

AGENDA ITEM #: _____

DATE: April 10, 2017

COAC #: 17-5962

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

**SUBJECT: Adopt Resolution No. 17-1778
Approving the Development Agreement
Regarding a Temporary Retention Basin
for the El Cidro Development, Phase 1A**

STAFF PRESENTER: Rebecca Zook,
Director of Engineering

CASE NUMBER: None

OTHER PRESENTER: N/A

PROPOSED ACTION:

ADOPT RESOLUTION NO. 17-1778 APPROVING THE DEVELOPMENT AGREEMENT REGARDING A TEMPORARY RETENTION BASIN ON APPROXIMATELY 4.4 ACRES, THE EXPANSION OF THE WATER CAMPUS JUST SOUTH OF LOWER BUCKEYE ROAD ALONG 173rd AVENUE, WHICH INCLUDES THE PURCHASE OF LAND JUST SOUTH OF THE WATER CAMPUS, THE ACQUISITION OF THE RIGHTS TO AN EXISTING AGRICULTURAL WELL, ACCEPTANCE OF A WATER LINE EASEMENT BETWEEN THE WATER CAMPUS TO LOWER BUCKEYE ROAD, AND ACCEPTING THE REPLACEMENT WELL SITE "A"; PROVIDING AUTHORIZATION FOR CORRECTION OF SCRIVENERS ERRORS; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND THE DEVELOPMENT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND PREVIOUS ACTIONS:

The Final Plats for El Cidro Parcels 1D, 2 and 3 and the Map of Dedication for El Cidro Phase 1A infrastructure are being considered concurrently with this Development Agreement. Currently, there is a private tailwater system traversing the parcels proposed to be platted with El Cidro Phase 1A. This existing system serves the La Jolla Vista Property located to the northwest and is currently undeveloped and used for farming. Once the La Jolla Vista Property is developed and the temporary solution is removed, as provided for in the Development Agreement, the Temporary Easements will no longer be needed.

The City currently owns the Water Campus/Site 12 located west of Cotton Lane and south of Lower Buckeye Road. As part of the city's plans, there had been a desire to expand the site to the south to build an additional 2 million gallon (MG) storage reservoir for the city's use. The developer along with Engineering and Public Works staff identified this site as an optimal location for expansion of this site to meet the city's needs. The developer agreed to halt his contract with a homebuilder to provide us the ability to acquire the site for our use.

As compensation for the use of the Temporary Retention Basin on City property, the owner of El Cidro is providing to the city the rights to an existing agricultural well on the El Cidro property. The city will then abandon the existing well and have authority to construct a new potable well for the city's use within 660' of the abandoned well. El Cidro will provide at no cost to the City a 100'x100' parcel of land at the corner of the future alignment of south 175th Drive and El Cidro Drive as reflected in Preliminary Plat approved by the Mayor and Council of the City of Goodyear on August 25, 2014.

The final piece of the Development Agreement allows for the creation of a water line easement over an existing water line within the El Cidro development. The 24" water line was constructed by the City on property that did not belong to the City. The owners of El Cidro agreed to provide us an easement for the line at no cost. In addition, they designed their subdivision layout to allow for the safe operation and maintenance of the line without impacting the City in any way.

STAFF ANALYSIS:

Staff has reviewed the El Cidro Phase 1A plans and approved this concept as an acceptable solution to mitigate the tailwater impact and solve a challenge that is critical for El Cidro to move forward with the development of Phase 1A of the subdivision.

Staff has analyzed the property south of the Water Campus and will be moving forward in the near future with procuring a design firm/contractor to begin the city's process of expanding the site. The city's expansion plan will include a new 2MG storage reservoir, additional treatment capacity and new wells. The property is depicted as Tract F in the Final Plat El Cidro-Phase 1 Parcel 3 and has been reviewed by staff.

Staff had recently completed a Well Siting study through the Public Works department and the El Cidro property was identified as being a location of high interest for the city. Due to the timing of the study and the development of the El Cidro property and the coordination efforts by staff, the city was able to secure an agreement for an existing agricultural well at no cost and secure a future well site in an optimal location for the city's use at no cost.

In addition to the above mentioned coordination benefits, the city was also able to secure an easement for an existing water line on property that does not belong to the city at no cost. There were no negative impacts to the city as the developer/owner was committed to work with the city to find an amicable solution.

Finally, it is worth mentioning that this action will allow for the activation of the cost recovery obligation for El Cidro, approved by City Council in June 2016 through an Amended and Restated Development Agreement as one of the West Goodyear Properties. Development of El Cidro will result in a \$1,286,935 payment for previously constructed cost recovery (CR) lines that were part of the original West Goodyear CR Ordinance. The payment will be provided to the developer who constructed lines approximately 10 years ago.

RECOMMENDATION:

Staff recommends approval of Resolution no. 17-1778.

ATTACHMENTS:

1. Development Agreement Regarding Temporary Retention Basin and all associated exhibits.
2. Resolution