



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING AGENDA
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, JUNE 16, 2010
5:30 P.M.**

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL for submission of Speaker Request Forms

PRESENTATIONS

I. 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.

II. 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 will be taken separately.

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

- 8. 1. Regular Worksession March 16, 2010

B. Approval of Staff Recommendations:

Page Item

- 1. 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)

13. 2. Liquor License: 4th Ave. Liquor

Approve a new #09 Liquor Store Liquor License application submitted by Emad Elia Yousif, agent for 4th Ave. Liquor, 1111 South 4th Avenue, Yuma, Arizona. (LL10-10) (City Administration/City Clerk) (Lynda L. Bushong)

15. 3. Contract Award: Request for Qualifications (RFQ) Stormwater Engineering Consulting Services

Authorize staff to negotiate and execute a one-year contract with the option to renew for four additional one-year periods, one period at a time, depending on the appropriation of funds and satisfactory performance, for Stormwater Engineering Consulting Services with the following companies:

- 1. Osman Engineering PLLC Yuma, Arizona
- 2. James Davey and Associates Inc Yuma, Arizona

(City Engineering Department - RFQ #2010000382) (Paul Brooberg)

19. 4. Bid Award: Solar Photovoltaic System

Award to the lowest responsive/responsible bidder for a Solar Photovoltaic System installed on the roof of City Hall utilizing funds from the American Recovery and Reinvestment Act of 2009 (ARRA) at an estimated cost of \$479,500.00 to:

Standard Renewable Energy Phoenix, Arizona

(Facilities - 2010000396) (Richard Nichols)

22. 5. Bid Award: Sodium Hypochlorite Bleach 12.5%

Authorize Staff to execute a one-year contract on an as-needed basis with the option to renew for four additional one-year periods, one period at a time depending on the appropriation of funds and satisfactory performance, for Sodium Hypochlorite Bleach 12.5% at an estimated annual cost of \$25,000.00 to the lowest responsive/responsible bidder:

Hill Brothers Chemical Company Phoenix, Arizona

(Utilities - Bid #2010000407) (Jay Simonton)

25. 6. Bid Award: Heating, Ventilation & Air Conditioning (HVAC) and Refrigerant Services

Authorize staff to negotiate and execute a one-year contract with the option to renew for four additional one-year periods, one period at a time, for HVAC & Refrigerant Services utilizing funds from the American Recovery and Reinvestment Act of 2009 (ARRA) at an estimated cost of \$248,000.00 with the following firms:

Polar Cooling, LLC	Primary	Yuma, Arizona
Hyatt Refrigeration Inc., dba Hyatt Air Yuma	Secondary	Yuma, Arizona

(Facilities - #2010000420) (Richard Nichols)

29. 7. 2010 Community Development Block Grant (CDBG) Subrecipient Agreements

Authorize the City Administrator to execute subrecipient agreements in the amount of \$403,791.00 in accordance with the 2010 CDBG Action Plan. (City Administration/Economic Development)

43. 8. Appointment of Acting City Administrator

Designation of the Acting City Administrator by the City Administrator, pursuant to the Yuma City Charter, Article VIII, Section 3, during the absence or disability of the City Administrator. (City Administration) (Gregory K. Wilkinson)

46. 9. Donation to City: 1948 Chrysler Fire Chief Sedan

Accept donation of a 1948 Chrysler Fire Chief Sedan (Fire/Suppression) (Jack McArthur)

48. 10. Authorize Waiver of Potential Conflict with the Attorney General's Office

Authorize waiver of potential conflict of interest with the Arizona Attorney General's Office for review of Executive Session minutes. (City Attorney) (Steven W. Moore)

SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:

M/_____ S/_____ VV/_____

III. 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 will be taken separately.

50. A. Resolution R2010-39 Development Fee Deferral: Champion Christian Church

Approve a Development Agreement with Champion Christian Church, deferring Citywide Development Fees for Parcel 2, Champion Christian Church Lot Split at 3625 South Avenue 5E. (City Engineering/Administration) (Paul Brooberg)

SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

IV. 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 will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

59. A. Ordinance O2010-30 Amend Ordinance O2006-60 - Modifying Conditions of Rezoning

Adopt Ordinance O2010-30 modifying the conditions contained in Ordinance O2006-60 for the rezoning of properties at 433 and 439 S. 1st Avenue to the Transitional/Historic/Bed and Breakfast Overlay (TR/H/BB) District. *The Statutory Compliance Hearing was held on June 2, 2010 and resulted in the introduction of O2010-30.* (Community Development/Community Planning) (Laurie Lineberry)

SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

V. 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.

64. A. Ordinance O2010-32 Zoning Code Amendment: City of Yuma Zoning Code Reformat

Adopt the reformatted Zoning Code, by reference, which updates the physical layout and order of the City of Yuma Zoning code, Title 15, Chapter 154, by changing the arrangement of sections and subsections and placing them under appropriate renumbered existing or alternate headings. (Z2010-001) (Community Development/Community Planning) (Laurie Lineberry)

78. B. Ordinance O2010-33 Property Acquisition: 28th Street and Kyla Avenue

Authorize and ratify the acquisition of property located at 2862 S. Kyla Avenue (City Engineering/Administration) (Paul Brooberg)

83. C. Ordinance O2010-34 City of Yuma 2010 Special Election

Call a special election to be held the same time as the City of Yuma General Election on November 2, 2010 to submit to those persons qualified to vote in the City of Yuma the question of continuing to levy, and modifying the use of, the 0.2 % (two-tenths of one percent) Transaction Privilege Tax dedicated to public safety. (Fire/Administration) (Jack McArthur)

VI. PUBLIC HEARINGS

87. A. Annexation Area No. A2010-02: Greengate

This is a public hearing to consider the annexation of property located at the southeast corner of Avenue 3½E and 32nd Street. (Community Development/Community Planning) (Laurie Lineberry)

VII. PUBLIC HEARINGS & RELATED ACTIONS

91. A. Combined Public Hearings: Truth-in-Taxation and Final Budget Public Hearings for Fiscal Year 2010-2011

Hold one combined Public Hearing that includes the Truth-in-Taxation Public Hearing for Fiscal Year 2010-2011, pursuant to A.R.S. 42-17107, and the Final Budget Public Hearing for Fiscal Year 2010-2011. (Finance/Administration) (Pat Wicks)

93. B. Resolution R2010-38 Final Budget Adoption for Fiscal Year 2010-2011

Adopt the City of Yuma Budget for Fiscal Year 2010-2011 in the amount of \$229,840,738, which includes a Capital Improvement Program Budget of \$87,632,349, and an Operating Budget of \$142,208,389. (Finance/Administration) (Pat Wicks)

M/_____ **S/**_____ **RV/**_____

112. C. Introduction: Ordinance O2010-31 2010-2011 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy

Adopt the 2010-2011 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy. (Finance/Administration) (Pat Wicks)

VIII. 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 June 3, 2010 through June 16, 2010. 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.

IX. 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.

X. EXECUTIVE SESSION

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

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, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.

MINUTES
REGULAR WORKSESSION
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
March 16, 2010
5:10 p.m.

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

Councilmembers Present: Stuart, Mendoza, Beeson, McClendon, Brooks-Gurrola, Johnson and Mayor Krieger
Councilmembers Absent: none
Staffmembers Present: City Administrator, Mark Watson
Human Resource Director, Jack Dodd
Various department heads or their representatives
Brigitta M. Kuiper, City Clerk,

I. SUMMARY OF CURRENT EVENTS

Watson informed the City Council that staff has been in continuous contact with Yuma Metropolitan Planning Organization and the Arizona Department of Transportation (ADOT) lobbying to get portions of 4th Avenue and 32nd Street repaved prior to the City taking control; efforts are ongoing. Funding may be available if certain ADOT bids provide savings.

II. REGULAR CITY COUNCIL MEETING AGENDA OF MARCH 17, 2010

McClendon asked for a separate roll call vote on the Special Event Liquor License application submitted by the Yuma County Board of Supervisors, for their annual employee BBQ to be held at the Yuma Catholic High School athletic field on April 17, 2010.

III. YUMA COUNTY AIRPORT AUTHORITY

Craig Williams, Yuma County Airport (YCA) Director, briefed the City Council on the plans and operations of the YCA; briefing highlights follow:

- Focus areas: air carriers, general aviation and defense industry support.
 - Air carriers: commercial airline service is growing; both United and US Airways set records in January and February of this year.
 - General Aviation
 - Hangars are full
 - Fixed base operators (FBO = primary provider of services to aircraft and operators located at or adjacent to an airport)
 - Only one operational at this time - CareFlight
 - FBO Million Air opening in April 2010 - \$3 million project
 - World leader in military fuel sales
 - Possible support for and use of Omega Tanker –contracted air refueling services to Navy and Marine Corps; specializes in industry research and development

- West General Aviation area
 - Considerable investment to occur in development of new top quality pilot center
- Defense Industry Support
 - Yuma's one airfield is used by civilian and military
 - Civilian property
 - Military property – restricted and limited
 - Serving:
 - Marine Corps Air Station – Yuma (MCAS-Yuma)
 - Day-to-day operations
 - Joint Strike Fighter (JSF) F-35 deployment
 - Building support infrastructure
 - Initial operational capability
 - Maintain F-5 squadron; drawdown of AV-8
 - Add 6 squadrons of F-35B
 - Upgrade airport security
 - Add top secret capability
 - Long term support strategy
 - Anticipate Eglin F-35's to Yuma in 2010/2011
 - More VM-22 Osprey training
 - Possible foreign squadron F-35 training
 - Possible Miramar F-18/F-35 squadrons
 - Yuma Proving Ground (YPG)
- Investment
 - Military support infrastructure: \$10 million over last three years
 - Space for defense contractors problematic on military property, so YCA making room on its property with Defense Contractor Complex
 - National Aeronautics and Space Administration (NASA) ramp reconstruction - \$2.5 million
 - Taxiway rehabilitation - \$3.2 million
 - JSF F-35 ramp \$3 million
 - Million gallon fuel farm
 - JSF F-35 contractor hangars - \$4 million project under development
 - Million Air FBO facility - \$3 million opening in April
 - NASA facility - \$2.5 million
 - Fed-Ex facility – to be operational October 2010 - \$2.5 million
 - Border Patrol facilities - \$10 million – under design
- Sustainability
 - Airport structure supports global supply network
 - Civilian land being used jointly by MCAS-Yuma
 - Operational deployment of JSF F-35
 - First in Yuma, later in Arizona, eventually, the world
 - Lessons start here
 - World-wide support starts here
 - Lockheed global parts distribution center

- Central location
- Security to military specifications
 - Controlled access inside fence; procedures mirror MCAS-Yuma specifications
 - DoN Video Analytics – providing perimeter security.
 - Exceeds Federal Aviation Administration (FAA) standards
- Designated Federal Trade Zone
- Jobs:
 - Over 1,000 subcontractors build the F-35 and all will need to provide local support personnel.
 - Yuma offers an available work force
 - Over 2,000 avionics and aircraft technicians at MCAS-Yuma
 - 50-100 technicians leave the military each month looking for work
 - YPG
 - Largest civilian employer in Yuma County
 - Over 3,000 technicians and engineers
 - General Motors test track
 - Brought 175 trained technicians and engineers to Yuma region
 - Supported by Yuma County Education
 - Arizona Western College (AWC) and MCAS-Yuma have jointly developed training tailored to MCAS-Yuma's needs
 - Approved by American Council on Education
 - Flexible for student mission requirements
 - Systems Engineering Degree
 - Possible for area residents through cooperative efforts of:
 - Arizona Western College
 - Northern Arizona University
 - University of Arizona
 - Associate in Science
 - Engineering plus Occupational Certificate
 - Engineering Technology degree offered by AWC meets industry needs for technicians at YPG and General Motors
- Yuma has a history of longstanding support for the military – since 1920; Yuma has become a retirement area for former military personnel.
- Yuma has highest concentration of engineers in the State of Arizona

Discussion

- The City is aware that the entrance into this newly developed area of the airport needs improvement to bolster the community's image; the City would like to work toward making improvements in the City's rights-of-way.
 - Perhaps the issue could be addressed through the Clean and Beautiful Commission, as the commission has already expressed an interest in it.
- The construction work done over the last three years exclusively involved local construction and engineering firms; YCA works hard to use local talent whenever their guidelines permit them to do so.

- The pilot center will include an eating facility; however, it will not be undertaken until initial renovations are complete because of funding.
- MCAS-Yuma has military weapons storage and loading facilities on its property. MCAS-Yuma has enough space to handle its expansion in these areas. However, the existence of these hazardous areas and material precludes the development of new facilities near them; therefore, YCA is working to develop its land to accommodate new development.

IV. RECRUITMENT PROCESS FOR CITY ADMINISTRATOR

Dodd presented the following information:

- Human Resources anticipates it will take six months to fill this position
- Available, pre-approved executive recruiting agencies
 - Mercer Group, Inc. – New Mexico
 - Waters-Oldani Executive Recruitment Consulting - Texas
 - Slavin Management Consultants – Georgia with Phoenix office
- Recruitment agency steps
 - Develop position profile
 - Based on input
 - Develop brochures for distribution
 - Identify qualified candidates
 - Advertise position
 - Act as central depository of applications
 - Evaluate prospective candidates
 - Perform Initial screening of applicants
 - Refer selected group to City
 - Selection and employment
 - Perform background checks
 - Other selection criteria
 - Assist with final selection process
- Internal evaluation
 - City Council
 - Meet with recruiting agency to develop position profile
 - Screen candidates
 - Conduct final interview and selection
 - Community
 - Citizen group
 - Assist in developing position profile
 - Possible assistance in interviewing
 - Possible internet input
 - Employee – as directed by City Council

Discussion

- Costs for the use of a recruiting agency: \$20,000-25,000 plus expenses

V. ADDITIONAL ITEMS FOR POSSIBLE DISCUSSION

McClendon asked for a discussion of upcoming road closures in the 16th Street/Avenue A road project with information from ADOT and City Engineering.

Watson asked for the City Council's preference for a budget worksession next week; the consensus was for March 23, 2010 at 3:00 p.m.

VIII. ADJOURNMENT/EXECUTIVE SESSION

Mayor Krieger adjourned the meeting to Executive Session at 5:40 p.m.

Lynda L. Bushong, City Clerk

APPROVED:

Alan L. Krieger, Mayor

DRAFT



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010

DEPARTMENT: City Administration

DIVISION: City Clerk

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

TITLE:
Liquor License: 4th Ave. Liquor

SUMMARY RECOMMENDATION:

Approve a new #09 Liquor Store Liquor License application submitted by Emad Elia Yousif, agent for 4th Ave. Liquor, 1111 South 4th Avenue, Yuma, Arizona. (LL10-10)

REPORT:

Emad Elia Yousif, agent for 4th Ave. Liquor, located at 1111 South 4th Avenue, Yuma, Arizona, has applied for a #9, Liquor Store (New), Liquor License. The City Council previously approved this liquor license application on March 3, 2010. On April 28, 2010, the City Clerk's Office received a fax from the Arizona Department of Liquor Licenses and Control deactivating the original file for the reason that the applicant had withdrawn his application due to an error that was made on question 17 of the questionnaire; consequently, the applicant chose to file a new application. A Predevelopment Meeting between the applicant and staff was held on May 13, 2010; it was determined at this meeting that a drive thru for this location was not an option.

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

The application has been reviewed by Community Development, Police Department, Fire Department, and Business Licensing; no objections have been received.

Upon City Council recommendation of approval, 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 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT: Application Fee \$250.00			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. #9 Liquor Store (New) Liquor License Application 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? <input type="checkbox"/> Department <input checked="" type="checkbox"/> City Clerk's Office			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
RECOMMENDED BY (DEPT/DIV HEAD):		DATE:		
Lynda L. Bushong		6/1/2010		
WRITTEN/SUBMITTED BY:		DATE:		
Flora L. Hatch		5/27/2010		

The City received Statements of Qualifications from nine (9) firms, six (6) of which were local. An evaluation committee comprised of City staff members reviewed and rated the proposals that were received. The two listed firms were the highest ranked firms selected by the committee, in order of points received. Both firms are from Yuma.

The maximum value of the contract will be \$500,000 for a twelve (12) month period. The City will not guarantee that each Delivery Order will be any specific amount or that the Consultants will receive a minimum number of delivery orders. Exact amounts will vary due to assignment complexity. An individual Delivery Order may not exceed \$150,000 in total value without prior written approval of the City Engineer. In no event shall a single Delivery Order be issued in excess of \$300,000. Each project will be authorized by a delivery order specifying the scope of services required, the maximum time allowed for the services, and the fee.

Staff requests City Council authorization to negotiate and execute contracts with the two consulting firms for Stormwater Engineering Consulting Services, as indicated above under Summary Recommendation.

This recommendation has the concurrence of the City Engineer and the Evaluation Committee.

FISCAL REQUIREMENTS	CITY FUNDS: \$1,000,000.00	BUDGETED: \$1,000,000.00
	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: FY 2011 C.I.P. Budget
	TOTAL: \$1,000,000.00	
	FISCAL IMPACT STATEMENT: Funds are included for various projects in the Capital Improvement Program Budget and Departmental Operating Budgets. The full dollar volume may not be expended for this contract.	
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? <input checked="" type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office	
SIGNATURES	CITY ADMINISTRATOR: Jack McArthur for Gregory K. Wilkinson	DATE: 6/8/2010
	REVIEWED BY CITY ATTORNEY: Steven W. Moore	DATE: 6/8/2010
	RECOMMENDED BY (DEPT/DIV HEAD): Pat Wicks	DATE: 5/24/2010
	WRITTEN/SUBMITTED BY: Peggy Hayes / Bill Pfannenstiel	DATE: 5/20/2010

CITY OF YUMA
Stormwater - Engineering Consulting Services
Bid #: 2010000382

CORE ENGINEERING GROUP PLLC	DAHL ROBINS & ASSOCIATES INC	DEVELOPMENT DESIGN & ENGINEERING	DIBBLE & ASSOCIATES CONSULTING	JAMES DAVEY & ASSOCIATES INC	NICKLAUS ENGINEERING INC	OSMAN ENGINEERING	STANLEY CONSULTANTS INC	TETRA TECH INC/SIMONS LLC
YUMA, AZ	YUMA, AZ	YUMA, AZ	PHOENIX, AZ	YUMA, AZ	YUMA, AZ	YUMA, AZ	PHOENIX, AZ	PHOENIX, AZ



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010
DEPARTMENT: Finance
DIVISION: Purchasing

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

TITLE:
Bid Award: Solar Photovoltaic System

SUMMARY RECOMMENDATION:

Award to the lowest responsive/responsible bidder for a Solar Photovoltaic System installed on the roof of City Hall utilizing funds from the American Recovery and Reinvestment Act of 2009 (ARRA) at an estimated cost of \$479,500.00 to:

Standard Renewable Energy Phoenix, Arizona

(Facilities - 2010000396) (Richard Nichols)

REPORT:

The ARRA in part directs governments to undertake infrastructure and energy projects through approved Federal Grants. This project is a part of that legislation, and an approved grant. In an effort to reduce the City's carbon footprint, the City intends to award a project to provide a complete grid-tied photovoltaic rooftop system. The City applied for and received a Federal ARRA Grant, which was approved by City Council on June 17, 2009, as Resolution No. R2009-32 in the amount of \$855,700.00. The grant funding received will be used to support this project and two other separate projects. Additionally, Production Based Incentive Rebates will be applied for with the City's public utility, Arizona Public Service (APS) Company.

A solicitation was issued to secure a contractor for project scoping, project design, permitting, construction of the project, and to assist the City in the application for rebates available through APS, which will fund the continued upkeep and maintenance of the system.

The Bid was distributed for solicitation as follows:

BID STATISTICS	TOTAL	LOCAL VENDORS
Bid Packages Distributed	28	8
Bids Received	3	2

Based on the per kW (kilowatt) price, staff recommends to award to the aforementioned Contractor.

This recommendation has the concurrence of the Facilities Maintenance Manager.

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$506,500.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$479,500.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP: 17110705192026 Project - PA3REN	
	TOTAL:	\$479,500.00		
	FISCAL IMPACT STATEMENT: Funds are included in the ARRA Grant from the Federal Government.			
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.			
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	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Pat Wicks		6/1/2010		
WRITTEN/SUBMITTED BY:		DATE:		
Peggy Hayes / Bill Pfannenstiel		5/27/2010		

CITY OF YUMA
Solar Photovoltaic Project City Hall
Bid #: 2010000396

	STANDARD RENEWABLE ENERGY PHOENIX, AZ	ENGINEERED GENERAL CONTRACTOR INC YUMA, AZ	BUELL CONSTRUCTION dba YUMA SOLAR YUMA, AZ
Manufacturer	Suniva / PV Powered	Solon	None listed
1. Option A Total Price	\$479,500.00	\$479,500.00	\$474,250.04
Size of kW (kilowatt) system	100.8	98.56	88.83
Cost per kW	\$4.76	\$4.865	\$5.34
2. Option B Total Price	no bid	\$452,760.00	no bid
Size of kW (kilowatt) system		92.40	
Cost per kW		\$4.900	
3. Option C Total Price	no bid	\$396,396.00	no bid
Size of kW (kilowatt) system		80.80	
Cost per kW		\$4.905	
4. Option D Total Price	no bid	\$354,908.40	no bid
Size of kW (kilowatt) system		70.84	
Cost per kW		\$5.010	
Recommended Bidder			

FISCAL REQUIREMENTS	CITY FUNDS:	\$25,000.00	BUDGETED:	\$25,000.00
	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: 42141415432084	
	TOTAL:	\$25,000.00		
	FISCAL IMPACT STATEMENT: Funding is available in the FY2010-2011 Operational Budgets to cover the expenditures for this contract. The full dollar volume may not be expended for this contract, but if expenditures exceed the budgeted amounts, the appropriate budget transfers will be made.			
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? <input checked="" type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
RECOMMENDED BY (DEPT/DIV HEAD):		DATE:		
Pat Wicks		5/24/2010		
WRITTEN/SUBMITTED BY:		DATE:		
Peggy Hayes / Bill Pfannenstiel		5/20/2010		

CITY OF YUMA
Sodium Hypochlorite Bleach 12.5%
Bid #: 2010000407

	HILL BROTHERS CHEMICAL CO PHOENIX, AZ	THATCHER COMPANY OF ARIZONA SALT LAKE CITY, UT
1. Sodium Hypochlorite 12.5% Liquid Bleach in 300 gallon totes	\$345.00	\$378.00
quantity 10	\$3,450.00	\$3,780.00
TOTAL BID	\$3,450.00	\$3,780.00



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010
DEPARTMENT: Finance
DIVISION: Purchasing

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

TITLE:
Bid Award: Heating, Ventilation & Air Conditioning (HVAC) and Refrigerant Services

SUMMARY RECOMMENDATION:

Authorize staff to negotiate and execute a one-year contract with the option to renew for four additional one-year periods, one period at a time, for HVAC & Refrigerant Services utilizing funds from the American Recovery and Reinvestment Act of 2009 (ARRA) at an estimated cost of \$248,000.00 with the following firms:

Polar Cooling, LLC	Primary	Yuma, Arizona
Hyatt Refrigeration Inc., dba Hyatt Air Yuma	Secondary	Yuma, Arizona

(Facilities - #2010000420) (Richard Nichols)

REPORT:

The ARRA in part directs governments to undertake infrastructure and energy projects through approved Federal Grants. This project is a part of that legislation, and an approved grant. The City applied for and received a Federal ARRA Grant, which was approved by City Council on June 17, 2009, as Resolution No. R2009-32 in the amount of \$855,700.00. The grant funding received will be used to support this project and two other separate projects. Additionally, Up Front Incentive Rebates will be applied for with the City's public utility, Arizona Public Service (APS) Company.

A solicitation was issued to secure vendors to provide new installations and/or repairs to several types of existing HVAC equipment at various locations in the city and to assist the City in the application for rebates available through APS.

The Bid was distributed for solicitation as follows:

BID STATISTICS	TOTAL	LOCAL VENDORS
Bid Packages Distributed	7	7
Bids Received	3	3

The City intends to award a contract to Polar Cooling, LLC. (Polar), as the primary vendor and to Hyatt Refrigeration Inc., dba Hyatt Air Yuma (Hyatt) as the secondary vendor based on the proposals provided. Polar will provide 1-day delivery with an 18% discount off of all materials with an additional payment discount of 2% if payment is made within 30 days. Hyatt will provide 1-day delivery with a 10% discount off of all materials but offers no additional payment discount. Therefore, Staff

recommends to award as indicated under Summary Recommendation.

The City currently has a contract for HVAC & Refrigerant Services that does not allow for the use of federal funds. When the current contract expires March 26, 2011, the City intends to utilize this new contract for all HVAC & Refrigerant Services.

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$248,000.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$248,000.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP: 17110705192026 Project - PA3REN	
	TOTAL:	\$248,000.00		
	FISCAL IMPACT STATEMENT: Funds are included in the ARRA Grant from the Federal Government.			
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? <input checked="" type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Pat Wicks		06/1/2010		
WRITTEN/SUBMITTED BY:		DATE:		
Roman, Mary / Bill Pfannenstiel		05/27/2010		

**CITY OF YUMA
HVAC and Refrigerant Services
Bid #2010000420**

	POLAR COOLING YUMA, AZ	HYATT AIR YUMA YUMA, AZ	THERMO HEATING OF YUMA INC YUMA, AZ
1. Journeyman Hourly Rate Scheduled Services, and/or Monday through Friday 8:00 am - 5:00 pm	\$66.93	\$65.00	\$80.00
2. Hourly Rate (Unscheduled Emergency Services, after 5:00 pm Monday through Friday or weekends & Holidays)	\$96.93	\$98.00	\$120.00
3. Hourly Rate - Additional Helper (Scheduled Services, and/or Monday through Friday 8:00 am - 5:00 pm)	\$50.25	\$35.00	\$55.00
4. Hourly Rate - Additional Helper (Unscheduled Emergency Services, after 5:00 pm Monday through Friday or weekends & holidays)	\$75.00	\$65.00	\$82.50
5 My company will furnish ALL materials at ___% off manufacturer list price. All materials are to be made and assembled in the United States.	18%	10%	

Delivery	1 day Stock items (next day) Special Orders - Pending Availability from Manufacturer	1 day
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Payment Discount	2% / 30 days	0% / 0 days	1% / 15 days
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Primary Vendor	Secondary Vendor
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Recommended Vendors



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010

DEPARTMENT: City Administration

DIVISION: Economic Development

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

TITLE:
2010 Community Development Block Grant (CDBG) Subrecipient Agreements

SUMMARY RECOMMENDATION:
Authorize the City Administrator to execute subrecipient agreements in the amount of \$403,791.00 in accordance with the 2010 CDBG Action Plan.

REPORT:
The Yuma City Council approved the 2010 Community Development Block Grant (CDBG) Action Plan on April 21st, 2010. These subrecipient agreements include approved projects, programs and activities as well as specified funding allocations totaling \$403,791.00 for the organizations listed below:

- Community Legal Services \$ 15,000.00
- Regional Center for Border Health \$ 14,260.00
- Services Maximizing Independent Living and Empowerment \$106,000.00
- The Excel Group \$ 75,000.00
- Yuma Neighborhood Development Organization, Housing Acquisition/Rehab \$110,000.00
- Yuma Neighborhood Development Organization, Individual Development Account \$ 83,531.00

Staff has negotiated and prepared agreements with each of the above organizations. The attached statements of work and funding amounts agree with and conform to the 2010 CDBG Action Plan.

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$403,791.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$403,791.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP: 161-1018-529-4016	
	TOTAL:	\$403,791.00		
	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. Council Action, 4/21/10 adopting City of Yuma 2010 CDBG Action Plan 2. City of Yuma 2010 CDBG Action Plan 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? <input type="checkbox"/> Department <input checked="" type="checkbox"/> City Clerk's Office			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
WRITTEN/SUBMITTED BY:		DATE:		
Nikki Hoogendoorn		5/27/2010		

**Exhibit A
Statement of Work**

1. PROGRAM/PROJECT/ACTIVITY DESCRIPTION

Regional Center for Border Health will provide the Our Future, Our Children Program, which offers job training classes in the medical field. Low-and moderate-income, teen parent, 12th grade students that attend Yuma High School will be given preference to participate in the program. The SUBRECIPIENT will teach participants the skills they need to gain employment as a Certified Caregiver. Graduates will take a State license exam and be certified to work in this field. CDBG funds will be used to purchase program materials and supplies, books, uniforms, licensing fees, instructor and program coordinator salaries and other program costs pre-approved by the CITY. No funds will be used for general administration expenses.

National Objective – Low/Mod Limited Clientele 570.208 (a)(2)(C)

Eligible Activity – Public Services 570.201(e)

2. SCHEDULE OF ACTIVITIES

The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Schedule of Activities to include projected milestones and deadlines for accomplishment of the activities. The schedule provides an essential role in the grant management system.

3. LEVEL OF ACCOMPLISHMENT – GOALS AND PERFORMANCE MEASURES

The level of accomplishment may include such measures as units rehabbed, persons or households assisted, or counseling sessions provided and should also include time frames for performance.

The SUBRECIPIENT agrees to provide the following levels of program service:

<u>Activity</u>	<u>Units per Month</u>	<u>Total</u>
<u>Units/Year</u>		
Our Future, Our Children Program		15

Units of service will be the number of teens that participate in the program

4. BUDGET

The CITY shall fund SUBRECIPIENT with **\$ 14,260** to provide Our Future, Our Children, a medical field job training program for 12th grade students that attend Yuma High School. The entire amount shall be used for program administration and activities and none for general administrative expenses. The SUBRECIPIENT

agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Project Budget.

5. SPECIAL CONDITIONS/REPORTING REQUIREMENTS

The SUBRECIPIENT agrees to obtain a completed application for assistance from every applicant for whom assistance is sought and/or provided. The SUBRECIPIENT shall submit a Quarterly SUBRECIPIENT Performance Report in an approved report format. In addition, at the completion of this AGREEMENT, the SUBRECIPIENT shall provide a year-end analysis and report of the services provided. The number, ethnicity, gender, income eligibility status, disability status, single head of household of all applicants and/or beneficiaries of the funded Project activities shall be disclosed and stated.

6. PAYMENT PROCEDURES

It is expressly agreed and understood by the parties that the total amount to be paid to the SUBRECIPIENT under this AGREEMENT by the CITY shall not exceed **\$14,260**. All payments shall be on a reimbursement basis and CITY shall pay SUBRECIPIENT within 30 (thirty) days of a payment request with complete, acceptable documentation. Said documentation shall include the Quarterly SUBRECIPIENT Performance Report and the Yearly Performance Report.

**Exhibit A
Statement of Work**

1. PROGRAM/PROJECT/ACTIVITY DESCRIPTION

Community Legal Services in collaboration with the CITY will implement a Fair Housing Outreach, Education and Enforcement Program to inform residents of the CITY of Yuma, particularly low to moderate-income residents, of their fair housing rights and how to obtain assistance if housing issues such as discrimination are perceived or encountered. A program will be developed and implemented to ensure that information and training on compliance with fair housing laws will be made available to housing providers and the general public. No funds will be used for general administration expenses.

National Objective – Low/Mod Limited Clientele 570.208 (a)(2)

Eligible Activity – Public Services 570.201 (e)

2. SCHEDULE OF ACTIVITIES

The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Schedule of Activities to include projected milestones and deadlines for accomplishment of the activities. The schedule provides an essential role in the grant management system.

3. LEVEL OF ACCOMPLISHMENT – GOALS AND PERFORMANCE MEASURES

The level of accomplishment may include such measures as units rehabbed, persons or households assisted, or counseling sessions provided and should also include time frames for performance.

The SUBRECIPIENT agrees to provide the following levels of program service:

<u>Activity</u>	<u>Units per Month</u>	<u>Total</u>
<u>Units/Year</u>		
Fair Housing Outreach Program	291	3,200

Units of service will be the number of persons provided Fair Housing education, information, case assistance, presentations and outreach.

4. BUDGET

The CITY shall fund SUBRECIPIENT with **\$ 15,000** to provide a fair housing outreach, education and enforcement program. The entire amount shall be used for program administration and activities and none for general administrative expenses. The SUBRECIPIENT agrees to submit to the CITY, within 30 days of

the effective date of the SUBRECIPIENT AGREEMENT, a Project Budget.

5. SPECIAL CONDITIONS/REPORTING REQUIREMENTS

The SUBRECIPIENT agrees to obtain a completed application for assistance from every applicant for whom assistance is sought and/or provided. The SUBRECIPIENT shall submit a Quarterly SUBRECIPIENT Performance Report in an approved report format. In addition, at the completion of this AGREEMENT, the SUBRECIPIENT shall provide a year-end analysis and report of the services provided. The number, ethnicity, gender, income eligibility status, disability status, single head of household of all applicants and/or beneficiaries of the funded Project activities shall be disclosed and stated.

6. PAYMENT PROCEDURES

It is expressly agreed and understood by the parties that the total amount to be paid to the SUBRECIPIENT under this AGREEMENT by the CITY shall not exceed **\$15,000**. All payments shall be on a reimbursement basis and CITY shall pay SUBRECIPIENT within 30 (thirty) days of a payment request with complete, acceptable documentation. Said documentation shall include the Quarterly SUBRECIPIENT Performance Report and the Yearly Performance Report.

**Exhibit A
Statement of Work**

1. PROGRAM/PROJECT/ACTIVITY DESCRIPTION

The Excel Group is a provider of housing and behavioral health care for persons with a serious mental illness. The SUBRECIPIENT will convert and rehabilitate one section of an office facility into two housing units. The units will be rented to low income people with special needs. The SUBRECIPIENT will charge no more than 30% of a tenant's income for rent. CDBG funds will be used for the planning and design, construction, permits, and appliances. The SUBRECIPIENT will provide supportive services to help tenants become self-sufficient.

National Objective – Low/Mod Housing 570.208(a)(3)

Eligible Activity – Rehab; Single Unit Residential 570.202

1. CITY procurement practices will be used to solicit bids and award contracts.
2. Contractors performing work on the project must be licensed by the State of Arizona.
3. Building permits must be requested for projects as required by CITY Code.

2. SCHEDULE OF ACTIVITIES

The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Schedule of Activities to include projected milestones and deadlines for accomplishment of the activities. The schedule provides an essential role in the grant management system.

3. LEVEL OF ACCOMPLISHMENT – GOALS AND PERFORMANCE MEASURES

The level of accomplishment may include such measures as units rehabbed, persons or households assisted, or counseling sessions provided and should also include time frames for performance.

The SUBRECIPIENT agrees to provide the following levels of program service:

<u>Activity</u>	<u>Units per Month</u>	<u>Total Units/Year</u>
1 st Street Housing Project Rehabilitation		2

Units of service will be the number of housing units created

4. BUDGET

The CITY shall fund SUBRECIPIENT with **\$75,000** to rehabilitate and convert an office facility into two housing units. The entire amount shall be used for program administration and activities and none for general administrative expenses. The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Project Budget.

5. SPECIAL CONDITIONS/REPORTING REQUIREMENTS

The SUBRECIPIENT agrees to obtain a completed application for assistance from every applicant for whom assistance is sought and/or provided. The SUBRECIPIENT shall submit a Quarterly SUBRECIPIENT Performance Report in an approved report format. In addition, at the completion of this AGREEMENT, the SUBRECIPIENT shall provide a year-end analysis and report of the services provided. The number, ethnicity, gender, income eligibility status, disability status, single head of household of all applicants and/or beneficiaries of the funded Project activities shall be disclosed and stated.

6. PAYMENT PROCEDURES

It is expressly agreed and understood by the parties that the total amount to be paid to the SUBRECIPIENT under this AGREEMENT by the CITY shall not exceed **\$75,000**. All payments shall be on a reimbursement basis and CITY shall pay SUBRECIPIENT within 30 (thirty) days of a payment request with complete, acceptable documentation. Said documentation shall include the Quarterly SUBRECIPIENT Performance Report and the Yearly Performance Report.

**Exhibit A
Statement of Work**

1. PROGRAM/PROJECT/ACTIVITY DESCRIPTION

Services Maximizing Independent Living and Empowerment (SMILE) assists persons with significant disabilities to maximize their ability to live independently and access the community. The SUBRECIPIENT will coordinate accessibility home modification projects and minor home repairs for disabled and elderly low-income homeowners within the CITY of Yuma. Modifications may include installation of safety bars, replacement of bath tubs with low curb or roll in showers, replacement of standard toilets with high rise toilets, wheelchair ramps, wider doorways, leveled thresholds, kitchen accessibility modifications and minor home repairs. SMILE staff will attend training designed for Housing Rehabilitation Programs to ensure compliance with the use of federal funds. Travel and training must be approved in advance by CITY and cannot exceed \$4,000. No funds will be used for general administration expenses.

1. CITY procurement practices will be used to solicit bids and award contracts.
2. Contractors performing work on each modification project must be licensed by the State of Arizona.
3. Building permits must be requested for projects as required by CITY Code.
4. Modification expenses will be reimbursed upon final inspection of the project by CITY Building Safety Inspectors on projects requiring a permit, and acceptance and approval of the project by the client.

National Objective – Low/Mod Housing 570.208(a)(3)

Eligible Activity – Rehab; Single Unit Residential 570.202

2. SCHEDULE OF ACTIVITIES

The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Schedule of Activities to include projected milestones and deadlines for accomplishment of the activities. The schedule provides an essential role in the grant management system.

3. LEVEL OF ACCOMPLISHMENT – GOALS AND PERFORMANCE MEASURES

The level of accomplishment may include such measures as units rehabbed, persons or households assisted, or counseling sessions provided and should also include time frames for performance.

The SUBRECIPIENT agrees to provide the following levels of program service:

<u>Activity</u>	<u>Units per Month</u>	<u>Total Units/Year</u>
Home Accessibility Modifications	1	12

Units of service will be the number of housing units provided accessibility modifications and minor home repairs.

4. BUDGET

The CITY shall fund SUBRECIPIENT with **\$106,000** to coordinate home accessibility modifications and minor home repair for elderly and disabled homeowners and spend no more than \$4,000 for pre-approved Program Training. The entire amount shall be used for program administration and activities and none for general administrative expenses. The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Project Budget.

5. SPECIAL CONDITIONS/REPORTING REQUIREMENTS

The SUBRECIPIENT agrees to obtain a completed application for assistance from every applicant for whom assistance is sought and/or provided. The SUBRECIPIENT shall submit a Quarterly SUBRECIPIENT Performance Report in an approved report format. In addition, at the completion of this AGREEMENT, the SUBRECIPIENT shall provide a year-end analysis and report of the services provided. The number, ethnicity, gender, income eligibility status, disability status, single head of household of all applicants and/or beneficiaries of the funded Project activities shall be disclosed and stated.

6. PAYMENT PROCEDURES

It is expressly agreed and understood by the parties that the total amount to be paid to the SUBRECIPIENT under this AGREEMENT by the CITY shall not exceed **\$106,000**. All payments shall be on a reimbursement basis and CITY shall pay SUBRECIPIENT within 30 (thirty) days of a payment request with complete, acceptable documentation. Said documentation shall include the Quarterly SUBRECIPIENT Performance Report and the Yearly Performance Report.

**Exhibit A
Statement of Work**

1. PROGRAM/PROJECT/ACTIVITY DESCRIPTION

The YNDO provides neighborhood development and revitalization through collaborative partnerships to improve the quality of life for all community members. The SUBRECIPIENT will coordinate an Individual Development Account Program (IDA). IDA's are savings accounts belonging to low and moderate-income individuals or families who earn match funds through regular savings. The CDBG match funds are disbursed to the participant when the individual's or family's savings have met the program goals and will be withdrawn as down payment assistance to purchase a home or to start a microbusiness. CDBG funds will also be used to administer the IDA Program. No funds will be used for general administration expenses.

