



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

February 3, 2021

DEPARTMENT:

City Engineering

DIVISION**STRATEGIC OUTCOMES**

- ☒ Safe & Prosperous
- ☐ Active & Appealing
- ☐ Respected & Responsible
- ☐ Connected & Engaged
- ☐ Unique & Creative

ACTION

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

TITLE:

Preannexation Development and Property Disposition Agreement: Piramide Contractors, Inc.

SUMMARY RECOMMENDATION:

Authorize a Preannexation Development and Property Disposition Agreement with Piramide Contractors, Inc. for property located at 414 S. Vaughn Avenue. (City Engineering) (Jeff Kramer)

REPORT:

Piramide Contractors, Inc. (Owner) is the Owner of an approximately 4.26 acre parcel of real property located at 414 S. Vaughn Avenue (APN 632-50-073) (Property). The Property is located outside the corporate boundary of the City of Yuma and is currently vacant land. The Owner intends to develop a 20-lot single-family residential subdivision on the Property.

The Owner has requested annexation of the Property so that the Property may receive City water and sewer service, but the property does not meet the minimum requirements under State law for annexation. As annexation of the property is not possible at the current time, the attached Preannexation Development and Property Disposition Agreement allows connection to City water and sewer service, will be kept on file and utilized at such time that a larger annexation can be brought forward.

Previously, the prior owner of the Property entered into a Preannexation Development Agreement with the City (Resolution No. R2007-21) (2007 Agreement). As part of the 2007 Agreement, the then owners dedicated certain property to the City for right-of-way purposes and to allow the City to install utility infrastructure to serve the Property. Subsequently, the Property was transferred to the new Owner and efforts to develop the Property were renewed through the County of Yuma.

Due to changes in the City's standard Preannexation Development Agreement that have occurred since 2007 and Yuma County's requirement that all right-of-way be dedicated to the County prior to approval of a final plat for the Property (the right of way previously dedicated to the City in connection with the 2007 Agreement will be dedicated by the City to the County) City staff and the Owner prepared the attached Preannexation Development and Property Disposition Agreement.

The Preannexation Development and Property Disposition Agreement provides for, among other things, the terms and conditions upon which: i) the Property may be annexed into the City; ii) water and wastewater services will be provided from the City; iii) the City will dedicate right-of-way to Yuma County; iv) Development Fees and Water and Sewer Capacity Charges are assessed against the Property (due to the Property being located within the Yuma County Improvement District No. 07-09, an improvement district formed for the purpose of financing and installing certain sanitary sewer facilities to allow the properties within the District to receive sanitary sewer services from the City, the City's Sanitary Sewer Interceptor Fee shall not be charged to Owner and the Owner is exempt from payment of the City Sanitary Sewer Interceptor Fee); and v) the termination of the 2007 Preannexation Development Agreement.

As part of the dedication of City of Yuma rights-of-way to Yuma County, Yuma County has, by a letter agreement dated December 14, 2020, waived all encroachment permit fees for the City to make water and wastewater infrastructure repairs in the rights-of-way being dedicated by the City to the County.

The attached ordinance authorizes a Preannexation Development and Property Disposition Agreement with Piramide Contractors, Inc. and meets the desired strategic outcome of a Safe and Prosperous community.

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 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT/FUND/CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
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.			
ADDITIONAL INFORMATION	IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL?			
	<input type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office <input checked="" type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Philip A. Rodriguez		1/13/2021	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		1/13/2021	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
SIGNATURES	WRITTEN/SUBMITTED BY:		DATE:	
	Andrew McGarvie		1/20/2021	