

Staff Summary Report

Council Meeting Date: 05/15/2008

Agenda Item Number: _____

SUBJECT: Request approval of this resolution authorizing the adoption of a “License for Special Use – Right of Way Encroachments” be implemented by the City of Tempe.

DOCUMENT NAME: 20080515PWCH06 **RIGHT OF WAY ACQUISITIONS (0905)**
RESOLUTION NO. 2008.20

SUPPORTING DOCS: Yes

COMMENTS: This License for Special Use will be administered and appropriate fees be charged by the Department of Public Works in those cases where development of private properties adjacent to the street rights of way would apply for the use of these city properties to augment the use of the private property. These uses could involve areas above or below the grade of the street as well as surface encroachments.

PREPARED BY: Larry Shobe, Engineering Services Administrator (x8417)

REVIEWED BY: Andy Goh, Deputy PW Manager/City Engineer (x8896)

APPROVED BY: Glenn Kephart, Public Works Manager (x8205)

LEGAL REVIEW AS TO FORM: Cynthia McCoy, Assistant City Attorney (x2187)

FISCAL NOTE: N/A

RECOMMENDATION: Adopt Resolution No. 2008.20 and authorize the Mayor to execute any necessary documents.

RESOLUTION NO. 2008.20

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING THE ADOPTION OF A LICENSE FOR SPECIAL USE PROCEDURE TO ASSIST IN THE REGULATION OF THE PRIVATE USE OF RIGHTS OF WAYS AND OTHER CITY PROPERTIES.

WHEREAS, public rights of ways and public properties are held in trust by the city for public use to ensure the health, safety and welfare of the residents of the city, it has been determined to be in the best interest of the City of Tempe to regulate the private use of the street rights of ways and other city properties within its borders.

WHEREAS, the City of Tempe wishes to adopt a License for Special Use and charge appropriate fees for such uses to accomplish said regulation of City rights of ways and properties, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS

SECTION I. That the City of Tempe does hereby adopt said License for Special Use procedure and fees as written.

Resolution No. 2008.20
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PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA this _____ day of May, 2008.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney