

### **COUNCIL MINUTES**

June 25, 2020

The City Council of the City of Mesa met in a Study Session Meeting via a virtual format streamed into the lower level meeting room of the Council Chambers, on June 25, 2020 at 7:57 a.m.

COUNCIL PRESENT

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady Dee Ann Mickelsen

Jim Smith

John Giles\* Mark Freeman\* Jennifer Duff\* Francisco Heredia\* David Luna\* Kevin Thompson\* Jeremy Whittaker\*

(\*Council participated in the meeting through the use of video conference equipment.)

Mayor Giles conducted a roll call.

### 1. Review and discuss items on the agenda for the July 1, 2020 Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflict of interest: None.

Items removed from the consent agenda: 5-c

In response to a question posed by Councilmember Luna regarding Item 4-c, (Approving and authorizing the City Manager to enter into the First Amendment to the Intergovernmental Agreement with the cities of Avondale, Glendale, Mesa and Scottsdale related to joint legal representation with Engelman Berger, P.C. in the Gila River Adjudication. The amendment is to remove the City of Chandler, which elected to withdraw from the Agreement. (Citywide)), on the Regular Council meeting agenda, City Attorney Jim Smith stated the Intergovernmental Agreement (IGA) and litigation has been beneficial to the City of Mesa. He reported the City of Chandler has recently retained someone in house with water litigation experience and will no longer be participating in the IGA but will continue to be active in the litigation.

In response to a question posed by Councilmember Thompson regarding Item 5-c, (Amending the Mesa City Code, Title 1, Chapter 20, by adding Section 10 that allows the City Council or Mayor, when a state of emergency has been declared, to authorize the City Manager to temporarily suspend enforcement, modify, or allow alternatives to requirements and

specifications to the Mesa City Code to mitigate the impacts of the emergency. (Citywide)), on the Regular Council meeting agenda, Mr. Smith responded that Council should consider the suggestion to change the verbiage to include all of Council and the Mayor to delegate decisions together in the event of an emergency.

In response to a question from Mayor Giles, Mr. Smith stated a resolution was brought to Council one month ago specific to restaurants and providing the City Manager the ability to make modifications. He mentioned the ordinance currently creates flexibility for either a resolution or proclamation to be made in the event of an emergency. He clarified that changing the verbiage takes away the ability to prepare a quick response but increases participation by Council. He pointed out formalizing the process by amending the code will not affect making accommodations to City restaurants.

City Manager Christopher Brady commented that amending the ordinance has no impact on declaring an emergency but will provide authority to the City Manager to modify or suspend existing City Code regulations.

In response to multiple questions from Councilmember Duff, Mr. Smith explained the City would still provide notice and the ability to participate in the meeting through public comment before Council voted on the resolution. He pointed out the resolution only authorizes the ability to make modifications to the extent that it is intended to mitigate the impact of the emergency. He stated a 24-hour notice is to be provided to the public when making a change to a resolution and a special meeting will be held in the case of an emergency.

Vice Mayor Freeman expressed interest in seeing pros and cons of modifying the resolutions before making a final decision.

In response to a question from Councilmember Whittaker, Mr. Smith stated the Mayor can issue a proclamation immediately without a 24-hour waiting period.

Economic Development Department Director William Jabjiniak introduced Economic Development Project Manager JD Beatty who displayed a PowerPoint presentation. (See Attachment 1) He commented on the Union at Riverview, an office building and one-third of the first parking structure are currently under construction.

Mr. Beatty stated the City is looking to change a section in the first amendment development agreement relating to the Reimbursable Public Improvement Costs (RPIC). He pointed out in the original development agreement City utilities needed to be relocated which the City agreed to reimburse a portion from the sale of the land. He reported the City would reimburse a maximum of \$1,200,000 for phase one and phase three for the relocation of utilities. (See Page 4 of Attachment 1)

Mr. Beatty mentioned there are many utility lines running throughout the project site, but the largest is a 36-inch sewer line that feeds into the water reclamation plant, which is one of the largest relocation costs. He added there are several other lines that need to be moved to have a class A office campus. He stated under the first amendment the developer and the City both encountered challenges with the utility relocations such as COVID-19, additional safety burdens, sewer material that is no longer manufactured, increased corrosion requirements, and maintenance. He proposed taking the \$1,200,000 in relocation costs from phase three to phase one to use for the unexpected challenges. He noted the funding will be reimbursed when the

building is completed. He explained when phase one is completed the City would no longer be responsible for any further utility reimbursement. (See Page 5 and 6 of Attachment 1)

Mr. Jabjiniak commented there would not be any additional taxpayer dollars spent.

