



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

October 7, 2020

DEPARTMENT:

Engineering

DIVISION:

- ☐ Motion
- ☒ Resolution
- ☐ Ordinance - Introduction
- ☐ Ordinance - Adoption
- ☐ Public Hearing

TITLE:

Waiver and Acceptance of Abandoned/Vacated State of Arizona Right-of-Way

SUMMARY RECOMMENDATION:

Authorize waiver of the four-year advanced notice of abandonment and pavement quality report required in A.R.S. §28-7209, and accept abandoned right-of-way from the Arizona Department of Transportation. (Engineering) (Jeff Kramer)

REPORT:

As part of the design process for upcoming Capital Improvement Project #0093-ROAD2, North Frontage Road and Avenue 10E Improvements, City staff and the design consultant discovered that a small portion of the intersection of the North Frontage Road and Avenue 9E falls within right-of-way still owned by the State of Arizona. In order to install traffic signal components and have the intersection fully within the control of the City, it is desirable to have the state abandon the right-of-way wedge to the City.

The Arizona Department of Transportation (ADOT) has authorized the abandonment of the right-of-way and roadway improvements at the intersection of the North Frontage Road and Avenue 9E as described and depicted in Exhibit B. This action will allow the City to move forward with the project without delay, and will avoid requiring an easement and permits from ADOT to maintain and operate City facilities.

By approving this Resolution, City Council authorizes the Mayor to execute the documents to waive the statutory abandonment requirements included in A.R.S. §28-7209 and accept the right-of-way and existing facilities into the City's transportation network.

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP:	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK:			
	1. 2. 3. 4. 5. IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL? <input type="radio"/> Department <input checked="" type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:			DATE:
	Philip A. Rodriguez			9/30/2020
	REVIEWED BY CITY ATTORNEY:			DATE:
	Richard W. Files			9/28/2020
	RECOMMENDED BY (DEPT/DIV HEAD):			DATE:
Jeffrey A. Kramer			9/15/2020	
WRITTEN/SUBMITTED BY:			DATE:	
Andrew McGarvie			9/14/2020	