

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
SEPTEMBER 17, 2025
5:30 p.m.

CALL TO ORDER

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

INVOCATION/PLEDGE

Chaplain Ryan Pearse, Halo Chapel, gave the invocation. **Kayla Warren**, Fire Marshal, led the City Council in the Pledge of Allegiance.

FINAL CALL

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

ROLL CALL

Councilmembers Present: Martinez (attended telephonically) Morris, McClendon, Smith, Morales, Watts
Councilmembers Absent: Mayor Nicholls
Staffmembers Present: Acting City Administrator, John D. Simonton
Building Official, Randall Crist
Principal Planner, Amelia Dombay
Various Department Heads or their representative
City Attorney, Richard W. Files
City Clerk, Lynda L. Bushong

Reading of Proclamation: Hunger Awareness Month

Deputy Mayor Smith read a proclamation designating the month of September as Hunger Action month to bring awareness and help end hunger in our local community.

Mary McClendon from Yuma Community Bank thanked the Deputy Mayor and City Council for designating September as Hunger Action Month, as well as for their ongoing support of the Yuma Community Food Bank's mission and for lighting up the water tower orange to bring awareness to the issue of hunger.

I. MOTION CONSENT AGENDA

Motion (Morales/Watts): To approve the Motion Consent Agenda as recommended. Voice vote: **approved** 6-0.

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

Regular Council Worksession Minutes

August 5, 2025

B. Executive Session

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

C. Approval of Staff Recommendations

1. Approve a Series #12: Restaurant Liquor License application submitted by Cristian Yllescas, agent for Mariscos La Apoma located at 344 W. 24th Street. (LL25-16) (Admn/Clk)
2. Authorize award for the Valley Aquatic Center re-plaster and renovation, to the lowest responsive and responsible bidder in the amount of \$304,769.30 to DWD Construction, Yuma, Arizona. (RFB-26-016) (Facilities Mgmt/Purch)
3. Authorize the purchase of Ground and Turf Maintenance Equipment from RDO Equipment, Yuma, Arizona and Simpson Norton, Goodyear, Arizona utilizing Sourcewell and Mohave Education Services cooperative purchase agreements, at the estimated total cost of \$440,924.60 (CPA-26-084) (Prks & Rec/Purch)
4. Authorize the purchase of Fleet Services Warehouse Stock Items, utilizing multiple cooperative purchase agreements with the option to renew for four additional one year periods, one period at a time, depending on budget appropriations and satisfactory performance from Auto Zone, Yuma, Arizona; Bingham Auto & Parts, Yuma, Arizona; Bingham Equipment Company, Mesa Arizona; Cummins Inc. dba Cummins Sales and Service, Avondale, Arizona; Empire Southwest, Phoenix, Arizona; Freightliner of Arizona dba Velocity Truck Centers, Phoenix, Arizona; Freightliner of LA dba Velocity Truck Centers, Pasadena, California; Haaker Equipment Company, La Verne, California; North End Auto Parts (NAPA), Yuma, Arizona; O'Reilly Auto Parts, Yuma, Arizona; RWC International LTD, Yuma, Arizona; Rush Truck Center-Yuma, Arizona; W W Williams, Phoenix, Arizona, at an estimated annual total cost of \$500,000.00 on an as-needed basis. (CPA-26-021) (Pub Wks/Purch)
5. Authorize the purchase of one Chinook 22' 2026 Boat utilizing the cooperative purchase agreement originated by the General Services Administration (GSA), at an estimated total cost of \$229,970.00 from Rogue Jet Boatworks, White City, Oregon (GNT-26-080) (YFD/Purch)
6. Authorize the purchase of First Aid and Medical Supplies, utilizing multiple cooperative purchase agreement with the option to renew up to four additional one year periods, one period at a time, depending on budget-appropriation and satisfactory performance from Bound Tree Medical, Dublin, Ohio; Life-Assist Inc., Rancho Cordova, California; Stryker, Chicago, Illinois, on an as-needed basis at an estimated annual cost of \$515,000. (CPA-26-018) (YFD/Purch)
7. Authorize the purchase of two Tethered Unmanned Aerial Systems (UAS), at a total cost of \$161,904.65 to: Fotokite US, LLC., Boulder, Colorado (GNT-26-080) (YPD/Purch)
8. Adopt the updated 2025-2030 Strategic Plan. (Admn)

9. Approve a two-year agreement with the Humane Society of Yuma (HSOY) to provide animal sheltering, enforcement support, and community education services. The agreement establishes funding of \$425,000 in year 1 and \$500,000 in year 2. (Admn)

II. RESOLUTION CONSENT AGENDA

Motion (Morris/McClendon): To adopt the Resolution Consent Agenda as recommended.

