



**Authorization to Enter Into Lease Agreement with Maricopa County for Groundwater Monitoring Well Site within Sonoran Preserve (Ordinance S-44690)**

Request to authorize the City Manager, or his designee, to enter into a lease agreement with Maricopa County, a political subdivision of the State of Arizona (County), for a groundwater monitoring well site located within the Sonoran Preserve, near Carefree Highway and 40th Street, for a 25-year term, with two additional five-year options to extend. The County will pay a consideration fee of \$2,400 per year, plus applicable taxes. Further request authorization for the City Treasurer to accept all funds related to this item.

**Summary**

The lease agreement is for access, construction, installation, maintenance and continuous monitoring of the groundwater monitoring well network (Well). The site, including access, consists of approximately 4,000 square feet. The purpose of the Well is to delineate contamination downgradient of the landfill, monitor the performance of the site remedy and provide early detection of impacted groundwater migration towards City drinking wells. The County will have temporary rights to use approximately 6,750 square feet of additional space during construction of the Well.

The County is under a consent order from the Arizona Department of Environmental Quality (ADEQ) to characterize the nature and extent of groundwater contamination at Maricopa County's Cave Creek Landfill (CCL), and prepare a Remedial Action Plan to address possible contamination. The results of recent monitoring performed by the County suggest that the existing well network no longer adequately defines the extent of site groundwater contamination.

To comply with Arizona law, the requirements of the Resource Conservation and Recovery Act (RCRA) and consent order between the County and ADEQ, the County has conducted groundwater characterization activities, developed a Remedial Action Plan (RAP) and is in the process of implementing ADEQ-approved remedial activities to address contamination. If appropriate action is not taken, the impacted groundwater will migrate south of CCL in the direction of prevailing groundwater flow, which is towards downgradient City drinking water wells.

**Contract Term**

The term of the lease will be 25 years, with two additional five-year options to extend. The agreement may be terminated by County upon receipt of a 30-day written notice.

**Financial Impact**

The annual consideration fee of \$2,400 is within range of market rates as determined by the Finance Department's Real Estate Division, with \$60,000 expected over the 25-year term.

**Concurrence/Previous Council Action**

This item was approved by the Parks and Recreation Board on June 22, 2017.

**Location**

3955 E. Carefree Highway, within the southeast corner of the property identified by Assessor parcel number 211-27-190, west of N. 40th Street.

Council District: 2

**Responsible Department**

This item is submitted by City Manager Ed Zuercher, Deputy City Manager Deanna Jonovich and the Parks and Recreation and Finance departments.