

RESOLUTION NO. R21-84

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A DEVELOPMENT AGREEMENT WITH COLD SUMMIT PHOENIX 1 JOINT VENTURE LLC IN THE WEST GLENDALE SERVICE AREA FOR STREET IN-LIEU FEES AND STREET INFRASTRUCTURE.

WHEREAS, Arizona Revised Statutes (A.R.S.) § 9-463.05 provides a framework for cities to assess, collect and administer development impact fees; and

WHEREAS, as required by law, the City retained the services of an outside consultant to complete an update of the City's development impact fees for compliance with the requirements of A.R.S. § 9-463.05; and

WHEREAS, the report prepared by the outside firm of TischlerBise entitled *Land Use Assumptions, Infrastructure Improvements Plan and Development Fee Report, September 2019*, did not calculate a streets-related development impact fee for what the study called the West Glendale Service Area due to the unknown nature of development and the associated street infrastructure; and

WHEREAS, the report recommends the City may want to enter into development agreements with developers to collect payments to help cover the costs of street infrastructure improvements on a case-by-case basis; and

WHEREAS, the City has determined that due to the extensive growth and rapid rate of development applications in the West Glendale Service Area, it is necessary and appropriate to collect an in-lieu fee, formally called the Streets In-Lieu Fee ("SILF") to ensure this new growth pays its proportionate share of street infrastructure improvements; and

WHEREAS, for efficiency and consistency purposes, the City has developed a template entitled *Development Agreement – Streets In-Lieu Fee: Industrial, West Glendale Service Area* to be executed between the City and Cold Summit Phoenix 1 Joint Venture LLC for industrial projects in the West Glendale Service Area.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That it is deemed in the best interest of the City of Glendale and its citizens that the City of Glendale use the development agreement template entitled *Development Agreement - Streets In-Lieu Fee: Industrial, West Glendale Service Area* to enter into development agreements with developers of industrial projects in the West Glendale Area. Such agreements will be on file in the office of the City Clerk of the City of Glendale.

SECTION 2. That the City Manager and City Clerk are authorized and directed to execute and deliver such agreement on behalf of the City of Glendale.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 24th day of August, 2021.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager