

#7

OCT 27 2008



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MEMORANDUM ECONOMIC DEVELOPMENT - MEMO NO. ED09-020

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: RENEWAL OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN
 THE CITY OF CHANDLER AND THE COUNTY OF MARICOPA IN
 SUPPORT OF THE NEW CHANDLER ENTERPRISE ZONE.

RECOMMENDATION: Staff recommends that Council adopt Resolution No. 4241.

BACKGROUND/DISCUSSION: Attached you will find a copy of the proposed Resolution No. 4241 representing an Intergovernmental Agreement between the City of Chandler and the County of Maricopa for the purpose of creating a new Joint Enterprise Zone, and the renewal of the Intergovernmental Agreement. The renewed Intergovernmental Agreement and new Enterprise Zone boundary, if approved by the Arizona Department of Commerce, will supersede the existing Enterprise Zone boundary.

The Intergovernmental Agreement with Maricopa County is required due to 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. 4241 renewing the Intergovernmental Agreement between the City of Chandler and the County of Maricopa for the purpose of creating a Joint Enterprise Zone.

Attachments: Resolution No. 4241
 Intergovernmental Agreement between the City of Chandler and County of Maricopa

RESOLUTION NO. 4241

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 create 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 create an Enterprise Zone Commission.

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 create a joint Enterprise Zone using boundaries consisting generally of Census Tracts 4223.04, 5227.19, 5227.36, 5229.01, 5229.02, 5230.02, 5231.02, 5231.03, 5231.04, 4222.20, 5227.32, 5227.30, 5227.31, 5227.17, 5227.16, 5227.15

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

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

SECTION 2. That the new Enterprise Zone Commission is hereby authorized to submit an application on behalf of the City of Chandler/County of Maricopa for a creation of the Zone generally bounded by Census Tracts 4223.04, 5227.19, 5227.36, 5229.01, 5229.02, 5230.02, 5231.02, 5231.03, 5231.04, 4222.20, 5227.32, 5227.30, 5227.31, 5227.17, 5227.16, 5227.15.

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. 4241 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

W

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 includes parts or entirety of Census tracts 4223.04, 5227.19, 5227.36, 5229.01, 5229.02, 5230.02, 5231.02, 5231.03, 5231.04, 4222.20, 5227.32, 5227.30, 5227.31, 5227.17, 5227.16, 5227.15.
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

New Enterprise Zone Boundary

