

RESOLUTION NO. R22-109

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, TO AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF GLENDALE AND ARIZONA DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT AND THE ARIZONA SPORTS AND TOURISM AUTHORITY.

WHEREAS, AZSTA owns and operates the stadium facility located on Maricopa County Parcel No. 102-01-002P and contracts with an agent to assist in management of the facility; and

WHEREAS, A.R.S. § 37-1383.A.1 requires the Office of the State Fire Marshal to assist in the enforcement of state laws and ordinances of cities and counties relating to fire prevention and fire protection; and

WHEREAS, A.R.S. § 37-1383.A.5 requires the Office of the State Fire Marshal to enforce the fire code except in cities have a population of more than 100,000 who have also assumed jurisdiction by adopting an ordinance to do so; and

WHEREAS, to ensure continuity of service delivery for the multi-purpose facility in Glendale that is owned by AZSTA, relating to the enforcement and regulation of fire code, the Parties desire to have DFFM as the Authority Having Jurisdiction (“AHJ”) for both the stadium and the adjacent private properties located within the municipal boundaries of Glendale, Arizona inclusive of the following; and

Maricopa County Assessor's Parcel Numbers 102-01-001P, 102-01-001M, 102-01-001Q, 102-01-001N, 102-01-002Y, 102-01-002W, 102-01-002S, 102-01-002T, 102-01-002U, 102-01-257A, 102-01-002Z, 102-01-257B, 102-01-256 as identified on Exhibit A; collectively with Maricopa County Parcel Number No. 102-01-002P as shown on Exhibit A and hereinafter referred to collectively as the "Facility Property".

WHEREAS, the City is willing to cede jurisdiction to DFFM for the sole purpose of fire code enforcement on the Facility Property and if it does so DFFM will take responsibility for fire code enforcement; and

WHEREAS, The Parties entered into an “MOU” as of August 21, 2018, relating to fire code enforcement associated with the Facility Property; and

WHEREAS, The Parties enter into this Amended MOU to completely amend and restate the original MOU and to clarify responsibilities and procedures relating to fire code enforcement associated with the Facility Property.

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

SECTION 2. That copies of said documents are on file in the office of the City Clerk of the City of Glendale, Arizona.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 25th day of October, 2022.

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