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 5, 2025
5:30 p.m.

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CALL TO ORDER

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

INVOCATION/PLEDGE

Natasha Boomgarden, Vice Chairman of the Baha'i Spiritual Assembly, gave the invocation. **Sergeant Major David Potter**, Marine Corps Air Station - Yuma, 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 Neighborhood Services Manager – Grants, Nikki Hoogendoorn Neighborhood Services Specialist, Jorge Alcala Director of Engineering, David Wostenberg Associate Planner, Guillermo Moreno-Nunez Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

Marine Corps Air Station-Yuma WTI Exercise Briefing

Colonel Jarred Stone, Commanding Officer of MCAS-Yuma, introduced **Major Sean Graham**, Foreign Humanitarian Assistance (FHA) Evolution Coordinator, to provide a briefing on the upcoming Weapons and Tactics Instructor (WTI) Course 2-25.

Major Graham began his presentation by playing a video showcasing previous WTI 1-25, and provided the following information on the upcoming WTI 2-25:

- Overview
  - From March 10th through April 27th, WTI students will conduct operations in and around Yuma
  - The flight phase will take place March 26th through April 26th
- Purpose
  - To prepare marine aviation personnel for various combat environments by exposing them to a realistic and challenging training course
- WTI Operating Area
  - As far north as Utah, east to Fort Huachuca, and west to the Pacific Ocean

- WTI Course
  - Seven-week course
    - Academic Phase – 19 days
    - Flight Phase – 30 days
  - WTI Instructors
    - Marine Air-Ground Task Force Integrator
    - Risk Manager
    - Unit Training Officer
    - Weapon System Expert
  - Student Composition
    - Aviator
    - Aviation Command and Control
    - Air Officer
    - Intelligence
    - Aviation Ground Support
    - Infantry and Ground Combat Arms
    - Aircraft Maintenance / Ordnance
- FHA Evolution
  - Monday, April 7th from 6 pm – 10 pm
    - Sikorsky CH-53E Super Stallion and Bell UH-1Y Venom helicopters
    - Crane Middle School and Kiwanis Park

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- Evolution Coordination
  - Passenger Movement
  - Local Agency Integration
    - Yuma Police Department
    - Yuma Fire Department
    - Parks and Recreation Department
  - All Federal Aviation Administration Regulations will be followed

Mayor Nicholls thanked **Major Graham** for the briefing, and stated that the City takes great pride in being a part of the WTI exercise.

Procurement Month Proclamation

Mayor Nicholls read a proclamation for Procurement Month and thanked the Procurement Department for all they do for the City of Yuma.

I. MOTION CONSENT AGENDA

Motion Consent Agenda Item C.1 – Bid Award: Reconstruction of a Single-Family Home with HOME Funds (award of $102,630.40 to D'Pair Development, LLC, for the replacement of a single-family home located in the Mesa Heights Neighborhood) (Plng & Nbhd Svcs)

Discussion

- The family whose home will be reconstructed has been on the Housing Rehabilitation Program waiting list for quite a while; the City completed a thorough inspection and scope of work, where it was determined it would be most cost effective to demolish and reconstruct the home (**Smith/Hoogendoorn**)
- The HOME Investment Partnership funds are provided to the family through a deferred forgivable loan; the homeowner must remain in the home for 20 years and each year the loan is pro-rated, so that after 20 years the loan is forgiven and the lien is released (**Watts/Hoogendoorn**)
- In the event that the homeowner passes away, the City can determine if a family member qualifies financially to take over the loan; if the home is sold, the loan must be repaid (**Watts/Hoogendoorn**)
- The size of the rebuilt home is roughly the same as the original home; in this case, the original home was 1,039 square feet, and the new home will be 803 square feet (**Morris/Alcala**)
- The home reconstruction will not include landscaping, so assistance will be sought to provide xeriscape landscaping for the property (**Morales**)

Motion Consent Agenda Item C.2 – Bid Award: Water Treatment Facility Auxiliary Power Improvements (award a Construction Services Contract in the amount of $391,597.80 to Pilkington Construction for improvements to the Main Street Water Treatment Facility's emergency power system) (RFB-25-235) (Eng)

Discussion

- It is unclear why one of the bids came in so much higher than the other two; the pricing of almost all of the items listed on the bid seemed to be off by a factor of 10 (**Smith/Wostenberg**)

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

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

Special Council Meeting February 21, 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. Authorize award of bid to reconstruct a single-family home under the Neighborhood Services Housing Rehabilitation Program to the lowest responsive and responsible bidder in the amount of $102,630.40 to D'Pair Development, LLC. Yuma Arizona. (Plng & Nbhd Svcs)

2. Award a construction services contract for Water Treatment Facility Auxiliary Power Improvements to the lowest responsible bidder in the amount of $391,597.80 to Pilkington Construction, Yuma, Arizona. (RFB-25-235) (Eng)

3. Authorize the purchase of radio repeater equipment supporting the regional radio system for a total cost of $557,883.28 to Motorola Solutions, Inc., Tempe, Arizona, using a Cooperative Purchase Agreement through the State of Arizona (GNT-25-265) (IT)

