

RESOLUTION NO. 2026-28

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, AUTHORIZING THE SECOND AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN CDR DEVCORP, LTD, CDR LAND INVESTORS II, LLC, AND THE CITY OF FLAGSTAFF RELATED TO DEVELOPMENT OF THE CANYON DEL RIO SUBDIVISION; AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, CDR DEVCORP, LTD and CDR Land Investors II, LLC (“Owners”) own land generally located southwest of Butler Avenue and Fourth Street (“Property”); and

WHEREAS, the City and Owners desire to enter into a Second Amendment to the Development Agreement for Canyon Del Rio, in the form attached to this Resolution as Exhibit A (“Second Amendment to CDR Development Agreement”), to provide for the terms and conditions for the construction of the JWP extension across the Property, additional infrastructure improvements required for development of the Property, and to set forth in detail certain obligations of the City and Owners; and

WHEREAS, developing the Property pursuant to the terms and conditions of the proposed Second Amendment to CDR Development Agreement would be consistent with the Flagstaff Regional Plan 2030, and the City and Owners acknowledge that the Development Agreement would operate to the benefit of both parties; 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 Second Amendment to CDR Development Agreement provides benefit to the City of Flagstaff.

SECTION 2. The Second Amendment to CDR 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 Second Amendment to CDR 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 Second Amendment to CDR 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 Second Amendment to CDR Development Agreement and its related documents, including all documents required for the City's acquisition of the right-of-way dedications, and to take all steps necessary to carry out the purpose and intent of this Resolution.

SECTION 6. That City Clerk be 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 2nd day of June 2026.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibits:
Development Agreement