

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
MARCH 4, 2026
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:30 p.m.

INVOCATION/PLEDGE

Pastor Tom Renard, Zion Church, gave the invocation. **Karla Bailey**, Assistant Director of Finance, 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 (5:36 p.m.), Watts, and Mayor Nicholls
Councilmembers Absent: None
Staffmembers Present: Acting City Administrator, John D. Simonton
Chief Financial Officer, Douglas Allen
Chief of Police, Thomas Garrity
Chief Information Officer, Isaiah Kirk
Director of Community Development, Alyssa Linville
Various Department Heads or their representative
City Attorney, Richard W. Files
City Clerk, Lynda L. Bushong

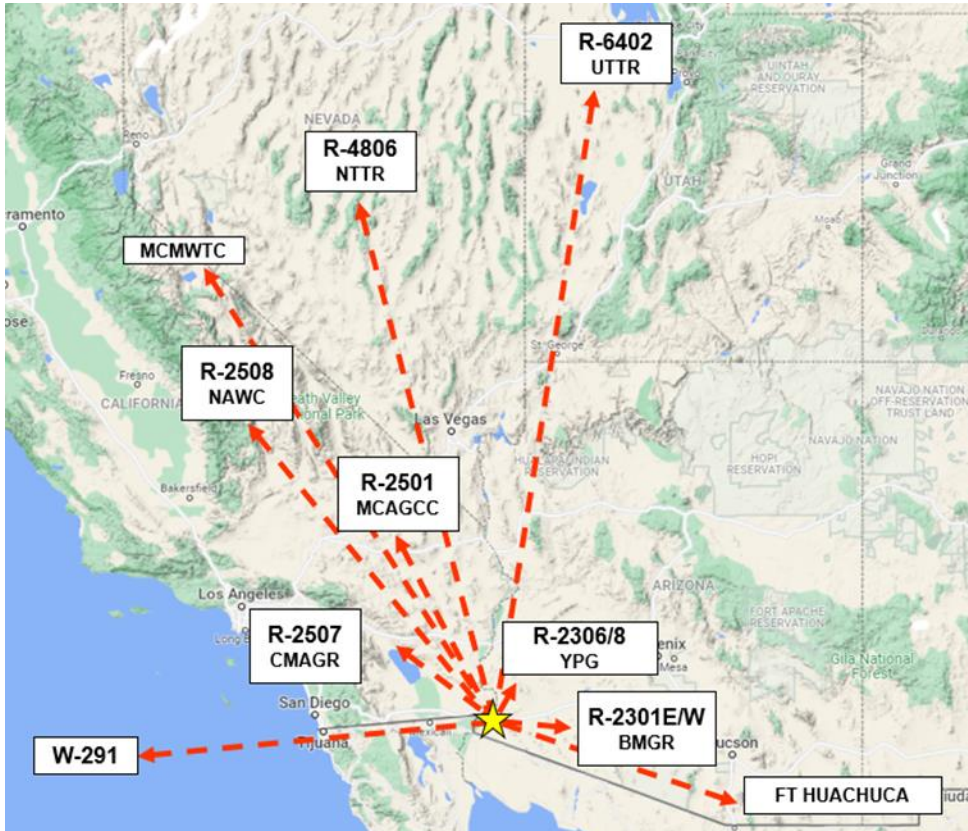
Marine Corps Air Station (MCAS)-Yuma WTI Exercise Briefing

Colonel Jared K. Stone, Commanding Officer of MCAS-Yuma, provided an update ahead of the spring Weapons and Tactics Instructor (WTI) 2-26 course, expressed appreciation to the community as he nears the end of his three-year tenure, and reminded the public of the March 14, 2026, air show. He acknowledged service members currently deployed and then introduced **Major Sean O. Graham** to brief on the upcoming WTI class.

Major Graham began his presentation by playing a video showcasing previous WTI courses and provided the following information on the upcoming WTI 2-26:

- WTI 2-26 Overview
 - From March 8 to April 26, 2026, WTI students will conduct operations in and around the Yuma area
 - Flight phase is March 23 to April 26, 2026