Vice Mayor Freeman commented he is in support of the infrastructure being completed first so there will be no delays in the build out in the future.

In response to multiple questions from Councilmember Heredia, Mr. Jabjiniak advised there will be no more spending of additional taxpayer dollars for the project after the funding for Phase Three is transferred to Phase One. He mentioned the builder will assume financial responsibility for the build out of phase three. He added the project is still on track with the same timeline.

Mayor Giles expressed support for the project and thanked staff for the presentation.

### 2-a. Hear a presentation, discuss, and provide direction on the 2020-2024 Consolidated Plan, FY 2020/2021 Annual Action Plan, and Analysis of Impediments to Fair Housing.

Housing and Community Development Director Michelle Albanese displayed a Power Point presentation. **(See Attachment 2)** She commented the Five-Year Consolidated Plan provides the framework on the federal funds which are received from the Department of Housing and Urban Development (HUD).

Ms. Albanese explained the City will receive federal Community Development Block Grant (CDBG), Emergency Services Grant (ESG), and Home Investment Partnership (HOME) grant program funding from HUD to provide services to the community. She stated recipients of the HUD funds are required to develop a plan every five-years that addresses the needs of the community and prioritizes activities that will be funded with the federal dollars. She noted the plan will cover the program years of 2020 to 2024. She mentioned the analysis of impediments to fair housing and the annual action plan are components of the consolidated plan. She added the plan also promotes fair housing choices and partners with the Housing Master Plan to be consistent with the goals in the community. (See Page 2 of Attachment 2)

Ms. Albanese remarked the development plan is a six-month comprehensive process where staff worked with a consultant to research and gather data such as demographics, census tract information, housing, transportation, and community development needs. She noted throughout the process public input was gathered through multiple meetings and a survey that was posted online for six months. She stated once all data was gathered the consultant evaluated a draft plan that was presented to the public. (See Page 3 of Attachment 2)

Ms. Albanese explained how City planning documents relate to one another and are consistent with the City's priorities and goals. (See Page 4 of Attachment 2)

Ms. Albanese presented an evaluation of data collected by the City showing the four main priorities identified by the public to guide activities to address the community's needs. She stated the Human Services Activities support public service activities and programs that are designed to meet the needs of low to moderate income residents. She continued by stating investing in Public Facility and Infrastructure Improvements includes providing programs and services to low to moderate income populations including the elderly, disabled and youth. She addressed funding Homelessness Strategies which included street outreach to permanent housing. She added an

increase in access to a variety of housing options throughout the City could include rental, homeownership and mixed-use throughout the City. (See Page 5 of Attachment 2)

Ms. Albanese provided an outline of the goals and services for the four main priorities that are identified. (See Page 6 of Attachment 2)

Ms. Albanese reviewed the Annual Action Plan and stated how it ties into the Five-Year Consolidated Plan. She continued by stating the plan is developed each year describing how the City anticipates using the year's allocation of federal funding to meet the Housing and Community needs previously identified. (See Page 7 of Attachment 2)

Ms. Albanese explained the Fair Housing Analysis is developed with the Five-Year Consolidated Plan. She added public input is gathered because the City receives Federal Funding and is required to analyze any impediments or barriers in the community to Fair Housing Choice. She stated when the plan is developed staff then works in conjunction with the Five-Year Consolidated Plan and Annual Plan to ensure the goals are consistent and the priorities of the community have been addressed. (See Page 8 of Attachment 2)

In response to a question from Mayor Giles, Ms. Albanese explained the proposed Consolidated Plan does not include COVID-19 dollars. She added the COVID-19 dollars have been programmed into the current Annual Plan and Consolidated Plan. She suggested the City should review both the Annual and Consolidated Plan annually to discuss the current needs within the community.

Councilmember Duff suggested relaxing the City's single-family zoning code, providing the option to have an accessory dwelling unit (ADU) which would add a variety of housing, giving residents the opportunity for lower rent prices. She recommended paying attention to the neighborhoods in need of more natural infrastructure so residents can enjoy the provided amenities and have a quality place to live.

Mayor Giles thanked staff for the presentation.

