



City of Yuma City Council Meeting REVISED Agenda

Wednesday, May 15, 2024

5:30 PM

Yuma City Hall Council Chambers
One City Plaza, Yuma

Notice is hereby given, pursuant to Resolution R2015-047 that one or more members of the Yuma City Council may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL

Final call for submission of Speaker Request Forms for agenda related items.

PRESENTATIONS

ADDITION

- Formal Swearing In of New Councilmember

I. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action may be taken separately.

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

1. [MC 2024-064](#) **Regular Council Meeting Draft Minutes April 3, 2024**

Attachments: [2024 04 03 RCM Minutes](#)

B. Executive Sessions

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 Attorney)

C. Approval of staff recommendations:

1. [MC 2024-054](#) **Liquor License: A & R Grill**
Approve a Series #12: Restaurant Liquor License application submitted by Judith Lopez, agent for A & R Grill located at 712 S. 4th Avenue. (LL24-05) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. MAP Liquor License: A & R Grill](#)
2. [MC 2024-055](#) **Liquor License: Proper Dose**
Approve a Series #04: Wholesaler/Distributor Liquor License application submitted by Patricia Rodriguez, agent for Proper Dose located at 1775 E. Palo Verde Street #176. (LL24-03) (City Administration/City Clerk) (Lynda L. Bushong)

Attachments: [1. MAP Liquor License: Proper Dose](#)
3. [MC 2024-056](#) **Bid Award: Pavement Replacement - Avenue B between 24th Street and 16th Street**
Authorize the City Administrator to execute a construction services contract for pavement replacement on Avenue B between 24th Street to 16th Street, in the amount of \$3,589,151.54 to the lowest responsive and responsible bidder, Gutierrez Canales Engineering, Yuma, Arizona. (Engineering RFB-24-270) (David Wostenberg/Robin R. Wilson)
4. [MC 2024-057](#) **Bid Award: Ready Mix Concrete, Color and Stamp Mix**
Award to the sole bidder, BLT Companies, LLLP, Yuma, Arizona, the as-needed purchase and delivery of Ready-Mix Concrete, Color and Stamp Mix, a one-year contract with the option to renew for four additional one-year periods, at an estimated first-year cost of \$63,700.00, which will exceed \$100,000.00 over the five-year life of the contract, depending on the appropriation of funds and satisfactory performance. (Public Works/Streets-RFQ-24-167) (Joel Olea/Robin R. Wilson)

5. [MC 2024-058](#) **Cooperative Purchase Agreement: Playground Equipment**
 Authorize the purchase, delivery and installation of various playground equipment and shade with Exerplay, Cedar Crest, New Mexico, utilizing the Mohave Educational Services Cooperative Purchase Agreement for an expenditure of \$238,811.94.
 (Parks-CPA-24-301) (Eric Urfer/Robin R. Wilson)
6. [MC 2024-059](#) **Cooperative Purchase Agreement: Third-Party Emergency Medical Billing Services**
 Authorize the City Administrator to enter into a four-year agreement with an option to renew for up to six additional years, in two-year increments, for Third-Party Emergency Medical Billing Services with EMS Management and Consultants, Inc. (EMS|MC) of Winston-Salem, North Carolina, utilizing a Cooperative Purchase Agreement through the City of Tempe, Arizona, for an estimated annual expenditure of \$230,000.00 (CPA-24-286 Fire Department) (Dustin Fields/Robin R. Wilson)
7. [MC 2024-060](#) **Ratification of Purchase Order: Emergency Repair to Sanitary Sewer Overflow**
 Ratify a Purchase Order issued to SAK Construction, LLC of Tempe, AZ in an amount of \$124,500.00 for emergency bypass of a sanitary sewer line at Smucker Park.
 (Engineering/Utilities-EM-24-249) (David Wostenberg/Jeremy McCall/Robin R. Wilson)

II. RESOLUTION CONSENT AGENDA

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action may be taken separately.

1. [R2024-013](#) **Intergovernmental Agreement: Arizona Game and Fish Commission**
 Authorize the execution of an Intergovernmental Agreement (IGA) with the Arizona Game and Fish Commission, through the Arizona Game and Fish Department (AGFD) extending the current Community Fishing Program with the City of Yuma for the total not to exceed \$59,988 over the five-year agreement. (Parks & Recreation) (Eric Urfer)

Attachments:

- [1. RES IGA: Arizona Game and Fish Commission](#)
- [2. AGMT IGA: Arizona Game and Fish Commission](#)

2. [R2024-014](#) **Intergovernmental Agreement: State of Arizona Department of Transportation**
- Authorize the City Administrator to execute an Intergovernmental Agreement (IGA) with the State of Arizona Department of Transportation for the design of the 1st Street Shared Use Pathway Project. This is a Transportation Alternatives Program Funding (TA) project and is 94.3% grant funded, 5.7% local match, with a total amount of \$443,554.00. (Engineering) (David Wostenberg)

Attachments:

- [1. RES IGA: Arizona Department of Transportation for the 1st Street Shared Use Pathway Project](#)
- [2. AGMT IGA: Arizona Department of Transportation for the 1st Street Shared Use Pathway Project](#)

3. [R2024-015](#) **Order Improvements: Municipal Improvement District No. 127 Riverview Terrace Subdivision**
- Order Improvements for Municipal Improvement District (MID) No. 127 to serve Riverview Terrace Subdivision, to operate, maintain and repair landscaping improvements within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures (Landscape Improvements); declaring the Landscape Improvements to be of more than local or ordinary benefit, and that the costs of the Landscape Improvements for MID No. 127 shall be assessed upon the properties in MID No. 127 according to acreage; providing that the proposed Landscape Improvements shall be performed under Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2. (Community Development/Community Planning) (Alyssa Linville)

Attachments:

- [1. RES Order Improvements MID No. 127](#)
- [2. EXH A Order Improvements MID 127 Riverview Terrace Subdivision](#)

III. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item may be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

1. [O2024-013](#) **Compensation and Benefits for Municipal Judge**
- Establish compensation and benefits for the office of Municipal Judge from and after January 1, 2025. (Municipal Court) (Del Miller)

Attachments:

- [1. ORD Compensation and Benefits for Municipal Judge](#)

2. [O2024-015](#)**Grant of Easement: Yuma County Water Users' Association**

Authorize the grant of an easement to Yuma County Water Users' Association (YCWUA) along the south side of 28th Street, between Avenue C and 33rd Drive, for the relocation of a portion of the United States Bureau of Reclamation's (USBR) Thacker Lateral. (Engineering) (David Wostenberg)

Attachments:

1. [ORD Grant of Easement to YCWUA – 28th Street, between Avenue C and 33rd Drive](#)
2. [EXH B AGMT Grant of Easement to YCWUA - 28th Street, between Avenue C and 33rd Drive](#)

3. [O2024-016](#)**Rezoning of Property: 958 S. 3rd Avenue**

Approve the rezoning of an approximately 7,000 square foot lot from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District, for the property located at 958 S. 3rd Avenue, Yuma, AZ. (ZONE-42266-2024) (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:

1. [P&Z RPT Rezone 958 S. 3rd Avenue](#)
2. [ORD Rezone 958 S. 3rd Avenue](#)

4. [O2024-017](#)**Rezoning of Property: Southeast Corner of Avenue 6E and 48th Street**

Rezone approximately 77 acres from the Agriculture (AG) District to the Low Density Residential (R-1-6, R-1-8, and R-1-12) Districts for the properties located at the southeast corner of Avenue 6E and 48th Street. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

Attachments:

1. [P&Z REPORT Rezoning: Southeast corner of Avenue 6E and 48th Street](#)
2. [ORD Rezoning: Southeast corner of Avenue 6E and 48th Street](#)

IV. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

1. [O2024-019](#)

Right-of-Way Vacation and Exchange: JAKART Holdings, LLC

Authorize the vacation of 25 feet of 4th Avenue right-of-way (easement) in exchange for the underlying fee title to the remaining 75 feet of right-of-way with JAKART Holdings, LLC, and City acceptance of a utility easement. (Engineering) (David Wostenberg)

Attachments:

1. [ORD ROW Vacation and Exchange: JAKART Holdings, LLC](#)
2. [EXH A-B ROW Vacation and Exchange: Jakart Holdings, LLC](#)
3. [MAP ROW Vacation and Exchange: JAKART Holdings, LLC](#)

V. BUDGET AND RELATED ITEMS

1. [MC 2024-062](#)

Public Hearing: Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Program

Conduct a public hearing for the proposed Fiscal Year 2025 - Fiscal Year 2029 City of Yuma Capital Improvement Program pursuant to Yuma City Charter, Article XIII, Section 11 (Engineering) (Susan Cowey)

The following discussion may result in the approval of the Tentative Annual Budget for Fiscal Year 2024

2. [MC 2024-061](#)

Tentative Annual Budget for Fiscal Year 2025

Adopt the Fiscal Year 2025 Tentative Annual Budget in the amount of \$521,167,546 which includes a Capital Improvement Program budget of \$222,418,219; combined Maintenance Improvement Districts of \$672,094 and Operating Expenditure Budget of \$298,077,233; including Governmental and Enterprise operations. (Administration/Finance) (John D. Simonton/Douglas W. Allen)

Attachments:

1. [FY25 City of Yuma Budget Schedules A-G](#)

FINAL CALL

Final call for submission of Speaker Request Forms for Call to the Public.

VI. ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Announcements:

City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of May 2, 2024 through May 15, 2024. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.

City Council report of upcoming meetings.

City Council request for agenda items to be placed on future agendas.

2. Scheduling:

Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

VII. SUMMARY OF CURRENT EVENTS

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

VIII. CALL TO THE PUBLIC

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

IX. EXECUTIVE SESSION

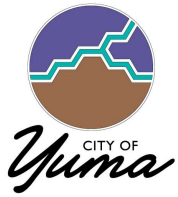
An Executive Session may be called during the public meeting for the purpose of receiving legal advice for items on this agenda pursuant to A.R.S. Section 38-431.03 A (1, 3, 4 and/or 7) and the following items:

A. Discussion, consideration, consultation, and/or direction to legal counsel regarding Article VI, Section 11, of the Yuma City Charter. (A.R.S. 38-431.03 A(1), A(3) and A(4)).

B. Discussion, consultation, and/or direction to legal counsel regarding different aspects of A.R.S. § 38-431 et seq. and state and federal constitutions. (A.R.S.38-431.03 A(3) and A(9)).

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, Yuma, AZ 85364-1436; (928) 373-5125 or TTY (928) 373-5149.



City of Yuma

City Council Report

File #: MC 2024-064

Agenda Date: 5/15/2024

Agenda #: 1.

Regular Council Meeting Draft Minutes April 3, 2024

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

CALL TO ORDER

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

INVOCATION/PLEDGE

Pastor Paula Milner, Yuma First Assembly of God, gave the invocation. **Christopher Grant**, Water Quality & Compliance Manager, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Morales, Smith, Knight, Morris, Shoop, and Mayor Nicholls
Councilmembers Absent: Shelton
Staffmembers Present: Acting City Administrator, John D. Simonton
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

City of Yuma's 110th Birthday Celebration

Mayor Nicholls read a proclamation celebrating the City of Yuma's 110th year of serving the community after being chartered as a city under the laws of the new State of Arizona on April 7th, 1914. **Mayor Nicholls** invited the community to attend the 110th Birthday Celebration taking place April 13, 2024, on Main Street, in Historic Downtown Yuma.

Month of the Military Child Proclamation

Mayor Nicholls read a proclamation declaring April 2024 Month of the Military Child. The proclamation recognizes and honors the sacrifices and contributions of military-connected children who serve alongside their parents and guardians. In addition, it will serve as a reminder to all citizens to express gratitude and appreciation to military families for their sacrifices and service to our nation.

I. MOTION CONSENT AGENDA

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

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

Regular Council Worksession Minutes February 20, 2024

Regular Council Meeting Minutes

February 21, 2024

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 #07: Beer and Wine Bar Location/Owner Transfer Liquor License application submitted by Jesus Alexis Orozco Avendano, agent for Tacos & Mariscos Costa Baja located at 1150 W. 24th Street. (LL24-02) (Admn/Clk)

II. ADOPTION OF ORDINANCES CONSENT AGENDA

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

Bushong displayed the following title(s):

Ordinance O2024-011

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 the zoning code to amend the lot coverage, setbacks, open space requirements, and height allowances for certain residential districts (update development standards, allow new development opportunities, and encourage an increase in residential density) (Plng & Nbhd Svcs/Cmty Plng)

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

III. INTRODUCTION OF ORDINANCES

Bushong displayed the following title(s):

Ordinance O2024-012

An ordinance of the City Council of the City of Yuma, Arizona, amending section 191-02 of the Yuma City Code, as amended, relating to local limits for industrial discharges to the publicly owned treatment works and ratifying the current formatting, lettering and numbering of Yuma City Code Chapter 191 (update the existing wastewater Local Limits in accordance with the finding of the Local Limits Figueroa Avenue Water Pollution Control Facility Report) (Utl/Admn)

IV. POTENTIAL CHARTER AMENDMENTS

Discussion

- Pursuant to State Law, the City consolidated its elections to even-numbered years a few years ago to align with state and federal elections; this caused a drastic change in the number of people voting. In accordance with the City Charter calculations, this resulted in the number of signatures required on candidate petitions to be much higher than it ever has been. A change in the number of required signatures should be considered. (**Simonton**)

Speaker

- **Patrick Cooley**, City resident, spoke in support of a salary increase for the Mayor and City Council. **Cooley** held meetings with several City of Yuma business owners and community members to receive input on the salary increase; there he found overwhelming support of the salary increase. **Cooley** is working on a comparison of salaries of the Mayor and City Council of other cities within the state of Arizona, and he is hoping to have data to share at an upcoming City Council meeting.

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.

V. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Announcements

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

Mayor Nicholls noted the Commissioner of Bureau of Reclamation, Camille Calimlim Touton, visited the City of Yuma on Wednesday, April 3, 2024, to present a five-million-dollar check to the Yuma East Wetlands to help upgrade infrastructure and replace diesel pumps with electrical pumps.

Mayor Nicholls discussed a few bills currently going through the State Legislature.

- The Yuma City Council supports Senate Bill 1162 and House Bill 2297.
- House Bill 2720 and House Bill 2721 still have some minor details to clear up before City Council can fully support these bills.
- Senate Bill 1506 and House Bill 2584 are closely being tracked by City Council; approval of these bills will bypass local level input and place the decision making at the State level.
- Stryker Bills are closely monitored by City Council since these bills can change overnight, and bills that may have been defeated can quickly come back with no time for input.

Scheduling – No meetings were scheduled at this time.

VI. SUMMARY OF CURRENT EVENTS

Simonton reported the following events:

- The Spring Slurry Seal Program remains in effect and will impact 24th Street between Avenue A and Avenue B this week. **Simonton** suggested motorists avoid the area if possible.
- A four-way stop will be installed at Avenue C and 12th Street to help with ongoing safety issues in the area. A traffic signal light will be installed in the future.
- April 13th – Yuma's 110th Birthday Celebration in Downtown Yuma
- April 11th – Yuma Parks and Recreation Arbor Day at Carver Park
- April 13th – Household Hazardous Waste event at the Public Works Facility
- April 17th – State of the City at the Pivot Point Conference Center

Simonton reminded the community to submit their Parks, Arts, Recreation, and Trails (P.A.R.T) Phase II Master Plan survey by the April 5th deadline.

VII. CALL TO THE PUBLIC

Rose McCammond, City resident, spoke regarding the need of repaving the road on County 17th between Avenue 3E and 4E which leads to the KOFA Ko-op Retreat RV campground.

The following people requested the City of Yuma adopt a Resolution calling for the release of hostages and ceasefire in Gaza:

- **Jennifer Reger**, City resident
- **Holly Danielle**, City resident
- **Charlene Young**, City resident
- **Sinai Lopez**, City resident
- **Cynthia Tovar**, City resident
- **Karla Sanchez**, City resident
- **Alea Hassin**, City resident
- **Jillian Verdugo**, City resident
- **Daisy Hernandez**, City resident
- **Layla Hassin**, non-resident

VIII. EXECUTIVE SESSION/ADJOURNMENT

Motion (Knight/Morales): To adjourn the meeting to Executive Session. Voice vote: **approved** 6-0. The meeting adjourned at 6:24 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Douglas J. Nicholls, Mayor

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

City Council Report

File #: MC 2024-054

Agenda Date: 5/15/2024

Agenda #: 1.

	STRATEGIC OUTCOMES	ACTION
DEPARTMENT: City Administration	<input type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Resolution
DIVISION: City Clerk	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Introduction <input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Liquor License: A & R Grill

SUMMARY RECOMMENDATION:

Approve a Series #12: Restaurant Liquor License application submitted by Judith Lopez, agent for A & R Grill located at 712 S. 4th Avenue. (LL24-05) (City Administration/City Clerk) (Lynda L. Bushong)

STRATEGIC OUTCOME:

Approval of this Liquor License aligns with City Council's Respected and Responsible strategic outcome as it provides notification to the public and transparency of City business.

REPORT:

Judith Lopez, agent for A & R Grill located at 712 S. 4th Avenue, has applied for a Series #12: Restaurant Liquor License.

The subject property has been posted for the required 20-day period and no arguments in favor of or opposed to the issuance of the license have been received.

The application has been reviewed by Planning & Neighborhood Services, the Police Department, the Fire Department, and Business Licensing.

Upon City Council's recommendation, this application will be forwarded to the Arizona Department of Liquor Licenses and Control for final processing.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
.			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

Application Fee: \$250.00

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

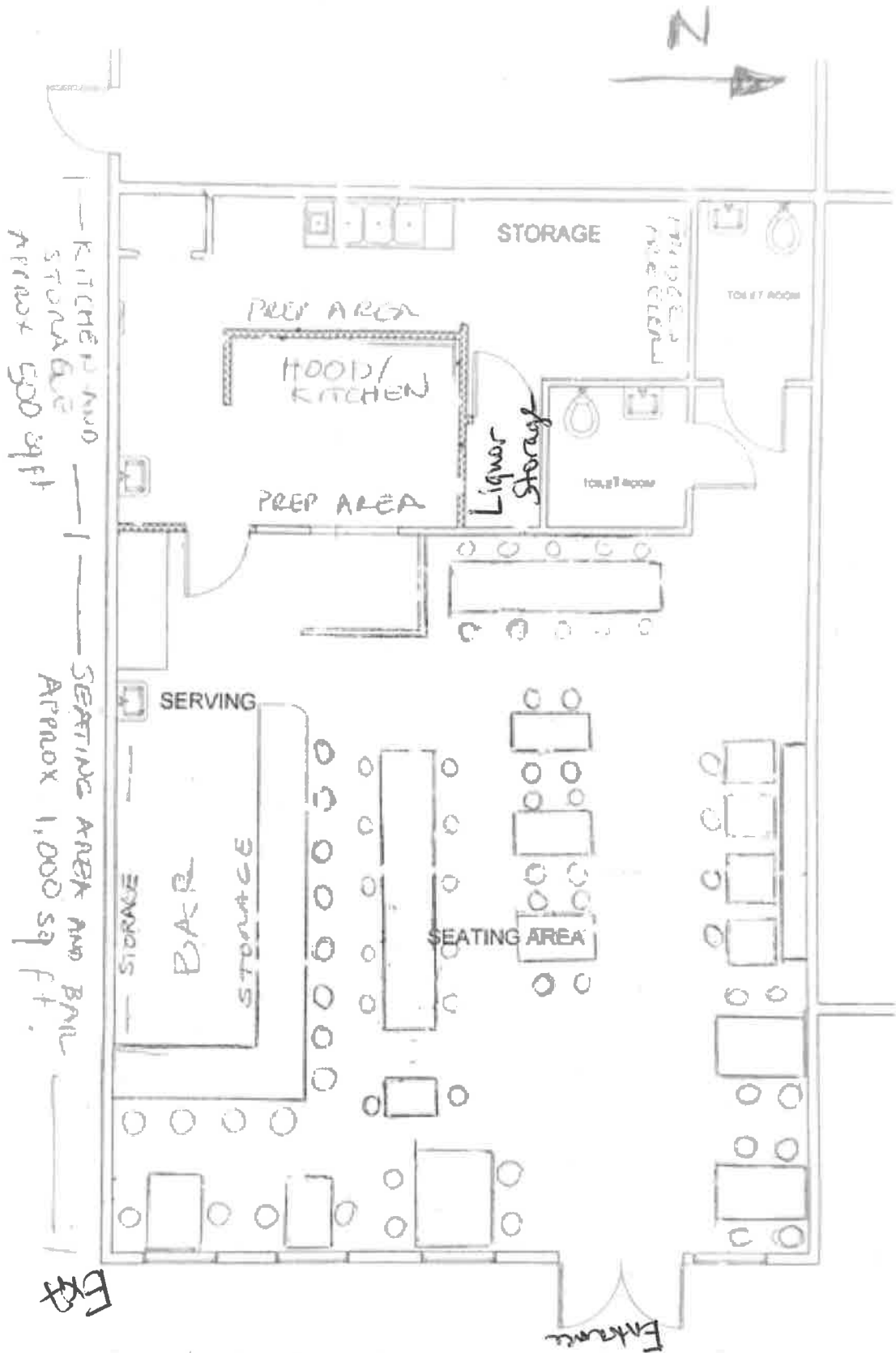
- 1. Series #12: Restaurant Liquor License application

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024

24 APR 5 Lic. Lic. PM 141

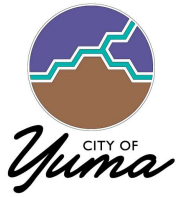


KITCHEN AND STORAGE
APPROX 500 sq ft

SEATING AREA AND BAR
APPROX 1,000 sq ft.

A/R BEER BAR AND GRILL
1500 sq ft TOTAL SPACE





City of Yuma

City Council Report

File #: MC 2024-055

Agenda Date: 5/15/2024

Agenda #: 2.

<p>DEPARTMENT: City Administration</p> <p>DIVISION: City Clerk</p>	<p>STRATEGIC OUTCOMES</p> <p><input type="checkbox"/> Safe & Prosperous</p> <p><input type="checkbox"/> Active & Appealing</p> <p><input checked="" type="checkbox"/> Respected & Responsible</p> <p><input type="checkbox"/> Connected & Engaged</p> <p><input type="checkbox"/> Unique & Creative</p>	<p>ACTION</p> <p><input checked="" type="checkbox"/> Motion</p> <p><input type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Ordinance - Introduction</p> <p><input type="checkbox"/> Ordinance - Adoption</p> <p><input type="checkbox"/> Public Hearing</p>
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TITLE:

Liquor License: Proper Dose

SUMMARY RECOMMENDATION:

Approve a Series #04: Wholesaler/Distributor Liquor License application submitted by Patricia Rodriguez, agent for Proper Dose located at 1775 E. Palo Verde Street #176. (LL24-03) (City Administration/City Clerk) (Lynda L. Bushong)

STRATEGIC OUTCOME:

Approval of this Liquor License aligns with City Council’s Respected and Responsible strategic outcome as it provides notification to the public and transparency of City business.

REPORT:

Patricia Rodriguez, agent for Proper Dose located at 1775 E. Palo Verde Street #176, has applied for a Series #04: Wholesaler/Distributor Liquor License.

The subject property has been posted for the required 20-day period and no arguments in favor of or opposed to the issuance of the license have been received.

The application has been reviewed by Planning & Neighborhood Services, the Police Department, the Fire Department, and Business Licensing.

Upon City Council’s recommendation, this application will be forwarded to the Arizona Department of Liquor Licenses and Control for final processing.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

Application Fee: \$250.00

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

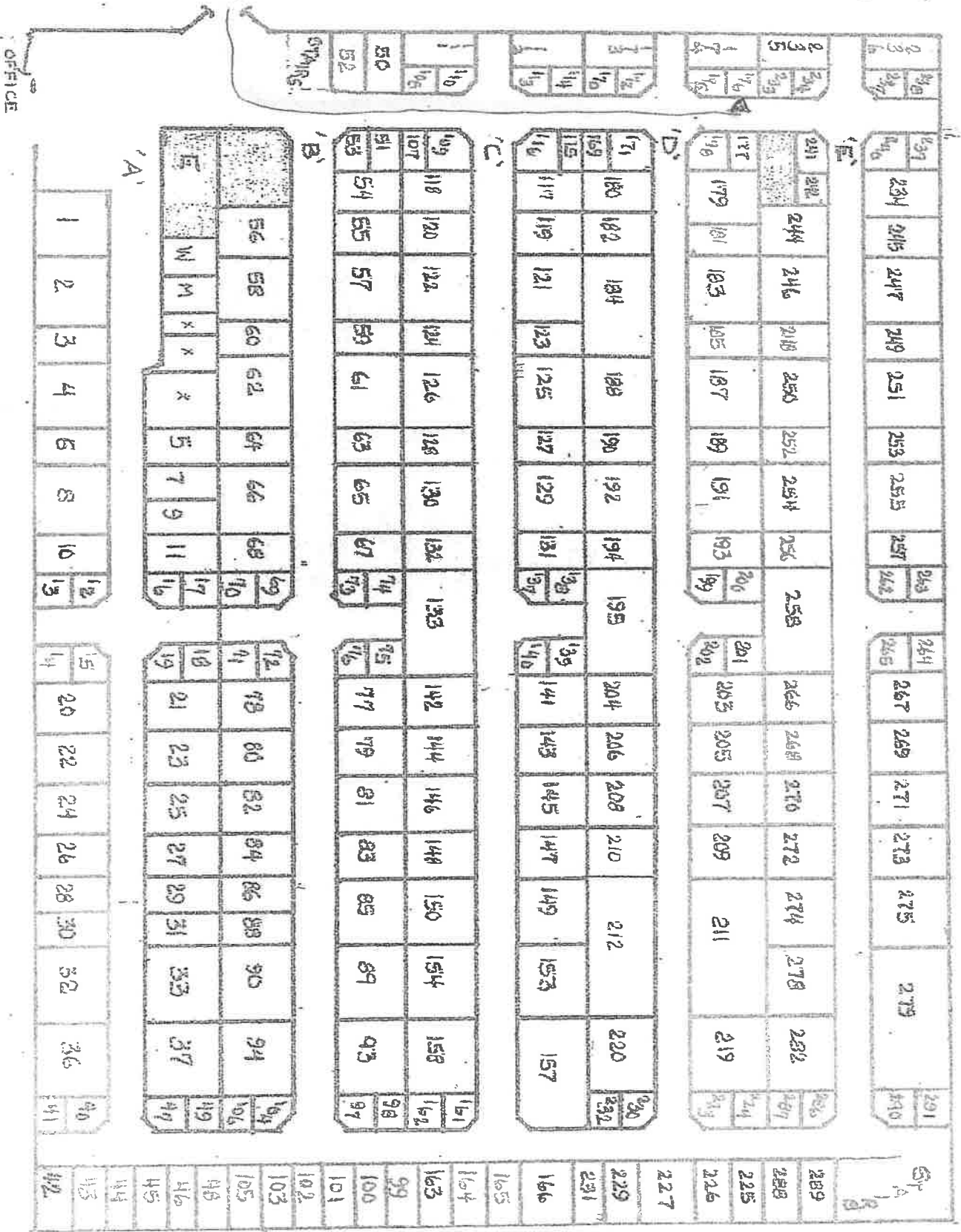
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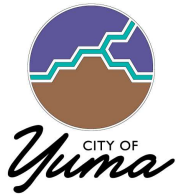
IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024

1st floor





City of Yuma

City Council Report

File #: MC 2024-056

Agenda Date: 5/15/2024

Agenda #: 3.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Finance	<input checked="" type="checkbox"/> Safe & Prosperous	<input checked="" type="checkbox"/> Motion
	<input type="checkbox"/> Active & Appealing	<input type="checkbox"/> Resolution
	<input type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
DIVISION:	<input type="checkbox"/> Connected & Engaged	<input type="checkbox"/> Ordinance - Adoption
Procurement	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

TITLE:

Bid Award: Pavement Replacement - Avenue B between 24th Street and 16th Street

SUMMARY RECOMMENDATION:

Authorize the City Administrator to execute a construction services contract for pavement replacement on Avenue B between 24th Street to 16th Street, in the amount of \$3,589,151.54 to the lowest responsive and responsible bidder, Gutierrez Canales Engineering, Yuma, Arizona. (Engineering RFB-24-270) (David Wostenberg/Robin R. Wilson)

STRATEGIC OUTCOME:

This item supports the City Council's strategic outcome of Safe and Prosperous. The project will impact the safety of City residents and visitors by reducing risk of accidents due to road conditions and will enhance the City's infrastructure, improving transportation efficiency and reducing maintenance costs.

REPORT:

This pavement rehabilitation project will consist of removing and replacing the existing Asphalt Concrete (AC) pavement surface and placing new AC on top of the existing Aggregate Base Course.

The project includes improvements to water services, sidewalks, ramps, curb and gutter, and storm drainage facilities at various locations throughout the specified area on Avenue B.

Two bids were received by the following general contractors:

- DPE Construction, Inc. \$3,837,368.81
- **Gutierrez Canales Engineering \$3,589,151.54**

Construction of the project will begin in June and last for an estimated 130 days.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 3,589,151.54	BUDGETED:	\$ 4,410,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	

TOTAL \$ 3,589,151.54

Road Tax Fund 102 \$3,454,437.35 Water Fund 421 \$134,714.20		
To total; right click number & choose "Update Field"		

FISCAL IMPACT STATEMENT:

Sufficient budget authority is provided in the City Council approved FY 2024 and will be carried forward to FY 2025 as needed.

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024



City of Yuma

City Council Report

File #: MC 2024-057

Agenda Date: 5/15/2024

Agenda #: 4.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Finance	<input type="checkbox"/> Safe & Prosperous <input checked="" type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction
DIVISION: Procurement	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Bid Award: Ready Mix Concrete, Color and Stamp Mix

SUMMARY RECOMMENDATION:

Award to the sole bidder, BLT Companies, LLLP, Yuma, Arizona, the as-needed purchase and delivery of Ready-Mix Concrete, Color and Stamp Mix, a one-year contract with the option to renew for four additional one-year periods, at an estimated first-year cost of \$63,700.00, which will exceed \$100,000.00 over the five-year life of the contract, depending on the appropriation of funds and satisfactory performance. (Public Works/Streets-RFQ-24-167) (Joel Olea/Robin R. Wilson)

STRATEGIC OUTCOME:

The award of this contract will provide City staff the necessary materials to conduct operations of concrete repairs for maintaining the City's infrastructure, which aligns with the City Council's strategic outcomes of Respected and Responsible and Active and Appealing for use in public spaces.