National Objective – Low/Mod Housing 570.208(a)(3)
Low/Mod Area Benefit 570.208 (a)(1)

Eligible Activity – Homeownership Assistance 570.201(n)
Microenterprise Assistance 570.201(o)

2. SCHEDULE OF ACTIVITIES

The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Schedule of Activities to include projected milestones and deadlines for accomplishment of the activities. The schedule provides an essential role in the grant management system.

3. LEVEL OF ACCOMPLISHMENT – GOALS AND PERFORMANCE MEASURES

The level of accomplishment may include such measures as units rehabbed, persons or households assisted, or counseling sessions provided and should also include time frames for performance.

SUBRECIPIENT Agrees to provide the following levels of program service:

<u>Activity</u>	<u>Units per Month</u>	<u>Total Units</u>
1. IDA Homeownership Program		15
2. IDA Microbusiness Loan Program		6

1. Number of families provided homeownership assistance
2. Units of service will be the number of microbusinesses opened

4. BUDGET

The CITY shall fund SUBRECIPIENT with **\$ 83,531** to provide a Homeowner and Microbusiness Individual Development Account Program for low and moderate-income families. The entire amount shall be used for program activities and none for general administrative expenses. The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Project Budget.

5. SPECIAL CONDITIONS/REPORTING REQUIREMENTS

The SUBRECIPIENT agrees to obtain a completed application for assistance from every applicant for whom assistance is sought and/or provided. The SUBRECIPIENT shall submit a Quarterly SUBRECIPIENT Performance Report in an approved report format. In addition, at the completion of this AGREEMENT, the SUBRECIPIENT shall provide a year-end analysis and report of the services provided. The number, ethnicity, gender, income eligibility status, disability status, single head of household of all applicants and/or beneficiaries of the funded Project activities shall be disclosed and stated.

6. PAYMENT PROCEDURES

It is expressly agreed and understood by the parties that the total amount to be paid to the SUBRECIPIENT under this AGREEMENT by the CITY shall not exceed **\$83,531**. All payments shall be on a reimbursement basis and CITY shall pay SUBRECIPIENT within 30 (thirty) days of a payment request with complete, acceptable documentation. Said documentation shall include the Quarterly SUBRECIPIENT Performance Report and the Yearly Performance Report.

**Exhibit A
Statement of Work**

1. PROGRAM/PROJECT/ACTIVITY DESCRIPTION

The YNDO (SUBRECIPIENT) provides neighborhood development and revitalization through collaborative partnerships to improve the quality of life for all community members. The SUBRECIPIENT will implement an Affordable Housing Acquisition and Rehabilitation Program in the Yuma High Neighborhood. CDBG funds will be used to acquire vacant homes, SUBRECIPIENT will provide funds to rehabilitate the homes. Homebuyers will borrow from a private lender to purchase the homes at below market prices. Proceeds from the sale of the homes will be placed in a revolving loan fund to continue the program. No funds will be used for general administration expenses.

National Objective – Low/Mod Housing 570.208

Eligible Activity – Rehab; Single Unit Residential 570.202(b)(1)

2. SCHEDULE OF ACTIVITIES

The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a Schedule of Activities to include projected milestones and deadlines for accomplishment of the activities. The schedule provides an essential role in the grant management system.

3. LEVEL OF ACCOMPLISHMENT – GOALS AND PERFORMANCE MEASURES

The level of accomplishment may include such measures as units rehabbed, persons or households assisted, or counseling sessions provided and should also include time frames for performance.

The SUBRECIPIENT agrees to provide the following levels of program service:

<u>Activity</u>	<u>Units per Month</u>	<u>Total Units/Year</u>
Affordable Housing Acquisition/Rehabilitation		2

Units of service will be the number of housing units acquired and rehabilitated

4. BUDGET

The CITY shall fund SUBRECIPIENT with **\$110,000** to acquire vacant homes that will be rehabilitated and sold to low-and moderate-income families. The entire amount shall be used for program administration and activities and none for general administrative expenses. The SUBRECIPIENT agrees to submit to the CITY, within 30 days of the effective date of the SUBRECIPIENT AGREEMENT, a

Project Budget.

5. SPECIAL CONDITIONS/REPORTING REQUIREMENTS

The SUBRECIPIENT agrees to obtain a completed application for assistance from every applicant for whom assistance is sought and/or provided. The SUBRECIPIENT shall submit a Quarterly SUBRECIPIENT Performance Report in an approved report format. In addition, at the completion of this AGREEMENT, the SUBRECIPIENT shall provide a year-end analysis and report of the services provided. The number, ethnicity, gender, income eligibility status, disability status, single head of household of all applicants and/or beneficiaries of the funded Project activities shall be disclosed and stated.

6. PAYMENT PROCEDURES

It is expressly agreed and understood by the parties that the total amount to be paid to the SUBRECIPIENT under this AGREEMENT by the CITY shall not exceed **\$110,000**. All payments shall be on a reimbursement basis and CITY shall pay SUBRECIPIENT within 30 (thirty) days of a payment request with complete, acceptable documentation. Said documentation shall include the Quarterly SUBRECIPIENT Performance Report and the Yearly Performance Report.



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

June 16, 2010

DEPARTMENT:

City Administration

DIVISION:

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

TITLE:

Appointment of Acting City Administrator

SUMMARY RECOMMENDATION:

Designation of the Acting City Administrator by the City Administrator, pursuant to the Yuma City Charter, Article VIII, Section 3, during the absence or disability of the City Administrator.

REPORT:

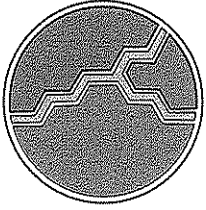
The Yuma City Charter, Article VIII, Section 3, in part states:

The city administrator shall designate as acting city administrator, subject to the approval of the city council, a qualified city officer to exercise the powers and perform the duties of city administrator during his absence or disability. The designation shall be by letter filed with the city clerk.

To comply with the Charter provision, the letter to be filed with the City Clerk (attached) is submitted to the City Council for approval.

The City officers designated by the City Administrator, in order of succession are: Jerry Geier, Police Chief; Jack McArthur, Fire Chief; and Donald 'Pat' Wicks, Finance Director.

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.			
	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			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Gregory K. Wilkinson		6/2/2010		
WRITTEN/SUBMITTED BY:			DATE:	



City of YUMA

CITY ADMINISTRATION

One City Plaza
P.O. Box 13014
Yuma, AZ 85366-3014
928-373-5011 (phone)
928-373-5012 (fax)

June 2, 2010

Mayor and City Council

RE: Position of Acting City Administrator

Dear Mayor and Council,

This letter is prepared in order to comply with the provisions of Article VIII, Section 3, of the Yuma City Code regarding the appointment of Acting City Administrator. I designate, subject to the approval of the City Council, the following qualified City officers, in descending order, to exercise the powers and perform the duties of the City Administrator during my absence or disability:

- Jerry Geier, Police Chief
- Jack McArthur, Fire Chief
- Donald 'Pat' Wicks, Finance Director

Therefore, if I am absent or disabled, I will ask one of the above indicated officers to act in my place and assume the duties of City Administrator.

I also direct the City Clerk to file this letter together with appropriate documents showing approval by the City Council of the foregoing designees.

Respectfully,

Gregory K. Wilkinson
City Administrator



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010

DEPARTMENT: Fire

DIVISION: Suppression

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

TITLE:

Donation: 1948 Chrysler Fire Chief Sedan

SUMMARY RECOMMENDATION:

Accept donation of a 1948 Chrysler Fire Chief Sedan

REPORT:

The City of Yuma has been approached by Dick Rautenberg of Dick's Auto Salvage, who has requested that the City accept a vintage 1948 Chrysler Fire Chief sedan for use by the Yuma Fire Department. This is a 4-door sedan outfitted with red lights and two sirens. Mr. Rautenberg desires no compensation for this gift.

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: None			
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? <input type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
RECOMMENDED BY (DEPT/DIV HEAD):		DATE:		
Jack McArthur		5/4/2010		
WRITTEN/SUBMITTED BY:		DATE:		
Ruth Gloria		5/4/2010		



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010
DEPARTMENT: City Attorney
DIVISION:

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

TITLE:
Authorize Waiver of Potential Conflict with the Attorney General's Office

SUMMARY RECOMMENDATION:
Authorize waiver of potential conflict of interest with the Arizona Attorney General's Office for review of Executive Session minutes.

REPORT:
The Arizona Attorney General's Office, pursuant to A.R.S. § 38-431.03, has requested to review minutes of a City Council Executive Session. This request may create a conflict of interest based on issues discussed in the Executive Session. Therefore City Council approval is required to waive any potential conflict. Such waiver does not waive the attorney-client privilege as to anyone other than the Attorney General's Office pursuant to A.R.S. § 38-431.03.

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.			
	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 checked="" type="checkbox"/> City Clerk's Office			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Steven W. Moore				
WRITTEN/SUBMITTED BY:		DATE:		
Connie Scoggins				



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010

DEPARTMENT: City Engineering

DIVISION: Administration

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

TITLE:
Development Fee Deferral: Champion Christian Church

SUMMARY RECOMMENDATION:
Approve a Development Agreement with Champion Christian Church, deferring Citywide Development Fees for Parcel 2, Champion Christian Church Lot Split at 3625 South Avenue 5E.

REPORT:
City Administration and staff have met with the development community regarding current local economic activity, particularly that of the construction industry, and have determined to recommend to City Council that for a period of one year (renewable for an additional year at the option of City Council), all Citywide Development Fees for residential, commercial and industrial development shall be eligible for deferral until prior to issuance of a certificate of occupancy. The eligibility for deferral is in accordance with the specific terms outlined in the attached development agreement.

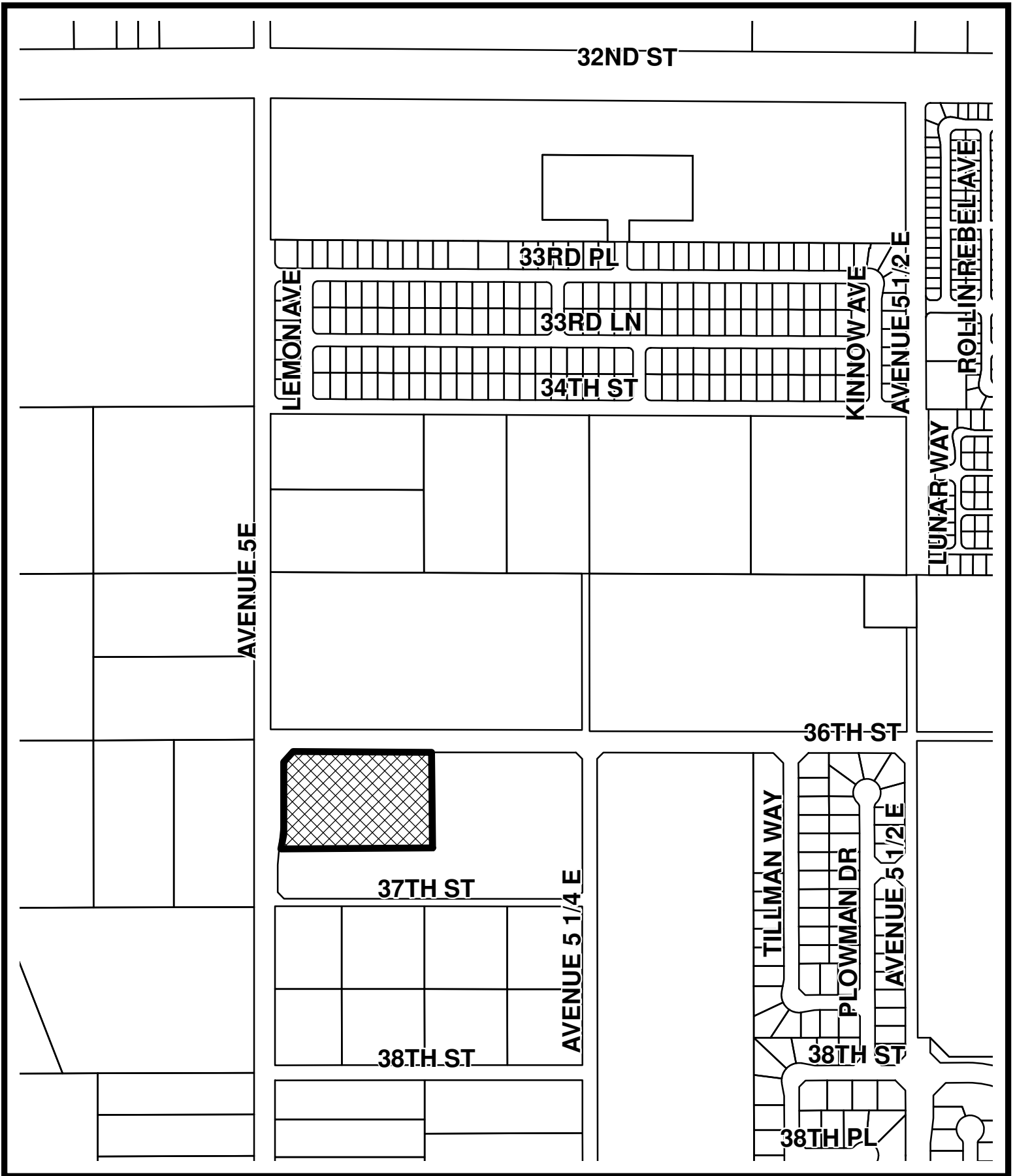
It is anticipated that a delay in paying these development fees will help to stimulate economic activity and retain some of the construction jobs that are being lost due to the current economic downturn. The deferral must be accomplished in accordance with State statute (A.R.S. § 9-463.05(B)(3)) through a development agreement and supported by adequate security which will consist of a separate written promise to pay the deferred fees on each lot no later than at the time a certificate of occupancy is issued by the City.

Representatives of the Champion Christian Church have requested a deferral of fees for an expansion on the property specified in the proposed development agreement in accordance with the terms thereof.

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.			
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 checked="" type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office				

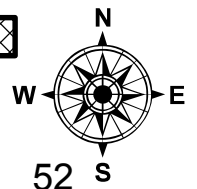
SIGNATURES	CITY ADMINISTRATOR:	DATE:
	Jack McArthur for Gregory K. Wilkinson	6/8/2010
	REVIEWED BY CITY ATTORNEY:	DATE:
	Steven W. Moore	6/8/2010
	RECOMMENDED BY (DEPT/DIV HEAD):	DATE:
Paul Brooberg	6/2/2010	
WRITTEN/SUBMITTED BY:	DATE:	
Teresa Blackburn	5/26/2010	



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

LOCATION MAP

Subject Location = 



Checked by: Paul Brooberg
 Checked by: Sergio Penunuri

DEPARTMENT OF PUBLIC WORKS

CIP No. Champion Church
 SCALE: N.T.S.
 DATE: 5-26-10

RESOLUTION NO. R2010-39

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, AUTHORIZING AND APPROVING A DEVELOPMENT
AGREEMENT PERMITTING DEFERRAL OF CITYWIDE DEVELOPMENT
FEES FOR PARCEL 2, CHAMPION CHRISTIAN CHURCH LOT SPLIT**

WHEREAS, the City of Yuma, Arizona (City) desires to obtain those public benefits accruing from the development of property, which benefits include, but are not limited to, the creation and retention of jobs, stimulation of further economic development within the City, increased property tax values based on improvements to be constructed on the property and by retention and generation of additional sales tax revenues through increased business activities; and,

WHEREAS, A.R.S. § 9-463.05(B)(3) permits the deferral of payment of development fees for office/institutional units when supported by appropriate security and included as part of a development agreement; and

WHEREAS, both the City of Yuma and the Champion Christian Church, an Arizona corporation, agree that deferral of payment of development fees until prior to issuance of a certificate of occupancy, will promote economic activity within the City and shall constitute sufficient consideration for the deferral.

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

SECTION 1: That the deferral of Citywide Development Fees contemplated for the property specified in the Development Agreement attached as Exhibit A, is approved according to the terms of the Development Agreement.

SECTION 2: That the City Administrator is authorized and directed to execute the Development Agreement, which is attached hereto as Exhibit A and, by this reference, made a part hereof.

Adopted this _____ day of _____, 2010.

APPROVED:

Alan L. Krieger
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Steven W. Moore
City Attorney

RESOLUTION NO. R2010-39

**EXHIBIT A
DEVELOPMENT AGREEMENT**

This Development Agreement (“Agreement”), in accordance with the Arizona Revised Statutes (A.R.S.) § 9-500.05, is by and between Champion Christian Church, an Arizona Corporation (“Owner”), as owner of the real property located at 3625 S. Avenue 5E (APN 112-16-031), and described as Parcel 2 of the Champion Christian Church Lot Split, recorded as Yuma County Assessor’s Fee #: 2004-22224 Book 20 of Plats, Page 36, (the “Property”) and the City of Yuma, an Arizona municipal corporation (“City”).

RECITALS

WHEREAS, the City desires to obtain those public benefits which accrue from the development of the Property and include (but are not limited to) the creation and retention of jobs, stimulation of further economic development within the City, increased property tax values based on improvements to be constructed on the Property, and by generation of additional sales tax revenues through increased business activity; and,

WHEREAS, A.R.S. § 9-463.05(B)(3) permits the deferral of payment of development fees for an office-institutional building when supported by appropriate security and included as part of a development agreement; and

WHEREAS, for the mutual benefit of both parties, the sufficiency of which is acknowledged, the parties have entered into this Agreement to provide for the deferral of payment of Citywide Development Fees upon certain terms and conditions contained herein.

NOW THEREFORE, in consideration of the above recitals, the parties agree as follows:

1. Term. This Agreement shall be effective upon execution by all of the parties hereto (the “Effective Date”) and shall expire one year from the Effective Date (the “Expiration Date”) unless the parties mutually agree to an earlier termination or the City Council, by proper motion, extends this Agreement for an additional one year term, in which case the Expiration Date shall be two years from the Effective Date.
2. Vesting. The benefit of deferred development fees shall vest in the Property, provided that an approved footing inspection occurs within 30 days of the date of issuance of the building permit. Time is of the essence. If the footing inspection is not successfully completed within 30 days of the issuance of the building permit, no right to deferred fees shall vest, and Owner shall either: (1) be issued a refund of 80% of the cost of the building permit and the building permit shall expire; or (2) all deferred fees shall immediately be due and payable to the City to prevent the building permit from expiring. At the expiration or termination of this Agreement, if the deferral of fees benefit has vested, the Property shall continue to enjoy the deferred fees benefit unless construction is abandoned by the Owner. On the Expiration Date, if the deferral of fees benefit has not vested, the right to seek such a deferral of fees benefit shall also expire.

3. Deferral Of Fees Benefit. Deferral of certain described development fees shall be available to the Property throughout the term of this Agreement. An expired building permit shall not prohibit Owner from reapplying for deferred fees on the Property, provided that a new building permit is applied for. When vested in accordance with paragraph 2 above, the deferral of fees benefit shall include:
 - a. Deferral of Payment of Citywide Development Fees. For the subject Property with City of Yuma approved construction plans, payment of Citywide Development Fees (the police facilities development fee, the fire and emergency medical services development fee, the general government facilities development fee, the public works facilities development fee, and the transportation development fee), may upon written request on a form provided by City staff, be deferred from the time of application for a building permit. Prior to issuance of a certificate of occupancy for the office-institutional building, the deferred fees and any additional Citywide Development Fees due to change of use or tenant improvements, shall be payable in full to the City prior the issuance of said certificate of occupancy.
 - b. Application. At the time of application for the building permit, the Owner or Owners of the Property shall submit and sign a Request for Deferral of Citywide Development Fees. The deferred fees shall be calculated, signed by Owner or Owners and the City Administrator or his designee, and shall constitute an enforceable contract for the payment to the City of all deferred fees. The completed Request for Deferral of Citywide Development Fees, together with this Development Agreement, shall serve as the security required by statute for payment thereof.
 - c. Period of Deferral. Payment in full of the deferred fees shall be made to the City of Yuma no later than the date of issuance of any certificate of occupancy, whether temporary or otherwise.
 - d. Deferred Fees Due Upon Sale. Notwithstanding any sales contract or agreement to the contrary between Owner and the purchaser or lessee of any part or portion of the Property which has a vested fee deferral, Owner shall pay all deferred fees to the City prior to recording any deed transferring ownership or leasing any part or portion of the Property.
4. Notice. All notices, demands or other communications must be in writing and are deemed duly delivered upon personal delivery, or as of the second business day after mailing by United States mail, postage prepaid, registered or certified, return receipt requested, addressed as follows:

OWNER:

Champion Christian Church
Curtis Lee, Authorized Representative
3625 S. Avenue 5E
Yuma, AZ 85365

CITY:

City Administrator
City of Yuma
One City Plaza
P.O. Box 13014
Yuma, Arizona 85366-3014

If either party changes address, they must give written notice to the other party. Notice of change of address is deemed effective five (5) days after mailing by the party changing address.

