

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
NOVEMBER 19, 2025
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:33 p.m.

INVOCATION/PLEDGE

Eugene Johnson, Jr., Central Church of Christ, gave the invocation. **Howard Blitz**, Director of the Freedom Library, 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, Smith, Morales, Watts, and Mayor Nicholls

Councilmembers Absent: McClendon

Staffmembers Present:
Acting City Administrator, John D. Simonton
Director of Community Development, Alyssa Linville
Various Department Heads or their representative
City Attorney, Richard W. Files
City Clerk, Lynda L. Bushong

Freedom Library Book Presentation

Howard Blitz, Director of the Freedom Library, and retired attorney **Larry Deason** presented City Council with a book focused on the 28 principles upon which the U.S. Constitution was founded. They suggested the book could serve as a resource for leadership programs and emphasized its value in understanding governance based on the Founding Fathers' original writings. Both expressed appreciation for the opportunity to share the gift and encouraged City Council to read and consider incorporating it into future educational efforts.

I. MOTION CONSENT AGENDA

Motion (Smith/Morales): To approve the Motion Consent Agenda as recommended. Voice vote: **approved** 6-0.

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

Special Council Meeting

October 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 Series #12: Restaurant Liquor License application submitted by Fernando Gonzalez Ruiz, agent for Burros & Fries located at 1680 S. Pacific Avenue. (LL25-19) (Admn/Clk)
2. Authorize the renewal of the Microsoft Subscription Licensing through an Arizona State Cooperative Purchase Agreement (three-year Enterprise Agreement (EA)) for an estimated annual expenditure of \$650,000 with SHI International Corp., Somerset, New Jersey. (CPA-25-172) (IT)
3. Authorize the renewal and upgrade of the City's primary and secondary internet circuits to 10 Gbps, establishing dual-provider redundancy through Lumen Technologies and Allo Communications under a State of Arizona Cooperative Purchase Agreement and City Service Contract, in the estimated amount of \$75,000 annually for a five-year term. (CPA-26-163) (IT)
4. Authorize the execution of a job order contract (JOC) to conduct various repairs throughout City of Yuma's Main Street Water Treatment Plant to be processed by PCL Construction, Inc., for an expenditure of \$1,206,877.00. (RFQ-25-159) (Eng)
5. Approve settlement of the City of Yuma v. Yuma County Flood Control District et al. lawsuit. (City Atty)

II. ADOPTION OF ORDINANCES CONSENT AGENDA

Ordinance O2025-045 – Rezoning of Property: Three properties located along 1st Avenue, between 12th Street and 13th Street (rezone approximately 1.29 acres from Light Industrial/Infill Overlay to Medium Density Residential/Infill Overlay) (ZONE-44371-2025) (Comm Dev/Comm Plng)

Morris declared a conflict of interest on Ordinance O2025-045 as his firm is involved in the project and left the dais.

Motion (Smith/Watts): To adopt Ordinance O2025-045.

Bushong displayed the following title:

Ordinance O2025-045

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 Medium Density Residential/Infill Overlay (R-2/IO) district, and amending the zoning map to conform with the rezoning (rezone three properties located along 1st Avenue, between 12th Street and 13th Street) (ZONE-44371-2025) (Comm Dev/Comm Plng)

Roll call vote: **adopted** 5-0-1, **Morris** abstaining due to conflict of interest.

Morris returned to the dais.

Ordinance O2025-044 – Lease: Elevate Southwest (two-year lease with an additional three-year option with Yuma Multiversity Campus Corporation, DBA Elevate Southwest, for City-owned property located at 2450 South Madison Avenue) (City Admin)

Discussion

- Elevate Southwest approached the City urgently after vacating their previous location and agreed to invest over \$25,000 in improvements, which justified the \$500 monthly rent. This arrangement was based on immediate need, and there is no formal process for notifying nonprofits about available properties. (**Martinez/Simonton**)
- Other nonprofits also lease City properties at comparable or lower rates, such as the Yuma Crossing Heritage Area and the Boys & Girls Club for \$1 per month, and Amberly's Place for about \$1,100 monthly. The current agenda item pertains only to the lease, not broader Innovation District activities. (**Morris/Simonton**)

Motion (Smith/Morris): To adopt Ordinance O2025-044.