Bushong displayed the following title(s):

Resolution R2025-085

A resolution of the City Council of the City of Yuma, Arizona, adopting the City's capitalization threshold and criteria to identify capital assets for financial reporting purposes (capital assets include tangible and intangible property owned or leased by the City) (Fin)

Resolution R2025-087

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving an Intergovernmental Agreement for the joint operation and use of the Statewide Public Safety Radio System between the City of Yuma, Yuma County, Cochise County, and Arizona Department of Public Safety (integrating each party's existing system will provide a statewide public safety radio system that will be interoperable with local, state, federal, and tribal agencies throughout Arizona) (IT/YRCS)

Roll call vote: **adopted** 6-0.

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Morris/McClendon):

Bushong displayed the following title(s):

Ordinance O2025-030

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and approving a lease of City-owned property with Keithly-Williams Seeds, Inc. (consisting of approximately 12.39 acres) (Admin)

Ordinance O2025-031

An ordinance of the City Council of the City of Yuma, Arizona, authorizing the sale of certain City-owned property under an option to purchase, together with City acquisition of a separate parcel up to 10,160 square feet if the option is exercised (option to purchase 2888 Kyla Avenue) (Admin)

Ordinance O2025-032

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay District (R-1-6/IO), and amending the zoning map to conform with the rezoning (property located at 1749 S. Madison Avenue) (Cmty Dev/Cmty Plng)

Ordinance O2025-034

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, sections 150-180 and 150-181, adopting by reference the 2024 *International Residential Code for One- and Two- Family Dwellings*, including appendices BB, BF, BG, BH, BJ, BO, CD, and CF, and the amendments recommended by the Residential Advisory Board dated July 30,

2025, and providing a penalty for violations thereof (up to date modern codes offer safe environments for occupants of both residential and commercial structures) (Cmty Dev/Bldg Sfty)

Ordinance O2025-035

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, sections 150-170 and 150-171, adopting by reference the 2024 *International Existing Building Code*, including appendix A, B, and E, and the amendments recommended by the Building Advisory Board dated June 11, 2025 and providing a penalty for violations thereof (up to date modern codes offer safe environments for occupants of both residential and commercial structures) (Cmty Dev/Bldg Sfty)

Ordinance O2025-036

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, sections 150-090 and 150-091, adopting by reference the 2024 *International Property Maintenance Code*, including appendix A, and the amendments recommended by the Residential Advisory Board dated July 22, 2025, and the Building Advisory Board dated July 16, 2025, and providing a penalty for violations thereof (up to date modern codes offer safe environments for occupants of both residential and commercial structures) (Cmty Dev/Bldg Sfty)

Roll call vote: **adopted** 6-0.

IV. INTRODUCTION OF ORDINANCES

Ordinance O2025-033 – Amend Yuma City Code: 2024 International Building Code with Amendments (amend Yuma City Code Chapter: 15, Sections 150-015 and 150-016) (Comm Dev/Bldg Sfty)

Discussion

- The City of Yuma has made significant advancements towards accessibility within the City including the establishment of the Americans with Disabilities Act (ADA) Commission, chaired by Councilmember McClendon, and the implementation of an all-inclusive playgrounds in the community. The City has also appointed a board of professionals within the City consisting of structural engineers, architects, and builders from general trades to specialty trades, to extensively review the building codes and share their recommendations they feel are best for the City. It is difficult to override the recommendations of the appointed board of professionals. **(Morris)**

Motion (Watts/McClendon): To amend Ordinance No. O2025-033 by deleting the existing Subsection (U) and replacing it with the following:

“(U) Section 1104.4 Multistory buildings and facilities. Amend to delete exceptions 1 through 1.4 and add exception 5:

5. Mezzanines in Group F and S Occupancies that do not contain public use space shall not be required to be connected by an accessible route”

Roll call vote: **Failed** 3-3, **Martinez, Morris, and Morales** voting Nay.

Discussion continued

- Many builders can install an elevator in their buildings; however, smaller builders may find it unaffordable. A home in an upscale area of the city was designed with the option to include an elevator, but ultimately the decision was made against it due to the associated costs. As a result, there is now an open space in the center of the home, demonstrating how pricey an elevator can be. An additional idea is to have extra office space available for medical specialty services or other types of services in Yuma. This arrangement would help community members avoid the need to travel out of town for necessary services. Despite considering an amendment, support for the recommendation of the advisory board's original proposal may expand opportunities and improve access without limiting services. **(Morales)**
- Once a code is adopted through an ordinance, neither the Building Advisory Board, which acts as the Board of Appeals, nor the Building Official have the authority to reverse a code requirement. Therefore, no exception can be made once the code is adopted. **(Deputy Mayor Smith/Crist)**
- Yuma County has the choice to either adopt the code of the largest jurisdiction in the county or adopt the state code, which is currently the 2024 International Building Code, without amendments. The City works to tailor amendments through the Building Advisory Board to ensure they are applicable to Yuma County as well. Currently, this amendment has not been reviewed with the County, making it uncertain whether they will choose to adopt this code. Therefore, at this moment, individuals can build across the county line without restrictions. **(Deputy Mayor Smith/Crist)**
- The ADA does not require an elevator on a two-story building of any size, unless it is a medical facility, a multi-tenant mercantile building, or a government building. As a result, the City's current proposal is stricter than both ADA requirements and the 2024 International Building Code. The City of Yuma will be the first City in the State of Arizona to have this requirement. **(Deputy Mayor Smith/Crist)**
- Potential retail and living spaces would fall exempt of the requirement, unless there are at least four spaces connected. **(Deputy Mayor Smith/Crist)**
- The main concern is telling private businesses how to operate. More discussion time is needed before a vote is made. **(Martinez)**
- The City of Yuma was among the first to introduce accessible play equipment. Being first can have its advantages, and the motion will continue to be supported. **(Watts)**
- For buildings under 3,000 sq. ft., a Limited Use Limited Application elevator (LULA) is often sufficient and cost-effective. Elevator installation can cost between \$30,000 and \$75,000, whereas a LULA installation can be between \$30,000 and \$50,000 with low annual maintenance fees. Accessibility should be for the entire community with some exceptions like "shopkeeper" models where retail is on the ground floor. **(McClendon)**
- Conversations with other City leaders revealed interest in following the City of Yuma's lead with this initiative. Passing this measure will inspire other cities to adopt similar standards. **(McClendon)**

Speakers

Alexis Liggett, nonresident, supported the amendment, highlighting the importance of accessibility for small businesses and therapies.

Rebecca Gettings, nonresident, shared a personal story about the challenges faced by her quadriplegic son and the need for accessible buildings.

Melissa Soto, City resident, highlighted the success of the Stewart Vincent Wolfe Creative Playground (Castle Park) and the importance of equal access for all.

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

Motion (Morris/McClendon): That Ordinance O2025-037 be amended to change the front yard setback in Section 1, Subsection (F)(3)(c) from 10 feet to 8 feet, and the structure requirement in Section 1, Subsection (F)(3)(e) be changed from 200 feet to 240 feet.

Voice vote: **approved 5-1**, **Watts** voting Nay.

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

Motion (Morales/Morris): To move the introduction of Ordinance O2025-038 to the October 1, 2025, Council Meeting.

Voice vote: **approved 6-0**.

Bushong displayed the following title(s):

Ordinance O2025-033

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, Sections 150-015 and 150-016, adopting by reference the 2024 *International Building Code*, including appendices C, I, J, K, and O, and the amendments recommended by the Building Advisory Board dated February 12, 2025, and providing a penalty for violations thereof (the nationally published codes are amended to fit Yuma’s regional and local conditions, such as soils, ambient temperatures and seismic considerations) (Cmty Dev/Bldg Sfty)

Ordinance O2025-039

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 13 of the Yuma City Code, Chapter 131, adopting by reference *International Fire Code 2024* including appendices B, C, D, E, F, G, H, and I, and the amendments recommended by the Building Advisory Board dated July 9, 2025, and providing a penalty for violations thereof (to stay current with the code cycle and establish sound criteria for regulating existing buildings and structures) (YFD)

Ordinance O2025-040

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Manufactured Housing Park (MHP) District to the High Density Residential (R-3) District, and amending the zoning map to conform with the rezoning (approval of this rezone will support residential development in the City that will be responsibly constructed, meeting all codes requirements) (Cmty Dev/Cmty Plng)

Ordinance O2025-042

An ordinance of the City Council of the City of Yuma, Arizona, providing for the sale and execution and delivery of utility system revenue and/or revenue refunding obligations, in one or more series, and authorizing the completion, execution and delivery with respect thereto of agreements necessary or appropriate as part of financing and/or refinancing part of the waterworks and sewer plant and system of the City; delegating to the City Administrator and the Director of Financial Services of the City certain authority with respect to the purposes hereof; and declaring, for purposes of section 1.150-2 of the Federal Treasury Regulations, official intent to be reimbursed in connection with certain capital expenditures (issuance of these obligations will accelerate completion of much needed infrastructure projects) (Admn/FIN)

