

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS, YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**DECEMBER 20, 2023**  
**5:30 p.m.**

**CALL TO ORDER**

**Mayor Nicholls** called the City Council meeting to order at 5:31 p.m.

**INVOCATION/PLEDGE**

**Pastor Tom McConkey**, Liberty Baptist Church, gave the invocation. **Eric Urfer**, Director of Parks and Recreation, led the City Council in the Pledge of Allegiance.

**ROLL CALL**

Councilmembers Present: Morales, Smith, Knight, Morris, Shoop, Shelton, and Mayor Nicholls  
Councilmembers Absent: None  
Staffmembers Present: Acting City Administrator, John D. Simonton  
Various Department Heads or their representative  
City Attorney, Richard W. Files  
City Clerk, Lynda L. Bushong

**FINAL CALL**

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

**I. MOTION CONSENT AGENDA**

Motion Consent Agenda Item C.2 – Request for Qualifications Award: Traffic Management Center (authorize the City Administrator to execute a contract to provide design and support services for the Traffic Management Center and Traffic Signal Operational Improvements to the 16<sup>th</sup> Street Corridor to Iteris, Inc., Santa Ana, CA in the amount of \$415,373.00) (RFQ-23-210) (Eng/Fin)

**Mayor Nicholls** declared a conflict of interest on Motion Consent Agenda Item C.2/MC 2023-193, turned the meeting over to Deputy Mayor Morris and left the dais.

**Motion** (Knight/Morales): To approve Motion Consent Agenda Item C.2/MC 2023-193 as recommended. Voice vote: **approved** 6-0-1 (**Mayor Nicholls** Conflict of Interest).

**Mayor Nicholls** returned to the dais.

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**Motion** (Knight/Morris): To approve the Motion Consent Agenda with the exception of item C.2/MC 2023-193. Voice Vote: **approved** 7-0

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

Regular Council Meeting	November 15, 2023
Regular Council Meeting	December 6, 2023

B. Executive Session

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

C. Approval of Staff Recommendations

1. Authorize the continued purchase of Proofpoint Email Security and Protection licensing utilizing a Cooperative Purchase Agreement through the State of Arizona a one-year term with the option to renew for two additional one-year options for an estimated annual expenditure of \$112,846.87 to SHI, Somerset, New Jersey. (CPA-24-001) (IT/Fin)
2. Authorize the City Administrator to execute a contract to provide design and support services for the Traffic Management Center and Traffic Signal Operational Improvements to the 16<sup>th</sup> Street Corridor to Iteris, Inc., Santa Ana, CA in the amount of \$415,373.00. (RFQ-23-210) (Eng/Fin)
3. Approve the final plat of the Riverview Terrace Subdivision. The property is located at the northeast corner of Avenue A and 3<sup>rd</sup> Street. (Plng & Nbhd Svcs/Cmty Plng)
4. Approve the final plat of the Premier Storage Condominiums of Yuma Unit II LLC, Phases IX, XI, and XIII. The property is located near the southeast corner of Avenue 3<sup>3/4</sup> E and 32<sup>nd</sup> Street. (Plng & Nbhd Svcs/Cmty Plng)
5. Authorize settlement of lawsuit, *Aguayo, et al. v. City of Yuma, et al.*, Yuma County Superior Court Case No. S1400CV2022-00579 and Arizona Court of Appeals No. 2 CA-CV 2023-0188. (Atty)

II. RESOLUTION CONSENT AGENDA

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

**Bushong** displayed the following title(s):

**Resolution R2023-056**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing a Lease Agreement between the City of Yuma and Yuma Crossing National Heritage Area Corporation for the City-owned property located at 180 West 1<sup>st</sup> Street for office space use and authorizing the City Administrator to execute the lease agreement** (one-year lease beginning January 1, 2024, with option to renew for two additional one-year periods) (Admn/YCNHA)

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

### III. ADOPTION OF ORDINANCES CONSENT AGENDA

**Motion** (Morales/Knight): To adopt the Ordinances Consent Agenda as recommended.

**Bushong** displayed the following title(s):

#### **Ordinance O2023-039**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, updating zoning regulations relating to permitted home occupations within Residential Zoning Districts** (expand the permitted home occupations and increase employment opportunities within residential districts) (Plng & Nbhd Svcs/Cmty Plng)

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

### IV. INTRODUCTION OF ORDINANCES

Ordinance O2023-040 – Text Amendment: Off-Street Parking (amend Title 15, Chapter 154 of the Yuma City Code, Article 16 Off-Street Parking and Loading Regulations, to update provisions related to off-street parking) (Plng & Nbhd Svcs/Cmty Plng)

**Motion** (Knight/Smith): To amend Ordinance O2023-040 Section 2(E) by replacing the language in subsection 2 and 3 to read as follows:

2. *Floor plans and parking count analysis shall be included, and the analysis will illustrate parking needs without a shared use and with a shared use plan, while also demonstrating a plan to address any future change of use; and*
3. *Completion of a recorded agreement between business and/or property owners with an acknowledgement that any changes in use or hours of operation may invalidate the agreement, City regulations shall be consulted.*

Voice Vote: **approved** 7-0

**Bushong** displayed the following title(s):

#### **Ordinance O2023-040**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, relating to zoning regulations, providing for changes to allowable paving materials, parking dimensions, and parking allowances within residential and commercial districts** (to update provisions related to off-street parking) (Plng & Nbhd Svcs/Cmty Plng)

### FINAL CALL

**Mayor Nicholls** made a final call for the submission of Speaker Request Forms from members of the audience interested in speaking at the Call to the Public.

### V. ANNOUNCEMENTS AND SCHEDULING

#### Announcements

**Knight, Smith, Morris, Morales, and Mayor Nicholls** reported on events and meetings they have attended during the last two weeks and upcoming events of note.

**Shelton** spoke about putting a plan in place to prevent illegal dumping activity. **Simonton** informed Mayor Nicholls about an upcoming presentation on Park Patrols that may address some of **Shelton's** concerns of illegal dumping.

**Shelton** shared his observation of the missing bathroom building at Smucker's Park. He requested an information report of why the building was torn down, and what will be replacing it. **Simonton** informed **Shelton** of the newly installed prefabricated restroom at Smucker Park. The new restroom was installed right above where the old restroom building sat.

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Scheduling - No meetings were scheduled at this time.

**VI. SUMMARY OF CURRENT EVENTS**

**Simonton** reported the following events:

- December 27, 2023 to January 5, 2024 – City of Yuma recycling program for live Christmas trees

**Simonton** reminded citizens about the Holiday trash pickup schedule.

**Call to the Public** – There were no speakers at this time.

**VII. EXECUTIVE SESSION/ADJOURNMENT**

There being no further business, **Mayor Nicholls** adjourned the meeting at 5:54 p.m. No Executive Session was held.

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Lynda L. Bushong, City Clerk

APPROVED:

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Douglas J. Nicholls, Mayor

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