MEETING DATE:	September 20, 2017
DEPARTMENT:	City Administration
DIVISION:	

☐ Motion
☐ Resolution
☐ Ordinance - Introduction
☒ Ordinance - Adoption
☐ Public Hearing

TITLE:

Authorize Exchange of Surplus Real Property with Sixteen & Four, LLC and Acceptance of an Easement

SUMMARY RECOMMENDATION:

Approve an ordinance (1) declaring a remnant parcel (8,973 square feet) of vacant, City-owned real property located in the 1500 block of 4th Avenue, surplus for City use, (2) authorizing the exchange of the surplus remnant parcel to Sixteen & Four, LLC, (3) repealing Ordinance No. O2015-024, and (4) accepting a permanent public access (private passenger motor vehicles only) and underground utilities easement (4,901.59 square feet). (City Administration) (Greg Wilkinson)

REPORT:

The City of Yuma (City) owns a remnant parcel in the 1500 block of 4th Avenue depicted on the attached location map. The remnant parcel is vacant (approximately 53 x 170 feet), and located at the north end of the Sprouts project. The best use of the remnant parcel is assemblage for redevelopment. The purpose of this ordinance is to authorize the exchange of the remnant parcel to satisfy City obligations and facilitate additional redevelopment in this area.

The Real Property Exchange and Development Agreement dated November 24, 2015 between the City and Kenyon's Market, Inc. (KMI) was subsequently assigned to Sixteen & Four, LLC (Sixteen & Four). The City was obligated to construct the 15th Street driveway improvements in this agreement. The City agreed for Sixteen & Four to construct the 15th Street driveway improvements at a cost of $36,507.50 and the City would reimburse Sixteen & Four for such costs.

The City Council previously declared the remnant surplus and authorized an exchange with property owner to the north (Ordinance No. O2015-024). That exchange did not go forward and minor redesign was done to accommodate the property owner's desires.

Sixteen & Four has agreed to accept an exchange of the described remnant parcel, as payment for the City's obligations described above (approximately $44,507.50). Sixteen & Four will utilize the remnant parcel for additional parking.

Re-declaring the vacant parcel surplus and authorizing the exchange of the surplus property to Sixteen & Four will allow the City to offset the costs of the City's obligations under the Development Agreement without expending additional taxpayer funds and return the parcel to the tax rolls and productive use.

During the land swap a Phase 1 Environmental Site Assessment (ESA) was required as a gas station and dry cleaners were previously located on the northwest corner of 16th Street and 4th Avenue. The City agreed to split the cost of the ESA at an approximate cost of $8,000 to the City.

The ordinance provides the City a permanent easement in the 15th Street driveway for public access (private passenger motor vehicles only) and underground utilities. The terms of the exchange will be established in a real property exchange agreement to be approved by City Council as a separate resolution at the time of ordinance adoption.

<table>
<tr><td rowspan="8">FISCAL REQUIREMENTS</td><td>CITY FUNDS:</td><td>$0.00</td><td>BUDGETED:</td><td>$0.00</td></tr>
<tr><td>STATE FUNDS:</td><td>$0.00</td><td>AVAILABLE TO TRANSFER:</td><td>$0.00</td></tr>
<tr><td>FEDERAL FUNDS:</td><td>$0.00</td><td>IN CONTINGENCY:</td><td>$0.00</td></tr>
<tr><td>OTHER SOURCES:</td><td>$0.00
$0.00
$0.00</td><td rowspan="2">FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:</td><td></td></tr>
<tr><td>TOTAL:</td><td>$0.00</td><td></td></tr>
<tr><td colspan="4">FISCAL IMPACT STATEMENT:</td></tr>
</table>

ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK:
	  1.
	  2.
	  3.
	  4.
	  5.
	
	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

SIGNATURES	CITY ADMINISTRATOR: Gregory K. Wilkinson	DATE: 8/30/2017
	REVIEWED BY CITY ATTORNEY: Richard W. Files	DATE: 8/29/2017
	RECOMMENDED BY (DEPT/DIV HEAD):	DATE:
	WRITTEN/SUBMITTED BY:	DATE: