

CITY OF BUCKEYE
Regular Council Meeting
COUNCIL ACTION REPORT

MEETING DATE: 07/01/25	AGENDA ITEM: 4.D. DS - Copper Falls - Copper Falls Blvd. - In-Lieu Payment Agreement
DATE PREPARED: 07/01/25	DISTRICT NO.: 1
STAFF LIAISON: Ron Moll, City Engineer, rmoll@buckeyeaz.gov, (480) 997-1702	
DEPARTMENT: Development Services	AGENDA ITEM TYPE: Consent Agenda Items / New Business

ACTION/MOTION: (This language identifies the formal motion to be made by the Council)
 Council to take action on the Public Improvements In-Lieu Payment Agreement between the City of Buckeye, an Arizona municipal corporation, and Forestar (USA) Real Estate Group Inc., a Delaware corporation ("Forestar"); and authorize the City Manager to execute and deliver said Agreement on behalf of the City of Buckeye.

SUMMARY

PROJECT DESCRIPTION:

As part of its development of land generally located north and west of the northwest corner of Miller Road and Southern Avenue, known as Copper Falls, Forestar is required to construct certain right-of-way improvements, including paving and waterline, for Copper Falls Blvd., that were not constructed as part of development through a field directive from the City dated October 5, 2022. The field directive did not relieve Forestar of the overall responsibility for the completion of the improvements and therefore, the Owner has requested, and the City has agreed, that rather than Owner immediately constructing the Improvements, Owner may make the In-Lieu Payment in a single lump sum in the amount of \$101,372.70 to the City as full satisfaction of the Owner's obligation to construct the Improvements. The City shall hold such In-Lieu Payment funds until such time as the funds are applied by the City to the cost of construction at the time the City constructs or causes to be constructed, the Improvements. The Public Improvements In-Lieu Payment Agreement memorializes the terms and conditions related to the payment.

BENEFITS:

Implementing the Payment In-Lieu Agreement protects against waste and spoilage of City Resources.

FUTURE ACTION:

None

FINANCIAL IMPACT STATEMENT:

N/A

CURRENT FISCAL YEAR TOTAL COST:

N/A

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

ATTACHMENTS:

[In Lieu Agreement - Copper Falls Blvd Signed by FOR 05-22-25.pdf](#)