

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
JANUARY 3, 2024
5:30 p.m.

CALL TO ORDER

Mayor Nicholls called the City Council meeting to order at 5:31 p.m.

INVOCATION/PLEDGE

Deacon David Clark, Immaculate Conception Church, gave the invocation. **Thomas Garrity**, Chief of Police, 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
Director of Engineering, David Wostenberg
Chief of Police, Thomas Garrity
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.

I. MOTION CONSENT AGENDA

Motion Consent Agenda Item C.3 – Bid Rejection: Avenue B, 24th Street to 16th Street Project (Pursuant to Yuma City Code § 36-36, reject all bids received for the reconstruction of Avenue B, 24th Street to 16th Street, due to the bids exceeding the budgeted amount for the project) (RFB-23-203) (Eng)

Mayor Nicholls declared a conflict of interest on Motion Consent Agenda Item C.3 as his firm was engaged in this project, turned the meeting over to Deputy Mayor Morris, and left the dais.

Motion (Morales/Knight): To approve Motion Consent Agenda Item C.3 as recommended. Voice vote: **approved** 6-0-1, **Mayor Nicholls** abstaining due to conflict of interest.

Mayor Nicholls returned to the dais.

Motion Consent Agenda Item C.6 – Contract Increase: Hotel Del Sol Multi-Modal Transportation Center (authorize a change order in the amount of \$214,030.00 for preconstruction services) (RFP 2020-20000136) (Eng)

Discussion

- These additional funds are necessary for design changes needed to meet State Office of Historic Preservation (SHPO) requirements and to get the environmental clearance required to move on to the next phase of the project; the final construction price cannot be determined until the design is complete (**Shoop/Wostenberg**)
- The City is preparing to re-advertise for a Public Private Partnership (P3), and once the P3 partner is in place the final design can be completed; if a P3 partner is not found, the City will move forward with the building shell only (**Shoop/Wostenberg**)
- Total expenditures to date are around \$1.5 million; the City has been awarded just under \$2 million in grants for this project, with matching funds just slightly over \$470,000 (**Shoop/Wostenberg**)
- The SHPO and environmental clearance are required due to the City receiving federal grant funds for this project; structural issues made refurbishment cost prohibitive and the decision was made to construct a new building while maintaining the north and east facades, creating additional work and costs (**Simonton**)
- A quarterly update on the City's Capital Improvement Program (CIP) projects can be presented to City Council moving forward to keep them apprised of the projects' progress and any changes to projected costs (**Morris/Wostenberg/Simonton**)
- Change orders do not always mean that the City is spending more money than intended; often they are a normal part of the construction process as a project progresses and more information becomes available (**Mayor Nicholls**)
- City Council will be provided with the most recent renderings created by the project's architects based on comments from SHPO (**Shelton/Simonton**)
- The City has not delayed any road improvements as a result of the change orders required by this project (**Morales/Wostenberg**)

Motion Consent Agenda Item C.5 – Request for Proposal Award: Promotional Testing Services (execute a one-year contract with the option to renew for four additional one-year periods at an estimated annual expenditure of \$50,000) (RFP-24-149) (YPD)

Discussion

- 65% of YPD's sergeants and 100% of YPD's captains are eligible to retire in the next two years; this contract will help determine the best qualified candidates to serve the community and the department's needs (**Morales/Garrity**)
- YPD previously utilized an assessment center, but has not had one in place for approximately 20 years; it is not known why the decision was made to move away from that process (**Morales/Garrity**)
- Actual expenditures will likely be closer to just below \$50,000 for the first year and between \$15,000 and \$20,000 per year thereafter; the first year is more expensive because of the time and effort it takes to customize the program to Yuma's specific needs, culture, and expectations (**Morales/Garrity**)
- While not all of those eligible for retirement will retire, YPD needs to be prepared in the event that they do (**Smith/Garrity**)

Motion (Knight/Morris): To approve the Motion Consent Agenda as recommended, with the exception of Item C.3 which was adopted through a previous vote. Voice vote: **approved** 7-0.

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

There are no minutes scheduled for approval at this time.