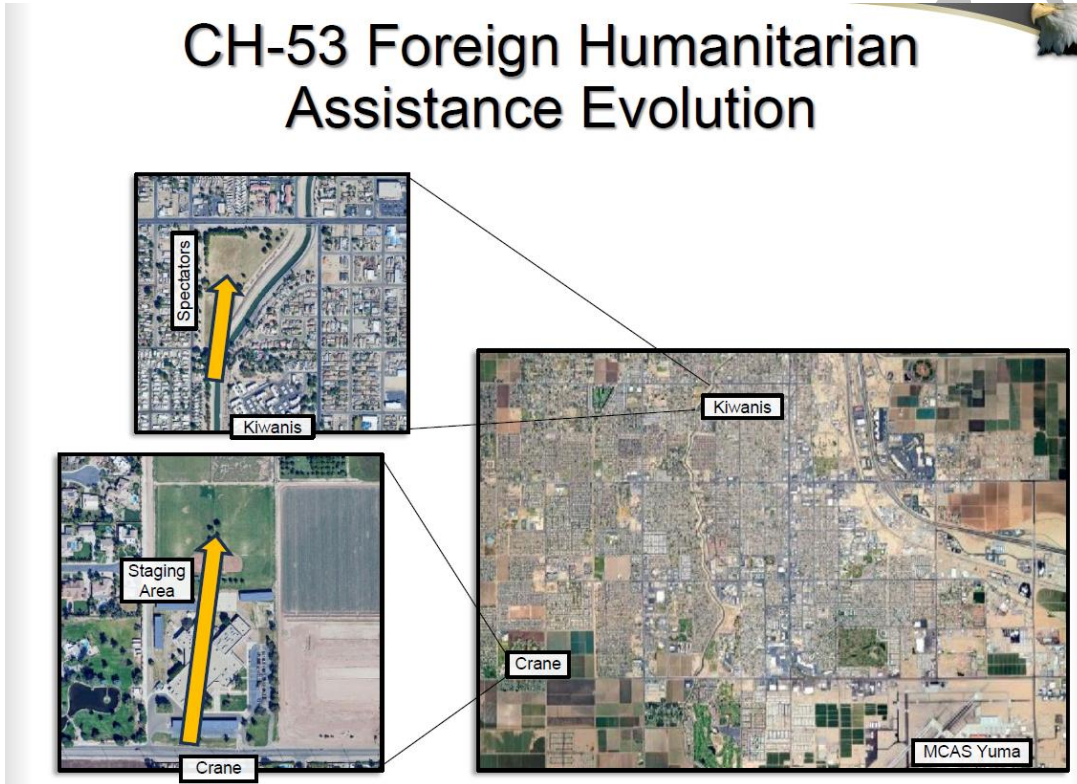
- Purpose
 - To prepare United States Marine Corps aviation personnel for various combat environments by exposing them to a realistic and challenging training course conducted over seven weeks in Yuma.
- WTI Operating Area
 - Through Utah, California, and out toward the Pacific Ocean



- WTI Course
 - Seven-week course
 - Academic Phase – 19 days
 - Flight Phase – 30 days
 - Student composition includes nearly every aviation-related Marine Corps specialty
 - Command and control
 - Pilots
 - Aircrew
 - Additional aviation communities
 - The Weapons and Tactics Instructor
 - Graduates earn the WTI patch, marking them as:
 - * Integrators across Marine Corps functions
 - * Experts who manage risk
 - * Trainers who develop their units
 - * Key contributors to major operations and humanitarian missions
- CH-53 Foreign Humanitarian Assistance Evolution
 - Monday, April 6, 2026, 5:30 p.m.-10 p.m.: CH-53E and CH-53K
 - Crane Middle School
 - Kiwanis Park

- Evolution Coordination
 - Passenger Movement
 - Local Agency Integration
 - * Yuma Police Department
 - * Yuma Fire Department
 - * Parks and Recreation Department
- Federal Aviation Administration (FAA) Regulations
 - Aircraft will land at Kiwanis Park and Crane Middle School

CH-53 Foreign Humanitarian Assistance Evolution



- Community members are welcome to observe at Kiwanis Park between roughly 5:30 p.m.-6:30 p.m. during the exercise
- Contact information was provided for information or issues encountered during WTI.

Discussion

- With a class population of 3,300, the dedication and professionalism demonstrated by the men and women in the course are truly remarkable. Observing their work firsthand provided valuable insight into the scope and significance of their responsibilities. The level of commitment displayed is deeply appreciated. (**Mayor Nicholls**)
- Colonel Stone was thanked not only for his service to the nation but also for his steadfast support of the local community. His presence at events throughout Yuma has been greatly appreciated, and it has been a privilege for the community to witness his continued commitment. Appreciation was extended for his partnership and leadership during his time in Yuma. (**Martinez**)

Fiscal Year (FY) 2025 Audit Results

Allen introduced **Brian Hemmerle**, Lead Audit Partner with Baker Tilly, LLC, who presented the following information.

Audit Results Summary

- Financial Statement Audit Report
 - The City received a clean opinion on its June 30, 2025, year-end financial statement audit and the Government Auditing Standards Compliance Report, with no instances of non-compliance and no matters requiring reporting
- Federal Grants Single Audit Report (Uniform Guidance)
 - Four major federal programs audited
 - Community Development Block Grant/Entitlement Grants
 - HOME Investment Partnership Program
 - Economic Development Initiative, Community Project Funding and Miscellaneous Grant
 - COVID-19-Coronavirus State and Local Fiscal Recovery Funds
 - All four programs received an unmodified “clean” opinion with no findings and full compliance with Uniform Guidance issued by the Department of Treasury
- Annual Expenditure Limitation Report
 - Is currently being finalized with management and will be issued before the March 31, 2026, deadline to the State of Arizona Auditor General’s Office.
 - Is expected to have a clean opinion, and the City is expected to be under the expenditure limitation

Auditors Responsibilities

Auditors provide reasonable assurance rather than absolute assurance. Absolute assurance would require examining every transaction down to the exact cent, which would be extremely time-consuming and result in substantial, unnecessary costs to the City. Such exhaustive testing is not required under state statutes, Generally Accepted Accounting Principles, or applicable governmental auditing standards.

- Internal controls
 - Tested across various areas; no issues noted and controls appear effective
 - No significant unusual transactions identified; none required reporting
 - No difficulties, disagreements with management, or outside audit consultations occurred

Non-Attest Services

- Preparing financial statements and related notes
- Proposing entries affecting the financial statements
- Preparation of the auditee section of the Data Collection Form
- City expended \$15.5 million in federal funds for FY ending June 30, 2025; all applicable programs received clean audit opinions

Management’s Discussion & Analysis (MD&A) Key Financial Highlights

- General Fund
 - The General Fund balance increased \$6.8 million due to operating revenues exceeding expenditures by \$24 million, reflecting strong revenue performance and controlled spending during the year
 - This surplus was partially offset by \$17.2 million in transfers out, primarily to fund debt service obligations and capitol project costs.