REPORT:

This contract is for the purchase of Ready-Mix Concrete, Color and Stamp Mix to be delivered on an as-needed basis for use by Parks and Recreation and the Public Works Departments.

The solicitation was rebid as a Request for Qualification with the intent to pre-qualify vendors for Ready-Mix Concrete and provide updated pricing for six months based upon fluctuating material cost, and current market trends.

Only one vendor responded to the solicitation.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$63,700.00	BUDGETED:	\$63,700.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$63,700.00			
101-4037-6804 - Highway User Revenue Fund			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

Sufficient budget authority is provided in the FY 2024 City Council approved budget to award this bid.

ADDITIONAL INFORMATION:

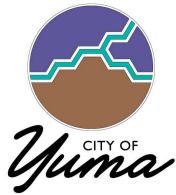
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

None.

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

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- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024



City of Yuma

City Council Report

File #: MC 2024-058

Agenda Date: 5/15/2024

Agenda #: 5.

DEPARTMENT: Finance	STRATEGIC OUTCOMES <input type="checkbox"/> Safe & Prosperous <input checked="" type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible <input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	ACTION <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction <input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing
DIVISION: Procurement		

TITLE:

Cooperative Purchase Agreement: Playground Equipment

SUMMARY RECOMMENDATION:

Authorize the purchase, delivery and installation of various playground equipment and shade with Exerplay, Cedar Crest, New Mexico, utilizing the Mohave Educational Services Cooperative Purchase Agreement for an expenditure of \$238,811.94. (Parks-CPA-24-301) (Eric Urfer/Robin R. Wilson)

STRATEGIC OUTCOME:

The purchase and installation of these various play structures, (slides, climbers, enclosures with other components and shade) will provide the community with safe and functional playgrounds, which aligns with the City Council strategic outcomes of Respected and Responsible, and Active and Appealing.

REPORT:

The current play structures located at Barkley Ranch Park and Kennedy Park are beyond their useful life. In addition to their condition based on age, the equipment is also experiencing repairs where replacement parts are no longer available.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$238,811.94
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 238,811.94	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$238,811.94			
187-97-77-ARPA.8140			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

Sufficient budget authority is provided in the City Council FY 2024 approved budget and will carry forward to FY 2025 as needed.

On April 6, 2022, the Council adopted resolution R2022-012 which approved the City’s ARPA Project List of the City’s intended uses for the ARPA funds. This was one of originally adopted ARPA funded projects in the FY 2023 City Council approved budget.

What is ARPA? The federal government signed the American Rescue Plan Act (ARPA) into law on March 11, 2021. The program provides support to local governments in responding to the economic and public health impacts of COVID-19 and mitigate impacts on local communities. All expenditures must comply with U.S. Department of Treasury requirements. Recipients must obligate the funds by December 31, 2024, and spend them by December 31, 2026.

ADDITIONAL INFORMATION:

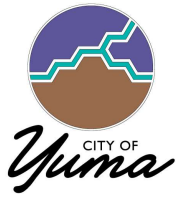
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

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Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024



City of Yuma

City Council Report

File #: MC 2024-059

Agenda Date: 5/15/2024

Agenda #: 6.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Finance	<input type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction
DIVISION: Procurement	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Cooperative Purchase Agreement: Third-Party Emergency Medical Billing Services

SUMMARY RECOMMENDATION:

Authorize the City Administrator to enter into a four-year agreement with an option to renew for up to six additional years, in two-year increments, for Third-Party Emergency Medical Billing Services with EMS Management and Consultants, Inc. (EMS|MC) of Winston-Salem, North Carolina, utilizing a Cooperative Purchase Agreement through the City of Tempe, Arizona, for an estimated annual expenditure of \$230,000.00 (CPA-24-286 Fire Department) (Dustin Fields/Robin R. Wilson)

STRATEGIC OUTCOME:

The strategic outcome of Respected and Responsible justifies the department's search for a billing service that better meets the needs of the City and transported patients. EMS|MC is a respected Third-Party Billing company utilized by other EMS departments in the Phoenix metro area. The company was formed by EMS professionals who understand the needs that EMS- providing agencies demand from their billing company.

REPORT:

The City's five, year-round ambulances, plus one ambulance providing service during the winter months, averaged 8,345 transports each year over the past five years. The City currently utilizes Advanced Data Process of Chicago, Illinois for billing the fire department ambulance service on an extended month-to-month basis. The proposed contract with EMS|MC will provide real-time analytics and collections services, which the current vendor does not offer. A new contract with EMS|MC solidifies a patient friendly portal for transported patients to have continuous access to their bill and update of insurance information.

EMS|MC has been in business for over 25 years and is the largest billing services provider in the United States solely focused on the EMS community. EMS/MC serves more than 260 clients with EMS billing services and administers billing to Medicare, AHCCCS, private insurance companies and individuals encompassing all emergency transports.

The City currently pays 5.3% per successful billing. Under the new cooperative purchase agreement with EMS|MC, the billing rate will be reduced to 3.95% per successful billing. EMS|MC bases the price on a percentage of the monetary value collected from the billing process. This is an all-inclusive price, including but not limited to full revenue cycle management services, consulting, training, notice of privacy practices, and the use of EMS/MC as the lockbox. All patient's credit card processing fees are waived, and no convenience fee

will be charged.

Ambulance billing services is complex, due to the ever-changing state and federal laws surrounding the service. EMS|MC will provide credentialed ambulance billing in a cyber-secure environment, ensuring the highest customer service to the Yuma Fire Department and all transported patients.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$230,000.00	BUDGETED:	\$ 230,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 230,000.00			
001-70-21- YFDAMB.6206			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

Sufficient budget authority is provided in the FY 2024 City Council approved budget to enter into this agreement.

ADDITIONAL INFORMATION:

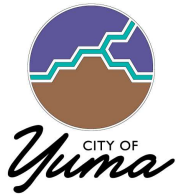
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

None

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Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024



City of Yuma

City Council Report

File #: MC 2024-060

Agenda Date: 5/15/2024

Agenda #: 7.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Finance	<input checked="" type="checkbox"/> Safe & Prosperous	<input checked="" type="checkbox"/> Motion
	<input type="checkbox"/> Active & Appealing	<input type="checkbox"/> Resolution
	<input type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
DIVISION:	<input type="checkbox"/> Connected & Engaged	<input type="checkbox"/> Ordinance - Adoption
Procurement	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

TITLE:

Ratification of Purchase Order: Emergency Repair to Sanitary Sewer Overflow

SUMMARY RECOMMENDATION:

Ratify a Purchase Order issued to SAK Construction, LLC of Tempe, AZ in an amount of \$124,500.00 for emergency bypass of a sanitary sewer line at Smucker Park. (Engineering/Utilities-EM-24-249) (David Wostenberg/Jeremy McCall/Robin R. Wilson)

STRATEGIC OUTCOME:

The replacement of the pipe with Cured-In-Place Pipe during an emergency, supports the strategic outcome of Safe and Prosperous by ensuring both safety and sanitation to an adjacent school, park, and the environment.

REPORT:

On February 8, 2024, the Utilities Department was contacted by the general contractor, Meridian, working at Smucker Park Basin, stating that a section of an 18-inch sewer trunk line was leaking adjacent to the Kofa High School parking lot. Utilities assessed the area and saw that the embankment that supported the sewer line was compromised by the recent storm and flooding, attributable to Meridian’s intentional plugging of a 24-inch stormwater line to divert stormwater where Meridian was working. The storm runoff eroded underneath the sewer line causing the sewer line to leak sewage. Approximately 275 feet of the sewer line was encased in concrete and rebar. Arizona Department of Environmental Quality (ADEQ) was contacted about the Sanitary Sewer Overflow (SSO). Due to the event being on school grounds, ADEQ came to investigate. The City and Yuma County met onsite with the general contractor and construction manager, Meridian Construction and Dibble Engineering, to resolve the issue.

The Utilities Department initiated mitigation of the Sanitary Sewer Overflow. The City inspected the integrity of the sewer line and began contacting contractors to obtain quotes to replace the entire section of line including the manhole, but the timeline was six weeks for the replacement manholes and the 18-inch line was going to be a special order transported from the east coast in 7-10 working days at an estimated cost of \$450,000.00 to replace both. The other alternative was to do Cured-In-Place Pipe, which uses the same pipe without any removal of existing line. Multiple contractors were contacted and SAK responded to the City’s needs promptly. SAK Construction, LLC repaired the 575 feet of sewer line in one day.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 124,500.00	BUDGETED:	\$ 124,500.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 124,500.00			
431-97-77-8140 CIP			
0013-Storm Smucker			
Park Basin			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

Sufficient budget authority is provided in the City Council FY 2024 approved budget to ratify and approve this purchase order.

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

None.

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024



City of Yuma

City Council Report

File #: R2024-013

Agenda Date: 5/15/2024

Agenda #: 1.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Parks & Recreation	<input type="checkbox"/> Safe & Prosperous	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Active & Appealing	<input checked="" type="checkbox"/> Resolution
	<input type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
DIVISION:	<input type="checkbox"/> Connected & Engaged	<input type="checkbox"/> Ordinance - Adoption
Administration	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

TITLE:

Intergovernmental Agreement: Arizona Game and Fish Commission

SUMMARY RECOMMENDATION:

Authorize the execution of an Intergovernmental Agreement (IGA) with the Arizona Game and Fish Commission, through the Arizona Game and Fish Department (AGFD) extending the current Community Fishing Program with the City of Yuma for the total not to exceed \$59,988 over the five-year agreement. (Parks & Recreation) (Eric Urfer)

STRATEGIC OUTCOME:

This item supports the City Council’s strategic outcome of Active and Appealing as it provides the Yuma community with a Fishing Program at West Wetlands Park and the Pacific Avenue Athletic Complex.

REPORT:

The Arizona Game and Fish Commission, through the AGFD, has requested an IGA with the City of Yuma to conduct a Community Fishing Program in the City of Yuma at the ponds located in West Wetlands Park and the Pacific Avenue Athletic Complex.

The AGFD will stock each pond with catchable rainbow trout from contract vendors approximately four times from December to February, and catchable channel catfish approximately two times from April to May, and two times from mid-September to November. Fish stocking will cease from approximately June through mid-September due to heat stress factors. The AGFD will also stock each pond with sunfish (usually bluegill or redear) at least once annually. Other approved fish species may be stocked as necessary to: 1) establish a resident fish population, 2) augment existing fish populations, 3) maintain a balanced fishery, 4) improve angler success rates, or 5) provide feature species for anglers. Adjustments to these stocking schedules and/or species may be required due to climatic and/or weather conditions, fish availability from vendors and/or condition, logistics of fish delivery from vendors, lake or water quality conditions, or increases in fish costs.

The City will continue to inform park users of the fishing opportunities within the City, allow “Open to the Public” sports fishing programs at the included waters, maintain and manage fishing waters, and pay an annual partnership fee with the AGFD to defray costs of program stocking operation and the fish.

The annual fees paid by the City each year to the AGFD to participate in the Community Fishing Program are as follows:

Water	Stocking Strategy	FY25 Cost	FY26 Cost	FY27 Cost	FY28 Cost	FY29 Cost	Total Costs
Pacific Ave	Expansion	\$5,553	\$5,719	\$5,891	\$6,067	\$6,249	\$29,479
Yuma West	Expansion	\$5,746	\$5,919	\$6,096	\$6,279	\$6,468	\$30,509
	Totals	\$11,299	\$11,638	\$11,987	\$12,347	\$12,717	\$59,988

The City’s share is approximately 32.5% of the total cost of fish and stocking fees. The AGFD pays the remaining 67.5% of the costs. Payments made to the AGFD may be leveraged to obtain federal grant funding or other grant funding opportunities. If this opportunity arises, the City will be notified in writing by the AGFD.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 59,988.00	BUDGETED:	\$ 60,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 59,988.00			
001-50-20.6804; 122-50-34-6804			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

The annual fee paid by the City each year to the AGFD to participate in the Community Fishing Program starts at \$11,299 per year. A 3.0% annual increase is built into the fee schedule to address annual adjustments in fish pricing from vendors. The total costs are not to exceed \$59,988 over the five-year agreement period.

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk’s Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024

RESOLUTION NO. R2024-013

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, AUTHORIZING AND APPROVING AN
INTERGOVERNMENTAL AGREEMENT WITH ARIZONA GAME
AND FISH COMMISSION FOR A COMMUNITY FISHING PROGRAM**

WHEREAS, the City of Yuma (Yuma) desires to enter into this Intergovernmental Agreement with the Arizona Game and Fish Commission (Commission); and,

WHEREAS, there is a public need for a recreational fishing program; and,

WHEREAS, the parties have agreed that it is mutually beneficial to the Commission and the City to partner to develop recreational fishing opportunities.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma as follows:

SECTION 1: For the benefit of Yuma residents, the attached Intergovernmental Agreement between the Commission and Yuma for the financing of the Community Fishing Program is approved.

SECTION 2: The City Administrator is authorized and directed to execute the Intergovernmental Agreement for and on behalf of the City of Yuma.

Adopted this ____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE
ARIZONA GAME AND FISH COMMISSION
AND
THE CITY OF YUMA, AZ**

Pursuant to A.R.S. § 11-952 *et. seq.*, this Intergovernmental Agreement is made this ____ day of _____, 2024, by and through the Arizona Game and Fish Commission (“Commission”), and the City of Yuma (“City”). The terms “Department” and “Director” in this Agreement hereinafter refer to the Arizona Game and Fish Department and its Director, acting as administrative agent for the Commission.

WHEREAS, the Commission has statewide responsibility for the management of wildlife, including fish, and the City owns certain park lands, including artificial lakes which it maintains for public use as recreation areas; and,

WHEREAS, both entities desire to provide sport fishing recreational opportunities to the extent such a program is found practical; and,

WHEREAS, the Commission has authority under A.R.S. § 17-231(B)(7) to make agreements with other entities for the operation of wildlife facilities and the conduct of related management studies, and the City has authority under A.R.S. § 9 *et seq.* and 11-931, *et seq.* to provide recreation through a Community Services Department; and,

WHEREAS, the Department acts under the authority of the Commission;

NOW THEREFORE, the Parties agree to conduct a Community Fishing Program, as follows:

AGREEMENT:

The Commission agrees that the Department Shall:

1. Inform the public of the purpose and intent of the Community Fishing Program. This may include coverage in various Department publications, websites, and other outlets as well as the media (radio, television, newspapers) to ensure broad coverage.
2. Make recommendations to the Commission pertaining to license requirements and bag and possession limits specific to the Community Fishing waters herein.
3. Issue Fishing Licenses and other applicable licenses to individuals and Department-authorized license dealers in the local area and statewide. Licenses will also be available from Department offices and online.

4. For waters under the Department's "Expansion" Strategy, stock participating waters with catchable rainbow trout approximately four times from December to February, and catchable channel catfish approximately two times from April to May, and two times from mid-September to November. Fish stocking will cease from approximately June through mid-September due to heat stress factors.

Stock sunfish (usually bluegill or redear) approximately once annually into participating waters. Other approved fish species may be stocked as necessary to: 1) establish or augment fish populations, 2) maintain a balanced and healthy fishery, 3) improve angler catch rates, or 4) provide a unique or feature species or sub-species for anglers.

Adjustments to these stocking schedules and/or species may be required due to climatic and/or weather conditions, fish availability from vendors, condition and health of source fish, logistics of fish delivery from vendors, water quality conditions within the participating waters, unexpected increases in fish costs, or lack of available funding.

5. Monitor basic water quality and biological indicators as needed to determine if lake conditions are suitable for fish stockings. Provide water quality information to park managers and/or aquatic consulting firms responsible for lake management. Notify the appropriate City or park management staff of any public health or safety concerns found by the Department.

6. Design and provide Community Fishing Program information and regulation signs, and replacements as needed. Signs shall be posted at mutually agreed-upon locations around each participating lake.

7. Conduct periodic angler surveys to ascertain angler catch rates, effort, harvest, satisfaction, and overall performance of the program. This information will be shared with the City when analyses are complete.

8. Enforce Commission rules and regulations and Arizona Revised Statutes, Title 17 (Game and Fish laws). Cooperate and coordinate with local law enforcement officials, justice courts, and park staff to ensure angler compliance.

9. Provide advice, technical assistance, and guidelines on lake/pond and/or fishery management to the City.

10. Work with the City to design and install suitable fish habitats as needed to provide adequate cover from predators and spawning habitats.

11. Establish an account to utilize funds paid to the Department by the City for operation of this program.

The City Shall:

1. Inform park users of the sport fishing opportunity and allow “Open to the Public” Sport Fishing Education programs at the included water(s).
2. Install the Department-provided signage frame(s) at mutually agreed-upon locations, and maintain the signage as needed by removing graffiti, and notifying the Department of damage to the frames, attached signage, and kiosks.
3. Make information about opportunities to go fishing within the City available to the public at park facilities, on the City website, and other outlets.
4. Provide the Department any necessary keys or combinations to locks and/or gates so Department staff can gain access to the water(s) for stocking, monitoring water quality, or conducting creel surveys.
5. Pay a Partnership Fee to the Department for waters stocked under this agreement. Annual rates shall be in accordance with the following fee schedule which represents 32.5% of the total cost of fish:

Water	Stocking Strategy	FY25Cost	FY26Cost	FY27Cost	FY28Cost	FY29Cost	Total Costs
Pacific Ave	Expansion	\$5,553	\$5,719	\$5,891	\$6,067	\$6,249	\$29,479
Yuma West	Expansion	\$5,746	\$5,919	\$6,096	\$6,279	\$6,468	\$30,509
	Totals	\$11,299	\$11,638	\$11,987	\$12,347	\$12,717	\$59,988

There is an annual increase of 3.0% built into the fee schedule to address annual adjustments in fish pricing from vendors. If price increases from fish vendors are more than 3.0% annually, the parties shall meet and confer to determine if the IGA can be amended to address the cost increase.

These funds shall be used to defray the cost of program operations, including costs for fish required hereunder; Payments made to the Department may be leveraged to obtain federal grant funding or other grant funding opportunities. If this opportunity arises, the City will be notified in writing by the Department, and it may be necessary to verify that all or a portion of the partnership fees do not originate from federal sources.

6. Promptly notify the Department of anticipated and emergency maintenance or management measures that may affect the Community Fishing Program. This may include lake or landscape repairs or construction, water supply or aeration disruptions, and other activities or occurrences that may affect public health, safety, and access to fishing and stocking activities.

7. Maintain the lake and associated facilities to support a year-round sport fishery. This may include timing operational drawdowns and filling, operation strategies and timing for lake aeration and mixing systems, knowing when and whom to call for algae or aquatic plant treatments, knowing how to spot unusual fish behaviors that may indicate problems, and knowing who to call in the event of a fish kill.
8. Maintain water quality in a manner consistent with all other requirements and regulations upon the City. Regularly remove floating or submerged trash and debris from the lakes. Remove and dispose of dead fish in a timely manner and notify the Department Community Fishing Program Manager at 623-236-7262 if there is an unusual amount of dead or dying fish. Actively control excessive aquatic vegetation and algae blooms, and report any known or suspected aquatic invasive species to the Community Fishing Program Manager.
9. Discourage feeding of domestic waterfowl by the public, and harass or remove excess waterfowl as necessary. Discourage populations of fish-eating aquatic birds (i.e., cormorants and herons) through park landscape management and other permissible techniques. Allow the Department to conduct Migratory bird research or depredation activities as permitted by the U.S. Fish and Wildlife Service.
10. For lakes with aeration systems, maintain a fully operational system to support good water quality. Ensure that aeration systems or other lake management systems are not limiting angler access or use, unless necessary to conduct maintenance or repairs. Manage and integrate landscape activities to be compatible with the maintenance of good lake water quality.
11. To the extent possible, assist in the enforcement of State, City and Park codes, rules, regulations and laws (including ARS Title 12 and Title 17 Game and Fish Laws), as applicable. Assist the Department in the enforcement by reporting violations or suspected violations to the Department Operation Game Thief hotline (1-800-352-0700), by verbal warnings, and by citations as necessary to achieve compliance goals. City may adopt Title 17 Rules into Municipal Code to facilitate enforcement.
12. Provide and maintain angler access to shoreline areas at each water. To the extent possible, provide suitable accommodations along the shoreline such as picnic tables, benches, and shade structures for angler use.
13. Provide access to the waters and associated park facilities such as shade structures so that Sport Fishing Education contractors, Department personnel, and volunteer instructors may conduct Sport Fishing Education programs at no charge to the Department. This may include conducting and/or supporting Sport Fishing Education programs (fishing clinics) for the general public in cooperation with the City. Specific scheduling information about Department-sanctioned programs will be provided to the City as far in advance as possible.
14. Provide and maintain suitable park and lake access to allow for stocking of fish using trucks and trailers by the Department and their fish contractors at the waters.

The Parties Mutually Agree To:

1. Work in harmony for the common purpose of managing a Community Fishing Program. Encourage a united and professional approach by personnel of both Parties in seeking solutions to problems and challenges that may arise in fish and angler management, lake management, and during fish kills.
2. Department and City staff shall meet annually or as needed to discuss issues, operations and maintenance, planning, budgeting, and other activities relating to park management and the Community Fishing Program, to review accomplishments and to develop and prioritize activities for the coming year.
3. Cooperate and exchange biological, management, and other information useful in the effective operation of a Community Fishing Program.
4. Seek to obtain funding opportunities for projects that: 1) create, enhance, or restore fish habitat, water quality, or angler access; or 2) increase or enhance recreational angling opportunity. These funds may be transferred directly, or through reimbursement, to the City. Funding availability through the Department is uncertain, but may include support through the Sport Fish Restoration Federal Assistance Program, State Wildlife Grant Program, Arizona Heritage Fund, or other sources. To provide for the future transfer of special funds, the Parties agree to enter into mutually acceptable collection agreements. Future agreements will be developed within the framework of this Intergovernmental Agreement, and applicable grant and agreement requirements are to be approved by agency directors.

General Provisions:

1. Effective Date and Duration. This Agreement shall not be in effect until signed by all Parties hereto. Unless terminated earlier by operation of the terms of this Agreement, or by agreement of the Parties in writing, this five (5) year Agreement will terminate on June 30, 2029.
2. Termination Generally. Either Party may terminate this Agreement upon sixty (60) days' written notice to the other Party. Upon termination, all work performed pursuant to this Agreement will cease, and all unencumbered monies deposited for use by the Department will be returned to the City.
3. Notices. All written notices concerning this Agreement shall be delivered in person or sent by certified mail, return receipt requested, or first class mail, postage prepaid, to the Parties as follows:
 - A. To the City:

Eric Urfer, Director of Parks and Recreation
One City Plaza
Yuma AZ 85364

B. To the Department:

Ms. Julie Carter
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086

4. Non-discrimination. In carrying out the terms of this Agreement, the Parties agree to comply with Executive Order 99-4 prohibiting discrimination in employment, the provisions of which are incorporated herein by reference.

5. Non-Discrimination: In the event it applies, the Parties hereby agree to comply with all Federal and State nondiscrimination orders and statutes as may apply, including Title VI, Title IX of the Civil Rights Act, Section 504 of the Rehabilitation Act, and the Governor's Executive Order No. 23-01 and 99-9, entitled Non-Discrimination in Employment.

6. Audit. Pursuant to A.R.S. § 35-214 all books, accounts, reports, files, electronic data, and other records relating to this Agreement shall be subject at all reasonable times to inspection and audit by the State of Arizona for five (5) years after completion of this Agreement.

7. Arbitration. To the extent required pursuant to A.R.S. § 12-1518, and any successor statutes, the Parties agree to use arbitration, after exhausting all applicable administrative remedies, to resolve any dispute arising under this Agreement, where not in conflict with Federal Law, with each Party to bear its own attorney's fees and costs.

8. Termination for Conflict of Interest. This Agreement is subject to termination pursuant to A.R.S. § 38-511.

9. Termination for Non-Availability of Funds. Every obligation of the Parties under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds for the continuance of this Agreement are not allocated or are not available, this Agreement shall terminate automatically on the date of expiration of funding. In the event of such termination, the Parties shall incur no further obligation or liability under this Agreement other than for payment of services rendered prior to the expiration of funding.

10. Other Agreements. This Agreement in no way restricts either Party from participating in similar activities with other public or private agencies, organizations, or individuals.

11. Compliance with Applicable Law. All work performed pursuant to this Agreement shall be in compliance with all applicable state and federal laws and regulations.

12. Severability. In the event that any provision of this Agreement or portion thereof is held invalid, illegal, or unenforceable, such provision or portion thereof shall be severed from this Agreement and shall have no effect on the remaining provisions of this Agreement, which shall remain in full force and effect.

APPROVAL OF THE CITY ATTORNEY:

I have reviewed the above-referenced Intergovernmental Agreement between the City and the Arizona Game and Fish Commission and declare this Agreement to be in proper form and within the power and authority granted to the City of Yuma under the laws of the State of Arizona.

Dated this _____ day of _____, 2024 _____
City Attorney

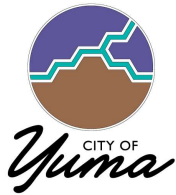
ARIZONA GAME AND FISH COMMISSION

By: _____
Ty Gray Date
Secretary to the Commission and
Director, Arizona Game and Fish Department

APPROVAL OF THE ARIZONA GAME AND FISH COMMISSION ATTORNEY:

I have reviewed the above-referenced Intergovernmental Agreement between the City of Yuma, Arizona and the Arizona Game and Fish Commission and declare this Agreement to be in proper form and within the power and authority granted to the Arizona Game and Fish Commission under the laws of the State of Arizona.

Dated this _____ day of _____, 2024 _____
Attorney
Arizona Game and Fish Commission



City of Yuma

City Council Report

File #: R2024-014

Agenda Date: 5/15/2024

Agenda #: 2.

	STRATEGIC OUTCOMES	ACTION
DEPARTMENT: Engineering	<input type="checkbox"/> Safe & Prosperous <input checked="" type="checkbox"/> Active & Appealing <input type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Motion <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction
DIVISION:	<input checked="" type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Intergovernmental Agreement: State of Arizona Department of Transportation

SUMMARY RECOMMENDATION:

Authorize the City Administrator to execute an Intergovernmental Agreement (IGA) with the State of Arizona Department of Transportation for the design of the 1st Street Shared Use Pathway Project. This is a Transportation Alternatives Program Funding (TA) project and is 94.3% grant funded, 5.7% local match, with a total amount of \$443,554.00. (Engineering) (David Wostenberg)

STRATEGIC OUTCOME:

This item supports the City Council’s strategic outcome of Active and Appealing and Connected and Engaged. The 1st Street Shared Use Pathway Project will provide safe route connectivity to the downtown area and to recreational opportunities along the Colorado River for all non-motorized travel.

REPORT:

The proposed design will include a new 8-foot-wide concrete pathway at both sides of 1st Street between 4th Avenue and Avenue B. The existing roadway cross section will remain as well as the vertical curb and gutter. The existing concrete sidewalks on both sides of 1st Street will be replaced with the new 8-foot-wide concrete pathway, new sidewalk ramps will also be replaced to meet ADA compliance.

ADOT Project Development Administration (PDA) Cost (94.3%)	\$ 28,290.00
Local Agency Match Project Development Administration (PDA) Cost (5.7%)	\$ 1,710.00
ADOT Design Cost (94.3%)	\$ 389,981.00
Local Agency Match Design Cost (5.7%)	<u>\$ 23,573.00</u>
Total Project Cost	\$ 443,554.00
Total Federal Funds	\$ 418,271.00
Total Local Agency Funds	\$ 25,283.00

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 25,283.00	BUDGETED:	\$ 443,554.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 418,271.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL	\$ 443,554.00	0068-TBD 198-97-77.8110 102-97-77.8110	
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024

RESOLUTION NO. R2024-014

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 OF THE 1ST STREET SHARED USE PATHWAY PROJECT

WHEREAS, the City of Yuma (City) desires to enter into an Intergovernmental Agreement (Agreement) with the Arizona Department of Transportation (ADOT) for the design of improvements on the 1st Street Shared Use Pathway between 4th Avenue and Avenue B, hereafter referred to as the “Project”; and,

WHEREAS, the Project lies within the jurisdiction of the City of Yuma; and,

WHEREAS, Federal Aid funding using the ADOT Transportation Alternatives (TA) is available for the Project through the Yuma Metropolitan Planning Organization (YMPO); and,

WHEREAS, the Parties agree that the completion of the Project is essential to public safety and public welfare and desire to cooperate in the completion of the Project; and,

WHEREAS, it is to the mutual benefit of ADOT and the City to enter into an Intergovernmental Agreement to share the remaining costs required for the construction of the Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma as follows:

SECTION 1: The Intergovernmental Agreement between ADOT and the City for the design, construction, and financing of the Project for the benefit of the citizens and residents of Yuma, attached as Exhibit A and incorporated by reference, is approved.

SECTION 2. The City Administrator is authorized and directed to execute the Intergovernmental Agreement for and on behalf of the City of Yuma.

SECTION 3. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this resolution.

Adopted this ____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

APPROVED AS TO FORM:

Lynda L. Bushong
City Clerk

Richard W. Files
City Attorney

ADOT CAR No.: IGA 24-0009579-I
AG Contract No.: P0012024000390
Project Location/Name: 1st Street Shared
Use Pathways
Type of Work: Shared Use Pathways
Federal-aid No.: YUM-0(228)T
ADOT Project No.: T0533 01D/03D
TIP/STIP No.: YU-24-08D
CFDA No.: 20.205 - Highway Planning and
Construction
Budget Source Item No.: NA

INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF YUMA

THIS AGREEMENT (“Agreement”) is entered into this date _____, pursuant to the Arizona Revised Statutes (“A.R.S.”) §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the “State” or “ADOT”) and the CITY OF YUMA, acting by and through its MAYOR and CITY COUNCIL (the “City” or “Local Agency”). The State and the Local Agency are each individually referred to as a “Party” and are collectively referred to as the “Parties.”

I. RECITALS

1. The State is empowered by A.R.S. § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The Local Agency is empowered by A.R.S. § 48-572 to enter into this Agreement and has by resolution, if required, a copy of which is attached and made a part of, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the Local Agency.
3. The work proposed in this Agreement consists of design of a new shared-use pathway, replacing the existing 6’ concrete sidewalk, at both sides of 1st Street between 4th Avenue to Avenue B, (the “Project”). The Project cost, shown in Exhibit A, is estimated at \$443,554 which includes federal aid and the Local Agency’s match. The State will administer the design phase of the Project. Construction will be addressed in a separate agreement.
4. The interest of the State in this Project is the acquisition of federal funds for the use and benefit of the Local Agency and authorization of such federal funds for the Project pursuant to federal law and regulations. The State shall be the designated agent for the Local Agency for the Project, if the Project is approved by Federal Highway Administration (FHWA) and funds for the Project are available.

