

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
SEPTEMBER 3, 2025
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:34 p.m.

INVOCATION/PLEDGE

Howard Blitz, Congregation Beth HaMidbar, gave the invocation. **Nadia Rangel**, Neighborhood Services Specialist, 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 Building Official, Randall Crist Fire Chief, Dusty Fields Assistant Director of Planning, Jennifer Albers Various Department Heads or their representative City Attorney, Richard W. Files City Clerk, Lynda L. Bushong

Presentation

Crist presented a plaque to Commissioner Jerry Griffin's family in recognition of his 20 years of service on the Building Advisory Board. It was announced that Jeremy Griffin, Jerry Griffin's son, will be taking over his father's seat on the board.

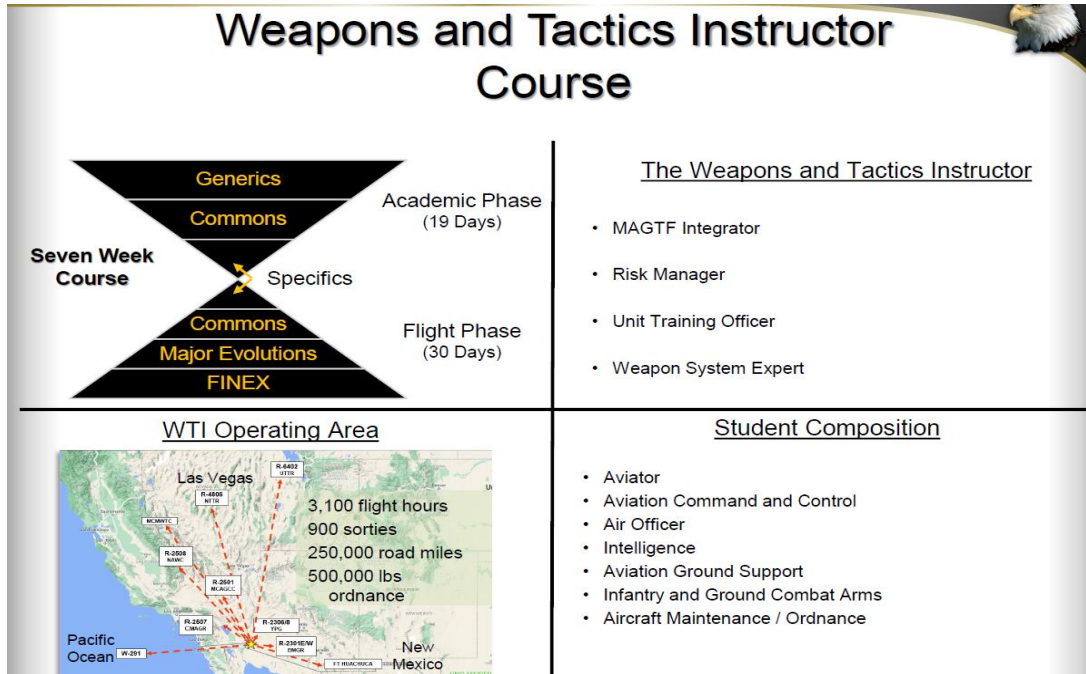
Briefing on the upcoming Marine Corps Air Station-Yuma (MCAS-Yuma) WTI Exercise

Colonel Jarred Stone, Commanding Officer of MCAS-Yuma, acknowledged the positive relationship between the City and MCAS-Yuma. He noted that the utilization of City facilities offers Marines realistic training experience and allows citizens to observe some of the training activities conducted in Yuma.

Major Sean Graham played a video showcasing the previous Weapons and Tactics Instructor (WTI) course, and provided the following information on the upcoming WTI training:

