

#6

OCT 27 2008



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM                      ECONOMIC DEVELOPMENT - MEMO NO. ED09-019**

**DATE:**            OCTOBER 17, 2008

**TO:**                MAYOR AND COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER  
                      PATRICK MCDERMOTT, ASSISTANT CITY MANAGER

**FROM:**            CHRISTINE MACKAY, ACTING ECONOMIC DEVELOPMENT DIRECTOR

**SUBJECT:**        INTERGOVERNMENTAL AGREEMENT RENEWAL BETWEEN THE CITY  
                      OF CHANDLER AND THE COUNTY OF MARICOPA IN SUPPORT OF THE  
                      EXISTING CHANDLER ENTERPRISE ZONE.

RECOMMENDATION: Staff recommends that Council adopt Resolution No. 4240.

BACKGROUND/DISCUSSION: Attached you will find a copy of the proposed Resolution No. 4240 representing an Intergovernmental Agreement between the City of Chandler and the County of Maricopa for the purpose of renewing a Joint Enterprise Zone, and the renewal of the Intergovernmental Agreement. An Intergovernmental Agreement for the Enterprise Zone has been in effect since 1992.

The Intergovernmental Agreement with Maricopa County is required due to the parcels within the Zone under County jurisdiction. The Joint Enterprise Zone Commission consists of City Council, a member of the Maricopa County Board of Supervisors and the Economic Development Director and its function is to oversee the Enterprise Zone.

FINANCIAL IMPLICATIONS: None

PROPOSED MOTION: Move to adopt Resolution No. 4240 renewing the Intergovernmental Agreement between the City of Chandler and the County of Maricopa for the purpose of renewing a Joint Enterprise Zone.

Attachments: Resolution No. 4240  
                      Intergovernmental Agreement between the City of Chandler and County of  
                      Maricopa

RESOLUTION NO. 4240

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, RENEWING A JOINT ENTERPRISE ZONE COMMISSION BY RENEWING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CHANDLER AND THE COUNTY OF MARICOPA.**

WHEREAS, A.R.S. Section 41-1522 provides that if the proposed Enterprise Zone includes part or all of one or more incorporated cities or towns, as well as part or all of the unincorporated portions of the County, the governing body of the involved jurisdictions shall renew a Joint Commission through an Intergovernmental Agreement under Title 11, Chapter 7, Article 3; and

WHEREAS, the City Council of the City of Chandler and the Board of Supervisors of the County of Maricopa, State of Arizona, desire to renew such an Enterprise Zone Commission.

WHEREAS, on January 1, 1992, an Enterprise Zone was granted to the City of Chandler and the County of Maricopa by the State of Arizona, and an Enterprise Zone Commission was created consisting of the City Council of the City of Chandler and one member of the Board of Supervisors of the County of Maricopa.

WHEREAS, the Enterprise Zone Commission elected the Mayor of the City of Chandler to act as the Chairman of the Enterprise Zone Commission, and appointed the Economic Development Director for the City of Chandler as the Enterprise Zone Administrator.

WHEREAS, the City of Chandler and Maricopa County wish to renew a joint enterprise zone using boundaries that are the same as the boundaries used in 2003.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler as follows:

SECTION 1. That a Joint Enterprise Zone Commission will be renewed between the City of Chandler and the County of Maricopa.

SECTION 2. That the Enterprise Zone Commission is hereby authorized to submit an application on behalf of the City of Chandler/County of Maricopa for a renewal of the Zone generally bounded by the Western Canal, Ray Road and Chandler Boulevard on the north; Dobson Road, Alma School Road and Arizona Avenue on the west; Ocotillo Road and Pecos Road on the south; and Gilbert Road, Cooper Road, McQueen Road and the Southern Pacific Railroad on the east. The zone includes Census tracts 4223.04, 5227.19, 5227.36, 5229.01, 5229.02, 5230.02, 5231.02, 5231.03, 5231.04

PASSED and ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

**CERTIFICATION**

I HEREBY CERTIFY that the above and foregoing Resolution No. 4240 was duly passed and adopted by the City Council of the City of Chandler, Arizona this \_\_\_\_\_ day of \_\_\_\_\_, 2008, and that a quorum was present thereat.

