



# City Council Report

**Date:** June 16<sup>th</sup>, 2025

**To:** City Council

**Through:** Scott Butler, City Manager  
Marc Heirshberg, Assistant City Manager

**From:** Nana Appiah, Development Services Department Director  
Mary Kopaskie-Brown, Planning Director  
Beth Hughes-Ornelas, Development Services Deputy Director

**Subject:** Addendum to the Amended and Restated Community Maintenance Agreement between the City of Mesa and the Eastmark Community Alliance, Inc. for Phase 3 and 4 of the Great Park.  
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## Purpose and Recommendation

The purpose of this report is to recommend that the City Council approve a resolution authorizing the City Manager to enter into an Addendum to the Amended and Restated Community Maintenance Agreement (the "Maintenance Agreement") between the City of Mesa and the Eastmark Community Alliance, Inc (currently referred to as Eastmark) for Phase 3 and 4 of the Great Park within the Eastmark community.

Staff recommend the City Council approve the Addendum to the Amended and Restated Community Maintenance Agreement.

## Background

In 2008, the City Council approved the Planned Community District Zoning for the DMB portion of the former GM Proving Grounds, now known as Eastmark. The approval of the zoning included a Community Plan (CP), which divided the property into nine Development Units (DU's). In addition to the entitlements provided through the CP, the Eastmark development is governed by a Pre-Annexation Development Agreement (the "PADA"). Originally approved by Council in 2008, with subsequent amendments approved in 2011, 2013, 2016, 2018 and 2022. The PADA allows DMB, or its assigns, to design and install specialty features and materials. These specialty features and materials include poles for traffic control and street name signs, street and sidewalk lighting, street signage, paving materials, and enhanced landscaping. With the design and installation of specialty features and materials, the PADA required the City and DMB/Brookfield to enter into a maintenance agreement to clearly show the entity responsible for maintenance of the special features within sections of the Great Park.

The Maintenance Agreement for the Community was approved by City Council on June 25, 2012, and amended on June 16, 2012, November 18, 2019, and December 19, 2022. This Maintenance Agreement addresses the costs, processes, and responsibilities for maintenance of specialty items and materials, landscaping and Great Park improvements.

## **Discussion**

The requested Addendum to the Amended and Restated Community Maintenance Agreement (Exhibit 1- Addendum) carries forward the responsibilities covered in the original and amended Agreements, with the following modifications:

1. This addendum is an extension of a previous Community Maintenance Agreement and applies to specific portions of the Great Park. One area is legally known as Parcel 7-52, which is part of "Great Park Phase 3," as recorded in official maps. The other includes Parcels DU 3/4-19 through DU 3/4-22, part of "Great Park Phase 4," also recorded in maps.
2. The focus of this addendum is on the rear yard walls and fences that border Great Park Phases 3 and 4. These are collectively referred to as the "Phase 3 Theme Walls" and "Phase 4 Theme Walls." These walls run along the rear edges of properties that face South Ferric.
3. Responsibility for maintaining and repairing the sides of these walls facing Great Park Phases 3 and 4 lies entirely with the Community Alliance. They must cover all costs for this work. However, this does not prevent the Community Alliance from requiring property owners or others to either handle repairs themselves or reimburse the Alliance for the expenses involved.
4. The City hereby grants to the Community Alliance a perpetual, non-exclusive easement over, under, upon, and across the real property legally described and depicted as legally outlined in attached exhibits. This allows the Alliance to reach these spaces to carry out the necessary maintenance and repairs mentioned above.

Staff recommend approval of the development agreement.

## **Alternatives**

The following alternatives are presented for consideration:

1. Take no action which would have the effect of not assigning maintenance responsibility to either the City of Mesa or the Eastmark Community Alliance, Inc for Phase 4 of the Great Park.

### Not Approve the Development Agreement:

If Council chooses not to approve the development agreement, the Project may not be able to proceed at this time.