

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

<b>SUBJECT:</b> Acceptance of a Non-Exclusive Operation and Drainage Easement at Bullard Wash and McDowell Road.	<b>STAFF PRESENTER:</b> Linda R. Beals <b>COMPANY:</b> The Flood Control District of Maricopa County <b>CONTACT:</b> Ken Anderssohn
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**RECOMMENDATION:**

Council approve the acceptance of the dedication of a Nonexclusive Easement to Operate, Repair and Maintain the Interim Drainage Improvements located just south of McDowell Road at the Bullard Wash from the Flood Control District of Maricopa County, a municipal corporation and political subdivision of the State of Arizona.

**PURPOSE:**

The easement is required in order to operate and maintain the interim storm water improvements constructed as part of the Bullard Wash channel improvements. The City is required to operate, repair and maintain the interim improvements per the terms of the Intergovernmental Agreement for the Bullard Wash Improvements Project (Interstate 10 to McDowell Road) entered into in February of 2007. The Flood Control District is providing the Easement to the City at no cost. (Linda R. Beals, Real Estate Coordinator)

**BACKGROUND AND COMMUNITY BENEFIT:**

The acceptance of the Easement will provide the City with the property rights necessary to operation, repair and maintain the interim drainage improvements associated with the Bullard Wash Channel Project. These improvements are a part of the City's storm water drainage system. The interim improvements previously constructed were needed as part of the channelization of the wash and storm water drainage required to facilitate the development directly north of McDowell Road.

**PREVIOUS ACTIONS AND DISCUSSION:**

The Flood Control District of Maricopa County (FCDMC) owns the property along the Bullard Wash channel alignment between Interstate 10 and McDowell Road. In February of 2007 the City entered into the Intergovernmental Agreement for the Bullard Wash Improvements Project (Interstate 10 to McDowell Road) with the FCDMC. This agreement allowed the City to construct the interim Bullard Wash improvements on the FCDMC property directly north of Interstate 10, which were required in order to accommodate the portion of Bullard Wash channelized north of McDowell Road as part of the Westcor/Macerich Mall Development and the McDowell Road Improvement District.

During the course of this project, the Arizona Department of Transportation (ADOT) initiated construction of the I-10 widening project. ADOT's widening project impacted the interim Bullard Wash improvements constructed by the City. Upon completion of the ADOT widening project it was evident that there was ponded water within the Bullard Wash area that was not draining properly. The City delayed the acceptance of this

easement until the ponding water issue could be resolved through a coordinated effort with ADOT, FCDMC, and the City. The City worked with the FCDMC and ADOT and the ponding issues have been resolved.

**FISCAL ANALYSIS:**

The easement is being dedicated to the City at no cost per the terms of the intergovernmental agreement.

**ATTACHMENTS:**

Staff Report

Nonexclusive Easements to Construct and Maintain Drainage Facilities