

RESOLUTION NO. R2024-017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, EXTENDING A DELEGATION AGREEMENT BETWEEN THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) AND THE CITY OF YUMA, ARIZONA

WHEREAS, A.R.S. § 49-107 generally authorizes ADEQ to delegate to a local environmental agency, county health department, public health services district, or municipality, any functions, powers, or duties which ADEQ believes can be competently, efficiently, and properly performed by the local agency; and,

WHEREAS, A.R.S. § 49-501(D) specifically permits ADEQ to delegate authority for the issuance of open burn permits to a county, city, town, fire district, or its assigned private fire protection service provider; and,

WHEREAS, the City of Yuma (“City”) meets the delegation qualification as set forth in A.R.S. § 49-501(D); and,

WHEREAS, on February 21, 2014, the City entered into a delegation agreement with ADEQ to perform all functions and duties in A.R.S. § 49-501 and A.A.C. R18-2-602 pertaining to issuing permits for open burning on ADEQ’s behalf; and,

WHEREAS, that delegation agreement had a term of ten years and is need of extension.

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

SECTION 1: The City Administrator is authorized and directed to execute an extension of the City’s delegation agreement with ADEQ to May 23, 2026 in the attached form of Amendment No. 1, incorporated into this resolution by reference.

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