

**RESOLUTION NO. 2024-12**

**A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, AUTHORIZING A GROUND LEASE AND MASTER DEVELOPMENT SERVICES AGREEMENT WITH GENTERRA ENTERPRISES, LLC FOR THE LEASE AND DEVELOPMENT OF APPROXIMATELY 31.468 ACRES OF LAND LOCATED AT 456 W. JOHN WESLEY POWELL BOULEVARD NEAR THE FLAGSTAFF PULLIAM AIRPORT; AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, the City of Flagstaff ("City") owns approximately 31.468 acres of land located at 456 W. John Wesley Powell Boulevard near the Flagstaff Pulliam Airport in Flagstaff, Arizona ("Property"); and

WHEREAS, the Genterra Enterprises, LLC ("Genterra") was selected following a competitive solicitation, Request for Statement of Qualifications 2021-06 ("RSOQ"), to design, develop, lease, and operate a commercial and/or industrial development on the Property (the "Project"); and

WHEREAS, the City and Genterra desire to enter into a Ground Lease and Master Development Services Agreement, in the form attached to this Resolution as Exhibit A ("Development Agreement"), to provide for the terms and conditions under which the Property will be developed and to set forth in detail certain obligations of Genterra and the City; and

WHEREAS, Arizona Revised Statutes ("A.R.S.") § 9-500.05 authorizes the City to enter into development agreements in order to facilitate the orderly and effective development of properties.

**ENACTMENTS:**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:**

SECTION 1. The Development Agreement provides benefit to the City of Flagstaff.

SECTION 2. The Development Agreement is consistent with the purpose, intent, goals, policies, programs, and land use designations of the General Plan, any applicable specific plans, and the Zoning Code.

SECTION 3. The Development Agreement complies with the requirements of A.R.S. § 9-500.05.

SECTION 4. That the City of Flagstaff be hereby authorized to enter into the Development Agreement in the form attached to this Resolution as Exhibit A.

SECTION 5. The Mayor, the City Manager, the City Clerk, and the City Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Development Agreement and its related documents and to take all steps necessary to carry out the purpose and intent of this Resolution.

SECTION 6. That the City Clerk is hereby directed to record a copy of the agreement with the Coconino County recorder no later than ten days after the development agreement is executed.

SECTION 7. This Resolution shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 19th day of March, 2024.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

Exhibit A: Ground Lease and Master Development Services Agreement