renewal of the annual software subscription for a total expenditure of \$171,395.83 to: Tyler Technologies, Inc., Dallas, Texas (Finance/IT-RFP 2011000118) (Douglas Allen/Isaiah Kirk/Robin R. Wilson)

II. RESOLUTION CONSENT AGENDA

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

1. [R2024-041](#) **Intergovernmental Agreement: Yuma County - Design Concept Report**

Authorize the City Administrator to sign an Intergovernmental Agreement (IGA) with Yuma County authorizing a Design Concept Report for a 40th Street minor arterial roadway between Avenue 6E and Fortuna Road. (Engineering) (David Wostenberg)

Attachments:

- [1. RES IGA: Preliminary Design and Environmental clearance of 40th St, Ave 6E to Fortuna Road](#)
- [2. AGMT IGA: Preliminary Design and Environmental Clearance of 40th Street Avenue 6E to Fortuna Road](#)

2. [R2024-042](#) **Assistance Agreement: Bureau of Reclamation - Yuma East Wetlands Long Term Efficiency of Operations Project**

Approve an Assistance Agreement with the Bureau of Reclamation for the Yuma East Wetlands Long Term Efficiency of Operations Project. (Engineering Department) (Dave Wostenberg/Steve Wilson)

Attachments:

- [1. RES Assistance Agreement: Yuma East Wetlands Long Term Efficiency of Operations Project](#)
- [2. AWARD Assistance Agreement: Yuma East Wetlands Long Term Efficiency of Operations Project](#)

III. ADOPTION OF ORDINANCES CONSENT AGENDA

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

1. [O2024-018](#) **Acceptance of Historic Properties**

Authorize the City of Yuma to acquire ownership of: (1) the Sanguinetti House Museum and Gardens and Jack Mellon House located at 240 South Madison Avenue, Yuma, Arizona, and (2) the Molina Block located at 272 Madison Avenue, Yuma, Arizona from the Arizona Historical Society. (City Administrator) (Jay Simonton)

Attachments:

- [1. ORD to Accept Historic Properties](#)

2. [O2024-027](#)**Text Amendment: Conditional Uses within the General Commercial District**

Amend Title 15, Chapter 154, Article 8, Section 4 General Commercial District, Subsection E, to amend the list of Conditional Uses to include cemeteries on a minimum area of 15 acres as a Conditional Use within the General Commercial (B-2) Zoning District. (Planning and Neighborhood Services) (Alyssa Linville)

Attachments:

- [1. P&Z REPORT Zoning Code Text Amendment: Conditional Uses within the General Commercial District](#)
- [2. ORD Zoning Code Text Amendment: Conditional Uses within the General Commercial District](#)

IV. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments:

- Parks, Arts and Recreation Commission – one appointment

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 August 8, 2024 through August 21, 2024. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.

City Council report of upcoming meetings.

City Council request for agenda items to be placed on future agendas.

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.

V. 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.

VI. 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.

"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.

Speakers are limited to 3 minutes, with no more than 5 speakers permitted per topic/issue. The total time for "Call to the Public" is limited to 30 minutes.

The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter, or may ask that a matter be placed on a future agenda.

All City Council meetings are recorded and videotaped.

VII. EXECUTIVE SESSION

An Executive Session may be called during the public meeting for the purpose of receiving legal advice for items on this agenda pursuant to A.R.S. Section 38-431.03 A (1, 3, 4 and/or 7) and the following items:

A. Discussion, consultation with and/or instruction to legal counsel regarding the following legal matters (ARS 38-431.03 A3, A4 and A7):

- 1) BJA v. COY
- 2) Mohave County, et al. v. BOR, et al.
- 3) Quinn v. Yuma County, et al.
- 4) Aguilera for O.A.
- 5) Jaramillo, et al. v. COY
- 6) Roberts v. COY
- 7) Tortora v. COY
- 8) Candela v. COY
- 9) Blankenship v. Allo, et al.

- 10) Meadows v. COY, et al.
- 11) MacDonald v. COY
- 12) Rodriguez v. COY
- 13) Claims against the City

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.