

AGENDA ITEM #: _____

DATE: May 13, 2019

CAR #: 2019-6642



CITY COUNCIL ACTION REPORT

SUBJECT: Approval of the issuance of a Temporary Nonexclusive Slope Easement to Construct and Maintain Bank Stabilization Facilities in the Bullard Wash

STAFF PRESENTER(S): Linda Beals, Real Estate Coordinator

OTHER PRESENTER(S): None

Summary: Fulton Homes Corporation, an Arizona corporation is in the process of developing portions of Estrella Commons for residential homes. One of the requirements to develop this property is to stabilize the banks of the Bullard Wash, thereby removing portions of the Fulton Homes property from the flood zone. The Bullard Wash in this area is owned by the city and therefore requires an easement from the city for Fulton Homes to complete and maintain the improvements.

Recommendation: Approve the issuance of the Temporary Nonexclusive Slope Easement to Construct and Maintain Bank Stabilization Facilities to Fulton Homes Corporation, an Arizona corporation and Estrella Commons Homeowners Association, an Arizona non-profit corporation.

Fiscal Impact: There will be no fiscal impact to the city in the fiscal year 2019 or future years related to the issuance of this Easement.

Background and Previous Actions

Fulton Homes Corporation, an Arizona corporation is in the process of developing their residential property in Estrella Commons, which is located southeast of Interstate 10 and Estrella Parkway and adjacent to the Bullard Wash. Portions of the eastern side of the Fulton Homes property are located within a flood zone. The city owns the Bullard Wash corridor adjacent to the Fulton Homes property and intends to develop this portion of the wash corridor in the future as part of the Bullard Wash linear park improvements. Fulton Homes has elected to complete certain bank stabilization improvements along the western bank of the Bullard Wash in the interim, in order to remove their property from the flood zone. These improvements include grading, adding fill dirt to the eastern portion of the Fulton Homes property and providing bank stabilization improvements on the city property.

Staff Analysis

The city engineer has reviewed and approved the bank stabilization plans contingent upon the approval and issuance of this easement. The easement will be issued to both Fulton Homes Corporation, an Arizona corporation and the Estrella Commons Homeowners Association, an Arizona non-profit corporation.

Attachments

Temporary Nonexclusive Slope Easement to Construct and Maintain Bank Stabilization Facilities