5. The foregoing Recitals and Exhibit A shall be incorporated into this Agreement.

In consideration of the mutual terms expressed herein, the Parties agree as follows:

II. SCOPE OF WORK

1. The Parties agree:
 - a. The Project will be completed, accepted, and paid for in accordance with the requirements of the Project plans and specifications.
 - b. The final cost estimate may exceed the initial estimate identified in Exhibit A, and in such case, the Local Agency is responsible for and agrees to pay, the difference prior to bid advertisement.
 - c. The final Project amount may exceed the initial estimate(s) identified in Exhibit A, and in such case, the Local Agency is responsible for, and agrees to pay, any and all actual costs exceeding the initial estimate. If the final Project amount is less than the initial estimate, the difference between the final Project amount and the initial estimate will be de-obligated or otherwise released from the Project and returned to the State. The Local Agency acknowledges it remains responsible for actual costs and agrees to pay according to the terms of this Agreement.

2. The State will:
 - a. Execute this Agreement, and if the Project is approved by FHWA and funds for the Project are available, be the Local Agency's designated agent for the Project.
 - b. After this Agreement is executed, and prior to performing or authorizing any work, invoice the Local Agency for the Local Agency's share of the initial Project Development Administration (PDA) costs, estimated at \$1,710 and the Local Agency's share of the Project design costs, estimated at \$23,573. If PDA costs exceed the estimate during the development of design, notify the Local Agency, obtain concurrence prior to continuing with the development of design, and invoice as determined by ADOT and the Local Agency for additional costs to complete PDA for the Project. If design costs exceed the estimate prior to completion of design, invoice the Local Agency for Project costs exceeding design. After the Project costs are finalized, invoice or reimburse the Local Agency for the difference between actual costs and the amount the Local Agency has paid for PDA and design.
 - c. After receipt of the PDA costs and the Local Agency's estimated share of the Project design costs, submit all required documentation pertaining to the Project to FHWA with the recommendation that the maximum federal funds programmed for this Project be approved for design. After receipt of FHWA authorization, proceed to advertise for and enter into contract(s) with the consultant(s) for the design and post-design of the Project. Should costs exceed the maximum federal funds available it is understood and agreed that the Local Agency will be responsible for any overage.

- d. On behalf of the Local Agency, prepare and provide all documents pertaining to the design and post-design of the Project, incorporating comments from the Local Agency, as appropriate. Review and approve documents required by FHWA to qualify the Project for and to receive federal funds. Perform tasks that may consist of, but are not limited to, preparation of environmental documents; analysis and documentation of environmental categorical exclusion determinations; geologic materials testing and analysis; right of way related oversight and stewardship activities; preparation of reports, design plans, maps, specifications and cost estimates and other related tasks essential to the design development of the Project.

3. The Local Agency will:

- a. Designate the State as the Local Agency's authorized agent for the Project.
- b. Within 30 days of receipt of an invoice from the State, pay the Local Agency's share of the initial PDA costs, estimated at \$1,710 and the Local Agency's share of Project design costs, estimated at \$23,573. Agree to be responsible for actual PDA costs, if during the development of design, PDA costs exceed the initial estimate. Be responsible and pay for the difference between the estimated and actual PDA and design costs of the Project within 30 days of receipt of an invoice.
- c. Review design plans, specifications, cost estimates and other such documents required for the construction bidding and construction of the Project, including scoping/design plans and documents required by FHWA to qualify projects for and to receive federal funds; provide design review comments to the State as appropriate.
- d. Be responsible for all costs incurred in performing and accomplishing the work as set forth under this Agreement, that are not covered by federal funding. Should costs be deemed ineligible or exceed the maximum federal funds available, it is understood and agreed that the Local Agency is responsible for these costs; payment for these costs shall be made within 30 days of receipt of an invoice from the State.
- e. Certify that all necessary rights of way have been or will be acquired prior to advertisement for bid and also certify that all obstructions or unauthorized encroachments of whatever nature, either above or below the surface of the Project area, shall be removed from the proposed right of way, or will be removed prior to the start of construction, in accordance with The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended; 49 CFR 24.102 Basic Acquisition Policies; 49 CFR 24.4 Assurances, Monitoring and Corrective Action, parts (a) & (b) and ADOT Right of Way Procedures Manual: 8.02 Responsibilities, 8.03 Prime Functions, 9.06 Monitoring Process and 9.07 Certification of Compliance. Coordinate with the appropriate State's Right of Way personnel during any right of way process performed by the Local Agency, if applicable.
- f. As applicable, the Local Agency shall certify that it has adequate resources to discharge the Local Agency's real property related responsibilities and ensures that its Title 23-funded projects are carried out using the FHWA approved and certified ADOT Right of Way Procedures Manual and that it will comply with current FHWA requirements whether or not the requirements are included in the FHWA approved ADOT Right of Way Procedures Manual (23 CFR 710.201). Additionally the Local Agency shall certify

that all real estate related activities requiring licensure are performed by licensed individuals as defined by the Arizona Department of Real Estate (A.R.S. §§ 32-2121 & 32-2122).

- g. Not permit or allow any encroachments on or private use of the right of way, except those authorized by permit. In the event of any unauthorized encroachment or improper use, the Local Agency shall take all necessary steps to remove or prevent any such encroachment or use. Provide a copy of encroachment permits issued within the Project limits to the State.
- h. Automatically grant to the State, by execution of this Agreement, its agents and/or contractors, without cost, the temporary right to enter the Local Agency's rights of way, as required, to conduct any and all construction and preconstruction related activities for the Project, on, to and over said Local Agency's rights of way. This temporary right will expire with completion of the Project.
- i. Investigate and document utilities within the Project limits; submit findings to ADOT determining prior rights or no prior rights; approve a location within the final right of way to re-establish the prior rights location for those utilities with prior rights.
- j. Be obligated to incur any expenditure should unforeseen conditions or circumstances increase Project costs. Be responsible for the cost of any Local Agency requested changes to the scope of work of the Project, such changes will require State and FHWA approval. Be responsible for any contractor claims for additional compensation caused by Project delay attributable to the Local Agency. Payment for these costs will be made to the State within 30 days of receipt of an invoice from the State.

III. MISCELLANEOUS PROVISIONS

1. **Effective Date.** This Agreement shall become effective upon signing and dating of all Parties.
2. **Amendments.** Any change or modification to the Project will only occur with the mutual written consent of both Parties.
3. **Duration.** The terms, conditions and provisions of this Agreement shall remain in full force and effect until completion of the Project and all related deposits and/or reimbursements are made.
4. **Cancellation.** This Agreement may be cancelled at any time up to 30 days before the award of the Project contract, so long as the cancelling Party provides at least 30 days' prior written notice to the other Party. It is understood and agreed that, in the event the Local Agency terminates this Agreement, the Local Agency shall be responsible for all costs incurred by the State up to the time of termination. It is further understood and agreed that in the event the Local Agency terminates this Agreement, the State shall in no way be obligated to complete or maintain the Project.
5. **Indemnification.** The Local Agency shall indemnify, defend, and hold harmless the State, any of its departments, agencies, boards, commissions, officers or employees (collectively referred to in this paragraph as the "State") from any and all claims, demands, suits, actions,

proceedings, loss, cost and damages of every kind and description, including reasonable attorneys' fees and/or litigation expenses (collectively referred to in this paragraph as the "Claims"), which may be brought or made against or incurred by the State on account of loss of or damage to any property or for injuries to or death of any person, to the extent caused by, arising out of, by reasons of any alleged act, omission, professional error, fault, mistake, or negligence of the Local Agency, its employees, officers, directors, agents, representatives, or contractors, their employees, agents, or representatives in connection with or incident to the performance of this Agreement. The Local Agency's obligations under this paragraph shall not extend to any Claims to the extent caused by the negligence of the State, except the obligation does apply to any negligence of the Local Agency which may be legally imputed to the State by virtue of the State's ownership or possession of land. The Local Agency's obligations under this paragraph shall survive the termination of this Agreement.

6. Programmed Federal Funds. The cost of scoping and design work under this Agreement is to be covered by the federal funds programmed for this Project, up to the maximum available. The Local Agency acknowledges that actual Project costs may exceed the maximum available amount of federal funds, or that certain costs may not be accepted by FHWA as eligible for federal funds. Therefore, the Local Agency agrees to pay the difference between actual costs of the Project and the federal funds received.
7. Termination of Federal Funding. Should the federal funding related to this Project be terminated or reduced by the federal government, or Congress rescinds, fails to renew, or otherwise reduces apportionments or obligation authority, the State shall in no way be obligated for funding or liable for any past, current or future expenses under this Agreement.
8. Indirect Costs. The cost of the Project under this Agreement includes indirect costs approved by FHWA, as applicable.
9. Federal Funding Accountability and Transparency Act. The Parties warrant compliance with the Federal Funding Accountability and Transparency Act of 2006 and associated 2008 Amendments (the "Act"). Additionally, in a timely manner, the Local Agency will provide information that is requested by the State to enable the State to comply with the requirements of the Act, as may be applicable.
10. Governing Law. This Agreement shall be governed by and construed in accordance with Arizona laws.
11. Conflicts of Interest. This Agreement may be cancelled in accordance with A.R.S. § 38-511.
12. Inspection and Audit. The Local Agency shall retain all books, accounts, reports, files and other records relating to this Agreement which shall be subject at all reasonable times to inspection and audit by the State for five years after completion of the Project. Such records shall be produced by the Local Agency, electronically or at the State office as set forth in this Agreement, at the request of ADOT.
13. Title VI. The Local Agency acknowledges and will comply with Title VI of the Civil Rights Act Of 1964.

14. **Non-Discrimination.** This Agreement is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations under the Act, including 28 CFR Parts 35 and 36. The Parties to this Agreement shall comply with Executive Order Number 2009-09, as amended by Executive Order 2023-01, issued by the Governor of the State of Arizona and incorporated in this Agreement by reference regarding “Non-Discrimination.”
15. **Non-Availability of Funds.** Every obligation of the State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the fulfillment of such obligations. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments as a result of termination under this paragraph.
16. **Arbitration.** In the event of any controversy, which may arise out of this Agreement, the Parties agree to abide by arbitration as is set forth for public works contracts if required by A.R.S. § 12-1518.
17. **E-Verify.** The Parties shall comply with the applicable requirements of A.R.S. § 41-4401.
18. **Contractor Certifications.** The Parties shall certify that all contractors comply with the applicable requirements of A.R.S. §§ 35-393.01 and 35-394.
19. **Other Applicable Laws.** The Parties shall comply with all applicable laws, rules, regulations and ordinances, as may be amended.
20. **Notices.** All notices or demands upon any Party to this Agreement shall be in writing and shall be delivered electronically, in person, or sent by mail, addressed as follows:

For Agreement Administration:

Arizona Department of Transportation
 Joint Project Agreement Group
 205 S. 17th Avenue, Mail Drop 637E
 Phoenix, AZ 85007
JPABranch@azdot.gov

City of Yuma
 Attn: Dave Wostenberg
 155 W. 14th Street
 Yuma, AZ 85364
 928.373.4529
david.wostenberg@yumaaz.gov

For Project Administration:

Arizona Department of Transportation
 Project Management Group
 205 S. 17th Avenue, Mail Drop 614E
 Phoenix, AZ 85007
PMG@azdot.gov

City of Yuma
 Attn: Dave Wostenberg
 155 W. 14th Street
 Yuma, AZ 85364
 928.373.4529
david.wostenberg@yumaaz.gov

For Financial Administration:

Arizona Department of Transportation
 Project Management Group
 205 S. 17th Avenue, Mail Drop 614E

City of Yuma
 Attn: Dave Wostenberg
 155 W. 14th Street

Phoenix, AZ 85007
PMG@azdot.gov

Yuma, AZ 85364
928.373.4529
david.wostenberg@yumaaz.gov

21. Revisions to Contacts. Any revisions to the names and addresses above may be updated administratively by either Party and shall be in writing.
 22. Legal Counsel Approval. In accordance with A.R.S. § 11-952 (D), the written determination of each Party's legal counsel providing that the Parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form is set forth below.
 23. Electronic Signatures. This Agreement may be signed in an electronic format using DocuSign.
-

Remainder of this page is intentionally left blank.

(Signatures begin on the next page)

IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective upon the full completion of signing and dating by all Parties to this Agreement.

CITY OF YUMA

By _____ Date _____
JOHN D. SIMONTON
City Administrator

ATTEST:

By _____ Date _____
LYNDA L. BUSHONG
City Clerk

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its Department of Transportation, and the City of Yuma, an agreement among public agencies which, has been reviewed pursuant to A.R.S. §§ 11-951 through 11-954 and A.R.S. § 48-572 and declare this Agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement. Approved as to Form:

By _____ Date _____
RICHARD W. FILES
City Attorney

ARIZONA DEPARTMENT OF TRANSPORTATION

By _____ Date _____
STEVE BOSCHEN, PE
Infrastructure Delivery and Operations Division
Division Director

A.G. Contract No. P0012024000390 (ADOT IGA 24-0009579-I), an Agreement between public agencies, the State of Arizona and the City of Yuma, has been reviewed pursuant to A.R.S. §§ 11-951 through 11-954 and A.R.S. § 28-401, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona. No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

By _____ Date _____
Assistant Attorney General

EXHIBIT A**Cost Estimate****T0533 01D/03D**

The Project costs are estimated as follows:

ADOT Project Development Administration (PDA) Cost:

Federal-aid funds @ 94.3%	\$ 28,290.00
Local Agency's match @ 5.7%	1,710.00
	<hr/>
Subtotal - PDA	\$ 30,000.00

Scoping/Design:

Federal-aid funds @ 94.3%	\$ 389,981.00
Local Agency's match @ 5.7%	23,573.00
	<hr/>
Subtotal - Scoping/Design	\$ 413,554.00

Estimated TOTAL Project Cost	\$ 443,554.00
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Total Estimated Local Agency Funds	\$ 25,283.00
Total Federal Funds	\$ 418,271.00



City of Yuma

City Council Report

File #: R2024-015

Agenda Date: 5/15/2024

Agenda #: 3.

	STRATEGIC OUTCOMES	ACTION
DEPARTMENT: Planning & Neighborhood Svc	<input type="checkbox"/> Safe & Prosperous <input checked="" type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Motion <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction
DIVISION: Community Planning	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Order Improvements: Municipal Improvement District No. 127 Riverview Terrace Subdivision

SUMMARY RECOMMENDATION:

Order Improvements for Municipal Improvement District (MID) No. 127 to serve Riverview Terrace Subdivision, to operate, maintain and repair landscaping improvements within, near and adjacent to the retention and detention basins and parkings and parkways and related facilities together with appurtenant structures (Landscape Improvements); declaring the Landscape Improvements to be of more than local or ordinary benefit, and that the costs of the Landscape Improvements for MID No. 127 shall be assessed upon the properties in MID No. 127 according to acreage; providing that the proposed Landscape Improvements shall be performed under Arizona Revised Statutes (A.R.S.) Title 48, Chapter 4, Article 2. (Community Development/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

This MID assists in furthering the City Council’s strategic outcomes as it relates to Respected and Responsible and Active and Appealing. The establishment of a MID is a fiscally responsible measure intended to provide long-term maintenance for subdivision landscaping resulting in an appealing environment for neighborhood residents.

REPORT:

A.R.S. § 48-501 *et seq.* authorizes the formation of a MID for the following purposes: operations, maintenance, repair and improvements of pedestrian malls, off-street parking facilities, retention basins, and parkings and parkways. A MID provides a dedicated funding stream for the Landscape Improvements serving the neighborhood and provides neighborhood input for the implementation and privatization of those Landscape Improvements.

The formation of a MID is a two-step process, both accomplished via resolution from the legislative body. First, the legislative body adopts a resolution creating the MID. By statute, the legislative body can initiate the formation or, alternatively, property owners are empowered to petition to form a MID for their neighborhood. Then, no sooner than 15 days after the creation (it can be longer, depending on the developers’ schedule), the legislative body orders improvements for the MID by a second resolution.

In this case, the developer and City agreed to the formation of a MID for the statutory purposes through a development condition. The developer submitted the petition to create MID No. 127 and represented all of the

real property owners within the MID. On April 17, 2024, City Council adopted Resolution No. R2024-11 creating MID No. 127 for Landscape Improvements serving Riverview Terrace Subdivision.

Following the adoption of R2024-11, property owners within the designated MID, in accordance with A.R.S. § 48-579, were given 15 days to express written protest against the proposed MID. No protests were submitted, and as such, the Mayor and City Council are authorized to adopt this second resolution, the Resolution Ordering the Improvements, which finalizes the formation of the MID process. Because the developer’s petition represented all of the real property owners within the proposed MID, A.R.S. § 48-574(C) authorizes the City to adopt the resolution ordering the improvements without the necessity of publication and posting as required in other statutes.

Upon adoption of R2024-11 by City Council, City staff submitted the creation of MID No. 127 to the County Assessor. The County Assessor filed the documents with the state and the MID is created. The next step is this Resolution Ordering Improvements, which will again be sent to the County Assessor to file with the state and the MID will be finalized.

Once the developer installs the landscaping in accordance with the approved landscaping plans and those landscaping improvements are accepted, the costs to maintain those Landscape Improvements will be assessed on the respective owner’s property tax bill within the Boundary Map and the Legal Description. In accordance with the provisions of A.R.S. § 48-574, City Council will hold public hearings on MID No. 127’s Landscape Improvements on or before the third Monday in August of each year, and shall fix, levy and assess the costs of MID No. 127’s Landscape Improvements on all of the property in the MID according to proportional acreage.

It is anticipated that the developer may be ready to install the landscaping for this MID in the next calendar year. Adopting the Resolution Ordering Improvements ensures that there are no delays with finalizing the MID when the developer is ready.

Adopting this resolution finalizes the formation of MID No. 127 and orders improvements for MID No. 127’s Landscape Improvements serving Riverview Terrace Subdivision.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

None

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

None

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/07/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024

RESOLUTION NO. R2024-015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ORDERING IMPROVEMENTS FOR MUNICIPAL IMPROVEMENT DISTRICT NO. 127, SERVING RIVERVIEW TERRACE SUBDIVISION, 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 RIVERVIEW TERRACE SUBDIVISION, 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. 127; IMPROVEMENTS SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2

WHEREAS, City Council adopted Resolution R2024-11 declaring the intention to create Maintenance Improvement District (MID) No. 127 to operate, maintain, and repair certain landscape improvements within, near, and adjacent to the retention and detention basins and the parkings and parkways and related improvements (Landscape Improvements) in the Riverview Terrace Subdivision housing development; and,

WHEREAS, the petition to form MID No. 127 was signed by all of the real property owners within the proposed MID and A.R.S. § 48-574(C) authorizes City Council to adopt the resolution ordering the improvements, pursuant to the provision of A.R.S. § 48-581, without the necessity of publication and posting of the resolution of intention provided for in A.R.S. § 48-578; and,

WHEREAS, a legal description of the boundary for MID No. 127 and a diagram for MID No. 127 has been presented to City Council for consideration in this declaration of intention to order MID No. 127 as provided in A.R.S. § 48-576.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma, Arizona, as follows:

SECTION 1: City Council orders Landscape Improvements for MID No. 127 serving Riverview Terrace Subdivision. Once the Landscape Improvements are approved and constructed by the developer, the estimate of the cost and expenses shall be placed on file with the City Clerk and presented to City Council in accordance with the provisions of A.R.S. § 48-574.

SECTION 2: City Council finds the Landscape Improvements for MID No. 127 are of more than local or ordinary public benefit, and are of special benefit to the respective lots, parcels and pieces of land within the described real property of MID No. 127. City Council orders the cost and expense for the Landscape Improvements of MID No. 127 be chargeable upon the real and personal property within MID No. 127, as described in Exhibit A attached. City Council declares that MID No. 127 is benefited by the Landscape Improvements and the real and personal properties within MID No. 127 are to be assessed the proportional share of the costs and expenses of the Landscape Improvements according to acreage.

SECTION 3: All proceedings concerning the Landscape Improvements for MID No. 127, including the calculations for the costs and expenses and all assessments to pay the costs and expenses of the Landscape Improvements, shall be made in accordance with the provisions of Title 48, Chapter 4, Article 2 of the A.R.S., as amended.

SECTION 4: Any public street or alley within the boundaries of MID No. 127 are omitted from the real and personal property of MID No. 127 and shall not be included in the assessment.

SECTION 5: In no event will the City of Yuma or any officer thereof be liable for any portion of the cost of said MID nor any delinquency of persons or property assessed.

SECTION 6: As provided in A.R.S. § 48-574(D)(2), City Council shall make annual statements and estimates of the expenses of the MID which shall be provided for by the levy and collection of the total sum upon the several lots, each respectively in proportion to the benefits to be received by each lot with MID No. 127.

Adopted this _____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

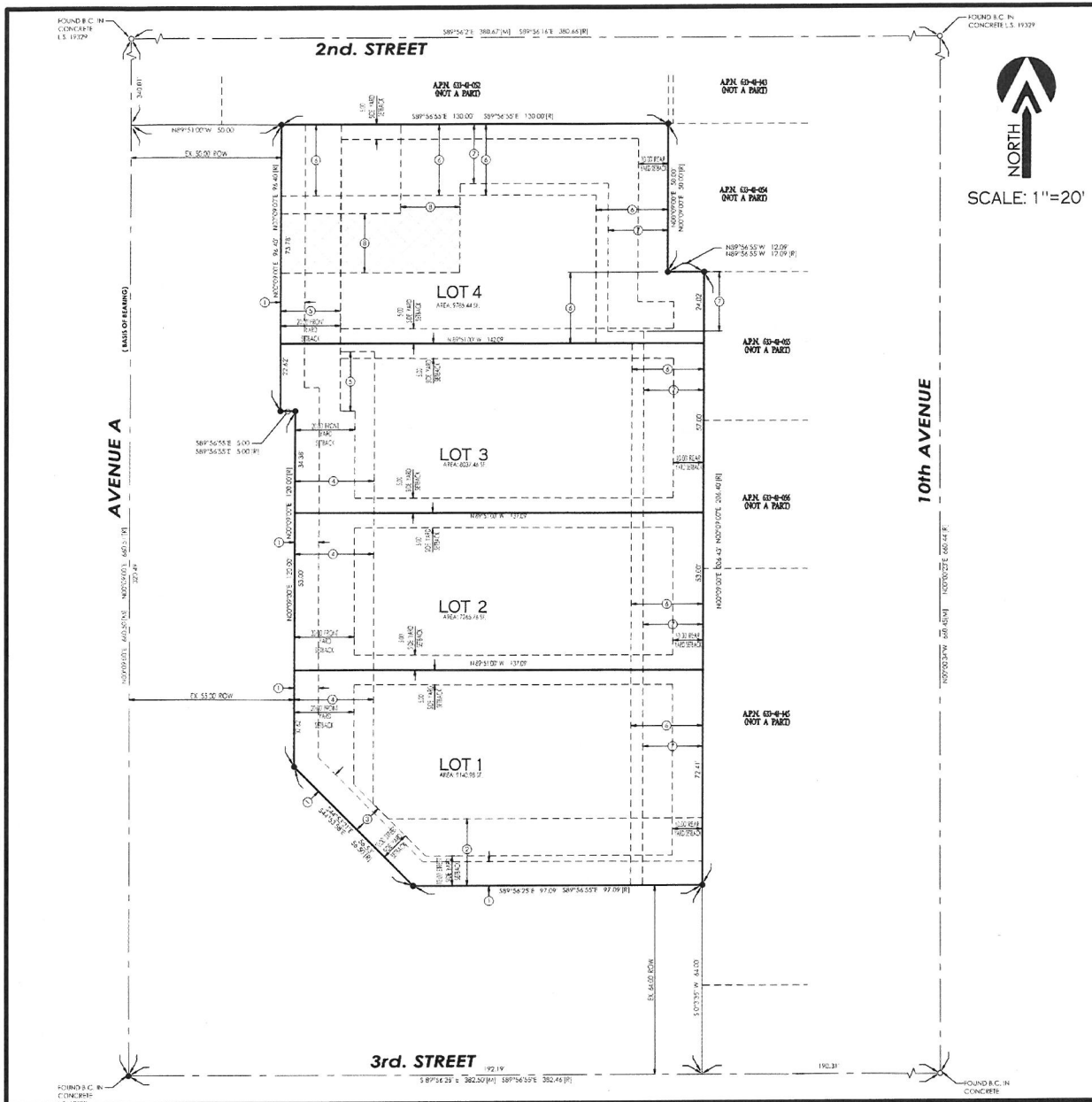
Richard W. Files
City Attorney

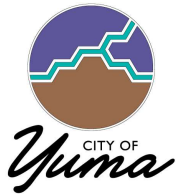
EXHIBIT "A"

LEGAL DESCRIPTION

A SUBDIVISION OF PARCEL "A" OF THE 3RD STREET LAUNDRY LOT SPLIT, AS RECORDED IN BOOK 25 OF PLATS, PAGES 7 & 8, YUMA COUNTY RECORDER'S OFFICE, YUMA COUNTY, AZ., ALSO BEING A PORTION OF THE SW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 08 SOUTH, RANGE 23 WEST, G.&S.R.B.&M., YUMA COUNTY, AZ.

EXHIBIT "A"





City of Yuma

City Council Report

File #: O2024-013

Agenda Date: 5/1/2024

Agenda #: 1.

	STRATEGIC OUTCOMES	ACTION
DEPARTMENT: Municipal Court	<input type="checkbox"/> Safe & Prosperous	<input type="checkbox"/> Motion
	<input type="checkbox"/> Active & Appealing	<input type="checkbox"/> Resolution
	<input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
DIVISION: Administration	<input type="checkbox"/> Connected & Engaged	<input checked="" type="checkbox"/> Ordinance - Adoption
	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

TITLE:

Compensation and Benefits for Municipal Judge

SUMMARY RECOMMENDATION:

Establish compensation and benefits for the office of Municipal Judge from and after January 1, 2025. (Municipal Court) (Del Miller)

STRATEGIC OUTCOME:

This ordinance supports City Council’s Respected and Responsible strategic outcome by aligning the Municipal Judge’s salary with compensation of other City employees and Judicial Officers in the state.

REPORT:

Article XI, Section 3(a) of the Yuma City Charter authorizes the Yuma City Council to establish, by ordinance, the compensation to be paid to the Municipal Judge position.

The current Municipal Judge’s term will expire December 31, 2024. The proposed ordinance will establish the level of compensation for the Municipal Judge for the term of office that begins January 1, 2025.

The current salary for Municipal Judge is \$103,950. That salary was consistent with previous judicial salaries established by the State for County Judges. The State has since increased all judicial salaries for those Judges effective January 2024. The proposed increase is based on the equivalent County Judicial Officer, which is Justice of the Peace, whose salary is established by the state at approximately, depending on workload and productivity, 70% of the Superior Court Judge salary. The ordinance recommends a salary increase adjusted to 75% of the established Superior Court Judge salary of \$180,000.00 and fixes the annual salary for Municipal Judge at \$135,000. The increase includes an additional 5% to allow for the absence of an annual COLA during the judge’s four-year term, as well as to ensure the position remains competitive. The increase will be implemented from and after January 1, 2025. Pursuant to the City Charter and Arizona Constitution “compensation shall not be increased or diminished after the election or during the Judge’s term in office.” The new ordinance supersedes Ordinance O2019-020.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 135,000.00	BUDGETED:	\$ 135,000.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 135,000.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

This amount is in the City Council approved budget.

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 04/23/2024
Reviewed by City Attorney: Richard W. Files	Date: 04/23/2024

ORDINANCE NO. O2024-013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, FIXING COMPENSATION AND BENEFITS FOR THE OFFICE OF MUNICIPAL JUDGE FROM AND AFTER JANUARY 1, 2025

WHEREAS, the Yuma City Charter, Article XI, Section 3, provides that the compensation for the Municipal Judge is to be set by ordinance of the City Council; and,

WHEREAS, the Arizona Constitution, Article IV, Part 2, §17, provides that such compensation shall not be increased or diminished after the election or during the Municipal Judge’s term of office; and,

WHEREAS, by Ordinance O2019-020, the City Council last established the compensation of the Municipal Judge whose term expires on December 31, 2024; and,

WHEREAS, there is a need to establish compensation for the next term of the Municipal Judge’s elected position.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: The annual salary of the Municipal Judge declared elected as of the General Election on November 5, 2024, or appointed in accordance with the Yuma City Charter, shall be set at \$135,000 from and after January 1, 2025.

SECTION 2: In addition to the salary compensation set forth in Section 1, the Municipal Judge shall receive the benefits of Social Security and Medicare, the appropriate retirement plan as provided by state law, and Worker’s Compensation in the same manner the City provides these benefits to other non-public safety employees.

SECTION 3: The Municipal Judge shall be eligible for all fringe benefits received by full-time City employees including, but not limited to, eligibility for participation in the City’s group health insurance, deferred compensation programs, and statutory sick leave benefits. The Municipal Judge shall also be eligible for General Leave accrual set forth in the City of Yuma Administrative Regulations at a pay period accrual rate, annual accrual amount, and maximum accrual equal to a five-year, full-time City employee (Tier 2) or actual time in service as a Municipal Judge, whichever is greater.

SECTION 4: Upon the Municipal Judge’s non-retention by the voters, retirement, or separation from employment, the balance of the Municipal Judge’s accrued, unused General Leave will be paid to the Municipal Judge at the Municipal Judge’s hourly rate at the time of separation of service as set forth in the City of Yuma Administrative Regulations.

SECTION 5: Upon the Municipal Judge’s non-retention by the voters, retirement, or separation from employment, a percentage of the Municipal Judge’s accrued, unused sick leave balance will be paid to the Municipal Judge at the time of separation of service as set forth in the City of Yuma Administrative Regulations equal to a five-year, full-time City employee (Tier 2) or actual time in service as a Municipal Judge, whichever is greater.

SECTION 6: This ordinance shall supersede Ordinance O2019-020.

Adopted this ____ day of _____, 2024.