- Enterprise Funds – including the water and wastewater fund operate similarly to businesses and are intended to be self-sustaining.
 - Water fund. Operating revenues exceeded operating expenses by \$4.4 million, contributing to a positive change in net position of \$10.3 million
 - Wastewater fund. Operating expenses exceeded operating revenues by \$2 million for an operating loss. This was offset by net investment revenues of close to \$3.6 million and capital contributions of \$6.8 million, which contributed to a positive change in net position of \$8.2 million.

Discussion

- This is Baker Tilly’s second year conducting the City’s audit, and last year’s findings already showed the expenditure limitation being approached and carry-forwards being depleted quickly. Some older carry-forwards from 10-15 years earlier were likely used unnecessarily because expenditure levels at that time were well under the limit. The auditing history from that period is unclear, but the current team is using whatever carry-forwards remain. The team noted that the expenditure limitation would become a problem without voter-approved changes, and that the issue stems from an outdated 1980 formula that restricts spending capacity despite sufficient cash reserves. **(Morales/Hemmerle)**
- Support was expressed for the upcoming bond measure and voter decision, noting the significant needs within the community and the desire to avoid restrictions that would limit the City’s ability to address those needs. **(Morales/Simonton/Hemmerle)**
- For clarification, independent auditor requirements prevent participation in promoting or assisting with any ballot measure. The only permitted communication is reporting that the City is nearing its expenditure limitation based on financial results. **(Hemmerle)**

Arizona Law Enforcement Accreditation Program

Chief Garrity introduced **Mike Pooley**, Apache Junction Chief of Police and President of the Arizona Association of Chiefs of Police Departments who also oversees ALEAP.

- What is Arizona Law Enforcement Accreditation Program (ALEAP)?
 - ALEAP is Arizona’s statewide law enforcement accreditation program, created to promote professionalism, integrity, and effective public safety services.
 - Accreditation is a voluntary, independent process that recognizes agencies that meet or exceed established standards in:
 - Law Enforcement
 - Communications
 - Property and Evidence
 - Agencies must prove compliance through written policies, training, operations, documentation and ongoing review – not just policy on paper
 - ALEAP uses nationally recognized standards and best practices to help agencies improve accountability, consistency, and service delivery
 - The program supports fair, non-discriminatory policing practices and clear professional expectations
 - ALEAP helps agencies identify gaps, correct deficiencies, and continuously improve over time
- What Accreditation Means
 - Accreditation is a major achievement in law enforcement
 - Accredited agencies are viewed as reputable and committed to professionalism

- An independent, verified process, not a self-rating
- A standards-based review of both written policy and day-to-day practice
- Requires documented proof, including training records, reports, audits, and other evidence
- Evaluated by trained assessors and formally reviewed by the ALEAP Commission
- Promotes consistent, professional services across all shifts, units, and personnel
- Accreditation strengthens police officer performance and consistency by ensuring policies, training, and supervision are in place and followed year-round
- What Yuma Police Department Achieved
 - Reaccredited in Law Enforcement
 - In January of 2022 Yuma Police Department (YPD) received their Law Enforcement accreditation
 - New accreditation in Emergency Communications (911)
 - New accreditation in Property & Evidence
 - YPD is one of five departments that have earned triple accreditation in the state of Arizona
- What YPD did to earn Triple Accreditation
 - YPD continued to meet and exceed standards
 - Eight sworn officers added to the force
 - Ten professional staff members were added to the department
 - Build agency-wide buy-in with leadership and staff participation across divisions
 - Updated policies and procedures to meet accreditation standards
 - Trained staff and supervisors to ensure consistent application of standards
 - Documented compliance year-round with records, audits, and review processes
 - Monitored performance and corrected gaps through ongoing internal checks
 - Completed independent assessments in Law Enforcement, 911, and Property & Evidence
- Why Triple Accreditation Matters to Yuma
 - Risk reduction: Fewer preventable failures through clear policies, consistent training, and stronger accountability at every level of the department
 - Public trust: Greater transparency, professionalism, and documented practices that help the community see how the department operates and serves fairly
 - Stronger cases: Reliable evidence handling and chain-of-custody practices that protect case integrity and support successful prosecutions
 - Better Service: 911 standards improve call handling, communication, and coordination so the right resources respond quickly and effectively
 - Efficiency: Clear processes and defined responsibilities reduce errors, limit rework, and help staff focus more time on service and safety.
- Recognition and Continued Commitment
 - This achievement reflects strong leadership, dedicated staff, and a department-wide commitment to serving the Yuma community with professionalism and integrity
 - It also reflects the City's support for high standards, accountability, and public safety for both the community and the people who serve it
 - YPD will continue to review, train, and improve so it can protect the public, support its personnel, and maintain the highest standards of service
 - It demonstrates to the Mayor and City Council that YPD is following the best and most effective practices used across the United States
- Community Feedback
 - Community feedback highlights that Yuma has an incredibly supportive community toward law enforcement

- Residents praised the YPD's rapid response times, noting the importance of timely, professional, and well-trained responses to 911 calls
- Officers are seen as approachable, making residents feel comfortable by engaging with them. It was noted this is not the case in all communities. Yuma does not exhibit the tension seen in less supportive areas
- Proactive patrols were praised because officers were visible, active, and engaged in preventing crime rather than remaining stationary
- Community feedback reflects that officers frequently go above and beyond in their duties.
- Positive comments suggest strong departmental leadership and effective support from the City and its resources

Chief Pooley concluded by commending YPD as a highly effective agency of which the community can be proud of.