5. Successors and Assigns. This Agreement is binding upon the heirs, executors, administrators, successors, and assigns of both Parties.
6. Waiver. If either party fails to require the other party to perform any provision of this Agreement, that failure does not prevent the other party from later enforcing that provision. Neither party is released from any responsibilities or obligations imposed by law or this Agreement if the other party fails to exercise a right or remedy. No waiver of any provisions of this Agreement shall be binding upon either party unless in writing signed by both Parties.
7. Governing Law and Venue. The laws of the State of Arizona govern this Agreement as to validity, interpretation, and performance. The Parties must institute and maintain any legal actions or other judicial proceeding arising from this Agreement in Yuma County Superior Court.
8. Severability. If any terms, parts, or provisions of this Agreement are for any reason invalid or unenforceable, the remaining terms, parts, or provisions are nevertheless valid and enforceable.
9. Costs and Attorney Fees. If either party brings an action or proceeding for failure to observe any of the terms or provisions of this Agreement, the prevailing party shall recover, as part of such action or proceeding, all reasonable costs, expenses, and attorney fees as determined by the Court and not by a jury.
10. Integration. This Agreement contains the entire agreement between the Parties, and no oral or written statements, promises, or inducements made by either party or its agents not contained or specifically referred to in this Agreement is valid or binding. All modifications to this Agreement must be in writing, signed and endorsed by the Parties.
11. Recordation. The City shall record a copy of this Agreement no later than ten (10) days from the date of entering into this Agreement pursuant to A.R.S. § 9-500.05.

12. Estoppel Certificate. The Parties agree that, upon not less than twenty one (21) business days prior written request from a party to this Agreement, a requested party shall execute, acknowledge and deliver to the party making such request a written statement certifying to the current status of the Agreement, including whether or not, a party is in default of any obligation or duty set forth within the Agreement. Any such certificate may be relied on by a prospective purchaser of any lot within the Property, or any prospective lender.
13. No Partnership. This Agreement does not create and is not intended to imply a partnership or joint venture between Owner and City.
14. Good Standing; Authority. Each of the Parties represents and warrants to the other that it is duly formed and validly existing under the laws of Arizona and that the individual(s) executing this Agreement on behalf of their respective Party is authorized and empowered to bind the Party on whose behalf each such individual is signing.

IN WITNESS WHEREOF, the parties have executed this Agreement through their authorized representatives.

DATED this _____ day of _____, 2010.

CITY OF YUMA

CHAMPION CHRISTIAN CHURCH

By: _____
 Gregory K. Wilkinson
 City Administrator

By: _____
 Curtis Lee
 Authorized Representative

ATTEST:

By: _____
 Lynda L. Bushong
 City Clerk

APPROVED AS TO FORM:

By: _____
 Steven W. Moore
 City Attorney



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

June 16, 2010

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:

Ordinance O2010-30 Amend Ordinance O2006-60 - Modifying Conditions of Rezoning

SUMMARY RECOMMENDATION:

Adopt Ordinance O2010-30 modifying the conditions contained in Ordinance O2006-60 for the rezoning of properties at 433 and 439 S. 1st Avenue to the Transitional/Historic/Bed and Breakfast Overlay (TR/H/BB) District.

REPORT:

A Statutory Compliance Hearing on O2006-60 was held before the City Council at the June 2, 2010 Regular City Council meeting and resulted in the introduction of Ordinance O2010-30.

On September 6, 2006, the City Council adopted Ordinance O2006-60, authorizing the rezoning of two properties located at 433 and 439 S. 1st Avenue, Yuma, Arizona, from High Density Residential/Historic/Bed and Breakfast Overlay (R-3/H/BB) to the Transitional/Historic/Bed and Breakfast Overlay (TR/H/BB) District. This ordinance contained a condition that within two (2) years, both property owners would dedicate four (4') feet of eastern 1st Avenue right-of-way by plat or warranty deed.

These properties were rezoned as a single zoning case in which the conditional zoning was tied to both adjacent parcels of property. Transitional rezoning has been delayed because the applicant-owner of one of the parcels, the 433 S. 1st Avenue property (northernmost property), failed to comply with the condition for 1st Avenue right-of-way dedication.

Between zoning approval in 2006 and the 2-year expiration in 2008, the northern property was sold to the Housing Authority of the City of Yuma (HACY). HACY has now listed this northern property for sale. After City Staff informed HACY that the right-of-way requirement for 1st Avenue was reduced by City Council action in 2009 (thereby eliminating the need for a four (4') foot right-of-way dedication), HACY agreed to Transitional/Historic/Bed and Breakfast Overlay (TR/H/BB) District zoning for the northern parcel.

In compliance with the original required conditions for rezoning, the previous owner of the southern parcel (439 S. 1st Avenue) dedicated the four (4') foot right-of-way by instrument recorded at the Yuma County Recorder's Office as Fee #2007-09321. The current owner of the southern parcel, the Pilkington Family Limited Partnership, purchased the 439 S. 1st Avenue property after the 4' right-of-

way dedication to the City had already been made, and still seeks rezoning to the Transitional/Historic/Bed and Breakfast Overlay (TR/H/BB) District zoning.

DETERMINATION:

State law, A.R.S. § 9-462.01, states in relevant part at subsection E that if the time for completion of a condition has expired, the City shall notify the owner, schedule a public hearing, and take administrative action to “extend, remove, or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.” In this case, there is no longer an enforceable nexus for the four (4’) foot exaction and the new owners of both parcels still want rezoning to the Transitional/Historic/Bed and Breakfast Overlay (TR/H/BB) District.

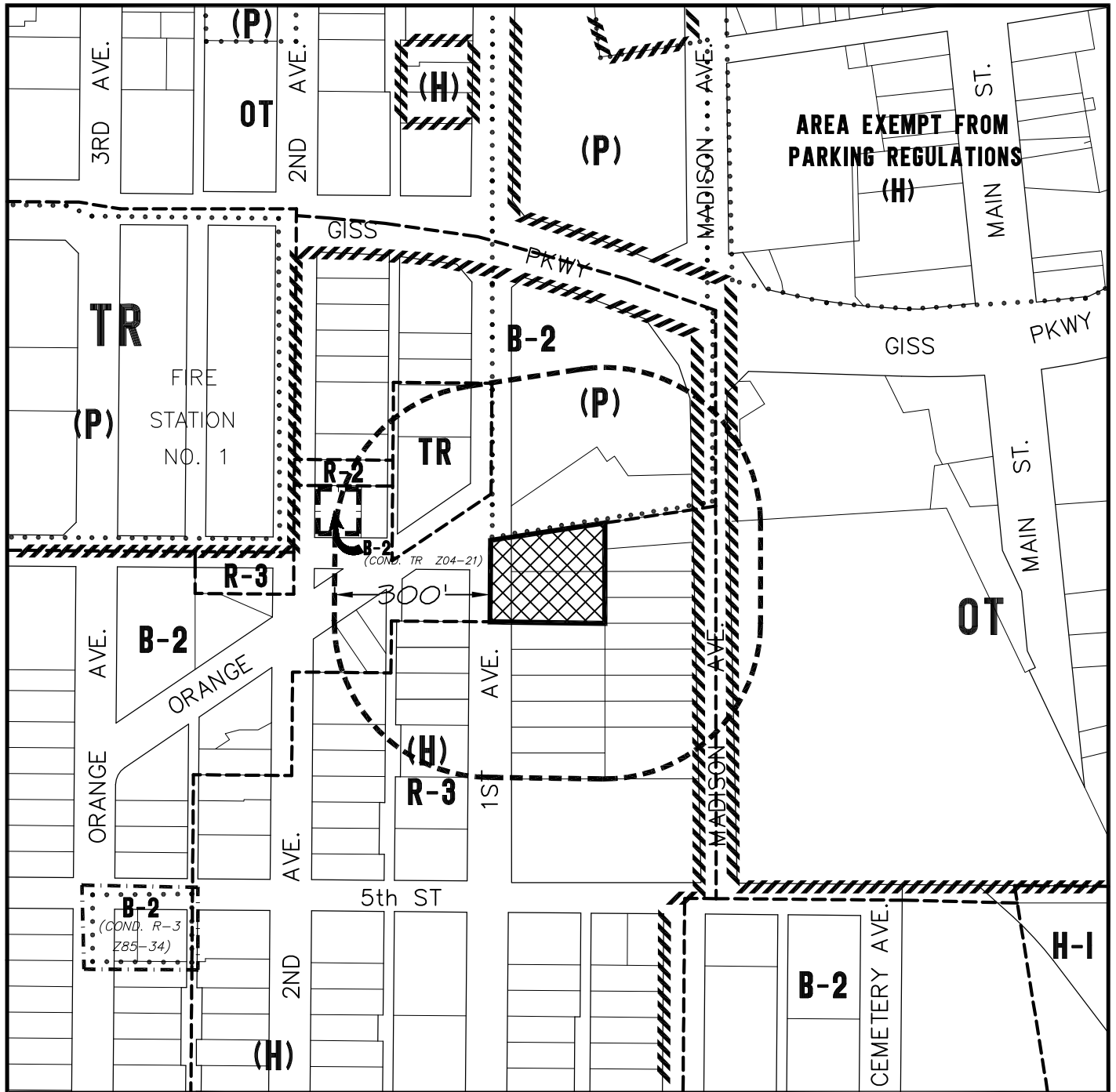
RECOMMENDATION:

At the close of the Public Hearing staff recommends that City Council introduce the attached ordinance which amends Ordinance O2006-60 by deleting the four (4’) foot dedication of right-of-way requirement and extending the deadline for compliance from two years to four years.

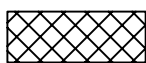
FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			

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.			
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				

SIGNATURES	CITY ADMINISTRATOR:	DATE:
	Gregory K. Wilkinson	5/25/2010
	REVIEWED BY CITY ATTORNEY:	DATE:
	Steven W. Moore	5/25/2010
	RECOMMENDED BY (DEPT/DIV HEAD):	DATE:
Laurie Lineberry	5/11/2010	
WRITTEN/SUBMITTED BY:	DATE:	
Bobette Bauermann	5/11/2010	



LOCATION MAP



LOCATION OF SUBJECT PROPERTY



Prepared by: M.I.J.

Checked by:



Date: 05-24-06

Revised:

Revised:

Case no.:

Z2006-013

ORDINANCE NO. O2010-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING ORDINANCE O2006-60 TO DELETE THE REQUIREMENT OF A FOUR FOOT (4') RIGHT-OF-WAY DEDICATION ON 1ST AVENUE AND TO EXTEND THE TIME FOR COMPLIANCE WITH CONDITIONS FROM TWO YEARS TO FOUR YEARS FOR THE REZONING OF CERTAIN PROPERTIES FROM THE HIGH DENSITY RESIDENTIAL/HISTORIC/BED AND BREAKFAST OVERLAY (R-3/H/BB) DISTRICT TO TRANSITIONAL /HISTORIC /BED AND BREAKFAST OVERLAY (TR/H/BB) DISTRICT, AND AMENDING THE ZONING MAP TO CONFORM THERETO

WHEREAS, the City Council adopted Ordinance O2006-60 on September 6, 2006 rezoning certain properties subject to conditions which have not been fully met; and,

WHEREAS, the City Council held a statutory compliance hearing on June 2, 2010; and,

WHEREAS, the City seeks to resolve the outstanding conditions to bring the properties into compliance with the rezoning to Transitional/Historic/Bed and Breakfast Overlay (TR/H/BB).

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

SECTION 1: That condition 2 in Section 2 of Ordinance O2006-60 be deleted.

SECTION 2: That the words “two (2) years” in Section 3 of Ordinance O2006-60 be amended to “four (4) years.”

SECTION 3: That all other provisions of Ordinance O2006-60 shall remain unchanged.

Adopted this _____ day of _____, 2010.

APPROVED:

Alan L. Krieger
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Steven W. Moore
City Attorney



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

June 16, 2010

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:

Zoning Code Amendment: City of Yuma Zoning Code Reformat

SUMMARY RECOMMENDATION:

Adopt the reformatted Zoning Code, by reference, which updates the physical layout and order of the City of Yuma Zoning code, Title 15, Chapter 154, by changing the arrangement of sections and subsections and placing them under appropriate renumbered existing or alternate headings. (Z2010-001)

REPORT:

The initial City of Yuma Zoning Code was adopted in 1952. Since that time, so many code amendments have been adopted that the original format and organization of the code simply is not adequate. Over two years ago the process to reformat the existing zoning code began. A citizen committee consisting of community volunteers assisted Planning Manager Heckman in the review of the reformat drafts. The original committee membership consisted of Najeh Edais, Chris Hall, John Weil, Art Villarreal, Harvey Campbell, and Patrick Cale. The first Committee meeting was held on February 12, 2008 and the last Committee meeting was on October 22, 2009. This reformat updates the physical layout and order of the code by changing the arrangement of sections and subsections and placing them under appropriate existing or alternate headings. A much-improved numbering system is part of the update.

On April 26, 2010, the Planning and Zoning Commission voted to continue the public hearing to May 10, 2010, as recommended by staff. A staff report was presented regarding the reformat project followed by a question and answer period in which staff also provided a brief summary on the follow-up May 10th Planning and Zoning meeting.

On May 10, 2010, the Planning and Zoning Commission voted to recommend APPROVAL (6-0, with Underhill absent) of the request to reformat the City of Yuma Zoning Code, Title 15, Chapter 154, updating the physical layout and order of the code by changing the arrangement of sections and subsections and placing them under appropriate renumbered existing or alternate headings.

ADDITIONAL INFORMATION:

Previously, by Resolution No. R2010-32, this document was declared a public record so that, as allowed by state statute, it can now be adopted by reference.

PUBLIC COMMENTS – EXCERPT FROM APRIL 26TH PLANNING AND ZONING COMMISSION MINUTES:

QUESTIONS FOR STAFF

“**David Koopmann – Chairman Planning and Zoning Commission**, asked if Laurel would be listed under Specific Plans. **Bruce Heckman – Planning Manager**, said no, by state statute it did not fall under that category. **Laurie Lineberry - Community Development Director**, said it would be considered part of the Smart Growth Overlay.

“**Koopmann** asked if the latest 4-H / FFA amendment was included. **Heckman** said yes.

“**Marty Carter – Planning and Zoning Commissioner**, asked if there were any substantial changes to any of the text. **Heckman** said he and the consultant wanted to avoid substantial changes as much as possible, but there was nothing added that could interpret the code differently.

“**Tony Brockington – Planning and Zoning Commissioner**, asked if any changes took place with the 4-H / FFA amendment. **Heckman** said there were no changes to that portion of text.

“**Del Cave – Planning and Zoning Commissioner**, asked if the reformatted code was similar to other cities. **Heckman** said this was probably similar to some other municipalities.

“**Clinton Underhill – Planning and Zoning Commissioner**, said he agreed with the reformatting. **Koopmann** said he liked how it was laid out and thought it looked good.

“**Heckman** said on May 10, 2010, the consultant would be present for that meeting for questions and discussion.

“**Koopmann** asked if this was available to the public. **Lineberry** said it was available on CD to anyone who wanted a copy.

APPLICANT / APPLICANT’S REPRESENTATIVE

None

OPEN PUBLIC COMMENT

None

CLOSE PUBLIC COMMENT

MOTION

“**Motion by Carter, second by Underhill, to CONTINUE Case Number Z2010-001 to the meeting of May 10, 2010. Motion carried unanimously (7-0).**”

PUBLIC COMMENTS – EXCERPT FROM MAY 10TH PLANNING AND ZONING COMMISSION MINUTES:

“**Loras Rauch, Consultant**, said she had received strict orders to not change any wording, however, she had a 28 page memo of suggested changes that was given to the Assistant City Attorney to help clarify portions of the code.

QUESTIONS FOR STAFF

“**David Koopmann – Chairman Planning and Zoning Commission**, said government documents are presented in the same format, and he finds it much easier to read. **Tony Brockington – Planning and**

Zoning Commissioner, agreed with Koopmann and said it was easier to use.

“**Marty Carter – Planning and Zoning Commissioner**, asked if this could grow and expand without needing another reformat or organization sometime in the future. **Rauch** said yes, the way it was formatted, section or page numbers would not run out, which was a problem with the existing format. **Rauch** added that anytime there was a specific plan, such as the Cielo Verde Specific Plan, it would be located under the Appendix. Cielo Verde was Appendix A, and the next specific plan that comes before the Commission would be Appendix B.

“**Koopmann** said he did not find Conditional Use Permits under Article 2, where he thought it might be located, and instead found it under Article 3. **Rauch** said there were 28 pages of running changes, and that was one of the memo items.

“**Carter** said a lot of the comments and findings were being proposed for removal, especially under the Adult Oriented Businesses, and asked if those comments would be kept somewhere for future use. **Rauch** said yes, they were part of the adopted ordinance and did not belong in the code.

“**Del Cave – Planning and Zoning Commissioner**, asked if one of the changes in the 28 page memo was the code stating that the CIP was a five year period, when it was actually ten. **Laurie Lineberry - Community Development Director**, said that the CIP was a ten year period, and reminded the Commission that Rauch was not allowed to make any changes at this time. The changes would be sometime in the future.

APPLICANT / APPLICANT’S REPRESENTATIVE

None

OPEN PUBLIC COMMENT

None

CLOSE PUBLIC COMMENT

“**Cave** said staff had done a very good job and it would help the Commission. **Koopmann** said it was hard to find items in the current code, and agreed with Cave. **Cave** asked if the next phase would come before the Commission. **Lineberry** said yes.

MOTION

“**Motion by Conde, second by Brockington, to APPROVE Case Number Z2010-001. Motion carried unanimously (6-0).**”

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 \$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.			
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				

SIGNATURES	CITY ADMINISTRATOR:	DATE:
	Jack McArthur for Gregory K. Wilkinson	6/8/2010
	REVIEWED BY CITY ATTORNEY:	DATE:
	Steven W. Moore	6/8/2010
	RECOMMENDED BY (DEPT/DIV HEAD):	DATE:
Laurie Lineberry	6/3/2010	
WRITTEN/SUBMITTED BY:	DATE:	
Bruce Heckman	5/24/2010	



**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT**

Hearing Date April 26, 2010

Case Number: Z2010-001

Project Description: Zoning Code reformat updates the physical layout and order of the code by changing the arrangement of sections and subsections and placing them under appropriate renumbered existing or alternate headings.

Staff Recommendation: Staff recommends continuing the public hearing to the May 10, 2010, Planning and Zoning Commission meeting for a final recommendation and action.

Suggested Motion: Motion to continue the public hearing to the May 10, 2010, Planning and Zoning Commission meeting for a final recommendation and action.

Staff Analysis: This is a request by the City of Yuma for adoption of a reformatted Zoning Code. The reformat updates the organization of the code by changing the arrangement of sections and subsections and placing them under the appropriate renumbered existing or alternate headings. No substantive changes are made to the text which would affect the meaning or interpretation of administrative requirements, uses, or development standards. The reformat addresses the following:

- Division of Chapter 154 into “Articles” and insertion of a new section and page numbering system.
- Definitions are consolidated into one section under appropriate section titles.
- Individual zoning districts are grouped with comparable districts (i.e. overlays; residential).
- Administrative functions and duties are consolidated under one article (i.e. P&Z Commission; Hearing Officer).
- Procedures are consolidated under one article (i.e. Public Notifications; Variances; etc.)
- Obsolete text or artifacts of language that no longer apply are deleted, and if necessary language is inserted which simplifies text or clarifies introductory language (i.e. initial formation of P&Z Commission).
- Section headings are revised to clarify meaning. Where necessary, new headings have been created.
- Inclusion of the Cielo Verde Specific Plan, and any forthcoming specific plans, as appendices.

