

**CITY OF BUCKEYE
Regular Council Meeting
COUNCIL ACTION REPORT**

MEETING DATE: 10/21/25	AGENDA ITEM: 4.S. PMO - IGA with Maricopa County for CIP No. 109050 - Roadway Improvements: Jackrabbit Trail, McDowell to Thomas
DATE PREPARED: 10/16/25	DISTRICT NO.: 6
STAFF LIAISON: Jill Trompeter, Real Estate Coordinator, jtrompeter@buckeyeaz.gov, (602)-526-0103	
DEPARTMENT: Program Management Office	AGENDA ITEM TYPE: Consent Agenda Items / New Business

TIME NEEDED: N/A

ACTION/MOTION: (This language identifies the formal motion to be made by the Council)
Council to take action on Resolution No. 85-25 approving the Intergovernmental Agreement between Maricopa County and the City of Buckeye for right-of-way assistance for roadway improvements: Jackrabbit Trail, Thomas to McDowell CIP #109050 (C-64-22-213-X-00); and authorizing the City Manager to execute and deliver said Agreement on behalf of the City of Buckeye.

SUMMARY

PROJECT DESCRIPTION:

On September 2, 2025, City Council approved a request to condemn several properties along Jackrabbit Rabbit Road, for purposes of completing roadway safety improvements.

There are five properties associated with this project that are within Maricopa County's jurisdiction. The proposed IGA will provide the framework for Maricopa County to support these efforts in condemnation, and for the City to act within the County's authority.

A.R.S. § 11-951 et seq. authorizes public agencies to enter into intergovernmental agreements for the provision of services or for joint or cooperative action. This Intergovernmental Agreement (IGA) between the City and Maricopa County allows for cooperation between the City and County to exercise the power of eminent domain in connection with CIP Project #109050 for roadway improvements lying in Maricopa County, along Jackrabbit Trail. There are currently five properties that are the subject of the IGA.

State statute confers condemnation authority on municipalities and counties to acquire land by condemnation for roadway improvements. State statute limits the circumstances in which a municipality can condemn property lying outside its corporate limits. Regarding roadway improvements, a municipality is proscribed from exercising eminent domain (condemnation) to acquire property lying in the county.

Pursuant to the terms of the IGA, the City will be the lead agency in the land acquisition process, and Maricopa County will be the cooperating agency. The City and County will mutually retain outside legal counsel to jointly represent the agencies. The City will be responsible for the payment of all fees and costs associated with land-acquisition, including attorneys' fees.

BENEFITS:

Allows the timely continuation of project completion by allowing staff to proceed with condemnation

actions within the County, if the properties cannot be acquired through other means, i.e., purchase-sale.

FUTURE ACTION:

Through the approval of the IGA, staff will be able to provide the Superior Court authority to rule on condemnation actions within the County as related to CIP Project #109050 Jackrabbit Trail.

FINANCIAL IMPACT STATEMENT:

Costs for right-of-way acquisition and legal services will be funded by the City through CIP Project #109050's General Fund appropriation. While condemnation fees may be incurred by the City, no fees will result directly as a result of this IGA.

CURRENT FISCAL YEAR TOTAL COST:

Costs for right-of-way acquisition and legal services will be funded by the City through CIP Project #109050's General Fund appropriation. While condemnation fees may be incurred by the City, no fees will result directly as a result of this IGA.

BUDGETED:

Yes

FISCAL YEAR:

FY26

FUND/DEPARTMENT:

50213170-543222

Items related to a project or facility location must include an attached vicinity map for Council Review.

ATTACHMENTS:

[ROW_Assistance_IGA \(FINAL\) \(002\) \(JAshley 10.02.25\) \(SFlack rev 09.24.25\) .docx](#)
[25-10-07 CIP 109050 - Jackrabbit Trail Land Acquisition.pdf](#)
[2025-1010_-_Resolution_No._85-25__smf___002_ \(003\) REV.pdf](#)