

AGENDA ITEM #: _____

DATE: May 18, 2020

CAR #: 2020-6953



CITY COUNCIL ACTION REPORT

SUBJECT: Conditional Approval of Issuance of Temporary Construction and Access Agreement for Aviva Project.

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

OTHER PRESENTER(S): None

Summary: Conditionally approve the issuance of a Temporary Construction and Access Agreement for the Aviva Apartment Complex Project located at the northeast corner of Indian School Road and Falcon Drive.

Recommendation:

ADOPT RESOLUTION NO. 2020-2058 APPROVING AND AUTHORIZING THE EXECUTION AND RECORDING OF A TEMPORARY CONSTRUCTION AND ACCESS EASEMENT SUBJECT TO CONDITIONS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE EASEMENT UPON SATISFACTION OF CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Fiscal Impact: There will be no fiscal impact to the city in the fiscal year 2020 or future years related to the issuance of this easement.

Background and Previous Actions

The current landowner, Harmony @ Goodyear II, LLC, an Arizona limited liability company, and Aviva Goodyear, LLC, a Delaware limited liability, the proposed developer/purchaser of the property located northeast of the Indian School Road and Falcon Drive, have been working with city staff on the Aviva Apartment Complex project. As part of the review of the construction plans, it was determined that a Temporary Construction Easement is required to construct the storm water improvements that will convey the storm water from the Aviva Apartment Complex property into the city's Indian School Drainage Channel.

Prior to taking ownership, Aviva Goodyear, LLC, has requested assurance be provided that the city will issue them the required Temporary Construction and Access Easement.

Staff Analysis

City engineering staff has received and reviewed the plans for the storm water improvements and recommend proceeding with the issuance of the Temporary Construction and Access Easement for the construction of the storm water improvements.

Therefore, adoption of Resolution 2020-2058 is recommended in order to provide the assurance needed for Aviva Goodyear, LLC, that the City, following the satisfaction of the conditions set forth in the Resolution will execute a Temporary Construction and Access Easement in the form attached as Exhibit “1” to Resolution 2020-2058.

Attachments

Resolution 2020-2058

Exhibit “1” - Temporary Construction and Access Easement