Ordinance O2025-043

An ordinance of the City Council of the City of Yuma, Arizona, (1) approving the sale and execution and delivery of pledged revenue and/or revenue refunding obligations, in one or more series, evidencing a proportionate interest of the owners thereof in a purchase agreement; (2) approving the form and authorizing the execution and delivery of necessary agreements, instruments and documents related to the sale and execution and delivery of such obligations; (3) delegating authority to the City Administrator and the Director of Financial Services of the City to determine certain matters and terms with respect to the foregoing; (4) declaring, for purposes of section 1.150-2 of the Federal Treasury Regulations, official intent to be reimbursed connection with certain capital expenditures; and (5) authorizing with taking of all other actions necessary to the consummation of the transactions contemplated by this ordinance (by issuing bonds the City is able to complete significant improvements) (Admn/FIN)

V. PUBLIC HEARING AND RELATED ITEMS

Ordinance O2025-041 – Statutory Compliance Hearing/Amendment: Ordinance O2022-048 (Pursuant to A.R.S. § 9-462.01, determine compliance with the conditions of approval for rezoning Ordinance O2022-048, and introduce an ordinance to amend O2022-048 to extend the time to comply with the rezoning conditions) (Cmty Dev/Cmty Plng)

Morris declared a conflict of interest on Ordinance O2025-041 as his firm is involved in the design of the project and left the dais.

Deputy Mayor Smith opened the Public Hearing at 6:23 p.m.

Domby presented the following information:

- The property, which is approximately 5.9 acres, is located at the southeast corner of 7 ½ E and 24th Street.
- Property was rezoned as a single zoning case (ZONE-37623-2021), in which conditional zoning to the Medium Density Residential/Planned Unit Development District was approved by City Council, based upon the completion of eight conditions of approval within two years
- The Medium Density Residential/Planned Unit Development District zoning expired because the owner of the parcel had not completed the conditions of approval
- Arizona Revised Statutes § 9-462.01 (E) states that if the completion of a condition has expired, the City shall notify the owner, schedule a public hearing, and take administrative action to “extend, remove, or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification”

- The property owner has stated they can satisfy the remaining conditions required to validate the zoning through the Subdivision process, and is requesting to extend the time frame from two years to five years

Motion (Morales/Watts): To close the Public Hearing. Voice vote: **approved** 6-0. The Public Hearing closed at 6:26 p.m.

Bushong displayed the following title(s):

Ordinance O2025-041

An ordinance of the City Council of the City of Yuma, Arizona, amending Ordinance O2022-048 to extend the time for compliance with conditions for the rezoning of certain property from Limited Commercial (B-1) District to the Medium Density Residential/Planned Unit Development (R-2/PUD) District and amending the zoning map to conform thereto (property located at the southeast corner of 24th Street and Avenue 7 ½ E)

Morris returned to the dais.

VI. ANNOUNCEMENTS AND SCHEDULING

Announcements

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

- Retirement Ceremony for Fire Chief Dusty Fields
- New Traffic Management Center Ribbon Cutting Ceremony
- The Greater Yuma Marketing Committee Meeting
- Greater Yuma Economic Development Corporation Monthly Meeting
- Greater Yuma Port Authority Meeting
- Court Appointed Special Advocate (CASA) Swearing in Ceremony
- Arizona State University Vigil for Charlie Kirk
- Yuma County Advisory Council Meeting
- Travis Manion Foundation 9/11 Heroes Run 5K
- City of Yuma Father-Daughter Ball
- Yuma County Anti-Drug Coalition Meeting
- 7th Annual 9/11 Memorial Stair Climb
- 9/11 Ceremony at Fire Station #1
- Gila River Indian Community 162nd Annual Mustering-In Day
- National Community Health Partners Veteran Suicide Prevention Training
- Rio Colorado Republican Women Group Meeting

Scheduling

McClendon requested a report from the Public Works and Parks and Recreation Departments detailing the statistics regarding the storm drains and storm cleanup. **Simonton** confirmed the report is currently in progress and will be presented at a City Council meeting in November.

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Motion (Morales/Morris): To cancel the City Council Worksession and City Council meeting, respectively scheduled for October 14th and 15th, 2025, due to the City Council's attendance at the Rural Transportation Conference.

Voice vote: **approved** 6-0.

VII. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- September 12 - Art Center Opening Reception for Fall Exhibits
- October 3 & 4 – Tacos & Tunes

Simonton announced that applications for the Tribute to the Muse event scheduled for November are currently being accepted. He also congratulated the City of Yuma Communications Team for earning national recognition at the City-County Communications and Marketing Association (3CMA) Awards Ceremony.

VIII. CALL TO THE PUBLIC

Jo Russell, City resident, suggested making the sexual offender registry more accessible to the public to improve safety. She also addressed City Council on the need for better police monitoring of residential areas to reduce vandalism.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Deputy Mayor Smith** adjourned the meeting at 6:44 p.m. No Executive Session was held.



Lynda L. Bushong, City Clerk

APPROVED:



Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of: <i>December 3, 2025</i> City Clerk: <i>[Signature]</i>
