

RESOLUTION NO. 12316

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AND DEVELOPMENT AGREEMENT WITH MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT PRIMARILY TO ALLOW THE CONSTRUCTION AND OPERATION OF TWO BILLBOARDS ON THE MESA COMMUNITY COLLEGE CAMPUS AND ENSURE REVENUE GENERATED FROM THE BILLBOARDS IS USED TO PROVIDE FINANCIAL SUPPORT TO MESA RESIDENTS TO ATTEND MESA COMMUNITY COLLEGE OR OTHER ACCREDITED COLLEGES OF THE MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT.

WHEREAS, Maricopa County Community College District (“District”) offers a community college system with ten (10) accredited colleges and thirty-one (31) satellite locations throughout Maricopa County, including Mesa Community College in Mesa (“MCC”). District partners with the Maricopa County Community College District Foundation, an Arizona nonprofit, (“Foundation”) to enhance District’s educational mission through scholarship and fundraising programs benefiting District and students at District’s colleges.

WHEREAS, the City of Mesa (“City”) is dedicated to advancing education and workforce opportunities for Mesa residents and, to that end, has various partnerships with District and Foundation. Specifically, the City formed the Mesa Achieves Higher Education Task Force (“Task Force”) and the Mesa Education and Workforce Development Roundtable, both on which MCC leadership serves.

WHEREAS, the City is committed to certain education and workforce goals and initiatives, including the Achieve60AZ goal that by the year 2030, 60% of Arizonans will have earned post-secondary credentials; increasing the higher education outcomes and elevating the educational attainment of Mesa residents; and increasing enrollment at MCC.

WHEREAS, in 2021, at the recommendation of the Task Force and in collaboration with District and Foundation, the City created the Mesa College Promise Program (“MCP Program”) which allows eligible Mesa residents to attend MCC for two (2) years with Arizona-resident tuition and fees fully funded.

WHEREAS, on March 4, 2024, the City Council adopted Ordinance No. 5847, amending Mesa City Code Title 11 (“Zoning Ordinance”) to allow billboards in certain areas of Mesa provided certain requirements are met, including approval of a billboard overlay zoning district and execution of a development or intergovernmental agreement with the City; and on November 4, 2024, the City Council adopted Ordinance No. 5889 amending certain development standards for billboards in the Zoning Ordinance.

WHEREAS, District owns approximately 134 acres of land generally located at the southeast corner of West Southern Avenue and South Dobson Road, north of the US-60 Superstition Freeway, in Mesa, Arizona, consisting of APNs 134-26-767C and 134-26-779, developed and operated as the MCC campus (“Property”).

WHEREAS, as required by the Zoning Ordinance, to construct and operate billboards on the Property, District has applied to rezone the Property from Public and Semi-Public (PS) to Public and Semi-Public with a Billboard Overlay District (Case No. ZON24-00767); and further, District has agreed, and the City is requiring of District as both a requirement of the Zoning Ordinance and an element of the above named rezoning case, to enter into an Intergovernmental and Development Agreement with the City primarily to establish specific standards for the billboards on the Property and to ensure revenue generated by the billboards is used to provide financial support to Mesa residents to attend MCC or other colleges of District, thus directly supporting the City’s education and workforce goals and initiatives (“Intergovernmental and Development Agreement”).

WHEREAS, Arizona Revised Statutes (“A.R.S.”) § 9-500.05 authorizes the City to enter into a development agreement with any person or entity having an interest in real property in Mesa providing for the development of such property and certain development rights thereon.

WHEREAS, A.R.S. § 11-952 authorizes the City to enter into an intergovernmental agreement with another public agency to contract for or perform services specified in the intergovernmental government.

WHEREAS, the City Council hereby determines it is appropriate to enter into the Intergovernmental and Development Agreement as contemplated herein.

Now, therefore, be it resolved by the City Council of the City of Mesa as follows:

Section 1: The City Manager, or his designee, is authorized to execute the Intergovernmental and Development Agreement, together with all other documents and amendments thereto, necessary to carry out the provisions of the Intergovernmental and Development Agreement.

Section 2: The City Manager, or his designee, is authorized to make any modifications and amendments to the terms set forth in the Intergovernmental and Development Agreement so long as such modifications do not materially alter the overall structure of the agreement as it was presented to the City Council.

Section 3: The City Clerk is authorized and directed to attest to the signature of the City Manager, or his designee, on all documents contemplated by Section 1 and Section 2.

Passed and adopted by the City Council of the City of Mesa, Maricopa County, Arizona this 9th day of December, 2024.

APPROVED:

Mayor

ATTEST:

City Clerk