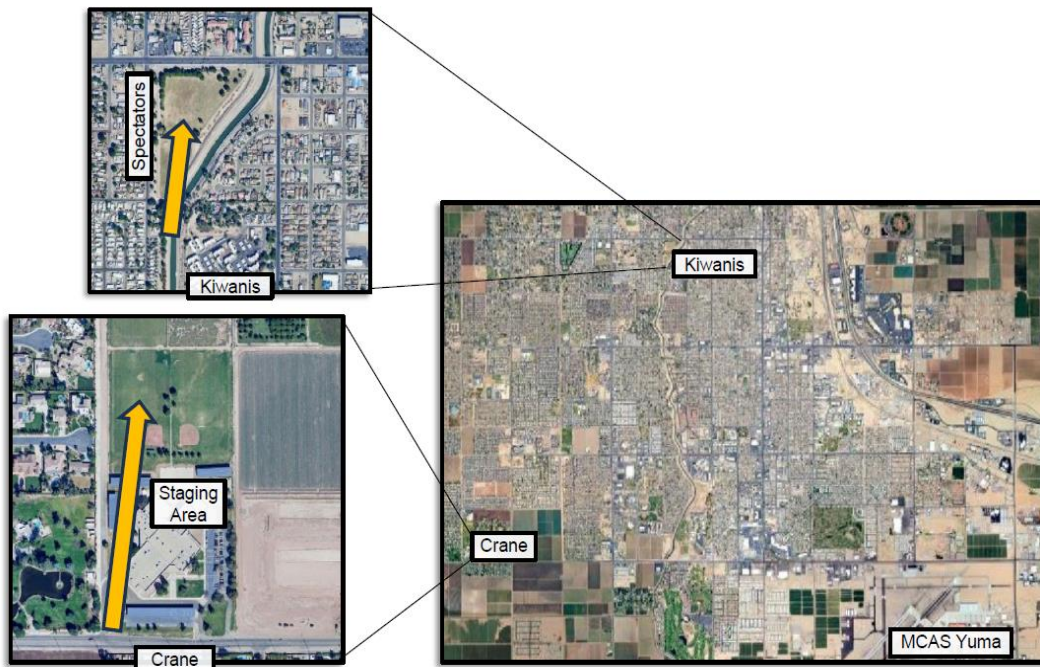
- Overview
 - From September 7th to October 26th, WTI students will conduct operations in and around the Yuma area
 - The flight phase will take place September 22nd through October 26th

- Purpose
 - To prepare United States Marine Corps aviation personnel for various combat environments by exposing them to a realistic and challenging training courses conducted over seven weeks in Yuma.
- Weapon and Tactics Instructor Course



- Foreign Humanitarian Assistance Evolution
 - The class provides Marines with the necessary skills to work with government agencies and offer support through logistical sites during disaster response situations.
 - Monday, October 6, 2025 from 6pm – 10pm
 - Operating from CH-53 and CH-53K helicopters, and utilizing:
 - * Crane Middle School
 - * Kiwanis Park
 - Evolution Coordination
 - Passenger Movement
 - * To simulate a disaster team
 - Local Agency Integration
 - * Yuma Police Department
 - * Yuma Fire Department
 - * City of Yuma Parks & Recreation
 - * Crane Leadership Team
 - Federal Aviation Agency Regulations
 - * Aircrafts will land at Kiwanis Park and Crane Middle School throughout the night

CH-53 Foreign Humanitarian Assistance Evolution



- At Kiwanis Park, about an hour of daylight is expected. Spectators are welcomed to get a clear view of several CH-53's coming into land through the evening.

Reading of General Aviation Appreciation Month Proclamation

Mayor Nicholls read a proclamation declaring September as General Aviation Appreciation Month recognizing General Aviation's significant contribution to the City of Yuma's economy and a key link to the State of Arizona and to the global marketplace.

Reading of Library Card Sign-Up Month Proclamation

Mayor Nicholls read a proclamation declaring September Library Card Sign-Up Month and encouraged everyone to sign up for their own library card.

Fire Chief Dusty Fields was recognized for 31 years of service with the City of Yuma. **Mayor Nicholls** awarded Chief Fields the Mayor's coin and expressed gratitude for his dedication and leadership within the City of Yuma Fire Department. **Simonton** shared a brief video featuring each member of the executive team and City Council taking a moment to honor Chief Fields.

I. MOTION CONSENT AGENDA

Motion Consent Item C.7 – Bid Award: Avenue 4E Sewer Line Extension, 36th Street to 28th Street (Award a construction services contract for Avenue 4E Sewer Line Extension, 36th Street to 28th Street to the lowest responsive and responsible bidder in the amount of \$4,457,078.23 to Gutierrez Canales Engineering, Yuma, Arizona) (RFB-25-280) (Eng/Purch)

Mayor Nicholls declared a conflict of interest on Motion Consent Agenda Item C.7, turned the meeting over to **Deputy Mayor Smith**, and left the dais.

Motion (Morales/McClendon): To approve Motion Consent Agenda Item C.7 as recommended. Voice vote: **approved** 6-0-1, **Mayor Nicholls** abstaining due to conflict of interest.

Mayor Nicholls returned to the dais.

