

AGENDA ITEM #: _____

DATE: March 2, 2020

CAR #: 2020-6892



CITY COUNCIL ACTION REPORT

SUBJECT: Assignment and Assumption of abandoned Irrigation Facilities/pipe

STAFF PRESENTER(S): Rebecca Zook, Director of Engineering

OTHER PRESENTER(S): None

Summary: In support of the development of the Elwood Logistics property, city staff supports allowing an existing and abandoned 24" Roosevelt Irrigation District (RID) line to remain in place along South Village Blvd. and 161st Ave, north of W. Elwood St. and the city assuming responsibility for the abandoned line. Staff supports leaving the line in place versus requiring a removal due to the disruption to the neighborhood and drivers located within Sarival Village neighborhood. It should be noted that the city sees no negative outcome and there will be no cost to the city to take over ownership and leave the existing line in place.

Recommendation:

ADOPT RESOLUTION NO. 2020-2042 FINDING THE ASSIGNMENT AND ASSUMPTION OF IRRIGATION FACILITIES AGREEMENT WITH ROOSEVELT IRRIGATION DISTRICT (THE "ASSIGNMENT AGREEMENT") TO BE IN THE BEST INTERESTS OF THE CITY OF GOODYEAR AND APPROVING THE ASSIGNMENT AGREEMENT; AUTHORIZING AND DIRECTING EXECUTION OF ASSIGNMENT AGREEMENT; PROVIDING FOR REVOCATION OF ASSIGNMENT AGREEMENT; AUTHORIZING AND DIRECTING ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Fiscal Impact: There is no fiscal impact to the city as it relates to the assignment and assumption of the abandoned irrigation facility/pipe. The developer is responsible for working with RID to isolate the line and remove the section of line within Elwood St.

Background and Previous Actions

This request is related to the development of approximately 78 acres of land generally located at the southeast corner of Sarival Avenue and Elwood Street, commonly known as Elwood Logistics. The Owner plans to construct a 650,000-1.3 million square foot industrial building suitable for use as advanced manufacturing, internet fulfillment, distribution or other light industrial uses prior to having a purchaser or lessee for the building. The owner has an approved Site Plan and construction drawings have been submitted to the city for engineering and building improvements.

On April 22, 2019, Council approved an unrelated Development Agreement (DA) for Elwood Logistics. This prior DA created a mechanism for the construction of non-required offsite improvements by the owner of Elwood Logistics, along with criteria pertaining to a User Driver Foreign Trade Zone application.

In order to move forward with the development of the Elwood Logistics property, certain RID infrastructure improvements have to be removed from the Elwood Logistics property. As a condition of removal of the RID facilities, RID is requiring either the removal of a 24" abandoned RID line located within the right-of-way of a section of South Village Blvd. and 161st Ave, north of W. Elwood St., or the agreement of the city to accept responsibility for the abandoned line.

Staff Analysis

Alternative Consideration: The city could require the developer to remove the 24" abandoned line at no cost to the city. However, staff does not foresee any issues or costs associated with leaving this line in place and leaving the line in place significantly minimizes impacts to the driving public in the area of the pipeline location. Staff supports leaving the abandoned line in place rather than requiring its removal because of the disruption the removal would cause to the neighborhood and drivers located within the Sarival Village neighborhood. Staff does not see any negative outcome and there will be no cost to the city to take over ownership and leave the existing line in place.

Attachments

Resolution 2020-2042 w/

- Exhibit A - Assignment and Assumption Agreement
 - Ex. A – City Owned ROW
 - Ex. B –Approved Plans