

**TOWN OF PRESCOTT VALLEY  
REQUEST FOR COUNCIL ACTION  
Date: July 28, 2016**

**SUBJECT:** Intergovernmental Agreement w/ Yavapai County Poquito Valley Road

**SUBMITTING DEPARTMENT:** Public Works

**PREPARED BY:** Norm Davis, Public Works Director

**AGENDA LOCATION:** Comments/Communications , Consent , Work/Study ,  
New Business , Public Hearing , Second Reading

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**ATTACHMENTS:** a) Intergovernmental Agreement

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**SUMMARY/BACKGROUND:** Town staff has been working with Yavapai County staff to prepare an intergovernmental agreement that would allow the County to make improvements to an unimproved section between the current Viewpoint Drive and Poquito Valley Road within the Town limits as an extension of Viewpoint Drive that the Town would then maintain after construction. A final draft of the IGA is now available for Town Council consideration.

Background: On May 11, 1988, a Declaration of Easement was signed which provided a private right of access for residential parcels in Sections 2, 11, 14, 23, and 26 (and certain commercial parcels in Section 35), T15N R1W, G&SRB&M, to assist with future development of those parcels in the unincorporated portion of Yavapai County. This was a 66' north/south private ingress/egress and utility easement located on each side of the center property line. The Declaration provided that the easement might one day be dedicated to Yavapai County. When the Declaration was corrected on December 20, 1995, it indicated that the Town of Prescott Valley was the successor to Yavapai County.

Development of the parcels then ensued from the north (Poquito Valley) and from the south just above SR 89A. Development from the north involved residential parcel splits that did not initially require improvements to Poquito Valley Road coming down from the north. However, in time, that ROW was dedicated to Yavapai County and improvements to Poquito Valley Road in the unincorporated area were made through an assessment district process. On August 9, 1994, the Town annexed Sections 23 and 26 (and the remainder of Section 35), and subsequently entered into a development agreement and began approving zoning designations and development plans for residential development (to be known as the Viewpoint) and some commercial development next to SR 89A. This involved platting and dedication of a new ROW up from SR 89A for Viewpoint Drive, and construction of improvements by the developer.

As new units were approved and developed, Viewpoint Drive extended further north from SR 89A. In the process, Viewpoint Drive also provided access for County residents located in Poquito Valley. In the beginning, there was a considerable stretch of unimproved ingress/egress easement that residents in Poquito Valley continued to use for connection to SR 89A. Over time, however, that unimproved portion has diminished. Today, it is approximately 2300 feet of unimproved Viewpoint Drive within the Town limits not yet developed as part of Viewpoint.

This Agreement: Residents in the unincorporated area have urged the Town to improve the remaining portion of Viewpoint Drive along the private ingress/egress easement to assist them with access to SR 89A. However, the Town has indicated that such roadways are generally constructed by developers (after platting and dedication) and that any roadway constructed on the easement might eventually be replaced

when actual development occurred. Recently, the County has stepped forward with an offer to fund temporary improvements to this portion of ingress/egress easement (as shown in Exhibit A of the attached IGA) if the Town would work with the appropriate party(ies) to have the easement conveyed to the Town and if the Town would agree to maintain the same until such time as the Viewpoint is completely developed and Viewpoint Drive is fully extended by the developer. In a recent work/study session the Town Council indicated that it would direct staff to pursue an IGA for that purpose.

The attached IGA sets forth the improvements to the ingress/egress easement, funding contributions, and ultimate maintenance responsibilities for this portion of Viewpoint Drive. Arizona statutes authorize the County and the Town to enter into such an IGA which benefits the health, safety, and welfare of both County and Town residents.

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**OPTION ANALYSIS:** The Council may vote to:

- 1.) Approve the Intergovernmental Agreement with Yavapai County, **OR**
- 2.) Not approve the Intergovernmental Agreement with Yavapai County, **AND/OR**
- 3.) Direct staff to pursue other options

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**ACTION OPTION:** Motion to approve the Intergovernmental Agreement with Yavapai County for roadway improvements to an unimproved ingress/egress easement as an extension of Viewpoint Drive, **OR** Motion not to approve this Intergovernmental Agreement. **VOTE**

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**RECOMMENDATION:** Staff recommends approval of this Intergovernmental Agreement.

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**FISCAL ANALYSIS:** Funding for the proposed improvements will be provided by Yavapai County. Transfer of the ingress/egress easement to the Town is expected to be at no cost. Ongoing Town maintenance costs will be folded into the regular Town street maintenance program budget; with an understanding that access to SR 89A by Poquito Valley residents has a positive impact on Town transaction privilege tax collections.

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**REVIEWED BY:**

Management Services Director \_\_\_\_\_

Town Clerk \_\_\_\_\_

Town Attorney \_\_\_\_\_

Town Manager \_\_\_\_\_

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**COUNCIL ACTION:**

Approved  Denied  Tabled/Deferred  Assigned to \_\_\_\_\_