

COUNCIL MINUTES

July 1, 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 July 1, 2020 at 5:01 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Dee Ann Mickelsen
Jim Smith

(*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 agendas for the July 1 and July 8, 2020 Regular Council meetings.

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: None

City Manager Christopher Brady announced that staff have a brief presentation pertaining to Item 5-b, **(ZON19-00872 (District 6) Within the 1400 to 1600 blocks of South Signal Butte Road (west side); within the 10500 to 10800 blocks of East Southern Avenue (south side); within the 10500 to 10800 blocks of East Hampton Avenue (north side); and within the 10300 to 10800 blocks of East Hampton Avenue (south side). Located west of Signal Butte Road and south of Southern Avenue (81.4± acres). Rezone from LC-PAD and LC-PAD-BIZ to LC-PAD, RM-4-PAD and RM-5-PAD; and Site Plan Review. This request will allow for a mixed-use development. Reese Anderson, Pew & Lake, PLC, applicant; Signal Butte BFC, LLC, owner.)**, on the July 1, 2020 Regular Council meeting agenda, which is a zoning case that went through Planning & Zoning (P&Z) last week.

Planning Director Nana Appiah introduced Veronica Gonzalez and displayed a PowerPoint presentation. He stated the project is called Mountain Vista and is an 81.4 acre master planned development. **(See Attachment 1)**

Mr. Appiah pointed out the development is located west of Signal Butte Road, south of Southern Avenue, with portions extending both north and south of Hampton Avenue. (See Page 2 of Attachment 1)

Mr. Appiah indicated the general plan designation is mixed-use activity with the main goal of creating a vibrant community that includes areas of commercial activities, as well as retail and office uses and ancillary residential. (See Page 3 of Attachment 1)

Mr. Appiah stated the current zoning designation is limited commercial with a Planned Area Development (PAD) overlay that was approved to allow modifications to certain standards within the limited commercial. He advised the current zoning request is to re-zone a portion of the property that is currently zoned as limited commercial to allow for high-to-medium residential within the development. He mentioned there have been extensive discussions between P&Z and the applicant regarding the City's desire to continue to preserve and protect commercial designated areas from being converted to residential, and through those discussions were able to come to a resolution that at the end of the day will still achieve the intended goals. (See Pages 4 and 5 of Attachment 1)

Mr. Appiah remarked the overall master plan contains four parcels, which will be approved with a specific site plan for the proposed development. He mentioned the other four parcels will be conceptual site plans to ensure there is synergy with the overall design. (See Page 6 of Attachment 1)

Mr. Appiah shared one of the discussions with the applicant focused on making sure the master plan design is comprehensive and encompasses the whole site. He explained after the discussions, the applicant provided master design plans that were extensively reviewed by staff and the Design Review Board and are now recommending Council approval as part of the master plan development. (See Page 7 of Attachment 1)

Mr. Appiah provided the pedestrian circulation plan which shows the available access throughout the master plan. (See Page 8 of Attachment 1)

Mr. Appiah discussed the specific site plan for Parcel A which will include a hotel, a fitness center, several restaurants, and a retail shop which will be incorporated into the overall development. He mentioned the drive-throughs are closer to the street with outdoor patio seating to create street engagement. He asked Council to approve the site plan with the condition that the applicant will have to go through a public hearing process to make any modifications. (See Page 9 of Attachment 1)

Mr. Appiah presented the various elevation renderings for Parcels A, B, C and F2 that the developer will be following to create a superior development. (See Pages 10 through 13 of Attachment 1)

Mr. Appiah explained a Development Agreement will ensure that the goals of the mixed-use activity center are upheld.

Ms. Gonzalez stated the requirements of the Development Agreement strive to preserve the non-residential type uses within the property. She commented there will be no residential development on Parcels A and F1, and Parcels A, D1 and F1 will be prohibited from rezoning to a residential zoning classification for the term of the 20-year Development Agreement. She pointed out prior to any permits for vertical construction for the multi-resident parcels, on-site

water and sewer main lines will have to be completed and accepted by the City to ensure a base that allows for future commercial development. She advised Parcel A has been limited to four drive-throughs and is subject to site plan approved by Council. (See Page 14 of Attachment 1)

Mr. Appiah continued by saying the P&Z boardmembers were pleased with the Development Agreement that restricts certain parcels from being converted to residential and require Parcels D1 and D2 to develop a certain percentage of commercial, which achieves the goal for the mixed-use activity.

Mr. Appiah summarized that with the Development Agreement, the elevation renderings, and the site plan restrictions presented to Council, the proposal is consistent with the General Plan and zoning ordinance, and staff are recommending approval. He mentioned the P&Z Board reviewed and recommended approval with a vote of seven to zero. (See Page 15 of Attachment 1)

Councilmember Thompson thanked staff, and everyone else involved, for creating a quality project that the citizens of Mesa will be proud of.

In response to a question from Vice Mayor Freeman, Mayor Giles affirmed Council will be appointing a new presiding magistrate at the July 8 Regular Council meeting, adding there was one applicant for the position. He informed Council of the option to meet with Judge Tatz to ask any questions before voting on the appointment. He added Judge Tatz has been serving on the bench for several years and is very active in Community Court programs.

Vice Mayor Freeman stated he has been to Mesa Municipal Court and has observed Judge Tatz. He reported how impressed he was with Judge Tatz's handling of the various responsibilities that come up in court. He indicated his support for the appointment of Judge Tatz as the Presiding City Magistrate.

Mayor Giles expressed a similar opinion to Vice Mayor Freeman and invited the public to observe Community Court to see how well staff handles that court.

