

RESOLUTION NO. 10350

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA,  
MARICOPA COUNTY, ARIZONA, RELATING TO FOREIGN TRADE  
ZONE PROPERTY TAX RECLASSIFICATION REQUIREMENTS FOR  
THE CITY TO ISSUE ITS SUPPORT FOR A FOREIGN TRADE ZONE  
APPLICATION.**

**WHEREAS**, the City of Mesa is the Grantee of General-Purpose Foreign Trade Zone ("FTZ") No. 221 located at Phoenix Mesa Gateway Airport, as approved by the Foreign Trade Zone Board ("Board") Order No. 883, dated April 25, 1997, reorganized and expanded by Board Order No. 1538 on January 7, 2008; and

**WHEREAS**, in Resolution No. 7414, the City of Mesa adopted certain requirements for the City to issue its support for a foreign trade zone application (the "City FTZ Application Requirements"); and

**WHEREAS**, the State of Arizona allows real and personal property within an activated Foreign Trade Zone or Subzone to be reclassified as Class 6 property under A.R.S. 42-12006; and

**WHEREAS**, the City Council of the City of Mesa is authorized to establish local policy regarding the reclassification of real and personal property within FTZ No. 221, and any approved Sub-Zone, that it believes to be in the best interest of the community; and

**WHEREAS**, the City desires to amend and replace the City FTZ Application Requirements with, and as provided in, this Resolution, including amending the City's policy regarding the reclassification of real and personal property; and

**WHEREAS**, the City of Mesa believes the changes to the City FTZ Application Requirements as provided in this Resolution will encourage new investment in the City of Mesa.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:**

**Section 1:** That the City of Mesa, Grantee of FTZ No. 221, will support the activation of a site within FTZ No. 221 or an approved FTZ Subzone provided that:

The operator shall provide a future tax estimation analysis that shows whether the tax benefit to taxing jurisdictions (e.g., City, school districts, county, etc.) will be equal to or greater than the tax benefit prior to the activation based on the operator's proposed investment. Further, and regardless of what the future tax estimation analysis forecasts, the operator shall agree in the Operator Agreement that if the tax benefit

after activation does not meet or exceed the tax benefit immediately prior to the activation, the operator agrees to make up the difference with a payment in lieu of tax.

**PASSED AND ADOPTED** by the City Council of the City of Mesa, Maricopa County, Arizona, this 28<sup>th</sup> day of October, 2013.

APPROVED:



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MAYOR

ATTEST:

  
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CITY CLERK