Bushong displayed the following title:

Ordinance O2025-044

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and approving a lease of City-owned property with Yuma Multiversity Campus Corporation, DBA Elevate Southwest, a 501-C3 non-profit Arizona corporation (lease will provide Elevate Southwest with an interim location for operations while plans advance for a future Innovation Hub complex that will provide a permanent facility) (City Admin)

Roll call vote: **adopted 4-2, Martinez and Morales voting nay.**

Motion (Morris/Morales): To adopt the remainder of the Ordinances Consent Agenda as presented.

Bushong displayed the following title:

Ordinance O2025-046

An ordinance of the City Council of the City of Yuma, Arizona, creating Title 19, Chapter 196 of the Yuma City Code relating to cross-connection control; repealing conflicting provisions; and establishing a penalty for violations thereof (to strengthen enforcement, align with state and federal expectations, and provide long-term certainty for residents and businesses) (Utl)

Roll call vote: **adopted 6-0.**

III. INTRODUCTION OF ORDINANCES

Ordinance O2025-047 – Rezoning of Property: 1731 S. Madison Avenue (rezone approximately 0.15 acres from Light Industrial/Infill Overlay to Low Density Residential/Infill Overlay) (ZONE-44389-2025) (Comm Dev/Comm Plng)

Morris declared a conflict of interest on Ordinance O2025-047 as his firm may be involved in the design work for the project and left the dais. There being no questions or discussion, **Morris** returned to the dais.

Ordinance O2025-048 – Rezoning of Property: 3064 and 3116 S. Avenue B (rezone approximately 6.65 acres from General Commercial to High Density Residential/Aesthetic Overlay) (ZONE-44333-2025) (Comm Dev/Comm Plng)

Discussion

- Utilities and Engineering have reviewed the project and reported no concerns related to roads, water, sewer, or traffic impacts at this time. (**Smith/Linville**)

Bushong displayed the following titles:

Ordinance O2025-047

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, rezoning certain property located in the Light Industrial/Infill Overlay (L-I/IO) District to the Low Density Residential/Infill Overlay (R-1-6/IO) district, and amending the zoning map to conform with the rezoning (rezone approximately 0.15 acres located at 1731 S. Madison Avenue) (ZONE-44389-2025) (Comm Dev/Comm Plng)

Ordinance O2025-048

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 (B-2) District to the High Density Residential/Aesthetic Overlay (R-3-6/AO) District, and amending the zoning map to conform with the rezoning (rezone approximately 6.65 acres located at 3064 and 3116 S. Avenue B) (ZONE-44333-2025) (Comm Dev/Comm Plng)

IV. ANNOUNCEMENTS AND SCHEDULING

Announcements

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

- Yuma Coalition to End Homelessness Conference
- Women Leading Government Conference
- Gary Knight Memorial Highway Unveiling Ceremony
- Bench Dedication at Gateway Park
- Unwined Fundraiser for the Children's Museum of Yuma County
- Salvation Army Red Kettle Kickoff
- Arizona League of Cities & Towns Executive Committee Meeting
- Heroes Run 5K
- Holiday Tree Lighting at Yuma Palms Mall
- Somerton Corn Festival Kickoff

Scheduling – No meetings were scheduled at this time.

V. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- November 22nd – Third Annual Archery Tournament at the PAAC
- November 24th – Valley Aquatic Center closure for pool replastering through mid-February
- November 27th and 28th – City Hall offices closed for the Thanksgiving holiday
- Registration is open for the next Neighborhood Leadership Academy Program, which will begin in mid-January.

VI. CALL TO THE PUBLIC

Dale Dumo, City resident, expressed gratitude to the City of Yuma for its support of the inaugural 9/11 Heroes Run on September 13, 2025, which drew approximately 600 participants to honor the victims, first responders, and military service members of 9/11 and the wars that followed.

VII. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:16 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: _____