Councilmember Duff commented on Item 5-f, **(Southern Avenue (Horne to Harris Drive) and Stapley Drive (U.S. 60 to 8th Avenue) Intersection Improvements Project (District 4))**, on the July 8, 2020 Regular Council meeting agenda, requesting that staff ensure there are adequate bicycle, pedestrian pathways, and bus stops in the improvements to that area.

City Engineer Beth Huning stated the improvements include adding medians on every leg, a third southbound lane from Southern and Stapley to U.S. 60, and a dedicated eastbound right lane.

Transportation Department Director RJ Zeder advised staff will look at the plans to avoid misstating the scope of the work and will get back to Council with an answer. He mentioned the location is the highest accident location in the City and this is a safety project.

Councilmember Duff requested to review the design when available.

Mr. Brady announced that Items 10-d and 10-e on the July 8, 2020 Regular Council meeting agenda will require five votes for approval.

In response to a question from Councilmember Whittaker, City Attorney Jim Smith explained under State statute certain resolutions require a two-thirds vote to pass.

2-a. Hear a presentation, discuss, and provide direction on the proposed Audit Plan for FY 2020/21.

Interim City Auditor Joseph Lisitano displayed a PowerPoint presentation of the proposed Audit Plan. **(See Attachment 2)**

Mr. Lisitano stated the Audit Plan will cover the current work in progress, any audits planned for Fiscal Year (FY) 20/21, follow-up reviews that are due in FY 20/21 and other activities. (See Page 2 of Attachment 2)

Mr. Lisitano reported the current work in progress involves the Fire and Medical Department's transport services and billing, which will ensure all eligible costs are recovered, the billing services meet contract terms, and all other financial risks are mitigated. He commented the Engineering Construction Management at Risk (CMAR) and Capital Improvement Projects (CIP) are both audits designed to review the process and make sure projects are done in accordance with established criteria and with controls in effect to prevent errors, fraud, waste, or abuse. He identified the final current work in progress is the Police Photo Safety Program which will evaluate the financial impact of the program, along with how the revenues are used and whether established objectives are being met. (See Page 3 of Attachment 2)

Mr. Lisitano described three new audits for FY 20/21 which are carryover audits from last year and consist of the Business Services and Purchasing division to assess whether effective controls are in place to prevent or detect errors, fraud, waste, or abuse, and ensure policy compliance. He remarked the Department of Innovation and Technology (DoIT) audit will ensure that software and applications used by various City departments are licensed to meet the City's IT standards. He remarked the Engineering audit will encompass making sure the Job Order Contracting (JOB) contracts are administered in accordance with the established criteria with controls in place to prevent errors, fraud, waste, or abuse. (See Page 4 of Attachment 2)

Mr. Lisitano stated the Police Department badging and security access audit will entail looking at building and suite access management to prevent unauthorized access to City facilities. He explained the Falcon Field audit will cover hangar and land leases to ensure revenues are accurately calculated, recorded, and collected, and that they are meeting the policy and statute guidelines that have been put in place. He said the last audit for FY 20/21 will be for parts management in the Fleet Department which will include verifying controls are in place to prevent or detect errors, fraud, waste, or abuse. (See Page 5 of Attachment 2)

Mr. Lisitano identified the follow-up reviews on the audits completed this FY which include the jail services contract for Police; the Convention Center revenues with Parks, Recreation and Community Facilities; the claims administration contract with Human Resources (HR); and the transient lodging tax. He said typically follow-up audits are to confirm the recommendations from the previous year's audits have been implemented. (See Page 6 of Attachment 2)

Mr. Lisitano highlighted the other activities that the Auditing Department handles include Citywide cash handling audits; the PCI DSS annual audit, which is an annual credit card requirement to review the internal controls related to credit card handling; conducting investigations for the Fraud & Ethics Hotline; consulting services; and any unscheduled audits that come up. (See Page 7 of Attachment 2)

It was moved by Councilmember Thompson, seconded by Vice Mayor Freeman, that the proposed FY 2020/21 Audit Plan be approved.

Upon tabulation of votes, it showed:

AYES – Giles-Freeman-Duff-Heredia-Luna-Thompson-Whittaker

NAYS – None

Carried unanimously.

3. Current events summary including meetings and conferences attended.

Mayor Giles –	Paz de Cristo ribbon cutting Paz de Cristo farewell to Arlen Westling – Zoom
Vice Mayor Freeman –	National League of Cities conference call – Federal CARES Act
Councilmember Luna –	A New Leaf – Coffee Talk Mesa en Español webinar – Small Business Technical Assistance National League of Cities – Constituency Group Briefing - Impact of COVID-19 on the Latino Community
Councilmember Duff –	Community Conversations – Zoom Paz de Cristo ribbon cutting

Councilmember Thompson congratulated Councilmember Heredia for being appointed to the Valley Metro Board of Directors

4. Scheduling of meetings.

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

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

Wednesday, July 8, 2020, 5:45 p.m. – Regular Council meeting

5. Convene an Executive Session.

Discussion or consultation for legal advice with the City Attorney. (A.R.S. §38-431.03A (3))
Discussion or consultation with the City Attorney in order to consider the City's position and instruct the City Attorney regarding the City's position regarding pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A(4))

1. *Laney Sweet, et al. v. City of Mesa, et al.*

United States District Court, Case No. CV-17-00152-GMS

It was moved by Councilmember Thompson, seconded by Councilmember Luna, that the Council adjourn the Study Session at 5:39 p.m. and enter into Executive Session.

Upon tabulation of votes, it showed:

AYES – Giles-Freeman-Duff-Heredia-Luna-Thompson-Whittaker

NAYS – None

Carried unanimously.