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

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

Regular City Council Worksession Minutes	July 15, 2025
Regular City Council Meeting Minutes	July 16, 2025
Regular City Council Meeting Minutes	August 6, 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 Class A Bingo License application submitted by James McMillan on behalf of Carefree Village Resort located at 3900 S. Avenue 8 ½ E. (BL25-01) (Admn/Clk)
2. Approve a Series #07: Beer and Wine Bar Liquor License application submitted by Juanita Esparza, agent for Dirty South BBQ House located at 1095 S. 3rd Avenue. (LL25-15) (Admn/Clk)
3. Approve a Series #12: Restaurant Liquor License application submitted by Dania Vizcarra, agent for Tacos Marlyn Yuma located at 2820 S. 4th Avenue. (LL25-13) (Admn/Clk)
4. Approve a Series #10: Beer and Wine Store Liquor License application submitted by John Curtis II, agent for Walmart Fuel Station #4325 located at 8151 E. 32nd Street #2. (LL25-14) (Admn/Clk)

5. Authorized the purchase of rye grass seed to the lowest responsive and responsible bidder for a total expenditure of \$125,736.00 (excluding tax) to Helena Agri Enterprise of Phoenix, Arizona. (RFB-26-027) (Pks & Rec/Purch)
6. Authorize the award for a one-year roof repair and maintenance services contract with the option to renew for four additional one-year periods, one year at a time, at an estimated annual expenditure of \$80,000.00, depending on the appropriation of funds and satisfactory performance, to Roofing Technologies, Yuma, Arizona. (RFB-25-291) (Facil Mgmt/Purch)
7. Pulled for separate consideration; see above.
8. Authorize the use of the Cooperative Purchase Agreement initiated by the City of Tucson through Omnia Partners Network, for the purchase and delivery of elevator, escalator, chairlift and platform lift maintenance and repair and related services with Otis Elevator, Farmington, Connecticut, for an estimated annual expenditure of \$24,000.00. (CPA-21-139) (Facil Mgmt/Purch)
9. Authorize the purchase of dispatch console equipment and services for the Emergency Dispatch backup Center utilizing a Cooperative Purchase Agreement through the Houston-Galveston Area Council, from Russ Bassett Corporation, Whittier, California for a total expenditure of \$115,296.54. (CPA-26-024) (YPD/Purch)
10. Authorize the use of the National Cooperative Purchasing Alliance (NCPA) Cooperative Purchase Agreement for a three-year renewal of asset management software subscription "OpenGov" including expansion to the Utilities and Facilities Management Departments, for a total estimated expenditure of \$750,000.00 to Vertosoft, Leesburg, Virginia. (CPA-25-194) (IT/Purch)
11. Authorize the City Administrator to execute a professional services contract for the required Development Fee update at a total cost of \$249,460.00 to PSOMAS, Tucson, Arizona. (RFQ-25-318) (Eng/Purch)
12. Authorize the City Administrator to execute a one-year contract with the option to renew for four additional on-year periods, one period at a time, depending on the appropriation of funds and satisfactory performance, at an estimated annual amount of \$474,849.00, with the following landscape contractors: APV Curbing Landscape and Masonry, Yuma, Arizona; Arbor Tech Tree & Landscape Services, Yuma, Arizona; JSA Company, Yuma, Arizona; (RFQ-25-293) (Pub Wrks/Purch)
13. Authorize a 6-month rental/lease contract for specialized recycling sewer cleaning truck with a budgeted expenditure of \$130,920.00 to AWI, Phoenix, AZ. (CI-26-039) (Utl/Purch)
14. Authorize the City Administrator to execute two Subrecipient Agreements for Fiscal Year 2025-2026, totaling \$200,000 awarding CDBG funding in accordance with the Annual Action Plan adopted by City Council on July 2, 2025. (Nbhd & Econ Dev)
15. Adopt the City of Yuma Affordable Housing Plan developed by Root Policy Research. (Plng & Nbhd Svcs/Nbhd Svcs)

16. Approve the final plat of the Premier Storage Condominiums of Yuma Unit 2 LLC, Phases X, XII, and XIV. The property is located near the southwest corner of 32nd Street and Avenue 4E. (Cmty Dev/Cmty Plng)

II. RESOLUTION CONSENT AGENDA

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

Bushong displayed the following title(s):

Resolution R2025-082

A resolution of the City Council of the City of Yuma, Arizona, ordering improvements for Municipal Improvement District No. 130, serving La Vida Townhomes, to operate, maintain and repair landscaping improvements included within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures of La Vida Townhomes, as more particularly described in this resolution, and declaring the landscape improvements to be of more than local or ordinary public benefit, and the cost of the landscape improvements shall be assessed upon Municipal Improvement District No. 130; improvements shall be performed under Arizona Revised Statutes (A.R.S) Title 48, Chapter 4, Article 2 (located at the northwest corner of 34th Street and DeVane Drive) (Plng & Nbhd Svcs/Cmty Plng)