Discussion

- **Chief Pooley** was thanked for his presentation. (**Mayor Nicholls, Smith, Watts and Morales**)
- **Mayor Nicholls** expressed appreciation for the independent review and stated that the findings aligned with the high caliber of men and women who serve the community. The recognition reflects the consistent work performed daily by personnel both in and out of uniform.
- **Smith** stated that the independent review was valuable and noted appreciation for the rigorous accreditation process and congratulated all involved.
- **Watts** supported remarks about the dedication and professionalism of the Yuma Police Department and spoke about her work with detectives and uniformed officers at the Yuma Family Advocacy Center and Amberly's Place.
- **Morales** noted the value of having an independent, outside perspective.

Yuma Spaceport Progress Brief

Kirk presented the following:

- Why Yuma? – Why Now?
 - Yuma's aerospace opportunity emerged as industry partners began outreach to the region.
 - Based on WTI activity, industry recognized Yuma as one of the premier flying locations in the United States
 - Industry representatives questioned why the region could not also become a premier aerospace hub
 - The City validated this concept through an Economic Development Administration (EDA) funded feasibility study which confirmed the viability of this direction. Aerospace development has been included in the City Council's strategic priorities since 2020, following the initial EDA assessment
 - Since last year's status update, a key national policy change has occurred: an Executive Order (EO) was signed in late 2025 focused on ensuring America's space superiority by 2025
 - Two elements of the EO directly reinforce the question "Why Yuma, and why now?"
 - Faster licensing and increased national launch cadence, directing the federal government to accelerate launch and reentry approvals through improved efficiencies, commercial facilities, and policy reform
 - Economic development leverage and increased private sector investment, with the EO tying space infrastructure to commercial growth and establishing a goal of attracting

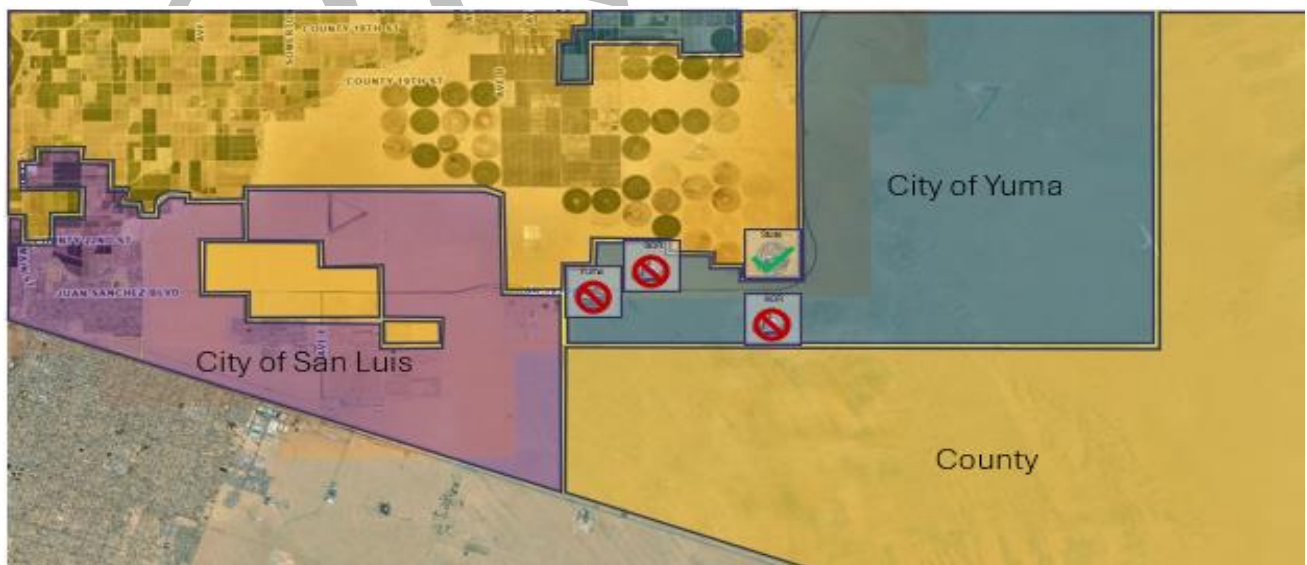
more than 50 billion dollars in additional private investment in the U.S. space market by 2028