2-b. Hear a presentation, discuss, and provide direction on a proposed development project known as "Destination at Gateway" generally located at the corner of South Signal Butte Road and East Williams Field Road and related project agreements, including a development agreement meeting the definition of a "retail development tax incentive agreement" under A.R.S. § 9-500.11 (Version 2).

Development Services Project Manager Veronica Gonzalez introduced Deputy Economic Development Director – Strategic Initiatives Lori Collins who displayed a PowerPoint presentation. **(See Attachment 3)** 

Ms. Gonzalez shared that the Destination at Gateway is located south of Williams Field Road on the east and west sides of Signal Butte Road. (See Page 2 of Attachment 3)

Ms. Gonzalez reported the property owner requested to rezone the property from residential to a general commercial zoning district. She stated with the general commercial zoning district the site will primarily be developed with regional commercial uses such as car dealerships and the supporting retail. She added the site might include multiple residences as a secondary buffer use. (See Page 3 of Attachment 3)

Ms. Collins presented an Automotive Point Analysis commissioned by the City from 2018 based on a few critical factors and findings. (See Pages 4 and 5 of Attachment 3)

Ms. Collins pointed out based on the location of the property, the site is available for most car brands within the 10-mile radius criteria. (See Page 6 of Attachment 3)

Ms. Gonzalez explained the existing improvements in the area are minimal as far as pavement but lack infrastructure. (See Page 7 of Attachment 3)

Ms. Gonzalez stated improvements are needed to serve the site requiring a significant investment from the developer in public infrastructure to ensure the location remains attractive to potential customers. She added the developer wishes to enter into a Development Agreement that would include economic incentives. (See Page 8 of Attachment 3)

Ms. Gonzalez reported the Development Agreement establishes specific obligations between the developer and the City. (See Pages 9 and 10 of Attachment 3)

Ms. Collins advised the City's intention is to fund the proposed Retail Development Tax Incentive through a reimbursement of 50% of the Transaction Privilege and Use Tax generated by the new auto dealers' sales and related vehicles service facilities. (See Page 11 of Attachment 3)

Ms. Collins explained part of State statute requires a third party to conduct an analysis to ensure the proposed agreement complies with state law. (See Pages 12 and 13 of Attachment 3)

Mr. Brady commented the most recent heat map of the city showed the highest concentration of sales tax is at auto dealerships. He stated the importance in bringing another auto mall to the City.

Councilmember Thompson commented he was impressed by the amount of revenue generated by car dealerships.

Mayor Giles commented the City ranked last in per-capita sales tax collection when discussing the structural deficiencies of long-term financial planning. He stated there are various solutions, but the best option is to increase the City's sales tax revenue. He mentioned that reimbursement only occurs if the sales tax is collected. He remarked the auto dealers are a great opportunity for Mesa and that he is in support of the project.

It was the consensus of the Council to proceed with the next steps of the Destination at Gateway project.

Mayor Giles thanked staff for the presentation.

- 3. Acknowledge receipt of minutes of various boards and committees.
  - 3-a. Library Advisory Board meeting held on November 19, 2019.
  - 3-b. Historic Preservation Board meeting held on March 3, 2020.

It was moved by Councilmember Thompson, seconded by Vice Mayor Freeman, that receipt of the above-listed minutes be acknowledged.

Upon tabulation of votes, it showed:

AYES – Giles-Freeman-Duff-Heredia-Luna-Thompson-Whittaker NAYS – None

### Carried unanimously.

<u>4.</u>	Current events summary including	meetings and conferences attended.
	Mayor Giles –	Union at Riverview Beam Signing Bridge Forum meeting by Herozona
	Vice Mayor Freeman –	Union at Riverview Beam Signing
	Councilmember Duff –	Union at Riverview Beam Signing Worth Takeaway – Mesa CARES Restaurant Buyout program National League of Cities – Energy, Environment and Natural Resources Committee Meeting
	Councilmember Luna –	National League of Cities Virtual Summer Board and Leadership Meeting National League of Cities Directors Meeting Interviewed by Hispanics Enjoying Camping, Hunting, and the Outdoors for Grand Canyon conservation support Boca Taqueria – Mesa CARES Restaurant Buyout program Joint Constituency Board Meeting with National League of Cities and Racial Equity and Leadership team Union at Riverview Beam Signing
	Councilmember Thompson –	National League of Cities Community and Economic Development Meeting Drive-thru canned food drive at Great Park in Eastmark Union at Riverview Beam Signing Eastside development meeting at Phoenix-Mesa Gateway Airport

### 5. Scheduling of meetings.

City Manager Christopher Brady stated that the schedule of meetings is as follows:

Wednesday, July 1, 2020, 5:00 p.m. - Study Session

Wednesday, July 1, 2020, 5:45 p.m. - Regular Council Meeting

Wednesday, July 8, 2020, 4:45 p.m. - Study Session

Wednesday, July 8, 2020, 5:45 p.m. - Regular Council Meeting

5. Adjournment.

Without objection, the Study Session adjourned at 9:17 a.m.

JOHN GILES, MAYOR

ATTEST:

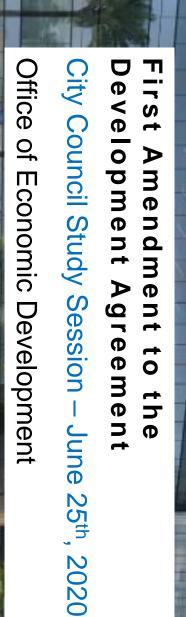
DEE ANN MICKELSEN, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 25th day of June 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

Jg (Attachments – 3)

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ECONOMIC DEVELOPMENT

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NOTECT DATA	
te Area:	28.28 Acres (Net
	1,232,000 SF
ffice Area:	
Office A:	225,000 GSF
Office B:	337,500 GSF
Office C:	337,500 GSF
Office D:	450,000 GSF
DTAL Office:	1,350,000 GSF
	1,290,000 RSF
nion Square Amenity: 3,000 GSF	ity: 3,000 GSF
arking Provided: Parking Structure 1: 3,055 Spaces	1: 3,055 Spaces
Parking Structure 2: 2,628 Spaces	2: 2,628 Spaces
Surface:	840 Spaces



6,523 Spaces 5.06:1,000 RSF

ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT



# Phase 1 – Currently Under Construction \*Aerial from April 2020

## UNION – PHASE I : 4 STORIES, +/-240,000 SF



### 2020 hment 1 4 of 7 ility Relocation Reimbursement

Study Session

# Jiginal Development Agreement

- Certain existing city utilities & facilities had to be relocated to make the site developable.
- City agreed to reimburse a portion of the land sale intrastructure during Phases 1 & 3. proceeds to Lincoln Property Company & Harvard Investments (Developer) to relocate the required
- of the relocation work for each phase (\$2.4M Total) Reimbursable Public Improvement Costs (RPIC) would provide up to a maximum of \$1.2 million at the completion
- City received \$3.94M for the sale of the Phase 1 Parcel.





ECONOMIC DEVELOPMENT



City would no longer be responsible for any future Utility Relocation Reimbursements in ensuing phases

- Amendment proposes to provide the additional \$1.2M from Phase 3 at the completion of the Phase 1 building.
- corrosion requirements
- COVID-19, Alternate sewer materials, and increased

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Study Session

## ility Relocation Reimbursement

## oposed First Amendment

- Developer & City encountered unexpected challenges and increased costs during relocation work:

