

AGENDA ITEM #: _____

DATE: September 28, 2020

CAR #: 2020-7052



CITY COUNCIL ACTION REPORT

SUBJECT: Approve an Intergovernmental Agreement with Maricopa County for the Annexation, Construction, Operation and Maintenance of Perryville Road from Indian School Road to 300 Feet North of Campbell Avenue.

STAFF PRESENTER(S): Hugh Bigalk, City Traffic Engineer

OTHER PRESENTER(S): N/A

Summary: The agreement with Maricopa County provides for the City's assumption of responsibility for the operation and maintenance of road improvements on the west side of Perryville Road between Indian School Road and 300 feet north of Campbell Avenue upon completion of half street improvements.

Recommendation:

ADOPT RESOLUTION NO. 2020-2096 APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY FOR THE ANNEXATION, CONSTRUCTION, OPERATION AND MAINTENANCE OF PERRYVILLE ROAD FROM INDIAN SCHOOL ROAD TO 300 FEET NORTH OF CAMPBELL AVENUE, PROVIDING AUTHORIZATION, DIRECTION, AND AN EFFECTIVE DATE.

Fiscal Impact: Although a detailed fiscal analysis has not been performed, the acceptance of responsibility for the additional Perryville Road improvements is not expected to increase the City's maintenance costs. The City is currently responsible for the existing roadway, including the paving that is in fair condition and a shoulder that must be graded regularly. The improvements that are funded by the Enclave project developer will be brought to current standards thereby reducing the City's current maintenance costs. These savings will allow the Engineering Department to absorb the maintenance costs of the additional improvements within its base budget.

Background and Previous Actions

There has not been any Council discussion or prior action related to this item.

Staff Analysis

Sedella is located on the east side of Perryville Road between Camelback and Indian School Roads within the City of Goodyear. The property on the west side of Perryville Road between Camelback and Indian School Roads is located within Maricopa County. The portion of the property on the

west side of Perryville Road between Indian School and 300 feet north of Campbell Avenue is currently being developed by Fulton Homes under the name of the Enclave.

The existing section of Perryville Road between Indian School Road and 300 feet north of Campbell Avenue consists of 88 feet of right-of-way, all of which is located within the boundaries of the City of Goodyear with 55 feet of the right-of-way being located east of the centerline of Perryville Road and 33 feet of the right-of-way being located west of the centerline of Perryville Road. At build-out, Perryville Road is to be a major arterial developed on 110 feet of right-of-way. There are existing improvements within the section of Perryville Road between Indian School Road and 300 feet north of Campbell Avenue consisting of one vehicle lane and one bike lane with curb and gutter on the east side of the center line, one lane with a dirt shoulder on the west side of the center line, and a center two way left turn lane. Because the existing improvements are located within the City of Goodyear's ROW, the City is responsible for the operation and maintenance of the existing improvements.

As part of the development of Enclave, Futon Homes is required to dedicate an additional 22 feet of right-of-way for and to construct full half-street improvements to the section of Perryville Road adjacent to the frontage of Enclave. This includes bringing the existing lane on the west side of the centerline that is within City ROW up to current standards. Because the section of Perryville Road adjacent to the frontage of the Enclave is in two jurisdictions, coordinating the construction and maintenance of the Perryville Road improvements is complicated and cumbersome. Not only are the road improvement standards different, but the construction of the improvements would be subject to the permitting requirements of the two jurisdictions. When the Enclave development began, the owner had to coordinate between the two jurisdictions trying to reconcile which jurisdictions' standards governed and would have to pay permit fees for each jurisdiction.

To address this situation and because only 22 feet of the ultimate 110 feet of Perryville right-of-way would not be located within the City of Goodyear, Maricopa County and City of Goodyear staff worked on an IGA that would result in the City of Goodyear being responsible the entire section of Perryville Road between Indian School Road and 300 feet north of Campbell Avenue.

The Intergovernmental Agreement (the "IGA") addresses these issues. The following is a summary of the terms:

- The County will require the developer of Enclave to dedicate on the final plat for Enclave an additional 22 feet of right-of-way for Perryville Road along the frontage of Enclave, which is generally located between Indian School Road and 300 feet north of Campbell Avenue, so that there will be a total of 55 feet of right-of-way for Perryville Road west of the centerline.
- The infrastructure improvements to Perryville Road west of the centerline along the frontage of Enclave, generally located between Indian School Road and 300 feet north of Campbell Avenue (the "Enclave Project Improvements") will be developed in accordance with the City of Goodyear Standards and City of Goodyear will be responsible for plan review and inspections. Maricopa County will issue no cost permits for work within their respective ROW.

- The County agrees that it will not issue any certificates of occupancy for any structures within Enclave, other than temporary certificates of occupancy for model homes, until the Enclave Project Improvements are completed.
- Provided the Enclave Project Improvements are completed as approved by the Goodyear City Engineer by November 30, 2022, unless otherwise agreed to by City and County, the City will annex the 22 feet of right-of-way dedicated to the County on the final plat for Perryville Road.
- Unless otherwise agreed to in a writing and approved by the County and Goodyear, Goodyear shall assume full responsibility and liability for the operation and maintenance of the Project Improvements until Goodyear has annexed the additional twenty-two (22') feet of right-of-way dedicated to the County on the Enclave Development plat, provided the Project Improvements are completed as approved by the Goodyear City Engineer by November 30, 2022.

One jurisdiction operating and maintaining the entire roadway is much more efficient than responsibility shared between multiple jurisdictions. This is especially true here where the City controls ROW on both sides of the centerline of Perryville Road and is already responsible for maintaining that ROW. Moreover, the existing improvements (paving and the shoulder) currently being maintained by the City, can be costly to maintain because the paving is in fair condition and the shoulder has to be regularly graded. Under the terms of the IGA, the half-street improvements on the west side of Perryville Road will be constructed to City standards, including the existing improvements, reducing the costs the City already incurs, and because the improvements will be constructed to current standards, the maintenance of the additional improvements will be minimal.

Attachments

1. Resolution 2020-2096
 - Exhibit A - IGA with Maricopa County
2. Enclave Preliminary Plat