6. Adjournment.

Without objection, the Study Session adjourned at 5:59 p.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 1st day of July 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

la
(Attachments – 2)



MOUNTAIN VISTA MASTER PLAN ZON19-00872

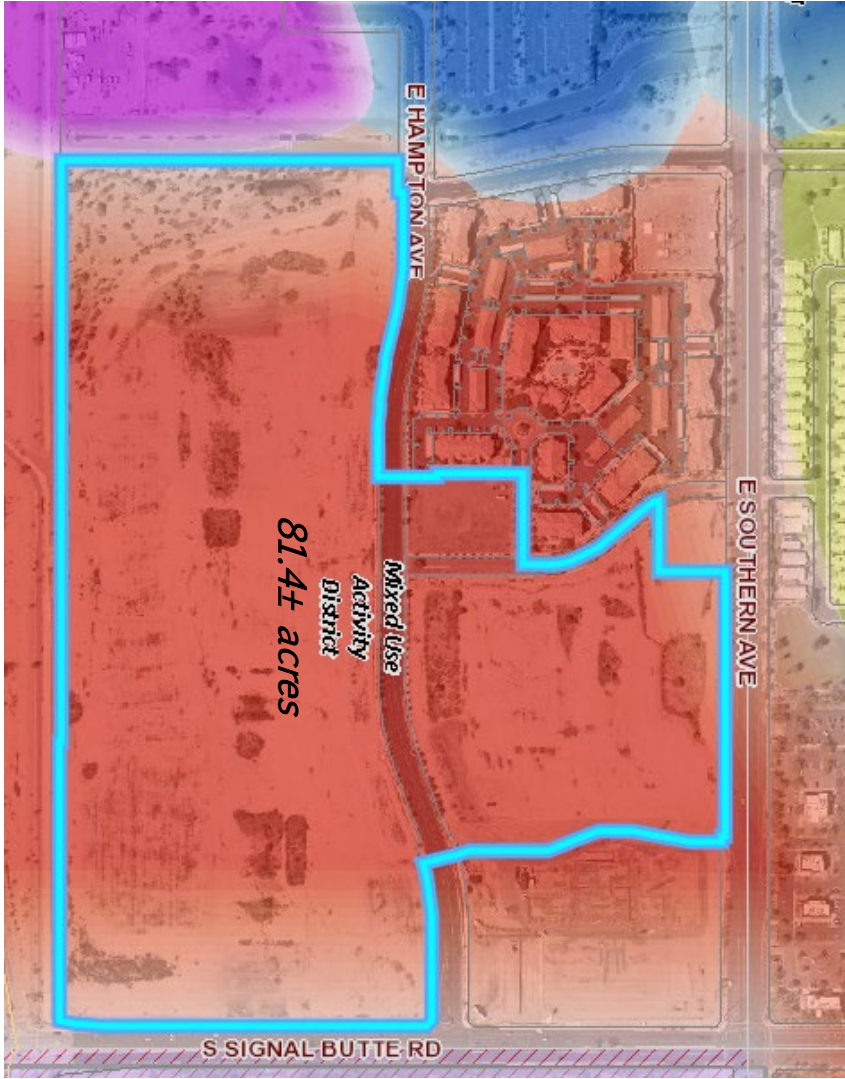
Nana Appiah, Planning Director
Veronica Gonzalez, Project Manager
Evan Balmer, Project Planner

July 1, 2020

Location

- West of Signal Butte Road
- South of Southern Avenue
- North and south side of Hampton Avenue





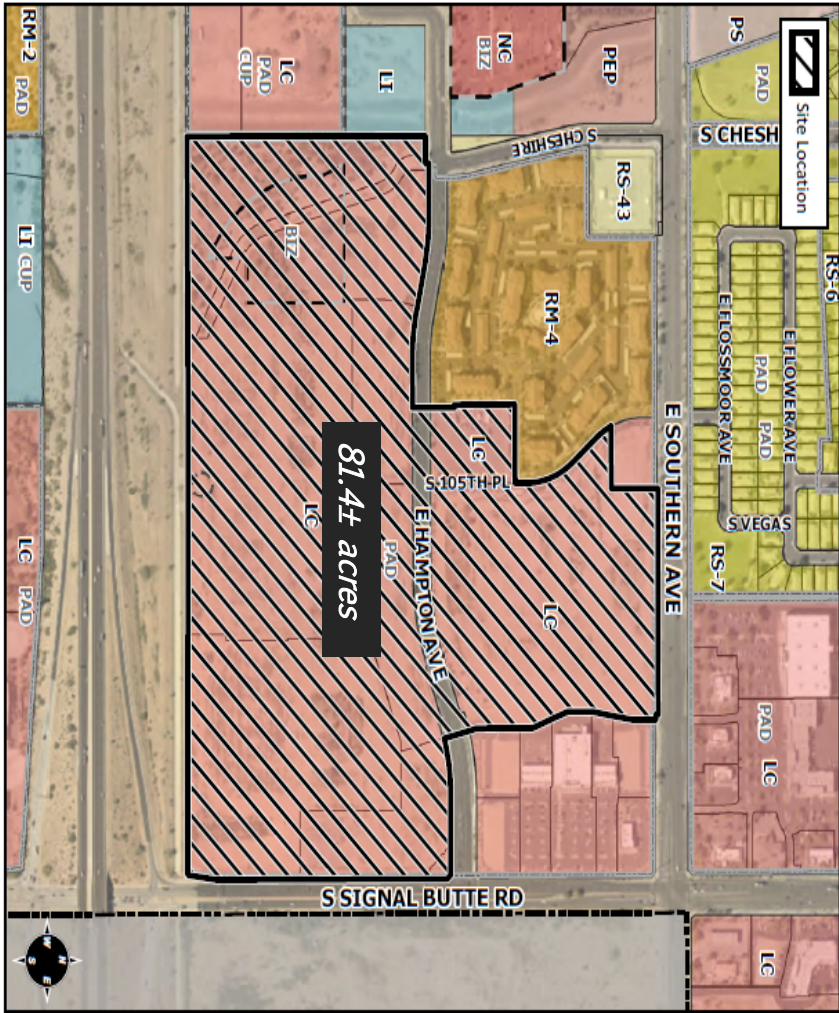
General Plan

Mixed Use Activity:

- Large scale community/regional activities (>25 acres)
- Strong viable centers of commercial activities
- Significant retail and office uses
- Mix uses, including residential

Current Zoning

Limited Commercial with
a PAD and BIZ Overlay



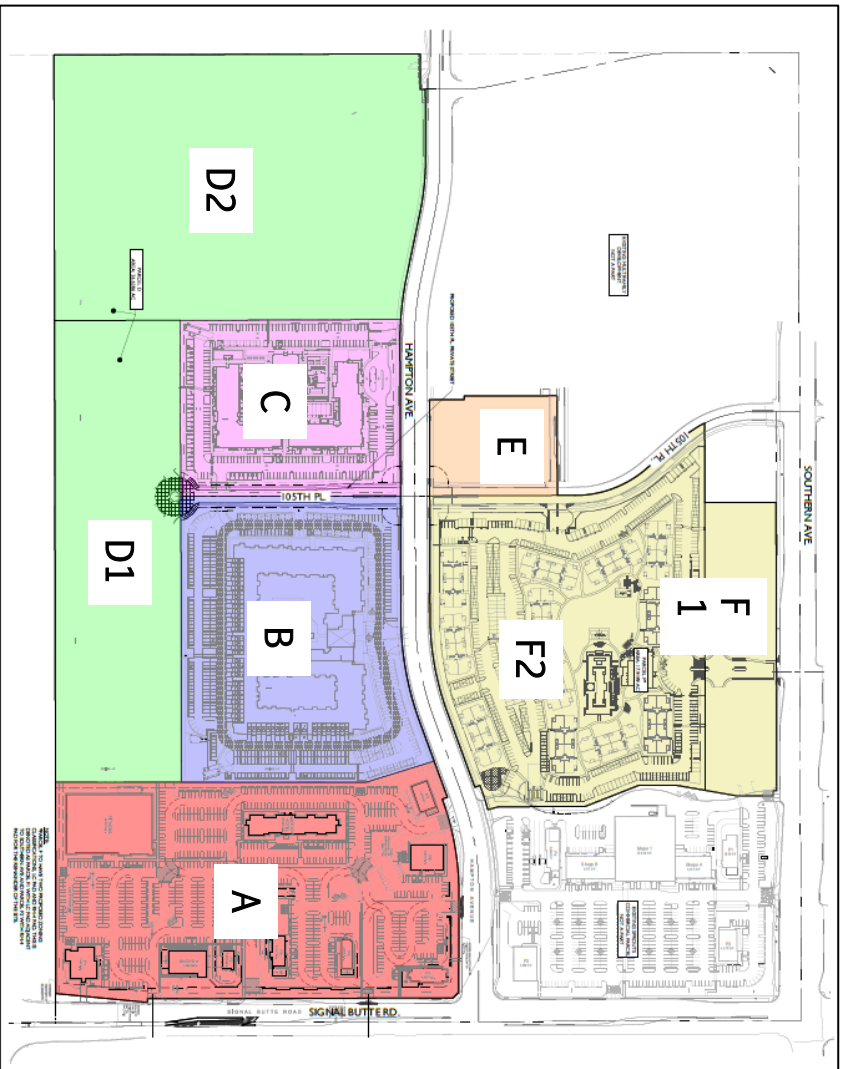


Request

Rezoning from Limited Commercial to allow a Mixed-Use Development with a PAD Overlay

Zoning

- **Specific Site Plans:**
 - Parcel A (LC-PAD)
 - Parcel B (RM-5-PAD)
 - Parcel C (RM-4-PAD)
 - Parcel F2 (RM-4-PAD)
- **Conceptual Plans:**
 - D1, D2, E and F1 (LC-PAD)



Mountain Vista Master Plan

Design Guidelines
April 27, 2020



Mountain Vista Master Plan

Master Developer
Bela Fior Communities
Hudd Hassell
1635 N. Greenfield Rd.
Suite #115
Mesa, AZ 85205



Legal Representation
Pew & Latta, PLLC
Reese Anderson
1744 S. Val Vista Dr.
Suite 217
Mesa, AZ 85204