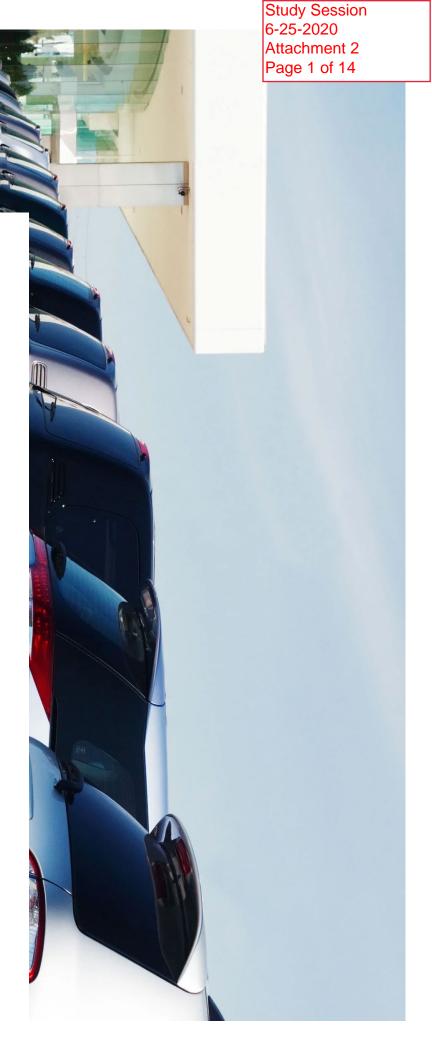


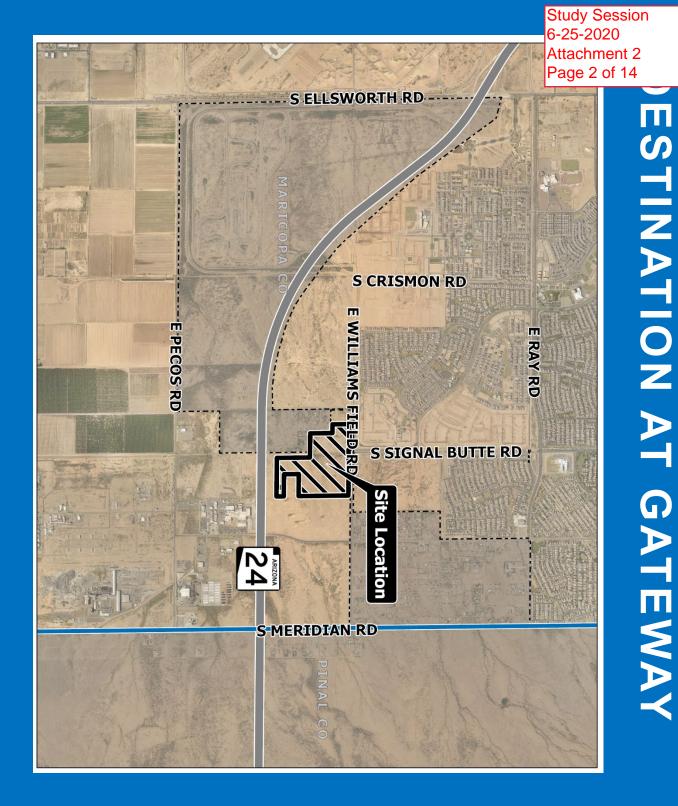
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### Lori Collins & Veronica Gonzalez | 6/25/2020 DESTINATION AT GATEWAY





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### LOCATION

South of Williams Field
 Road on the east and west
 sides of Signal Butte Road

Jessic Jo-2020 Attachment 2 Page 3 of 14 Study Session 6-25-2020

General Commercial

### PROPOSAL

- o 89-acre mixed-use development
- Commercial uses auto retail dealership and supporting
- Multiple residence secondary, buffer uses

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## DESTINATION AT GATEWAY



### -25-2020 ttachment 2 age 4 of 14 18 AUTOMOTIVE POINT ANALYSIS

Study Session Assessment based on:

1) Locations of existing, same-make dealerships

within 10 miles driving distance of one another Arizona legislation dictates that same-make dealerships cannot be located

2) Accessibility, visibility, and other demographic features

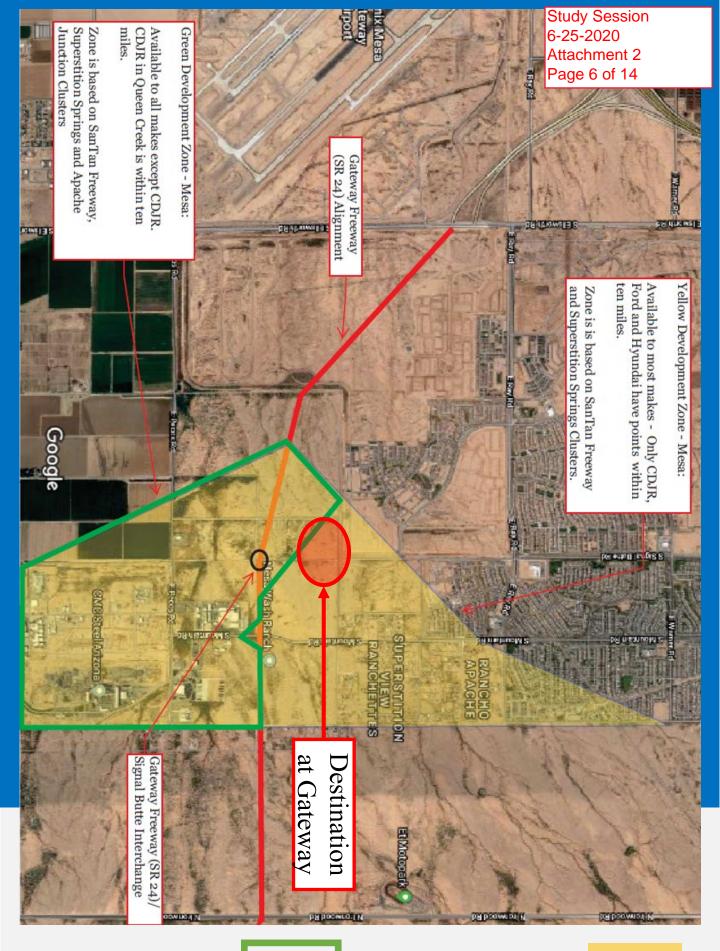
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# 18 AUTOMOTIVE POINT ANALYSIS