4. Authorize the purchase of network equipment and services supporting the regional public safety software system utilizing a Cooperative Purchase Agreement through the State of Arizona for a total amount of $659,803.02 from Advanced Network Management, Inc., Scottsdale, Arizona. (GNT-25-268) (IT)

5. Approve the final plat of the Plaza Del Este Unit No. 3 Subdivision. The property is located at the northwest corner of 7 ½ E and 32nd Street. (Plng & Nbhd Svcs/Cmty Plng)

II. RESOLUTION CONSENT AGENDA

Resolution R2025-018 – Intergovernmental Agreement: Arizona Department of Transportation (to review the environmental documents from the Design Concept Report of 40th Street from Avenue 6E to Fortuna Road at an estimated cost of $30,000) (Eng)

Mayor Nicholls declared a conflict of interest on Resolution R2025-018 as his firm is involved in the contract, turned the meeting over to Deputy Mayor Smith, and left the dais.

Motion (Morris/Watts): To adopt Resolution R2025-018 as recommended.

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Bushong displayed the following title:

Resolution R2025-018

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving an Intergovernmental Agreement with the State of Arizona for document review of the 40th Street: Avenue 6E to Fortuna Road Design Concept Report (review and approval of documents pertaining to the project and the Arizona Department of Transportation's environmental review) (Eng)

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

Mayor Nicholls returned to the dais.

Resolution R2025-021 – Resolution of Support: Gary Knight Memorial Highway (support the naming of a segment of United States Route 95, from milepost 31 to milepost 38, in honor of former Councilmember Gary Knight) (City Admin)

Speaker

- **Mike Shelton**, City Resident, spoke in support of Resolution R2025-021, noting that Gary Knight was highly respected and dedicated to transportation in Yuma, and expressed hope that details of his service to the community will be shared with the public.

Motion (Morales/Smith): To adopt the Resolution Consent Agenda as recommended, with the exception of Resolution R2025-018 which was adopted through a previous motion.

Bushong displayed the following titles:

Resolution R2025-016

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 a regional school safety system and program between the City of Yuma and Wellton Elementary School District No. 24 (to allow the District to opt-in to system components including a panic button application, automated workflow and notification capabilities, and a multimedia communication sharing platform) (IT)

Resolution R2025-019

A resolution of the City Council of the City of Yuma, Arizona, authorizing the City of Yuma to enter into an agreement with Versaterm Public Safety US, Inc. (all costs for software integration and use will be paid by the Arizona Criminal Justice Commission, with no financial burden assumed by the City) (YPD)

Resolution R2025-020

A resolution of the City Council of the City of Yuma, Arizona, approving and authorizing the City of Yuma to enter into a Subrecipient Agreement with the Arizona Department of Homeland Security, regarding the Operation Stonegarden Grant Program (to reimburse the City for funds expended for overtime, employee related expenses, and mileage utilized in support of Operation Stonegarden) (YPD)

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Resolution R2025-021

A resolution of the City Council of the City of Yuma, Arizona, formally supporting the naming of a segment of United States Route 95, from milepost 31 to milepost 38, as the Gary Knight Memorial Highway (in recognition of Gary Knight's involvement in advancing transportation and economic development projects for the benefit of Yuma and the surrounding region) (City Admin)

Resolution R2025-022

A resolution of the City Council of the City of Yuma, Arizona, approving an Intergovernmental Agreement between the Arizona Department of Public Safety and the City of Yuma, regarding the acceptance of anti-human trafficking grant funding (funding will be used to enhance Yuma Police Department's operational capabilities to effectively tackle human trafficking cases through the purchase of a vehicle, equipment, and software) (YPD)

Resolution R2025-023

A resolution of the City Council of the City of Yuma, Arizona, authorizing a Memorandum of Understanding between Yuma County and the City of Yuma, regarding the acceptance of Edward Byrne Memorial Justice Assistance Grant funds to be used by the City of Yuma (the grant funds will support law enforcement programs aimed at enhancing public safety and community policing efforts by incorporating technology, and require no matching funds from the City) (YPD)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

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

Bushong displayed the following titles:

Ordinance O2025-003

An ordinance of the City Council of the City of Yuma, Arizona, authorizing the acceptance of gift property (approximately 40 feet of the 48th Street right-of-way west of Avenue 6E) (Eng)

Ordinance O2025-005

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 Limited Commercial (B-1) District, and amending the zoning map to conform with the rezoning (approximately 9.39 acres of property located at 920 S. Avenue B) (Plng & Nbhd Svcs/Cmty Plng)

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

IV. INTRODUCTION OF ORDINANCES

Bushong displayed the following titles:

Ordinance O2025-007

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 3, Chapter 32 of the Yuma City Code regulating Civilian Accident Investigators (to comply with State law and provide for civilian employees to handle certain traffic matters) (YPD)

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Ordinance O2025-008

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and approving the acceptance of title to certain real property and improvements, the execution of a Government Property Land and Improvements Lease for a term of eight years with Spencrazi, L.L.C. as the prime lessee, the reconveyance of title to the real property and improvements at the conclusion of the described lease, and approving the abatement of the Government Property Lease Excise Tax during the term of the eight year lease (the redevelopment of the parcel will create approximately 100 local direct-employment jobs, and is estimated to generate over $2.7 million in fiscal benefits for the City over a 10-year period) (City Atty)

V. PUBLIC HEARING AND RELATED ITEMS

Resolution R2025-017 – Minor General Plan Amendment: 594 S. May Avenue (change the land use designation for approximately 1.84 acres of property from Medium Density Residential to High Density Residential) (GP-43371-2024) (Plng & Nbhd Svcs/Cmty Plng)

Mayor Nicholls opened the Public Hearing at 6:08 p.m.

