



# City Council Report

**Date:** May 18, 2015  
**To:** City Council  
**Through:** Kari Kent, Deputy City Manager  
**From:** Christine Zielonka, Development and Sustainability Director  
John Wesley, Planning Director  
**Subject:** Introduction of three Ordinances for the proposed annexation of a portion of the Power Road right-of-way from approximately 1,300 feet south of Guadalupe Road north to Baseline Road.  
*Council District 6*

## Strategic Initiatives



### Purpose and Recommendation

The purpose of this agenda item is for the City Council to conduct a public hearing on the proposed annexation of 18.56± acres of the Power Road right-of-way. The right-of-way to be annexed extends from approximately 1,300 feet south of Guadalupe Road north to Baseline Road.

City Staff is recommending approval of the annexation of this portion of Power Road.

### Background

Mesa, Gilbert and Maricopa County entered into an Intergovernmental Agreement (IGA) for the improvement of this section of Power Road in 2006. The agreement lays out the responsibilities of the County, Town of Gilbert, and City of Mesa in taking this section of Power Road from a four-lane rural road to a six-lane urban arterial, as required to meet developing traffic demands.

The IGA included the provision for the City of Mesa to annex this portion of the Power Road right-of-way once the improvements were complete. In accordance with the IGA the City Council adopted annexation Ordinance #5001 in September of 2010.

After the annexation was complete City Staff became aware of an issue regarding the legal description of the annexed area. Staff had utilized the legal description of the right-of-way improvements from the IGA. This legal description included portions

of Power Road on the east and west sides of the right-of-way that were already within the corporate limits of the City of Mesa and the Town of Gilbert.

In order to correct this issue, Staff has been working with the Town of Gilbert to create the correct legal description of the area that needs to be annexed by the City of Mesa as well as the legal description for the area of Power Road that needs to be de-annexed by the Town of Gilbert to the City of Mesa.

As a result there are three items that need to be considered by the City Council:

1. The repeal of Ordinance #5001, which approved the annexation of a portion of Power Road with an inaccurate legal description.
2. The adoption of an ordinance annexing those portions of Power Road that are part of the IGA that are within Maricopa County.
3. An ordinance accepting the de-annexation from the Town of Gilbert of those portions of Power Road that are within Gilbert's town limits and are identified within the IGA as part of the Power Road right-of-way improvements that are required to be annexed by the City of Mesa.

**Discussion**

As annexation case A14-08 is annexing only public right-of-way the initial discovery process was not required per an existing IGA. There are no departmental comments to report.

The IGA for this section of Power Road required development to standards agreeable to Maricopa County, the Town of Gilbert, and the City of Mesa. After annexation the City of Mesa will be responsible for the maintenance of this roadway.

**Alternatives**

Annexation of this road is Mesa's responsibility as established in the IGA. Staff does not propose an alternative.

**Fiscal Impact**

The annual estimated cost to maintain this additional portion of Power Road Right-of-Way as a six-lane arterial is approximately \$65,700 per year.

GENERAL INFORMATION

Area .....	18.56± Acres
Arterial Streets (approximately).....	1.22 miles
Total Owners .....	0 Owners
Total Assessed Valuation .....	\$0