

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA  
CITY COUNCIL CHAMBERS, YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
**OCTOBER 4, 2023**  
**5:30 p.m.**

**CALL TO ORDER**

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

**INVOCATION/PLEDGE**

**Pastor Amber Herzog**, Salvation Army, gave the invocation. **Jasmin Rodriguez**, Parks & Recreation Administrative Support Manager, 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  
Fire Chief, Dusty Fields  
Director of Planning and Neighborhood Services, Alyssa Linville  
Neighborhood Services Manager – Programs, Jay Nance  
Director of Parks and Recreation, Eric Urfer  
Assistant Director of Planning, Jennifer Albers  
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.

**PRESENTATIONS**

Domestic Violence Awareness Month Proclamation

**Mayor Nicholls** read a proclamation declaring October 2023 Domestic Violence Awareness Month and called upon all residents of the City of Yuma to support domestic violence survivors and take a stand against all forms of violence and abuse in relationships.

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Yuma Fire Department Accreditation Presentation

**Fields** announced that the City of Yuma Fire Department (YFD) has attained the status of International Accredited Agency by the Commission of Fire Accreditation International (CFAI) and the Center for Public Safety Excellence. This is the fifth accreditation awarded by CFAI and is the culmination of significant dedication and commitment by the YFD team. On average, fire departments invest approximately 2,000 hours of time to complete the process. **Fields** extended his gratitude to Captain Ryan Johnson, who served as Accreditation Manager throughout the process, and Battalion Chief Richard Root, who oversaw Captain Johnson and the Professional Services Division, for their pivotal roles in ensuring the project's success.

Overview of the Arizona Avenue Housing Projects

**Linville** introduced **Nance**, who presented the following overview of the current and upcoming Arizona Avenue housing projects:

- Existing Affordable Multi Family Housing
  - Mesa Heights Apartments
    - 58 affordable units
    - Low Income Housing Tax Credit Housing
    - Community Resource Center
    - Services provided by:
      - Arizona @ Work
      - Arizona’s Children Association
      - Campesinos Sin Fronteras
      - Child and Family Resources
      - Department of Economic Security Veteran’s Services
      - Sports Helping Influence Neighborhood Excellence (SHINE) Program
      - Yuma Community Food Bank
  - Mesa Heights Pueblos
    - 15 affordable units
    - Faces immediate and long-term maintenance issues
      - Parking lot is severely deteriorated and has developed an inconsistent grade
      - Existing dry wells are full of debris from deteriorated parking lot and unable to collect stormwater as intended
      - Wood frame carports have begun to warp, and several repairs indicate the structure has been damaged in the past
      - An inspection revealed asbestos-containing material in the mastic on the carport roofing
- Future Affordable Multi Family Housing
  - Mesa Heights Village
    - Three City-owned parcels
    - Six affordable units
    - Selected developer to allow only tenant based rental assistance
  - Vistara Phase 1
    - 80 affordable units
    - Low Income Housing Tax Credit Housing

Discussion

- The carports at the Mesa Heights Pueblos will be demolished; there are no current plans to replace the carports (**Shelton/Nance**)
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Parks, Arts, Recreation and Trails Public Input Phase Presentation

**Urfer** presented information on the status of the Parks, Arts, Recreation and Trails Master Plan as follows:

- Completed
  - Project Initiation
    - Contract
    - Established timeline

- Task refinement
- Condition Analysis
  - Review of existing plans and studies
  - Demographics, trends, and profiles
  - Base mapping and spatial analysis
- Community Engagement
  - Public Improvement Plan
  - Development and implementation of mail and online surveys
- Next Steps
  - Conditions Analysis
    - Conduct a physical assessment of parks, trails, and recreational amenities
  - Community Engagement – Surveys
    - Mail survey – September 28
    - Online survey – October 6 – December 15
  - Community Engagement – Pop-Ups
    - Tacos and Tunes – October 7<sup>th</sup>
    - YumaCon – October 8<sup>th</sup>
    - Getting Arizona Involved In Neighborhoods (GAIN) – October 14<sup>th</sup>
    - Humane Society of Yuma Huddle Up! – October 14<sup>th</sup>
    - Glow Crazy 5K/10K – October 21<sup>st</sup>
    - Scary and Safe Trick or Treat – October 31<sup>st</sup>
  - Community Engagement – Sessions
    - Yuma High School Cafeteria – October 25<sup>th</sup>
    - Arizona Western College 3C Building – October 26<sup>th</sup>
- Future Steps
  - Needs Analysis
  - Plan Development
  - Approval
- Summary
  - Mail surveys are out
  - Online surveys start October 6<sup>th</sup>
  - Pop-up events start October 7<sup>th</sup>
  - Community engagement sessions October 25<sup>th</sup> and 26<sup>th</sup>

