

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
JUNE 18, 2025
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:32 p.m.

INVOCATION/PLEDGE

Pastor Michael Black, Morningside Southern Baptist Church, gave the invocation. **Angel Padilla**, Career and Technical Education (C.T.E.) Student, led the City Council in the Pledge of Allegiance.

FINAL CALL

Mayor Nicholls 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, Morris, McClendon, Smith, Morales, Watts, and Mayor Nicholls
Councilmembers Absent:	None
Staffmembers Present:	Acting City Administrator, John D. Simonton Director of Finance, Douglas Allen Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

I. MOTION CONSENT AGENDA

Motion Consent Item C.2 – Bid Award: 40th Street and Avenue 7 E Intersection (Award a contract for the 40th Street and Avenue 7 E project, to the lowest responsible bidder in the amount of \$2,156,700 for the base bid and \$232,050.00 for the alternate bid, for a total of \$2,388,750.00 to DPE Construction, Inc., Yuma, Arizona) (Eng/Purch)

Mayor Nicholls declared a conflict of interest on Motion Consent Agenda Item C.2 due to his firm's involvement in the project, turned the meeting over to **Deputy Mayor Smith**, and left the dais.

Motion (Morales/Watts): To approve Motion Consent Item C.2 as recommended. Voice vote: **approved** 6-0-1, **Mayor Nicholls** abstaining due to conflict of interest.

Mayor Nicholls returned to the dais.

Motion (Morris/Smith): To approve the Motion Consent Agenda as recommended, with the exception of Item C.2 which was approved through a previous vote. Voice vote: **approved** 7-0.

A. Approval of minutes of the following City Council meeting:

Regular Council Worksession May 20, 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 Lauren Merrett, agent for Bubba's 33 located at 1632 S. 4th Avenue. (LL25-09) (Admn/Clk)
2. Pulled for separate consideration; see above
3. Authorize the City Administrator to execute the required documents with Arizona Department of Administration 9-1-1 Program Office (ADOA) to accept and disperse awarded grant funds from the Emergency Telecommunication Services Revolving Fund to pay for authorized contractual costs of equipment and services used in the operation of 9-1-1 services in the Yuma County region. (IT/YRCS)

II. RESOLUTION CONSENT AGENDA

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

Bushong displayed the following titles:

Resolution R2025-068

A resolution of the City Council of the City of Yuma, Arizona designating the Chief Fiscal Officer for officially submitting the Fiscal Year 2026 Annual Expenditure Limitation Report to the Arizona Auditor General (pursuant to Arizona Revised Statutes § 41-1279.07(E)) (Fin)

Resolution R2025-069

A resolution of the City Council of the City of Yuma, Arizona, supporting and authorizing the submission of an application to the Arizona State Parks State Lake Improvement Fund (for an emergency response equipment package to enhance firefighting, emergency medical, hazardous materials, and search and rescue activities along the lower Colorado River in furtherance of safe, water-based recreation) (YFD)

Resolution R2025-070

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the acceptance of pass-through state grant funding for the purchase of dispatch radio consoles (for joint procurement/lease, maintenance, operation, and use of a Regional Multi-Jurisdictional Public Safety System to replace radio consoles) (YRCS)

Resolution R2025-071

A resolution of the City Council of the City of Yuma, Arizona, adopting the annual Public Safety Personnel Retirement System Funding Policy for the Fiscal Year 2026 (as required under Arizona Revised Statutes § 38-863.01) (Fin)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Smith/Watts): To adopt the Ordinances Consent Agenda as recommended.

Bushong displayed the following title:

Ordinance O2025-021

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 (R-1-6/IO) District, and amending the zoning map to conform with the rezoning (rezone approximately 6,300 square feet of property located at 1720 S. Maple Avenue) (Plng & Nbhd Svcs/Cmty Plng)

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

IV. INTRODUCTION OF ORDINANCES

Ordinance O2025-023 – Rezoning of Property: Southeast Corner of State Route SR-195 and 40th Street (Rezone approximately 50.55 acres from the Agriculture (AG) District to the High Density Residential (R-3) District, for the property located at the southeast corner of State Route SR-195 and 40th Street, Yuma, AZ.) (Plng & Nbhd Svcs)

Motion (Morris/Morales): To amend Ordinance O2025-023, Section 2, Subsection 5, to read: “Unless an alternative method of sound attenuation is approved by both City staff and the Arizona Department of Transportation, the owner/developer shall construct sound attenuation walls along the ASH Highway frontage as done similarly in the Ocotillo subdivisions, along the ASH Highway, within five years of the effective date of the rezoning or issuance of a Certificate of Occupancy for the property whichever occurs first.”, and introduce as amended. Voice vote: **approved** 7-0.