Resolution R2025-083

A resolution of the City Council of the City of Yuma, Arizona, approving termination of a 2022 Economic Development and lease of sewer capacity agreement between the City of Yuma and Dole Fresh Vegetables, Inc. (Dole permanently closed its operations in Yuma on November 10, 2024) (Admn)

Resolution R2025-086

A resolution of the City Council of the City of Yuma, Arizona, authorizing and approving the execution of a Development Agreement with Juniper Tree Academy for property located at the southeast corner of 16th Street and Avenue C (the City and property owner have developed a traffic safety plan to maintain public safety and mitigate future traffic congestion) (Admn)

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

III. ADOPTION OF ORDINANCES CONSENT AGENDA

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

Bushong displayed the following title(s):

Ordinance O2025-029

An ordinance of the City Council of the City of Yuma, Arizona, vacating the described right-of-way, declaring the right-of-way surplus and of greater value to the City when developed as part of a subdivision, and authorizing the execution of all necessary documents for transfer of the vacated property to the abutting landowner (vacation of 48th Street (County 13th Street) right-of-way between "A" Canal and Avenue 6E to Kerley Investments of Yuma, LLC) (Eng)

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

IV. INTRODUCTION OF ORDINANCES

Ordinance O2025-033 – Amend Yuma City Code: 2024 International Building Code with Amendments (amend Yuma City Code Chapter: 15, Sections 150-015 and 150-016) (Comm Dev/Bldg Sfty)

Speakers

Diana Flermon, City resident, has expressed her opposition to barriers that prevent access to the second floor of a building. She believes it is essential for the second floor to be accessible for individuals who are unable to use the stairs.

Sarah Burris, nonresident, stated that following her husband's traumatic brain injury, due to a bike accident, he is completely wheelchair bound. She emphasizes the importance of ensuring that all buildings in the city are accessible beyond the first floor for individuals with limited mobility to allow them to participate in events alongside the rest of the community.

Alexis Liggett, nonresident, explains she became part of the disability community seven years ago through her son who uses mobility aids to move around, and she agrees that two story buildings should be accessible to people with disabilities.

Melissa Soto, City resident, asked Mayor and City Council to consider the needs of residents with disabilities when making decisions regarding the code amendments outlined in Ordinance O2025-033. **Soto** believes everyone deserves equal access to all City buildings regardless of any limitations they may have.

Motion (McClendon/Watts): to move Ordinance O2025-033 to the September 17, 2025, City Council meeting for further discussion on the written amendment. Voice vote: **approved** 7-0.

Discussion

- If the text amendments are introduced at this Council Meeting, they will be put to a vote at the following Council Meeting, followed by a 30-day referendum period. This sets the timeline to around the middle of October. However, the amendments will take effect on February 1, 2026, allowing ample time to complete ongoing plans, and time for the City to update their standard plans for the design professionals and contractors. In this case, after the 30-day implementation period, there would also be an additional three-month grace period. (**Morris/Crist**)

Bushong displayed the following title(s):

Ordinance O2025-030

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and approving a lease of City-owned property with Keithly-Williams Seed, Inc. (12.39 acres and the Associated Citrus Packers, Inc. building recently acquired by the City) (Admn)

Ordinance O2025-031

An ordinance of the City Council of the City of Yuma, Arizona, authorizing the sale of certain City-owned property under an option to purchase, together with City acquisition of a separate parcel up to 10,160 square feet if the option is exercised (option to purchase 2888 Kyla Avenue) (Admn)

Ordinance O2025-032

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 District (R-1-6/IO), and amending the zoning map to conform with the rezoning (located at 1749 S. Madison Avenue) (Cmty Dev/Cmty Plng)

Ordinance O2025-034

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, Sections 150-180 and 150-181, adopting by reference the 2024 *International Residential Code for One- and Two- Family Dwellings*, including appendices BB, BF, BG, BH, BJ, BO, CD, and CF, and the amendments recommended by the Residential Advisory Board dated July 30, 2025, and providing a penalty for violations thereof (up-to-date modern codes offer safe environments for occupants of both residential and commercial structures) (Cmty Dev/Bldg Sfty)

Ordinance O2025-035

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, Sections 150-170 and 150-171, adopting by reference the 2024 *International Existing Building Code*, including appendix A, B, and E, and the amendments recommended by the Building Advisory Board dated June 11, 2025, and providing a penalty for violations thereof (up-to-date modern codes offer safe environments for occupants of both residential and commercial structures) (Cmty Dev/Bldg Sfty)