1. Does the proposed reformat implement the goals, objectives and policies of the General Plan?

Yes No substantive changes were made to the Zoning Code which would affect the meaning or interpretation of administrative requirements, uses, or development standards. The affect of the Zoning Code to implement the goals, objectives, and policies of the General Plan remains the same.

2. Does the proposed reformat fit the overall purpose and intent of the zoning ordinance?

Yes The overall purpose and intent of the Zoning Code is to protect the public health, safety and general welfare of the public. The reformat has not changed that standard.

3. Will the proposed reformat change the range of uses identified in the zoning code? If so, how?

No The reformat changes the organization of the Zoning Code. No changes have been made to the text that alter the range of uses.

4. Will the proposed text reformat change the development standards of the zoning or subdivision ordinances? If so, how?

No The reformat changes the organization of the Zoning Code. No changes have been made to the text that alter the development standards.

5. What are the potential impacts of the proposed reformat?

The reformat changes the organization of the Zoning Code to a more logical arrangement. This will allow easier and more efficient use of the document. The new numbering system will allow easier insertion and organizational placement of future text amendments.

6. Does the proposed reformat fit the overall purpose and intent of the subdivision ordinance?

N/A There are no substantive changes to the Zoning Code. Therefore, the subdivision ordinance is not impacted.

7. Does the proposed reformat conform to prior City Council actions regarding this issue?

N/A There have been no prior City Council actions regarding reformatting the entire Zoning Code.

Public Comments Received: None Received

External Agency Comments: N/A

Neighborhood Meeting No Meeting Required

Comments:

Attachments:

A
Reformatted Zoning Code

Project Planner: Bruce Heckman,
Planning Manager 373 -5178 Bruce.Heckman@yumaaz.gov

Prepared By: Bruce Heckman, Planning Manager **Date:**

Approved By: Laurie L. Lineberry, AICP,
Community Development Director **Date:**

ATTACHMENT A

ZONING CODE REFORMAT

ONE COPY DISTRIBUTED TO EACH PLANNING COMMISSION MEMBER



**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT**

Hearing Date May 10, 2010

Case Number: Z2010-001

Project Description: Zoning Code reformat updates the physical layout and order of the code by changing the arrangement of sections and subsections and placing them under appropriate renumbered existing or alternate headings.

Staff recommendation: Staff recommends **APPROVAL** of the request to adopt the reformatted City of Yuma Zoning Code, Title 15, Chapter 154, which updates the physical layout and order of the code by changing the arrangement of sections and subsections and placing them under appropriate renumbered existing or alternate headings.

Suggested Motion: Motion to **APPROVE** the request to adopt the reformatted City of Yuma Zoning Code, Title 15, Chapter 154, which updates the physical layout and order of the code by changing the arrangement of sections and subsections and placing them under appropriate renumbered existing or alternate headings.

Staff Analysis: This is a request by the City of Yuma for adoption of a reformatted Zoning Code. The reformat updates the organization of the code by changing the arrangement of sections and subsections and placing them under the appropriate renumbered existing or alternate headings. No substantive changes are made to the text which would affect the meaning or interpretation of administrative requirements, uses, or development standards. The reformat addresses the following:

- Division of Chapter 154 into “Articles” and insertion of a new section and page numbering system.
- Definitions are consolidated into one section under appropriate section titles.
- Individual zoning districts are grouped with comparable districts (i.e. overlays; residential).
- Administrative functions and duties are consolidated under one article (i.e. P&Z Commission; Hearing Officer).
- Procedures are consolidated under one article (i.e. Public Notifications; Variances; etc.)
- Obsolete text or artifacts of language that no longer apply are deleted, and if necessary language is inserted which simplifies text or clarifies language (i.e. initial formation of P&Z Commission).
- Section headings are revised to clarify meaning. Where necessary, new headings have been created.
- Inclusion of the Cielo Verde Specific Plan, and any forthcoming specific plans, as appendices.

1. Does the proposed reformat implement the goals, objectives and policies of the General Plan?

Yes No substantive changes were made to the Zoning Code which would affect the meaning or interpretation of administrative requirements, uses, or development standards. The affect of the Zoning Code to implement the goals, objectives, and policies of the General Plan remains the same.

2. Does the proposed reformat fit the overall purpose and intent of the zoning ordinance?

Yes The overall purpose and intent of the Zoning Code is to protect the public health, safety and general welfare of the public. The reformat has not changed that standard.

3. Will the proposed reformat change the range of uses identified in the zoning code? If so, how?

No The reformat changes the organization of the Zoning Code. No changes have been made to the text that alter the range of uses.

4. Will the proposed text reformat change the development standards of the zoning or subdivision ordinances? If so, how?

No The reformat changes the organization of the Zoning Code. No changes have been made to the text that alter the development standards.

5. What are the potential impacts of the proposed reformat?

The reformat changes the organization of the Zoning Code to a more logical arrangement. This will allow easier and more efficient use of the document. The new numbering system will allow easier insertion and organizational placement of future text amendments.

6. Does the proposed reformat fit the overall purpose and intent of the subdivision ordinance?

N/A There are no substantive changes to the Zoning Code. Therefore, the subdivision ordinance is not impacted.

7. Does the proposed reformat conform to prior City Council actions regarding this issue?

N/A There have been no prior City Council actions regarding reformatting the entire Zoning Code.

Public Comments Received: None Received

External Agency Comments: N/A

Neighborhood Meeting No Meeting Required

Comments:

Attachments:

A
Reformatted Zoning Code

Project Planner: Bruce Heckman,
Planning Manager 373 -5178 Bruce.Heckman@ci.yuma.az.us

Prepared By: Bruce Heckman, Planning Manager **Date:**

Approved By: Laurie L. Lineberry, AICP,
Community Development Director **Date:**

ATTACHMENT A

ZONING CODE REFORMAT

ONE COPY DISTRIBUTED TO EACH PLANNING COMMISSION MEMBER

ORDINANCE NO. O2010-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ADOPTING BY REFERENCE A REFORMAT OF THE YUMA CITY CODE CHAPTER 154 TITLED, "ZONING CODE REFORMAT (MARCH 2010)" AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, from time to time it may be desirable to modify the zoning code in keeping within the context of a dynamic and growing community; and,

WHEREAS, a document entitled *Zoning Code Reformat (March 2010)* of the City of Yuma has been declared a public record by Resolution No. R2010-32; and

WHEREAS, the City of Yuma Planning and Zoning Commission held public hearings on April 26, 2010, and May 10, 2010, in Zoning Case No: Z2010-001 for the purpose of considering the reformatting of Yuma City Code Chapter 154 titled, Zoning, in accordance with the *Zoning Code Reformat (March 2010)*; and,

WHEREAS, due and proper notice of such public hearing was given in the time, form, substance and manner as provided by law, including publication of such notice in the Yuma Sun on April 2, 2010; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission regarding Case No: Z2010-001 and finds that the *Zoning Code Reformat (March 2010)* fulfills the goals and objectives of the Yuma General Plan, and is in basic harmony with the goals and objectives of the Zoning Code; and,

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

SECTION 1. That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Yuma, being marked and entitled: *Zoning Code Reformat (March 2010)*, is hereby adopted by reference as a reformat of Yuma City Code, Title 15, Chapter 154 and is made a part hereof as if fully set out in this ordinance. Such document shall be codified as Yuma City Code, Title 15, Chapter 154.

SECTION 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, that invalidity does not affect other provisions of this ordinance that can be given effect without the invalid provision.

SECTION 3. It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of this ordinance. Any person, firm or corporation violating any of the provisions in this ordinance shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or by imprisonment for not more than ten days or both fine and imprisonment. Each separate day or part thereof during which any violation of this

ordinance occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

Adopted this _____ day of _____, 2010.

APPROVED:

Alan L. Krieger
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Steven W. Moore
City Attorney



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010

DEPARTMENT: City Engineering

DIVISION: Administration

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

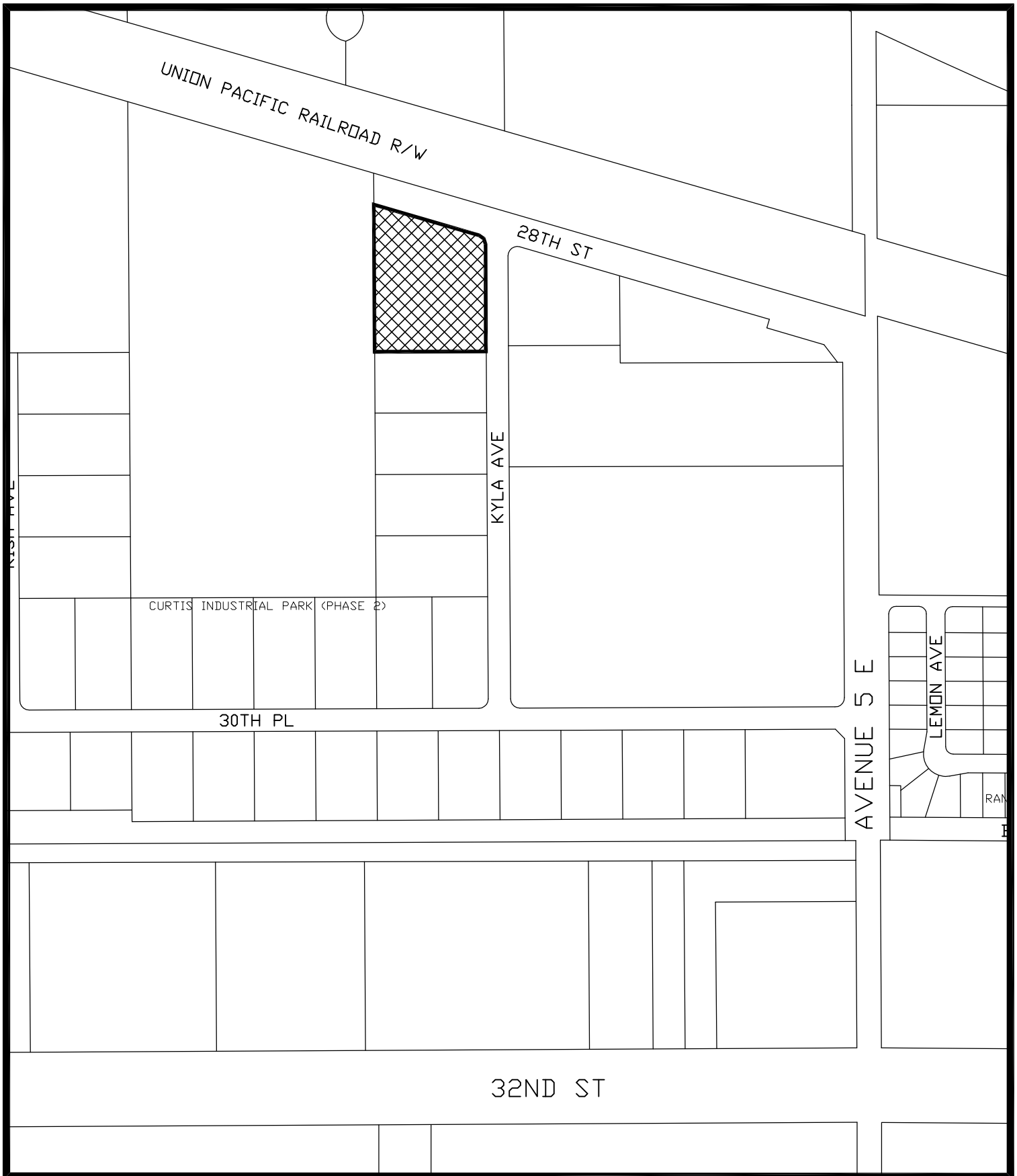
TITLE:
Property Acquisition: 28th Street and Kyla Avenue

SUMMARY RECOMMENDATION:
Authorize and ratify the acquisition of property located at 2862 S. Kyla Avenue

REPORT:
360 Networks (USA), Inc., owner of property located at the southwestern corner of 28th Street and Kyla Avenue, as shown on the attached location map, has quit claimed its interest in the property to the City of Yuma in lieu of the City continuing to pursue a city code enforcement action requiring a clean up of the property. The City will be responsible for cleanup of the property and the payment of approximately \$15,140.01 in delinquent taxes and fees.

For the reasons presented above, it is requested that City Council adopt the attached ordinance, authorizing the acquisition of property located at 2862 S. Kyla Avenue, and ratifying any actions taken by City Staff to acquire, protect and preserve the property, until such time as the acquisition ordinance becomes effective.

FISCAL REQUIREMENTS	CITY FUNDS:	\$16,000.00	BUDGETED:	\$16,000.00
	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: FY 2011 CIP No. 5.9512	
	TOTAL:	\$16,000.00		
	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.			
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 checked="" type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office				
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Paul Brooberg		6/2/10		
WRITTEN/SUBMITTED BY:		DATE:		
Teresa Blackburn		5/24/2010		



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

LOCATION MAP

Subject Location =



Checked by: PAUL BROOBERG
Prepared by: SERGIO PEÑUÑURI

CITY OF YUMA
CITY ENGINEERING
DEPARTMENT

DATE: 5-21-10
SCALE: N.T.S
REVISED:

CIP No.
5.9512 Ph. G9

ORDINANCE NO. O2010-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AUTHORIZING AND DIRECTING THAT A CERTAIN PARCEL OF REAL PROPERTY, HEREINAFTER DESCRIBED, BE ACQUIRED BY THE CITY OF YUMA BY GIFT OR PURCHASE FOR THE REASON THAT SUCH PROPERTY WOULD BE OF BENEFIT TO THE CITY OF YUMA, RATIFYING ANY ACTIONS TAKEN BY CITY STAFF TO ACQUIRE, PROTECT AND PRESERVE THE PROPERTY OR TITLE TO THE PROPERTY, AND AUTHORIZING PAYMENT OF CERTAIN OUTSTANDING TAXES AND COSTS NECESSARY FOR THE ACQUISITION OF SAID PARCEL OF REAL PROPERTY

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

WHEREAS, 360 Networks (USA), Inc. has quit claimed its property at 2862 S. Kyla Avenue, Yuma, Arizona 85365 to the City of Yuma in lieu of the City bringing a City Code enforcement action and in exchange for the City's agreement to clean up the property and pay all past due taxes on the property.

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

SECTION 1: That it is deemed necessary and essential, as a matter of public welfare, that a certain parcel of real property described in Exhibit A, attached hereto and by this reference made a part hereof, be acquired by the City of Yuma, as such acquisition will be of benefit for the public interest of the City and would be of public benefit.

SECTION 2: That City staff is hereby authorized and directed to acquire said real property by gift or purchase, and that any actions taken by City staff to acquire, protect or preserve the described real property or title to the real property prior to the effective date of this ordinance are hereby ratified.

SECTION 3: That the duly authorized disbursing officers of the City of Yuma are hereby authorized and directed to pay all sums necessary to acquire said property, together with recording fees, escrow, title insurance, closing and all other costs necessary in the acquisition of said property.

Adopted this _____ day of _____, 2010.

APPROVED:

Alan L. Krieger
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Steven W. Moore
City Attorney

Exhibit A

That part of Section 6, Township 9 South, Range 22 West, Gila & Salt River Base & Meridian, Yuma County, Arizona, more particularly described as follows:

Lot 46A, 360 Networks (USA) Lot Tie, according to the plat of record in the office of the County Recorder of Yuma County, Arizona, in Book 17 of Plats, page 57, also known as Lots 46 and 47, Curtis Industrial Park (PHASE 2), as recorded in Book 17 of Plats, page 17, records of Yuma County, Arizona.

Containing 2.41 acres, more or less.



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010
DEPARTMENT: Fire
DIVISION: Administration

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

TITLE:
 City of Yuma 2010 Special Election

SUMMARY RECOMMENDATION:

Call a special election to be held the same time as the City of Yuma General Election on November 2, 2010 to submit to those persons qualified to vote in the City of Yuma the question of continuing to levy, and modifying the use of, the 0.2 % (two-tenths of one percent) Transaction Privilege Tax dedicated to public safety.

REPORT:

In 1994, the voters of the City of Yuma authorized a sales tax of 0.2% (two-tenths of one percent) for the construction of public safety and criminal justice facilities and communication systems. This Public Safety Tax has been the source of funding for many capital projects including the court, police headquarters, fire stations, and public safety radio systems.

The Public Safety Tax is set to expire in 2015 at the maturity of the bonds sold to finance those public safety facilities. Without the Public Safety Tax, new public safety facilities in the future will be difficult to finance.

The original question restricted the funds to facilities and communications systems, and over time, these facilities require renovation and communications systems need replacement. In addition to these needs, the city's public safety operations have need of new and replacement equipment, such as fire engines and police patrol cars.

Accordingly, the Yuma Police Department and Yuma Fire Department request the question be placed before the voters to extend and modify the Public Safety Tax to accommodate future facilities financing and to purchase new and replacement equipment. Successful early action on the question will allow for uninterrupted planning for new facilities while at the same time allowing the use of the tax proceeds for important public safety equipment items.

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: This ballot question will be one of many and costs will be prorated.			
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? <input type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Gregory K. Wilkinson		6/9/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Jack McArthur		6/2/10		
WRITTEN/SUBMITTED BY:		DATE:		
Ruth Gloria		6/2/10		

ORDINANCE NO. O2010-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ORDERING A SPECIAL ELECTION FOR THE QUALIFIED ELECTORS OF THE CITY OF YUMA, ARIZONA, FOR THE PURPOSE OF EXTENDING AND MODIFYING THE 0.2% (TWO-TENTHS OF ONE PERCENT) TRANSACTION PRIVILEGE TAX DEDICATED TO PUBLIC SAFETY

WHEREAS, it is provided by Section 14 of Article III of the Yuma City Charter that the City shall have the power to make all rules and regulations governing elections; and,

WHEREAS, Article XIII, Section 7, of the Yuma City Charter provides that any rate of a transaction privilege tax in excess of one percent (1%) shall not be levied unless such rate is approved by a majority of the qualified electors voting on the question at a general or special election;

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

SECTION 1. It is hereby ordered that at the Special Election to be held at the same time as the City of Yuma General Election on November 2, 2010, there shall be submitted to those persons qualified to vote in the City of Yuma the question set forth below to determine whether or not to extend and modify the 0.2% (two-tenths of one percent) transaction privilege tax dedicated to public safety.

SHALL THE CITY OF YUMA, ARIZONA (THE "CITY"), BE AUTHORIZED TO CONTINUE TO LEVY THE TWO-TENTHS OF ONE PERCENT (2/10THS OF 1%) TRANSACTION PRIVILEGE (SALES) TAX AUTHORIZED BY THE VOTERS OF THE CITY ON NOVEMBER 8, 1994, WITHOUT THE LIMITATIONS IMPOSED BY SUCH AUTHORIZATION AND TO EXPEND THE PROCEEDS THEREOF TO ACQUIRE LAND FOR, AND DESIGN, CONSTRUCT, RENOVATE, IMPROVE, REPAIR AND EQUIP PUBLIC SAFETY AND CRIMINAL JUSTICE FACILITIES; PURCHASE PUBLIC SAFETY EQUIPMENT, VEHICLES AND COMMUNICATIONS SYSTEMS AND PROVIDE FOR OTHER PUBLIC SAFETY CAPITAL PURPOSES?

YES NO

NOTICE TO VOTERS:

THE VOTER SHALL INDICATE HIS VOTE BY INSERTING THE MARK "X" IN THE SQUARE OPPOSITE THE PHRASE WHICH EXPRESSES HIS CHOICE. ONLY QUALIFIED ELECTORS OF THE CITY OF YUMA, ARIZONA, ARE ELIGIBLE TO VOTE AT THIS SPECIAL ELECTION.

SECTION 2. That the electors favoring the above Charter amendment shall vote “YES” and the electors opposing said amendment shall vote “NO”.