Moreno-Nunez presented the following information:

- Proposed Change: Medium Density Residential to High Density Residential
- Area: Approximately 1.84 acres
- Surrounding Land Uses:
  - North – Single Family Homes
  - South – RV Park
  - East – Farmland
  - West – Single Family Homes and Vacant Land
- Development Potential:
  - Dwelling Unites – Between 24 and 55 units
  - Population – Potential increase to 105 persons
  - Proposed project – Future multi-family development
- Property owners within 660 feet of the site property were notified of the request, and staff did not receive any concerns or comments in opposition
- A neighborhood meeting was held on site on December 13, 2024, with one neighbor in attendance, who was not opposed to the proposal
- The Planning and Zoning Commission recommended approval of the request on February 10, 2025
- Staff received a phone call on February 19th and an email on March 3rd from a nearby property owner who is opposed to the proposal due to concerns about increased density, increased traffic, and possible impact on property values

Motion (Smith/Morris): To close the Public Hearing. Voice vote: **approved** 7-0. The Public Hearing closed at 6:11 p.m.

Discussion

- If the land use designation were to remain Medium Density Residential, the maximum number of dwelling units would be 24; the maximum potential increase resulting from the change would be 31 units (**Watts/Moreno-Nunez**)

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- Upon submitting plans for development, the applicant would be required to provide sufficient parking for each unit on site (**Watts/Moreno-Nunez**)
- Because the property will initially be developed under Yuma County jurisdiction, it would be relevant to let the County have a copy of the comments (**Mayor Nicholls/Moreno-Nunez**)
- The total number of units that will fit on the site will vary depending on landscaping and parking; it is difficult to get maximum density on these kinds of developments without going vertical, which gets expensive (**Mayor Nicholls/McClendon/Moreno-Nunez**)

Motion (Morales/Morris): To adopt Resolution R2025-017 as recommended.

Bushong displayed the following title:

Resolution R2025-017

A resolution of the City Council of the City of Yuma, Arizona, amending Resolution R2022-011, the City of Yuma 2022 General Plan, to change the land use designation of approximately 1.84 acres at 594 S. May Avenue from Medium Density Residential to High Density Residential (the applicant intends to develop a multi-family residential development under the High Density Residential (R-3) zoning district through Yuma County) (GP-43371-2024) (Plng & Nbhd Svcs/Cmty Plng)

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

VI. ANNOUNCEMENTS AND SCHEDULING

Announcements

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

- Harvest Dinner
- International Economic Development Council Annual Leadership Summit
- State of the State Address
- Yuma Day at the Capitol
- Yuma Metropolitan Planning Organization Executive Board Meeting
- Teen Challenge Dinner and Reading of Proclamation
- Meeting with Arizona Secretary of State Adrian Fontes
- Parks and Recreation Department Park Tour
- National Association for the Advancement of Colored People Black History Month Event
- Western Arizona Council of Governments Executive Board Meeting
- Barbecue and Brews Festival
- Kids at Hope Benefit Concert
- Arizona League of Cities and Towns Meeting with Governor Katie Hobbs
- Marine Corps Air Station Yuma Battle Color Ceremony
- Border Fence Rescue Technology Presentation
- Caballeros de Yuma Colorado River Crossing Balloon Festival Press Conference
- Arizona Western College / Northern Arizona University Engineering Day Presentation
- Yuma Scholarship Association Legacy Ball

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Scheduling – No meetings were scheduled at this time.

VII. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- Ongoing - Lifeguard hiring for the summer aquatics season
- March 15th - Kite Fest at the Pacific Avenue Athletic Complex

VIII. CALL TO THE PUBLIC

Mike Shelton, City resident, requested that the community be updated on the status of the Smucker Park storm drain project being completed by Yuma County, as the project was scheduled to be complete in August 2024. **Mayor Nicholls** directed **Simonton** to meet with **Shelton** and provide any information that can be shared at this time.

Anthony Felix, City resident, expressed concerns regarding the handling of a previous case with the Yuma Municipal Court, as well as alleged violations of civil rights by the Yuma Police Department. **Felix** urged City Council to stand by their commitment to transparency.

IX. EXECUTIVE SESSION/ADJOURNMENT

Motion (Morales/McClendon): To adjourn the meeting to Executive Session. Voice vote: **approved** 7-0. The meeting adjourned at 6:43 p.m.

_____
Lynda L. Bushong, City Clerk

APPROVED:

_____
Douglas J. Nicholls, Mayor

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