

**RESOLUTION NO. 2021-51**

**A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING A UTILITY AGREEMENT BETWEEN THE STATE OF ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) AND THE CITY OF FLAGSTAFF, ALLOWING THE TRANSFER OF CITY FUNDS TO ALLOW THE STATE OF ARIZONA TO ADJUST CITY OF FLAGSTAFF WATER VALVES AND SEWER MANHOLES TO GRADE DURING THE ADOT PAVEMENT PRESERVATION PROJECT ALONG MILTON ROAD AND INTERSTATE – 40 BUSINESS ROUTE.**

**RECITALS:**

WHEREAS, the State of Arizona, Department of Transportation, and the City of Flagstaff desire to enter into a utility agreement (“UA”) for the adjustment of the water valves and sewer manholes in Milton Road and Interstate 40 Business Route; and

WHEREAS, the Arizona Department of Transportation had made a request of the City of Flagstaff to fund the work to adjust water valves and sewer manholes to the final grade of the Milton Road and Interstate 40 Business Route and the State of Arizona will perform the work in their pavement preservation project; and

WHEREAS, the City of Flagstaff will contribute \$87,625 for the resetting of 37 water valves and 27 manholes; and

WHEREAS the purpose of the UA is to set forth the parties’ respective duties and obligations with respect to the work for the utility adjustments in Milton Road and Interstate 40 Business Route; and

WHEREAS, the City Council has read and considered the staff summary report and proposed UA attached thereto and finds that it is in the best interests of the City to approve the UA.

**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 Utility Agreement between the State of Arizona, Department of Transportation, and the City of Flagstaff, attached hereto as Exhibit A, which shall become effective upon the date first executed by both parties (“Effective Date”).

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 16th day of November, 2021.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

Exhibits:  
Utility Agreement