- This initiative is not new; the City has been building the case for aerospace growth over multiple years
- Progress & Timeline
 - Industry initiated outreach, the feasibility study was completed, and the project was established as a City Council priority
 - During this period, the City submitted its Federal Aviation Administration (FAA) application for a 420 Site Operator License
 - The City is actively pursuing site acquisitions and has formed cross-border coordination with Mexico
 - Business development and market-entry planning efforts are underway
 - This effort is a long-term initiative, originally projected as a five-to-ten-year process
 - The FAA identified issues with the initially selected site and placed the City's 420 license application on pause pending additional site controls
- Where we are and what remains
 - The next FAA step following site control is completion of the Environmental Assessment (EA)
 - Because the FAA paused the application pending site control, the City continued progress by advancing the EA, which has been underway for the past two years
 - The EA evaluates potential impacts on noise, airspace, wildlife, and cultural resources
 - Chapters 1 and 2 of the EA are now being finalized, positioning the City to move forward quickly once site control is secured
 - The FAA's mission is to ensure a safe and efficient aerospace system, and the City is aligning its plans accordingly
- Acquisition Pathway and Considerations
 - The preferred site for the project is Arizona state land
 - The state land acquisition process has begun and is expected to be completed by the end of the year
 - City-owned parcels previously provided to the FAA were determined not to be suitable for the 420 license; however, it was noted these parcels may offer future revenue opportunities through surplus or lease options.
 - Federal and options were also evaluated, but they involve long timelines, potential congressional approvals, and significant constraints
 - The current focus is on advancing the Arizona state land acquisition process, and an agent has been assigned to support the process. The City is awaiting the scope of work for the required cultural assessment, with a team prepared to begin once the statement of work is issued
- Regional Location
 - Land acquisition is the critical path for progress in 2026
 - A regional overview was discussed, emphasizing that a spaceport depends on trajectory, safety buffers, and compatible surrounding land uses
 - The southwest regional map highlights the project area in southwest Yuma and the corresponding southwest trajectory path
 - The southwest trajectory demonstrates the importance of cross-border coordination with Mexico.

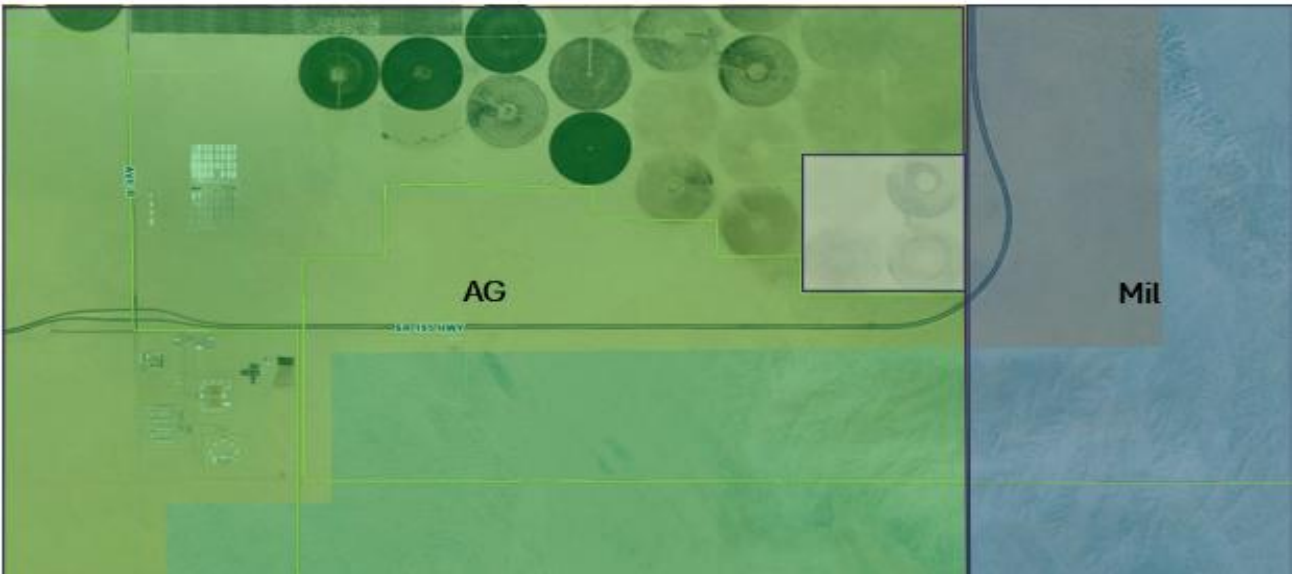


- Local Area

- The southwest area was identified based on safe separation, access to multiple routes, utility potential, and distance from residential areas
- The initial City-owned parcel submitted to the FAA was deemed too close to the prison, making it unsuitable for the 420 Site Operator License
- A second site south of Highway 195 on Bureau of Reclamation land was evaluated but eliminated due to its designation as protected wildlife habitat
- A third Bureau of Reclamation site north and east of the original location was removed from consideration because it falls within the agency's 100-year water well planning area
- Arizona state land was then identified as an alternative. An analysis confirmed the southwest trajectory remained compatible despite the location shifting three to four miles, making this the preferred site
- State land area will serve as the primary focus moving forward and will be used to further illustrate surrounding conditions



- Zoning characteristics in the project area were reviewed and noted that land to the south, north, and west is zoned agricultural, and land to the east is protected military airspace.
- These conditions support the project by providing appropriate separation from population centers and ensuring compatible surrounding uses
- A closer look was provided at the preferred site, which meets the one-square-mile requirement for the project



- Consultants evaluated potential site placement and confirmed that the recommended location satisfies all required standoff distances and operational criteria
- This site will be used to further illustrate the surrounding area and project layout in subsequent materials
- The recommended site configuration accommodates launch pads, fuel storage areas, payload processing facilities, and launch control functions within the defined boundaries
- A 3-D conceptual rendering based on the site layout illustrates phased build-outs, scalable infrastructure, and a design centered on required safety setbacks and operational zones



- Cross-Border Coordination
 - FAA licensing for southerly launch trajectories requires international overflight coordination with Mexico
 - Through the Arizona-Mexico Commission, contact was re-established with updated Mexican counterparts
 - Memorandums of Understanding (MOUs) which outline agreed-upon processes, points of contact, and timelines to support future launch operations were drafted
 - The MOUs were delivered at the local, state, and federal levels in Mexico with support from FourFrontED, and the City is awaiting signatures. The objective of recent cross-border coordination efforts was to establish processes, points of contact, and timelines needed to support future launch activities; addressing these requirements early helps prevent delays during the FAA licensing phase
 - Cross-border coordination with Mexico is an official requirement of both the FAA and the U.S. State Department for spaceport licensing
 - The City is laying the necessary groundwork to support this requirement, and the FAA has expressed support for the proactive approach
 - The early coordination ensures that outreach to Mexico will not come as a surprise during the federal review process
- Project Partnerships & Strategic Vision
 - Greater Yuma Economic Development Corporation (GYEDC) was the foundational partner, assisting with economic development outreach and industry connections
 - Working with Elevate Southwest to ensure alignment with the regional innovation District
 - Collaboration is underway with local colleges and K-12 institutions
 - Amber Shek, Chief Operation Officer for GYEDC, is working with Arizona State University's current class on projects related to launch-adjacent support facilities, agricultural integration, and emergency-industry support needs
 - The involvement is helping align Yuma and the broader state with emerging space-sector opportunities
 - The City's role is building credibility with future tenants and operators, including pairing the City's 420 site operator license with operators pursuing 450 launch licenses to create an operational spaceport
 - Regional benefits previously identified were restated, including creation of high-wage jobs, expansion of Science, Technology, Engineering, and Mathematics (STEM) and workforce pathways, opportunities for testing and prototyping, long-term infrastructure improvements, advanced manufacturing, and dual-use industry development
 - To date, the City has invested just over \$500,000 over four and a half years, primarily for consulting expertise needed to support FAA requirements
 - Additional expenditures included state land application fees and travel for outreach activities
 - The proposed budget for the upcoming year remains consistent with the current year: \$300,000 for FAA licensing, environmental assessment work, and public outreach; \$500,000 in Capital Improvement Program (CIP) for engineering and survey work as needed
 - Staff noted that actual expenditures depend on project milestones, including land acquisition and EA requirements
 - Ongoing work includes site due diligence, cultural assessments, engineering coordination, and continued engagement with the FAA and the National Environmental Policy Act (NEPA) process
 - Site control is the near-term critical path; without site control, progress cannot continue

- The City is maintaining momentum with parallel efforts involving land acquisition, coordination with Mexico, and outreach to potential tenants

Discussion

- A recent conversation with an Arizona-based rocket company currently launching out of Florida and California, has more than 100 launches planned annually and is seeking additional U.S. launch capacity; they expressed strong interest in launching from Arizona. The company is supportive of Yuma's efforts and has been helping identify relevant industry contacts. At national conferences, including the Spaceport Conference in Florida, industry representatives expressed enthusiasm and consistently acknowledged the need for additional U.S. launch sites. **(Mayor Nicholls/Kirk)**
- The City intends to own the project site; development of the spaceport infrastructure is expected to be funded by third-party private investors rather than City resources. Recent federal policy has created new opportunities for U.S. investors to receive tax incentives, increasing interest from companies seeking to support space-related infrastructure. With assistance from GYEDC and Elevate Southwest, the City is actively engaging these potential partners, many of whom have indicated they are ready to invest once the City secures the FAA 420 site operator license. **(Smith/Kirk)**
- Prior EDA work was grant-funded, but the current expenses associated with the spaceport project are being covered by the City's General Fund. The long-term return on investment will come from launch activity rather than public access or general use of the site. Operators seeking an FAA 450 launch license would pair their license with the City's 420 site operator license, creating a combined operational spaceport. Revenue would be generated by charging operators for launch activity and use of the City's licensed facilities, establishing the financial model for cost recovery and future operations. **(McClendon/Kirk)**
- The project's early phases involve highly technical work related to FAA licensing, engineering requirements, and aerospace operations. Because of this, the City selected **Kirk** to lead the effort, citing his military background and familiarity with aerospace-related processes and terminology. Economic Development will continue to play an important role, particularly in industry engagement and future development opportunities, but the licensing and regulatory components are more closely aligned with **Kirk's** expertise. **(Morales/Simonton/Kirk)**
- Reference was made to aerospace activities in other Arizona jurisdictions, such as Sierra Vista and Tucson, with a request for clearer context on how Yuma's efforts align. Requests were made to review the 2020 feasibility study, a draft of the MOU related to Mexico coordination, and any supporting documentation that demonstrates partner commitments. Transparency was emphasized as a priority, particularly because both tax dollars and grant funds are being used. It was noted that more documented information and stronger communication would help build confidence in the project. A request was made for future presentations to include publicly shareable company names and examples of comparable efforts in other communities. **(Morales/Kirk)**
- National licensing timelines for spaceports have historically been lengthy, which prompted recent federal efforts to accelerate processes. It should not take five to six years to secure licensing and move into operations, and recent policy changes are intended to shorten the timeline. **(Martinez/Kirk)**
- Total expenditures to date are approximately \$500,000 over four and a half years, including \$108,000 in the current year, primarily for consulting and environmental work required for FAA licensing. These expenditures have been paid from the City's General Fund. Consulting needs should decrease after FAA licensing, although some consulting may remain for industry engagement and manufacturing recruitment. Support and no-cost assistance from the Arizona Space Commission was also discussed. **(Martinez/Kirk)**