APPROVED:

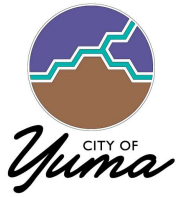
Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney



City of Yuma

City Council Report

File #: O2024-015

Agenda Date: 5/1/2024

Agenda #: 2.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Engineering	<input type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction
DIVISION: Engineering	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input checked="" type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Grant of Easement: Yuma County Water Users' Association

SUMMARY RECOMMENDATION:

Authorize the grant of an easement to Yuma County Water Users' Association (YCWUA) along the south side of 28th Street, between Avenue C and 33rd Drive, for the relocation of a portion of the United States Bureau of Reclamation's (USBR) Thacker Lateral. (Engineering) (David Wostenberg)

STRATEGIC OUTCOME:

This item furthers City Council's strategic outcome of Respected and Responsible by working with YCWUA to assure they have rights to maintain the system within the City's right-of-way (ROW), while retaining the City's fee title to the underlying ROW.

REPORT:

During the planning and design phase of the 28th Street Widening (45th Avenue to 33rd Drive) CIP Project (the 28th Street Widening Project), YCWUA informed the City Engineering Department that a portion of the Thacker Lateral irrigation line that runs along the north side of 28th Street, between Avenue C and 33rd Drive, is failing and needs to be repaired. YCWUA indicated that its plans for repair called for abandoning the failing line and installing a new irrigation line along the south side of the existing alignment of 28th Street since USBR has a 55-foot right-of-way (ROW) for this portion of the Thacker Lateral. Unfortunately, this plan would locate the new irrigation line directly underneath the future alignment of 28th Street upon completion of the 28th Street Widening Project.

To avoid having YCWUA cut into a newly widened 28th Street to install a new irrigation line in USBR's 55-foot Thacker Lateral ROW, the City's Engineering Department acquired 20 feet of additional ROW outside of USBR's existing 55-foot ROW and to the south of the widened 28th Street. YCWUA is willing to place the new Thacker Lateral irrigation line within the City's 20-foot ROW upon the grant of an easement over the 20-foot ROW giving YCWUA comparable rights to install, maintain and repair the Thacker Lateral that YCWUA enjoys within USBR's 55-foot ROW.

YCWUA has promised to place the new Thacker Lateral irrigation line within the City's new 20-foot ROW if the City grants an easement substantially in the form of the Contract and Grant of Easement attached as Exhibit B to Ordinance O2024-015.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

YCWUA’s requested easement is expected to have an offsetting fiscal impact by maintaining the structural integrity and lifespan of 28th Street.

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk’s Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 04/23/2024
Reviewed by City Attorney: Richard W. Files	Date: 04/23/2024

ORDINANCE NO. O2024-015

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, AUTHORIZING THE GRANT OF AN EASEMENT TO THE
YUMA COUNTY WATER USERS ASSOCIATION FOR INSTALLATION
AND MAINTENANCE OF A NEW IRRIGATION LINE FOR THE THACKER
LATERAL**

WHEREAS, the City of Yuma (“City”) is authorized pursuant to the Yuma City Charter, Article II, Section 2, to acquire and dispose of real property; and,

WHEREAS, the Yuma County Water Users’ Association (“YCWUA”) maintains the United States Bureau of Reclamation’s (“USBR”) Thacker Lateral on 28th Street, between Avenue C and 33rd Drive, in Yuma, Arizona; and,

WHEREAS, the Thacker Lateral is beginning to fail and YCWUA intends to install a new irrigation line on 28th Street, between Avenue C and 33rd Drive; and,

WHEREAS, to avoid possible damage to a soon to be constructed 28th Street, the City desires YCWUA to install the new irrigation line within a 20-foot strip of right-of-way (“ROW”) with a crossing along the south side of 28th Street as depicted in Exhibit A attached and incorporated as part of this ordinance; and,

WHEREAS, YCWUA has promised to place the new irrigation line within the City’s 20-foot ROW if the City grants an easement substantially in the form of the Contract and Grant of Easement attached and incorporated as Exhibit B and on file in the Office of the City Clerk.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: It is deemed a matter of public necessity and public welfare, that the City grant an easement to YCWUA substantially in the form of the Contract and Grant of Easement attached as Exhibit B which is approved according to its terms.

SECTION 2: On behalf of the City of Yuma, the City Administrator is authorized to execute all necessary documents to grant the above-referenced easement to YCWUA.

Adopted this _____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

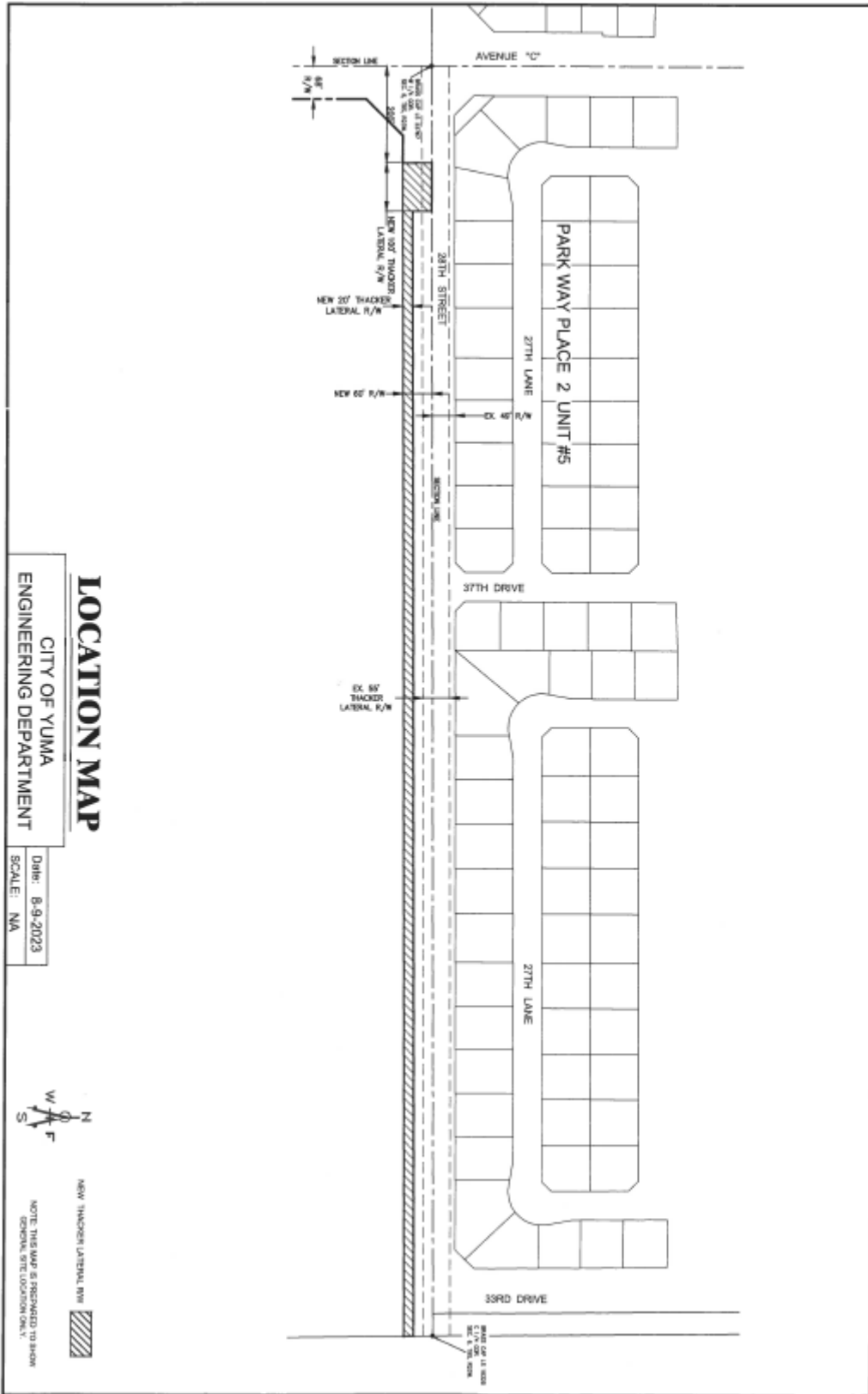
ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

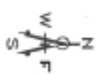
Richard W. Files
City Attorney

Exhibit A



LOCATION MAP
 CITY OF YUMA
 ENGINEERING DEPARTMENT

Date: 8-9-2023
 SCALE: NA



NEW TRACKER LATERAL R/W

NOTE: THIS MAP IS PREPARED TO SHOW GENERAL SITE LOCATION ONLY.

VALLEY DIVISION
YUMA PROJECT
YUMA COUNTY, ARIZONA

CONTRACT AND GRANT OF EASEMENT

THIS CONTRACT, made this _____ day of _____, 20____, pursuant to Section 14 of the Reclamation Project Act of August 4, 1939 (53 Stat. 197), the Act of Congress approved June 17, 1902 (32 Stat. 388), and Acts Amendatory thereof or supplementary thereto, between Yuma County Water Users' Association, a corporation, hereinafter referred to as the "ASSOCIATION," operating and maintaining the Valley Division of the Yuma Reclamation Project in Yuma County, Arizona, under contract with the United States of America, hereinafter referred to as the "UNITED STATES," and CITY OF YUMA , hereinafter referred to as "GRANTOR,"

WITNESSETH:

The following grants and mutual covenants, by and between the parties:

1. For the consideration hereinafter expressed, Grantor hereby grants to the Association, its successors and assigns, the right, privilege and easement to construct, reconstruct, operate and maintain the USBR THACKER LATERAL, with all necessary fixtures, structures and devices used or useful in the operation thereof through, over and across the following described land situated in the Gila and Salt River Meridian, County of Yuma, State of Arizona, to wit:

That portion of Section 6, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona, more particularly described as follows:

Beginning at the West quarter corner of said Section 6;

Thence North 89°43'30" East along the North line of the Southwest quarter of said Section 6 a distance of 200.00 feet to the TRUE POINT OF BEGINNING;

Thence North 89°43'30" East continuing along the North line of the Southwest quarter of said Section 6 a distance of 100.00 feet;

Thence South 00°16'30" East a distance of 40.00 feet;

Thence North 89°43'30" East parallel with and 40.00 feet southerly of the North line of the Southwest quarter of said Section 6 a distance of 2323.90 feet to a point on the East line of the Southwest quarter of said Section 6;

Thence South 00°33'19" East along the East line of the Southwest quarter of said Section 6 a distance of 20.00 feet to a point on the southerly Right-of-Way line of 28th Street;

Thence South 89°43'30" West parallel with and 60.00 feet southerly of the North line of the Southwest quarter of said Section 6 and along the southerly Right-of-Way line of 28th Street a distance of 2424.00 feet;

Thence North 00°16'30" West a distance of 60.00 feet to a point on the North line of the Southwest quarter of said Section 6 and the TRUE POINT OF BEGINNING;

Containing 52,479 square feet, more or less.

This grant of easement shall include a right of way and easement to construct, operate, and maintain on said lands whatever structures, works and appurtenances may, in the discretion of the Association operating such facilities, be required for such purposes. The Association shall use due care in the construction and maintenance of said structures, works and appurtenances.

2. In case of permanent abandonment of said right-of-way, the title and interest herein granted shall end, cease and terminate.

3. The grant of easement herein contained is subject to existing rights of way for highways, roads, railroads, canals, laterals, ditches, pipelines, electrical transmission lines, and telephone and telegraph lines covering any part of the above-described land.

4. Grantor will obtain the written approval of the Association prior to granting any additional right-of-way over, across, or otherwise affecting the rights granted to Association in this Contract.

5. In complete consideration for the above grant of easement, the Association, agrees to pay the Grantor the sum of One Dollars (\$1.00).

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

**GRANTOR
CITY OF YUMA**

**YUMA COUNTY WATER USERS'
ASSOCIATION**

s/ _____

s/ _____

By: John D. Simonton
Title: City Administrator

By: Tom W. Davis
Title: Manager

ACKNOWLEDGMENT

State of Arizona)
)ss.
County of Yuma)

On this _____ day of _____, 20____, before me, _____,
Notary Public in and for said County and State personally appeared Tom W. Davis,
Manager, of Yuma County Water Users' Association, known to me to be the person
described in the foregoing instrument, and acknowledged to me that he executed the
same on behalf of Yuma County Water Users' Association in the capacity therein stated and
for the purposes therein contained.

Notary Public in and for said
County and State

My Commission Expires: _____

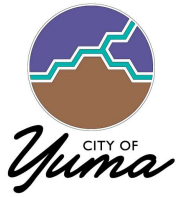
ACKNOWLEDGMENT

State of Arizona)
)ss.
County of Yuma)

On this ____ day of _____, 20____, before me, _____,
a Notary Public in and for said County and State personally appeared **John D. Simonton,**
City Administrator, of **City of Yuma,** **known** to me to be the person described in the
foregoing instrument, and acknowledged to me that **he** executed the same on behalf
of **City of Yuma** in the capacity therein stated and for the purposes therein contained.

Notary Public in and for said
County and State

My Commission Expires:_____



City of Yuma

City Council Report

File #: O2024-016

Agenda Date: 5/1/2024

Agenda #: 3.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Planning & Neighborhood Svc	<input checked="" type="checkbox"/> Safe & Prosperous	<input type="checkbox"/> Motion
	<input type="checkbox"/> Active & Appealing	<input type="checkbox"/> Resolution
DIVISION: COMMUNITY PLANNING	<input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
	<input type="checkbox"/> Connected & Engaged	<input checked="" type="checkbox"/> Ordinance - Adoption
	<input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

TITLE:

Rezoning of Property: 958 S. 3rd Avenue

SUMMARY RECOMMENDATION:

Approve the rezoning of an approximately 7,000 square foot lot from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District, for the property located at 958 S. 3rd Avenue, Yuma, AZ. (ZONE-42266-2024) (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

The rezoning of the subject property will support residential development that will be responsibly constructed, meeting all codes and requirements. This rezone assists in furthering the City Council’s strategic outcomes as it relates to Safe and Prosperous, and Respected and Responsible.

REPORT:

The applicant is proposing a new residential garage in front of the existing home. The addition of a garage is an expansion of a non-conforming use. B-2 zoning does allow non-conforming uses to continue, but not to expand. Transitional (TR) zoning allows single-family homes and their accessory buildings such as a new detached garage.

Further specified in Yuma City Code §154-08.01, the following are some of the development standards in the Transitional (TR) District:

1. The minimum lot size is 9,000 sq. ft.;
2. The maximum lot coverage shall not exceed 50% of the lot area;
3. A minimum front yard setback of 20 feet for all buildings, including accessory structures;
4. A minimum side yard setback of 5 feet*;
5. A minimum rear yard setback of 10 feet; and
6. A maximum building height of 40 feet.

*Infill Overlay Incentive.

The request to rezone the property from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District is in conformance with the Commercial Land Use Category in the General Plan.

The lot was split prior to 1965 and the home was built in 1940. The lot is approximately 7,000 sq. ft. in size. Since the parcel is less than the minimum lot size in the TR district, a site plan (a specific plan of development) is included in the Planning and Zoning report to satisfy the following Yuma City Code requirement:

Section 154-15.02(C)(2): Applications which do not meet the minimum lot size as defined under the development standards for that zoning district may be considered for rezoning only if a specific plan of development is submitted at the time of the rezoning request which complies with all other development standards without the necessity of a variance.

As indicated in the attached site plan (specific plan of development) the location of the future garage on this property can be accommodated without a variance, meeting the requirements of the Yuma City Code. While the future development of the site will not require the need for a variance, it should be noted that the size of the parcel will be considered legal non-conforming.

On March 25, 2024, the Planning and Zoning commission voted to recommend **APPROVAL** of the rezoning from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District, subject to the following conditions:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner’s signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

Public Comments - Excerpt from Planning and Zoning Commission Meeting Minutes:

Robert Blevins, Principal Planner, summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

“**Chris Hamel, Chairman** asked if there was a driveway going into the backside of the property. **Blevins** replied that the entry point to the property was through 3rd Avenue.

APPLICANT/APPLICANT’S REPRESENTATIVE

“**Chelsea Malouff, Planning Commissioner** asked if the garage would be for commercial use. **Applicant, Miguel Duran, 958 S. 3rd Avenue, Yuma AZ**, stated that it would be used to store his tools.

“**Motion by Lorraine Arney, Planning Commissioner second by Ashlie Pendleton, Planning Commissioner to APPROVE ZONE-42266-2024 as presented.**

“**Motion carried (4-1) with Malouff voting nay, and two absent.**”

Planning Commission Staff Report - Attached

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00

FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:
NONE

ADDITIONAL INFORMATION:

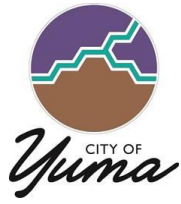
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 04/23/2024
Reviewed by City Attorney: Richard W. Files	Date: 04/23/2024



**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: BOB BLEVINS**

Hearing Date: March 25, 2024

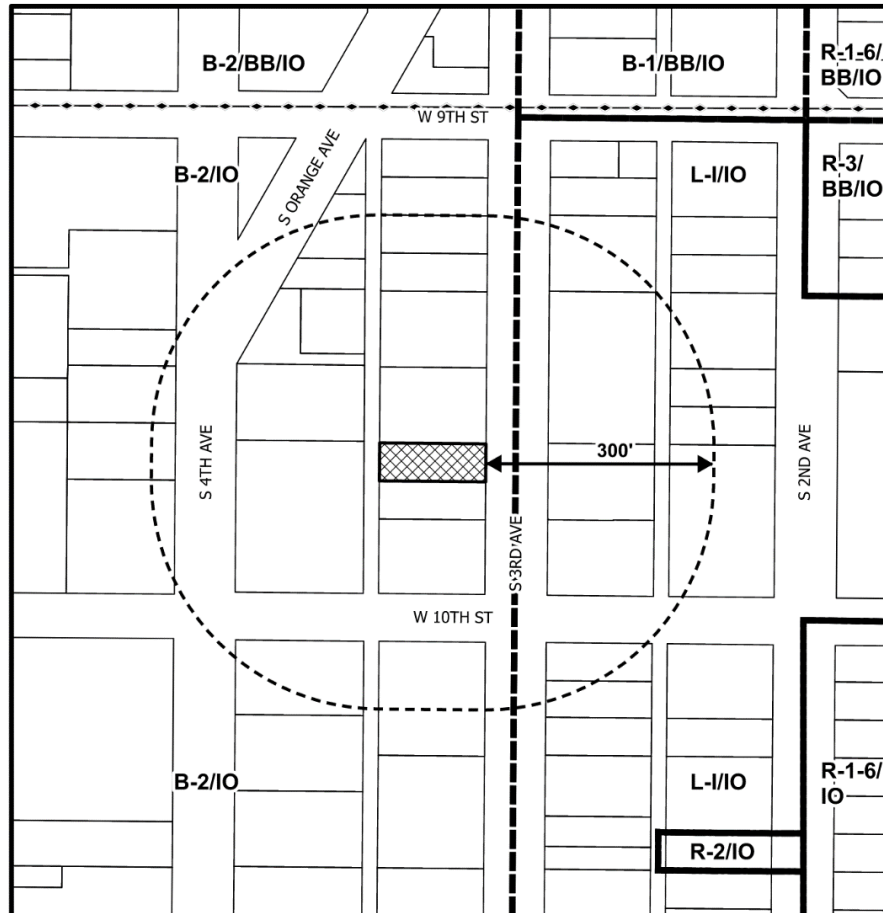
Case Number: ZONE-42266-2024

**Project Description/
Location:**

This is a request by Chris Morris, on behalf of Miguel Duran, to rezone an approximately 7,000 square foot lot from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District to allow for the construction of a new garage, for the property located at 958 S. 3rd Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	General Commercial/Infill Overlay (B-2/IO)	Residence	Commercial
North	General Commercial/Infill Overlay (B-2/IO)	Vacant	Mixed Use
South	General Commercial/Infill Overlay (B-2/IO)	Vacant	Commercial
East	Light Industrial/Infill Overlay (L-I/IO)	Offices/Storage	Commercial
West	General Commercial/Infill Overlay (B-2/IO)	Tire Shop	Commercial

Location Map



Prior site actions: Subdivision: Speese Addition (01/29/1925); Annexation: #449 (05/29/1946).

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-42266-2024 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommending approval to the City Council for the request to rezone an approximately 7,000 square foot lot from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District, for the property located at 958 S. 3rd Avenue, Yuma, AZ, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The applicant is proposing a new residential garage in front of the existing home. The addition of a garage is an expansion of a non-conforming use. B-2 zoning does allow non-conforming uses to continue, but not to expand.

Transitional (TR) zoning does allow single-family homes and their accessory buildings such as a new detached garage.

Zoning & General Plan:

Further specified in §154-08.01, the following are some of the development standards required of a development with the Transitional (TR) District:

1. The minimum lot size is 9,000 sq. ft.;
2. The maximum lot coverage shall not exceed 50% of the lot area;
3. A minimum front yard setback of 20 feet for all buildings, including accessory structures;
4. A minimum side yard setback of 5 feet*;
5. A minimum rear yard setback of 10 feet*; and
6. A maximum building height of 40 feet.

*Infill Overlay Incentive.

The request to rezone the property from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District is in conformance with the Commercial Land Use Category in the General Plan.

The lot was split prior to 1965 and the home was built in 1940. The lot is approximately 7,000 sq. ft. in size. Since the parcel is less than the minimum lot size in the TR district, a site plan (a specific plan of development) is included in this report to satisfy the following:

Section 154-15.02(C)(2): Applications which do not meet the minimum lot size as defined under the development standards for that zoning district may be considered for rezoning only if a specific plan of development is submitted at the time of the rezoning request which complies with all other development standards without the necessity of a variance.

It should be noted that the purpose of the site plan is to show the location of the future garage on this property and it can be accommodated without a variance.

Neighborhood Meeting:

Thirty neighboring property owners were notified by U.S. Mail and invited to the upcoming public hearings and neighborhood meeting, which was held at the property on February 14, 2024. One neighbor attended. He was concerned were about the use of the new garage. A synopsis of the meeting is included in Attachment F of this report.

1. Does the proposed zoning district conform to the Land Use Element?

Yes.

Land Use Element:									
Land Use Designation:				Commercial					
Issues:				None					
Historic District:	Brinley Avenue		Century Heights		Main Street		None	X	
Historic Buildings on Site:		Yes		No	X				

2. Are there any dedications or property easements identified by the Transportation Element?

No.

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
3 rd Avenue- Local Commercial/Industrial Street	29 FT H/W ROW	40 FT H/W ROW				
Bicycle Facilities Master Plan	3 rd Avenue – Bike Lane					
YCAT Transit System	4 th Avenue- Yellow Route					
Issues:	None					

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan?

Yes.

Parks, Recreation and Open Space Element:						
Parks and Recreation Facility Plan						
Neighborhood Park:	Existing: Clymer Park (Pocket Park)				Future: None	
Community Park:	Existing: Riverfront Regional Park				Future: None	
Linear Park:	Existing: Colorado River Levee Linear Park				Future: None	
Issues:	None					
Housing Element:						
Special Need Household:	N/A					
Issues:	None					
Redevelopment Element:						
Planned Redevelopment Area:	N/A					
Adopted Redevelopment Plan:	North End:	X	Carver Park:		None:	
Conforms:	Yes	X	No			
Conservation, Energy & Environmental Element:						
Impact on Air or Water Resources	Yes		No	X		

Renewable Energy Source	Yes		No	X			
Issues:	None						
Public Services Element:							
<u>Population Impacts</u> Population projection per 2018-2022 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person	Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation
	<i>Single Family</i>						
	Maximum	Per Unit		Officers	GPD	AF	GPD
	10	2.7	27	0.05	5,589	6.3	1,890
Minimum							
	5	2.7	14	0.03	2,795	3.1	945
Fire Facilities Plan:	Existing: Fire Station #1			Future: None			
Water Facility Plan:	Source:	City	X	Private	Connection:	4" line on 3 rd Avenue	
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 8" line in Alley.	
Issues:	None						
Safety Element:							
Flood Plain Designation:	X		Liquefaction Hazard Area:	Yes	No	X	
Issues:	None						
Growth Area Element:							
Growth Area:	Araby Rd & Interstate 8		Arizona Ave & 16 th St		Avenue B & 32 nd St.		
	North End	X	Pacific Ave & 8 th St	Estancia	None		
Issues:	None						

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes.

5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

Yes.

Public Comments Received

Name:	Jorge Holland			Contact Information:	jh333@aol.com		
Method of Contact:	Phone	FAX	Email	X	Letter	Other	
"What does the proposed change allow the owner to do? What are the new setbacks? I have no objections to this change."							

External Agency Comments:

None Received.

Neighborhood Meeting Comments:

See Attachment D.

Proposed conditions delivered to applicant on:

03/08/2024

Final staff report delivered to applicant on:

03/11/2024

- Applicant agreed with all of the conditions of approval on: (03/12/2024)
- Applicant did not agree with the following conditions of approval: (list #'s)

Attachments

A	B	C	D	E	F	G
Conditions of Approval	Agency Notifications	Specific Plan of Development	Neighborhood Meeting Comments	Neighbor Notification List	Neighbor Mailing	Aerial Photo

Prepared By: *Robert M. Blevins* **Date:** 03/07/24
 Robert M. Blevins
 Principal Planner Robert.Blevins@yumaaz.gov (928) 373-5189

Reviewed By: *Jennifer L. Albers* **Date:** 3/7/24
 Jennifer L. Albers
 Assistant Director of Planning

Approved By: *Alyssa Linville* **Date:** 03/18/2024
 Alyssa Linville
 Director, Planning and Neighborhood Services

**ATTACHMENT A
CONDITIONS OF APPROVAL**

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

Community Planning, Bob Blevins, Principal Planner (928) 373-5189:

3. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

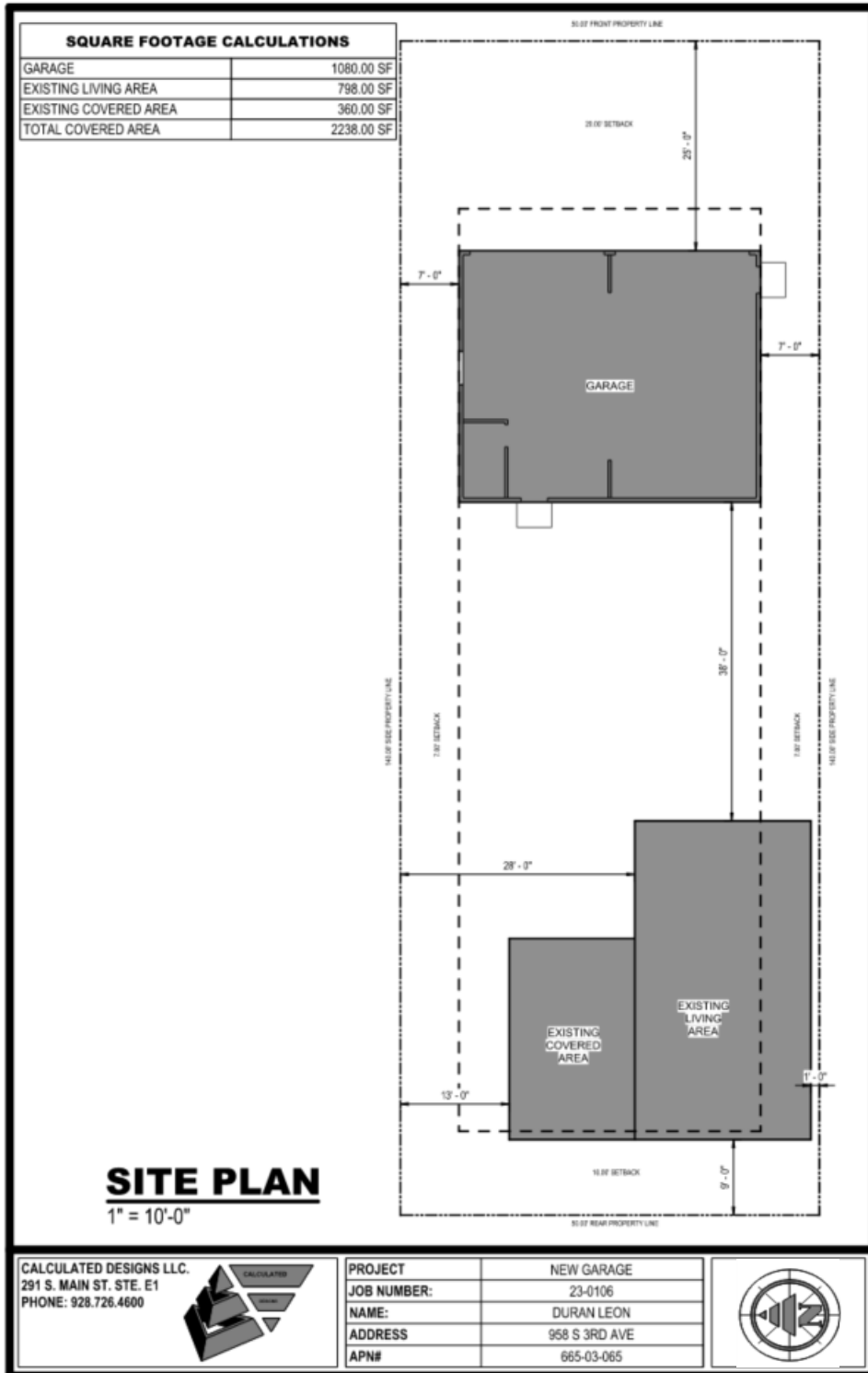
Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

**ATTACHMENT B
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 03/01/24
- **300' Vicinity Mailing:** 02/05/24
- **34 Commenting/Reviewing Agencies noticed:** 02/08/24
- **Site Posted on:** 02/07/24
- **Neighborhood Meeting:** 02/14/24
- **Hearing Date:** 03/25/24
- **Comments due:** 02/19/24

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	02/08/24	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	02/08/24	X		
Yuma County Planning & Zoning	YES	02/08/24	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	02/08/24	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	02/12/24	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	02/20/24	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT C SPECIFIC PLAN OF DEVELOPMENT



**ATTACHMENT D
NEIGHBORHOOD MEETING COMMENTS**

Date Held: 02/14/24

Location: 958 S. 3rd Avenue

Attendees: City Staff: Bob Blevins, Community Planning; One neighbor in attendance.