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



\_\_\_\_\_  
City Clerk

RENEWAL OF  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE CITY OF CHANDLER  
AND  
THE COUNTY OF MARICOPA

This Intergovernmental Agreement (hereinafter "Agreement") between the City of Chandler, a municipal organization, and the County of Maricopa, a political subdivision of the State of Arizona, is renewed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

WHEREAS, Title 41, Article 2, Sections 41-1521, etc seq., provides for the creation of enterprise zones; and

WHEREAS, this program's intent is to improve economically depressed sections of municipalities and rural areas through the development of job-creating uses; and

WHEREAS, The City of Chandler and the County of Maricopa have identified an area that meets the State's eligibility requirement for enterprise zone designation; and

WHEREAS, A.R.S. Section 41-1522 provides that if the proposed enterprise zone includes part or all of one or more incorporated cities or towns, as well as part of all of the unincorporated portions of the county, the governing body of the involved jurisdictions shall establish a joint commission through an Intergovernmental Agreement under Title 11, Chapter 7, Article 3; and

WHEREAS, the Council of the City of Chandler and the Board of Supervisors of the County of Maricopa desire to renew said Enterprise Zone Commission;

WHEREAS, on January 1, 1992, an enterprise zone was granted to the City of Chandler and the County of Maricopa by the State of Arizona, and created an Enterprise Zone Commission consisting of the City Council of the City of Chandler and one member of the Board of Supervisors of the County of Maricopa; and

WHEREAS, the Enterprise Zone Commission elected the Mayor of the city of Chandler to act as the Chairman of the Enterprise Zone Commission, and appointed the Economic Development Manager for the City of Chandler as the Enterprise Zone Administrator.

NOW, THEREFORE, in consideration of the mutual promises, covenants and undertakings as more particularly set forth below, the parties do hereby agree to renew as follows:

1. The members of the Enterprise Zone Commission shall consist of the Mayor and Council persons from the City of Chandler and a member of the Maricopa County Board of Supervisors; and
2. The Chairman of the Enterprise Zone Commission shall remain the same as elected by the previous Enterprise Zone Commission, which was created September 8, 1992, or as elected by the Enterprise Zone Commission.
3. The Zone Administrator remains the same as appointed by the previous Enterprise Zone Commission, which was created September 8, 1992, or as appointed by the Enterprise Zone Commission.
4. This Intergovernmental Agreement shall expire five years after the enterprise zone is designated unless the enterprise zone is renewed for consecutive five-year terms as authorized by A.R.S. Section 41-1524 (C).
5. The purpose of the Intergovernmental Agreement is to carry out the legislative intent expressed in Title 41, Chapter 10, Article 2, Arizona Revised Statutes.
6. This cooperative undertaking shall be financed by utilizing the existing staff resources of the City of Chandler and the County of Maricopa and such additional financing by the parties as may be agreed upon in the future.
7. This Intergovernmental Agreement is subject to the provisions of A.R.S. Section 38-511.
8. This intergovernmental agreement is subject to A.R.S. Sections 35-397 and 41-4401. The parties certify that they are in compliance with the above cited statutes.
9. The proposed zone is generally bounded by the Western Canal, Ray Road and Chandler Boulevard on the north; Dobson Road, Alma School Road and Arizona Avenue on the west; Ocotillo Road and Pecos Road on the south; and Gilbert Road, Cooper Road McQueen Road and the Southern Pacific Railroad on the east. The zone includes Census tracts 4223.04, 5227.19, 5227.36, 5229.01, 5229.02, 5230.02, 5231.02, 5231.03, 5231.04.
10. The Chairman and Zone Administrator are hereby authorized to sign the Application and any other necessary or desirable documents necessary to carry out the purposes and intent of the Agreement and Title 41, Chapter 10, Article 2, Sections 41-1521, et seq.

IN WITNESS WHEREOF, this agreement is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by the parties hereto.

ATTEST:

CITY OF CHANDLER

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor Boyd Dunn

ATTEST:

COUNTY OF MARICOPA

By: \_\_\_\_\_  
Clerk of the Board

By: \_\_\_\_\_  
Chairman, Board of Supervisors

APPROVAL OF COUNTY AND CITY ATTORNEY

I hereby state that I have reviewed the proposed Intergovernmental Agreement between the County of Maricopa and the City of Chandler, and declare the agreement to be in proper form and within the powers and authority granted to their respective governing bodies under the laws of the State of Arizona.

By: \_\_\_\_\_  
Deputy County Attorney

By: \_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# Enterprise Zone Renewal Boundary

