

RESOLUTION NO. R21-125

A RESOLUTION OF THE COUNCIL OF THE CITY OF
GLENDALE, MARICOPA COUNTY, ARIZONA,
AUTHORIZING AND DIRECTING THE ENTERING INTO OF
AN AMENDED AND RESTATED DEVELOPMENT
AGREEMENT WITH ECL GLENDALE, LLC.

WHEREAS, the City is authorized pursuant to Article I, Section 3 of its Charter and A.R.S. §§ 9-500.05 and 9-500.11 to enter into economic development agreements with businesses or landowners located in the City and to appropriate and spend public monies for and in conjunction with economic development activities; and

WHEREAS, the City is authorized by the Glendale City Code, Chapter 2, Article I, Section 2-3 to waive community development fees if the Glendale City Council finds the waiver is in the best interest of the City of Glendale; and

WHEREAS, the Development Agreement contemplates that following the construction of the improvements as provided in the Development Agreement, that portion of the Lessee's Property containing the Improvements more particularly and legally described on Exhibit A (the "Legal Description"), and any Improvement thereon, will be conveyed to City in order to be leased back to Company; and

WHEREAS, the Parties have agreed to amend and restate the Original Development Agreement, by entering in this Agreement.

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 enters into an Amended and Restated Development Agreement with ECL GLENDALE, LLC, and the Agreement is now 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.

(Signatures on the following page)

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 14th day of December, 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