### Discussion

- The pop-up events are opportunities to direct event attendees to the online survey and provide information about the Master Plan in general; signage will also be placed at parks and facilities throughout the City with a QR code leading to the online survey (**Mayor Nicholls/Urfer**)
- A full media blitz is forthcoming, and several radio interviews have been set up as well (**Mayor Nicholls/Urfer**)
- The Yuma County Chamber of Commerce will be holding their Community Business Expo 2023 at the Civic Center on October 28<sup>th</sup>, and would be a good venue to reach the public (**Knight**)
- The online surveys will be open until December 15<sup>th</sup>, so there is ample time for anyone interested to complete the survey; paper surveys are also available at the Parks and Recreation office at City Hall (**Shelton/Urfer**)

**I. MOTION CONSENT AGENDA**

Motion Consent Agenda Item C.3 – Cooperative Purchase Agreement: Field Lighting at Ray Kroc Fields (purchase, delivery, and installation of athletic field and batting cage lighting by Musco Sports Lighting for an expenditure of \$1,413,450) (CPA-24-086) (Pks & Rec)

Discussion

- The lighting system being purchased is currently in use throughout the City’s Parks and Recreation facilities; staying with the same system is beneficial because it allows for consistency in lighting controls, etc. **(Morris/Urfer)**
- Approval of this motion will lock in the current pricing, which is anticipated to increase at the beginning of next year; this project was split over a two-year period due to coordinating the installation with field use and minimizing the impact on user groups and special events **(Morris/Urfer)**
- Installing the lights will increase the field usage time anywhere from three to five hours a night, depending on the time of year **(Morales/Urfer)**

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

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

Regular Council Meeting                      September 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 donation of various computer peripherals to Achieve Enterprise Services, Yuma and to the Yuma Union High School District. (Fin/Proc)
2. Ratify and approve the purchase order for the Valley Aquatic Center Commercial Pool Heater Replacement project to Polar Cooling, Yuma, AZ for a total cost of \$122,436.00. (Bid No. 2018-20000076) (Pks & Rec)
3. Authorize the purchase, delivery and installation of athletic field and batting cage lighting at Ray Kroc Sports Complex, Fields 2 and 3, to Musco Sports Lighting, Oskaloosa, IA, utilizing 1GPA Cooperative Purchase Agreement for an expenditure of \$1,413,450.00 (CPA-24-086) (Pks & Rec)

4. Authorize the purchase and installation of underground water, sewer, and electrical utilities for a prefabricated restroom to Yuma Valley Contractors, utilizing the Job Order Contract agreement for an estimated expenditure of \$155,606.50. (2019-20000049) (Pks & Rec)

## II. RESOLUTION CONSENT AGENDA

Resolution R2023-045 – Intergovernmental Agreement: Pedestrian Hybrid Beacons (with the State of Arizona Department of Transportation for the design and construction of Pedestrian Hybrid Beacons at three locations) (Eng)

**Motion** (Morales/Knight): To amend Resolution R2023-045, and the supporting staff report, to change the reference of ‘Palm Avenue’ to ‘Palm Drive’. Voice vote: **approved** 7-0.

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

**Bushong** displayed the following titles:

### **Resolution R2023-043**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving a development agreement permitting the deferral of City of Yuma development fees and water and sanitary sewer capacity charges for Desert Sands Unit No. 3 Subdivision** (deferral agreement is for three years from the date of execution and upon receipt of the \$500 administrative fee) (Eng)

### **Resolution R2023-044**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving a development agreement permitting the deferral of City of Yuma development fees and water and sanitary sewer capacity charges for Driftwood Ranch Unit No. 2 Subdivision** (deferral agreement is for three years from the date of execution and upon receipt of the \$500 administrative fee) (Eng)