Bushong displayed the following title(s):

Ordinance O2025-022

An ordinance of the City Council of the City of Yuma, Arizona, establishing City departments pursuant to the Yuma City Charter Article VI, Section 15, and Article VII, Section 6(g)(6), and repealing or amending any portion of an ordinance, resolution or City Code in conflict therewith (the department restructuring will accommodate customer needs with more efficient and effective services delivered to the community, while continuing to meet goals and objectives of the City Council) (Admn/Fin)

Ordinance O2025-023

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 Agriculture (AG) District to the High Density Residential (R-3) District, and amending the zoning map to conform with the rezoning (approximately 50.55 acres of property located at the southeast corner of State Route 195 and 40th Street) (Plng & Nbhd Svcs)

V. PUBLIC HEARING – BUDGET RELATED ITEM

Mayor Nicholls opened the public hearing at 5:44 p.m.

Being there were no speakers on the item, **Mayor Nicholls** entertained a motion to close the public hearing.

Motion (Morales/Watts): To close the Public Hearing. Voice vote: **approved** 7-0. The Public Hearing closed at 5:45 p.m.

VI. SPECIAL MEETING: DISCUSSION AND POSSIBLE ACTION RELATING TO THE FY2026 FINAL BUDGET

Mayor Nicholls convened the Special Meeting at 5:46 p.m.

Resolution R2025-072 – Fiscal Year 2026 – Fiscal Year 2030 Capital Improvement Program (Adopt a resolution approving the FY 2026 – FY 2030 Capital Improvement Program (CIP), pursuant to the Yuma City Charter, Article XII, Section 11) (Eng)

Mayor Nicholls declared a conflict of interest on Resolution R2025-072 as his firm is engaged in CIP projects with the City, turned the meeting over to **Deputy Mayor Smith**, and left the dais.

Motion (Morris/McClendon): To approve Resolution R2025-072 approving the Capital Improvement Program, for Fiscal Years 2026 through 2030 as presented.

Bushong displayed the following title(s):

Resolution R2025-072

A resolution of the City Council of the City of Yuma, Arizona, adopting the Fiscal Year 2026 through Fiscal Year 2030 Capital Improvement Program (pursuant to the Yuma City Charter, Article XII, Section 11) (Eng)

Roll call vote: **adopted** 6-0-1, **Mayor Nicholls** abstaining due to conflict of interest.

Mayor Nicholls returned to the dais.

Resolution R2025-073 – Final Budget Adoption for Fiscal Year 2026 (Adopt the City of Yuma’s final budget for Fiscal Year 2026 in the amount of \$547,121,059 which is comprised of a Capital Improvement Program Budget of \$221,254,573; 13 Maintenance Improvement Districts combined for \$636,884 and an Operating Expenditure Budget of \$325,229,602; including Governmental and Enterprise operations. The adoption of the proposed budget resolution includes a 3% increase in solid waste fees and establishes the budgets for the Main Street Mall and Off-Street Parking Maintenance District No. 1) (Admn/Fin)

Mayor Nicholls declared a conflict of interest on the CIP Budget Adoption, as his firm is engaged in CIP projects with the City, turned the meeting over to **Deputy Mayor Smith**, and left the dais.

Motion (Morris/Morales): To adopt the Fiscal Year 2026 Annual Budget for the Capital Improvement Program in the amount of \$221,254,573.

Voice vote: **approved** 6-0-1, **Mayor Nicholls** abstaining due to conflict of interest.

Mayor Nicholls returned to the dais.

McClendon declared a conflict of interest on the Visit Yuma Budget Adoption, due to her current employment with Visit Yuma, and left the dais.

Motion (Smith/Watts): To adopt the Fiscal Year 2026 Annual Budget for Visit Yuma in an amount not to exceed \$890,000.

Voice vote: **approved** 6-0-1, **McClendon** abstaining due to conflict of interest.

McClendon returned to the dais.

Motion (Morales/Smith): To adjust Schedule G of the annual Budget reducing Equipment Maintenance Fund and Total All Funds by 2.0 Full Time employees to reconcile shifts in staffing levels.

Voice vote: **approved** 7-0.

Motion (Watts/McClendon): To amend the Araby North Subdivision Municipal Improvement District Number 112 levy rate to \$1.800 and to amend Schedule B to reflect this rate.

Voice vote: **approved** 7-0.

Motion (Smith/Watts): To adopt Resolution R2025-073 approving the Fiscal Year 2025 Annual Budget in the amount of \$324,976,486, which excludes funding for Visit Yuma and the Capital Improvement Program, that were approved through the prior motions; and includes an amended primary levy rate of 2.1321, and to amend Schedule B to reflect this rate.