Study Session 6-25-2020 Attachment 2 Page 5 of 14

- Land near SR 24 and Signal Butte Road is the only location in Mesa that meets the requirements for an auto mall
- Ο Based on SanTan Freeway, Superstition Springs and Apache Junction Clusters, this area is available to most makes

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### Yellow Development Zone

- Available to most makes except CDJR, Ford and Hyundai
- Zone based on SanTan
  Freeway and Superstition
  Springs Clusters
- Green Development Zone
- Available to all makes
  except CDJR
  Zone based on SanTan
- Zone based on SanTan
  Freeway, Superstition
  Springs, and Apache
  Junction Clusters

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## Age 7 of 14

udy Session 25-2020

- Current conditions are severely lacking
- Minimal pavement
- No curb, gutter, sidewalks, streetlights or water and sewer main lines.
- Infrastructure improvements are important that are of an economic benefit to Mesa in order to attract development projects



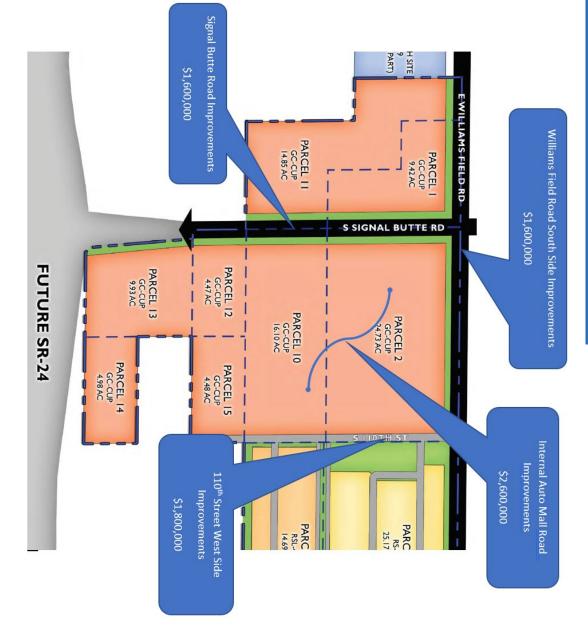
### Attachment 2 Page 8 of 14 **IBLIC INFRASTRUCTURE REQUIREMENTS**

Study Session 25-2020

0 Requires significant investment in public

infrastructure that includes:

- Pavement
- Curb, gutter and sidewalks
- Storm drain
- Streetlights Traffic signals
- Utilities
- 15" Sewer Line 24" Water Line

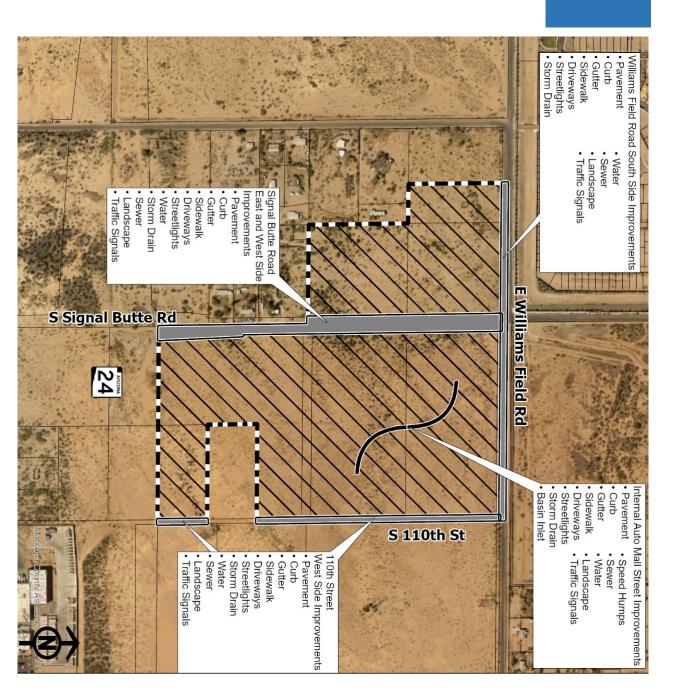


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### OBLIGATIONS DEVELOPER

- First new auto dealership open for business no later than Dec. 31, 2026
- o Design and construction of:
- South side of Williams Field Road adjacent to the property
- Internal auto mall street
- West half of 110<sup>th</sup> Street
- Portion of Signal Butte Road not constructed with the City project to nclude:
- Pavement for outside lanes
- Curb and gutter
- Sidewalks
- Streetlights 12" Water line
- Storm drain