SECTION 3. That the Special Election shall be held in conformity with the provisions of the Yuma City Charter and the general election laws of the State of Arizona and that no person be entitled to vote unless that person is a registered voter of the City of Yuma.

SECTION 4. That the City Council shall cause publicity pamphlets and the ballot to be printed and shall provide a sufficient number of the ballots to conduct the said election.

SECTION 5. That the Special Election returns shall be submitted to the City Council of the City of Yuma, whereupon the City Council shall canvass the votes cast in the election and immediately thereafter declare the results of the election.

Adopted this _____ day of _____, 2010.

APPROVED:

Alan L. Krieger
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Steven W. Moore
City Attorney



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

June 16, 2010

DEPARTMENT:

Community Development

DIVISION:

Community Planning

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

TITLE:

Annexation Area No. A2010-02: Greengate

SUMMARY RECOMMENDATION:

This is a public hearing to consider the annexation of property located at the southeast corner of Avenue 3½E and 32nd Street.

REPORT:

Pursuant to a previously approved preannexation agreement that was signed on April 19, 2010, (Resolution R2010-18), the City has received a request for annexation from 4E Investments AZ LLC, for property located at the southeast corner of Avenue 3½E and 32nd Street. The property totals approximately 43.6 acres and has been used for agriculture. It is the intent of the owner to split this property and sell the resulting northern portion for a produce cooler development.

In accordance with Arizona law, a blank petition with a legal description and a map of the area to be annexed was filed with the County Recorder on May 24, 2010. There is a thirty day waiting period after recording the map and petition with the County Recorder before signatures can be obtained. During that time, a Public Hearing must be held by the City Council within the last ten days of the thirty day waiting period. All appropriate and necessary notice and posting requirements have been met. After the thirty day waiting period and the Public Hearing, the following procedures must be followed:

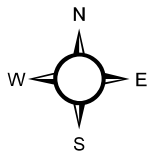
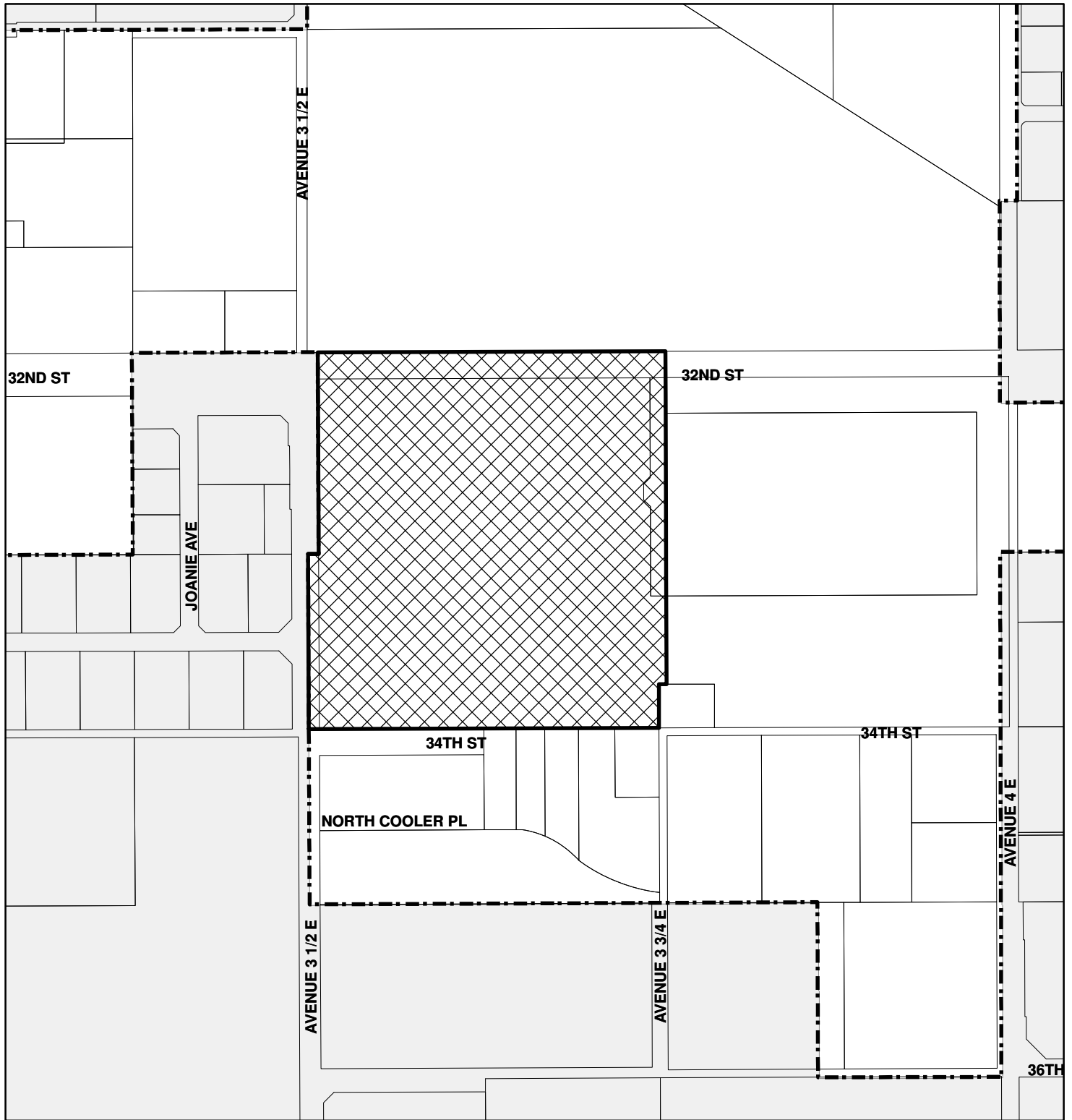
- The signatures of property owners must be obtained such that at least one-half of the value of real and personal property is represented and such that more than one-half of the parcel owners are represented.
- Within one year after the last day of the thirty day waiting period, completed petitions must be filed with the County Recorder.
- An ordinance must be adopted by the City Council effectively changing the City boundaries to include the annexation area. The ordinance will become effective thirty days after adoption. No modifications, including increases or decreases to the territory to be annexed, may be made after the first property owner in the area signs the petition.

This Public Hearing is held to comply with the annexation law, Section 9-471 of the Arizona Revised Statutes. The purpose is to notify all property owners of the proposed annexation and take public comment. Pending the signature of the property owners, it is anticipated that the annexation ordinance will be before City Council for introduction on July 7, 2010, with adoption on July 21, 2010.

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 FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
		\$0.00		
		\$0.00		
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:			
	<ol style="list-style-type: none"> 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?				
<input type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office				



SIGNATURES	CITY ADMINISTRATOR:	DATE:
	Jack McArthur for Gregory K. Wilkinson	6/8/2010
	REVIEWED BY CITY ATTORNEY:	DATE:
	Steven W. Moore	6/8/2010
RECOMMENDED BY (DEPT/DIV HEAD):	DATE:	
Laurie Lineberry	5/25/2010	
WRITTEN/SUBMITTED BY:	DATE:	
Jennifer L. Albers	5/20/2010	



**Annexation Map Produced
Pursuant to A.R.S. §9-471**

NOT TO SCALE
INFORMATION TECHNOLOGY
SERVICES, ENTERPRISE
GIS

**City of Yuma, Arizona
Annexation Area No. A2010-02**

-  City of Yuma
-  Annexation Area

ANNEXATION PETITION A2010-02
Greengate Annexation

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF YUMA, ARIZONA:

We, the undersigned, owners of real and personal property, being the real property hereinafter described and all personal property that we may own in the area to be annexed, request the City of Yuma to annex our property, said property being located in a territory contiguous to the City of Yuma, Arizona, and being located within the following described area:

Those parts of Sections 1 and 12, Township 9 South, Range 23 West, Gila & Salt River Base & Meridian, Yuma County, Arizona, more particularly described as follows:

Commencing at the South Quarter Corner of said Section 1; thence northerly along the North-South Midsection Line of said Section 1 a distance of 100.00 feet, more or less, to a point on the North right-of-way line of State of Arizona Interstate Business 8 (City of Yuma, Arizona (City) 32nd Street); thence easterly along said North right-of way line of 32nd Street and a line lying 100.00 feet North of and parallel with the South Line of said Section 1 a distance of 40.00 feet, more or less, to a point, said point also being the TRUE POINT OF BEGINNING; thence southerly along a line lying 40.00 feet East of and parallel with said North-South Midsection Line of Section 1 a distance of 100.00 feet, more or less, to a point on the South Line of said Section 1, being also a point on the North Line of said Section 12; thence southerly along a line lying 40.00 feet east of and parallel to the North-South Midsection Line of said Section 12 to a point on the South Line of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW¹/₄NW¹/₄NE¹/₄) of Section 12; thence westerly along said South Line of the NW¹/₄NW¹/₄NE¹/₄ to the Southwest Corner of said NW¹/₄NW¹/₄NE¹/₄; thence southerly along the North-South Midsection Line of said Section 12 to the Southwest Corner of the Northwest Quarter of the Northeast Quarter (NW¹/₄NE¹/₄) of Section 12; thence easterly along the South Line of said NW¹/₄NE¹/₄ to the Southeast Corner thereof; thence northerly along the East Line of said NW¹/₄NE¹/₄ a distance of 165.00 feet, more or less, to a point; thence easterly along a line lying 165.00 feet North of and parallel with the South Line of the Northeast Quarter of the Northeast Quarter (NE¹/₄NE¹/₄) of Section 12 a distance of 29.00 feet, more or less, to a point; thence northerly along a line lying 29.00 feet East of and parallel with the West Line of said NE¹/₄NE¹/₄ to a point on the North Line of said Section 12, being also a point on the South Line of said Section 1; thence northerly along a line lying 29.00 feet East of and parallel with the west Line of the Southeast Quarter of the Southeast Quarter (SE¹/₄SE¹/₄) of Section 1 a distance of 100.00 feet, more or less, to a point on the North right-of- way line of said 32nd Street; thence westerly along said North right-of-way line and a line lying 100.00 feet North of and parallel with the South Line of said Section 1 to the TRUE POINT OF BEGINNING.

In addition to the above description, any and all county rights-of-way and roadways with no taxable value that are within or contiguous to the exterior boundaries of the proposed annexation are part of the territory proposed to be annexed and will be included in any ordinance of annexation adopted as a result of this petition.

The City Council may determine the exact boundary of said territory to be annexed; provided, however, that said annexation area lies wholly within the above described area, and provided further, that the provisions of Section 9-471, Arizona Revised Statutes, are fully observed and complied with.

DATE	SIGNATURE	MAILING ADDRESS	PARCEL ID/LEGAL DESCRIPTION
------	-----------	-----------------	-----------------------------

(Legal description can be Lot/Block/Subdivision; Book/Map/Parcel; or Metes and Bounds)

Print Name of Property Owner: _____



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010
DEPARTMENT: Finance
DIVISION: Administration

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

TITLE:
Truth-in-Taxation Public Hearing for Fiscal Year 2010-2011.

SUMMARY RECOMMENDATION:
Hold the Truth-in-Taxation Public Hearing for Fiscal Year 2010-2011 pursuant to ARS 42-17107.

REPORT:
Per ARS 41-17107, the City of Yuma shall hold the Truth-in-Taxation hearing before the adoption of the 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 \$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.			
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SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Pat Wicks		06/01/2010		
WRITTEN/SUBMITTED BY:		DATE:		
Sharon Willoughby		6/1/2010		



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010

DEPARTMENT: Finance

DIVISION: Administration

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

TITLE:
Final Budget Adoption for Fiscal Year 2010-2011

SUMMARY RECOMMENDATION:
Adopt the City of Yuma Budget for Fiscal Year 2010-2011 in the amount of \$229,840,738, which includes a Capital Improvement Program Budget of \$87,632,349, and an Operating Budget of \$142,208,389.

REPORT:
The Final Budget has been reviewed by City Staff, the City Administrator, and the City Council. The end result is a financial planning document incorporating the policies, goals, and objectives as established by City Council and developed by City Staff. This resolution, if approved, will adopt the estimates of proposed expenditures by the City of Yuma for the fiscal year beginning July 1, 2010 and ending June 30, 2011, and will declare that such constitutes the budget of the City of Yuma for the fiscal year 2010-2011. This action approves continuation of City Boards and Commissions and authorizes employment of outside legal counsel

Attached to this Request for City Council Action are two schedules. Schedule 1 reflects the City Operating Budget on a Fund basis and Schedule 2 reflects the City Capital Improvement Budget on a Fund Basis.

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 FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
		\$0.00		
		\$0.00		
TOTAL:	\$0.00			
FISCAL IMPACT STATEMENT: This budget will approve the spending of \$229,840,738 for the Fiscal Year 2010-2011.				
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? <input type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Gregory K. Wilkinson		6/9/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Pat Wicks		6/1/2010		
WRITTEN/SUBMITTED BY:		DATE:		
Sharon Willoughby		6/1/2010		

RESOLUTION NO. R2010-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ADOPTING ESTIMATES OF PROPOSED EXPENDITURES BY THE CITY OF YUMA FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND ENDING JUNE 30, 2011; DECLARING THAT SUCH SHALL CONSTITUTE THE ADOPTED BUDGET OF THE CITY OF YUMA FOR SUCH FISCAL YEAR; DECLARING NECESSITY OF BOARDS AND COMMISSIONS; AND AUTHORIZING EMPLOYMENT OF OUTSIDE LEGAL COUNSEL

WHEREAS, pursuant to the provisions of the laws of the State of Arizona and the Charter and Ordinances of the City of Yuma, the City Council is required to adopt a Budget; and,

WHEREAS, the City Council has prepared and filed with the City Clerk a proposed Budget for the Fiscal Year beginning July 1, 2010, and ending June 30, 2011, and which was tentatively adopted on June 2, 2010; and,

WHEREAS, due notice has been given by the City Clerk, as required by law, that the Budget for Fiscal Year 2010-2011 with supplementary schedules and details is on file and open to inspection by anyone interested; and,

WHEREAS, it appears that the sums to be raised by primary taxation, as specified therein, do not in the aggregate amount exceed that amount as computed in Section 42-17051, Arizona Revised Statutes; and,

WHEREAS, the total of amounts proposed for expenditure in the Fiscal Year from July 1, 2010, to June 30, 2011, do not exceed the expenditure limitation established for the City of Yuma; and,

WHEREAS, a public hearing has been held on this Budget for Fiscal Year 2010-2011, as required by law; and,

WHEREAS, the Yuma City Charter requires, at Article IX, Section 1, that the City Council annually review all current Boards and Commissions and determine whether such are necessary; and,

WHEREAS, the Yuma City Charter states that the City Council shall have control of all litigation of the city, and may employ other attorneys to take charge of any litigation or to assist the City Attorney therein.

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

SECTION 1: That the City Council has finally determined the estimates of expenditures which will be required of the City of Yuma for the Fiscal Year beginning July 1, 2010 and ending June 30, 2011.

SECTION 2: That the Purposes of Expenditure and the amount finally determined upon for each purpose as set forth in Exhibits A through F attached hereto constitutes the official and finally adopted Budget of the City and the Main Street Mall and Offstreet Parking Maintenance District No. 1 for the 2010-2011 Fiscal Year as subject to the State Budget Law.

SECTION 3: That money from any fund may be used for any of the purposes set forth in SECTION 2, except money specifically restricted by State Law or City Charter, Ordinance or Resolutions.

SECTION 4: That all current City Boards and Commissions are necessary for the public health, safety and welfare of the City and should be continued.

SECTION 5: That the City Attorney is authorized to employ outside legal counsel to take charge of any litigation or to assist the City Attorney.

Adopted this ____ day of _____ 2010.

APPROVED:

Alan L. Krieger
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM

Steven W. Moore
City Attorney

Date to fill:

2008-2009
2010 2009-2010
2011 2010-2011

CITY OF YUMA, ARIZONA
SCHEDULE OF ESTIMATED REVENUES AND EXPENDITURES/EXPENSES
 Fiscal Year 2010-11

FUND (1)	ADOPTED BUDGETED EXPENSES 2009-2010*	ACTUAL EXPENSES 2009-2010**	UNRESERVED FUND BALANCE/ NET ASSETS (2) 7/1/2010**	DIRECT PROPERTY TAX REVENUES 2010-2011	ESTIMATED REVENUES OTHER THAN PROPERTY TAXES 2010-2011	PROCEEDS FROM OTHER FINANCING SOURCES 2010-2011	INTERFUND TRANSFERS 2010-2011 IN	(OUT)	TOTAL FINANCIAL RESOURCES AVAILABLE 2010-2011	BUDGETED EXPENSES 2010-2011
General Fund	\$ 57,991,162	\$ 52,043,842	\$ 12,029,584	\$ 9,864,144	\$ 46,050,046	\$ -	\$ 446,500	\$ 2,669,708	\$ 65,720,566	\$ 54,043,164
Special Revenue Funds	41,798,937	28,666,289	7,018,782	110,000	61,462,836	-	1,620,863	10,007,283	60,205,198	54,367,810
Debt Service Fund	13,734,954	13,740,304	553,548	-	1,336,788	-	10,696,415	-	12,586,751	12,035,431
Capital Projects Funds	76,466,278	22,984,737	32,656,741	-	16,397,003	-	-	-	49,053,744	56,000,976
Internal Service Func	7,026,891	5,238,857	16,728,794	-	5,219,150	-	-	900	21,947,044	8,244,674
Enterprise Funds	44,516,340	41,092,688	36,856,828	-	48,025,048	-	-	85,887	84,795,989	45,148,683
Total All Funds	\$ 241,534,562	\$ 163,766,717	\$ 105,844,277	\$ 9,974,144	\$ 178,490,871	\$ -	\$ 12,763,778	\$ 12,763,778	\$ 294,309,292	\$ 229,840,738

EXPENDITURE LIMITATION COMPARISON

	2009-2010	2010-2011
Budgeted Expenditures	\$ 241,534,562	\$ 229,840,738
Budgeted Expenditures Adjusted For Reconciling Items	241,534,562	229,840,738
Less: Estimated Exclusions	167,748,249	132,863,852
Total Estimated Expenditures Subject to Limitation	73,786,313	96,976,886
Expenditure Limitation	\$ 113,923,861	\$ 116,391,662

(1) Due to the implementation of Governmental Accounting Standards Board Statement No. 34, which reclassified certain funds, comparisons by fund type between fiscal year 2009-10 and 2010-11 may not be possible for certain funds. Additional information may be obtained from the City of Yuma's Finance department.

(2) Amounts in this column represent Fund Balance/Net Asset amounts invested in capital assets, net of related debt, and reserved/restricted amounts established as offsets to assets presented for informational purposes (i.e., prepaids, inventory, etc.).

SCHEDULE A

CITY OF YUMA, ARIZONA
SUMMARY OF TAX LEVY AND TAX RATE INFORMATION
 Fiscal Year 2010-11

	2009-2010 FISCAL YEAR	ESTIMATED 2010-2011 FISCAL YEAR
1. Maximum Allowable Primary Property Tax Levy. A.R.S. 42-17051(A)	\$ 9,386,857	\$ 9,574,594
2. Amount Received from Primary Property Taxation in the 2009-2010 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	\$ 9,386,857	\$ 9,864,144
B. Secondary Property Taxes	-	-
C. Total Property Tax Levy Amounts	<u>\$ 9,386,857</u>	<u>\$ 9,864,144</u>
4. Property Taxes Collected*		
A. Primary Property Taxes		
(1) 2009-2010 Levy	9,386,857	
(2) Prior Years' Levies	100,000	
(3) Total Primary Property Taxes	<u>\$ 9,486,857</u>	
B. Secondary Property Taxes		
(1) 2009-2010 Levy	-	
(2) Prior Years' Levies	-	
(3) Total Secondary Property Taxes	<u>-</u>	
C. Total Property Taxes Collected	<u>\$ 9,486,857</u>	
5. Property Tax Rates		
A. City of Yuma Tax Rate		
(1) Primary Property Tax Rate	\$ 1.4706	\$ 1.4691
(2) Secondary Property Tax Rate	-	-
(3) Total City of Yuma Tax Rate	<u>\$ 1.4706</u>	<u>\$ 1.4691</u>
B. Special Assessment District Rates		
Secondary Property Tax Rates- As of the date the proposed budget was prepared, the City of Yuma was operating one special assessment district for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the City of Yuma Department of Administrative Services at One City Plaza.		