- Anticipated ancillary economic benefits include attraction of manufacturing, assembly, and specialized trades related to launch operations, as proximity to a launch site can reduce transportation costs and improve operational efficiency. Preliminary discussions with the U.S. Space Force are developing, though there is nothing to report yet. **(Martinez/Kirk/Mayor Nicholls)**
- The City is in the Arizona state land acquisition process for a one-square-mile site - a 12-step process - and is currently at step three, and waiting for the EA assessment to come in. As for a projected timeline to ribbon cutting, it would be premature to provide an estimate at this stage. **(Martinez/Kirk)**
- If the City decided not to proceed with the project, such a decision would be at City Council's discretion. **(Martinez/Kirk)**
- Recovery of the approximately \$2.4 million investment was compared to the Wallops Flight Facility in Virginia, identified as the closest available benchmark. The Virginia facility reported an economic impact of approximately \$30 million between 2018 and 2022. It was noted that the spaceport alone is not a huge economic driver, it is all the industry that goes around it. **(Watts/Kirk/Shek)**
- While launch control activities may occur off-site, rockets must still be launched locally, and that is an aspect that needs to be very clear to the community. Benchmarks and potential returns are also not yet fully defined, and additional documentation such as MOUs and the original assessments have not been shared as requested. **(Morales/Kirk)**
- To clarify, the money spent prior to FY 2023 was limited to EDA grant dollars, with no General Fund expenditures before that time. **(Morales/Simonton)**
- No vertical launch sites currently operate in Arizona, and nationwide only five exist, with four conducting launches in the previous year. Those four sites experienced an increase of more than 800 percent in vertical launches, indicating significant demand in the market. The demand is driven in part by companies seeking alternatives to rideshare opportunities on larger rockets, which can involve long wait times and limited availability. The targeted market includes smaller rockets capable of handling payloads up to approximately 1,000 kilograms. **(Morris/Kirk)**

I. MOTION CONSENT AGENDA

MC 2026-046 – Infrastructure and Services Report: ANEX-44726-2025 Livingston Ranch Unit Nos. 5-7 (Approve an Infrastructure and Services Report for Annexation Area No. ANEX-44726-2025, identified as the Livingston Ranch Unit Nos. 5-7 Annexation, located northwest of the 38th Street alignment and Avenue C.) (Cmty Dev/Cmty Plng)

Discussion

- Once the area is annexed into the City of Yuma, the Yuma Fire Department would assume responsibility, or they could choose to continue the existing mutual aid agreement with MCAS-Yuma. **(Smith/Linville)**
- The expected build-out includes approximately 200 to 300 single-family homes, and the City has already held development meetings in which the Fire Department has been actively participating. **(Smith/Linville)**
- The subdivision will reflect a typical single-family layout with 6,000 to 8,000 square-foot lots. Development is projected to begin in approximately three to five years as the developer completes current projects, which provides adequate time for the necessary infrastructure growth. **(Martinez/Linville)**

- Each new housing development generates development fees and utility capacity fees, which are paid to the City. These funds are then allocated to support the infrastructure needs associated with the new development. **(Morris)**

Motion (Smith/McClendon): To approve the Motion Consent Agenda as recommended. Voice vote: **approved 7-0.**

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

Regular Council Meeting Minutes	January 21, 2026
Regular Council Meeting Minutes	February 4, 2026

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 #10: Beer and Wine Store Liquor License application submitted by Roberto Pier Jr., agent for Circle K 2652098 located at 7942 E. 32nd Street. (LL26-01) (Admn/Clk)
2. Approve a Series #07: Beer and Wine Bar/Owner Transfer Liquor License application submitted by Katherine Espinal, agent for Sun of a Gun located at 1651 S. Arizona Avenue. (LL26-02) (Admn/Clk)
3. Authorize a contract for the Avenue 8E at Walmart Driveway Traffic Improvements, to the lowest responsive and responsible bidder in the amount of \$137,225.00 to DPE Construction, Inc., Yuma, Arizona. (RFB-26-189) (Eng/Purch)
4. Authorize the purchase for design and construction of a replacement splash pad at Friendship Park to Exerplay, Cedar Crest, Minnesota, utilizing the Mohave Educational Services Cooperative Purchase Agreement for an estimated expenditure of \$326,451.68. (CPA-26-240) (Eng/Purch)
5. Authorize the purchase of 53 trees for Smucker Park to Epifini Landscaping Inc., Casa Grande, Arizona, utilizing the Mohave Educational Services Cooperative Purchase Agreement for an estimated expenditure of \$166,157.08. (CPA-26-234) (Prks & Rec/Purch)
6. Ratify settlement of the lawsuit *Lillian Quinn v. City of Yuma, et al.* Maricopa County Superior Court Case No. CV2023-051473. (Atty)
7. Approve an Infrastructure and Services Report for Annexation Area No. ANEX-44726-2025, identified as the Livingston Ranch Unit Nos. 5-7 Annexation, located northwest of the 38th Street alignment and Avenue C. (ANEX-44726-2025) (Cmty Dev/Cmty Plng)

II. RESOLUTION CONSENT AGENDA

Resolution R2026-011 – Preannexation Development Agreement: JPM Development (Authorize a Preannexation Agreement for two parcels (APN 632-34-077 and APN 632-34-078) located on Columbia Avenue, near 1st Street and Avenue B.) (Cmty Dev/Cmty Plng)

Morris declared a conflict of interest on Resolution R2026-011 as his firm may be involved in the design process of the project and left the dais.