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- **SUSPICIOUS- IS IT A COMMERCIAL BUILDING?**
- **IS IT A WELDER? A WELDING SHOP?**
- **IS IT AN INDUSTRIAL USE?**
- **WE WERE FORCED TO COMPLY & STAY WITHIN CITY RULES.**
- **HE SHOULD KNOW THE RULES.**
- **IF THIS IS TO SKIRT FIRE SPRINKLERS- I AM NOT IN FAVOR.**
- **WE HAVE HAD FIRES.**

**ATTACHMENT E
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City/State/Zip Code
940 SECOND LLC	221 S SECOND AVE	YUMA AZ 85364
ANDERSON SHELLEY W	1000 S 5TH AVE	YUMA AZ 85364
ARIZONA AUTO CLINIC INC	1001 S 4TH AVE	YUMA AZ 85364
BORDER PROPERTIES & INVESTMENTS LLC	290 W 10TH ST	YUMA AZ 85364
BRICK VICKIE M	2100 W COUNTRY LN	YUMA AZ 85365
CLABORN MICHELLE R TRUST 6-1-2016	340 W 32ND ST #447	YUMA AZ 85364
DURAN VALDEZ TRUST 10-12-2021	958 S 3RD AVE	YUMA AZ 85364
EAGLE LEASING INC	100 EAGLE RIDGE DR	MIDLAND CITY AL 36350
EAGLE LEASING INC	100 EAGLE RIDGE DR	MIDLAND CITY AL 36350
EAGLE LEASING INC	100 EAGLE RIDGE DR	MIDLAND CITY AL 36350
FEW PROPERTIES LLC	965 S 4TH AVE	YUMA AZ 85364
FEW PROPERTIES LLC	965 S 4TH AVE	YUMA AZ 85364
FEW PROPERTIES LLC	965 S 4TH AVE	YUMA AZ 85364
FEW PROPERTIES LLC	965 S 4TH AVE	YUMA AZ 85364
GALBREATH JOHN R III TRUST 04-15-97	920 S 3RD AVE	YUMA AZ 85364
GONZALEZ MARIO	2854 HOPE ST	HUNTINGTON PARK CA 90225
HOLLAND JORGE	PO BOX 2767	YUMA AZ 85366
HOLLAND JORGE	PO BOX 2767	YUMA AZ 85366
INGLE JOSEPH & SOLEDAD M JT	950 S 4TH AVE	YUMA AZ 85364
KJM HOLDINGS	802 W 34TH ST	YUMA AZ 85365
LEON MIGUEL DURAN	PO BOX 12798	SAN LUIS AZ 85349
LIVING LEGACY INSTITUTE INC	5727 W CIELO GRANDE	GLENDALE AZ 85310
MEJIA EDWARD L & WILLIAM L	108 W 23RD PL	YUMA AZ 85364
PHILLIPS ESTHER GIL	912 S 3RD AVE	YUMA AZ 85364
RODRIGUEZ FRANK & JESSICA JT	14686 S AVE 4 1/2E	YUMA AZ 85365
RODRIGUEZ ROBERT S & GLORIA A JT	960 S 2ND AVE	YUMA AZ 85364
SOTO PEDRO ZAWLO RUBEN	948 S 4TH AVE	YUMA AZ 85364
SOTO RODOLFO	948 S 4TH AVE	YUMA AZ 85364
VALENZUELA CIRILO C & RITA F JT	1150 S 8TH AVE	YUMA AZ 85364
YUMA THIRD AVENUE PROPERTIES AZ LLC	221 S 2ND AVE STE 1	YUMA AZ 85364

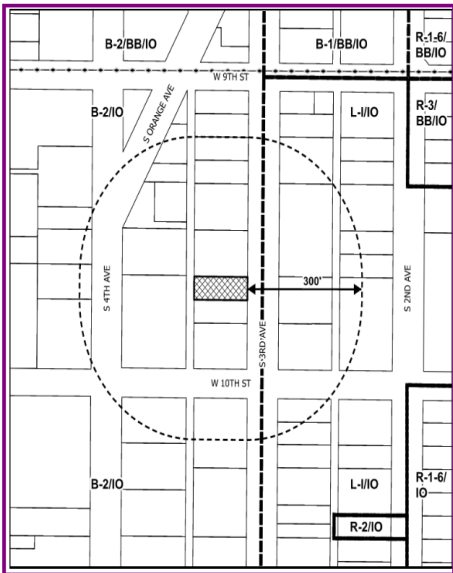
**ATTACHMENT F
NEIGHBOR MAILING**

This is a request by Chris Morris, on behalf of Miguel Duran, to rezone an approximately 7,000 square foot lot from the General Commercial/Infill Overlay (B-2/IO) District to the Transitional/Infill Overlay (TR/IO) District, for the property located at 958 S. 3rd Avenue, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-42266-2024**

NEIGHBORHOOD MEETING
02/14/2024 @ 5:00 PM
ON-SITE

PUBLIC HEARING
03/25/2024 @ 4:30 PM
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 958 S. 3rd Avenue, Yuma, AZ. You are invited to attend these meetings to voice your comments. If you have questions or wish to submit written comments, please contact Robert Blevins by phone at (928) 373-5189 or by email at Robert.Blevins@YumaAz.gov

**ATTACHMENT G
AERIAL PHOTO**



ORDINANCE NO. O2024-016

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/INFILL OVERLAY (B-2/IO) DISTRICT TO THE TRANSITIONAL/INFILL OVERLAY (TR/IO) DISTRICT, AND AMENDING THE ZONING MAP TO CONFORM WITH THE REZONING

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on March 25, 2024 in Zoning Case No: ZONE-42266-2024 in the manner prescribed by law for the purpose of rezoning one parcel of real property hereafter described to the Transitional/Infill Overlay (TR/IO) District as provided in Chapter 154 of the Yuma City Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance and manner provided by law, including publication of notice of the hearing in the Yuma Sun on March 1, 2024; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-42266-2024 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this rezoning, and finds that the recommendation complies with and conforms to the goals and objectives of the Yuma General Plan, as amended.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: The following described real property, depicted in Exhibit A, attached:

The North Half (N½) of Lot 5, Block 5, The Speese Addition, in Section 28, Township 08 South, Range 23 West, Gila and Salt River Base and Meridian, Yuma, Arizona;

Containing 7,000 square feet, more or less

shall be placed in the Transitional/Infill Overlay (TR/IO) District, as defined by Chapter 154 of the Yuma City Code as amended; that upon this Ordinance becoming final, the described real property shall be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Transitional/Infill Overlay (TR/IO) District and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, is ordered to be changed and amended so as to show that the real property described in this Ordinance will be located within the Transitional/Infill Overlay (TR/IO) District.

SECTION 2: The following conditions (s) must be met and/or completed in order for the zoning amendment to be final:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. A site plan (a specific plan of development) is required showing all existing and proposed structures on the property, to ensure the proposed construction can be accommodated while meeting setbacks and other dimensional standards.

SECTION 3: With the exception of Condition 2, each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a building permit or business license for this site, whichever occurs first. If the conditions of approval are not completed within the above time frame then the rezone shall be subject to A.R.S. § 9-462.01. A copy of the site plan shall be maintained on file with the City of Yuma Department of Planning and Neighborhood Services.

Adopted this _____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

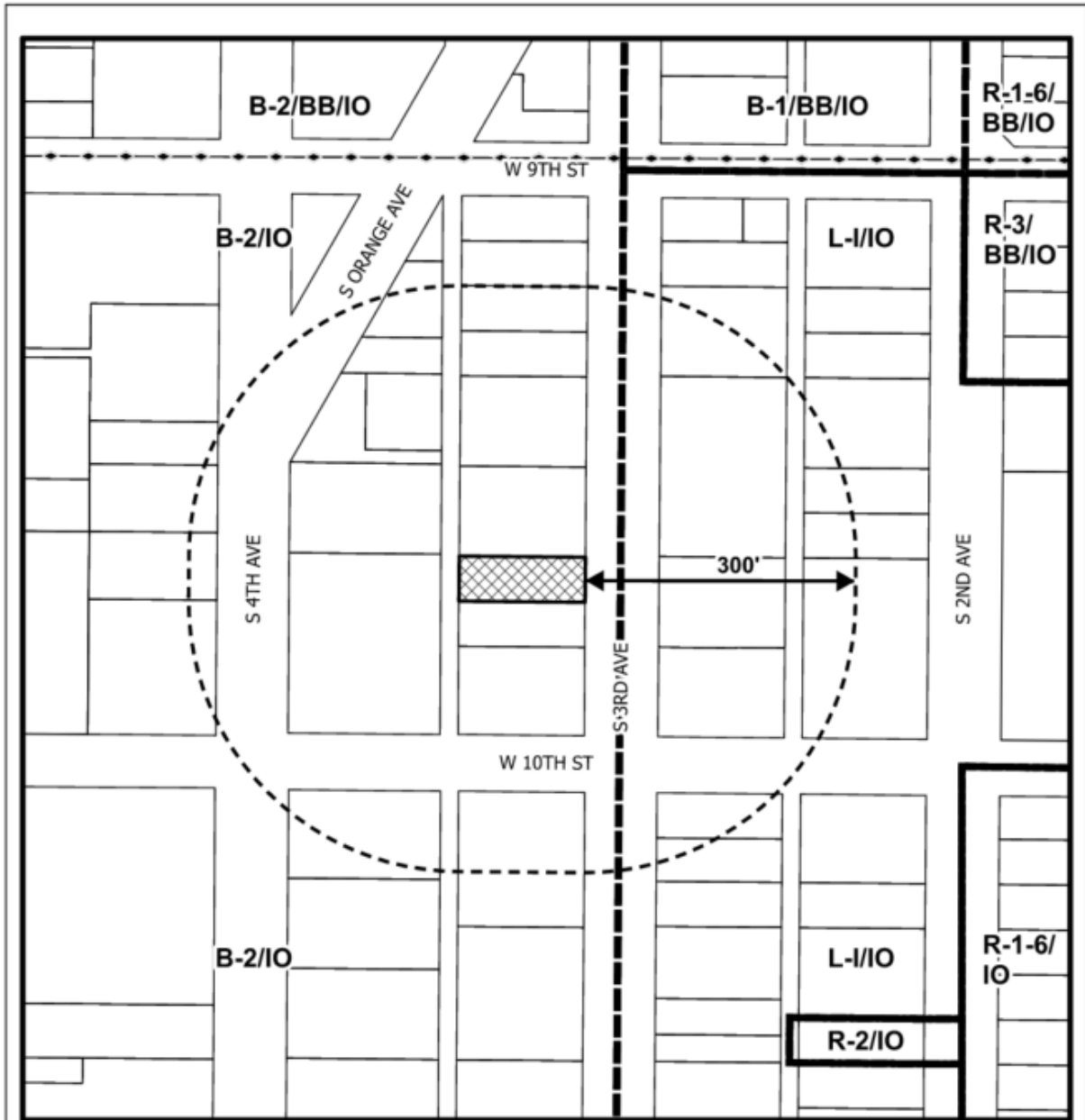
ATTESTED:

Lynda L. Bushong
City Clerk


APPROVED AS TO FORM:

Richard W. Files
City Attorney

Exhibit A



LOCATION MAP

 LOCATION OF SUBJECT PROPERTY

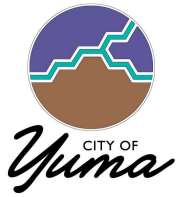


Prepared by: DG
 Checked by: RB



Date: 1/23/2024
 Revised:
 Revised:

Case #:
 ZONE-42266-2024



City of Yuma

City Council Report

File #: O2024-017

Agenda Date: 5/1/2024

Agenda #: 4.

	STRATEGIC OUTCOMES	ACTION
DEPARTMENT: Planning & Neighborhood Svc	<input checked="" type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction
DIVISION: Community Planning	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input checked="" type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Rezoning of Property: Southeast Corner of Avenue 6E and 48th Street

SUMMARY RECOMMENDATION:

Rezone approximately 77 acres from the Agriculture (AG) District to the Low Density Residential (R-1-6, R-1-8, and R-1-12) Districts for the properties located at the southeast corner of Avenue 6E and 48th Street. (Planning and Neighborhood Services/Community Planning) (Alyssa Linville)

STRATEGIC OUTCOME:

Approval of this rezone supports residential development in the City that will be responsibly constructed, meeting all codes and requirements. This rezone assists in furthering the City Council’s strategic outcomes of Safe and Prosperous, and Respected and Responsible.

REPORT:

In September of 1996, the City Council and the Yuma County Board of Supervisors adopted the Joint Land Use Plan (JLUP), in consultation with Marine Corps Air Station Yuma (MCAS Yuma). The JLUP represents the combined efforts of the City and County to establish a common guide for land use development, ensuring compatible land use activities within the vicinity of MCAS Yuma and the Barry M. Goldwater Range (BMGR).

The JLUP recommended the establishment of a one-mile buffer along the boundary of the BMGR, intended to limit residential development within the area. This one-mile buffer was established in 2004 through a general plan amendment, which designated this area as Rural Density Residential. The Rural Density Residential land use designation would allow a residential density no less than one dwelling unit per each two acres of land.

In 2005, the owners of the subject properties petitioned the City to amend the JLUP. On December 12, 2005, the City Council and the Board of Supervisors denied the request for a major general plan amendment to the JLUP, from Rural Density to Low Density (GP2005-12). The following year the property owner(s) submitted the same request for a general plan amendment. This time, the City Council (5-0) and the Board of Supervisors (4-1) approved the request for a major amendment to the JLUP from Rural Density to Low Density Residential.

Since the approval in 2006, the decision to amend the land use designation to low density residential has been upheld by the residents of the City during two separate election cycles. The first occurring on November 6, 2012, with the ratification of the 2012 General Plan, and the second occurring on November 8, 2022, with the ratification of the 2022 General Plan. During both elections, the voters continued to demonstrate their support of the land use designation, with the ability of developing these properties at a rate of 1-4.9 dwelling units per

acre.

In addition to the density limitations imposed by the 1996 JLUP, MCAS Yuma has plans to acquire 4,700 acres of developable land on the east Yuma mesa, adjacent to the northern boundary of the BMGR, half of which is located within the City. The loss of this developable land will result in the loss of more than 5,700 potential future homes. While discussions related to the expansion of the range are ongoing, if necessary, the City must identify new opportunities for residential development. This will become a major undertaking in the new Joint Land Use Plan scheduled to begin in 2024.

The subject properties, located at the southeast corner of Avenue 6E and 48th Street, are currently undeveloped and measure approximately 77 acres in size. The subject properties, which are located within one mile of the BMGR, have been the subject of several planning applications over the years.

In addition to the land use applications discussed previously, the property owners have sought to rezone the subject properties three times. During these prior attempts at rezoning, the property owners sought to attain approval from MCAS Yuma, without success; without MCAS Yuma approval, the property owners made the decision to withdraw each of the three prior zoning requests before reaching City Council.

With this rezoning application, the property owners are requesting to rezone the properties from the Agriculture (AG) District to the Low Density Residential (R-1-6, R-1-8, and R-1-12) Districts, in an effort to develop a project featuring graduated densities, with smaller lots at the north end of the project, and larger lots at the south end. As shown in Attachment B, the proposed buildout will have a total of 298 residential lots, ranging in size from 6,000 square feet to 12,000 square feet. This development model is a contrast from the prior rezoning applications which sought to develop an entire Low Density Residential (R-1-6) single-family subdivision, with more than 350 lots.

According to the 1996 JLUP, these properties are located within a one-mile distance of the BMGR. During the drafting of the JLUP, the area of the BMGR adjacent to these properties served as an active training ground for military personnel. Since 1996, however, significant operational changes have occurred within BMGR. The catalyst for these changes was the construction of the Area Service Highway (ASH).

Completed in 2009, the ASH is a 25-mile-long stretch of state highway (State Route 195, also known as the Robert A. Vaughan Expressway), connecting Interstate 8 to San Luis, Arizona. The location of the ASH bisects the northwestern most portion of the BMGR, resulting in more than 1,500 acres of land no longer suitable for military training; this area of the BMGR is often referred to as the orphan parcels. The subject properties, associated with this requested rezoning, are located west of the ASH, adjacent to the orphan parcels. The need for the one-mile buffer within this area of the community is no longer warranted. In fact, MCAS Yuma is currently in the process of converting this once active area of the range into a megawatt solar farm, demonstrating that these orphan parcels are no longer an active component of the BMGR, and that increased residential densities adjacent to a solar field is an example of compatible development.

The City takes significant strides to protect its largest industries, particularly agriculture and the military. In doing so, the City also faces challenges associated with community growth. Since the adoption of the JLUP in 1996, the City has made every effort to work alongside MCAS Yuma to ensure that growth within the City does not negatively impact the operations of the military installations. The City will continue to work alongside MCAS Yuma through the drafting of a new Joint Land Use Plan which should create a new east-west BMGR buffer utilizing the ASH highway as the demarcation of no negative impact on the operations of MCAS Yuma and the BMGR.

On March 25, 2024, the Planning and Zoning Commission voted to recommend APPROVAL (3-2, with Greg Counts and John Mahon absent) of the request to rezone approximately 77 acres from the Agriculture (AG) District to the Low Density Residential (R-1-6, R-1-8, and R-1-12) Districts for the properties located at the

southeast corner of Avenue 6E and 48th Street, subject to the conditions of approval outlined below:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.
4. Sound attenuation will need to be incorporated into the design of each residence to meet the minimum standards set forth in A.R.S. § 28-8482(B).
5. The Owner/Developer shall dedicate an additional 7 feet right-of-way along Ave 6E frontage such that a 40 foot half width is obtained consistent with a 2-Lane Collector Street.
6. The Owner/Developer shall dedicate an additional 17 feet of right-of-way, such that the City obtains 50 feet of half width right-of-way along 48th Street frontage consistent with a Minor Arterial Street.
7. The Owner/Developer shall dedicate additional intersection r-o-w at the southeast corner of Avenue 6E & 48th Street to accommodate a north to east turn lane, and corner triangle.
8. With the exception of Condition 4, each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to A.R.S. § 9-462.01.

PUBLIC COMMENTS - EXCERPTS FROM PLANNING AND ZONING COMISSION MEETING MINUTES:

Questions for Staff:

“Chris Hamel - Planning and Zoning Commissioner thanked **Alyssa Linville - Director of Planning and Neighborhood Services** for a detailed report and mentioned that it provided clarity as to the location of the parcels and surrounding area.

“Hamel then asked **Linville** if there was any condition, they can include for any future development of homes to limit the noise.

“Linville stated that per condition #4, of the staff report, sound attenuation would need to be incorporated into the design of each residence in accordance with state law, because the property is located within the vicinity of the range.

Questions for Applicant:

“Tom Pancrazi, 350 W. 16th Street, Yuma, AZ, was available for questions.

“Hamel asked **Pancrazi** if the potential buyers of the proposed new homes, would be aware of the noise in the area.

“Linville stated that condition #3, required every property owner to sign and record an Avigation Easement, acknowledging potential overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Public Comments:

“Mary Finch, Community Liaison Officer, MCAS, noted that the Colonel from the Marine Corps Air Station (MCAS) and

the Colonel from Yuma Proving Ground (YPG) submitted letters asking the commission to deny the request. Finch expressed concerns about noise and traffic, noting that MCAS conducts approximately 185,000 air operations per year and mentioned that this request can possibly restrict their airfield in the future.

Motion:

“Motion by Joshua Scott - Planning and Zoning Commissioner, second by Chelsea Malouff - Planning and Zoning Commissioner to APPROVE ZONE-42218-2024 as presented.

“Motion carried, (3-2) with Hamel & Lorraine Arney - Planning and Zoning Commissioner voting nay, and two commissioners absent.’

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

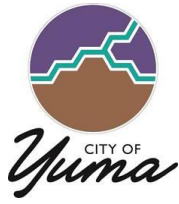
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

NONE

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk’s Office
- Document to be recorded
- Document to be codified

Acting City Administrator: John D. Simonton	Date: 04/23/2024
Reviewed by City Attorney: Richard W. Files	Date: 04/23/2024



**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: ALYSSA LINVILLE**

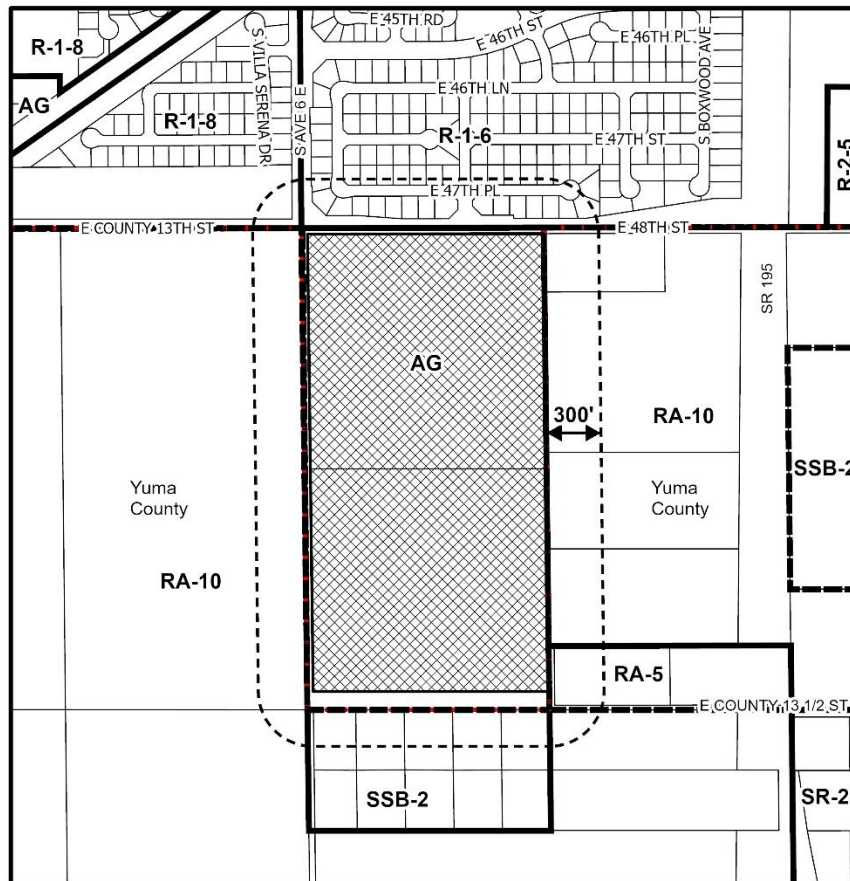
Hearing Date: March 25, 2024

Case Number: ZONE-42218-2024

Project Description/Location: This is a request by Dahl, Robins, and Associates, on behalf of Hard Red Turtle, LLC, to rezone approximately 77 acres from the Agriculture (AG) District to the Low Density Residential (R-1-6, R-1-8, and R-1-2) Districts, for the properties located at the southeast corner of Avenue 6E and 48th Street, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Undeveloped	Low Density Residential
North	Low-Density Residential (R-1-6)	Single-Family Residences	Low Density Residential
South	Yuma County (Suburban Site Built; SSB-2)	Single-Family Residences	Rural Density Residential
East	Yuma County (Rural Area; RA-10)	Undeveloped	Rural Density Residential
West	Yuma County (Rural Area; RA-10)	Undeveloped	Rural Density Residential

Location Map



Prior site actions: General Plan Amendment: GP2005-12 (Rural Density Residential to Low Density Residential, denied), GP2006-013 (Rural Density Residential to Low Density Residential, Resolution R2006-73 approved); Annexation: A2007-009 (February 16, 2008, Ordinance O2008-02); Rezone: Z2007-017 (Agriculture to Low Density Residential (R-1-6), withdrawn), ZONE-1427-2012 (Agriculture to Low Density Residential (R-1-6), withdrawn), ZONE-36536-2021 (Agriculture to Low Density Residential (R-1-8 and R-1-12, withdrawn))

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the from the Agriculture (AG) District to the Low Density Residential (R-1-6, R-1-8, and R-1-2) Districts, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-42218-2024 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council for the request to rezone approximately 77 acres from the Agriculture (AG) District to the Low Density Residential (R-1-6, R-1-8, and R-1-2) Districts for the properties located at the southeast corner of Avenue 6E and 48th Street, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Background: In September of 1996, the City Council adopted the Joint Land Use Plan (JLUP), an agreed upon land use plan between the City of Yuma (City), Yuma County (County), and Marine Corps Air Station Yuma (MCAS Yuma). The JLUP represents the combined efforts of the City and County to establish a common guide for land use development, ensuring compatible land use activities within the vicinity of MCAS Yuma and the Barry M. Goldwater Range (BMGR).

The JLUP recommended the establishment of a one-mile buffer along the boundary of the BMGR, intended to limit residential development within the area. This one-mile buffer was established in 2004 through a general plan amendment, which designated this area as Rural Density Residential. The Rural Density Residential land use designation would allow a residential density no less than one dwelling unit per each two acres of land.

In 2005, the owners of the subject properties petitioned the City to amend the JLUP. On December 12, 2005, the City Council and the Board of Supervisors denied the request for a major general plan amendment to the JLUP, from Rural Density to Low Density (GP2005-12). The following year the property owner(s) submitted the same request for a general plan amendment. This time, the City Council (5-0) and the Board of Supervisors (4-1) approved the request for a major amendment to the JLUP from Rural Density to Low Density Residential.

Since the approval in 2006, the decision to amend the land use designation to low density residential has been upheld by the residents of the City during two separate election cycles. The first occurring on November 6, 2012, with the ratification of the 2012 General Plan, and the second occurring on November 8, 2022, with the ratification of the 2022 General Plan. During both elections, the voters continued to demonstrate their support of the land use designation, with the ability of developing these properties at a rate of 1-4.9 dwelling units per acre.

In addition to the density limitations imposed by the 1996 JLUP, MCAS Yuma has plans to acquire 4,700 acres of developable land on the east Yuma mesa, adjacent to the northern boundary of the BMGR, half of which is located within the City. The loss of this developable land will result in the loss of more than 5,700 potential future homes. While discussions related to the expansion of the range are ongoing, if necessary, the City must identify new opportunities for residential development. This will become a major undertaking in the new Joint Land Use Plan scheduled to begin in 2024.

Staff Analysis: The subject properties, located at the southeast corner of Avenue 6E and 48th Street, are currently undeveloped and measure approximately 77 acres in size. The subject properties, which are located within one mile of the BMGR, have been the subject of several planning applications over the years.

In addition to the land use applications discussed previously, the property owners have sought to rezone the subject properties three times. During these prior attempts at rezoning, the property owners sought to attain approval from MCAS Yuma, without success; without MCAS Yuma approval, the property owners made the decision to withdraw each of the three prior zoning requests before reaching City Council.

With this rezoning application, the property owners are requesting to rezone the properties from the Agriculture (AG) District to the Low Density Residential (R-1-6, R-1-8, and R-1-12) Districts, in an effort to develop a project featuring graduated densities, with smaller lots at the north end of the project, and larger lots at the south end. As shown in Attachment B, the proposed buildout will have a total of 298 residential lots, ranging in size from 6,000 square feet to 12,000 square feet. This development model is a contrast from the prior rezoning applications which sought to develop an entire Low Density Residential (R-1-6) single-family subdivision, with more than 350 lots.

According to the 1996 JLUP, these properties are located within a one-mile distance of the BMGR. During the drafting of the JLUP, the area of the BMGR adjacent to these properties served as an active training ground for military personnel. Since 1996, however, significant operational changes have occurred within BMGR. The catalyst for these changes was the construction of the Area Service Highway (ASH).

Completed in 2009, the ASH is a 25-mile-long stretch of state highway (State Route 195, also known as the Robert A. Vaughan Expressway), connecting Interstate 8 to San Luis, Arizona. The location of the ASH bisects the northwestern most portion of the BMGR, resulting in more than 1,500 acres of land no longer suitable for military training; this area of the BMGR is often referred to as the orphan parcels. The subject properties, associated with this requested rezoning, are located west of the ASH, adjacent to the orphan parcels. The need for the one-mile buffer within this area of the community is no longer warranted. In fact, MCAS Yuma is currently in the process of converting this once active area of the range into a megawatt solar farm, demonstrating that these orphan parcels are no longer an active component of the BMGR, and that increased residential densities adjacent to a solar field is an example of compatible development.

The City takes significant strides to protect its largest industries, particularly agriculture and the military. In doing so, the City also faces challenges associated with community growth. Since the adoption of the JLUP in 1996, the City has made every effort to

work alongside MCAS Yuma to ensure that growth within the City does not negatively impact the operations of the military installations. The City will continue to work alongside MCAS Yuma through the drafting of a new Joint Land Use Plan which should create a new east-west BMGR buffer utilizing the ASH highway as the demarcation of no negative impact on the operations of MCAS Yuma and the BMGR.

1. Does the proposed zoning district conform to the Land Use Element? Yes

Land Use Element:										
Land Use Designation:				Low Density Residential						
Issues:				Located within one mile of the Barry M. Goldwater Range						
Historic District:		Brinley Avenue		Century Heights		Main Street		None		X
Historic Buildings on Site:			Yes		No	X				

2. Are there any dedications or property easements identified by the Transportation Element?

Yes

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
Avenue 6E – 2-Lane Collector	40 FT H/W ROW	33 FT H/W ROW				
48 th Street – 2-Lane Minor Arterial	50 FT H/W ROW	33 FT H/W ROW				
Bicycle Facilities Master Plan	Future bike lanes along Avenue 6E and 48 th Street					
YCAT Transit System	County 14 th Street/SR-195 Silver Route					
Issues:	None					

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan? Yes

Parks, Recreation and Open Space Element:		
Parks and Recreation Facility Plan		
Neighborhood Park:	Existing: Ocotillo Park	Future: Ocotillo Park
Community Park:	Existing: None	Future: South Mesa Community Park
Linear Park:	Existing: None	Future: A Canal Linear Park
Issues:	None	

Housing Element:	
Special Need Household:	N/A
Issues:	None

Redevelopment Element:						
Planned Redevelopment Area:	N/A					
Adopted Redevelopment Plan:	North End:		Carver Park:		None:	X
Conforms:	Yes		No		N/A	

Conservation, Energy & Environmental Element:						
Impact on Air or Water Resources	Yes		No	X		
Renewable Energy Source	Yes		No	X		
Issues:	None					

Public Services Element:						
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Population Impacts Population projection per 2018-2022 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person	Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation
	<i>Single Family</i>						
	Maximum	Per Unit		Officers	GPD	AF	GPD
	377	2.7	1018	1.92	210,705	236.0	71,253
Minimum							
	77	2.7	208	0.39	43,035	48.2	14,553
Fire Facilities Plan:	Existing: Fire Station No. 5			Future: Fire Station No. 9			
Water Facility Plan:	Source:	City	X	Private	Connection:	12" PVC - Ave 6E	
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 12" PVC - Ave 6E	
Issues:	Utility extensions needed along Avenue 6E						
Safety Element:							
Flood Plain Designation:	Flood Zone X		Liquefaction Hazard Area:		Yes	No	X
Issues:	None						
Growth Area Element:							
Growth Area:	Araby Rd & Interstate 8		Arizona Ave & 16 th St		Avenue B & 32 nd St.		
	North End	Pacific Ave & 8 th St	Estancia	None	X		
Issues:	None						

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes.

