

RESOLUTION NO. 2020-2094

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, APPROVING THE LANDSCAPE ENHANCEMENT AGREEMENT FOR W/C BULLARD BY AND BETWEEN THE CITY OF GOODYEAR AND W/C BULLARD OWNER VIII, LLC; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THE RESOLUTION AND AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, W/C Bullard Owner VIII, LLC owns approximately 43 acres of land generally located south of the southeast corner of Van Buren Street and Bullard Avenue commonly known as “The Hub” (the “Property”); and

WHEREAS, The Hub is the first development along the planned Bullard Avenue Corridor; and

WHEREAS, The City of Goodyear has identified the Bullard Avenue Corridor as an important employment corridor that has the potential to attract a mix of employers from various sectors of the economy; and

WHEREAS, W/C Bullard Owner VIII, LLC, has offered to make certain enhanced landscaping improvements incorporated within the approved landscape plan that are representative of the Bullard Avenue Corridor Design Treatment Strategies dated November 2018 prepared by Swaback Architects; and

WHEREAS, this proposed agreement identifies the Owner’s responsibility for certain, but not all, enhanced landscaping improvements identified in the Bullard Avenue Corridor Design Treatment Strategies; and

WHEREAS, this proposed agreement provides the terms for the reimbursement of a portion of the costs of the enhanced landscaping; and

WHEREAS, the City of Goodyear acknowledges the development of the Property is consistent with the city’s general plan; and

WHEREAS, this proposed agreement is in the best interests of the City because it provides for installation of certain enhanced landscaping improvements that support the organized and enhanced development of the Bullard Avenue Corridor; and

WHEREAS, this proposed agreement is intended to be a development agreement pursuant to A.R.S. § 9-500.05;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The Mayor and Council of the city of Goodyear find the approval of the Landscape Enhancement Agreement for W/C Bullard by and between W/C Bullard Owner, VIII, LLC, a Delaware limited liability company and the City of Goodyear, an Arizona municipal corporation, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference to be in the best interest of the City of Goodyear, and hereby approve the Enhanced Landscape Agreement for W/C Bullard; and

SECTION 2. The City Manager or her designee is hereby authorized and directed to execute the Landscape Enhancement Agreement for W/C Bullard; and

SECTION 3. The City Manager or her designee is hereby authorized and directed to take any and all actions and to execute all the documents necessary to carry out the intent of this Resolution and the terms of the Landscape Enhancement Agreement for W/C Bullard; and

SECTION 4. This Resolution shall become effective as provided by law.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 2020-2094 is a true, correct and accurate copy of Resolution No. 2020-2094, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____, 20____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said resolution.

Given under my hand and sealed this _____ day of _____, 20____.

seal

City Clerk

EXHIBIT “A”

**LANDSCAPE ENHANCEMENT AGREEMENT FOR W/C BULLARD
WITH EXHIBITS 1-6
(on the following pages)**