

RESOLUTION NO. R24-104

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A DEVELOPMENT AGREEMENT WITH THE BASE PHASE 1 OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

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 pursuant to A.R.S. 9-463.05 (7)(C)(i) to collect development impact fees, or agree to allow the owner of a development to construct or finance the necessary public service or facility expansion and any of the following apply: (i) The costs incurred or money advanced are credited against or reimbursed from the development fees otherwise due from a development; and

WHEREAS, Glendale City Code Article VI, Section 28-125, 28-135 requires the City Council to approve the credit agreement before it is executed. The City Code definition of development impact fee credit is a reduction in an assessed development impact fee resulting from developer contributions to, payments for, construction of, or dedication for capital facilities included in an infrastructure improvement plan under section 28-135 of this article (or otherwise permitted in this article).

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 a Development Agreement with THE BASE PHASE 1 OWNER, LLC, a Delaware limited liability company, crediting construction of transportation infrastructure against transportation development impact fees, and the Agreement is now on file in the office of the City Clerk of the City of Glendale.

SECTION 2. That the Mayor or City Manager and the City Clerk be authorized and directed to execute and deliver said 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 22<sup>nd</sup> day of October, 2024.

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Mayor Jerry P. Weiers

ATTEST:

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Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

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Michael D. Bailey, City Attorney

REVIEWED BY:

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Kevin R. Phelps, City Manager