

## **RESOLUTION NO. 2020-2096**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, 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.

WHEREAS, The City is empowered by A.R.S. § 11-951 to enter into this Intergovernmental Agreement (IGA) with Maricopa County; and

WHEREAS, the proposed Intergovernmental Agreement Between Maricopa County and the City of Goodyear Providing for the Annexation, Construction, Operation and Maintenance of Perryville Road As Part of the Fulton Homes Enclave Development attached hereto as Exhibit A, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference (the “IGA”), provides terms for the annexation, construction, operation and maintenance of Perryville Road from Indian School Road to 300 feet north of Campbell Avenue; and

WHEREAS, 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 (the “Existing Perryville Road Right-of-Way”); and

WHEREAS, at build-out, Perryville Road is to be a major arterial developed on 110 feet of right-of-way (55 feet west of the center line and 55 feet east of the centerline); and

WHEREAS, there are existing improvements within the Existing Perryville Road Right-of-Way 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; and

WHEREAS, because the existing Perryville Road improvements are located within the City of Goodyear's right-of-way and the City is responsible for the operation and maintenance of the existing improvements; and

WHEREAS, the property on the west side of the Perryville Road alignment from Indian School Road to 300 feet north of Campbell Avenue is being developed by Fulton Homes under the name of the Enclave; and

WHEREAS, 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, including bringing the existing lane on the west side of the centerline that is within City ROW up to current standards; and

WHEREAS, upon the dedication of the additional 22 feet of right-of-way, the section of Perryville Road adjacent to the frontage of Enclave will be in two jurisdictions, making the coordination of the construction and maintenance of the Perryville Road improvements complicated and cumbersome because each jurisdiction has different road improvement standards and different permitting requirements; and

WHEREAS, having one jurisdiction responsible for the operation and maintenance of the section of Perryville Road from Indian School Road to 300 feet north of Campbell Avenue is much more efficient than responsibility shared between multiple jurisdictions, and having Goodyear be that responsible entity is the most logical choice because the City of Goodyear already controls right-of-way on both sides of the centerline of Perryville Road and is already responsible for maintaining that right-of-way; and

WHEREAS, the proposed IGA would result in Goodyear being responsible for the operation and maintenance of the section of Perryville Road from Indian School Road to 300 feet north of Campbell Avenue upon completion of the half-street improvements west of the centerline of Perryville Road that are to be constructed by the developer of Enclave; and

WHEREAS, the Mayor and Council of the City of Goodyear find that the adoption of the proposed Intergovernmental Agreement Between Maricopa County and the City of Goodyear Providing for the Annexation, Construction, Operation and Maintenance of Perryville Road As Part of Enclave attached hereto as Exhibit A, which provides for the annexation, construction, operation and maintenance of Perryville Road from Indian School Road to 300 feet north of Campbell Avenue is in the best interests of the city and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The Mayor and Council of the City of Goodyear hereby approve the Intergovernmental Agreement Between Maricopa County and the City of Goodyear Providing for the Annexation, Construction, Operation and Maintenance of Perryville Road As Part of the Fulton Homes Enclave Development attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.

SECTION 2. The Mayor is hereby authorized to execute Intergovernmental Agreement Between Maricopa County and the City of Goodyear Providing for the Annexation, Construction, Operation and Maintenance of Perryville Road As Part of the Fulton Homes Enclave Development attached hereto as Exhibit A.

SECTION 3 The City Manager and/or her designee is hereby authorized to take all actions necessary to carry out the intent of this Resolution and the Intergovernmental Agreement Between Maricopa County and the City of Goodyear Providing for the Annexation, Construction, Operation and Maintenance of Perryville Road As Part of the Fulton Homes Enclave Development attached hereto as Exhibit A.



Exhibit “A”

INTERGOVERNMENTAL AGREEMENT  
BETWEEN MARICOPA COUNTY AND CITY OF GOODYEAR

PROVIDING FOR THE DEDICATION, OPERATION AND MAINTENANCE OF  
PERRYVILLE ROAD AS PART OF THE FULTON HOMES ENCLAVE DEVELOPMENT

*(on the following pages)*