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

Bushong displayed the following title(s):

Resolution R2026-011

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a Preannexation Development Agreement with JPM Development, LLC for Assessor Parcel Numbers 632-34-077 and 632-34-078 located on Columbia Avenue (properties located near 1st Street and Avenue B) (Cmty Dev/Cmty Plng)

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

Morris returned to the dais.

III. ADOPTION OF ORDINANCES CONSENT AGENDA

Ordinance O2026-010 – Grant of Easement to Install Electrical Facilities – East Mesa Community Park (Authorize an easement on City property at 6060 E. 36th Street to Arizona Public Service Company (APS) for the installation of electrical facilities necessary for the development of the new East Mesa Community Park) (Eng)

Speaker

William Katz, City resident, requested clarification regarding voting eligibility on the easement ordinance for East Mesa Community Park. Reference was made to prior recusals by Mayor Nicholls on the Fiscal Year 2025 Capital Improvement Plan (CIP) and on the park's construction contract. It was asked whether those conflicts require recusal from the current easement vote and for the basis of participation or recusal to be stated on the record.

Discussion

- Recusals were previously made on the CIP and the East Mesa Community Park bid award due to uncertainty about whether the firm in question might be involved in the project. The contractor ultimately did not select the firm for construction; therefore, no conflict of interest exists, and participation in voting on related items is appropriate. (**Mayor Nicholls/Katz**)

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

Bushong displayed the following title(s):

Ordinance O2026-007

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 Limited Commercial/Bed & Breakfast Overlay/Infill Overlay (B-1/BB/IO) District to the Medium Density Residential/Bed & Breakfast Overlay/Infill Overlay (R-2/BB/IO) District, and amending the zoning map to conform with the rezoning (approximately .16 acres of property located at 831 S. 2nd Avenue) (Cmty Dev/Cmty Plng)

Ordinance O2026-008

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 General Commercial/Infill Overlay (B-2/IO) District to the Medium Density Residential/Infill Overlay (R-2/IO) District, and amending the zoning map to conform with the rezoning (approximately .15 acres of property located at 273 S. 8th Avenue) (Cmty Dev/Cmty Plng)

Ordinance O2026-010

An ordinance of the City Council of the City of Yuma, Arizona, authorizing an easement for the installation of new electrical facilities at City-owned East Mesa Community Park (property located at 6060 E. 36th Street) (Eng)

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

IV. INTRODUCTION OF ORDINANCES

Bushong displayed the following title(s):

Ordinance O2026-011

An ordinance of the City Council of the City of Yuma, Arizona, annexing to the City of Yuma, a portion of Section 12, Township 9 South, Range 24 West of the Gila and Salt River Base & Meridian, Yuma County, Arizona, and amending Chapter 154 of the Yuma City Code, as amended, designating the zoning of certain property to the Agriculture (AG) Zoning District, and amending the zoning map to conform thereto, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona revised statutes as amended (approximately 97.9 acres of property located northwest of the 38th Street alignment and Avenue C) (Cmty Dev/Cmty Plng)

V. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Appointments

Motion (Morales/Smith): To appoint Keli Osborn to the Workers Compensation Trust Board, with a term expiration of December 31, 2030. Voice vote: **approved** 7-0.

Announcements

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

- Town Hall on the Frontera with Senator Ruben Gallegos

- Harvest Dinner 2026
- Yuma Child Burn Survivors Golf Tournament 2026
- National Association for the Advancement of Colored People (NAACP) Black History Month Fish Fry
- Greater Yuma Water Safety Alliance Meeting
- Youth Government Meeting with high school students
- State of the State Governor’s Address with Arizona Governor Katie Hobbs
- Visit with Arizona Senator Mark Kelly in the City of Somerton’s Yepez Automotive Repair Shop
- 2026 BBQ & Brew Festival
- Arizona Western College A Decade of Transformation Event
- Opening Ceremony for Road to 250: Arizona Traveling Museum
- Educational Opportunity Center Charter High School (EOC) presentation
- Greater Yuma Economic Development Corporation (GYEDC) Quarterly Investor Luncheon
- 2026 Leadership Summit held by the International Economic Development Council (EIDC)
- Greater Yuma Port Authority Board Meeting
- Western Arizona Council of Governments (WACOG) Quarterly Executive Board Meeting
- Amberly’s Place Board Meeting
- Sherrif John Phipps Memorial Service
- Senator Mark Kelly Briefing at Marine Corps Air Station (MCAS) Yuma
- Arizona League of Cities and Towns Subcommittee Meeting – Utility Leadership

Scheduling – No meetings were scheduled at this time.

VI. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- March 14 – City of Yuma Kite Fest 2026
- March 20-22 – Lifeguard Training

Simonton reported the neighborhood cleanup is still in progress, encouraged the community to visit the Smithsonian “Spark! Places of Innovation” exhibit at the Yuma Art Center, and announced that Yuma Salutes America’s 250 event tickets are available online for purchase.

VII. CALL TO THE PUBLIC

Virgil Ross, City resident, near the proposed Vista Apartments project area, raised concerns about the development approval process and the lack of follow-up after earlier meetings. Concerns focused on inadequate neighborhood drainage, existing street flooding, and the potential for increased traffic to worsen conditions despite planned stormwater retention. Additional issues included narrow streets, heavy on-street parking, congestion, and pedestrian safety. While supportive of new housing, he emphasized that significant flood control and traffic capacity concerns remain unresolved. City staff were directed to follow up after the meeting due to open meeting law limitations.

VIII. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 7:39 p.m. No Executive Session was held.

Janet L. Pierson, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of:

Acting City Clerk:

DRAFT