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Study Session

- Design and construction of:
- Signal Butte Road from Williams Field Road to SR24 by December 31, 2022
- Reimbursement up to \$6 million if Developer completes all of the following by December 31, 2026:
- Infrastructure improvements
- Required right-of-way dedications
- First auto dealership open and operating for business

# Page 11 of 14 POPOSED RETAIL DEVELOPMENT TAX

Study Session 6-25-2020

- Sales tax reimbursement equal to 50% of the 1.2% non-dedicated general fund sales taxes generated by the operations of the dealership(s) and related vehicle service tacility(s)
- o City of Mesa total sales tax rate is 2%
- Ο Reimbursement does <u>not</u> include any funds dedicated for Streets and Maintenance (0.3%), Quality of Life (0.25%) and Public Safety (0.25%)
- Reimbursement capped at \$6 million and will only cover the actual cost of public improvements constructed and dedicated to the city
- The incentive period is 8 years and begins when the first auto dealership opens
- The incentive period concludes no later than December 31, 2034

udy Session

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incentive completed by Applied Economics Independent third-party review of the development agreement and retail tax

### Proposal meets:

- A.R.S. 9-500.11 1) any proposed tax incentive to raise more revenues than the development would not have occurred in the same time, place or manner in the absence of a tax incentive amount of the incentive within the duration of the agreement and 2) the
- accepted and controlled upon completion of the project, by the City. A.R.S. 42-6010 requiring that sales tax incentives offered to retail businesses be provided only as reimbursement for public infrastructure dedicated to, and

6-25-2020 Attachment 2 Page 13 of 14 Venues to the City: ONOMIC IMPACT ANALYSIS

Study Session

than the total amount of the rebate The project would generate a significantly greater amount of sales tax revenues

Reimhursen	TWO DEAL	Revenues to	Reimbursen	ONE DEALI
Peimburgement to Developer by 2021	<b>TWO DEALERSHIPS * Estimated Sales Tax</b>	Revenues to City by 2034	Reimbursement to Developer by 2034	<b>ONE DEALERSHIP</b> Estimated Sales Tax
PO Million	es Tax	\$9.3 Million	\$3.9 Million	Tax

\*analysis assumes a 2<sup>nd</sup> dealership opens in 2027 Revenues to City by 2034 \$18.9 Million

Additional dealerships would increase revenues to the City during the 8-year period in proportion to the year in which they are built

### City Council hearing to consider and take action on the rezoning request and

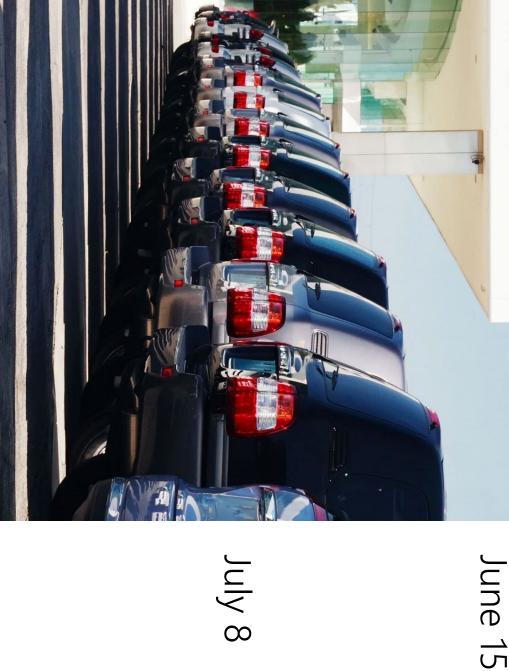
development agreement

-14-

City Council adopted a notice of intent to enter into a retail development tax incentive agreement

### 1

**NEXT STEPS** 



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Study Session 6-25-2020 Attachment 3 Page 1 of 10