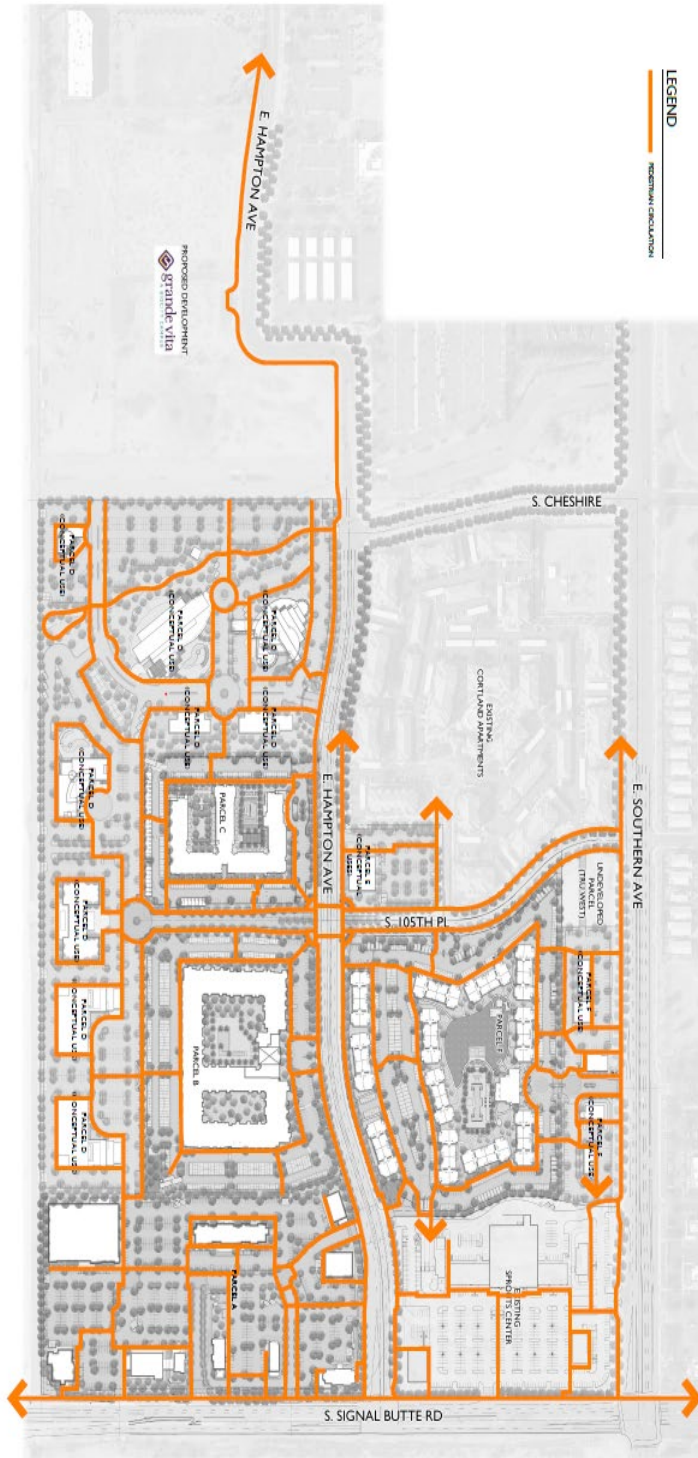


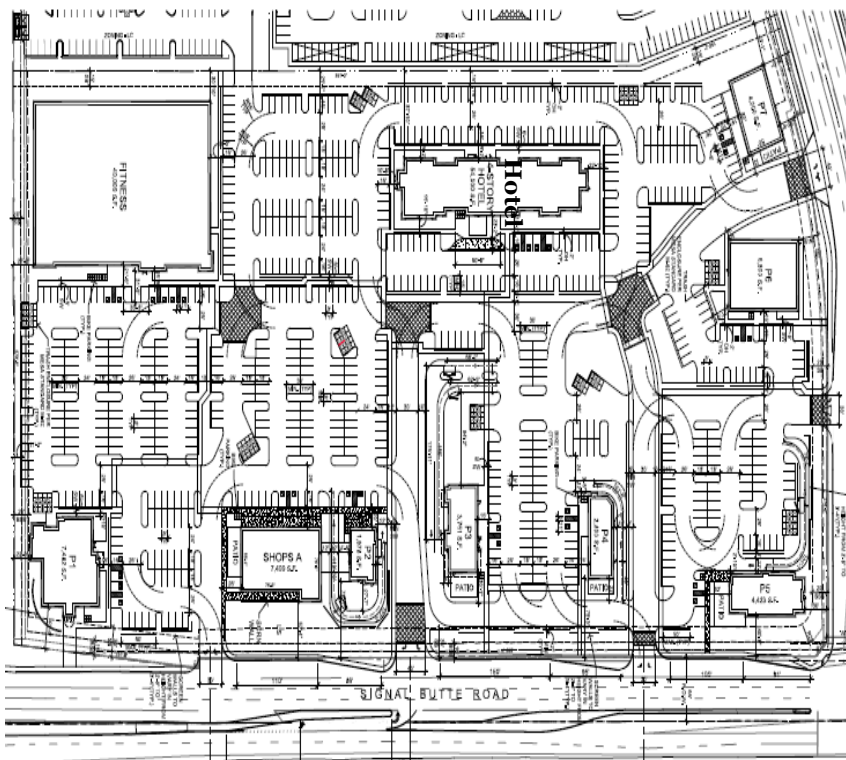
Design and Engineering
EPS Group, Inc.
Brian Nicholls
1130 N. Alma School Rd.
Suite 120
Mesa, AZ 85201



- # Design Guidelines
- Three building styles
 - Warm contemporary
 - Heritage
 - Warm modern
 - Required material palette and percentages
 - DRB review May 2020

PEDESTRIAN CIRCULATION PLAN





Site Plan Parcel A

- Approximately 132,000 square feet of commercial:
- Four story hotel
- Fitness center
- Four drive-thru uses
- General retail/shop



Renderings (Parcel B)



02 NORTH EAST CORNER
ELEVATION



01 NORTH WEST ELEVATION
ELEVATION

Renderings (Parcel C)