5. Does the proposed rezoning conform to Council’s prior approval of rezonings, development agreements or subdivisions for this site?

N/A

Public Comments Received: None Received.

External Agency Comments: See Attachment D.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: March 13, 2024

Final staff report delivered to applicant on: March 18, 2024

- Applicant agreed with all of the conditions of approval on: March 15, 2024
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C	D	E	F	G
Conditions of Approval	Conceptual Site Plan	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: *Alyssa Linville*

Date: 03/18/2024

Alyssa Linville,
Director of Planning and Neighborhood Services

Approved By: *Jennifer L. Albers*

Date: 3/18/24

Jennifer L. Albers,
Assistant Director of Planning

**ATTACHMENT A
CONDITIONS OF APPROVAL**

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.
4. Sound attenuation will need to be incorporated into the design of each residence to meet the minimum standards set forth in A.R.S. § 28-8482(B).

Engineering, Andrew McGarvie, Development Engineering Manager, (928) 373-5000, ext. 3044:

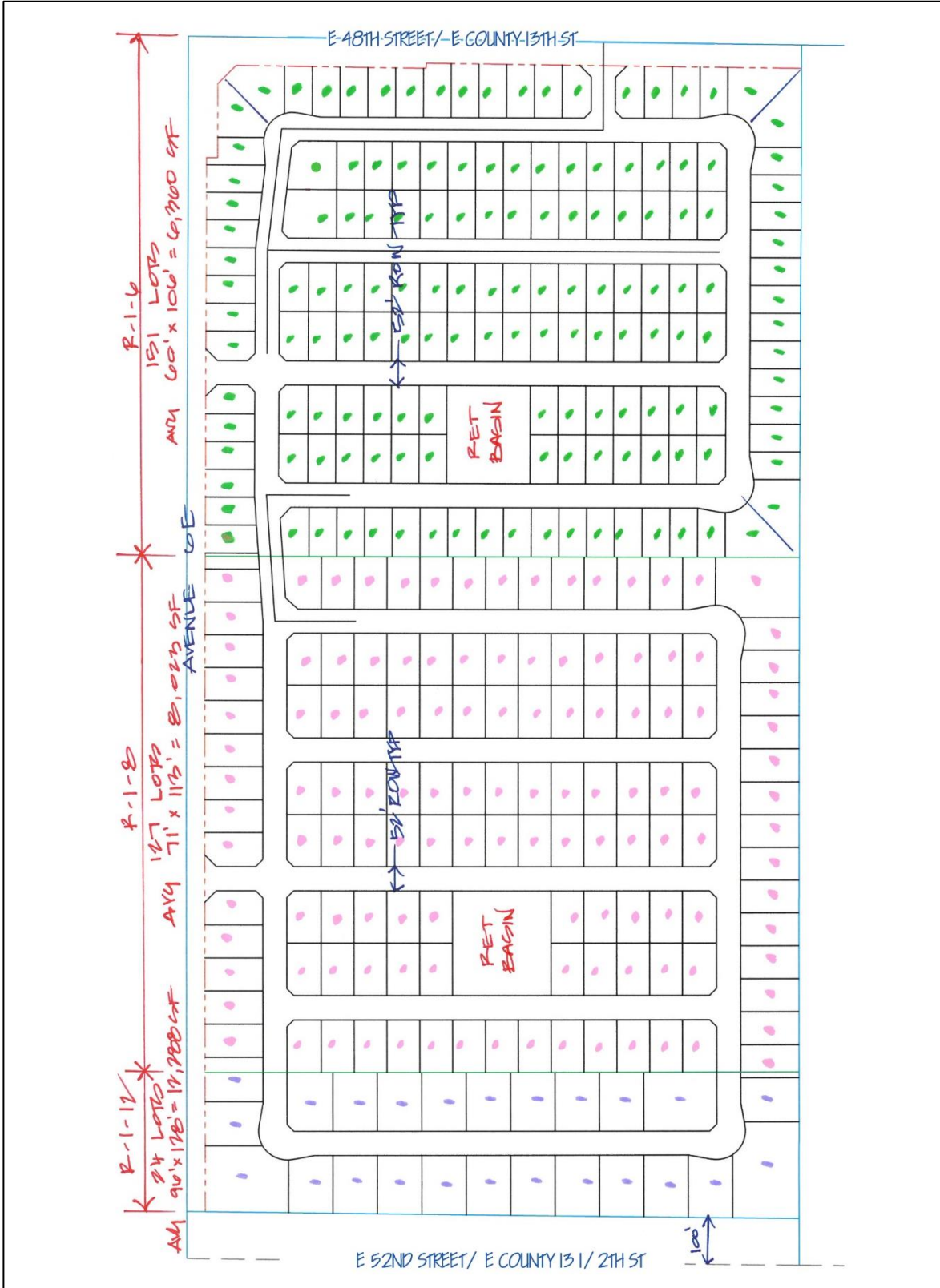
5. The Owner/Developer shall dedicate an additional 7 feet right-of-way along Ave 6E frontage such that a 40 foot half width is obtained consistent with a 2-Lane Collector Street.
6. The Owner/Developer shall dedicate an additional 17 feet of right-of-way, such that the City obtains 50 feet of half width right-of-way along 48th Street frontage consistent with a Minor Arterial Street.
7. The Owner/Developer shall dedicate additional intersection r-o-w at the southeast corner of Avenue 6E & 48th Street to accommodate a north to east turn lane, and corner triangle.

Community Planning: Alyssa Linville, Director (928) 373-5000, x 3037:

8. With the exception of Condition 4, each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to A.R.S. § 9-462.01.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

**ATTACHMENT B
CONCEPTUAL SITE PLAN**



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 03/01/2024
- **300' Vicinity Mailing:** 02/05/2024
- **34 Commenting/Reviewing Agencies noticed:** 02/08/2024
- **Site Posted on:** 03/18/2024
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 03/25/2024
- **Comments due:** 02/20/2024

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	02/08/2024	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	Yes	02/08/2024	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	Yes	02/08/2024		X	X
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	02/08/2024	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	Yes	02/13/2024	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	02/26/2024			X
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT D
AGENCY COMMENTS

From: James Sheldahl <jsheldahl@yuma.org>
Sent: Thursday, February 8, 2024 9:27:55 AM
To: Liz Sanchez <Lizbeth.Sanchez@yumaaz.gov>
Cc: Leeanne Lagunas <llagunas@yuma.org>
Subject: Comment: Zone-42218-2024

Good morning Lizbeth.

This is an exciting project to fill out the development in the immediate vicinity of Dorothy Hall Elementary School. One comment/request Yuma Elementary School District #1 would like to make is regarding the need for safe pedestrian access along both the west and east boundaries of the proposed development. This should include a sidewalk for students who live north of 40th street as well.

Principal Leeanne Lagunas and I would be happy to meet with the project team to discuss this request further.

Sincerely,
Jamie Sheldahl

This is a staff email account managed by Yuma Elementary School District. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION YUMA
BOX 99100
YUMA AZ 85369-9100

5726.1
CP&L
ZONE-42218-2024
FEB 23 2024

Ms. Alyssa Linville
City of Yuma Community Development
One City Plaza
Yuma, AZ 85365

Dear Ms. Linville:

This is in response to your correspondence seeking our comments regarding zoning case ZONE-42218-2024 by applicant Dahl, Robins, and Associates, agent for Hard Red Turtle, LLC. Specifically, the applicant has two parcels equaling approximately 77 gross acres located at the southeast corner of Avenue 6E and 48th Street, Yuma, Arizona. Currently, both parcels are zoned Agriculture, and the applicant intends to rezone to Low-Density Residential (R-1-6, R-1-8, and R-1-12) for residential use. I strongly recommend denial of such request as explained below.

The requested development is within the one-mile Barry M. Goldwater Range West (BMGR-W) Buffer Area Land Use Zone. The proposed rezoning violates the agreed-upon conditions from the 2010 Yuma Regional Development Plan (YRDP) which identifies a one-mile buffer adjacent to the BMGR-W with a maximum density in this location of one home per two acres. In addition, it violates the current zoning in the City of Yuma (COY) 2022 General Plan, which has the same density restriction as the YRDP, and finally violates the BMGR Joint Land Use Study (BMGR JLUS).

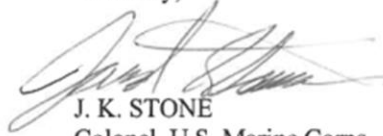
The BMGR JLUS states "areas adjacent to BMGR-W remain designated Rural Density Residential with a 2-acre minimum lot size." Both the YRDP and the BMGR JLUS were agreed upon, the density restrictions have been adhered to by the COY for at least 15 years, and the COY General Plan has had the same restriction for over 20 years. Moreover, per the Yuma County 2030 Comprehensive Plan, Section Three, page 16, "the applied use of land within 1 mile of the BMGR along its northern boundary from Avenue 5 1/4E to the Gila Mountains will have a residential density no greater than 2 acres per lot/parcel."

The BMGR Buffer Zone intends to address land use conflicts that might affect the ability of the Air Station to conduct its mission and to ensure land use compatibility around active military reservations as required under Title 28, Chapter 25, Article 7 of the Arizona Revised Statutes (ARS). In addition, the BMGR Buffer Zone was established to avoid future land use incompatibility rather than accept the existing zoning/land use designations. As stated in the Yuma County 2030 Comprehensive Plan, "the BMGR is a vital, unique and beneficial asset to the Yuma County, the State of Arizona and the U.S. Military." Therefore, Marine Corps Air Station (MCAS) Yuma is not in favor of this zoning case, which would increase residential density within the BMGR Buffer Zone and counteracts the established guidelines in the YRDP, BMGR JLUS, COY General Plan, Yuma County 2030 Comprehensive Plan, and ARS Title 28, Chapter 25, Article 7. MCAS Yuma strongly requests denial by the City of Yuma Planning and Zoning Commission and/or City Council.

MCAS Yuma provided a Determination of Compatibility (DOC), as requested by the applicant, signed by the MCAS Commanding Officer on 21 June 2021. The DOC states MCAS Yuma would not be in favor of this request due to its location and the various regulations in place that protect this area and stated this was an incompatible development request for MCAS Yuma and the BMGR-W.

My point of contact is Mr. Antonio Martinez at (928) 269-2103 or MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to comment.

Sincerely,



J. K. STONE
Colonel, U.S. Marine Corps
Commanding Officer



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION YUMA
BOX 99100
YUMA AZ 85369-9100

5726
CP&L
June 21, 2021

Ms. Alyssa Linville
City of Yuma Community Development
One City Plaza
Yuma, AZ 85365

Dear Ms. Linville:

Marine Corps Air Station (MCAS) Yuma has received the Request for a Determination of Compatibility (DOC) for Yuma County Assessor's Parcels No. 197-21-001 and 197-21-015 located at the southeast corner of East County 13th Street and South Avenue 6E, Yuma, Arizona. This is a request by A. T. Pancrazi Real Estate Services Inc. on behalf the owner, Hard Red Turtle, LLC. The proposed request is to rezone and develop approximately 77.42 acres in size from the current zoning of agricultural with a general plan designation of Low Density Residential to Low Density Residential - 6 (R-1-6), 6,000 square foot minimum lot size (as presented on the request). The subject parcel number(s) are located 0.5 miles and .75 miles, respectively, from the Barry M. Goldwater Range (BMGR) northern boundary and within the BMGR Buffer Area Land Use Zone.

MCAS Yuma has reviewed this request and provides the following determination. The Yuma County 2020 Comprehensive Plan, Section Three 16 states that "the applied use of land within 1 mile of the BMGR along its northern boundary from Avenue 5 1/4E to the Gila Mountains will have a residential density no greater than 2 acres per lot/parcel" (i.e. one home on a 2 acre parcel). The 2012 City of Yuma General Plan Land Use Element Map 2-2 indicates this area as either low density residential or rural density residential with the same density requirements as the Yuma County plan. The intent of the BMGR Buffer Zone is to address land use conflicts that might affect the ability of the Air Station to conduct its mission and to ensure land use compatibility around active military reservations as required under Title 28, Chapter 25, Article 7 of the Arizona Revised Statutes (ARS). In addition, the BMGR Buffer Zone was established to avoid future land use incompatibility rather than accept the existing zoning/land use designations. As stated in the Yuma County 2020 Comprehensive Plan, "the BMGR is a vital, unique and beneficial asset to the Yuma County, the State of Arizona and the U.S. Military."

After careful consideration of potential operational impacts to training and activities on the BMGR, we must request that the existing density requirement for the BMGR Buffer Zone identified in the Yuma County Comprehensive Plan/City of Yuma General Plan be adhered to at one home per two acres in order to mitigate any concerns with future military training requirements.

Thank you for the opportunity to review and provide MCAS Yuma's Determination of Compatibility. MCAS Yuma point of contact for this matter is Mr. Antonio Martinez. His contact phone is (928) 269-2103 or email at MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to provide our determination.

Sincerely,

C. E. DUDIK

Copy to: A.T. Pancrazi Real Estate Services Inc.

**ATTACHMENT E
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City/State/Zip Code
ARIZONA DESERT PALMS ESTATE LLC	PO BOX 6497	YUMA, AZ 85366
ARRIAGA ROGELIO GARCIA	6075 E 47TH PL	YUMAAZ, 85364
BENNETT JOHN E INTER VIVOS TRUST 6-20-2012	10913 CANDLELIGHT LN	POTOMAC, MD 20854
BLOOMFIELD STEPHEN & LACINDA M	6232 E 47TH PL	YUMA, AZ 85365
CADENA JAIME	6199 E 47TH PL	YUMA, AZ 85365
CORONEL OSCAR SABAS	6059 E 47TH PL	YUMA, AZ 85365
DELARA AMANDA MICHELLE & DANIEL	6277 E 47TH PL	YUMA, AZ 85365
EXTEJT ELIZABETH NICHOLE	6214 E47TH PL	YUMA, AZ 85365
FIGUEROA ALFONSO & CLAUDIA V NAVARRO DE JT	PO BOX 252	SAN LUIS, AZ 85349
FIGUEROA BUILDERS LLC	PO BOX 252	SAN LUIS, AZ 85349
FIMBRES JULIO	6265 E 47TH PL	YUMA, AZ 85365
FREEMIRE STEVEN R	PO BOX 1148	GRAHAM, WA 98338
GARCIA ABRAHAM & PATINO MELISSA JT	6259 E 47TH PL	YUMA, AZ 85365
GRANITE YUMA DE LLC	214 W 39TH ST STE 1200	NEW YORK, NY 10018
HARD RED TURTLE AZ LLC	350 W 16TH ST STE 332	YUMA, AZ 85364
HARD RED TURTLE LLC	350 W 16TH ST STE 332	YUMA, AZ 85364
HENRY JOHN TRUST 3-2-05	467 TIGERWOOD WY	SAN JOSE, CA 95111
HIGUERA WILLIAM A & VICTORIA	6233 E 47TH PL	YUMA, AZ 85364
HORNE VINCENT & ANNIE	6146 E 47TH PL	YUMA, AZ 85365
HUGHES KENNETH W & MARY E	4762 S JASMINE AVE	YUMA, AZ 85365
HUGHES WILLIAM A & CASSANDRA M CPWROS	6114 E 47TH PL	YUMA, AZ 85365
KDC OF YUMA AZ LLC	4595 S VILLA SERENA DR	YUMA, AZ 85365
L & M MONREAL 2007 FAMILY TRUST 8-4-2007	6164 E 47TH PLACE	YUMA, AZ 85365
LINDEN TANYA	6246 E 47TH PLACE	YUMA, AZ 85365
LOCKWOOD TODD	4788 S JASMINE AVE	YUMA, AZ 85365
MARTIN NELSON & JOLENE	6589 E 35TH PL	YUMA, AZ 85365
MERTEN ROBERT DALE II	340 W 32ND ST PMB 363	YUMA, AZ 85364
MORT KEVIN A & KAREN P JT	6295 E 47TH PL	YUMA, AZ 85365
ORTIZ ENRIQUE	PO BOX 1500	SOMERTON, AZ 85350
PERRICONE ARIZONA PROPERTIES LLC	PO BOX 5924	YUMA, AZ 85366
QUINTANILLA SEAN L & SHELLEY	6025 E 47TH PL	YUMA, AZ 85365
REDDING EVERETT W & BARBARA A JT	6215 E 47TH PL	YUMA, AZ 85365
REYNA RAY & MIREYA JT	6165 E 47TH PL	YUMA, AZ 85365
ROBINSON TIMOTHY G	3-16-3-102 FUN AIRI MINAMI NAKA	HIROSHIMA, SHI 7300847
RODRIGUEZ JORGE & ELODIA JT	6129 E 47TH PL	YUMA, AZ 85365
SHRAUNER RICHARD T & SONJA K JT	6258 E 47TH PL	YUMA, AZ 85365
SMITH STEVE R	13525 S AVENUE 6E	YUMA, AZ 85365
VALLES JAIME E & DANYA I FLORES	6058 E 47TH PL	YUMA, AZ 85365

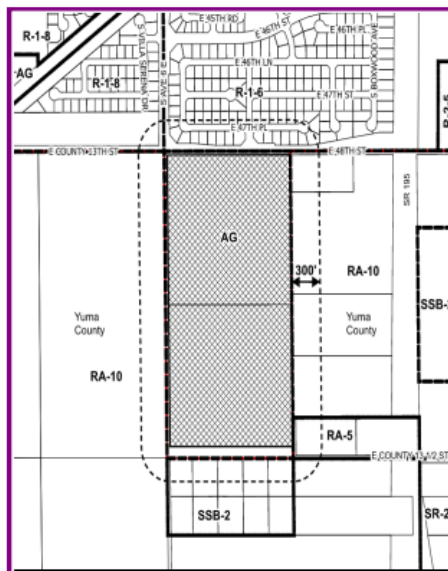
VANFLEET BUDDY R & GABRIELA A JT	6283 E 47TH PL	YUMA, AZ 85365
WOLGAMOT BRIAN L	3541 W 5TH ST	YUMA, AZ 85364
WOOLEVER JOSHUA PAUL & NERISSIA N	6198 E 47TH PL	YUMA, AZ 85365
WORT DANIEL NORTH & JACQUELINE	507 SAVANNAH DR	JACKSONVILLE, NC 28546
YUMA SUNSHINE INVESTMENTS AZ LLC	PO BOX 5924	YUMA, AZ 85366
ZENDEJAS DANIEL & ANNET	6264 E 47TH PL	YUMA, AZ 85365

**ATTACHMENT F
NEIGHBOR MAILING**

This is a request by Dahl, Robins, and Associates, on behalf of Hard Red Turtle, LLC, to rezone approximately 77 acres from the Agriculture (AG) District to the Low Density Residential (R-1-6, R-1-8, and R-1-12) Districts, for the properties located at the southeast corner of Avenue 6E and 48th Street, Yuma, AZ.

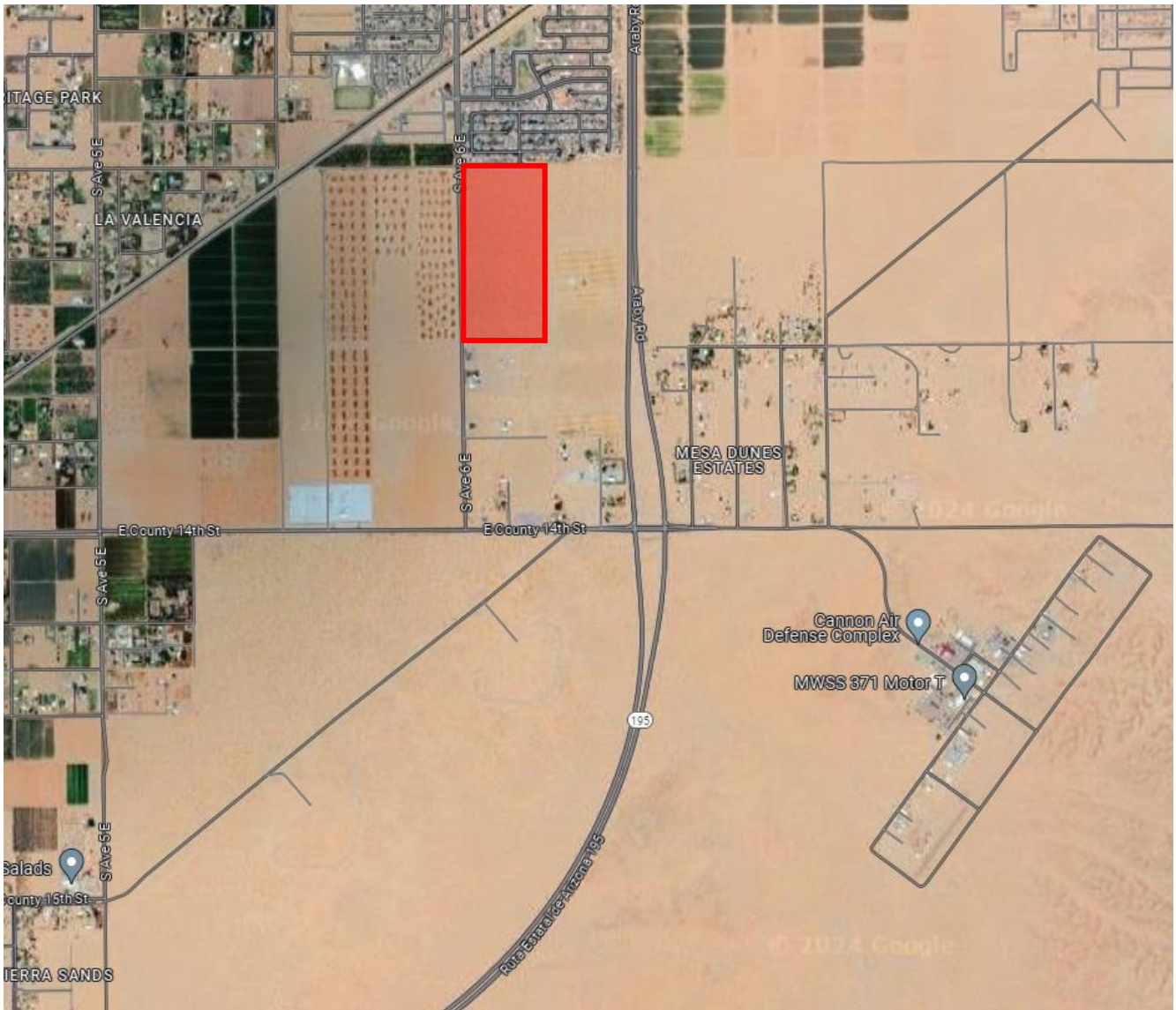
**MEETING DATE,
TIME & LOCATION
FOR CASE #
ZONE-42218-2024**

PUBLIC HEARING
03/25/2024 @ 4:30 PM
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of the southeast corner of Avenue 6E & 48th Street, Yuma, AZ, you are invited to attend these meetings to voice your comments. If you have questions or wish to submit written comments, please contact Alyssa Linville by phone at (928) 373-5000 ext. 3037 or by email at Alyssa.Linville@YumaAz.gov

ATTACHMENT G
AERIAL PHOTO



ORDINANCE NO. O2024-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE, REZONING CERTAIN PROPERTIES LOCATED IN THE AGRICULTURE (AG) DISTRICT TO THE LOW DENSITY RESIDENTIAL (R-1-6, R-1-8, AND R-1-12) DISTRICTS AND AMENDING THE ZONING MAP TO CONFORM WITH THE REZONING

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on March 25, 2024 in Zoning Case no: ZONE-42218-2024 in the manner prescribed by law for the purpose of rezoning two parcels of real property hereafter described to the Low Density Residential (R-1-6, R-1-8, and R-1-12) Districts as provided in Chapter 154 of the Yuma City Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance, and manner provided by law, including publication of notice of the hearing in the Yuma Sun on March 1, 2024; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the rezoning in Case No: ZONE-42218-2024 and the probable impact on the cost to construct housing for sale or rent that may occur as a result of this rezoning and finds that the recommendation complies with and conforms to the goals and objectives of the Yuma General Plan, as amended.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: The following described real property, depicted in Exhibit A, attached:

That portion of the West half of the Northwest quarter of Section 21, Township 9 South, range 22 West of the Gila and Salt River Base and Median, Yuma County, Arizona more particularly described as follows:

Beginning at the Northwest corner of the Northwest quarter of said Section 21;

Thence North 89°52'01" East along the North line of the Northwest quarter of said Section 21 a distance of 1,325.84 feet to the Northeast corner of the West half of the Northwest quarter of said Section 21;

Thence South 00°40'40" East along the East line of the West half of the Northwest quarter of said Section 21 a distance of 1,108.47 feet;

Thence South 89°16'56" West perpendicular to the West line of the Northwest quarter of said Section 21 a distance of 1,325.00 feet to the West line of the Northwest quarter of said Section 21;

Thence North 00°43'04" West along the West line of the Northwest quarter of said Section 21 a distance of 1,122.00 feet to the POINT OF BEGINNING;

Said parcel contains 33.9 acres, more or less.

shall be placed in the Low Density Residential (R-1-6) District, as defined by Chapter 154 of the Yuma City Code as amended; that upon this Ordinance becoming final, the described real property shall be

subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Low Density Residential (R-1-6) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, is ordered to be changed and amended so as to show that the real property described in this Ordinance will be located within the Low Density Residential (R-1-6) District, and

That portion of the West half of the Northwest quarter of Section 21, Township 9 South, Range 22 West of the Gila and Salt River Base and Median, Yuma County, Arizona, more particularly described as follows:

Beginning at the Northwest corner of the Northwest quarter of said Section 21;

Thence South 00°43'04" East along the West line of the Northwest quarter of said Section 21 a distance of 1,122 feet to the TRUE POINT OF BEGINNING;

Thence North 89°16'56" East perpendicular to the West line of the Northwest quarter of said Section 21 a distance of 1,325.00 feet to the East line of the West half of the Northwest quarter of said Section 21;

Thence South 00°40'40" East along the East line of the West line of the Northwest quarter of Section 21 a distance of 1,183.00 feet;

Thence South 89°16'56" West perpendicular to the West line of the Northwest quarter of said Section 21 a distance of 178.17 feet;

Thence North 00°43'04" West parallel with and 1,146.00 feet easterly of the West line of the Northwest quarter of said Section 21 a distance of 71.00 feet;

Thence South 89° 16'56" West perpendicular to the West line of the Northwest quarter of said Section 21 a distance of 929.00 feet;

Thence South 00°43'04" East parallel with and 217.00 feet easterly of the West line of the Northwest quarter of said Section 21 a distance of 45.00 feet;

Thence South 89°16'56" West perpendicular to the West line of the Northwest quarter of said Section 21 a distance of 217.00 to the West line of the Northwest quarter of said Section 21;

Thence North 00°43'04" West along the West line of the Northwest quarter of said Section 21 a distance of 1,157.00 feet to the TRUE POINT OF BEGINNING;

Said parcel contains 34.3 acres, more or less

shall be placed in the Low Density Residential (R-1-8) District, as defined by Chapter 154 of the Yuma City Code as amended; that upon this Ordinance becoming final, the described real property shall be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Low Density Residential (R-1-8) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, is ordered to be changed and amended so as to show that the real property described in this Ordinance will be located within the Low Density Residential (R-1-8) District, and

That portion of the West half of the Northwest quarter of Section 21, Township 9 South, Range 22 West of the Gila and Salt River Base and Meridian, Yuma County, Arizona more particularly described as follows:

Beginning at the Northwest corner of the Northwest quarter of said Section 21;

Thence South 00°43'04" East along the West line of the Northwest quarter of said Section 21 a distance of 2,279.00 feet to the TRUE POINT OF BEGINNING;

Thence North 89°16'56" East perpendicular to the West line of the Northwest quarter of said Section 21 a distance of 217.00 feet;

Thence North 00°43'04" West parallel with and 217.00 feet easterly of the West line of the Northwest quarter of said Section 21 a distance of 45.00 feet;

Thence North 89°16'56" East perpendicular to the West line of the Northwest quarter of said Section 21 a distance of 929.00 feet;

Thence South 00°43'04" East parallel with and 1,146.00 feet easterly of the West line of the Northwest quarter of said Section 21 a distance of 71.00 feet;

Thence North 89°16'56" East perpendicular to the West line of the Northwest quarter of said section 21 a distance of 178.17 feet to the East line of the West half of the Northwest quarter of said section 21;

Thence South 00°40'40" East along the East line of the West half of the Northwest quarter of said Section 21 a distance of 245.47 feet to a point 100.00 feet northerly of the South line of the Northwest quarter of said Section 21;

Thence South 89°59'51" West parallel with and 100.00 feet northerly of the South line of the Northwest quarter of said Section 21 a distance of 1,324.10 feet to the West line of the Northwest quarter of said Section 21;

Thence North 00°43'04" West along the West line of the Northwest quarter of said Section 21 a distance of 254.94 feet to the TRUE POINT OF BEGINNING;

Said parcel contains 8.8 acres, more or less.

shall be placed in the Low Density Residential (R-1-12) District, as defined by Chapter 154 of the Yuma City Code as amended; that upon this Ordinance becoming final, the described real property shall be subject to all rules, regulations and requirements of Chapter 154 of the Yuma City Code, as amended, pertaining to the Low Density Residential (R-1-12) District, and that the zoning map adopted under Chapter 154 of the Yuma City Code, as amended, is ordered to be changed and amended so as to show that the real property described in this Ordinance will be located within the Low Density Residential (R-1-12) District.

SECTION 2: The following condition(s) must be met and/or completed in order for the zoning amendment to be final:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.

2. The Owner’s signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.
4. Sound attenuation will need to be incorporated into the design of each residence to meet the minimum standards set forth in A.R.S. § 28-8482(B).
5. The Owner/Developer shall dedicate an additional 7 feet right-of-way along Ave 6E frontage such that a 40 foot half width is obtained consistent with a 2-Lane Collector Street.
6. The Owner/Developer shall dedicate an additional 17 feet of right-of-way, such that the City obtains 50 feet of half width right-of-way along 48th Street frontage consistent with a Minor Arterial Street.
7. The Owner/Developer shall dedicate additional intersection r-o-w at the southeast corner of Avenue 6E & 48th Street to accommodate a north to east turn lane, and corner triangle.

SECTION 3: With the exception of Condition 4, each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a building permit or business license for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to A.R.S. § 9-462.01.

Adopted this _____ day of _____, 2024.