HUD 5-YEAR CONSOLIDATED PLAN

HOUSING AND COMMUNITY DEVELOPMENT PLANNING PROCESS A FRAMEWORK FOR FEDERAL INVESTMENT IN THE COMMUNITY



June 25, 2020 MICHELLE ALBANESE HOUSING AND COMMUNITY DEVELOPMENT DIRECTOR

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### WHAT IS A HUD 5-YEAR PLAN





Required for communities who receive federal funding



Promotes Fair Housing choices





Assesses housing and development needs



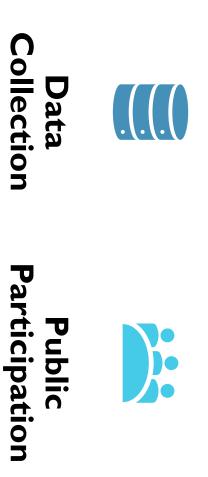
Partners with Housing Master Plan

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### PLANNING PROCESS



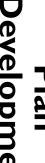






Collection













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Plan



Annual Performance **Action Plan Evaluation** Annual Fair Housing Analysis of Impediments General Plan 5-YR Consolidated Master Plan Housing Plan

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# **RELATIONSHIP OF PLANNING DOCUMENTS**



Access to a Variety of Housing Options	Increase
Homelessness Strategies	Fund
Public Facility & Infrastructure Improvements	Invest
Human Services Activities	Support

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### STRATEGIC PRIORITIES



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### **OBJECTIVES AND OUTCOMES**



Human Service Activities

Public Facilities & Infrastructure

Homelessness Strategies

Access to Variety of Housing





Youth & Senior Services Workforce Development Early Childhood Education Services to low-income

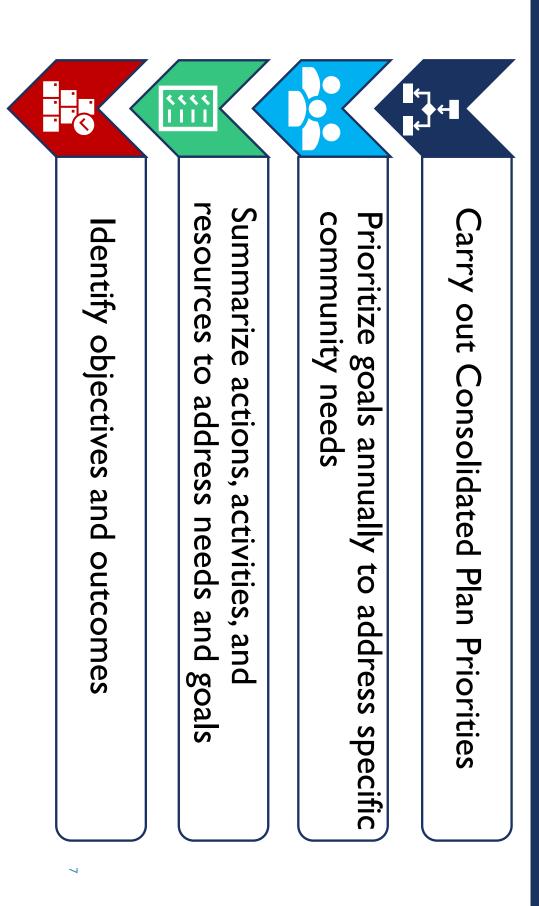
Facilities Improvements Infrastructure Upgrades Community Facilities Program Expansions

Homeless Prevention Rapid Rehousing Street Outreach Permanent/Supportive Housing

Housing Rehabilitation Preservation of Existing Housing Stock Rental Assistance Programs Homeownership

Opportunities





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**ANNUAL ACTION PLAN** 

mesa-az

Study Session 6-25-2020 Attachment 3 Page 8 of 10

# AFFIRMATIVELY FURTHERING FAIR HOUSING



Foster inclusive communities

Examine housing related activities and policies

Obtain input from public/non-profit stakeholders

Identify actions to overcome fair housing issues and impediments

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## COUNCIL APPROVALS THIS YEAR



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HUD 5-YEAR CONSOLIDATED PLAN

HOUSING AND COMMUNITY DEVELOPMENT PLANNING PROCESS A FRAMEWORK FOR FEDERAL INVESTMENT IN THE COMMUNITY



June 25, 2020 MICHELLE ALBANESE HOUSING AND COMMUNITY DEVELOPMENT DIRECTOR