*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.

SCHEDULE B

CITY OF YUMA, ARIZONA
SCHEDULE OF REVENUES OTHER THAN PROPERTY TAXES
 Fiscal Year 2010-11

SOURCES OF REVENUES	ESTIMATED REVENUES 2009-2010	ACTUAL REVENUES 2009-2010*	ESTIMATED REVENUES 2010-2011
GENERAL FUND			
Local Taxes:			
Sales tax (1%)	\$ 19,050,000	\$ 17,000,000	\$ 17,300,000
Franchise tax	3,352,000	3,261,000	3,297,000
Delinquent property tax	100,000	140,000	140,000
Intergovernmental Revenues:			
State revenue sharing	11,530,000	11,530,000	8,647,500
State sales tax	6,865,000	6,500,000	6,500,000
Auto in-lieu tax	3,600,000	3,100,000	3,200,000
Tribal contribution	90,000	44,700	45,000
Licenses and Permits:			
Business licenses	330,000	320,000	320,000
Liquor licenses	45,200	42,600	42,600
Building permits	511,500	512,000	511,000
Electrical permits	125,000	125,000	125,000
Plumbing permits	50,000	50,000	50,000
Mechanical permits	57,500	57,500	57,500
Charges for Services:			
Zoning and subdivision fees	63,450	44,498	44,327
Plan check fees	300,000	270,000	270,000
Other development fees	7,600	2,500	2,500
Swimming fees	110,000	153,856	158,000
Recreation fees	263,850	256,850	266,850
Art Center fees	33,650	68,150	60,500
Other charges	104,768	170,469	2,340,469
Police services	690,000	690,000	690,000
Radio repair fees	377,000	308,200	298,200
Use of Money and Property:			
Investment income	542,500	135,900	135,900
Recreation facility rentals	174,000	169,700	152,200
Art Center facility rentals	65,000	13,000	13,000
Mall district rentals	-	-	-
Fines, Forfeitures, Penalties:			
Vehicle code fines	760,000	779,500	779,500
Police fines	-	-	-
Parking & other fines	400,000	440,000	440,000
Animal control fines	-	-	-
Miscellaneous Revenues:			
Sale of property	3,000	80,000	-
Unclassified revenues	238,665	163,650	163,000
Total General Fund	<u>\$ 49,839,683</u>	<u>\$ 46,429,073</u>	<u>\$ 46,050,046</u>

CITY OF YUMA, ARIZONA
SCHEDULE OF REVENUES OTHER THAN PROPERTY TAXES
 Fiscal Year 2010-11

SOURCES OF REVENUES	ESTIMATED REVENUES 2009-2010	ACTUAL REVENUES 2009-2010*	ESTIMATED REVENUES 2010-2011
SPECIAL REVENUE FUNDS			
Highway User Revenue Fund			
State gasoline tax	\$ 7,130,840	\$ 6,875,000	\$ 6,875,000
Charges for services	30,000	-	-
Investment income	30,000	6,000	6,000
Unclassified revenues	10,000	100,000	100,000
Total	<u>\$ 7,200,840</u>	<u>\$ 6,981,000</u>	<u>\$ 6,981,000</u>
Local Transportation Assistance Fund			
Lottery tax	\$ 426,236	\$ 426,236	\$ -
Investment income	2,500	2,500	-
Contributions	42,623	42,623	-
Total	<u>\$ 471,359</u>	<u>\$ 471,359</u>	<u>\$ -</u>
City Road Tax Fund			
Sales tax (1/2%)	\$ 9,521,410	\$ 8,502,619	\$ 8,652,665
Charges for services	-	10,000	10,000
Investment income	70,000	40,000	40,000
Rental income	370,000	398,556	398,556
Sale of property	-	-	-
Unclassified revenues	150,000	82	-
Total	<u>\$ 10,111,410</u>	<u>\$ 8,951,257</u>	<u>\$ 9,101,221</u>
Public Safety Tax Fund			
Sales tax (0.2%)	\$ 3,807,265	\$ 3,399,888	\$ 3,459,800
Investment income	18,000	-	-
Total	<u>\$ 3,825,265</u>	<u>\$ 3,399,888</u>	<u>\$ 3,459,800</u>
Downtown Mall District Fund			
Unclassified revenues	<u>\$ 10,000</u>	<u>\$ 1,500</u>	<u>\$ 1,500</u>
Two Percent Tax Fund			
Sales tax (2%)	\$ 4,218,500	\$ 4,202,792	\$ 4,244,635
Investment income	35,000	-	-
Unclassified revenues	500	-	-
Total	<u>\$ 4,254,000</u>	<u>\$ 4,202,792</u>	<u>\$ 4,244,635</u>
Recreation Complex Fund			
Sales tax (2%)	\$ -	\$ -	\$ -
Liquor sales	80,000	55,000	40,000
Concession stand sales	103,000	92,500	87,000
Other sales	2,000	2,000	2,000
Commissions & fees	20,000	18,700	13,000
Investment income	45,000	4,000	4,000
Room rents	210,500	209,000	184,000
Equipment rents	50,700	51,000	41,000
Other rents	77,900	77,800	77,800
Unclassified revenues	4,100	4,013	4,020
Total	<u>\$ 593,200</u>	<u>\$ 514,013</u>	<u>\$ 452,820</u>
Solid Waste Fund			
Collection fees	\$ 1,795,600	\$ 1,795,600	\$ 3,025,000
Receptacles sales	12,000	12,000	12,000
Unclassified revenues	5,000	5,000	5,000
Total	<u>\$ 1,812,600</u>	<u>\$ 1,812,600</u>	<u>\$ 3,042,000</u>
Federal & State Grant Funds			
Grants	<u>\$ 19,313,987</u>	<u>\$ 10,145,343</u>	<u>\$ 34,179,860</u>
Total Special Revenue Funds	<u>\$ 47,592,661</u>	<u>\$ 36,479,752</u>	<u>\$ 61,462,836</u>

CITY OF YUMA, ARIZONA
SCHEDULE OF REVENUES OTHER THAN PROPERTY TAXES
 Fiscal Year 2010-11

SOURCES OF REVENUES	ESTIMATED REVENUES 2009-2010	ACTUAL REVENUES 2009-2010*	ESTIMATED REVENUES 2010-2011
DEBT SERVICE FUND			
Special Assessments:			
Principal	\$ 1,025,000	\$ 1,025,000	\$ 1,025,000
Interest	309,788	309,788	309,788
Investment income	20,250	16,000	2,000
Total	<u>\$ 1,355,038</u>	<u>\$ 1,350,788</u>	<u>\$ 1,336,788</u>
INTERNAL SERVICE FUND			
Equipment Replacement Fund			
Equipment rentals	\$ -	\$ -	\$ -
Investment income	350,000	200,000	200,000
Total	<u>\$ 350,000</u>	<u>\$ 200,000</u>	<u>\$ 200,000</u>
Equipment Maintenance Fund			
Guaranteed maintenance	\$ 2,223,600	\$ 2,134,360	\$ 1,632,780
Non-guaranteed maintenance	157,380	228,000	64,750
Fuel Sales	1,404,900	1,234,410	1,379,300
Investment income	-	2,000	-
Total	<u>\$ 3,785,880</u>	<u>\$ 3,598,770</u>	<u>\$ 3,076,830</u>
Insurance Reserve Fund			
Insurance premiums	\$ 630,519	\$ 630,519	\$ 1,909,820
Investment income	-	5,750	5,000
Unclassified revenue	-	27,514	27,500
Total	<u>\$ 630,519</u>	<u>\$ 663,783</u>	<u>\$ 1,942,320</u>
CAPITAL PROJECTS FUNDS			
Pro-rata/Impact Fees	\$ 5,168,638	\$ 1,715,750	\$ 4,513,253
Developer deposits	620,000	100	635,000
Investment income	495,000	47,500	44,500
Rental income	-	-	-
Unclassified revenue	13,011,250	-	11,204,250
Total	<u>\$ 19,294,888</u>	<u>\$ 1,763,350</u>	<u>\$ 16,397,003</u>
ENTERPRISE FUNDS			
Water Fund			
Residential water fees	\$ 13,457,500	\$ 12,927,500	\$ 12,952,000
Commercial water fees	10,150,000	9,898,000	9,950,000
Fire hydrant fees	328,000	319,840	319,840
Service establishment fees	210,500	212,000	212,000
Investment income	200,000	75,000	75,000
Rental income	-	-	-
Unclassified revenues	186,709	138,104	146,704
Total	<u>\$ 24,532,709</u>	<u>\$ 23,570,444</u>	<u>\$ 23,655,544</u>
Wastewater Fund			
Residential sewer fees	\$ 6,404,500	\$ 6,404,500	\$ 6,721,500
Commercial sewer fees	6,724,282	6,613,800	6,878,850
Investment income	-	10,000	10,000
Unclassified revenues	39,378	22,078	22,078
Total	<u>\$ 13,168,160</u>	<u>\$ 13,050,378</u>	<u>\$ 13,632,428</u>

CITY OF YUMA, ARIZONA
SCHEDULE OF REVENUES OTHER THAN PROPERTY TAXES
 Fiscal Year 2010-11

SOURCES OF REVENUES	ESTIMATED REVENUES 2009-2010	ACTUAL REVENUES 2009-2010*	ESTIMATED REVENUES 2010-2011
Water and Wastewater Restricted			
Water capacity fees	\$ 2,497,500	\$ 1,218,500	\$ 998,500
Sewer capacity fees	2,997,000	1,498,000	1,498,000
Water system development fees	174,750	81,350	74,850
Sewer system development fees	199,890	130,400	129,900
Developer deposits	-	-	-
Investment income	1,138,500	82,600	80,800
Unclassified revenues	100	17	5,500,000
Total	\$ 7,007,740	\$ 3,010,867	\$ 8,282,050
Desert Hills Golf Course Fund			
Green fees	\$ 1,034,943	\$ 943,390	\$ 962,598
Merchandise sales	212,799	177,274	180,819
Liquor sales	-	-	-
Concession stand sales	637,364	540,576	600,434
Food sales	-	-	-
Range fees	53,076	57,957	59,116
Equipment rents	361,055	345,810	352,727
Room rents	11,356	8,985	13,213
Investment income	-	-	-
Unclassified revenues	-	-	-
Total	\$ 2,310,593	\$ 2,073,992	\$ 2,168,907
Arroyo Dunes Golf Course Fund			
Green fees	\$ 262,419	\$ 253,604	\$ 258,677
Merchandise sales	1,612	1,710	1,744
Range fees	15,239	13,569	13,840
Equipment rents	15,083	10,890	11,108
Investment income	3,000	500	750
Unclassified revenues	-	-	-
Total	\$ 297,353	\$ 280,273	\$ 286,119
Total Enterprise Funds	\$ 47,316,555	\$ 41,985,954	\$ 48,025,048
Total All Funds	\$ 170,165,224	\$ 132,471,470	\$ 178,490,871

*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
SUMMARY BY FUND OF OTHER FINANCING SOURCES AND INTERFUND TRANSFERS
 FISCAL YEAR 2010-11

FUND	PROCEEDS FROM OTHER FINANCING SOURCES 2010-2011	INTERFUND TRANSFERS 2010-2011 IN (OUT)
GENERAL FUND	\$ -	\$ 446,500 \$ 2,669,708
SPECIAL REVENUE FUNDS		
Highway User Revenue Fund	\$ -	\$ 100,787
City Road Tax Fund	-	4,783,525
Public Safety Tax Fund	-	3,156,522
Two Percent Tax Fund	-	1,940,200
Recreation Complex Fund	1,500,000	-
Solid Waste Fund	-	26,249
Yuma Mall Maintenance Fund	120,863	-
Total Special Revenue Funds	\$ 1,620,863	\$ 10,007,283
DEBT SERVICE FUNDS	\$ 10,696,415	\$ -
CAPITAL PROJECTS FUNDS	\$ -	\$ -
ENTERPRISE FUNDS		
Water Fund	\$ -	\$ 61,972
Wastewater Fund	-	23,915
Desert Hills Golf Course Fund	-	-
Total Enterprise Funds	\$ -	\$ 85,887
INTERNAL SERVICE FUND		900
Total All Funds	\$ -	\$ 12,763,778 \$ 12,763,778

SCHEDULE D

CITY OF YUMA
SUMMARY BY DEPARTMENT OF EXPENDITURES/EXPENSES WITHIN EACH FUND
 FISCAL YEAR 2010-11

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES EXPENSES 2009-2010	EXPENDITURE/ ADJUSTMENTS APPROVED 2009-2010	ACTUAL EXPENDITURES EXPENSES 2009-2010*	BUDGETED EXPENDITURES EXPENSES 2010-2011
GENERAL FUND				
Mayor & Council	\$ 318,121	\$ 318,121	\$ 268,002	\$ 249,203
City Administrator	4,104,479	4,104,479	3,997,800	3,192,314
Municipal Court	1,581,559	1,581,559	1,511,589	1,498,003
City Attorney	1,567,944	1,567,944	1,215,564	1,236,418
Information Technology Services	4,136,562	4,136,562	3,138,134	3,444,306
General Government	1,876,457	1,876,457	1,289,981	2,238,649
Finance	1,937,332	1,937,332	1,740,263	1,645,763
Human Resources	858,658	858,658	767,152	742,227
Community Development Services	2,693,911	2,693,911	2,461,910	2,660,574
Utilities	-	-	-	-
Engineering	424,652	424,652	429,597	374,755
Parks & Recreation	9,141,101	9,141,101	8,456,152	7,275,744
Police Department	22,705,921	22,705,921	20,273,487	20,531,694
Fire Department	11,029,247	11,029,247	10,919,197	13,147,371
Intergovernmental Service Charges	(4,442,642)	(4,442,642)	(4,442,642)	(4,211,795)
Capital Projects Labor	17,860	17,860	17,656	17,938
Capital Improvements	40,000	40,000	-	-
Total	<u>\$ 57,991,162</u>	<u>\$ 57,991,162</u>	<u>\$ 52,043,842</u>	<u>\$ 54,043,164</u>
SPECIAL REVENUE FUNDS				
Highway User Revenue Fund				
Public Works Administration	\$ -	\$ -	\$ -	\$ -
Lot Cleaning	131,805	131,805	128,607	130,880
Engineering	-	-	-	-
Street Maintenance	3,105,412	3,105,412	2,711,204	2,990,592
Street Lighting	738,124	738,124	719,620	719,620
Traffic Signals	737,882	737,882	617,294	725,641
Street Sweeping	627,465	627,465	548,198	434,126
Traffic Signs & Striping	590,243	590,243	447,358	454,441
Storm Drain Maintenance	300,975	300,975	278,472	333,977
Curb, Gutters, Sidewalks	490,305	490,305	333,273	276,474
Retention Basins	1,176,310	1,176,310	1,078,760	1,193,876
General Government	-	-	-	20,844
Capital Projects Labor	-	-	6,830	-
Capital Improvements	-	-	-	-
Total	<u>\$ 7,898,521</u>	<u>\$ 7,898,521</u>	<u>\$ 6,869,616</u>	<u>\$ 7,280,471</u>
Local Transportation Assistance Fund				
Cultural Grants	\$ 94,429	\$ 94,429	\$ 94,429	\$ -
Capital Improvements	376,930	376,930	376,930	-
Total	<u>\$ 471,359</u>	<u>\$ 471,359</u>	<u>\$ 471,359</u>	<u>\$ -</u>
City Road Tax Fund				
Retention Basins	\$ -	\$ -	\$ 580	\$ -
Pathways and Trails	151,325	151,325	138,539	153,846
Engineering	1,448,680	1,448,680	1,149,519	1,166,772
Public Works Administration	-	-	-	-
Street Maintenance	194,041	194,041	194,041	98,386
General Government	-	-	-	8,739
Capital Projects Labor	1,001,602	1,001,602	971,164	924,307
Capital Improvements	2,633,250	2,633,250	1,969,481	2,144,000
Total	<u>\$ 5,428,898</u>	<u>\$ 5,428,898</u>	<u>\$ 4,423,324</u>	<u>\$ 4,496,050</u>
Public Safety Tax Fund				
General Government	\$ 100,000	\$ 100,000	\$ -	\$ 298
Police	-	-	2,725	-
Fire	-	-	-	-
Capital Projects Labor	-	-	64,036	65,230
Capital Improvements	-	-	-	-
Total	<u>\$ 100,000</u>	<u>\$ 100,000</u>	<u>\$ 66,761</u>	<u>\$ 65,528</u>
Recreation Complex Fund				
Baseball Complex	\$ 593,553	\$ 593,553	\$ 568,390	\$ 559,495
Civic-Convention Center	1,217,689	1,217,689	1,144,325	1,181,239
General Government	-	-	-	6,610
Capital Improvements	-	-	-	-
Total	<u>\$ 1,811,242</u>	<u>\$ 1,811,242</u>	<u>\$ 1,712,715</u>	<u>\$ 1,747,344</u>

CITY OF YUMA
SUMMARY BY DEPARTMENT OF EXPENDITURES/EXPENSES WITHIN EACH FUND
 FISCAL YEAR 2010-11

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES EXPENSES 2009-2010	EXPENDITURE/ ADJUSTMENTS APPROVED 2009-2010	ACTUAL EXPENDITURES EXPENSES 2009-2010*	BUDGETED EXPENDITURES EXPENSES 2010-2011
Two Percent Tax Fund				
City Administrator's Office	\$ -	\$ -	\$ -	\$ -
General Government	54,290	54,290	54,290	63,553
Parks and Recreation	915,000	915,000	924,000	1,669,192
Capital Improvements	2,452,285	2,452,285	769,906	1,854,000
Total	\$ 3,421,575	\$ 3,421,575	\$ 1,748,196	\$ 3,586,745
Yuma Mall Maintenance Fund				
	\$ 255,036	\$ 255,036	\$ 245,697	\$ 232,363
Solid Waste Fund				
Residential Collection	\$ 2,753,722	\$ 2,753,722	\$ 2,591,709	\$ 2,383,869
Uncontained Waste	270,163	270,163	324,040	323,251
Recycling	74,434	74,434	67,529	66,670
General Government	-	-	-	5,659
Total	\$ 3,098,319	\$ 3,098,319	\$ 2,983,278	\$ 2,779,449
Grant Funds				
Grant Activities	\$ 8,791,987	\$ 8,791,987	\$ 8,686,503	\$ 10,106,987
Capital Improvements	10,522,000	10,522,000	1,458,840	24,072,873
Total	\$ 19,313,987	\$ 19,313,987	\$ 10,145,343	\$ 34,179,860
Total Special Revenue Funds	\$ 41,798,937	\$ 41,798,937	\$ 28,666,289	\$ 54,367,810
DEBT SERVICE FUNDS				
Special Assessments	\$ 1,334,788	\$ 1,334,788	\$ 1,335,138	\$ 1,339,016
Municipal Property Corporation Bonds	12,400,166	12,400,166	12,405,166	10,696,415
Total	\$ 13,734,954	\$ 13,734,954	\$ 13,740,304	\$ 12,035,431
INTERNAL SERVICE FUND				
Equipment Maintenance Fund	\$ 3,741,181	\$ 3,741,181	\$ 3,162,625	\$ 3,351,835
Insurance Reserve Fund	1,697,116	1,697,116	1,787,860	2,133,121
Equipment Replacement Fund	1,588,594	1,588,594	288,372	2,759,718
Total	\$ 7,026,891	\$ 7,026,891	\$ 5,238,857	\$ 8,244,674
CAPITAL PROJECT FUNDS				
General Fund	\$ -	\$ -	\$ -	\$ -
Grant Funds	-	-	-	-
Two Percent Fund	-	-	-	-
Recreation Complex Fund	-	-	-	-
Restricted/Bond Funds	76,466,278	76,466,278	22,984,737	56,000,976
Highway User Revenue Fund	-	-	-	-
Public Safety Tax	-	-	-	-
City Road Tax Fund	-	-	-	-
Solid Waste Fund	-	-	-	-
Total	\$ 76,466,278	\$ 76,466,278	\$ 22,984,737	\$ 56,000,976
ENTERPRISE FUNDS				
Water and Wastewater Funds				
Water:				
Administration	\$ 13,798,966	\$ 13,798,966	\$ 13,861,317	\$ 14,204,426
Treatment Plant	5,008,270	5,008,270	4,486,254	4,602,414
Transmission & Distribution	1,496,246	1,496,246	1,440,749	1,420,409
Customer Services	1,336,594	1,336,594	1,310,280	1,293,806
Transfer	42,816	42,816	40,910	40,263
Agua Viva Treatment Plant	3,107,548	3,107,548	2,452,150	2,570,756
Laboratory	285,985	285,985	324,231	284,105
General Government	-	-	-	31,908
Capital Projects Labor	265,250	265,250	303,457	378,097
Capital Improvements	485,000	485,000	38,875	3,560,500
Total	\$ 25,826,675	\$ 25,826,675	\$ 24,258,223	\$ 28,386,684
Wastewater:				
Administration	6,670,071	6,670,071	6,696,854	6,718,482
Wastewater Treatment	4,767,357	4,767,357	4,546,672	4,652,367
Collection System	1,012,811	1,012,811	946,409	967,125
Pretreatment	453,182	453,182	448,752	413,383