NORTH WEST ELEVATION



NORTH ELEVATION



NORTH EAST ELEVATION



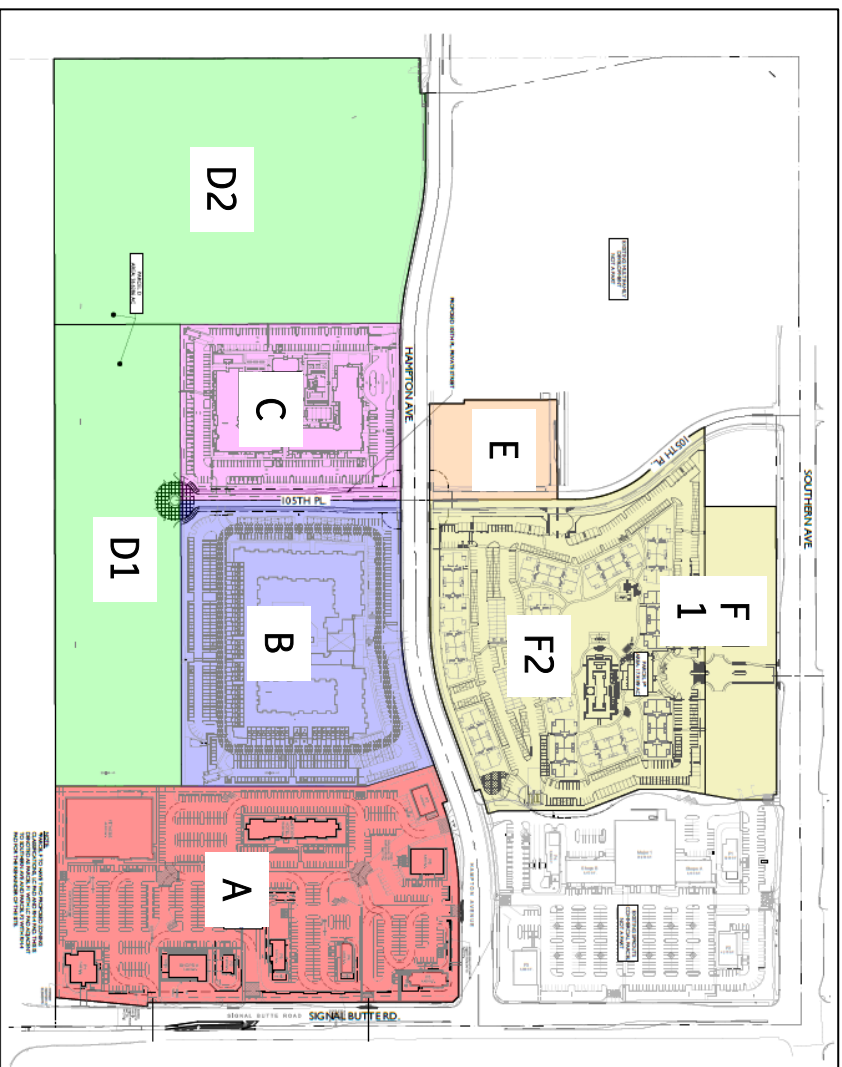
EAST ELEVATION

Renderings (Parcel F2)



Development Agreement

- **No residential on Parcels A and F1**
- **Parcels A, D1 and F1** (no rezone to residential for 20 years)
- **On-site water/sewer** (before building permits for vertical construction for multi-residence)
- **Max (4) drive-thru restaurants on Parcel A**
 - No changes to site plan configuration



Summary

Findings

- ✓ Consistent with the 2040 General Plan
- ✓ Consistent with Zoning Ordinance (MZO)

P&Z and Staff Recommendation

Approval with Conditions

Questions?