Ordinance O2025-036

An ordinance of the City Council of the City of Yuma, Arizona, amending Title 15 of the Yuma City Code, Chapter 150, Sections 150-090 and 150-091, adopting by reference the 2024 *International Property Maintenance Code*, including appendix A, and the amendments recommended by the Residential Advisory Board dated July 22, 2025, and the Building Advisory Board dated July 16, 2025, and providing a penalty for violations thereof (up-to-date modern codes offer safe environments for occupants of both residential and commercial structures) (Cmty Dev/Bldg Sfty)

V. PUBLIC HEARING AND RELATED ITEMS

Resolution R2025-084 – Minor General Plan Amendment: 1980 W. Colorado Street (Following a public hearing, approve the request to amend the City of Yuma General Plan to change the land use designation from Low Density Residential to High Density Residential) (Plng & Nbhd Svcs/Cmty Plng)

Morris declared a conflict of interest on Resolution R2025-084 as his firm may be potentially involved in the design of the building for this project. **Morris** left the dais.

Mayor Nicholls opened the public hearing at 6:39 p.m.

Albers presented the following information:

- Proposed change: This is a request by Dylan Freeman on behalf of the property owner to change the land use designation from Low Density Residential to High Density Residential
- Area: Approximately 2.78 acres located at 1980 West Colorado Street
- Surrounding Land Uses
 - North – Resort/Recreation/Open Space (Colorado River Levee Linear Park)
 - South – Low Density Residential

- East – Low Density Residential
- West – High Density Residential (approved August 6, 2025)
- Development Potential
 - Proposed project – Pursue a rezone to R-3 High Density Residential for future single-family and multi-family dwellings
 - Allows 83 units to be developed on the site, with a potential development population of 149 persons
- One public comment was received noting concerns with the two stories adjacent to their project, which is the future apartments on the west
- On August 11, 2025, the Planning and Zoning Commission recommended approval of the request

Motion (Smith/Morales): To close the Public Hearing. Voice vote: **approved** 7-0. The Public Hearing closed at 6:41 p.m.

Discussion

- The property is currently zoned as a Manufactured Home Park. It will eventually be rezoned to the High Density Residential. If the site maintained its current zoning, the higher density would allow for a significant number of units. (**Mayor Nicholls/Albers**)

Motion (Morales/Smith): To adopt Resolution R2025-084.

Bushong displayed the following title:

Resolution R2025-084

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 2.78 acres at 1980 W. Colorado Street from Low Density Residential to High Density Residential (rezoning of the site to High Density Residential (R-3) zoning district for the development of single-family and multi-family units) (Plng & Nbhd Svcs/Cmty Plng)

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

Morris returned to the dais.

VI. ANNOUNCEMENTS AND SCHEDULING

Announcements

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

- Arizona State University Morrison Institute Annual Policy Summit
- Push Ceremony for Fire Engine Five
- Yuma County Anti-Drug Coalition Meeting
- Greater Yuma Water Safety Alliance Water Safety Workshop
- Arizona League of Cities and Towns Conference
- Greater Yuma Water Safety Alliance Water Safety Presentation at Crane Middle School
- Jennifer Blackwell for Water Safety Wednesday
- Greater Yuma Water Safety Alliance Monthly Meeting

- Yuma Metropolitan Planning Organization Meeting
- Visit Yuma Board Meeting
- Heritage Area Executive Committee Meeting
- Greater Yuma Economic Development Corporation AD HOC Committee Meeting
- Arizona Statewide Tour for Love Your School
- 'Good Morning Yuma' Radio Show
- First Things First Greater Yuma Child Care Forum
- Presentation of Beautification Efforts along the Colorado River by Wendy Stewart
- Second Arizona Space Commission Meeting
- City of Yuma Expenditure Limitation Meeting

Scheduling – No meeting scheduled at this time.

VII. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- September 5 – Yuma Rocks Concert
- September 11 – 9/11 Ceremony at Fire Station 1
- September 13 – City of Yuma Father Daughter Dance

Simonton reminded the community about the 9th Annual International Bike Ride scheduled for October 25th, 2025, noting that there is no fee to participate in this family event.

VIII. CALL TO THE PUBLIC

Greg Wilkinson, City resident, spoke regarding ARS 16-1019, the campaign sign law, highlighting incidents within the community involving the destruction or removal of political signs and the repercussions of such actions.

IX. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 7:00 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: _____

DRAFT