

RESOLUTION NO. 1621

**A RESOLUTION OF THE YAVAPAI COUNTY BOARD OF SUPERVISORS
REAFFIRMING THE COUNTY'S PROGRAM FOR REGIONAL ROAD CONSTRUCTION AND
RECONSTRUCTION USING FUNDS ALLOTTED FOR ROAD PURPOSES, AUTHORIZING
USE OF ALLOCATED REVENUES FOR CERTAIN OTHER ROAD-RELATED EXPENDITURES
AND DELETING PROVISIONS REQUIRING A UNANIMOUS VOTE OF THE BOARD OF
SUPERVISORS FOR APPROVALS OF ACTIONS RELATED TO THE REGIONAL ROAD
PROGRAM**

WHEREAS, on June 6, 1994, the Board of Supervisors unanimously approved Resolution No. 927 ordering the levy of a County general excise tax in the amount of ten percent of the rates of taxation imposed by Chapter 8, Article 1, Title 42, Arizona Revised Statutes; and

WHEREAS, Resolution No. 927 further ordered that the revenues generated from the general excise tax be used to reduce the County's property tax levy and to construct and/or reconstruct roads on a County-wide basis; and

WHEREAS, on August 8, 1994, the Board of Supervisors unanimously approved a Regional Road Construction Program for the construction and/or reconstruction of roads on a County-wide basis, to be funded with revenues from the general excise tax established pursuant to Resolution No. 927.

WHEREAS, on September 18, 2000, the Board of Supervisors unanimously approved Resolution 1262, which reaffirmed the Regional Road Construction Program and incorporated minor amendments thereto; and

WHEREAS, Resolution 1262 retained provisions which required a unanimous vote of all Board members for approval of projects, for review and prioritization of all residential collector road projects and for modification of or amendment to the Regional Road Program;

WHEREAS, subsequent to approval of Resolution 1262, the Board was advised by legal counsel that provisions of the Resolution requiring a unanimous vote for modification of or amendment to the Regional Road Program could not legally bind the Board and could not preclude approval of modifications of or amendments to the Regional Road Program by majority vote; and

WHEREAS, on February 17, 2004, the Board of Supervisors, in reliance on advice of counsel, approved, by majority vote, deletion of provisions of Resolution 1262 requiring unanimous approval of projects authorized for funding through the Regional Road program; and

WHEREAS, the Board wishes to authorize the expenditure of Regional Road funds for public transit projects in the event that it wishes to approve funding of any such projects in the future.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors approves Resolution 1621, which repeals and supersedes Resolution 1262 and provides as follows:

PART A: REGIONAL ROAD CONSTRUCTION PROGRAM

The Board of Supervisors:

1. Understands that there probably are more regional road needs in the County than can be funded through the Regional Road Construction Program.

2. Will consider all road construction projects on the basis of County-wide regional road needs regardless of political boundaries.
3. Agrees that all projects shall be approved by a ~~unanimous~~ majority vote of the Board of Supervisors.
4. Agrees that roads improved through the Regional Road Construction Program that are adjacent to cities and towns should be annexed by that city or town. A city's or town's agreement to annex the road shall be a consideration in the prioritization of the project by the Board of Supervisors.
5. Authorizes the expenditure of Regional Road Construction Program funds for public transportation projects which are approved by the Board in the manner provided herein.
6. Directs that the program shall be administered by the Public Works Department with direction from the County Administrator, and that all proposed specific projects shall be presented to the Board of Supervisors for its formal consideration.

- A. The Regional Road Construction Program will only address construction and/or reconstruction needs for major and minor arterial and major collector roads that have a clear regional benefit.

Major arterials are defined as state routes, freeways and the interstate highway system as administered by the Arizona Department of Transportation.

Minor arterials are the highest class roads in the city or County system, and:

1. Are roads that link urban centers to cities and towns and act as part of a roadway network transferring traffic from lower class roads to major arterials.
2. Provide inter-community vehicular connection so that all areas of major development in the County are within reasonable distances of major arterial highways.
3. Are part of a major County and/or city highway system and are identified by documentation as such.
4. Serve the largest volumes of vehicular traffic.

Major collector roads are defined as follows and are the second highest class roads in the city or County system:

1. They serve populated or high density areas and other major traffic generators of equivalent County and city importance such as, but not limited to, shipping points and important commercial areas not directly served by arterial roads.
2. A part of a roads network transferring traffic from residential collectors to arterials and act as a link to nearby towns, cities, or areas of population concentrations and can be an extension of an arterial road.
3. Serve large volumes of vehicular traffic. Residential collector and residential roads do not qualify in this program.

- B. Road construction standards shall at least meet the city/town, County, state or federal paved standard that is applicable. The geometrics of the project will be determined by the current and foreseeable future needs being served by the project.
- C. Qualified projects that are funded in part by a partnering agreement will enhance that project's opportunity for funding.
- D. The Board of Supervisors requests that the Central Yavapai Transportation Planning Organization and the Verde Valley Transportation Planning Organization assist the County in making recommendations

for regional road project priorities that meet the parameters of the program as generally defined above. Regional transportation plans will be used as one of the resources in the cost benefit analysis. The Board of Supervisors will identify and approve top regional projects and prioritize a list of projects for inclusion in a five-year plan.

- E. The Board of Supervisors will annually review the five-year plan and reserves the right to re-prioritize, drop, add or amend projects in the plan. Larger projects may be broken out into phases.
- F. The Board of Supervisors will also review regional road priorities that do not fall within the Central Yavapai Transportation Planning Organization or Verde Valley Transportation Planning Organization areas as they may deem to be in compliance with regional transportation needs and as defined above.

PART B: RESIDENTIAL COLLECTOR AND IMPROVEMENT DISTRICT PROJECTS

- A. Up to 10% of Part A program funds may be used for road projects that are organized through formal county road improvement districts. These roads shall be built to County standards and do not need to relate to regional needs. Contributions to county road improvement districts will be limited to 15% of the total project.
- B. All or portions of the 10% of sales tax revenues not allocated to road improvement districts can be utilized to upgrade residential collector roads as prioritized by the Board of Supervisors.
- C. The Board of Supervisors shall review and prioritize all residential collector road projects through a majority vote.

APPROVED AND ADOPTED this 21st day of August , 2006

/s/ Thomas Thurman
Chairman, Board of Supervisors

ATTEST:

/s/ Bev Staddon
Clerk, Board of Supervisors