

AGENDA ITEM # \_\_\_\_\_

DATE: July 13, 2015

COAC NUMBER: 15-5623

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

**SUBJECT:** Resolution authorizing execution of First Amendment to Intergovernmental Agreement for the El Rio Watercourse Implementation and Management Plan.

**STAFF PRESENTER:** Joe Schmitz,  
Long Range Planner

**COMPANY**  
**CONTACT:** N/A

**RECOMMENDATION:**

ADOPT RESOLUTION NO. 15-1714 AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT AMONG THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY, MARICOPA COUNTY, AND THE CITY OF AVONDALE, CITY OF BUCKEYE, AND THE CITY OF GOODYEAR FOR THE DEVELOPMENT OF THE EL RIO WATERCOURSE IMPLEMENTATION AND MANAGEMENT PLAN TO EXTEND THE TERM OF THE AGREEMENT BY ONE YEAR; AND PROVIDING FOR AN EFFECTIVE DATE.

**PURPOSE:**

The First Amendment to the Intergovernmental Agreement between the Flood Control District of Maricopa County, Maricopa County, and the Cities of Avondale, Buckeye and Goodyear for the El Rio Watercourse Implementation and Management Plan will extend the term of the agreement by one year. The initial term of the Agreement was not sufficient to conduct the procurement of consulting services and prepare the plan document. Although the term would be extended to June 30, 2016, the project is well underway and expected to be completed by this fall.

**BACKGROUND AND COMMUNITY BENEFIT:**

Since 2006, the City has been cooperating with the Maricopa County Flood Control District, Maricopa County Planning & Development Department, the City of Avondale, and the City of Buckeye to develop plans for the future development of the 17-mile long El Rio corridor from the confluence of the Gila and Agua Fria Rivers on the east to SR85 on the west. The goal of the El Rio Watercourse Master Plan (ERWMP) adopted in 2006 was to develop and identify alternative structural and non-structural plans for providing flood control along the Gila River while preserving the heritage of the Gila River with a long-term, multi-use vision for the river. The project is seeking to preserve the link between the river and surrounding communities and to foster public-private partnerships where appropriate.

The next stage of implementation of the ERWMP was delayed by the downturn in the national economy, but saw renewed interest in 2013 at which time the local governments

agreed to jointly fund preparation of the El Rio Watercourse Implementation and Management Plan. The current planning effort is intended to develop:

- a. Consistent design guidelines and planning standards for local jurisdictions as well as public and private sector developers and property owners.
- b. A prioritized list of potential projects (at least one in each jurisdiction) based on the conceptual framework outlined in the El Rio WCMP. Preliminary level design drawings, capital and maintenance costs, and funding sources shall be developed for each potential project.
- c. Developing strategies and supportive materials to promote stakeholder and public awareness of the El Rio WCMP.
- d. Design standards for interpretive trails and overlooks.
- e. Planning and designing signage and way-finding programs.
- f. Developing a list of specific existing and potential sources of funding to protect, manage and develop the Gila River as outlined in the vision for the El Rio WCMP.
- g. Inventorying resources, respecting private property rights, contained within the El Rio WCMP area, including a list of any properties that are related to the vision of the El Rio WCMP and should be preserved, restored, managed, developed or maintained because of their natural, cultural, historic, recreational or scenic significance.
- h. Developing draft policies for resource management that detail the application of appropriate land and water management techniques, including the development of cooperative agreements to protect the historical, cultural, recreational and natural resources of the Gila River as outlined in the vision for the El Rio WCMP in a manner compatible with economic development.
- i. Completing an analysis of ways in which local, State and Federal programs may best be coordinated to promote the purposes of the El Rio WCMP.

The Intergovernmental Agreement provided that the City of Avondale would serve as the lead agency for contracting for consultant services, contract administration and payment to the consultant, and for invoicing the participating agencies for their share of the cost. The Town of Buckeye is serving as the lead agency for oversight and coordination of the consultant activities, ensuring the consultant is meeting established schedules, coordinating responses to data requests, scheduling meetings, and interagency coordination. The City of Avondale, City of Goodyear, Town of Buckeye, Maricopa County Planning and Development and the Flood Control District of Maricopa County have been participating in the entire project, providing timely feedback, and funding of their proportionate share of the cost.

Although the IGA was finalized in December 2013 and the project was expected to take about one year to complete, the procurement process took longer than anticipated due to the need to coordinate the scope of work with all of the parties to the agreement. The contract with the consultant, J2 engineering and environmental design, llc, was not approved by Avondale until October 6, 2014. While the consultant has worked diligently to keep the project on schedule and a considerable amount of work has been completed toward development of a draft document, the public review process will extend past the June 30, 2015 expiration date in the IGA. For this reason, an extension of the term of the IGA by one year is being requested and being considered by all of the parties.

### **PREVIOUS ACTIONS AND DISCUSSION:**

The El Rio Watercourse Master Plan Final Report was adopted by Goodyear City Council on March 27, 2006. City of Avondale, Town of Buckeye, and Maricopa County also approved the report in the spring of 2006.

Goodyear City Council approved the Memorandum of Understanding between the El Rio Watercourse Master Plan project partners on May 17, 2007 to form a cooperative framework for the purpose of implementing the plan.

An Intergovernmental Agreement between the Flood Control District, Maricopa County and the City of Avondale, the then Town of Buckeye and the City of Goodyear for the El Rio Watercourse Implementation and Management Plan was approved by the Goodyear City Council in September 2013, but was not fully executed and recorded until December 2013. That Agreement had a provision that it would expire on June 30, 2015.

The total cost to utilize a consultant to develop the El Rio Watercourse Implementation and Management Plan is \$200,000 and each of the four participating agencies have an equal 25% share of the consultant's fee. The City of Goodyear's 25% shall not exceed \$50,000 and was funded in the FY14-15 budget.

### **FISCAL ANALYSIS:**

There is no fiscal impact resulting from the one-year extension authorized by the First Amendment to the Intergovernmental Agreement. The City has contributed \$50,000 to the project as its share of the project cost of \$200,000. No additional funding is being requested.

### **ATTACHMENTS:**

Resolution No. 15-1714  
Exhibit A to Resolution No. 15-1714  
Copy of Original Intergovernmental Agreement