Site Photos



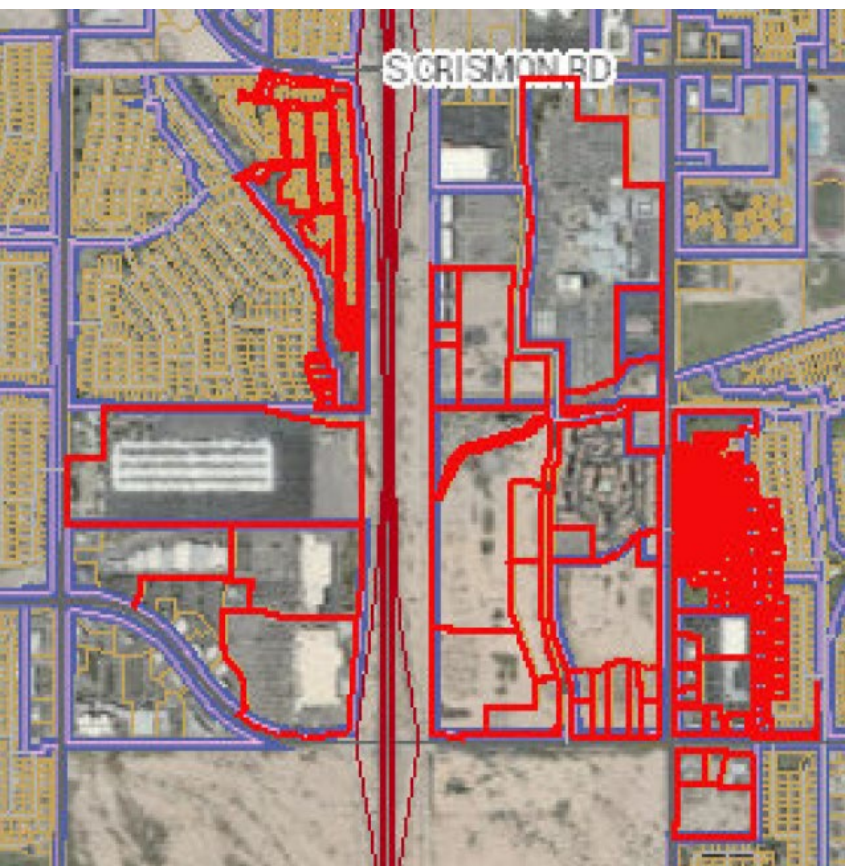
Signal Butte Road looking NW

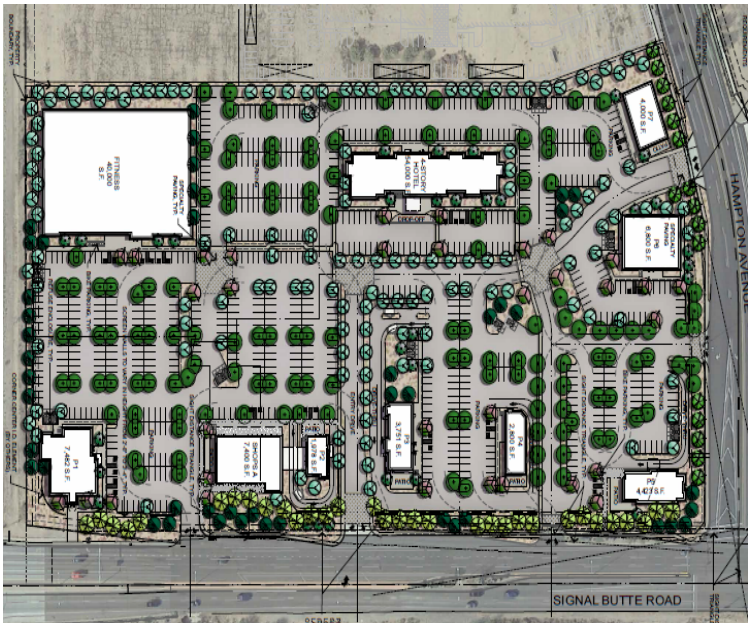
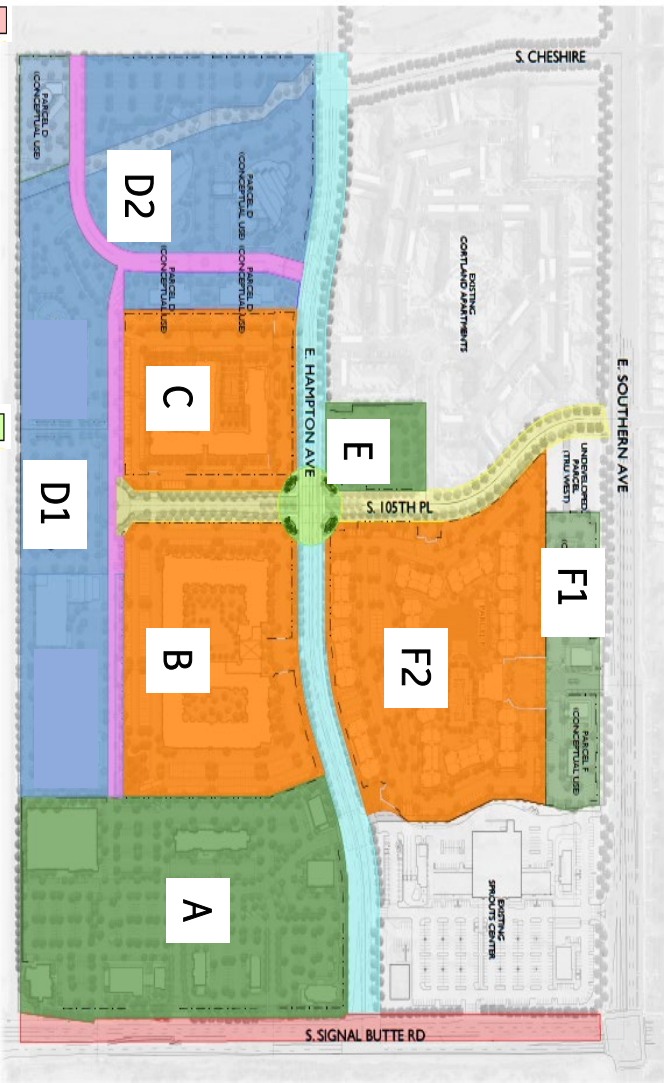
Hampton Avenue looking SE

Citizen

Participation

- Property owners within 1000'
- HOAs & Registered Neighborhoods within 1 mile
- Neighborhood meeting
- No major concerns
- 8 letters of support

