



City of Maricopa

Legislation Text

File #: IGA 21-01, **Version:** 1

The Mayor and City Council shall discuss and possibly take action to approve an Amendment to Intergovernmental Agreement (IGA) between the City of Maricopa and Electrical District No.3 for the purpose of setting forth a joint understanding of the use of City streets and public rights-of-way. Discussion and Action.

The current IGA, dated February 21, 2012, established an understanding of the requirements regarding the use of streets and Rights-of-Way. Both parties desire to repeal this IGA in its entirety and replace it with the terms and agreements specified in the amendment.

This amendment provides clarification on the definition of City Street: Other public way of any type whatsoever, now or hereafter existing as such within MARICOPA, and any areas belonging to MARICOPA that connect a public right-of-way to another public right-of-way, which by deed, conveyance, agreement, easement, dedication, usage, zoning condition, process of law, or other means is reserved or dedicated to MARICOPA for public purposes including, but not limited to, street, highway, alley, public utility, pedestrian walkway, bikeway, or drainage. The amendment also defines Governmental Functions and Initial Connection Charges.

Sections 3.3.2 and 3.3.3 have been added/modified. These sections specify the obligated share of total relocation costs of ED3 facilities that must be moved per City's request and that are not situated in a private easement.

Sections 4.1, 4.2 and 4.3 have been added. Extension of ED3 Facilities for City projects stipulates the City's responsibilities to locate and identify ED3 underground facilities in the field before installation or construction of improvements. The City is also responsible of restoring ED3 facilities to its original condition including landscaping and any damages to the property.

This agreement is beneficial to the City of Maricopa because it will apply to all Maricopa projects. No other agreement shall be required by ED3 to provide electrical service, which will shorten the amount of time it takes to approve development projects within the City.

Staff recommends approval of this amended IGA.