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. Award to the lowest responsive and responsible bidder the purchase of various polymer meter boxes and lids at an annual expenditure of approx. \$438,250.00 for a six-year period (total expenditure \$2,629,500.00) to: Yuma Winnelson Co. (RFB-24-145) (Utl)
2. Award a three-year contract to the lowest responsive and responsible bidder for the purchase of Aluminum Chlorohydrate (ACH) at an estimated expenditure of \$129,339.00 for this fiscal year, and an estimated annual expenditure for two and one-half years of \$366,460.16 to USALCO of Baltimore, Maryland (RFP-24-150) (Utl)
3. Pulled for separate consideration; see above.
4. Authorize the purchase of various Grounds and Turf Maintenance Equipment from: Hillyard Inc., Mesa, AZ; Stotz Equipment, Avondale, AZ; and RDO Equipment, Yuma AZ, utilizing Sourcewell and Mohave Education Services cooperative purchase agreements, at an estimated cost of \$210,888.38 (CPA-24-131) (Pks & Rec)
5. Authorize the City Administrator to execute a one-year contract for Promotional Testing Services with Morris & McDaniel of Alexandria, Virginia with the option to renew for four additional one-year periods at an estimated annual expenditure of \$50,000. (RFP-24-149) (YPD)
6. Authorize a change order in the amount of \$214,030.00 to CORE Construction, Inc. of Phoenix, Arizona for preconstruction services. (RFP 2020-20000136) (Eng)
7. Authorize the City Administrator to execute a contract increase for the Desert Dunes WRF Capacity Increase Project, for post design engineering services to Carollo Engineers, Inc. Phoenix, Arizona in an amount not to exceed \$1,456,212.00. (RFQ-22-068) (Eng)

II. ADOPTION OF ORDINANCES CONSENT AGENDA

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

Bushong displayed the following title:

Ordinance O2023-040

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, relating to zoning regulations, providing for changes to allowable paving materials, parking dimensions, and parking allowances within residential and commercial districts (to provide adequate parking while limiting excessive, unnecessary parking spaces) (Plng & Nbhd Svcs/Cmnty Plng)

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

III. INTRODUCTION OF ORDINANCES

Bushong displayed the following titles:

Ordinance O2024-001

An ordinance of the City Council of the City of Yuma, Arizona, authorizing the granting of a utility easement for the installation of new electrical facilities at City-owned property near the intersection of Avenue 8½E and Desert Springs Drive (to serve the new fire station being constructed at this location) (City Admin)

Ordinance O2024-002

An ordinance of the City Council of the City of Yuma, Arizona, authorizing the amendment of an intergovernmental agreement with Yuma County and authorizing the acquisition of a new easement area necessary for the construction of a new sewer lift station and manhole near 40th Street and 4th Avenue (acquire additional easement necessary for the manhole and pipeline connecting with the lift station) (Eng)

Ordinance O2024-003

An ordinance of the City Council of the City of Yuma, Arizona, authorizing the abandonment of a portion of sanitary sewer line in exchange for a water utility easement (easement will allow for City installation and maintenance of water meters) (Eng)

Ordinance O2024-004

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 (approximately 6,286 square feet of property located at 1719 S. Madison Avenue) (Plng & Nbhd Svcs/Cmnty Plng)

Ordinance O2024-005

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 Low Density Residential (R-1-6) District to the High Density Residential (R-3) District, and amending the zoning map to conform with the rezoning (approximately 1.33 acres of property located at 1641 W. 10th Place) (Plng & Nbhd Svcs/Cmnty Plng)

FINAL CALL

Mayor Nicholls made a final call for the submission of Speaker Request Forms from members of the audience interested in speaking at the Call to the Public.

IV. ANNOUNCEMENTS AND SCHEDULING

Announcements

Shelton 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.

V. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- January 6th – Yuma Medjool Date Festival on downtown Main Street
- January 12th-13th – Art in the Park at Gateway Park
- January 16th – Water and Sewer Rate Public Hearing at the Thomas F. Allt Utilities Complex
- January 17th – Water and Sewer Rate Public Hearing in City Hall Council Chambers

Mayor Nicholls and **Simonton** clarified that the water and sewer rate public hearings being held by the City are completely separate from and unrelated to those being held by Foothills Utilities, which is a private utility company.

VI. CALL TO THE PUBLIC

Karen Watts, City resident, invited City Council and the citizens of Yuma, on behalf of Yuma National Association for the Advancement of Colored People Chapter 1016, to celebrate Martin Luther King Jr. (MLK) Day by attending a Walk & Community Celebration on January 15, 2024, at 11:00 a.m. The walk will begin at City Hall and will conclude at the MLK Youth Career Center.

VII. EXECUTIVE SESSION/ADJOURNMENT

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:06 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: _____
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