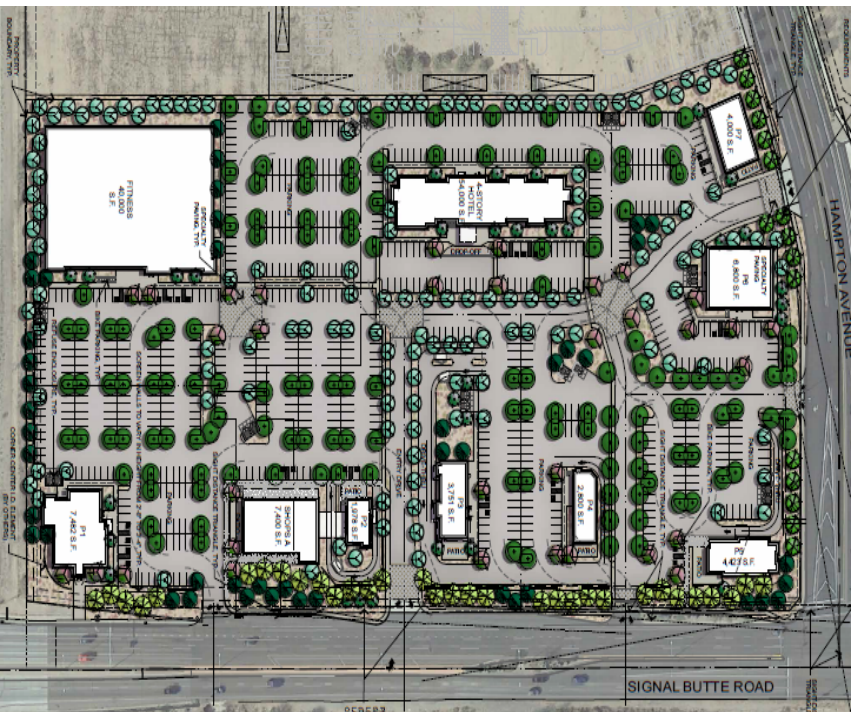




Parcel A

Site Plan Parcel A

- Approximately 132,000 square feet of commercial
- Four drive-thru uses
- Enhanced landscape along Signal Butte Road and Hampton Avenue





Site Plan Parcel B

- Four story apartment building
- Two central amenity courtyards
- Dog park in the southeast corner of the site

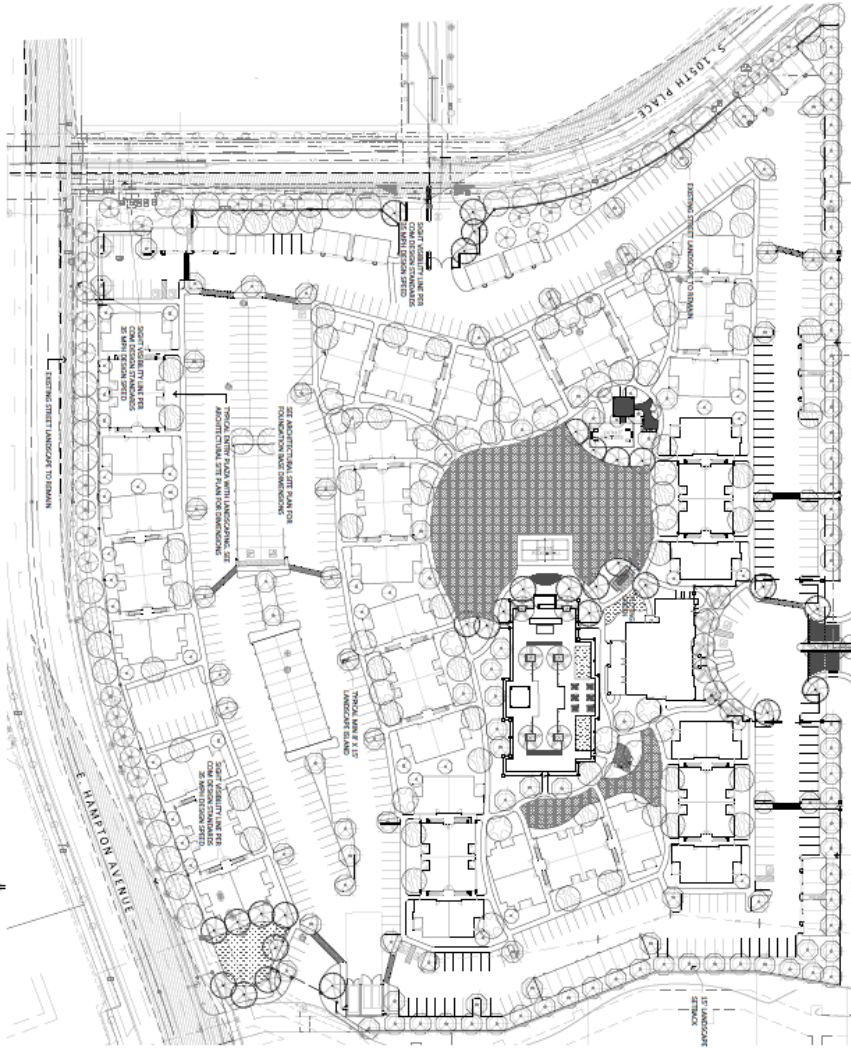
Site Plan Parcel C

- Enhanced landscaping along Hampton
- Landscaped courtyard



Site Plan Parcel F2

- Large central open space with recreational amenities
- Dog park in the southeast corner of the site



City Auditor Proposed FY 2021 Audit Plan

City Council Study Session
July 1, 2020

Joseph Lisitano, Interim City Auditor

Audit Plan Overview:

- Current work in progress
- Audits planned for FY 2021
- Follow-up reviews due in FY 2021
- Other activities

Current work in progress:

- MFMD – Transport Services & Billing
- Engineering – CMAR Projects
- Engineering – CIP Mesa
- Police – Photo Safety Program

New audits:

- *Business Services/Purchasing – Procurement Processes
- *DoIT – Software/Application Management
- *Engineering – Job Order Contracting (JOC)

*Carried over from FY20 Audit Plan

New audits:

- Police Department – Badging/Security Access
- Falcon Field – Leases
- Fleet – Parts Management

Follow-up reviews:

- Police – Jail Services Contract
- PRCF – Convention Center Revenues
- HR/Employee Benefits – Claims Admin Contract
- Transient Lodging Tax

Other Activities:

- Citywide Cash Handling Audits (continuous)
- PCI DSS Annual Review
- Fraud & Ethics Hotline Investigations
- Consulting (limited reviews, other projects, etc.)
- Unscheduled Audits (*if requested by City Manager or City Council*)

Questions or changes?