



**CITY OF TEMPE
REQUEST FOR COUNCIL ACTION**

**Council Meeting Date: 12/08/2016
Agenda Item: 5A9**

ACTION: Approve a license agreement between El Paso Natural Gas Company L.L.C and the City of Tempe.

FISCAL IMPACT: N/A

RECOMMENDATION: Approve the agreement.

BACKGROUND INFORMATION: The City has a roadway and public utility easement along South Priest Drive in Tempe and El Paso Natural Gas Company has a pipeline located within the City's easement. El Paso Natural Gas Company also has an easement in the same area as the City's easement and El Paso requires a certain area on each side of its pipeline to maintain the pipeline. The City wants to place two traffic signals within the maintenance area of El Paso's pipeline. The parties are entering into this license agreement to set forth their respective rights and obligations. The initial term of the license allowing the traffic signals in their specific locations will be for 50 years with automatic extensions of two additional terms of 20 years each, unless terminated by the parties as allowed by the provisions of the Agreement.

ATTACHMENTS: Agreement with Exhibit A.

STAFF CONTACT(S): Kathy Pettigrew, Real Estate Management Coordinator, (480) 858-7878

Department Director: Chad Weaver, Community Development Director
Legal review by: Jenae Naumann, Assistant City Attorney
Prepared by: Kathy Pettigrew, Real Estate Management Coordinator