APPROVED:

 Douglas J. Nicholls
 Mayor

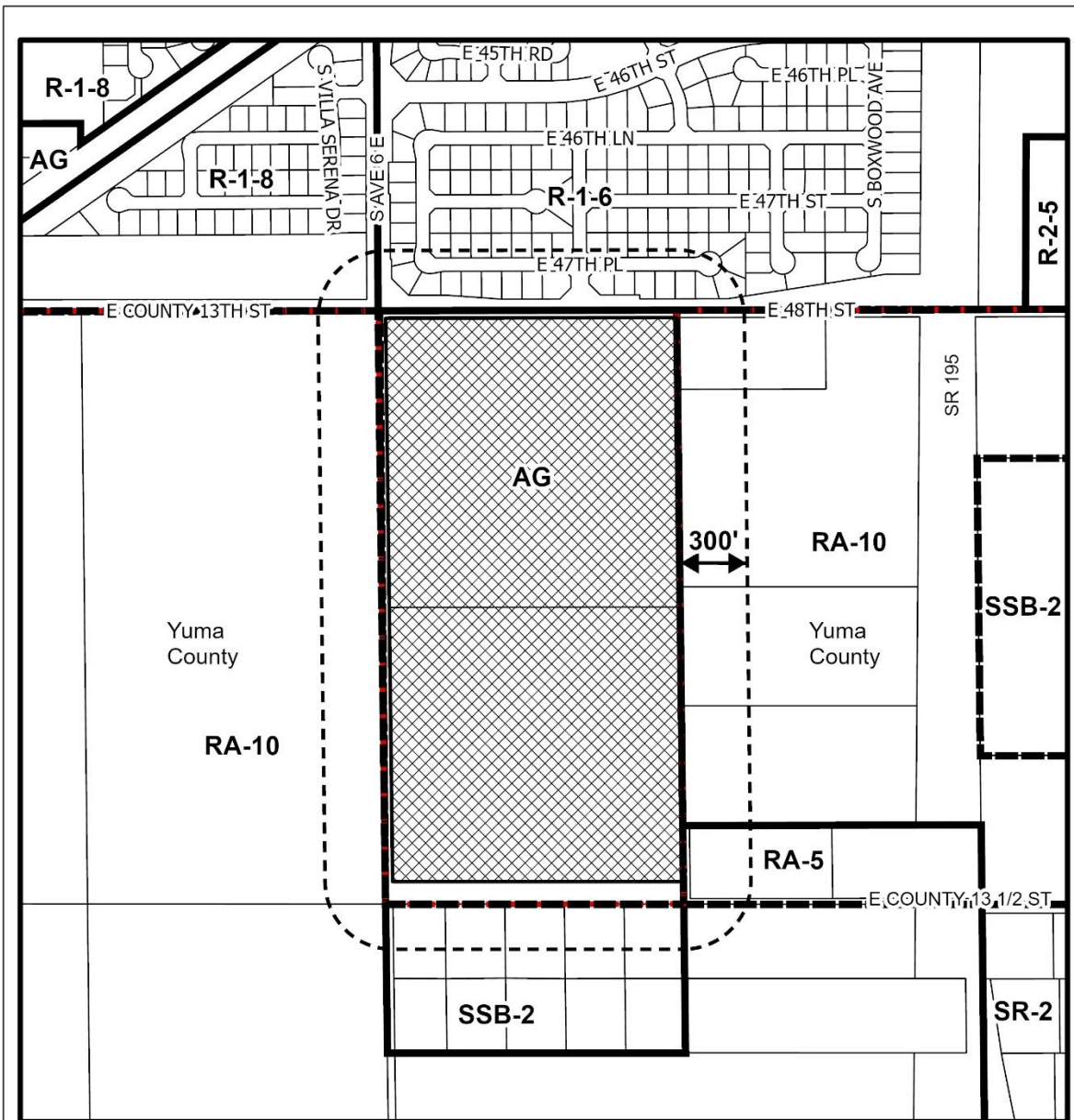
ATTESTED:

 Lynda L. Bushong
 City Clerk

APPROVED AS TO FORM:

 Richard W. Files
 City Attorney

Exhibit A



LOCATION MAP

 LOCATION OF SUBJECT PROPERTY

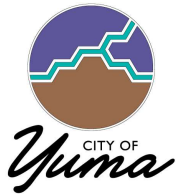


Prepared by: DG
Checked by: AL



Date: 2/5/2024
Revised:
Revised:

Case #:
ZONE-42218-2024



City of Yuma

City Council Report

File #: O2024-019

Agenda Date: 5/15/2024

Agenda #: 1.

	STRATEGIC OUTCOMES	ACTION
DEPARTMENT: Engineering	<input type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Motion <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance - Introduction
DIVISION: Development	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Adoption <input type="checkbox"/> Public Hearing

TITLE:

Right-of-Way Vacation and Exchange: JAKART Holdings, LLC

SUMMARY RECOMMENDATION:

Authorize the vacation of 25 feet of 4th Avenue right-of-way (easement) in exchange for the underlying fee title to the remaining 75 feet of right-of-way with JAKART Holdings, LLC, and City acceptance of a utility easement. (Engineering) (David Wostenberg)

STRATEGIC OUTCOME:

The right-of-way exchange will return underutilized property to the tax rolls and provide more opportunity for JAKART Holdings, LLC to re-develop their property, while providing the City of Yuma with fee title ownership of the adjacent 4th Avenue right-of-way and a utility easement in support of City Council's Respected and Responsible strategic outcome.

REPORT:

JAKART Holdings, LLC owns property at 2680 S. 4th Avenue which includes the underlying fee title to the 100-foot-wide west half-width right-of-way easement of 4th Avenue. The City right of way easement is shown in the location map attached to this City Council Report.

JAKART Holdings, LLC has requested that the City vacate by quitclaim deed, the west 25 feet of the 4th Avenue right-of-way easement along JAKART's frontage (Parcel A), subject to a 25 feet wide utility easement, which JAKART will deed to the City along with the underlying fee title to a 75-foot half-width (Parcel B). A 75-foot half-width right-of-way for 4th Avenue, meets the requirements of the City's 2005 Major Roadways Plan right-of-way requirement for a Principal Arterial (Constrained) along the frontage of JAKART Holdings property. A 75-foot right-of-way also matches previous 4th Avenue vacations in exchange for the underlying fee by the City.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 100.00	BUDGETED:	\$ 100.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	

TOTAL\$ 0.00

FY 2023 City Engineering Budget		
To total; right click number & choose "Update Field"		

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

1. Resolution of Abandonment dated 7/16/2010
2. Grant of Right-of-way dated 2/19/1940

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jennifer Reichelt for John D. Simonton	Date: 05/06/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/06/2024

ORDINANCE NO. O2024-019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, DECLARING A CERTAIN 25 FOOT PARCEL OF REAL PROPERTY, HEREAFTER DESCRIBED, SURPLUS FOR USE AS RIGHT-OF-WAY BY THE CITY, VACATING THE SURPLUS 25 FOOT RIGHT-OF-WAY EASEMENT TO THE ABUTTING PROPERTY OWNER UPON THE RECORDING OF A QUITCLAIM DEED, AND AUTHORIZING AN EXCHANGE OF THE SURPLUS 25 FOOT RIGHT-OF-WAY EASEMENT FOR THE UNDERLYING FEE TITLE TO THE 75 FOOT RIGHT-OF-WAY DESCRIBED IN THIS ORDINANCE, TOGETHER WITH A 25 FOOT UTILITY EASEMENT FOR WATER, SANITARY SEWER AND OTHER PUBLIC PURPOSES

WHEREAS, the City of Yuma (City) is authorized, pursuant to the City Charter, Article III, Section 2, to acquire and dispose of real property; and,

WHEREAS, the State of Arizona Highway Department obtained an easement over the West 100 feet of 4th Ave, dated February 23, 1940, recorded in Book 88 of Deeds, Pages 312 and 313, Yuma County Records; and,

WHEREAS, the Arizona Department of Transportation abandoned their interest in Business Route 8 (portions of 4th Avenue and 32nd Street within City limits) to the City of Yuma by Resolution, dated September 20, 2010, recorded at Fee Number 2010-22898, Yuma County Records; and,

WHEREAS, the City is now the beneficiary/grantee of that portion of a right-of-way easement described in Exhibit A, attached and referred to as Parcel A, to be declared surplus for City use by this Ordinance and conditionally vacated by quitclaim deed to the abutting property owner (Owner), JAKARTA Holdings, LLC; and,

WHEREAS, in exchange for vacating the City's right-of-way easement on Parcel A, the Owner will deed the underlying fee title to the east 75 feet of 4th Avenue right-of-way to the City, described as Parcel B in Exhibit B attached, together with a 25 foot easement on Parcel A for water, sanitary sewer, and other public purposes; and,

WHEREAS, the exchange of the above described properties will result in the City's fee ownership of land necessary for the 4th Avenue public roadway, and a utility easement for water, sanitary sewer, and other related public uses; and,

WHEREAS, the exchange of the above-described properties will result in the return of the vacated right-of-way to the public tax rolls.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: It is deemed necessary and essential, as a matter of public necessity and public welfare, that fee title to Parcel B, described in Exhibit B, and a municipal utility infrastructure easement in Parcel A, described in Exhibit A, be acquired by the City of Yuma through an exchange accomplished by declaring Parcel A surplus for City use, vacating the right-of-way easement described in Exhibit A by quitclaim deed to the abutting Owner, and the Owner deeding a utilities easement back to the City on Parcel A and the underlying fee title to Parcel B to the City, as such acquisitions will be in the public interest of the City and would be of public benefit.

SECTION 2: Parcel A is declared surplus for the City and public use and shall be vacated to the abutting property owner in accordance with Arizona Revised Statutes (A.R.S.) § 28-7205(2) in exchange for the underlying fee simple title to Parcel B and a municipal utility infrastructure easement on Parcel A.

SECTION 3: The City Administrator is authorized and directed to execute all deeds or other instruments necessary to accomplish the intent of this Ordinance.

SECTION 4: All exhibits described in this Ordinance are incorporated by reference.

Adopted this _____ day of _____, 2024.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney

Exhibit A

(Parcel A legal description for quitclaim deed and easement)

The South 100.00 feet of the North 530.00 feet of the West 25.00 feet of the East 100.00 feet of the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, City of Yuma, Yuma County, State of Arizona;

Containing 2499.91 square feet or 0.0574 of an acre, more or less.

Exhibit B

(Parcel B legal description for fee simple title conveyed to City of Yuma)

The South 100.00 feet of the North 530.00 feet of the East 75.00 feet of the Southeast quarter of the Northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 9 South, Range 23 West of the Gila and Salt River Base and Meridian, City of Yuma, Yuma County, State of Arizona;

Containing 7499.72 square feet or 0.1722 of an acre, more or less.



Parcel A
25 feet r-o-w vacation
and utility easement
Exhibit A

Parcel B
75 Feet fee simple
Exhibit B

S 004

T 009S R023W

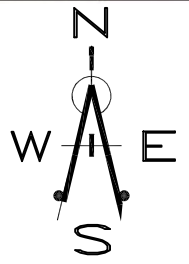
W 27TH ST

S 4TH AVE

 ROW Area to be dedicated

 ROW area to be vacated & easement reserved

NOTE: THIS MAP IS PREPARED TO SHOW GENERAL SITE LOCATION ONLY AND REPRESENTS NO SPECIFIC DIMENSIONS RELATED TO THE SITE.



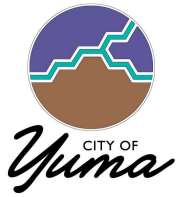
LOCATION MAP

Prepared by: Andrew McGarvie
Checked by:

CITY OF YUMA
ENGINEERING
DEPARTMENT

DATE: 4/24/2024
SCALE: N.T.S
REVISED:

CIP NO.



City of Yuma

City Council Report

File #: MC 2024-062

Agenda Date: 5/15/2024

Agenda #: 1.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Engineering	<input type="checkbox"/> Safe & Prosperous <input type="checkbox"/> Active & Appealing <input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Motion <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance - Introduction
DIVISION: Administration/CIP	<input type="checkbox"/> Connected & Engaged <input type="checkbox"/> Unique & Creative	<input type="checkbox"/> Ordinance - Adoption <input checked="" type="checkbox"/> Public Hearing

TITLE:

Public Hearing: Fiscal Year 2025 - Fiscal Year 2029 Capital Improvement Program

SUMMARY RECOMMENDATION:

Conduct a public hearing for the proposed Fiscal Year 2025 - Fiscal Year 2029 City of Yuma Capital Improvement Program pursuant to Yuma City Charter, Article XIII, Section 11 (Engineering) (Susan Cowey)

STRATEGIC OUTCOME:

This action supports the City Council’s strategic outcome of Respected and Responsible, as development and approval of a Capital Improvement Program complies with the requirements of the City Charter and Arizona Revised Statutes.

REPORT:

Pursuant to City of Yuma Charter, Article XIII, Section 10, the City Administrator is required to prepare and submit a Capital Improvement Program (CIP) containing not less than a five-year projection of planned improvements to City Council by May 1 of each year. The proposed CIP is required to include:

1. A clear general summary of its content.
2. A list of all capital improvements, which are proposed to be undertaken during the program fiscal years, with appropriate supporting information as to the necessity for such improvements.
3. Cost estimates, method of financing, and recommended time schedules for each such improvement.
4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition. In addition to the required content, for planning purposes the proposed CIP includes projected mid-range capital improvements for years six through 10, and a list of long-term Potential Infrastructure Projects.

City of Yuma Charter, Article XIII, Section 11, requires City Council to publish a general summary of the CIP prior to adoption, and a notice stating:

1. The times and places where copies of the CIP are available for inspection by the public.
2. The time and place, not less than two (2) weeks after such publication, for a public hearing on the CIP.

The proposed Fiscal Year 2025 - Fiscal Year 2029 CIP was delivered to City Council on April 22, 2024, and made available for public inspection at the City Clerk’s Office, the Public Works/Engineering Building, and posted on the City website at www.yumaaz.gov/CIP <<http://www.yumaaz.gov/CIP>> effective April 29, 2024. A Notice of Public Hearing was published in the Yuma Sun newspaper on April 28, 2024.

Although the CIP is a five-year plan, only the funding for the first year is obligated through the annual budgeting process. Subsequent years are for planning purposes only and are subject to revision each year during the CIP update process to address changing market conditions and City Council priorities. Years six through ten are projected for planning purposes based on anticipated demand and funding availability.

As part of the update process, each year items included within the CIP are evaluated to accommodate priority initiative changes from City Council and community priorities, updates to strategic and master planning documents, current project progress, and updated cost estimates and revenue projections. Each program area within the CIP is likely to vary from year to year based on this evaluation. Based upon any direction by City Council, staff will present a resolution for the adoption of the Fiscal Year 2025 - Fiscal Year 2029 CIP concurrent with the final budget adoption process currently scheduled for June 5, 2024 (after the public hearing). The CIP must be adopted with or without amendment, on or before the first of July of each year.

The CIP represents the Yuma City Council’s legislative policy and provides direction to City staff for funding and constructing capital improvements and maintenance in the upcoming year. The City Council’s policy and direction is based on balancing the available resources against the need. Almost every year, the needs greatly exceed the available resources. The City Council’s approval of the CIP reflects its legislative intent and its decision to prioritize spending of limited resources on projects while also reflecting City Council’s decision to not allocate the limited resources to other areas.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 174,531,091	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 934,642	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 46,837,486	IN CONTINGENCY:	\$ 10,000,000.00
OTHER SOURCES:	\$115,000 \$0.00 \$0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL	\$222,418,219	Various - Contingency reserve is not noted as part overall budget.	
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

NONE

ADDITIONAL INFORMATION:

SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

Fiscal Year 2025 - Fiscal Year 2029 Proposed Capital Improvement Program

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk’s Office

- Document to be recorded
- Document to be codified

Acting City Administrator: Jenn Reichelt for John D. Simonton	Date: 05/07/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/07/2024



City of Yuma

City Council Report

File #: MC 2024-061

Agenda Date: 5/15/2024

Agenda #: 2.

DEPARTMENT:	STRATEGIC OUTCOMES	ACTION
Finance	<input checked="" type="checkbox"/> Safe & Prosperous	<input checked="" type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Active & Appealing	<input type="checkbox"/> Resolution
	<input checked="" type="checkbox"/> Respected & Responsible	<input type="checkbox"/> Ordinance - Introduction
DIVISION:	<input checked="" type="checkbox"/> Connected & Engaged	<input type="checkbox"/> Ordinance - Adoption
Administration	<input checked="" type="checkbox"/> Unique & Creative	<input type="checkbox"/> Public Hearing

TITLE:

Tentative Annual Budget for Fiscal Year 2025

SUMMARY RECOMMENDATION:

Adopt the Fiscal Year 2025 Tentative Annual Budget in the amount of \$521,167,546 which includes a Capital Improvement Program budget of \$222,418,219; combined Maintenance Improvement Districts of \$672,094 and Operating Expenditure Budget of \$298,077,233; including Governmental and Enterprise operations. (Administration/Finance) (John D. Simonton/Douglas W. Allen)

STRATEGIC OUTCOME:

The Fiscal Year 2025 Annual Budget provides a financial framework to City Council goals and strategic initiatives and is developed for all departments, divisions, and funds at the City. The next step in the budget process is adopting the Tentative Budget that supports all strategic outcomes.

REPORT:

The Tentative Annual Budget for City Council's consideration is presented on the state required forms. The result is a financial planning document incorporating the policy goals and objectives, established by City Council, for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025. Attached to this request for City Council action are Schedules A-G representing the City's Fiscal Year 2025 Tentative Budget using the official budget forms prescribed by the Arizona State Auditor General.

By adopting the Tentative Budget by motion, the City Council is establishing the maximum budget amount for Fiscal Year 2025 (July 1, 2024 - June 30, 2025). While monies may move within funds, the overall total cannot be exceeded.

The primary property tax rate is shown at the maximum allowed levy. This rate is subject to change with the FY 2025 Final Adopted Budget.

FISCAL REQUIREMENTS:

CITY FUNDS:	\$ 0.00	BUDGETED:	\$ 0.00
STATE FUNDS:	\$ 0.00	AVAILABLE TO TRANSFER:	\$ 0.00
FEDERAL FUNDS:	\$ 0.00	IN CONTINGENCY:	\$ 0.00
OTHER SOURCES:	\$ 0.00	FUNDING: ACCOUNT/FUND #/CIP	
TOTAL \$ 0.00			
-			
To total; right click number & choose "Update Field"			

FISCAL IMPACT STATEMENT:

One of the most important duties of the Mayor and City Council is to adopt an annual budget for the City. The budget process provides the Mayor and City Council with the opportunity to match the needs of the City and available resources with the intent of gaining the maximum return on each dollar. The Tentative Annual Budget includes funding for all department operating budgets effective July 1, payment of debt obligations, capital improvement projects, enterprise services and contingencies.

ADDITIONAL INFORMATION:

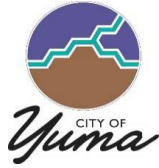
SUPPORTING DOCUMENTS NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT ARE ON FILE IN THE OFFICE OF THE CITY CLERK:

None

IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?

- Department
- City Clerk's Office
- Document to be recorded
- Document to be codified

Acting City Administrator: Jenn Reichelt for John D. Simonton	Date: 05/07/2024
Reviewed by City Attorney: Richard W. Files	Date: 05/07/2024



CITY OF YUMA BUDGET SCHEDULES

**Finance Department
One City Plaza
Yuma, AZ 85364
928-373-1735**

Notice is hereby given that the Yuma City Council will hold a public hearing in the Council Chambers, City Hall, One City Plaza, Yuma, Arizona, on **Wednesday, June 5, 2024, at 5:30 P.M.**, for the purpose of (1) hearing taxpayers in favor of or against any proposed expenditure or tax levy and (2) finally determining and adopting estimates of proposed expenditures for the various purposes as set forth in the estimates and tentatively adopted. This final determination shall constitute the budget of said City for fiscal year 2024-2025. At this same time and place, the Yuma City Council will meet for the purpose of introducing the 2024-2025 tax levy. Final adoption of the tax levy will occur on **June 26, 2024**. The proposed Budget may be examined in the office of the City Clerk located at One City Plaza, Yuma, Arizona, at the Yuma County Library located at 2951 S 21st Drive, Yuma, Arizona, or may be viewed online at www.yumaaz.gov.

**CITY OF YUMA, ARIZONA
SUMMARY SCHEDULE OF ESTIMATED REVENUES AND EXPENDITURES/EXPENSES
Fiscal Year 2025**

Fiscal Year	S c h	FUNDS								
		General Fund	Special Revenue Funds	Debt Service Fund	Capital Project Funds	ARPA Fund	Enterprise Funds Available	Internal Service Funds	Total All Funds	
2024	Adopted/Adjusted Budgeted Expenditures/Expenses*	E	107,273,080	99,891,603	21,486,656	17,974,730	20,537,035	192,038,542	13,470,596	472,672,242
2024	Actual Expenditures/Expenses**	E	89,270,813	58,272,727	21,576,656	3,268,407	2,738,937	89,332,950	9,037,835	273,498,325
2025	Fund Balance/Net Position at July 1***		35,413,503	28,449,840	2,022,937	16,862,587	-	152,069,444	31,158,238	265,976,550
2025	Primary Property Tax Levy	B	16,601,516	-	-	-	-	-	-	16,601,516
2025	Secondary Property Tax Levy	B	-	528,995	-	-	-	-	-	528,995
2025	Estimated Revenues Other than Property Taxes	C	101,559,394	107,956,330	750,000	2,088,475	18,040,898	78,328,500	14,286,100	323,009,697
2025	Other Financing Sources	D	-	-	-	-	-	-	-	-
2025	Other Financing (Uses)	D	-	-	-	-	-	-	-	-
2025	Interfund Transfers In	D	-	183,354	21,522,961	2,113,380	-	-	-	23,819,695
2025	Interfund Transfers Out	D	17,396,404	5,725,634	-	458,054	-	239,604	-	23,819,696
2025	Total Financial Resources Available		136,178,009	131,392,885	24,295,898	20,606,388	18,040,898	230,158,340	45,444,338	606,116,757
2025	Budgeted Expenditures/Expenses	E	124,484,257	121,554,302	21,522,961	15,143,000	18,040,898	204,571,299	15,850,829	521,167,546

EXPENDITURE LIMITATION COMPARISON

	2024	2025
1. Budgeted expenditures/expenses	\$ 472,821,492	\$ 521,167,546
2. Add/subtract: estimated net reconciling items	-	-
3. Budgeted expenditures/expenses adjusted for reconciling items	472,821,492	521,167,546
4. Less: estimated exclusions	325,592,436	353,809,831
5. Amount subject to the expenditure limitation	147,229,056	\$ 167,357,715
6. EEC expenditure limitation	\$ 160,820,335	\$ 168,185,019

* Includes Expenditure/Expense Adjustments Approved in the current year from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts on this line represent Fund Balance/Net Position amounts except for amounts not in spendable form (e.g., prepaids and inventories) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

CITY OF YUMA, ARIZONA
TAX LEVY AND TAX RATE INFORMATION
 Fiscal Year 2025

	2024	2025
1. Maximum Allowable Primary Property Tax Levy. A.R.S. 42-17051(A)	\$ 15,725,831	\$ 16,601,516
2. Amount Received from Primary Property Taxation in the 2022-2023 Fiscal Year in Excess of the Sum of that Year's Maximum Allowable Primary Property Tax Levy. A.R.S. 42-17102(A)(18).		
3. Property Tax Levy Amounts		
A. Primary Property Taxes	\$ 15,725,831	\$ 16,601,516
B. Secondary Property Taxes (City-wide)	-	-
C. Special Assessment Districts		
(1) Downtown Mall District	151,704	156,109
(2) Park West Units 4 and 5	24,812	27,551
(3) Cielo Verde Unit Three Phases 1 and 2	16,742	19,118
(4) Desert Sky Unit 1	63,519	73,262
(5) Saguaro Units 3 and 4	31,075	23,724
(6) Driftwood Ranch Units 1 and 2	24,837	22,516
(7) Livingston Ranch Unit No. 2	30,664	38,681
(8) Desert Sands Unit No. 1	34,768	36,506
(9) Villa Serena Unit No. 1	6,563	11,062
(10) Araby North Subdivision	5,417	6,399
(11) Autumn Valley Subdivision	2,519	3,112
(12) La Estancia Subdivision	49,081	58,070
(13) Cielo Verde Units 2B, 4 and 6	-	-
(14) Desert Sands Unit No. 2	-	-
(15) Desert Sands Unit No. 3	-	-
(16) Santana Sub Units 1-4	20,773	38,246
	462,474	528,995
	\$ 16,188,305	\$ 17,130,511
4. Property Taxes Collected*		
A. Primary Property Taxes		
(1) 2023-2024 Levy	\$ 15,718,516	
(2) Prior Years' Levies	230,000	
(3) Total Primary Property Taxes	15,948,516	
B. Secondary Property Taxes (City-wide)		
(1) 2023-2024 Levy	-	
(2) Prior Years' Levies	-	
(3) Total Secondary Property Taxes	-	
C. Special Assessment Districts		
(1) 2023-2024 Levy	116,850	
(2) Prior Years' Levies	-	
(3) Total Primary Property Taxes	116,850	
D. Total Property Taxes Collected	\$ 16,065,366	

CITY OF YUMA, ARIZONA
TAX LEVY AND TAX RATE INFORMATION
 Fiscal Year 2025

	<u>2024</u>	<u>2025</u>
5. Property Tax Rates		
A. City of Yuma Tax Rate		
(1) Primary Property Tax Rate**	\$ 2.1321	\$ 2.1526
(2) Secondary Property Tax Rate	-	-
(3) Total City of Yuma Tax Rate	<u>2.1321</u>	<u>2.1526</u>
B. Special Assessment Districts		
(1) Downtown Mall District	4.2500	4.2750
(2) Park West Units 4 and 5	0.7000	0.7000
(3) Cielo Verde Unit Three Phases 1 and 2	1.2245	1.2245
(4) Desert Sky Unit 1	1.6000	1.6000
(5) Saguaro Units 3 and 4	0.8000	0.5000
(6) Driftwood Ranch Units 1 and 2	0.7240	0.5000
(7) Livingston Ranch Unit No. 2	1.6000	1.6000
(8) Desert Sands Unit No. 1	1.6000	1.6000
(9) Villa Serena Unit No. 1	1.6000	1.8000
(10) Araby North Subdivision	1.6000	1.8000
(11) Autumn Valley Subdivision	1.6000	1.8000
(12) La Estancia Subdivision	1.6000	1.8000
(13) Cielo Verde Units 2B, 4 and 6	-	-
(14) Desert Sands Unit No. 2	-	-
(15) Desert Sands Unit No. 3	-	-
(16) Santana Sub Units 1-4	1.6000	1.8000
(17) Total Special Assessment Districts Tax Rates	<u>20.4985</u>	<u>20.9995</u>
D. Total Property Tax Rates	<u>\$ 22.6306</u>	<u>\$ 23.1521</u>

*Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

CITY OF YUMA, ARIZONA
REVENUES OTHER THAN PROPERTY TAXES
 Fiscal Year 2025

SOURCES OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
GENERAL FUND			
Local Taxes:			
Sales tax (1%)	\$ 33,600,000	\$ 34,480,000	\$ 34,880,000
Franchise tax	3,698,009	3,849,544	3,887,769
Government Lease Property Excise	7,137	7,205	7,205
Delinquent property tax	250,000	230,000	240,000
Intergovernmental Revenues:			
State revenue sharing	25,500,000	26,108,929	21,000,000
State sales tax	14,371,000	14,750,000	14,800,000
Smart & Safe AZ	150,000	726,000	726,000
Auto in-lieu tax	5,375,400	5,420,000	5,700,000
Tribal contribution	15,000	15,109	15,500
Licenses and Permits:			
Business licenses	265,000	324,153	260,000
Liquor licenses	45,500	43,900	45,250
Animal Control licenses	55,000	24,200	40,000
Building permits	1,510,000	1,520,400	1,580,500
Electrical permits	401,000	402,000	405,000
Plumbing permits	95,000	105,000	115,000
Mechanical permits	95,000	105,000	95,000
Fire inspection	7,000	11,575	9,000
Encroachment permits	27,000	26,250	27,000
Charges for Services:			
Zoning and subdivision fees	55,100	44,525	49,600
Plan check fees	425,000	540,300	475,000
Other development fees	2,600	1,875	1,875
Swimming fees	160,000	147,550	151,000
Recreation fees	114,900	177,850	155,400
Ambulance Service fees	4,200,000	4,315,000	4,320,000
Intercity Cost Allocation	7,321,284	7,321,284	8,135,763
Other charges	117,000	122,500	17,000
Police services	600,000	615,000	615,000
Use of Money and Property:			
Investment income	100,000	2,500,500	2,100,050
Recreation facility rentals	261,000	298,550	292,000
Rents and surcharges	124,887	138,382	138,382
Fines, Forfeitures, Penalties:			
Vehicle code fines	575,000	522,000	575,000
Parking & other fines	345,000	425,000	425,000
Miscellaneous Revenues:			
Sale of property	588,355	25,000	25,000
Unclassified revenues	346,224	190,100	250,100
Total General Fund	<u>\$ 100,803,396</u>	<u>\$ 105,534,681</u>	<u>\$ 101,559,394</u>

