



# City Council Report

**Date:** December 5, 2016  
**To:** City Council  
**Through:** Kari Kent, Assistant City Manager  
**From:** Lenny Hulme, Transportation Department Director  
Gordon Haws, Deputy Transportation Director – Field Operations  
Maria Angelica Deeb, Transportation Projects Coordinator  
**Subject:** Intergovernmental Agreement with The Flood Control District of Maricopa County to Construct, Use and Maintain the Buckhorn-Mesa Watershed and the Spook Hill Flood Retarding Structure as a multi-use pathway (District 5)

## Strategic Initiatives



## Purpose and Recommendation

Staff request approval of a resolution authorizing the City of Mesa to enter into an Intergovernmental Agreement (IGA) with The Flood Control District of Maricopa County for the future construction, use and maintenance of a trail system to be located within the Buckhorn-Mesa Watershed Project located in Maricopa and Pinal Counties, Arizona. (See Exhibit A – Vicinity Map)

The Flood Control District of Maricopa County, a political subdivision of the State of Arizona, acting by and through the Board of Directors has full property rights of the Buckhorn-Mesa Watershed. The agreement conveys to the City of Mesa a non-exclusive recreational use easement over the trail system constructed in such watershed, for the following uses : (i) entry for hiking, equestrian use, walking and other non-motorized trail uses for the use and enjoyment of the general public, and (ii) construction, maintenance and operation of trails, landscaping, fencing, signage, lighting and other related appurtenant structures or improvements. The City of Mesa also agrees not to impact The Spook Hill Flood Retarding Structure (FRS) located in the Buckhorn-Mesa Watershed.

Staff recommend that Council approve the Resolution and authorize the City Manager to enter into the Agreement.

## Background

The City of Mesa and the Flood Control District of Maricopa County have identified and defined the roles, responsibilities, liabilities, and rights of the District and the City regarding establishment, recreational use, operation, and maintenance of City of Mesa trails and recreational features within Buckhorn-Mesa Watershed Project. The City and

District have also identified those uses that will be allowed within. The proposed trail system's horizontal-alignment concepts were included in the 2005 Flood Pool Grading Plans of the SR 202L Red Mountain Freeway - Power Road to University Drive project.

## **Discussion**

Community Impact – In order to construct the multi-use pathway within the District's property rights, this agreement must be approved. The agreement identifies the roles responsibilities and features to be included in future trail systems. This agreement allows the expansion and development of the public-usage of City of Mesa trails and recreational facilities.

## **Alternatives**

An alternative is to not approve this agreement, which would mean the multi-use pathway will not be able to be constructed. This is not recommended as it would forego the benefits mentioned in the previous section.

## **Fiscal Impact**

The agreement does not impose a fiscal impact to the City as Mesa is not developing a project. The agreement identifies the scope that will be included in future trail system project development within the District's property.

## **Coordinated With**

The Office of Management and Budget concurs with this recommendation.