



# City Council Report

**Date:** September 17, 2018  
**To:** City Council  
**Through:** Kari Kent, Assistant City Manager  
**From:** Beth Huning, City Engineer  
RJ Zeder, Transportation Department Director  
Erik Guderian, Deputy Transportation Director  
Marc Ahlstrom, Assistant City Engineer

**Subject:** Intergovernmental Agreement (IGA) between the City of Mesa and the Town of Gilbert for the Operation and Maintenance of Baseline Road and Power Road  
District(s) 2, 3, and 6

## Purpose and Recommendation

The purpose of this report is to request Council approval of an Intergovernmental Agreement (IGA) with the Town of Gilbert to establish processes, procedures, and define operation and maintenance responsibilities along the boundary streets of Baseline Road and Power Road (Refer to Exhibit "A" for the project location).

Staff recommends that Council authorize the City Manager to enter into this IGA on behalf of the City.

## Background

As past roadway projects were completed along Baseline Road and Power Road, the Town of Gilbert and the City of Mesa followed standard practices to execute individual IGAs for each construction project. These IGAs identified shared project costs but did not delineate the long-term maintenance responsibilities and activities associated with each new project.

This new IGA supersedes 11 existing IGAs and addresses the long-term operation and maintenance responsibilities for both agencies. The IGA establishes coordination procedures for notification, plan review, permitting, inspection, closeout and acceptance, cost-sharing, warranties, and escalation/dispute resolution related to operation and maintenance of these two roadways.

## Discussion

The purpose of this IGA is to establish responsibilities for the operation and maintenance of Baseline Road between Country Club Drive and Power Road and Power Road between Baseline Road and Pecos Road.

This IGA:

1. Establishes maintenance responsibilities irrespective of actual jurisdictional boundaries. Generally, Mesa will be responsible for maintenance of Baseline Road west of the Consolidated Canal and of Power Road north of Williams Field Road. Generally, Gilbert will be responsible for maintenance of Baseline Road east of the Consolidated Canal and of Power Road south of Williams Field Road.
2. Defines:
  - a. The agency responsible for maintenance costs.
  - b. The agency responsible for the maintenance of bus pullouts and pedestrian ramps at the intersections.
  - c. Maintenance responsibilities for intersections.
  - d. Maintenance responsibilities for traffic signals and associated equipment.
3. Sets forth procedures for the installation and maintenance of traffic signals, maintenance of City/Town owned utilities in the right-of-way, new construction of roadway improvements (including cost sharing), and work in the right-of-way by third parties.
4. Sets forth procedures for notification, permitting, plan review, and inspections, and acceptance of work performed.
5. Establishes the term of the IGA as 25 years.

This IGA does not:

1. Override established Town/City procedures.
2. Change the permitting processes of other Town/City non-Transportation Departments and does not waive building or right of way permit fees.
3. Wave temporary traffic control fees for both the City and Town.
4. Address the annexation processes or on-going negotiations.
5. Limit the liability of each agency; each agency will be responsible for claims, costs and expenses caused by and/or arising out of its acts or omissions.

Community Impact – This IGA will have little to no impact on the community. With this IGA, the City's and Town's respective roadway maintenance staff will have a clear understanding of who is responsible to maintain each section of Baseline Road and Power Road.

### **Alternatives**

The City Council could choose not to enter into this IGA. This is not recommended because, both the City and Town would then be required to fall back on numerous, old, outdated, and vague individual project IGAs to ensure the respective responsibilities of each municipality are carried out along separate segments of the two boundary roadways.

### **Fiscal Impact**

There is no fiscal impact with this IGA.

### **Coordinated With**

The Transportation Department concurs with this recommendation. The proposed IGA has been coordinated with Engineering, Development Services, and the City Attorney's office. The IGA was developed together with the Town of Gilbert and will be presented for approval to the Town Council on September 20, 2018.