CITY OF YUMA, ARIZONA
REVENUES OTHER THAN PROPERTY TAXES
 Fiscal Year 2025

SOURCES OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
SPECIAL REVENUE FUNDS			
Highway User Revenue Fund			
State gasoline tax	\$ 9,614,190	\$ 9,759,130	\$ 9,905,000
Investment income	15,000	135,000	40,000
Unclassified revenues	2,500	6,180	1,500
Total	<u>\$ 9,631,690</u>	<u>\$ 9,900,310</u>	<u>\$ 9,946,500</u>
City Road Tax Fund			
Sales tax (1/2%)	\$ 16,809,600	\$ 17,135,000	\$ 17,445,650
Charges for services	25,000	25,000	25,000
Investment income	30,000	750,000	500,000
Rental income	33,456	33,955	33,955
Unclassified revenues	1,500	1,500	1,500
Total	<u>\$ 16,899,556</u>	<u>\$ 17,945,455</u>	<u>\$ 18,006,105</u>
Public Safety Tax Fund			
Sales tax (0.2%)	\$ 6,711,600	\$ 6,845,000	\$ 6,970,400
Misc Rentals	-	-	-
Investment income	-	170,000	100,000
Unclassified revenues	-	32,613	-
Total	<u>\$ 6,711,600</u>	<u>\$ 7,047,613</u>	<u>\$ 7,070,400</u>
Two Percent Tax Fund			
Sales tax (2%)	\$ 8,925,000	\$ 9,030,300	\$ 9,120,600
Theatre Revenue	40,000	50,000	50,000
Liquor sales	90,000	88,850	94,000
Green fees	930,000	971,000	971,000
Range fees	43,000	-	-
Concession stand sales	335,000	204,800	214,650
Merchandise sales	160,000	225,050	225,100
Other sales	100,000	63,400	68,500
Commissions & fees	35,000	46,300	41,500
Investment income	6,500	268,000	100,000
Room rents	215,000	240,000	220,000
Equipment rents	426,500	433,275	432,500
Restaurant rental	120,000	124,000	120,000
Unclassified revenues	118,000	96,900	107,500
Total	<u>\$ 11,544,000</u>	<u>\$ 11,841,875</u>	<u>\$ 11,765,350</u>
Downtown Mall District Fund			
Delinquent property tax	\$ 5,000	\$ 2,800	\$ 5,000
Unclassified revenues	2,500	1,980	2,500
Total	<u>\$ 7,500</u>	<u>\$ 4,780</u>	<u>\$ 7,500</u>
Federal & State Grant Funds			
Grants	\$ 45,553,622	\$ 12,414,458	\$ 61,160,475
ARPA Fund			
Intergovernmental Revenue	\$ 20,537,035	\$ 2,738,937	\$ 18,040,898
Total Special Revenue Funds	<u>\$ 110,885,003</u>	<u>\$ 61,893,428</u>	<u>\$ 125,997,228</u>

CITY OF YUMA, ARIZONA
REVENUES OTHER THAN PROPERTY TAXES
 Fiscal Year 2025

SOURCES OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
DEBT SERVICE FUND			
Special Assessments:			
Investment income	\$ 30,000	\$ 720,000	\$ 750,000
Total	<u>\$ 30,000</u>	<u>\$ 720,000</u>	<u>\$ 750,000</u>
CAPITAL PROJECTS FUNDS			
Impact Fees	\$ 2,056,770	\$ 1,823,050	\$ 2,040,000
Investment income	271,516	361,525	48,475
Total	<u>\$ 2,328,286</u>	<u>\$ 2,184,575</u>	<u>\$ 2,088,475</u>
ENTERPRISE FUNDS			
Water Fund			
Residential water fees	\$ 16,000,000	\$ 16,100,000	\$ 16,260,500
Commercial water fees	9,900,000	10,507,750	10,615,000
Fire hydrant fees	452,500	477,422	485,300
Delinquent fees	850,000	865,500	870,000
Service establishment fees	350,000	273,800	305,000
Investment income	80,000	2,232,500	1,500,000
Unclassified revenues	249,250	231,149	250,250
Total	<u>\$ 27,881,750</u>	<u>\$ 30,688,121</u>	<u>\$ 30,286,050</u>
Wastewater Fund			
Residential sewer fees	\$ 11,775,000	\$ 11,815,000	\$ 12,232,450
Commercial sewer fees	7,247,500	6,089,575	6,300,000
Investment income	75,000	3,752,203	2,000,000
Unclassified revenues	24,800	69,850	1,500
Total	<u>\$ 19,122,300</u>	<u>\$ 21,726,628</u>	<u>\$ 20,533,950</u>
Water and Wastewater Restricted			
Water capacity fees	\$ 3,250,000	\$ 2,515,880	\$ 2,700,000
Sewer capacity fees	3,500,000	2,400,000	2,800,000
Water system development fees	175,000	135,000	150,000
Sewer system development fees	265,000	175,000	200,000
Investment income	61,950	3,507,220	3,128,200
Unclassified revenues	100	100	100
Total	<u>\$ 7,252,050</u>	<u>\$ 8,733,200</u>	<u>\$ 8,978,300</u>
Solid Waste Fund			
Collection fees	\$ 5,571,785	\$ 5,395,900	\$ 5,565,100
Receptacles sales	90,000	95,000	95,000
Unclassified revenues	14,000	120,000	60,000
Total	<u>\$ 5,675,785</u>	<u>\$ 5,610,900</u>	<u>\$ 5,720,100</u>

CITY OF YUMA, ARIZONA
REVENUES OTHER THAN PROPERTY TAXES
 Fiscal Year 2025

SOURCES OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
Yuma Regional Communications System Fund			
Radio Repair Fees	\$ 2,307,100	\$ 2,366,718	\$ 2,329,100
Federal contributions	10,430,000	10,430,000	10,430,000
Investment income	10,000	150,000	50,000
Sale of property	21,000	1,150	1,000
Total	<u>\$ 12,768,100</u>	<u>\$ 12,947,868</u>	<u>\$ 12,810,100</u>
Total Enterprise Funds	<u>\$ 72,699,985</u>	<u>\$ 79,706,717</u>	<u>\$ 78,328,500</u>
INTERNAL SERVICE FUNDS			
Major Equipment Replacement Fund			
Equipment pre-payments	\$ 3,148,749	\$ 3,916,681	\$ 5,460,898
Investment income	30,000	632,000	100,000
Unclassified revenue	-	7,328	-
Total	<u>\$ 3,178,749</u>	<u>\$ 4,556,009</u>	<u>\$ 5,560,898</u>
Equipment Maintenance Fund			
Guaranteed maintenance	\$ 2,737,417	\$ 2,737,417	\$ 2,772,503
Non-guaranteed maintenance	260,000	360,000	300,000
Total	<u>\$ 2,997,417</u>	<u>\$ 3,097,417</u>	<u>\$ 3,072,503</u>
Insurance Reserve Fund			
Insurance premiums	\$ 1,914,443	\$ 1,820,680	\$ 2,546,199
Investment income	6,500	6,500	6,500
Unclassified revenue	1,500,000	1,500,000	1,500,000
Total	<u>\$ 3,420,943</u>	<u>\$ 3,327,180</u>	<u>\$ 4,052,699</u>
Workers Comp Fund			
Workers Comp charges	\$ 1,450,000	\$ 1,740,000	\$ 1,450,000
Investment income	8,500	319,200	150,000
Unclassified revenue	500,000	-	-
Total	<u>\$ 1,958,500</u>	<u>\$ 2,059,200</u>	<u>\$ 1,600,000</u>
Total Internal Service Funds	<u>\$ 11,555,609</u>	<u>\$ 13,039,806</u>	<u>\$ 14,286,100</u>
Total All Funds	<u><u>\$ 298,302,279</u></u>	<u><u>\$ 263,079,207</u></u>	<u><u>\$ 323,009,697</u></u>

*Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

CITY OF YUMA, ARIZONA
OTHER FINANCING
SOURCES/(USES) AND INTERFUND TRANSFERS
 FISCAL YEAR 2025

FUND	OTHER FINANCING 2025		INTERFUND TRANSFERS 2025	
	SOURCES	USES	IN	(OUT)
GENERAL FUND	\$ -	\$ -	\$ -	\$ 17,396,404
SPECIAL REVENUE FUNDS				
Highway User Revenue Fund	\$ -	\$ -	\$ -	\$ 96,175
City Road Tax Fund	-	-	-	4,376,760
Public Safety Tax Fund	-	-	-	780,802
Two Percent Tax Fund	-	-	-	471,897
Yuma Mall Maintenance Fund	-	-	183,354	-
Total Special Revenue Funds	\$ -	\$ -	\$ 183,354	\$ 5,725,634
DEBT SERVICE FUNDS	\$ -	\$ -	\$ 21,522,961	\$ -
CAPITAL PROJECTS FUNDS	\$ -	\$ -	\$ 2,113,380	\$ 458,054
ENTERPRISE FUNDS				
Water Fund	\$ -	\$ -	\$ -	\$ 49,113
Wastewater Fund	-	-	-	54,371
Solid Waste Fund	-	-	-	136,120
Total Enterprise Funds	\$ -	\$ -	\$ -	\$ 239,604
INTERNAL SERVICE FUNDS	\$ -	\$ -	\$ -	\$ -
Total All Funds	\$ -	\$ -	\$ 23,819,695	\$ 23,819,695

CITY OF YUMA, ARIZONA
EXPENDITURES/EXPENSES BY FUND
 FISCAL YEAR 2025

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2024	EXPENDITURE/ ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES/ EXPENSES* 2024	BUDGETED EXPENDITURES/ EXPENSES 2025
GENERAL FUND				
Mayor & City Council	\$ 842,928	\$ -	\$ 784,036	\$ 887,153
Municipal Court	2,864,939	-	3,006,206	3,324,674
City Administration	3,975,291	182,009	3,999,806	4,906,956
City Attorney	1,609,033	630	1,725,597	1,943,512
Information Technology	5,959,628	(630)	6,041,671	6,401,517
Finance	2,943,991	-	2,800,293	3,284,775
Human Resources	1,767,041	13,000	1,650,501	1,997,671
General Government	10,546,706	(120,009)	796,649	13,483,804
Planning and Neighborhood Services	2,747,295	-	2,260,378	3,005,159
Building Safety	9,866,691	-	9,410,514	10,591,274
Engineering	358,041	-	394,823	373,652
Parks and Recreation	8,675,465	102,734	8,240,940	9,704,139
Police	31,051,986	-	30,380,787	35,970,494
Fire	17,558,947	15,289	17,331,426	21,316,809
Capital Improvements	6,312,075	-	447,186	7,292,668
Total	<u>\$ 107,080,057</u>	<u>\$ 193,023</u>	<u>\$ 89,270,813</u>	<u>\$ 124,484,257</u>
SPECIAL REVENUE FUNDS				
Highway User Revenue Fund				
Mayor & City Council	\$ 36,900	\$ -	\$ -	\$ 36,900
Public Works	12,078,618	(400,223)	11,500,326	11,998,425
General Government	265,083	-	-	94,860
Total	<u>\$ 12,380,601</u>	<u>\$ (400,223)</u>	<u>\$ 11,500,326</u>	<u>\$ 12,130,185</u>
City Road Tax Fund				
City Administration	\$ -	\$ -	\$ 9,697	\$ -
Public Works	1,854,137	399,795	3,088,220	2,280,396
Engineering	2,560,788	(721)	2,493,605	2,628,559
General Government	217,063	-	-	68,450
Capital Improvements	15,959,050	-	10,638,770	16,416,881
Total	<u>\$ 20,591,038</u>	<u>\$ 399,074</u>	<u>\$ 16,230,292</u>	<u>\$ 21,394,286</u>
Public Safety Tax Fund				
Police	\$ 2,394,029	\$ (437,000)	\$ 1,828,117	\$ 3,593,266
Fire	2,119,023	(1,734)	2,075,170	1,778,456
General Government	258,599	-	258,599	241,092
Capital Improvements	3,821,500	-	2,290,228	3,925,500
Total	<u>\$ 8,593,151</u>	<u>\$ (438,734)</u>	<u>\$ 6,452,114</u>	<u>\$ 9,538,314</u>
Two Percent Tax Fund				
City Administration	\$ 850,516	\$ 381,498	\$ 802,471	\$ 1,230,217
General Government	1,804,433	-	1,564,155	2,028,874
Engineering	8,471	-	6,223	9,153
Parks and Recreation	7,890,310	(388,998)	7,621,699	8,037,808
Capital Improvements	2,339,600	2,200	1,689,170	5,014,042
Total	<u>\$ 12,893,330</u>	<u>\$ (5,300)</u>	<u>\$ 11,683,718</u>	<u>\$ 16,320,094</u>

CITY OF YUMA
EXPENDITURES/EXPENSES BY FUND
 FISCAL YEAR 2025

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2024	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES/ EXPENSES* 2024	BUDGETED EXPENDITURES/ EXPENSES 2025
Yuma Mall Maintenance Fund				
Parks and Recreation	\$ 442,730	\$ -	\$ 339,529	\$ 335,775
General Government	10,417	-	-	3,079
Total	<u>\$ 453,147</u>	<u>\$ -</u>	<u>\$ 339,529</u>	<u>\$ 338,854</u>
Improvement Districts Funds				
Public Works	\$ 448,876	\$ -	\$ 384,502	\$ 672,094
Grant Funds				
City Administration	\$ 240,000	\$ 12,571	\$ 147,528	\$ 400,000
Planning and Neighborhood Services	5,688,892	321,329	1,146,121	5,613,665
Building Safety	-	66,353	55,796	60,205
Parks and Recreation	4,351,000	(4,082,897)	91,097	85,000
Municipal Court	100,000	101,000	69,467	100,000
City Attorney	10,000	5,000	4,045	8,000
Information Technology	100,000	26,445	93,154	-
Public Works	200,000	-	-	200,000
Police	3,291,999	6,685,246	2,966,883	11,030,709
Fire	1,870,506	(915,773)	215,171	904,237
General Government	2,818,928	(2,684,838)	-	10,005,794
Capital Improvements	26,635,129	135,753	6,892,984	32,752,865
Total	<u>\$ 45,306,454</u>	<u>\$ (329,811)</u>	<u>\$ 11,682,246</u>	<u>\$ 61,160,475</u>
Total Special Revenue Funds	<u>\$ 100,666,597</u>	<u>\$ (774,994)</u>	<u>\$ 58,272,727</u>	<u>\$ 121,554,302</u>
CAPITAL PROJECT FUNDS				
Capital Improvements	\$ 16,890,000	\$ -	\$ 3,249,177	\$ 14,595,000
Police Development	3,000	1,066,000	3,000	548,000
Engineering Development	6,000	-	6,000	-
Fire Development	2,500	-	2,500	-
General Government Development	230	-	230	-
Parks and Recreation Development	7,000	-	7,500	-
Total	<u>\$ 16,908,730</u>	<u>\$ 1,066,000</u>	<u>\$ 3,268,407</u>	<u>\$ 15,143,000</u>
ARPA FUNDS				
City Administration	\$ 2,906,635	\$ (1,090,000)	\$ 15,342	\$ 2,906,635
Neighborhood Services	-	460,000	90,818	-
Fire	-	630,000	421,090	-
Capital Improvements	17,630,400	-	2,211,687	15,134,263
Total	<u>\$ 20,537,035</u>	<u>\$ -</u>	<u>\$ 2,738,937</u>	<u>\$ 18,040,898</u>
DEBT SERVICE FUNDS				
Municipal Property Corporation Bonds	\$ 21,486,656	\$ -	\$ 21,576,656	\$ 21,522,961
Total	<u>\$ 21,486,656</u>	<u>\$ -</u>	<u>\$ 21,576,656</u>	<u>\$ 21,522,961</u>
ENTERPRISE FUNDS				
Water:				
City Administration	\$ -	\$ -	\$ 5,926	\$ -
Engineering	646,780	421	670,932	706,847
Utilities	23,355,906	-	21,280,238	23,694,992
General Government	552,848	-	-	204,010
Capital Improvements	16,825,000	-	11,567,829	13,003,500
Total	<u>\$ 41,380,534</u>	<u>\$ 421</u>	<u>\$ 33,524,925</u>	<u>\$ 37,609,349</u>
Wastewater:				
City Administration	\$ -	\$ -	\$ 4,848	\$ -
Engineering	466,918	300	497,848	513,760
Utilities	20,361,559	-	19,074,778	22,221,449
General Government	435,386	-	-	161,783
Capital Improvements	109,736,000	-	6,151,792	123,458,500
Total	<u>\$ 130,999,863</u>	<u>\$ 300</u>	<u>\$ 25,729,266</u>	<u>\$ 146,355,492</u>

CITY OF YUMA
EXPENDITURES/EXPENSES BY FUND
 FISCAL YEAR 2025

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2024	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES/ EXPENSES* 2024	BUDGETED EXPENDITURES/ EXPENSES 2025
Yuma Regional Comm. System Fund				
Information Technology	\$ 13,786,665	\$ -	\$ 24,392,729	\$ 13,872,989
General Government	58,413	-	-	24,459
Total	<u>\$ 13,845,078</u>	<u>\$ -</u>	<u>\$ 24,392,729</u>	<u>\$ 13,897,448</u>
Solid Waste Fund				
City Administration	\$ -	\$ -	\$ 1,347	\$ -
Public Works	5,172,026	-	5,145,891	6,042,927
Engineering	5,300	-	3,890	5,737
General Government	635,020	-	534,902	660,346
Total	<u>\$ 5,812,346</u>	<u>\$ -</u>	<u>\$ 5,686,030</u>	<u>\$ 6,709,010</u>
Total Enterprise Funds	<u>\$ 192,037,821</u>	<u>\$ 721</u>	<u>\$ 89,332,950</u>	<u>\$ 204,571,299</u>
INTERNAL SERVICE FUNDS				
Equipment Maintenance Fund:				
General Government	\$ 104,553	\$ -	\$ -	\$ 34,258
Public Works	2,963,779	-	2,869,691	3,118,440
Total	<u>\$ 3,068,332</u>	<u>\$ -</u>	<u>\$ 2,869,691</u>	<u>\$ 3,152,698</u>
Insurance Reserve Fund:				
City Attorney	\$ 1,021,000	\$ -	\$ 636,719	\$ 1,170,000
General Government	2,415,171	-	2,224,730	2,605,196
Total	<u>\$ 3,436,171</u>	<u>\$ -</u>	<u>\$ 2,861,449</u>	<u>\$ 3,775,196</u>
Equipment Replacement Fund:				
Building Safety	\$ 199,870	\$ -	\$ 43,856	\$ 236,232
Public Works	2,014,230	-	-	3,545,929
Utilities	60,000	-	103,395	54,122
Information Technology	53,000	-	-	46,933
Parks and Recreation	560,375	-	365,581	1,446,354
Police Department	1,357,618	(634,000)	566,490	593,365
Fire Department	355,000	-	327,392	-
Total	<u>\$ 4,600,093</u>	<u>\$ (634,000)</u>	<u>\$ 1,406,714</u>	<u>\$ 5,922,935</u>
Workmans' Comp Fund	3,000,000	-	1,899,981	3,000,000
Total Internal Service Funds	<u>\$ 14,104,596</u>	<u>\$ (634,000)</u>	<u>\$ 9,037,835</u>	<u>\$ 15,850,829</u>
Total All Funds	<u>\$ 472,821,492</u>	<u>\$ (149,250)</u>	<u>\$ 273,498,325</u>	<u>\$ 521,167,546</u>

*Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

CITY OF YUMA
SUMMARY BY DEPARTMENT OF EXPENDITURES/EXPENSES
 FISCAL YEAR 2025

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES EXPENSES 2024	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES EXPENSES 2024*	BUDGETED EXPENDITURES EXPENSES 2025
MAYOR & CITY COUNCIL				
General Fund	\$ 842,928	\$ -	\$ 784,036	\$ 887,153
Special Highway Users Fund	36,900	-	-	36,900
Total	<u>\$ 879,828</u>	<u>\$ -</u>	<u>\$ 784,036</u>	<u>\$ 924,053</u>
MUNICIPAL COURT				
General Fund	\$ 2,864,939	\$ -	\$ 3,006,206	\$ 3,324,674
Grant Funds	100,000	101,000	69,467	100,000
Total	<u>\$ 2,964,939</u>	<u>\$ 101,000</u>	<u>\$ 3,075,673</u>	<u>\$ 3,424,674</u>
CITY ADMINISTRATION				
General Fund	\$ 3,975,291	\$ 182,009	\$ 3,999,806	\$ 4,906,956
City Road Tax Fund	-	-	9,697	-
Two Percent Tax Fund	850,516	381,498	802,471	1,230,217
Grant Funds	240,000	12,571	147,528	400,000
ARPA Fund	2,906,635	(1,090,000)	15,342	2,906,635
Solid Waste	-	-	1,347	-
Water Fund	-	-	5,926	-
Wastewater Fund	-	-	4,848	-
Total	<u>\$ 7,972,442</u>	<u>\$ (513,922)</u>	<u>\$ 4,986,965</u>	<u>\$ 9,443,808</u>
CITY ATTORNEY				
General Fund	\$ 1,609,033	\$ 630	\$ 1,725,597	\$ 1,943,512
Grant Funds	10,000	5,000	4,045	8,000
Insurance Reserve Fund	1,021,000	-	636,719	1,170,000
Total	<u>\$ 2,640,033</u>	<u>\$ 5,630</u>	<u>\$ 2,366,361</u>	<u>\$ 3,121,512</u>
INFORMATION TECHNOLOGY				
General Fund	\$ 5,959,628	\$ (630)	\$ 6,041,671	\$ 6,401,517
Yuma Regional Comm. System Fund	13,786,665	-	24,392,729	13,872,989
Equipment Replacement Fund	53,000	-	-	46,933
Grant Funds	100,000	26,445	93,154	-
Total	<u>\$ 19,899,293</u>	<u>\$ 25,815</u>	<u>\$ 30,527,554</u>	<u>\$ 20,321,439</u>
FINANCE				
General Fund	\$ 2,943,991	\$ -	\$ 2,800,293	\$ 3,284,775
Total	<u>\$ 2,943,991</u>	<u>\$ -</u>	<u>\$ 2,800,293</u>	<u>\$ 3,284,775</u>
HUMAN RESOURCES				
General Fund	\$ 1,767,041	\$ 13,000	\$ 1,650,501	\$ 1,997,671
Total	<u>\$ 1,767,041</u>	<u>\$ 13,000</u>	<u>\$ 1,650,501</u>	<u>\$ 1,997,671</u>

CITY OF YUMA
SUMMARY BY DEPARTMENT OF EXPENDITURES/EXPENSES
 FISCAL YEAR 2025

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES EXPENSES 2024	EXPENDITURE/ ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES EXPENSES 2024*	BUDGETED EXPENDITURES EXPENSES 2025
GENERAL GOVERNMENT				
General Fund	\$ 10,546,706	\$ (120,009)	\$ 796,649	\$ 13,483,804
Highway User Revenue Fund	265,083	-	-	94,860
City Road Tax Fund	217,063	-	-	68,450
Public Safety Tax Fund	258,599	-	258,599	241,092
Two Percent Tax Fund	1,804,433	-	1,564,155	2,028,874
Mall Maintenance Fund	10,417	-	-	3,079
Grant Funds	2,818,928	(2,684,838)	-	10,005,794
Debt Service Fund	21,486,656	-	21,576,656	21,522,961
Water Fund	552,848	-	-	204,010
Wastewater Fund	435,386	-	-	161,783
Yuma Regional Comm. System Fund	58,413	-	-	24,459
Equipment Maintenance Fund	104,553	-	-	34,258
Solid Waste Fund	635,020	-	534,902	660,346
Insurance Reserve Fund	2,415,171	-	2,224,730	2,605,196
Workmans' Comp Fund	3,000,000	-	1,899,981	3,000,000
General Government Dev Fee Fund	230	-	230	-
Total	<u>\$ 44,609,506</u>	<u>\$ (2,804,847)</u>	<u>\$ 28,855,902</u>	<u>\$ 54,138,966</u>
PLANNING AND NEIGHBORHOOD SERVICES				
General Fund	\$ 2,747,295	\$ -	\$ 2,260,378	\$ 3,005,159
Grant Funds	5,688,892	321,329	1,146,121	5,613,665
ARPA Fund	-	460,000	90,818	-
Total	<u>\$ 8,436,187</u>	<u>\$ 781,329</u>	<u>\$ 3,497,317</u>	<u>\$ 8,618,824</u>
BUILDING SAFETY				
General Fund	\$ 9,866,691	\$ -	\$ 9,410,514	\$ 10,591,274
Grants Funds	-	66,353	55,796	60,205
Equipment Replacement Fund	199,870	-	43,856	236,232
Total	<u>\$ 10,066,561</u>	<u>\$ 66,353</u>	<u>\$ 9,510,166</u>	<u>\$ 10,887,711</u>
PUBLIC WORKS				
Highway User Revenue Fund	\$ 12,078,618	\$ (400,223)	\$ 11,500,326	\$ 11,998,425
City Road Tax Fund	1,854,137	399,795	3,088,220	2,280,396
Improvement Districts Funds	448,876	-	384,502	672,094
Grant Funds	200,000	-	-	200,000
Solid Waste	5,172,026	-	5,145,891	6,042,927
Equipment Maintenance Fund	2,963,779	-	2,869,691	3,118,440
Equipment Replacement Fund	2,014,230	-	-	3,545,929
Total	<u>\$ 24,731,666</u>	<u>\$ (428)</u>	<u>\$ 22,988,630</u>	<u>\$ 27,858,211</u>
ENGINEERING				
General Fund	\$ 358,041	\$ -	\$ 394,823	\$ 373,652
City Road Tax Fund	2,560,788	(721)	2,493,605	2,628,559
Two Percent Tax Fund	8,471	-	6,223	9,153
Water Fund	646,780	421	670,932	706,847
Wastewater Fund	466,918	300	497,848	513,760
Solid Waste	5,300	-	3,890	5,737
Transport Development Fee Fund	6,000	-	6,000	-
Total	<u>\$ 4,052,298</u>	<u>\$ -</u>	<u>\$ 4,073,321</u>	<u>\$ 4,237,708</u>

CITY OF YUMA
SUMMARY BY DEPARTMENT OF EXPENDITURES/EXPENSES
 FISCAL YEAR 2025

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES EXPENSES 2024	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES EXPENSES 2024*	BUDGETED EXPENDITURES EXPENSES 2025
UTILITIES				
Water Funds	\$ 23,355,906	\$ -	\$ 21,280,238	\$ 23,694,992
Wastewater Funds	20,361,559	-	19,074,778	22,221,449
Equipment Replacement Fund	60,000	-	103,395	54,122
Total	<u>\$ 43,777,465</u>	<u>\$ -</u>	<u>\$ 40,458,411</u>	<u>\$ 45,970,563</u>
PARKS & RECREATION				
General Fund	\$ 8,675,465	\$ 102,734	\$ 8,240,940	\$ 9,704,139
Two Percent Tax Fund	7,890,310	(388,998)	7,621,699	8,037,808
Mall Maintenance Fund	442,730	-	339,529	335,775
Grant Funds	4,351,000	(4,082,897)	91,097	85,000
Desert Hills Golf Course Fund	-	-	-	-
Parks & Rec Dev Fee Fund	7,000	-	7,500	-
Equipment Replacement Fund	560,375	-	365,581	1,446,354
Total	<u>\$ 21,926,880</u>	<u>\$ (4,369,161)</u>	<u>\$ 16,666,346</u>	<u>\$ 19,609,076</u>
POLICE				
General Fund	\$ 31,051,986	\$ -	\$ 30,380,787	\$ 35,970,494
Public Safety Tax Fund	2,394,029	(437,000)	1,828,117	3,593,266
Equipment Replacement Fund	1,357,618	(634,000)	566,490	593,365
Police Development Fee Fund	3,000	1,066,000	3,000	548,000
Grant Funds	3,291,999	6,685,246	2,966,883	11,030,709
Total	<u>\$ 38,098,632</u>	<u>\$ 6,680,246</u>	<u>\$ 35,745,277</u>	<u>\$ 51,735,834</u>
FIRE				
General Fund	\$ 17,558,947	\$ 15,289	\$ 17,331,426	\$ 21,316,809
Public Safety Tax Fund	2,119,023	(1,734)	2,075,170	1,778,456
Equipment Replacement Fund	355,000	-	327,392	-
Fire Development Fee Fund	2,500	-	2,500	-
Grant Funds	1,870,506	(915,773)	215,171	904,237
ARPA Fund	-	630,000	421,090	-
Total	<u>\$ 21,905,976</u>	<u>\$ (272,218)</u>	<u>\$ 20,372,749</u>	<u>\$ 23,999,502</u>
CAPITAL PROJECTS				
Capital Projects Fund	\$ 16,890,000	\$ -	\$ 3,249,177	\$ 14,595,000
General Fund	6,312,075	-	447,186	7,292,668
City Road Tax Fund	15,959,050	-	10,638,770	16,416,881
Public Safety Tax Fund	3,821,500	-	2,290,228	3,925,500
Two Percent Tax Fund	2,339,600	2,200	1,689,170	5,014,042
Grant Funds	26,635,129	135,753	6,892,984	32,752,865
ARPA Fund	17,630,400	-	2,211,687	15,134,263
Water Funds	16,825,000	-	11,567,829	13,003,500
Wastewater Funds	109,736,000	-	6,151,792	123,458,500
Total	<u>\$ 216,148,754</u>	<u>\$ 137,953.00</u>	<u>\$ 45,138,823</u>	<u>\$ 231,593,219</u>
Total All Funds	<u>\$ 472,821,492</u>	<u>\$ (149,250)</u>	<u>\$ 273,498,325</u>	<u>\$ 521,167,546</u>

*Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

City of Yuma, Arizona
Full-Time Employees and Personnel Compensation
Fiscal Year 2024-25

FUND	Full-Time Equivalent (FTE) *	Employee Salaries and Hourly Costs**	Retirement Costs***	Healthcare Costs****	Other Benefit Costs	Total Estimated Personnel Compensation
GENERAL FUND	732.13	58,042,252	7,913,063	8,194,747	4,966,687	\$79,116,749
SPECIAL REVENUE FUNDS						
Highway User Revenue Fund	47.50	3,156,978	387,311	517,748	396,764	4,458,801
City Road Tax Fund	24.80	1,767,822	216,465	253,144	185,209	2,422,640
Two Percent Tax Fund	30.98	2,562,162	284,811	337,053	248,075	3,432,101
Grants Fund	3.90	891,770	109,422	35,176	84,348	1,120,716
Mall Maintenance Fund	2.10	87,946	10,792	23,947	9,228	131,913
Total Special Revenue Funds	109.28	8,466,678	1,008,801	1,167,068	923,624	11,566,171
ENTERPRISE FUNDS						
Water Fund	96.99	6,191,975	758,201	1,004,903	634,277	8,589,356
Wastewater Fund	70.35	4,806,747	589,618	749,806	475,727	6,621,898
Sanitation Fund	16.95	1,190,714	146,032	166,142	160,218	1,663,106
Desert Hills Golf Course Fund	9.00	754,501	84,399	88,089	65,412	992,401
Yuma Reg Comm Sys Fund	8.30	728,495	89,372	104,675	56,825	979,367
Total Enterprise Funds	201.59	13,672,432	1,667,622	2,113,615	1,392,459	18,846,128
INTERNAL SERVICE FUNDS						
Equipment Maintenance Fund	18.00	1,043,535	128,046	167,648	102,576	1,441,805
Total Internal Service Funds	18.00	1,043,535	128,046	167,648	102,576	1,441,805
TOTAL ALL FUNDS	1,061.00	\$81,224,897	\$10,717,532	\$11,643,078	\$7,385,346	\$110,970,853

* Full-time employees only, including Elected Officials overfill positions

** Includes full-time, part-time, overtime and standby pay

*** Includes Soc Sec/Medicare

**** Health/dental/life insurance

SCHEDULE G