CITY OF YUMA
SUMMARY BY DEPARTMENT OF EXPENDITURES/EXPENSES WITHIN EACH FUND
 FISCAL YEAR 2010-11

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES EXPENSES 2009-2010	EXPENDITURE/ ADJUSTMENTS APPROVED 2009-2010	ACTUAL EXPENDITURES EXPENSES 2009-2010*	BUDGETED EXPENDITURES EXPENSES 2010-2011
Desert Dunes WPCF	1,481,340	1,481,340	1,434,891	1,429,433
Laboratory	272,095	272,095	310,852	298,244
General Government	-	-	-	20,170
Capital Projects Labor	67,434	67,434	75,824	63,708
Capital Improvements	1,425,000	1,425,000	-	-
Total	<u>\$ 16,149,290</u>	<u>\$ 16,149,290</u>	<u>\$ 14,460,254</u>	<u>\$ 14,562,912</u>
Desert Hills Golf Course Fund				
Maintenance	\$ 1,102,209	\$ 1,102,209	\$ 1,046,069	\$ 973,042
Restaurant	658,422	658,422	578,621	546,867
Golf Shop	493,099	493,099	469,104	421,632
General Government	-	-	-	6,048
Total	<u>\$ 2,253,730</u>	<u>\$ 2,253,730</u>	<u>\$ 2,093,794</u>	<u>\$ 1,947,589</u>
Arroyo Dunes Golf Course Fund				
Maintenance	\$ 240,719	\$ 240,719	\$ 235,947	\$ 211,059
Golf Shop	45,926	45,926	44,470	39,402
General Government	-	-	-	1,037
Total	<u>\$ 286,645</u>	<u>\$ 286,645</u>	<u>\$ 280,417</u>	<u>\$ 251,498</u>
Total Enterprise Funds	<u>\$ 44,516,340</u>	<u>\$ 44,516,340</u>	<u>\$ 41,092,688</u>	<u>\$ 45,148,683</u>
Total All Funds	<u>\$ 241,534,562</u>	<u>\$ 241,534,562</u>	<u>\$ 163,766,717</u>	<u>\$ 229,840,738</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 2010-11

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES EXPENSES 2009-2010	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2009-2010	ACTUAL EXPENDITURES EXPENSES 2009-2010*	BUDGETED EXPENDITURES EXPENSES 2010-2011
MAYOR & COUNCIL				
General Fund	\$ 318,121	\$ 318,121	\$ 268,002	\$ 249,203
Equipment Replacement Fund	-	-	-	-
Total	<u>\$ 318,121</u>	<u>\$ 318,121</u>	<u>\$ 268,002</u>	<u>\$ 249,203</u>
MUNICIPAL COURT				
General Fund	\$ 1,581,559	\$ 1,581,559	\$ 1,511,589	\$ 1,498,003
Appropriated Grants Fund	119,134	119,134	104,390	104,390
Equipment Replacement Fund	-	-	-	-
Total	<u>\$ 1,700,693</u>	<u>\$ 1,700,693</u>	<u>\$ 1,615,979</u>	<u>\$ 1,602,393</u>
CITY ADMINISTRATOR'S OFFICE				
General Fund	\$ 3,664,279	\$ 3,664,279	\$ 3,557,600	\$ 2,752,114
Riverfront Redevelopment Fund	440,200	440,200	440,200	440,200
Two Percent Tax Fund	-	-	-	-
HUD CDBG Entitlement Fund	1,700,018	1,700,018	1,325,103	1,628,680
Community Redevelopment Fund	-	-	207,661	332,394
DOJ Weed & Seed Initiative Fund	6,852	6,852	24,703	-
Appropriated Grants Fund	722,231	722,231	1,416,955	3,366,603
Equipment Replacement Fund	-	-	796	-
Total	<u>\$ 6,533,580</u>	<u>\$ 6,533,580</u>	<u>\$ 6,973,018</u>	<u>\$ 8,519,991</u>
CITY ATTORNEY'S OFFICE				
General Fund	\$ 1,567,944	\$ 1,567,944	\$ 1,215,564	\$ 1,236,418
Appropriated Grants Fund	4,700	4,700	2,953	10,371
Insurance Reserve Fund	909,000	909,000	921,448	983,005
Equipment Replacement Fund	-	-	-	-
Total	<u>\$ 2,481,644</u>	<u>\$ 2,481,644</u>	<u>\$ 2,139,965</u>	<u>\$ 2,229,794</u>
INFORMATION TECH SERVICES				
General Fund	\$ 2,993,578	\$ 2,993,578	\$ 2,618,648	\$ 2,546,003
Radio Communications Fund	1,142,984	1,142,984	519,486	898,303
Appropriated Grants Fund	3,136,319	3,136,319	1,996,676	1,455,755
Equipment Replacement Fund	-	-	-	-
Total	<u>\$ 7,272,881</u>	<u>\$ 7,272,881</u>	<u>\$ 5,134,810</u>	<u>\$ 4,900,061</u>
FINANCE				
General Fund	\$ 1,937,332	\$ 1,937,332	\$ 1,740,263	\$ 1,645,763
HUD CDBG Entitlement Fund	396	396	222	-
Appropriated Grants Fund	-	-	-	-
Equipment Replacement Fund	-	-	-	-
Total	<u>\$ 1,937,728</u>	<u>\$ 1,937,728</u>	<u>\$ 1,740,485</u>	<u>\$ 1,645,763</u>
HUMAN RESOURCES				
General Fund	\$ 858,658	\$ 858,658	\$ 767,152	\$ 742,227
Equipment Replacement Fund	-	-	-	-
Total	<u>\$ 858,658</u>	<u>\$ 858,658</u>	<u>\$ 767,152</u>	<u>\$ 742,227</u>
GENERAL GOVERNMENT				
General Fund	\$ (2,566,185)	\$ (2,566,185)	\$ (3,152,661)	\$ (1,973,146)
Highway User Revenue Fund	-	-	-	20,844
City Road Tax Fund	-	-	-	8,739
Local Transportation Assistance Fund	9,297	9,297	9,297	-
Public Safety Tax Fund	100,000	100,000	-	298
Recreation Complex Fund	-	-	-	6,610
Two Percent Tax Fund	54,290	54,290	54,290	63,553
Solid Waste Fund	-	-	-	5,659
Mall Maintenance Dist Fund	-	-	-	1,339
Appropriated Grants Fund	250,000	250,000	125,000	129,104
Debt Service Fund	13,734,954	13,734,954	13,740,304	12,035,431
Arroyo Dunes Golf Course Fund	-	-	-	1,037
Desert Hills Golf Course Fund	-	-	-	6,048
Water Fund	-	-	-	31,908
Wastewater Fund	-	-	-	20,170
Equipment Maintenance Fund	-	-	-	6,912
Insurance Reserve Fund	788,116	788,116	866,412	1,150,116
Equipment Replacement Fund	1,418,594	1,418,594	18,594	2,759,718
Capital Projects Labor	1,352,146	1,352,146	1,438,967	1,449,280
Total	<u>\$ 15,141,212</u>	<u>\$ 15,141,212</u>	<u>\$ 13,100,203</u>	<u>\$ 15,723,620</u>
COMMUNITY DEVELOPMENT				
General Fund	\$ 2,693,911	\$ 2,693,911	\$ 2,461,910	\$ 2,660,574
HUD CDBG Entitlement Fund	6,417	6,417	16,075	39,935
Equipment Replacement Fund	-	-	-	-
Total	<u>\$ 2,700,328</u>	<u>\$ 2,700,328</u>	<u>\$ 2,477,985</u>	<u>\$ 2,700,509</u>
PUBLIC WORKS				
Highway User Revenue Fund	\$ 7,160,639	\$ 7,160,639	\$ 6,245,492	\$ 6,533,986
City Road Tax Fund	345,366	345,366	333,160	252,232
Solid Waste	3,098,319	3,098,319	2,983,278	2,773,790
Equipment Maintenance Fund	3,741,181	3,741,181	3,162,625	3,344,923
Equipment Replacement Fund	170,000	170,000	267,450	-

CITY OF YUMA
SUMMARY BY DEPARTMENT OF EXPENDITURES/EXPENSES
 FISCAL YEAR 2010-11

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENSES 2009-2010	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2009-2010	ACTUAL EXPENDITURES EXPENSES 2009-2010*	BUDGETED EXPENDITURES EXPENSES 2010-2011
Total	\$ 14,515,505	\$ 14,515,505	\$ 12,992,005	\$ 12,904,931
UTILITIES				
General Fund	\$ -	\$ -	\$ -	\$ -
Appropriated Grants Fund	2,500	2,500	-	-
Water Fund	21,244,714	21,244,714	22,771,007	23,272,205
Water Transfer Fund	42,816	42,816	40,910	40,263
Water Capacity Fund	3,616,506	3,616,506	1,103,974	1,103,711
Water System Development Fund	172,389	172,389	-	-
Wastewater Fund	11,671,801	11,671,801	11,399,375	11,493,978
Wastewater Capacity Fund	2,978,488	2,978,488	2,978,488	2,978,488
Wastewater Sanitary Sewer Interceptor Fun	6,567	6,567	6,567	6,568
Equipment Replacement Fund	-	-	-	-
Total	\$ 39,735,781	\$ 39,735,781	\$ 38,300,321	\$ 38,895,213
ENGINEERING				
General Fund	\$ 424,652	\$ 424,652	\$ 429,597	\$ 374,755
Highway User Revenue Fund	737,882	737,882	617,294	725,641
City Road Tax Fund	1,448,680	1,448,680	1,149,519	1,166,772
Equipment Replacement Fund	-	-	-	-
Total	\$ 2,611,214	\$ 2,611,214	\$ 2,196,410	\$ 2,267,168
PARKS & RECREATION				
General Fund	\$ 9,141,101	\$ 9,141,101	\$ 8,456,152	\$ 7,275,744
City Road Tax Fund	-	-	-	-
Local Transportation Assistance Fund	85,132	85,132	85,132	-
Recreation Complex Fund	1,811,242	1,811,242	1,712,715	1,740,734
Two Percent Tax Fund	915,000	915,000	924,000	1,669,192
Mall Maintenance Fund	255,036	255,036	245,697	231,024
HUD CDBG Entitlement Fund	5,000	5,000	4,500	4,000
DOJ Week & Seed Initiative Fund	-	-	3,288	-
Appropriated Grants Fund	702,880	702,880	400,351	381,169
Arroyo Dunes Golf Course Fund	286,645	286,645	280,417	250,461
Desert Hills Golf Course Fund	2,253,730	2,253,730	2,093,794	1,941,541
Equipment Replacement Fund	-	-	1,532	-
Total	\$ 15,455,766	\$ 15,455,766	\$ 14,207,578	\$ 13,493,865
POLICE				
General Fund	\$ 22,705,921	\$ 22,705,921	\$ 20,273,487	\$ 20,531,694
Public Safety Tax Fund	-	-	2,725	-
DOJ Weed & Seed Initiative	28,905	28,905	2,789	-
Appropriated Grants Fund	1,267,143	1,267,143	2,200,271	1,404,961
Equipment Replacement Fund	-	-	-	-
Total	\$ 24,001,969	\$ 24,001,969	\$ 22,479,272	\$ 21,936,655
FIRE				
General Fund	\$ 11,029,247	\$ 11,029,247	\$ 10,919,197	\$ 13,147,371
Public Safety Tax Fund	-	-	-	-
Appropriated Grants Fund	839,492	839,492	855,566	1,249,625
Equipment Replacement Fund	-	-	-	-
Total	\$ 11,868,739	\$ 11,868,739	\$ 11,774,763	\$ 14,396,996
CAPITAL PROJECTS				
Capital Projects Fund	\$ 76,466,278	\$ 76,466,278	\$ 22,984,737	\$ 56,000,976
General Fund	40,000	40,000	-	-
Highway User Revenue Fund	-	-	-	-
Local Transportation Assistance Fund	376,930	376,930	376,930	-
City Road Tax Fund	2,633,250	2,633,250	1,969,481	2,144,000
Public Safety Tax Fund	-	-	-	-
Recreation Complex Fund	-	-	-	-
Two Percent Tax Fund	2,452,285	2,452,285	769,906	1,854,000
HUD CDBG Entitlement Fund	-	-	41,000	174,898
Appropriated Grants Fund	10,522,000	10,522,000	1,417,840	23,897,975
Water Fund	485,000	485,000	38,875	3,560,500
Wastewater Fund	1,425,000	1,425,000	-	-
Total	\$ 94,400,743	\$ 94,400,743	\$ 27,598,769	\$ 87,632,349
Total All Funds	\$ 241,534,562	\$ 241,534,562	\$ 163,766,717	\$ 229,840,738

*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.

Estimated exclusions:		
Police services	690,000	
Radio repair services	298,200	
Interfund utility charges	1,066,275	estimate
Debt service Sch E	12,035,431	
Debt service Enterprise	17,099,627	
Debt svc other	-	
Int service funds Sch E	8,244,674	
Grants Sch E	34,179,860	
Road Tax	4,496,050	
Public Safety Tax	65,528	
LTAf Sch C	-	
HURF Sch C	6,981,000	
Less 79-80 HURF	(951,904)	Amount does not change
HURF carryforward	1,228,367	Obtain from expenditure limitation report
Public Safety Tax carryforward	43,015	
Cap Proj bond balance	44,288,715	
Road Tax carryforward	2,270,064	
CIP:		
Bond proceeds	-	
Other	-	
STP	225,000	
Interest income	603,950	
Total exclusions	132,863,852	

Debt service Enterprise funds

Water restricted	1,103,711
Wastewater restricted	2,985,056
Water unrestricted	10,655,242
Wastewater unrestricted	2,355,618

Debt svc other

Road tax HELP loan principal	-
Road tax HELP loan interest	-

Bond

	CIP Proj Bdg	Proceeds	
CIP	-	-	-
Water restricted	-	-	-
Wastewater restricted	-	-	-
	-	-	-



City of YUMA

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: June 16, 2010

DEPARTMENT: Finance

DIVISION: Administration

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

TITLE:
2010-2011 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy

SUMMARY RECOMMENDATION:
Adopt the 2010-2011 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy.

REPORT:
The City of Yuma 2010-2011 Final Budget is based in part upon an estimated primary property tax levy that is anticipated to raise \$9,864,144.00 in tax revenue, an increase of \$477,287.00 or 5.08%. This estimate is derived from the assessed valuation as of February 10, 2010, provided by the Yuma County Assessor (date stipulated by state law), and multiplied by a tax rate of \$1.4691 on each \$100.00 of assessed valuation. This tax rate is down from the 2009 rate of \$1.4706 on each \$100.00 of assessed valuation.

There has been no secondary property tax levy since 1992.

The tax rate for the Mall Maintenance District is being held the same as last year, which is a reduction of 67% over the rate set for 1995-96. The rate of \$4.7747 on each \$100.00 of assessed valuation is anticipated to raise approximately \$110,000.00 in tax revenues.

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.			
	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			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Jack McArthur for Gregory K. Wilkinson		6/8/2010	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Steven W. Moore		6/8/2010	
	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
Pat Wicks		6/1/2010		
WRITTEN/SUBMITTED BY:		DATE:		
Sharon Willoughby		6/1/2010		

ORDINANCE NO. O2010-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, FIXING, LEVYING, AND ASSESSING PRIMARY PROPERTY TAXES UPON PROPERTY WITHIN THE CITY OF YUMA SUBJECT TO TAXATION, EACH IN A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100) OF VALUATION, SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET FOR THE FISCAL YEAR 2010-2011 LESS THE AMOUNTS ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE AND THE UNENCUMBERED BALANCES FROM THE PREVIOUS FISCAL YEAR, PROVIDING A GENERAL FUND; AND FIXING, LEVYING, AND ASSESSING UPON PROPERTY WITHIN THE BOUNDARIES OF THE MAIN STREET MALL AND OFFSTREET PARKING MAINTENANCE DISTRICT NO. 1 SUBJECT TO TAXATION, EACH IN A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS OF VALUATION, SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED FOR THE OPERATION, MAINTENANCE, REPAIR AND IMPROVEMENT OF THE FACILITIES OF SAID DISTRICT, ALL FOR THE FISCAL YEAR ENDING JUNE 30, 2011

WHEREAS, pursuant to the provisions of the laws of the State of Arizona and the Charter of the City of Yuma, the Council of the City of Yuma is required following the public hearing and adoption of estimates of proposed revenues and expenditures for the year 2010-2011 to fix, levy, and assess a primary rate of taxation upon each One Hundred Dollars (\$100) of the assessed valuation of all real and personal property subject to taxation within the City sufficient to raise the amount estimated to be required in the annual budget, less the amounts estimated to be received from all other sources of revenue and unencumbered balances from the previous fiscal year; to pay municipal expenses during the fiscal year ending June 30, 2011; and,

WHEREAS, the public hearing for the purpose of hearing taxpayers was held on June 16, 2010 after which a meeting was duly convened in which a Budget of Estimated Revenues and Expenditures was adopted by the City Council in final form for the fiscal year 2010-2011; and,

WHEREAS, the County of Yuma is the assessing and collecting authority for the City of Yuma.

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

SECTION 1: There is hereby levied a primary tax rate of \$1.4691 on each One Hundred Dollars (\$100) of assessed valuation on all property, both real and personal, within the corporate limits of the City of Yuma, except such property as may be by law exempt from taxation, for the purpose of providing a General Fund for the City of Yuma, for the fiscal year ending on the 30th day of June, 2011. Should such tax rate exceed the maximum allowable by law, the rate shall be reduced to such maximum allowable rate.

SECTION 2: In addition to the rates set in Section 1, hereof, there is hereby levied a tax rate of \$4.7747 on each One Hundred Dollars (\$100) of assessed valuation of all property, both real and personal, within the corporate limits of the City of Yuma and located within the boundaries of the Main Street Mall and Offstreet Parking Maintenance District No. 1, except such property as may be by law exempt from taxation, for the purpose of providing a Fund for the operation, maintenance, repair and improvement of the facilities to be maintained by said district for the fiscal year ending on the 30th day of June, 2011.

SECTION 3: That the taxes assessed and levied in Sections 1 and 2 of this Ordinance are, and shall become, due and payable to the County Treasurer, and Ex-officio Tax Collector of Yuma County, at her office in the Yuma County Treasurer's Office in the City of Yuma in the same manner and in the same time as provided by law for the collection and payment of State and County taxes.

SECTION 4: That the City Clerk is authorized and directed to cause certified copies of this ordinance to be forthwith personally delivered to the Yuma County Treasurer and the Chairman of the Board of Supervisors of Yuma County, Arizona, and to cause this ordinance to be published once in the official newspaper of the City of Yuma published and circulated in the City of Yuma.

Adopted this _____ day of _____, 2010.

APPROVED:

Alan L. Krieger
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Steven W. Moore
City Attorney