

RESOLUTION NO. R2025-083

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, APPROVING TERMINATION OF A 2022 ECONOMIC DEVELOPMENT AND LEASE OF SEWER CAPACITY AGREEMENT BETWEEN THE CITY OF YUMA AND DOLE FRESH VEGETABLES, INC.

WHEREAS, in 2022 Dole Fresh Vegetables, Inc. (“Dole”) informed the City of Yuma (“City”) of Dole’s plan to invest more than \$31 million in equipment and construction at Dole’s facility at 3725 S. Avenue 3E in Yuma, Arizona; and,

WHEREAS, Resolution No. R2022-008 approved an Economic Development and Lease of Sewer Capacity Agreement between the City and Dole (the “2022 Agreement”); and,

WHEREAS, the 2022 Agreement has a term of five years and was recorded with the Yuma County Recorder (Fee # 2022-13479) as required by A.R.S. § 9-500.05; and,

WHEREAS, on August 25, 2023, Dole sent a letter to Arizona’s Rapid Response Coordinator (“Coordinator”) at the Arizona Department of Economic Security notifying the Coordinator of Dole’s plans to permanently close its operations in Yuma on November 10, 2023; and,

WHEREAS, Dole recently returned \$26,200.00 to the City that was paid to Dole as an incentive in August 2022 as a Skills and Training Grant under Paragraph 8 of the 2022 Agreement; and,

WHEREAS, Dole and City staff now request City Council approve an Amendment terminating the 2022 Agreement and certifying that neither Party is in default of any obligations under the 2022 Agreement.

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

SECTION 1: The City Council finds that terminating the 2022 Agreement is in the public interest of the City and would be of public benefit.

SECTION 2: The attached and incorporated amendment terminating the 2022 Agreement between the City and Dole is approved, and the City Administrator is authorized to execute and record the amendment in substantially the same form on behalf of the City.

Adopted this ____ day of September, 2025.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney