

RESOLUTION NO. 2021-03

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN COCONINO COUNTY AND THE CITY OF FLAGSTAFF ESTABLISHING MAINTENANCE AND OPERATION RESPONSIBILITIES AND MEMORIALIZING AN EXTENDED WARRANTY PERIOD FOR A SEGMENT OF THE SHEEP CROSSING FUTS TRAIL

RECITALS:

WHEREAS, the Flagstaff Urban Trails System (“FUTS”) is a city-wide network of shared-use pathways that is used for both recreation and transportation by pedestrians, bicyclists, and other non-motorized users; and

WHEREAS, the majority of the FUTS system is maintained, managed, and operated by the City of Flagstaff (“City”), but in a few circumstances FUTS segments are maintained by other agencies or private parties; and

WHEREAS, the Sheep Crossing FUTS Trail was constructed by Kinney Construction Services (“KCS”) during the summer and fall of 2020. The Sheep Crossing FUTS Trail connects the Ponderosa FUTS Trail on the east end, just south of the Ponderosa Trails Subdivision, and the Sinclair Wash FUTS Trail on the west end; and

WHEREAS, the Sheep Crossing FUTS Trail is a 0.74-mile trail and serves as a connecting portion of the greater 44-mile Flagstaff Loop Trail. This trail utilizes two concrete box culverts for passage under Highway 89A and Interstate 17; and

WHEREAS, the west end of the Sheep Crossing FUTS Trail is located within and terminates in Fort Tuthill Park, which is owned and operated by Coconino County (“COUNTY”); and

WHEREAS, upon completion of the Sheep Crossing FUTS Trail, the segment that lies within Fort Tuthill Park will be maintained, managed, and operated by the COUNTY; and

WHEREAS, pursuant to the construction contract between KCS and the City, upon issuance of Notice of Final Acceptance of the trail improvements by the City, there will be a two (2) year period of warranty between KCS and the City. During this two (2) year warranty period, defects in craftsmanship or defective materials will be repaired and replaced by KCS; and

WHEREAS, the parties are authorized to enter into this Agreement pursuant to A.R.S. § 11-952.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. In General.

The Flagstaff City Council hereby authorizes the Mayor to execute the Intergovernmental

Agreement between Coconino County and the City of Flagstaff, Arizona, attached hereto as Exhibit A.

SECTION 2. Effective Date.

This resolution shall be immediately effective upon adoption.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 5th day of January, 2021.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:
Exhibit A - IGA