Bushong displayed the following title(s):

Resolution R2025-073

A resolution of the City Council of the City of Yuma, Arizona, adopting estimates of proposed expenditures by the City of Yuma for the Fiscal Year 2026 beginning July 1, 2025 and ending June 30, 2026 (Tentative Annual Budget Fiscal Year 2026), which incorporates the budgets for each of the thirteen Improvement Districts; and declaring that such shall constitute the adopted budget of the City of Yuma for Fiscal Year 2026; adopting a three percent increase in both the Residential Solid Waste Fee and the Environmental Solid Waste Fee; declaring the necessity of Boards and Commissions; and authorizing employment of outside legal counsel (total budget of \$547,121,059 is comprised of a Capital Improvement Program Budget of \$221,254,573, 13 Maintenance Improvement Districts combined for \$636,884, and an Operating Expenditure Budget of \$325,229,602) (Admn/Fin)

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

The Special Meeting adjourned at 5:56 p.m.

VII. ADDITIONAL BUDGET RELATED ITEMS

The Regular Meeting reconvened at 5:56 p.m.

Motion: (Morales/McClendon): That Ordinance O2025-024 be amended to reflect the primary levy rate or \$2.1321 and Araby North Subdivision Municipal Improvement District Number 112 levy rate of \$1.800 be introduced as amended.

Voice vote: **approved** 7-0

Bushong displayed the following title(s):

Ordinance O2025-024

An ordinance of the City Council of the City of Yuma, Arizona, fixing, levying, and assessing primary property taxes upon property within the City of Yuma subject to taxation, each in a certain sum upon each one hundred dollars of valuation, sufficient to raise the amount estimated to be required in the annual budget for the Fiscal Year 2026 less the amounts estimated to be received from other sources of revenue and the unencumbered balances from the previous fiscal year, providing a General Fund; and fixing, levying, and assessing upon property subject to taxation within the boundaries of each of the respective Maintenance Improvement Districts numbered 100, 102, 104, 107, 108, 109, 110, 111, 112, 113, 115, 120, 124 and also upon property subject to taxation within the boundaries of the Main Street Mall and Off Street Parking Maintenance District No. 1, each in a certain sum upon each one hundred dollars of valuation, sufficient to raise the amount estimated to be required for the operation, maintenance, repair and Improvement of the facilities of said district, all for the Fiscal Year beginning July 1, 2025 and ending June 30, 2026 (the estimated primary property tax levy is anticipated to raise \$17,291,632 in tax revenue, which reflects an increase of the tax levy by \$358,189 attributable to new construction) (Admn/Fin)

VIII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULINGAppointments

Motion (Smith/McClendon): To appoint Priscilla Ibarra to the Parks, Arts, and Recreation Commission, with a term expiration of December 31, 2027. Voice vote: **approved** 7-0.

Announcements

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

- Annual Water Safety Day at the Valley Aquatic Center
 - Yuma County Anti-Drug Coalition Meeting
 - Sunrise Optimists Meeting
 - Marine Corp. Air Station (MCAS) Yuma Meeting
 - Good Morning Yuma
 - United States Army 250th Birthday Celebration
 - Meeting with Keller Williams to discuss the Click and Fix and Adopt a Street Programs
 - Juneteenth Celebration at Carver Park
 - Yuma County Victim Rights Committee Meeting
 - Western Arizona Council of Governments (WACOG) Meeting
 - Yuma County Chamber of Commerce Meeting
 - Virtual Meeting with Secretary of Science, Humanities, Technology and Innovation, Dr. Juan Luis Diaz de Leon
 - Yuma Crossing National Heritage Area Board Meeting
 - Cornerstone Leadership Training
 - Yuma Colorado republican Women's Meeting
 - Rural Development Subcommittee Virtual Meeting
 - Citizens Curating Safe Spaces (CCSS) Pride Month Celebration
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Scheduling - No meetings were scheduled at this time.

IX. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- June 21st – Dive in Movie Night – Moana 2

Simonton announced the Ocean-to-Ocean Bridge lighting project has been completed and invited the community to visit the bridge. He also reminded residents that City Hall will be closed June 19, 2025, in observance of the Juneteenth holiday. The trash schedule will not be affected by the holiday.

X. CALL TO THE PUBLIC

Henry Mak, City resident, thanked Councilmember **Watts** for attending a recent social gathering for the Lesbian, Gay, Bisexual, Transgender (LGBT) community at Cafecito, and encouraged more City Council participation in these community events.

Sophia Ramirez, City resident, expressed her concerns regarding the City Council's lack of support for Palestinian human rights, and urged City Council to pull investments from companies that are making money from Israel violations.

Gene Dalbey, City resident, expressed gratitude to the City Council for the approval of the Capital Improvement Plan (CIP). The decision significantly enhanced the bicycling infrastructure and highlights the importance of community involvement in the master transportation plan.

XI. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:18 p.m. No Executive Session was held.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:

City Clerk: _____