### **Resolution R2023-045**

**A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving an Intergovernmental Agreement with Arizona Department of Transportation for the design and construction of pedestrian hybrid beacons at three locations** (beacons will be installed at 32<sup>nd</sup> Street and Palm Drive, Avenue C at Central Drain north of 22<sup>nd</sup> Lane, and South Avenue C and Crane Street; this Highway Safety Improvement Project is 100% grant funded) (Eng)

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

## III. INTRODUCTION OF ORDINANCES CONSENT AGENDA

Ordinance O2023-032 – Lease Amendment: Tesla Motors, Inc. (amend Ordinance O2013-064 and the December 20, 2013, Tesla Ground Lease to allow the charging of third-party electric vehicles) (Admin/Atty)

### Discussion

- Tesla pays \$100 per parking space per month, and there are a total of eight parking spaces being leased at this time (**Knight/Simonton**)

**Bushong** displayed the following titles:

**Ordinance O2023-032**

**An ordinance of the City Council of the City of Yuma, Arizona, amending Ordinance No. O2013-64 and the December 20, 2013, Tesla Ground Lease** (to allow the charging of third-party electric vehicles, which is restricted by the current lease) (Admin/Atty)

**Ordinance O2023-033**

**An ordinance of the City Council of the City of Yuma, Arizona, declaring certain real property and rights-of-way, hereafter described, surplus for City use and authorizing the vacating of rights-of-way and transfer of the surplus property pursuant to the terms of a development agreement with the Arizona Housing Development Corporation** (for the construction of six two-bedroom two-bathroom affordable housing units) (Plng & Nbhd Svcs)

**IV. PUBLIC HEARING AND RELATED ITEMS**

**Morris** declared a conflict of interest on Resolution R2023-046 and left the dais.

Resolution R2023-046 – General Plan Amendment: Avenue A (amend the City of Yuma General Plan to change the land use designation from Public/Quasi-Public to High Density Residential for property located at the southeast corner of Avenue A and 4<sup>th</sup> Street) (Plng & Nbhd Svcs/Cmty Plng)

**Mayor Nicholls** opened the public hearing at 6:09 p.m.

**Albers** presented the following information:

- Proposed change: Public/Quasi-Public to High Density Residential
- Area: 0.73 acres
- Surrounding land uses
  - North – Stormwater basin
  - South – Multi-family complex
  - East – Singly family homes
  - West – East Main Canal and multi-use path
- Development potential
  - Dwelling units – Potential increase of 22 units
  - Population – Potential increase of 42 persons
- Future development – 15-unit apartment complex
- Public Comment

**Motion** (Morales/Knight): To close the Public Hearing. Voice vote: **approved** 6-0-1, **Morris** abstaining due to conflict of interest. The Public Hearing closed at 6:10 p.m.

**Motion** (Morales/Knight): To adopt Resolution R2023-046 as recommended.

**Bushong** displayed the following title:

**Resolution R2023-046**

**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 from Public/Quasi-Public to High Density Residential for property located at the southeast corner of Avenue A and 4<sup>th</sup> Street**

(change the land use designation for approximately 0.73 acres of property to allow the construction of a multi-family housing project) (Plng & Nbhd Svcs/Cmty Plng)

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

**Morris** returned to the dais.

**V. ANNOUNCEMENTS AND SCHEDULING**

Announcements

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

Scheduling – No meetings were scheduled at this time.

**VI. SUMMARY OF CURRENT EVENTS**

**Simonton** reported the following events:

- October 7<sup>th</sup> - Tacos and Tunes Block Party in Historic Downtown Yuma
- October 7<sup>th</sup> - YumaCon at the Yuma Civic Center
- October 7<sup>th</sup> - Surplus Auction at the City of Yuma Surplus Property Yard

**VII. CALL TO THE PUBLIC**

**Clyde Gill**, City resident, expressed disappointment that the upcoming November 2023 Special Election will be an all-mail ballot, recalling memories of voting with his father as a child and taking his own children to vote.

**Diane Crites**, City resident, spoke regarding the frequent flooding at the intersection of Arizona Avenue and Palo Verde, and asked when the stormwater issue in this area will be addressed. **Mayor Nicholls** directed **Simonton** to follow up with **Crites** and provide information on the upcoming Capital Improvement Program projects in the area of concern.

**VIII. EXECUTIVE SESSION/ADJOURNMENT**

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:31 p.m. No Executive Session was held.

\_\_\_\_\_  
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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